U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814-4708

April 19, 2006

IN REPLY REFER TO
HDA-CA
Document # 48932

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

Attention: Rachel Falsetti, Transportation Programming, MS-82

Dear Mr. Kempton:

SUBJECT: FY 2004/05 FSTIP Amendment No. 10 – Merced County Association of Governments (MCAG)

The Federal Highway Administration (FHWA) has completed its review of Amendment No. 10 to the MCAG's 2004/05-2006/07 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated April 3, 2006. MCAG adopted this amendment with Resolution No. 2005/11-17-01 on November 17, 2005 approving these program modifications and reaffirming the conformity of the MCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

This amendment was requested by the California Department of Transportation (Caltrans) to modify MCAG's Hazard Elimination & Safety (HES) lump sum projects (MPO ID: CT005) per project lists constituting the lump sums. The amendment programs a total of $898,000 in Fiscal Year 2005/06.

We accept this amendment in accordance with the provisions of 23 CFR Part 450. We find that this amendment was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the provisions of 23 U.S.C. section 134, and section 8 of the Federal Transit Act (49 U.S.C. app. §1607). Based on our review, we find that changes made to the MCAG FTIP by this amendment are for project types within Table 2 & 3 – Exempt Projects, of 40 CFR 93.126 and 93.127, and are exempt from the requirement that a conformity determination be performed. Therefore, we find this FTIP to conform to the applicable State Implementation Plan (SIP).

This finding has been coordinated with the regional office of the Environmental Protection Agency (EPA) and Region IX office of the Federal Transit Administration (FTA) in accordance with the procedures outlined on the Memorandum of Understanding between the FHWA, California Division, and the FTA, Region IX dated July 15, 2004, on Roles and Responsibilities for Single Mode Amendments.

BUCKLE UP AMERICA

This letter also constitutes approval and inclusion of the MCAG's FTIP Amendment No. 10 into California's 2004/05 – 2006/07 Federal Statewide Transportation Improvement Program.

If you have any questions or need further information, please contact Mr. Leigh Levine of the Federal Highway Administration, California Division office at (916) 498-5034.

Sincerely,

/s/ Wade Hobbs

For
Gene K. Fong
Division Administrator

cc: (e-mail)
Jesse B. Brown, MCAG
Marjorie Kirn, MCAG
Terri Lewis, MCAG
Randy Steen, Caltrans - Federal Resources Branch
Ross A. Chittenden, Caltrans - Transportation Programming
Cathy Gomes, Caltrans - Transportation Programming
Terry Abbott, Caltrans - Office of Local Programs
Rachel Falsetti, Caltrans - Office of Federal Program Management
Dennis Wade, CARB
Karina O'Connor, EPA Region IX
Ted Matley - FTA Region IX

(Other):
MCAG 2004 FTIP Binder

LLevine:lmg