



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

**Federal Highway Administration
California Division**

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May 12, 2010

In Reply Refer To:
HDA-CA

Mr. Randell Iwasaki, 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. Iwasaki:

SUBJECT: SACOG 2008/09 – 2011/12 MTIP/FSTIP AMENDMENT NO. 23

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our reviews of Amendment No. 23 to the Sacramento Area Council of Governments' (SACOG) 2008/09 – 2011/12 Metropolitan Transportation Improvement Program (MTIP) that was submitted by your letter dated March 29, 2010. The SACOG Board of Directors adopted Resolution No. 1-2010 on January 21, 2010 approving this MTIP modification and reaffirming the conformity of the transportation improvement program with the State Implementation Plan (SIP) for air quality. As detailed in the enclosure to your letter, this SACOG MTIP amendment requests to add thirty-six (36) new individual project listings, remove thirty-two (32) and modify one-hundred two (102) individually listed projects that were previously approved for inclusion in the 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP), and remove two (2) and modify fourteen (14) grouped project listings previously approved for inclusion in SACOG's MTIP and California's FSTIP.

Acceptance of this amendment is pursuant to a joint FHWA and FTA air quality conformity determination for the amended SACOG MTIP, which is required by the U.S. Environmental Protection Agency's (EPA) transportation conformity rule – 40 Code of Federal Regulations (CFR) Parts 51 and 93 – and the FHWA/FTA Metropolitan Planning Regulations – 23 CFR § 450. This finding has been coordinated with Region IX of the EPA in accordance with the procedures outlined in the National Memorandum of Understanding (MOU) between the Department of Transportation (DOT) and EPA on Transportation Conformity, dated April 25, 2000. Accordingly, we find that the SACOG 2008/09 – 2011/12 MTIP, including Amendment No. 23, conforms to the applicable SIP for air quality.



Pursuant to the July 15, 2004 *MOU between the FHWA – California Division and FTA – Region IX*, based on our review of information submitted with the State’s proposed 2008/09 – 2011/12 FSTIP that includes revenues, proposed project funding information to demonstrate financial constraint, and statewide and metropolitan planning process documentation, we accept these FSTIP modifications proposed for the SACOG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning that was published in the February 14, 2007 Federal Register. We have determined that the amended SACOG MTIP, including Amendment No. 23, is financially constrained as required by the Federal surface transportation programs authorizing legislation and statewide planning, metropolitan planning, and programming regulations. SACOG’s MTIP was developed through a continuing, cooperative, and comprehensive transportation planning process in accordance with the metropolitan transportation planning provisions of 23 United States Code (U.S.C.) § 134 and 49 U.S.C. Chapter 53. However, any project or project phase listed in the SACOG MTIP that is not included in SACOG’s Regional Transportation Plan (RTP) is not approved for inclusion in the FSTIP pursuant to 23 CFR § 450.216(k) and § 450.324(g).

Our FSTIP approval action includes project listings that indicate no funds are proposed for obligation during the four-year MTIP period. These projects and/or project phases cannot be advanced to implementation without an action by the FHWA and FTA on the FSTIP pursuant to 23 CFR § 450.216(l) and 450.328(e). In addition, project or project phase funding included in the FSTIP proposed for obligation outside of the MTIP is accepted by the FHWA and FTA as “informational” in accordance with 23 CFR § 450.216(a) and 450.324(a).

We are approving the 2008/09 – 2011/12 FSTIP with the understanding that the eligibility of individual projects for funding is subject to the applicant’s satisfaction of all administrative requirements. This joint FHWA and FTA approval of the FSTIP does not constitute an eligibility determination for the federal funds proposed for obligation on the listed projects. If you have any questions or need additional information concerning our FSTIP approval for this SACOG MTIP amendment, please contact Michael Morris of the FHWA California Division office at (916) 498-5887, or by email at michael.morris@dot.gov; or Jerome Wiggins of the FTA Region IX office at (415) 744-2819, or by email at jerome.wiggins@dot.gov.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

/s/ Aimee Kratovil

For
Vincent Mammano
Acting Division Administrator
Federal Highway Administration

cc: (email)

Jose Luis Caceres, SACOG

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cc:

SACOG 2008/09 MTIP Binder

MM/