

RLG—Glide path  
 RLL—Localizer  
 RLO—VHF omni-range  
 RLS—Surveillance radar  
 RLT—Radionavigation land test  
 RLW—Microwave landing system

RNV—" Radio Navigation Land/DME  
 RPC—" Ramp Control  
 TJ—Aircraft earth station in the  
 Aeronautical Mobile-Satellite Service  
 11. In § 87.173 amend the table in  
 paragraph (b) by adding the entries for

510–535 kHz, 108.00–117.975 MHz, and  
 1559–1610 MHz to read as follows:

#### § 87.173 Frequencies.

\* \* \* \* \*  
 (b) Frequency table:

Frequency or frequency band	Subpart	Class of station	Remarks
* * * * *			
510–535 kHz .....	Q	RLB	Radiobeacons.
* * * * *			
108.000–117.975 MHz .....	Q	DGP	Differential GPS.
* * * * *			
1559–1610 MHz .....	Q	DGP	Differential GPS.
* * * * *			

12. Section 87.187 is amended by revising a new paragraph (dd) to read as follows:

#### § 87.187 Frequencies.

\* \* \* \* \*

(dd) The frequency 121.95 is authorized for air-to-ground and air-to-air communications for aircraft up to 13000 feet above mean sea level (AMSL) within the area bounded by the following coordinates (all coordinates are referenced to North American Datum 1983 (NAD83)):

32–35–00 N. Lat.; 117–12–00 W. Long.  
 32–42–00 N. Lat.; 116–56–00 W. Long.  
 32–41–00 N. Lat.; 116–41–00 W. Long.  
 32–35–00 N. Lat.; 116–38–00 W. Long.  
 32–31–00 N. Lat.; 117–11–00 W. Long.

13. Section 87.189 is amended by revising paragraph (c) to read as follows:

#### § 87.189 Requirements for public correspondence equipment and operations.

\* \* \* \* \*

(c) A continuous watch must be maintained on the frequencies used for safety and regularity of flight while public correspondence communications are being handled.

For aircraft earth stations, this requirement is satisfied by compliance with the priority and preemptive access requirements of § 87.187(q).

\* \* \* \* \*

14. Section 87.217 is amended by revising paragraph (a) introductory text to read as follows:

#### § 87.217 Frequencies.

(a) Only one unicom frequency will be assigned at any one airport. Applicants must request a particular frequency, which will be taken into consideration when the assignment is

made. The frequencies assignable to unicom are:

\* \* \* \* \*

15. Section 87.475 is amended by revising paragraphs (b)(2) and (c)(2) introductory text to read as follows:

#### § 87.475 Frequencies.

\* \* \* \* \*

(b) \* \* \*

(2) Radiobeacon stations enable an aircraft station to determine bearing or direction in relation to the radiobeacon station. Radiobeacons operate in the bands 190–285 kHz; 325–435 kHz; 510–525 kHz; and 525–535 kHz. Radiobeacons may be authorized, primarily for off-shore use, in the band 525–535 kHz on a non-interference basis to travelers information stations.

\* \* \* \* \*

(c) \* \* \*

(2) The frequencies available for assignment to radionavigation land test stations for the testing of airborne receiving equipment are 108.000 and 108.050 MHz for VHF omni-range; 108.100 and 108.150 MHz for localizer; 334.550 and 334.700 MHz for glide slope; 978 and 979 MHz (X channel)/1104 MHz (Y channel) for DME; 1030 MHz for ATC radar beacon transponders; 1090 MHz for Traffic Alert and Collision Avoidance Systems (TCAS); and 5031.0 MHz for microwave landing systems. Additionally, the frequencies in paragraph (b) of this section may be assigned to radionavigation land test stations after coordination with the FAA. The following conditions apply:

\* \* \* \* \*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01–2783; MM Docket No. 01–113; RM–9655]

### Radio Broadcasting Services; Big Piney, LaBarge, WY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule, dismissal.

**SUMMARY:** The Commission dismisses a petition for rule making filed by Mount Rushmore Broadcasting, Inc., requesting the allotment of Channel 259A at Big Piney, Wyoming, and Channel 261A at La Barge, Wyoming. Petitioner filed no comments in response to the Notice of Proposed Rulemaking. No other party filed comments.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 01–113 adopted November 21, 2001 and released November 30, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY–A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy 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](mailto:qualexint@aol.com).

Federal Communications Commission.

**John A. Karousos,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 222 and 223

[I.D. 062501B]

RIN 0648-AN62

#### Endangered and Threatened Wildlife; Sea Turtle Conservation Requirements

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

**ACTION:** Public hearing notice; extension of public comment period.

**SUMMARY:** Notice is hereby given that the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce, will extend the public comment period, through February 15, 2002, for the purpose of receiving comments on the proposed rule to amend the regulations protecting sea turtles to enhance their effectiveness in reducing sea turtle mortality resulting from shrimp trawling in the Atlantic and Gulf Areas of the southeastern United States, published in the **Federal Register** on October 2, 2001.

**DATES:** Written comments should be received by February 15, 2002.

**ADDRESSES:** Written comments should be addressed to the 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.

**FOR FURTHER INFORMATION CONTACT:** Robert Hoffman (ph. 727-570-5312, fax 727-570-5517, e-mail Robert.Hoffman@noaa.gov), or Therese A. Conant (ph. 301-713-1401, fax 301-713-0376, e-mail Therese.Conant@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Turtle excluder devices (TEDs) have proven to be effective at excluding sea turtles from shrimp trawls; however, NMFS has determined that modifications to the design of TEDs need to be made to exclude leatherbacks and large, sexually

mature loggerhead and green turtles. Several approved TED designs are also structurally weak and do not function properly under normal fishing conditions. Additionally, modifications to the trynet and bait shrimp exemptions to the TED requirements are necessary to decrease lethal take of sea turtles. These proposed amendments are necessary to protect endangered and threatened sea turtles in the Atlantic and Gulf Areas.

Dated: December 7, 2001.

**Donald R. Knowles,**

*Director, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 223 and 224

[Docket No. 011130289-1289-01; I.D. 111501C]

#### Endangered and Threatened Wildlife and Plants: 90-Day Finding for a Petition to List North American Green Sturgeon as Threatened or Endangered under the Endangered Species Act

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

**ACTION:** Notice of petition finding; request for information and comments.

**SUMMARY:** NMFS announces a 90-day finding for a petition to list the North American green sturgeon (*Acipenser medirostris*) as a threatened or endangered species and to designate critical habitat under the Endangered Species Act (ESA). NMFS finds that the petition presents substantial scientific information indicating that the petitioned action may be warranted. NMFS will conduct a status review of the green sturgeon to determine if the petitioned action is warranted. To ensure that the review is comprehensive, NMFS is soliciting information and comments pertaining to this species, and seeks suggestions from the public for peer reviewers for the agency's review of the petitioned action.

**DATES:** Information and comments on the action must be received by March 14, 2002.

**ADDRESSES:** Requests for copies of the petition, and information and comments on this action should be submitted to

the Assistant Regional Administrator, Protected Resources Division, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. The petition is available for public inspection by appointment, Monday through Friday, at the same address.

#### FOR FURTHER INFORMATION CONTACT:

Craig Wingert, NMFS, Southwest Region, (562) 980-4021 or David O'Brien, NMFS, Office of Protected Resources, (301) 713-1401.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4 (b)(3)(A) of the ESA (16 U.S.C. 1531 *et seq.*) requires that NMFS make a finding as to whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to indicate that the petitioned action may be warranted. NMFS' ESA implementing regulations (50 CFR 424.14) define "substantial information" as the amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted. In determining whether substantial information exists for a petition to list a species, NMFS takes into account several factors, including information submitted with and referenced in the petition and all other information readily available in NMFS files. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, and the finding is to be published promptly in the **Federal Register**. If NMFS finds that a petition presents substantial information indicating that the requested action may be warranted, section 4 (b)(3)(B) of the ESA requires the Secretary of Commerce (Secretary) to conduct a status review of the species and make a finding as to whether the petitioned action is warranted within 1 year of the receipt of the petition.

##### Analysis of Petition

On June 12, 2001, NMFS received a petition from the Environmental Protection Information Center, Center for Biological Diversity, and Waterkeepers Northern California regarding the North American green sturgeon. The petition requested that NMFS list the North American green sturgeon as either an endangered or threatened species under the ESA, and that it designate critical habitat for the species concurrently with any listing determination.

The green sturgeon is a large, anadromous fish. In North America, the green sturgeon ranges from Alaska to