U.S. Department of Transportation
Federal Highway Administration

California Division

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Sacramento, CA 95814
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March 20, 2012

In Reply Refer To:
HDA-CA

Mr. Malcolm Dougherty
Acting 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. Dougherty:

SUBJECT: KCAG FY 2010/11-2013/14 FTIP AMENDMENT # 8

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment # 8 to the Kings County Association of Governments (KCAG) FY 2010/11-2013/14 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated March 1, 2012. KCAG adopted Amendment # 8 on February 24, 2012. This amendment to KCAG's FTIP:

- Modifies existing projects and adds new projects, with funding sources including the Highway Bridge Program, the Congestion Mitigation and Air Quality Improvement (CMAQ) Improvement Program, 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 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 # 8, 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 KCAG FSTIP amendment, please contact Scott Carson of the FHWA California Division office at (916) 498-5029 or by email at Scott.Carson@dot.gov.

Sincerely,

/s/ Leslie T. Rogers

For

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

Vincent P. Mammano
Division Administrator
Federal Highway Administration

cc: (e-mail)
Ray Sukys (FTA)
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Scott Carson (FHWA)
Joseph Vaughn (FHWA)

cc: (other)
KCAG FTIP Binder

SCarson/mb