



U.S. Department
of Transportation

**Federal Highway
Administration**

**Federal Highway Administration
California Division**

May 24, 2011

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In Reply Refer To:
HDA-CA

Mr. Tony Boren, Executive Director
Fresno Council of Governments
2035 Tulare Street
Fresno, CA 93721

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. Boren and Mr. Dougherty:

SUBJECT: Fresno COG FY 2010/11-2013/14 FTIP Amendment # 3, 2011 RTP Amendment # 1 and Associated Air Quality Conformity Determination

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment # 3 to the Fresno Council of Governments (Fresno COG) 2010/11-2013/14 Federal Transportation Improvement Program (FTIP) and the accompanying required Air Quality Conformity Determination that was submitted by your letter dated May 6, 2011. Fresno COG approved Amendment # 3 to the 2010/11-2013/14 FTIP and Amendment # 1 to the 2011 Regional Transportation Plan (RTP) and the accompanying Air Quality Conformity Determination on April 28, 2011. This amendment to Fresno COG's FTIP:

- Addresses 41 individual projects. Funding sources include State Bond funds, the State Highway Operation and Protection Program (SHOPP), FTA Section 5309 funds and local funding. Amendment # 3 also includes a new air quality conformity emissions analysis and conformity determination.

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 2010/11 – 2013/14 Federal Statewide Transportation Improvement Program (FSTIP) and the 2011 RTP 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 Fresno COG's 2010/11-2013/14 FTIP through



Amendment # 3 and the 2011 RTP through Amendment # 1 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 Fresno COG FY 2010/11 – 2013/14 FTIP. This joint FHWA/FTA air quality conformity determination for the amended Fresno COG FY 2010/11 - 2013/14 FTIP and the 2011 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 Fresno COG's 2010/11-2013/14 FTIP through Amendment # 3 and 2011 RTP through Amendment # 1 conforms to the applicable State Implementation Plan (SIP).

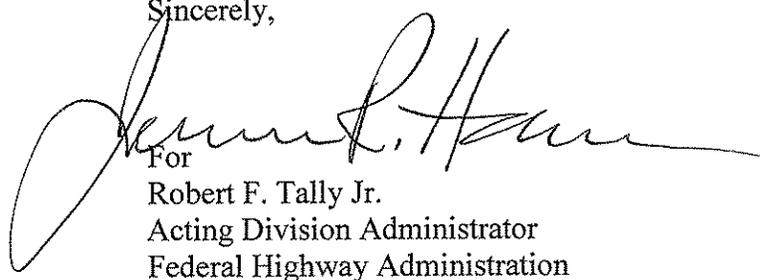
This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements, and that approval of this programming action does not provide a federal eligibility determination 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 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
Robert F. Tally Jr.
Acting Division Administrator
Federal Highway Administration

cc: (e-mail)

Tony Boren, Fresno COG

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cc: (other)

Fresno COG FTIP Binder

SCarson/km