

EXHIBIT F



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October 14, 2008

El Dorado County
Planning Department
Attn: Aaron Mount
2850 Fairlane Court
Placerville, CA 95667

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RECEIVED
PLANNING DEPARTMENT

Dear Aaron:


The El Dorado Arts Council and its partners would like to thank you for your help in processing the 2008 Coloma Blues Live! Special Use Permit – and yes, believe it or not – it's that time again and I'm writing you to begin the process for the 2009 show.

Attached to this letter is a breakdown of all the pertinent sections that outline the stipulations associated to acquiring approvals for our festival. As I did last year, in each section I've answered how we are able to adhere to the guidelines and therefore receive our necessary approvals.

The event will again take place at Henningsen-Lotus Park on Saturday, June 6, 2009. We will want to keep the attendance limit to the 3,000 figure that we managed to this past event.

Thank you in advance for your attention to this matter. From all of us at The El Dorado Arts Council – we truly appreciate your support.

Sincerely,


Mary Carrera
Marketing Director
& Event Producer
El Dorado Arts Council

CC: Deb Jensen, Executive Director – El Dorado Arts Council

Coloma Blues Live! June 6, 2009 – Permit Response/Adherence

5.32.060 Permit—Application--Contents:

- A. The owner, exact location, legal description and area of the premises on which it is planned to conduct activities;

Response: Henningsen-Lotus Park, Lotus CA – County Owned Park Facility. The property is located on the Northwest side of Lotus Road approximately ¾ mile South of the intersection with Hwy 49 in the Coloma area. Property size 18.69 acres. Parcel number: 006-011-42-1

- B. The owner, exact location, legal description and area of all lands to be used for parking;

Response: The following properties will provide more than the minimum number of parking spaces required for this event:

Henningsen-Lotus Park, northwest parking lot (handicap parking only) and northeast parking lot for volunteer parking. Owner: County of El Dorado as identified above. Total **80** spaces.

Tom Van Noord Property, parcel numbers 006-011-75, 006-011-76, located behind the Fire Station on Lotus Road, approximately ¼ mile from Henningsen-Lotus Park (Tom Van Noord, 3294 Royal Dr., #201, Cameron Park, CA 95682). Total **600** spaces.

Parking Lots at Gold Trail School property located at 889 Cold Springs Rd., Placerville 95667 and Sutter's Mill School, located at 4801 Luneman Rd., Placerville 95667; owned by Gold Trail Union School District, 1575 Old Ranch Rd., Placerville, CA 95667. Total **225** spaces.

We have secured additional parking locations from the following property owners: David Girard Winery, 741 Cold Springs Road, Placerville, CA 95667. Total **150** spaces. Marshall Gold Discovery State Historic Park, 310 Back Street, Coloma, CA 95613. Total **300+** spaces. Archie Lawyer, property at the NW corner of Hwy 49 & Marshall Road (old rock quarry) – total **300** spaces. Mother Lode Church, 870 Beach Court, Coloma CA – total **150** spaces.

- C. The dates and the hours during which the event is to be conducted;

Response: The event itself is on Saturday, June 6, 2009 – gates open at 10 AM, Show starts at 11 AM – over by approximately 7 PM. In any event - all festival goers out of the park by dusk. Set Up for the event (as with the last three years festivals) takes place on Friday, June 5, 2009 – 7:30 AM until 11 PM. Clean up begins after the show on Saturday, June 6 – and is completed after stage is dismantled on Sunday, June 7th and the porta-potties picked up on Monday, June 8th.

- D. An estimate of the minimum and maximum numbers of customers, spectators, participants and other persons

Response: We request that the limit of total headcount in the Park be 3,000 in 2009. The 3,000 would include sponsors, promotional give-aways, volunteers and food vendors. The minimum number in the park would be 200 (volunteers and vendors) – this minimum would apply if we didn't sell any tickets.

- E. Detailed explanation of the applicant's program, plans and ability to supply potable water and facilities, food supply and facilities, sanitation facilities (including but not limited to sewage, garbage), medical/first aid, vehicle parking space, vehicle access, on-site traffic control, evacuation plans for sick/injured

Response: At the 2008 event, we increased the hand washing stations and the portable toilets to 31 toilets (2 of which were handicap), and a total of 9 hand washing stations – a number sufficient to handle 3,000 patrons and volunteers. We will order the same quantity for 2009. We will acquire food vendors as we did the past two years – and water will be sold to patrons; however they can bring in their own supply as well. There is fresh/potable water available at the Park, and permanent restroom facilities.

The event organizers and County Parks made the decision for the 2006 - 2008 events to make the "festival area" of the Park as self-sufficient as possible and not rely on the park facilities – however those facilities are available for use.

Local businessman and member of the Coloma/Lotus Chamber – John Tillman, who also owns Sierra Disposal, will be in charge of "sanitation" once again. He will provide a 30-yard dumpster for the main trash receptacle in the back stage area and will supply 80 32-gallon trash and recycle receptacles throughout the festival area. Throughout the day his team will pick up trash and dispose in main dumpster.

First Aid will again be managed by the El Dorado County Search & Rescue, overseen by the El Dorado County Sheriff's Department. As with previous years, they will bring their mobile unit and staff this area. The Sheriff's Department will also help with Traffic Control, as they did this year, but we will also contract for two CHP officers as we did at the 2008 festival. From the back stage area there is emergency vehicle space provided with direct access to the festival grounds. If you need to confirm plans with the Sheriff's Department – feel free to contact Undersheriff Fred Kollar at (530) 621-6576.

- F. A description of all loud speakers and sound equipment to be used and the intensity of the sound, in decibels, at the boundaries of the premises;

Response: See decibel reading report (attachment 1) - and the following equipment information: Sound system – 7,000 watt power rack. Speaker system – 16 trapezoid speakers each with a 15" and 10" woofer and horn and an additional four 18" sub-woofers. Four zone delay speakers each with 15" woofers and horns powered by 800 watts.

- G. If it is proposed or expected that customers, spectators or participants will remain overnight, the arrangements for illuminating the premises for camping;

Response: No overnight from patrons – only the Event Organizer in RV/Back Stage Office area, as they did in 2006 - 2008.

- H. Provisions for cleanup of the premises and removal of rubbish after event;

Response: As with the past three years, Sierra Disposal is on site – with their employees and volunteers removing and monitoring refuse throughout the day. Each receptacle bag, once full, is removed and disposed of in the backstage 30 yard dumpster. The dumpster itself is removed from the Park property on the first business day following the event.

- I. Such other information pertinent to the event as the Board of Supervisors or any officer of the county finds reasonably necessary and required in order to determine whether or not the permit should be granted;

Response: The organizers of this event have already proven they can responsibly and very professionally, put on a Blues Festival under the requirements for 3,000 attendees. At the June 7, 2008 event – there were no incidences - no traffic problems, no arrests, and no issues whatsoever.

- J. Name, age, residence, mailing address and telephone number of applicants, and applicant's legal nature, such as individual, partnership, corporation...

Response: The El Dorado Arts Council (EDAC), Non-Profit 501C3 – PO Box 2400, Placerville CA 95667; Mary Carrera – Marketing Director (916) 941-9001, EDAC Office phone number – (530) 295-3496. Executive Director – Deb Jensen.

- K. Financial Statement sufficient to give assurance of the ability of the applicants to meet the conditions of the permit;

Response: Copy of most current auditor's reports for the El Dorado Arts Council (Attachment 2).

- L. A detailed explanation of the applicant's plan for policy for policing prevention of illegal use of alcohol and drug consumption;

Response: Any attendee wishing to purchase beer/wine must show proof of ID and are wrist banded. ONLY identified as "over 21" wrist banded patrons may purchase beer and wine. No more than 2 beverages can be purchased at a time. Alcohol sales are cut off approximately 1.5 - 2 hours before the end of the show. All servers are required to "cut off" anyone who is visibly impaired. Bags, backpacks and purses are searched at the main gate prior to entry – this activity is supported by Sheriff's Department employees and Volunteer Security.

- M. A detailed explanation of the applicant's plans in the event more persons attempt to attend the event than is permitted by the particular permit;

Response: If show is sold out prior to “event” day – advertising will cease *marketing* the event – but will be run to state that the show is sold out. The website will also stop taking orders and will be modified to state that tickets are no longer available. Signs will be posted outside the Park stating that the show is sold out. A sufficient amount of security will be posted at the front gates – inclusive of volunteers and Sheriff’s Department.

- N. A consent to the entry at any time in the course of his duties of any peace officer and any employee of the sheriff, health officer and any other county officer in the performance of his duties, including but not limited to inspection;

Response: Consent fully granted – most organizations are already involved in the event. Henningsen-Lotus Park is a County facility; as such County employees have full access to the facility as part of the normal course of business. The “festival area” is fenced off with construction/orange mesh fencing material so that it is easy to determine what is part of the festival grounds and what is not.

- O. The address of applicant within the state to which all notices and correspondence addressed to applicant shall be directed by the county. Any notice or correspondence addressed and mailed postage prepaid to the address shall be deemed received by applicant.

Response: El Dorado Arts Council, PO Box 2400, Placerville, CA 95667

5.32.070 Permit – Application—Plans Required

- A. Six (6) copies of white background prints of map drawn to scale

- 1) The location of the property on which the event is planned to occur

Response: See attached Event Location Map (Attachment 3).

- 2) Location of all highways, streets, alleys, lots and parcels of land w/i 1,000 feet of exterior boundaries of proposed use;

Response: Map from the County Surveyors office (Attachment 4) – buffered to 1,000 feet.

- 3) Location of the parking areas

Response: See attached Parking Map (Attachment 5).

4) All interior access ways;

Response: See Attachment 3

5) Access to the property;

Response: See Attachment 3.

6) The location and detailed plans of all buildings and structures on the premises or to be erected, including bandstand, stage or other facility for performance;

Response: See Attachment 3.

7) Location of all loudspeakers;

Response: See Attachment 3.

8) The location of all toilet, medical, washing, drinking and other facilities required by this chapter;

Response: See Attachment 3.

B. A certified list as shown on the latest assessment roll of the County of the names and addresses of all persons to whom all property is assessed within five hundred feet of the exterior boundaries;

Response: Map and list (labels) received from Jose Crummett – County of El Dorado Surveyors Office from 2008 show – buffered to 500 feet. (See Attachments 6, 7 & 8). Planning Department stated they would re-run due to changes in ownership and that it was not necessary for us to submit new paperwork as it would need to be updated by the County to ensure accuracy.

C. An agreement in writing signed by all property owners permitting the use of the premises for both the activity and for parking;

Response: Attachment 9 – Letter from County Division of Airports, Parks & Grounds and also attached are letters from Tom Van Noord, the Gold Trail Union School District, David Girard Winery, Marshall Gold Discovery State Historic Park, Mother Lode Church, Archie Lawyer and the letter from Parks also outlines parking availability – Attachment 10.

D. The agreements or contracts which show what doctors, first aid attendants and ambulances that will be available at premises;

Response: As with the 2008 event – the Sheriff's Department is on site with their mobile First Aid/unit which has radio contact for emergency services and they have EMT staff on the premises. This is managed by the County Office of Emergency Services/Search & Rescue Team.

- E. An agreement approved as to form by the county counsel of the County as signed by the applicant or applicants that, within in 72 hours after conclusion of the event, they will clean up the premises and remove all trash, debris, garbage and other waste from in and around the premises. The agreement shall be secured by an undertaking in a total amount of not less than \$5,000 – form of a surety bond ...etc.

Response: The Park and the applicants worked under a separate agreement for the 2006-2008 events that the grounds would be clean and back to "pre-event" state. We would like to work under the same agreement for the 2009 event. (See Attachment 9)

- F. An agreement in writing, approved as to form by the County counsel and signed by the applicants and by the owners of the premises – including both the premises where the event will be held and where the parking will be locatedreimburse all owners and occupants for damage – etc....hold harmless those owners and the county, its officers, agents, employees etc....

Response: We request that the issuance of Certificates of Insurance naming all property owners as "Additional Insureds" will satisfy this requirement. Liability Insurance coverage for the June 7, 2008 event was at \$2,000,000. We will hold the same level of Liability Insurance for the June 6, 2009 event.

5.32.080 Insurance – County Benefit

The undertaking or insurance policy required in this chapter shall be for the benefit of the county and its officers, agents and employees and for the benefit of all persons whom the permittee or owner may become liable.

Response: We request that the issuance of Certificates of Insurance naming all property owners as "Additional Insureds" will satisfy this requirement. Liability Insurance coverage for the June 7, 2008 event was at \$2,000,000. We will hold the same level of Liability Insurance for the June 6, 2009 event.

5.32.090 Insurance – Amount

The undertaking or insurance policy shall be in such an amount that the total shall not be less than \$100,000

Response: We request that the issuance of Certificates of Insurance naming all property owners as "Additional Insureds" will satisfy this requirement. Liability Insurance coverage for the June 7, 2008 event was at \$2,000,000. We will hold the same level of Liability Insurance for the June 6, 2009 event.

5.32.100 Permit -- Application -- Hearing

Public Hearing Section

Response: Understood/Agreed.

5.32.110 Permit -- Issuance.

If the Board of Supervisors finds that the applicant has complied with or will comply with the requirements of this chapter, it shall grant the permit; providing, however that the permit shall be revoked at any time the applicant fails to meet conditions....

Response: Understood/agreed

5.32.120 Water and Sewers

- A. Drinking Water. The permittee shall provide a potable domestic water supply from a source approved by the health officer.

Response: Bottled water will be sold. Bottled water can also be brought in by festival goers. Any water needed for cooking will be bottled. Hand washing stations (9); with water for hand washing only will be located throughout festival ground area and in close proximity to food vendors for their hand washing needs. There is fresh/potable water available at the Park.

- 1) If trucks are used to haul water into the site, they shall, prior to use, be cleaned and sterilized under the supervision of the county health department.

Response: N/A

- 2) Water shall be provided for employees and spectators at the following rate per person per day: Employees, 35 gallons; spectators, 10 gallons.

Response: Same as section A above -- however bottled water will be supplied to all volunteers at no charge. At the June 7, 2008 event we ordered 71 cases of water and used 51. We will always over-order to ensure there is enough water for patrons and volunteers.

- 3) The approval of the county health officer of permittee's drinking water plans shall be a prerequisite to an issuance of a permit.

Response: Understood/Agreed. We will provide a comprehensive site plan that includes all options for drinking water accessibility.

- B. Sanitary Facilities. Adequate toilet facilities for both sexes must be distributed throughout the grounds as follows: one water closet, chemical or sanitary privy unit, must be supplied for each two hundred fifty (250) persons.

Response: The above criteria would allow for only 12 porta potties for 3,000 attendees. At the June 7, 2008 event we had 31 porta potties (2 of which were handicap) and 9 hand washing stations – more than enough to satisfy this requirement.

- 1) Toilet facilities and accessories shall be maintained in a sanitary condition at all times and shall be cleaned at least twice each day.

Response: Event only runs for 8 hours – the units will be cleaned upon arrival and toilet paper and paper towels replenished throughout the day. Sierra Disposal employees and volunteers are managing all Sanitation needs.

- 2) Waste water and sewage originating on the grounds must be disposed of by a means approved by the health officer.

Response: Wilkinsons Portables is our vendor – they shall pick up the porta potties the next business day – as they did in 2008.

- 3) The approval by the health officer of permittee's sanitary facilities plans shall be a prerequisite for the issuance of a permit.

Response: Understood/Agreed

5.32.130 Parking.

The permittee shall have on the premises, or contiguous thereto, automobile storage spaces equal to ¼ of the number of persons which the permit allows to attend the event unless the planning director finds that a smaller number is sufficient in which case the permittee may provide a lesser number. At all times between one hour before the beginning of the event and one hour after its termination, the permittee shall provide a sufficient number of parking attendants at all entrances, exits and within the parking lots. The approval by the planning director of the permittee's parking plans shall be a prerequisite to the issuance of a permit.

Response: Understood/Agreed

5.32.140 Garbage Disposal.

The permittee shall demonstrate to the satisfaction of the health officer that the permittee has an adequate plan for the proper storage, collection and disposal of garbage, trash and refuse. All solid waste material shall be disposed of by (See full doc/paragraph attached)

Response: Sierra Disposal Employees and Volunteers will be on-site to manage the disposal of all garbage. Eighty 32-Gallon trash and recycle receptacles will be placed throughout the festival grounds. In addition, one 30-yard dumpster will be placed in the back stage area. Throughout the day, garbage will be monitored in the 32-Gallon receptacles and when full, will be brought to the main 30-yard dumpster. The dumpster will hold the garbage equal to 270 32-gallon trash receptacles – exceeding the requirements of this section.

50% of the garbage will be recycled and the other 50% will be run through a Material Recovery Facility, therefore increasing the amount of refuse that is recyclable. All remaining refuse will be disposed by the sanitary landfill method.

Clean up of the Park grounds and parking areas will commence immediately following the end of the event.

5.32.150 Days and Hours.

The permittee shall operate the event only on those days and during the hours specified on the permit.

Response: Understood/Agreed

5.32.160 Admission by Ticket.

Admission shall be by ticket only. The permittee shall not admit and shall prevent the entrance of any person who does not possess a ticket to the event, except a peace officer or other county public officer or employee or agent thereof. The permittee shall not sell, give or distribute a greater number of tickets than the number which the permit allows to attend.

Response: Understood/Agreed

5.32.180 Food and Drink.

The permittee shall be required to provide food and drink service facilities to adequately feed the number of persons allowed by permit. In selling, preparing, delivering or serving food or beverage, or both, all persons shall comply with the California Restaurant Act, chapter 11,The approval of the health officer of permittee's food and beverage plans is a prerequisite to the issuance of a permit for an outdoor music festival.

Response: Understood/Agreed. As we did in 2008, we will provide a list of food vendors to Environmental Health prior to the event, including menus and anticipated number of meals available to be sold. Only vendors with current El Dorado County Health Permits will be allowed to participate.

5.32.190 Medical Coverage.

- A. The permittee shall be responsible for making adequate plans for medical coverage of performers, employees, participants, customers and spectators.
- B. There shall be at least one physician per 1,000 persons available on site all the time during the preparation and performance of the outdoor festival.....
- C. The permittee's plans for the above medical preparedness shall be subject to the approval of the county health officer and such approval is a prerequisite to the issuance of a permit.

Response: All medical aid to be provided by the El Dorado County Sheriff's Office of Emergency Services/Search & Rescue Team – which is how this requirement was managed at the 2006 - 2008 festivals.

5.32.200 Lighting.

- A. Every permittee planning an event after dark,
- B. Permittee shall be required to illuminate specific areas....

Response: This is a day-time event – no light necessary.

5.32.210 Zoning Compliance.

Permittee shall comply with all applicable zoning regulations of the county.

Response: Understood/Agreed

5.32.220 Permit – Nontransferable.

No permit granted under the provisions of this chapter shall be transferable to another location, another person or entity or another set of dates.

Response: Understood/Agreed

5.32.230 Construction Permits.

Prior to doing any construction, excavation, grading or encroachment requirement for the event, the permittee or applicant shall obtain from the county all necessary permits therefore.

Response: Understood/Agreed

5.32.240 Camping Overnight.

Every permittee of an event which will last more than 1 day or at which persons will remain overnight on the premises shall provide camping facilities and overnight areas.....

Response: Only the event organizer(s) will be staying overnight in RV/event office – no other overnight camping will take place.

5.32.250 Penalty for Violation.

A person who allows, permits, encourages, organizes, promotes, conducts or advertises any entertainment, game show, exhibition, activity, amusement, gathering or assembly of persons.....in violation of this chapter....punished by a fine not less than

Response: Understood/Agreed