U.S. Department of Transportation
Federal Highway Administration

California Division

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Sacramento, CA 95814
(916) 498-5001

October 1, 2013

In Reply Refer To:
HDA-CA

Ms. Rachel Falsetti
Chief
Division of Transportation Programming
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attn: Muhaned Aljabiry

SUBJECT: KCAG FY 2012/13-2015/16 FTIP Amendment # 6

Dear Ms. Falsetti:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment # 6 to the Kings County Association of Governments (KCAG) FY 2012/13-2015/16 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated September 27, 2013. KCAG adopted Amendment # 6 on September 17, 2013. This amendment to KCAG's FTIP:

- Modifies projects in the KCAG region funded by the Congestion Mitigation and Air Quality Improvement Program and State Highway Operation and Protection Program.

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 2012/13 – 2015/16 Federal Statewide Transportation Improvement Program (FSTIP) for the KCAG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find that KCAG's FTIP, through Amendment # 6, 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 Sections 1201, 1202, 20005 and 20006 of Public Law 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21).

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

Sincerely,

For: Vincent P. Mammano
Division Administrator