



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

May 30, 2007

IN REPLY REFER TO

HDA-CA

Document #: S50500

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

Attention: Federal Resources Office, M.S. 82
For Rachel Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: BCAG FY 2007 FTIP/FSTIP AMENDMENT NO. 5

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of Amendment No. 5 to the Butte County Association of Governments (BCAG) 2006/07 Federal Transportation Improvement Program (FTIP) and the Federal Statewide Transportation Improvement Program (FSTIP) that was submitted by your letter dated April 27, 2007. BCAG adopted Amendment No. 5 with Resolution No. 2006/07-20 on March 22, 2007. With this action, the BCAG Board of Directors approved the program modifications and reaffirmed the conformity of the BCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The BCAG 2007 FTIP Amendment No. 5 modifies the grouped project listing for the local highway bridge repair and replacement program and includes a new bridge on 6th Street over Hamilton Slough in the City of Biggs. This amendment adds a new FTIP/FSTIP listing for the City of Chico's Cohasset Road Bridge over Sycamore Creek and adds a FTIP/FSTIP listing for the North Fork Trail Extension project programmed with Recreational Trails non-motorized program funds. This amendment also adds funding proposed for obligation in the fourth year (i.e. 2009/2010) of the FTIP/FSTIP for the following projects: public transit system capital and operations projects funded with FTA Section 5307, 5310 and 5311 program funds; planning, programming and monitoring (PP&M) activities funded with state revenues; the reconstruction of Forest Highway 171 (Upper Skyway) with various state and federal funding sources; bridge preservation projects included in the SHOPP Bridge Preservation grouped project listing; and landscaping, curb/gutter, and sidewalks along SR 70 and Montgomery Street in the City of Oroville.

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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 2006/07 – 2009/10 Federal Statewide Transportation Improvement Program (FSTIP) for the BCAG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning that was published in the February 14, 2007, Federal Register. We find that the BCAG's 2006/07 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). The addition of this fourth year of programming revises BCAG's 2006/07 – 2008/09 FTIP into the 2006/07 – 2009/10 FTIP. This approval does not constitute a compliance finding with the remainder of the SAFETEA-LU provisions, but constitutes approval and inclusion of the BCAG FTIP Amendment No. 5 into California's 2006/07 – 2009/10 FSTIP. Based upon FHWA's understanding that a gap closure analysis has been completed, BCAG will be able to continue to amend the 2006/07 – 2009/10 FTIP beyond the SAFETEA-LU implementation deadline of July 1, 2007.

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).

If you have questions or need additional information concerning our approval of this BCAG FTIP/FSTIP amendment, please contact Wade Hobbs in the FHWA California Division office at (916) 498-5027 or by email at wade.hobbs@fhwa.dot.gov.

Sincerely,

/s/ **Leslie T. Rogers**

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

/s/ **K. Sue Kiser**

For
Gene K. Fong
Division Administrator
Federal Highway Administration