

County of Nevada
State of California

Nevada County Historical Landmarks Commission
Application for Registration of Historical Landmark

Name of proposed landmark: **Excelsior Ditch/Independence Trail**

Location: SR 49 at the Independence Trail Head, Nevada County

Name of applicant: Nevada County Historical Landmarks Commission

Address: P.O. Box 1014, Nevada City, California 95959

Home or work phone: [REDACTED] Cell phone: [REDACTED]

Name and address of owner upon whose property proposed landmark is located, if owner is not applicant: State of California Department of Parks & Recreation, Sierra District, P.O. Box 266, Tahoma, California 96142

I consent to this application and authorize the placing of a plaque or marker on site. State of California Department of Parks & Recreation, by Robert Griffith, District Superintendent

Signed  _____
25F30252DF68410...

Date 12/14/2023

Brief history and description of proposed landmark

(attach additional sheets as necessary)

The Excelsior Ditch (later Canal) was built between 1854 and 1859 by Chinese workers to bring high pressure water for hydraulic mining to western Nevada County from the South Yuba River. Initially it ran from about 3 miles upstream of modern Highway 49, 19 miles to Deer Creek near what is now Lake Wildwood. There it connected to the China Ditch which extended 12 more miles to the Smartsville area. The Ditch operated until it was abandoned in 1961.

After the Excelsior Ditch was abandoned, John Olmsted and his nonprofit Sequoia Challenge converted part of the Ditch to the Independence Trail, the nation's first wheelchair accessible wilderness hiking trail. The Independence Trail opened in 1983. It takes advantage of the Excelsior Ditch's 1858 moderate gradient which today allows disabled and non-disabled visitors to enjoy the outdoors and learn more about our common history while visiting South Yuba River State Park.

The Excelsior Ditch as a resource consists of open earth ditch remnants, reconstructed flume remnants, conduit, wooden gates, and stone retaining walls. Most of the ditch remnants are earthen, while some have been lined with gunnite.

Historically significant aspects or properties of proposed landmark

The Excelsior Ditch was instrumental in the development of the gold mining industry in western Nevada county. When hydraulic gold mining declined following the Sawyer decision of 1884, the ditch was instrumental in the development of agriculture and ranching in that part of the county.

The Independence Trail was the nation's first wheelchair accessible wilderness hiking trail.

How will the landmark be protected and maintained

Most of the remaining original wooden flumes of the Excelsior Ditch were destroyed in the 1988 49er Fire. In 2020, the Jones Fire destroyed the reconstructed flumes of the Independence Trail. Ditch remnants are still intact throughout the historic alignment. Presently, the California State Department of Parks and Recreation is committed to the rebuilding of the destroyed and damaged flumes and trestles. It is estimated the cost is approximately 20 million dollars to reconstruct the trail and the flumes. Currently, the County of Nevada County, California State Parks along with the Bear Yuba Land Trust are working to together to create the necessary funding to reopen the western portion of the Independence Trail. 7 million dollars has already been allocated.

Bibliography. Cite or attach available books, records, articles or other materials pertaining to the proposed landmark.

Books and articles:

Scimeca, Chuck, A History of the Excelsior Ditch and Independence Trail, Nevada County California (2023) - Attached

<https://nevadatheatre.com/events/a-wild-independence-the-story-of-nevada-citys-independence-trail/> viewed 21 September 2023

https://en.wikipedia.org/wiki/Independence_Trail viewed 21 September 2023

Historical or civil records: (e.g., ownership, assessments etc.)

The 35-mile long ditch crosses multiple land ownerships, including California State Parks, Bureau of Land Management, Bear Yuba Land Trust, and private owners. The portion of the ditch that constitutes the Independence Trail sits on land owned by California State Parks and the Bear Yuba Land Trust.

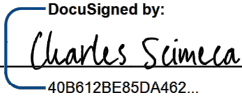
In 1986, The California State Department of Parks and Recreation entered a partnership with Sequoia Challenge, to manage the Independence Trail.

That agreement continues to the present time, now in cooperation with the successor of Sequoia Challenge, the Bear Yuba Land Trust. Discussions are underway to transfer the Bear Yuba Land Trust property along the Independence Trail to California State Parks & Recreation ownership, making management of the trail more efficient.

Other: (e.g. photographs, prints or drawings. Please list and attach separately)

Photographs and maps included in attached history prepared by Landmarks Commissioner Chuck Scimeca

Applicant's signature: Nevada County Historical Landmarks Commission by Chuck Scimeca, Commissioner

Signed  Date 12/14/2023



This completed form and all related documents shall be sent to the:

Nevada County Historical Landmarks Commission
Attention: Chairman
P. O. Box 1014, Nevada City, Cal. 95959

Attachments and related documents may be submitted in electronic format.

An application must be considered solely on its historic or architectural merits and not for commercial gain, political benefits, or other non-historical reasons.

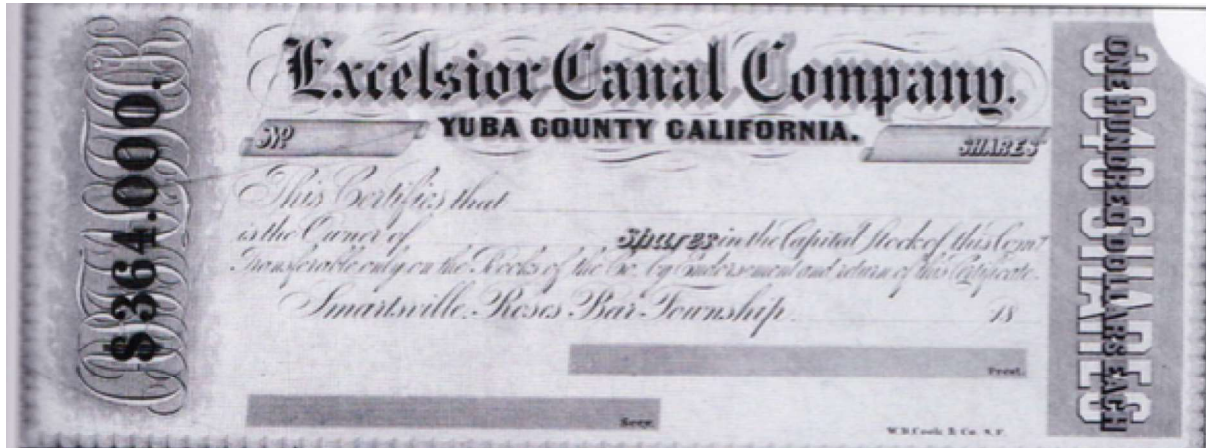
An individual Commissioner can advise and counsel an applicant, but all applications must be considered by the full Commission, meeting in regular session.

The Excelsior Ditch & Independence Trail, Nevada County California

Prepared by Chuck Scimeca, Nevada County Historical Landmarks Commissioner,
Report for Designation as a Nevada County Historical Landmark

September 2023

The Excelsior Ditch (canal)¹ was built between 1854 and 1859 by Chinese workers² to bring high pressure water for hydraulic mining to the Mooney Flat, Sucker Flat, Timbuctoo and the Smartsville area. David L. Bovyer a well-liked businessman from San Francisco,³ conceived of the idea to build the Excelsior Ditch and hired James O’Brian of Smartsville to build the ditch. O’Brian employed a labor force of Chinese workers and completed the work in 1859.⁴ For many years James O’Brian acted as the Superintendent of the Excelsior Ditch Company. During the mid 1850s, the Excelsior Canal Company based in Smartsville grew to a large mega company and beginning in 1861 under the leadership of David Bovyer had consolidated the Union Ditch Company, holding water rights and canals over a vast area, which included the Excelsior Ditch.



¹ Canal and Ditch are used interchangeably throughout this paper. They mean the same thing.

² Kelly, Robert, "Forgotten Giant: The hydraulic Gold Mining Industry in Ca. Pacific Historical Review, April 1954

³ Lindars, Dom, The Ditches of Nevada City, The Untold Story of Nevada City's Gold Mining Ditches, published by Dom Lindars 2023, page 139.

⁴ Smith, Kathleen, Mining in Yuba County for Yuba Roots, Arcadia Publishing 2015, page 59.

“By 1866, a series of sales and consolidation of ditches and water rights ended with the Excelsior Canal Company, controlling all the approximately 150 miles of ditches in the Smartsville and Timbuktu area. Headquartered in Smartsville, the Excelsior company was first organized by a group of miners at the Branch Saloon in Roses Bar in January 1855.”⁵

The Excelsior Canal Company, continued to consolidate most of the smaller ditch companies. This company came to control the water delivery in the entire southern region of the Yuba River basin from Smartsville to the Excelsior Ditch head dam on the South Yuba River, located 3 miles above present-day Highway 49. The other company that controlled much of the upper watershed of the South Yuba River sending water to the hydraulic mines of Nevada City and Grass Valley was the South Yuba River Canal Company based out of Nevada City.⁶

A diversion “wood crib” dam located 3 miles upstream from today’s Highway 49 at the South Yuba River, ⁷ diverted South Yuba River water 19 miles downstream to what is now the dam at Lake Wildwood on Deer Creek. The canal water continued 12⁸ more miles via the China Ditch into the hydraulic mines of the Smartsville mining district. The distance from source to Smartsville is a combined total of 31 miles.⁹ The Excelsior and China Ditch were “five feet wide at the bottom and eight feet on top and is four feet deep. The grade is nine feet to the mile and the ditch discharges 1700 Smartsville miner’s inches.”¹⁰

⁵ This quote is from the archive of the Society of California Pioneers, San Francisco CA, located at the Presidio.

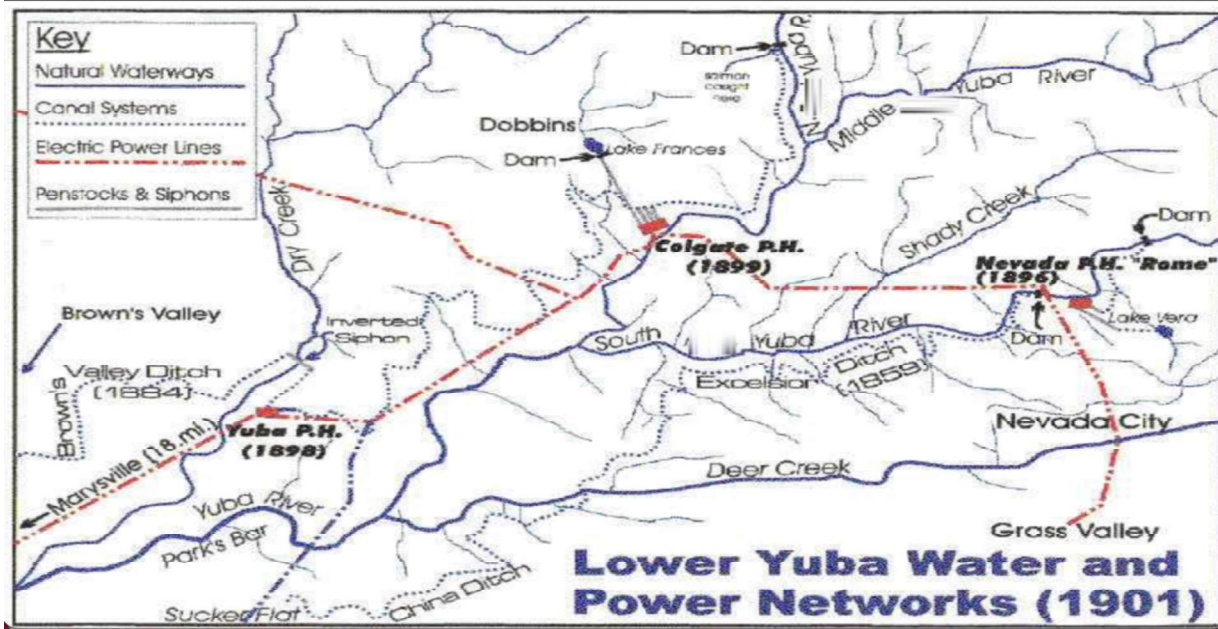
⁶ A State of California Historical Landmark # 832, South Yuba Canal Office, Nevada City, CA.

⁷ A timbered drift bolted head dam secured to bedrock was built in 1878 replacing the original wood crib dam, Elwood Mead (1901).

⁸ Mileage calculated by Dom Lindars by precise mapping program, Nevada County Historical Society Board member and author of The Ditches of Nevada City, self-published 2023.

⁹ Connick & Mead report, 1901

¹⁰ Bowie, Aug. J., Practical Treatise on Hydraulic Mining in California, Van Nostrand 1910, p. 138-140.



On the map above, see the small black “dotted line” starting below Nevada P.H., marked Dam with the black arrow pointing upward.

This is the location of the head dam of the Excelsior Ditch, located about 200 hundred yards downstream from the powerhouse. From the head dam the ditch continues to the bottom of the map, connecting with the China Ditch, ending at Sucker Flat near Smartsville, CA. approximately 31 miles.

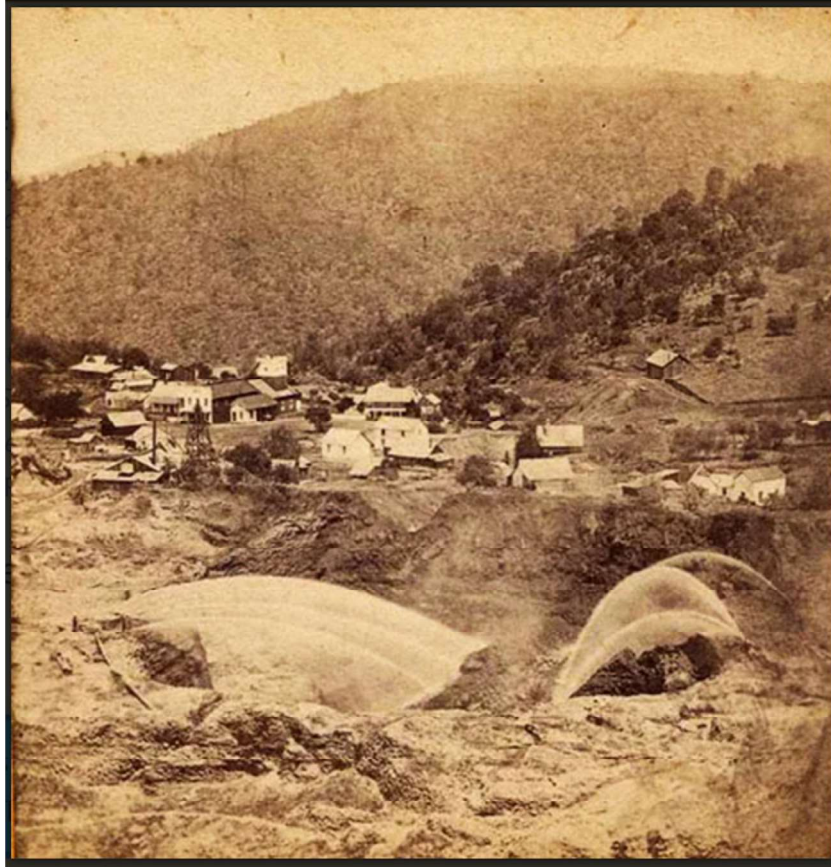
In addition, seen on the map are three early hydroelectric power houses, the Yuba Powerhouse, the Colgate Powerhouse with the Nevada Powerhouse “Rome Powerhouse” established 1896, being the first hydroelectric power plant in Nevada County supplying power over a large distance.

The “Rome Powerhouse” is considered the beginning of PG&E.

¹¹ Map, courtesy of the Searls Library, Nevada County Historical Society. From the Niles Searls Law Office client, Excelsior Ditch collection.



Pictured above is a photograph of the “Rome Powerhouse” built by the Nevada Power Company. The powerhouse has recently been designated as a Nevada County Historical Landmark. Its history can be found in the Nevada County Historical Landmarks Commission online publication, Exploring Nevada County.



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Sucker Flat 1870, Blue Point Gold Miner Company

The Beginnings of Hydraulic Mining

Edward Matteson is given credit for inventing hydraulic mining at American Hill Diggings in Nevada City, but more likely it was a collaborative effort. This may have occurred first along Greenhorn Creek east of Nevada City at the Buckeye Claim.¹³ The year was 1853. In January 1855 miners gathered at the Branch Saloon at Rose's Bar to form the Excelsior Mining and Canal company. During the latter part of 1854 and early 1855, \$250,000 was subscribed the Company to build the China Canal, which was destined to become an extension of the Excelsior Ditch. The China canal was approximately 10 miles long built from Deer Creek to Smartsville to the hydraulic mines of that area. The China Canal was completed in 1857.

¹² Source, CSU, Chico. Merriam Library, Collection_303

¹³ Meals, Hank, "Yuba Trails and Tales, Hydraulic Mining in the Yuba and Bear River Basins." Ref. May, Philip Ross, Origins of Hydraulic Mining in California. Holmes Book Company 1970. Yubatreadhead.blogspot.com May 2018.



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Hydraulic Mining at Malakoff Diggins, 1874



Excelsior Flume 1870 near Smartsville.

¹⁴ Carleton E. Watkins, Hydraulic mining at Malakoff Diggins, North Bloomfield Mining Co. **1874**



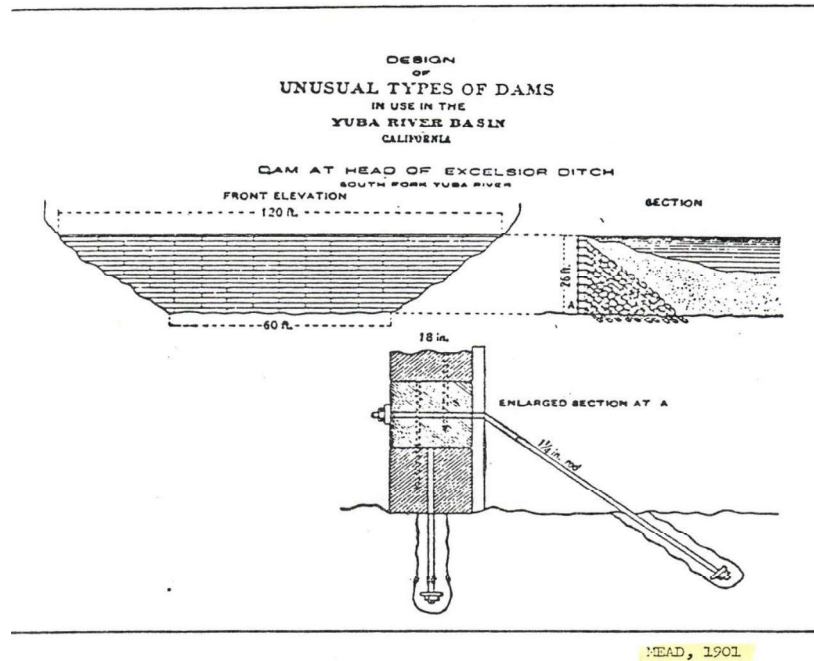
The Excelsior Flume, along the steep ridge above Deer Creek not far the historic Anthony House stage stop.

Then in 1858 through 1859 another \$500,000 was spent to build 19 miles of canal from Deer Creek to the South Yuba River head dam located about 3 miles above Highway 49 on the South Yuba River, joining the China Canal at Deer Creek. The two canals now continued as one to the Smartsville area.

This was the greatest monetary investment for any project in California at the time. It clearly marked the departure from simple mining use of the Long Tom and rocker and the technological shift to predominately hydraulic placer mining.

The ditch consisted of over 64 wooden flumes, mud lined ditches and part stone walls built by Chinese labor.

In 1861-1862 the great flood occurred which flooded most of the Central Valley, washed out almost all the Sierra bridges as well as most of the flumes and ditches including large portions of the Excelsior. They were rebuilt by the summer of 1862. In the early 1870s Charles Ayres from Boston buys the Excelsior Canal Company.



The drawing above shows the structure of the Excelsior Ditch stone and masonry head dam that replaced the 1878 head dam. The original head dam would have been made of wood cribbing. Today the dam has been reduced to a remnant only and is not cable of diverting water.



Picture above is a photograph of the English Dam on the Middle Fork of the Yuba River, circa 1857. It is an example of a **wood cribbed dam**. The 1883 collapse of

English Dam, caused by sabotage, capped many years of conflict between hydraulic miners in the mountains and farmers and ranchers in Marysville and Yuba City. It led in part to the Sawyer Decision of 1884, from the U.S. Ninth Circuit Court in San Francisco which eventually halted hydraulic mining.

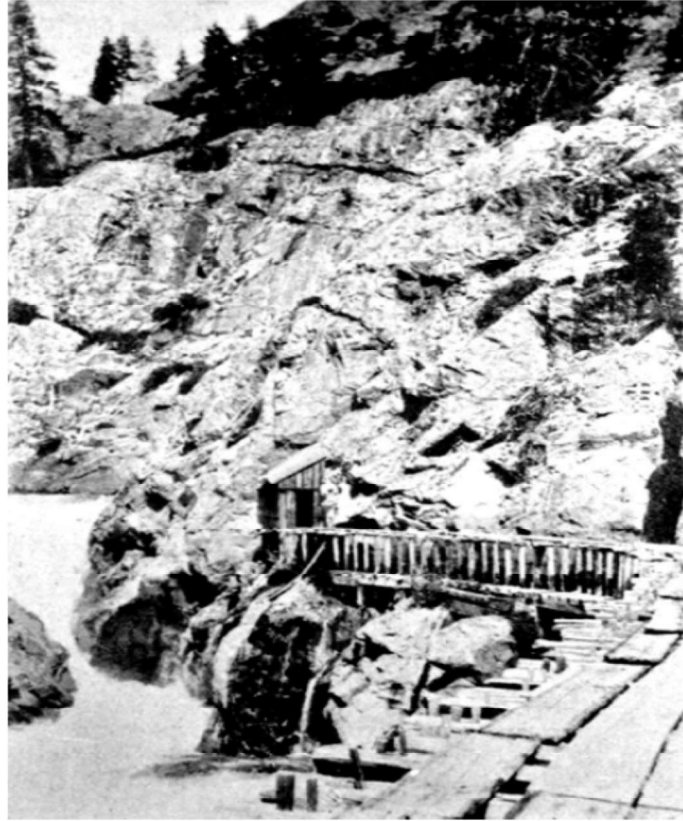


Figure B9. Trestled wood box flume, head of South Yuba Ditch (PG&E Archives)

The photograph above is a portion of the South Yuba Canal head dam and the diversion flume, circa 1855, which was similar to the Excelsior head dam of the same period.¹⁵ You can also see a small, roofed section of the flume that covers a cut through the rock face to the start of the head dam. The Excelsior head dam and ditch were located several miles farther downstream on the South Yuba River below Purdon Crossing. In 1999, I led a group of South Yuba River State Park

¹⁵ National Register of Historic Places Inventory, Ott's Assay/South Yuba Canal Office, April 1975, page 7.

docents on a field trip to the remnants of Excelsior Head Dam and Rome Powerhouse¹⁶.

I observed that the first 75 to 100 yards of the dam diversion consisted of the canal ditch blasted through solid granite. The course of the diversion ditch of the Excelsior is on the South side of the South Yuba River and then begins its 31-mile journey to the Smartsville area.

By 1880 the Excelsior Canal Company's Excelsior ditch and flumes are rebuilt once more requiring constant yearly maintenance.¹⁷

During 1875 farmers crops, livestock and livelihoods were destroyed with towns such as Marysville inundated under thick mud. The year 1878 saw the Anti-Debris Association form to end hydraulic mining or hold the hydraulic mining companies accountable for the damages incurred. This was a movement of farmers, businessmen and towns across the Central Valley that were objecting to hydraulic mining due to being flooded with "slickens," hydraulic mining mud and debris, washed far downstream.

The Excelsior Ditch company in the latter part of the 1880s had grown to more than 110 miles of ditches. However, on January 7, 1884, Judge Lorenzo Sawyer renders his final decision in the case of Woodruff v. North Bloomfield Gravel Mining Company, which many consider the Nation's first environmental law.¹⁸ Judge Sawyer's decision will eventually closedown hydraulic mining by requiring hydraulic mining companies to stop their operations unless they can control the "slickens" washed downstream. Over the next 10 years a slowdown occurs,

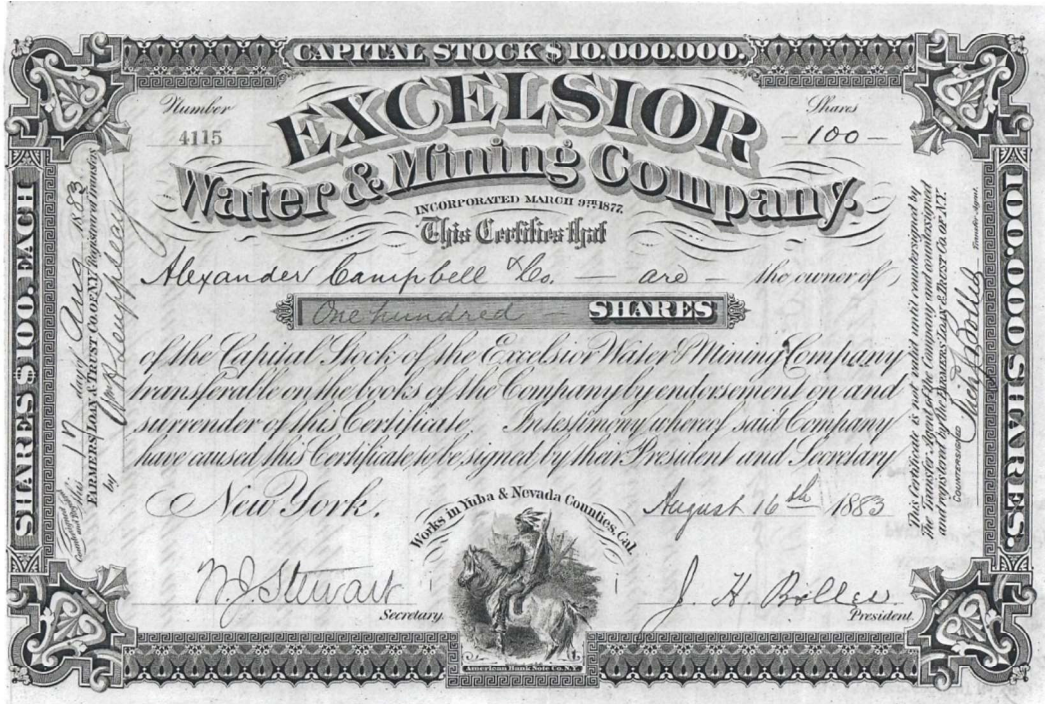
¹⁶ This was training field trip for park docents, led by Ranger Chuck Scimeca, studying the cultural history of the South Yuba River Canyon. We were guests of Roger Hodgson on his private property at the time. The property is now owned by Michael Funk who recently registered the "Rome Powerhouse" as a Nevada County Historical Landmark.

¹⁷ The cost of repair of flumes was generally about 10% of the original cost of the entire project, which had a life expectancy of 6 to 8 years (Hayley 1923). Haley, Charles Scott, Gold Placers of California. Ca State Mining Bulletin No. 92

¹⁸ The case of Woodruff v. North Bloomfield Gravel Mining Company was a lawsuit brought to [California](#) courts in 1882 where a group of local farmers sued [North Bloomfield Mining and Gravel Company](#) over damages caused to farmland in the [Central Valley](#).^[1] The farmers who brought the suit claimed that the company's [hydraulic mining](#) operations (which were used to mine [gold](#) in the years following the [California Gold Rush](#)) resulted in the disposal of excess sediment, debris, and chemicals in local rivers. Prosecutors argued that the debris raised riverbeds and restricted flow in the rivers leading to heavy man-made flooding. In the years prior, flooding of debris and chemicals had destroyed a large portion of the valley's agriculture. Wikipedia, Woodruff v. North Bloomfield Gravel Mining Company.

hydraulic mining is shut down by the federal inspectors due to the failure of the hydraulic mining companies to adequately control the harmful “slickens” and the canal companies slowly shift from supplying water for mining to irrigation.

The year 1887 saw the Excelsior Ditch Company change its name to the Excelsior Water and Mining Company with pressure rapidly growing to shift from mining to ditch water being used for agricultural use.



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Capital Stock share reflecting the 1877 second consolidation and name change to Excelsior Water & Mining Company.

The Excelsior Water and Mining Company and its investors were constantly trying new innovating ways to increase their profitability. Not surprisingly, the Company was one of the earliest innovators using new technology in northern California, in fact, on May 10, 1879, “The first electric arc light was introduced at their mining claim on Deer Creek near Smartsville, allowing 24 hours a day operation.”²⁰

In 1896 the Excelsior Water and Mining Company’s permit to operate was revoked by the “United States Engineers” (today’s Army Corps of Engineers), a direct result of Judge Lorenzo Sawyer’s decision. After 1896 the Company’s water is

¹⁹ Excelsior Water & Mining Company client file, Searls Historical Library, Nevada County Historical Society.

²⁰ Colman, Charles, P. G. and E. of California, The Centennial Story of Pacific Gas and Electric Company 1852-1952, McGraw-Hill 1952. Page 56.

used primarily for irrigation. By 1925 the Nevada Irrigation District (NID), a public irrigation district, which formed in 1921 takes over the Excelsior Water & Power Company (name change)²¹ and the South Yuba River Canal Company ditches. The "Excelsior Ditch" now is used solely for agricultural irrigation until it was abandoned in 1963 by NID and quit-claims rights of the Excelsior Ditch to the Federal Bureau of Land Management.²²

The Independence Trail, the Nation's First Accessible Wilderness Trail

The Independence Trail is the first identified wheelchair accessible wilderness trail in the United States and takes advantage of the Excelsior Ditch's 1858 moderate gradient which today allows for both the disabled and non-disabled visitor to enjoy the outdoors and learn more about our common history while visiting South Yuba River State Park.

Most of the remaining original wooden flumes of the Excelsior Ditch were destroyed in the 1988 49er Fire and then again in the 2020 when the Jones Fire destroyed the reconstructed flumes of the Independence Trail. Presently, the California State Department of Parks and Recreation and the Yuba Bear Land Trust are committed to the rebuilding of the destroyed and damaged flumes and trestles. The Excelsior Ditch is indeed an important part of Nevada County History and is a fine example of the craftsmanship and ingenuity of our early pioneer ancestors.

²¹ Delivering Water for Life, Nevada Irrigation District Chapter 5, page 5

²² Gray, Robert, Determination of Excelsior Ditch for National Register of Historic Places, Bureau of Land Management, September 1980. Other Reference Sources.



When this photograph was taken, Flume #28 which spans Rush Creek on the Independence Trail/Excelsior Ditch had recently been restored. Regrettably, a few years later it was destroyed by the Jones Fire of 2020.

The Excelsior Ditch & Independence Trail, A Proposed Nevada County Historical Landmark

In September of 1980 the United States Bureau of Land Management completed a study that determined the Excelsior Ditch of Nevada County was eligible for inclusion into the National Register of Historic Places. The report was completed by historian Robert E. Gray. On December 18, 1980. Dr. Knox Mellon, California State Historic Preservation Officer, concurred with BLM's determination to list the Excelsior Ditch on the National Register of Historic Places. Regrettably, for unknown reasons it was not placed on the Register.

The Excelsior Ditch is a precious reminder of Nevada County's past and the rapid advancement in technology that the movement of water played in Nevada County's development and that of the State of California. The Excelsior Ditch is both historically and culturally significant and has unique engineering attributes as well.

In addition, the Excelsior Ditch spans more than 165 years of Nevada County history evolving with the people then and now, highlighting its successes and failures. After first seeing the rapid economic development of hydraulic mining and the destructive consequences, then the ditch's water being made available for

use in agriculture and the production of hydroelectricity. Finally, its abandonment by NID as a water delivery system and then being converted to the Nation's first Wilderness Accessible Trail, tells a story of Nevada County people's strength and determination through the decades.

The California State Parks Department and Bear Yuba Land Trust (property owners)

Recently, I spoke with California Department of Parks and Recreation Chief of Cultural, Interpretation, and Partnerships for the Sierra District, Alexandra Neeb, about designating the Excelsior Ditch as a Nevada County Historical Landmark. We both agree that the Excelsior Ditch is worthy of the designation.

The Excelsior Ditch for several miles runs through South Yuba River State Park high above the South Yuba River on its way downstream towards Bridgeport and beyond. In addition, a portion of the historic Ditch includes the alignment of the well-known Independence Trail developed by Naturalist John Olmsted who first viewed the historic ditch in 1969. It took John another decade to gather the funds to purchase the property and then begin construction of the trail and flumes over several years with more than 100 volunteers. By 1978 the first people in their wheelchairs began following the path of the historic ditch.

The California State Department of Parks and Recreation entered a partnership with John Olmsted and the group he founded, Sequoia Challenge, in 1986 to manage the Independence Trail.

After John's death in 2012, the Yuba Bear Land Trust, the successor of Sequoia Challenge continues the partnership with California State Parks to cooperatively manage the Independence Trail.

A 2022 documentary film, "A Wild Independence" by Alden Olmsted, John's son, is highly recommended. The film tells a history of the Excelsior Ditch, Nisenan Tribe, the Independence Trail and that of its founder, John Olmsted.

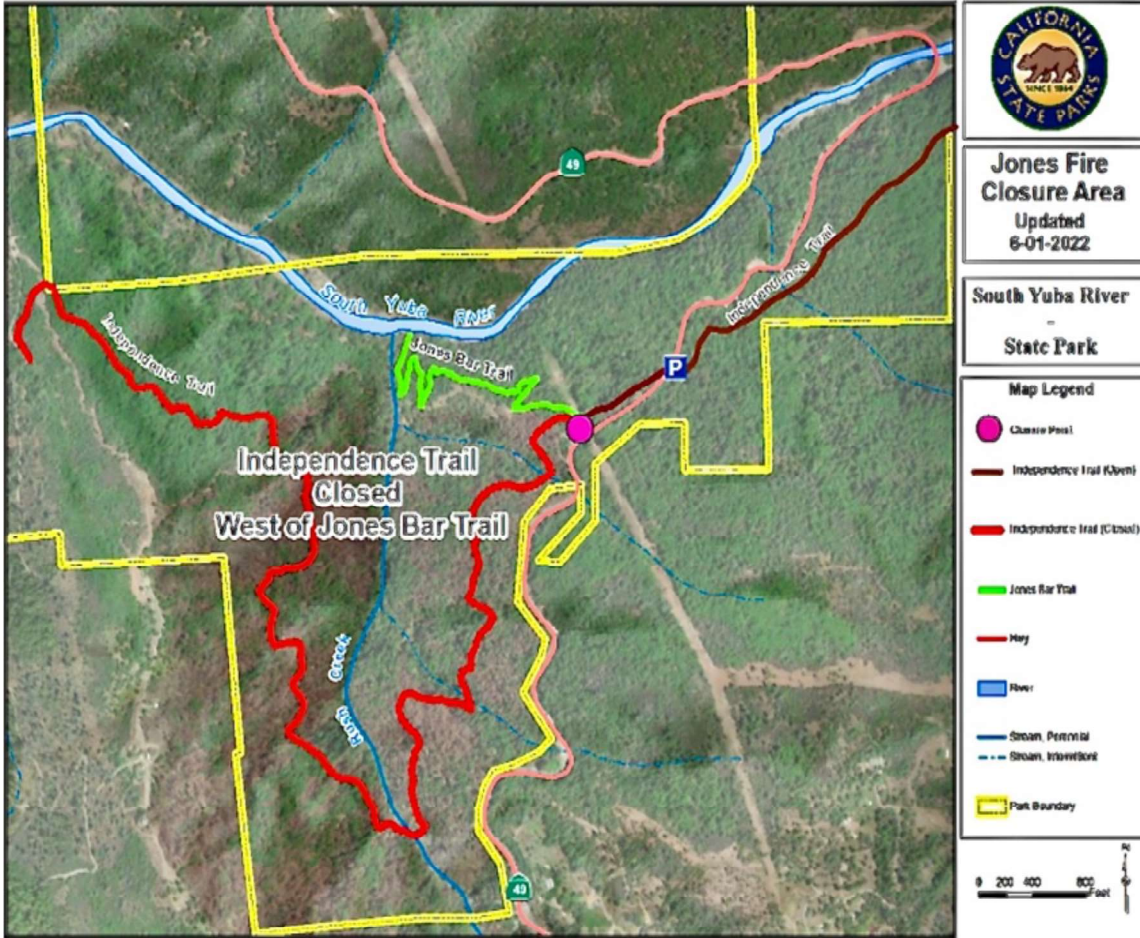
"A Wild Independence" runs 25 minutes, link below.

<https://youtu.be/GxMTgkyM6Mc?si=ZMHMOIhnVoWwfLyL>



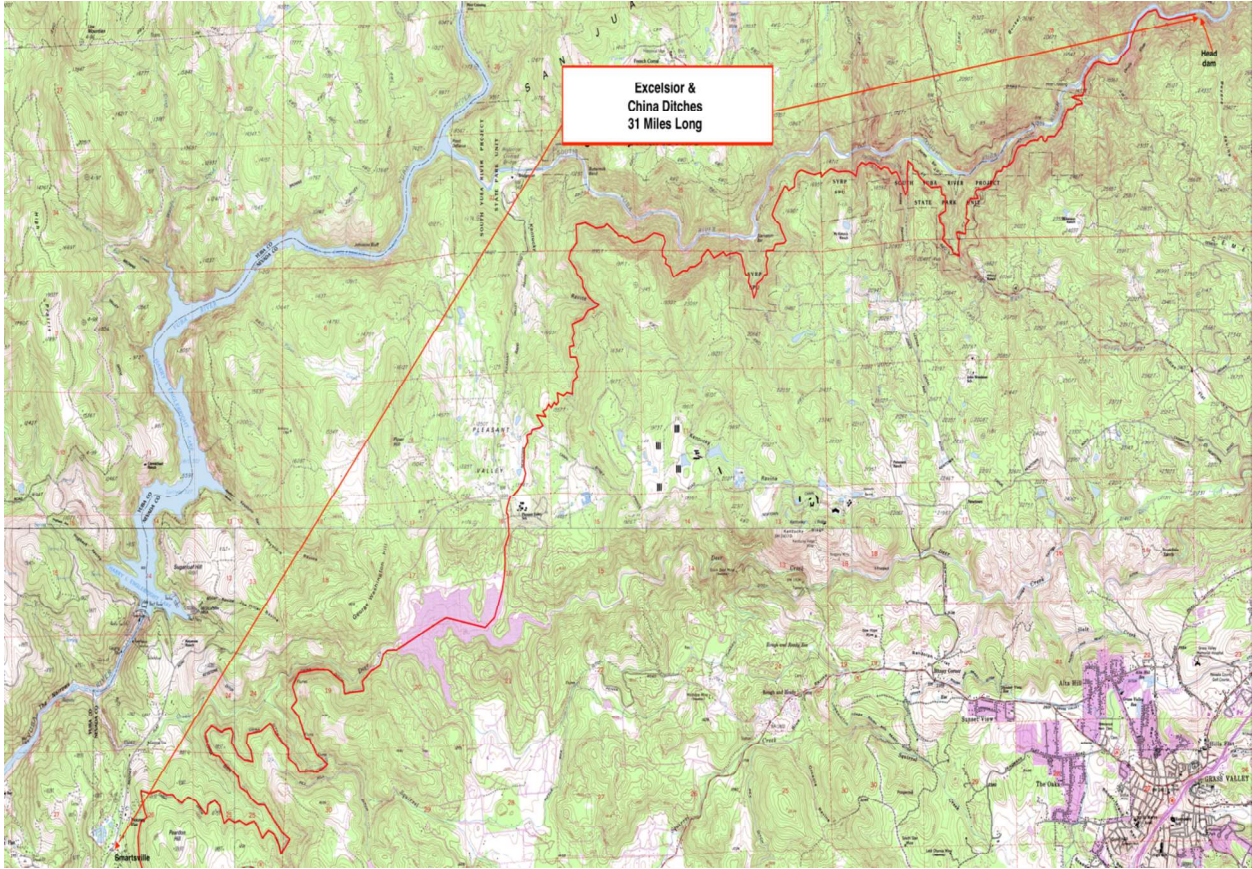
Photograph of John Olmsted standing atop of Flume #28, which was lost to the Jones fire of 2020. John always lobbied for flume re-construction to be historically accurate as possible. John at times was disappointed when the California Department of Parks & Recreation overruled his flume design proposals for required public safety standards. However, the commitment to historic accuracy continues today within the planning for the rebuilding of the flumes by California State Parks.

Maps



California State Park map above, shown in red, the portion of the west trail closed due to the 2020 Jones Fire which corresponds to about two miles of the original alignment of the Excelsior Ditch from the Hwy 49 trailhead west to Jones bar Road.

Maps



The map above shows the Excelsior and China Ditch, some 31 miles long from the head dam to the town of Smartsville. Note the red line (Excelsior and China Ditches) between the arrows, head dam to Smartsville on the bottom and top of the map.

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Historian Robert Gray's Bibliography,

The following pages, 23-28, contain Robert Gray's bibliography that was used throughout this report, *Determination of Excelsior Ditch for National Register of Historic Places, Bureau of Land Management, September 1980*, for the Bureau of Land Management and the California Office of Historic Preservation.

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California History Plan, Vol I - Comprehensive Preservation Program

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Also: The Federal and State publications, laws and regulations pertaining to identification, evaluation and protection of historic and cultural properties,

The on-site survey notes of the Bureau of Land Management's Folsom Areas Civil Engineer, Brian McComber, October 1980.

Personal conversations with Jack F. Siegfried, Geological Consulting Engineer, now with Beeson Forest Surveys, Nevada City, CA., Sept. 1980. This eighty year old gentlemen was the geologist employed by I.E. Spink who did the Development Project Report of the Excelsior Water and Power Co. in 1920-22

Visited
Library and Departmental Resource
Depositories

Yuba County Library
California Section
110 Third Street
Marysville, California
(916)

United States Forest Service
Tahoe National Forest Headquarters
Hwy. 49 Coyote Street
Nevada City, California 95959
(916) 265-4531

Nevada County Historical Society
Searls Historical Library
PO Box 1300
Nevada City, California 95959
(916) 265-9941

Placer County Museum
1273 Hight Street
Auburn, California 95603
(916) 885-9570

California Historical Society Library
2099 Pacific Ave.
San Francisco, California 94109
(415) 567-1848
Mailing address: 2090 Jackson St.
San Francisco, Ca.94109

Sacramento Museum and History Department
1931 K St.
Sacramento, California 95814
(916) 447-2958

California State Library
California Section
9th and Capitol Mall
PO Box 2037
Sacramento, California 95809
(916) 445-4149

Resource Preservation and Interpretation
California Dept. of Parks and Recreation
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Sacramento, California 95811
Interpretive Planning
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Manuscripts Division
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California Division of Mines and Geology
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Sacramento, California 95811
(916) 445-5716

California Water Resources Department
1416 9th St.
Sacramento, California
(916) 445-9248

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1020 O St.
Sacramento, California 95811
(916) 445-4293