

77-25-17. The coordinates for Channel 297A at South Bristol Township are 42-44-47; 77-25-35. The coordinates for Channel 271A at Albion are 43-14-48; 78-11-36.

**DATES:** Comments must be filed on or before March 23, 1998, and reply comments on or before April 7, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Marissa G. Repp, Hogan & Hartson L.L.P., 555 Thirteenth Street, N.W., Washington, D.C. 20004-1109 (Counsel to 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. 98-8, adopted January 21, 1998, and released January 30, 1998. 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. 98-3220 Filed 2-9-98; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 98-9, RM-9216]

#### Radio Broadcasting Services; Pleasanton, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition by the City of Pleasanton, Kansas, requesting the allotment of Channel 268C3 to Pleasanton as the community's first local aural transmission service. Channel 268C3 can be allotted to Pleasanton in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 268C3 at Pleasanton are 38-10-30 NL and 94-42-42 WL.

**DATES:** Comments must be filed on or before March 23, 1998, and reply comments on or before April 7, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: John S. Sutherland, 522 Main Street, P.O. Box 117, Mound City, Kansas 66056 (Counsel for petitioner).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-9, adopted January 21, 1998, and released January 30, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC'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 contractor, ITS, 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. 98-3219 Filed 2-9-98; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[I.D. 012898B]

#### Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Reopening of Scoping Process for Hake

**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 reopening the scoping process for silver hake, offshore hake, and red hake; request for comments.

**SUMMARY:** The New England Fishery Management Council (Council) announces its intent to prepare an amendment to the Northeast Multispecies Fishery Management Plan (FMP) to conserve silver hake (whiting, *Merluccius bilinearis*), offshore hake (*Merluccius albidus*), and red hake (*Urophycis chuss*) stocks, and to prepare an SEIS to analyze the impacts of any proposed management measures. The Council also formally announces the reinitiation of a public process to determine the scope of issues to be addressed in the environmental impact analysis. The purpose of this notice is to alert the interested public of the reopening of the scoping process and to provide for public participation in compliance with environmental documentation requirements.

**DATES:** Written comments on the scope of the SEIS may be submitted until March 17, 1998. See **SUPPLEMENTARY INFORMATION** for specific dates and times of scheduled scoping meetings.

**ADDRESSES:** Written comments and requests for copies of the scoping document should be sent to Paul J. Howard, Executive Director, New

England Fishery Management Council, 5 Broadway, Saugus, MA 01906.

Scoping meetings will be held in New Jersey, New York, Rhode Island, and Massachusetts. See **SUPPLEMENTARY INFORMATION** for locations of the meetings.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, (781)-231-0422.

**SUPPLEMENTARY INFORMATION:**

**Background**

Silver hake and red hake became components of the multispecies fishery management unit in Amendment 4 to the FMP (56 FR 24724, May 31, 1991). At that time, a proposed 2.5-inch (6.35-cm) minimum mesh size for whiting was considered but not approved, because NMFS determined that it would do little to prevent overfishing. Also, the economic analysis failed to demonstrate a net benefit over a 10-year period, and members of the fishing industry in the Mid-Atlantic area commented that the mesh size increase would result in a disproportionate economic cost to them. Consequently, other than the measures adopted for the Cultivator Shoal whiting fishery, no regulations controlling fishing for either whiting or red hake have been developed following their incorporation into the multispecies management unit.

Fishing for whiting, offshore hake, and red hake is currently allowed without restriction in the Mid-Atlantic Regulatory Mesh Area, and in the Southern New England and Gulf of Maine/Georges Bank Regulated Mesh Areas, in times and areas where the regulatory bycatch of groundfish commonly referred to as "regulated species" has been determined to be less than 5 percent. This exemption applies year-round in Southern New England and in Small Mesh Area 1 and Small Mesh Area 2 in the Gulf of Maine. Experimental fisheries have also been undertaken to evaluate gear modifications, such as a separator grate or a raised footrope trawl, in reducing regulated species bycatch below the maximum acceptable level.

In 1993, whiting fishers brought concerns to the Council about the emergence of an export market for juvenile whiting. The Council's Groundfish Committee (Committee) formed a Whiting Subcommittee and an industry advisory panel that outlined some objectives and measures for a whiting management plan. The Committee held scoping meetings, including two in the Mid-Atlantic area in early 1994 (March 7 in Wall, New Jersey, and March 8 in Montauk, New

York). At that time, the Council staff prepared a draft public hearing document, but the Council suspended plan development efforts while it worked on Amendment 7 to the FMP.

The Whiting Subcommittee reconvened in June 1996. According to advisors, in the period between 1993 and 1996 the juvenile whiting fishery expanded significantly, raising concerns for the health of the resource. On the recommendation of advisors and the Committee, the Council established a control date of September 9, 1996, for whiting (September 9, 1996, 61 FR 47473) and announced that it is considering limiting future access to anyone not in possession of a multispecies limited access permit as of that date.

The whiting advisors raised the issue of offshore hake, which they reported was often mixed with silver hake, but historically has not been separated at the docks for the sake of landings data. They also asked about the impact of proposed management measures for silver hake on offshore hake fishing. In response, the Council obtained a scientific report from the Northeast Fisheries Science Center in October 1996. The report summarized available information and noted that very little is known about the offshore hake species. However, the Council agreed to include offshore hake in the FMP amendment addressing whiting.

In December 1996, the Whiting Subcommittee and advisors outlined a plan for whiting management. The Subcommittee agreed that, for management purposes, the whiting resource should be divided into two stocks: A northern stock in the Georges Bank/Gulf of Maine Regulated Mesh Area, and a southern stock in the Southern New England and Mid-Atlantic Regulated Mesh Areas. The Subcommittee recommended that, for management purposes, offshore hake be treated as a component of the southern stock of silver hake and that the Cultivator Shoal whiting fishery be managed separately.

Recently, the Council designated the Whiting Subcommittee as a full standing committee, tasked with developing an amendment to the FMP to conserve whiting stocks. According to the "Report on the Status of Fisheries of the United States," prepared by NMFS in September 1997, both red hake and the southern stock of silver hake are overfished, and the northern silver hake stock is approaching an overfished condition. Consequently, according to the Sustainable Fisheries Act (SFA) amendments to the Magnuson-Stevens Fishery Conservation and Management

Act, the Council must develop measures to end overfishing and rebuild these overfished stocks by September 30, 1998.

**Status of the Stocks**

The last stock assessment for whiting was presented to the Council in February 1994. This assessment was hampered by several problems, particularly by uncertainty about stock boundary definitions and discarding of juveniles, and by insufficient biological sampling to determine the length and age composition of the catch. More recently, recognition that a separate species (offshore hake) has been mixed with catches of silver hake compounds the difficulty of establishing an age-based assessment.

Based on analysis of landings and trawl survey data, the last assessment concluded that the Gulf of Maine/Northern Georges Bank stock was fully exploited and at a low level of abundance, although abundance appeared to be increasing. The assessment also concluded that the Southern Georges Bank/Middle Atlantic stock is overexploited and at a low level of abundance and that abundance continues to decline.

The impact of the juvenile (whiting) fishery over the past 5 years on stock status has not been measured. Given the truncated age-structure of the population of both silver hake stocks, the juvenile fishery may be detrimental to the resource.

To date, the status of the offshore hake stock has not been formally assessed, and no overfishing definition has been developed. Offshore hake is almost indistinguishable from, and often caught in combination with, silver hake. Therefore, conservation and management measures for silver hake should also address offshore hake. The scoping process will help the Council by providing input about appropriate management measures to conserve offshore hake.

The last stock assessment for red hake was conducted in 1990 (Stock Assessment Workshop/Stock Assessment Review Committee 11). Questions still remain regarding both the boundaries and the age structures of red hake stocks. While the available data are incomplete, precautionary steps can be taken to protect the resource and allow for a balanced and sustainable fishery. Additionally, in order to comply with the mandates of the SFA, the Council must address overfishing of red hake and work to rebuild the resource to a level capable of achieving optimum yield.

## Purpose

The purpose of the proposed amendment is to end and prevent overfishing on silver hake and red hake stocks, to provide basic protection for offshore hake, and to rebuild and maintain healthy spawning stocks in order to allow for a balanced, sustainable fishery that maximizes economic benefits without compromising the health of the resources.

## Management Options

### *Moratorium on Permits—Limited Access*

The Whiting Committee recommends that, in order to land whiting, a vessel without a current limited access multispecies permit must meet the following criteria: (1) That it held an open access, nonregulated multispecies permit as of the control date (September 9, 1996), and (2) that it had landed at least one pound of whiting prior to the control date. All vessels with a current limited access multispecies permit would retain access to the whiting fishery.

### *Southern Stock*

Management of the southern stock is complicated by the diversity of the fisheries where whiting is caught; specifically, the squid/whiting fishery uses a 1.88-inch (4.78-cm) mesh, and the other mixed-trawl fisheries use meshes of 2–2.5 inches (5–6.35 cm). The Council is considering requiring a vessel retaining whiting to use a codend of 2.5 inches (6.35 cm) or larger and to prohibit the retention of whiting on vessels using smaller mesh from June 1 to September 1 of each year. Vessels retaining whiting from September 1 through May 31 would be required to switch to a 2.5-inch (6.35-cm) mesh upon reaching a specific threshold amount of whiting on board. The minimum mesh size for retaining whiting from September 1 to May 31 would be the minimum mesh size for *Loligo* squid as determined by the Mid-Atlantic Fishery Management Council.

The Whiting Committee is also considering several options for a whiting trip limit, including a sliding scale trip limit based on overall vessel length. A trip limit may be imposed year-round or seasonally.

### *Northern Stock*

Scientific information indicates that the northern stock may be able to sustain a fishery utilizing both small and large whiting, provided the catch is limited or controlled. The Whiting Committee intends to consider results from experimental fisheries that have

evaluated grate/mesh size management strategies. The Whiting Committee recommends requiring a vessel retaining whiting to use a codend of 2.5 inches (6.35 cm) or larger if the vessel is not in an approved fishery requiring a separator grate. The Whiting Committee is also considering the same trip limit options for the northern stock as for the southern stock.

### *Other Measures Under Consideration*

The Council is also considering and will take comments on other management options, including (1) a minimum fish size for whiting of 11 inches (27.94 cm) with a 20-percent tolerance for undersized fish, with or without a minimum mesh size; (2) minimum mesh sizes up to 3 inches (7.62 cm), with or without a minimum fish size; (3) a square-mesh panel in the net and other gear modifications; (4) a raised footrope trawl design; (5) spawning area closures; and (6) a provision to utilize additional management tools from the FMP to manage these stocks in the future.

## Scoping Process

The Council discussed and took scoping comments at a previous meeting on March 12 and 13, 1997. A notice of intent to prepare an SEIS and notice of scoping process for silver hake and offshore hake stocks was published in the **Federal Register** on March 19, 1997 (62 FR 12983). Because both red hake and silver hake have recently been listed as overfished, the Whiting Committee felt that reopening the scoping process was necessary to receive further comments about managing silver hake, offshore hake, and red hake. Therefore, the Council will accept public comments about the scope of whiting, offshore hake, and red hake management at its next meeting on February 25, 1998, in Portsmouth, New Hampshire. Additional scoping meetings are scheduled as follows (a notice will be published in the **Federal Register** at a later date giving complete addresses for the meetings):

1. March 3, 1998, 7 p.m.—Holiday Inn, Toms River, NJ.
2. March 4, 1998, 7 p.m.—Holiday Inn at MacArthur Airport, Ronkonkoma, NY.
3. March 5, 1998, 4 p.m.—Holiday Inn at the Crossings, Warwick, RI.
4. March 9, 1998, 2 p.m.—Town Hall, Provincetown, MA.

Additional meetings of the Council, Whiting Committee, or Advisory Panel during the scoping period will provide opportunities for public comments on specific issues identified in the respective agendas.

All persons affected by, or otherwise interested in, whiting and red hake fisheries management are invited to participate in determining the scope and significance of issues to be analyzed by submitting written comments (see **ADDRESSES**). Scope consists of the range of actions, alternatives, and impacts to be considered. Alternatives include not developing a management plan, developing amendments to existing plans, or other reasonable courses of action. Impacts may be direct, indirect, individual, or cumulative. The scoping process will also identify and eliminate from detailed study issues that are not significant. Once a draft FMP amendment and an SEIS or Environmental Assessment are developed, the Council will hold public hearings to receive comments on them.

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

Dated: February 4, 1998.

**Bruce C. Morehead,**

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

[FR Doc. 98-3333 Filed 2-9-98; 8:45 am]

BILLING CODE 3510-22-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[I.D. 020398A]

### New England Fishery Management Council; Meeting

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

**ACTION:** Public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) will hold a 2-day public meeting on February 25 and 26, 1998, to consider actions affecting New England fisheries in the exclusive economic zone.

**DATES:** The meeting will be held on Wednesday, February 25, 1998, at 10 a.m., and on Thursday, February 26, 1998, at 8:30 a.m.

**ADDRESSES:** The meeting will be held at the Sheraton Portsmouth Hotel, 250 Market Street, Portsmouth, New Hampshire 03801; telephone (603) 431-2300. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, Massachusetts 01906-1097; telephone: (781) 231-0422.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New