

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.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 00-3640 Filed 2-15-00; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA No. 00-212, MM Docket No. 00-20, RM-9733]

#### Radio Broadcasting Services; Paris and Mount Pleasant, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Carephil Communications requesting the reallocation of Channel 270C2 from Paris, Texas, to Mount Pleasant, Texas, and modification of the license for Station KBUS(FM) to specify Mount Pleasant, Texas, as the community of license. The coordinates for Channel 270C2 at Mount Pleasant are 33-11-47 and 95-06-10. In accordance with Section 1.420(i) of the Commission's Rules, we shall not accept competing expressions of interest in the use of Channel 270C2 at Mount Pleasant.

**DATES:** Comments must be filed on or before March 27, 2000, and reply comments on or before April 11, 2000.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, S.W., Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Greg P. Skall, Pepper & Corazzini, L.L.P., 1776 K Street, N.W., Suite 200, Washington, D. C. 20006.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-20, adopted January 27, 2000, and released February 4, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the

Commission's Reference Center, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805. 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* contact.

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 broadcast.

Federal Communications Commission.

**John A. Karousos,**

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

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-171; MM Docket No. 00-17; RM-9814]

#### Radio Broadcasting Services; Andalusia, AL and Holt, FL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of Capstar TX Limited Partnership, licensee of Station WTKE(FM), Channel 251C1, Andalusia, Alabama, requesting the reallocation of Channel 251C1 to Holt, Florida, as that locality's first local aural transmission service, and modification of its authorization accordingly. Coordinates used for Channel 251C1 at Holt, Florida, are 30-59-57 NL and 86-41-20 WL.

**DATES:** Comments must be filed on or before March 27, 2000, and reply comments on or before April 11, 2000.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the

petitioner's counsel, as follows: Gregory L. Masters and E. Joseph Knoll, III, Esqs., Wiley, Rein & Fielding, 1776 K Street, N.W., Washington, D.C. 20006.

#### FOR FURTHER INFORMATION CONTACT:

Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-17, adopted January 19, 2000, and released February 4, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 Twelfth Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

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.

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

Radio Broadcasting.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 00-3642 Filed 2-15-00; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018-AF56

#### Endangered and Threatened Wildlife and Plants; Notice of Reopening of Comment Period on the Proposed Rule To List the Alabama Sturgeon as Endangered

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

**ACTION:** Proposed rule; notice of reopening of comment period.

**SUMMARY:** We, the Fish and Wildlife Service (Service), give notice that the public comment period on the proposed rule to list the Alabama sturgeon (*Scaphirhynchus suttkusi*) as endangered is reopened. We are reopening the comment period in order to obtain comments on a Conservation Agreement and Strategy for the Alabama sturgeon (both documents will be referred to hereafter as the 2000 Strategy), which were signed by the Alabama Department of Conservation and Natural Resources (ADCNR), the Service, the U.S. Army Corps of Engineers (Corps), and the Alabama-Tombigbee Rivers Coalition on February 9, 2000, and on their relevance and significance to the proposed listing of the Alabama sturgeon as endangered. The goal of the 2000 Strategy is “. . . to eliminate or significantly reduce current threats to the Alabama sturgeon and its habitat. . . .” Reopening the comment period will allow all interested parties to submit comments on the 2000 Strategy and its relevance and significance to the proposed listing of the Alabama sturgeon as endangered. The 2000 Strategy is available for review (See the **SUPPLEMENTARY INFORMATION** section under Comment Procedures for how to obtain these documents).

**DATES:** We will accept comments until March 17, 2000.

**ADDRESSES:** If you wish to comment, you may submit your comments by any one of several methods. You may mail or hand-deliver comments to Mitch King, at U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 415, Atlanta, Georgia 30345. You may also comment via the Internet to [mitch\\_king@fws.gov](mailto:mitch_king@fws.gov). See the **SUPPLEMENTARY INFORMATION** section for Comment Procedures.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mitch King, (see “**ADDRESSES**” section), 404-679-7180 (phone), 404-679-4180 (facsimile).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On March 26, 1999, we published a rule proposing endangered status for the Alabama sturgeon in the **Federal Register** (64 FR 14676). On January 11, 2000, we published a notice in the **Federal Register** (65 FR 1583), reopening the comment period through February 10, 2000. On February 7, 2000, we published a second notice in the **Federal Register** (65 FR 5848), reopening the comment period through March 8, 2000. With this notice, we are reopening the comment period through March 17, 2000, to obtain comments on the substance of the 2000 Strategy and

on the relevance and significance of the 2000 Strategy for the Alabama sturgeon on the listing decision.

In 1997, a voluntary conservation effort was implemented and coordinated by ADCNR in order to address the primary threats to the Alabama sturgeon, which was identified as its small numbers and its apparent inability to offset mortality rates with reproduction and recruitment rates. The primary focus of this effort was to remedy the small population size through a captive breeding and restocking program. Secondly, the effort provided habitat restoration measures and research to determine life history information essential to effective conservation and management of the species. A variety of public and private entities, including the Service, the Corps, the Rivers Coalition, the Geologic Survey of Alabama, and the Mobile River Basin Coalition participated in the implementation of this effort.

During the three years of this effort, the participants had less success capturing Alabama sturgeon than was initially expected. The capture effort produced five Alabama sturgeon, two of which currently survive at the Marion State Fish Hatchery. The three year effort provided needed experience in the capture of Alabama sturgeon, especially with respect to the best method for collecting, the areas on the river most likely to yield Alabama sturgeon, and the best time of year to collect. The capture effort also resulted in the establishment of protocols for handling, transporting, and propagating Alabama sturgeon. In addition, collection efforts and work on other sturgeon species are producing information that could be valuable regarding the Alabama sturgeon. For example, recent collection efforts on the pallid sturgeon indicate that manipulating flows out of water control structures can increase collection success for that species.

On February 9, 2000, the Service, ADCNR, the Corps, and the Rivers Coalition entered into the 2000 Strategy that expands upon the initial efforts undertaken in 1997. The 2000 Strategy includes a substantial change to the capture program. During the three years that the 1997 effort was underway, a total of 250 field days were spent in the capture effort. Under the 2000 Strategy, a minimum total of 548 field days will be expended each year for the first three years.

The parties to the 2000 Strategy signed the documents on February 9, 2000, because of a desire to have implementation begin immediately while we are in a period of the year that

has the best chance of capturing sturgeon. The 2000 Strategy is subject to amendment by consent of the parties.

The reason the comment period has been reopened through March 17, 2000, is to obtain public comment on the 2000 Strategy's relevance and significance to the upcoming listing decision. How the 2000 Strategy is relevant or significant (i.e., its effect on the underlying analysis of the listing factors in the proposed rule) should be a primary focus of comment during the public comment period. Any comments received concerning the 2000 Strategy will be fully considered by us in our final determination.

#### **Public Comments Solicited**

We are seeking comments on the relevance and significance of the 2000 Strategy to the listing decision. Specifically, we are seeking input on whether:

(1) The 2000 Strategy addresses the factors identified in the proposed listing rule to a degree that there is no longer a basis for listing the Alabama sturgeon;

(2) The 2000 Strategy addresses the factors identified in the proposed listing rule to a degree that the listing determination would more appropriately be threatened instead of endangered. The Conservation Strategy could also be linked to a 4(d) rule; or,

(3) The 2000 Strategy fails to address the factors sufficiently to have an effect on the listing determination, but still form the basis for a Section 7(a)(1) program, a Section 7(a)(2) consultation, a Section 10 permit for non-federal entities, and/or the core of a species recovery plan.

We request comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning the 2000 Strategy and its relevance and significance to the proposed listing of the Alabama sturgeon as endangered.

#### **Comment Procedures**

Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. Please also include “Attention: [Alabama sturgeon]” and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at the address given in the **ADDRESSES** section or by telephone at 404-679-7180. Finally, you may also hand-deliver comments to the address given in the **ADDRESSES** Section. Our practice is to make comments, including names and home addresses of

respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials or organizations or businesses, available for public inspection in their entirety. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address. To obtain copies of the 2000 Strategy, you can download or print one from <http://endangered.fws.gov/listing/index.html> (under Announcements) or contact Kelly Bibb at 404/679-7132 (phone) or 404/679-7081 (facsimile) to receive a faxed or mailed copy. All questions related to this notice should be directed to Mr. Mitch King at the address or phone number listed in the ADDRESSES section of this notice.

#### Author

The primary author of this notice is Mitch King (see ADDRESSES section).

**Authority:** The authority for this notice is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: February 11, 2000.

**Sam D. Hamilton,**

*Regional Director, Fish and Wildlife Service.*  
[FR Doc. 00-3782 Filed 2-14-00; 12:13 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 223

[I.D. 081699C, 092199A, 092799G]

#### Endangered and Threatened Species; Notice of an Additional Public Hearing for Proposed Rules Governing Take of West Coast Chinook, Chum, Coho and Sockeye Salmon and Steelhead Trout

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

**ACTION:** Proposed rule; notification of public hearing.

**SUMMARY:** NMFS is announcing an additional public hearing for the following: Proposed Rule Governing Take of Seven Threatened Evolutionarily Significant Units (ESUs) of West Coast Salmonids; Proposed Rule Governing Take of Threatened Snake River, Central California Coast, South/Central California Coast, Lower Columbia River, Central Valley California, Middle Columbia River, and Upper Willamette River Evolutionarily Significant Units (ESUs) of West Coast Steelhead; and Limitation on Section 9 Protections Applicable to Salmon Listed as Threatened under the Endangered Species Act (ESA), for Actions Under Tribal Resource Management Plans. NMFS is holding this additional public hearing for all three rules to facilitate public participation in this regulatory process.

**DATES:** The meeting date is February 22, 2000, 6:00 p.m.–9:00 p.m.

**ADDRESSES:** The meeting will be held at Whitman College, Cordiner Hall, 345 Boyer Avenue, Walla Walla, WA.

**FOR FURTHER INFORMATION CONTACT:** Garth Griffin, (503) 231-2005; Craig Wingert, (562) 980-4021; or Chris Mobley, (301) 713-1401. Copies of the **Federal Register** documents cited herein and additional salmon-related materials are available via the Internet at [www.nwr.noaa.gov](http://www.nwr.noaa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

Under section 4(d) of the Endangered Species Act (ESA), the Secretary of Commerce (Secretary) is required to adopt such regulations as he deems necessary and advisable for the conservation of species listed as threatened. On December 30, 1999 (64 FR 73479), NMFS issued a proposed rule under section 4(d) of the ESA which contains the regulations that it believes, are necessary and advisable to conserve threatened Snake River, Central California Coast, South/Central California Coast, Lower Columbia River, Central Valley California, Middle Columbia River, and Upper Willamette River ESUs of West Coast Steelhead. The proposed rule applies ESA section 9(a)(1) prohibitions to the previously mentioned steelhead ESUs, but proposes not to apply the take prohibitions to 13 specific programs which limit impacts on listed steelhead to an extent that makes added protection through Federal regulation not necessary and advisable for the

conservation of these ESUs (see 64 FR 73479).

On January 3, 2000 (65 FR 170), NMFS issued a proposed rule under section 4(d) of the ESA which was nearly identical to the December 30, 1999, proposal except that it applied to the following species of salmon: Oregon Coast Coho, Puget Sound, Lower Columbia and Upper Willamette Chinook, Hood Canal Summer-run and Columbia River Chum, and Ozette Lake Sockeye.

Also on January 3, 2000 (65 FR 108), NMFS issued a proposed rule under section 4(d) of the ESA that would not impose the section 9(a)(1) prohibitions on take when impacts on threatened salmonids result from implementation of a tribal resource management plan, where the Secretary has determined that implementing that Tribal Plan will not appreciably reduce the likelihood of survival and recovery for the listed species. This proposal applies to threatened salmonids that are currently subject to ESA section 9(a)(1) take prohibitions: Snake River spring/summer chinook salmon; Snake River fall chinook salmon; Central California Coast (CCC) coho salmon; and Southern Oregon/Northern California Coast (SONCC) coho salmon. This proposed limitation on take prohibitions would also be available for all other threatened salmonid ESUs whenever final ESA section 9(a) prohibitions are made applicable to those ESUs.

On February 14, 2000, NMFS published a **Federal Register** document under the Proposed Rules section which extended the public comment periods for all 3 proposed rules and announced additional public hearings in Washington and Idaho. Because these closely related rules had public comment periods that ended on different dates (February 22, 2000, for the steelhead proposal and March 3, 2000, for the other 2 proposals, respectively), NMFS extended the comment period for all three rules to March 6, 2000, to avoid confusion and to facilitate public participation.

NMFS has received a request for an additional public hearing to allow further opportunity for the public to participate in the exchange of information and opinion among interested parties and to provide oral and written testimony. NMFS finds that the request is reasonable and has scheduled the meeting accordingly (see **DATES** and **ADDRESSES**).

NMFS is soliciting specific information, comments, data, and/or recommendations on any aspect of the December 30, 1999, and January 3, 2000, proposals from all interested parties.