



DATE: July 8, 2009

TO: Interagency Consultation Partners and Public

FR: Raquel Pacheco, Regional Planner III

RE: **Availability of Draft Amendment #8 to the 2009 FTIP, 2007 RTP Amendment #2 plus AEIR, and Corresponding Draft Conformity Analysis for Interagency Consultation and Public Review**

Kern Council of Governments is proposing a formal amendment (Type #5: Formal Amendment, Conformity Determination and New Regional Emissions Analysis) to the 2009 Federal Transportation Improvement Program (FTIP) and 2007 Regional Transportation Plan (RTP). The 2009 FTIP is the programming document that identifies four years (FY 08/09, FY 09/10, FY 10/11, and FY 11/12) of federal, state, and local funding sources for projects in Kern County. The Draft Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 contains project information updates from outlying areas, updates to the Metropolitan Bakersfield Impact Fee program list, the Thomas Roads Improvement Program, and incorporation of the latest planning assumptions to measure air quality. Documentation associated with this amendment is provided as indicated below, including the corresponding Draft Conformity Analysis. Please note that since the San Joaquin Valley is a PM 2.5 multi-jurisdictional area, this interagency consultation memo also includes documentation for the other 7 SJV MPOs.

- **Project List:** Attachment 1 includes a summary of programming changes that result from Amendment #8 to the 2009 FTIP. The attachment also includes the CTIPS printout for the project changes to the 2009 FTIP via Amendment #8.
- **Updated Financial Plan:** Attachment 2. The Financial Plan from the 2009 FTIP Amendment #8 has been updated to include the project list as provided in Attachment 1. The appropriate lump sum lists have been updated as well.
- **RTP Amendment #2:** Attachment 3 includes a summary of programming changes to the 2007 RTP and corresponding financial table updates.
- **Addendum Environmental Impact Report (AEIR):** Attachment 4 outlines changes to the 2007 RTP as analyzed in the 2007 EIR and evaluates whether those changes or new information or changed circumstances, would require substantial changes to the impacts identified or mitigation measures proposed.

- **Conformity Requirements:** A new conformity determination and new regional emissions analysis is required for Amendment #8 to the 2009 FTIP and 2007 Regional Transportation Plan Amendment #2. The Draft Kern Conformity Analysis is provided in Attachment 5, Part 1. In addition, the projects and /or project phases contained in the amendments do not interfere with the timely implementation of any approved TCMs.

It is important to note that the San Joaquin Valley is a PM2.5 multi-jurisdictional area: with 8 MPOs within the PM2.5 nonattainment area and no PM2.5 conformity budgets available for use at this time. Consequently, the PM2.5 conformity determination must be based on a regional emissions analysis that covers the entire nonattainment area. In accordance with EPA guidance, the other 7 MPOs must redetermine conformity. Since no other transportation planning changes are being made, the 7 other MPO's individual conformity analyses remain unchanged. However, the new Appendix D "PM2.5 Conformity Results Summary for Each MPO in the San Joaquin Valley Nonattainment Area" (see Attachment 5, Part 2) will be made available for a 30-day public comment period prior to re-adoption of their conformity determination.

- **Public Involvement:** Attachment 6, Part 1 includes the Draft Kern Public Notice and Adoption Resolution.

Since the San Joaquin Valley is a PM2.5 multi-jurisdictional area (see above conformity discussion), the other 7 MPOs must redetermine conformity. A sample Draft Public Notice and Adoption Resolution for the remaining SJV MPOs is included in Attachment 6, Part 2 as well. A summary schedule of the corresponding 30-day public comment periods and adoption dates for the other 7 MPOs is also included in Attachment 6, Part 3. In general, the public comment periods will occur in July/August with Board adoption in September 2009; no public hearing is required for the other 7 MPOs since there is no corresponding transportation planning action.

The public review and comment period is open for 45 days commencing on July 8, 2009 and ending on August 21, 2009. A public hearing will be held 7:00 p.m. July 16, 2009; comments are due by 5:00 p.m. August 21, 2009. These documents can also be viewed on the Kern COG website at www.kerncog.org

Kern Council of Governments Board of Directors will consider the adoption of Amendment #8 to the 2009 FTIP and 2007 RTP Amendment #2 on September 17, 2009. The meeting will be at Kern Council of Governments' offices, 1401 19th Street, Suite 300, Bakersfield, CA 93301.

In conclusion, the 2009 FTIP and 2007 RTP as amended meets all applicable transportation planning requirements per 23 CFR Part 450, 40 CFR Part 93, and conforms to the applicable SIPS. If you have any questions or would like to submit comments, please contact:

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Marilyn Beardslee, 661/861-2191, mbeardslee@kerncog.org, for the RTP or Addendum EIR; or

Rob Ball, 661/861-2191, rball@kerncog.org, for the Conformity Analysis