



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814
April 7, 2009

IN REPLY REFER TO
HDA-CA
Document #: S52589

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: StanCOG 2008/09 FTIP/FSTIP AMENDMENT NO. 5

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of Amendment No. 5 to the Stanislaus Council of Governments (StanCOG) 2008/09 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated March 24, 2009. StanCOG adopted Amendment No. 5 on March 11, 2009, by Resolution Number 08-48. This amendment to StanCOG's 2008/09 FTIP and California's 2008/09 Federal Statewide Transportation Improvement Program (FSTIP) adds 16 new project listings to the FTIP/FSTIP, modifies two projects previously listed, and updates the financial table to reflect actual FTA funding available through the *American Recovery and Reinvestment Act of 2009* (Recovery Act)

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division (FHWA), and the Federal Transit Administration, Region IX, (FTA)* we accept the modifications to the 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP) for the StanCOG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find that the StanCOG's FY 2009 FTIP, through Amendment No. 5, 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).

Based on our review of the projects listed in the CTIPS database for this amendment, the project information provided with StanCOG's March 17, 2009 transmittal letter for this amendment, and our follow-up discussions with StanCOG staff, we are approving the inclusion of the following two new projects in the FSTIP as part of this amendment: CTIPS ID 2214-0000-0483 (County

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Signal Projects), and CTIPS ID 214-0000-0456 (HSIP Grouped Projects). Based on our review and follow-up discussions with StanCOG staff, we are excluding the addition of new project listing for resurfacing roads (e.g. CTIPS ID 214-0000-0487) from our FSTIP approval. This project was included in the CTIPS database listings for this amendment but was not included in the FTIP Amendment documentation attached to the StanCOG March 17, 2009, transmittal letter.

Based on our review of the lists of projects proposed for Recovery Act funding, we recommend that StanCOG encourage the local agencies in the region to work closely with the Caltrans District Local Assistance Engineer (DLAE) to ensure the proposed Recovery Act projects listed in the FTIP/FSTIP on located on a Federal-aid highway, specifically a highway or highways eligible for assistance under Chapter 1 of 23 U.S.C. other than highways classified as a local road or rural minor collector.

We have determined that the modification proposed to the FSTIP by this FTIP amendment are exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000.

If you have any questions or need additional information concerning our approval of this FTIP/FSTIP amendment, please contact Sue Kiser (sue.kiser@dot.gov) of the FHWA California Division office at (916) 498-5009; or Alex Smith (alex.smith@dot.gov) of the FTA Region IX office at (415) 744-2599.

Sincerely,

/s/ Leslie T. Rogers

/s/ K. Sue Kiser

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

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

cc: (e-mail)

Alex Smith, FTA

Joseph Vaughn, FHWA

Karina O'Connor, EPA

Abhijit Bagde, Caltrans Programming

Fardad Falakfarsa, Federal Resources Office

Carlos Yamzon, StanCOG

Scott Phillips, StanCOG

cc: (other)

StanCOG 2009 FTIP Binder

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Walter C. Waidelich, Jr.
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