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

November 17, 2008

IN REPLY REFER TO
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Document #: S52242

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

Attention: Federal Resources Office, MS #82
For Rachel Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: California 2009 Federal Statewide Transportation Improvement Program

We have completed our review of California's proposed 2009 Federal Statewide Transportation Improvement Program (2009 FSTIP), Statewide Planning Certification and related supporting documentation that was submitted by the California Department of Transportation (Caltrans) to the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) by letter dated September 29, 2008. Once approved by the FTA and FHWA, the 2009 FSTIP supersedes the 2007 FSTIP for California that was approved by FHWA and FTA on October 2, 2006, and all subsequent amendments to the 2007 FSTIP.

Section 450.218 of Title 23, Code of Federal Regulations requires the State to submit the entire proposed FSTIP concurrently to the FTA and the FHWA at least every four years for joint approval. California's proposed 2009 FSTIP includes the project and project phase listings for proposed transportation projects located outside the planning area boundaries of the State's designated Metropolitan Planning Organizations (MPOs). California's proposed 2009 FSTIP also incorporates by reference those projects listed in the 2009 Federal Transportation Improvement Programs (FTIPs) that were adopted by the State's eighteen MPOs and approved by the Governor.

With the exceptions of the Lake Tahoe metropolitan planning area and the 8 metropolitan planning areas located in the San Joaquin Valley, the FHWA and the FTA have completed the air quality conformity determinations required by 23 CFR 450.216(b) for the MPO FTIPs in areas of the State designated as nonattainment or maintenance for national ambient air quality standards. As proposed, the 2009 FSTIP also includes interim FTIPs, prepared in accord with 40 CFR Part 93, for the Lake Tahoe and San Joaquin Valley MPOs.

Based on our review of the information submitted with the State's proposed 2007 FSTIP, including revenue and proposed project funding information required to demonstrate financial

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constraint, and documentation for statewide and metropolitan planning process in support of California's Statewide Planning Certification, we are approving the 2009 FSTIP as proposed. Any project or project phase listed in a MPO FTIP that is not included in the MPO's Regional Transportation Plan, is not approved for inclusion in the FSTIP pursuant to 23 CFR §§ 450.216(k) and 450.324(g).

Our FSTIP approval action includes project listings that indicate no funds are proposed for obligation during the four-year program period from 2009 to 2012. These project and project phases cannot be advanced to implementation without an action by the FHWA and the FTA on the FSTIP pursuant to 23 CFR 450.216(l) and 450.328(e). In addition, project or project phase funding included in the 2009 FSTIP that is proposed for obligation outside the four year program cycle (i.e. before 2009 or after 2012) is accepted by the FHWA and the FTA as 'informational' in accord with 23 CFR §§ 450.216(a) and 450.324(a).

We are approving the 2009 FSTIP with the understanding that the eligibility of individual projects for funding is subject to the applicant's satisfaction of all administrative requirements. This joint FHWA and FTA approval of the FSTIP does not constitute an eligibility determination for the federal funds proposed for obligation on the listed projects. If you have questions or need additional information concerning our approval of the 2007 FSTIP, please contact Wade Hobbs of FHWA at (916) 498-5027, or by email at Wade.Hobbs@fhwa.dot.gov; or Ted Matley of FTA at (415) 744-2590, or by email at Ted.Matley@dot.gov.

Sincerely,

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

For
Gene K. Fong
Division Administrator
Federal Highway Administration

c: (e-mail)

EPA, Region IX
ARB
Caltrans:
  Federal Resources, Fardad Falakfarsa
  Local Assistance
  Transportation Programming
  Transportation Planning
Bureau of Indian Affairs, Pacific Region Roads Engineer
All California MPOs (18)
FTA Region IX, R Sukys
FHWA:
  LA Metro Office
  CFLHD
  NV Division

cc:
2009 FSTIP Binder

WHobbs/