U.S. Department of Transportation
Federal Highway Administration

Federal Highway Administration
California Division

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February 9, 2011

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: Butte County Association of Governments' (BCAG) 2010/11-2013/14 FTIP Amendment No. 3

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 3 to the Butte County Association of Governments' (BCAG) FY 2010/11-2013/14 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated January 3, 2011. BCAG adopted Amendment No. 3 on October 28, 2010. This amendment to BCAG's FTIP:

- Updates and adds new projects to the State Highway Operation and Protection Program (SHOPP) grouped project listing in Butte County. The amendment includes funding from the SHOPP, State Bond Fund, and local funds.

Pursuant to the July 17, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX,* we accept the modifications to the 2010/11 – 2013/14 Federal Statewide Transportation Improvement Program (FSTIP) for the BCAG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 17, 2007 Federal Register. We find that the BCAG's FTIP, through Amendment No. 3, 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. 174, 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).

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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 BCAG FTIP amendment, please contact Joseph Vaughn (Joseph.Vaughn@dot.gov) of the FHWA California Division office at (916) 498-5346.

Sincerely,

For
Walter C. Waidelich Jr.
Division Administrator

cc: (e-mail)
Ivan Garcia, BCAG
Jon Clark, BCAG
Jerome Wiggins, FTA
Dennis Jacobs, Caltrans
Muhaned Aljabiry, Caltrans
Karina O'Connor, EPA Region IX

cc:
BCAG 2011 FTIP Binder