



U.S. Department
of Transportation
**Federal Highway
Administration**

**Federal Highway Administration
California Division**

January 25, 2010

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In Reply Refer To:
HDA-CA

Mr. Jon A. Clark, Executive Director
Butte County Association of Governments
2580 Sierra Sunrise Terrace, Suite 100
Chico, CA 95928

Mr. Randell Iwasaki, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Dear Mr. Clark and Mr. Iwasaki:

SUBJECT: BCAG 2009 FTIP/FSTIP AMENDMENT #11

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of Amendment #11 to the Butte County Association of Governments (BCAG) 2009 Federal Transportation Improvement Program (FTIP) and the Federal Statewide Transportation Improvement Program (FSTIP), as requested by the California Department of Transportation (Caltrans) letter dated January 11, 2010.

The purpose of the BCAG's 2009 FTIP Amendment #11 is to add or modify funding sources for various projects in Butte County. It includes projects with funding from the American Recovery and Reinvestment Act (Recovery Act), State Highway Operation and Protection Program, Congestion Mitigation and Air Quality Program, and Highway Bridge Program. BCAG adopted the 2009 FTIP Amendment #11 via Resolution No. 2009/2010-10 on December 10, 2009. With this action, the BCAG Board of Directors approved the program modifications of the 2009 FTIP through Amendment #11.

The FHWA and FTA have determined that the 2009 FTIP Amendment #11 does not require a new regional emissions analysis because the projects were found to conform as a part of a previous analysis, pursuant to the transportation conformity provisions found in 40 CFR Part 93



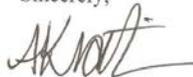
section 122(g). Moreover, the projects are exempt from transportation conformity requirements pursuant to 40 CFR 93.126 or exempt from regional emissions analysis requirements pursuant to 40 CFR 93.127. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000, and the *Transportation Conformity Rule*. Therefore, we find that the 2009 FTIP Amendment #11 conforms to the applicable State Implementation Plan (SIP) in accordance with the provisions of 40 CFR Parts 51 and 93.

In accordance with the July 15, 2004, *Memorandum of Understanding (MOU) between the Federal Highway Administration, California Division and the Federal Transit Administration, Region IX*, the FTA has concurred with this conformity determination. In accordance with the above MOU, the FHWA's single signature constitutes FHWA and FTA's joint air quality conformity determination for the BCAG's 2009 FTIP Amendment #11.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division (FHWA), and the Federal Transit Administration, Region IX, (FTA)* we accept the modifications to the 2008/09 – 2011/12 FSTIP for the BCAG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find BCAG's 2009 FTIP through Amendment #11 was developed based on a continuing, cooperative, and comprehensive transportation planning process in accordance with 23 USC 134 & 135, 49 USC 5303-5305, and 23 CFR 450. The California Department of Transportation assures this amendment has met the financial constraint requirements included in our transportation planning regulations consistent with 23 CFR 450.324(e). This approval is provided with the understanding that individual projects contained in the FSTIP are subject to grantees meeting all necessary FHWA and FTA administrative requirements.

If you have questions concerning this action, please contact Ms. Aimee Kratovil of the FHWA California Division office at (916) 498-5866 or Mr. Jerome Wiggins of the FTA at (415) 744-3133.

Sincerely,



For
Walter C. Waidelich, Jr.
Division Administrator
Federal Highway Administration

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

cc: (e-mail)

Rachel Falsetti, Caltrans, Transportation Programming

Ivan Garcia, BCAG, Programming Manager

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cc:

BCAG 2009 FTIP Binder

AKratovil/ac