U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA. 95814-2724
September 26, 2003

IN REPLY REFER TO
HDA-CA
Document #: S43818

Mr. Jeff Morales, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Rachel Falsetti, Transportation Programming

Dear Mr. Morales:

SUBJECT: Stanislaus Council of Governments (StanCOG) Amendments 7, 10, 13 and 14 to the 2002/03-2004/05 Federal Transportation Improvement Program (FTIP)

We have completed our review of Amendments 7, 10, 13 and 14 to StanCOG's 2002/03-2004/05 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated August 29, 2003. StanCOG adopted amendment No. 7 via Resolution on January 8, 2003 while amendment No. 10 was passed by motion of StanCOG's policy board via the Board's May 21, 2003 minutes. Amendments 13 and 14 were adopted via Resolution on July 9, 2003.

These amendments were requested by StanCog to add or modify various projects in Stanislaus County and make changes to funding amounts. We accept these amendments in accordance with the provisions of 23 CFR Part 450. We find that these amendments were developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the provisions of 23 U.S.C. section 134, and as applicable, section 8 of the Federal Transit Act (49 U.S.C. app. §1607).

Based on our review, the changes proposed to the 2002/03 FSTIP require no new regional emissions analysis for a conformity determination because projects included in this amendment are the type of projects listed in 40 CFR 93.126 or 93.127 as being exempt from regional emissions analysis requirements. We find that FTIP Amendments 7, 10, 13 and 14 conform to the applicable State Implementation Plan (SIP) in accordance with the provisions of 40 CFR Parts 51 and 93 and in accordance with January 2, 2002, guidance *Revised Guidance for Implementing the March 1999 Circuit Court Decision Affecting Transportation Conformity* and the Environmental Protection Agency's May 14, 1999, guidance *Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision.* This finding has been coordinated with the Region IX office of the Environmental Protection Agency (EPA).

These amendments have been coordinated with the Region Nine office of the Federal Transit Administration (FTA) and are approved in accordance with the procedures outlined in the FHWA/FTA Memorandum of Understanding, dated March 8, 1996, on single mode FTIP amendments. This letter also constitutes approval and inclusion of StanCOG's FTIP Amendments 7, 10, 13 and 14 into California's 2002/03 – 2004/05 Federal Statewide Transportation Improvement Program (FSTIP).

Sincerely,

For
Gary N. Hamby
Division Administrator