

# Lesser Prairie-Chicken Range-Wide Conservation Plan Implementation Update



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# Background & Current Legal Status

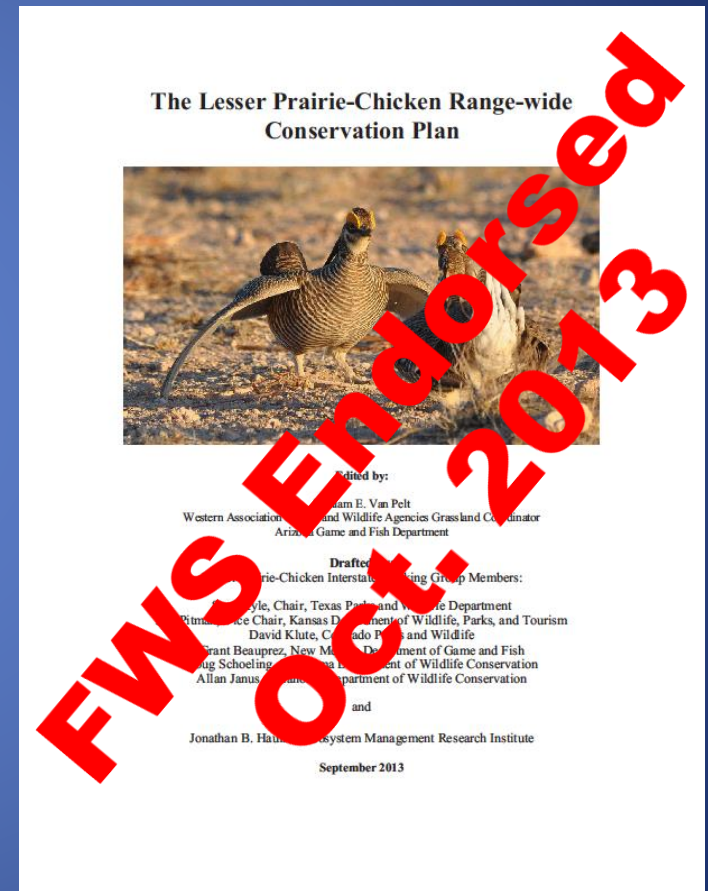
*(as of 01/12/16)*

- The LPC was petitioned in 1995 and granted candidate status in 1998
- The USFWS settled on Sept. 9, 2011 agreeing to a listing timeline for >250 species
- State wildlife agencies immediately began working with stakeholders to develop a voluntary conservation plan that could be administered by WAFWA
- The USFWS endorsed the plan in Oct. 2013 & WAFWA began implementation
- The USFWS listed the LPC as federally threatened on May 12, 2014
- The U.S. District Court Western District of Texas ruled in favor of the Permian Basin Petroleum Association on Sept. 1, 2015 and vacated the USFWS listing
  - The Government requested that the rule be remanded and the judge ordered mediation
  - Currently awaiting the Judge's ruling on the mediation results
  - 4 additional lawsuits on hold and LPC currently considered a candidate species

# LPC Range-Wide Conservation Plan

## Objectives

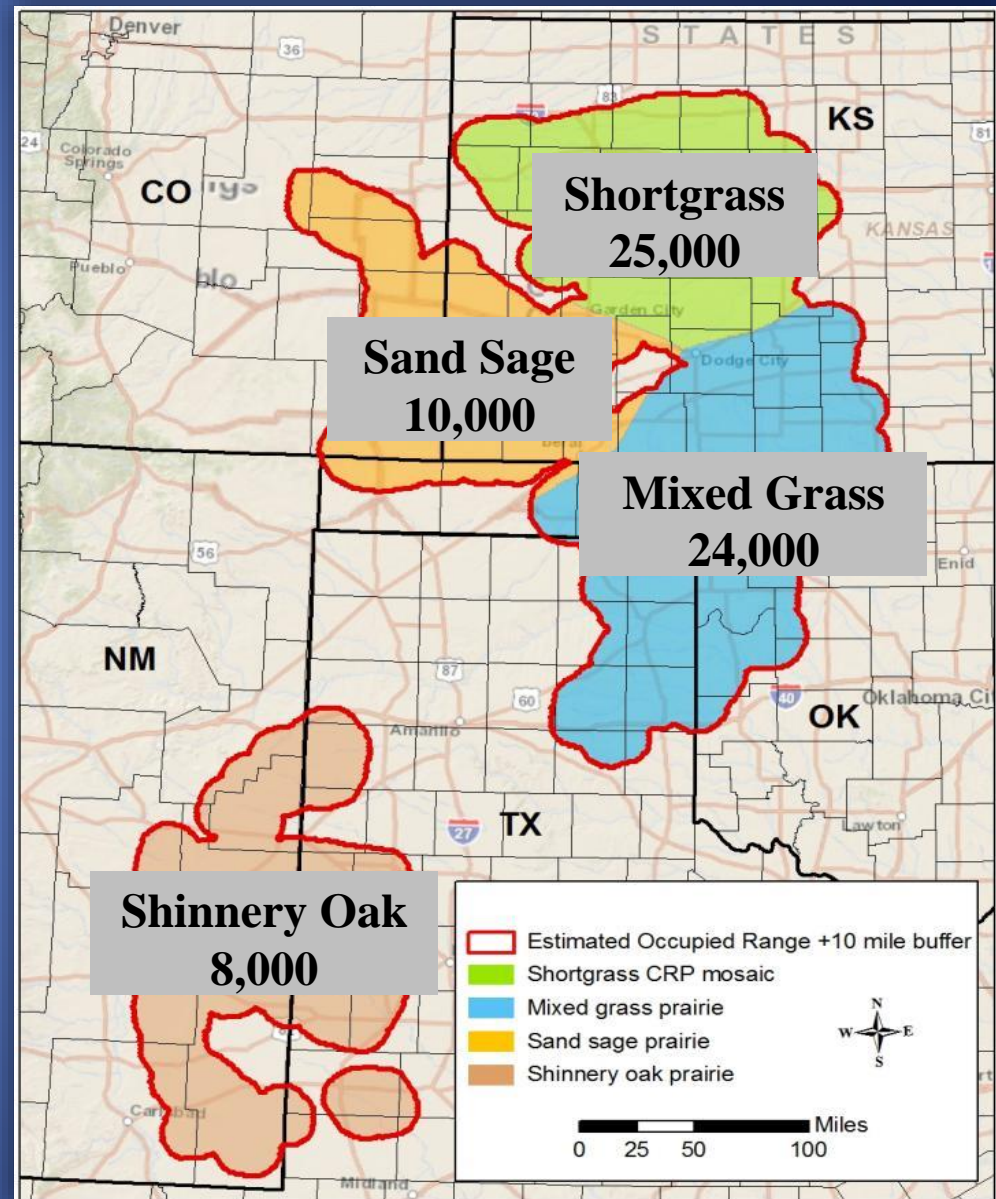
- Unify conservation efforts using a strategy that can be implemented regardless of the LPC listing status
- Could preclude the need for a federal listing if fully implemented
- Provide a pathway to delisting by establishing goals
- Maintain State G&F Agency management authority for the LPC even under a listing scenario
- Provide assurances to participating industries and landowners





# Setting Management Scale and Breeding Population Goals

- Established 4 ecoregions
- Set ecoregion goals
  - Achievable and sustainable
  - 10-year averages
- Range-wide goal of 67,000
  - Last achieved in 2006
  - Estimated at 29,162 during spring 2015





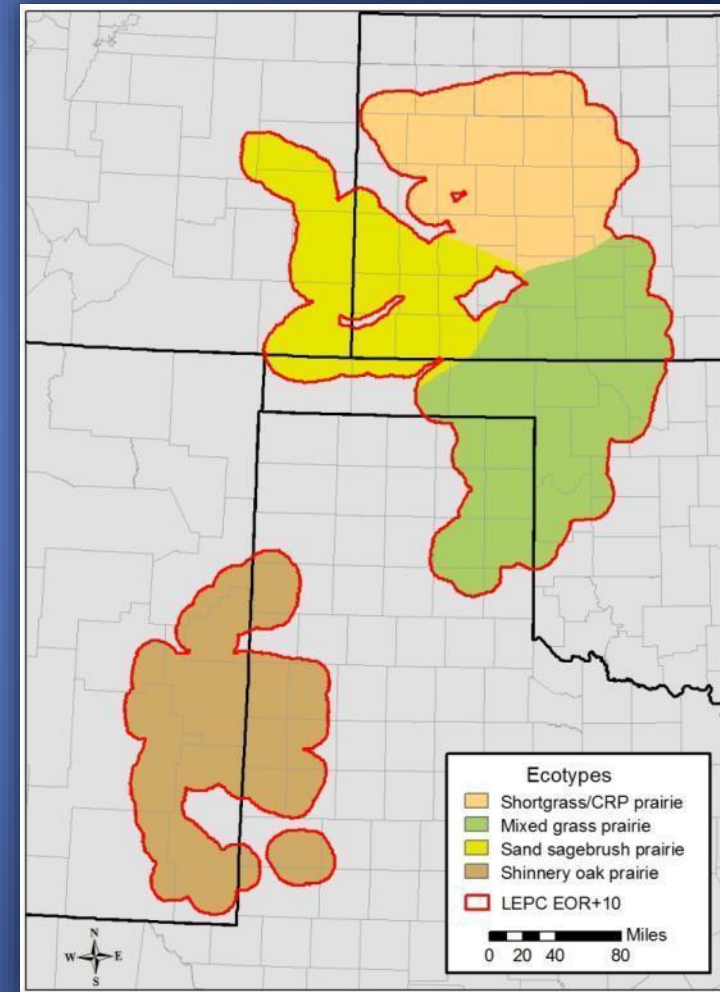
# Southern Great Plains Crucial Habitat Assessment Tool (CHAT)



# WAFWA Mitigation Framework

## *General Structure & Process*

- Company must pay enrollment fee, follow conservation measures, and mitigate for impacts
- 4 service areas matching ecoregions
  - *New impacts* offset prior to development
- Standard method to quantify & value habitat
  - Same method used for impacts and offsets
  - Fees & Payments based on USDA payment rates
  - Industry fees endowed to provide for offsetting conservation in perpetuity





# WAFWA Conservation Delivery System

- Applications accepted continuously
- Multiple options
  - 5 & 10 year contracts (75%)
  - Permanent Conservation (25%)
- Cut-offs to rank and fund offers
- Participants received “take exemptions” for practices implemented as prescribed
- Annual payments exceed USDA rates by up to 35% for good habitat in high priority areas



# Program Administration & Staffing

*(as of 01/12/16)*

## *Administration*

- WAFWA LPC Initiative Council
  - 5 Executive Directors from affected state wildlife agencies
  - 1 WAFWA executive committee member
- Adaptive management recommendations from Stakeholder Advisory Committee
  - Recommendations from Science & Fee Structure Working Groups

## *Staffing*

- Business office in Boise, ID staffed with CFO, 2 accountants, & 1 admin.
- Program Manager & 2 Service Directors
- 4 Regional Biologists
- 7 shared positions stationed in NRCS offices



# ***Industry Enrollment & Mitigation Status***

*(as of 01/06/16)*

- 206 agreements with 177 different companies
- ~11 million acres enrolled
- 1,944 projects submitted
  - 1,074 completed
    - 933 mitigated
  - 206 on hold or cancelled
  - 664 currently being processed



# ***WAFWA LPC Financial Status***

***(as of 12/28/15)***

	Revenue
Enrollment Fees Paid	\$34,728,603
Additional Impact Fees Paid	\$12,896,839
Accounts Receivable	\$1,710,371
<b>Total</b>	<b>\$49,335,813</b>

The WAFWA executive committee selected RBC Wealth Management as the approved investment company. Funds were invested in December 2014 in two separate accounts. As per the business plan, 87.5% of revenue was placed in Conservation Operations and 12.5% in Administrative Operation.



# Conservation Contract Status

(as of 01/12/16)

- 13 executed contracts
  - \$1.8 million paid to date
  - \$13.8 million more committed
  - >15,000 acres of habitat restoration prescribed of which 8,215 acres completed
- 53 open applications for >280,000 acres

Service Area	Executed Contracts	Acres
Shortgrass	4	9,511
Sandsage	1	12,689
Mixed Grass	4	62,037
Shinnery Oak	4	17,730
<b>Total</b>	<b>13</b>	<b>101,967</b>

\* 7 executed contracts in Kansas



# *Permanent Conservation Status*

*(as of 01/12/16)*

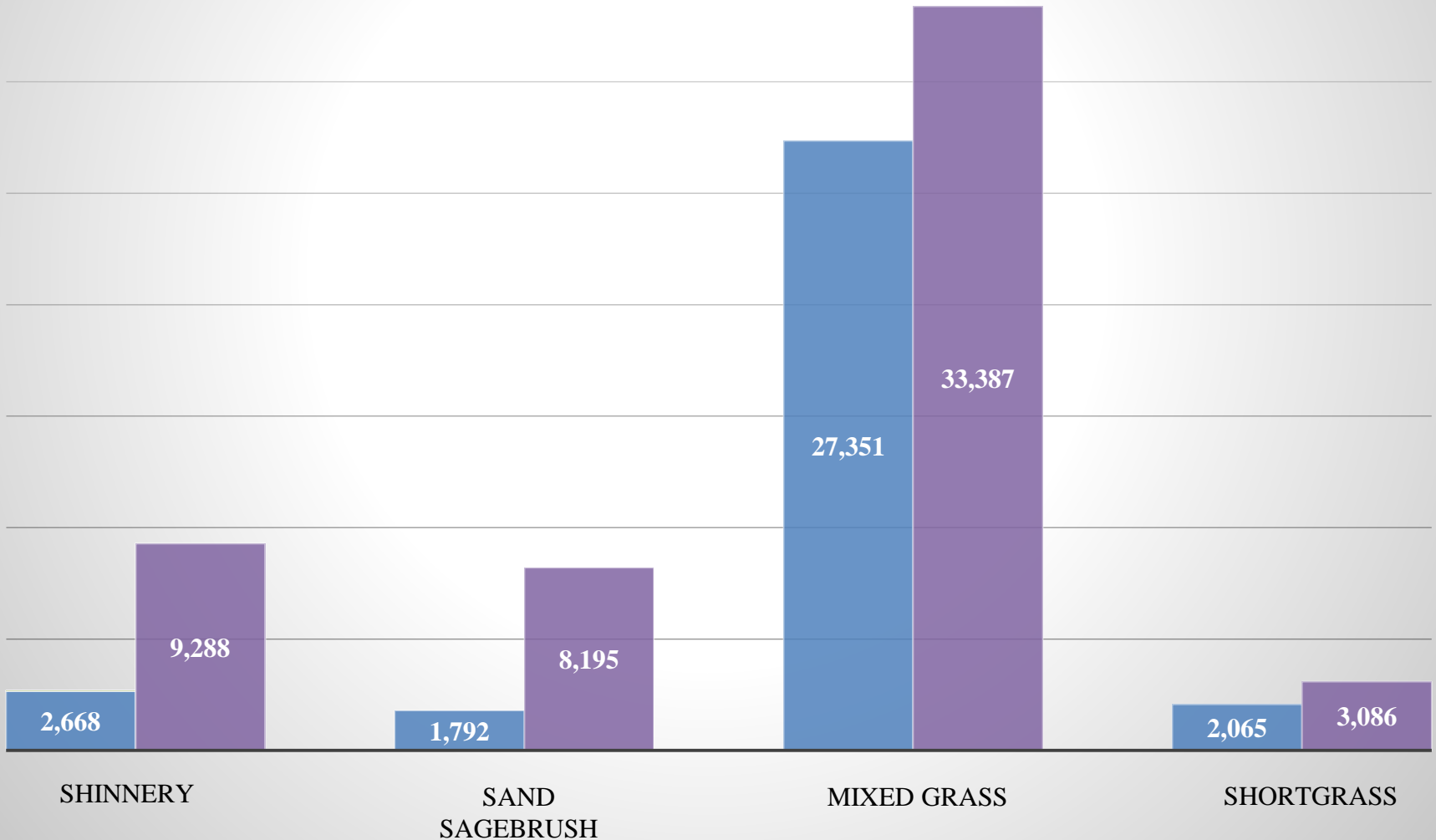
- Goal of 25,000 acres in each service area within 10 years
- Goals can be achieved through purchase of title or development rights
- Agreements with 5 land trusts to administer easements
  - The Nature Conservancy
  - The Conservation Fund
  - Pheasants Forever
  - Ranchland Trust of Kansas
  - Texas Agricultural Land Trust
- Fee title acquisition of 1,604 acres in TX for \$1.02 million
- Negotiations in progress with 4 landowners to conserve another ~35,000 acres with perpetual easements



# WAFWA Mitigation Units

*January 12, 2016*

■ Impact Units  
■ Offset Units



# *Conclusions*

- The WAFWA program is providing a pathway for industry to continue developing and producing a net conservation benefit to LPC
- Continued industry and landowner participation is more important than ever right now to keep the LPC from being relisted. Our participants are aware of this need and none have dropped out as a result of the vacated listing.
- The program provides a new approach that could be adopted for other species to prevent federal listings.



# Questions



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