



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

**Federal Highway Administration
California Division**

June 9, 2011

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Sacramento, CA 95814
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In Reply Refer To:
HDA-CA

Mr. Malcolm Dougherty, Acting Caltrans 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: Kern Council of Governments' (KCOG) AMENDMENT NO. 5

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 5 to the Kern Council of Governments' (KCOG) Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated May 25, 2011. This amendment to KCOG's FTIP:

- Modifies seven projects from various funding programs in Kern County. It includes individual and grouped project listings with funding from the following programs: State Highway Operations and Protection Program, Highway Bridge Program, State Transportation Improvement Program, the Highway Safety Improvement Program, and Federal Transit Administration (FTA) Section 5307 funds.

Pursuant to the July 18, 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 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 FSTIP, through Amendment No. 5, 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. 184, 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).

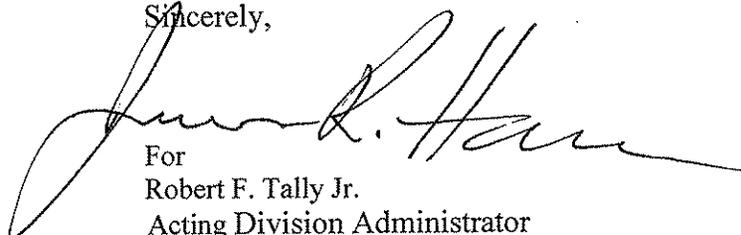
This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements, and that approval of this programming action does not provide a federal eligibility determination 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 KCOG FSTIP amendment, please contact Joseph Vaughn of the FHWA California Division office at (916) 498-5346 or by email at Joseph.Vaughn@dot.gov.

Sincerely,

/s/ *Leslie T. Rogers*

Leslie T. Rogers
Regional Administrator
Federal Transit Administration


For
Robert F. Tally Jr.
Acting 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

Ronald Brummett, KCOG

Karina O'Connor, EPA

Joseph Vaughn, FHWA

Jermaine Hannon, FHWA

cc: (other)

KCOG TIP Binder

JVaughn/km