

- Bureau of Reclamation, Lower Colorado Regional Office, 500 Fir Street, Boulder City, Nevada 89005
- Bureau of Reclamation, Southern California Area Office, 27708 Jefferson Avenue, Suite 202, Temecula, California 92590
- Western Municipal Water District, 14205 Meridian Parkway, Riverside, California 92518
- San Bernardino Public Library, 555 West 6th Street, San Bernardino, California 92410
- Corona Public Library, 650 South Main Street, Corona, California 92882
- Riverside Public Library, 9556 Magnolia Avenue, Riverside, California 92503

Authority

This notice is provided pursuant to NEPA, 42 U.S.C. 4332(2)(c), and Department of the Interior regulations for the implementation of NEPA, 43 CFR Part 46.

Section 9112 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11, 123 Stat. 1318), signed by the President on March 30, 2009, authorizes the Secretary of the Interior, in cooperation with Western, to participate in the planning, design, and construction of the Riverside-Corona Feeder Project including: (i) 20 groundwater wells; (ii) groundwater treatment facilities; (iii) water storage and pumping facilities; and (iv) 28 miles of pipeline in San Bernardino and Riverside Counties in the State of California.

Background

The proposed project will install up to 20 groundwater wells in the Bunker Hill Groundwater Basin, San Bernardino County, California. Existing recharge basins will be used to store imported water and local Santa Ana River flows in the Bunker Hill Groundwater Basin when supplies are available. The stored groundwater will be extracted later for delivery to communities in Western's service area in Riverside County, California, via 28 miles of pipeline ranging in diameter up to 78 inches, capable of delivering up to 40,000 acre-feet per year of groundwater at 100 cubic feet per second. The first phase of the project will also provide access to groundwater from the Chino Basin in San Bernardino County.

The currently proposed RCF alignment is a modification to a project previously evaluated by Western in 2005 and revised in 2008. The original project included eight segments, Reaches A through H, analyzed in the Programmatic Environmental Impact Report (PEIR) for the Riverside-Corona

Feeder, California State Clearinghouse (SCH) No. 2003031121, certified by Western on May 18, 2005. Reaches E, F, and G were refined slightly in 2007 and evaluated in the Environmental Impact Report for the La Sierra Avenue Water Transmission Pipeline Project (SCH No. 2006101152), certified by Western on February 20, 2008. Western issued a Notice of Preparation of a draft Supplemental Program EIR on July 30, 2008, to evaluate a change in the pipeline alignment. Reclamation issued a Notice of Intent (NOI) to prepare an Environmental Impact Statement on February 24, 2010 (75 FR 8395).

The new alignment will not change the number of wells or the Bunker Hill groundwater extraction described in the 2005 PEIR, but will now allow Western to access available groundwater from existing desalter facilities in Chino Basin under an approved Optimum Basin Management Plan. The current project includes realignment of Reaches A through D, now referred to as the Northern and Central Reaches, with Reach H remaining as proposed in the original project. The refined alignment for Reaches E, F, and G will remain consistent with the approvals in the 2008 EIR.

Additional connection facilities were added to the project including a new well field for five (5) of the 20 wells, two (2) additional pump stations, one (1) five-million gallon reservoir, and connecting pipelines.

Reclamation is incorporating the two previous CEQA Environmental Impact Reports by reference. They are included as appendices to the draft SDEIR/DEIS.

Public Disclosure

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: January 13, 2011.

Lorri Gray-Lee,

Regional Director, Lower Colorado Region.

[FR Doc. 2011–1127 Filed 1–19–11; 8:45 am]

BILLING CODE 4310-MN-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under The Clean Air Act

Notice is hereby given that on January 13, 2011, a proposed Consent Decree in *United States et al. v. Northern Indiana Public Service Co.*, Civil Action No. 2:11–cv–016, was filed with the United States District Court for the Northern District of Indiana.

In this action, the United States and Indiana sought penalties and injunctive relief for the Defendants' violations of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, and the Indiana Code 13–13–5–1 and 13–13–5–2, at its four coal-fired power plants in Chesterton, Michigan City, Wheatfield, and Gary, Indiana.

To resolve the United States' and Indiana's claims, the Defendants will pay a penalty of \$3.5 million, and will install or upgrade air emission controls at three of its plants, and cease operations at its fourth plant in Gary, Indiana. In addition, the Defendant will perform environmental mitigation projects costing at least \$9.5 million.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, D.C. 20044–7611, and should refer to either: *United States et al. v. Northern Indiana Public Service Co.*, Civil Action No. 2:11–cv–016, or D.J. Ref. 90–5–2–1–08417. The Consent Decree may be examined at the Office of the United States Attorney, Northern District of Indiana, 5400 Federal Plaza, Suite 1500, Hammond, Indiana 46320, and at the United States Environmental Protection Agency, 77 W. Jackson Blvd., Chicago, Illinois 60604. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514–0097, phone confirmation number (202) 514–1547. In requesting a copy from the Consent Decree Library, please enclose a check, payable to the U.S. Treasury, in the amount of \$26.00 (25 cents per page

reproduction cost), or, if by e-mail or fax, forward a check in the applicable amount to the Consent Decree Library at the stated address.

Maureen Katz,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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OFFICE OF MANAGEMENT AND BUDGET

2010 Pay-As-You-Go (PAYGO) Report

Authority: Sec. 5, Public Law 111-139, 124 Stat. 8.

AGENCY: Office of Management and Budget (OMB).

ACTION: Notice.

SUMMARY: This report is being published as required by the Statutory Pay-As-You-Go (PAYGO) Act of 2010. The Act requires that OMB issue (1) an annual report of all legislation affecting mandatory spending and revenue enacted during the prior session of Congress and (2) a sequestration order, if necessary.

FOR FURTHER INFORMATION CONTACT: Patrick Locke, 202-395-3945.

SUPPLEMENTARY INFORMATION: This report and additional information about the PAYGO Act can be found at http://www.whitehouse.gov/omb/paygo_default.

Courtney Timberlake,

Assistant Director for Budget.

This Report is being published pursuant to section 5 of the Statutory Pay-As-You-Go (PAYGO) Act of 2010, Public Law 111-139, 124 Stat. 8, which requires that OMB issue an annual PAYGO report, including a sequestration order if necessary, within 14 working days after the end of a Congressional session. This Report covers all legislation enacted during the second session of the 111th Congress since enactment of the PAYGO Act on February 12, 2010. This Report summarizes the budgetary effects of enacted PAYGO legislation, the current policy adjustments provided by the PAYGO Act, and legislation designated as an emergency under the PAYGO Act. This Report also presents the five-year and ten-year PAYGO scorecards maintained by OMB.

Because balances on both scorecards represent PAYGO savings in net, a sequestration order is not necessary.

I. PAYGO Legislation With Budgetary Effects

PAYGO legislation is authorizing legislation that affects direct spending or revenues and appropriations legislation that affects direct spending or revenues in the years beyond the budget year.¹ For a more complete description of the Statutory PAYGO Act, see http://www.whitehouse.gov/omb/paygo_description. The scorecards show that PAYGO legislation enacted since February 12, 2010, was estimated to have PAYGO budgetary effects that increase the deficit by \$4.3 billion in 2010 and \$114.5 billion in 2011, and decrease the deficit by \$55.2 billion over the 2010-2015 period and \$63.7 billion over the 2010-2020 period.² The scorecards also show that since February 12, 2010, 97 laws (96 public laws and one private law) were enacted that were determined to constitute PAYGO legislation.³

Of the 97 enacted PAYGO laws, 13 have estimated PAYGO budgetary effects in excess of \$500 million over the 2010-2015 and/or 2010-2020 periods. These are:

- Hiring Incentives to Restore Employment Act, Public Law 111-147;
- Patient Protection and Affordable Care Act, Public Law 111-148;
- Health Care and Education Reconciliation Act of 2010, Public Law 111-152;
- Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010, Public Law 111-192;
- Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203;

¹ Provisions in appropriations acts that affect direct spending or revenues in the years beyond the budget year are not considered to be PAYGO legislation to the extent that the resulting outyear outlay changes flow from budget authority changes that occur in the current or budget year, or if the provisions produce outlay changes netting to zero over a six-year period consisting of the current year, the budget year, and the four subsequent years. As specified in section 3 of the Statutory PAYGO Act, off-budget effects are not counted as budgetary effects. Off-budget effects refer to effects on the Social Security trust funds (Old-Age and Survivors Insurance and Disability Insurance) and the Postal Service Fund.

² Budgetary effects on the PAYGO scorecard are based on Congressional estimates if those estimates are placed in the Congressional Record according to the procedures of the PAYGO Act and cross-referenced in the enacted PAYGO legislation in question. Absent a valid Congressional cost estimate, OMB uses its own estimate for the scorecard. Of the 97 PAYGO laws on the scorecard, 44 used a Congressional cost estimate and 53 used an OMB estimate.

³ In addition to the 97 laws shown on the scorecards, 149 laws were enacted that did not affect direct spending or revenues.

- Public Law 111-226, an act that provides education jobs and Medicaid assistance to States;⁴

- Small Business Jobs Act of 2010, Public Law 111-240;
- The Physician Payment and Therapy Relief Act of 2010, Public Law 111-286;
- Claims Resolution Act of 2010, Public Law 111-291;
- Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296;
- Medicare and Medicaid Extenders Act of 2010, Public Law 111-309;
- Omnibus Trade Act of 2010, Public Law 111-344; and
- Post-9/11 Veterans Educational Assistance Improvements Act of 2010, Public Law 111-377

In addition to these 13 laws, 21 laws were enacted that were estimated to have PAYGO budgetary effects greater than zero but less than \$500 million over the 2010-2015 or 2010-2020 period. These are:

- Social Security Disability Applicants' Access to Professional Representation Act of 2010, Public Law 111-142;
- Capitol Police Administrative Technical Correction Act of 2009/Travel Promotion Act of 2009, Public Law 111-145;
- An Act to provide that Members of Congress shall not receive a cost-of-living adjustment in pay during fiscal year 2011, Public Law 111-165;
- Haiti Economic Lift Program Act of 2010, Public Law 111-171;
- Homebuyer Assistance and Improvement Act of 2010, Public Law 111-198;
- A Joint Resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 and for other purposes, Public Law 111-210;
- United States Manufacturing Enhancement Act of 2010, Public Law 111-227;
- General and Special Risk Insurance Funds Availability Act of 2010, Public Law 111-228;
- An Act making emergency supplemental appropriations for border security for fiscal year ending September 30, 2010, and for other purposes, Public Law 111-230;⁵

⁴ P.L. 111-226 was amended before enactment to strike its original provisions and substitute provisions that provided funding to States for education jobs and Medicaid assistance. The amendment did not change the official title, which refers to the bill's original provisions concerning reauthorization of the Federal Aviation Administration and modernization of the air traffic control system. OMB's PAYGO scorecard refers to the bill using this official title.

⁵ Public Law 111-230 law was the single appropriations law enacted during the second