

Federal Communications Commission.

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-1147; MM Docket No. 00-250; RM-10025]

#### Radio Broadcasting Services; Sauk Centre and Alexandria, Minnesota

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Main Street Broadcasting, Inc., licensee of Station KMSR(FM), Sauk Centre, Minnesota, and BDI Broadcasting, Inc., licensee of Station KIKV-FM, Alexandria, Minnesota, (1) allots Channel 232C3 in lieu of 232A at Sauk Centre, reallocates Channel 232C3 from Sauk Centre to Alexandria, and modifies Station KMSR's license accordingly; and (2) reallocates Channel 264C1 from Alexandria to Sauk Centre, and modifies Station KIKV's license accordingly. Channel 232C3 is allotted at Alexandria, Minnesota, in compliance with the Commission's minimum distance separation requirements, with respect to domestic allotments, at petitioner's requested site 8.8 kilometers (5.5 miles) northwest of the community at coordinates 45-55-57 NL and 95-28-21 WL. Channel 264C1 is reallocated from Alexandria to Sauk Centre in compliance with the Commission's minimum distance separation requirements, with respect to domestic allotments, at a site 15.6 kilometers (9.7 miles) west of the community at coordinates 45-41-03 NL and 95-08-14 WL.

**DATES:** Effective June 18, 2001.

**FOR FURTHER INFORMATION CONTACT:** Victoria M. McCauley, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 00-250, adopted April 25, 2001, and released May 4, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW., 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, NW., Washington, DC 20036.

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

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

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended 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 FM Table of Allotments under Minnesota is amended by removing Channel 232A and adding Channel 264C1 at Sauk Centre, and by removing Channel 264C1 and adding Channel 232C3 at Alexandria.

Federal Communications Commission.

**John A. Karousos,**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 229

[Docket No. 010510119-1119-01; I.D. 050901B]

**RIN 0648-AP27**

#### Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan

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

**ACTION:** Temporary area and gear restrictions.

**SUMMARY:** The Assistant Administrator for Fisheries (AA), NOAA, announces temporary restrictions consistent with the requirements of the Atlantic Large Whale Take Reduction Plan's (ALWTRP) implementing regulations. The AA implements gear restrictions for an area totaling 460 square nautical miles (sq. nm) for 15 days to provide

immediate protection to an aggregation of northern right whales. The AA also requests that fishermen adhere to voluntary measures for a 600 sq. nm precautionary area, which surrounds the restricted area.

**DATES:** The areas and gear restrictions are effective beginning May 13, 2001, through May 30, 2001.

**ADDRESSES:** Send comments on this document to Gregg LaMontagne, NMFS/Northeast Region, One Blackburn Drive, Gloucester, MA 01930. Copies of the Environmental Assessment (EA), Atlantic Large Whale Take Reduction Team (ALWTRT) meeting summaries, and progress reports on implementation of the ALWTRP may also be obtained by writing Gregg LaMontagne, NMFS/Northeast Region at the address above.

Several of the background documents for the ALWTRP and the take reduction planning process can be downloaded from the ALWTRP web site at <http://www.nero.nmfs.gov/whaletrp/>. Copies of the most recent marine mammal stock assessment reports may be obtained by writing to Richard Merrick, NMFS, 166 Water St., Woods Hole, MA 02543, or can be downloaded from the Internet at <http://www.nero.nmfs.gov/whaletrp/>.

**FOR FURTHER INFORMATION CONTACT:** Gregg LaMontagne, NMFS, Northeast Region, 978-281-9291; or Patricia Lawson, NMFS, Office of Protected Resources, 301-713-2322.

**SUPPLEMENTARY INFORMATION:** The ALWTRP was developed pursuant to section 118 of the Marine Mammal Protection Act (MMPA) to reduce the incidental mortality and serious injury of four species of whales (northern right, fin, humpback and minke) due to incidental interaction with commercial fishing activities. The ALWTRP, implemented through regulations codified at 50 CFR 229.32, relies on a combination of fishing gear modifications and time/area closures to reduce the risk of these whales becoming entangled in commercial fishing gear (and potentially suffering serious injury or mortality as a result).

In addition, the regulations provide authority for contingency measures for addressing unusual or unexpected aggregations of right whales, or providing protection for such groups of animals during times or in areas not addressed by the requirements specified elsewhere in § 229.32. Section 229.32(g)(2) allows the AA to revise the ALWTRP requirements through a publication in the **Federal Register** if, among other things, NMFS determines that right whales are remaining longer than expected in a closed area or have left earlier than expected, NMFS