

coordinates for Channel 269C at Azle, Texas, are 33-23-20 and 97-43-03. The reference coordinates for Channel 267C1 at Lawton, Oklahoma, are 34-32-31 and 98-31-40. With this action, the proceeding is terminated. A filing window for Channel 282C2 at Olney, Texas, will not be opened at this time. Instead the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

**EFFECTIVE DATE:** November 17, 1998.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau, (202) 418-2177.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order adopted September 23, 1998, and released October 2, 1998. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3805, 1231 M 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 Oklahoma, is amended by removing Channel 268C1 and adding Channel 267C1 at Lawton.

3. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 269C1 at Denison-Sherman, and adding Azle, Channel 269C.

4. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Channel 282C2 at Olney.

5. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 248C2 at Olney and adding Archer City, Channel 248C2.

Federal Communications Commission.

**John A. Karousos,**

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

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#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[MM Docket No. 97-67, RM-8996, RM-9079]

##### Radio Broadcasting Services; Freeport and Cedarville, IL

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 295A to Freeport, Illinois, and Channel 258A to Cedarville, Illinois. See 62 FR 7984, February 21, 1997; The reference coordinates for Channel 295A at Freeport, Illinois, are 42-19-28 and 89-35-13. The reference coordinates for Channel 258A at Cedarville, Illinois, are 42-21-50 and 89-40-59. With this action, the proceeding is terminated.

**EFFECTIVE DATE:** November 17, 1998.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau, (202) 418-2177.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order in MM Docket No. 97-67, adopted September 23, 1998, and released October 2, 1998. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3805, 1231 M 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 Illinois, is amended by adding Channel 295A at Freeport.

3. Section 73.202(b), the Table of FM Allotments under Illinois, is amended by adding Cedarville, Channel 258A.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 98-27938 Filed 10-16-98; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 660

[Docket No. 980714174-8250-02; I.D. 061898B]

RIN 0648-AK60

##### Fisheries Off West Coast States and in the Western Pacific; Western Pacific Precious Coral Fisheries; Amendment 3

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement Amendment 3 to the Fishery Management Plan for the Precious Coral Fisheries of the Western Pacific Region (FMP). This rule establishes framework procedures enabling management measures to be established and/or changed via rulemaking rather than through FMP amendment. This action will allow the Western Pacific Fishery Management Council (Council) to respond quickly to rapid changes in the Western Pacific precious corals fisheries.

**DATES:** Effective November 18, 1998.

**ADDRESSES:** Copies of Amendment 3 may be obtained from Kitty Simonds, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813.

**FOR FURTHER INFORMATION CONTACT:** Alvin Katekaru, Fishery Management Specialist, Pacific Islands Area Office, NMFS at (808) 973-2985 or Kitty Simonds at (808) 522-8220.

**SUPPLEMENTARY INFORMATION:** The FMP was approved in 1980 and governs the harvest of precious corals in the U.S. exclusive economic zone of the western Pacific region. This rule, which implements Amendment 3, establishes framework procedures enabling the Council and NMFS to change elements of the management regime governing the Western Pacific precious coral fisheries through rulemaking rather than by FMP amendment. The procedures specify how certain new management measures may be established through rulemaking if new information demonstrates that there are biological, social, or economic concerns in the precious coral permit areas. Also, the framework includes somewhat more streamlined procedures allowing adjustments to established management measures. Under the

framework, the Southwest Regional Administrator, NMFS, with the concurrence of the Council, could initiate rulemaking. Before taking an action under the framework process, the impacts of that action would be analyzed. Advance public notice, public discussion, and consideration of public comment on each framework action are required.

Amendment 3 describes the framework procedure in more detail than the regulatory text of this rule. The history of the development of Amendment 3 is summarized in the preamble to the proposed rule (63 FR 39064, July 21, 1998) and is not repeated here.

#### Comments

No comments were received from the public on the proposed rule.

#### Changes to the Proposed Rule

NMFS simplified the last sentence in section 660.89(d)(2) to read "If approved by the Regional Administrator, NMFS may implement the Council's recommendation by rulemaking." In the proposed rule the sentence ended with "...and final rulemaking. In some instances, or if circumstances warrant, by proposed and final rulemaking." The word "rulemaking" alone should indicate NMFS will adhere to the Administrative Procedure Act, which generally requires a **Federal Register** notice giving advance notice and soliciting public comment before an agency issues a final rule.

#### Classification

The Administrator, Southwest Region, NMFS, determined that Amendment 3 is necessary for the conservation and management of the precious coral fisheries and that it is consistent with the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

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

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration when

the rule was proposed, that it would not have a significant economic impact on a substantial number of small entities. No comments were received regarding this certification. Since the basis for this certification has not changed, a regulatory flexibility analysis was not prepared.

#### List of Subjects in 50 CFR Part 660

Administrative practice and procedure, American Samoa, Fisheries, Fishing, Guam, Hawaiian Natives, Indians, Northern Mariana Islands, Reporting and recordkeeping requirements.

Dated: October 13, 1998.

**Rolland A. Schmitten,**  
Assistant Administrator for Fisheries,  
National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 660 is amended as follows:

#### PART 660 — FISHERIES OFF WEST COAST STATES AND IN THE WESTERN PACIFIC

1. The authority citation for part 660 continues to read as follows:

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

2. A new § 660.89 is added to subpart F to read as follows:

##### § 660.89 Framework procedures.

(a) *Introduction.* Established management measures may be revised and new management measures may be established and/or revised through rulemaking if new information demonstrates that there are biological, social, or economic concerns in a precious coral permit area. The following framework process authorizes the implementation of measures that may affect the operation of the fisheries, gear, quotas, season, or levels of catch and/or in effort.

(b) *Annual report.* By June 30 of each year, the Council-appointed Precious Coral Team will prepare an annual report on the fisheries in the management area. The report will contain, among other things, recommendations for Council action and an assessment of the urgency and effects of such action(s).

(c) *Procedure for established measures.* (1) Established measures are management measures that, at some time, have been included in regulations implementing the FMP, and for which the impacts have been evaluated in Council/NMFS documents in the context of current conditions.

(2) According to the framework procedures of Amendment 3 to the FMP, the Council may recommend to the Regional Administrator that established measures be modified, removed, or re-instituted. Such recommendation will include supporting rationale and analysis and will be made after advance public notice, public discussion, and consideration of public comment. NMFS may implement the Council's recommendation by rulemaking if approved by the Regional Administrator.

(d) *Procedure for new measures.* (1) New measures are management measures that have not been included in regulations implementing the FMP, or for which the impacts have not been evaluated in Council/NMFS documents in the context of current conditions.

(2) Following the framework procedures of Amendment 3 to the FMP, the Council will publicize, including by a **Federal Register** document, and solicit public comment on, any proposed new management measure. After a Council meeting at which the measure is discussed, the Council will consider recommendations and prepare a **Federal Register** document summarizing the Council's deliberations, rationale, and analysis for the preferred action and the time and place for any subsequent Council meeting(s) to consider the new measure. At a subsequent public meeting, the Council will consider public comments and other information received before making a recommendation to the Regional Administrator about any new measure. If approved by the Regional Administrator, NMFS may implement the Council's recommendation by rulemaking.

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