U.S. Department of Transportation
Federal Highway Administration

California Division

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

September 13, 2011

In Reply Refer To:
HDA-CA

Mr. Malcolm Dougherty, Acting Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attn: Federal Resources Office, M.S. 82
For Rachel Falsetti, Division of Transportation Programming

Dear Mr. Dougherty:

SUBJECT: Fresno COG FY 2010/11-2013/14 FTIP Amendment # 7

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment # 7 to the Fresno Council of Governments (Fresno COG) FY 2010/11-2013/14 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated September 7, 2011. Fresno COG adopted Amendment # 7 on September 1, 2011. This amendment to Fresno COG's FTIP:

- Addresses 8 individual and 2 grouped project listings. The amendment includes projects with funding from the Congestion Mitigation and Air Quality Improvement Program, State Bond Funds, Highway Bridge Program, Caltrans Minor Program, FTA Sections 5307, 5309 and 5317 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 Fresno COG 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 Fresno COG's FTIP, through Amendment # 7, 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).

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 Fresno COG FSTIP amendment, please contact Scott Carson (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
Vincent P. Mammano
Division Administrator
Federal Highway Administration

cc: (e-mail)
Ray Sukys, FTA
Paul Page, FTA
Muhaned Aljabiry, Caltrans
Dennis Jacobs, Caltrans
Tony Boren, Fresno COG
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Fresno COG FTIP Binder

SCarson/km