

Dated: September 15, 2003.

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*Division Director, Information Resources
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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed extension of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), this notice seeks comments concerning the certification of flood proof residential basements in Special Flood Hazard Areas.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA), regulation 44 CFR 60.3, Floodplain Management Criteria for Flood-Prone Areas, ensures that communities participating in the NFIP, in Special Flood Hazard Areas (SFHAs), have basement construction at the lowest flood elevation or above the 100 year flood elevation, or Base Flood Elevation (BFE). This requirement reduces the risks of flood hazards to new buildings in SFHAs and reduces insurance rates. However, FEMA regulation 44 CFR 60.6(c) allows communities to apply for an exception to permit and certify the construction of flood proof residential basements in SFHAs. This certification must ensure that the community has demonstrated that the areas of special flood hazard, in which residential basements will be permitted, are subject to shallow and low velocity flooding and adequate flood warning time to notify residents of impending floods. This allows the community to ensure that local

floodplain management ordinances are met as well as a certificate that allows homeowners to receive a "discounted" flood insurance rate applicable to flood proof basements.

Collection of Information

Title: Residential Basement Floodproofing Certificate.

Type of Information Collection: Extension of a currently approved collection.

OMB Number: 1660-0033.

Form Numbers: FEMA Form 81-78.

Abstract: FEMA Form 81-78 is only used in communities that have been granted an exception by FEMA to allow the construction of flood proof residential basements in Special Flood Hazard Areas (SFHAs). Homeowners must have a registered professional engineer or architect complete FEMA Form 81-78 for development or inspection of structural design basements and certify that the basement design and methods of construction are in accordance with floodplain management ordinances. In any case homeowners are responsible for the fees involved with these services. Homeowners also provide FEMA Form 81-78 to their insurance agent to receive discounted flood insurance under the National Flood Insurance Program (NFIP).

Affected Public: Individuals or Households.

Number of Respondents: 50.

Frequency of Response: On occasions.

Hour Burden Per Response: 3.25 hrs.

There are three inspections during the construction for a flood proof basement. Each inspection is estimated to be 45 minutes, plus one hour for the review of basement design documentation and recordkeeping by insurance agents and community officials. Therefore, 45 minutes times three inspections plus one hour for review and recordkeeping = 3.25 hours per response.

Estimated Total Annual Burden Hours: 163 hours.

Estimated Cost: \$16,250. FEMA Form 81-78 has a one time cost when used to certify the design of a flood proof basement by an engineer or architect. The estimated cost of professional engineering services is \$100 per hour. This rate is based on \$65 per hour of a certified engineer or architect and an overhead cost of approximately \$35. Therefore, \$100 per hour times 3.25 burden hours = \$325 total cost to respondent. There are 50 respondents times \$325 per respondent = \$16,250 total annual cost to respondents.

Comments: Written comments are solicited to (a) evaluate whether the proposed data collection is necessary for

the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. Comments should be received within 60 days of the date of this notice.

ADDRESSES: Interested persons should submit written comments to Muriel B. Anderson, Chief, Records Management Branch, Information Resources Management Division, Information Technology Services Directorate, Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, U.S. Department of Homeland Security, 500 C Street, SW., Room 316, Washington, DC 20472, or e-mail address: InformationCollections@fema.gov.

FOR FURTHER INFORMATION CONTACT: Paul Tertell, PE, Civil Engineer, Program Policy and Assessment Branch, Mitigation Division, 202-646-3935 for additional information regarding this information collection. You may contact Ms. Anderson for copies of the proposed information collection at the e-mail address above.

Dated: September 15, 2003.

Edward W. Kernan,

*Division Director, Information Resources
Management Division, Information
Technology Services Directorate.*

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Approved Recovery Plan for the Tumbling Creek Cavesnail (*Antrobia culveri*).

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces the availability of the approved recovery plan for the Tumbling Creek cavesnail (*Antrobia culveri*), a species that is

federally listed as threatened under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). This species is restricted to a single cave stream in Tumbling Creek Cave in Taney County, southwestern Missouri. Actions identified for recovery of the Tumbling Creek cavesnail include stabilizing and augmenting the existing population, properly managing and protecting surface habitat in the cave's recharge area, and ensuring long-term good water quality in Tumbling Creek.

ADDRESSES: This approved recovery plan is available from the following addresses:

1. Fish and Wildlife Reference Service, 5430 Grosvenor Lane, Suite 110, Bethesda, Maryland 20814 (the fee for the plan varies depending on the number of pages).

2. Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 608 E. Cherry St., Room 200, Columbia, Missouri 65201-7712.

3. The World Wide Web at <http://endangered.fws.gov/RECOVERY/index.html#plans>

FOR FURTHER INFORMATION CONTACT: Dr. Paul McKenzie, Columbia, Missouri, Ecological Services Field Office (see **ADDRESSES** section No. 2 above), telephone (573) 876-1911, ext. 107. The Fish and Wildlife Reference Service may be reached at (301) 492-6403 or (800) 582-3421. TTY users may contact Dr. McKenzie and the Fish and Wildlife Reference Service through the Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION:

Background

Recovery of endangered or threatened animals or plants is a primary goal of the Service's endangered species program. A species is considered recovered when the species' ecosystem is restored and threats to the species are removed so that self-sustaining and self-regulating populations of the species can be supported as persistent members of native biotic communities. Recovery plans describe actions considered necessary for the conservation of the species, establish criteria for reclassification to threatened status or delisting listed species, and estimate time and cost for implementing the measures needed for recovery.

The Endangered Species Act of 1973, as amended, requires that recovery plans be developed 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 that during recovery plan development, we provide public notice and an opportunity for public review

and comment. Information presented during the comment period has been considered in the preparation of the approved recovery plan, and is summarized in an appendix to the recovery plan.

The Tumbling Creek cavesnail was listed as endangered on August 14, 2002. The number of cavesnails has significantly decreased over the past few decades, to the point where only one individual was found within survey areas between January 11, 2001, and April 22, 2003. A population containing approximately 40 individuals exists in a small area upstream of the area that is regularly surveyed. This species lives on the underside of rocks in areas of Tumbling Creek that have little or no silt. Little is known about the species and its life history, but it is believed to feed on microscopic animals in the stream. Although the exact reason for this species' precipitous decline is unknown, it is believed to be linked to diminished water quality due to habitat degradation in upstream locations within the cave's delineated recharge zone.

The objective of this plan is to provide a framework for the recovery of the Tumbling Creek cavesnail so that protection by the Act is no longer necessary. As recovery criteria are met the status of the species will be reviewed and it will be considered for removal from the list of Endangered and Threatened Wildlife (50 CFR part 17). The Tumbling Creek cavesnail will be considered for reclassification from endangered to threatened when the following criteria have been met: (1) The population is stable or increasing for 10 consecutive years with at least 1,500 individuals; (2) a minimum of 80% of the surface habitat within the recharge area of Tumbling Creek Cave, including a minimum of 75% of all riparian corridors, sinkholes and losing streams, is appropriately managed; and (3) water quality monitoring fails to detect levels of any water pollutant that exceed U.S. Environmental Protection Agency recommended water quality or exceed known toxicity thresholds for the species for 10 consecutive years. The Tumbling Creek cavesnail will be considered for delisting when the above reclassification criteria have been met and the following additional criteria have been achieved: (1) The population is stable or increasing for 10 consecutive years with at least 5,000 individuals; (2) a minimum of 90% of the surface habitat within the recharge area of Tumbling Creek Cave, including a minimum of 85% of all riparian corridors, sinkholes and losing streams, is appropriately managed; and (3) water

quality monitoring fails to detect levels of any water pollutant that exceed U.S. Environmental Protection Agency recommended water quality or exceed known toxicity thresholds for this species for 10 consecutive years.

Authority: The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533 (f).

Dated: August 21, 2003.

Charles M. Wooley,

Assistant Regional Director, Ecological Services, Region 3, Fort Snelling, Minnesota.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Approved Recovery Plan for the Mead's Milkweed (*Asclepias meadii*).

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces the availability of the approved recovery plan for the Mead's milkweed (*Asclepias meadii*), a species that is federally listed as threatened under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). This species occurs primarily in tallgrass prairie, but also occurs in hay meadows and in thin soil glades or barrens. Actions needed for recovery of the Mead's milkweed include protecting and managing extant populations and potential recovery habitat.

ADDRESSES: This recovery plan is available from the following addresses:

1. Fish and Wildlife Reference Service, 5430 Grosvenor Lane, Suite 110, Bethesda, Maryland 20814 (the fee for the plan varies depending on the number of pages).

2. Field Supervisor, U.S. Fish and Wildlife Service, Chicago Ecological Services Field Office, 1250 S. Grove Avenue, Suite 103, Barrington, Illinois 60010.

3. The World Wide Web at <http://endangered.fws.gov/RECOVERY/index.html#plans>

FOR FURTHER INFORMATION CONTACT: Mr. Kristopher Lah, Chicago Ecological Services Field Office (see **ADDRESSES** section No. 2 above), telephone (847) 381-2253 ext. 215. The Fish and Wildlife Reference Service may be reached at (301) 492-6403 or (800) 582-3421. TTY users may contact Mr. Lah and the Fish and Wildlife Reference Service through the Federal Relay Service at (800) 877-8339.