



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814-4708

May 31, 2005

IN REPLY REFER TO

HDA-CA

Document # 47453

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. 4 – Merced County Association of Governments (MCAG)

The Federal Highway Administration has completed its review of Amendment No. 4 to the MCAG's 2004/05-2006/07 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated May 18, 2005. MCAG adopted this amendment with Resolution No. 2005/04-28-01 on April 28, 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 add, delete or modify projects in Merced County that include funding from the Congestion Mitigation and Air Quality (CMAQ) program and the Federal Transit Administration (FTA) 5307 program.

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). Approval of this amendment does not constitute an eligibility determination for the projects from this amendment that are funded from the CMAQ program.

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 Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX dated July 15, 2004, on Roles and Responsibilities for Multi-mode Amendments.

This letter also constitutes approval and inclusion of the MCAG's FTIP Amendment No. 4 into California's 2004/05 – 2006/07 Federal Statewide Transportation Improvement Program (FSTIP).

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, or Mr. Ted Matley of the Federal Transit Administration, Region IX office at (415) 744-2590.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

/s/ Mayel Sosa

Gene K. Fong
Division Administrator
Federal Highway Administration

cc: (e-mail)

Jesse B. Brown, MCAG

Terri Lewis, MCAG

Randy Steen, Caltrans - Federal Resources Branch

Ross A. Chittenden, Caltrans - Transportation Programming

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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:jf