

Peer Review Plan for Water Howellia (*Howellia aquatilis*) Proposed Rule to Delist

Estimated Timeline of the Peer Review:

Draft document to be sent to peer reviewers: September 2019

Peer review initiated: September 2019

Peer review to be completed by: October 2019

Publication of Proposed Rule in Federal Register expected: Water howellia is currently listed as threatened under the Endangered Species Act. We are proposing to delist this species. The proposed rule is expected to publish around the end of this fiscal year.

About the Peer Review Process:

In accordance with our July 1, 1994 peer review policy (59 FR 34270), the Office of Management and Budget's December 16, 2004 Final Information Quality Bulletin for Peer Review, and our August 22, 2016 memorandum clarifying the peer review process, the U.S. Fish and Wildlife Service (Service) will solicit independent scientific review of the information contained in our proposed rule to remove water howellia from the List of Endangered and Threatened Plants. This review will occur concurrently with the public comment period for the proposed rule. The Service will nominate potential peer reviewers.

We will consider the following criteria for any potential nomination:

- **Expertise:** The reviewer should have knowledge of or experience with water howellia or similar species biology.
- **Independence:** The reviewer should not be employed by the Service. In rare cases, a Service employee may be a valuable expert and may be used as a peer reviewer, provided that the employee is independent of the team drafting the proposed rule. If a Service employee is selected, we will still solicit peer review from at least three other experts. 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 water howellia. 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, instructions for fulfilling that role, and the proposed rule to delist water howellia. The purpose of seeking independent peer review is to ensure use of the best scientific and commercial information available and to ensure and maximize the quality, objectivity, utility, and integrity of the information upon which the proposed rule is based, as well as to ensure that reviews by recognized experts are incorporated into the final rule. 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 the reviewers will be asked 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 current and future condition of the species?
3. Are our assumptions and determinations regarding 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 for the proposed rule, 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 before releasing the final rule. Because this peer review process is running concurrently with public review, peer reviewers will not be provided public comments. A decision on whether to finalize delisting water howellia under the Endangered Species Act is expected in FY 2020.

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 October 2019, 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. If we determine that the species warrants delisting, we will publish a final rule to delist the species (expected FY 2020).

Contact

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