

## **Appendix A    Scoping Information**

**Notice of Intent**

**Newspaper Notices**

**Summary of Comments**

to raise fees they receive from health plans.

The proposed order's specific provisions are as follows:

Paragraph II.A prohibits HAL from entering into or facilitating any agreement between or among any physicians: (1) To negotiate with payors on any physician's behalf; (2) to deal, not to deal, or threaten not to deal with payors; (3) on what terms to deal with any payor; or (4) not to deal individually with any payor, or to deal with any payor only through an arrangement involving HAL.

Other parts of Paragraph II reinforce these general prohibitions. Paragraph II.B prohibits HAL from facilitating exchanges of information between physicians concerning whether, or on what terms, to contract with a payor. Paragraph II.C bars attempts to engage in any action prohibited by Paragraph II.A or II.B, and Paragraph II.D proscribes HAL from inducing anyone to engage in any action prohibited by Paragraphs II.A through II.C.

As in other Commission orders addressing providers' collective bargaining with health care purchasers, certain kinds of agreements are excluded from the general bar on joint negotiations. HAL would not be precluded from engaging in conduct that is reasonably necessary to form or participate in legitimate joint contracting arrangements among competing physicians in a "qualified risk-sharing joint arrangement" or a "qualified clinically-integrated joint arrangement." The arrangement, however, must not facilitate the refusal of, or restrict, physicians in contracting with payors outside of the arrangement.

As defined in the proposed order, a "qualified risk-sharing joint arrangement" possesses two key characteristics. First, all physician participants must share substantial financial risk through the arrangement, such that the arrangement creates incentives for the physician participants jointly to control costs and improve quality by managing the provision of services. Second, any agreement concerning reimbursement or other terms or conditions of dealing must be reasonably necessary to obtain significant efficiencies through the joint arrangement.

A "qualified clinically-integrated joint arrangement," on the other hand, need not involve any sharing of financial risk. Instead, as defined in the proposed order, physician participants must participate in active and ongoing programs to evaluate and modify their clinical practice patterns in order to control costs and ensure the quality of

services provided, and the arrangement must create a high degree of interdependence and cooperation among physicians. As with qualified risk-sharing arrangements, any agreement concerning price or other terms of dealing must be reasonably necessary to achieve the efficiency goals of the joint arrangement.

Paragraph III, for three years, requires HAL to notify the Commission before entering into any arrangement to act as a messenger, or as an agent on behalf of any physicians, with payors regarding contracts. Paragraph III also sets out the information necessary to make the notification complete.

Paragraph IV, for three years, requires HAL to notify the Commission before participating in contracting with health plans on behalf of a qualified risk-sharing joint arrangement, or a qualified clinically-integrated joint arrangement. The contracting discussions that trigger the notice provision may be either among physicians, or between HAL and health plans. Paragraph IV also sets out the information necessary to satisfy the notification requirement.

Paragraph V requires HAL to distribute the complaint and order to all physicians who have participated in HAL, and to payors that negotiated contracts with HAL or indicated an interest in contracting with HAL. Paragraph V.D requires HAL, at any payor's request and without penalty, or, at the latest, within one year after the order is made final, to terminate its current contracts with respect to providing physician services. Paragraph V.D also allows any contract currently in effect to be extended, upon mutual consent of HAL and the contracted payor, to any date no later than one year from when the order became final. This extension allows both parties to negotiate a termination date that would equitably enable them to prepare for the impending contract termination. Paragraph V.E requires HAL to distribute payor requests for contract termination to all physicians who participate in HAL.

Paragraphs VI, VII, and VIII of the proposed order impose various obligations on HAL to report or provide access to information to the Commission to facilitate monitoring HAL's compliance with the order.

The proposed order will expire in 20 years.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed order to modify its terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. E6-2721 Filed 2-24-06; 8:45 am]

BILLING CODE 6750-01-P

## GENERAL SERVICES ADMINISTRATION

### Notice of Intent to Prepare an Environmental Impact Statement for the Calexico West Port of Entry Expansion/Renovation, Calexico, California

**AGENCY:** Public Buildings Service, GSA

**ACTION:** Notice of Intent to Prepare an Environmental Impact Statement (EIS) and Public Scoping Meeting

**SUMMARY:** The General Services Administration (GSA) announces its intent to prepare an Environmental Impact Statement (EIS) for the expansion/renovation of the Calexico West Port of Entry (POE), located in Calexico, California. The purpose of the expansion/renovation is to reduce traffic congestion in Calexico and Mexicali city centers caused by vehicles crossing the border, to improve border security; and to provide safe, secure, and efficient operational areas for the public and Federal employees. This facility serves both vehicular and pedestrian traffic into and out of the Mexican city of Mexicali. The need for this expansion/renovation derives from the substantial increase in its use by international travelers. The existing POE is not equipped to process this increase within an acceptable level of service consistent with the Federal Inspection Service's minimum standards. Problems at the current facility are mostly related to inadequate space for inspection operations, equipment, and personnel. The facility also requires seismic retrofitting.

The EIS will address potential environmental impacts of the alternatives for the proposed project related to geology and soils, water resources, land use, biological resources, cultural resources, visual resources, infrastructure, traffic, air quality, noise, human health and safety, socioeconomics, and environmental justice. The existing contamination of the New River and traffic congestion have been identified as potential environmental impacts. Information regarding other potential environmental impacts will be gathered during the public scoping process.

**DATES:** The views and comments of the public are necessary in determining the

scope and content of the environmental analysis in connection with the proposed project. A public scoping meeting for the proposed project will be held on Wednesday, March 8, 2006 from 3 to 6 p.m. at the Calexico City Hall, 608 Heber Avenue in Calexico, California. Interested parties may attend to present questions and concerns that they believe should be addressed in the EIS. Comments and questions can also be submitted to the Point of Contact (see the ADDRESS section below). Due to time limits mandated by Federal law, responses to scoping are requested no later than 45 days after publication of this notice. It is anticipated that the Draft EIS will be available for public review and comment in January of 2007.

**ADDRESSES:** Submit comments and questions to Mr. Morris Angell, Regional Environmental Quality Advisor, 450 Golden Gate Avenue, 3rd Floor East, San Francisco, California, 94102, 415-522-3473, *morris.angell@gsa.gov*.

**FOR FURTHER INFORMATION CONTACT:** If you require additional information regarding the public scoping meeting or the proposed project, or require special assistance to attend the meeting, please contact Morris Angell, GSA Regional Environmental Quality Advisor, (see the ADDRESS section above).

**SUPPLEMENTARY INFORMATION:** GSA is proposing two alternative actions: 1) construct a new vehicle and pedestrian inspection facility on the existing site and federally owned vacant land immediately to the west of the current facility, and 2) a "no action" alternative. Under the "no action" alternative, the existing facilities and their operation will remain unchanged.

Dated: February 10, 2006.  
**Peter G. Stamison,**  
*Regional Administrator, Public Buildings Service, Pacific Rim Region.*

Dated: February 10, 2006.  
**Jeffrey Neely,**  
*Assistant Regional Administrator, Public Buildings Service, Pacific Rim Region.*  
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**BILLING CODE 6820-YF-S**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Disease Control and Prevention**

[60Day-06-0428]

**Proposed Data Collections Submitted for Public Comment and Recommendations**

In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the Centers for Disease Control and Prevention (CDC) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the data collection plans and instruments, call 404-639-5960 and send comments to Seleda Perryman, CDC Assistant Reports Clearance Officer, 1600 Clifton Road, MS-D74, Atlanta, GA 30333 or send an e-mail to *omb@cdc.gov*.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and

clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Written comments should be received within 60 days of this notice.

**Proposed Project**

PHS Supplements to the Application for Federal Assistance SF-424 (0920-0428)—Revision—Office of the Director (OD), Centers for Disease Control and Prevention (CDC) is requesting a three-year extension for continued use of the Supplements to the Request for Federal Assistance Application (SF-424).

*Background and Brief Description*

The Checklist, Program Narrative, and the Public Health System Impact Statement (third party notification) (PHSIS) are a part of the standard application for State and local governments and for private non-profit and for-profit organizations when applying for financial assistance from PHS grant programs. The Checklist assists applicants to ensure that they have included all required information necessary to process the application. The Checklist data helps to reduce the time required to process and review grant applications, expediting the issuance of grant awards. The PHSIS Third Party Notification Form is used to inform State and local health agencies of community-based proposals submitted by non-governmental applicants for Federal funding.

There may be some revisions made to one or more of the forms to allow the respondents easy web-base access. This should not affect the current burden. There is no cost to the respondents other than their time.

ESTIMATE OF ANNUALIZED BURDEN TABLE

Respondents	Number of respondents	Number of responses/respondent	Average burden/ response (in hrs.)	Total burden (in hrs.)
State and local health departments; non-profit and for-profit organizations ...	7,457	1	5.7255	42,695
Total .....	.....	.....	.....	42,695

**Public Meeting**  
**for**  
**Calexico West Port of Entry**  
**Environmental Impact Statement**

The U.S. General Services Administration will host a public scoping meeting for the purpose of informing the general public and Federal, state, local, and tribal agencies about the upcoming Environmental Impact Statement (EIS) for the expansion/renovation of the Calexico West Port of Entry. The purpose of the scoping meeting is to identify public and agency concerns and issues to be considered in the EIS. You are invited to voice your concerns at this meeting and to learn more about the EIS process. The meeting will be held at the following time and location:

**Wednesday, March 8, 2006 from 3:00 PM to 6:00 PM**  
**Calexico City Hall, 608 Heber Avenue, Calexico, California**

If you cannot attend this meeting and still wish to provide scoping comments, please submit your comments by mail to Morris Angell, Regional Environmental Quality Advisor, 450 Golden Gate Avenue, 3rd Floor East, San Francisco, CA 94102; by telephone at (415) 522-3473; by facsimile at (415) 522-3215; or by electronic mail to [morris.angell@gsa.gov](mailto:morris.angell@gsa.gov). Comments will be accepted until April 10, 2006.

**Reunión de Consulta**  
**Para el**  
**Manifiesto de Impacto Ambiental**  
**Garita Calexico Oeste (*Calexico West Port of Entry*)**

La Administración General de Servicios de los Estados Unidos (*U.S. General Services Administration*) celebrará una reunión de consulta pública con el propósito de informar al público en general, así como a dependencias Federales, estatales, locales y de las naciones indígenas acerca del Manifiesto de Impacto Ambiental (MIA) próximo a elaborarse concerniente a la ampliación/renovación de la Garita Calexico Oeste. El propósito de la reunión de consulta pública es identificar temas de interés al público y a dependencias que deberán considerarse en el MIA. Se le invita a externar sus inquietudes en esta reunión y conocer más acerca del proceso del MIA. La reunión se celebrará en la siguiente fecha y lugar:

**Miércoles 8° de Marzo de 2006, de 3:00 PM a 6:00 PM**  
**Calexico City Hall, 608 Heber Avenue, Calexico, California**

En caso que no le sea posible asistir a esta reunión, pero sí desee proporcionar algún comentario al respecto, por favor envíe sus comentarios por correo a Morris Angell, Regional Environmental Quality Advisor, 450 Golden Gate Avenue, 3rd Floor East, San Francisco, CA 94102; vía telefónica al (415) 522-3473; por fax al (415) 522-3215; o por correo electrónico a [morris.angell@gsa.gov](mailto:morris.angell@gsa.gov). La fecha límite para recibir comentarios es el 10 de Abril de 2006.

**Summary of Comments Received during Calexico POE EIS Scoping Period,  
February 27 through April 13, 2006**

<b>Date</b>	<b>Commenter</b>	<b>Organization</b>	<b>Medium</b>	<b>Comment Summary</b>
3/8/06	Alex Perrone, Mayor	City of Calexico	Scoping meeting transcript	"I am very excited with the project, but I would like to see the old port-of-entry building...deeded", or sold at a "very low" price "to the City of Calexico" (property at 1 <sup>st</sup> and Heffernan). This historic building "has a lot of value to the community."
3/8/06	Alejandro Loo, Part Owner	California Super Markets, Calexico	Scoping meeting transcript	<p>[through interpreter] "We are aware of the improvement the Government has to make, especially on the border [and] the Government will make the best decision possible in terms of border security, combating drug trafficking, which has been a problem for our community. Even terrorism."</p> <p>"Our concern is Imperial Avenue...The traffic at the present time is two-way traffic...[W]ith the implementation of the new port-of-entry Caltrans may decide to turn Imperial Avenue into a one-way avenue heading north and we believe that would cause a great deal of damage to us."</p> <p>"We are assuming if that decision is made then southbound traffic would be routed along Cesar Chavez Boulevard one way southbound."</p> <p>"We believe that [reopening the old port-of-entry] would improve traffic if you had both north and southbound traffic at that location. This would relieve traffic congestion on Imperial Avenue when people return to Mexicali or to Mexico."</p> <p>"We have also heard rumors that there are plans to open another port-of-entry near Centinella or La Rosita."</p> <p>"Hopefully...there will not be very drastic changes for those of us who are on Imperial Avenue. In other words, we would not like to see two-way traffic turn into one-way traffic."</p>
3/8/06	Louis Wong,	Yum Yum	Scoping	"My restaurant is located on Imperial

Date	Commenter	Organization	Medium	Comment Summary
	Owner	Restaurant, Calexico	meeting transcript	<p>Avenue...and on the street I own 12 city lots."</p> <p>"My father-in-law...owns 15 city lots...He wanted me to get this message across" to you. "We really need traffic flow both ways,...southbound and northbound...We need good traffic from Mexico. They bring us customers and exposures for our business and many of our business[es], for instance, like a money change. We have money change. We also have rent. We rent to Mexican Insurance, so eventually we need southbound traffic to go into Mexico. If they change our" southbound traffic "to another street, then we are going to lose all our value for our business, for our property, and also in downtown too, 1<sup>st</sup> Street, 2<sup>nd</sup> Street, 3<sup>rd</sup> Street. We need northbound traffic" so those vehicles "can make a right turn, go to downtown and do business."</p> <p>If we change traffic to another direction, "I am afraid...they will just skip town and go north, go to Wal-Mart or go to El Centro and do business there."</p> <p>"I welcome GSA[’s plan] to build a few more lanes...so they can ease traffic in and out. It’s going to be good for our city, good for the business owner, [but if the traffic changes to one-way, it’s] going to hurt us. It will hurt all the business [people] in town, [and] business owners."</p>
3/8/06	Carmen Durazo, Councilwoman	City of Calexico	Scoping meeting transcript	<p>"I am very glad to see that a new port is being contemplated and I would like to see it become a reality as soon as possible, because there is a need. We have less people coming to Calexico and it seems to be at a slower pace that they are crossing because there is more traffic, including pedestrians. I had a report last week that somebody was in line for an hour-and-a-half to walk across through the downtown port-of-entry. So that means we are taking way too long and it affects our commerce and it</p>

Date	Commenter	Organization	Medium	Comment Summary
				<p>affects our sales tax, and, so, it impacts the entire state of California."</p> <p>"One of my concerns had to do with our future plans at the city on the west side of the river...there is a border fence [mural] that Calexico Arts Commission supported financially by a Rockefeller Foundation grant as well as by a California Arts Challenge grant and it was a three-year project celebrating immigration for students and residents and clubs from the whole Imperial Valley. [This is] a one-and-a-half mile mural...and there is an MOU [signed by] the Border Patrol...the County of Imperial as well as the City of Calexico that if [the fence] is to be moved it has to be given to the Arts Commission in Calexico, because it is public art...[M]y druthers would be that it be added to the existing fence, which is a mile-and-a-half long on the west side and continue it, but if it can be incorporated in some way with the theme of celebrating immigration that that be considered as you are designing your project."</p> <p>"The other concern that I had had to do with our plans. We are going to be expanding our wastewater treatment plant, which is north of 2<sup>nd</sup> Street and I want to make sure that the land you are expecting to utilize for traffic flow, that we don't build additional structures on the land you are going to have to take over. So I want to make sure there is no duplicity there."</p> <p>"In addition to that, we have plans for the future of building a river walk using recycled wastewater treatment water after the New River has been piped and that would be an attraction of walkways for people, so I want to make sure that we don't build a walkway and then it is taken away as well, as you expand..." "I would like to have more specific information as to how far west that would go so that we can plan appropriately as a city."</p>

Date	Commenter	Organization	Medium	Comment Summary
3/8/06	Carol Gaubatz, Program Analyst	Native American Heritage Commission, Sacramento	Letter	<p>"The commission was able to perform a record search of its Sacred Lands File for the project area. The record search failed to indicate the presence of Native American cultural resources in the immediate project area; however, [this] does not guarantee the absence of cultural resources in any project area. Other sources...should also be contacted for information..."</p> <p>"Under federal law, agencies using federal funds or implementing federal projects are required to consult with Native American tribes to identify potentially threatened cultural resources...Enclosed is a list of Native American individuals/organizations who may have knowledge of cultural resources in the project area."</p> <p>[A list with six tribes is attached to the letter]</p>
3/10/06	Niaz Mohamed, Jr.	None stated (Brawley, CA)	Letter	<p>"My family has been in the Imperial Valley since the late 1920s...We have seen the changes over the last 10 to 20 years and though it has been scary, we view the growth as a positive thing."</p> <p>"We can see how local businesses have flourished, and because of it, jobs have increased along with the standard of living. But, awareness for the impact this has on the normal flow of life has to be taken into consideration."</p> <p>"The port is a major access to the U.S. for a tremendous amount of goods and services. Services more clearly identified as labor for our local businesses, but even more important, labor for Agriculture."</p> <p>"Opening the existing port by making it larger or even more efficient solves only a small part of the problem. The infrastructure of Calexico would require even more of a change and economically create a burden, that would more economically and efficiently be handled by building another port away for the congestion that already exists in</p>

Date	Commenter	Organization	Medium	Comment Summary
				<p>downtown Calexico and the general area.”</p> <p>“With so much open land to the west, in our opinion the solution is a new port; away from the city and placed, to not only service the increase[d] flow, but serve the development on both sides of the International Border.”</p> <p>“With the beginning of Silicon Sur, a west port of entry is a natural. With growth and development being what it is, it becomes much easier to split the congestion, with three ports of entry, opening both sides of the border with space for a more orderly flow.”</p> <p>“Now is the time to bite the bullet economically. We’re going to have to address this problem sooner or later. Best to do it sooner, waiting will only cost us more. We definitely favor the building of a new port on the west side of the Valley rather than waste money on trying to make the current one work, especially with the growth and activity moving west.”</p>
3/21/06	Mario H. Orso, Chief	Development Review Branch, Caltrans, District 11, San Diego	Letter	<p>“A Traffic Impact Study (TIS) will need to be conducted showing impacts to all State highway facilities and intersections. Please forward any traffic studies to Caltrans for our review to determine the proposed project's near-term and long-term impacts to the State facilities—existing and proposed—and to propose appropriate mitigation measures. The study should use as a guideline the Caltrans <i>Guide for the Preparation of Traffic Impact Studies</i>, dated January 2001 (TIS guide, enclosed)...All State-owned signalized intersections affected by this project should be analyzed using the intersecting lane vehicle (ILV) procedure from the Caltrans Highway Design Manual...”</p> <p>“Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities, however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to</p>

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				<p>determine the appropriate target LOS. The LOS for operating State highway facilities is based upon Measures of Effectiveness (MOE)...If an existing State highway facility is operating at less than this target LOS, the existing MOE should be maintained."</p> <p>"The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips."</p> <p>"A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident."</p> <p>"Caltrans endeavors that any direct and/or cumulative impacts to the State highway system be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards. Cumulative impacts of a project, together with other related projects, should also be considered and analyzed when determining a project's impacts. Mitigation measures to State facilities should be included in the environmental studies and traffic impact analysis."</p>
3/24/06	John McCaull, Consultant	Calexico New River Committee	E-mail	<p>"The [Calexico New River] Committee is dedicated to eliminating the negative impact of the New River in Calexico and the rest of the Imperial County, and we are very interested in how the GSA project can assist in meeting this goal."</p> <p>"I have two questions for you: what is the deadline for submitting comments on the</p>

Date	Commenter	Organization	Medium	Comment Summary
				Notice of Intent and would you be willing to meet with us to discuss the potential nexus between expansion and renovation of the port of entry and cleaning up the New River?"
4/3/06	Duane James, Manager	Environmental Review Office, U.S. EPA Region IX, San Francisco	Letter	"We recognize the need for expansion at the Calexico POE and realize that expansion may help reduce congestion. We note that Imperial County is listed as serious nonattainment for particulate matter less than 10 microns in diameter (PM-10) and as marginal for the ozone 8-hour standard. Construction and renovation of the POE, in combination with other projects in the area, may have increased air quality impacts. The DEIS should include a list of other reasonably foreseeable projects in the area and the cumulative air impacts to Imperial County. It should include mitigation and avoidance measures, such as a Construction Emissions Mitigation Plan (CEMP). The document should also evaluate any other projects in the area that could lead to cumulative impacts to the water supply in the area, habitat, or cultural resources."