

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

|  |   |                           |
|--|---|---------------------------|
| _____  | ) |                           |
| WILDEARTH GUARDIANS,                                 | ) |                           |
|  | ) |                           |
| Plaintiff  | ) |                           |
|  | ) |                           |
|  | ) |                           |
| v.   | ) | CASE NO. 4:09-CV-02453-CW |
|  | ) |                           |
|  | ) |                           |
| LISA JACKSON, in her official capacity as            | ) |                           |
| Administrator of the Environmental Protection Agency | ) |                           |
|  | ) |                           |
| Defendant  | ) |                           |
| _____  |   |                           |

**ORDER GRANTING  
JOINT MOTION TO MODIFY CONSENT DECREE**

Upon consideration of the Joint Motion to Modify Consent Decree, the Motion is  
GRANTED.

The Consent Decree entered on February 23, 2010 (Docket Entry 26) is hereby modified  
to:

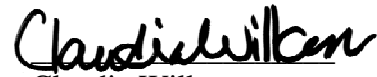
(1) extend the deadline in paragraph 7(a) of the Consent Decree from May 10, 2011 to  
June 21, 2011 for the Administrator to sign a notice or notices approving a State Implementation  
Plan (“SIP”), promulgating a Federal Implementation Plan (“FIP”), or approving a SIP in part  
with promulgation of a partial FIP for Idaho, New Mexico, North Dakota, Oklahoma, and  
Oregon to meet the requirement of 42 U.S.C. § 7410(a)(2)(D)(i)(II) regarding interfering with  
measures in other states related to protection of visibility; and

(2) require the Administrator to sign by March 15, 2011 a notice proposing either  
approval of a SIP, promulgation of a FIP or approval of a SIP in part with promulgation of a

partial FIP for North Dakota to meet the requirement of 42 U.S.C. § 7410(a)(2)(D)(i)(II) regarding interfering with measures in other states related to protection of visibility.

IT IS SO ORDERED.

Date: 1/14/2011

  
Claudia Wilken  
United States District Judge