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Black Pinesnake Added to Threatened and Endangered Species List; Timber management activities exempted & decision on critical habitat delayed to 2016

The black pinesnake, which can grow to six feet in length and is now only found in parts of Mississippi and Alabama, will be protected as a threatened species under the Endangered Species Act (ESA).

At the same time the U.S. Fish and Wildlife Service also announced today a series of exemptions for certain activities that can benefit the species' recovery, help keep working lands working, reduce regulatory burden and ensure landowners know what is expected.

A threatened designation means a species is at risk of becoming endangered within the foreseeable future. The snake's threatened status allows the Service to include exemptions permitted under Section 4(d) of the ESA allowing certain management activities to continue to occur with protection from the loss, injury or harassment of black pinesnakes in this case.

The black pinesnake decision is part of the Service's effort to implement a court-approved settlement under a Multi-District Listing agreement aimed at significantly reducing a litigation-driven workload. For more information, please see <http://www.fws.gov/southeast/candidateconservation/>.

"We crafted the exemptions to provide landowners flexibility to manage for their objectives while still affording conservation benefits to the black pinesnake," said Cindy Dohner, the Service's Southeast Regional Director. "The Service wants landowners to continue managing their land for forestry and keep working lands working. We realize how important active management is for the health of a forest, and our decision today will allow for active management and continued healthy ecosystems to help us recover the black pinesnake together."

The Service revised the exemptions based on the valuable input from state conservation agencies, the forest products industry, and others that was received during two public comment periods totaling 120 days. The revisions include removing specific management guidelines and scaling back the criteria needed to meet the exemptions to include most normal timber management actions. Herbicide treatments, prescribed burning, thinning, and longleaf pine restoration are examples of normal forestry activities that also benefit the black pinesnake. These activities could continue to take place if the conservation measures in the rule are followed. However, actions that would harm the snake, like ones causing substantial subsurface disturbance, will not be exempted from take as these activities are not advisable for the conservation of the species. These exemptions are voluntary. If landowners prefer to not use the

exemptions, they may consult with the Service on their forestry management practices if there is a potential to impact the snake.

“Our decision to list the black pinesnake was based on the best scientific information available and supported by species experts from outside our agency,” said Stephen Ricks, field supervisor for the Service’s Ecological Services Field Office in Mississippi. “And, because the black pinesnake is found in the same geographic areas as other listed species like the population of threatened gopher tortoises west of the Tombigbee Waterway, endangered dusky gopher frog, and endangered red-cockaded woodpecker, some protections are already in place.”

“Most landowners, and the forest products industry, will see little to no change from this listing in how they currently manage their forests,” Ricks added.

Black pinesnakes are found in the pine forests of southern Mississippi and Alabama. There are currently 11 known populations of the black pinesnake in nine counties in Mississippi (Forrest, George, Greene, Harrison, Jones, Marion, Perry, Stone, and Wayne) and three counties in Alabama (Clarke, Mobile, and Washington). Some populations span areas in multiple, neighboring counties.

While the snake has been listed throughout its historical range, it has not been seen in Louisiana in 40 years and is thought to no longer occur in the state.

The Service is delaying its decision to designate critical habitat for the black pinesnake. On March 11, 2015, the Service identified eight areas, encompassing approximately 338,100 acres, in Mississippi and Alabama as proposed critical habitat for the black pinesnake. The Service is continuing to consider which of these areas are essential to the snake’s conservation and expects to offer an additional public comment period on the critical habitat proposal in 2016.

This snake’s decline is primarily attributed to the loss and degradation of the longleaf pine ecosystem because of habitat fragmentation, fire suppression, conversion of natural pine forests to densely stocked pine plantations, and agricultural and urban development. Other threats to the snake’s survival include road mortality and killing by humans.

Black pinesnakes are non-venomous, egg-laying constrictors. Adults range in size from four to six feet. They are dark brown to black on both their upper and lower body surfaces, have small heads with pointed snouts, and are good burrowers. They prefer sandy, well-drained soils with an open-canopied forest of longleaf pine, a reduced shrub layer, and a dense, vegetative ground cover.

They may prefer longleaf habitat and are found in all types of pine forest. The species is closely aligned with the distribution of the longleaf pine ecosystem that once covered roughly 90 million acres across much of the southeastern United States. During the 20th century it declined, reaching a low in the 1990s of around three million acres. However, an extensive partnership of conservation agencies, non-profits, businesses, and industry have been taking steps to reverse that decline. Conservation actions taken to restore the longleaf pine ecosystem will also provide benefits for the many wildlife species that live there – listed and non-listed alike.

The black pinesnake final listing becomes effective on November 5, 2015 which is 30 days after its publication in the *Federal Register* on October 6, 2015. The Service published a proposed rule to list the black pinesnake as threatened on October 7, 2014. The black pinesnake was added to the Service's list of candidates for federal protection in 1999.

The complete final rule can be obtained by visiting the Federal eRulemaking Portal: <http://www.regulations.gov> at Docket Number FWS-R4-ES-2014-0046. A copy also can be obtained by contacting U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Suite A, Jackson, Mississippi, 39213; phone: 601-321-1121.

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