



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240



JUL 25 2003

In Reply Refer To:
FWS/AEA/12094

Terry L. Bashore, Ph.D.
Chief Ecologist and Range Liaison
Ranges, Airfields, and Airspace Operational Requirements Division
HQ ACC/DORP
205 Dodd Blvd., Suite 101
Langley AFB, Virginia 23665-2789

Dear Dr. Bashore:

On March 31, 2003, you submitted to the U.S. Fish and Wildlife Service (Service), pursuant to section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554), also known as the Information Quality Act (IQA), a request for Correction of Information concerning the Service's proposed rule to list *Lepidium papilliferum* (slickspot peppergrass) as an endangered species. As you know, we have extended our response date concerning your IQA request to July 31, 2003.

On July 18, 2003, the Service announced a 6-month extension of the deadline for a final determination of whether to list slickspot peppergrass under the Endangered Species Act (ESA) and reopened the comment period on the proposed rule to list the species. We took this action because there is substantial disagreement regarding the sufficiency and interpretation of the available data relevant to the proposed listing rule, making it necessary for us to solicit additional information by reopening the public comment period. The date for submitting our final determination on the proposed listing to the Federal Register has been extended to January 15, 2004. Over the next six months, we intend to implement an open process for reviewing the information available and the issues raised in the prior comment period regarding this proposed listing action, including, but not limited to the comments you have provided.

Although our delay in the listing action was not predicated by your IQA request, delaying the listing action, and implementing an open review process does, in fact, respond to your request for correction. Specifically, this process will be the venue in which we insure that the final listing determination for slickspot peppergrass addresses your comments regarding quality, utility, and objectivity standards, as outlined in the U.S. Fish and Wildlife Service's Information Quality Guidelines. We, therefore, feel that this process addresses your request.

If you are interested in seeking a reconsideration of this response, you may submit an appeal to the Service within 15 business days from the date of this letter and should contain the following:

Dr. Terry L. Bashore

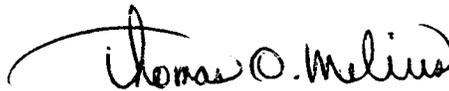
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- Indication that the person is seeking an appeal of an FWS decision on a previously submitted request for a correction of information, including the date of the original submission and the date of FWS decision;
- Indication of how the individual or organization is an “affected person” under the provisions of the Service’s guidelines;
- Name and contact information. Organizations submitting an appeal should identify an individual as a contact;
- Explanation of the disagreement with the FWS decision and, if possible, a recommendation of corrective action; and
- A copy of the original request for the correction of information.

Please submit your appeal to:

Correspondence Control Unit
Attention: Information Quality Complaint Processing
U.S. Fish and Wildlife Service
1849 C Street, NW, Mail Stop 3238-MIB
Washington, D.C. 20240

Sincerely,

A handwritten signature in black ink that reads "Thomas O. Melius". The signature is written in a cursive style with a large, sweeping flourish over the first name.

Thomas O. Melius
Assistant Director - External Affairs

cc: Dave Allen (R1)