

pleading must be filed with the Commission's duplicating contractor, International Transcription Services (ITS), 1231 Twentieth Street, NW, Washington, DC 20036, and one copy with the Chief, Competitive Pricing Division, 445 Twelfth St. SW, Fifth Floor, Washington, DC 20554.

54. Parties are also asked to submit comments and reply comments on diskette. Such diskette submission would be in addition to and not a substitute for the formal filing requirements addressed above. Such a submission should be on a 3.5-inch diskette formatted in an IBM compatible form using MS Dos 5.0 and WordPerfect 5.1 software. The diskette should be submitted in "read only" mode. The diskette should be clearly labeled with the party's name, proceeding, type of pleading (comment or reply comments), and date of submission. The diskette should be accompanied by a cover letter.

55. Written comments by the public on the proposed information collections are due April 9, 1999, and replies are due on or before April 26, 1999. The Office of Management and Budget (OMB) must submit written comments on the proposed information collections on or before 60 days after date of publication in the **Federal Register**. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, 445 Twelfth St. SW, Washington, DC 20554, Room 1-C804, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725 Seventeenth Street NW, Washington, DC 20503, or via the Internet to fain_t@al.eop.gov.

56. Alternative formats (computer diskette, large print, audio cassette and Braille) of the Report and Order and Further Notice of Proposed Rulemaking are available to persons with disabilities by contacting Martha Contee at (202) 418-0260 voice, (202) 418-2555 TTY, or mcontee@fcc.gov. The Notice can also be downloaded at: <http://www.fcc.gov/tdf/>.

57. Accordingly, *It is ordered*, pursuant to the authority contained in sections 1, 2, 4(i), 4(j), 201-205, 218-220, 225, and 254 of the Communications Act as amended, 47 U.S.C. 151, 152, 154(i), 154(j), 201-205, 218-220, 225, and 254, a Further Notice of Proposed Rulemaking *is hereby adopted*.

58. *It is further ordered* that the Commission's Office of Public Affairs, References Operations Division, *Shall*

send a copy of the Further Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 99-7788 Filed 4-2-99; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 99-90, RM-9528]

Radio Broadcasting Services; Socorro, NM

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Mountain West Broadcasting seeking the allotment of Channel 271C2 to Socorro, NM, as the community's second local commercial FM service. Channel 271C2 can be allotted to Socorro in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 34-03-42 NL; 106-53-48 WL. Mexican concurrence in the allotment is required since Socorro is located within 320 kilometers (199 miles) of the U.S.-Mexican border.

DATES: Comments must be filed on or before May 17, 1999, and reply comments on or before June 1, 1999.

ADDRESSES: Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Victor A. Michael, Jr., President, Mountain West Broadcasting, 6807 Foxglove Drive, Cheyenne, WY 82009 (Petitioner). **FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-90, adopted March 17, 1999, and released March 26, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC 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 contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

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* contacts.

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. 99-8240 Filed 4-2-99; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 223

[I.D. 030399A]

Endangered and Threatened Species; Petition to Delist Coho Salmon in Siskiyou County, California

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

ACTION: Notification of petition finding.

SUMMARY: NMFS has received a petition to delist coho salmon (*Oncorhynchus kisutch*) in Siskiyou County, California, from the endangered species list. NMFS has determined that the petition does not contain any new, substantial scientific or commercial information indicating that the petitioned action may be warranted.

DATES: The finding announced in this document was made on March 29, 1999.

ADDRESSES: Requests for information concerning this petition should be sent to Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, MD 20910; telephone: (301)713-1401.

FOR FURTHER INFORMATION CONTACT: Lisa Lierheimer at (301)713-1401.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. *et seq.*), requires that NMFS make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate that the petitioned action may be warranted. NMFS' standard for substantial information is stated at 50 CFR 424.14(b) as "that amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted." This finding is to be based on all information available to NMFS at the time. 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 the finding is positive, NMFS is also required to promptly commence a review of the status of the involved species.

NMFS has made a 90-day finding on a petition to delist coho salmon (*Oncorhynchus kisutch*) in Siskiyou County, California. The petition, dated January 4, 1999, was submitted by Mr. Richard A. Gierak, Director of New Frontiers Institute, Inc., and was received by NMFS on January 20, 1999. The petitioner requested that NMFS delist coho salmon (*Oncorhynchus kisutch*) in Siskiyou County, California. This population is included in the Southern Oregon/Northern California coho salmon Evolutionarily Significant Unit (ESU); the ESU was listed as a threatened species on May 6, 1997 (62 FR 24588).

The petitioner submitted information from various documents from 1985 through 1998, including NMFS publications, reports, and **Federal Register** documents of salmon listings, and from personal communications on the primary causative factors in the decline of coho salmon in northern California rivers. The petitioner identifies two categories of major factors contributing to the decline of northern California coho: nature (i.e., floods, fire, drought, El Nino), and human activities (i.e., the Marine Mammal Protection Act and the overpopulation of salmonid predators, the removal of salmonid eggs for hatchery production, ocean fishing, and the destruction of estuarine habitats along the coast).

Under section 4(a)(1) of the ESA and the listing regulations at 50 CFR

424.11(c), when a species is considered for listing, NMFS must determine whether the species is endangered or threatened due to any one or a combination of the following factors: (1) The present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanism; or (5) other natural or manmade factors affecting its continued existence.

Under 50 CFR 424.11(d), the factors considered in delisting a species are the same as those used to list a species. A species may be delisted only if the best scientific and commercial data indicates that the species is no longer threatened or endangered for the following reasons: (1) Extinction; (2) recovery (the point at which the purposes of the ESA are no longer required); or (3) subsequent investigation reveals that the original data or the interpretation of that data used to list the species was in error.

In its listing determination for coho salmon in the Southern Oregon/Northern California ESU (62 FR 24588, May 6, 1997), NMFS concluded that the current status of the population is the result of a wide range of long-standing, human-induced factors (i.e. habitat degradation, harvest, and artificial propagation) that serve to exacerbate the effects of environmental conditions that adversely impact coho salmon such as drought, poor ocean conditions, and flooding. The specific factors for decline of coho salmon that were identified in the petition (i.e. natural environmental change due to floods, fire, drought and El Nino, and human-induced activities associated with the management of marine mammal populations, fishing, and hatchery practices) were previously considered by NMFS in its listing determination and found to have contributed to the species decline. Information demonstrating that listed salmon have recovered or that the threats to salmon no longer exist were not presented in the petition.

NMFS has reviewed the petition, the literature cited in the petition, and other available literature and information. NMFS finds that the petitioned action does not present substantial scientific or commercial information indicating that delisting coho salmon in Siskiyou County, California, or the Southern Oregon/Northern California coho salmon ESU in which these populations are included, may be warranted.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: March 29, 1999.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 99-8181 Filed 4-2-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 223, 224, and 226

[Docket No. 960723205-9057-02; I.D. 121198A]

RIN 1018-AF45

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Species; Threatened Status for Southwestern Washington/Columbia River Coastal Cutthroat Trout in Washington and Oregon, and Delisting of Umpqua River Cutthroat Trout in Oregon

AGENCIES: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; Fish and Wildlife Service (FWS), Interior.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS completed a comprehensive status review of coastal cutthroat trout (*Oncorhynchus clarki clarki*) populations in Washington, Oregon, and California and has identified six Evolutionarily Significant Units (ESUs) within this range. Since that time, the question of whether NMFS or FWS (the Services, or we) has ESA jurisdiction over the species has arisen, and we have therefore agreed to resolve this matter before the final listing determination. In addition, the ESA requires FWS concurrence on NMFS ESA delisting determinations. Therefore, we are issuing this proposal jointly. We propose a rule to list one of the six cutthroat trout ESUs as threatened under the Endangered Species Act (ESA). The proposed ESU consists of coastal cutthroat trout populations in southwestern Washington and the Columbia River, excluding the Willamette River above Willamette Falls. We also propose to delist the Umpqua River cutthroat trout ESU currently listed as endangered. Information made available since that listing indicates Umpqua River cutthroat trout are part of a larger ESU