



## MAZAMA POCKET GOPHER

### 4(d) SPECIAL RULE SUMMARY

APRIL 2014

***Due to a special rule under section 4(d) of the Endangered Species Act certain general activities conducted on non-Federal agricultural and ranching lands, regular maintenance activities on the Olympia Airport, certain ongoing non-commercial activities by small private landowners, control of noxious weeds and invasive plants on non-Federal lands, and maintenance of roadside rights-of-way on both Federal and non-Federal lands are exempt from accidentally disturbing, harming or killing (“taking”) the four subspecies of Mazama pocket gopher in Thurston and Pierce counties.***



**GOOD TO GO...**

**LANDOWNER PROTECTIONS  
UNDER THE 4(d) SPECIAL RULE**

### ***AGRICULTURAL ACTIVITIES allowed under the Special Rule for Mazama Pocket Gopher***

Accepted agricultural or horticultural (farming) practices include:

- Grazing;
- Routine installation, management and maintenance of stock water facilities such as stock ponds, berms, troughs, and tanks, pipelines and watering systems to maintain water supplies;
- Routine maintenance or construction of fencing;
- Planting, harvest, fertilization, harrowing, tilling, or rotation of crops. Disturbance to the soils shall not exceed a 12-inch (30.5-cm) depth. All activities which don't disturb the soil surface are also allowed, such as haying, baling, some orchard and berry plant management activities, etc.;
- Maintenance of livestock management facilities such as corrals, sheds, and other ranch outbuildings;
- Repair and maintenance of unimproved agricultural roads. This exemption does not include improvement, upgrade, or construction of new roads;

- Placement of mineral supplements, plant nutrients, or soil amendments;
- Harvest, control, or other management of noxious weeds and invasive plants through mowing, discing, herbicide and fungicide application, fumigation, or burning. Use of herbicides, fungicides, fumigation, and burning must occur in such a way that non-target plants are avoided to the maximum extent practicable; and,
- Deep tillage (usually at depths of 18-36 inches (45.7-91.4 cm), for compaction reduction purposes) occurring between September 1 and February 28, no more often than once in 10 years.



***ACTIVITIES ON SINGLE-FAMILY RESIDENTIAL PROPERTIES allowed under the Special Rule for Mazama Pocket Gopher***

Exempted non-commercial activities that occur in or adjacent to Mazama pocket gopher habitat include the following:

- Harvest, control, or other management of noxious weeds and invasive plants through mowing, herbicide and fungicide application, fumigation, or burning. Use of herbicides, fungicides, fumigation, and burning must occur in such a way that non-target plants are avoided to the maximum extent practicable;
- Construction and placement of fencing, garden plots, or play equipment; and,
- Construction and placement of dog kennels, carports, or storage sheds less than 120 ft<sup>2</sup> (11.15 m<sup>2</sup>) in size.



## ***ACTIVITIES allowed on CIVILIAN AIRPORTS under the Special Rule for Mazama Pocket Gopher***

Exempted, non-Federal, routine maintenance activities in or adjacent to Mazama pocket gopher habitat and associated with airport operations on the Olympia Airport include the following:

- Routine management, repair, and maintenance of runways, roads, and taxiways (does not include upgrades, or construction of new runways, roads, or taxiways, or new development at airports);
- Hazing of hazardous wildlife;
- Management of forage, water, and shelter to reduce the attractiveness of the area around the airport for hazardous wildlife; and,
- Control or other management of noxious weeds and invasive plants through mowing, discing, herbicide and fungicide application, fumigation, or burning. Use of herbicides, fungicides, fumigation, and burning must occur in such a way that non-target plants are avoided to the maximum extent practicable.



## ***NOXIOUS WEED AND INVASIVE PLANT CONTROL ACTIVITIES allowed on non-Federal lands under the Special Rule for Mazama pocket gopher***

Routine removal or other management of noxious weeds and invasive plants are limited to the following, and must be conducted in a way that impacts to non-target plants are avoided to the maximum extent practicable:

- Mowing;
- Discing;
- Herbicide and fungicide application;
- Fumigation; and,
- Burning.



***ROADSIDE RIGHT-OF-WAY MAINTENANCE ACTIVITIES  
allowed on Federal and non-Federal lands under the  
Special Rule for Mazama pocket gopher***

Routine maintenance activities of roadside rights-of-way of highways and roads are limited to the following, and must be conducted in a way that impacts to non-target plants are avoided to the maximum extent practicable:

- Mowing;
- Mechanical removal of noxious weeds or invasive plants;
- Selective application of herbicides for removal of noxious weeds or invasive plants; and,
- Repair or maintenance of fences.