

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.

#### 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—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by adding Bay City, Channel 242A, and by removing Channel 243A and adding Channel 235C3 at Cannon Beach.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 99-16431 Filed 6-28-99; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 98-133; RM-9314]

#### Radio Broadcasting Services; Zapata, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 274A to Zapata, Texas, in response to a petition filed by Arturo Lopez and Eleazar Trevino. See 63 FR 6078, February 6, 1998. The coordinates for Channel 274A at Zapata are 26-54-30 and 99-16-18. In response to comments filed by Encarnacion A. Guerra in this proceeding, we shall also allot Channel 280A to Zapata. The coordinates for Channel 280A at Zapata are 26-54-30 and 99-16-18. Mexican concurrence has been obtained for the allotment of Channels 274A and 280A at Zapata. With this action, this proceeding is terminated. A filing window for Channels 274A and 280A at Zapata will not be opened at this time. Instead, the issue of opening a filing window for these channels will be addressed by the Commission in a subsequent order.  
**EFFECTIVE DATE:** August 2, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 98-133, adopted June 9, 1999, and released June 18, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW, 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.

#### 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—[AMENDED]

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 Texas, is amended by adding Channels 274A and 280A at Zapata.

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 679

[Docket No. 980817221-9020-02; I.D. 072898A]

RIN 0648-AL22

#### Fisheries of the Exclusive Economic Zone Off Alaska; Western Alaska Community Development Quota Program; Extension of Expiration Date

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

**ACTION:** Emergency interim rule; extension of expiration date.

**SUMMARY:** NMFS extends the expiration date of an emergency interim rule

implementing requirements of the American Fisheries Act (AFA) related to the 1999 Western Alaska Community Development Quota (CDQ) Program. This action revises pollock CDQ catch accounting regulations and removes the squid allocation from the CDQ program. The emergency interim rule that is effective from January 21, 1999, through July 20, 1999, is extended through December 31, 1999. This action is necessary to implement CDQ Program-related provisions of the AFA.

**DATES:** The expiration date for "Directed fishing for pollock CDQ," the amendments to § 679.20(b)(1)(iii)(A) and (b)(1)(iii)(D), and § 679.32(e) of the emergency interim rule published January 26, 1999 (64 FR 3877), and as amended April 26, 1999 (64 FR 20210), is extended from July 20, 1999, through December 31, 1999.

**ADDRESSES:** Copies of the Environmental Assessment/Regulatory Impact Review (EA/RIR) prepared for the initial emergency interim rule may be obtained from Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attention: Lori Gravel.

**FOR FURTHER INFORMATION CONTACT:** Sue Salvesson, 907-586-7228.

#### SUPPLEMENTARY INFORMATION:

#### Management Background and Need for Action

NMFS manages fishing for groundfish by U.S. vessels in the exclusive economic zone of the Bering Sea and Aleutian Islands management area (BSAI) according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP). The North Pacific Fishery Management Council (Council) prepared the FMP under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing fishing by U.S. vessels and implementing the FMP appear at 50 CFR parts 600 and 679.

The President signed the AFA into law on October 20, 1998, as part of the Omnibus Appropriations Bill FY99, (Pub. L. 105-277). NMFS determined that two changes to the CDQ Program regulations were necessary in order for the CDQ Program-related provisions of the AFA to be effective by January 1999. These two regulatory changes were (1) to allow pollock bycatch in the non-pollock groundfish CDQ fisheries to accrue against the allowance for incidental catch of pollock established

by section 206(b) of the AFA and (2) to remove the allocation of squid from the CDQ Program in order to allow the CDQ groups to maximize the possibility that the pollock CDQ directed fishing allowance will be fully harvested. At its November 1998 meeting, the Council concurred with NMFS's recommendation for these changes.

NMFS published the emergency interim rule implementing these regulatory changes in the **Federal Register** on January 26, 1999 (64 FR 3877), effective through July 20, 1999. Specifically, the emergency interim rule (1) establishes a new definition of directed fishing for pollock CDQ, (2) revises specifications of the groundfish CDQ reserves at § 679.20(b)(1)(iii), and (3) revises pollock CDQ catch accounting regulations at § 679.32(a)(2) and (e). The preamble to the initial emergency interim rule provides more background on the justification and effects of this action. No comments were received during the comment period for the initial emergency interim rule. NMFS intends to initiate proposed and final rulemaking later in 1999 to permanently implement these CDQ Program-related provisions of the AFA.

This current action extends the expiration date of the emergency interim rule, as amended, through December 31, 1999.

On April 26, 1999 (64 FR 20210), NMFS issued a final rule amending the regulations governing the halibut CDQ fisheries and correcting some inadvertent errors in the initial emergency interim rule implementing

AFA provisions relating to the CDQ Program. Specifically, revisions to the definition of groundfish CDQ fishing were made permanent; § 679.32(a)(2), (a)(3), and (e) were permanently removed; and § 679.32(g) was redesignated as § 679.32(e). Under this extension of the expiration date for the emergency interim rule, new § 679.32(e) will expire on December 31, 1999.

#### Classification

The Assistant Administrator for Fisheries, NOAA (AA), has determined that this rule is necessary to respond to an emergency situation and that it is consistent with the Magnuson-Stevens Act and other applicable laws.

Extension of this emergency interim rule is necessary to continue to monitor and manage catch of pollock in the CDQ fisheries required by the AFA. Failure to extend this action would prevent the CDQ groups from taking advantage of the AFA's provisions that only pollock harvested while directed fishing for pollock CDQ will accrue against the pollock CDQ allocation and could result in squid bycatch limiting the total catch of pollock CDQ. The AA finds good cause to extend the emergency interim rule in accordance with section 305(c)(3)(B) of the Magnuson-Stevens Act. Pursuant to authority set forth at 5 U.S.C. 553(b)(B), the AA finds that these reasons constitute good cause to waive the requirement to provide prior notice and the opportunity for public comment, as the delay associated with such procedures would be contrary to the public interest.

Similarly, under 5 U.S.C. 553(d)(3), the AA finds for good cause that a 30-day delay in the effective date of this rule would be contrary to the public interest. Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553 or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

The emergency interim rule contains a reduction in a collection-of-information requirement subject to the Paperwork Reduction Act. The collection of this information has been approved by the Office of Management and Budget, OMB control number 0648-0269. Shoreside processors and CDQ groups are currently required to report all pollock harvested in the CDQ fisheries on CDQ delivery reports and CDQ catch reports. This emergency interim rule requires that the incidental catch of pollock in non-pollock CDQ fisheries not be reported on the CDQ delivery report and the CDQ catch report.

This rule has been determined to be not significant for purposes of E.O. 12866.

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

Dated: June 23, 1999.

**Andrew A. Rosenberg,**

*Deputy Assistant Administrator for Fisheries,  
National Marine Fisheries Service.*

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