

About the Document:

Title: Establishment of a Nonessential Experimental Population of the Black-footed Ferret (*Mustela nigripes*) in Wyoming and special 10(j) rule.

Type of Review: Influential

Timeline of the Peer review:

Draft document disseminated: April 9, 2015

Peer review initiated: April 9, 2015

Peer review to be completed by: June 9, 2015

Final determination regarding proposed rule expected: October 2015

About the Peer Review Process:

In accordance with our July 1, 1994 peer review policy (59 FR 34270) and the Office of Management and Budget's December 16, 2004 Final Information Quality Bulletin for Peer Review, the U.S. Fish and Wildlife Service (Service) intends to subject this proposal to peer review. The Service will nominate potential peer reviewers. This review will occur concurrently with the public comment period for the proposed action.

We will consider the following criteria for any potential nomination:

- **Expertise:** The reviewer should have knowledge of or experience with black-footed ferret or similar species biology.
- **Independence:** The reviewer should not be employed by the Service, or any State fish and game agency in Wyoming. 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, we will select peer reviewers (considering, but not limited to, these nominations) that add to a diversity of scientific perspectives relevant to the proposed rule for establishment of a nonessential experimental population of the black-footed ferret in Wyoming. Peer Reviewer 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.

We will provide each Peer Reviewer with information explaining their role and instructions for fulfilling that role, the proposed rule, 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 action is 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 areas in need of peer review input include the following:

1. The appropriateness of designating reintroduced populations of black-footed ferrets in Wyoming as nonessential experimental populations.
2. Threats to black-footed ferrets in the proposed nonessential experimental population area that have not been considered in this proposed rule and that might affect a reintroduced population.
3. The suitability of the proposed boundaries for this nonessential experimental population.
4. The effects of reintroducing black-footed ferrets on public and private land management activities such as ranching, recreation, energy development, and residential development.
5. The compatibility of this proposal and ongoing efforts to implement the black-footed ferret safe harbor agreement in cooperation with non-federal landowners.

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 administrative record of our final determination regarding this proposal (i.e., a final rule or a withdrawal), 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 determination. Because this peer review process is running concurrently with public review of the proposed action, 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 2015.

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 May 9, 2015 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 rule and associated documents are scheduled to be accepted until June 9, 2015.

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–2013–0081; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042–PDM; Arlington, VA 22203.

We will not accept e-mail and 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 Lynn Gemlo, U.S. Fish and Wildlife Service, Wyoming Ecological Services Field Office, at 307-772-2374 x228.