

Members of the public should note that from the time a Notice of Proposed Rulemaking is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR § 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR §§ 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

##### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Channel 224A at Comanche.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 01-18988 Filed 7-30-01; 8:45 am]

**BILLING CODE 6712-01-P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Parts 222 and 223

[I.D. 072301C]

##### Sea Turtle Conservation; Activities Related to Fishing

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS); request for written comments.

**SUMMARY:** The National Marine Fisheries Service (NMFS) announces its intent to prepare an EIS to assess the potential impacts on the human environment of sea turtle interactions with fishing activities in the Atlantic and Gulf of Mexico. NMFS is responsible for promoting sea turtle conservation and for ensuring that priority tasks identified in Endangered

Species Act (ESA) recovery plans are implemented.

**DATES:** Written comments on fisheries/sea turtle interactions or other information that NMFS should consider in preparing the EIS are requested and must be received on or before August 30, 2001.

**ADDRESSES:** Comments on the proposal to prepare an EIS and request for copies of the NMFS Strategy for Sea Turtle Conservation & Recovery in Relation to Atlantic Ocean and Gulf of Mexico Fisheries (Strategy) should be sent to: Chief, Endangered Species Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments may also be sent via fax to 301-713-0376. Comments will not be accepted if submitted via e-mail or the Internet. Notice of public meetings will be announced at a later date through notice in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Barbara A. Schroeder (ph. 301-713-1401, fax 301-713-0376, e-mail Barbara.Schroeder@noaa.gov).

##### SUPPLEMENTARY INFORMATION:

##### Background

All sea turtles that occur in U.S. waters are listed as either endangered or threatened under the Endangered Species Act (ESA). The Kemp's ridley (*Lepidochelys kempi*), leatherback (*Dermochelys coriacea*), and hawksbill (*Eretmochelys imbricata*) are listed as endangered. Loggerhead (*Caretta caretta*) and green (*Chelonia mydas*) turtles are listed as threatened, except for populations of green turtles in Florida and on the Pacific coast of Mexico, which are listed as endangered.

Under the ESA and its implementing regulations, taking sea turtles—even incidentally—is prohibited, with exceptions identified in 50 CFR 223.206. Reduction of the incidental capture of sea turtles as a result of fishery operations has been identified as a priority task in all (ESA) sea turtle recovery plans for the Atlantic, Gulf of Mexico, and Caribbean.

NMFS has implemented numerous recovery actions under the provisions of the ESA to recover sea turtles but has been criticized for lacking a comprehensive approach and ordered strategy for addressing incidental take in fisheries, which in many cases is not authorized under the ESA. As a more comprehensive step, NMFS developed a Strategy aimed at addressing the incidental capture of turtles in commercial and recreational fisheries (see **ADDRESSES**). The goals of the

Strategy are to: (1) conserve and recover sea turtles, (2) authorize fishery takes consistent with ESA mandates, (3) increase effectiveness in management, and (4) prioritize fishery interaction concerns. Steps to achieve the goals include improving stock assessments and bycatch estimations, evaluating the significance of bycatch by gear type; and convening specialist groups to prepare plans for reducing take for gear types with significant take levels. NMFS is proposing to consider the environmental impacts of the Strategy through the National Environmental Policy Act (NEPA) process. Based on comments received through this notification, NMFS intends to schedule scoping meetings by December 2001 that would support preparation of an EIS.

Numerous fisheries have been implicated in the incidental capture of marine turtles along the Atlantic and Gulf of Mexico coasts. Both state and federally managed fisheries are involved as are fisheries operating outside of any state or Federal management plan. Several states have already been addressing incidental take of sea turtles in various fisheries and gear types, including Florida, Georgia, South Carolina, North Carolina, Texas, and Virginia. However, data available on the magnitude of the problem varies by fishery and area. NMFS believes the issue is not so much a specific target fishery problem but a gear problem. Certain types of gear are more prone to incidentally capturing turtles than others, depending on the way the gear is fished and the time and area fished.

NMFS is seeking input from the fishing industry, sea turtle experts, non-governmental organizations (NGOS), academia, state representatives, and the public on a gear-based assessment and management approach for the Atlantic and Gulf of Mexico fisheries and is requesting information on fisheries interactions with sea turtles as well as the identification of missing data and recommendations for further research. The purpose of this notice is to: (1) inform the interested public of the intent to prepare this EIS, and (2) request public participation and comments. Any consideration of gear modifications and/or changes to fishing practices in those fisheries of concern will be done through rulemaking or permitting according to the ESA or Magnuson-Stevens Fishery Conservation and Management Act and the Administrative Procedures Act.

Dated: July 26, 2001.

**Wanda Cain,**

*Acting Deputy Director, Office Protected Resources, National Marine Fisheries Service.*

[FR Doc. 01-19060 Filed 7-30-01; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 600

[I.D. 072301D]

#### Magnuson-Stevens Act Provisions; Essential Fish Habitat; Public Meeting

**AGENCY:** North Pacific Fishery Management Council (NPFMC) and National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notification of public meeting.

**SUMMARY:** The NPFMC will hold an essential fish habitat (EFH) committee meeting to review NMFS draft summary of EFH scoping comments, to identify significant issues and preliminary alternatives, and to determine staffing needs.

**DATES:** The EFH committee will meet at 12:30 p.m. to 5 p.m. on Monday, August 13, 2001, and at 9 a.m. to 5 p.m. on Tuesday, August 14, 2001.

**ADDRESSES:** The committee will meet in Sitka, Alaska, at the Northern Southeast Regional Aquaculture Association (NSRAA), 1308 Sawmill Creek Road, in the conference room.

Questions should be addressed to NMFS, Habitat Conservation Division, ATTN: Cindy Hartmann, 709 West 9th, Suite 461, P.O. Box 21668, Juneau, AK 99802-1668.

**FOR FURTHER INFORMATION CONTACT:**

Cindy Hartmann, NMFS, (907) 586-7585, e-mail:

Cindy.Hartmann@noaa.gov; or Cathy Coon, North Pacific Fishery Management Council (NPFMC), (907) 271-2809, e-mail:

Cathy.Coon@noaa.gov.

**SUPPLEMENTARY INFORMATION:**

#### Background

The NPFMC EFH committee was formally established by the NPFMC's acting executive director in May 2001. The committee was established in response to the need to prepare a supplemental environmental impact statement (SEIS) for the EFH fishery management plan amendments. For further information about the SEIS, see

the notice of intent to prepare an SEIS published in the Proposed Rules section of the Federal Register (66 FR 30396, June 6, 2001).

The function of the committee is to serve as a steering committee in facilitating input to NMFS on the supplemental environmental impact statement (SEIS) for EFH submitted by the industry, conservation community, Council, and general public and the involvement of the NPFMC in the SEIS. More specifically, the Committee will assist in identifying (1) the significant issues used to evaluate proposed alternatives, (2) the alternatives for designating EFH, (3) the alternatives for mitigating fishing gear impacts on habitat, and (4) alternative criteria and approaches that could be used to designate and manage habitat areas of particular concern, and staffing needs for EFH SEIS. The Committee will work to coordinate efforts among the various technical teams, provide input, as appropriate, and submit periodic updates to the Council on the EIS for EFH. The EFH Committee had its first meeting on May 30, 2001, the August meeting will be its second meeting.

Although other issues not contained in this agenda may come before the Committee for discussion, those issues may not be the subject of formal action during the meeting. Action will be restricted to those issues specifically identified in this notice.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cindy Hartmann, (907) 586-7235, at least 5 working days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 et seq.

Dated: July 26, 2001

**Dean Swanson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 01-19063 Filed 7-30-01; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 010710171-1171-01; I.D. 051401B]

RIN 0648-AL41

#### Fisheries off West Coast States and in the Western Pacific; Pelagic Fisheries; Prohibition on Fishing for Pelagic Management Unit Species; Nearshore Area Closures Around American Samoa by Vessels More Than 50 Feet in Length

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes a rule which would prohibit certain vessels from fishing for Pacific pelagic management unit species (PMUS) within nearshore areas approximately 50 nautical miles (nm) around the islands of American Samoa. This prohibition would apply to vessels that measure more than 50 ft (15.2 m) in overall length and that did not land PMUS prior to November 13, 1997. This action is being proposed and is intended to address concerns that the entry of vessels greater than 50 ft (15.2 m) in length into the pelagic fishery around American Samoa could lead to gear conflicts and catch competition with locally based small fishing vessels. Such conflicts and competition could lead to reduced opportunities for sustained participation by residents of American Samoa in the small-scale pelagic fishery.

**DATES:** Comments on this proposed rule will be accepted through September 14, 2001.

**ADDRESSES:** Written comments on this proposed rule must be mailed to Dr. Charles Karnella, Administrator Pacific Islands Area Office (PIAO), NMFS, 1601 Kapiolani Blvd. Suite 1101, Honolulu, HI 96822 or sent via facsimile (fax) to 808-973-2941. Comments will not be accepted if submitted via e-mail or the Internet. Copies of the Council's background document on the proposed action and accompanying environmental assessment/initial regulatory flexibility analysis (EA/IRFA) are available from Kitty Simonds, Executive Director, Western Pacific Regional Fishery Management Council (Council), 1164 Bishop St, Suite 1400, Honolulu, HI 96813.