U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814

November 8, 2005

IN REPLY REFER TO
HDA-CA
Document # 48129

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Branch, Room 3500
For Rachel Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2004 FTIP Amendment No. 13 – Butte County Association of Governments (BCAG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 13 to the BCAG 2004 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated October 26, 2005. BCAG adopted Amendment No. 13 with Resolution No. 2005/06-01 on September 22, 2005. With that action, the BCAG Board of Directors approved the program modifications and reaffirmed the conformity of the BCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The BCAG FTIP Amendment No. 13 updates FTA 5311 funds for Butte Regional Transit's Operations and Capital Project from $215,000 to $500,000 for the 2005/06 and 2006/07 Federal fiscal years. This amendment also adds a new $171,000 Recreational Trails Program (RTP) project at Lake Oroville's North Fork Trail.

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 2005-2007 Federal Statewide Transportation Improvement Program (FSTIP) for the BCAG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that BCAG's 2004 FTIP, through Amendment No. 13, 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. 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.

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We have determined that program modifications in Amendment No. 13 are exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93 sections 126 and 127. This finding has been coordinated with Region 9 of the Environmental Protection Agency 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 SIP.

This letter also constitutes approval and inclusion of the BCAG's FTIP Amendment No. 13 into California's 2004/05 – 2006/07 FSTIP.

If you have questions or need additional information concerning our approval for this BCAG FSTIP amendment, please contact Steve Luxenberg (steve.luxenberg@fhwa.dot.gov) of the FHWA California Division office at (916) 498-5066 or Paul Page (paul.page@fta.dot.gov) with FTA Region 9 at (415) 744-2734.

Sincerely,

/s/ Leslie Rogers

Leslie Rogers
Regional Administrator
Federal Transit Administration

/s/ K. Sue Kiser

For
Gene K. Fong
Division Administrator
Federal Highway Administration

cc: (e-mail)
Jon Clark, BCAG
Ivan Garcia, BCAG
Randy Steen, Caltrans
Ross A. Chittenden, Caltrans
Abhijit Bagde, Caltrans
Terry Abbott, Caltrans
Rachel Falsetti, Caltrans
Karina O'Connor, EPA
Toby Tiktinsky, EPA
Paul Page, FTA

cc: (other)
BCAG 2004 FTIP Binder

Sluxenberg/jf