

**APPENDIX TO
ASSEMBLY JOURNAL**

March 27, 1948

A Preliminary Report of the
Assembly
Fact-Finding Committee
on
Highways, Streets and Bridges
Being Testimony Heard Before
the Committee
MARCH 9, 1948

Submitted by

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INDEX

	Page
Desmond, Senator Earl.....	865
Parks, James E.....	871
Adams, Ray S.....	872
Beebe, James L.....	874
Bean, Col. K. Charles.....	876
Babcock, Henry A.	879
Rowan, George D.....	881
Roberts, George D.....	883
Purcell, Charles H.....	883, 888, 901
Bennett, Elwyn S.....	885
Hahn, Gordon R.....	886
McCoy, George	887, 898
Gannon, Chester	888
Vickery, J. W.	892
Grumm, Fred	893
Montgomery, C. R.....	900

ASSEMBLY FACT-FINDING COMMITTEE ON HIGHWAYS, STREETS, AND BRIDGES

SACRAMENTO, CALIFORNIA, TUESDAY, March 9, 1948

The Assembly Fact-Finding Committee on Highways, Streets, and Bridges met on the floor of the Assembly, State Capitol, Sacramento, California, on Tuesday, March 9, 1948, at the hour of 3 p.m., Honorable Ernest R. Geddes, presiding. There were present members of the committee: Assemblymen Dunn, Weber, and Stanley. There were the following proceedings:

THE CHAIRMAN: The Assembly Fact-Finding Committee on Highways, Streets, and Bridges will come to order.

There is a majority of the members present.

I will ask Mr. Stanley to please stand up so he may be identified.

Mr. Dunn is returning to his seat; and Mr. Weber, will you arise, please?

There will be two items to be considered this afternoon. One we can dispose of in rather short order, which is a protest by citizens of Roseville and vicinity who are here, having filed a petition with the chairman to be heard, in order that they may be assured of their right to petition the Legislature for redress of grievances and have hearing and report made thereon. Also we will consider some of the legislation necessary, as well as legal problems involved, connected with and concerning rapid transit in the Los Angeles area.

I will first call on Senator Desmond of Sacramento, who represents the petitioners, to come forward and make his presentation at this time.

Are you appearing as a legislator, or as legal representative of these people, or both?

SENATOR EARL DESMOND: Mr. Chairman and members of the committee: Some time ago, I believe in the month of January, an organization known as the Auburn Boulevard Improvement Association, or at least a group representing the association, came to me with their problem concerning the situation of the proposed rerouting of State Highway 99-E between Ben Ali Station, Sacramento County, and Roseville. That is all in Sacramento County, that is, with the exception of the eastern portion of the proposed highway; and the members of the Auburn Boulevard Improvement Association are all constituents of mine. They approached me as their representative in the State Senate; also discussed the matter with Assemblyman Chester Gannon, concerning the proposed rerouting that was suggested by the Highway Commission Engineer, and so I am here as a representative of that group appearing before this committee today as their representative in the Legislature of California.

Frankly, I have not been able to assimilate as many facts concerning this particular problem as I should like to present. Historically, when it developed early in January that this particular group was opposing the proposed rerouting of this particular highway, I discussed the matter with representatives of the Highway Department—talked

first to Mr. Cook, Secretary of the Highway Commission, to ascertain just what the situation was, and how much progress had been made on the general subject. I also discussed the matter with Mr. Grumm of the Engineering Department, and was advised that the matter had been considered by the Highway Commission, and the Highway Commission had authorized the Engineering Department to conduct surveys as to this proposed rerouting. So far as I know that is all that has been done, and the Engineering Department is now running minute surveys to determine other factors in the matter.

I suggested to the Highway Commission that representatives of the Auburn Boulevard Improvement Association desired to appear before the Highway Commission and protest this proposed rerouting, and to suggest that a four-lane divided highway be constructed in the present location. The matter was set for hearing in January, and, at my request, postponed—the hearing before the commission was postponed until February, and then again, at my request, postponed until, I believe, April.

It is my understanding, Mr. Chairman and members of the committee, that pursuant to the provisions of the Burns-Collier Bill, passed at the last regular session, and also to other provisions of the Roads and Highways Code relative to the question of freeways and expressways, and matters of that kind, that your committee, representing the Legislature, has, upon numerous occasions, had called to your attention the fact that the Highway Department had proposed in many sections of the State of California to erect and construct what we have generally come to know and refer to as freeways, and that considerable public opposition has been expressed on behalf of interested citizens in opposition to this new type of road construction and the relocation of highways in various parts of the State due to the fact that their relocation would very vitally affect these particular citizens in their business and other economic factors, and I presume that this matter concerning which we appear before your committee today is similar to many other matters you have considered, and that the background and factual information behind it are very much like these other problems where citizens have protested.

Historically, I might say, Auburn Boulevard, or at least that portion of 99-E extending in a general northerly direction, although I believe the highway actually serves traffic to the east as well as to the north of Sacramento, has, ever since time immemorial, been established in its present location, and has been improved during the past number of years. A year and a half ago a freeway was constructed from the American River Bridge, and an overpass between a point about at Ben Ali, or a little beyond Ben Ali Station in Sacramento County, and during all of these years I think it is safe to say that the County of Sacramento, the officials of the County of Sacramento, and citizenry generally, and particularly the people resident upon Auburn Boulevard, and those people who are served by reason of the Auburn Boulevard north of Roseville and east of Roseville, and east of what we call Sylvan Corners, and the Antelope area, and Loomis, and all those places, have been served very well and satisfactorily by the Auburn Boulevard in its present location.

It has always been my understanding, and I believe that an examination of the so-called Highway Critical Deficiencies Statement appearing in the Journal of the Senate of June 16, 1947, will bear me out, that some two million odd dollars was suggested to be used for the purpose of a four-lane divided highway between Sacramento and Roseville; that it has always been my understanding, and I think also the understanding of the people who are interested in this particular problem, that the Highway Commission would follow a plan of highway improvement between the easterly, or northerly end of the present freeway at Ben Ali, that they have followed, to Roseville; that they have followed, in the construction of the main highway throughout the State, namely, that a parallel lane of two or three lanes, divided by the center barricades which have been constructed on other four-lane highways, would be built between Sacramento and Roseville. All the people in this vicinity who are interested in business and own property, as well as the citizens of the county and county officials, have always favored such a route; and it wasn't until December of 1947, that it was suddenly discovered that the Highway Department proposed to eliminate Highway 99-E from Ben Ali to Roseville and to construct a new route which would be somewhat westerly of the present location, and erect there a freeway with overpasses and underpasses, and various other things that go with this type of construction, and eliminate entirely the present existing highway, so far as the State is concerned.

To this proposal the people of Sacramento County are objecting. They feel that such a proposal, they having been led to believe in the past that a four-lane divided highway would be built in its present location, would be detrimental to their business and interests, and the value of their properties, and we feel, further, that a four-lane divided highway with two lanes, or three, if necessary, to carry the flow of traffic, built parallel to the existing State Highway from Ben Ali to a point approximately a mile and a half or two miles south of Sylvan Corners, would entirely suffice to carry all the through traffic coming over that highway and would give to the people living in that community a sufficient highway for all purposes; and that from a cost standpoint it would be the most economical highway to construct.

I have here, Mr. Chairman, a map, the only one I have I dislike to put it in evidence, but it is a map prepared by the State of California, Department of Public Works, Division of Highways, "Survey from Plans Department—Proposed Highway from North Sacramento Freeway to One-half Mile East of Roseville," dated August, 1947, which would probably clarify for the committee the problem we have before us.

This map shows in red the location of the existing state highway up to Sylvan Corners and shows with a double heavy line the proposed relocation. The red line from a point a mile or so south of Sylvan Corners, taking off to the northwest, is a proposed new rerouting which the people of Sacramento County are asking for. In other words, by looking at this map you will see that we have an existing highway in the area to which I have referred, which is proposed by the Highway Department to be relocated at a point—I presume, looking at the map, from a quarter to perhaps three-quarters of a mile westerly of the present location.

I understand that the rerouting from this point south of Sylvan Corners to Roseville meets with no objection from anyone in that locality,

and it would connect with the proposed route which is east and about opposite the town of Roseville, and would continue the by-passing of the City of Roseville for traffic going east over the Donner Summit.

I would like to submit this map to the chairman as evidence of the present conditions, and of what we, and the state highway people, propose.

THE CHAIRMAN: We have just been furnished by Mr. Grumm, which are identical with this, blueprints to the map which you submit, with the exception that that which you have outlined in red isn't specifically designated by any color.

SENATOR DESMOND: There is another point that the map submitted by the department doesn't show, and that is from Van Buren Lane northwesterly to the proposed cut-off.

THE CHAIRMAN: The only thing, I didn't want to take it in as an exhibit, because you lose possession of it, but if the members can view it on these maps we have, I will put this one into the record as Exhibit 1.

SENATOR DESMOND: May we add to that, Mr. Chairman, the suggested change from Van Buren Lane northeasterly, as shown on my map, with which portion of the proposed plan we agree?

MR. DUNN: He said "northwesterly," the first time. Now he says "northeasterly."

SENATOR DESMOND: The maps don't run true north, south, east and west. I think you are right. The cut-off at Van Buren Lane would go northeasterly. It would take off from here and go across here (indicating).

Now, I have another map which has been prepared by this group, and with which I am not entirely familiar, but it shows upon a larger scale the present route; the proposed relocation of U. S. 99-E, and in heavy red, from this point (indicating), Van Buren Lane, the cut-off toward Roseville.

I am going to call your attention to the fact that at this point here (indicating), just approximately the easterly end of the present freeway, up to this point (indicating), the proposed route follows parallel with the present Auburn Boulevard to a point slightly south of Watt Avenue, and then proceeds to, it would be the northeast, and follows a straight line marked in blue, to Roseville; that that line bisects the Sacramento City Park and cuts directly across country, the type of which country I am not thoroughly familiar with, but I understand it will be necessary to buy a complete new right-of-way through that area and remove houses and chicken houses and poultry establishments all the way along.

I further want to call your attention that under this present route. I am informed that the State owns a 100-foot right-of-way clear from the proposed point of cut-off into Roseville. Now, that is information I am not certain of, at least, to Sylvan Corners, and that there is sufficient right-of-way already owned by the State of California along the present existing route for a four-lane divided highway; that it will be necessary for the State to abandon its entire investment in the present route if it takes over the proposed relocation, and it will be necessary to acquire an entirely new right-of-way across this entire country.

An article recently appeared under the name of Mr. George McCoy of the Department of Engineering to the effect that this proposed new relocation would save nine-tenths of a mile. That is the ultimate effect in difference of traveling distance between the new and old route.

Now, I will have to rely upon the Department of Highways to tell me whether or not they have given consideration to this proposed cut-off from Van Buren Lane to Roseville in computing this. It is my understanding they have not. And by the use of that cut-off the distance saved will be less than one mile. If I am mistaken in that, I stand to be corrected.

Now, Mr. Earle advises me that on this map you are now looking at all of the area appearing in pink will be entirely cut off from the proposed relocated road; that there will be no access to that particular road from that particular area. Now, a number of other considerations, such as fire protection, that I would like to have other people discuss—they being more familiar with things of that sort than am I—but the fire district, it takes in all this area. And there are distances here from this overpass which you see at the city park, the proposed overpass at this location (indicating), and proposed overpass at the extreme easterly edge of this new road, and the only place where this proposed freeway could be crossed to get to the northwesterly side of it is here (indicating).

There are a number of other points which can be raised. These roads which appear in yellow, through the blue and pink area, are all dead-ended by this proposed relocation. There are no facilities provided under the proposed setup except by these two overpasses to which I have referred where people could travel across to get from one side of this proposed highway to the other.

I have some figures here, Mr. Chairman, with reference to the matter of a traffic count, and I have here the official traffic count issued by the Division of Highways, Department of Public Works, 1947. I also have before me a traffic count taken on February 11, 1948, by the interested parties. I can give you their names. And I would like to point out that at Station No. 1, which is east of Fulton Avenue, or rather, the easterly side of Fulton Avenue at this point (indicating), from 6 a.m. until 10 p.m. there were 10,311 automobiles passed at this point (indicating).

At this point, on Watt Avenue, there were 8,723 automobiles, trucks, and all sorts of vehicles, passed. Which would seem to indicate to me that some 1,600 vehicles originated in the area to the east of this highway, on Watt Avenue and on Fulton Avenue.

East of Winding Way, at this point, 8,190 vehicles, or approximately 600 vehicles less than at this Watt Avenue point, originated—that is, originated between this point, Winding Way and Watt Avenue; 8,685 vehicles at Madison Avenue, which is this point, here (indicating); and at Antelope, 7,693 vehicles.

In other words, Mr. Chairman and members of the committee, some 3,000 vehicles originated between this point (indicating), and this point, here, which I will say is a distance of about three miles, indicating, in my opinion conclusively, that this road in its present location is certainly a tremendous one for traffic.

And at Manzanita Avenue, this point here (indicating), 7,870 vehicles; and at Sylvan Corners, 7,190 vehicles. So that it indicates, at least to me, that more than one-third of the traffic going over this highway has originated—did, at least on this day—and by the way, it is interesting to note that insofar as averages are concerned, these vehicles taken in the traffic count on February 11th, tied in almost exactly with the same figures taken on the official traffic count by the State Division

of Highways January, 1947, but between these two points (indicating), over 3,000 vehicles—a third of all the traffic between these points—is local traffic served by this road, all of which would be cut off by this proposed freeway or speedway, and be required to use the two-lane highway that presently exists if this road is turned back to the county.

I would like to further point out that this traffic count discloses that at this point (indicating), at the crossing of the American River Bridge, there were 32,794 vehicles. In other words, 22,000 vehicles originated, coming from Sacramento, from a point south of Fulton Avenue to the American River Bridge, all of which indicates to me that as far as through traffic is concerned, for which they claim they are building this highway, that of the total number of vehicles coming into Sacramento across the American River Bridge, less than 7,000, by these traffic counts, can be termed through traffic of a total of 32,000, and 25,000-odd vehicles are entirely local traffic originating north of Sacramento, in the North Sacramento area, and Rio Linda and Hagginwood, and the area to which we referred, out as far as Sylvan Corners, in this particular territory (indicating).

We feel that a four-lane divided highway constructed along the present existing route as we propose would be sufficient to carry with dispatch, safely and efficiently, all the traffic that is coming over that highway for a good many years; that the construction of this highway in its present location—that is, the parallel one, into a four-lane highway, would save property values and be of great value insofar as the assessment rolls of Sacramento County are concerned; and I feel, Mr. Chairman, as I travel around the State of California, and have seen what has been accomplished from San Diego to Eureka—although Assemblyman Burns might not entirely agree with me—at least, where these four-lane highways have been constructed, they have solved the traffic problem up and down the State.

I point out that between Lodi and Stockton a four-lane divided highway has recently been constructed; that below Stockton the same thing has occurred, clear to Modesto. From Modesto to Turlock, a four-lane divided highway paralleling the present route has been constructed. Below Turlock, and from Atwater to Merced, the same type of construction has occurred. And so on, clear down and over into Los Angeles County.

We feel the solution of the problem between San Francisco and Sacramento lies in the construction of the four-lane highway. We feel that type of highway would solve problems of the northern part of Sacramento County; that that is the type of highway best suited to the needs of the people in the localities in which constructed, and that the time has certainly not arrived, in this area, at least, for a speedway or freeway, ingress or egress to which is denied the property owner, and that specifically that is not the way to solve the highway problem in this particular instance.

We, therefore, request that this committee continue to further investigate this matter, that you may reach a conclusion where you can recommend to the Highway Department of California that so far as the area between Sacramento and Roseville is concerned, that they construct the type of highway there—a four-lane divided—that they have always talked about constructing and led the people of this county to believe they would construct sometime in the future.

MR. WEBER: Senator Desmond, in his opening remarks, made the statement that the public throughout the State has shown considerable interest in these matters, and have stood in opposition to, we will say, the freeway idea. I think for the purpose of the record I should suggest a correction of that statement.

Every community is affected by the construction of freeways or limited access highways, and affected in different ways: Sometimes by physical separation of properties; in other cases it has been a question of access by people on the route. In other words, I think the general idea brought forth by the people to this committee is that there has to be some kind of policy based on the realities of these problems. There has not been, as I see it, any specific movement entirely against freeways or limited access roads; it has simply been an objection to the planning. They believe, perhaps, proposed routes aren't proper.

MR. DUNN: I would like to check with Mr. Desmond's figures. Did I understand that the total traffic from Sacramento to the point you indicated on your map was approximately 32,000 vehicles, and that of those only 7,000 were through traffic?

SENATOR DESMOND: In checking Sacramento north, that is Natomas—the point just north of the American River Bridge at Folsom—the count showed 32,794 vehicles. That is the 1947 traffic count, taken on Sunday and Monday, July 13th and 14th.

Now, at Ben Ali there are 13,955 vehicles, and at Fulton Avenue 8,145 vehicles.

At the Twelve Mile House, just a little further out Greenback Lane, 9,823 vehicles.

Now, certainly, I don't think you could come to any conclusion but that if there were 9,823 vehicles at the Twelve Mile House going both ways on this morning, and 32,794 at the bridge, that the difference between the two must have been the traffic that originated between the two points.

MR. DUNN: Well, where do you get the 7,000 figure?

SENATOR DESMOND: That is an unofficial figure count taken by members of this group on February 11, 1948.

THE CHAIRMAN: Now, we have two more witnesses from the petitioners.

Assemblyman Gannon, do you have anything, first?

MR. GANNON: No.

THE CHAIRMAN: Now, we have next, Mr. James E. Parks.

MR. JAMES E. PARKS: Mr. Chairman, and members of the committee. I have a statement here I would like to read (reading prepared statement).

THE CHAIRMAN: That is received for the record, sir. Do you have any further statement?

MR. PARKS: I have no further statement.

THE CHAIRMAN: I would like to ask this question: Have you, at any time, through the representatives of your community, county board of supervisors, or any other body, met with the Division of Highways, or been given opportunity to file a formal protest, or make presentation or protestations?

MR. PARKS: We have an agreement. That is, the board of supervisors have an agreement with the State Highway Division for main-

taining 12 crossings in that particular locality. That agreement was made in 1941 and revised in 1945.

THE CHAIRMAN: But so far there have been no hearings on your present problem, that you are aware of?

MR. PARKS: No.

MR. DUNN: Will you clarify this second paragraph on page 2 of your statement, beginning with "We believe that it is a fallacy to state and declare that construction of a freeway will reduce accidents and fatalities?"—

What do you intend to convey by that?

MR. PARKS: If you will notice at the bottom of that paragraph it says that statistics prove that 75 percent of vehicular traffic fatalities occur on city streets within the State of California, and that is within the incorporated areas.

MR. DUNN: What do you mean? That only 25 percent of accidents occur on the highways, in the first place?

MR. PARKS: That is right.

MR. DUNN: And then the construction of freeways would only affect the 25 percent?

MR. PARKS: That is correct.

MR. WEBER: Have you a county planning commission?

MR. PARKS: We have.

MR. WEBER: Were any formal hearings had by the county planning commission with regard to the location of this freeway?

MR. PARKS: I believe there was a hearing called by the planning commission one afternoon, with a short notice in the newspaper that they would have a meeting at 5 o'clock that afternoon.

MR. WEBER: But it wasn't the usual advertised hearing, with notice as provided by law?

MR. PARKS: It wasn't advertised outside of a newspaper notice.

MR. WEBER: And the board of supervisors, therefore, didn't act according to its duties under the California Planning Act?

MR. PARKS: That is my understanding.

THE CHAIRMAN: Any further questions?

(No response.)

THE CHAIRMAN: Now we have Mr. Ray S. Adams

MR. RAY S. ADAMS: I am Ray S. Adams. I represent the California Tavern Owners and Motor Hotel Association of California.

Mr. Chairman and gentlemen of the committee: I have here a rather lengthy statement in connection with the situation in Marin County. In the interest of time, if it is satisfactory to the committee, I would present it to you for entering it into the record and saving your time in reading it. There are sufficient copies for the Highway Department and others who care to have it.

THE CHAIRMAN: If you will furnish a copy to the Highway Department, please. Have you furnished members of the committee with copies?

MR. ADAMS: Yes, I have.

THE CHAIRMAN: Now, then, if you will state what this contains, we will receive it and identify it as Exhibit 4.

MR. ADAMS: This particular complaint has to do with a specific case on 101 just north of the town of San Rafael where the proposal includes the severance of part of this establishment, which is a very fine motor

court, instead of going across the street, across the highway, and taking property from vacant land which, in the estimation of the owner, is unnecessary, and also a great deal more expensive for the State than would be the other land.

May I also state to the committee, Mr. Chairman and members, that in following these meetings of this committee throughout the State of California, it has been generally noticed, and the testimony so shows, that no attempt whatsoever has been made to follow the provisions of the State Planning Act, as pointed out to me by Mr. Weber, a member of your committee, in regard to the efforts of local planning boards and the Highway Department; nor have I heard of any hearings being scheduled, as was pointed out to me, in the State Planning Law, by Mr. Weber.

It would seem to me that if this committee could recommend to the Legislature some sort of legislation which would require—in other words, make it mandatory—that these planning boards consider these matters, and hold public hearings, much of the trouble we are experiencing, complaining of, and these protests we are entering, would not be necessary.

THE CHAIRMAN: Now, Mr. Adams, in this paper which you have handed us, Exhibit 4, the subject matter of which is: "Subject: Information Re State Highway Department's Proposal to Install Freeway Which Would Impair or Destroy 'Beautiful Court San Rafael, San Rafael, California,' and Request for Restraint Upon Department Until Hearings Held to Determine Need and Feasibility of Proposed Changes."

Now, I think I should inform you, and anyone else, that this committee isn't in exactly the position of being able to issue restraining orders, but directs itself more particularly to changes which are needed in legislation, or new legislation to implement present laws in order that we can, if the Legislature agrees with us, set up a more perfect means of having people heard.

We understand what you mean, but I want it in the record as my understanding of what the committee can and cannot do.

MR. ADAMS: That is clear to me. The petition was prepared by Mr. Brewer, attorney for our group, and at the time I didn't know he made it appear that you could restrain; therefore my reference to the State Planning Act I feel the matter could be handled in that manner.

I might state that to date I have information in my files where the relocation of highways and establishment of freeways, as now planned by the State Highway Department, will either leave high and dry, or put out of business, by having their premises fenced back of an eight-foot wire fence, many thousands of tavern operators and motels in the State of California.

THE CHAIRMAN: Roughly, what do you think the assessed valuation of those taverns and motels would be?

MR. ADAMS: I wouldn't be able to estimate the assessed valuation from a tax standpoint, but I can say to you that many of the establishments themselves, to the people, are worth four hundred fifty to six hundred thousand dollars, which is a lot of money when it is all the money you have invested in your business.

MR. DUNN: There are one or two grammatical errors here. For instance—

MR. ADAMS: That is right. That petition arrived in the 1.30 mail. I didn't have time to correct it before presenting it.

MR. DUNN. Is it your opinion, or the opinion of Mr. Brewer, that legislation should be introduced indicating to the Highway Department that all freeways should be abandoned and highways widened to four-lane divided?

MR. ADAMS: Yes.

THE CHAIRMAN: If there are any other petitioners here, as to any proposals concerning Sacramento, or any who have come from a distance and desire to be heard, please so indicate. We do not want to cut you off without a hearing. However, in deference to those attending this meeting who have come from some considerable distance and with considerable inconvenience, we are now going to hear relating to plans for rapid transit in the Los Angeles area.

First of all, I am going to ask Mr. James Beebe to come forward.

Mr. Beebe, will you state whom you represent and in what capacity you are speaking this afternoon? I will say that it is at the invitation of the chairman that Mr. Beebe has come here, and we appreciate it very much.

MR. JAMES L. BEEBE: James L. Beebe, Chairman of the Finance Committee of the Rapid Transit Action Committee, Los Angeles Chamber of Commerce.

THE CHAIRMAN: You may make any statement you wish.

MR. BEEBE: Mr. Chairman, I am somewhat at a loss as to what I am expected to give this committee. The committee of which I am a chairman has drafted a proposed bill providing for rail rapid transit in the metropolitan area, a bill which is enabling legislation, and would authorize the formation of a rapid transit district which would provide any one of many different forms of rail rapid transit in those areas.

THE CHAIRMAN: Well, Mr. Beebe, could I say this: That the problem the committee is here interested in, and the reason we can consider this testimony, is because it relates and has to do with the joint use of freeways by rails, and that will require, I understand, some change in the law. And there is an urgency connected with that which has resulted in members of the Los Angeles Delegation being requested to petition the Governor to call an extraordinary session to consider such legislation. And it is my feeling that if we can get the record straight as to just what highway legislation will be necessary, then the committee, empowered by its resolution, can make a recommendation to the Legislature.

Do you agree that the question of urgency exists, inasmuch as freeways now being constructed, or to be constructed in the Los Angeles metropolitan area, those plans must be modified or held in abeyance until this determination is made?

MR. BEEBE: Mr. Chairman, I didn't sit in a single conference at which the representatives of the California State Highway Department were present, and I would much prefer for Colonel Bean, who sat in those conferences, and who is familiar with what transpired, to state what took place. My understanding is all second-hand.

This legislation, I may say, would authorize the board of directors of this proposed rapid transit district to make contracts or agreements with the State of California, or with any county, or with any city, for

the use of any highways which are under the jurisdiction of the State of California, or the cities or counties involved.

THE CHAIRMAN: That is a clear statement.

Mr. Weber, do you have a question?

MR. WEBER: I wish to question Mr. Beebe concerning the proposed legislation.

THE CHAIRMAN: I don't think on his statement, unless he wants to yield—he has come at my invitation, but he has stated he hasn't anything to say on it, and hasn't outlined the proposed legislation.

MR. WEBER: I wasn't going to question him specifically on planning matters involved, but simply as to principles.

MR. BEEBE: It is perfectly agreeable to me.

MR. WEBER: Is this legislation, as proposed, limited to the solution of problems related only to rail rapid transit?

MR. BEEBE: Rail rapid transit.

MR. WEBER: Then I ask you this question: Is it not wiser to create a regional agency which would have wider powers relating to rapid transit? Wouldn't it be wiser, taking as an example the efficiency and the results of the port authority, with whose operations you are familiar—isn't it better to consider a wider field, so that you would have an agency to do other things, because your whole problem works into such a complex—involves so many collateral relationships that if limited, you would find yourself embarrassed? So I hope you will consider those matters, and your Assemblymen.

For your information, I introduced bills at the last session which contemplated such agencies—put in there to bring the matter before the Legislature. However, I didn't have time to press it. Such legislation is up for thorough study by the Legislative Counsel, and I just hope we don't have too many regional authorities in an area like Los Angeles.

MR. BEEBE: In response to that question, rail rapid transit is great enough in itself to require all the attention that one governing body can give it, with a number of other questions which might be collateral to it, but which would be merely collateral.

In the metropolitan district of Los Angeles we have had various estimates of the cost of providing rail rapid transit varying from approximately three hundred millions to in excess of a billion dollars, and the facilities as proposed will give automobiles and busses access at a rapid speed to the downtown district and other parts of the Los Angeles area, and we believe that the job we have ahead of us there can be accomplished more efficiently if we center our attention on that one thing and try and accomplish it alone.

While I realize the value of the suggestion, in many cases, of having an authority with wider powers, we just feel this one thing is big enough to demand and justify individual attention.

THE CHAIRMAN: Then, might I state, I attended a meeting this noon at the Senator Hotel where you spoke to us and, according to my notes, the matter of urgency is considered by you under these several heads:

(1) That the urgency exists because such legislation might come under the prohibition of the Constitution prohibiting the immediate creation of a new agency;

(2) It will require several months for the accomplishment of a master plan;

(3) It will enable engineers to go thoroughly into all engineering problems which would be incident to any plan in advance of a district being actually set up, and then three or four months' additional time would be required for calling of elections, the explanatory job—holding hearings for the public. That, of course, adds up to some considerable number of months. It might extend beyond 1951 before this badly needed solution of the Los Angeles traffic problem is resolved and, therefore, because the Division of Highways has agreed—you state in the information given to you the Division of Highways has agreed that they can postpone the construction of this vitally needed freeway only until July 1, 1949, is that correct?

MR. BEEBE: Yes I am not sure about this matter of the agreement. My recollection is that the State Division of Highways—this is all second-hand—requires certain money for engineering in the near future on the section between Vermont and south. Additional money will be required shortly thereafter for the acquisition of right-of-way, and by approximately May 1, 1949, it will be, they believe, necessary to have money available for construction. So, if the rail line is to go into that particular parkway, it will be necessary to move fast. And even if we adopt an entirely different plan, unless we get legislation at this time, we will be from 15 to 18 months behind, so whatever plan we adopt, it is essential we get under way as quickly as possible.

THE CHAIRMAN: Thank you very much. I think that is clear to me and the members of the committee. We will excuse you, unless you have something further to say.

MR. BEEBE: No. Thank you.

THE CHAIRMAN: Now, Colonel Bean—that is Colonel K. Charles Bean, General Manager of the Los Angeles Department of Public Utilities and Transportation.

I requested Mayor Bowron of Los Angeles to be here. Inasmuch as I saw a newspaper release dated Los Angeles in last Saturday's papers which stated there might be some variance in his views with those previously advanced by the rapid transit action group, I felt it proper to invite the mayor. In reply to that invitation Mayor Bowron has telegraphed me, as chairman of the committee, as follows (reading):

"Regret that other pressing matters make it impossible for me to personally appear and testify before your committee. Colonel K. Charles Bean, General Manager of the City's Department of Public Utilities and Transportation and one who has taken a leading part in the development of the rapid transit plan, will be present representing the city and may be considered my representative. In addition to his testimony, please accept the following as my statement:

"I fully support the rapid transit plan. The City of Los Angeles and the surrounding urban sections in the metropolitan area should have an adequate mass transportation legislation to permit the creation of a transportation district. I agree that this is an area-wide rather than a City of Los Angeles problem, and that the people of the entire district should participate in the selection of a board of directors to organize and construct the rapid transit roadbed wherever practical and feasible in connection with the acquisition of

rights of way and construction of freeways without of course the utilization of gas tax funds.

"I favor the selection of directors of the district by appointment rather than election, and feel that this should be done through a federation of the cities in the district with the board of supervisors making selections for the unincorporated county territory within the district. The voting should be on the basis of assessed valuation as in the case of the metropolitan water district. Personally I feel that the City of Los Angeles, regardless of its assessed valuation in relation to that of the district, should not have a voting strength exceeding 50 percent. Cities in designated districts might jointly select one director, or each incorporated city might be entitled to one director, with voting power limited to assessed valuation, and, to avoid a cumbersome board, an executive committee or board of managers could be selected from the entire membership to assume active direction and control of all business affairs. I oppose the suggestion that the board of supervisors of this county be vested with authority to create the district and name the board of directors thereof. This is in no sense a county affair. The district will cover only a portion of Los Angeles County and may later be extended to the northern part of Orange County and the western portion of San Bernardino and Riverside Counties. I vigorously oppose any suggestion that would cut the cities out entirely from participation in the district to supply vital transportation to the urbanized areas. It must be understood that if an enabling act is adopted, and probably after the directors are named, the transit plan will undoubtedly be changed in many ways and adjusted to the needs and physical requirements existing in the cities to be served. I strongly urge that in order to make possible the acquisition of rights of way as freeway rights of way are acquired, that action not be further delayed and that an enabling act be passed at the present legislative session."

Now, I felt in fairness to the mayor, that I should read his reply, and he has authorized you to speak for him, so you may.

COLONEL K. CHARLES BEAN: I am K. Charles Bean. The mayor is very sorry that he was unable to be present.

There appears to have arisen some misapprehension as to the mayor's views with regard to the proposed legislation.

The mayor impressed upon me his view that he is intensely interested in the immediate passage of an enabling act which would permit the formation of a rapid transit district in the Los Angeles metropolitan area. He thinks that the bill which is now in preprint form is a good bill. The only major exception he takes to that bill is as to the method of appointing the board of directors. He believes the cities should have authority to select a majority of the board since they have a majority of the population, and majority of the assessed valuation affected.

We have been assured by those who drafted this proposed bill that while such a system of appointment would be cumbersome, that if Los Angeles and the other cities that would probably be included in such a district want that, it can be done, and with that understanding, the mayor urges early action on enabling legislation.

Now, I think, I should say a word as to the interest which I believe your committee has in the matter. This committee should be interested certainly to the extent that it is proposed in one of the three plans under consideration to construct rail rapid transit lines in the center or median strip of certain highways. That proposal is made because we feel by so doing the cost of an adequate rapid transit system could be reduced to approximately one-fourth of what it would be if we have to go into subways. If we had to go into subways for all or the major portion of the system, the costs would run so high to construct it would be impracticable to ever get the kind of transit system we need, and it is obvious that, if we are to use freeways that will be reducing to a minimum overall, minimum cost of transportation of all kinds, that action must be taken in time so that it may not be necessary to delay construction of freeways now planned and, in some cases, built.

Mr. Beebe was asked a question with regard to the position the State Highway Department had taken concerning the proposed use of a portion of the Hollywood Freeway. I attended a conference in the mayor's office with representatives of the State Highway Department, and my recollection of the reaction taken by those gentlemen is that they felt it would obviously impede the progress of construction on the Hollywood Freeway unless they were able to let construction contracts not later than May of 1949 on certain sections of the highway into which we wish to put rails if the rapid transit action group's recommendation is accepted by the people. They felt that that date might somewhat upset their program. It would involve the spending of money at places other than where they had immediately intended to spend it. They said, further, that if rail was to be placed in that section of the Hollywood Freeway it would call for redesign; that there would be added engineering cost; that it would call for additional right-of-way, which would cost money, and that the highway user funds, gas tax funds could not be used for such purposes. It would therefore be necessary for some one, and the only some one for practicable purposes that need be considered in this instance is the City of Los Angeles, to advance the funds necessary to pay the added engineering and right-of-way costs, and to do so within a fairly brief period of months in order that that work might not be delayed; and, further, they didn't think it would be profitable to delay the letting of the actual construction contracts beyond May, 1949; and, therefore, if we were to have any chance to get rail into the center strip of freeway, funds should be available to pay for the added construction cost by that date. If my recollection is faulty, I should be delighted to be corrected by any representatives of the State Highway Department who were present.

THE CHAIRMAN: I think you have correctly stated the interest of this committee in the proposal, or in this matter in that it does definitely, if an emergency is to be declared, tie into the objectives of the resolution which created the committee: That is the uses, costs and spending of highway funds and that, of course, was my purpose in considering the matter now, and I think probably resolving some of the questions this afternoon.

COLONEL BEAN: There is one other statement I should make in fairness to the representatives of the State Highway Department—all they promised us was they would present this matter to the Highway

Commission, and we are still awaiting a reply from the Highway Commission on the subject. In other words, there was no agreement, but they merely outlined their program and told us where we were to fit into the picture, if at all, without hindering their work.

THE CHAIRMAN: In other words, they told us that May, 1949, was just about as far as this work could be postponed under present conditions, but there was no agreement to make that postponement until such action would be ratified by the Highway Commission.

COL. BEAN: That is correct.

THE CHAIRMAN: Could you tell us the members of the Highway Division who were most active and participated particularly in this conference in the mayor's office as to a postponement?

COL. BEAN: Well, many representatives, at various conferences, but at this last conference I recall Mr. Grumm and Mr. Montgomery as being present. I am pretty sure Mr. Purcell and Mr. McCoy were not present. Mr. Cortelyou was present, and some of his assistants.

THE CHAIRMAN: Thank you, sir. Now, I have Mr. Henry A. Babcock, who has requested to be heard.

MR. BABCOCK: My name is Henry A. Babcock, Consulting Engineer. I have been retained by Mr. George D. Rowan of Los Angeles.

THE CHAIRMAN: You may proceed. Now, as I say, while we may have to consider alternate plans to some extent, this committee isn't going into engineering problems. It has been pretty well established, particularly by the gentleman who last spoke, that all problems will be considered.

MR. BABCOCK: I, of course, came here then under a misapprehension, because I have here some drawings for adequate mass transportation plan for the metropolitan Los Angeles area. If some of the men would like to see them afterwards I would be glad to show them. I take it, then, the purpose of this hearing is to discuss the enabling legislation proposed and which is now before your committee.

I have had an opportunity to read a mimeographed copy of the bill. I might say Mr. Rowan's group is also interested in the enabling legislation; in fact, proposed a plan very similar to the one here many years ago. The objection, from Mr. Rowan's point of view to the plan is the 12 percent limitation on the amount of bonds that can be issued. If that bill goes through, if it is written as my copy, with that 12 percent limitation, of course you will limit the expenditures for any mass transportation system for Los Angeles County to something on the order of \$500,000,000, and it is my opinion that you can't possibly build an adequate mass transportation system for the area for any such sum of money.

The plan which the other gentlemen have been talking about, Colonel Bean and Mr. Beebe, is, of course, the plan of the Los Angeles Chamber of Commerce. That is an interurban electric system, if I understand their published statement. It proposes, on their figures, to increase the total number of riders to be carried in the Los Angeles area by less than one hundred million a year. If my information is correct from the railroads, the Pacific Electric and Los Angeles Transit Lines, local transit now is carrying just under 500,000,000; the interurban service of the Pacific Electric now 48,000,000. In fact, the entire Pacific Electric system is carrying about 121,000,000 riders a year. These gentlemen propose to

increase that by less than 100,000,000, and leave roughly 90 percent of the problem unsolved—that is, leave about 90 percent of the mass transportation problem in the Los Angeles area to be carried by motor busses. As most of us know, we are tearing up tracks as rapidly as possible and putting in motor busses on the streets in Los Angeles.

It is our position, and I speak as an engineer who has studied this problem for 17 years, that our major problem in the Los Angeles area is not a problem of bringing in people from remote points, such as Van Nuys, and other cities 15 and 17 miles away, it is moving people who live in the much closer area where population is concentrated; so, speaking for my client, Mr. Rowan, I think we are very much opposed to any legislation which might by its very nature bar consideration of a more costly plan capable of taking care of many times the number of riders which they propose to carry under the plan suggested in their report.

MR. WEBER: In regard to the last statement, I take it you are considering mass transportation which goes beyond merely rapid transit rail transportation. Is that it?

MR. BABCOCK: The system we have designed, and for which I have drawings here, includes all the rapid transit service proposed by the chamber of commerce group, and other engineers, and, in addition to that, it proposes a very comprehensive mass transportation system for the heavily populated areas.

MR. WEBER: My question to Mr. Beebe contemplated that the powers of the agency should be broad enough to meet more than the question of just rails. I ask you whether that is not proper, that the problem will be so great as time goes on—there will be more problems than just those of rail transportation—that you will have to have adequate powers within the district to meet them? Do you believe that the bill as now drawn should be broad enough to consider transportation in the broader sense?

MR. BABCOCK: I agree most heartily. While the bill doesn't define rapid transit, previous reports issued by engineers define it as the problem of moving masses of people between population centers. That, of course, is a railroad man's conception of the job. No reflection, but they only think in terms of moving people between population centers. I consider our problem isn't that except to a very minor degree, and I agree with you heartily that any legislation should be broad enough to not only solve the future but the present problem. Conditions are so intolerable that it isn't a matter of writing legislation for 15, 20, 50 years, but right now.

MR. WEBER: Mr. Chairman, inasmuch as the committee must at some time bring in a recommendation to the Legislature which concerns the question of state policy, I wonder if we couldn't consider briefly his proposals so we will get the idea of their scope. You see, I have raised the question of legislation. Wouldn't it be valuable to the committee to see just what the proposal is?

THE CHAIRMAN: I may say that at the meeting of the Los Angeles Delegation there seemed to be some considerable interest on the part of the members from Los Angeles County as to just what they were buying by sponsoring the legislation. You will remember they aren't bound to this plan, or anything else, because there is nothing before them. They are going to have to give some consideration to proposed and existing highway routings into Los Angeles County. I would make this suggestion,

Mr. Weber. Personally, I will be glad to have any presentation later, but in deference to other people waiting to be heard, if it is O.K. with this gentleman, at the end of this session we will be very glad to go into your charts. You don't have those to file with us?

MR. BABCOCK: Yes, I do. I haven't copies of all drawings but I have copies of three of the essential drawings and a typewritten statement which describes briefly our proposal, and I will leave them with you.

THE CHAIRMAN: Of course, they will go in the record for the committee but, as I said before, Mr. Weber, we can't go into engineering problems except as they touch on this road problem.

MR. WEBER: I would say only as far as it affects legislation and state policy.

THE CHAIRMAN: Anything further?

MR. BABCOCK: I was going to say that while the problem is basically one of engineering, nevertheless I think that Mr. Rowan—certainly the group working with him, and myself—are very much in favor of seeing enabling legislation go through which doesn't bar our plan or any other plan from consideration. That is the essential thing. This bill completely eliminates our plan on the basis of the 12 percent limitation. Thank you.

THE CHAIRMAN: Then you want to make the definite statement that consideration of the present bill before us, or available as a pre-print—in your opinion, the 12 percent limitation precludes anything except the bare essentials of a rapid transit system.

MR. BABCOCK: Based on the assessed value of property in Los Angeles, 12 percent of that would be \$520,000,000. The proponents of this other plan propose to spend \$310,000,000 expanding the interurban system. That is what it is, an extension, relocation of the Pacific Electric. I don't know what they intend to spend for new equipment, but they say 580 modern cars to run on it, and I don't think they can buy those for less than twenty-five million more; so, while the bill doesn't provide the district shall own rolling stock, nevertheless they are ready to spend \$335,000,000, which is well within the 12 percent, which they have written into this bill.

THE CHAIRMAN: We might consider this further in the program; might consider how far the proposed district would extend. Thank you, sir.

MR. ROWAN: My name is George D. Rowan. I have been interested in mass transportation since 1936, when the Junior Chamber of Commerce appointed me a member of the traffic safety committee appointed to study and endeavor to find a solution to our traffic problem; and, secondly, to put that solution into effect.

I wrote an extensive report, approved by the Junior Chamber in 1936, which proved to me that old fashioned methods of mass rapid transit, such as the New York subway, Chicago elevated system, or any attempt to solve the mass transportation problem by automobile, bus, or street car was hopelessly out of date.

In order to get a constructive view of this situation, I brought Joe Strauss, who built the Golden Gate Bridge, to Los Angeles in an attempt to find out whether anything could be done by modern engineering with elevated railroads, and the like. Mr. Strauss died in 1937, and shortly thereafter I met Mr. Babcock. He has two degrees from M. I. T. in engineering. Holds Ph.D. in physics and mathematics at Northwest-

ern; has devoted almost his entire life to the study of the problem of city growth and development. He is best known, I believe, for his now famous report on grading or regrading of Bunker Hill. This Bunker Hill problem is integrated with transportation. The two have to be combined, and, because of his interest in this matter, and his background through those two projects, I retained him in 1937 to go to work on this problem, and try and find a solution. I gave him no instructions other than he wouldn't be required to copy something they did in New York in 1918 or 1904. Since that date both of us have worked continuously on this problem and we believe we have found an economical solution whereby we can build a mass transportation system infinitely cheaper than any other projected and give it to the 2,000,000 users living within 10 miles of the city hall, who need relief.

Any system to put rails on freeways not designed for it, and which goes out to where very few people live, and leave built up areas out in the cold is impracticable—we are opposed to it.

The fellows who propose rails are shooting for about a 10 percent coverage in 1950. Again, they propose a trolley car system down Broadway and Hill Street. Anyone who has ever lived in Boston and ridden on the Tremont Street line knows what that means.

My basic feeling is that freeways were built for individual transportation. They are built for a small minority of the people. We feel about two-thirds of the people, if you take in women and children, do not operate automobiles. Our system is basically in competition with the automobile. We propose under this plan, if you will look at it, to out-perform the automobile for about a tenth of the cost in every department.

As far as legislation is concerned, we are in favor of any legislation that is fair to both sides.

THE CHAIRMAN: Do you feel that the system you propose would be less of a problem as to the sharing of the freeway right-of-way by transportation lines than exists in the other plan submitted?

MR. ROWAN: May I answer that by saying freeways don't go to where people live, therefore, by putting rails on freeways we don't solve the problem.

Our system is to go to the places where the people live; to put a station within a half mile in every area built up within eight to nine miles of the city hall.

THE CHAIRMAN: Did you intend to imply there will be many problems involved where your rights-of-way will impinge on freeway rights-of-way?

MR. ROWAN: We need no freeway rights. Our right-of-way would be a 12x12 down the center of city streets. We propose to run tubes.

MR. DUNN: It is a monorail system?

MR. ROWAN: No sir, we gave up the idea of monorail in 1937. This is just a normal subway system instead of being two or three tracks, costing, as in New York, \$10,000,000 a mile, it is just a ditch with a roof over it. It is a single track system.

THE CHAIRMAN: Was your plan ever submitted to our committee working on rapid transit in Los Angeles?

MR. ROWAN: Yes, Mr. Edwards, chairman of that group, gave us 20 minutes

THE CHAIRMAN: Is that the only opportunity you have had to make a presentation to the parties presently interested in the immediate solution of the rapid transit problem in Los Angeles?

MR. ROWAN: No, sir, we submitted it to the Los Angeles City Council who were very interested, and they have asked for the engineering features for further study.

THE CHAIRMAN: If the proposed legislation is enacted which would provide for an engineering study to be made by parties brought in from the outside you believe the problem is serious enough that if you had opportunity to appear before such engineering body you would be in favor of such study and glad to appear?

MR. ROWAN: We would be glad to appear before any group that is unbiased.

THE CHAIRMAN: Now, I have here on the list Mr. George D. Roberts, President of Pacific Monorail System, Inc. (Thereupon Mr. Roberts delivered a prepared statement which is on file with the committee.)

MR. DUNN: You feel then while you plan to use a narrow strip of the freeway, proposed for use by the regular rails, that this does pertain to the study we are making as to general use of freeways?

MR. ROBERTS: We do.

MR. DUNN: Mr. Chairman, may I ask Mr. Roberts for his opinion of some kind of enabling legislation such as has been discussed here. I am not familiar with the preprint. Do you feel some sort of authority should be set up, representing a group of cities, or cities and counties, to achieve this?

MR. ROBERTS: Yes, I definitely do. However, I do feel that the legislation should be so framed that other types of transportation could be used rather than just surface rails.

I appeared before the rapid transit action group, and I was given a little more time than Mr. Rowan, half an hour.

MR. DUNN: The thing we are concerned with is that the legislation should be broad enough to encompass any kind of proposed system which is practicable and efficient rather than enabling legislation specifically aimed at one solution.

MR. ROBERTS: I agree, sir.

MR. DUNN: That is all I have.

THE CHAIRMAN: (After recess) I will ask Mr. Charles Purcell to please come to the stand at this time. I think we all know who you are. First of all, I want to thank you for being here. I think you know the problem before us and that is as to this urgency whereby state highways, freeways and rights-of-way are affected. You heard the statements made by the preceding witness. If you care to make any statement at this time as to the position and feeling of the Division of Highways on the matter we will be glad to have it.

MR. PURCELL: Well, as I heard them here today the statements of Mr. Beebe and Colonel Bean are complete. The state representatives, when requested to meet with them in order that they might have the facts regarding the freeways, which, under the law, are under the jurisdiction of the Division of Highways, met with their representatives down there; the representatives being a chamber of commerce committee, representatives of the city and county, and all others apparently involved

in this. They discussed the acquisition of rights of way, placing of a rapid transit system on the freeways. We all agreed that under no conditions could state highways funds be expended for other than state highway purposes. We also agreed to furnish them such information as they required in working up their engineering plans and studies, and also to make available an engineer who could be present to furnish them information necessary in their consideration of the problem.

We furnished the information required, including a statement of conditions involving use of the freeways, so that the adequate minimum clearance provided for freeways was covered. We also had our attorney, Mr. Montgomery, present so we wouldn't have any conflict legally, and so when they were through it be as clean cut as possible with relation to the law covering the Department of Public Works and Division of Highways, in the building, designing and maintenance of freeways where the rapid transit and freeways are in common as to usage. Those questions were thoroughly discussed at various meetings, and the engineers from the division's district office in Los Angeles have attended other meetings to keep them fully advised on considerations involving the freeways.

THE CHAIRMAN: Relating that to the problem as to whether or not there has been any agreement to postpone or defer construction or planning, particularly of the Hollywood-Cahuenga, possibly sections of the Hollywood Freeway, has that matter yet been taken up by the Highway Commission?

MR. PURCELL: It has not. However, it has been thoroughly discussed between engineers of the Division of Highways and attorneys. No action has been taken on it by the Highway Commission.

THE CHAIRMAN: Do you agree that the Hollywood Freeway was properly placed as number one priority on the list for immediate construction?

MR. PURCELL: The City of Los Angeles, through its officials—the city council, mayor, and various civic groups so agreed.

THE CHAIRMAN: Then there would have to be some postponement or else the work must proceed rather rapidly, and does that constitute an urgency, in your opinion?

MR. PURCELL: It does constitute an urgency, in my opinion, or there might be serious delay in the construction of this and other freeways that might be involved in the rapid transit planning.

THE CHAIRMAN: Do you feel that immediate attention then should be given to this matter so that the division will know how to proceed with its planning and construction?

MR. PURCELL: I think it would be better for the State to have the matter settled by any legislation that may be necessary.

THE CHAIRMAN: In other words you don't have authority to postpone that without some directive, legislation—don't have authority to do it on your own motion?

MR. PURCELL: We can defer on request of proper agencies in Los Angeles because this is being built under agreement by and with the council and Los Angeles officials at the time this arrangement was made.

THE CHAIRMAN: So there was this agreement at that time?

MR. PURCELL: Yes, after long discussion and consideration.

THE CHAIRMAN: Any questions?

MR. BENNETT: I am not a member of this committee, but I would like to get a few things straight. I don't think there is anyone on the committee with a situation like exists in my district, and I am wondering about a few things that have not been answered so far.

THE CHAIRMAN: Do you feel Mr. Purcell is the one to provide those answers?

MR. BENNETT: I do.

MR. PURCELL: I will answer if I can.

THE CHAIRMAN: Do I have the consent of the other members of the committee? (No negative response.)

MR. BENNETT: What I had in mind is whether in heavily congested areas, such as exist in my district, unincorporated areas, proper attention is being given to the needs of the people living there in being provided with highway facilities which will permit them to get upon the freeways; and, second, whether in this overall plan adequate representation is afforded to those people living adjacent to those wheel-like structures. In my district, southeast of the city hall, we have probably the widest gap between two freeways and it has been stated we would be connected by cross highways, facilities to get onto these freeways. There is a railroad which runs parallel with the freeway, blocks it; it is open only on one street. That railroad is crossed, and if you had an underpass—and I am wondering if the department has taken that into consideration—you would be able to get onto that freeway and get some use of it for the people in adjoining territory. Particularly, I have in mind Telegraph Road and Atlantic Avenue Boulevard where it takes sometimes half an hour to get through the underpass.

MR. PURCELL: You are discussing the rapid transit system, a matter under consideration by the Los Angeles Chamber of Commerce, various civic groups and officials of the City of Los Angeles. Our work is to cooperate with them and furnish them all available information in order that they may have a thorough understanding of the problem. That would be a matter for the proper people dealing with that question now to discuss it with. We are not going into the design of that system except where it involves overlapping with a freeway and state investments in connection therewith. We have no jurisdiction in the matter. Under the law we can deal only with the freeway system in Los Angeles, which is part of the State Highway System. We have no right to do more than cooperate with those people in Los Angeles, as I have indicated.

MR. BENNETT: You repeatedly refer to Los Angeles. Do you mean the City of Los Angeles?

MR. PURCELL: I mean the metropolitan area.

MR. BENNETT: I am wondering what representation these people I have mentioned are getting in this whole plan?

MR. PURCELL: We have no say-so any more than you have in that connection.

MR. BENNETT: You are saying we can't do anything about this problem at this intersection because it isn't state highway. I want to know what it takes to get to our problem.

MR. PURCELL: We have no jurisdiction on rapid transit. That problem must be taken up with people studying it.

THE CHAIRMAN: As Mr. Purcell has stated, if it is a rapid transit problem this committee can't consider it. If it is a question of freeways

or highways we are going to question Mr. Vickery in a minute on the budget for the next fiscal year, which includes those projects, and maybe there we can find out something about your problem.

MR. BENNETT: We are going to be taxed without representation. There must be some plan for laterals or connections between those freeways to make their use possible by people living in the area where they exist and who pay for them.

THE CHAIRMAN: I think you have a definite thought on that, Mr. Bennett, and the committee will attempt to work it out for you.

Mr. Purcell's statement with reference to the freeways is he thinks an urgency exists because there is involved whether they should proceed with present construction; and as to what is to be incorporated in any rapid transit plan that has to be determined by legislation which sets it up; and you have a voice in writing and passing that legislation, Mr. Bennett, and certainly we will be glad to work with you on it.

MR. WEBER: At this time I must call the attention of Mr. Bennett to the Planning Act, to procedure in Section 41, (quoting). The Regional Planning Commission is the authorized agency to consider Mr. Bennett's problem, with whom he should take it up.

THE CHAIRMAN. Any questions?

MR. HAHN: Regarding this Harbor Freeway, which will be running through the district I represent—at the last session I voted against the freeway program right up to the last, but finally didn't want to hold it up; there were promises and certain innuendoes, but having gone home in the interim, I have found many groups and individuals in the district quite concerned—

MR. DUNN: I think Mr. Hahn might ask a question but not apologize for the way he voted.

MR. HAHN: I am sorry for so voting. Has the committee given consideration to any route other than the one between Figueroa and Main, which goes through a solid residential area, and the result of which will be the taking down of 10,000 homes in Los Angeles?

THE CHAIRMAN: Within the City of Los Angeles, as you know, on Fremont Street, the Division of Highways has acquired right-of-way, and that is one of the freeways selected. The construction of that has not yet been undertaken. As to the location you mention I will ask Mr. McCoy or some engineer to answer you.

MR. HAHN: The day before I came up here I went up in a Goodyear blimp with Mr. Cortelyou, State Engineer, and Mr. Winters, Los Angeles engineer; we went over that district of Los Angeles all afternoon, watching traffic, and it was very obvious to all of us that traffic can pretty well take care of itself in that area, but over to the east there was continued congestion.

Now, I have been informed by Mr. Cortelyou that the Harbor Freeway has a priority for construction over any other freeway. Will you tell me why such priority exists?

MR. PURCELL: So far as that priority is concerned that was requested many times by civic groups and officials of the metropolitan area of Los Angeles. When started in the City of Los Angeles, that freeway followed Fremont beyond Ninth Street.

MR. HAHN: In the downtown area?

MR. PURCELL: That is where we started work.

MR. HAHN: You say you discussed it with the group down there. Did you ask about it in the populated area, whether they wanted it?

MR. PURCELL: The group in Los Angeles dealt with the proposition in the metropolitan area.

MR. HAHN: What group do you mean?

MR. PURCELL: The city group, which signed the agreement.

MR. HAHN: There is no agreement for the outside area?

MR. PURCELL: That is still up for an agreement. There is no final agreement; I don't think there is any down there.

MR. HAHN: Can you tell me whether these people you refer to, this board, civic groups, have gone up in a blimp and gone over that area in Los Angeles to observe the extent of traffic and how it is being handled?

MR. PURCELL: Been up in what?

MR. HAHN: A blimp.

MR. PURCELL: What people do you refer to?

MR. HAHN: The Planning Commission.

MR. PURCELL: The engineers have studied it quite a bit and made reports covering all those details, yes. As to your area, I don't know whether the location has been definitely settled.

MR. HAHN: You haven't answered my question.

MR. PURCELL: I don't recall whether the Highway Commission has definitely settled the location down there. Mr. Grumm, will you answer the question?

MR. MCCOY: Mr. Chairman, Mr. Cortelyou told me about the trip in the blimp the other day with these gentlemen. There has been no determination recommended by Mr. Cortelyou, or otherwise of definite location to the commission.

MR. HAHN: We pointed out some very definite basic needs to Mr. Cortelyou in other areas as opposed to this, and he couldn't help but agree with us. I would like, before 10,000 families are removed, that the commission consider a right-of-way along the Pacific Electric going out to the harbor.

MR. PURCELL: Did I understand you to say that Mr. Cortelyou agreed with you?

MR. HAHN: He made the inference that the highway, regardless of what would be done or said, would go between Main and Figueroa; therefore, I believe there have not been sufficient studies.

MR. PURCELL: The Highway Commission is accustomed to making a thorough study of any questions presented, and probably will in this case do so.

MR. DUNN: I am in the unusual position of not having been in the blimp but still being up in the air. It was stated that this highway, or piece of road, between Main and Figueroa had a number one priority. I understand from Mr. Purcell no definite decision as to location has been made. What is the fact? Has there been a definite decision as to location, and does it hold such a priority as has been mentioned?

MR. PURCELL: The final determination of location requires many thousands of dollars, plans and so forth, all of which consumes substantial time. Engineers in the department make reconnaissances, and make findings as to traffic and all the details. Location isn't made until after all those studies have been concluded and the Highway Commission

adopts the lay-out; then they go back for their locations and full reports go to the commission.

MR. DUNN: Is this the situation, that the proposed Harbor Freeway has a number one priority for construction over certain other proposed freeways in the City or County of Los Angeles, but no definite route has been determined upon as the location?

MR. MCCOY: The portion of the Harbor Freeway we are working on now is in the upper end of the metropolitan area; that is the part referred to as being urgent. The part near San Pedro, we have not reached, and won't for a number of years, a determination on. The part we are concentrating on is through the built-up business district of Los Angeles City. That is the part that has the priority we are working on at the present time.

MR. CHAIRMAN: What would you say was the southern boundary of that?

MR. MCCOY: About Olympic Boulevard.

MR. CHAIRMAN: Then this priority is for that portion, to Olympic Boulevard, and from there southward it hasn't yet been fully determined or processed.

MR. HAHN: You mean to say that from Olympic Boulevard on the south there is no priority; therefore, you haven't as yet decided that will not be a straight road down to the harbor?

MR. MCCOY: We haven't made the decision.

MR. HAHN: That is the portion I speak of.

MR. MCCOY: That is the part Mr. Purcell was trying to say that studies have not been completed on.

MR. WEBER: Mr. McCoy, could you answer this question? The present determination is fixed to Olympic Boulevard. Does that really seriously influence the decision to be made later as to the remainder of the route, such as would limit or preclude consideration of other routes?

MR. MCCOY: I don't think it does. I will ask Mr. Grumm.

MR. GRUMM: No.

MR. GANNON: I would like to ask a question, and I am doing it on behalf of my constituents, who are concerned with the freeway north of Ben Ali. They have been told by certain men who talked with our good friend, Mr. Purcell, that he said, regardless of whether there was opposition to the freeway routing discussed this morning, no matter how legitimate the opposition arguments might be, it would be built there anyway, and they would have to like it. Did you ever make such a statement?

MR. PURCELL: I don't make that kind of statements, and I know of no man who has talked with me on that.

MR. GANNON: That is all. I asked you the question and you took it good-naturedly, and you have answered it. That is all I wanted to know.

MR. CHAIRMAN: Mr. McCoy, we thank you for being here also. Have you anything you would like to add to the purposes of the record, or pertaining to the problem of the metropolitan rail rapid transit or the presentation made to this committee previously?

MR. MCCOY: Insofar as the rail rapid transit is concerned, Mr. Purcell covered that very completely. Insofar as a presentation in con-

nection with the Ben Ali to Roseville Road is concerned, I would like to ask Mr. Grumm, State Highway Engineer, who is thoroughly familiar with it, to make a statement.

MR. CHAIRMAN: We will call him following you, and ask him to make such a statement. Regarding the engineering problems involved in the rapid transit, rail rapid transit, if that should be the form of legislation adopted, in your opinion as an engineer what would be the additional width of right-of-way greater than it would have to be merely for a freeway?

MR. MCCOY: That cannot be answered until we have the information from the rails as to what they require. We don't have that at the present time. They haven't as yet furnished it.

MR. CHAIRMAN: And you have been more interested, as Mr. Purcell stated, in whether or not there would be a merging or joint use of that rather than the local aspects of it, and you very definitely can't consider it as yet, except cooperatively, because you don't have the funds or authority to do it with that proposition now?

MR. MCCOY: That is correct.

MR. WEBER: The question raised involving protests over the construction of limited access or freeways, what is the policy of the department when these protests are made, and where you are prepared to go ahead; where you have the funds and authority to proceed with construction? What is the policy? Are you going ahead and construct them anyway, or are you going to delay until such matters are thrashed out?

MR. MCCOY: That is a policy to be determined by the commission. The commission has never refused to hear any delegation or individual, or protest, in connection with any authority to proceed or any opposition thereto.

MR. WEBER: In other words, the commission will tell you when to go ahead and construct?

MR. MCCOY: That is correct. They are the bosses.

MR. WEBER: Now, in view of all the widespread interest and many ideas that are coming into the highway problems, most of them new ideas, do you think it would be advisable to delay—for the commission to delay—action in regard to immediate construction until a full hearing is had on these protests?

MR. MCCOY: I don't think so. I don't know. You would have to name specific projects to get an answer to that.

MR. WEBER: The projects of the vicinity of Sacramento. The people are approaching the problem from a viewpoint different than the Division of Highways and Highway Commission have thus far done. I have in mind the matter of by-passing—by-passing from the south and to the north of Sacramento, and doing that with the idea it would be better for the city. There you have two ideas of thinking.

MR. MCCOY: We have no precise ideas on that. We are at this time taking a very extensive origin and destination survey, even more complete than that of the city, of the whole metropolitan area of Sacramento; and we will not make our recommendation until that survey is complete, which will take about a year, and which will involve the by-passing you refer to.

MR. WEBER: That will relieve some of the criticism that has been directed against you.

MR. MCCOY: The city is cooperating in that survey with us.

MR. CHAIRMAN: Mr. McCoy, I would like to ask this question: Who would be the best person from the division to answer a question as to what portion of the freeways in Los Angeles are necessary to be taken into consideration in considering legislation for rail rapid transit, outside the Hollywood Freeway? Have you entered those discussions at all; given them engineering study?

MR. MCCOY: I attended several meetings in Los Angeles on that subject. Mr. Grumm is very familiar with it. I think he is the only engineer who has attended most of them.

MR. WEBER: After attending these hearings, I find—I think the policy has something to do with the fears of the people. Now, it seems from the testimony brought out we can conclude the people are interested first in the completion of the present state highways on a safety basis; that is, the four-lane divided. Over a long period, we have been naturally bringing that about; that seems to be pretty definite, down south and here in Sacramento. Then comes the question of limited access. There is where your conflicts arise with regard to property rights and property interest. Now, if the Highway Commission, the division, could adopt a policy of immediately, on their plans, showing service streets paralleling the access roads, perhaps a great deal of objection could be withdrawn. That would, at least, enable you to attain the idea of having crossings limited to a reasonable distance. Let's say further that in subdivision planning the tendency is for walks to be made along with it, streets; therefore, intersections are fewer, and if the service road or street was divided or set aside by the Division of Highways through local authority you would then have a way of showing the property owner that he could get up and down the highway and use it. Of course, that is not perfect, but it does offer some relief to these people who are worried about using the highways. The alternative is, as people use the land along the highway, if you don't make provision for service streets, then you must come along later and condemn, tear down the houses; so I just mention this, and I have drawn this conclusion after hearing these troublesome discussions: That if you would adopt the policy now of placing in your plan service streets you would save people of California many millions of dollars and relieve yourselves of much grief.

MR. MCCOY: Senator Desmond mentioned a number of projects, some between here and San Francisco and Los Angeles, and Los Angeles and Sacramento, and sighted those as type of four-lane divided highways that they want. Every project he has mentioned, with the possible exception of one or two, are controlled access freeways, the type proposed out here, and on those projects where the development is such it is warranted, we are showing service roads. We haven't yet adopted a policy of providing service roads along the entire length of a controlled highway. We do buy a width of right-of-way, which we believe is sufficient and adequate for any future need.

MR. WEBER: Then is your objection to the service streets based on the condition of the pocketbook of the State, or is it a policy which you feel justified?

MR. MCCOY: We don't feel it is justified at this time, and also costs enter into it. We don't feel that between two barley fields, between Davis

and Vacaville, for instance, that it would be a proper expenditure of public money to build service roads at this time.

MR. WEBER: I didn't mean building the roads but providing the strips.

MR. MCCOY: We don't feel it is economically justified at this time.

MR. WEBER: Well, 15 years from now when the land is subdivided, when the land use is more intense, those streets not being there what is your answer going to be—who pays the bill?

MR. MCCOY: We feel that if the ultimate development requires it we would acquire sufficient right-of-way. It has developed in the hearings that in the Los Angeles area subdividers are providing their own service roads.

MR. WEBER: That is true, but unless planning commissions, or some other agency guides him, it isn't done, and then in a few years there must be condemnation; so I offer the suggestion that you will save yourself a lot of trouble and also save the people millions, probably a hundred million dollars in a few years if you can see your way to do that.

MR. MCCOY: We have given that very serious consideration.

MR. WEBER: Of course the other way of doing it is, if you don't want to purchase, go to the planning commission and ask them to establish the lines definitely so they will be controlled, and if you don't do that I think it is dangerous policy. I did want that to go in the record again and again.

MR. CHAIRMAN: I think you are making the point. You are going to insist on planning and making us agree with you that it will save money and headaches for everyone.

MR. MCCOY: For your information, in Tulare we have worked with the County Planning Commission and have agreed with the county on the entire route.

MR. WEBER: Then if it is good in certain cases it should be a broad policy; a policy everywhere where major state highways are concerned.

MR. DUNN: Is it the feeling of the highway people and engineers that where there are limited access highways in the fields adjacent to barley fields, people know that, and if they acquire property for subdivision purposes in that area they do it with full knowledge of the condition; and when they begin to subdivide they know they will have to procure and seek a means of entry; and don't you feel you are not required to build a service road for those people under those circumstances?

MR. MCCOY: That is right. We sign these limited freeways and everybody is put on notice that is what they are. The points of access are shown.

MR. DUNN: What is the practice of the highway people with regard to re-routing, as here in Sacramento, where you have a part of the State of California developed along sound economic lines; people have invested their money in certain properties and the venture seems feasible and profitable, and then you suddenly decide you are going to relocate and go someplace else with your highway, and presumably because you do they have to abandon their homes because the enterprise will no longer be feasible and they thereby suffer economic loss.

MR. MCCOY: Mr. Grumm will discuss that in connection with the road you are talking about. However, I would like to call your attention to a short stretch of state highway between the Sixteenth Street subway

in Sacramento and the bridge over the river. That is an example of the congestion that develops when there isn't a freeway. That is a sample of what you are coming to in these other areas if you don't profit by what is obvious.

MR. STANLEY: I know that the department has a great problem setting up these freeways throughout the State. I am interested to know are you putting in freeways in or near any town without some opposition, protest?

MR. MCCOY: I will cite you one. The present 101 runs through the north-south street, Wilson Boulevard, in Stockton, which is over-congested. The City of Stockton was united in asking us to move the highway off Wilson, and we are moving it east off there. Another example was San Jose. Years ago they fought, didn't want to be by-passed, and not too long after came back and appeared before the commission requesting by-passing.

MR. STANLEY: Can you put it in where there won't be any by-passing?

MR. MCCOY: I don't think so. We are bound to have by-passing.

MR. DUNN: Those instances, Stockton and San Jose, they go completely around the town?

MR. MCCOY: That is right.

MR. DUNN: Have you gone to any place where you have bisected a town and haven't had opposition, where you haven't gone completely around the present development—gone through it—where you have left part of it on one side and part on the other?

MR. MCCOY: I can't answer that, Mr. Dunn.

MR. DUNN: I think I can.

MR. MCCOY: Maybe. We haven't made any Chinese walls through any towns I know of.

MR. DUNN: This isn't Chinese.

MR. MCCOY: Well, Russian.

MR. WEBER: Mr. Dunn's question to Mr. McCoy as to constructing service roads along highways is confusing. It is not a question of building them for any property owner, a service street up and down the highway, but it is a preservation of a necessary right-of-way that is involved, and, as I take it, that can be obtained by two methods. The first and safer method is for the Division of Highways, when they put a limited access road in, to purchase the necessary additional space. The second is for set-back lines set by the planning authority. I just didn't want the idea to get out here that we are talking about constructing any service streets for local property owners, but I am speaking about the preservation of right-of-ways; and it is a mighty important problem.

MR. CHAIRMAN: Now, Mr. Vickery. Just for the purposes of the record, at a previous meeting in Sacramento you filed with this committee a volume answering several questions which had been asked of the division and also gave in that volume the items for construction for the next fiscal year as well as the year we are in. I have made some search and comparison between the items therein listed, and the printed budget. In my opinion, those agreed. Do you know whether I am correct or not—that the budget does follow that original report?

MR. VICKERY: That is correct. The budget we furnished is the same as the printed budget.

MR. CHAIRMAN: All right, I want to qualify it so that rather than the committee printing that over again we can refer to the printed budget, and that is where Mr. Bennett, or anyone else, can find listed contemplated construction for the next fiscal year; and most of those projects have been authorized regularly by the director, isn't that true?

MR. VICKERY: Yes, those projects have been approved by the California Highway Commission.

MR. CHAIRMAN: With the exception of the one to San Diego, which was ready to go, and then held up by the board of supervisors?

MR. VICKERY: That is still in the budget, not taken out.

MR. CHAIRMAN: And that is there. It is still a project, and you will state in the next year's budget that the reason for non-completion is that you didn't get necessary authorization from the Supervisors of San Diego County?

MR. VICKERY: That is correct. I might add that about ten million dollars of that has been advertised for contracts.

MR. CHAIRMAN: Already?

MR. VICKERY: Yes.

MR. CHAIRMAN: Now, Mr. Fred Grumm, Assistant Highway Engineer.

MR. GRUMM: Yes, my name is Fred Grumm, Deputy State Highway Engineer.

MR. CHAIRMAN: You may proceed with any statement you wish to make.

MR. GRUMM: Do you wish to ask me any question in regard to rail rapid transit. I have this statement here (exhibiting).

MR. CHAIRMAN: Just one, for the purpose of clearing the record. On February 6, 1948, this committee had a hearing in Los Angeles in the State Building. Several people appeared; a great deal of testimony was taken regarding the Hollywood Freeway, and perhaps another. Mr. White, of North Hollywood, made a very complete presentation as to the particular problem as it related to rail rapid transit in the Cahuenga Pass; and, if I remember his testimony, they were very definitely in favor of something being done immediately; whole-heartedly in favor of developing rapid transit, but also made the point again that the Cahuenga Pass, if we don't put rails in it now—do a proper engineering job—is going to be lost to us. You realize the problem. That is correct, isn't it?

MR. GRUMM: Yes.

MR. CHAIRMAN: Then it has been stated here that you were in attendance with the rapid transit group during most of their discussions and are probably best qualified to speak as to the problems that arose, and Mr. Montgomery as to the legal problems. Now, in the official reporter's transcript of that day, and this is on page 57 in the official copy, you said, "There is nothing before us until some group puts before us the proposition of putting rapid transit on the freeways. Answer: That is correct."

And the testimony today has developed that.

MR. GRUMM: Yes.

MR. CHAIRMAN: And you also continued—and this is what I wanted you to clear the record on, if you want to—"We don't like it. We don't think it is proper there. We think the function of rapid transit

is quite different from vehicular traffic, and by putting it together in parallel position you are creating problems that make it unusually difficult to decide whether the cost of the freeway or highway to the State isn't increased."

Now, I think that was a pretty fair statement, and did that expression you made to us, did you make it from time to time as part of the problem that had to be resolved in working out legislation?

MR. GRUMM: Yes. Mr. Geddes, at the various meetings which I attended with representatives of the Chamber of Commerce Committee and representatives from the city and county, these various matters were discussed. The reference I made, which you just read, was particularly directed to the Hollywood Freeway. There was at one time an inclination on the part of the committee to place the rail rapid transit all the way along the Hollywood Freeway from somewhere in the vicinity of Glendale, where it intersects Glendale Boulevard. We have proceeded so far with construction on those various parts of the Hollywood Freeway that I felt it would be very costly to try to insert the rail rapid transit on those portions where structures had already been installed by us; and that is why I said, "We don't like it," because it would cause a great deal of interference with already built portions of the freeway, and would also cause delay of construction of further portions. That has all been finally resolved in a request to occupy the Hollywood Freeway from Vermont to Selma. That was at the last conference we had, which I attended, in the mayor's office in Los Angeles. At that time, I advised the committee of the difficulties that attended their proposal. I called to their attention the fact that to insert the rail rapid transit on that portion of Hollywood Freeway would mean that we would be delayed in our proposed construction in the One Hundredth Fiscal Budget where we intended to build three or four structures immediately north of Vermont Street. It would mean a revision of those structures; revision of the entire plan—the acquisition of additional right-of-way and such other matters. I told them because we had—the commission had already submitted the budget for the One Hundredth Fiscal Year—it would make difficulties in our explanation which we have to make in the report to the Legislature of why we didn't proceed with that particular portion of the Hollywood Freeway. Those things were all pointed out to the committee meeting at that time. Then I suggested that if they could furnish the money at the proper time, it might be possible to go ahead with that portion of the Hollywood Boulevard on the basis of their furnishing the money, or somebody furnishing the money, for revision of the plan and acquisition of the right-of-way; and then finally, as Colonel Bean has told you, for construction. It would mean, however, a delay if that were done, and I said I couldn't promise any such thing, and I would have to present it to the Director of Public Works for consideration.

MR. CHAIRMAN: How did the date of May, 1949 pop up?

MR. GRUMM: I have seen it quoted in many newspapers, and it was felt that was as long as delay could be permitted, if granted.

If we were to get the project in the One Hundredth Fiscal Year under way before the end of the fiscal year, and have the money obligated by contracts, that was the last day on which we could have all this data and the money together in order to advertise and award the contract before May 30th.

MR CHAIRMAN: That is right, but then to the best of your knowledge and recollection, no definite promise or commitment was made other than that it would be submitted to the members of the commission for postponement up to that date, although it was in the budget and adopted as a definite project?

MR. GRUMM: That is right.

MR. CHAIRMAN: Unless the members of the committee have questions on this particular phase, that is sufficient, and we should let him proceed with his statement regarding the other situation.

MR. GRUMM: Concerning the Ben Ali-Roseville relocation as a proposed state highway, I would like to explain, before I give the committee the printed report that this routing has not been adopted by the commission, that we set it out in a report to the commission with the suggestion that some publicity be given to it as a proposal that the State would relocate the highway in this position and create a freeway along this portion of this state highway route. The commission adopted that suggestion, and the director put it out to the newspapers, and it was published in both the *Union* and *Sacramento Bee* on September 4, 1947; also, a reduced scale map of the one I submitted to you, together with the statement which covered the report made to the commission.

Since that time, there have been various statements in the newspapers by protestants who have evidently formed an association on the proposed freeway location. When Senator Desmond called, we suggested to him that the protestants appear before the commission and state their case. That has not yet happened. Senator Desmond, as he told you, has asked for a postponement of that presentation, and I think it is now postponed until April.

The commission would like to act on this matter within some reasonable time, because until they do and adopt some routing it will not be possible for the Division of Highways to proceed with the detailed location and plans, or acquisition of right-of-way, and since this is an important section of the State Highway System we feel that we should undertake the beginning, the preparation of plans and acquisition of right-of-way contemplating construction in a few years.

All of the statements Senator Desmond made about the inaccessibility of this freeway; the fact that county roads couldn't get into it; that a portion of that area lying to the west or east—I have forgotten which particular portion he referred to—was cut off from all the rest of it; in fact, that this highway—freeway—became practically a wall that divided that area, are entirely assumed. There has been no issuance of any design on the part of the Division of Highways or Highway Commission to indicate that this is the kind of road that we are proposing to build. In fact, we are planning to build an entirely different road from that conception. The freeway we propose to build will be a limited access road, and probably one of the most comparable is a section from the Milk Farm out here about a mile and a half north of Dixon down to Vacaville. That is a limited access freeway built down there by the State in the past, since 1945. You will find that various county roads come up to the freeway, cross or enter it just as they do with some slight revision to make the crossing, a right-angle crossing—so there won't be any of this diagonal type of intersection, but otherwise the roads, perhaps with one exception, have all been taken into or across the freeway. Access, therefore, for all

these local people is provided to the best extent possible, and they will be able to get out to the freeway at a number of locations. If you will examine the map here, there are numerous country roads crossing and intersecting the proposed freeway location, and in practically all of those places I think there will be access or crossing on the freeway provided. We haven't yet worked out the details, so I can't give you the exact crossings or the streets on which those crossings will be provided.

MR. CHAIRMAN: You haven't made proposal then to the board of supervisors as to the closing of any particular streets?

MR. GRUMM: We have not.

MR. CHAIRMAN: So there is nothing before the supervisors whereby they could either accept or reject the proposal?

MR. GRUMM: That is correct.

MR. CHAIRMAN: Have you any answer to—I know we have been together at many meetings, and heard many people who took the same position—have you thought of any system whereby we could establish a system of public relations whereby these things could be worked out and people could get these answers without coming before a committee like this, or the commission?

MR. GRUMM: I imagine there would be ways of doing that. Perhaps some public relations department should be established that would permit of dissemination of information about freeways and various projects. We hope to acquaint the public, local people, with what we propose to do by giving the information to newspapers. That may be a means of offering an opportunity for them to know and find out what is being planned and proposed by the State.

MR. CHAIRMAN: Of course, that was done in the present instance, what you have just said. It resulted in what we have here today.

MR. GRUMM: That is right.

MR. CHAIRMAN: So it doesn't really go to the root of the matter.

MR. GRUMM: We think these people should come in to the commission and express their objections and opposition, and for that reason we set this matter up in the papers so as to give everybody the information that might be interested.

MR. WEBER: In that regard, I would like to ask this question: Since the State Planning Act provides that the State Division of Highways may bring these matters before the city and county planning commissions, it may not be mandatory; at least they may, but they have a very efficient public relations system already prescribed by law. True, you would have to put the planning commissions to work, and if that is done, the Division of Highways, if the Division of Highways would press these matters and go according to law, it seems to me there is a proper public relations set-up, which allows the people to know what is happening to their property.

MR. GRUMM: I would like to present the report which the Division of Highways made to the chairman and members of the Highway Commission relative to this road. It is only about two and a half pages long. I would like to read it.

MR. CHAIRMAN: All right.

(Mr. Grumm thereupon read his prepared statement.)

MR. CHAIRMAN: Who did you say that report was made to?

MR. GRUMM: Director of Public Works and California Highway Commission.

MR. CHAIRMAN: Well, it was never placed in the hands of the protestants from that area, was it?

MR. GRUMM: We issued a statement which was printed, yes; a statement that covered practically the information contained in the report I just read was issued at the time the map was given out.

MR. CHAIRMAN: Well, it was in condensed form in the newspaper.

MR. GRUMM: Subsequently, we issued a statement to the paper and which was printed in at least one of the papers, which referred to the objections stated and answered many of them, reiterating the information contained in the report.

MR. CHAIRMAN: Was any of that information ever furnished Senator Desmond?

MR. GRUMM: He was furnished that.

MR. WEBER: Did you go to the county planning commission and formally present that report so that they might hold a hearing on it?

MR. GRUMM: No, we haven't. This is only an engineering report to the commission. The commission hasn't adopted a routing and we can't present a routing to the planning commission until that has been adopted.

MR. CHAIRMAN: What I am getting at is this: If that is all the commission would get, they would have strictly an engineering report, and they don't get the viewpoint of the citizens who are being affected unless they have some means of getting to them; and certainly the commission is going to be pretty well bothered by having the engineering report first and then the objections from the citizens. That is the question, if there isn't some way, and I think proper planning procedure—notice of hearing to the public will get this to them before rather than afterwards—that is why people come to us, and I don't like to hear it all the time, but most of them don't feel they get proper attention to their protests.

MR. GRUMM: We suggested they appear before the commission, make their protests, and also make application to the Division of Highways for information. There has been much information published in the newspapers to the effect certain things were going to happen, but not furnished by the Division of Highways, and most of it incorrect. There were one or two people that came to talk to me. They have two pieces of property on the section between Ben Ali and Watt Avenue. Those were the only persons who came to the office to make inquiry or get further information about the project. We didn't know where to send this information. Addresses weren't given; names were given. We have never been invited to meetings nor have we been approached for any information which would have been valuable.

MR. CHAIRMAN: Who generally handles these matters in the office of the division, you or—

MR. GRUMM: We have a service and plans department, planning department, which gathers all the information and data.

MR. CHAIRMAN: I mean, when people come in and want to see somebody and talk things over: Is there one particular man who has charge of that?

MR. GRUMM: They come in and talk to either Mr. McCoy or myself, or Mr. Nash in the Service and Planning Department, or Mr. Vickery.

MR. CHAIRMAN: Now, at a previous meeting, we had discussion relating to the "I" Street Bridge in Sacramento, and the report comes to me that the matter has been solved: is that correct?

MR. GRUMM: We repaired the bridge and put in protective work that would prevent any further accidents of that character, and since that time I know of no accidents that have occurred there.

MR. MCCOY: In connection with a request, we made study of what could be done. The Bridge Department has worked out a solution, and as soon as we get the complete report we will furnish you with a copy of it in accordance with your request.

MR. CHAIRMAN: We appreciate that.

MR. WEBER: In reference to the question involved there, in regard to having to wait for the Highway Commission to act and adopt a plan before presenting that to the local planning commission, I will state that the matter could be presented to the county planning commission as a tentative plan for consideration; and then, if the county planning commission called meetings, the people would have a chance to make their protests known and get some reasonable explanation, and then the board of supervisors, on advice of the planning commission, could make a recommendation.

MR. CHAIRMAN: This is future planning, and doesn't come into the picture until people make protests.

MR. DUNN: Is it necessary that the commission adopt a proposed routing before it is offered to a planning commission?

MR. GRUMM: Under the law, the California Highway Commission is the only one who can adopt a state highway routing.

MR. DUNN: What I am getting at is this: You said you never offered this to the planning commission before it was adopted.

MR. GRUMM: That is right.

MR. DUNN: It was contemplated. Are you prohibited from offering a contemplated routing?

MR. GRUMM: I don't know. If the California Highway Commission wants to do so, I think they could.

MR. DUNN: Then you actually face this situation, that, up to this time, the California Highway Commission hasn't offered to the planning commission and other local bodies a routing until they have made up their minds that it is a satisfactory routing; and then the planning commission or other local agencies has been faced with the problem of convincing the Highway Commission they are wrong; and certain modifications should be made or the plan is completely wrong. Now, wouldn't it be better if a contemplated routing were agreed upon by the Highway Commission; before that was formally adopted, before they went on record and said, "This is what we think is right;" that they then go to the local agency and say, "We think this is all right—what do you suggest by way of modification or changes, or do you agree with it?" And then if there is a substantial agreement adopted, and, if not, try to work out an agreement, because you know, however wrong we may be, once we have gone on record and set it before the public, it is more difficult to change our minds than before.

MR. GRUMM: Mr. Dunn, relatively few counties—there are more cities than counties that have planning commissions that are functioning. That would be one of the first things we would be confronted with. The second would be that the Highway Commission is a planning body, and so viewed by the law, and have the right and authority to adopt routings. Now, why can't people appear before the Highway Commission before the ruling is adopted and make their comments? That would be just as easy as to appear before a planning commission.

MR. DUNN: Well, the chances of public knowledge are less, I think, with regard to appearing before the Highway Commission than if the matter was offered before the local group. Would the Highway Commission object to legislation that would require that the routing be submitted to a local body before it is adopted by the Highway Commission?

MR. GRUMM: I think the progress of work on the part of the Highway Commission would be seriously impaired if they had to do that.

MR. DUNN: I agree with you. There is something in the law, they have to wait. All the resources of this State come from the people; even though it delays a few things, it doesn't hurt anything in the long run.

MR. GRUMM: If the Legislature wished to do so, it is up to the Legislature.

MR. DUNN: It wouldn't be opposed by the Highway Commission?

MR. GRUMM: I have nothing to say for the Highway Commission.

MR. WEBER: As far as that method is concerned, I know the Planning Act says each department of State may bring matters before the State Service and Planning Board, which is supposed to exist, and, by that method, it may be referred to any planning commission. You have absolutely the procedure to do it, but it is a matter of policy that the Division of Highways for the past 10 years have not wanted to deal with the local bodies because they have had definite plans, and other complicated human relations which they were afraid would create impossible conditions. Now, there is the question to be determined whether it would or not.

They have created complicated conditions by their present system, and if they would definitely have those plans passed on by the local planning boards, troubles over rights-of-way would pass out of existence. They would then have to do it in advance a few years, and it is pretty hard to convince the Division of Highways that, by putting things down three or four years, there would be no cheating in regard to the purchase of right-of-way and no speculation. I have never been able to agree on that, but I think it is obvious that, if the plans were public—made public in advance for a number of years—that such speculation would be wiped out. That is one of the factors that has prevented the use of this method of going to the local planning boards.

On the other hand, we have the burden imposed on us by people who simply haven't had a chance to participate in proper democratic methods.

MR. CHAIRMAN: I think we have pretty well covered the reply.

MR. MCCOY: Just in the event it isn't clear: The adoption of this route hasn't been made by the Highway Commission because the commission hasn't passed on it.

MR. WEBER: I would like to ask Mr. Purcell whether his department hereafter is going to adopt a method of presenting plans, either tentative or final, to the planning commission.

MR. PURCELL: That will be discussed fully with the other members, but I can't, and I will not, commit other members on the commission; nor do I give any assurance, until I have had full discussion with the state highway engineers involved.

MR. CHAIRMAN: I think he can't commit anybody besides himself.

You are counsel for the division.

MR. MONTGOMERY: One of them.

MR. CHAIRMAN: And according to the testimony, you were in attendance at a number, if not all, the meetings of the rapid transit action committee?

MR. MONTGOMERY: Some of them.

MR. CHAIRMAN: What do you see briefly as the chief point to be covered in legislation to make this rapid transit possible—we will say at this special session. Do you think that merely an expression in the existing law that the freeways, or rather existing rights-of-way, might be shared by, say, the municipal or publicly-owned transit corporation?

MR. MONTGOMERY: The first thing you have to do is provide some sort of a governmental agency with power to act on behalf of the rails. Second, provide a system for raising money, because there isn't any money from any source we know of to be used by the rails.

As far as the freeways are concerned, one of the programs suggested involves the use of the freeway rights-of-way by rapid transit rails. That is the Los Angeles Chamber of Commerce's suggestion, and that bill has been drawn. That joint exercise of powers act would take care of the matter of cooperative arrangement between the two governmental agencies once you get some district to act on behalf of the rails.

I do think it might be advisable to have a brief amendment or addition to the Streets and Highways Code covering the department's authority to enter into such an arrangement. It is up to the Legislature to pass such legislation, if deemed desirable.

MR. CHAIRMAN: I haven't fully read the preprint of the bill, but in the presentation made by the Los Angeles Chamber of Commerce it was definitely stated that this proposed authority would have the right of eminent domain and condemnation of private property and also state property. Would that lead to complications, as you see it?

MR. MONTGOMERY: No, unless they have changed it. It was my understanding—in the last week of February, I went to Los Angeles, as Mr. Purcell said—went over the draft they had then in Mr. Beebe's office, to see if there were any things to which we would object, and my recollection is that during that conference there were representatives of the City of Los Angeles and of the County Council's office in on that work. They changed that last provision to provide that the use of publicly-owned property would be by agreement of the governing bodies of publicly-owned property.

As for the power of eminent domain, obviously they should have it, because any of the systems is bound to be on private property, which they will have to take by making just compensation, and the Los Angeles Chamber of Commerce program contemplates quite extensive sections in private right-of-way.

MR. CHAIRMAN: So where they weren't using freeway right-of-way they would be like any other public body and would have the right of eminent domain and condemnation?

MR. MONTGOMERY: That is right, except at prohibitive cost.

MR. CHAIRMAN: Well, you felt then that the position from a legal standpoint of the Division of Highways, as you have stated—it is really out of your hands. You folks already have your work laid out for you under the laws as existing, and you are just waiting to see what the Legislature does, or have you a recommendation in the matter?

MR. MONTGOMERY: Well, we haven't entirely arrived at our final conclusion on that. There has been a little difference of opinion among ourselves as to whether or not something should go into such legislation on the basis of apportionment of cost or whether apportionment of cost should be left to agreement—that is, in the cases where they may be in the freeways.

MR. CHAIRMAN: Do you think those problems can be solved at a "quickie" session of the Legislature, or is it true that whatever legislation was passed at the special session would be subject to revision in the next session, and probably in future years, to make it work smoothly in its application?

MR. MONTGOMERY: Well, there hasn't been a major piece of legislation passed for years that didn't require revision, to my experience.

MR. CHAIRMAN: I am asking one further question of Mr. Purcell: Would that be a correct statement for the committee to report that, as far as you are concerned, you are very much interested in what has been done because it affects your whole program, but you feel the next move is one which should come from the Legislature as to whether such authority is to be established or not?

MR. PURCELL: My understanding is that it is essential the Legislature take necessary steps before this act can go into effect.

MR. CHAIRMAN: But the position of the department isn't to either oppose or encourage it? It is to stand by to see what happens?

MR. PURCELL: Our interest in this, primarily, is in the length of delay in the construction of the freeways that may be involved, because we have agreements with the City of Los Angeles' officials on the completion of those. We started work, and the status is as I have explained.

MR. CHAIRMAN: I think that brings the agenda to a close.

MR. PURCELL: I might say we have a friendly attitude toward accomplishing a complete decision on this; would like to see it brought about. We recognize the urgency, if we are going to be involved in it.

MR. CHAIRMAN: In other words, it must be solved sometime, and the longer the delay the more acute it becomes with respect to present and future construction?

MR. PURCELL: That is true.

MR. CHAIRMAN: I want to thank those who appeared before the committee. I hope we will be able to make some recommendations to our present Legislature.

The meeting is adjourned.

(The meeting adjourned at 6:30 P. M.)