

Raton, Florida, in compliance with the principal community coverage requirements of Section 73.625(a) at reference coordinates (25–59–34 N. and 80–10–27 W.). As requested, we propose to allot DTV Channel \*40 to Boca Raton with a power of 1000 and a height above average terrain (HAAT) of 310 meters.

**DATES:** Comments must be filed on or before October 10, 2000, and reply comments on or before October 25, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Kevin C. Boyle, Nandan M. Joshi, Latham & Watkins, 1001 Pennsylvania Avenue, N.W., Suite 1300, Washington, DC 20004 (Counsel for Palmetto Broadcasters Associated for Communities, Inc.); and John R. Feore, Jr., Margaret L. Miller, Christine J. Newcomb, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, Suite 800, Washington, DC 20036 (Counsel for Channel 63 of Palm Beach, Inc.).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00–138, adopted August 17, 2000, and released August 25, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center 445 12th Street, S.W., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 1231 20th Street, N.W., Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making 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.

Federal Communications Commission.  
**Barbara A. Kreisman,**  
*Chief, Video Services Division, Mass Media Bureau.*  
[FR Doc. 00–21405 Filed 8–21–00; 8:45 am]  
**BILLING CODE 6712–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 243

[FRA Docket No. HST–1; Notice No. 3]

RIN 2130–AB14

#### FOX High Speed Rail Safety Standards

**AGENCY:** Federal Railroad Administration (FRA), DOT.

**ACTION:** Termination of rulemaking.

**SUMMARY:** This document terminates rulemaking action in FRA Docket No. HST–1. In its Notice of Proposed Rulemaking (NPRM) published on December 12, 1997, FRA proposed to establish safety standards for the Florida Overland eXpress (FOX) high speed rail system. Termination of this rulemaking is based on Florida's decision not to develop the FOX high speed rail system.

**FOR FURTHER INFORMATION CONTACT:** Christine Beyer, Deputy Assistant Chief Counsel for Safety, Office of Chief Counsel, FRA, 1120 Vermont Avenue, N.W., Stop 10, Washington, D.C. 20590 (telephone: 202–493–6027).

**SUPPLEMENTARY INFORMATION:** The State of Florida was planning to develop a high speed rail system that would utilize high speed technology and equipment modeled on the French TGV, that would run from Miami to Tampa, via Orlando. On February 18, 1997, the developer of the high speed system, the Florida Overland eXpress (FOX), filed a petition for rulemaking with FRA that proposed safety standards for the proposed high speed rail system. After analyzing the Petition, FRA published a notice of proposed rulemaking (NPRM) (62 FR 65478, December 12, 1997) on the subject that incorporated many of the standards proposed by the FOX Petition and proposed new standards. The funding for this project was to be shared by the public and private sector. However, after publication of the NPRM, the State of Florida decided to withdraw its financial support for the high speed rail system. Consequently, the proposed system will not be constructed.

#### Termination of Rulemaking

Based on the foregoing information FRA has decided to terminate this

rulemaking, as it would have been solely applicable to the FOX high speed rail project. We note that this rulemaking has been a worthwhile first step in addressing the safety concerns inherent in the implementation of certain high speed rail operations. We are confident that further steps in addressing these concerns will build upon the information and discussion generated by this proceeding. In light of the foregoing, FRA is hereby terminating this rulemaking.

Issued in Washington, DC on August 11, 2000.

**Jolene M. Molitoris,**  
*Administrator.*

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**BILLING CODE 4910–06–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 697

[I.D. 081500A]

#### Atlantic Coastal Fisheries Cooperative Management Act Provision; Atlantic Coast Horseshoe Crab Fishery; Public Hearings

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

**ACTION:** Notice of public hearings; request for comments.

**SUMMARY:** NMFS is considering implementing a closed area to provide conservation for horseshoe crabs near the mouth of Delaware Bay. NMFS will hold three public hearings to receive comments from fishery participants and other members of the public regarding its proposal to prohibit fishing for, and possession of, horseshoe crabs (*Limulus polyphemus*) in a designated area in Federal waters (EEZ) off the mouth of the Delaware Bay, with a limited exception for vessels fishing for whelk and conch (whelk).

**DATES:** NMFS will take comments at public hearings in September 2000. See **SUPPLEMENTARY INFORMATION** for dates and times of the public hearings.

**ADDRESSES:** Copies of a Draft Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) and a draft proposed rule are available from Richard H. Schaefer, Chief, Staff Office for Intergovernmental and Recreational Fisheries, National Marine Fisheries Service, 8484 Georgia Avenue, Suite

425, Silver Spring, MD 20910. NMFS will take comments at public hearings; for their location see **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Paul Perra at 301-427-2014.

**SUPPLEMENTARY INFORMATION:** NMFS is considering a prohibition on fishing for horseshoe crabs and limiting the possession of horseshoe crabs in a roughly rectangular area approximately 1,500 square nautical miles (nm) in the EEZ off the mouth of the Delaware Bay. The proposed closed area will cover approximately 1,500 square nm and is bounded as follows: (1) On the north by a straight line connecting points 39°14.6'N. lat., 74°30.9'W. long. (3 nm off of Peck Beach, New Jersey) and 39°14.6'N lat., 74°22.5'W. long.; (2) On the east by a straight line connecting points 39°14.6'N. lat., 74°22.5'W. long. and 38°22.0'N. lat., 74°22.5'W. long.; (3) On the south side by a straight line connecting points 38°22.0'N. lat., 74°22.5'W. long. and 38°22.0'N. lat., 75°00.4'W. long. (3 nm off of Ocean City, Maryland); and (4) On the west by state waters. The possession of horseshoe crabs would be prohibited on all commercial vessels except whelk fishing vessels. For whelk fishing

vessels, these vessels would be allowed to use horseshoe crabs as bait as long as they have only whelk traps on board and no other commercial fishing gear. All vessels, including whelk vessels, would be prohibited from fishing for horseshoe crabs in the closed area. A further description of the measure and the purpose and need for the proposed actions are contained in an advance notice of proposed rulemaking published on May 3, 2000 (65 FR 25698) and in the draft EA/RIR/IRFA and are not repeated here. NMFS intends to issue a proposed rule shortly in the **Federal Register**. Written comments on that proposed rule will be accepted during the comment period identified in that rule once it is published in the **Federal Register**. The public hearings announced in this notice are intended to occur during that comment period on the proposed rule. Copies of the draft proposed rule may be obtained from NMFS (see **ADDRESSES** or **FOR FURTHER INFORMATION**).

#### **Public Hearing Schedule**

NMFS will take comments at public hearings to be held as follows:

1. Tuesday, September 5, 2000, 7:30–9:30 p.m.—Department of Natural

Resources and Environmental Control Auditorium, 89 Kings Highway, Dover, DE 19901.

2. Wednesday, September 6, 2000, 6:30–8:30 p.m.—New Jersey Marine Advisory Service, Education Center, Dennisville Road, Route 657, Cape May Court House, NJ 08210.

3. Thursday, September 7, 2000, 7–9 p.m.—Wicomico County Free Library, 122 South Division Street, Salisbury, MD 21802.

The purpose of this document is to alert the interested public of hearings and provide for public participation.

#### **Special Accommodations**

These hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Richard H. Schaefer (see **ADDRESSES**) at least 5 days prior to the meeting date.

**Authority:** 16 U.S.C. 5101 *et seq.*

Dated: August 17, 2000.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 00-21371 Filed 8-21-00; 8:45 am]

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