



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

**Federal Highway Administration  
California Division**

July 13, 2010

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

In Reply Refer To:  
HDA-CA

Ms. Cindy McKim, 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 Ms. McKim:

SUBJECT: KCAG FTIP AMENDMENT NO. 12

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 12 to the Kings County Association of Governments (KCAG) Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated July 9, 2010. This amendment to KCAG's FTIP:

- Adds 9 new projects and modifies 6 existing projects in the KCAG region. Funding sources include the Congestion Mitigation and Air Quality Program (CMAQ), FTA Section 5307, 5311 and 5317 funds, Recovery Act 5307 and 5311 funds, NHS Surface Transportation Program, SHOPP and Local Transportation Funds. Toll Credits are used on CMAQ projects to increase the Federal share to 100 percent.

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 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP) for the KCAG 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 KCAG's FTIP, through Amendment No. 12, 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. 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 KCAG FSTIP amendment, please contact Scott Carson ([scott.carson@dot.gov](mailto:scott.carson@dot.gov)) of the FHWA California Division office at (916) 498-5029.

Sincerely,

*/s/ Leslie T. Rogers*

Leslie T. Rogers  
Regional Administrator  
Federal Transit Administration



For  
Walter C. Waidelich Jr.  
Division Administrator  
Federal Highway Administration

Ray Sukys, FTA  
Paul Page, FTA  
Muhaned Aljabiry, Caltrans Programming  
Lima Huy, Caltrans Programming  
Karina O'Connor, EPA  
Terri King, KCAG  
Bruce Abanathie, KCAG  
Cari Anderson, CA Consulting

cc: (other)  
KCAG TIP Binder

SCarson



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Sincerely,

*/s/ Leslie T. Rogers*

Leslie T. Rogers  
Regional Administrator  
Federal Transit Administration

*/s/ Wade E. Hobbs*

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Division Administrator  
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