November 13, 2009

Mariposa County Board of Supervisors
PO Box 784
Mariposa, Ca. 95338

The Mariposa County Chamber of Commerce would like to request that the County Board of Supervisors grants permission to allow the 12th Annual Merry Mountain Christmas Parade Event to take place. The proposed date would be December 12, 2009 at 1:00 pm.

Please find attached 2 encroachment permit applications for Public Works to use should your permission is granted.

Sincerely,

[Signature]

Peter Schimmelfennig,
Executive Director
November 17, 2009

Steve Waldron
Department of Transportation District 10
Post Office Box 2048
Stockton, CA 95201

Dear Mr. Waldron:

On November 17, 2009, the Mariposa County Board of Supervisors adopted a Resolution approving the Encroachment Permit Applications for the detour of traffic from state routes to Mariposa County roadways on Saturday, December 12, 2009, for the duration of the “Merry Mountain Christmas Parade” and for the Holiday banners.

Mariposa County agrees to hold CalTrans and the State of California harmless for any damages to county roadways as a result of this detour or the banners.

Thank you for your consideration in this matter.

Sincerely,

Brad Aborn
Board Chair

cc: Board of Supervisors
Mariposa County Chamber of Commerce
File
Detour Traffic for the 12th Annual Merry Mountain Christmas Parade along State Hwy. 140 right of way between Jones Street and 3rd Street in Mariposa on December 12, 2009 from 12:00 noon to 2:00 pm. Detour for both eastbound and westbound directions will be off State Hwy. 140 from 3rd Street to Bouillion Street to Jones Street and back onto State Hwy. 140. Traffic control shall be coordinated by California Highway Patrol or local law enforcement agency on Uniform Traffic Control Devices (MUTCD). All signs and equipment shall be removed immediately after completing the event.

19. Will this project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource?  
☐ YES ☐ NO  
(If "YES", provide a description)

20. Is this project on an existing highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building?  
☐ YES ☐ NO  
(If "YES", provide a description)

21. Is work being done on applicant’s property?  
☐ YES ☐ NO  
(If "YES", attach site and grading plans)

ADA NOTICE: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 634-6410 or TDD (916) 654-3880 or write to Records and Forms Management, 1120 N Street, MS-49, Sacramento, CA 95814
P. 2 of 4

22. Will this proposed project require the disturbance of soil? □ YES  ☑ NO
   If "YES", estimate the area within State highway right-of-way in square feet AND acres: ____________________ (ft²) AND ____________________ (acres)
   estimate the area outside of State Highway right-of-way in square feet AND acres: ____________________ (ft²) AND ____________________ (acres)

23. Will this proposed project require dewatering? □ YES  ☑ NO
   If "YES", estimate total gallons AND gallons/month: ____________________ (gallons) AND ____________________ (gallons/month)
   SOURCE: □ STORM WATER  ☑ NON-STORM WATER
   (See Caltrans SWMP for definitions of non-storm water discharge: http://www.dot.ca.gov/hq/env/stormwater/index.htm )

24. How will any storm water or ground water be disposed of from within or near the limits of this proposed project?
   ☑ Storm Drain System  □ Combined Sewer / Storm System  □ Storm Water Retention Basin  ☑ Other(explain):

PLEASE READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCROACHMENT PERMIT APPLICATION

The applicant, understands and herein agrees to that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed. In accordance with the California Streets and Highways Code, Section 671.5. All work shall be done in accordance with Caltrans rules and regulations subject to inspection and approval.

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys’ fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnities, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnities. The Applicant, however, shall not be obligated to indemnify Indemnities for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.

DISCHARGES OF STORM WATER AND NON-STORM WATER: Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department’s Encroachment Permits Manual and encroachment permit. Compliance with the Departments NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the start of any work. Information on the requirements may also be reviewed on the Department’s Construction Website at:


NAME of APPLICANT or ORGANIZATION (Print or Type)
Mariposa County
ADDRESS of APPLICANT or ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)
4639 Ben Hur Road Mariposa, CA 95338
PHONE NUMBER (209) 966-5356  FAX NUMBER (209) 966-2828
NAME of AUTHORIZED AGENT / ENGINEER (Print or Type)
Dana Hertfelder, Mariposa County Public Works Director
IS LETTER OF AUTHORIZATION ATTACHED? ☑ YES  □ NO
ADDRESS of AUTHORIZED AGENT / ENGINEER (Include City and Zip Code)
4639 Ben Hur Road Mariposa, CA 95338
PHONE NUMBER (209) 966-5356  FAX NUMBER (209) 966-2828
SIGNATURE of APPLICANT or AUTHORIZED AGENT

PRINT OR TYPE NAME Dana Hertfelder
TITLE Public Works Director
DATE
### FEE CALCULATION -- FOR CALTRANS USE

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INSTRUCTIONS
for completing page 4

This page needs to be completed when the proposed project **DOES NOT** involve a City, County or other public agency.

Your answers to these questions will assist departmental staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within the State highway right-of-way. And, to determine which type of environmental studies may be required to approve your application for an encroachment permit.

It is the applicant’s responsibility for the production of all required environmental documentation and supporting studies, in some cases this may be costly and time-consuming. If possible, attach photographs of the location of the proposed project.

Please answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.)

1. Will any existing vegetation and/or landscaping within the highway right-of-way be disturbed? **No**

2. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or highway right-of-way? **No**

3. Is the proposed project located within five miles of the coast line? **No**

4. Will the proposed project generate construction noise levels greater than 86 dBA (e.g. jack-hammering, pile driving)? **No**

5. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public? **No**

6. Are there any recreational trails or paths within the limits of the proposed project or highway right-of-way? **No**

7. Will the proposed project impact any structures, buildings, rail lines, or bridges within highway right-of-way? **No**

8. Will the proposed project impact access to any businesses or residences? **No**

9. Will the proposed project impact any existing public utilities or public services? **No**

10. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks, or overcrossings? **No**

11. Will new lighting be constructed within or adjacent to highway right-of-way? **No**
Mariposa Parade Detour Route

- STATE ROUTE 140
- STATE ROUTE 49
- PARADE ROUTE
- DETOUR
- PARADE STAGING AREA
- = LOCATION MAP NO.
Permission is requested to encroach on the State Highway right-of-way as follows:

1. COUNTY: Mariposa
2. ROUTE: 140
3. POSTMILE: 
4. ADDRESS OR STREET NAME: State Route Hwy. 140
5. CITY: Mariposa
6. CROSS STREET (Distance and direction from site): State Hwy. 140
7. PORTION OF RIGHT-OF-WAY: 

8. WORK TO BE PERFORMED BY: [ ] OWN FORCES [ ] CONTRACTOR
9. EST. START DATE: December 1, 2009
10. EST. COMPLETION DATE: January 5, 2010

EXCAVATION

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FUNDING SOURCE(S): [ ] FEDERAL [ ] STATE [ ] LOCAL [ ] PRIVATE

12. EST. COST IN STATE HIGHWAY RIGHT-OF-WAY: 

13. PIPES

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<th>VOLTAGE / PSIG</th>
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14. CALTRANS PROJECT E.A. NUMBER: 

15. [ ] Double Permit

Parent Permit Number
Applicant's Reference Number / Utility Work Order Number

16. Have your plans been reviewed by another Caltrans branch? [ ] NO [ ] YES (If "YES": Who?)

17. Completely describe work to be done within STATE highway right-of-way:

Attach 6 complete sets of FOLDED plans (folded 8.5" x 11"), and any applicable specifications, calculations, maps, etc. All dimensions shall be in U.S. Customary (English) Units.

Place, maintain and remove "Holiday" banners on existing brackets of power poles along State Highway 140 right of way between Second Street and Jones Street and two banners over and across State Highway 140, one at 4th Street and one at 1st street in the town of Mariposa from December 1, 2009 to January 5, 2010.

18. Is a city, county, or other agency involved in the approval of this project? [ ] YES (If "YES", check type of project and attach environmental documentation and conditions of approval.)

[ ] COMMERCIAL DEVELOPMENT [ ] BUILDING [ ] GRADING [ ] OTHER
[ ] CATEGORICALLY EXEMPT [ ] NEGATIVE DECLARATION [ ] ENVIRONMENTAL IMPACT REPORT [ ] OTHER

Hang Holiday Banners

19. Will this project cause a substantial change in the significance of a historical resource (55 years or older), or cultural resource? [ ] YES [ ] NO

(If "YES", provide a description)

20. Is this project on an existing highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building? [ ] YES [ ] NO (If "YES", provide a description)

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
STANDARD ENCROACHMENT PERMIT APPLICATION
TR-0100 (REV. 07/2007)

22. Will this proposed project require the disturbance of soil? ☐ YES ☑ NO
   If "YES", estimate the area within State Highway right-of-way in square feet AND acres: __________ (ft²) AND __________ (acres)
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23. Will this proposed project require dewatering? ☐ YES ☑ NO
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SOURCE: ☐ STORMWATER ☐ NON-STORMWATER
(See Caltrans SWMP for definitions of non-storm water discharge: http://www.dot.ca.gov/hq/env/stormwater/index.htm)

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   ☐ Storm Drain System ☐ Combined Sewer / Storm System ☐ Storm Water Retention Basin
   Other (explain):

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25. NAME OF APPLICANT OR ORGANIZATION (Print or Type)
Mariposa County

E-MAIL ADDRESS
dherfelder@mariposacounty.org

ADDRESS OF APPLICANT OR ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)
4639 Ben Hur Road Mariposa, CA 95338

PHONE NUMBER
(209) 966-5356

FAX NUMBER
(209) 966-2828

26. NAME OF AUTHORIZED AGENT / ENGINEER (Print or Type)
Dana Hertfelder, Mariposa County Public Works Director

IS LETTER OF AUTHORIZATION ATTACHED? ☑ YES ☐ NO

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dherfelder@mariposacounty.org

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(209) 966-2828

27. SIGNATURE OF APPLICANT OR AUTHORIZED AGENT

28. PRINT OR TYPE NAME
Dana Hertfelder

29. TITLE
Public Works Director

30. DATE

## FEE CALCULATION -- FOR CALTRANS USE

- **Cash**
- **Credit Card**
- **Check**
- **Exempt**

### CALCULATED BY

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- $ _______ | $ _______ |

### CASHIER'S INITIALS


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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
ENCROACHMENT PERMIT
TR-3122 (REV. 2/98)

In compliance with (Check one):

☒ Your application of _______ of
NOVEMBER 30, 2009

☐ Utility Notice No. _______ of

☐ Agreement No. _______ of

☐ RW Contract No. _______ of

DATE CORRECTION TO 12/19/2009

TO:
MARIPOSA COUNTY
4639 BEN HUR ROAD
MARIPOSA, CA 95338

Attn: DANA HERTFELDER
TEL: (209) 966-5356

, PERMITTEE

and subject to the following, PERMISSION IS HEREBY GRANTED to:

Conduct the 12th Annual Merry Mountain Christmas Parade along State Highway 140 right of way between Jones Street and 3rd Street in Mariposa on Saturday, December 19, 2009 from 12:00 noon to 2:00 PM. Detour for both eastbound and westbound directions will be off State Highway from 3rd Street to Bouillion Street to Jones Street and back onto State Highway 140. Traffic control, highway closure, and detour will be handled by CHP or Local Law Enforcement Agency in accordance with MUTCD. All materials and equipment used in the detour and traffic control shall be removed immediately after the parade is over. The highway shall be put back to its original condition.

The following attachments are also included as part of this permit
(Check applicable):

☒ Yes ☐ No General Provisions

☒ Yes ☐ No Utility Maintenance Provisions

☒ Yes ☐ No Special Provisions T

☒ Yes ☐ No A Cal-OHSA permit required prior to beginning work;

#

In addition to fee, the permittee will be billed actual costs for:

☐ Yes ☒ No Review

☐ Yes ☐ No Inspection

☐ Yes ☐ No Field Work

(If any Caltrans effort expended)

☐ Yes ☒ No The information in the environmental documentation has been reviewed and is considered prior to approval of this permit

This permit expires at the end of DECEMBER 19, 2009.

This permit is to be strictly construed and no other work other than specifically mentioned is hereby authorized.

No project work shall be commenced until all other necessary permits and environmental clearances have been obtained.

1 - Permits
1 - File
2 - STEVE WALDRON
1 - Maintenance
1 - Zelia Nogueira

APPROVED:

ROSS CHITTENDEN, District Director

BY:

NELSON MAGSAYO, District Permit Engineer

Betty Tamae 12/14/09
In accordance with General Provision No. 6, **SEVEN WORKING DAYS PRIOR** to the start of this work, Permittee shall notify the State Representative **STEVE WALDRON**, P.O. Box 2048 Stockton, CA 95201, (209) 942-6018. **All work requiring traffic control must apply for a closure number seven days prior to start of work. No closures or work on HOLIDAYS or WEEKENDS. All work under this permit must meet with the approval of the State Representative.**

Failure on the Permittee’s part to comply with any provision will be cause for revocation of this permit.

**IMMEDIATELY FOLLOWING COMPLETION OF WORK PERMITTED HEREIN, PERMITTEE SHALL FILL OUT AND MAIL NOTICE OF COMPLETION PROVIDED BY GRANTOR.**

Permittee’s attention is directed to Section 6, “CONTROL OF MATERIALS”, of the State Standard Specifications Reference to Engineer in the State Standard Specifications shall include State Representative.

Permittee is directed to Standard Specification section 7-1.11 Preservation of Property, and Business and Professions Code, Section 8771. Permittee shall physically inspect the work site and locate survey monuments prior to work commencement. Monuments shall be referenced or reset in accordance with Business and Professions Code.

**Permittee/contractor shall work with the State representative to request the necessary lane closure needed. Request shall be the week prior to the actual work. The State representative shall submit closure through the Lane Closure System (LCS) for Traffic Management Center (TMC) approval by Wednesday afternoon of the week prior.**

All Lane closures shall be called in by either the contractor to the TMC when the closure begins (10-97), ends (10-98), or is cancelled (10-22). The TMC can be reached (24-7) at (209) 948-7556 or 7551.

**Use proper traffic control devices throughout the duration of the project as per Caltrans Standard Specifications.**

Except when necessary, as determined by the State Representative, no installation, construction equipment or personal vehicles shall operate or park within the traveled way.

All work shall be conducted in such a manner that the dirt, materials and equipment will not cause any inconvenience to the highway traffic or to traffic entering the highway from any public or private approach.

No dirt or materials are to be dragged or scraped across the highway pavement. No dirt shall be placed or allowed to remain at a location where it can be tracked onto the highway traveled way or any public or private approach by the Permittee’s equipment, or by traffic entering or leaving the highway traveled way. Any dirt or mud so tracked onto the highway pavement or public or private approach shall be immediately removed by the Permittee.

Permittee shall verify to Caltrans District-10 Public Information Officer at (209) 948-7977, that local or regional media, including radio, television, and newspapers and State legislators serving
the area affected, have been notified by letter or press release format. Media contact must allow sufficient time for print or broadcast two days prior to the permitted activity. Letter or press release shall include date, time, location, duration, permitted activity, and identify detours for impacted State highways and local roads.

Permittee shall make written notice to, and coordinate with, local emergency services, law enforcement agencies, and public road departments seven (7) calendar days prior to the scheduled permitted activity. Letter copies shall be provided to the State’s Representative to evidence contacts.

In addition to the attached General Provisions, the following special provisions are applicable:

If rain, fog, or other elements should significantly affect safety for even participants or vehicular traffic, Caltrans may take whatever action is necessary to protect the public. Also, if for some unforeseen reason the traffic demand for the State facility significantly exceeds the anticipated demand, it may be necessary to terminate the event.

This permit is not valid until Permittee has obtained permission from adjacent property owners, Irrigation Districts, Cities, Counties or other interested parties to perform the proposed work.

Permittee shall comply with all local and State requirements and obtain prior approval from all affected agencies.

Permittee shall furnish, place, and maintain required signs, safety equipment, and traffic control and warning devices in accordance with the Manual of Traffic Controls published by the Department of Transportation.

Signs shall be placed in such a manner as to NOT to constitute a hazard to the traveling public.

Signs are to be removed immediately after the event.

Persons working within the State right of way, except uniformed law enforcement officers, shall wear hardhats and orange vest, shirt or jacket as appropriate.

Signs shall be placed and removed by trained traffic handling personnel.

Painted markings are not permitted on the highways.

Permittee is responsible for cleanup after the event.

Permittee shall survey the route prior to start of event and notify participants of unexpected problem areas or hazardous conditions.

Permittee shall provide for the safe passage of pedestrians.

All signs shall be installed in conformance with Caltrans Standard Plans. Upon nonperformance or unsatisfactory performance by the Permittee, the Department of Transportation shall perform this work and all costs for said work shall be borne by the Permittee.
In addition to the attached General Provisions, the following special provisions are also applicable:

When the special event area encroaches upon a sidewalk, walkway, or crosswalk area, special consideration must be given to pedestrian safety. Protective barricades, fencing, handrails, and bridges, together with warning and guidance devices and signs must be utilized so that the passageway for pedestrians, especially blind and other physically handicapped, is safe and well defined and shown on the approved permit plan.

Pedestrian walkways and canopies within State right of way shall comply with the requirements of the applicable local agency or the latest edition of the Uniform Building Code; whichever contains the higher standards.

SE1 (SPECIAL EVENTS)

OBEEDIENCE TO TRAFFIC OFFICERS: All event participants shall comply with California Vehicle Code (CVC) Section 2800. Law enforcement personnel will take appropriate action to correct violations of this provision.

UNSAFE VEHICLE: No vehicle or combination of vehicles shall be allowed which, in opinion of law enforcement personnel, is in an unsafe condition, is not safely loaded, or which presents an immediate safety hazard.

RECKLESS DRIVING: No event participant shall drive any vehicle in willful or wanton disregard for the safety of persons or property.

DRIVING UNDER THE INFLUENCED OF ALCOHOL AND DRUGS: It is unlawful for any person who is under the influence of any alcoholic beverage or drug to drive a vehicle, pursuant to CVC Section 23152.

DRINKING AND DRIVING: No event participant shall drink any alcoholic beverage while driving a motor vehicle during the permitted event. No open bottles, cans, or other receptacles containing any alcoholic beverage shall be allowed in any motor vehicle participating in the permitted event.

The State of California, Department of Transportation makes no assurance or expressed warranty that the plans are complete or that the planned construction fits field conditions. Should additional work or modifications of the work be required in order to meet established Department Standards or in order to fit field conditions, the work shall be performed by Permittee as directed by the State’s Inspector.

The Permittee shall indemnify and save harmless the State of California and all officers and employees thereof connected with the work or activity authorized by this permit, including but not limited to the Director and the Engineer, from all claims, suits or actions of every name, kind, and description, brought forth, or on account of, injuries to or death of any person including but not limited to workmen or participants and the public, or damage to property resulting from the performance of the activity authorized by the permit, except as otherwise provided by statute. The duty of the Permittee to indemnify and save harmless includes the duties to defend as set forth in Section 2778 of the Civil Code.
It is the intent of the parties that the Permittee will indemnify and hold harmless the State, its officers and employees from any and all claims, suits of actions as set forth above regardless of the existence or degree of fault or negligence on the part of the State, the Permittee, the employee or volunteer of any of these, other than in the active negligence of the State, its officers, and employees.

Permittee shall fully conform to the requirements of the Caltrans statewide NPDES Storm Water Permit, Order No. 99-06-DWQ, NPDES No. CAS000003, adopted by the State Water Resources Control Board on July 15, 1999. The permittee shall also conform to the requirements of the General NPDES Permit for construction Activities and any subsequent General Permit in effect at the time of issuance of this Encroachment Permit. These permits regulate storm water discharges associated with year-round construction or special event encroachment activities.

For all projects of 1 acre or more the permittee shall develop, implement, and maintain a Storm Water Pollution Plan (SWPPP) and for projects less than 1 acre a Water Pollution Control Program (WPCP). Either the Plan or Program shall also conform to the requirements of the Caltrans Storm Water Quality Handbook, Construction Contractor's Guide and Specifications and Caltrans Specification Section 7-1-01G and subsequent revisions.

No lane closures, shoulder closures or other traffic restrictions shall be allowed on the following day(s): Lincoln's Birthday, Caesar Chavez Day, Friday before Mother's Day, Friday before Easter Sunday, second Monday in October, day after Thanksgiving, and on designated legal holidays. Designated legal holidays are January 1st, the third Monday in January, third Monday in February, the last Monday in May, July 4th, the first Monday in September, November 11, Thanksgiving Day, December 25th, and on Fridays and the day following a holiday starting at 3:00 PM. When a designated legal holiday falls on Sunday the following Monday shall be designated holiday. When a designated holiday falls on a Saturday the preceding Friday shall be designated legal holiday.
| Del View Pipeline | Best Western Yosemite Way Station | $150.001 |
| Del View Pipeline | Cedar Lodge | $150.001 |
| Del View Pipeline | GraceNoteChimes | $200.001 |
| Del View Pipeline | Indian Flat RV Park | $150.001 |
| Del View Pipeline | Miners Inn Restaurant & Lounge | $350.002 |
| Del View Pipeline | Shindig Committee, The | $480.008 |
| Del View Pipeline | Yosemite Inn | $150.001 |
| Del View Pipeline | Yosemite View Lodge | $150.001 |
TO: 

FROM: CALTRANS D10 PERMITS

FAX: 209-948-7232

TEL: 209-948-7891

COMMENT: