



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

REGION IX
Arizona, California,
Hawaii, Nevada, Guam
American Samoa,
Northern Mariana Islands

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Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

JUN 25 2009

Attention: Federal Resources Office, MS # 82
Muhaned Aljabiry, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2009 FTIP Amendment No. 9 – Council of Fresno County Governments (Fresno COG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 9 to the Fresno COG Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated May 18, 2009. Fresno COG adopted Amendment No. 9 on June 2, 2009. This amendment to Fresno COG's 2008/09 FTIP: Adds or modifies ARRA-related programming for various ten projects in Fresno County. The amendment adds an increase in funding for a truck maintenance facility, bus purchases, and a paratransit facility funded with American Recovery and Reinvestment Act of 2009 (Recovery Act) funds.

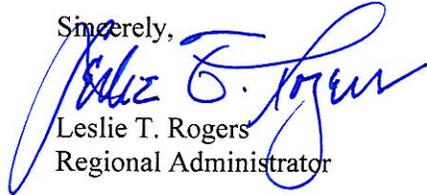
Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, we accept the modifications to the 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP) for the Fresno COG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find that the Fresno COG's 2008/09 FTIP, through Amendment No. 9, was developed through a continuing, cooperative and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. 134, and 49 U.S.C. Chapter 53 as amended by Section 6001 of Public Law 109-59, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

We have determined that this program modification is exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93. 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. Therefore, we find that the FTIP continues to conform to the applicable State Implementation Plan (SIP).

This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative

requirements, and that approval of this programming action does not provide a federal eligibility determination for CMAQ projects or any other project funding source included in this amendment. If you have questions or need additional information concerning our approval for this Fresno COG FSTIP amendment, please contact Paul Page at (415) 744-2734.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leslie T. Rogers", is written over the typed name and title.

Leslie T. Rogers
Regional Administrator

cc: Mr. Walter C. Waidelich, Jr, FHWA
Mr. Tony Boren, Council of Fresno County Governments
Ms. Lisa Hanf, EPA