



# Black Pinesnake Listed as Threatened under the Endangered Species Act

*What does this mean for me?*

The U.S. Fish and Wildlife Service listed the black pinesnake as threatened under the Endangered Species Act (ESA). The determination for this large, non-venomous snake was made using the best scientific information available to assess its status and threats. The Service found the black pinesnake meets the definition of a threatened species, primarily because of the loss of suitable habitat in upland longleaf pine forests of south Mississippi and southwestern Alabama.

## Exemptions from Take Prohibitions

We believe this snake warrants the protection of the ESA, however, conservation actions taken by partners so far made this threatened designation possible. The black pinesnake's threatened status allows the Service to include exemptions under Section 4(d) of the ESA. These exemptions allow certain management activities that provide a conservation benefit to the snake to continue to occur with protection from the loss, injury or harassment of the snake. Exempted activities include herbicide treatments, prescribed burning, and most normal forest management activities.

The Service recognizes that active forest management is necessary to maintain habitat suitability for the black pinesnake. As a result, the Service simplified the rule to exempt those activities from take prohibitions while at the same time protecting the native ecosystem and the habitat features most important to the black pinesnake. These exemptions are voluntary, but if the 4(d) measures are followed a landowner is covered for any possible take under the ESA. If landowners prefer not to use these exemptions, they may consult with the Service on their specific forestry management practices if there is a potential to impact the snake.

## Black Pinesnake Quick Facts

**Description:** 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.

**Habitat:** This harmless snake is native to the longleaf pine ecosystem that is also in peril. Longleaf forests once covered over 90 million acres from the South Atlantic Coastal Plain of southern Virginia to the West Gulf Coastal Plain of Texas. Today, less than four percent remains. The longleaf pine ecosystem is one of the most ecologically diverse in the world, with more than 900 plant species that are found nowhere else.

**Threats:** This snake's decline is primarily attributed to habitat loss and degradation, fire suppression, and agricultural and urban development. Other threats to the snake's survival include road mortality and killing by humans.

## For more information:

If you have questions about the black pinesnake or how its listing may affect your activities, contact:

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I am a ...	Federal protection for black pinesnake means ...	Next steps
Private landowner	<p>All landowners should avoid “take” of the black pinesnake because it is protected by the ESA. Take includes land use activities that result in death, injury or harm to the snake.</p> <p>The 4(d) exemptions allow incidental take of the snake during certain forest management activities, clearing the way for these activities to continue.</p> <p>For example, clearing pine uplands for agriculture, pasture, or development in an area where pinesnakes occur would likely result in harm or death.</p> <p>Significant subsurface disturbance, such as stump removal or disking, could potentially destroy the underground shelter used by the snake, resulting in possible take too.</p>	<p>Some activities are exempted from incidental take of the snake. The decision tree can help you determine if your activity is exempted or if you should consult with the Mississippi or Alabama Ecological Services Field Offices. If you are conducting an exempted activity, you may proceed.</p> <p>In instances that would likely result in take of the black pinesnake, the Service can work with a private landowner to develop a Habitat Conservation Plan or Safe Harbor Agreement with measures designed to avoid, reduce, and/or mitigate those impacts.</p>
Timber producer	<p>All timber producers should avoid “take” of the black pinesnake. Take includes land use activities that result in death, injury or harm to the snake.</p> <p>The 4(d) exemptions allow incidental take of the snake during certain forest management activities, clearing the way for these activities to continue.</p>	<p>The 4(d) exemptions should provide increased forest management flexibility. The decision tree can help you determine if your activity is exempted or if you should consider consulting with the Mississippi or Alabama Ecological Services Field Offices to determine if your activity may affect the snake. If you are conducting an exempted activity, you may proceed.</p>
Federal agency, such as DeSoto National Forest	<p>All federal agencies have an obligation under the ESA to avoid take and conserve listed plants and animals as well as their critical habitats.</p> <p>Specifically, Section 7(a)(1) of the ESA requires federal agencies to aid in the conservation of listed species, and Section 7(a)(2) requires the agencies to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats.</p> <p>The 4(d) exemptions allow incidental take of the snake during certain forest management activities, clearing the way for these activities to continue.</p>	<p>A federal agency will need to consult with the Service to evaluate potential effects of a proposed action on the snake and its critical habitat (when finalized).</p> <p>Consultations with federal agencies are already occurring in the same longleaf pine areas occupied by the black pinesnake because of the presence of other federally protected species including the endangered red-cockaded woodpecker, the endangered dusky gopher frog, and the gopher tortoise (listed as threatened west of the Tombigbee River).</p> <p>If you are conducting an exempted activity, you may proceed.</p>
Military installation, such as Camp Shelby	<p>All military installations have an obligation to avoid take and conserve listed plants and animals.</p> <p>Specifically, Section 7(a)(1) of the ESA requires federal agencies to aid in the conservation of listed species, and Section 7(a)(2) requires the agencies to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats.</p> <p>The 4(d) exemptions allow incidental take of the snake during certain forest management activities, clearing the way for these activities to continue.</p>	<p>A military installation will need to consult with the Service to evaluate potential effects of a proposed action on the snake and its critical habitat (when finalized).</p> <p>Consultations with military installations are already occurring in the same longleaf pine areas occupied by the black pinesnake because of the presence of other federally protected species including the endangered red-cockaded woodpecker, the endangered dusky gopher frog, and the gopher tortoise (listed as threatened west of the Tombigbee River).</p> <p>If following the 4(d) exemptions, a military installation will not need to consult with the Service to evaluate potential effects of normal military training operations on the snake.</p> <p>For Camp Shelby, habitat restoration and maintenance activities on DoD- and state-owned lands are covered under its Integrated Natural Resources Management Plan, which includes specific conservation measures to benefit black pinesnakes. The Army National Guard will have to consult with the Service on all other activities outside the scope of the 4(d) exemptions conducted on Camp Shelby.</p>

## Decision Tree: Are you covered by the 4(d) exemptions?

<p><b>Are you located in one of the following counties?</b>                  Mississippi: Forrest, George, Greene, Harrison, Jackson, Jones, Lamar, Lawrence, Marion, Perry, Stone, and Wayne                  Alabama: Clarke, Mobile, and Washington</p>	→ No	<p><b>No consideration of black pinesnake is needed. Proceed with your activity.</b></p>		
Yes ↓				
<p><b>Do you have pine dominated forests primarily having the following characteristics?</b></p> <ul style="list-style-type: none"> <li>■ Open canopy</li> <li>■ Reduced woody mid-story</li> <li>■ Abundant native groundcover</li> </ul>	→ No			
Yes ↓				
<p><b>Are you planning to clear the forest or conduct forest management activities which could significantly alter the habitat?</b></p>	→ No			
Yes ↓				
<p><b>Are you planning to conduct one of the following exempted activities?</b></p> <ul style="list-style-type: none"> <li>■ Prescribed burning, including establishing fire breaks, conducting maintenance actions, and taking actions to control wildfires.</li> <li>■ Herbicide application for invasive species control, site preparation, and mid-story and understory wood vegetation control conducted in a manner consistent with applicable federal and state laws and manufacturer guidelines.</li> <li>■ Forest management activities that maintain lands in a forested condition except for:                      Conversion of longleaf pine dominated forest (&gt;51% longleaf in the overstory) to other forest cover types or land uses;                      or                      Those activities causing significant subsurface disturbance including (but not limited to) shearing, windrowing, stump removal, diskling (except during fire break creation or maintenance), root-raking and bedding.</li> </ul>	→ No	<p><b>Your activities may not be covered by the rule's exemptions. Please contact the nearest FWS field office to discuss ways to reduce potential impact to the black pinesnake on your project site.</b></p>		
Yes ↓				
<p><b>Will your activities cause significant subsurface disturbance including (but not limited to) shearing, windrowing, stump removal, diskling (except during fire break creation or maintenance), root-raking and bedding?</b></p>	→ No	<p><b>Do you plan to convert a longleaf pine forest to another forest cover type following harvest?</b></p>	→ No	<p><b>You're covered under the existing consultation for exempted activities. Proceed with your activity.</b></p>
Yes ↓		Yes ↓		
<p><b>Your activities may not be covered by the rule's exemptions. Please contact the nearest FWS field office to discuss ways to reduce potential impact to the black pinesnake on your project site.</b></p>		<p><b>Your activities may not be covered by the rule's exemptions. Please contact the nearest FWS field office to discuss ways to reduce potential impact to the black pinesnake on your project site.</b></p>		