



# MARIPOSA COUNTY

Administration · 209-966-3222



## RESOLUTION - ACTION REQUESTED 2013-483

MEETING: November 5, 2013  
TO: The Board of Supervisors  
FROM: Rick Benson, County Administrative Officer  
RE: Merry Mountain Christmas Parade

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### RECOMMENDATION AND JUSTIFICATION:

Authorize the Public Works Director to Sign the Application for a Caltrans Encroachment Permit in Support of Closing Highway 140, Between Jones and Third Street, on December 7, 2013, at 6:00 P.M. for the Merry Mountain Christmas Parade, and Authorize the Board of Supervisors Chair to Sign the Letter of the Board's Support and Approval

### BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has approved this and similar requests in the past.

### ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

### ATTACHMENTS:

Chamber (PDF)  
Letter from CHP to BOS (PDF)  
Encroachment permit application & map (PDF)  
Christmas parade letter to dept. trans 2013(DOC)

### CAO RECOMMENDATION

Requested Action Recommended

  
Rick Benson, County Administrative Officer

**RESULT:** ADOPTED BY CONSENT VOTE [UNANIMOUS]

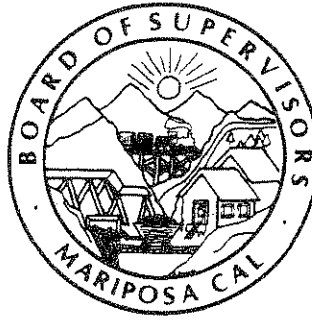
**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Kevin Cann, District IV Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

# Mariposa County Board of Supervisors

District 1 ..... LEE STETSON  
District 2 ..... MERLIN JONES  
District 3 ..... JANET BIBBY  
District 4 ..... KEVIN CANN  
District 5 ..... JOHN CARRIER



RICHARD J. BENSON  
County Administrative Officer

RENÉ LAROCHE  
Clerk of the Board

P. O. Box 784  
Mariposa, CA 95338  
(209) 966-3222  
(800) 736-1252  
Fax (209) 966-5147

[www.mariposacounty.org/board](http://www.mariposacounty.org/board)

October 22, 2013

Bob Gill  
Department of Transportation District 10  
Post Office Box 2048  
Stockton, CA 95201

Dear Mr. Gill:

On October 22, 2013, the Mariposa County Board of Supervisors adopted a Resolution approving the Encroachment Permit Application for the detour of traffic from state routes to Mariposa County roadways on Saturday, December 7, 2013, for the duration of the "Merry Mountain Christmas Parade."

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

Thank you for your consideration in this matter.

Sincerely,

Lee Stetson  
Board Chair

LS:tg

cc: Board of Supervisors  
Mariposa County Chamber of Commerce  
File

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

Permission is requested to encroach on the State Highway right-of-way as follows:  
 (Complete all BOXES [write N/A if not applicable] Please print single sided)  
 This application is not complete until all requirements have been approved.

FOR CALTRANS USE	
PERMIT NO.	
DIST./CO./RTE/PM	
SIMPLEX STAMP	
DATE OF SIMPLEX STAMP	
10. EST. COMPLETION DATE	January 6, 2014
SURFACE TYPE	
14. CALTRANS' PROJECT CODE	

1. COUNTY Mariposa	2. ROUTE 140	3. POSTMILE
3. ADDRESS OR STREET NAME State Route Hwy. 140	4. CITY Mariposa	
8. CROSS STREET (Distance and direction from site)	7. PORTION OF RIGHT-OF-WAY State Hwy. 140	
8. WORK TO BE PERFORMED BY <input checked="" type="checkbox"/> OWN FORCES <input type="checkbox"/> CONTRACTOR	9. EST. START DATE November 18, 2013	10. EST. COMPLETION DATE January 6, 2014
11. MAX. DEPTH	AVG. DEPTH	AVG. WIDTH
12. EST. COST IN STATE HIGHWAY RIGHT-OF-WAY		FUNDING SOURCE(S) <input type="checkbox"/> FEDERAL <input type="checkbox"/> STATE <input type="checkbox"/> LOCAL <input type="checkbox"/> PRIVATE
13. PRODUCT TYPE	DIAMETER	VOLTAGE / PSIG

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 plans (folded to 8.5" x 11"), and any applicable specifications, calculations, maps, etc.  
 All dimensions shall be in U.S. Customary (English) Units.

Reroute traffic from the downtown of Mariposa. The detour would start at the intersections of Highways 140 and 49. This detour would take traffic through Bullion street and back down 4<sup>th</sup> street to the intersection of highway 140 and 49s. The lighted Christmas parade would proceed through downtown Mariposa on state Highway 140

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

NO (If "NO", please check the category below which best describes the project, and complete page 4 of this application.)

- DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE, OR RESURFACING  FENCE  
 PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS  MAILBOX  
 FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS  EROSION CONTROL  
 OTHER \_\_\_\_\_  LANDSCAPING

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) 654-6410, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

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

PERMIT NO. \_\_\_\_\_

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: \_\_\_\_\_ (ft<sup>2</sup>) AND \_\_\_\_\_ (acres)  
 estimate the area outside of State Highway right-of-way in square feet AND acres: \_\_\_\_\_ (ft<sup>2</sup>) AND \_\_\_\_\_ (acres)
23. Will this proposed project require dewatering?  YES  NO  
 If "YES", estimate total gallons AND gallons/month: \_\_\_\_\_ (gallons) AND \_\_\_\_\_ (gallons/month)  
 SOURCE\*:  STORMWATER  NON-STORMWATER  
 (\*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 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 Indemnitees, 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 Indemnitees. The Applicant, however, shall not be obligated to indemnify Indemnitees for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.*

*An encroachment permit is not a property right and does not transfer with the property to a new owner*

**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 Department's 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:

<http://www.dot.ca.gov/hq/construc/stormwater>

25. NAME of APPLICANT or ORGANIZATION (Print or Type) Mariposa County		E-MAIL ADDRESS prei@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 Peter Rel <i>Mack Avonak</i>	IS LETTER OF AUTHORIZATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO	E-MAIL ADDRESS prei@mariposacounty.org <i>mavonak@</i>	
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	
27. SIGNATURE of APPLICANT or AUTHORIZED AGENT <i>Mack Avonak</i>	28. PRINT OR TYPE NAME Mack Avonak	29. TITLE ET II	30. DATE 10/22/13

PERMIT NO. _____
WORK ORDER/REFERENCE NUMBER _____

FEE CALCULATION -- FOR CALTRANS USE					
<input type="checkbox"/> CASH <input type="checkbox"/> CREDITCARD    NAME ON CARD _____ PHONE NUMBER _____					
<input type="checkbox"/> CHECK    NUMBER _____ NAME ON CHECK _____ PHONE NUMBER _____					
<input type="checkbox"/> EXEMPT <input type="checkbox"/> PROJECT CODE _____ <input type="checkbox"/> DEFERRED BILLING (Utility)					
CALCULATED BY	(1)		(2)		
REVIEW	1. FEE / DEPOSIT	DATE	2. FEE / DEPOSIT	DATE	TOTAL FEE / DEPOSIT
1. _____ HOURS @ \$ _____ *	\$ _____		\$ _____		\$ _____
2. _____ HOURS @ \$ _____ *					\$ _____
INSPECTION	1. FEE / DEPOSIT	DATE	2. FEE / DEPOSIT	DATE	TOTAL FEE / DEPOSIT
1. _____ HOURS @ \$ _____ *	\$ _____		\$ _____		\$ _____
2. _____ HOURS @ \$ _____ *					\$ _____
FIELDWORK					
_____ HOURS @ \$ _____ *	\$ _____		\$ _____		\$ _____
EQUIPMENT & MATERIALS	DEPOSIT	DATE	DEPOSIT	DATE	DEPOSIT
	\$ _____		\$ _____		\$ _____
CASH DEPOSIT IN LIEU OF BOND	\$ _____		\$ _____		\$ _____
TOTAL COLLECTED	\$ _____		\$ _____		\$ _____
CASHIER'S INITIALS	_____		_____		\$ _____
* The Standard Hourly Rate is set annually by HQ Encroachment Permits. District Office staff do not have authority to modify this rate.					
PERFORMANCE BOND	<input type="checkbox"/>	DATE			AMOUNT \$
PAYMENT BOND	<input type="checkbox"/>	DATE			AMOUNT \$
LIABILITY INSURANCE REQUIRED?	<input type="checkbox"/> YES <input type="checkbox"/> NO				AMOUNT \$

# STANDARD ENCROACHMENT PERMIT APPLICATION

TR-0100 (REV. 07/2007)

PERMIT NO. \_\_\_\_\_

## 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 and 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 County Parade & Detour Map

**Legend**

- road\_center\_line\_fromJim2009
- Barricades
- Cones
- Detour Right
- Detour Left
- No Parking
- Parade Staging Area
- Parade Warning
- Parade Detour
- Parade Route

