Once the notice has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act, including whether consummation of the proposal can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices'' (12 U.S.C. 1843). Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 28, 1996.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. BancSecurity Corporation, Marshalltown, Iowa; to acquire Marshalltown Financial Corporation, Marshalltown, Iowa, and thereby indirectly acquire Marshalltown Savings Bank, FSB, Marshalltown, Iowa, and engage in operating a savings association pursuant to § 225.25(b)(9) of the Board's Regulation Y.

2. Capitol Bankshares, Inc., Madison, Wisconsin; to engage *de novo* through its subsidiary Capitol Mortgage Corporation, Madison, Wisconsin, in making and servicing loans pursuant to § 225.25(b)(1) of the Board's Regulation Y.

C. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. St. Clair Agency, Inc., St. Clair, Minnesota; to retain Clarice Germo Agency, St. Clair, Minnesota, and thereby engage in general insurance agency activities in a place with a population not exceeding 5,000 pursuant to § 225.25(b)(8)(iii)(A) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, August 8, 1996.

Jennifer J. Johnson

Deputy Secretary of the Board

[FR Doc. 96–20678 Filed 8-13-96; 8:45 am]

BILLING CODE 6210-01-F

GENERAL SERVICES ADMINISTRATION

Public Buildings Service; Record of Decision; Federal Building—United States Courthouse, Phoenix, Arizona

The United States General Services Administration (GSA) announces its decision, in accordance with the National Environmental Policy Act (NEPA) and the Regulations issued by the Council on Environmental Quality, November 29, 1978, to construct a new Federal Building—United States Courthouse (FB–CT) in Phoenix, Arizona.

The new FB–CT would consist of approximately 515,000 gross square feet (GSF) of building space and 380 parking spaces (totaling 40,800 GSF). The project, designed to relieve overcrowded conditions at the existing court facilities in Phoenix, is to be sited within the Central Business Area (CBA) of the City of Phoenix, Arizona and is anticipated to be ready for occupancy in the year 2000. The federal agencies proposed to utilize the new FB–CT are currently housed within the existing Phoenix FB–CT, located at 230 1st Avenue, and in leased commercial space in the Phoenix area. An objective of this project is to consolidate these federal agencies into a single structure within the City's CBA. The consolidation would promote efficiency in operations for agencies housed within several downtown locations.

Alternatives Considered

The GSA has considered a range of alternatives that could feasibly attain the objectives of the proposed project. NEPA does not require that an agency consider every possibility, but requires that the range of alternatives be comprehensive, so that the agency can make a ''reasoned choice'' among them. Alternatives considered are as follows:

Alternative 1 (''The Proposed Action'')

The proposed project site to be donated to the federal government by the City of Phoenix encompasses two city blocks and has an area of approximately 4.5 acres. The project site is bound by Washington Street (north), 4th Avenue (east), Jefferson Street (south), and 6th Avenue (west). Only a portion of this site would be utilized for the Proposed Action, with the remaining portion being used for surface parking in anticipation of future expansion to meet the United States District Court's proposed long-range space requirements. Under this alternative, both 5th and 6th Avenues between Washington and Jefferson Streets would be closed to vehicular traffic and much of the abandoned roadway area included into the GSA-proposed development area.

Alternative 2 (''The 5th Avenue Alternative'')

The proposed site under this alternative would be the same as for the Proposed Action. The site is bound by Washington Street (north), 4th Avenue (east), Jefferson Street (south), and 6th Avenue (west). The difference between this alternative and Proposed Action is the closure of project area roadways. Under this alternative, 5th Avenue would be closed and utilized as part of the project site, while 6th Avenue would remain open to through traffic.

Alternative 3 (''The Alternative Site'')

This alternative proposes developing 4.5 acres of a 8.5 acre site bounded by West Woodland Avenue (north), 7th Avenue (east), West Adams Street (south) and 9th Avenue (east). Portions of this property are owned by the Monroe School Association, Phoenix Automatic Machine Products, and by several private individuals. Site improvements currently include an abandoned 3-story building (Grace Court School), two abandoned single-story auxiliary school buildings, four single-family residences, an abandoned commercial building, and an auto parts store. This site is listed on the National Register of Historic Places (NHRP) as part of the Woodland Historic District. The three onsite school buildings and four residences are considered contributors to the district, while the commercial structures are considered noncontributors.

No Action Alternative

NEPA Section 1502.14(d) requires an alternative of No Action be included in the Environmental Impact Statement (EIS) analysis. The ''No Action'' Alternative would preclude development of the Phoenix FB–CT on any of the proposed project sites, therefore, property used for the project would be retained by the current owners. Under this alternative, U.S. Court and executive agencies and Congressional offices would continue to be housed in the existing Phoenix FB–CT at 230 North 1st Avenue and at various leased locations in Phoenix. The

projected increase in federal presence in the Phoenix area is not contingent on the construction of the proposed project, therefore, the rate of growth in federal employment levels in both the judicial and executive branches is projected to occur regardless of whether the proposed building is constructed.

Alternatives Examined But Not Considered in the EIS

In addition to the alternatives described above, several options were considered to fulfill the needs of the U.S. District Courts. These included the examination of several alternative sites beyond those considered within the EIS, the acquisition of Base Realignment and Closure Act properties, Resolution Trust Corporation (RTC) properties, the potential leasing of building space, and the expansion of the existing FB–CT. These alternatives were eliminated from further consideration due to a number of reasons, including but not limited to: fiscal cost, remote location, nonconforming lot configuration, and/or deficiencies in security and court operations.

Impacts/Mitigation Measures

The proposed construction of the FB–CT at the site of the Proposed Action would result in several significant environmental impacts. These significant adverse impacts will be reduced through incorporation of the following proposed mitigation measures.

Geology and Landforms. Project construction at the site of the Proposed Action would have the potential to cause short-term soil instability erosion. Potential long-term geologic impacts include the potential for subsidence and soil expansion.

Mitigation Measures: These impacts would be mitigated through implementation of a stormwater pollution prevention plan, as well as compliance with the requirements of the City of Phoenix Grading and Drainage Ordinance and a site-specific geotechnical investigation to be conducted prior to construction.

Surface Hydrology. Offside movement of disturbed soils during construction at the site may result in short-term deposition in area storms drains. No long-term impacts to area drainage are anticipated.

Mitigation Measures: Construction-related impacts would be mitigated by development of a stormwater pollution prevention plan.

Vegetation and Wildlife. The Mexican free-tailed bat, a Department of Forestry special status species, has been documented in the vicinity of the Proposed Action. However, project implementation is not anticipated to significantly affect this species. No other rare, threatened, or endangered species occur in the area.

Mitigation Measures: None required.

Air Quality. Short-term emissions associated with construction activities would not exceed Clean Air Act thresholds and would be less than significant. Long-term emissions of volatile organic compounds (VOC) and carbon monoxide (CO) associated with vehicle trips and onsite energy consumption would not exceed the 100 tons per year significance thresholds and are, therefore, considered less than significant. Project vehicle trips would, however, result in exceedances of the 8-hour Federal CO standard at several project analyzed intersections. Exceedances are predicted to occur immediately adjacent to congested intersections, even if the project is not implemented. These exceedances appear inconsistent with the Maricopa Association of Governments (MAG) Carbon Monoxide Plan (MAG 1993, 1994), which predicts regional attainment of the standard by 1995. However, the focus of project-level analysis is purposely different from regional attainment analysis. Project-level analysis is designed to detect local impacts associated with increasing traffic volumes, changing traffic distribution pattern and reducing distances of receptors to congested intersections. The focus of regional attainment analysis is to identify areas in violation of the standard, determine the effect of control strategies and to determine population exposure. However, both analyses utilize the intersection model CAL3QHC.

A guidance document developed by the U.S. Environmental Protection Agency titled ''Guideline for Modeling Carbon Monoxide from Roadway Intersections'' (1992) provides distinctly different guidance for the two types of analysis. The primary differences in this guidance are the use of receptors immediately adjacent to congested intersections and worst-case meteorological default values for project-level analysis. Regional attainment analysis is required to use existing air quality monitoring stations as receptors since attainment is based upon concentrations measured at these stations. Regional attainment analysis is also required to use actual meteorological data and background CO concentrations obtained from regional modeling (i.e.: Urban Airshed Model). Regional modeling is complex, involving dividing the non-attainment area into grid squares and estimating emissions, meteorology and resulting CO concentrations in each grid square. Since regional modeling is not conducted for project-level analysis, this data is not available as input to the intersection modeling.

Because regional attainment analysis uses actual meteorology and background CO concentrations for the grid square in which the intersection is located, regional attainment analysis is expected to more realistically represent future conditions. Project-level analysis is expected to produce higher CO concentrations because receptors are much closer to the intersection, and worst-case meteorology and background CO concentrations are used in the analysis. Worst-case meteorology includes using a wind direction that blows emissions directly by at each receptor.

Modeling conducted for the proposed project should be considered as a screening method to identify problem intersections and not refuting the attainment demonstration of MAG's CO Plan. Over-prediction of exceedances provides a margin of safety such that all potential impacts are identified and mitigated.

Mitigation Measures: Although short-term air quality impacts are considered less than significant, the following mitigation measures will be implemented by GSA to further reduce impacts.

- A construction traffic management plan will be developed to:

—Restrict construction activities that significantly affect traffic flow to off-peak hours (7 p.m. to 6 a.m. and 10 a.m. to 3 p.m.).

—Route construction trips to avoid congested streets.

—Provide dedicated turn lanes for movement of construction equipment onsite and offsite.

- Electrical power for construction activities will be obtained from power poles instead of electrical generators (when feasible).
- Methanol of natural gas will be used for mobile construction equipment instead of diesel (when feasible).
- Active portions of the project site will be watered as needed to prevent excessive fugitive dust.
- Non-toxic soil stabilizers will be applied to graded areas inactive for 10 days or more.
- Excavation and grading will be suspended when the wind speed (as instantaneous gusts) exceeds 25 miles per hour.
- Trucks transporting earth material offsite will be covered or maintain at least 2 feet of freeboard.–

• Paved streets adjacent to the construction site will be swept as needed to remove dust and silt that may have accumulated as a result of construction activities.

• All construction requiring heavy equipment will be curtailed during ozone alerts (e.g. hourly ozone concentrations which exceed 0.20 ppm).

GSA will insure that the following measures are implemented to reduce long-term air quality impacts associated with the FB–CT project:

• GSA will develop a transportation management plan which will include:

—Providing carpool matching services and preferential parking spaces for carpool vehicles.

—Offering alternative work hours and alternative work weeks (i.e. 9 days/80 hours, 4 days/40 hours, etc.).

—Providing teleconferencing facilities.

Noise. Project implementation at the site of the Proposed Action could result in short-term noise and vibration impacts from construction activities. Long-term impacts associated with the Proposed Action would be less than significant and would be further reduced through implementation of appropriate design guidelines.

Mitigation Measures: Although the following mitigation measures would reduce short-term noise impacts, it is anticipated that noise levels would remain above significance threshold levels, and therefore, significant and unavoidable. To reduce impacts from nonpile driver construction noise, the GSA will implement the following:

• Schedule operations to coincide with periods when people would least likely be affected;

• Muffle and shield construction equipment intakes and exhausts;

• Shroud or shield impact tools such as jackhammers and use electric-powered rather than diesel-powered construction equipment as feasible;

• Utilize portable noise barriers within the area of equipment areas and around stationary noise source such as compressors; and

• Locate stationary equipment in pit areas or excavated areas as such siting would create noise barriers.

Natural or Depletable Resources. Project implementation would not substantially impact available energy supplies or affect access to any natural resources. Therefore, impacts to natural and depletable resources would be less than significant.

Mitigation Measures: None required.

Public Health and Safety. The testing portion of a Phase II Environmental Site Assessment has recently been completed and has determined that contamination of both onsite soils and groundwater exist at the site of the Proposed Action. Because of these findings, some level of environmental remediation will be required; however, implementation of these recommendations mitigate any impacts. Long-term operation of the new FB–CT is not expected to contribute to any ground water contamination problems in the area.–

Mitigation Measures: GSA will adhere to and implement the recommendations of the Phase II Environmental Site Assessment.

Land Use, Socioeconomics and Visual Resources. The height of the proposed federal courthouse may be greater than that allowed by City of Phoenix land use policy. Such impacts would be reduced through compliance with City of Phoenix design policies and incorporation of site amenities. Project implementation would have the beneficial effects of generating short-term construction jobs and retaining federal employment opportunities in the downtown area. No significant adverse impacts to the local housing or real estate markets are anticipated with implementation of the Proposed Action.

Mitigation Measures: None required.

Cultural Resources. The Proposed Action would not result in any impacts to standing historic structures, as no such resources would be destroyed, damaged, altered, or impacted in any way. Two prehistoric Hohokam sites, Pueblo Patricia and La Villa, have been recorded near the site of the Proposed Action. The Pueblo Patricia site is approximately four blocks from the proposed site, while the La Villa Site is less than two blocks from the site. In addition, the proposed project site was part of the Original Townsite of Phoenix. Consequently, there is a high probability that prehistoric and historic cultural resources are present onsite, including the possibility of human remains. GSA will consult with the Arizona State Historic Preservation Office, City of Phoenix, and Advisory Council on Historic Preservation to develop a Memorandum of Agreement which will outline procedures to be adhered to as GSA pursues a data recovery program to mitigate potential impacts.

Mitigation Measures: GSA will work with the Arizona State Historic Preservation Office, City of Phoenix, Advisory Council on Historic Preservation, and affected Native American organizations to insure that any prehistoric and/or historic cultural resources identified onsite are recovered and stored in accordance with the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act.

Public Utilities

Gas and Electric. Short-term service interruption impacts associated with extension of electric and natural gas systems could occur, but are considered insignificant due to their temporary nature. The local electricity and natural gas distribution networks can serve the proposed FB–CT. Project design would be in accordance with applicable energy conservation codes. Thus, electricity and natural gas service impacts are considered less than significant.

Mitigation Measures: None required.

Solid Waste. Short- and long-term impacts to solid waste collection and disposal service would be less than significant and would be further reduced through implementation of the recommended waste reduction measures.

Mitigation Measures: None required.

Water and Sewer. Short-term interruptions to water or sewer service, if any, are anticipated to be less than significant. Water demand and wastewater flow created by project operation would not significantly affect local water supply or water/wastewater systems. Water and wastewater impacts are, therefore, considered less than significant.

Mitigation Measures: None required.

Microwave Communication

Microwave communication services could be affected within the downtown area due to the construction of the Proposed Action. Both the County of Maricopa and KSAZ–TV have expressed concern regarding the proposed project's impact to the integrity of their microwave signals. Impacts would, however, be reduced to a less than significant level through relocation of the microwave path. GSA has been informed by KSAZ–TV that they intend to construct a new 150-foot tall tower so that its microwave signal will not be compromised by the construction of mid-rise buildings in the Governmental Mall area.

Mitigation Measures: None required.

Public Services. Project implementation would not be expected to generate a significant increase in police service calls or affect Phoenix Police Department response times. Although building height might complicate fire protection services, the Phoenix Fire Department is equipped to serve high rise structures. Project implementation would not substantially affect emergency response times and building design is expected to comply with applicable building and fire codes.

Public service impacts are, therefore, considered less than significant.

Mitigation Measures: None required.

Transportation and Parking. In the EIS, traffic growth was estimated using a two percent annual growth rate. This growth rate was applied to the existing traffic counts to estimate future background traffic conditions. In addition, eight projects in the Downtown area were identified by City of Phoenix staff and included in the evaluation of cumulative traffic growth. These projects include: Arizona Museum of Science and Technology, Phoenix Museum of History, Heritage and Science Parking Garage, Downtown Phoenix Transit Center, Maricopa County Office Complex, City of Phoenix Office Development, the Baseball Stadium, and the Parking Facility located between 6th and 7th Avenues and between Washington and Jefferson Streets.

The sum of existing traffic volumes, growth in existing traffic volumes due to general background development occurring in the area by the year 2000 (for one scenario) and year 2010 (for a second scenario), and incremental traffic increases related to the eight specific development projects identified in the study area represents projected year 2000 and year 2010 traffic conditions without the proposed courthouse project. The year 2000 and year 2010 analyses presented in the EIS assumes recommended mitigation measures are incorporated. No assumptions have been made regarding responsibility for implementation of the recommended mitigation measures. The LOS levels contained in the EIS represent operating conditions in year 2000 and year 2010 with necessary improvements in place.

Because project implementation would affect the closure of both 5th and 6th Avenues between Washington and Jefferson Streets, the project would generate a substantial increase in afternoon peak hour traffic at the intersections of 3rd/Jefferson and 3rd/Washington, resulting in an unacceptable level of service for the 3rd/Jefferson intersection and therefore an unavoidable significant impact.

Existing signal cycle lengths are fixed at 60 seconds for the inter-connected signal system along Jefferson and Washington. The setting of signal cycle lengths are influenced by a number of factors. The magnitude and distribution of peak period traffic flows at the individual intersection approaches and the signal phases required to accommodate the various traffic movements contribute to the determination of the optimum cycle length which results in the lowest average delay for vehicles being served by the intersection. In the case of the individual intersection of Jefferson Street and Third Avenue, GSA believes that the optimum signal cycle length in the future analysis years would be within the range of 95 to 100 seconds.

The result of not being able to use the signal cycle time in an efficient manner at the Jefferson/Third Avenue intersection is an afternoon peak hour Level of Service ''F'' for both the 2000 and 2010 forecast years with the Proposed Action project scenario. Future service levels for the Washington/Third Avenue intersection were found to be ''C'' or better. The analysis assumes that GSA will provide a double left turn at the eastbound Jefferson Street approach to Third Avenue and at the northbound Third Avenue approach to Washington Street. Mitigation opportunities provided within the EIS would not be not sufficient to improve the future traffic service level to ''D'' or better with the Proposed Action scenario (the City of Phoenix considers LOS D the limit of tolerable traffic congestion during peak traffic periods).

Mitigation Measures: Short-term impacts in the project area (during construction) would be reduced through implementation of the following mitigation measures:

- Heavy construction equipment such as bulldozers and large loaders would be moved onsite prior to construction and realignment activities and remain until the equipment is no longer needed;
- Some minor disruption of traffic flows would occur at this time; however, the short duration of activity would minimize impacts;
- Movement of construction vehicles and equipment onto and off of the site would be scheduled in a manner that would avoid the peak traffic periods on the adjacent street network;
- Construction employees traveling to and from the site on a daily basis will be scheduled to occur prior to the morning and evening traffic peak.

Long-term impacts would be reduced through implementation of the following mitigation measures:

- GSA will develop a transportation management plan which would reduce impacts to the local circulation system by reducing the number of new motor vehicle trips generated by the project.
- GSA will work with the City to provide a double left turn at the eastbound Jefferson Street approach to Third Avenue and at the northbound Third Avenue approach to Washington Street.

As stated previously, however, the above mitigation measures will not be sufficient to improve the 3rd/Jefferson intersection to an acceptable Level of Service.

Significant Unavoidable Impacts

The following impacts associated with the Proposed Action are considered significant and unavoidable:

- Development of the project would result in an increase in long-term pollutant emissions within the project area, thus exacerbating the existing inability of the air basin to attain the national standards for ozone, carbon monoxide, and PM–10.
- Construction activities would result in short-term noise increases in excess of acceptable levels.
- The project will result in an afternoon peak hour Level of Service F at the Jefferson/Third Avenue intersection.

The General Services Administration believes that there are no additional outstanding issues to be resolved with respect to the proposed project. Additional information regarding the new Federal Building—United States Courthouse—may be directed to Mr. Alan Campbell, Portfolio Management Division (9PT), U.S. General Services Administration, 450 Golden Gate Avenue, San Francisco, CA 94102, (415) 522–3491.

Dated: August 6, 1996.

Kenn N. Kojima,

Regional Administrator (9A).

[FR Doc. 96–20667 Filed 8–13–96; 8:45 am]

BILLING CODE 6820–23–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[ATSDR–107]

Policy on Government-to-Government Relations With Native American Tribal Governments

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: This notice announces the final ATSDR policy on conducting government-to-government relationships with federally recognized tribal governments. The draft policy was published for public comment in the Federal Register on August 1, 1995 [60 FR 39176]. The public comment period