1 causeway goes downstream with an arm angling off toward our
2 bank. This arm confines the flow of the river and forces the
3 current against the south bank. In addition, large obstruct-
4 ing piles of gravel have been placed on the south bank in the
5 now restricted stream bed.
6 These obstructions, if allowed to remain, will divert
7 the main current from its natural course to the south bank
8 and so damage our riverbottom land when high water comes.
9 We request the Commission to direct that all these
10 obstructions be removed immediately, and that the river be
11 kept free to follow its natural course.
12 I have some photographs with me to assist the Commis-
13 sion in visualizing the situation. Would you like me to
14 explain them or shall I leave them with the Sergeant at Arms?
15 GOV. ANDERSON: I think probably this would be
16 referred to our Executive Officer, Mr. Hortig, to look into
17 and report back to us. Mr. Hortig, would you comment on this?
18 MR. HORTIG: Yes, Mr. Chairman. This is the first
19 report we have had from Mr. Short as to the existence of this
20 situation. The State Lands Division will undertake investiga-
21 tion immediately. We have resolved several problems that Mr.
22 Short has had in the past over the years. As a matter of fact,
23 it's an interesting cycle. Just for general background,
24 the first constructer and operator of similar operations with
25 whom Mr. Short had difficulty, and where we resolved the
26 difficulties, is now his lessee. So now we have the trouble

a few hundred feet upstream, so we will move upstream with our investigation.

MR. SHORT: We have a gravel outfit at both ends of the operation. It's just a matter of fighting them off.

GOV. ANDERSON: The matter has been referred to our Executive Officer, Mr. Hortig, who will report back as soon as possible.

One last thing I might mention as a suggestion for the staff here. So time back we thought of having a meeting so we would have our agenda before us.* We had less than two days' time to go through an agenda like this. At that time we hoped we could have them at least ten days prior to meetings. Maybe this is too much to ask.

MR. HORTIG: No sir. The staff is very happy for this opportunity to discuss this with the Commission. We certainly will achieve the results desired by the Commission. Actually, the only situation in writing with respect to the Commission's policy is that any personal appearances desired to be made shall be noticed ten days prior to meeting date. This, for many years, was completely an impossible situation until this Commission adopted the policy of regular meeting dates, so at least we could get a notice date for Commission meetings ten days prior to Commission meetings. As a matter of staff practice, then, and suggestion to the Commission, we also tried to adopt this ten-day-prior-to-Commission-meeting date as the date on which to close the calendar and not accept

*almost inaudible to reporter may not be accurate

1 any further items, in order to give some time to the necessi-
2 ties of mechanical reproduction.
3 GOV. ANDERSON: Is this ten calendar days?
4 MR. HORTIG: Ten calendar days, under the circumstances
5 depending upon who was asking that the calendar be held and
6 "May we yet have another item on?"; and in deference to the
7 City of Long Beach, there are three items not on there that
8 they wanted on there, and the calendar would be even later;
9 and I think it would be of tremendous assistance to the staff
10 if the Commission would direct how many days in advance of
11 the Commission meeting date they want the calendar in hand
12 and when our applicants know the Commission has given us a
13 deadline, this will apply.
14 GOV. ANDERSON: How long does it take to prepare the
15 calendar after it closes?
16 MR. HORTIG: If we have a firm closing date, we can
17 reproduce it in two days thereafter.
18 GOV. ANDERSON: It depends when we actually get it --
19 depends on whether we get it on weekends.
20 MR. HORTIG: That makes a difference also.
21 GOV. ANDERSON: These items we have here, to do it in
22 two working days when we are at different ends of the State.
23 MR. HORTIG: I am sure you gentlemen are conscious of
24 the fact we are desirous and have been available to have
25 staff review in advance of the meeting. Admittedly, as you
26 say, if you are scattered all over the State of California,

1 we can't meet with all of you two or three days in advance
2 of the meeting in a staff meeting.
3 MR. ZWEIBACK: Would a directive to you of closing
4 the calendar fifteen calendar days prior to a meeting be
5 too much, or would it be helpful? Calendar days as opposed
6 to working days.
7 MR. HORTIG: That would make it eleven working days
8 normally, barring holidays. How about six working days?
9 GOV. ANDERSON: For what?
10 MR. HORTIG: For us to have it in your hands.
11 GOV. ANDERSON: All right. When would that mean
12 closing the calendar?
13 MR. HORTIG: Two working days prior to that.
14 MR. CRANSTON: Wouldn't we want, Frank, to have a
15 wee bit of latitude here? If there is something that is an
16 emergency you certainly should be able to present that.
17 MR. HORTIG: If it is a true emergency, we can handle
18 it as a supplemental item.
19 GOV. ANDERSON: Couldn't you prepare a regular calendar
20 like you do here and if you have an emergency item have a
21 supplement - - - in other words, if we have these items to
22 look over, it wouldn't be too much trouble to look over the
23 emergency items.
24 MR. HORTIG: Except that, of course, the staff has the
25 task of preparing such emergency items and it should be
26 clearly understood -- and I am hoping the Commission would

1 support me in this -- that such emergency items would only be
2 involving the public health and safety, truly urgency items;
3 otherwise they are urgency items depending upon how loudly
4 the applicant can urge them.
5 MR. CARR: If we said ten working days before the
6 meeting, that would give you and the Commission both sufficient
7 time; making it on a working day basis, that would take care
8 of holidays, long weekends.
9 MR. HORTIG: This would mean that material would be
10 in the hands of the staff to process up to the point of being
11 reproduced not later than ten working days before the next
12 meeting of the Commission. This would be Utopia.
13 GOV. ANDERSON: Couldn't you give us a policy resolu-
14 tion along this line at the next meeting, so that we can
15 adopt it?
16 MR. HORTIG: Yes sir. We will also shoot for it and
17 try to comply with it in advance and report to you the diffi-
18 culties we have.
19 MR. CRANSTON: You may be kind of short for this one
20 time.
21 MR. HORTIG: Not at all. We had something like this
22 in mind when we were trying to talk Long Beach into cooperation
23 in having the material here by the 15th.
24 MR. ZWEIBACK: It's the latitude he has now that
25 causes the trouble.
26 MR. CRANSTON: Well, include in your policy the

definition of emergency.

GOV. ANDERSON: Couldn't that be adopted next meeting and do as you are doing between now and the 29th?

MR. HORTIG: Can do.

GOV. ANDERSON: All right. The next meeting of the Commission is in Los Angeles -- nine o'clock on October 29th.

MR. CRANSTON: Is that in the usual room?

MR. HORTIG: If there isn't already a reservation in 115, the auditorium, we will so reserve it. Otherwise, we will find one in the Public Utilities courtroom with equipment.

GOV. ANDERSON: If there is no further business, then the meeting is adjourned.

ADJOURNED 12:05 P.M.

****

1 CERTIFICATE OF REPORTER

2

3 I, LOUISE H. LILLICO, reporter for the Division of
4 Administrative Procedure, hereby certify that the foregoing
5 seventy-nine pages contain a full, true and correct transcript
6 of the shorthand notes taken by me in the meeting of the
7 STATE LANDS COMMISSION at Sacramento, California, on October
8 5, 1959.

9

10 Dated: Sacramento, California, October 10, 1959.

11 Louise H. Lillico

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26