

DESCRIPTION OF RESIDENCE FOR HOODED WARBLER (*WILSONIA CITRINA*) IN CANADA (PROPOSED)

Section 33 of the *Species at Risk Act* (SARA) prohibits damaging or destroying the residence of a listed threatened, endangered, or extirpated species. SARA defines residence as: “a dwelling-place, such as a den, nest or other similar area or place, that is occupied or habitually occupied by one or more individuals during all or part of their life cycles, including breeding, rearing, staging, wintering, feeding or hibernating” [s.2(1)].

The prohibition comes into effect in different ways depending on the jurisdiction responsible for the species. As a migratory bird protected under the *Migratory Birds Convention Act*, the Hooded Warbler is under federal jurisdiction. This means the residence prohibition is in effect for all nest residences on all lands on which the species occurs immediately upon its addition to the legal list of species at risk. Residences that are not nests are only automatically protected on federal lands, however SARA does contain a provision to prohibit the damage or destruction of non-nest residences on non-federal lands (provincial, territorial, or private lands) by way of an Order by the Governor in Council (GIC), if the Minister of Environment recommends it necessary to do so [s.34 (2), 35(2)]. Unless such an Order is made, responsibility for protecting non-nest residences on non-federal lands remains with the provinces and territories in which the species occurs.

The following is a description of residence for the Hooded Warbler (*Wilsonia citrina*), created for the purposes of increasing public awareness and aiding enforcement of the above prohibition. Hooded Warblers are known to have one type of residence—the nest.

Species Information:

Scientific Name – *Wilsonia citrina*

Common Name – Hooded Warbler

Current COSEWIC Status & Year of Designation - Threatened 2000

Occurrence in Canada – Ontario

Rationale for Designation – This population is small and the quantity and quality of habitat will likely decline in the future. The likelihood of a rescue effect from United States populations is limited by availability of suitable habitat in Canada.¹

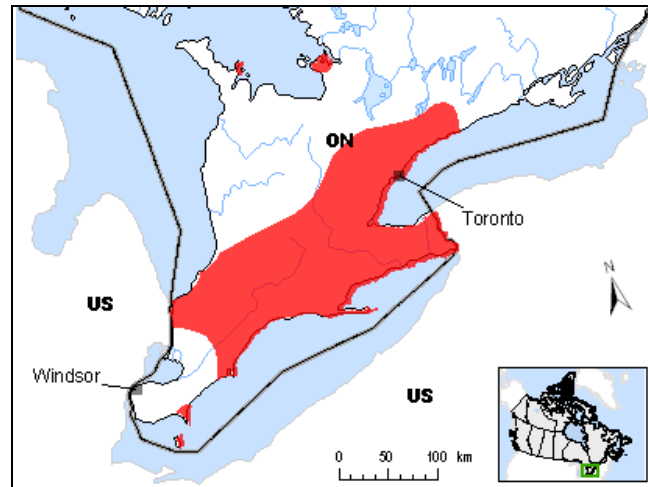


Figure 1. Known distribution of the Hooded Warbler (*Wilsonia citrina*) in Canada.

1) The Nest

Physical Appearance and Context

Any place used as a nest by a Hooded Warbler is considered a residence. The Hooded Warbler is an area-sensitive, neotropical migrant songbird. The species resides in large, mature deciduous and mixed deciduous forests, or smaller forests that lie in close proximity to these large forests, where it nests in clearings created by natural disturbance and selection logging^{2,4}. Forests large enough to attract Hooded Warblers are uncommon in the Carolinian forest zone, which is the species' core breeding area in Canada. The nest is typically situated close to the ground (<1 m) within dense, shrubby vegetation, most often in raspberry (*Rubus*) tangles but also in elderberry (*Sambucus canadensis*), hazel (*Corylus*), hawthorn (*Crataegus*), cherry (*Prunus*), and even garlic mustard (*Alliaria petiolata*)³. The nests are a bulky mass of dry leaves, with the inner nest cup lined with grasses, fine rootlets, and pine needles⁴.



Figure 2. Hooded Warbler nest

Function

The nest provides a structure to hold eggs and nestlings. The adult female builds the nest, usually over 5-6 days⁴. In Ontario, average annual clutch size has ranged from 2.8 to 3.7 eggs⁵. Eggs are creamy white with scattered brown markings concentrated at the large end; they are incubated for 12 days by the female only⁴. All young tend to hatch within a single day, and remain in the nest for 8 or 9 days⁴.

Damage/Destruction of Residence

Federal Policy defines damage or destruction of a residence as:

Any alteration to the topography, geology, soil conditions, vegetation, chemical composition of air/water, surface or groundwater hydrology, micro-climate, or sound environment which either temporarily or permanently impairs the function(s) of the residence of one or more individuals.

Any activity that destroys the function of the nest would constitute damage or destruction of the residence. This would include, but is not limited to, moving or otherwise disturbing the eggs, nest, and plant species that support the nest; changing the microclimate of the nest (such as the amount of light or internal temperature); or blocking access to the nest. Activities that remove large, mature trees and/or the dense, shrubby vegetation near the nest may damage its ability to function as a residence.

Period and Frequency of Occupancy

Hooded Warblers typically return to Ontario from wintering areas in early May, with females usually arriving a few days later than males⁵. Nest construction begins in early May, and the nest can be used for up to five weeks. Double-brooding, and even triple-brooding, has occurred in Ontario⁶, which extends the active breeding season to late August. The nest should be protected as a residence from the time of nest construction through to fledging of young, approximately from early May to late August. Returning males often occupy the same territory in subsequent years⁴. Protection should include nest building, egg laying, incubation, hatching, nestling, and

brood rearing periods – a total time frame of approximately 120 days.

Additional Information

For more information on the Hooded Warbler, go to:

http://www.speciesatrisk.ec.gc.ca/search/speciesDetails_e.cfm?SpeciesID=37

For more information on SARA, go to: http://www.sararegistry.gc.ca/default_e.cfm

Recommended Citation

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References

- ¹ James, R.D. 2000. Update COSEWIC status report on the Hooded Warbler, *Wilsonia citrina*, in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. 9 pp.
- ² Friesen, L.E., D. Martin, M.D. Cadman, P. Carson, K. Elliott, M. Gartshore, J. McCracken, P. Prevett, B. Stutchbury, D. Sutherland and A. Woodliffe. 2000. National recovery plan for Acadian Flycatcher (*Empidonax vireescens*) and Hooded Warbler (*Wilsonia citrina*). National Recovery Plan No. 20. Recovery of Nationally Endangered Wildlife (RENEW). Ottawa, Ontario.
- ³ Badzinski, B. 2003. Hooded Warbler research in St. Williams forest, Ontario: an investigation of nest productivity, nest concealment, territory size and species associations. Bird Studies Canada, Port Rowan, Ontario.
- ⁴ Evans Ogden, L.J. and B. J. Stutchbury. 1994. Hooded Warbler (*Wilsonia citrina*). In The Birds of North America, No. 110 (A. Poole and F.Gill, eds.). Philadelphia: The Academy of Natural Sciences; Washington, D.C.
- ⁵ Badzinski, D. 2004. Hooded Warbler research and monitoring in St. Williams Forest: 2004 annual summary. Report to the Acadian Flycatcher/Hooded Warbler Recovery Team.
- ⁶ Badzinski, D. 2003. Hooded Warbler research and monitoring in St. Williams Forest: 2003 annual summary. Report to the Acadian Flycatcher/Hooded Warbler Recovery Team.