



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

**Federal Highway Administration  
California Division**

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March 10, 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: 2008/09 FSTIP AMENDMENT NO. 28, NON-METROPOLITAN AREA

We have completed our review of Amendment Number 28 to the non-metropolitan planning organization (non-MPO) portion of the 2008/09 Federal Statewide Transportation Improvement Program (FSTIP) that was submitted by your letter to the Federal Highway Administration received February 10, 2010, dated February 3, 2010. As detailed in your letter, this amendment updates the FSTIP grouped project listings for the State Highway Operations and Protection Program (SHOPP) bridge preservation, collision reduction, emergency repair, and roadway preservation projects that were previously approved for inclusion in the FSTIP. This amendment also adds a new project listing for the GARVEE debt service payments.

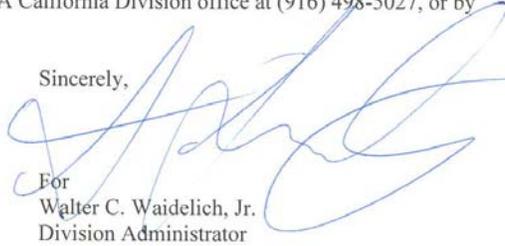
Based on our review we accept this amendment to the 2008/09 FSTIP in accord with the Final Rule on statewide and metropolitan transportation planning that was published in the Federal Register on February 14, 2007. We find that the non-MPO portion of California's FSTIP, including this amendment, was developed through a continuing, cooperative, and comprehensive transportation planning process in accord with the statewide planning provisions of 23 U.S.C. 135 and 49 U.S.C. 5304 as amended by Public Law 105-178, *the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU). We are approving this amendment to the 2008/09 FSTIP in accord with the *July 15, 2004, Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*.



The changes proposed to the FSTIP by the amendment are associated with projects that are either: exempt from the requirement to determine conformity pursuant to 40 CFR 93.126 or 93.127; or are proposed for implementation in an area of the State of California that are designated as attainment or unclassified for Federal Air Quality Standards; or are associated with projects located in isolated non-attainment areas outside the metropolitan planning areas of the State, and as a consequence, is not subject to the requirements that a regional air quality conformity determination be made prior to FSTIP programming. The State's transmittal letter for this amendment correctly notes that projects in non-metropolitan isolated non-attainment areas of California do not need to meet project conformity when included in the FSTIP, however as the letter indicates, the projects must comply with project level conformity requirements prior to taking a Federal action on a project.

If you have questions or need additional information concerning our approval of this amendment, please contact Wade Hobbs of the FHWA California Division office at (916) 498-5027, or by email at [wade.hobbs@dot.gov](mailto:wade.hobbs@dot.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Waidelich, Jr.', is written over the typed name and title.

For  
Walter C. Waidelich, Jr.  
Division Administrator

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cc: (e-mail)  
Ted Matley, FTA Region IX  
Karina O'Connor, EPA  
Fardad Falakfarsa, Federal Resources Office  
Muhaned Aljabiry, Caltrans Programming  
Penny Gray, Caltrans Programming

cc: (other)  
2008/09 FSTIP (non-MPO) Binder

WEH/ac