



U.S. Department
of Transportation
Federal Highway
Administration

Federal Highway Administration
California Division

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(916) 498-5001
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June 10, 2009

In Reply Refer To:
HDA-CA
Document # S52742

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: SJCOG FY 2008/09 FTIP Amendment # 8

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment # 8 to the San Joaquin Council of Governments (SJCOG) Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated May 22, 2009. SJCOG approved Amendment # 8 on May 7, 2009. This amendment to SJCOG's 2008/09 FTIP:

- Adds or modifies from San Joaquin County, including projects from various funding programs including the 2009 American Recovery and Reinvestment Act (Recovery Act). The amendment programs funding from the Recovery Act for projects from the Regional Surface Transportation Enhancement Program, and the Federal Transit Administration (FTA) 5307 programs.

Pursuant to the July 15, 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 SJCOG 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 SJCOG's 2008/09 FTIP, through Amendment # 8, 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).



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).

Based on our review of the lists of projects proposed for Recovery Act funding, we recommend that SJCOG 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 are 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.

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 SJCOG FSTIP amendment, please contact Scott Carson (scott.carson@dot.gov) of the FHWA California Division office at (916) 498-5029.

Sincerely,

/s/ Leslie T. Rogers

/s/ Steve Luxenberg

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

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

cc: (e-mail)

Lorraine Lerman, FTA

Jody Tian, Caltrans HQ

Tanisha Taylor, SJCOG

Sam Kaur, SJCOG

Dennis Wade, CARB

Karina O'Connor, EPA

Cari Anderson, CA Consulting

cc: (other)

SJCOG TIP Binder



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Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Waidelich, Jr.', is written over the typed name and title of the signatory.

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

/s/ **Leslie T. Rogers**

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

cc: (e-mail)

Lorraine Lerman, FTA

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cc: (other)

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