U.S. Department of Transportation
Federal Highway Administration

Federal Highway Administration
California Division

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May 3, 2012

In Reply Refer To:
HDA-CA

Mr. Robert Ball, Acting Executive Director
Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, CA 93301

Mr. Kurt Scherzinger, Acting Chief
Division of Transportation Programming
California Department of Transportation
1120 N Street, MS 82
Sacramento, CA 95814

Attention: Federal Resources Office, M.S. 82
For Muhaned Aljabiry, Division of Transportation Programming

Dear Mr. Ball and Mr. Scherzinger:

SUBJECT: KCOG 2011 FTIP Amendment # 10 and Amendment # 2 to the 2011 RTP

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of KCOG 2011 FTIP Amendment # 10 and Amendment # 2 to the 2011 RTP to the Kern Council of Governments' (KCOG) 2011 Federal Transportation Improvement Program (FTIP) and Regional Transportation Plan (RTP) and the accompanying conformity analysis that was submitted by your letter dated April 26, 2012. KCOG approved KCOG 2011 FTIP Amendment # 10 and Amendment # 2 to the 2011 RTP and the accompanying conformity analysis on April 19, 2012. This amendment to KCOG's FTIP and RTP:

- Adds or modifies individual and grouped projects in Kern County. It includes projects with funding from Federal Discretionary, Federal Earmark, the Federal Transit Administration (FTA) Section 5311 and local funds.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX,* we accept these modifications to the 2010/11 – 2013/14 Federal Statewide Transportation Improvement Program (FSTIP) for the KCOG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find that KCOG's 2011 FTIP through Amendment # 10 and Amendment # 2 to the 2011 RTP were developed through a continuing, cooperative and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23

U.S.C. 134, 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).

This amendment acceptance is pursuant to a joint FHWA and FTA air quality conformity determination for the amended KCOG 2011 FTIP and RTP. This joint FHWA/FTA air quality conformity determination for the amended KCOG 2011 FTIP and RTP is required by the Environmental Protection Agency's (EPA) Transportation Conformity Rule, 40 CFR Parts 51 and 93, and the FHWA/FTA Metropolitan Planning Regulations, 23 CFR Part 450.

This finding has been coordinated with EPA Region 9 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 KCOG's 2011 FTIP Amendment # 10 and Amendment # 2 to the 2011 RTP conforms 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 KCOG FTIP amendment, please contact Joseph Vaughn (Joseph.Vaughn@dot.gov) of the FHWA California Division office at (916) 498-5346.

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
Mike Brady, Caltrans
Raquel Pacheco, KCOG
Robert Ball, KCOG
Karina O'Connor, EPA
Joseph Vaughn, FHWA
Jermaine Hannon, FHWA

Jvaughn/km