



U.S. Department
of Transportation
**Federal Highway
Administration**

**Federal Highway Administration
California Division**

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April 30, 2010

In Reply Refer To:
HDA-CA

Mr. Randell Iwasaki, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

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

Dear Mr. Iwasaki:

SUBJECT: BCAG 2008/09 – 2011/12 FTIP/FSTIP AMENDMENT NO. 14

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our reviews of Amendment No. 14 to the Butte County Association of Governments' (BCAG) 2008/09 – 2011/12 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated April 7, 2010. The BCAG Board of Directors adopted Resolution No. 2009/2010-15 on February 25, 2010 approving this FTIP modification and reaffirming the conformity of the transportation improvement program with the State Implementation Plan (SIP) for air quality. As detailed in your letter's enclosure, this BCAG FTIP amendment requests to add eight (8) new individual project listings and modify one (1) grouped project listing that was previously approved for inclusion in the 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP).

We have determined that the added project listings and modifications as part of the BCAG FTIP Amendment No. 14 do not require a new regional emissions analysis. All projects included in Amendment No. 14 are exempt from the requirement to determine conformity pursuant to 40 Code of Federal Regulations (CFR) § 93.126. This finding has been coordinated with Region IX of the Environmental Protection Agency (EPA) in accordance with procedures outlined in the *National Memorandum of Understanding (MOU) between DOT and EPA on Transportation Conformity* dated April 25, 2000 and the *Transportation Conformity Rule*. Therefore, we find that the BCAG FTIP Amendment No. 14 conforms to the applicable SIP in accordance with the provisions of 40 CFR Parts 51 and 93.

Pursuant to the July 15, 2004 *MOU between the FHWA – California Division and FTA – Region IX*, based on our review of information submitted with the State's proposed 2008/09 – 2011/12



FSTIP, which includes revenues, proposed project funding information to demonstrate financial constraint, and statewide and metropolitan planning process documentation, we accept these FSTIP modifications proposed 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 have determined that the amended BCAG FTIP, including Amendment No. 14, is financially constrained as required by the Federal surface transportation programs authorizing legislation and statewide planning, metropolitan planning, and programming regulations. BCAG's FTIP was developed through a continuing, cooperative, and comprehensive transportation planning process in accordance with the metropolitan transportation planning provisions of 23 United States Code (U.S.C.) § 134 and 49 U.S.C. Chapter 53. However, any project or project phase listed in the BCAG FTIP that is not included in BCAG's Regional Transportation Plan (RTP) is not approved for inclusion in the FSTIP pursuant to 23 CFR § 450.216(k) and § 450.324(g).

We are approving the 2008/09 – 2011/12 FSTIP with the understanding that the eligibility of individual projects for funding is subject to the applicant's satisfaction of all administrative requirements. This joint FHWA and FTA approval of the FSTIP does not constitute an eligibility determination for the federal funds proposed for obligation on the listed projects. If you have any questions or need additional information concerning our FSTIP approval for this BCAG FTIP amendment, please contact Michael Morris of the FHWA California Division office at (916) 498-5887, or by email at michael.morris@dot.gov; or Jerome Wiggins of the FTA Region IX office at (415) 744-2819, or by email at jerome.wiggins@dot.gov.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration



For
Vincent Mammano
Acting Division Administrator
Federal Highway Administration

cc: (email)

Ivan Garcia, BCAG

Jon Clark, BCAG

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Karina O'Connor, EPA Region IX

Lisa Hanf, EPA Region IX

cc:

BCAG 2008/09 FTIP Binder

MM/