



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

April 14, 2005

IN REPLY REFER TO

HDA-CA

Document # 47091

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

Attention: Federal Resources Branch, Room 3500
For Ross A. Chittenden, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2004 FTIP Amendment No. 2 – Butte County Association of Governments
(BCAG)

We have completed our review of Amendment No. 2 to the BCAG's 2004 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated March 23, 2005. The BCAG adopted this amendment with Resolution No. 2004/05-04 on December 16, 2004, approving the program modifications and reaffirming the conformity of the BCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The BCAG FTIP Amendment No. 2 was requested by the California Department of Transportation (Caltrans) to program \$46,000 in SHOPP funds in 2004/05 and \$815,000 in SHOPP and RIP funds in 2005/06 for construction of traffic signals at the intersection of State Route (SR) 99 and SR 162 near Richvale. The funds to be utilized for this construction project were originally programmed for construction of the Skyway/Wagstaff intersection signalization project in 2005/06, but that project has since been funded through the CMAQ program.

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 modification to the 2005-2007 Federal Statewide Transportation Improvement Program (FSTIP) for the BCAG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that BCAG's 2004 FTIP, through Amendment No. 2, 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. This approval is provided with the understanding that the Federal Transit Administration (FTA) funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements.

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 sections 126 and 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. Therefore, we find that the FTIP continues to conform to the applicable State Implementation Plan (SIP).

This letter also constitutes approval and inclusion of the BCAG's FTIP Amendment No. 2 into California's 2004/05 – 2006/07 FSTIP.

If you have questions or need additional information concerning our approval for this BCAG FSTIP amendment, please contact Steven Luxenberg of the Federal Highway Administration California Division office at (916) 498-5066, or by email at steve.luxenberg@fhwa.dot.gov.

Sincerely,

/s/ Wade Hobbs

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Jon Clark, BCAG

Ivan Garcia, BCAG

Randy Steen, Caltrans Federal Resources Branch

Ross A. Chittenden, Caltrans Transportation Programming

Muhaned Aljabiry, Caltrans Transportation Programming

Terry Abbott, Caltrans Office of Local Programs

Rachel Falsetti, Caltrans Office of Federal Program Management

Karina O'Connor, EPA

Toby Tiktinsky, EPA

Paul Page, FTA

cc: (other)

BCAG 2004 FTIP Binder

Sluxenberg/jf