

[New Land Designations Aim To Protect Alameda Whipsnake](#)

U.S. Government Hopes to Preserve Threatened Species by Granting Region of 'Critical Habitat'

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Courtesy/U.S. Fish and Wildlife Service

The Alameda whipsnake is only found in the East Bay region.

A snake unique to the East Bay that is threatened by development received a measure of protection Monday from the federal government-but many environmentalists say it is not enough.

The Alameda whipsnake was granted 154,834 acres of "critical habitat," which are mostly in Alameda and Contra Costa counties and include parts of Berkeley's Tilden Regional Park and Strawberry Canyon.

Designating land as "critical habitat" requires federal agencies and federally controlled projects to gain approval from the U.S. Fish and Wildlife Service before developing on the land.

The agency will check to ensure that development would not harm threatened and endangered species in those areas, including the whipsnake, as required by the Endangered Species Act of 1973.

"We think that (the newly designated land) will help the species survive and should preserve a good representative population of it," said Al Donner, assistant field supervisor for the U.S. Fish and Wildlife Service.

Found nowhere else in the world, the Alameda whipsnake is typically three to five feet long and mostly feeds on lizards. It requires both shrubland and adjoining grassland to survive, Donner said.

Development in the East Bay eroded the Alameda whipsnakes' natural habitat to the point that the species was declared threatened in 1997, said Jeff Miller, spokesperson for the national Center for Biological Diversity.

There is no official population count for the snakes because they are difficult to find, he said.

The center sued the U.S. Fish and Wildlife Service in the late 1990s to get land designated as a critical habitat for the snake, Miller said.

In response, the wildlife service designated 400,000 acres for protection. But in 2001, the Home Builders Association of Northern California and others sued the wildlife service to entirely remove the protected status from the land, he said.

A federal judge eventually decided to reduce, rather than eliminate, the acreage earmarked for the snake.

The final count of critical habitat acres leaves many environmentalists unsatisfied.

"(The designated land) encompasses 154,000 acres but the actual acreage is considerably less," Miller said.

Some of the critical habitat area is developed already, which will reduce the actual habitable area to less than the designated number, he said.

Government officials say the critical status label of the land adds little to the protections already afforded the snake by its threatened status.

"In reality, the critical habitat designation in the law does not provide much, if any, additional protection for the species," Donner said.

But some environmentalists think the government is not aggressive enough in applying the critical habitat designation, forcing activist groups to file lawsuits.

"The federal agencies don't really do their job in terms of protecting habitat. Enforcement is really up to citizen intervention and lawsuits," Miller said.

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