

September Tenth,  
1 9 2 9

Mr. Bert Meek, Director,  
Public Works,  
Sacramento, Calif.

My dear Bert:

Enclosed find copy of letter I am sending to each director and member of the State Parks Association.

I can see that in time the California Highway Commission are going to be made the goat. You can't get something for nothing.

I don't know whether our attorney is going to advise us to seize and fence up the new right of way or the old but one or the other is going to be done.

Cortelyou and Carlton will tell you I have gone the limit for years for you when there was a hostile Board of Supervisors and John D. Spreckels opposing the State doing anything from San Diego east. I secured nearly 35 miles of rights of way without charge to the State and gave my time and money to help carry out the California highway program.

In this case you went diagonally through our property when we gave you the 30 foot right of way cutting the embankment 20 feet high and making a fill fifteen or twenty feet high with the result that in order to make our land of value we have got to move about 30,000 cubic yards of earth.

I know what it is coming to. The California Highway Commission is going to pay \$25,000 to \$50,000 for that right of way in court in time and not alone that, San Diego County is going to lose a wonderful development that is so much needed at this time.

The Directors of the Rancho Santa Fe Corporation are thoroughly mad and I don't blame them.

I wish you would ask Mr. Carltons if it is not a fact

September Eleventh,  
1 9 2 9

Mr. B. B. Meek,  
Director of Public Works,  
Sacramento, Calif.

My dear Bert:

Enclosed find statement being sent out by Tam Deering that is explanatory.

We are holding up legal proceedings waiting to see what you are going to do.

If you can see your way clear my suggestion is that you write a letter to the Board of Supervisors asking them to vacate the old right of way in conformity with the spirit of our agreement.

Yours very truly

EF:AK



# 2

Mr. Bert Meek

9-10-29

legally that the California Highway Commission acquired legal title to the 40 foot right of way from the County and if that is the case can the California Highway Commission take action that will give us the clear title and make it official for the Board of Supervisors to take official action. We can go into court then and bring suit to quiet title.

There must be a way out of this in fairness to all and I do hope you will take the matter up at your earliest convenience.

The new owners of the Rancho Santa Fe are Nels Gross, President District Bond Company,, Mr. Allen of the Title Insurance & Trust Company of Los Angeles, Mr. Slater, President First National Bank of Pasadena and three or four others - some of the most prominent men of Los Angeles - and they feel they are getting a rotten deal in this matter.

Your early attention would be appreciated.

Yours very truly,

EF:AK



EARL LEE KELLY  
DIRECTOR

Frank J. Merriam  
Governor of California



STATE OF CALIFORNIA  
Department of Public Works  
SACRAMENTO

March 18, 1935

Subject: Lake Hodges Dam

Honorable Ed Fletcher,  
Senator 40th District,  
State Capitol,  
Sacramento, California.

My dear Senator:

I have your letter of March 14, requesting the record of the Department of Public Works regarding the Lake Hodges Dam, and asking my view with regard to your bill now pending in the Legislature relative thereto, Senate Bill No. 6.

Attached hereto is copy of a memorandum prepared by the State Engineer, giving in detail the department record concerning the dam. Reviewing this record briefly the plans for the dam were approved by the State through W. F. McClure, State Engineer, in 1917. The construction was regularly inspected and approved by Mr. McClure and on January 31, 1919, he approved the structure. Shortly after completion of the dam, question as to its stability was raised, and since then many engineering investigations and reports concerning it have been made. The State Engineer in 1929 recommended reinforcement by bracing of the buttresses of the dam.

In August 1929, the new law governing supervision of dams became effective and in January 1930, the City of San Diego filed application with the State Engineer for approval of Lake Hodges Dam. The State Engineer advised that approval could not be given without material repairs, and in August 1931 issued a formal order directing that repairs be made. The City of San Diego failed to comply with the order and it was taken to court by the State Engineer, first to the Fourth District Court of Appeals, which denied the issuance of a writ of mandate. On August 8, 1932, a petition was filed by the State in the Superior Court of San Diego County to enjoin the use of the structure pending satisfactory completion of the work necessary to render the dam safe for use. This action is still pending, having been deferred from time to time awaiting the result of negotiations among the interested parties to finance the necessary work. A bill was introduced in the 1933 Legislature to authorize State participation in the financing of the work, which was approved by the Assembly but failed of passage in the Senate by a very narrow margin.

In October 1933 an application was filed by the City of San Diego for approval of the plans for strengthening the buttresses of the dam. These plans and

Honorable Ed Fletcher  
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specifications were approved on December 13, 1933. The estimate of cost submitted by the City for doing the work is \$160,000.

The dam is considered unsafe by this department on the basis of many comprehensive and competent reports. Under the law the department has no recourse but to compel by all means in its power the removal of the menace which exists. The department has formally ordered the necessary repairs and has instituted court action to compel compliance with its orders. The necessity for the additional work is not seriously questioned, but the City has been unable thus far to arrange the necessary financing. It is true that the State through the State Engineer supervised the construction of the dam when built and approved it after construction. Legally this does not commit the State financially to the cost of making the dam safe. However, a good argument could be made that the State is morally committed to assist in the work, and certainly the State is concerned in seeing a grave menace to life and property removed, and speaking for this department it intends to use every means at its command to see that this is done.

I hope that you will be able to arrange for the immediate repair of the Lake Hodges Dam and the elimination of the menace now existing.

With kindest personal regards, I am,

Very truly yours,

  
Director of Public Works



MEMORANDUM  
to  
MR. EARL LEE KELLY  
DIRECTOR OF PUBLIC WORKS

SUBJECT: LAKE HODGES DAM #8-3

Lake Hodges dam was constructed by the San Dieguito Mutual Water Company, predecessor in interest to the San Diego Water Supply Company with whom the City has a lease and option contract of purchase, to conserve and make the run-off of the San Dieguito River available as an irrigation supply for the Santa Fe Irrigation District, San Dieguito Irrigation District and the Del Mar District, and as a municipal supply for the City of San Diego.

The Lake Hodges dam is a concrete multiple arch dam of the Eastwood type with a maximum height of 130 feet and a storage capacity of 37,700 acre feet. The dam consists of a main non-overflow portion, with a crest length of 390 feet, an ogee spillway section 199.4 feet in length, and a broad crested spillway extension with an effective weir crest length of 142 feet. The spillway crest is 15 feet below the crest of the dam. The buttresses spaced 24 feet on centers are unreinforced, except where arches, strut beams and foot walks are tied in. Their thickness is 18 inches for the top 47 feet, and increases to 4 feet at the base for the highest buttress. The northerly seven buttresses are covered with a reinforced concrete deck rollway forming the ogee portion of the spillway. Reinforced concrete struts placed at intervals of about 35 feet both vertically and horizontally give the buttresses some lateral bracing. The arches are reinforced and have a minimum thickness of 12 inches for the first 50 feet below the crest. Below the 50 foot point the thickness increases to 2 feet and 7-1/2 inches at the bottom of the dam.

The plans for this dam were approved by Mr. W. F. McClure, then State Engineer, on June 25, 1917, and he through his office regularly inspected and approved the foundation excavation for the buttresses and arch rings, as well as the construction of the dam. Upon completion of construction in January, 1919, Mr. McClure approved the dam on January 31, 1919, subject to pressure grouting.

Hodges dam is one of the earlier dams of the Eastwood type to be constructed.



The art of design and construction of dams, especially of the multiple arch type, has materially advanced since that time and present practice would not countenance the use of unreinforced buttresses. Shortly after completion of the dam question as to the adequacy of the design and stability of the structure was raised. This question apparently had its inception at the time "checking" was first observed in the gallery arches. These cracks have continuously developed in width and extended in length, now cracks have appeared, the opening and extent of which have accumulatively progressed. This condition of cracking, together with the meagerness of bracing and interbracing between the buttresses and the fact that the tall slender buttresses are without reinforcement, was a cause of concern as early as 1923 when so far/as can be determined from the files the first recommendation was made for strengthening the dam. Commencing at that time and continuing to date question of the stability and safety of this dam has been a common subject of discussion and reports and comments of many engineers of eminence/<sup>who</sup> have visited the structure, either officially or unofficially, are of record with this office and urgently suggest or recommend that the unsafe condition of the structure be remedied. A Consulting Board, appointed by the City of San Diego, investigated the security of the structure in 1928 and in its report recommended a thorough investigation of the entire structure and an analysis of all stresses. This detailed study was made by an hydraulic engineer of the City who concluded and recommended in some detail the strengthening of the buttresses of the dam. Because of question of the safety of the dam being doubtful, a Consulting Board was retained by the State Engineer, who in 1929, after an exhaustive and comprehensive investigation of the structure, recommended a betterment and reinforcement of the dam by thorough bracing of the buttresses.

In August, 1929, the new law governing the supervision of dams became effective. This law invests authority in the Department of Public Works, acting through the agency of the State Engineer, to supervise all dams in the state in the interest of safety and provides for the filing of application for approval of a dam by the owner after which it is mandatory that the State Engineer, within three years after the effective



date of the act, shall examine all dams and either approve or order the work necessary to render an unsafe dam safe and fix the time for completion of the necessary work.

On November 16, 1929 the City of San Diego filed application under the dam supervision law for the enlargement of the spillway at the Hodges dam, which application was approved November 29, 1929 and the work thereunder was completed in 1930. On January 24, 1930 the City of San Diego filed application for approval of the Lake Hodges dam. On September 10, 1930 the State Engineer notified the City that no approval of this dam could be given until the spillway improvement work was completed and until the buttresses had been strengthened. Attention at that time was called to the failure of the City to file plans and specifications for the reinforcement of the buttresses. In addition to the investigations made by the City through its engineering department, supplemented by an investigation by a Consulting Board appointed by the City, and in addition to the report of the State Engineer's 1929 Consulting Board appointed prior to the effective date of the new law, an investigation was completed by a Consulting Board appointed by the State Engineer subsequent to the effective date of the act and filing of application by the City for approval of the dam. In addition to these various investigations the personnel of the department has exhaustively examined into the safety of the dam. The conclusions of all investigators are to the point that the strengthening of the buttresses of the dam is essential to its safety. The dam is located in an area of known seismic activity and a zone of intense shearing and probably of minor faulting cuts through the right abutment of the dam which is in further substantiation of the necessity for the immediate strengthening of the buttresses. /

The State Engineer telegraphed the City in August, 1931, that the buttresses of the dam should be strengthened based upon the studies and examinations of the State Engineer and the conclusions of competent consultants; that this work was necessary and urgent and that unless the City commenced work at once on its own initiative it would become mandatory for the state to issue a formal order directing the doing of the work. In view of the urgency for completion of the work, the State Engineer issued



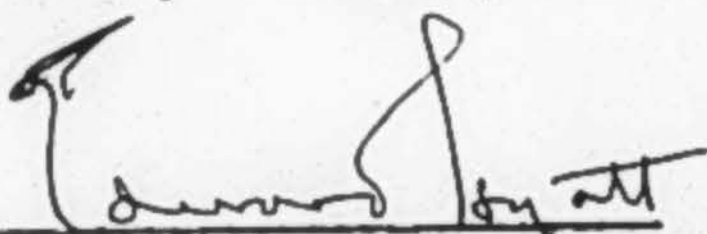
formal order on August 15, 1931 setting the date of completion of the necessary work on or before December 31, 1931.

In support of the conclusion that it is imperative that the buttresses of the Hodges dam be strengthened as directed by the State Engineer in this order it is the unanimity of opinion of all engineers who have given consideration to the safety of the dam.

The City having failed to comply with the State Engineer's order, Petition for Writ of Mandate compelling the doing of the necessary work was filed with the Supreme Court on January 22, 1932, was referred to the Fourth District Court of Appeal on February 9, 1932 which handed down a decision on March 24, 1932 denying the issuance of a Writ of Mandate. A Petition for Rehearing was filed with the court on April 14, 1932 which was denied by the court on April 21, 1932. On March 4, 1932 a Petition for Rehearing was filed with the Supreme Court which was denied by that court on May 23, 1932.

A Complaint, hearing on which is pending, was then filed in the Superior Court of San Diego on August 8, 1932 to enjoin use of the structure pending satisfactory completion of the work necessary to render the dam safe for use. Action in this case has from time to time been deferred pending negotiations among the interested parties to finance the strengthening of the dam. A bill was introduced in the Senate during the 1933 session of the Legislature to authorize state participation in the financing of the work, which failed of passage by (1?) vote.

Application was filed by the City of San Diego with the department on October 27, 1933 for approval of the plans and specifications for strengthening the buttresses of the dam. These plans and specifications, after critical review by the department, were approved on November 13, 1933. The estimate of cost for doing this work has been determined by the hydraulic engineer of the City to be \$160,000.

  
State Engineer

March 19, 1935.



G. T. McCOY  
STATE HIGHWAY ENGINEER

EARL WARREN  
GOVERNOR OF CALIFORNIA

FRANK B. DURKEE  
DIRECTOR

STATE OF CALIFORNIA  
Department of Public Works

SACRAMENTO

January 9, 1953

PLEASE REFER TO  
FILE NO.

DIVISION OF HIGHWAYS  
PUBLIC WORKS BUILDING  
P. O. BOX 1499  
SACRAMENTO 7

Ed Fletcher Company  
1020 9th Avenue  
San Diego 1, California

Dear Mr. Fletcher:

Reference is made to your letter dated January 5, 1953, requesting certain information concerning the collection of Federal gasoline taxes in California and apportionment of Federal funds for highway construction in California covering the last five years.

The following data was drawn from the latest available statistical tables prepared by the United States Bureau of Public Roads.

Estimated Amounts of Federal Motor-Vehicle  
Excise Taxes Paid by Highway Users

Calendar Year	Motor Fuels	Other Excise Taxes	Totals
1947	\$38,998,000	\$55,685,000	\$94,683,000
1948	40,486,000	59,096,000	99,582,000
1949	42,205,000	66,372,000	108,577,000
1950	45,292,000	78,964,000	124,256,000
1951	49,850,000	79,399,000	129,249,000
5 Yr. Totals	\$216,831,000	\$339,516,000	\$556,347,000

The above "Other Excise Taxes" include taxes on lubricating oil, automobiles, motorcycles, trucks, busses, trailers, parts, accessories, tires and tubes.

The excise tax collections are taken into the United States Treasury as general revenue and are not earmarked for any specific purpose.

Apportionments of Federal funds to California for road, street and bridge construction covering the five year period between July 1, 1948 and June 30, 1953, are as follows:

Ed Fletcher Company  
1020 9th Avenue  
San Diego 1, California

-2-

January 9, 1953

Fiscal Year Ending

Apportionments

June 30, 1949	\$ 0
June 30, 1950	22,683,091
June 30, 1951	23,712,556
June 30, 1952	29,554,952
June 30, 1953	29,016,771

Total

\$104,967,370

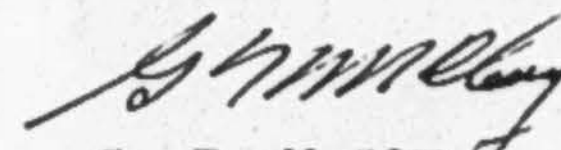
No Federal funds were apportioned for the fiscal year ending June 30, 1949.

The above apportionments include Primary, Urban, Secondary, Federal Lands, Emergency Relief (Funds of 1950) and Forest Highway Funds.

It is noted that the excise taxes collected in California are considerably in excess of the funds apportioned to California. However, your attention is directed to the fact that under present legislation there is no tie between these excise taxes and apportionments for highway construction.

Should you desire further information concerning highway matters in California, please communicate with us and we shall be pleased to accommodate you.

Yours very truly,

  
G. T. McCOY  
State Highway Engineer



**Ed Fletcher Papers**

**1870-1955**

**MSS.81**

**Box: 4 Folder: 7**

**General Correspondence - California  
State. Department of Public Works**



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