

useful for incorporating climate change information into decision making. As part of a portfolio of adaptation strategies, land protection may become more important for jurisdictions, particularly to ameliorate climate change impacts on watersheds and wildlife.

**DATES:** The report was posted publically on September 22, 2011.

**ADDRESSES:** The report, *An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning can Incorporate Climate Change Information*, is available via the Internet on the National Center for Environmental Assessment's home page under the Recent Additions and the Data and Publications menus at <http://www.epa.gov/ncea>. A limited number of paper copies are available from the Information Management Team, NCEA, telephone: 703-347-8561; *facsimile*: 703-347-8691. If you are requesting a paper copy, please provide your name, mailing address, and the document title.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact the National Center for Environmental Assessment; Britta Bierwagen; *telephone*: 703-347-8613; *facsimile*: 703-347-8694; or *e-mail*: [bierwagen.britta@epa.gov](mailto:bierwagen.britta@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Information About the Project/ Document

The report, *An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning can Incorporate Climate Change Information*, describes a review of the decision-making processes of selected programs that protect land to evaluate how information about climate change impacts information can be incorporated. The review focuses on a sample of programs with goals to protect wildlife and watersheds. This review demonstrates that while the land protection programs sampled in this paper did not make acquisition decisions based on climate change considerations directly, many of the criteria and processes reviewed are sensitive to climate change impacts. Incorporating adaptive strategies into existing decision-making processes would not involve changing existing criteria so much as incorporating climate change information into the evaluation of existing criteria. Mechanisms for incorporating such information include: (1) Developing decision-support tools for advisory committees; (2) providing a variety of methods to preserve lands; (3) educating elected officials who approve land

protection decisions about the climate change benefits; (4) engaging in strategic parcel selection; (5) coordinating with land-use planning processes; and (6) developing tools for evaluating and prioritizing land parcels for protection. Incorporating climate change information in these decision-making processes can assist with maintaining land protection goals over time, such as wildlife, habitat and high water quality, as well as contribute to climate change mitigation and adaptation.

Dated: September 9, 2011.

**Darrell A. Winner,**

*Acting Director, National Center for Environmental Assessment.*

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**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-9470-1]

##### Proposed Consent Decree, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed consent decree; Request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), 42 U.S.C. 7413(g), notice is hereby given of a proposed partial consent decree, to address a lawsuit filed by Sierra Club in the United States District Court for the District of Columbia: *Sierra Club v. EPA*, No. 1: 10-cv-1541 (CKK). Plaintiff filed a complaint alleging that EPA failed to perform mandatory duties under sections 110(c)(1) and (k)(2) of the CAA, 42 U.S.C. 7410(c)(1), (k)(2), to: (1) Promulgate a federal implementation plan ("FIP") for the State of Texas that meets the requirements of CAA section 110(a)(2)(D)(i) for the 1997 fine particulate matter ("PM<sub>2.5</sub>") and the 1997 8-hour ozone national ambient air quality standards ("NAAQS"); (2) promulgate a FIP for the State of Texas that meets the requirements of CAA Section 110(a)(2) for the 1997 8-hour ozone NAAQS; and (3) take final approval/disapproval action pursuant to CAA section 110(k)(3) on the state implementation plan ("SIP") that Texas submitted for implementation of the 1997 PM<sub>2.5</sub> NAAQS. The partial proposed consent decree establishes deadlines for EPA to take these actions.

**DATES:** Written comments on the proposed consent decree must be received by *October 24, 2011*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2011-0785, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Geoffrey L. Wilcox, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; *telephone*: (202) 564-1744; *fax number* (202) 564-5601; *e-mail address*: [wilcox.geoffrey@epa.gov](mailto:wilcox.geoffrey@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Consent Decree

The partial proposed consent decree would resolve a lawsuit seeking to compel the Administrator to take various actions under sections 110(c)(1) and 110(k) of the CAA with respect to the State of Texas. These required actions are: (1) To take an action or actions in accordance with section 110(c)(1) to promulgate a federal implementation plan ("FIP"), or an unconditional approval of a SIP, that meets certain specified requirements of CAA section 110(a)(2) for the 1997 8-hour ozone NAAQS; (2) to take an action or actions in accordance with section 110(c) to promulgate a FIP, or an unconditional approval of a SIP, that meets the requirements of section 110(a)(2)(D)(i)(II) concerning interference with prevention of deterioration of air quality for the 1997 PM<sub>2.5</sub> NAAQS; (3) to take an action or actions in accordance with section 110(k) approving or disapproving a SIP submission regarding certain specified requirements of section 110(a)(2) for the 1997 PM<sub>2.5</sub> NAAQS; and (4) to take an action or actions in accordance with section 110(c) to promulgate a FIP, or an unconditional approval of a SIP, that meets the requirements of section 110(a)(2)(D)(i)(II) concerning interference with measures required in other states related to protection of

visibility for 1997 8-hour ozone NAAQS and 1997 PM<sub>2.5</sub> NAAQS. Sierra Club and EPA have jointly moved to stay Plaintiff's claim with respect to EPA's obligation to promulgate a FIP for the State of Texas that satisfies the requirements of CAA section 110(a)(2)(D)(i)(I) for the 1997 8-hour ozone NAAQS and the 1997 PM<sub>2.5</sub> NAAQS.

The proposed consent decree provides various dates by which EPA must take action on the claims that are not stayed. No later than 10 business days following signature of a final rule or determination as described in the proposed consent decree, EPA is required to send the notice to the Office of the Federal Register for review and publication in the **Federal Register**. The proposed consent decree also states that after EPA fulfills its obligations, this case shall be dismissed with prejudice.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, based on any comment submitted, that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

## II. Additional Information About Commenting On the Proposed Consent Decree

### A. How can I get a copy of the consent decree?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2011-0785) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through <http://www.regulations.gov>. You may use the

<http://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search".

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

### B. How and to whom do I submit comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <http://www.regulations.gov> Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: September 16, 2011.

**Kevin W. McLean,**

*Acting Associate General Counsel.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Submitted for Review and Approval to the Office of Management and Budget (OMB)

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3502-3520), the Federal Communications Commission invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and (e) ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it