



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

**Federal Highway Administration
California Division**

August 24, 2010

650 Capitol Mall, Suite 4-100
Sacramento CA 95814
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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: 2008/09 FSTIP AMENDMENT NO. 49, NON-METROPOLITAN AREA

We have completed our review of Amendment Number 49 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 dated August 19, 2010. As detailed in your letter, this amendment adds a new project listing for the preliminary engineering phase of a CNG Fueling Station project in the City of Sutter Creek

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 change proposed to the FSTIP by the amendment is associated with a project 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 is associated with a project 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.

This approval is provided with the understanding that the FTA funding approval on the individual projects contained in this FSTIP are subject to grantees meeting all necessary FTA administrative requirements, and that the approval of this programming request does not provide a federal eligibility determination for federal funding sources included in this amendment.

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.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wade Hobbs".

For
Walter C. Waidehch, Jr.
Division Administrator

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

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

WEH/