U.S. Department of Transportation
Federal Highway Administration

Federal Highway Administration
California Division

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March 11, 2013

In Reply Refer To:
HDA-CA

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

Attention: Mr. Muhaned Aljabiry

SUBJECT: KCOG FTIP AMENDMENT NO. 3

Dear Ms. Falsetti:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 3 to the Kern Council of Governments' (KCOG) Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated February 28, 2013. This amendment to KCOG's FTIP:

- Adds and modifies projects in the KCOG region. This amendment includes projects funded from the State Highway Operation and Protection Program, Highway Bridge Program, and the Transportation Enhancement Program.

Pursuant to the July 18, 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 KCOG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find that KCOG's FSTIP, through Amendment No. 3, was developed through a continuing, cooperative and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 CFR Part 450.

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 KCOG FSTIP amendment, please contact Joseph Vaughn of the FHWA California Division office at (916) 498-5346 or by email at Joseph.Vaughn@dot.gov.

Sincerely,

For: Vincent P. Mammano
Division Administrator