

**Peer Review Plan:** Proposed Rules to List Meltwater Lednian Stonefly and the Western Glacier Stonefly as Threatened and the Designation of Critical Habitat

**Timeline of the Peer review (estimated):**

**Draft documents to be disseminated:** January 2017

**Peer review to be initiated:** January 2017

**Peer review to be completed by:** March 2017

**Final determination regarding proposed rule expected:** October 2017

**About the Peer Review Process:**

In accordance with our July 1, 1994 peer review policy (59 FR 34270), the Service's August 22, 2016 Director's Memo on the Peer Review Process, and the Office of Management and Budget's December 16, 2004 Final Information Quality Bulletin for Peer Review, we will solicit independent scientific reviews of the information contained in our proposed rule to list Meltwater Lednian Stonefly and the Western Glacier Stonefly as threatened species and our proposed rule to designate critical habitat. This review will occur concurrently with the public comment period for the proposed listing and critical habitat rules, and the draft economic analysis.

The U.S. Fish and Wildlife Service (Service) will request peer review from three or more independent experts. We will consider the following criteria.

- **Expertise:** The reviewer should have knowledge of or experience with Meltwater Lednian Stonefly, the Western Glacier Stonefly, or similar species biology.
- **Independence:** The reviewer should not be employed by the Service. Academic, consulting or government scientists should have sufficient independence from the Service if the government supports their work.
- **Objectivity:** The reviewer should be recognized by his or her peers as being objective, open-minded, and thoughtful. In addition, the reviewer should be comfortable sharing his or her knowledge and perspectives and openly identifying his or her knowledge gaps.
- **Conflict of Interest:** The reviewer should not have any financial or other interest that conflicts or that could impair his or her objectivity or create an unfair competitive advantage. If an otherwise qualified reviewer has an unavoidable conflict of interest, the Service may publicly disclose the conflict.

While expertise is the primary consideration, the Service will select peer reviewers (considering, but not limited to, these selections) that add to a diversity of scientific perspectives relevant to the proposed rule to list Meltwater Lednian Stonefly and the Western Glacier Stonefly as threatened species and designate critical habitat. Responses will be requested by the close of the comment period. We will not be providing financial compensation to peer reviewers. We will solicit reviews from at least three qualified experts.

The Service will provide each peer reviewer with information explaining their role and instructions

for fulfilling that role, the proposed rules, and a list of citations as necessary. The purpose of seeking independent peer review is to ensure use of the best scientific and commercial information available and to ensure and to maximize the quality, objectivity, utility, and integrity of the information upon which the proposed actions are based, as well as to ensure that reviews by recognized experts are incorporated into the rulemaking process. Peer reviewers will be advised that they are not to provide advice on policy. Rather, they should focus their review on identifying and characterizing scientific uncertainties. Peer reviewers will be asked to answer questions pertaining to the logic of our assumptions, arguments, and conclusions and to provide any other relevant comments, criticisms, or thoughts. Specific questions put to the reviewers include the following:

1. Is our description and analysis of the biology, habitat, population trends, and historic and current distribution of the species accurate?
2. Do the proposed rules provide accurate and adequate review and analysis of the factors affecting the species?
3. Are our assumptions and definitions of suitable habitat logical and adequate?
4. Are there any significant oversights, omissions, or inconsistencies in our proposed rules?
5. Are the conclusions we reach logical and supported by the evidence we provide?
6. Did we include all the necessary and pertinent literature to support our assumptions/arguments/conclusions?

Peer reviewers will provide individual, written responses to the Service. Peer reviewers will be advised that their reviews, including their names and affiliations, will: (1) be included in the decisional record of our final determinations regarding these proposals (i.e., final rules or withdrawals); and, (2) be available to the public upon request once all reviews are completed. We will summarize and respond to the issues raised by the peer reviewers in the record supporting our final rulemaking determinations. Because this peer review process is running concurrently with public review of the proposed actions, peer reviewers will not be provided public comments (although comments may be viewed through <http://www.regulations.gov>). A final determination regarding the proposed action is expected October 2017.

## **About Public Participation**

The peer review process will be initiated shortly. We strongly encourage that public comments on the approach of this peer review be submitted by January 17, 2017 in order to allow enough time for processing and consideration. However, we will accept comments on the peer review plan through the normal comment process associated with the proposed rule. Public comments on the proposed rules and associated documents are scheduled to be accepted until 60-days after publication of the proposed rules (approximately late March 2017). You may submit comments by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- U.S. mail or hand-delivery: Public Comments Processing, Attn: FWS-R6-ES-2016-0086 for the proposed listing; and, FWS-R6-ES-2016-0087 for the proposed critical habitat designation; Division of Policy, Performance, and Management Programs; U.S. Fish and Wildlife Service; 5275 Leesburg Pike Falls Church, VA 22041-3803.

We will not accept e-mail or faxes. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us.

## **Contact**

For more information, contact Andy Devolder, at 703-358-1971.