

## **POTPOURRI**

### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

Public Hearing—Substantive Change to Notice of Intent  
Recreational and Commercial Harvests; Prohibitions  
(LAC 76:XV.101)

The Department of Wildlife and Fisheries (department) and the Wildlife and Fisheries Commission (commission) published a Notice of Intent to amend its rules, in the January 20, 2024 edition of the *Louisiana Register*. The commission proposes to amend the original Notice of Intent to clarify and/or modify language regarding access to potable water for captive reptiles; enclosure sizes for snakes, turtles, and tortoises; and the grace period for registering prohibited or restricted species with the department, as well as commercial sale of said species, as applicable. These changes are based upon public comment provided during the comment period for the original Notice of Intent and subsequent communication with stakeholders.

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the Secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part XV. Reptiles and Amphibians**

## Chapter 1. Guidelines

### §101. Recreational and Commercial Harvests; Prohibitions

A. Purpose. These regulations are to govern the collection, commerce, captive maintenance, and research and management of native and certain exotic species of reptiles and amphibians. Consistent with the constitutional authority and legislative mandates, the Wildlife and Fisheries Commission and Department of Wildlife and Fisheries support the following guidelines, principles and regulations for collectors, buyers/dealers and any person handling native species of reptiles and amphibians.

#### B. General Considerations

1. The living conditions of animals held in captivity shall be appropriate for that species and contribute to their health and well-being. ~~The housing, feeding, and nonmedical care of the animals will~~ shall be directed by a person experienced in proper care, handling, and use of the species being maintained and ~~will follow~~ species appropriate industry guidelines according to the such as Association of Zoos and Aquariums (AZA) Animal Wellbeing Resources and the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research.

2. It is unlawful to release, within the state, captive or wild native or nonnative reptiles and amphibians, from within or outside the state, unless approved and permitted by the department in accordance with R.S. 56:20.A. Exceptions may be granted for department-permitted Nuisance Wildlife Control Operators (NWCOS).

3. Endangered, threatened, or restricted species shall not be removed from the wild, nor imported or exported, except in compliance with applicable regulations.

4. Persons engaged in herpetological research shall possess a Scientific Research and Collecting Permit prior to removal of native reptiles or amphibians from the wild. Removal of species that are tending nests in the wild is prohibited during the nesting season unless for scientific reasons and permitted by the department via a Scientific Research and Collecting Permit.

C. Collecting

1. Live-capture techniques shall be used to prevent or minimize damage to the animal.

2. Traps shall be checked, at minimum, once daily. Investigators must make every effort to prevent trap deaths from exposure, drowning, cardiogenic shock, or capture myopathy.

3. Removal or handling of native reptiles and amphibians on State Wildlife Management Areas, Refuges, and Conservation Areas is prohibited without a WMA Access Permit, Self-Clearing Permit, and a Reptile/Amphibian WMA Use Permit from the Department of Wildlife and Fisheries pursuant to Paragraphs G.2 and J.2 herein. Collecting shall be conducted so as to leave habitat as undisturbed as possible. Removal of animals from any breeding or hibernation aggregation or collection of gravid females from any population shall be avoided unless for scientific reasons and permitted by the department via a Scientific Research and Collecting Permit.

D. Methods of Collection (R.S. 56:632.6)

1. The use of gasoline, chemicals, or other volatile substances to flush reptiles and amphibians from natural hiding places, nests, burrows, or dens is prohibited.

2. The destruction of natural habitats is prohibited. All logs, rocks, stumps, and other natural objects may be turned over or moved, but they must be replaced in their original position upon completion of the collector's inspection.

3. Any trap or other device designed to capture reptiles or amphibians, which remains in the field unattended between routine inspections as required herein, must bear a tag with the name, address, and license number of the collector. All such devices must be inspected at least once every 24 hours or they must be rendered unworkable and removed from the field during periods of non-use.

#### E. Restraint and Handling

1. General Principles. Captive animals shall be properly restrained and follow the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research. The decision to use physical or chemical restraint of wild amphibians or reptiles shall be based upon knowledge of behavior of the animals, and availability of facilities. Collectors shall determine and use the least amount of restraint necessary to confine animals in a humane manner. Species shall not be confined with other species (other than food prey) that they may injure.

2. Animals shall be handled calmly and with minimum personnel necessary. Darkened conditions tend to alleviate stress and calm the animals and are recommended whenever appropriate. When handling, placing, or dropping large reptiles into a bag, the use of hooks, tongs, etc., is preferable to reduce stress to the animal and potential harm to the animal and handler during capture.

3. Euthanasia of reptiles or amphibians shall be performed humanely following the guidelines adopted by the American Veterinary Medical Association (AVMA), which shall ensure pain and distress to the animal is minimized to the extent possible.

F. Housing and Maintenance

1. Captive maintenance shall incorporate those aspects of natural habitat deemed important to the survival and well-being of the animal and follow species appropriate industry guidelines according to such as AZA Animal Care Manuals and the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research. Individuals partaking in the care of captive reptiles and amphibians shall become familiar with the life history needs of the species in captivity and provide enclosure and holding conditions that create a humane environment. Captive conditions shall demonstrate the ability to prevent diseases or parasites. In the event that a captive animal exhibits signs of illness or injury, said animal shall be evaluated by a licensed veterinarian within 48 hours. A letter from the consulting veterinarian or veterinary practice may be requested by Department of Wildlife and Fisheries personnel at any time. Adequacy of maintenance, relative to the natural environment, shall be evaluated by monitoring a combination of factors such as changes in growth and weight, survival rates, breeding success, activity levels, general behavior, and appearance. Captive environments shall include necessary features to ensure all physical, social, and behavioral needs of the species are met, such as appropriate enclosure size and ventilation; natural, or appropriate, bedding materials; cover or hiding places; basking platforms; potable water; and water baths. Potable water shall be accessible at all times and appropriate to meet daily requirements as appropriate for the species. Natural foods should be duplicated as closely as possible, as should natural light, moisture, and temperature conditions unless

alterations of these are factors under investigation for scientific purposes and permitted by the department via a Scientific Research and Collecting Permit. Failure to comply will result in penalties in accordance with Subsection L of this Rule and may result in confiscation and forfeiture of subject animals.

a. Snakes—minimum enclosure size shall be relative to the length of the body and tail and shall be  $\frac{3}{4}$  that length on the longest side, and  $\frac{1}{3}$  that length on the shortest side and in height. Snakes 8 feet in length and longer—the perimeter of the enclosure shall not be less than the length of the snake, and the height of the enclosure shall not be less than twelve inches. Snakes less than 8 feet in length—minimum enclosure size shall be relative to the length of the body and tail and shall be  $\frac{1}{2}$  that length on the longest side.

b. Turtles and tortoises—minimum enclosure size shall be based on the straight-line carapace (top shell) length, and shall be 5 times that length on the longest side, 3 times that length on the shortest side, and 2 times that length in height. Turtles possessed for commercial purposes by Louisiana Department of Agriculture and Forestry licensed turtle farmers are exempt from the enclosure sizes herein.

c. Lizards—minimum enclosure size shall be based relative to the length of the body and tail and shall be at least 1.5 times that length on the longest side, 1 times on the shortest side, and 1.2 times in height.

2. Frequency of cage cleaning shall be adequate to prevent unsanitary conditions or disease and minimize stress to the animal.

#### G. Turtle Rules and Regulations

1. Commercial Use of Native Turtles is Prohibited.

a. No person shall commercially take, possess, sell, purchase, trade, barter, exchange, import or export native turtles, their eggs, or any parts thereof, or attempt to commercially take, possess, sell, purchase, trade, barter, exchange, import or export native turtles, their eggs, or any parts thereof. Except that nothing herein shall prohibit the legal commercial sale and possession of native turtles by the Department of Agriculture and Forestry (LDAF) licensed turtle farmers as provided in R.S. 56:632 et seq., and R.S. 3:2358.1 et seq., which were legally acquired prior to the effective date of this prohibition or imported legally into this state and which have proper records documenting legal acquisition. Subsequent to the effective date of this Rule, approval from the Department of Wildlife and Fisheries via a Reptile/Amphibian Broodstock Collection Permit is required for LDAF licensed turtle farmers to acquire native turtles from the wild, for captive breeding purposes only. LDAF turtle farms that are newly licensed subsequent to the effective date of this Rule shall not be eligible for a permit to collect native turtles from the wild. Alligator Snapping Turtles, Razor-backed Musk Turtles, box turtles, and any prohibited turtle species as listed in Paragraph G.4 herein will not be permitted for wild collection. LDAF turtle farms will be limited to three designated agents for collecting native turtles from the wild and all designated agents shall be listed on the Reptile/Amphibian Broodstock Collection Permit. Each designated agent shall possess a valid Reptile/Amphibian Collector's License, pursuant to R.S. 56:632.4, and a copy of the Reptile/Amphibian Broodstock Collection Permit while in possession of wild-caught turtles. Reptile/Amphibian Broodstock Collection Permits shall include parameters set forth by the department along with each designated agent's name, date of birth, driver license number, and Reptile/Amphibian Collector's License number. Reptile/Amphibian Broodstock Collection Permits and Reptile/Amphibian Collector's Licenses shall be acquired from the department's

State Herpetologist or their designee. Permit and license holders will be required to comply with all reporting requirements set forth by the department. No LDAF licensed turtle farmer or their designated agent shall have had a Title 56 or Title 76, Class 3 or higher conviction within three years prior to application submittal.

2. Recreational Take and Possession Limit.

a. No person shall collect or possess more than 10 restricted turtles, as listed in Paragraph G.3 herein, in any combination, with no individual species to exceed two per person at any time, except for the Alligator Snapping Turtle which shall be restricted to one per person per day and a possession limit of one unless approved and permitted by the Department of Wildlife and Fisheries for scientific, exhibition, or educational use. Persons engaged in collection and possession of native turtles for recreational purposes shall possess a basic recreational fishing license. Persons engaged in collection and possession of native turtles for recreational purposes on Department of Wildlife and Fisheries owned or managed lands shall possess a basic recreational fishing license, a WMA Access Permit, and a Reptile/Amphibian WMA Use Permit that shall be acquired from the department's State Herpetologist or their designee and will require mandatory reporting, including a Reptile/Amphibian WMA Use Permit, with mandatory reporting, for collection on Department of Wildlife and Fisheries owned or managed lands that shall be acquired from the department's State Herpetologist or their designee. AZA Accredited and certified zoos, aquariums, universities, and research and nature centers, and other facilities as approved by the State Herpetologist or their designee, will be exempt from native turtle possession limits via a department-issued permit. Other facilities will may be exempt from native turtle possession limits only with approval from at the discretion of the department's State Herpetologist or their designee via a department-issued permit.



b. No person shall collect, possess, transport, or export prohibited turtle species, as listed in Paragraph G.4 herein, unless approved and permitted by the Department of Wildlife and Fisheries for scientific, exhibition, or educational use. **Individuals exceeding the possession limit for restricted turtles or in possession of prohibited turtles shall have ~~120 days~~ 180 days from the effective date of this rule to register those turtles with the department's State Herpetologist or their designee.** The acquisition of additional turtles is prohibited until the number of restricted turtles in possession is below the limit set forth herein. No person with a temporary exemption to possess prohibited turtles shall acquire additional prohibited turtles, subsequent to the effective date of this Rule, or once said turtles have expired. Permits for registered prohibited turtles shall be renewed annually and permit holders shall renew their permit within 30 days of the expiration date. Facilities housing prohibited turtles shall be open to inspection, as requested, prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by Department of Wildlife and Fisheries personnel or other persons authorized by the department to perform such inspections. No person shall transfer possession of native turtles that exceed the possession limits set forth herein except to the Department of Wildlife and Fisheries or its designated agent. **It is unlawful to collect, possess, transport, or export any turtles designated as endangered or threatened pursuant to the Endangered Species Act of 1973 as listed in Paragraph J.6 herein, absent a valid permit.**

- i. Collection of eggs of any native turtle species is prohibited.
- ii. **Possession of more than two native box turtles, regardless of species, is prohibited.**
- iii. No person shall possess restricted turtles taken with commercial gear in accordance with R.S. 56:305.

iv. Department-permitted wildlife rehabilitators may be exempted from native turtle possession limits and prohibitions set forth herein, via a department-issued permit.

v. In all instances, except with regard to turtle farmers licensed through LDAF while operating in accordance with their applicable licenses, it shall be unlawful to engage in captive breeding activities for native turtles or to release captive turtles, regardless of age or species, into the wild unless approved and permitted by the Department of Wildlife and Fisheries. Offspring from unauthorized captive breeding activities shall be surrendered to the department.

vi. Disruption, damage, or destruction to gopher tortoise burrows is prohibited.

### 3. Restricted Turtles

#### a. List of restricted turtles:

- i. Snapping Turtle—*Chelydra serpentina*;
- ii. Alligator Snapping Turtle—*Macrochelys temminckii*;
- iii. Mississippi Mud Turtle—*Kinosternon subrubrum hippocrepis*;
- iv. Razor-backed Musk Turtle—*Sternotherus carinatus*;
- v. Eastern Musk Turtle—*Sternotherus odoratus*;
- vi. Southern Painted Turtle—*Chrysemys dorsalis*;
- vii. Ouachita Map Turtle—*Graptemys ouachitensis*;
- viii. Mississippi Map Turtle—*Graptemys pseudogeographica kohnii*;

- ix. Sabine Map Turtle—*Graptemys sabinensis*;
- x. Box Turtles—*Terrapene* sp.
- xi. Eastern River Cooter—*Pseudemys concinna concinna*;
- xii. Red-eared Slider—*Trachemys scripta elegans*;
- xiii. Smooth Softshell—*Apalone mutica*;
- xiv. Spiny Softshell—*Apalone spinifera*;

4. Prohibited Turtles

a. List of Prohibited Turtles

- i. Stripe-necked Musk Turtle—*Sternotherus minor peltifer*;
- ii. Eastern Chicken Turtle—*Deirochelys reticularia*

*reticularia*;

- iii. Western Chicken Turtle—*Deirochelys reticularia miaria*;
- iv. Ringed Map Turtle—*Graptemys oculifera*; Federally

Threatened;

- v. Pearl River Map Turtle—*Graptemys pearlensis*; Federally

Threatened;

- vi. Mississippi Diamond-backed Terrapin—*Malaclemys*

*terrapin pileata*;

- vii. Gopher Tortoise—*Gopherus polyphemus*; Federally

Threatened;

- viii. Green Sea Turtle—*Chelonia mydas*; Federally Threatened;

- ix. Loggerhead Sea Turtle—*Caretta caretta*; Federally

Threatened;

x. Kemp's Ridley Sea Turtle—*Lepidochelys kempii*; Federally Endangered;

xi. Hawksbill Sea Turtle—*Eretmochelys imbricata*; Federally Endangered;

xii. Leatherback Sea Turtle—*Dermochelys coriacea*; Federally Endangered.

b. Transport and release of turtles from within or outside of the state is prohibited unless permitted by the department.

5. Nuisance Wildlife Control Operators (NWCO), as permitted through the department in accordance with the LAC 76:V.127 and the rules therein, shall be exempt from take and possession limits. NWCO permittees are only authorized to live trap and relocate, live trap and euthanize, or lethally trap reptiles and amphibians that are not protected by federal law. Animals that are not euthanized may not be released on department owned or managed land and may not be sold, bartered or exchanged. NWCO permittees shall not relocate or release Red-eared Sliders off site. Euthanasia of captured animals shall be performed humanely following AVMA guidelines, as referenced in Paragraph E.3 herein, which shall ensure pain and distress to the animal is minimized to the extent possible. Private landowners may harvest Red-eared Sliders considered a nuisance on private property owned by the landowner, given that said turtles are humanely euthanized in accordance with AVMA guidelines and shall not be transported or released off site.

6. Turtle Trap—any device constructed with horizontal funnel entrances not positioned in tandem, or opening on the upper surface, with or without attractants, to allow

constant functional breathing of any air-breathing captured specimens, designed to attract and/or capture turtles in aquatic habitats.

a. Each trap or device shall be clearly marked as “TURTLE TRAP” and must bear a tag with the name, address, and license number of the collector.

b. Trap or device placement in the water column shall provide continuous breathing opportunities for the captured specimens by having openings in the upper surface to allow functional breathing of the captured specimens.

c. All fish and/or other nontarget species shall be released into the wild upon discovery or within 24 hours, whichever comes first.

H. ...

I. Checklist of native or established nonnative amphibians and reptiles of Louisiana as listed by Boundy J. and Carr J., 2017, *Amphibians and Reptiles of Louisiana*, LSU Press.

Taxonomy following Crother, B.I. (ed.). 2017, *Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, with Comments Regarding Confidence in Our Understanding*, pp. 1-102, SSAR Herpetological Circular 43 and Pyron, R.A.

and Beamer, D.A. 2023, *Systematic Revision of the Spotted and Northern Dusky Salamanders (Plethodontidae: Desmognathus conanti and D. fuscus), with six new species from the eastern United States*, Zootaxa Vol. 5311 (4): 451-504.

1. Salamanders

a. Family Ambystomatidae

i. Spotted Salamander—*Ambystoma maculatum*;

ii. Marbled Salamander—*Ambystoma opacum*;

iii. Mole Salamander—*Ambystoma talpoideum*;

- iv. Small-mouthed Salamander—*Ambystoma texanum*;
- v. Eastern Tiger Salamander— *Ambystoma tigrinum*;
- b. Family Amphiumidae
  - i. Two-toed Amphiuma—*Amphiuma means*;
  - ii. Three-toed Amphiuma—*Amphiuma tridactylum*;
- c. Family Plethodontidae
  - i. Spotty Dusky Salamander—*Desmognathus conanti*;
  - ii. Catahoula Spotted Dusky Salamander—*Desmognathus  
catahoula*;
  - iii. Valentine’s Southern Dusky Salamander—*Desmognathus  
valentinei*;
  - iv. Southern Two-lined Salamander—*Eurycea cirrigera*;
  - v. Three-lined Salamander—*Eurycea guttolineata*;
  - vi. Western Dwarf Salamander—*Eurycea paludicola*;
  - vii. Southeastern Dwarf Salamander—*Eurycea quadridigitata*;
  - viii. Four-toed Salamander—*Hemidactylium scutatum*;
  - ix. Louisiana Slimy Salamander—*Plethodon kisatchie*;
  - x. Mississippi Slimy Salamanders—*Plethodon mississippi*;
  - xi. Southern Red-backed Salamander—*Plethodon serratus*;
  - xii. Webster’s Salamander—*Plethodon websteri*;
  - xiii. Gulf Coast Mud Salamander—*Pseudotriton montanus  
flavissimus*;
  - xiv. Southern Red Salamander—*Pseudotriton ruber vioscai*;

- d. Family Proteidae
    - i. Gulf Coast Waterdog—*Necturus beyeri*;
    - ii. Red River Mudpuppy—*Necturus maculosus louisianensis*;
  - e. Family Salamandridae
    - i. Central Newt—*Notophthalmus viridescens louisianensis*;
  - f. Family Sirenidae
    - i. Western Lesser Siren—*Siren intermedia nettingi*;
2. Toads and Frogs
- a. Family Bufonidae
    - i. Dwarf American Toad—*Anaxyrus americanus*  
*charlesmithi*;
    - ii. Fowler's Toad—*Anaxyrus fowleri*;
    - iii. Oak Toad—*Anaxyrus quercicus*;
    - iv. Southern Toad—*Anaxyrus terrestris*;
    - v. Gulf Coast Toad—*Incilius nebulifer*;
  - b. Family Hylidae
    - i. Blanchard's Cricket Frog—*Acris blanchardi*;
    - ii. Eastern Cricket Frog—*Acris crepitans*;
    - iii. Southern Cricket Frog—*Acris gryllus*;
    - iv. Western Bird-voiced Treefrog—*Hyla avivoca avivoca*;
    - v. Cope's Gray Treefrog—*Hyla chrysoscelis*;
    - vi. Green Treefrog—*Hyla cinerea*;
    - vii. Pine Woods Treefrog—*Hyla femoralis*;

- viii. Barking Treefrog—*Hyla gratiosa*;
- ix. Squirrel Treefrog—*Hyla squirella*;
- x. Gray Treefrog—*Hyla versicolor*;
- xi. Cuban Treefrog—*Osteopilus septentrionalis*, established nonnative;
- xii. Spring Peeper—*Pseudacris crucifer*;
- xiii. Ornate Chorus Frog—*Pseudacris ornata*;
- xiv. Strecker's Chorus Frog—*Pseudacris streckeri*;
- xv. Cajun Chorus Frog—*Pseudacris fouquettei*;
- c. Family Eleutherodactylidae
  - i. Rio Grande Chirping Frog—*Eleutherodactylus cystignathoides campi*, established nonnative;
  - ii. Greenhouse Frog—*Eleutherodactylus planirostris*, established nonnative;
- d. Family Microhylidae
  - i. Eastern Narrow-mouthed Frog—*Gastrophryne carolinensis*;
- e. Family Scaphiopodidae
  - i. Eastern Spadefoot—*Scaphiopus holbrookii*;
  - ii. Hurter's Spadefoot—*Scaphiopus hurterii*;
- f. Family Ranidae
  - i. Southern Crawfish Frog—*Lithobates areolatus areolatus*;
  - ii. American Bullfrog—*Lithobates catesbeianus*;



- iii. Green Frog—*Lithobates clamitans*;
- iv. Pig Frog—*Lithobates grylio*;
- v. Pickerel Frog—*Lithobates palustris*;
- vi. Dusky Gopher Frog—*Lithobates sevosus*;
- vii. Coastal Plains Leopard Frog—*Lithobates sphenoccephalus*

*utricularius*;

### 3. Turtles

#### a. Family Cheloniidae

- i. Loggerhead Sea Turtle—*Caretta caretta*;
- ii. Green Sea Turtle—*Chelonia mydas*;
- iii. Atlantic Hawksbill Sea Turtle—*Eretmochelys imbricata*

*imbricata*;

- iv. Kemp's Ridley Sea Turtle—*Lepidochelys kempii*;

#### b. Family Chelydridae

- i. Snapping Turtle—*Chelydra serpentina*;
- ii. Alligator Snapping Turtle—*Macrochelys temminckii*;

#### c. Family Dermochelyidae

- i. Leatherback Sea Turtle—*Dermochelys coriacea*;

#### d. Family Emydidae

- i. Southern Painted Turtle—*Chrysemys dorsalis*;
- ii. Western Chicken Turtle—*Deirochelys reticularia*

*miaria*;

- iii. Eastern Chicken Turtle—*Deirochelys reticularia*

*reticularia*;

- iv. Northern Map Turtle—*Graptemys geographica*;
- v. Ringed Map Turtle—*Graptemys oculifera*;
- vi. Pearl River Map Turtle—*Graptemys pearlensis*;
- vii. Mississippi Map Turtle—*Graptemys pseudogeographica*

*kohnii*;

- viii. Ouachita Map Turtle—*Graptemys ouachitensis*;
- ix. Sabine Map Turtle—*Graptemys sabinensis*;
- x. Mississippi Diamond-backed Terrapin—*Malaclemys*

*terrapin pileata*;

- xi. Eastern River Cooter—*Pseudemys concinna concinna*;
- xii. Gulf Coast Box Turtle—*Terrapene carolina major*;
- xiii. Three-toed Box Turtle—*Terrapene carolina triunguis*;
- xiv. Plains Box Turtle—*Terrapene ornata ornata*;
- xv. Red-eared Slider—*Trachemys scripta elegans*;

e. Family Kinosternidae

- i. Mississippi Mud Turtle—*Kinosternon subrubrum*

*hippocrepis*;

- ii. Razor-backed Musk Turtle—*Sternotherus carinatus*;
- iii. Stripe-necked Musk Turtle—*Sternotherus minor peltifer*;
- iv. Eastern Musk Turtle—*Sternotherus odoratus*;

f. Family Testudinidae

- i. Gopher Tortoise—*Gopherus polyphemus*;
  - g. Family Trionychidae
    - i. Florida Softshell—*Apalone ferox*, established nonnative;
    - ii. Gulf Coast Smooth Softshell—*Apalone mutica calvata*;
    - iii. Midland Smooth Softshell—*Apalone mutica mutica*;
    - iv. Gulf Coast Spiny Softshell—*Apalone spinifera aspera*;
    - v. Pallid Spiny Softshell—*Apalone spinifera pallida*;
    - vi. Eastern Spiny Softshell—*Apalone spinifera spinifera*;
- 4. Lizards
  - a. Family Anguidae
    - i. Western Slender Glass Lizard—*Ophisaurus attenuatus attenuatus*;
    - ii. Eastern Slender Glass Lizard—*Ophisaurus attenuatus longicaudus*;
    - iii. Eastern Glass Lizard—*Ophisaurus ventralis*;
  - b. Family Dactyloidae
    - i. Green Anole—*Anolis carolinensis*;
    - ii. Brown Anole—*Anolis sagrei*, established nonnative;
  - c. Family Gekkonidae
    - i. Sri Lankan Spotted House Gecko—*Hemidactylus parvimaaculatus*, established nonnative;
    - ii. Mediterranean Gecko—*Hemidactylus turcicus*; established nonnative;

- d. Family Phrynosomatidae
  - i. Prairie Lizard—*Sceloporus consobrinus*;
- e. Family Scincidae
  - i. Southern Coal Skink—*Plestiodon anthracinus pluvialis*;
  - ii. Common Five-lined Skink—*Plestiodon fasciatus*;
  - iii. Southeastern Five-lined Skink—*Plestiodon inexpectatus*;
  - iv. Broad-headed Skink—*Plestiodon laticeps*;
  - v. Southern Prairie Skink—*Plestiodon septentrionalis*
- f. Family Teiidae
  - i. Eastern Six-lined Racerunner—*Aspidoscelis sexlineata*

*obtusirostris*;

- vi. Little Brown Skink—*Scincella lateralis*;

*sexlineata*;

5. Snakes

- a. Family Colubridae
  - i. Northern Scarletsnake—*Cemophora coccinea copei*;
  - ii. Buttermilk Racer—*Coluber constrictor anthicus*;
  - iii. Tan Racer—*Coluber constrictor etheridgei*;
  - iv. Eastern Yellow-bellied Racer—*Coluber constrictor*
- v. Black-masked Racer—*Coluber constrictor latrunculus*;
- vi. Southern Black Racer—*Coluber constrictor priapus*;
- vii. Eastern Coachwhip—*Coluber flagellum flagellum*;

*flaviventris*;

- viii. Prairie Kingsnake—*Lampropeltis calligaster*;
- ix. Scarlet Kingsnake—*Lampropeltis elapsoides*;
- x. Western Milksnake—*Lampropeltis gentilis*;
- xi. Speckled Kingsnake—*Lampropeltis holbrooki*;
- xii. Eastern Black Kingsnake—*Lampropeltis nigra*;
- xiii. Northern Mole Kingsnake—*Lampropeltis*

*rhombo maculata*;

- xiv. Eastern Milksnake—*Lampropeltis triangulum*;
- xv. Northern Rough Greensnake—*Ophedryx aestivus*

*aestivus*;

- xvi. Red Cornsnake—*Pantherophis guttatus*;
- xvii. Western Ratsnake—*Pantherophis obsoletus*;
- xviii. Slowinski's Cornsnake—*Pantherophis slowinskii*;
- xix. Gray Ratsnake—*Pantherophis spiloides*;
- xx. Black Pinesnake—*Pituophis melanoleucus lodingi*;
- xxi. Louisiana Pinesnake—*Pituophis ruthveni*;
- xxii. Southeastern Crowned Snake—*Tantilla coronata*;
- xxiii. Flat-headed Snake—*Tantilla gracilis*;

b. Family Crotalidae [Venomous]

- i. Eastern Copperhead—*Agkistrodon contortrix*;
- ii. Northern Cottonmouth—*Agkistrodon piscivorus*;
- iii. Eastern Diamond-backed Rattlesnake—*Crotalus*

*adamanteus*;

- iv. Timber Rattlesnake—*Crotalus horridus*;
- v. Western Pygmy Rattlesnake—*Sistrurus miliarius streckeri*;
- c. Family Dipsadidae
  - i. Midwestern Wormsnake—*Carphophis amoenus helenae*;
  - ii. Western Wormsnake —*Carphophis vermis*;
  - iii. Mississippi Ring-necked Snake—*Diadophis punctatus stictogenys*;
  - iv. Western Mudsnake—*Farancia abacura reinwardtii*;
  - v. Common Rainbow Snake—*Farancia erytrogramma erytrogramma*;
  - vi. Eastern Hog-nosed Snake—*Heterodon platirhinos*;
  - vii. Pine Woods Littersnake—*Rhadinaea flavilata*;
- d. Family Elapidae [Venomous]
  - i. Harlequin Coralsnake—*Micrurus fulvius*;
  - ii. Texas Gulf-Coast Coralsnake—*Micrurus tener tener*;
- e. Family Natricidae
  - i. Rough Earthsnake—*Haldea striatula*;
  - ii. Delta Swampsnake—*Liodytes rigida deltae*;
  - iii. Gulf Swampsnake—*Liodytes rigida sinicola*;
  - iv. Gulf Saltmarsh Watersnake—*Nerodia clarkii clarkii*;
  - v. Mississippi Green Watersnake—*Nerodia cyclopion*;
  - vi. Plain-bellied Watersnake—*Nerodia erythrogaster*;
  - vii. Broad-banded Watersnake—*Nerodia fasciata confluens*;

- viii. Northern Diamond-backed Watersnake—*Nerodia rhombifer rhombifer*;
- ix. Midland Watersnake—*Nerodia sipedon pleuralis*;
- x. Graham's Crayfish Snake—*Regina grahamii*;
- xi. Red-bellied Snake—*Storeria occipitomaculata*;
- xii. Orange-striped Ribbonsnake—*Thamnophis proximus proximus*;
- xiii. Gulf Coast Ribbonsnake—*Thamnophis proximus orarius*;
- xiv. Common Ribbonsnake—*Thamnophis saurita saurita*;
- xv. Eastern Gartersnake—*Thamnophis sirtalis sirtalis*;
- xvi. Western Smooth Earthsnake—*Virginia valeriae elegans*;
- f. Family Typhlopidae
  - i. Brahminy Blindsnake—*Indotyphlops braminus*, established nonnative;
- g. Family Alligatoridae
  - i. American Alligator—*Alligator mississippiensis*.

J. Native Reptile and Amphibian Regulations

1. The provisions in this Subsection apply to native reptile and amphibians except for the American Alligator in accordance with LAC 76:V.701 and native turtles in accordance with LAC 76:XV.101.G.2, and the rules set forth therein. The species listed in Paragraph J.4 herein **below** are considered species of conservation concern and may not be killed or removed from the wild without a permit issued by the department. **It shall be unlawful to collect, possess, transport, or export reptiles or amphibians designated as endangered or**

threatened pursuant to the Endangered Species Act of 1973 as listed in Paragraph J.6 herein,  
absent a valid permit.

a. The species listed in Paragraph J.4 herein may only be captured for research purposes deemed acceptable by the Department of Wildlife and Fisheries and immediately released alive without removal from the site as part of a scientific study, as permitted by the department via a Scientific Research and Collecting Permit.

2. License Requirements. A Reptile and Amphibian Collector's License is required to commercially collect and sell native reptiles and amphibians. A Reptile and Amphibian Wholesale/Retail Dealer's License is required for purchasing or acquiring native reptiles and amphibians, from within or outside the state, for sale or resale, or possessing native reptiles and amphibians for propagation for sale, in accordance with R.S. 56:632.5.

Reptile/Amphibian Collector and Reptile/Amphibian Wholesale/Retail Dealer licenses shall be acquired from the department's State Herpetologist or their designee and must comply with associated reporting requirements set forth by the department. Persons engaged in collection and possession of native reptiles and amphibians for recreational purposes shall possess a basic recreational fishing license.

a. Commercial and recreational collection of native reptiles and amphibians on Department of Wildlife and Fisheries owned or managed lands requires a Reptile/Amphibian WMA Use permit, with mandatory reporting, acquired from the department's State Herpetologist or their designee. Commercial collection of native reptiles and amphibians on department owned or managed lands is only permitted for Louisiana residents.



b. Nuisance Wildlife Control Operators, as permitted through the department in accordance with the LAC 76:V.127 and the rules therein, shall be exempt from take and possession limits.

c. All persons selling native, captive-reared reptiles and amphibians, regardless of the number of generations removed from the wild, shall be required to possess a Reptile and Amphibian Wholesale/Retail Dealer's License, pursuant to R.S. 56:632.5.B.

d. Pursuant to R.S. 56:634, bullfrogs (*Lithobates catesbeianus*) and pig frogs (*Lithobates grylio*) may be taken year round except during the months of April and May; and no person shall take or possess bullfrogs that are less than five inches in length, nor take or possess pig frogs that are less than three inches in length. The length is measured from the tip of the muzzle to the posterior end of the body between the hind legs.

3. Organized events that wantonly or willfully waste native amphibians or reptiles are prohibited.

4. List of amphibians and reptiles that may not be killed or removed from the wild without a department-issued permit:

- a. Eastern Tiger Salamander—*Ambystoma tigrinum*;
- b. Four-toed Salamander—*Hemidactylium scutatum*;
- c. Valentine's Southern Dusky Salamander—*Desmognathus valentinei*;
- d. Southeastern Dwarf Salamander—*Eurycea quadridigitata*;
- e. Southern Red-backed Salamander—*Plethodon serratus*;
- f. Webster's Salamander—*Plethodon websteri*;
- g. Louisiana Slimy Salamander—*Plethodon kisatchie*;

- h. Mud Salamander—*Pseudotriton montanus flavissimus*;
- i. Red Salamander—*Pseudotriton ruber vioscai*;
- j. Strecker’s Chorus Frog—*Pseudacris streckeri*;
- k. Southern Crawfish Frog—*Lithobates areolatus areolatus*;
- l. Red River Mudpuppy—*Necturus louisianensis*;
- m. Southern Prairie Skink—*Plestiodon septentrionalis obtusirostris*;
- n. Western Wormsnake—*Carphophis vermis*;
- o. Common Rainbow Snake—*Farancia erytrogramma*

*erytrogramma*;

- p. Eastern Hog-nosed Snake—*Heterodon platirhinos*;
- q. Northern Mole Kingsnake—*Lampropeltis rhombomaculata*;
- r. Pinewoods Littersnake—*Rhadinaea flavilata*;
- s. Southeastern Crowned Snake—*Tantilla coronata*;
- t. Harlequin Coralsnake—*Micrurus fulvius*;
- u. Eastern Diamond-backed Rattlesnake—*Crotalus adamanteus*.

5. No person shall import or transport into the state any species of reptile or amphibian as listed as injurious wildlife under the U.S. Fish and Wildlife Service Lacey Act (18 U.S.C. 42), and all associated rules therein, except for accredited and certified facilities permitted by the department.

6. List of Threatened or Endangered Amphibians and Reptiles pursuant to the Federal Endangered Species Act (ESA) of 1973. The following species are listed as threatened or endangered in Louisiana (LAC 76:I.317) and may not be collected:

- a. Dusky Gopher Frog—*Lithobates sevosus*;

- b. Green Sea Turtle—*Chelonia mydas*;
- c. Hawksbill Sea Turtle—*Eretmochelys imbricata*;
- d. Kemp’s Ridley Sea Turtle—*Lepidochelys kempii*;
- e. Leatherback Sea Turtle—*Dermochelys coriacea*;
- f. Loggerhead Sea Turtle—*Caretta caretta*;
- g. Gopher Tortoise—*Gopherus polyphemus*;
- h. Ringed Map Turtle—*Graptemys oculifera*;
- i. Pearl River Map Turtle—*Graptemys pearlensis*;
- † j. Louisiana Pinesnake—*Pituophis ruthveni*;
- ‡ k. Black Pinesnake—*Pituophis melanoleucus lodingi*.

K. Nonnative Amphibians and Reptiles, and All Venomous Snakes

1. Restricted Snakes. The importation, private possession, selling, and/or purchasing of constrictor snakes in excess of eight feet, which is including but not limited to the following species: *Apodora papuana* (Papuan Python), *Liasis olivacea* (Olive Python), *Morelia spilota* (Carpet or Diamond Python), *Morelia kinghorni* (Scrub Python), *Morelia amethystina* (Amethystine Python), *Python natalensis* (Southern African Python), *Python sebae* (African Rock Python), *Python reticulatus* (Reticulated Python), any species of the genus *Boa* (Boa Constrictors), and any species of the genus *Eunectes* (Anacondas), and venomous snakes, as defined in Subparagraph K.1.a herein, (hereinafter “restricted snakes”) obtained in any manner, shall only be allowed via permit issued by the Department of Wildlife and Fisheries except for animals kept by certified zoos and aquariums, and other facilities as approved by the department including universities, and accredited research centers, nature centers, animal sanctuaries, and scientific organizations, and medical research facilities as defined in the Animal Welfare Act as

found in the United States Code Title 7, Chapter 54, 2132(e). Large constrictor and venomous snake species listed within Subparagraph K.2.a herein, are prohibited from possession, importation, selling, and purchasing. A Restricted Snake Permit is required for possession of large constrictor snakes listed within Subparagraph K.2.c herein, regardless of size in length.

a. *Venomous Snakes*—any species under current taxonomic standing, recognized to belong to the Families Viperidae (Vipers), Crotalidae (Pit Vipers), Elapidae (elapids), and Hydrophiidae (sea snakes), except prohibited species listed in Subparagraph K.2.a herein.

b. **Permit Requirements.** Possession of restricted snakes is prohibited, except as authorized via a Restricted Snake Permit by the department. Restricted Snake Permits shall expire annually on the 31<sup>st</sup> day of December, and must be renewed within 30 days of the expiration date. Any individual who remains non-compliant after 30 days shall forfeit all restricted snakes to department personnel, who may dispose of the snakes per department policy.

i. Applicant must be at least 18 years old at the time of application.

ii. Any person requesting a permit to allow importation and/or private possession of venomous snakes shall demonstrate no less than one year of substantial, practical experience (to consist of no less than 500 hours) in the care, feeding, handling, and/or husbandry of the species for which the permit is sought, or other species within the same zoological family, which are substantially similar in size, characteristics, care, and nutritional requirements to the species for which the permit is sought.

iii. For the purpose of demonstrating compliance, applicants shall submit documentation of such required experience, including a detailed description of the experience acquired, the dates and time frames the experience was obtained and the specific location(s) where it was acquired, and references of no less than two individuals having personal knowledge of the stated experience. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, or any other competent documentation of the required experience.

iv. Documented educational experience in zoology or other relevant biological sciences obtained at the college or technical school level or above may substitute for up to 250 hours of the required experience. The Department of Wildlife and Fisheries shall be responsible for judgment of the adequacy of the documentation.

v. Notification of relocation of facilities shall be made within 30 days of a move, and permittee shall be allowed to keep the animals in the same setup(s) until the inspection of the facility and/or room and cages within which the animals are to be kept at the new location can be undertaken by department personnel.

vi. In the event of an escape where a constrictor snake in excess of eight feet or a venomous snake escapes its cage and its secure containment room, and becomes outside the control of the permit holder and/or owner, notification shall immediately be made to the Department of Wildlife and Fisheries 24-hour hotline number.

vii. Secure escape proof containers shall be required when transporting restricted snakes.

viii. Restricted snakes shall be kept in secure, escape proof enclosures with doors that lock. Said enclosures shall be kept in a secure, escape proof room or

outbuilding that is securely locked to prevent escape or unauthorized intrusion and when restricted snakes are being fed, the cages are being cleaned, or otherwise worked by the person trained and experienced in proper care, handling, and use of the species being maintained. Enclosures constructed below ground level shall be equipped with barriers to prevent visitors from falling into such enclosures. The possession of Restricted Snakes in any manner not in accordance with this Section is prohibited.

ix. Facilities that house constrictor snakes in excess of eight feet or venomous snakes in private possession shall be open to inspection prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by Department of Wildlife and Fisheries personnel or other persons authorized by the department to perform such inspections.

c. License Requirements. A Reptile and Amphibian Wholesale/Retail Dealer's License is required for purchasing or acquiring Restricted Snakes, as defined under Paragraph K.1 herein, from within or outside the state, for sale or resale, or possessing Restricted Snakes for propagation for sale in accordance with R.S. 56:632.5.

2. Prohibited and Restricted Nonnative Reptiles and Amphibians.

a. The following nonnative reptile and amphibian species are prohibited from importation, possession, sale, attempting to sell, transfer, release, and reproduction in the state due to the potential risk of establishment in the wild and detrimental hazard to native wildlife and public health and safety. **Individuals in possession of the species listed in Subparagraph K.2.a herein shall have ~~120 days~~ 365 days from the effective date of this Rule to register those animals with the department and acquire a permit.**

i. All crocodylians;

- ii. All species in the Genera *Salvator* and *Tupinambis*, including the Argentine Black and White Tegu (*Salvator merianae*);
  - iii. Nile Monitor (*Varanus niloticus*);
  - iv. Savannah Monitor (*Varanus exanthematicus*);
  - v. Green Iguana (*Iguana iguana*);
  - vi. Brown Anole (*Anolis sagrei*);
  - vii. Burmese Python (*Python bivittatus*);
  - viii. Brown Tree Snake (*Boiga irregularis*);
  - ~~viii~~ ix. All Genera in the Family Atractaspididae (stiletto snakes);
  - ~~ix~~ x. All species in the Genera *Dispholidus* (boomslangs), *Thelotornis* (twig snakes), and *Rhabdophis* (keelback snakes) of the Family Colubridae;
  - ~~x~~ xi. All species in the Genera *Naja*, *Ophiophagus*, *Pseudohaje*, *Aspidelaps*, and *Walterinnesia* (cobras); *Dendroaspis* (mambas), *Oxyuranus* (taipans), and *Bungarus* (kraits) of the Family Elapidae;
  - ~~xi~~ xii. Cuban Treefrog (*Osteopilus septentrionalis*);
  - ~~xii~~ xiii. Cane Toad (*Rhinella marina*);
  - ~~xiii~~ xiv. African Clawed Frog (*Xenopus laevis*).
- b. Permits for registered prohibited nonnative reptile and amphibian species shall be renewed every two years and permit holders shall renew their permit within 30 days of the expiration date. Facilities housing prohibited nonnative reptile and amphibians shall be open to inspection by Department of Wildlife and Fisheries personnel, as requested, prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by department personnel or other persons authorized by the department to perform such inspections.

No person with a temporary exemption to possess prohibited nonnative reptile or amphibian species shall acquire more prohibited nonnative reptile or amphibian species and will not be reissued a permit, once said animals have expired. No person shall transfer possession of prohibited nonnative reptile and amphibian species except to the Department of Wildlife and Fisheries or its designated agent. Prohibited animals, as defined in Subparagraph K.2.a herein, which are permitted under a temporary exemption, may not be used for breeding purposes.

Persons or businesses in possession of prohibited nonnative reptiles or amphibians for commercial sale shall have ~~120 days~~ 365 days from the effective date of this Rule to sell said inventory or surrender said inventory to the department. Animals surrendered to the department under this provision shall be handled via department policy. Prohibited nonnative reptiles or amphibians may not be in possession for commercial use after ~~120 days~~ 365 days of the effective date of this Rule. With exception to the grace period provided in Subparagraph K.2.a herein, possession of prohibited reptile and amphibian species shall only be allowed for scientific research, educational exhibition, and control or eradication purposes via a department-issued permit. In the event of an escape of a prohibited nonnative reptile or amphibian species, department personnel shall be notified immediately via the Department of Wildlife and Fisheries 24-hour hotline number.

c. The following restricted nonnative species may be in possession only via permit to be approved and monitored by the department. Facilities that house restricted nonnative species shall be open to inspection prior to issuance of a permit and at other times deemed necessary to ensure compliance with the permit by department personnel or other persons authorized by the department to perform such inspections. Individuals in possession of the species listed in Subparagraph K.2.c herein shall have ~~120 days~~ 365 days from the effective



date of this rule to register those animals with the department and acquire a permit. In the event of an escape of a restricted nonnative reptile or amphibian species, department personnel shall be notified immediately via the Department of Wildlife and Fisheries 24-hour hotline number.

- i. Boa constrictor (*Boa constrictor*);
- ii. Reticulated Python (*Python reticulatus*);
- iii. North African Python (*Python sebae*);
- iv. South African Python (*Python natalensis*);
- v. All species in the Genus *Eunectes* (Anacondas);
- vi. Asian Water Monitor (*Varanus salvator*);
- ~~vii.~~ ~~Brown Tree Snake (*Boiga irregularis*);~~
- ~~viii~~ vii. Brown Basilisk (*Basiliscus vittatus*);
- ~~ix~~ viii. Gray's American Spiny-tailed Iguana (*Ctenosaura similis*);
- ~~x~~ ix. Northern Curly-tailed Lizard (*Leiocephalus carinatus*  
*armouri*);
- ~~xi~~ x. Peter's Rock Agama (*Agama picticauda*).

d. The Department may issue a permit for possession of prohibited or restricted nonnative reptile and amphibian species for approved scientific or research purposes.

3. No person shall possess, display or exhibit restricted snakes, as listed in Paragraph K.1 and Subparagraph K.1.a, or restricted nonnative species, as listed in Subparagraph K.2.c, in public spaces except as permitted by the department.

4. No person shall import or transport into the state any nonnative species of reptile or amphibian as listed as injurious wildlife under the U.S. Fish and Wildlife Service

Lacey Act (18 U.S.C. 42), and all associated rules therein, except for accredited and certified facilities permitted by the department.

L. Violations to the provisions of this Rule shall be subject to a Class 2 violation with penalties as provided for in R.S. 56:32, with the exception of violations regarding reporting requirements, which are subject to a Class 3 violation with penalties as provided for in R.S.

56:33. ~~Nonnative amphibians and reptiles that are illegally possessed shall be surrendered to the Department of Wildlife and Fisheries and euthanized per department policy. Any live reptile or amphibian seized under the provisions of this Section that is illegal to possess shall be immediately forfeited and no property right shall exist therein. The department may dispose of the seized animal in any manner the department deems appropriate. The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission acknowledge the risks associated with captive rearing of nonnative reptiles and amphibians and the potential impacts to Louisiana's native reptile and amphibian resources. Therefore, in~~ In the event of a release or escape of a captive nonnative reptile or amphibian, the department may assess all expenses incurred from the capture, transport, housing, veterinary care, or other applicable expenses, associated with the escaped animal to the owner.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:6(10), (13), (15), and (25), and (30), R.S. 56:23, R.S. 56:60, and R.S. 56:632.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 20:1135 (October 1994), amended LR 30:2495 (November 2004), LR 31:2569 (October 2005), LR 39:1834 (July 2013), LR 42:1692 (October 2016), LR .

### **Public Hearing**

In accordance with R.S. 49:966(H)(2), a public hearing on the proposed substantive changes will be held by the Department of Wildlife and Fisheries on October 22, 2024 at 10 a.m. in the Joe L. Herring Louisiana Room of the Wildlife and Fisheries Headquarters Building, 2000 Quail Drive, Baton Rouge, LA, 70808. Interested persons are invited to attend and submit oral comments on the proposed amendments.

Brandon J. DeCuir

Chairman