

the Small Business Regulatory Enforcement Fairness Act of 1996, codified at 5 U.S.C. 801(a)(1)(A). A copy of this RFA will also be published in the Federal Register.

Ordering Clauses

15. Accordingly, *it is ordered* That § 1.420(f) of the Commission's Rules, 47 CFR 1.420(f), *is amended* as set forth below.

16. *It is further ordered* That any stay granted pursuant to Section 1.420(f) of the Commission's Rules, 47 CFR § 1.420(f), that is in effect on the effective date of this *Report and Order* is lifted.

17. *It is further ordered* That, pursuant to the Contract with America Advancement Act of 1996, the amendment set forth below will become effective September 23, 1996.

18. *It is further ordered* That this proceeding is terminated.

19. *Additional Information.* For additional information regarding this proceeding, please contact Paul Gordon, Mass Media Bureau, Policy and Rules Division, (202) 418-2130.

List of Subjects in 47 CFR Part 1

Administrative practice and procedure, Radio, Telecommunications, Television.

Federal Communications Commission.
William F. Caton,
Acting Secretary.

Rule Changes

Part 1 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. 151, 154, 303, and 309(j), unless otherwise noted.

2. Section 1.420 is amended by revising paragraph (f) to read as follows:

§ 1.420 Additional procedures in proceedings for amendment of the FM or TV Tables of Allotments.

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(f) Petitions for reconsideration and responsive pleadings shall be served on parties to the proceeding and on any licensee or permittee whose authorization may be modified to specify operation on a different channel, and shall be accompanied by a certificate of service.

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[FR Doc. 96-21444 Filed 8-22-96; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 94-126; RM-8531]

Radio Broadcasting Services; Willows, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 292A to Willows, California, as that community's first local FM transmission service, in response to a petition for rule making filed by KIQS, Inc. See 59 FR 59394, November 17, 1994. Coordinates used for Channel 292A at Willows are 39-25-56 and 122-04-50. With this action, the proceeding is terminated.

DATES: Effective September 23, 1996. The window period for filing applications will open on September 23, 1996, and close on October 24, 1996.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 292A at Willows, California, should be addressed to the Audio Services Division, (202) 418-2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 94-126, adopted August 2, 1996, and released August 9, 1996. 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 contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

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: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Willows, Channel 292A.

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 660

[Docket No. 960126016-6121-04; I.D. 081596B]

Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustments From the U.S.-Canadian Border to Cape Falcon, OR, and From Sisters Rocks to Mack Arch, OR

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

ACTION: Inseason adjustments.

SUMMARY: NMFS announces inseason increases to the non-treaty and treaty Indian coho salmon ocean fishery quotas in the area from the U.S.-Canadian border to Cape Falcon, OR. The increase to the non-treaty quota is apportioned between the commercial troll and recreational fisheries and among recreational subareas according to the coho salmon allocation provisions contained in the Fishery Management Plan for the Ocean Salmon Fisheries off the Coasts of Washington, Oregon, and California. NMFS also announces that the commercial salmon fishery in the area from Sisters Rocks to Mack Arch, OR, opened 7 days a week beginning August 15, 1996. This adjustment is intended to provide additional fishing opportunity to commercial fishermen and maximize the harvest of chinook salmon without exceeding the ocean share allocated to the commercial fishery in this area.

DATES: Modification of the coho salmon quotas is effective August 22, 1996, through September 30, 1996. Modification of the fishing season is effective 0001 hours local time, August 15, 1996, through 2400 hours local time, August 31, 1996. Comments will be accepted through September 6, 1996.

ADDRESSES: Comments may be mailed to William Stelle, Jr., Director, Northwest Region, NMFS (Regional Director), NOAA, 7600 Sand Point Way NE., Seattle, WA 98115-0070. Information relevant to this action has been

compiled in aggregate form and is available for public review during business hours at the office of the Regional Director.

FOR FURTHER INFORMATION CONTACT: William L. Robinson, 206-526-6140.

SUPPLEMENTARY INFORMATION: In the annual management measures for ocean salmon fisheries (61 FR 20175, May 6, 1996), NMFS announced that the non-treaty commercial and recreational salmon fisheries in the area from the U.S.-Canadian border to Cape Falcon, OR, are closed unless the conditions allowing the contingency seasons are met. Agreement was reached between the United States and Canada that the Canadian harvest of coho salmon off the west coast of Vancouver Island (WCVI) would be less than 1 million fish. At this harvest level, the contingency seasons could be opened and adjustments to the non-treaty coho total allowable catch (TAC) could be made, implemented by inseason management. U.S. fishery managers agreed at that time that any additional harvest opportunity on coho salmon would be provided to the inside fisheries instead of the ocean fisheries. Therefore, when the contingency seasons opened, the non-treaty ocean TAC was set at 75,000 coho. The overall treaty Indian troll ocean quota was increased to 25,000 coho as provided for in the annual management measures (61 FR 40157, August 1, 1996).

The annual management measures state that, at a harvest level of less than 1.1 million coho salmon off WCVI, the non-treaty coho TAC may be increased above 75,000, contingent on the following criteria being met: Allocating at least 50 percent of the savings from WCVI harvest reductions below 1.2 million coho to spawner escapement of the critical coho stocks; no increase in estimated Oregon coastal natural coho impacts above those modeled under the assumptions of the season structure presented in the contingency seasons for an assumed WCVI harvest of 1.2 million coho; and agreement among all relevant state and tribal fishery managers. Any adjustments to the non-treaty coho TAC would be implemented by inseason management.

On August 7, the Regional Director consulted with fishery managers of the States of Washington and Oregon and the affected northwest treaty Indian tribes, and the Chairman of the Pacific Fishery Management Council, regarding further discussions and a

recommendation to increase coho salmon quotas above the levels in the contingency regime. The best available analysis of impacts of the increased quotas indicates that at least 50 percent of the savings from the reduction in harvest level will accrue to spawner escapements of the critical coho stocks, and that overall impacts on Oregon coastal natural coho salmon are neutral. Therefore, the criteria for adjustments to the non-treaty coho TAC were met.

NMFS is increasing the non-treaty coho salmon ocean quota north of Cape Falcon, OR, by 8,000 fish, from 75,000 to 83,000 fish. The overall non-treaty increase is distributed between the commercial and recreational fisheries, with the troll fishery quota increasing from 18,800 to 20,800 fish. The recreational quota increases are further distributed among the four subareas north of Cape Falcon, with the quota in the subarea from the U.S.-Canadian border to Cape Alava, WA, increasing from 5,800 to 6,400 fish; the quota in the subarea from Cape Alava to the Queets River, WA, increasing from 1,500 to 1,700 fish; the quota in the subarea from the Queets River to Leadbetter Point, WA, increasing from 20,800 to 23,000 fish; and the quota in the subarea from Leadbetter Point, WA, to Cape Falcon, OR, increasing from 28,100 to 31,100 fish. NMFS is also increasing the overall treaty Indian coho salmon ocean quota by 5,000 fish, from 25,000 to 30,000 fish.

In the annual management measures, NMFS announced that the 1996 commercial fishery for all salmon except coho salmon in the area from Sisters Rocks to Mack Arch, OR, would open August 3, with the season to follow a cycle of 2 days open and 2 days closed, until the earlier of August 31 or attainment of the 3,000 chinook salmon quota.

The best available information on August 12 indicated that commercial catches for the first three open periods (August 3-4, 7-8, and 11-12) totaled slightly over 500 chinook salmon. The preseason objective for implementing the open/closure cycle was to dampen catch rates and prevent the quota from being attained too quickly or exceeded by a large amount. The preseason management measure that opened this fishery for 2-day periods is being rescinded, because its use as a catch dampening measure is considered to be too restrictive. Conversion to a fishing season open 7 days per week will

provide additional fishing opportunity to commercial fishermen to increase access to chinook salmon. This adjustment was effective starting with the opening of the next scheduled period on August 15.

Modifications of quotas and fishing seasons are authorized by regulations at 50 CFR 660.409(b)(1)(i). All other restrictions that apply to these fisheries remain in effect as announced in the annual management measures.

The Regional Director consulted with representatives of the Washington Department of Fish and Wildlife, Oregon Department of Fish and Game, treaty Indian tribes, and Pacific Fishery Management Council regarding this action. The States of Washington and Oregon will manage the non-treaty commercial and recreational fisheries in State waters adjacent to these areas of the exclusive economic zone consistent with this Federal action. The treaty Indian tribes will manage the treaty troll fisheries in accordance with the revised coho quota. As provided by the inseason action procedures of 50 CFR 660.411, actual notice to fishermen of the modification of fishing season was given prior to August 15, 1996 (reopening date of the commercial fishery between Sisters Rocks and Mack Arch, OR) and actual notice to fishermen for the inseason increases to the non-treaty and treaty Indian coho salmon ocean fishery quotas was given on August 15, 1996, by telephone hotline number 206-526-6667 or 800-662-9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz. Because of the need for immediate action to adjust these fisheries in a timely manner, NMFS has determined that good cause exists for this action to be issued without affording a prior opportunity for public comment. This action does not apply to other fisheries that may be operating in other areas.

Classification

This action is authorized by 50 CFR 660.409 and 660.411 and is exempt from review under E.O. 12866.

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

Dated: August 19, 1996.

Richard H. Schaefer,
Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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