computer systems. All sessions will be open to the public.

DATES: The meeting will be held on September 16, 17, and 18, 1997, from 9:00 a.m. to 5:00 p.m.

ADDRESSES: The meeting will take place at the National Institute of Standards and Technology, Gaithersburg, Maryland in the Administration Building, in Lecture Room A on September 16 and 17 and in Lecture Room B on September 18.

Agenda

—Welcome and Overview

—Issues Update and Briefings

—Federal Security Impacts—Pending Legislation

—Update on Computer Security Act of 1987 Revision

—Federal Computer Incident Response Capability (FedCIRC) Update

—CIO Council Briefings

—Discussion

—Pending Business

—Public Participation

—Agenda Development for December Meeting and Planning for 1998

—Wrap-Up

PUBLIC PARTICIPATION: The Board agenda will include a period of time, not to exceed thirty minutes, for oral comments and questions from the public. Each speaker will be limited to five minutes. Members of the public who are interested in speaking are asked to contact the Board Secretariat at the telephone number indicated below. In addition, written statements are invited and may be submitted to the Board at any time. Written statements should be directed to the Information Technology Laboratory, Building 820, Room 426, National Institute of Standards and Technology, Gaithersburg, MD 20899–0001. It would be appreciated if fifteen copies of written material were submitted for distribution to the Board by September 9. Approximately 20 seats will be available for the public and media.

FOR FURTHER INFORMATION CONTACT:

Mr. Edward Roback, Board Secretariat, Information Technology Laboratory, National Institute of Standards and Technology, Building 820, Room 426, Gaithersburg, MD 20899–0001, telephone: (301) 975–3696.

Dated: August 19, 1997.

Elaine Bunten-Mines,

Director, Program Office.

[FR Doc. 97–22483 Filed 8–22–97; 8:45 am]

BILLING CODE 3510–13–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

August 1993 Tampa Bay Oil Spill: Notice of Availability of a Final Damage Assessment and Restoration Plan and the Environmental Assessment of That Plan

AGENCIES: National Oceanic and Atmospheric Administration (NOAA), Commerce, United States Department of the Interior (DOI), and Department of Environmental Protection, State of Florida (Florida DEP).

ACTION: Notice of availability of a final damage assessment and restoration plan and of an environmental assessment of that plan.

SUMMARY: Notice is given that the document entitled *Final Damage Assessment and Restoration Plan for the 1993 Tampa Bay Oil Spill, Volume I—Ecological Injuries* (Final DARP, Volume I) has been approved by the NOAA, DOI, and Florida DEP and is available to the public. This document is the first part of the damage assessment and restoration plan to be completed by the State and Federal natural resource trustees to assess natural resource damages for the injury, loss, destruction and lost use of natural resources which resulted from the August 1993 oil spill in Tampa Bay, Florida. The Final DARP, Volume I, identifies the methods that will be used to restore and compensate for natural resources injuries and losses of an ecological nature.

ADDRESSES: Requests for copies of the Final DARP, Volume I, should be sent to Jim Jeansonne of NOAA Damage Assessment Center, 9721 Executive Center Drive N., Suite 134, St. Petersburg, FL 33702, or Jane Urquhart-Donnelly of the Florida DEP, Bureau of Emergency Response, 8407 Laurel Fair Circle, Rm. 214, Tampa, FL 33610.

FOR FURTHER INFORMATION CONTACT: Jim Jeansonne of the NOAA Damage Assessment Center, (813) 570–5391 or Jane Urquhart-Donnelly of the Florida DEP, (813) 744–6462.

SUPPLEMENTARY INFORMATION: On August 10, 1993, at approximately 5:45 a.m., the tank barge ''OCEAN 255'' and the tank barge ''B–155'' collided with the freighter ''BALSA 37'' just south of Mullet Key in lower Tampa Bay, Florida. The collision resulted in damage to the vessels and the discharge of approximately 32,000 gallons of Jet A fuel, diesel, and gasoline, and 330,000 gallons of #6 fuel oil, into Tampa Bay. A number of different natural resources were eventually exposed to oil as a result of these discharges, including mangroves, seagrasses, salt marshes, birds, sea turtles, shellfish beds, bottom sediments, sandy shorelines and the estuarine water column, with a variety of direct injuries and lost uses of natural resources documented to have resulted from such exposure.

The incident is subject to the authority of the Oil Pollution Act of 1990, 33 U.S.C. 2701–2761 (OPA), the Federal Water Pollution Control Act, 33 U.S.C. 1321 et seq. (FWPCA) and the Florida Pollutant Discharge and Control Act, Fla. Stat. 376.121. NOAA, DOI, and Florida DEP are trustees for natural resources pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., OPA, the FWPCA, subpart G of the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR 300.600–300.615, and, in the case of the Florida DEP, the Florida Pollutant Discharge and Control Act, Fla Stat. 376.121 (1994), and in the case of the Federal trustees, Executive Order 12777.

The Final DARP, Volume I, is the assessment and restoration plan developed by the trustees to address the direct injuries to natural resources and the interim losses of ecological resource services caused by the spill. This final document also includes the Federal trustees' Environmental Assessment (EA) of the restoration plan pursuant to the National Environmental Policy Act (NEPA). The EA, which is fully integrated into the Final DARP, Volume I, represents the Federal trustees' evaluation of the likely impacts of alternatives proposed for resource recovery and compensation on the human environment. The EA was considered by the federal trustees in making determinations required by NEPA and decisions on the restoration plan for ecological injuries.

In developing the assessment and restoration plan for ecological injuries, the trustees prepared and publicly released a proposed plan, the Draft DARP, Volume I, dated December 1995 (Draft DARP). Notices published in the **Federal Register** on January 19, 1996 (61 Fed. Reg. 1357) and in the *St. Petersburg Times,* a newspaper of general circulation among communities in the Tampa Bay area, on January 7, 1996 announced the availability of the Draft DARP and a 45 day period for public comment on the proposed plan. Copies of the Draft DARP were also available for public review at the St. Petersburg Public Library, Main Library Reference Dept., in St. Petersburg, FL,

during the public review period. The period for public review of the document ended on March 4, 1996.

Comments and Responses

The trustees received two letters commenting on the Draft DARP. Both letters presented comments on the assessment and restoration plan proposed for bird injuries at Section 4.4 of the Draft DARP. The comments presented in these letters were considered by the trustees in making decisions on the final plan. Principal comments and responses are summarized in Section 7.0 of the Final DARP, Volume I. The comments received and the trustees responses thereto are also discussed in this notice.

Procedure To Assess Bird Injuries

Comment: One commenter criticized the procedure proposed to assess injuries to birds (number of oiled/injured birds treated at rehabilitation centers times correction factor of two) on several grounds. The commenter considered rehabilitation center records inadequate alone to assess the bird injuries. To properly account for all bird losses, the commenter felt a determination of carcass stranding and recovery rates based upon systematic surveys would be required. The commenter questioned the Draft DARP's view that the recovery rate for oiled birds was likely high for the Tampa Bay spill, particularly for brown pelicans. Further, the correction factor approach was characterized as unscientific and its use in the DARP was questioned where, in the commenter's view, more reliable methods were available at reasonable cost.

Response: The trustees realize that more birds were likely affected by the spill than were documented or accounted for in the rehabilitation center records. Sublethal effects to individual birds exposed to oil do occur and some birds may fail to rejoin wild populations and breed after release. The inability of assessment activities to comprehensively account for all birds injuries following an oil spill is a common problem, particularly where seabirds are affected. The correction factor approach addresses these uncertainties and is based, in part, on experience gained in the Exxon Valdez oil spill. It also reflects circumstances or facts associated with the Tampa Bay spill which indicate the effects of this spill on birds, including brown pelicans, may have been more limited than in other oil spill situations. The intense response efforts, the density and use patterns of humans in the impact areas, the bird species involved, and timing of the spill relative to the nesting and fledging of young are among the factors which increased the likelihood that oiled birds would be detected, with subsequent documentation of their species and condition and opportunity for their rehabilitation. For the Tampa Bay oil spill, the trustees consider the correction factor approach to represent a reasonable and valid adjustment to account for oiled birds that would not have been detected.

The trustees are aware that there are other ways to approach an assessment of bird injuries, and that other procedures can provide information for use in such an assessment, including models or systematic surveys. The trustees considered some of these other options early in the assessment process, however, given the particular circumstances of this spill and facts suggesting that its impact on birds was relatively small vis-a-vis local populations, the simplified procedure is preferable to more complex and costly procedures.

Comment: The same commenter noted that the Draft DARP did not specifically address the survival rates of oiled birds following rehabilitation.

Response: This was an oversight by the trustees and has been corrected in the Final DARP by including return rates and other information on injured brown pelicans which were banded and released following their rehabilitation.

Restoration Plan for Birds

Comment: The same commenter challenged the proposed selection of the 'no action' alternative to achieve primary restoration of bird injuries. The commenter noted alternatives were available to the trustees which could positively affect or benefit the recovery of affected bird populations. The commenter also questioned whether the restoration planned for mangroves and beaches, as presented in the Draft DARP, would really assist with natural recovery from direct injuries to birds.

Response: These comments were appropriate. Upon further review of the Draft DARP, the trustees realized that the restoration plan for birds did not make the appropriate distinction between restoration actions to address primary injuries versus restoration actions to compensate for interim losses. This problem was reflected throughout Section 4.4.6 in the Draft DARP, including in the statement of restoration objectives, the presentation of restoration alternatives and the identification of preferred actions in the restoration plan for birds. In the Final DARP, Volume I, the restoration plan for birds at Section 4.4.6 has been revised and reorganized to correctly present and consider primary restoration actions rather than compensatory alternatives in addressing the direct injuries to birds. As a result, primary restoration actions now consist of alternatives that can achieve direct restoration of birds. Restoration of birds to the environment is to be accomplished by actions which will either increase the number of birds in the Tampa Bay area, or decrease the number of injuries to birds that might remove them from the environment.

In the Final DARP, the ''no action'' alternative is selected for compensatory restoration because the interim losses associated with bird injuries are considered to be of short duration and adequately addressed in the Final DARP by restoration actions selected to address injuries to mangroves, salt marshes, oyster reefs and seagrasses. The changes to Section 4.4.6 are consistent with the injury and damage assessment for birds. Appendix F to the Final DARP contains a more detailed description of the revisions made to Section 4.4.6.

Comment: The same commenter felt it inappropriate to include the operation of wildlife rehabilitation centers as a possible restoration action for birds, for several reasons. The commenter noted rehabilitated birds, particularly those rehabilitated following oiling, are not ''healthy'' birds and are not replacements for healthy birds injured due to an oil spill. He questioned the degree to which funding of rehabilitation actions would directly benefit the recovery of bird populations in the future, including during future spills, and the ability of the trustees to scale or determine those benefits in defining restoration actions. The commenter believes these actions are more appropriate for consideration in the context of oil spill response preparation and planning, rather than as restoration actions for birds.

Response: The trustees are aware that rehabilitation of injured birds, either after being oiled by a spill or from injury due to other causes, does not always restore a bird to a fully functional condition. However, when properly permitted and operated, bird rehabilitation centers are currently considered by both federal and Florida natural resource management agencies to be reasonably effective in returning birds to a condition where they are fit to survive in the wild. The trustees are using the estimated costs of rehabilitating 732 birds for release into the wild to replace the same number of birds injured by this spill.

Comment: This commenter addressed specific restoration alternatives

considered in the Draft DARP. He observed that endangered bird species recovery projects have the potential to benefit bird populations. He noted that predator control actions can be an effective tool in bird management programs. He also felt the Draft DARP's characterization of captive breeding programs as costly, ineffective, and of questionable success was overbroad and should be clarified as related to this spill situation.

Response: The trustees agree that endangered bird species recovery projects have the potential to benefit bird populations. However, this spill had no apparent direct or indirect effect on any endangered bird species in the Tampa Bay area. This alternative was eliminated from further consideration on that basis. With respect to predator control, the trustees are aware that some predator control is practiced in the Tampa Bay area but there are complex issues involved in the control of one species for the benefit of another. Such actions risk changes to ecological dynamics in target areas and can lead to unforseen ecosystem disruptions. Further, in this instance, it is not clear to the trustees that such actions would, in fact, enhance long-term recruitment of relevant bird populations. The trustees are also concerned about the cost of implementing such actions. In the Final DARP, this option is not selected. Finally, the trustees' views on captive breeding programs have been clarified in the Final DARP.

Comment: The second commenter expressed strong support for training of rehabilitation facility personnel and volunteers in oiled wildlife management as a restoration option for birds. The commenter advocated training of Tampa and Boca Ciega Bay wildlife rehabilitators and their volunteers in the proper operation of an emergency facility and in the latest techniques in rehabilitating oiled wildlife of various species, noting that such actions would provide a larger pool of state permitted rehabilitators trained to implement emergency oil spill response operations.

Response: The trustees agree that training of rehabilitation facility personnel and volunteers, such as the commenter described, can enhance bird rescue and rehabilitation capabilities in the community and prevent bird mortalities in the future. Accordingly, training activities of this nature are within the scope of restoration actions that may be implemented in accordance with the Final DARP, Volume I, to restore or facilitate the recovery of birds injured by the spill. Selected restoration options, identified at Section 4.4.6.A, include using funds recovered to augment the operations of existing bird rehabilitation organizations and network in the Tampa Bay area (Alternative 5), to ensure existing bird and wildlife rescue equipment is maintained (Alternative 6), to acquire equipment for small spill response support (Alternative 7), and/or to support removal of monofilament fishing line from bird habitats in Boca Ciega Bay (Alternative 8). In implementing the restoration plan for birds, final funding decisions will be based primarily on the relative ability of candidate projects to meet the primary restoration objective identified for birds and the funds available to implement restoration actions for birds.

Comment: The second commenter also requested that the National Audubon Society of Tampa be eligible for funding to continue collecting baseline data on bird species distribution in the area noting that this data could be used to calculate future damages.

Response: As outlined in the Final DARP, Volume I, the restoration plan to be implemented for birds will apply recovered funds to augment existing bird rescue or rehabilitation capabilities and/or support removal of fishing line from bird habitats in the area impacted by the spill. These activities address the injuries to birds caused by the spill by ensuring that, in the future, more birds will be restored to the environment and/or fewer birds will be lost by reducing a source of bird mortalities. While the trustees' recognize the importance of baseline data on bird populations, the restoration plan is focused on actions to restore or replace injured birds.

Dated: August 15, 1997.

Nancy Foster,

Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.

[FR Doc. 97–22335; Filed 8–22–97; 8:45 am]

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DEPARTMENT OF COMMERCE

Technology Administration

Technology Administration Performance Review Board Membership, September 1997

The Technology Administration Performance Review Board reviews performance appraisals, agreements, and recommended actions pertaining to employees in the Senior Executive Service and reviews performance-related pay increases for ST–3104 employees. The Board makes recommendations to the appropriate Appointing Authority concerning such matters so as to ensure the fair and equitable treatment of these individuals.

The following is the full membership of the Board:

Kelly H. Carnes (NC), Deputy Assistant Secretary for Technology Policy, Technology Administration, Washington, DC 20230, Appointment Expires: 12/31/98

Karl E. Bell (C), Deputy Director of Administration, Office of the Director of Administration, National Institute of Standards and Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/99

Elaine Bunten-Mines (C), Director, Program Office, Office of the Director, National Institute of Standards and Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/99

Andrew J. Fowell (C), Associate Director for Construction and Building, Building and Fire Research Laboratory, National Institute of Standards and Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/97

Rosalie T. Ruegg (C), Director, Economic Assessment Office, Advanced Technology Program, National Institute of Standards and Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/99

Stephen W. Freiman (C), Chief, Ceramics Division, Materials Science and Engineering Laboratory, National Institute of Standards and Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/99

Kent Hughes, Associate Deputy Secretary of Commerce, U.S. Department of Commerce, Washington, DC 20230, Appointment Expires: 12/31/99

Richard F. Kayser, (C), Chief, Physical and Chemical Properties Division, Chemical Science and Technology Laboratory, National Institute of Standards and Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/98

Ronald E. Lawson (C), Associate Director for Financial and Administrative Management, National Technical Information Service, Springfield, VA 22161, Appointment Expires: 12/31/99

Robert I. Scace, Chair (C), Director, Office of Microelectronics Programs, Electronics and Electrical Engineering Laboratory, National Institute of Standards and Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/97

Donald B. Sullivan (C), Chief, Time and Frequency Division, Physics Laboratory, National Institute of