U.S. Department of Transportation
Federal Highway Administration

Federal Highway Administration
California Division

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
(916) 498-5008 (fax)

September 3, 2010

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: Fresno COG FTIP Amendment No. 27

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 27 to the Council of Fresno County Governments (Fresno COG) Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated September 1, 2010. This amendment to Fresno COG's FTIP:

- Programs eleven new projects, and makes minor changes to the grouped projects listing. The amendment includes projects with funding from State Highway Operations and Protection Program, Highway Bridge Program, State Bond Funds, FTA Sections 5310, 5311, 5316, 5317 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 the modifications to the 2008/09 – 2011/12 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 No. 27, 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. 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).

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
Walter C. Waidelich Jr.
Division Administrator
Federal Highway Administration

Ray Sukys, FTA
Paul Page, FTA
Dennis Jacobs, Caltrans HQ
Karina O'Connor, EPA
Tony Boren, Fresno COG
Barbara Steck, Fresno COG
Melissa Garza, Fresno COG
Cari Anderson, CA Consulting

cc: (other)
Fresno COG TIP Binder

SCarson

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Leslie T. Rogers
Regional Administrator
Federal Transit Administration

s/ Wade E. Hobbs

For
Walter C. Waidelich Jr.
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