

**Protocol  
for  
Incidental Take Authorization**

**Yellow rail (*Coturnicops noveboracensis*)**

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**Note**

*If carrying out a given protocol is not feasible, or multiple listed species in a given management area pose conflicts, contact the Bureau of Natural Heritage Conservation (NHC) at [DNREReview@wisconsin.gov](mailto:DNREReview@wisconsin.gov). Staff in NHC will work with species experts and managers to establish an acceptable protocol for a given site that will allow for incidental take without further legal Consultation or public notice*

**I. Species Background Information**

**A. Status**

**State Status:** Threatened.

**USFWS Region 3 Species of Management Concern?** Yes.

**Breeding Distribution and Abundance in Wisconsin:** Locally distributed in suitable habitat, mainly in northern Wisconsin, but also in some areas in the central and eastern part of the state. Rare breeder.

**Global Range:** Breeds locally from northwestern Alberta, southern Mackenzie, central Saskatchewan, northern Manitoba and Ontario, central Quebec, New Brunswick, eastern Maine, and Nova Scotia south to south-central Oregon, southern Alberta and Saskatchewan, North Dakota, central Minnesota, central Wisconsin, northern Michigan, southern Ontario, and southern Quebec. Winters from coastal North Carolina south to southern Florida, west through the central, and southern Gulf states to central, and southeastern Texas. Resident in central Mexico.

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**B. Habitat**

**General Habitat Description:** Occupies large (typically > 100 acres) sedge-dominated meadows. Substrate in meadows used for breeding can range from moist soil to shallow standing water (typically < 12 inches deep; always < 18 inches deep). Sites with standing water present in spring are usually dry by mid-July. Found most frequently in meadows dominated by narrow-leaved, wiregrass sedge varieties (e.g., *Carex lasiocarpa*), but grasses and broad-leaved sedges are acceptable; the forb component is low. Prefers meadows with a dense build-up of litter (procumbent dead vegetation). Will tolerate the presence of only a few low shrubs (< 2% cover, < 10 feet tall).

**Critical Habitat Features:** Large meadows, with abundant residual vegetation present.

**C. Life History**

**Territory Size/Home Range:** Male territories overlap; average 19.3 acres (7.8 hectares) in size (range = 14.3 to 26 acres). Females use areas that average 3 acres in size (range = 2.5 to 4.2 acres) before incubation but 0.7 acres during incubation. No information on home range.

**Does Species Nest Colonially?** They are gregarious or colonial nesters.

**Site Fidelity:** Males have been documented to exhibit only weak fidelity to breeding sites.

**Nest Location and Height:** Nests rest on the ground (in a shallow depression in dry areas) or up to 6 inches above ground level (in wet areas); nests occasionally situated on a sedge hummock. In Michigan, nest site conditions ranged from moist soil to 1-to-1.6 inches of standing water. If water levels rise slowly, birds have been observed to build up the nest and raise the eggs up along with it. Nests usually covered by a canopy of dead (or rarely, live) vegetation.

**Number of Generations/Broods per Year:** One.

**Resident or Migrant?** Short-distance migrant; a majority of the population winters in coastal marshes from North Carolina to southern Texas.

**Breeding Season Dates for Wisconsin:**

**Arrival in spring:** Spring migration runs from late April to late May.

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**Dates for nests with eggs:** 18 May to 26 June.

**Last known date for hatchlings:** 17 July. A bird incapable of flying was found on 6 August 1965.

**Peak nesting period (period with 70%-80% of active nests):** Unknown, but approximately 20 May to 20 June.

**Does Species Re-Nest after Failed First Nest Attempts?** Yes.

**Length of Breeding Cycle (cumulative time required for nest-building, egg-laying, incubation, and hatchling stages, to the time of fledging):** Time from nest-building to hatching: about 25-31 days. Young leave the nest 1-2 days after hatching. From nest-building to fledging: 60 to 66 days. Parents brood and feed young for 21 days after hatching.

## **II. Management Protocol For Authorized Incidental Take**

If the management activity is for the purpose of recovering, maintaining or improving the grassland, prairie or savanna ecosystem that includes habitat for yellow rails, then incidental take is allowed if these conditions are followed:

### **A. Burning, Mowing, Grazing, Selective Brush/Tree-cutting, and Herbicide Use:**

1. If any of the above management activities are to occur at a site (see definition below) between 26 July and 19 May,

then there are no restrictions on the management activities, as take is avoided under these circumstances.

2. If any of the above management activities are to occur at a site between 20 May and 25 July,

then incidental take is allowed as described under the following conditions:

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**a) Burning, Mowing, and Grazing:**

These activities may be employed under consultation with the DNR Bureaus of Endangered Resources and Integrated Science Services.

**b) Selective Brush/Tree-cutting:**

As long as precautions are taken to avoid unnecessary trampling or crushing of herbaceous vegetation, there are no restrictions on this activity.

**c) Herbicide Use:**

(i) If herbicide is being used to control woody vegetation,  
then there are no restrictions on this activity as long as precautions are taken to avoid drift of chemicals onto adjacent herbaceous vegetation.

(ii) If the herbicide is being used to control herbaceous plants,  
then the activity may be employed under consultation with the DNR Bureaus of Endangered Resources and Integrated Science Services.

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**Survey Protocol**

For Presence / Absence Surveys for the Yellow Rail:

Personnel must be able to identify yellow rails in the field by call and sight.

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Survey period: 20 May - 10 July.

Weather conditions: No rain (drizzle OK), no or light wind ( $\leq$  Beaufort 2, or  $\leq$  4-7 mph).

Time of day: Conduct surveys between 11 p.m. and 4 a.m.

Number of visits: At least two visits on different days, preferably at least 4 days apart (3 days apart if management is to begin before 23 May), including at least one visit  $\leq$  1 week prior to proposed management activity.

Size of area surveyed: Entire area to be subjected to management that contains suitable nesting habitat for yellow rail.

Method: Traverse area slowly on foot, stopping regularly to listen or moving to confirm calls of yellow rails where detected. Cover the site in such a way as to ensure that the observer comes to within 0.3 mile of any part of the site (up to 0.6 mile if conditions are good: no wind, no other obscuring vocalizations or noises from anurans, birds, traffic, etc.) or less than 0.3 mile if listening conditions are poor). This could be accomplished at large sites by walking parallel line transects a maximum of 0.6 miles apart. If rails are not heard, tap two small stones together at the rate of 3-5 taps per second (listen to a bird song recording for proper rhythm) for several minutes at points along the route followed that are approximately 0.6 miles apart. Record estimated location and number of yellow rails on a map of the area.

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## Definitions

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**Definition of “Site” for Yellow rail:** Any patch of habitat suitable for yellow rails (see habitat description above) and designated as a management unit, as well as any directly adjacent suitable habitat within a given property ownership, or across ownerships where survey and management agreements for the species are in place.