

**PROPOSED INTERVENOR-DEFENDANTS' UNOPPOSED MOTION TO INTERVENE
IN NO. 1:16-CV-00910-EGS**

Pursuant to Federal Rule of Civil Procedure 24 and Local Rule 7(j), Proposed Intervenor-Defendants American Exploration & Production Council, American Farm Bureau Federation, American Petroleum Institute, Chamber of Commerce of the United States of America, Independent Petroleum Association of America, Marcellus Shale Coalition, National Association of Home Builders of the United States, Ohio Oil and Gas Association, Pennsylvania Independent Oil & Gas Association, and West Virginia Oil and Natural Gas Association (the "Associations") respectfully submit this unopposed motion to intervene in matter No. 1:16-cv-00910-EGS as Defendant-Intervenors. As discussed in the attached Memorandum and Points of Authorities, the Associations' members will be directly and adversely affected if Plaintiff were to obtain the requested relief in this matter. The Associations meet the requirements of Federal Rule of Civil Procedure 24(a) to intervene as of right in this matter because (1) this motion is timely, (2) they have interests relating to the property or transaction at issue in this case, (3) the resolution of this matter may affect their ability to protect those interests, and (4) their interests are not adequately represented by existing parties. The Associations have conferred with the parties in this matter. The Federal Defendants take no position. Plaintiff Defenders of Wildlife does not oppose this motion provided that the Associations submit joint briefs and agree to staggered briefing as described in the accompanying memorandum. The Intervenor-Defendants admitted to the case by the Court's Order of June 6, 2016 support this motion.

For these reasons, the Associations request that the Court grant them permission to intervene as of right in this matter. In the alternative, the Associations request that the Court grant them permissive intervention under Rule 24(b).

Dated: July 7, 2016

Respectfully submitted,

/s/John C. Martin

John C. Martin (D.C. Bar No. 358679)
Sarah C. Bordelon (D.C. Bar No. 987135)
Sherrie A. Armstrong (D.C. Bar No. 1009642)
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2595
(202) 624-2505 – Telephone
(202) 628-5116 – Facsimile

Attorney for Intervenor-Defendants American Forest & Paper Association, Black Hills Forest Resource Association, Forest Landowners Association, Inc., Forest Resources Association, Inc., Hardwood Federation, New Hampshire Timberland Owner Association, Southeastern Lumber Manufacturer's Association, Inc., Great Lakes Timber Professionals Association and National Alliance of Forest Owners

and Proposed Intervenor-Defendants American Exploration & Production Council, American Farm Bureau Federation, American Petroleum Institute, Chamber of Commerce of the United States of America, Independent Petroleum Association of America, Marcellus Shale Coalition, National Association of Home Builders of the United States, Ohio Oil and Gas Association, Pennsylvania Independent Oil & Gas Association, and West Virginia Oil and Natural Gas Association

Of Counsel:

Stacy R. Linden, General Counsel
Matthew A. Haynie, Counsel
American Petroleum Institute
1220 L Street, NW
Washington, DC 20005

*Counsel for Proposed Defendant-Intervenor
American Petroleum Institute*

Jeffrey B. Augello, Senior Counsel
National Association of Home Builders of the
United States
1201 15th Street, NW
Washington, DC 20005

*Counsel for Proposed Defendant-Intervenor
National Association of Home Builders of the
United States*

Steven P. Lehotsky
Sheldon B. Gilbert
U.S. Chamber Litigation Center
1615 H Street, NW
Washington, DC 20062
(202) 463-5685
slehtosky@uschamber.com

*Counsel for Proposed Defendant-Intervenor
Chamber of Commerce of the United States of
America*

Ellen Steen
Danielle Hallcom Quist
American Farm Bureau Federation
600 Maryland Ave. SW
Suite 1000W
Washington, DC 20024
(202) 406-3600

*Counsel for Proposed Defendant-Intervenor
American Farm Bureau Federation*

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2016, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants.

Respectfully submitted,

/s/John C. Martin

John C. Martin