

Dated: December 3, 2001.

Robert F. Shea,

Acting Administrator, Federal Insurance Administration and Mitigation Administration.

[FR Doc. 01-30428 Filed 12-7-01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-2735; MM Docket No. 00-31; RM-9815; RM-10014; RM-10095]

Radio Broadcasting Services; Nogales, Vail and Patagonia, AZ

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In response to a proposal filed on behalf of Desert West Air Ranchers Corporation, licensee of Station KZNO(FM), Nogales, Arizona, the Commission substitutes Channel 253A for Channel 252A at Nogales, reallocates Channel 253A to Vail, Arizona, as that community's first local aural transmission service, and modifies the license for Station KZNO(FM), as requested. See 65 FR 11540, March 3, 2000. Additionally, in response to a counterproposal filed on behalf of Desert West Air Ranchers Corporation, this document allots Channel 251A to Patagonia, Arizona, as that community's first local aural transmission service. And, in response to a counterproposal filed on behalf of Big Broadcasting of Arizona, LLC, this document allots Channel 283A to Vail, Arizona, as that community's second local FM service. Coordinates used for Channel 253A at Vail, Arizona to accommodate the reallocation are 31-55-39 NL and 110-37-57 WL; coordinates for Channel 283A at Vail for general application are 32-02-48 NL and 110-42-42 WL; coordinates used for Channel 251A at Patagonia are 31-33-05 NL and 110-44-45 WL. As Vail and Patagonia are located within 320 kilometers (199 miles) of the US-Mexico border, concurrence of the Mexican government has been requested for Channels 253A, and 283A at Vail, and for Channel 251A at Patagonia, but has not been received. Therefore, if construction permits are granted for the specified channels at Vail and Patagonia prior to receipt of final notification by the Mexican government, the authorizations will include the following condition: "Operation with the facilities specified herein is subject to modification, suspension or termination without right

to a hearing if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement, or if specifically objected to by Mexico.

DATES: Effective January 7, 2002. Filing windows for Channel 283A at Vail, Arizona, and for Channel 251A at Patagonia, Arizona, will not be opened at this time. Instead, the issue of opening those allotments for auction will be addressed by the Commission in a subsequent Order.

FOR FURTHER INFORMATION CONTACT:

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 00-31, adopted November 14, 2001, and released November 23, 2001. 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 12th Street, SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualtex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893.

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 Table of FM Allotments under Arizona, is amended by removing Channel 252A at Nogales.

3. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by adding Patagonia, Channel 251A; and Vail, Channel 253A and Channel 283A.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 01-30391 Filed 12-7-01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-2681; MM Docket Nos. 01-118, 01-119, 01-122; RM-10106, RM-10127, RM-10130]

Radio Broadcasting Services; Grants, Milan, and Shiprock, New Mexico; Van Wert and Columbus Grove, Ohio; Lebanon and Hamilton, Ohio and Fort Thomas, KY

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission allots channels in three separate docketed proceedings which were proposed together in a multiple docket *Notice of Proposed Rule Making*. (1) At the request of KXXQ(FM) Radio Partners, Inc., Channel 264C0 is substituted for Channel 264A at Grants, New Mexico, Channel 264C0 is reallocated from Grants to Milan, New Mexico, and the license for Station KXXQ(FM) is modified to reflect the changes. In addition, Channel 299C1 is substituted for vacant Channel 265C1 at Shiprock, New Mexico to accommodate the changes. See 66 FR 33655 (June 25, 2001). Channel 264C0 is allotted at Milan with a site restriction of 21.2 kilometers (13.2 miles) north of the community. Channel 299C1 is allotted at Shiprock at the original allotment site. Coordinates for Channel 264C0 at Milan are 35-21-19 NL and 107-56-52 WL. Coordinates for Channel 299C1 at Shiprock are 36-46-12 NL and 108-42-49 WL. (2) At the request of Clear Channel Broadcasting Licenses, Inc., we substitute Channel 230B1 for Channel 230A at Van Wert, reallocate the channel to Columbus Grove, Ohio, as the community's first local aural transmission service, and modify Clear Channel's construction permit for its unbuilt station to reflect the changes. See 66 FR 33656 (June 25, 2001). Channel 230B1 is allotted at Columbus Grove with a site restriction of 8.1 kilometers (5.0 miles) northwest of the community. Coordinates for Channel 230B1 at Columbus Grove are 40-57-33 NL and 84-08-14 WL. (3) At the joint request of Infinity Radio License Inc. and Caron Broadcasting, we reallocate Channel 247A from Lebanon, Ohio to Fort Thomas, Kentucky, as the community's first local aural transmission service, and the modify Station WAQZ(FM)'s license to reflect the change. We also reallocate Channel 243B from Hamilton, Ohio to Lebanon, as a replacement channel for the

community's first local aural transmission service and modify Station WYGY(FM)'s license to reflect the change. See 66 FR 33657 (June 25, 2001). Channel 247A can be reallocated from Lebanon to Fort Thomas at petitioner's requested site 14.7 kilometers (9.1 miles) north of Fort Thomas. Channel 243B can be reallocated from Hamilton to Lebanon at Station WYGY(FM)'s existing site 13.9 kilometers (8.6 miles) southwest of the community. Coordinates for Channel 247A at Fort Thomas, Kentucky, are 39-11-51 NL and 84-22-56 WL. Coordinates for Channel 243B at Lebanon, Ohio, are 39-21-11 NL and 84-19-30 WL.

DATES: Effective December 31, 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 Nos. 01-118, 01-119, and 01-122, adopted November 7, 2001, and released November 16, 2001. The full text of this document is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

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 Table of FM Allotments under Ohio, is amended by removing Channel 230A at Van Wert adding Columbus Grove, Channel 230B1, and by removing Channel 247A and adding Channel 243B at Lebanon.

3. Section 73.202(b), the Table of FM Allotments under New Mexico, is amended by removing Channel 264A at Grants, adding Milan, Channel 264C0, and removing Channel 265C1 and adding Channel 299C1 at Shiprock.

4. Section 73.202(b), the Table of FM Allotments under Kentucky, is amended by adding Fort Thomas, Channel 247A.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 01-30388 Filed 12-7-01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 010511123-1123-01; I.D. 042001D]

RIN 0648-AP24

Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Hawaii-based Pelagic Longline Restrictions and Seasonal Area Closure, and Sea Turtle and Sea Bird Mitigation Measures

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

ACTION: Emergency interim rule and extension of expiration date.

SUMMARY: This action extends an emergency interim rule, now in effect, applicable to vessels registered for use under a Hawaii longline limited access permit (Hawaii longline vessels) and allows the use of basket-style longline gear as an alternative method for deep-set tuna longline fishing. This emergency interim rule: Prohibits the targeting of swordfish north of the equator by Hawaii longline vessels; prohibits longline fishing by Hawaii longline vessels in waters south of the Hawaiian Islands (from 15° N. lat. to the equator, and from 145° W. long. to 180° long.) during the months of April and May; allows re-registration of vessels to Hawaii longline limited access permits only in October; imposes additional sea turtle handling and resuscitation measures; and requires all Hawaii longline vessel operators to attend an annual protected species workshop. This emergency interim rule implements an order issued by the U.S. District Court for the District of Hawaii (Court) in March 2001 to reduce the number of sea turtles injured and killed incidental to longline fishing operations. Other parts of this emergency interim rule implement the terms and conditions contained in an amended November 2000 biological opinion issued by the U.S. Fish and

Wildlife Service (FWS) on the effects of the Hawaii longline fleet on the endangered short-tailed albatross. In October 2001, FWS amended its biological opinion on the short-tailed albatross allowing Hawaii longline vessels to use basket-style longline gear as an alternative method for deep-set tuna longline fishing, which is implemented by this emergency interim rule.

DATES: 1. The expiration date of the emergency interim rule published on June 12, 2001 (66 FR 31564), is extended to June 8, 2002.

2. The amendments to §§ 660.12, 660.35 (a)(7), and (a)(10) in this emergency interim rule are effective from December 11, 2001, through June 8, 2002.

ADDRESSES: Copies of the environmental assessment and regulatory impact review prepared for this emergency interim rule may be obtained from Dr. Charles Karnella, Administrator, Pacific Islands Area Office (PIAO), National Marine Fisheries Service, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI, 96814-4700.

FOR FURTHER INFORMATION CONTACT: Alvin Katekaru, PIAO, at 808-973-2937.

SUPPLEMENTARY INFORMATION: On June 12, 2001, NMFS issued an emergency interim rule (66 FR 31561) implementing temporary measures for the Hawaii-based pelagic longline fishery (Hawaii longline fishery) to avoid the likelihood of jeopardy to sea turtles and to reduce adverse effects to the short-tailed albatross. These measures are consistent with NMFS' March 29, 2001, Biological Opinion on the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region and FWS' November 28, 2000, Biological Opinion on the Effects of the Hawaii-based Domestic Longline Fleet on the Short-tailed Albatross (*Phoebastria albatrus*) (short-tailed albatross BiOp). NMFS received no written comments on the June 12, 2001, emergency interim rule.

The action taken to protect and conserve sea turtles complies with a March 30, 2001, Order Modifying Injunction (Order) issued by the Court in *Center for Marine Conservation v. NMFS*, CV No. 99-00152. This emergency interim rule codifies that Order in 50 CFR part 660 under the authority of section 305 (c) of the Magnuson-Stevenson Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1855 (c). Background information on the Order was published in several previous