



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

**Federal Highway Administration
California Division**

May 18, 2009

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Mr. Will Kempton,
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. Kempton:

SUBJECT: SLOCOG 2008/09 TIP/FSTIP AMENDMENT NO. 6

We have completed our review of Amendment No. 6 to the San Luis Obispo Council of Governments' (SLOCOG) 2008 Transportation Improvement Program (TIP) that was submitted by your letter dated May 12, 2009. The SLOCOG Board of Directors adopted Resolution No. 09-03 on April 8, 2009, approving this TIP modification. As detailed in the enclosure to your letter, this SLOCOG TIP amendment adds four new 'grouped project' listings to the SLOCOG TIP and California's Federal Statewide Transportation Improvement Program (FSTIP). The grouped project listings collectively encompass 38 projects supported with funding provided by the American Recovery and Reinvestment Act of 2009.

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 2008 TIP for the SLOCOG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning that was published in the February 14, 2007, Federal Register. We find that the SLOCOG 2008 TIP, including Amendment No. 4, was developed through a continuing, cooperative and comprehensive transportation planning process in accord with the metropolitan transportation 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)*.

Pursuant to 23 CFR 450.324(f), projects that are not considered to be of appropriate scale for individual identification in a given program year may be grouped by function, work type, and/or geographic area using the applicable classifications under 23 CFR 771.117(c) and (d). Based on our review of the amendment documentation provided, and discussions with SLOCOG staff, we



are withholding FSTIP programming approval for the 46W/101 Interchange Improvements Phase Ia (MPO ID # 223-0000-0004) and US 101/Willow Rd. IC Phase I (MPO ID # 223-0000-0293) as these projects cannot be grouped using the categorical exclusions (CE) classifications under 23 CFR 771.117. Both the 46W/101 Interchange Improvements Phase Ia project and the 'U.S. 101/Willow Rd. IC Phase 1' project may be approved for inclusion in the FSTIP as individual project listings once the projects are included in the SLOCOG TIP as individually listed projects.

Based on our review of the TIP financial constraint documentation submitted with the subject amendment, we have determined that the amended TIP is financially constrained as required by the Federal surface transportation programs authorizing legislation and statewide and metropolitan planning and programming regulations. The eligibility of individual projects for funding is subject to the applicant's satisfaction of all administrative requirements.

If you have questions or need additional information concerning our FSTIP approval for this SLOCOG TIP amendment, please contact Wade Hobbs of the FHWA California Division office at (916) 498-5027, or by email at wade.hobbs@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

For
Walter C. Waidelich Jr.
Division Administrator
Federal Highway Administration