



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

April 26, 2007

IN REPLY REFER TO

HDA-CA

Document #: S50413

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. 3 – Merced County Association of Governments (MCAG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 3 to the MCAG 2007 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated April 25, 2007. The MCAG Board adopted Amendment No. 3 with Resolution No. 2007/04-19-03 on April 19, 2007. With that action, the MCAG Board of Directors approved the program modifications and reaffirmed the consistency of the MCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The MCAG 2007 FTIP Amendment No. 3 increases funding for the lump sum FFY 2006/07 State Highway Operation and Protection Program – Roadway Preservation by \$4.1 million for a pavement rehabilitation project on I-5 near Los Banos.

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 2007 Federal Statewide Transportation Improvement Program (FSTIP) for the MCAG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that MCAG's 2007 FTIP, through Amendment No. 3, 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. Chapter 134, and 49 U.S.C. Chapter 53. 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.

**MOVING THE
AMERICAN
ECONOMY**



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 constitutes approval and inclusion of the MCAG's FTIP Amendment No. 3 into California's 2006/07 – 2008/09 FSTIP.

If you have questions or need additional information concerning our approval for this MCAG FSTIP amendment, please contact Scott Carson (scott.carson@fhwa.dot.gov) of the FHWA California Division office at (916) 498-5029.

Sincerely,

/s/ K. Sue Kiser

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Karina O'Connor, EPA

Ted Matley, FTA

Muhaned Aljabiry, Caltrans HQ

Cathy Gomes, Caltrans HQ

Mike Brady, Caltrans HQ

Terry Abbott, Caltrans Local Programs

Marjorie Kirn, MCAG

Terri Lewis, MCAG

Matt Fell, MCAG

Cari Anderson, CA Consulting

cc: (other)

MCAG TIP Binder

sluxenberg/ac