U.S. Department of Transportation
Federal Highway Administration

Federal Highway Administration
California Division

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
(916) 498-5008 (fax)

April 8, 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: KCOG AMENDMENT NO. 14

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 14 to the Kern Council of Governments' (KCOG) Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated March 22, 2010. This amendment to KCOG's FTIP:

- Adds, deletes or modifies various projects form various funding programs in Kern County. This amendment includes projects with funding from the following programs: State Highway Operations and Protection Program, Highway Bridge Program, Highway Safety Improvement Program, Rail Section 130 Program, and Federal Transit Administration (FTA) funds.

Pursuant to the July 18, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX,* we accept the modifications to the 2008/09 – 2011/12 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 FTIP, through Amendment No. 14, 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. 184, 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 Joseph Vaughn (Joseph.Vaughn@dot.gov) of the FHWA California Division office at (916) 498-5346.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

For
Vincent Mammano
Acting Division Administrator
Federal Highway Administration

cc: (e-mail)
Ray Sukys, FTA
Paul Page, FTA
Dennis Jacobs, Caltrans HQ
Jody Tian, Caltrans, HQ
Raquel Pacheco, KCOG
Joseph Vaughn, FHWA
Karina O'Connor, EPA
Mike Brady, Caltrans

cc: (other)
KCOG TIP Binder