

About the Document:

Titles: Proposed Rule to List Coral Pink Sand Dunes Tiger Beetle as Threatened and Designate Critical Habitat

Timeline of the Peer review:

Draft documents disseminated: May 2013

Peer review initiated: May 2013

Peer review to be completed by: June 5, 2013 (i.e., close of the comment period)

Final determination regarding proposed rule expected: September 2013

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, we will solicit independent scientific reviews of the information contained in our proposed rule to list Coral Pink Sand Dunes tiger beetle as threatened and designate critical habitat. This review will occur concurrently with the public comment period for the draft economic analysis, draft environmental assessment, amendment to the 2009 Conservation Agreement and Strategy for the Coral Pink Sand Dunes tiger beetle, and amended required determinations section of the proposal.

The U.S. Fish and Wildlife Service (Service) requested that State agencies, Federal agencies, and universities (i.e., those involved in conservation of Coral Pink Sand Dunes tiger beetles) nominate potential peer reviewers. We requested that these groups consider the following criteria for any potential nomination.

- **Expertise:** The reviewer should have knowledge of or experience with Coral Pink Sand Dunes tiger beetle 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 nominations) that add to a diversity of scientific perspectives relevant to the proposed rule to list Coral Pink Sand Dunes tiger beetle as threatened 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 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 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. Does the Proposed Rule 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 rule?
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 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 September 2013.

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 20, 2013 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 5, 2013. 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-2013-0020; 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 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 Paul Abate at 801-975-3330 ext. 130.