U.S. Department of Transportation
Federal Highway Administration

California Division

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July 8, 2013

In Reply Refer To:
HDA-CA

Ms. Majorie Kirn
Executive Director
Merced County Council of Governments
369 W. 18th Street
Merced, CA 95340

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

Attention: Federal Resources Office, M.S. 82
For Muhaned Aljabiry, Division of Transportation Programming

SUBJECT: MCAG 2013 FTIP Amendment # 5

Dear Ms. Kirn and Ms. Falsetti:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of the Merced County Association of Governments' (MCAG) 2013 Federal Transportation Improvement Program (FTIP) Amendment # 5 and 2011 Regional Transportation Plan and the accompanying conformity analysis that was submitted by your letter dated May 20, 2013. MCAG approved Amendment # 5 to the 2013 FTIP and the accompanying conformity analysis on May 16, 2013. This amendment to MCAG's FTIP:

- Adds the California Transportation Commission- allocated State Route 99 Bond funding program for construction to an existing project, Atwater Merced Expressway Phase 1A, in the Merced region.

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 2012/13 – 2015/16 Federal Statewide Transportation Improvement Program (FSTIP) for the MCAG region in accordance with the Final Rule on Statewide and Metropolitan Transportation Planning published in the February 14, 2007 Federal Register. We find that MCAG's 2013 FTIP Amendment #5/ 2011 RTP and accompanying conformity analysis were 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 is the 21st Century Act (MAP-21).

This amendment acceptance is pursuant to a joint FHWA and FTA air quality conformity determination for the amended MCAG 2013 FTIP and 2011 RTP. This joint FHWA/FTA air quality conformity determination for the amended MCAG 2013 FTIP and 2011 RTP is required by the Environmental Protection Agency's (EPA) Transportation Conformity Rule, 40 CFR Parts 51 and 93, and the FHWA/FTA Metropolitan Planning Regulations, 23 CFR Part 450. Pursuant to 40 CFR 93.102(d), this conformity determination fulfills the requirement that areas designated nonattainment for the 8-hour ozone standard complete a conformity determination by July 20, 2013. In accordance with Section 93.122(g) of the conformity rule, portions of this conformity determination relied on a previous regional emissions analysis for carbon monoxide, PM-10, and PM 2.5.

This finding has been coordinated with EPA Region 9 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 MCAG's 2013 FTIP Amendment # 5 and 2011 RTP and accompanying conformity analysis conforms 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 MCAG Final 2013 FTIP Amendment #5 and accompanying conformity analysis, please contact Cecilia Crenshaw (cecilia.crenshaw@dot.gov) of the FHWA California Division office at (916) 498-5033.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

For: Vincent P. Mammano
Division Administrator
Federal Highway Administration