



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

March 5, 2009

IN REPLY REFER TO

HDA-CA

Document #:S52509

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

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

Dear Mr. Kempton:

SUBJECT: BCAG 2009 FTIP/FSTIP AMENDMENT #2

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of Amendment #2 to the Butte County Association of Governments (BCAG) 2009 Federal Transportation Improvement Program (FTIP) and the Federal Statewide Transportation Improvement Program (FSTIP), as requested by your letter dated February 27, 2009.

The purpose of the BCAG's 2009 FTIP Amendment #2 is to introduce a new fund source into the financial plan to include available revenue for the BCAG region based on the American Recovery and Reinvestment Act of 2009 (ARRA). This amendment adds \$32,000,000 in the FHWA funds and \$2,750,000 in the FTA funds as revenue in the Fiscal Year 2008/09. BCAG adopted the 2009 FTIP Amendment #2 via Resolution No. 2008/2009-11 on February 26, 2009. With this action, the BCAG Board of Directors approved the program modifications of the 2009 FTIP through Amendment #2.

The FHWA and the FTA have determined that a conformity determination is not required for BCAG's 2009 FTIP Amendment #2 pursuant to the Environmental Protection Agency's (EPA) *Transportation Conformity Rule*, 40 CFR Parts 51 and 93, and the United States Department of Transportation's *Metropolitan Planning Rule*, 23 CFR Part 450.

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 FSTIP for the BCAG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find BCAG's 2009 FTIP Amendment #2 was developed based on a continuing, cooperative, and comprehensive transportation planning process in accordance with 23 USC 134 & 135, 49 USC 5303-5305, and 23 CFR 450.

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The California Department of Transportation assures this amendment has met the financial constraint requirements included in our transportation planning regulations, i.e. 23 CFR 450.324(e). This approval is provided with the understanding that individual projects contained in the FSTIP are subject to grantees meeting all necessary FHWA and FTA administrative requirements.

If you have questions concerning this action, please contact Ms. Aimee Kratovil of the FHWA California Division office at (916) 498-5866 or Mr. Jerome Wiggins of the FTA at (415) 744-3133.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

/s/ Aimee Kratovil

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

cc: (e-mail)

John Clark, BCAG, Executive Director

Ivan Garcia, BCAG, Programming Manager

Muhaned Aljabiry, Caltrans HQ, Federal Programming

Jody Tian, Caltrans HQ, Federal Programming

Karina O'Connor, EPA Region IX

Jerome Wiggins, FTA Region IX

cc:

BCAG 2009 FTIP Binder

AKratovil/ac



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