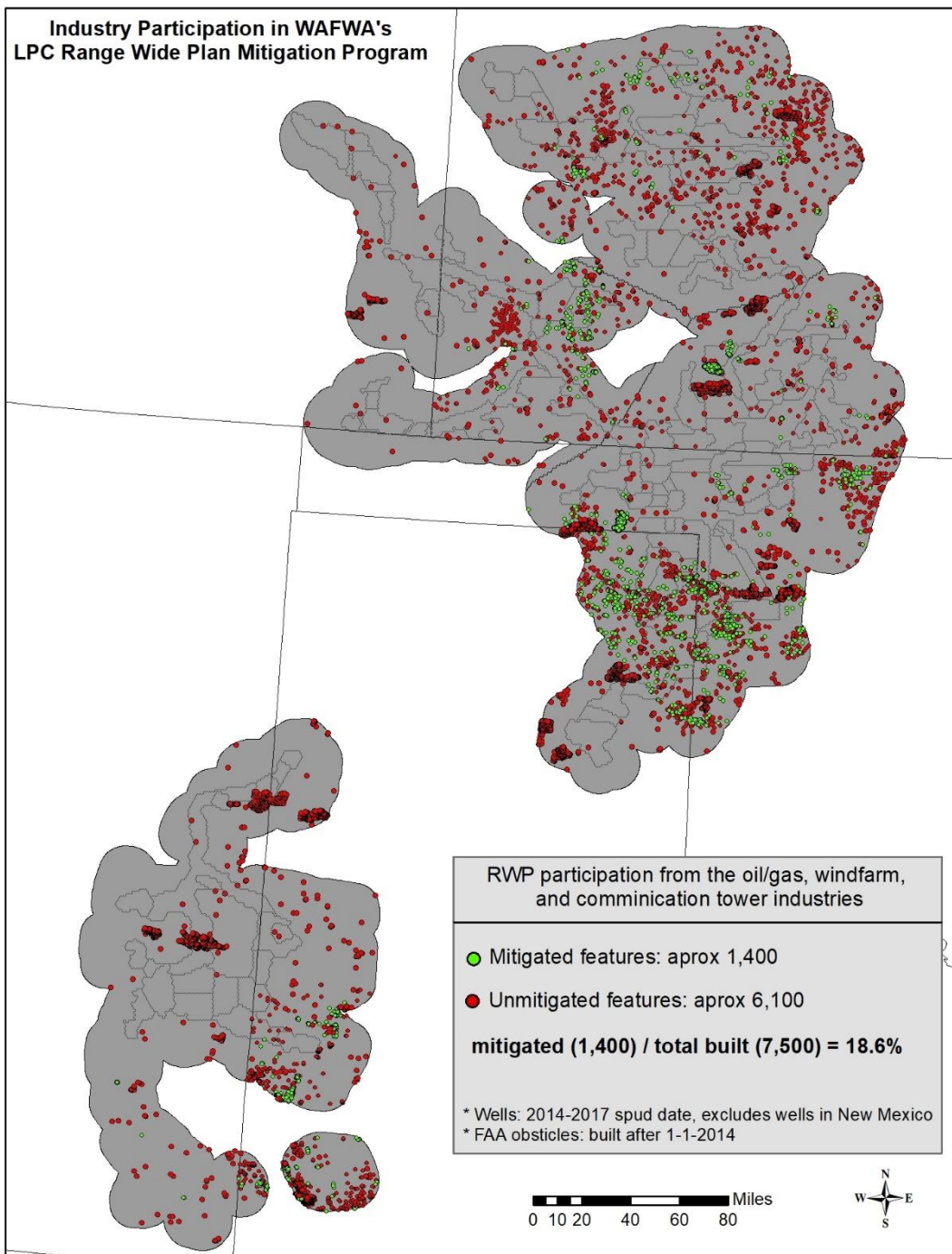


Western District Court Decision

- *Judge Junell—FWS made a critical assumption that shaped the entire RWP PECE evaluation*
- *FWS—Assumed that if the bird was not listed, the incentive for industry to enroll in the range-wide plan would be removed.*



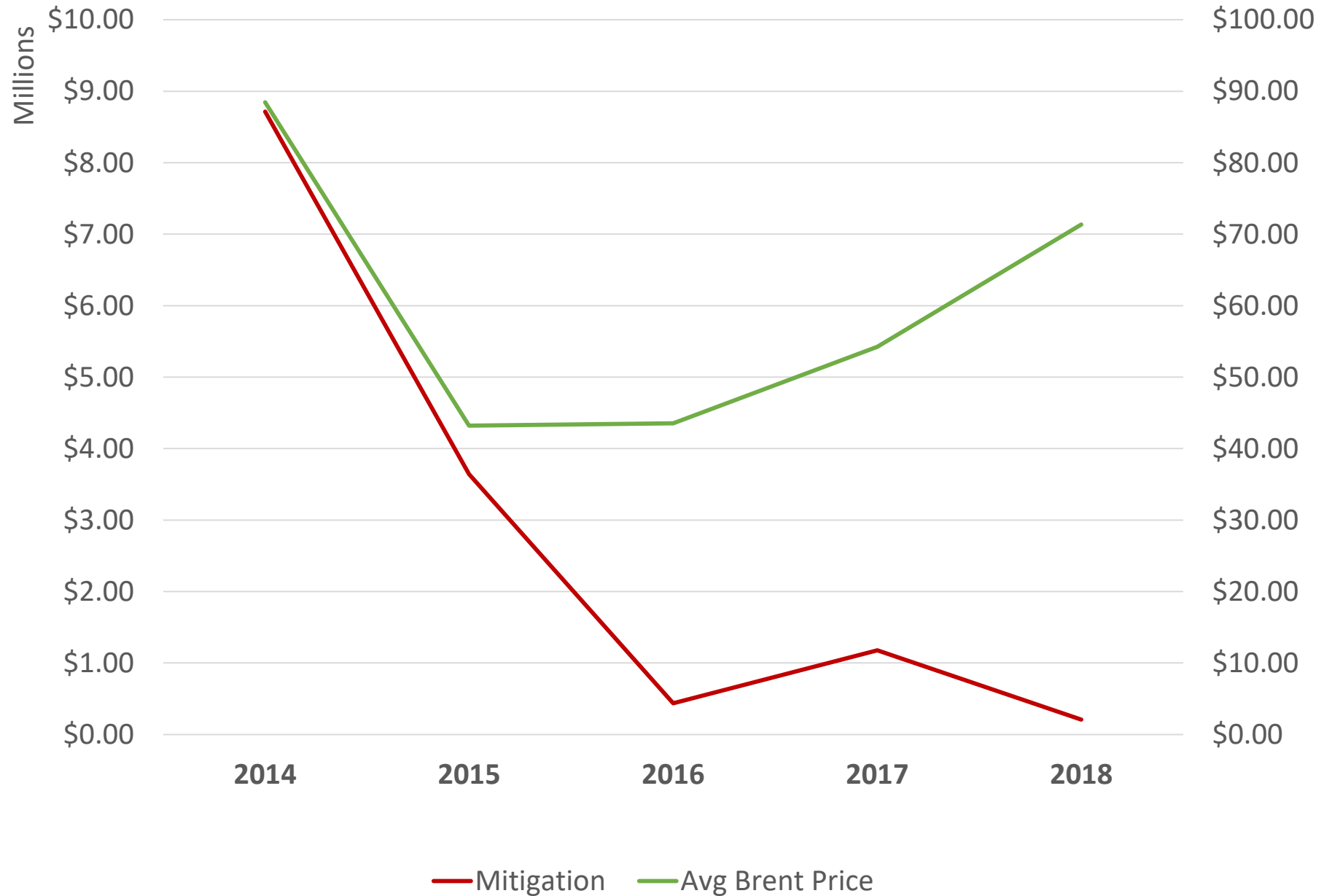
Industry Participation in WAFWA's
LPC Range Wide Plan Mitigation Program



Participation as Evidence for Precluding a Listing?

- Current participation across all industries is only 10-15%.
 - Oil and gas participation is about 20%
 - Less than environmental groups estimated
- New enrollment since the PBPA court case is almost non-existent.
- This is public information.

Annual Well Mitigation vs. Annual Average Brent Oil Price



WAFWA Grassland Restoration Program

- An alternative pathway for industry engagement in the RWP habitat goals
- Targeted grassland restoration using tax-deductible contributions leveraged with grant funding from the states
- WAFWA's goal is to contract for 40k acres in 2019
- Commitments needed before the end of the year

Change the narrative on listing

