U.S. Department of Transportation
Federal Highway Administration

Federal Highway Administration
California Division

650 Capitol Mall, Suite 4-100
Sacramento, CA 95817
(916) 498-5001
(916) 498-5008 (fax)

November 1, 2010

In Reply Refer To:
HDA-CA

Ms. Cindy McKim, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95817

Attention: Federal Resources Office, M.S. 82
For Rachel Falsetti, Division of Transportation Programming

Dear Ms. McKim:

SUBJECT: MCAG FTIP Amendment No. 28

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 28 to the Merced County Association of Governments (MCAG) Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated October 25, 2010. This amendment to MCAG's FTIP:

- Revises the funding split for the Maintenance Asphalt Concrete Overlay project of the Grouped Project for Highway Maintenance Program in Federal Fiscal Year (FFY) 2010/11 and corrects various programming errors to the Grouped Project for State Highway Operation and Protection Program – Collision Reduction in FFYs 2008/09, 2009/10 and 2011/12.

Pursuant to the July 17, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX,* we accept the modifications to the 2008/09 – 2011/12 Federal Statewide Transportation Improvement Program (FSTIP) for the MCAG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 17, 2007 Federal Register. We find that the MCAG's FTIP, through Amendment No. 28, 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. 174, 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).

We have determined that this program modification is 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. Therefore, we find that the FTIP continues to conform 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 MCAG FSTIP amendment, please contact Scott Carson (scott.carson@dot.gov) of the FHWA California Division office at (916) 498-5029.

Sincerely,

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

cc: (e-mail)
Ray Sukys, FTA
Eric Eidlin, FTA
Lima Huy, Caltrans HQ
Karina O'Connor, EPA
Marjie Kirn, MCAG
Matt Fell, MCAG
Ty Phimmasone, MCAG
Cari Anderson, CA Consulting

cc: (other)
MCAG TIP Binder

SCarson

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Sincerely,

s/ Jermaine R. Hannon

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