

Re: [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

Eakin, Carly J [REDACTED]

Mon 5/1/2023 3:53 PM

To: Magnacca, Karl N [REDACTED]

Hi Karl,

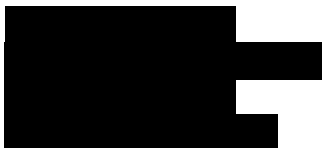
Thank you for your review and comments pertaining to your area of expertise. We sincerely appreciate you sharing your knowledge of these species and taking the time to review the proposed rule! Our team will reach out if they have any questions.

Best wishes,

Carly

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service



Pronouns: she, her, hers



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**From:** Karl Magnacca [REDACTED]  
**Sent:** Sunday, April 30, 2023 1:01 PM  
**To:** Eakin, Carly [REDACTED]  
**Subject:** Re: [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

Hi Carly,

I've attached the Word doc with my comments. I had two main ones: first, for *Drosophila digressa*, plant unit 17 (lower Honomalino Forest Reserve) should be a CH unit, as it was discovered there by me last year as reported in my most recent status update. The site is a threatened forest type so it is in particular need of protection. Unit 6 (plant units 16 and 40) could be removed, since there is not even potential habitat for it there. I suspect much of the other area designated in the Kona forests could also be removed as most of it in upper elevation wet forest, but there may be potential habitat there

(albeit a low probability) and I didn't analyze exactly which ones. I do know there is potential habitat on private land to the north, but none of that is currently designated as CH.

Second, CH for *Cyrtandra wagneri* should include plant unit 54. It was present at Puu Pili at least as of 2009. There were only a few plants present in a patch I happened to stumble across while surveying for *Drosophila*, so it may have been missed by others. I see this area could be excluded anyway so it may be a moot point.

Karl

On Tue, Apr 25, 2023 at 9:41 AM Eakin, Carly J [REDACTED] wrote:

Hi Karl,

I'm just sending a friendly reminder to please submit your review of the proposed critical habitat rule that you agreed to review by Monday, May 1.

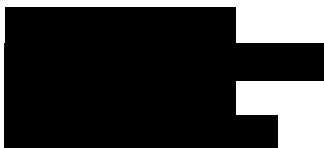
Please let me know if you have any questions or need to request an extension.

Thank you!

Carly

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service



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**From:** Eakin, Carly J [REDACTED]  
**Sent:** Friday, March 31, 2023 10:30 AM  
**To:** Magnacca, Karl N [REDACTED]  
**Subject:** Re: [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

Hi Karl,

Thank you again for agreeing to review the proposed rule. I've attached the proposed rule and comment sheet for your responses. Please return these to me via email when you have completed

your review. The 30-day review period begins today, Friday, March 31 to Saturday, April 29, 2023 (but I won't be checking my email until Monday, May 1).

Please note that we are not seeking advice on policy or recommendations on the legal status of the species. Rather, we are requesting that peer reviewers focus their review on identifying and characterizing scientific uncertainties, and on ensuring the accuracy of the biological information in the report. The full list of information we request will be available as part of the proposed rule.

Specifically, we ask peer reviewers to focus their comments on the following:

- (1) Have we assembled and considered the best available scientific and commercial information relevant to the species and their habitat?
- (2) Is our inclusion and use of this information correct?
- (3) Are our assumptions and conclusions reasonable in light of this information?
- (4) Is our categorization or characterization of habitat appropriate and using the best available science?

We request that you direct your review to the scientific issues and assumptions relating to your expertise.

Thank you, and please let me know if you have any questions or concerns.

I look forward to your review!

Carly

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service



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**From:** Eakin, Carly J [REDACTED]  
**Sent:** Thursday, March 23, 2023 2:02 PM  
**To:** Magnacca, Karl N [REDACTED]  
**Subject:** Re: [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

Hi Karl,

Many thanks!

Carly

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service



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**From:** Karl Magnacca [REDACTED]  
**Sent:** Thursday, March 23, 2023 11:24 AM  
**To:** Eakin, Carly J [REDACTED]  
**Subject:** Re: [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

Wow, they don't make this easy. Ok, here you go.

Karl

On Wed, Mar 22, 2023 at 1:28 PM Eakin, Carly J [REDACTED] wrote:

Hi Karl,

I'm writing because my leadership just approved that peer reviewers of this proposed rule do NOT need to use the peer review portal, as I indicated in my previous emails. I would simply email you a Word document of the proposed rule once it publishes, along with a comment sheet (likely in Excel) for your review. I hope this shift away from the portal makes the review process easier. I should note, if you'd rather complete your review on the portal, that is still an option. Just let me know if that is your preference. If you wish to complete the review without using the portal, please complete the conflict-of-interest form attached to this email (as opposed to completing the COI form on the portal) and return it to me before you begin your review so that we may consider your comments.

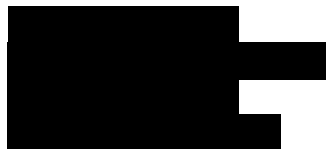
I also wanted to notify you that publication of the proposed rule was unexpectedly delayed, but it is now scheduled to publish on Tuesday, March 28. We are adjusting our peer review period accordingly, from March 29 to April 27, 2023.

Thank you for your willingness to review! It's much appreciated.

Carly

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service



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**From:** Eakin, Carly J [REDACTED]  
**Sent:** Wednesday, March 15, 2023 5:36 PM  
**To:** Magnacca, Karl N [REDACTED]  
**Subject:** Re: [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

Hi Karl,

Sorry for the confusion, but it looks like you were successful in activating your account, which allowed me to send you another email (auto-generated from the portal) with the link to the conflict of interest form. Once that's filled out you should be good to go, and I'll just notify you when the proposed rule is ready for review.

Sorry it's a bit of a clunky process, and thank you for reaching out about it!

Carly

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service





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**From:** Karl Magnacca [REDACTED]  
**Sent:** Tuesday, March 14, 2023 3:13 PM  
**To:** Eakin, Carly J [REDACTED]  
**Subject:** Re: [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

Hi Carly,

I'm a little confused, I just logged in with my existing account as in steps 1-4 of the instructions, which worked but it says the folder is empty (there's no COI form).

Karl

On Tue, Mar 14, 2023 at 12:31 PM Eakin, Carly J [REDACTED] wrote:

Hi Karl,

Thank you for agreeing to review the Hawai'i 14 species critical habitat proposed rule. The proposed rule is in the queue to publish in the Federal Register, hopefully later this week. Before that happens, we request that you (1) create an account on our peer review portal and (2) complete a conflict-of-interest form, both by March 21. Doing these two things as soon as possible will help everything go smoothly when the proposed rule is ready for your review.

**First:** You will need to create an account on the peer review portal to access the version of the proposed rule with line numbers and the webpage in the portal where you will provide your comments. After you create an account, I will notify you when the proposed rule is available for review on the portal. Thus, we are hoping you can register in the portal sometime in the next week (by 3/21). Shortly after I send this, you should receive a separate email with an invitation link for making an account within the portal. Although the subject line of the message says that it came on my behalf, the message is from the following email address: [no-reply@sharepointonline.com](mailto:no-reply@sharepointonline.com) and so you may have to **check your junk email or spam folder** if it does not come to your inbox directly. Please disregard the part of the template language referring to the "SSA" or "Species Status Assessment" in the email coming from [no-reply@sharepointonline.com](mailto:no-reply@sharepointonline.com); the portal is most used for review of SSA reports, but in this instance, we are using it for review of the proposed rule. If needed, I have attached instructions on how to register in the portal.

**Second:** As I mentioned in my earlier email, we require all reviewers to fill out a conflict-of-interest form. This form will be accessible in the portal after you successfully register an account. (Also, please disregard reference to the SSA in the title of the COI form.) If possible, we ask that you also fill out this form sometime before the end of next week (by 3/21). When you are finished, **please send me an email letting me know it is completed.**

Please let me know if you have any questions, concerns, or trouble accessing the portal or conflict of interest form!

Best,

Carly

PS- Please note that when you successfully log on to the portal, you may get an “Something went wrong” error message where the proposed rule document should be. This error message is simply because the Word doc of the proposed rule (with line numbers) has not been assigned to you yet. I will notify you when it is ready and uploaded to the portal.

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service



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**From:** Karl Magnacca [REDACTED]  
**Sent:** Wednesday, March 8, 2023 9:51 AM  
**To:** Eakin, Carly J [REDACTED]  
**Subject:** [EXTERNAL] Re: Peer Review Request for the 14 Hawai'i Species Critical Habitat Proposed Rule

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Carly,

Yes, I can do this. You can go ahead and send the material whenever it's ready.

Karl

On Fri, Mar 3, 2023 at 3:13 PM Eakin, Carly J [REDACTED] wrote:

Dear Dr. Karl Magnacca,

The U.S. Fish and Wildlife Service ("Service") is soliciting independent scientific reviews of the information contained in our proposed rule: *Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 12 Species, and Not Prudent Determination for 2 Species, on Hawai'i Island*. You were identified as a potential peer reviewer for this document based on your familiarity with one or more of the species addressed in this rule, their ecology, and/or major factors impacting these species or their habitat. As such, we are reaching out to gauge your interest in assisting us with this process.

Included in the proposed rule is the underlying science that supports our proposed critical habitat designation for 12 species and not prudent determination for 2 species under the Endangered Species Act (ESA) of 1973, as amended. The species addressed in this rule are:

1. *Bidens hillebrandiana* ssp. *hillebrandiana* (ko'oko'olau)
2. *Cyanea marksii* (hāhā)
3. *Cyanea tritomantha* ('akū)
4. *Cyrtandra nanawaleensis* (ha'iwale)
5. *Cyrtandra wagneri* (ha'iwale)
6. *Melicope remyi* (no common name)
7. *Phyllostegia floribunda* (no common name)
8. *Pittosporum hawaiiense* (hō'awa, hā'awa)
9. *Pritchardia lanigera* (loulou)
10. *Schiedea diffusa* ssp. *macraei* (no common name)
11. *Schiedea hawaiiensis* (mā'oli'oli)
12. *Stenogyne cranwelliae* (no common name)
13. *Drosophila digressa* (Hawaiian picture-wing fly)
14. *Vetericaris chaceorum* (anchialine pool shrimp)

**We request that you reply to this email accepting or declining our request for your review by March 13, 2023.** From there, we plan to send interested peer reviewers a link to our peer review portal, with a copy of the proposed rule for review during the week of March 21, 2021, and will request that reviewers reply with comments within 30 days (approximately Wednesday, April 19, 2023). If this timeline is not reasonable for your schedule and you would still like to participate in the process, please let us know and we can discuss alternate time frames. I have attached a letting explaining the Service's peer review process in more detail.

Thank you, and please let me know if you have any questions,

Carly

Carly Eakin, PhD  
Species Assessment Team (SAT) Project Manager

U.S. Fish & Wildlife Service





