



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

950 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

May 12, 2008

IN REPLY REFER TO

HDA-CA

Document #: S51712

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 2007 FTIP Amendment No. 8 – Kern Council of Governments (KCOG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 8 to the KCOG Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated April 15, 2008. KCOG adopted Amendment No. 8 via Resolution 08-13 on March 20, 2008. The primary purpose of KCOG's FTIP Amendment No. 8 is to:

- Modify programming for the collision reduction and the mandates grouped project listings in the State Highway Operations and Protection Program (SHOPP).
- Modifies programming for the Highway Bridge Program per the December 27, 2007 listing.
- Modifies the grouped project listing for the Hazard Elimination Safety Improvement Program by programming two new Wasco crosswalk projects in FYs 2007/08 and 2008/09.
- Advances the construction phase for project KER060401 from FY 2010/11 to FY 2007/08.
- Deletes one Congestion Mitigation and Air Quality (CMAQ) Improvement Program project, KER060508.
- Programs five new recreational trails projects, including four Friends of Jawbone projects and one project for the California Trail Users Coalition.

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 2009/07 – 2009/10 Federal Statewide Transportation Improvement Program (FSTIP) for the KCOG 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 KCOG's 2007 FTIP, through Amendment No. 8, was developed

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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).

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

Sincerely,

/s/ Steve Luxenberg

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Karina O'Connor, EPA

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KCOG TIP Binder

SCarson/ac