

Sections 4.1.400 and 4.1.401; Subpart V, Sections 4.1.500 and 4.1.501; Subpart VI, Sections 4.1.600 and 4.1.601; Subpart VII, Section 4.1.700; Subpart VIII, Section 4.1.800; Subpart IX, Sections 4.1.900, 4.1.901.B.1 through 4.1.901.B.6; and Subpart X, Section 4.1.1103. Copies of the New Mexico regulations can be obtained from the New Mexico Commission of Public Records, State Records Center and Archives, State Rules Division, 404 Montezuma Avenue, Santa Fe, NM 87501-2502.

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[FR Doc. 98-11280 Filed 4-27-98; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 96-171; RM-8846, RM-9145]

#### Radio Broadcasting Services; Indian Springs, NV, Mountain Pass, CA, Kingman, AZ, St. George, UT

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Claire B. Benezra, substitutes Channel 257C for Channel 257A at Indian Springs, NV, and modifies the construction permit of Station KPXC to specify operation on the higher powered channel. To accommodate the allotment at Indian Springs, Channel 259B is substituted for Channel 258B at Mountain Pass, CA, Channel 261C2 is substituted for Channel 260C2 at Kingman, AZ, and Channel 260C is substituted for Channel 259C at St. George, UT. The licenses of Stations KHYZ, KGMN and KZEZ are modified respectively. See 61 FR 44287, August 28, 1996. At the request of Indian Springs Broadcasting Company and Calvin J. and Lois A. Mandel, Channel 272C is allotted to Indian Springs. With this action, this proceeding is terminated.

**DATES:** Effective June 1, 1998. A filing window for Channel 272C at Indian Springs, NV, 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.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report

and Order, MM Docket No. 96-171, adopted April 8, 1998, and released April 17, 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.

Channel 257C can be allotted to Indian Springs in compliance with the Commission's minimum distance separation requirements with a site restriction of 21.2 kilometers (13.2 miles) southwest to accommodate petitioner's desired transmitter site. Channel 272C can be allotted to Indian Springs with a site restriction of 18.4 kilometers (11.4 miles) northwest to avoid a short-spacing to Station KFMS-FM, Channel 270C, Las Vegas, Nevada. Channel 261C2 can be allotted to Kingman, Arizona, at Station KGMN's licensed transmitter site. Channel 260C can be allotted to St. George, Utah, at Station KZEZ's licensed transmitter site. Channel 259B can be allotted to Mountain Pass, California, at Station KHYZ's licensed transmitter site. The coordinates for Channel 257C at Indian Springs, NV, are 36-25-18 N; 115-48-35 W. The coordinates for Channel 272C at Indian Springs are 36-41-41; 115-48-37. The coordinates for Channel 261C2 at Kingman, AZ, are 35-06-37; 113-52-55. The coordinates for Channel 260C at St. George, UT, are 36-50-49; 113-29-28. The coordinates for Channel 259B at Mountain Pass, CA, are 35-29-27; 115-33-27. Concurrence by the Mexican government in the allotments at Kingman and Mountain Pass has been received since both communities are located within 320 kilometers (199 miles) of the U.S.-Mexican border.

#### 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 Arizona, is amended by removing Channel 260C2 and adding Channel 261C1 at Kingman.

3. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Channel 258B

and adding Channel 259B at Mountain Pass.

4. Section 73.202(b), the FM Table of Allotments under Nevada, is amended by removing Channel 257A and adding Channel 257C and Channel 272C at Indian Springs.

5. Section 73.202(b), the FM Table of Allotments under Utah, is amended by removing Channel 259C and adding Channel 260C at St. George.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 98-11097 Filed 4-27-98; 8:45 am]

BILLING CODE 6712-01-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 222 and 227

[Docket No. 961217358-6358-01; I.D. 041995B]

RIN 0648-XX77

#### Threatened Fish and Wildlife; Change in Listing Status of Steller Sea Lions Under the Endangered Species Act; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects the preamble to a final rule (I.D. 041995B) published in the *Federal Register* of May 5, 1997, regarding the Change in the Listing Status of Steller Sea Lions under the Endangered Species Act. This correction clarifies the scope of this final rule.

**DATES:** April 27, 1998.

**FOR FURTHER INFORMATION CONTACT:** Margot Bohan, NMFS/FPR, 301-713-2322.

#### SUPPLEMENTARY INFORMATION:

##### Need for Correction

As published, a description was inappropriately inserted in the last sentence of the summary section describing the populations affected by this listing change. This error changed the intent of the final rule by appearing to focus only on the U.S. population segment of Steller sea lions, as opposed to focusing on the Steller sea lion species throughout its entire range.

Accordingly, the publication of the final rule FR Doc. 97-11668, that

published on May 5, 1997 (62 FR 24345), is corrected as follows:

On page 24345, in the third column, in the last line of the summary, remove "U.S." before the words "Steller sea lion population."

Dated: April 22, 1998.

**Rolland A. Schmitt,**

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

[FR Doc. 98-11244 Filed 4-27-98; 8:45 am]

BILLING CODE 3510-22-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 971015246-7293-02; I.D. 041398A]

#### Fisheries of the Northeastern United States; Summer Flounder and Scup Fisheries; Readjustments to 1998 Quotas; Commercial Summer Period Scup Quota Harvested for Maryland

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

**ACTION:** Commercial quota adjustment, notice of commercial quota harvest.

**SUMMARY:** NMFS issues this notification announcing adjustments to the 1998 summer flounder commercial state quotas and the 1998 scup Summer period state quotas. This action complies with regulations implementing the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP), which require that landings in excess of a state's annual summer flounder commercial quota and Summer period scup commercial quota be deducted from a state's respective quota the following year. The public is

advised that quota adjustments have been made, and is informed of the revised quotas for the affected states.

**DATES:** Effective April 23, 1998, through December 31, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Regina L. Spallone, Fishery Policy Analyst, 978-281-9221.

#### SUPPLEMENTARY INFORMATION:

##### Summer Flounder

Regulations implementing summer flounder management measures are found at 50 CFR part 648, subparts A and G. The regulations require annual specification of a commercial quota that is apportioned among the Atlantic coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.100. The final specifications for the 1998 summer flounder fishery, adopted to ensure achievement of a fishing mortality rate (F) of 0.24 for 1998, set a commercial quota equal to 11,105,636 lb (5.0 million kg) (62 FR 66304, December 18, 1997).

Section 648.100(d)(2) provides that all landings for sale in a state shall be applied against that state's annual commercial quota. Any landings in excess of the state's quota must be deducted from that state's annual quota for the following year. NMFS published a preliminary adjustment to the states' annual quotas on January 23, 1998 (63 FR 3478), that deducted for state overages in the 1997 fishery. When those data were presented, NMFS noted that the data used in making the adjustments were preliminary, and if additional data became available that altered the figures, an additional adjustment would be necessary. Since that time, additional data have been submitted by state fisheries agencies and federally permitted dealers who submitted late reports. Additional landings were reported as the result of

NMFS Law Enforcement investigations. Further Law Enforcement investigations are ongoing and a resulting quota adjustment from those investigations will be published if necessary.

Based on dealer reports and other available information, NMFS has determined that the States of Maine, Massachusetts, Connecticut, New York, Delaware, Maryland, Virginia, and North Carolina exceeded their 1997 quotas. The remaining States of New Jersey, Rhode Island, and New Hampshire did not exceed their 1997 quotas. This finding differs from that noted in the notice of preliminary quota adjustment, published on January 23, 1998 (63 FR 3478). At that time, Connecticut and Virginia did not appear to have exceeded their 1997 quotas.

The final 1997 landings and overages for all states and how those landings compare with the 1997 landings originally reported in the January notice are given in Table 1. This table illustrates that, in the following states, the revised 1997 landings resulted in additional overage to a state's quota: Massachusetts, New York, Delaware, Maryland, and North Carolina. There was no change to the data reported in Maine and New Hampshire. In the State of Rhode Island, revised landings are fewer than what were originally reported. The State of New Jersey showed additional landings, but those data still did not result in an overage for that State. Based on the revised data, the State of Connecticut and the Commonwealth of Virginia changed from a no-overage status to an overage. The revised 1998 commercial summer flounder quota for each state is given in Table 2. While this action adjusts the final quotas allocated to the states, it does not alter the notification of commercial quota harvest in the State of Delaware as indicated in that January notice.

TABLE 1.—SUMMER FLOUNDER FINAL 1997 COMMERCIAL LANDINGS COMPARED TO THE PRELIMINARY 1997 LANDINGS, BY STATE

| State 1997 | 1997 quota <sup>1</sup> |                   | Preliminary 1997 landings <sup>2</sup> |           | Final 1997 landings |           | Final 1997 overage |        |
|------------|-------------------------|-------------------|--|-----------|---------------------|-----------|--------------------|--------|
|            | Lb                      | (Kg) <sup>3</sup> | Lb                                     | (Kg)      | Lb                  | (Kg)      | Lb                 | (Kg)   |
| ME .....   | 2,342                   | 1,062             | 2,835                                  | 1,286     | 2,835               | 1,286     | 493                | 224    |
| NH .....   | 51                      | 23                | 0                                      | 0         | 0                   | 0         | 0                  | 0      |
| MA .....   | 709,229                 | 321,701           | 745,105                                | 337,974   | 745,171             | 338,004   | 35,942             | 16,303 |
| RI .....   | 1,596,443               | 724,134           | 1,584,641                              | 718,781   | 1,557,867           | 706,637   | 0                  | 0      |
| CT .....   | 246,924                 | 120,031           | 246,924                                | 112,003   | 247,258             | 112,154   | 334                | 151    |
| NY .....   | 754,343                 | 342,164           | 814,027                                | 369,236   | 815,741             | 370,014   | 61,398             | 27,850 |
| NJ .....   | 1,323,474               | 600,318           | 1,316,837                              | 597,307   | 1,319,446           | 598,491   | 0                  | 0      |
| DE .....   | <sup>4</sup> (5,662)    | (2,568)           | 4,393                                  | 1,993     | 5,187               | 2,353     | 10,849             | 4,921  |
| MD .....   | 188,254                 | 85,391            | 203,961                                | 92,515    | 214,948             | 97,499    | 26,694             | 12,108 |
| VA .....   | 2,294,793               | 1,040,901         | 2,253,809                              | 1,022,311 | 2,305,985           | 1,045,977 | 11,192             | 5,077  |