



SOUTHERN GROUP OF STATE FORESTERS  
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October 28, 2025

Public Comments Processing  
Attn: FWS–R4–ES–2025–0210  
U.S. Fish and Wildlife Service; MS: PRB/3W  
5275 Leesburg Pike, Falls Church, VA 22041–3803

RE: Threatened Species Status with Section 4(d) Rule for Southern Hognose Snake

To Whom it May Concern,

The Southern Group of State Foresters (SGSF) appreciates the opportunity to provide comment on the proposed threatened species listing and associated Section 4(d) rule for the southern hognose snake, posted in the Federal Register on August 29, 2025 (FWS–R4–ES–2025–0210).

SGSF is a non-profit organization that represents the State Foresters (i.e., – the heads of the respective state forestry agencies) from 13 southern states, Puerto Rico and the US Virgin Islands, and whose mission is to provide leadership in sustaining the economic, environmental, and social benefits of the south’s forests. To achieve this mission SGSF works with many federal agencies and other partners across the south and nation to identify and address existing and emerging issues and challenges that are important to southern forests and citizens, which includes conservation of endangered, threatened and candidate species and their forested habitats. The historic range of the southern hognose snake falls within our region, including the six states of North Carolina, South Carolina, Georgia, Florida, Alabama and Mississippi. Those states work proactively on forest conservation, including associated habitat management, for many forest types including the longleaf pine savanna ecosystem most associated with the southern hognose snake.

In addition to managing State-owned Forests, our member agencies are also a critical resource for private landowners, who own 86% of the forest land in the South, in making forest management decisions. Across the southern hognose range, state forestry agency personnel play an active role in helping landowners make wildlife-friendly management decisions in all appropriate forest types, encouraging longleaf pine habitat restoration where it fits with landowner objectives, and connecting landowners with the proper wildlife authorities to survey and manage for at-risk species. Our agencies are often the first call a landowner makes when wanting to make informed management decisions for their forests, and as such we play an integral and ongoing role in fostering the growth of wildlife habitat across the region.

In general, we support Endangered Species Act (ESA) policy solutions that provide forest landowners “carrots” for wildlife-informed management, as opposed to “sticks” for accidental species take. With this in mind, we commend the USFWS’ intention in this proposal to maintain



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“conservation-oriented land management activities”, and to include sustainable forestry practices as exemptions within the 4(d) rule. As referenced in the proposal, the southern hognose snake inhabits open-canopy forests managed through harvesting and prescribed fire, so we should strive to avoid regulatory action that places restrictions on managing the over 17 million acres of forests within the species range, which incites fear in landowners and forest managers and disincentivizes beneficial management.

With some proposed minor amendments (discussed further below), we generally support the inclusion in the proposed rule of the following 4(d) exemptions from take incidental to an otherwise lawful activity. All these activities are associated with normal forest management that helps conserve wildlife species like the southern hognose snake. These measures are closely aligned with other Atlantic coastal plain fire-maintained pine forest conservation initiatives, and as such fit well within existing management regimes:

- (A) Prescribed burning, including all firebreak establishment and maintenance actions.
- (B) Tree harvest, planting (by hand or machine), and associated activities including skidding logs and the use of loading decks.
- (C) Maintenance of existing, unimproved forest roads and trails used for access for forest management.
- (D) Forest management activities that:
  - (1) Implement State-recommended forestry best management practices;
  - (2) Promote open-canopy forest conditions in upland habitats;
  - (3) Do not result in soil and subsurface disturbances that would disrupt the movement or safety of the southern hognose snake; and
  - (4) Do not damage the southern hognose snake's subsurface habitat.
- (E) Herbicide application that targets control of woody or invasive vegetation and promotes the long-term restoration of native herbaceous vegetation.

However, two critical items generally associated with normal forest management activities are omitted from the 4(d) rule as currently proposed, and as such would act as a deterrent as opposed to an incentive for conservation-based forest management.

The most concerning omission from our point of view is the entirety of mechanical site preparation practices, defined in the proposed rule to include “wind-rowing, shearing that penetrates the soil surface, stumping, disking, root-raking, and bedding”. The elimination of many of these tools which are part of normal silviculture (as an aside, we do not consider stumping to be a silvicultural site-preparation practice, as it is usually more associated with land clearing for other uses) from the management toolbox across the entire species habitat range would conservatively impact tens of thousands of acres annually. Mechanical site-preparation is an integral part of a management strategy that allows for ongoing sustainable forest management, making sure the right trees are on the right sites with the right planting conditions for healthy forest regeneration. We recommend USFWS engage in further dialogue with forest managers



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and forest researchers about the specifics of site preparation practices and potential impacts on snake populations, to inform appropriate 4(d) rule language. This would include defining or providing examples of what constitutes ‘significant soil disturbance’ to reduce ambiguity for land managers and ensure consistent application.

Important questions to be resolved in crafting such a 4(d) exemption would include how deep of ground disturbance would be at issue? In what habitat locations? At what times of year? How do mechanical site-preparation activities differ across forest types, especially depending on wet versus dry soils? From our experience, mechanical site preparation practices vary widely in intensity and impact. For example, shallow disking or bedding in sandy upland soils, especially when conducted outside of the snake’s active season, may have minimal impact on subsurface burrows or individuals. In contrast, deep ripping or root-raking in wet soils pose greater disturbance. Many of these practices are already guided by state silvicultural Best Management Practices (BMPs) that minimize soil disturbance and protect sensitive habitats, and a 4(d) rule could be crafted that aligns with existing BMP-informed management norms. We also encourage USFWS to consider conditional 4(d) exemptions for mechanical site-preparation based on seasonal timing and/or habitat suitability.

A second significant omission from the 4(d) rule as proposed is for new forest roads associated with silvicultural activity. The exemption as proposed is limited to maintenance of existing roads. Given the intermittent nature of harvesting and limited use of forest roads on a given site, there is often a need for new roads to be created at the time of harvest. However, these roads are functionally very different from roads that get daily usage, and as such do not pose the same threat to snakes and other wildlife from vehicle-related mortality. The prohibition on new roads should distinguish between permanent installations and temporary roads or skid trails necessary for forest management. Temporary forest roads and skid trails are typically constructed with minimal grading and are often located on well-drained soils to reduce erosion and compaction. These roads are used intermittently, often for a few weeks during harvest, and are then stabilized or retired per BMPs. Whether permanent or temporary, road BMPs focus on minimizing the number, length and width of access roads, and in doing so minimizing their ecological impact. Because they are not paved nor heavily compacted, and because they are often revegetated post-harvest, their long-term impact on soil structure and subsurface habitat is minimal. We recommend that the 4(d) rule explicitly exempt temporary and permanent roads and skid trails used for active management when constructed under compliance with silvicultural BMPs.

Other minor changes we suggest to the proposed 4(d) rule language are:

- In subsection (B), the term “tree harvest” should be expanded to include explicit recognition of thinning and timber stand improvement.



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- In subsection (E), clarification is needed to ensure that forestry herbicide use following label directions and BMPs is exempt from take, even when applications may incidentally impact some native herbaceous species.

With respect to critical habitat, the proposal states that USFWS finds that designating critical habitat for this species is prudent but not determinable at this time. We support the conclusion that critical habitat is not determinable at this time, given the fossorial nature of this species and the current incomplete information on its distribution. Any determination of prudence should be reserved until after more species surveys are conducted. Significant additional research producing information on species distribution, mapping of xeric/sandhill habitats where the species is concentrated, and further assessment of impacts on the species from different forest management activities would be needed before an adequate critical habitat mapping process and associated determination could be made.

In general, we have concern that much of the species data cited in the proposal is dated, and as such may not accurately represent the current distribution of the snake on the landscape. While we are not experts on this species, we hope this public comment period will help USFWS obtain additional survey data from those who are, or alternatively serve as a recognition of survey data gaps that need to be filled before finalizing any listing decision. Relying on data over a decade old inherently ignores the region-wide collaborative work on expanding acreage of longleaf savannah through dedicated management. The extensive work across the south focused on longleaf pine restoration has likely created and fostered habitat for the southern hognose snake, including the proliferation of gopher tortoise burrows which are used by the hognose snake, even if no formal snake surveys have been conducted.

More information on the growth in longleaf pine acreage (a key habitat for southern hognose snake) and annual longleaf pine accomplishments in each of the six species-range states can be found on the website for the America's Longleaf Restoration Initiative, which both SGSF and the USFWS are a part of (<http://www.americaslongleaf.org/resources/>). The most recent annual accomplishment report details over 2.0 million acres of longleaf pine gained and 21.2 million acres of prescribed fire conducted in longleaf pine ecosystems in the past 15 years<sup>1</sup>. The growth of this ecosystem has undoubtedly benefitted the southern hognose snake. Additionally, based on its habitat preferences, this cryptic snake could very well be found in many other fire-maintained upland forest sites besides longleaf pine forests, for which intensive surveying has not been conducted.

I would like to close by thanking the USFWS for their ongoing conversations and partnerships with the forestry community, especially in the south, that have led to a better understanding of

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<sup>1</sup> <https://www.americaslongleaf.org/media/u0mmkqkg/2024-accomplishment-report.pdf>



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the nexus between sustainable forestry and species habitat conservation. The language proposed by USFWS in this listing around 4(d) rule exemptions for normal forest management, shows the fruit of this partnership. We hope our additional comments and offers for further dialogue can help improve and expand a final 4(d) rule for both the southern hognose snake and landowners who manage within the snake's range. It is only through supporting ongoing sustainable forest management that our southern wildlife will thrive.

Sincerely,

Brandon Howard  
Chair, Southern Group of State Foresters  
State Forester, Kentucky Division of Forestry