



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION **FEDERAL HIGHWAY ADMINISTRATION**
819 TAYLOR STREET, ROOM 8A36 **300 E. 8TH STREET, ROOM 826**
FORT WORTH, TEXAS 76102-9003 **AUSTIN, TEXAS 78701-3255**

November 13, 2009

Refer to: HPP-TX

Houston-Galveston FY 2008-2011 Transportation
Improvement Program and 2035 Regional
Transportation Plan Amendments
Conformity Determination

Mr. Amadeo Saenz Jr., P.E.
Executive Director
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

Dear Mr. Saenz:

We have reviewed the documentation supporting the transportation conformity determination for the 2009 amendments to the Houston-Galveston Area Council's (H-GAC) 2035 Regional Transportation Plan (RTP) and the FY 2008-2011 Transportation Improvement Program (TIP), adopted by H-GAC's Transportation Policy Council on August 28, 2009. Based upon our review and consultation with the U.S. Environmental Protection Agency (EPA), the Texas Commission on Environmental Quality (TCEQ), and the Texas Department of Transportation (TxDOT), we hereby find that subject to the enclosed, the amendments to the 2035 RTP and FY 2008-2011 TIP meet all the requirements for making a joint conformity determination under the Clean Air Act Amendments of 1990. In their letters of October 27, 2009, November 4, 2009, and November 9, 2009, TCEQ, EPA and TxDOT, respectively, indicate that they have no unresolved issues concerning this conformity determination. The conformity determination and procedures used to make this determination are in accordance with the provisions of the transportation conformity rule (40 CFR Parts 51 and 93), dated August 15, 1997, as amended.

The Federal Highway Administration (FHWA) acts as executive agent for the Federal Transit Administration (FTA) on Plan and TIP air quality conformity determinations. Accordingly, this letter will serve as the joint FHWA/FTA conformity determination. Please provide copies of this joint FHWA/FTA conformity determination to H-GAC, the Metropolitan Transit Authority of Harris County (METRO), Island Transit and TCEQ.

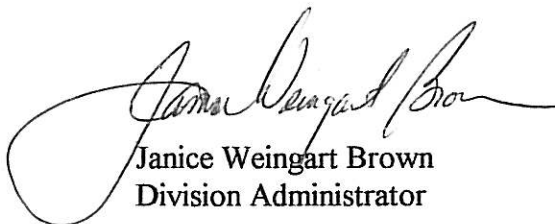


Mr. Amadeo Saenz, Jr.
November 13, 2009
Page 2

2

Please note that this action does not restart the Houston-Galveston area's four-year RTP and corresponding conformity determination update cycle. Should you have any questions concerning this action, please contact Mr. Jose Campos at (512) 536-5932.

Sincerely,



Janice Weingart Brown
Division Administrator

Enclosure

cc: Peggy Crist, FTA-Region 6
Laura Wallace, FTA-Region 6
Jeff Riley, US EPA-Region 6

ENCLOSURE

- SH 105 Cleveland Bypass: The amended 2035 RTP project listing includes projects ID numbers 12007 and 14633. It is noted that the project location and limits indicated in the amended 2035 RTP project listing for these projects is the same. However, it is understood the correct location and limits for project ID number 12007 is the SH 105 Cleveland Bypass, between SH 105 West of Cleveland and SH 321 East of Cleveland. This project location and limits is consistent with the transportation modeling used to conduct the regional emissions analysis for the amendments to the 2035 RTP and FY 2008-2011 TIP. H-GAC has determined that a formal revision to the 2035 RTP to correct the discrepancy in the project location and limits for ID number 12007 is required and has initiated this process. This revision to the 2035 RTP will need to be completed prior to further federal action (e.g., final NEPA document action, project authorization, etc.) concerning project ID 12007.