



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

950 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

April 10, 2009

IN REPLY REFER TO

HDA-CA

Document #: S52604

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

Attention: Federal Resources Office, MS # 82
For Rachel Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2009 FTIP Amendment No. 5 – Madera County Transportation Commission (MCTC)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 5 to the MCTC Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated March 5, 2009. MCTC adopted Amendment No. 5 on February 18, 2009. This amendment to MCTC's 2008/09 FTIP includes:

- Adds FTA Section 5316 funds in FY 2008/09 and consists of \$33,000 in FTA Section 5316 funds in FYs 2008/09 and 09/10 and an equal amount of local match.
- Adds FTA Section 5317 (New Freedom Program) in FYs 2008/09 and 2009/10. Funding is for operating expense in MAX Express and consists of \$2,000 of FTA Section 5317 funds in FYs 2008/09 and 2009/10 and equal amount of local match.
- Programs the Alternative Transit Amenities project using local measure funds in FY 2008/09. The funding for this project will be converted to FTA Section 5311 Economic Recovery Funds via administrative modification at a later date.
- Programs \$2,279,000 of local measure funds for a new non-capacity increased grouped project listing for local streets and roads resurfacing, reconstruction or rehabilitation at various locations. The funding for this project will be converted to FHWA Economic Recovery funds via an administrative modification at a later date. It is recommended that the project description be changed at that time to be consistent with Title 40, Section 93.126-127 Tables 2 and 3, or the categorical exclusion categories specified in Title 40, Section 771.17.

**MOVING THE
AMERICAN
ECONOMY**



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 MCTC 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 MCTC's 2008/09 FTIP, through Amendment No. 5, 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).

Based on our review of the lists of projects proposed for Recovery Act funding, we recommend that MCTC encourage the local agencies in the region to work closely with the Caltrans District Local Assistance Engineer (DLAE) to ensure the proposed Recovery Act projects listed in the FTIP/FSTIP are on located on a Federal-aid highway, specifically a highway or highways eligible for assistance under Chapter 1 of 23 U.S.C. other than highways classified as a local road or rural minor collector.

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 MCTC FSTIP amendment, please contact Scott Carson (scott.carson@dot.gov) of the FHWA California Division office at (916) 498-5029.

Sincerely,

/s/ Leslie T. Rogers

/s/ Aimee Kratovil

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

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

cc: (e-mail)

Ray Sukys, FTA

Eric Eidlin, FTA

Muhaned Aljabiry, Caltrans HQ

Penny Gray, Caltrans HQ

Derek Winning, MCTC

Karina O'Connor, EPA

Dennis Wade, CARB

Cari Anderson, CA Consulting

cc: (other)

MCTC TIP Binder

SCarson/ac



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Walter C. Waidelich, Jr.
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