

Thank you for agreeing to participate as a peer reviewer of the *Proposed Information Basis and Impact Considerations of Critical Habitat Designation for the Endangered Rice's Whale* (Information Report). Peer review is an important process to science and its application in our administration of the Endangered Species Act (ESA). We appreciate your dedication to both the process and the species. We request all comments be submitted to us by November 23, 2022. Comments can be submitted electronically (e.g., Word document).

Peer review of the Information Report is an important step to prepare a proposed rule for designating critical habitat as required under section 4 of the ESA. There are specific requirements for completion of peer review including that peer reviewers must have the requisite expertise, experience, and skills. We are, therefore, requesting your expertise to peer review the biological information provided as background for developing our critical habitat (Sections 1-8).

Your peer review comments should focus on the following topics:

1. The accuracy, quality, completeness, and relevance of the scientific information and data considered; particularly whether any additional data exist that were not considered.
2. Whether scientific uncertainties are reasonably identified and characterized.
3. Whether the document provides a well-reasoned rationale in identifying the physical and biological features of a critical habitat designation for Rice's whales based on the best available data.
4. If a justification is lacking or specific information was applied incorrectly in reaching conclusions, provide specific comments.

We are also interested in your comments on the following essential feature: Gulf of Mexico continental slope associated habitat to support individual growth, reproduction, and development; social behavior; and overall population growth. Further, we are seeking comments on including or excluding any specific areas based on availability of the essential features and also on including unoccupied areas that are essential to the conservation of the species.

We have not included areas that may be excluded due to economic, national security, and any other relevant impacts. Those exclusions are at the discretion of the agency and do not require peer review. We also include economic information on the impacts of designating critical habitat in the report (Section 9). Feel free to review Section 9 of the report for context. However, we are requesting separate review of that section from experts in the field of economic impact analyses.

Other Requirements

Peer review as required by the Office of Management and Budget (OMB) is subject to additional requirements regarding public disclosure, conflict of interest, and restrictions on pre-dissemination of confidential information. To ensure that we have a transparent process for public disclosure, we are required to make publicly available the names and affiliations of each peer reviewer. We are also required to post comments received; though we do not associate names with individual comments when posting those comments online. We typically organize and post comments by reviewer number rather than by reviewer name (e.g., see the Peer Review Report on the Draft Biological Report for the Proposed Designation of Critical Habitat for the Mexico, Central American, and Western North Pacific Distinct Population Segments of Humpback Whales at https://www.noaa.gov/sites/default/files/legacy/document/2021/Apr/ID400_Peer_Review_Report_HBW_Biological_Report.pdf).

However, if we receive a Freedom of Information Act Request, we cannot guarantee anonymity of peer reviewers or comments.

The OMB Peer Review Bulletin requires peer reviewers who are federal employees to comply with applicable federal ethics requirements. Further information on the NOAA Conflict of Interest Policy and related Disclosure Forms can be found at <https://www.noaa.gov/organization/information-technology/policy-oversight/information-quality>. Finally, please note that the draft biological report is pre-decisional. It is, therefore, important that all reviewers keep the content of this document confidential. Finally, for further information on the NOAA Information Quality Guidelines see <https://www.noaa.gov/organization/information-technology/policy-oversight/information-quality/information-quality-guidelines>.