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Contact: Jennifer Koches, 843-300-0424, [jennifer\\_koches@fws.gov](mailto:jennifer_koches@fws.gov)

## **Service Finalizes 4(d) Rule to Aid Conservation of Louisiana Pinesnake and Support Landowner Efforts**

The U.S. Fish and Wildlife Service has finalized a special 4(d) rule for the Louisiana pinesnake, tailoring conservation protections for the snake while ensuring greater regulatory certainty for landowners. The Louisiana pinesnake was listed as threatened under the Endangered Species Act (ESA) in 2018 and landowners play a critical role in its conservation and recovery.

“Conservation agencies, non-profit groups and the timber industry are all taking steps to reverse the decline of the Louisiana pinesnake and its habitat,” said Leopoldo Miranda, Service regional director for the South Atlantic Gulf and Mississippi Basin. “The Service is using every tool available to recover the pinesnake and provisions like 4(d) rules are incredibly useful to that end, helping us conserve the species while keeping working forests working.”

Reaching nearly five feet long, the secretive and non-venomous Louisiana pinesnake is currently found in only four Louisiana parishes and three Texas counties. Loss of habitat and habitat fragmentation are the primary threats to the pinesnake, with the longleaf pine forests that the snake calls home gone from roughly 90 percent of its historic range. In addition, the pinesnake produces only 3-5 eggs per clutch, and its populations are already small, isolated and genetically compromised.

Special 4(d) rules are one of the many flexible mechanisms of the ESA, allowing the Service to tailor protections and land management activities to those beneficial to threatened species while streamlining the regulatory process for minor impacts. The 4(d) rule supports important actions central to the conservation and recovery of the Louisiana pinesnake, as well as its primary prey, the pocket gopher. These activities include forest thinning, harvesting and planting to actively manage healthy open-canopied pine forests, along with the use of prescribed fire and the limited use of some herbicides.

Within specific areas, soil disturbance activities such as stumping, root-raking, drum-chopping, below-ground shearing, bedding and wind-rowing would not be exempt under this rule. That does not mean landowners may not implement those kinds of management activities; it just means they need to consult with the Service ahead of time to determine whether those activities would harm the snake, and if so, how they can avoid or minimize those impacts. Disking would only be automatically exempt when establishing and maintaining firebreaks.

In addition, before listing the pinesnake, the Service developed a programmatic Candidate Conservation Agreement with Assurances (CCAA) with the Louisiana Department of Wildlife

and Fisheries. This ESA tool established a mechanism to provide private landowners the opportunity to implement best management practices on the lands they manage in exchange for assurances they would not bear additional regulatory burden if the pinesnake's status later changed. The protection provided to landowners under this agreement remains in place even if the pinesnake's status changes to endangered in the future. Additionally, lands under the CCAA can be excluded from future critical habitat designation.

A Candidate Conservation Agreement for the Louisiana pinesnake also is in place with federal partners including the U.S. Forest Service's Southern Research Station and national forests in Texas and Louisiana; the Natural Resources Conservation Service; and the U.S. Department of Defense's Fort Polk and the Joint Readiness Training Center.

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