



**Kern Council  
of Governments**

May 6, 2010

Mr. Muhaned Aljabiry  
California Department of Transportation  
Division of Transportation Programming, MS82  
P.O. Box 942874  
Sacramento, CA 94274-0001

Attention: Mr. Dennis Jacobs

**Subject: Withdrawal of the Kern Council of Governments' Amendment No. 15 to the 2009 FTIP (STIM 2 revenue-only)**

Dear Mr. Aljabiry:

Amendment No. 15 to the 2009 Federal Transportation Improvement Program (FTIP) added revenue projected to result from the Economic Stimulus II (STIM 2). Kern COG programmed these funds based on the FHWA/Caltrans estimates in accordance with the "Guidance on Programming Jobs for Main Street Act of 2010 (STIM 2)" developed by Caltrans and FHWA. This guidance was superceded when FHWA issued a ruling that stated "funds expected from the Jobs Bill can be used to demonstrate fiscal constraint, and can be regarded as "available" when a bill is signed into law by the President." Kern COG has been notified by Caltrans that FHWA will not be changing the ruling. Consequently FHWA will not approve any amendment that contains STIM 2 funding.

In order that the 2009 FTIP remains consistent all applicable transportation planning requirements per 23 CFR Part 450 and 40 CFR Part 93, Kern COG is hereby withdrawing Amendment No. 15; as the potential funds associated with the Jobs for Main Street Act are no longer considered "reasonably available." Kern COG has consulted with our Caltrans HQ Programming and received concurrence that Amendment No. 15 should be withdrawn.

If you should have any questions, please feel free to call Raquel Pacheco at (661) 861-2191.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald E. Brummett", written over a horizontal line.

RONALD E. BRUMMETT,  
EXECUTIVE DIRECTOR

REB/rp

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Enclosures

cc:

Dennis Wade, ARB	Caltrans, Div. Of Programs (2 copies)
Katy Linebach, SJVAPCD	Mike Brady, Caltrans
Dave Jones, KCAPCD	Sharri Bender-Ehlert, Caltrans District 6 (letter only)
Ted Matley, FTA	Jim Perrault, Caltrans District 6 DLAE
Sue Kiser, FHWA (electronic)	Tom Hallenbeck, Caltrans District 9
Joseph Vaughn, FHWA (electronic)	Ryan Dermody, Caltrans District 9 DLAE
Lisa Hanf, US EPA (letter only)	Executive Directors, Valley COGs
Karina O'Connor, US EPA	Cari Anderson