



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

REGION IX
Arizona, California,
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American Samoa,
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FEB 19 2010

Rachel Falsetti
Chief, Division of Transportation Programming
California Department of Transportation
PO Box 924873, MS-82
Sacramento, California 94274-0001

Re: Amendment 39 to Metropolitan Transportation Commission TIP

Dear Ms. Falsetti:

We have completed our review of your correspondence dated February 18, 2010, and supporting information regarding Amendment Number 39 to the Metropolitan Transportation Commission (MTC) 2008/2009-2011/2012 Federal Transportation Improvement Program (FTIP). We approve this amendment for inclusion into the California 2008/2009-2011/2012 Federal Transportation Improvement Program (FTIP).

This amendment for Federal Transit Administration (FTA) funds removes \$70 million in American Reinvestment and Recovery Act funds from the BART Oakland Airport Connector project and reprograms these funds in the amounts of \$67,492,879 to transit operations and rehabilitation projects, \$527,655 to the Vacaville Intermodal Station project, and \$2,009,466 to the Vallejo Ferry Terminal Intermodal facility. By virtue of approving Amendment Number 39, FTA acknowledges the Governor's receipt and transfer of funds consistent with the allocation approved by the Metropolitan Transportation Commission.

Based on the unique set of circumstances surrounding this amendment, FTA approves this amendment with the understanding that FTA has waived the local consultation process, which was administratively established and not required by 49 USC 5336(f)(4). Accordingly, we find this amendment to be based on a continuing, comprehensive, and coordinated transportation planning process, and also, in accordance with the provisions of 23 U.S.C. Section 134, 49 U.S.C. Section 5303, and 49 U.S.C. Section 5336(f)(4). The elements of this amendment are consistent with the State Implementation Program and conform to applicable air quality regulations. In addition, the funds programmed are consistent with anticipated revenues and the amendment does not conflict with current financial planning expectations.

This letter also constitutes approval of the amendment with the understanding that FTA funding approval on individual projects is subject to the grantees meeting the necessary administrative requirements.

Should you have any questions, please contact Ted Matley at (415) 744-2590.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie T. Rogers". The signature is fluid and cursive, with a large initial "L" and "R".

For Leslie T. Rogers
Regional Administrator

Cc: Lisa Hanf, EPA Office of Air Planning
Sri Srinivasan, MTC
Sue Kiser, FHWA CA Division