

**Conservation and Minimization Measures
for EASTERN BLACK RAIL (*Laterallus jamaicensis jamaicensis*) (BLRA)**

February 2026 version

This document is a general guide for application to a wide range of projects. These measures should be reviewed and selected based on individual project conditions. Project managers and species leads may offer additional recommendations depending on the specific impacts of a project.

The species may be present year-round in all Texas coastal counties. The species is most vulnerable during breeding, chick rearing, and the flightless molt period. Where black rails are present, avoid disturbance activities March 1st through September 30th in suitable BLRA habitat (e.g., dense overhead cover, moist soils that are occasionally dry and interspersed or adjacent to shallow water, depths up to 5 cm but typically <3 cm) as described in the Final Rule (pgs. 63767, 63798, and 63800). If this timing restriction cannot be achieved, then we recommend conducting a presence absence survey and implementing minimization measures.

Surveys, as outlined in the linked document, shall be conducted during April 1st to June 15th to verify presence or absence of the species. National Research standard for call back surveys is found at [Eastern Black Rail Call-Response Survey Protocol for Range-Wide Monitoring | FWS.gov](#) . Please Note:

- Survey results are valid through February of the following year. Any work that extends into the following breeding season shall require an additional survey effort.
- Should the survey results indicate that no rails are present, work may continue as normal. If active nests are found, the Service recommends leaving a buffer of vegetation at least 100 feet around nests until young have fledged and the molting period has ended. The Service uses September 30th as the end of the molting period.
- Prior to the initiation of any survey efforts the Service requests documentation of the Surveyors' qualifications, proposed locations for the survey points, verification of audio files to be used, and a schedule. The Service will review these for compliance with the protocol and coverage.

Measures recommended for proposed projects working in or clearing habitat:

- Efforts should be made to schedule work outside of the breeding period (from October-February).
- A biological monitor* shall ensure a sufficiently slow pace [ex: 5mph or less] of all equipment moving through potential habitat to allow birds to escape ahead of equipment. This secretive species will freeze or run to escape oncoming disturbance and are highly unlikely to fly. The biological monitor shall have authority to stop work immediately upon discovery of any BLRA (alive, injured, or dead). The Texas Coastal and Central Plains Ecological Service's Office should be contacted immediately at 361-533-6765.
- Limit project activity to daylight hours to the extent possible. If nighttime work is required, aim lighting at work zone and turn off when not needed, as possible. All permanent lighting shall be pointed away from potential BLRA habitat, down shielded, and follow the International Dark-Sky Association (<https://www.darksky.org/>) or Bird City Texas (<https://tpwd.texas.gov/wildlife/birding/bird-city-texas>) guidelines.
- **For Large projects:** Do not remove all suitable BLRA habitat in a day. Leave pockets of suitable BLRA habitat (refugia) and/or have a biological monitor ensure dense herbaceous covered pathways are maintained into unaffected areas. The refugia remaining within the project area may be cleared after two days, as needed. Acceptable refugia size is approximately 10 feet by 20 feet. **For small projects:** with wetlands adjacent, use linear clearing toward the remaining habitat
- Projects with permanent removal of habitat can voluntarily mitigate for losses via Conservation Banking credits or permittee responsible mitigation. Discuss with your project's assigned FWS biologist for amounts and ratios.
- Projects involving revegetation of disturbed areas shall use native herbaceous plants mimicking the local site composition. Propagation of woody species shall be avoided in BLRA habitat restoration areas.

*Biological Monitor is a person onsite that is familiar with the species, protocol, and contact information. In the event of an elevated risk of effect, the Fish and Wildlife biologist reviewing the project may ask for a specialized wildlife biologist to be on site to assist.