



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

**Federal Highway Administration
California Division**

September 22, 2011

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

Mr. Ronald E. Brummett, Executive Director
Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, CA 93301

Mr. Malcolm Dougherty, Acting 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. Brummett and Mr. Dougherty:

SUBJECT: KCOG FY 2010/11-2013/14 FTIP Amendment # 7 and Conformity
Determination

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment # 7 to the Kern Council of Governments' (KCOG) 2010/11-2013/14 Federal Transportation Improvement Program (FTIP) and the accompanying conformity analysis that was submitted by your letter dated September 19, 2011. KCOG approved Amendment # 7 to the 2010/11-2013/14 FTIP and the accompanying conformity analysis on September 15, 2011. This amendment to KCOG's FTIP:

- Modifies two individual projects in Kern County. It includes projects with funding from the State Transportation Improvement Project (STIP), Proposition 1B, 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 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 2010/11-2013/14 FTIP through Amendment # 7 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).

This amendment acceptance is pursuant to a joint FHWA and FTA air quality conformity determination for the amended KCOG FY 2010/11 – 2013/14 FTIP. This joint FHWA/FTA air quality conformity determination for the amended KCOG FY 2010/11 - 2013/14 FTIP 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 KCOG's 2010/11-2013/14 FTIP through Amendment # 7 conforms to the applicable State Implementation Plan (SIP).

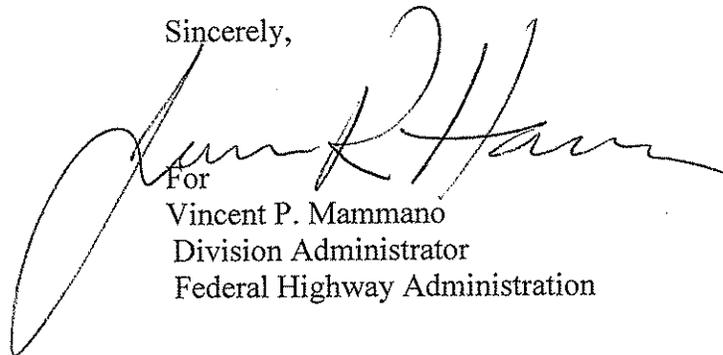
This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements, and that approval of this programming action does not provide a federal eligibility determination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

/s/ *Leslie T. Rogers*

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

Sincerely,



For
Vincent P. Mammano
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

JVaughn/km