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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
 650 Capitol Mall, Suite 4-100
 Sacramento, CA. 95814
 October 4, 2004

IN REPLY REFER TO
 HDA-CA
 File #: 740
 Document #: 45808

Mr. Randall Iwasaki, Acting Director
 California Department of Transportation
 1120 N Street
 Sacramento, CA 95814

Attention: Federal Resources Office, Room 3500
 For Ross A. Chittenden, Transportation Programming

Dear Mr. Iwasaki:

SUBJECT: California 2005-2007 Federal Statewide Transportation Improvement Program

We have completed our review of the State of California's 2005-2007 Federal Statewide Transportation Improvement Program (FSTIP) and statewide planning certification submitted by the California Department of Transportation (Department) to the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) by letter dated September 10, 2004. We have also completed our review of the Santa Barbara County Association of Governments (SBCAG) 2005-2007 Interim Federal Transportation Improvement Program (FTIP) submitted by the Department for inclusion in the 2005-2007 FSTIP by letter dated September 23, 2004. The Statewide Transportation Improvement Program approval provisions in section 450.220 of title 23, Code of Federal Regulations (23 CFR) require the State to submit the entire proposed FSTIP concurrently to the FTA and the FHWA at least every two years for approval. Once approved by the FTA and FHWA, California's 2005-2007 FSTIP will supersede the State's 2002 FSTIP that was approved by FHWA and FTA on October 4, 2002, including any subsequent amendments to the 2002 FSTIP.

California's proposed 2005-2007 FSTIP incorporates by reference those projects listed in the 2005-2007 Federal Transportation Improvement Programs (FTIPs), including the SBCAG Interim FTIP, that have been adopted by California's metropolitan planning organizations (MPOs), approved by the Governor, and subsequently proposed for inclusion in the 2005-2007 FSTIP by the Department. As currently proposed, the 2005-2007 FSTIP excludes programming for all projects from the Tahoe Metropolitan Planning Organization planning areas, as well as programming for those projects in the Sacramento Metropolitan 1-Hour Ozone Non-attainment area within the Sacramento Area Council of Governments (SACOG) planning region. Those projects proposed in the SACOG planning region that are within the Sutter-Yuba ozone non-attainment area are included by reference in the proposed 2005-2007 FSTIP. At the Department's request, the projects in the SCAG region listed in the Department's September 30, 2004 and SCAG's September 29, 2004 letter that were previously obligated or received prior State funding commitments are excluded from the FSTIP approval. Finally, the submitted

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FSTIP includes the required project listing information for proposed transportation projects in California that are outside the planning area boundaries of the designated metropolitan planning organizations.

Based on our review of the information provided in the State's 2005-2007 FSTIP submittals, including the financial constraint information and documentation to support the Statewide planning certification, we are approving California's 2005-2007 FSTIP subject to the following conditions and limitations:

1. The Department will provide the FHWA and the FTA with a further explanation and documentation of the methodology used to prepare the 2005-2007 FSTIP financial plan and related financial constraint demonstration.
2. Pending submission of the final financial plan information by the Department, and an adequate opportunity for the FHWA and the FTA to review the final information:
 - a. Any project that is listed in the FSTIP with funding proposed from the State's SHOPP or STIP programs, or proposed for funding with FHWA's Highway Bridge Replacement and Rehabilitation Program (HBRRP) funds is approved through April 1, 2005.
 - b. No FSTIP amendments (either formal or administrative) should be proposed or approved that would add, delete or otherwise modify any project that is listed in the FSTIP with funding proposed from the State's SHOPP or STIP programs, or proposed for funding with FHWA's Highway Bridge Replacement and Rehabilitation Program (HBRRP).
 - c. If an amendment to an FTIP and/or the FSTIP is required based on the outcome of the FHWA/FTA review of the final SHOPP/STIP and HBRR financial documentation, the proposed FSTIP amendment shall be submitted to FHWA/FTA by the Department before April 1, 2005.
3. Proposed FSTIP project listings for the FTA 5311 Non-urbanized Area Formula Program are approved for the following Metropolitan planning regions: BCAG, COFCG, KCOG, KINGS, MCAG, MTC SANDAG, SJCOG and SBCAG. We are withholding approval for FTA 5311 Program projects in the non-metropolitan areas and following MPO regions in California pending submission of acceptable financial constraint documentation by the Department: AMBAG, MCTC, SACOG, SLOCOG, SHASTA, SCAG, STANCOG, and TCAG.
4. Projects listed in the FSTIP that are proposed for funding outside the Program's triennial element (2005-2007) are accepted for information only.

There may be additional comments/conditions that require corrective action by the Department and/or MPO's once FHWA/FTA have completed all of our reviews related to the FSTIP approval.

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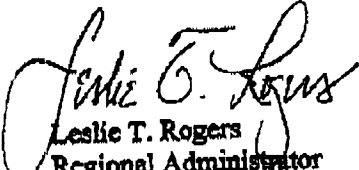
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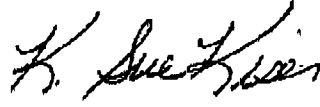
The FHWA and the FTA have reviewed the FSTIP development process and related planning processes in order to evaluate the extent to which the proposed projects in the FSTIP are based on a planning process that substantially meets the requirements of title 23 U.S.C., the Federal Transit Act, and the statewide and metropolitan planning regulations codified in part 450 of title 23 of the Code of Federal Regulations (23 CFR part 450). Based on our review of the State and MPO self-certifications and related information and documentation submitted with the FSTIP, as well as the on-going involvement of FHWA and FTA staff in the State and metropolitan transportation planning processes and activities, including Federal certification of transportation management areas (TMAs) within California, we find that California's proposed 2005-2007 FSTIP was developed through a process that is in substantial compliance with the requirements of 23 U.S.C. 134 and 135 and 49 U.S.C. Sections 5303-5305. This joint FTA/FHWA Planning Finding is being made in conjunction with the 2005-2007 FSTIP approval subject to the conditions:

1. We request the Department provide written responses to the corrective actions and planning process recommendations cited in the joint FHWA/FTA approval letter for the 2002-2005 FSTIP dated October 4, 2002.
2. There may be additional comments/conditions that require corrective action by the Department or MPO's once FHWA/FTA have completed all of our reviews related to the Statewide Planning Finding.

As a follow-up to the corrective action cited in our previous Statewide Planning Finding regarding the timely approval of the Statewide Transportation Plan, we have received the Department's September 3, 2004, letter requesting the date of delivery of the California Transportation Plan (CTP) 2025 be postponed to December 31, 2004. Based on the information provided, we understand that the Department has transmitted the Statewide Plan to the Governor's office where it is currently awaiting final approval. Based on the Department's efforts to secure approval of the CTP by the Governor, we approve the request to postpone delivery of approved Plan from September 1, 2004, to December 31, 2004.

Sincerely,


Leslie T. Rogers
Regional Administrator
Federal Transit Administration


For
Gene K. Fong
Division Administrator
Federal Highway Administration

Whobbs:

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cc:

EPA, Region IX
ARB

Caltrans:

Federal Resources

Local Programs

Transportation Programming

Transportation Planning

Bureau of Indian Affairs, Kamue Patel

2800 Cottage Way, Sacramento, CA 95825

All California MPOs (18)

FTA, R. Sukys

FHWA:

LA Metro Office, G. Balmir

CFLHD, J. McCullough

NV Division, R. Bellard