



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)

November 12, 2009

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: 2008/09 – 2011/12 FSTIP AMENDMENT NO. 19,  
NON-METROPOLITAN AREA

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our reviews of Amendment No. 19 to the non-metropolitan planning organization (non-MPO) portion of the 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP) that was submitted by your letter dated October 19, 2009. As detailed in the enclosure to your letter, this amendment adds two (2) new project listings to the 2008/09 – 2011/12 FSTIP and modifies eight (8) project listings that were previously approved for inclusion in the 2008/09 – 2011/12 FSTIP.

Based on our review, we accept this amendment to the 2008/09 – 2011/12 FSTIP in accord with the Final Rule on Statewide and Metropolitan Transportation Planning that was published in the Federal Register on February 14, 2007. We find that the non-MPO portion of California's FSTIP, including Amendment No. 19, was developed through a continuing, cooperative, and comprehensive transportation planning process in accordance with the statewide planning provisions of 23 U.S.C. § 135 and 49 U.S.C. 5304, as amended by Public Law 105-178, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). We are approving this amendment to the 2008/09 – 2011/12 FSTIP pursuant with the July 15, 2004 Memorandum of Understanding between the FHWA, California Division, and the FTA, Region IX.

Changes that are proposed to the FSTIP by this amendment are associated with projects that are either exempt from the requirements to determine conformity pursuant to 40 CFR § 93.126 or 93.127, are proposed for implementation in areas of the State of California designated as



attainment or unclassified for Federal Air Quality Standards, or are located in isolated non-attainment areas outside the metropolitan planning areas of the State. As a result, changes proposed within this amendment are not subject to the requirement that a regional air quality conformity determination be made prior to FSTIP programming. The State's approval letter for this amendment correctly notes that projects in the non-metropolitan isolated non-attainment areas of California do not need to meet project conformity when included in the FSTIP; however, as the letter indicates, projects must comply with project level conformity requirements prior to taking a Federal action, such as National Environmental Policy Act (NEPA) decisions or a Federal funding approval.

If you have questions or need additional information concerning our approval of Amendment No. 19 to the 2008/09 – 2011/12 FSTIP for the rural/non-metropolitan area of the State, please contact Michael Morris of the FHWA California Division office at (916) 498-5887, or by email at [michael.morris@dot.gov](mailto:michael.morris@dot.gov); or Ted Matley of the FTA Region IX office at (415) 744-2590, or by email at [ted.matley@fta.dot.gov](mailto:ted.matley@fta.dot.gov).

Sincerely,

*/s/ Leslie T. Rogers*

Leslie T. Rogers  
Regional Administrator  
Federal Transit Administration

*/s/ Steve Luxenberg*

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

cc: (email)

Wade Hobbs, FHWA

Ted Matley, FTA Region IX

Penny Gray, Caltrans ([penny\\_gray@dot.ca.gov](mailto:penny_gray@dot.ca.gov))

Fardad Falakfarsa, Caltrans ([fardad\\_falakfarsa@dot.ca.gov](mailto:fardad_falakfarsa@dot.ca.gov))

Karina O'Connor, EPA Region IX

cc:

2008/09 FSTIP Non-MPO Binder

MM/ac



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*/s/ Leslie T. Rogers*

Leslie T. Rogers  
Regional Administrator  
Federal Transit Administration

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Waidelich, Jr.", written over a light blue circular stamp.

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

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cc: (email)  
Wade Hobbs, FHWA  
Ted Matley, FTA Region IX  
Penny Gray, Caltrans ([penny\\_gray@dot.ca.gov](mailto:penny_gray@dot.ca.gov))  
Fardad Falakfarsa, Caltrans ([fardad\\_falakfarsa@dot.ca.gov](mailto:fardad_falakfarsa@dot.ca.gov))  
Karina O'Connor, EPA Region IX

cc:  
2008/09 FSTIP Non-MPO Binder

MM/ac