

commonly referred to as ANSI A117.1, satisfies the Act's design and construction requirements for the interiors of dwelling units. 42 U.S.C. 3604(f)(4).

The Act states that Congress did not intend the Department to require states and units of local government to include the Act's accessibility requirements in their state and local procedures for the review and approval of newly constructed covered multifamily dwellings. 42 U.S.C. Sec. 3604(f)(5)(C). However, Congress authorized the Department to encourage the inclusion of these requirements into their state and local procedures. *Id.* In addition, Congress directed the Secretary of HUD to "provide technical assistance to states and units of local government and other persons to implement [the design and construction requirements]."

ICC requested that the Department determine whether the accessibility provisions of the 2003 International Building Code meet the accessibility requirements of the Act, the Department's regulations implementing the 1988 Amendments to the Act, and the Fair Housing Accessibility Guidelines (the Guidelines). The Department believes such reviews fall under its authority to provide technical assistance under the Act. The purpose of the Department's draft report is to present the results of and seek public comment on the Department's review of certain accessibility provisions of the 2003 International Building Code ("2003 IBC"), published by ICC.

The Department is not promulgating any new technical requirements or standards by way of this draft report. This draft report and the final report will serve solely to respond to ICC's request for technical assistance and to provide technical assistance to other interested parties. This request for comment on the draft report is not a solicitation for changes to the design and construction requirements of the Act, the Department's implementing regulations, or the Guidelines.

Prior to finalizing this report, the Department seeks public comment on the identification of variances and the recommendations contained in the draft report. Department staff have carefully reviewed and commented on the draft report and would like to hear from persons with disabilities, organizations representing persons with disabilities, code officials, home builders, and other interested parties prior to finalizing the report.

The draft report focuses only on the areas where the 2003 IBC does not meet the requirements of the Act, the Department's regulations implementing

the Act, the Guidelines, or ICC/ANSI A117.1-1998. If a particular provision of a code is not discussed, then the reader should presume that the position of the Department is that the provision meets the requirements of the Act even if the wording of the code provision and the Act's requirements are not identical.

The Department will consider all comments received by close of business (6:00 p.m. EDT) on September 7, 2004 and will then publish its final report in the **Federal Register**.

Dated: July 30, 2004.

**Carolyn Peoples,**

*Assistant Secretary for Fair Housing and Equal Opportunity.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Information Collection To Be Submitted to the Office of Management and Budget (OMB) for Approval Under the Paperwork Reduction Act; Fish and Wildlife Service Employee Exit Follow-Up Survey (1018-0112)

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice; request for comments.

**SUMMARY:** The Fish and Wildlife Service (we/our) will submit the collection of information listed below to OMB for approval under the provisions of the Paperwork Reduction Act. A description of the information collection requirement is included in this notice. If you wish to obtain copies of the proposed information collection requirement, related forms, or explanatory material, contact the Service Information Collection Clearance Officer at the address listed below.

**DATES:** You must submit comments on or before October 5, 2004.

**ADDRESSES:** Send your comments on the requirement to Hope Grey, Information Collection Clearance Officer, Fish and Wildlife Service, MS 222-ARLSQ, 4401 N. Fairfax Drive, Arlington, VA 22203; *Hope\_Grey@fws.gov* (e-mail); or (703) 358-2269 (fax).

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection request, explanatory information, or related forms, contact Hope Grey at (703) 358-2482 or e-mail *Hope\_Grey@fws.gov*.

**SUPPLEMENTARY INFORMATION:** The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which

implement provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). We plan to submit a request to OMB to renew approval of the collection of information for the Employee Exit Follow-Up Survey. We are requesting a 3-year term of approval for this information collection activity.

Federal agencies may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is 1018-0112.

The Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting, and enhancing fish, wildlife, and plants and their habitats for the continuing benefit of the American people. We manage the 95-million-acre National Wildlife Refuge System, which encompasses 542 national wildlife refuges, thousands of small wetlands and other special management areas. We also operate 69 national fish hatcheries, 64 fishery resource offices, and 81 ecological services field stations. We enforce Federal wildlife laws, administer the Endangered Species Act, manage migratory bird populations, restore nationally significant fisheries, conserve and restore wildlife habitat such as wetlands, and help foreign governments with their conservation efforts. We also oversee the Federal Assistance program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to State fish and wildlife agencies. We have made it a high priority to recruit and retain valued employees to accomplish these responsibilities. As part of an active career development program, we have instituted an Employee Exit Follow-Up survey to collect feedback from former Fish and Wildlife Service employees so that we may discover relevant issues that impact retention. If this survey were not used, there would be no way we could analyze the reasons for employee separation.

During the past three years that we have used this survey, we received comments from several respondents. These comments ranged from gratitude that we collect this information to skepticism that the survey would result in any workplace changes. There were three comments that addressed specific aspects of the survey. The first commenter noted that questions 12, 16, 17, and 18 were particularly difficult to

answer. The second commenter expressed concern that, because the survey required the respondent's job title and Region, anyone looking at the completed survey would know who had written it. The third commenter raised the issue that the survey questions did not adequately capture the problems that would cause an office to have a high attrition rate. We have not made any changes to the survey in response to these comments. Regarding the first commenter's suggestion, the commenter found the questions difficult because of feelings towards the organization's management, not because of the questions themselves. The second commenter's concern did not result in a change to the survey question because the reported results are aggregated and not personally identifiable. Finally, regarding the third comment, the reported results are giving us valuable insight into the reasons why employees are separating from the Fish and Wildlife Service.

*Title of Collection:* Employee Exit Follow-Up Survey, authorized by the Merit System Principles (5 U.S.C. 2301).

*OMB Control Number:* 1018-0112.

*Form Number:* FWS 3-2186.

*Frequency of Collection:* Annually.

*Description of Respondents:* Former Fish and Wildlife Service employees.

*Total Annual Burden Hours:* 100 hours. The reporting burden is estimated to average 15 minutes per respondent.

*Total Annual Responses:* About 400 individuals are expected to participate in the survey annually.

We invite comments concerning this submission on: (1) Whether or not the collection of information is necessary for the proper performance of our career development functions, including whether or not the information will have practical utility; (2) the accuracy of our estimate of the burden of the collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and, (4) ways to minimize the burden of the collection of information on respondents. The information collections in this program are part of a system of records covered by the Privacy Act (5 U.S.C. 552(a)).

Dated: July 30, 2004.

**Hope Grey,**

*Service Information Collection Clearance Officer.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of the Scaleshell Mussel (*Leptodea leptodon*) Draft Recovery Plan for Review and Comment

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of document availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces availability for public review of the draft recovery plan for the scaleshell mussel (*Leptodea leptodon*), a species that is federally listed as endangered under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et. seq.*). The purpose of this plan is to recover this species in order that it can be removed from the list of Threatened and Endangered Species. Currently, only 14 rivers support very small populations in Arkansas, Missouri, and Oklahoma. The Service solicits review and comment from the public on this draft plan.

**DATES:** Comments on the draft recovery plan must be received on or before September 7, 2004.

**ADDRESSES:** Persons wishing to review the draft recovery plan may obtain a copy by contacting the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 608 E. Cherry St., Room 200, Columbia, Missouri 65201-7712 (telephone (573) 876-1911) or by accessing the Web site: <http://midwest.fws.gov/Endangered>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Andy Roberts at the above address and telephone (ext. 110). TTY users may contact Mr. Roberts through the Federal Relay Service at (800) 877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

Restoring an endangered or threatened animal or plant to the point where it is again a secure self-sustaining member of its ecosystem is a primary goal of the Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the federally listed threatened and endangered species native to the United States. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for reclassification and delisting, and provide estimates of the time and costs for implementing the recovery measures needed.

The Act requires the development of recovery plans for listed species unless such a plan would not promote the

conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires public notice and opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into consideration in the course of implementing approved recovery plans.

The scaleshell was listed as endangered on October 9, 2001. It once occurred in 55 rivers across 13 states in the Mississippi River drainage. The species has undergone a dramatic reduction in range and has further declined in the last few decades. Currently, only 14 rivers support very small populations in Arkansas, Missouri, and Oklahoma. The scaleshell occurs in medium to large rivers with low to medium gradients. It primarily inhabits gravel or mud substrate in stable riffles and runs with moderate current velocity. The scaleshell requires good water quality and is usually found where a diversity of other mussel species are concentrated. More specific habitat requirements of scaleshell are unknown, particularly habitat requirements of the juvenile stage. Water quality degradation, sedimentation, channel instability, and habitat destruction are contributing to the decline of the scaleshell throughout its range.

The scaleshell will be considered for downlisting to threatened status when the likelihood of the species becoming extinct in the foreseeable future has been eliminated by the achievement of the following criteria: (1) Through protection of existing populations, successful establishment of reintroduced populations, or discovery of additional populations, four stream populations exist, each in a separate watershed and each made up of at least four local populations that are located in distinct areas of the stream; (2) all local populations are persistent and viable in terms of population size, age structure, and recruitment; (3) each local population and their habitat are sufficiently protected from any present and foreseeable threats that would jeopardize their continued existence; (4) tasks will be completed to determine if water quality criteria should be included as a delisting criteria and, if so, water quality criteria for delisting will be developed; and (5) measures are in place to prevent the spread of zebra mussels into habitat occupied by the