

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[MM Docket No. 99-61, RM-9448]

**Radio Broadcasting Services; Polson, MT****AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Mountain West Broadcasting proposing the allotment of Channel 259C3 to Polson, Montana, as that community's first local FM broadcast service. The channel can be allotted to Polson without a site restriction at coordinates 47-41-24 NL and 114-09-18 WL. Canadian concurrence will be requested for the allotment of Channel 259C3 at Polson.

**DATES:** Comments must be filed on or before April 5, 1999, and reply comments on or before April 20, 1999.

**ADDRESSES:** Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Victor A. Michael, President, Mountain West Broadcasting, 6807 Foxglove Drive, Cheyenne, WY 82009.

**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. 99-61, adopted February 3, 1999, and released February 12, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., 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 broadcasting.

Federal Communications Commission.

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

[FR Doc. 99-4465 Filed 2-22-99; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[MM Docket No. 99-62, RM-9410]

**Radio Broadcasting Services; Reno, TX****AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Thomas S. Desmond proposing the allotment of Channel 255A to Reno, Texas, as that community's first local FM broadcast service. The channel can be allotted to Reno with a site restriction 13 kilometers (8.1 miles) west at coordinates 33-40-12 NL and 95-36-08 WL.

**DATES:** Comments must be filed on or before April 5, 1999, and reply comments on or before April 20, 1999.

**ADDRESSES:** Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: John J. McVeigh, 1201 Blue Paper Trail, Columbia, Maryland 21044-2787.

**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. 99-62, adopted February 3, 1999, and released February 12, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., 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 broadcasting.

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 Part 648**

[I.D. 021199C]

**Fisheries of the Northeastern United States; Northeast Multispecies Fishery**

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

**ACTION:** Notice of intent to prepare a Supplemental Environmental Impact Statement (SEIS) and notice of scoping process; request for comments.

**SUMMARY:** The New England Fishery Management Council (Council) announces its intention to prepare Amendment 13 to the Northeast Multispecies Fishery Management Plan (FMP) to rebuild overfished stocks as defined by Amendment 9 to the FMP. Amendment 13 will supplement or change elements of the FMP as may be necessary to address issues raised during the scoping process and to prepare an SEIS to analyze the impacts of any proposed management measures.

The Council also formally announces a public process to determine the scope of issues to be addressed in the environmental impact analysis. The purpose of this notification is to alert the interested public of the commencement of the scoping process, and to provide for public participation

in compliance with environmental documentation requirements.

**DATES:** Written scoping comments must be received by May 10, 1999.

**ADDRESSES:** Send written comments to Paul J. Howard, Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906, Telephone (781) 231-0422. The locations of meetings will be announced in the **Federal Register** and on the Council website, [www.nefmc.org](http://www.nefmc.org), when they are scheduled.

**FOR FURTHER INFORMATION CONTACT:** To receive information and documents pertaining to this amendment, or to be included on the mailing list of interested persons, contact Paul J. Howard, Telephone (617) 231-0422.

**SUPPLEMENTARY INFORMATION:** The FMP comprises a management strategy and measures implemented under Amendment 7 in 1996 and subsequent framework adjustments. The multispecies approach adopted in Amendment 7 uses a range of management tools, namely days-at-sea (DAS), closed areas, single-species trip limits, and gear restrictions to achieve plan objectives and focuses on five primary groundfish stocks (Georges Bank cod, haddock, yellowtail flounder, Gulf of Maine cod, and Southern New England yellowtail flounder) that were overfished and at a low level of abundance when the plan was developed. The amendment also created an annual review and adjustment process to insure that the plan would achieve its rebuilding objectives. To achieve rebuilding, the plan called for reductions in fishing effort of up to 80 percent on some key stocks. The Council prepared an SEIS for the Amendment 7 rebuilding plan and concluded that the rebuilding plan would have significant impacts, both positive and negative, on the biological and human environments.

The Council has conducted three annual reviews and has amended the FMP five times, including pending actions, through the framework adjustment process (Framework Adjustments 20, 24, 25, 26, and 27 pending) to implement measures to meet Amendment 7 plan objectives. It

prepared Environmental Assessments (EA) under the National Environmental Policy Act (NEPA) for each of these actions.

In 1996, Congress enacted the Sustainable Fisheries Act (SFA), which required the Council to revise its definitions of overfishing and, if stocks are determined by the Secretary of Commerce (Secretary) to be overfished, to submit plans to end overfishing and rebuild stocks to a level that can produce maximum sustainable yield (MSY) within 10 years. The Council submitted Amendment 9 on October 11, 1998, to revise the overfishing definitions and address other provisions of the Act. This action is currently under Secretarial review. Future actions taken in Amendment 13 designed to end overfishing and achieve rebuilding targets under the proposed overfishing definitions established in Amendment 9 may have significant impacts, requiring the preparation of an SEIS.

While some stocks are rebuilding, all of the regulated species in the fishery management unit (cod, haddock, yellowtail flounder, winter flounder, witch flounder, windowpane flounder, American plaice, white hake, pollock, redfish and Atlantic halibut) are below SFA biomass targets based on MSY. The Council anticipates that with new information available about the status of these stocks, additional action is necessary to comply with the mandates of the SFA. These actions may have a significant impact on the human environment, and the Council is seeking public input on the scope of issues to be considered in preparing an SEIS.

In addition to ongoing changes resulting from compliance with the mandates of the SFA, the fisheries have evolved through the Council process and compliance with other Federal laws, such as the Marine Mammal Protection Act, and new information has become available about the status of fish stocks, impacts of fisheries on the marine environment, and the effectiveness of different management strategies. Fishing communities have also evolved in the past 5 years in response to changing stock conditions, markets, and the regulatory environment. All of the above factors

warrant the preparation of an SEIS to update the current NEPA documents and to consider the impacts of potential regulatory actions to achieve compliance with the SFA.

The Council expects that the process of scoping issues, identifying management alternatives, preparing NEPA documents and amendment submission documents will take 9 months to 1 year to complete. Under this timetable, a review of the Draft Supplemental Environmental Impact Statement and public hearings will take place during the summer of 1999. The Council will announce meeting notices and document availability by publication of notices in the **Federal Register** and local newspapers in affected communities, as well as by direct mailing to the list interested parties. It also maintains a website at [www.nefmc.org](http://www.nefmc.org).

#### **Scoping Process**

All persons affected by or otherwise interested in northeast multispecies fisheries' management are invited to participate in determining the scope and significance of issues to be analyzed by submitting written comments (see **ADDRESSES**) or by attending scoping meetings that will be held in upcoming months. The scoping process consists of the range of actions, alternatives, and impacts to be considered. The Council will consider all reasonable alternatives that meet the objectives of Amendment 13, as well as the status quo (no-action alternative). Impacts may be direct, indirect, individual, or cumulative. The scoping process also will identify and eliminate from the SEIS alternatives that are not feasible or do not meet plan objectives. Once a draft management plan and an EIS or EA are developed, the Council will hold public hearings to receive comments and guide its decision making.

**Authority:** 16 U.S.C. 1801 *et. seq.*

Dated: February 17, 1999.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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