

Peer Review Plan for the Critical Habitat Determination for the Rusty Patched Bumble Bee (*Bombus affinis*)

About the Document:

The U.S. Fish and Wildlife Service (Service) submitted a proposed rule to designate critical habitat for the rusty patched bumble bee to the Office of the Federal Register on November 18, 2024. If finalized, a final rule to designate critical habitat would be submitted to the Office of the Federal Register by October 31, 2025.

Timeline of the Peer review (estimated):

Draft documents to be disseminated: November 2024

Peer review to be initiated: November 2024

Peer review to be completed by: January 2025

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 any proposed critical habitat rule for the rusty patched bumble bee.

The Service will request peer review from at least three independent experts. We will consider the following criteria:

- **Expertise:** The reviewer should have knowledge of or experience with the species or similar taxa, the species' biology and habitat needs, or the threats to or management of the species or its habitat.
- **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.

We will not be providing financial compensation to peer reviewers. We are not seeking nominations for peer reviewers from the public. The Service will provide each peer reviewer with any proposed critical habitat rule, a list of citations, and information explaining their role as peer reviewers and instructions for fulfilling that role. 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 report 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 subspecies' needs, biology, habitat, population trends, and historical and current distribution of the species accurate?
2. Are our assumptions and definitions of suitable habitat logical and adequate?
3. Are there any significant oversights, omissions, or inconsistencies in our proposed rule?
4. Are the conclusions we reach logical and supported by the evidence we provide?
5. Did we include all the necessary and pertinent literature to support our assumptions, arguments, and conclusions?

Peer reviewers will be advised that their reviews, including their names and affiliations, will: (1) be included in the decisional record of our determinations regarding any critical habitat designation (i.e., final rules or withdrawals); and (2) be posted on the <https://www.regulations.gov> in response to any proposed critical habitat rule. We will summarize and respond to the issues raised by the peer reviewers in the record supporting our determinations.

About Public Participation

Our critical habitat decision document will be made available to the public through the <https://www.regulations.gov>, news releases, direct mailings, and posting on Service websites (with solicitations for public comment if we prepare a proposed rule to designate critical habitat). If appropriate, the Service will implement an outreach plan to provide ample opportunity for public involvement in the review process. If appropriate, the Service will publish a final designation of critical habitat following consideration of all comments received from the public and peer reviewers.

This peer review plan is made available to allow the public to monitor our compliance with the Office of Management and Budget's Final Information Quality Bulletin for Peer Review. The public is invited to submit comments on this peer review plan by contacting the agency person listed below.

Contact

For more information, please contact John JaKa, Species Assessment Team Project Manager, by telephone to 703-358-1718 or by email to jonathan_jaka@fws.gov.

For more information on the rusty patched bumble bee, see: <https://www.fws.gov/species/rusty-patched-bumble-bee-bombus-affinis>