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University of California  
Berkeley, California

Will “Trav” Travis:  
Leading Environmental Regulator for the Public Interest

Interviews conducted by  
Martin Meeker  
in 2015

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Will "Trav" Travis

**Will Travis** was born in Allentown, Pennsylvania in 1943. He attended Penn State University as both an undergraduate and graduate student, studying architecture and regional planning. From 1970 to 1972 he worked as a planner for the then nascent San Francisco Bay Conversation and Development Commission (BCDC). In 1972 moved to the newly established California Coastal Commission, where worked in various capacities until 1985. In 1985 Travis returned to BCDC first as deputy director then as the agency's director beginning in 1995. He retired from BCDC in 2011 and continues to work as a consultant. In this life history interview, Travis discusses his work both the BCDC and the Coastal Commission, focusing on accounts of particular preservation and development projects including the restoration of marshland areas around the San Francisco Bay. The interview also covers in detail Travis's work documenting the threat of sea level rise as a result of climate change and how the Bay Area might plan for such a transformation.

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**Foreword: Three facts about Will Travis**

First, he's not called "Will." Just about everyone knows him as "Trav."

Second, although Trav's formal education was in architecture and city planning, those are by no means his only skills. He can do just about anything: lead an organization, inspire and supervise major planning projects, design educational programs, and manage the budget. If you were involved in any kind of interesting but complex work, you'd want Trav on your team.

Third, as executive director of the San Francisco Bay Conservation and Development Commission, Trav has done more than anyone else in the Bay Area to help the rest of us understand—and, let's hope—prepare for the coming challenges of climate change. He's been warning about sea level rise, and what it will mean for all the low-lying areas around San Francisco Bay. The maps BCDC published under his leadership, showing shoreline areas that will be under water as the Bay slowly rises, have been eye-opening to many people.

Trav excels at clear explanations: He notes that BCDC was created 50 years ago in response to the filling of San Francisco Bay, and continues: "We've spent 50 years trying to keep the Bay from becoming too small. Now, we'll spend the next 50 trying to keep it from getting too big."

I've worked with Trav at BCDC, the California Coastal Commission, and on other projects over the years. And, as you can tell, I greatly admire his multiple abilities, his common-sense approach to problems, his ability to work well with all kinds of people, and his calm good nature.

He's a quiet Californian who has led in ways we'll all come to appreciate as we begin to deal seriously with the rising seas that will have such an impact on the California shoreline in coming years. We're lucky to have had him as BCDC director; his work affects us all, whether we know it yet or not.

As you read his memoir, you'll understand why I have such great admiration for him.

Joe Bodovitz  
November 2015

## Interview 1: March 9, 2015

01-00:00:00

Meeker:

This is Martin Meeker interviewing Will Travis and today is the 9<sup>th</sup> of March 2015. This is our first session, and let's get started. The way that we begin the interviews is typically you'll tell me when and where you were born and a little bit of the circumstances of the family into which you were born.

01-00:00:30

Travis:

I was born in 1943, February 26, 1943, a little over seventy-two years ago, in Allentown, Pennsylvania. My father built Mack trucks. I have subsequently read that Allentown, Bethlehem (the Lehigh Valley) was the best place to be a blue collar worker in the 1950s. They had very powerful labor unions, United Auto Workers and Bethlehem Steel. So my father had perhaps a second or third grade education. He was from North Carolina and then Texas, born in 1900. So he was forty-three years old when I appeared on the scene. He had had polio as a kid so he had some disabilities. But he had worked for Mack trucks since the 1920s and with union membership and his seniority, he was able, with that education, to buy a house and then subsequently a vacation house in the Poconos. When he retired I designed a house for he and my mother. My mother was Pennsylvania Dutch, which is not Dutch, and it's not German. It's kind of an ethnic group of people who all share some common and similar values. She was what was then called a housewife and took care of me. I have two older sisters, one that's fourteen years older than I am, and the other twelve years older. Or was. She passed away.

So growing up in Allentown, Pennsylvania, one of those many cities that's been described as a gritty city. It was an industrial city. I did not like it very, very much at all. Once my parents got this cabin in the Pocono Mountains I would spend weekends up there and then subsequently I would spend all my vacation time up there. So they'd come up for the weekend and I would stay there all the time. We had no indoor plumbing. So I cooked for myself and hiked and played in the woods and ran and read. It was just a grand place to be a kid.

I was pretty good in school. I didn't study hard. It was just very interesting. Somewhere along the line, and I don't know where it came from, I got the notion to go to college. My parents didn't emphasize that. They didn't participate much in my education. They were very active in the PTA, in the Parent Teachers Association, but it was more for, I think, their social context and contacts. So I decided, "Well, I guess I'll go to college." I recall, I think it was in tenth or eleventh grade, we had what then were called guidance counselors. The guidance counselor said, "Well, you have to write a report on some profession that you're interested in, and here I have in my office a whole

lot of information.” So I looked around and the one that I could find that had the least amount of information was architecture. It had one pamphlet so I thought, “Well, I can use all of the information he has and get away with writing a very short report.” If I looked at engineering, there was several feet of information and I would have had to do a lot of work. So I said, “Okay, I’ll go to school in architecture.” I had no idea where one went to study architecture, so I applied at Lehigh and MIT and I don’t remember where else. One of my classmates said, “Hey, my parents are taking me out to Penn State on Saturday. Do you want to go along just to see what they have?” Well, his father had a 1955 or ’56 Buick Roadmaster. It was one of the coolest cars I’d ever seen so I thought, “Well, I don’t know anything about Penn State. I don’t care about Penn State. But this is a cool car and to go someplace for a Saturday in this car would be really fun.” So they drove us out to Penn State and—

01-00:05:50

Meeker:

How far is State College Pennsylvania from Allentown?

01-00:05:53

Travis:

It’s about, I’d say, 150 to 180 miles so then it was four hours. Now it’s probably about two-and-a-half or three with the interstate highway system. It’s interesting. If you look at a map of Pennsylvania, when they decided in 1855 they wanted to have a land grant school, they took the map and drew a line from corner-to-corner and right in the middle is farm country. They said, “That’s where we’re going to put our farmer’s high school.” So that’s the way Penn State got started. So then it morphed from a high school to a college. So it was the Pennsylvania State College. There was no town there. So this little town that grew up next to it they called State College. So it was the Pennsylvania State College in State College, Pennsylvania. It was done by the redundancy department, I guess. So that’s how it got located.

Anyhow, we drove out in this Buick Roadmaster and I was looking around and I saw the most extraordinarily beautiful co-ed I had ever seen and I thought, “Yeah, this is where I want to go to school.” So I applied and got accepted in architecture because it had the shortest amount of information. I remember taking aptitude tests and they would always come back saying that I should be involved in real estate or farming but never architecture. I said, “To hell with that. I’m going to stick in architecture.” But I found as I was going through architecture school, that I could design buildings that wouldn’t leak and wouldn’t fall down but they had all the passion and drama and beauty of an electrical outlet. There was just nothing. I would look at what my classmates were doing and just marvel at their capacity to come up with something.

01-00:08:21

Meeker:

Had you taken any courses in drafting or anything in high school?

01-00:08:25

Travis:

I don't believe I had. I was a mediocre student in architecture. What an architectural education teaches you is to live under extreme sleep deprivation because we would just work around the clock. The class periods were an afternoon or a full morning and you're in there drafting. I got so that mechanically I could handle things, but it was never really good. So I thought, "I'm going to drop out of this program." I didn't know what I wanted to do but I thought, "Well, I'll just drop out and not declare a major." I went to see my faculty advisor and I said, "I'm going to drop the program." He says, "Don't do it. You've made it through three years. Stick with it, because if you get through the five years—" and I was waiting for him to say something profound. And he said, "If you make it through the five-year program and get your degree," he says, "I guarantee you'll be able to go into any public building in the world and figure out where the restrooms are." I thought, "That's it? Five years and that's it?" Well, in retrospect, he was right and it's worth it because I can go in, just look around, you say, "All right." I'd sort out, well, here's the structure. Where would I put the plumbing stack? And I can always figure out—okay, the one's there, the women's room is over there. So I stuck with the program.

The other thing I found was that they would bring us a project and they'd say, "Here's the site and the client is a hospital." I would look at the site, and I'd say, "That's the dumbest place for a hospital. We shouldn't have a hospital there." But they said, "Well, that's what the client wants." I said, "Well, who gets to decide what goes there?" They said, "Oh, those are the city planners." I said, "Well, where are they?" They said, "Well, we don't have a school of planning here yet but we're going to start one." And, by gosh and by golly, they started it literally as I was finishing my undergraduate degree so I ended up going down the hall and getting a master's degree in regional planning. Part of the reason for that, too, was that in my fourth year of college I met a drop-dead gorgeous woman in a bar and I was going off to study in Europe for ten-weeks. I fell in love with her, came back, and that summer we got married. She was finishing her undergraduate work. State College being a small town, it was hard to get jobs. So I thought, "Well, since she's going to be here as an undergraduate student, I might as well stay on as a graduate student and get my master's degree." So I ended up with an undergraduate degree in something that I didn't really carefully choose at a university that I chose based on a nice car ride and a beautiful co-ed, and then getting a graduate degree in something that just got started because my wife was still going to school there anyhow. So there I am.

01-00:12:24

Meeker:

Can we back up a little back?

01-00:12:26

Travis:

Sure.

01-00:12:27

Meeker:

You had alluded to or referenced briefly Allentown and the fact that it was, in the 1950s, maybe the best place to be a working class unionized laborer. I'm wondering what your memories are of it from the vantage point of a youngster or somebody in high school, kind of living in there and experiencing that. It sounds like it was a place that you didn't like that much. But I'm wondering if there were any kind of values that it instilled in you and that kind of thing.

01-00:13:07

Travis:

Allentown is very interesting. I guess all kids grow up and you are someplace and you assume, if you haven't traveled a lot, that everyplace is like where you are. There were two things about Allentown that I have learned were rather remarkable. One was the presence of the labor unions. Let's see. This would have been in the 1940s, late 1940s before shopping centers and television and so forth. Every Christmas the United Autoworkers Local 644 would have a big Christmas party and they would rent the civic theater and all the union workers and their kids would come and Santa Claus would be there. Well, as I said, we didn't have shopping centers so you didn't have a Santa Claus there and there was nothing to see on TV because there weren't any TVs. So I always thought Santa Claus was a labor representative and I was very surprised that my friends whose fathers didn't work for Mack or Bethlehem Steel or weren't union members, that they celebrated Christmas, too. I didn't know it was a religious holiday. I thought it was a union holiday and Santa Claus was the guy who brought you the gifts from the union.

The other thing is we had in Allentown a Hess Brothers department store. It was a unique department store in that Allentown then, as now, is 100,000 people. It's a relatively small town. But Max Hess, who owned this store, ran it like Bloomingdale's. It had high-end fashion. He would do all kinds of grandiose things. It was the anchor of downtown. Most towns of that size, I have subsequently learned, didn't have that sophistication, that cosmopolitan outlook of things. So I grew up having this sense that there had to be someplace better than Allentown and I knew that there was because there were these little sparkles of imagination, that we would see little glimpses of things. What they would do is they'd have a fashion show and he'd get the fashion models from New York or they'd get movie stars to come there and it was a rather grand place. Downtown, Hamilton Street through Allentown, it was almost like Disneyland. It was like the main street that we all nostalgically remember but that didn't exist. Well, it did for a while in Allentown.

01-00:16:12

Meeker:

Was your family religious at all?

01-00:16:15

Travis:

No, not really. No.

01-00:16:17

Meeker:

As a member of a union, and you said it was UAW Local—

01-00:16:23

Travis:

Six forty-four.

01-00:16:23

Meeker:

Six forty-four. Was your father a union guy or was it just part of his life? I've interviewed a lot of people in more recent years who more feel obligated to belong to unions and don't like them very much. Where did your father sit on that continuum?

01-00:16:47

Travis:

I don't recall him ever talking much about the union. I don't think he was very beholden to it. I frankly don't know what his political beliefs were. As I said, he had a very limited education. He had a hard time reading the newspaper. He would have to read it aloud just to understand it. I think he genuinely believed that he was being rewarded for his hard work. Every year the president of Mack Trucks would send a Christmas card to the employees and my father just treasured that. He thought, that, I think, he was the only one that was getting these and they were all personally signed by the president. It was for the hard times when they went through during the Depression and then Mack, it was unionized, I believe. But it wasn't a lucrative job by any means.

My dad also ended up having a fascinating job in that he worked in something called "the changeover." I don't know why it was called that. But essentially the trucks would come down the assembly line and if they had run out of something or it was a special order, they would just put a tag on it. So the truck would come down and it would need wheels or whatever. The changeover was where they would do all that. Mack got a contract during the 1950s when the Defense Department was building something called the DEW line, the Distant Early Warning line, which was a series of radar installations in the Arctic. They contracted with Mack to build these enormous off-road trucks. Now they're quite common but then they were new. They were so big that when they came down the assembly line they had a frame, they had the axels, and the engine and that was about all they could put on. So it got to the changeover and my dad and his partner and then the night shift would, in essence, hand-build a truck. Once it got all done they had to road test it so they would call the Allentown Police Department. The police would come over with an escort and they would get this enormous truck and they would drive it around town. My dad would call me and say, "Be out front," and I would trundle out there and here would be a truck—the wheels were bigger than I was—and I would crawl up in this truck and drive around town. He'd drop me off and then he'd take it back. So that's what his job was. I think he enjoyed it.

The fascinating thing is he knew nothing about automobiles. He couldn't change the oil on our Chevy. He wouldn't figure out anything. He knew how to do trucks but he couldn't extrapolate from that experience and fix the cars.

01-00:20:23

Meeker:

I'm a child of the 1980s and my knowledge of Allentown largely came from the Billy Joel song, right, which I'm sure you knew later on. The line was, "They're shutting all the factories down," right? It was this lament of Rust Belt, what became known as Rust Belt America. You graduated high school in '61. Looking back on it, did there seem to be any seeds of that decline noticeable in the 1950s in retrospect?

01-00:20:56

Travis:

No, no. It was a grand place. I remember having relatives who worked for Bethlehem Steel. Bethlehem, and their contract was they had twenty-six weeks of vacation every year. So they were paid full-time to work half-time. The friend of mine whose dad had the Buick, his dad worked for Bethlehem Steel. My friend Jack went to Penn State, rushed through, and got a four-year education in three years by going summers, so he could go to work for Bethlehem Steel as his dad did. He went in in a management position and spent his entire career there and, of course, Bethlehem Steel went bankrupt and subsequently the pension that Jack was promised and guaranteed the company couldn't pay for. So the pension was taken over by the federal pension protection program so he gets his pension from the federal government. The Bethlehem Steel Company plant is now a casino. They have converted it. It's a Sands Casino. It's actually spectacularly well done. But there was no hint of that. When Jack was in high school and looked at his future he said, "Boy, I want to get my degree as fast as I can." I spent a decade at Penn State because I was having so much fun and also the United States government was offering me a completely expense paid trip to Vietnam, which I was not interested in at the time. So I stayed as long as I could and he wanted to get right back into the Lehigh Valley because it was just nirvana.

01-00:22:59

Meeker:

Well, let's talk about that then, the prospect of the all-expense paid trip to Vietnam, maybe a one-way trip, as it was, for a lot of young men. What was your situation? Were you exempt from the draft because of your education or was it a—

01-00:23:21

Travis:

No. Again, there were certain values that in retrospect I found I had but that I didn't know I had at the time. One of them was I assumed at some point I would go into the service. I don't know why I assumed that. So when I started at Penn State everybody, every male had to take ROTC for two years. That was part of the deal. It was a land grant college. Then you could sign-up and volunteer for another two years and if you did that you came out and you were a second lieutenant. So I was taking Air Force ROTC and signed up for the officers program. This would have been probably in '65. At that point I was in



ROTC looking to get a commission in the Air Force. Things were bubbling in Vietnam and I started to look at this and say, “No, I don’t think so.” They were interested in me because they said, “If you know how to design a building you know the best place to put the explosives to make it fall apart or to destroy it.” I didn’t think that was very appropriate. And as I said, I met this woman and she had—well, after we moved here she made her money selling crocheted necklaces and headbands on Telegraph. She was a hippie. So I decided, no, I didn’t really want to have this commission in the Air Force.” So the Air Force and I said, “Well, let’s part ways. This isn’t going to work out for us.” I do recall that because I took Air Force ROTC I didn’t have room for all of the classes I had to take plus ROTC so I ended up having to take an additional term.

So in June, when everybody else graduated, I actually had to come back in September and go to school from September to December to fill out some of my requirements. The Air Force and I had parted ways and I thought they had just forgotten about me. Penn State is an enormous factory school, and they give all of the diplomas to everybody who has a bachelor of science, all 4,000 people rise and they say, “Okay, you’re that.” And then the people getting a bachelor of arts degree, they all get up. So you had 3,000 of this, 6,000 of those, Well, because I had an extra term and I had a unique degree—it’s a bachelor of architecture; it’s not a bachelor of arts. It’s a bachelor of architecture so they said, “Will the sole candidate for a bachelor of architect degree, William Travis, please stand up.” I stood up and there I am, and sitting up on the dais were also the officers from the ROTC programs. I saw the one from the Air Force look at me. “Wonder what happened to that guy?” So they rediscovered me and we had to go through an interesting process where I have an honorable discharge and on the back, where it has the number of days I served, it’s zero-zero-zero. I thought, “Well, this will be great. I’ve got an honorable discharge. I’ve fulfilled my military obligation.” But shortly thereafter I got a notice to appear for a physical for being drafted into the Army. But through a variety of circumstances that didn’t work out, so I never had to serve.

01-00:28:10

Meeker:

It didn’t work out?

01-00:28:12

Travis:

It didn’t work out. I didn’t pass the physical for some reason. And then they had a lottery and I got my lottery number, 365. There were actually 366 for leap year.

01-00:28:34

Meeker:

But the chance of you being drafted with that number was—

01-00:28:35

Travis:

I don’t think they ever got past probably twenty. So I was not drafted and didn’t serve. But I do have an honorable discharge.

01-00:28:46

Meeker: Interesting. I can't remember where I read it but I know that you visited California in 1965.

01-00:28:54

Travis: That's right.

01-00:28:54

Meeker: Was this your first big trip out of Pennsylvania?

01-00:28:56

Travis: I had traveled a bit with my parents. When my parents would go on vacation it was always to visit relatives. So we'd go to Texas, we'd go to North Carolina, and go places like that. But, as I said, I had this sense that there had to be someplace better. So in 1965 two friends of mine, one a buddy from high school and the other a classmate in architecture, we decided we would take a tour around the United States. We used my Volkswagen beetle. Because two of us were in architecture, most of the places we went to were architectural landmarks, everything from Monticello to Biltmore to Frank Lloyd Wright's Taliesin to this, that, or the other thing. Two of the places we were visiting, one was the Hearst Castle in San Simeon, and the next one on our list was the Frank Lloyd Wright-designed civic center in Marin County. It's now a historic building but at the time it was a year old. So we were going between one and the other and we had our road atlas. The road went up Highway One and through San Francisco. I knew nothing about San Francisco even though in '65 there was a lot of things happening there. But I didn't know that. We stopped for lunch on the San Francisco waterfront. I'm sitting there having lunch and I said, "This is better than Pennsylvania." I just literally fell in love with the place. Then I went back to school, and in '66 met this woman who became my wife, but I still had this fantasy of working in San Francisco.

01-00:31:06

Meeker: What was it about San Francisco? Is it possible to put your finger on anything in particular?

01-00:31:11

Travis: It's just the sheer beauty of the place. It's just spectacular. That's still what compels me. Half of the way I am is whether the sun is out or not. I am a very aesthetic person. It really drives me. I think it drives a lot of people. We don't acknowledge it, but aesthetics determines where we live, who we marry, what kind of car we drive, the money we put into furnishing our house, the fact that we will take a perfectly functional kitchen and spend forty, fifty, sixty, a hundred thousand dollars to end up with a perfectly functional kitchen that looks better. We all value aesthetics but for me it's the driving force. That's what it was. It's just sitting there on a beautiful afternoon probably in July on the San Francisco waterfront having Dungeness crab, as I recall. I thought, "Boy, it doesn't get much better than this."

So I went back to Penn State and spent one summer working for the General State Authority in Harrisburg, Pennsylvania, which was the entity that built all the state buildings, from the college buildings to the prisons. Harrisburg makes Allentown look really wonderful. It was a bleak place. So the next summer I got out the then version of the Internet, which we called the Yellow Pages, and I simply went through the San Francisco Yellow Pages, and I looked for every consulting firm in San Francisco, architecture and planning, and I sent each of them my résumé. One of the firms noticed that on my résumé I was doing my undergraduate architecture thesis on low cost housing. They had just gotten a client that wanted to build low-income housing. They confused the two and thought, “Well, here’s somebody who knows something about the subject. We can pick him up for—” I think it was \$700 a month is what I got paid. They had an office in New York City, ninety miles from Allentown. They asked me to come in for an interview. I did and they liked me. They said, “Okay, we want you to work for us.” I said, “Fine, but I want to work in your San Francisco office.” They said, “Well, that’s okay with us. It doesn’t matter which office you work in. But we’re not going to pay you to go to San Francisco. You got to get there on your own.” I thought that was worth it so my wife and I and an earlier Volkswagen—or, no, that would have been a later Volkswagen—there were three of them, as I recall—came out here and got a place in Berkeley and I worked for the summer of 1969 in San Francisco on California Street, right across from the old St. Mary’s Church. Boy, it was heaven.

01-00:35:05

Meeker:

What was the firm that you worked for?

01-00:35:07

Travis:

It was called HKS (Hart, Kravatsy and Stubee). They had clients all over the place and the client that was interested in low-income housing was in Florida. It was called Florida Gas but for some reason they had a lot of landholdings and they were looking to get into the real estate development business. One of their other clients was Disney. This was when Disney had Disneyland and they were just planning their facility in Orlando. Disneyworld is also sort of the City of Disney. It’s operated like a city but it’s a corporate enterprise. They asked the firm to try to figure out how to design a residential community that nobody would live at permanently. They wanted residents who had a second home or a third home, and were registered voters someplace else so that Disney could maintain political control of this community. That was the assignment they gave to me. I fooled around with it and it didn’t take real long to figure out how you get a community that only really wealthy people will live in. We designed it so that every house had both a berth for a yacht that could get into the intercostal waterway and had a port for an airplane. If you didn’t have both a yacht and an airplane, you wouldn’t live in that community because the Joneses next door did. I figured that would be people who would keep this as a third or a fourth or a fifth home. So it met the criteria. It was never built. It never went farther than that.

01-00:37:35

Meeker:

I imagine you also just wouldn't put schools in the plan.

01-00:37:42

Travis:

That's right. Yeah. It was a silly notion but it was a lot of fun. I worked on that for about a week, but it allowed me to go down to visit the client at Disneyland where they had their offices. That's when I discovered that the reason Disney charged to get into Disneyland. Before that amusement parks were off public roads. You could just wander in and out and you paid for the individual rides. At Disneyland, you paid to go into the park. The purpose wasn't to make money, it was to control who went in. In 1969 when I worked for them, I had very long hair though I didn't have a beard at that time. But I was married to a hippie and I looked like a hippie. When I showed up at Disneyland they didn't want to let me in until I explained that they were my client. That's when I got to see the underside of Disneyland, all the tunnels. They took me down through there and guided me through it. It's fascinating. Anyhow, I worked for this firm for the summer of 1969. Then I went back to finish up my graduate degree.

01-00:39:17

Meeker:

Was it just understood to be a summer internship kind of position?

01-00:39:19

Travis:

Yes. But obviously it went well for them because I said, "I'm going to have a graduate degree come March of 1970. I would like to work for you." And they said, "That would be great. Go get your degree and then come back and we'll sort out then what exactly you will be doing." So I went back, finished up my master's and in March of 1970 my wife and I then got in the Volkswagen, whichever one it was at that time, and we came across country. I showed up at their doorstep and said, "Hi." They looked at me and said, "What are you doing here?" I said, "Well, remember, we agreed you'd have a job for me?" They said, "Oh, didn't you get our letter?" Well, it turned out they'd lost a big client and they sent a letter to inform me of this but they sent it to the University of Pennsylvania instead of the Pennsylvania State University. So I didn't get the letter that said I had no job. So my wife was selling stuff on Telegraph Avenue. We had a teeny little apartment we were living in and I started to apply everywhere I could for jobs. In the meantime I was selling blind-made brooms door-to-door and I was working in a truck stop as a dishwasher in San Leandro at night.

01-00:41:02

Meeker:

I'm curious. Why did you move to Berkeley instead of San Francisco?

01-00:41:06

Travis:

Because I knew how university communities worked. I knew that, I wanted to find an apartment. We then had to co-op grocery stores here. They had bulletin boards. It operated very much the same way that State College did. I just knew how a university community operated. Also, San Francisco, for a kid from Allentown, Pennsylvania, and then going to school at Penn State, is

overwhelming. It's a big city. It's a whole different thing. I loved going to work there, taking the AC Transit bus across the Bay. But the comfort of Berkeley, the scale, is something that I could handle much more easily. So anyhow, I was applying for jobs and, again, I would go to all the planning and consulting firms, but also I started to apply for government jobs. The civil service process has a variety of steps involved. In the period between April of 1970 and July of 1970, I was looking at a lot of things, and one of the places I applied for a job was the California Department of Highways, what is now called Caltrans, which had an opening for a highway planner in San Diego. Well, I didn't particularly want to be a highway planner and I didn't know anything about San Diego, but I was just applying everywhere. Apparently I did pretty well on the written exam because they said, "We're going to have an interview." By this time I had had job offers from Halifax, Nova Scotia, and from Pueblo, Colorado, two places I'd never been. But sight unseen they'd offered me jobs and I was debating between those two. I got this notice that there was a job interview and it was in San Francisco and it was at eight o'clock in the morning. I thought, "Well, that's too early to sell brooms. You don't show up at somebody's door at eight o'clock in the morning trying to sell them a broom." So I thought, "I might as well go for the interview. There's no reason not to."

01-00:43:52  
Meeker:

And this is the Caltrans position?

01-00:43:54  
Travis:

This is the Caltrans position. I got there and they have the interview panel and one of the guys was from the Personnel Board. I had never heard of him. The other guy was a guy by the name of John Jacobs, who at the time was the head of the Chamber of Commerce in San Francisco and he'd also been the executive director of SPUR, the San Francisco Planning and Urban Research Association. I knew about SPUR from reading the *Chronicle* and I had heard of John Jacobs. The third guy, his name was Jack Schoop. He had a rich planning background and I'd heard of him and I'd read some of his stuff in college. I thought, "Well, this is going to be fun. I don't want the job but I just get to sit and talk with a couple of people who are very interesting people for an hour. I'm not going to try to impress them. This is going to be fun." And that's what we did. We just sat and talked. They asked me questions that I thought were just academic and things that they were interested in. "What would you do about this and what would you do about that?" We chatted and it was great. I came home, sold some brooms, and we were so poor we didn't even have a telephone. Then I got a telegram in Berkeley offering me a job with something called the San Francisco Bay Conservation and Development Commission. I thought, "What the heck is this?" I never heard of the agency.

01-00:45:44  
Meeker:

Hadn't interviewed with them?

01-00:45:47

Travis:

Well, how could I have an interview with somebody that I never heard of? It turned out that BCDC had in 1969 got legislation passed that created it as a permanent state agency and in 1970 they were starting to add staff. They had created this new position called a Bay Design Analyst who would look at projects that were proposed along the shoreline of the Bay and would be evaluating them as to whether they had enough public access and whether they were consistent with the policies and the Bay Plan. Well, what BCDC decided to do was, rather than go through a very cumbersome process of setting up an interview for this one position, they looked around and they asked, "Are any other agencies hiring anybody who's remotely the same as what we're looking for?" They just asked those agencies, "Can we just sit in on your interview and see if anybody comes through?" Well, when you look at the Bay Design Analyst position, it called for somebody with a background in design, maybe even a degree in architecture, but also somebody who had experience or education in regional planning. That was my graduate degree. I was ideal for the job and they offered it to me. And that was the beginning of a career of jobs that I never heard of in agencies I wasn't aware existed, and jobs that I hadn't applied for.

01-00:47:39

Meeker:

How did you learn about what BCDC was after getting this job offer? I imagine there was a process by which—

01-00:47:47

Travis:

Well, that's a very interesting question. I didn't know. It's so hard to imagine what it was like before the Internet, before you could Google something. You think, "What the heck is this agency?" They said, "Please come in and we'll have an employment interview." So I went in and the office was on Polk Street, Polk and Golden Gate over a Foster's restaurant. I went in and the men were all in white shirts, dark suits, horn rimmed glasses. The guy that they had me interview looked like you called central casting and said, "Send us the archetype of a bureaucrat." There was a big fat guy with horn rimmed glasses. I thought, "What am I getting myself into here?" I sat down and started to talk to him and he was the most fascinating guy. His name was George Reed and he had been a painter, he had been a Communist. Just a rich diversity of interests in everything you could imagine. He said, "Well, come to work. We'll just spend a day just driving around the Bay." He knew the history. I remember one of the places we went to was out to Point Molate, where there was still a whaling station. This would have been 1970. It was the last whaling station in San Francisco Bay. It smelled awful. But that's where they would bring the whales in. Subsequently George became just a great friend and mentor and wonderful, wonderful guy. So it wasn't so much that I chose the agency, it was the people. Joe Bodovitz was the executive director. Jack Schoop was the chief planner. Al Baum was the deputy director—all interesting fascinating people. They didn't quite know what to do with me. I was working part of the time on planning and part of the time on permits so I

was a generalist. I had two different bosses and could play them off against each other and it was just grand, grand fun.

01-00:50:27

Meeker:

The San Francisco Bay Plan, the plan that set the stage for the legislation written between '64 and '69, is a really interesting document. And one of the things that it does is it divides the Bay Plan into twenty, twenty-one different facets, right. Understand there were testimony and there were votes on each one of these different facets. Some of it was on fish, some of it was on pollution. But I remember one of them was on sort of visual design.

01-00:51:02

Travis:

That's right.

01-00:51:03

Meeker:

Which is one of the more striking ones in there because it doesn't necessarily articulate what the preferred design is but that they will be paying attention to design.

01-00:51:19

Travis:

That's right.

01-00:51:20

Meeker:

Was protecting that or paying attention to that part of your position, given that you were the Bay design analyst.

01-00:51:33

Travis:

Yes, it was and I think that reflects something that I had discovered and we've talked about, and that is it's really hard not to pay attention to aesthetics when you're dealing with San Francisco Bay and the Bay Area because it's just in your face all the time. It's so goddamn beautiful! You better pay attention to it. I remember one of the things I wrote was a little essay about how ugliness can be legally contrary to the notion of providing public access to the waterfront. If physically you have something that is repulsive, people aren't going to want to be there. The opposite of that is if you design something that is attractive, it will draw people to the waterfront. We could, perhaps, make aesthetics a legal standard. It was never pursued, wisely so, but we did then come up with a series of guidelines as to how you could really encourage people to use the waterfront. One of the things that subsequently, later in my life at BCDC, I am so proud of is the way we took a requirement for public access and, working with the development community, got them to realize if you provide public access, what you're doing is creating a second front door for customers. What had been a regulatory requirement subsequently became a marketing feature, where the developers outdo each other to come up with more, better, more accessible higher quality public access. They do something that is far beyond the realm of what you could require legally. I think the best example of that is the San Francisco Giants and AT&T Ballpark. We said we wanted to have access around the edge of the water and they took it the next step and said, "Well, let's have it so that if you're outside you can see the

game inside.” I don’t think there’s any other stadium in the country where, without paying a nickel, you can watch a professional baseball game.

01-00:54:24

Meeker: Maybe the Cubs in Chicago, right?

01-00:54:27

Travis: I don’t know.

01-00:54:28

Meeker: Getting sun. Sit on someone’s roof, watching that?

01-00:54:30

Travis: Not being a ball fan, I wouldn’t know. They and others have done this so successfully and I’m just so pleased and proud we’ve played a role in that. But early on, as one of my roles at BCDC as the Bay Design Analyst, we had a Design Review Board. In the Bay Area there are a lot of superlative architects, planners, designers, landscape architects. These people would volunteer their time to serve on this board. As often as not, in communities on design review boards they’ll have somebody from the League of Women Voters who likes Queen Anne style and she wants everything that way and then they’ll have somebody from the Chamber of Commerce who just wants anything. It tends to be a fussy process that really doesn’t add much. Well, what we had at BCDC were people who were designing waterfronts around the world. I would tell the permit applicants, look, what we’re giving you through the Design Review Board is access to a consulting firm that does not exist and you couldn’t afford if it did. They would, from their experience, say, “Well, you’re trying to do this. Let me show you what they did on the Barcelona waterfront. Or let me show you some ideas from Charleston.” Or, “Here’s something that we worked on. Have you thought of this material instead of that?” They helped you make it work better. So it became a value-added regulatory service rather than something that you went through because you didn’t want to and it screwed up what you wanted to do.

01-00:56:35

Meeker: Was this something that existed when you were there in ’70, ’71, ’72?

01-00:56:40

Travis: It did, yes. It’s actually something that came out of the process when they were putting the Bay Plan together. There were two things they realized. In creating a new state agency, a twenty-seven member commission, you needed expertise in two things. One was design aesthetics. You’re going to build something on the waterfront, you want it to be really good. And the other is seismic safety. Well, here with UC Berkeley and Stanford and some of the other universities, we have some of the greatest seismic experts in the world. So there was this Engineering Criteria Review Board, again, made up of volunteers from the profession, who would look at what engineering criteria you’re using. They provide this service and it assures that when BCDC does approve something like the new Bay Bridge, it meets the highest standard of



seismic design. So both of those things came out of the planning process and both of them are actually embodied into the law that created BCDC in 1969. I was the first staff person to make this work, and be responsible for it. It was a lot of fun.

After a while I got to know these people and what their issues are and I was responsible for writing the minutes. I wouldn't call them that. They were a summary of the minutes. One of the members, Chuck Bassett, was a partner with Skidmore, Owings & Merrill. One of the things that I introduced to the meetings, which were in the evenings—we served wine. After a couple of glasses of wine, Chuck wasn't paying close attention and he said, "Well, at this point..." and I just interjected and said, "I think what you would say at this point is the following." He goes, "Yeah, that's what I would say." So I anticipated what he was going to say because I found it was a lot easier to write the minutes if I wrote them before the meeting because I could get them done faster.

01-00:59:22

Meeker:

I know this is ancient history but I'm wondering, particularly in this two-year period of time that you were there early on, if there were any examples of design review that you or the committee really gave some important feedback that was transformative for the plan.

01-00:59:53

Travis:

There was one project, it was called Ferry Port Plaza. It would have been north of the Ferry Building, probably between piers three and five. Somewhere up in there. They would have torn out some old piers.

01-01:00:32

Meeker:

Near the cruise ship terminal?

01-01:00:32

Travis:

Yeah. Not quite up to where the cruise ship terminal is and south of where the Exploratorium is. There's a Pier 7 which is now just a little pedestrian pier that goes out in the Bay. That might have been where it was. It was this big shopping arcade that was to be built on a pier and it was designed by Skidmore, Owings & Merrill. I remember it because we had Chuck Bassett from SOM on our Design Review Board and he was also the architect for it. I remember the board pretty well panned it. They did not like it at all. They thought it was just out-of-scale and inappropriate and ultimately the Commission turned the thing down by a twenty-two to one vote. It was a big deal. It was a big political fight. There was a legal fight that BCDC won. And there were plans at the time to build a big high-rise. US Steel wanted to build a high-rise south of the Ferry Building. It was the commission really asserting itself in the legal and the political process. It was a big game changer and that was largely on aesthetics.

01-01:02:02

Meeker:

Can you tell me more about this Ferry Port Plaza and how you dealt with Bassett from Skidmore? Explain how that worked out. Was there any fallout? Did he feel like he needed to leave the advisory committee?

01-01:02:22

Travis:

No, no. As I recall he said, “Look, for this project I’m going to explain it, what we’re doing and why.” Then he recused himself from serving on the board. Then he listened to what they had to say. They were very candid and open with him. He said, “Oh, all right. Fine.” And he continued to serve on the board for many years thereafter. It was a cordial process. But it was too big and it was the wrong thing at the wrong place.

01-01:03:02

Meeker:

I just wonder how those specific aesthetic values were developed. How was it that there was a broad consensus that these two projects were out of scale and inappropriate for the San Francisco waterfront?

01-01:03:21

Travis:

Unlike sound, where you have decibels to measure things, there’s nothing called an *aesthete*. This one has twelve and that one has fourteen. It is very, very subjective. But you have people who are very sophisticated in design and very knowledgeable of what is happening in the profession and around the world who can express themselves in a fashion that is forceful and persuasive. And it can move public opinion. I think some of the great unsung heroes are the design critics for the newspapers. Allan Temko, John King, Paul Goldberger. They play a critically important role in helping us understand what it is we’re seeing and why we like something and why we don’t like it and in some cases helping us see what it is we don’t understand. I realize that’s not answering the question very effectively. But it has worked very well with BCDC.

The standard of law is every project must provide “maximum feasible public access consistent with the project.” Now, what the hell does that mean? What is “consistent with the project”? Well, that means there has to be some sort of rough proportionality. But there are no standards. There’s no code that says if you have a project and it’s this tall you should have this much public access and if it’s this way it should be that way. Everything is evaluated in the context of the project and where it is located so that the type, the scale, the design of public access next to a wetland where you have an interpretative center is going to be quite different than what you do on the San Francisco waterfront in terms of materials and space and so forth. That is all done in a process that is admittedly subjective but over the years has worked extremely well. I think if you look at some of the things that are around the waterfront where we didn’t have access—precious little of the waterfront was open. It was something like four miles of the hundreds of miles around the Bay were actually open because why would you want public access to something where the water could be filled the next year? Why would you invest in a park or

anything like that? One of the things that BCDC did, by freezing where the location of the shoreline was, it made it feasible and effective to put in public investments in trails and parks and amenities because you knew you'd be looking at the Bay ten years from now and not looking at the back of the warehouse that was built on the lot that doesn't now exist but is going to be built on the filled land upward of where you are. And that changed the whole game.

01-01:07:10

Meeker:

So when you were a junior staff member there these first couple of years, were you asked to develop opinions on something like the Ferry Port Plaza or the US Steel Tower?

01-01:07:23

Travis:

No. What I would do is work with the Design Review Board (DRB). On small stuff, where it would be a hotel or a restaurant or something like that, I would work with the architects of it if it didn't go to the DRB. What BCDC did was somebody would come in and they would build a restaurant and we would say, "Okay, the front of the restaurant, you have to have a trail along there." Well, of course, that didn't make any sense because if the lot next to you had no trail you had a nicely landscaped front or back of your restaurant. But over time, as things were built along the shoreline, you would find these connections would start. I guess it might have been in the seventies or the eighties that Marriott was going to put in a hotel southwest of San Francisco International Airport, along Burlingame shoreline. They came to see BCDC and they asked, "What do we need to do to get a permit?" I said, "Well, you've got to provide public access along the shoreline." "What does that mean?" I said, "Well, it means you're going to have a trail." So their designers went out there and they looked at the site. Next to it was an Avis Rent-A-Car storage lot and it was literally just a paved lot and along the shoreline there was a strip of asphalt and a chain link fence. But they followed that strip of asphalt and it came to a Vagabond Motel and they had some access and that connected to another hotel or another restaurant and eventually it connected down to a public park. So they realized you could walk along the shoreline there. So they went back and they rethought the whole idea of an airport hotel. At that time, you could fly to any airport, go to the white courtesy phone, call Marriott, and they would send a van, pick you up, hermetically seal you, take you to the hotel, drop you there, and you would stay there until you got ready to leave. The van would take you back to the airport and you'd fly off. But they were finding that their guests were asking, "Is there any place I can go jog? Is there any place I can walk to? Is there anything around here?" People wanted to be someplace. So they came up with this notion of building not a trail but a park that they put their hotel in. Instead of having just a sign that said "public shore," they had these big brushed concrete brass inlaid backlit lettering saying "public shore." It was beautiful. They had berms. So they built this hotel and they found they had higher occupancy because it was a neat place to be and they could charge more. People wanted to be there. It

wasn't too long after that that Westin came in to BCDC and said, "Hey, we want to build a hotel." I said, "Look, you're on the inland side of Old Bayshore Road, so you don't even need a permit from us. You're more than a hundred feet from the shoreline." They said, "Oh, we understand. We don't want a permit for the hotel. We want a permit for the public access we want to build along the shoreline so that our guests have the same amenities that Marriott's guests do. So that's when it changed from a regulatory requirement into a marketing feature. That has subsequently been repeated around the bayshore. High-tech companies love shoreline locations because they have employees who love to jog or bicycle to work or whatever. Again, they're building parks that have businesses in them as opposed to businesses that have a required public access strip along the shoreline.

01-01:12:18

Meeker:

Well, so given that you were there at a pivotal time, meaning the agency had a few years of a temporary status, an interim status, but then in '69 it becomes a permanent agency, and you're there the following few years, really as it's establishing itself. Was there a vision, an agenda like this, that it wasn't simply going to be imposing this peculiar regulatory onus on builders but rather there was a vision behind what you guys were interested in doing from like a design access perspective?

01-01:13:07

Travis:

You're causing me to realize something that I had never realized before. I think it gave me an opportunity. Somebody that really cared about aesthetics. It gave me a platform. It gave me power. BCDC was never, and is not now, your typical bureaucracy. The people who were there weren't government employees. They were people from different walks of life who happened to end up in a government agency. But it was never our goal to standardize and institutionalize and be the epitome of government. Joe was a journalist. Al was a lawyer, city planner, and he's now a psychologist. Jack Schoop was a planner but he also worked in newspapers. George was an artist. You had people who happened to be in a government agency and had an opportunity to do something for the commonweal. I just realized I was there and this was important to me and nobody stopped me, I guess is what happened. It was something that I was willing to be an advocate for and articulate and I wasn't going to use the power of government to hammer you to do it a certain way. I wasn't working hard to reduce it to a zoning code. I was a salesman for it. I've never realized that, never thought about that, but that's what I was doing.

01-01:15:02

Meeker:

Do you think if somebody at the time had asked you to articulate what your aesthetic vision or philosophy was when it came to shoreline development, would you have been able to do it?

01-01:15:14

Travis:

It would have been as simple as it should be good design, and I don't know what that is.

01-01:15:18

Meeker:

Well, it's interesting. At the time, say by the early 1960s certainly, there was kind of a new, in some ways very specific California design aesthetic. It's seen in Eichler homes. It's seen in Sea Ranch. Trying to make things often smaller scale, more accessible, using more natural materials. But also modernist, clean, in some ways, as well. You see this in some of the projects and I think you see it, interestingly enough, in a place like Pier 39. I'm wondering if like you would have identified those constellations as something that you thought of as good design.

01-01:16:17

Travis:

Yeah, that's a very good question. Remember that the chairman of BCDC was Mel Lane, the publisher of *Sunset* magazine and books. We used to go to *Sunset*'s offices in Menlo Park. It's the epitome of western aesthetics. A gorgeous place. It was always fun, of course, because in doing the magazine they were always off-season. We would go down in September or October for a meeting with Mel and the place would be decked out for Christmas because they were doing the December version of the magazine. It was odd, but with gorgeous gardens. It just was part of the value of BCDC and the institution. So I, again, didn't realize it until now what we were doing or how we were doing but it was a very important part of what we were doing, was perpetuating those types of values, although I used to tell Mel he was responsible for cutting down more redwood trees than anybody I ever met because they were always having *Sunset* articles about how you built a redwood table or how you built a redwood chair or a redwood this or redwood deck.

[brief audio break]

01-01:17:48

Meeker:

We're going again. So just off-camera I had asked you about some particular regulatory issues that you worked on of importance during this first two-year period and you had mentioned some bit about regulating the houseboat colony off of Sausalito. Can you tell me a little bit about how houseboats played into BCDC's regulations and then what the issue was?

01-01:18:16

Travis:

The issue was that the law very broadly defined the term "fill" to include "vessels moored for an extended period" such as houseboats. Then the law turns around and says you can't fill the Bay for private residential purposes. Now, how do you have something that's floating for an extended period of time, like a houseboat, and call that fill and then you say but you can't fill the Bay for residential purposes? A lot of houseboats existed and a lot of what we call "live aboard" boats. So working with the developers and the marina operators, we thought the way of dealing with the environmental problems from people living on boats is to put them in marinas because if they're sitting out in the Bay, they dump their sewage overboard, they have no power, they have no water, and it's really Third World conditions. So some developers and some marina operators said, "Well, if we have berths that are configured so

that you can bring these things in, hook them up to sewer and water, we can improve the quality of the environment, and it's a better standard of living for the people who want to live on boats." Okay, so we approve I think four of these marinas. Then either out of lifestyle choice or because they didn't want to pay the berth fees, people chose not to move in. So you still had the boats out there but you had these marinas that could accommodate live aboard boats. We were approving them as fill for improving public access because you could get out there into the marinas. So some entrepreneurs came up with this notion of floating concrete hulls.

01-01:20:24

Meeker:

Could I actually ask you to pause for a second? And go back a little bit.

01-01:20:27

Travis:

Sure.

01-01:20:28

Meeker:

Because I think the understanding of the way that things are now for houseboats is that, you're right, there are a series of these marinas. Probably the most visible one is right off 101 in Sausalito and I know there are a few other ones around, as well. And those are houseboats, it seems, in name only. You can't imagine any of these as being seaworthy vessels. And I would assume that they are connected at least through power, hopefully through sewage, to on-land facilities. But it sounds to me like what you're saying is that in earlier decades, before '69, that wasn't the typical arrangement of houseboats. They were, in fact, just boats that people lived on floating in the Bay that were mostly seaworthy vessels and people were just living on boats. Sometimes they were set-up like we would recognize a houseboat. What was the situation that existed, say, before BCDC?

01-01:21:32

Travis:

As I understand it, in the late nineteenth century there were a series of boats over in Richardson Bay, they were called arks, where people took barges and built mostly vacation homes on them. There was always that tradition. Then during World War II, you had a shipyard in Sausalito. If you have people who know how to build ships, they also knew how to take an old tug or whatever it was, and they lived on them and that was their housing. Then the war is over. You get into the fifties and sixties and you have an armada of these things that have been passed from person-to-person and also people who just like living on boats. So there was a vast collection as part of the history. If you look at it from a legal perspective, one of the easiest things BCDC could have done is said legally you can't live on a boat. It is fill. It's defined as fill. You can't do it. It's illegal. But if you look at the character of the BCDC staff and the way we approach things, that's part of the charm. That's part of the history. You don't want to destroy that. You want to find a way of accommodating it, yet addressing the problems, which were from the perspective of environmental protection, you don't want to be dumping stuff into the Bay. So this is part of the character of BCDC. It's trying to find what is special about the Bay and

the Bay Area and protect and accommodate that. But at the same time it's almost trying to achieve the objective of the law, the spirit of the law, not so much the letter of the law. Just let that go to the side. So that's how BCDC got into this whole business with houseboats and how it evolved over time.

01-01:23:55

Meeker:

Well, then, what was the solution that was developed?

01-01:23:59

Travis:

Well, the solution was to approve four marinas for residential use and have the boats move in from the Bay. But they didn't do that. Then the entrepreneurs came up with the concrete hulls. Once you had that you could build almost like a suburban house on top of it. So I like to look at it and say BCDC approved what we thought were marinas for hippies and we ended up getting marinas for yuppies. Some of those things are now extraordinarily valuable. The interesting thing in the dynamic of real estate is you can't get a mortgage on one of those because you don't own the land. It's floating in a marina that's owned by somebody else and because of that, you can't get a mortgage.

01-01:24:48

Meeker:

It's like a mobile home.

01-01:24:49

Travis:

Yeah, it's like a mobile home and that tends to limit the price because you can only get a personal loan for up to fifteen years. So it had to be something with a price point that you could amortize over fifteen years and that tended to keep the value down. Now with an all-cash economy that's gone out the window. There was one over there that had a helicopter landing pad on it because the guy used to commute to work by helicopter.

01-01:25:19

Meeker:

What was this concrete foundation thing? I don't understand what the innovation of that was.

01-01:25:26

Travis:

During World War II there were actually some ships that were built out of concrete. Concrete can keep water out. What these guys did was realize if you take a mold and pour concrete into it it's a box that will float. So essentially it's a floating basement. Once you have a basement you can build anything on top of it, which is why you have some of them that look just like ordinary houses.

01-01:26:04

Meeker:

Was there a requirement that these houseboats be seaworthy or that they just float?

01-01:26:09

Travis:

Just that they float. Vessels moored for extended periods don't have to be seaworthy. In fact, most of them aren't.

01-01:26:21

Meeker:

Well, how then did you deal with the outliers, the people who didn't want to be permanently or temporarily moored in a marina?

01-01:26:28

Travis:

With great difficulty, which is why there's still some there. There have been houseboat wars where the sheriff would come down and try to deal with them and these people would fight. Literally. There are still people living on boats. Ironically probably the best solution to low-income housing that exists in Marin County is living on a boat.

01-01:27:05

Meeker:

Why? Because of the mortgage issue you just discussed?

01-01:27:07

Travis:

Well, yes, the mortgage issue. But it's a tough, tough life. You don't have to mow a lawn but other than that it has few advantages. If you go over there, think about that long walk out those long gangways in the winter with two bags of groceries. It's tough. It's a unique sort of person who lives there. But there have been historically a great variety of people who at one time or another have lived on boats or vessels during their lives. It has, I think, affected them and changed them and their whole view of the world.

01-01:27:51

Meeker:

On my recent interview with Joe Bodovitz he had mentioned that Don Sherwood, who was a radio announcer, who was a big advocate of BCDC, was in fact part of the Sausalito houseboat community.

01-01:28:04

Travis:

I didn't know that. I know that Peter Calthorpe, who's now a very famous architect, and one of the creators of the New Urbanist Movement lived there. Steward Brand, who started Whole Earth Catalog, he and Peter Calthorpe were neighbors. There was a state architect who lived there. There have been a lot of people who have come through.

01-01:28:37

Meeker:

I know we're getting ahead of things but you said that this came back and bit you in some way?

01-01:28:42

Travis:

Well, what happened was, again, you can't allow fill for private residential use. The area over there is also Public Trust land because it's owned by the State of California. What we did was said, "Well, all right. It's not needed for Trust purposes now. It's not needed for a marina or something like that that's truly water related. But we don't know what the future holds." So let's authorize it now but we'll only authorize it for fifteen years, the fifteen years coming from that's what you get these things amortized for anyhow. Then every five years we'll take another look at it and we'll look out for fifteen years. If it's still not needed we'll add another five years on. But there was always this floating fifteen-year time period. So BCDC authorized these



things for fifteen years and I left. I took a one-year job and then I had twelve years with the Coastal Commission, then I came back to BCDC and that's fifteen years. I came back and walked in and these things were all expiring so we had to go through the whole thing again. So as a junior planner I thought I had kicked it down the road and I'd never see it again but it was waiting for me when I came back.

01-01:30:24

Meeker:

All right. Well, we'll talk about what happens then in a later interview session. Just keep things chronologically. I just referred to Joe Bodovitz. Would you have considered him your boss at the time, even though he was the director?

01-01:30:38

Travis:

Joe was the executive director and he had working for him the chief planner, Jack Schoop and Al Baum, the deputy director. I worked for them. It was a small office so we saw each other every day but I didn't work directly for him. Joe was the father who I wished I'd had, a wonderful mystical kind of guy. I remember he would have parties at his house in Mill Valley for the staff and it was wonderful and I remember at one of these his dog got out of the house. We were all set to leave and I found the dog and I took the dog back and knocked at the door and Joe, of course, had thought everybody had left. I said, "Joe, your dog got out." And he said, "Oh, thanks, Trav. Thanks so much" and closed the door. Well, it was about six months later that I found out he didn't have a dog. It wasn't his dog. But he was just so nice. He wasn't about to say, "That's not my dog. I hate dogs. I don't know where you found this one." He just kindly thanked me. I do remember he always maintained the same approach that he used from journalism, and that is he'd hire you based on the fact that you could write well, and if you could write well you could only do so if you could analyze well, and therefore you knew something about it. Then he just let you run. But he had final editing. I would write something and he would walk up and he would say, "Trav, do you have any time?" Well, for crying out loud, he's the boss. Of course I have time. Then he would thank me for working there, compliment me, and offer back to me whatever it was that I had written with suggestions. "If you can use them, fine, if not..." Well, I would look at this and whatever it was I had analyzed and I had concluded the answer was white and he'd done editing and it came back and it was clear that the answer was black. But he'd done it through editing and I realized he had found the faults in my logic, in my analysis, but gave it to me in such a gracious fashion that of course I accepted it and I learned. That's the kind of a boss he was. Once you have worked for Joe Bodovitz you can never work for anybody again because they are all such a lower standard. That approach that he had is something that I have throughout my career tried to maintain. Teach people, don't direct them. Help them, don't order them. And, above all, it's the way you communicate that has the power more than the idea itself.

01-01:34:03

Meeker:

I've had the opportunity to read some presentations and essays that you've written, and you are a good writer. Did you submit a writing sample or

something when you applied for the BCDC job? Did they have an opportunity to evaluate your skills in that before you got hired?

01-01:34:25

Travis:

I don't think so. I don't recall doing so and that would have been something I subsequently learned is very difficult to do under the civil service system because it's not a multiple choice answer. I remember one time we were hiring a classification called research writer. I said, "I want everybody to submit a sample of their writing." They said, "You can't do that because there are no standards to evaluate it against." So I said, "Well, how do I know if they write well?" They said, "You can ask them." "Do you write well?" "Yes." "Oh, thank you very much."

01-01:35:05

Meeker:

How did you get around that?

01-01:35:08

Travis:

I think we just asked them for a writing sample. That was one of the things I've learned from Joe. There is written into the BCDC law that the office must be in San Francisco because Joe was concerned that if you established a new state agency, they'll want to have it in Sacramento. But he said, "I'm not about to commute to Sacramento." So they just wrote into the law it must be in San Francisco. You will see in the Coastal Act a similar provision: "Must be in a coastal county." Joe Bodovitz wrote that. One of the things he told me is you just ignore a lot of the stuff. You just say, "I know we can't request a writing sample but it would be helpful. You don't have to submit one. You don't have to but it would be helpful." Well, if you want the job you submit the writing sample.

## Interview 2: March 16, 2015

02-00:00:00

Meeker:

Today is the 16<sup>th</sup> of March 2015. This is Martin Meeker interviewing Will Travis. This is interview session number two. So let's get started by following-up on a few things that you just mentioned to me off-camera that you'd like to, one, correct and then, two, give a little more information about. So this is bringing us back to Pennsylvania and your upbringing.

02-00:00:34

Travis:

Right. The thing I'd like to correct is I mentioned that I, working with my guidance counselor, selected architecture as my preferred profession out of laziness. I said that happened in high school. Upon reflection it actually happened in junior high school, because I can remember the room. So this was probably in eighth or ninth grade. At that point I had said, "I want to be an architect." I think as you look at what happened to me in high school and subsequently, my teachers moved with that and kept in that direction. When I was in junior high school at Central Junior High School in the center part of Allentown, I finished up there in ninth grade, and in tenth grade I, along with everybody else, went to Allentown High School. There was one high school and it was enormous. I was lost and unhappy and thought about quitting school. It was just a numbing experience. What I didn't know was happening at the same time was a brand new high school was being built on the eastern edge of the town. The demographics of Allentown were generally the wealthier people lived on the western end of town, the poor people lived in the center of the town, and the minorities lived in the south part of the town. So they built this new high school and they said, "Everybody east of Seventh Street will go to this new high school and everybody west of Seventh Street will go to Allentown High School." I lived between Sixth and Seventh Street so I went to this new school in eleventh and twelfth grade. What they did during the summer between ninth grade and tenth grade is somebody—the teachers, the faculty, I guess—got together and formed the core of the BMOCs. They created a whole new culture of leaders for this school. And for, I guess, reasons of my grades, I was elevated from nobody to somebody instantly in my junior year in high school. [Showing a full-page, full-color photograph of himself in his high school yearbook] This is a picture of me and Louis E. Dieruff, whom the high school was named for. He was on the school board and was one of the main champions of building this new high school. The reason that I was in that picture with him is I had been selected by somebody to be the editor-in-chief of the yearbook. What's fascinating about this picture of the yearbook staff, of course, is it's all girls except me. This is the way they seemed to view the way the world operated. They needed men and boys to be in charge and they needed girls to do all the hard work. So I ended up being on the student council. I ended up being the editor of the yearbook. I ended up being the chaplain of the Key Club. The Key Club is an affiliate of Kiwanis. The reason I got to be the chaplain was they asked, "Who

wants to be the chaplain?” and everybody sat there. So I asked, “What does the chaplain do?” They said, “Well, the chaplain shares a word from the Bible at the beginning of every meeting. I said, “Well, I can do that.” So at every meeting I would get up and say, “The Holy Bible, provided by the Gideons.” That was it. The other guys in the Key Club thought that was pretty cool because they didn’t have to spend any time on the religious part of it.

I also ended up being in the rifle club, probably because I had a rifle. Now, it is an urban high school. They had a rifle club because deer hunting was big in Pennsylvania. I had my twenty-two and we would bring our rifles to school. One of the things I remember them having me do is get up in front of an assembly and take my twenty-two, aim it at an upright blade, split the bullet and burst two balloons at the same time, which turns out to be remarkably easy to do because you don’t have to worry about having your vertical right. You just have to make sure the horizontal is correct. You get it correct and it splits off a part of the bullet and off it goes and breaks the balloons. But I think about this now. Imagine saying, “We want you to take your rifle and carry it across town, bring it to the high school, and we’ll gather 300 students in the auditorium.” You have a loaded gun up there, a pimply-faced teenager, and you shoot it. But that’s what we did.

At the Key Club we had a practice of every Friday, I believe it was, or every other Friday, it doesn’t matter, one of the Kiwanis clubs in the area would invite two members of the Key Club to come to the Kiwanis luncheon. I had an arrangement with my father where I would drive him to work at Mack Trucks in the morning, at 7:30, then I would take the car and go to school. After school I’d come home and I’d pick him up at 4:30. So I was one of the few people who had a car at school, so it turned out that most every Friday I would go off to the Kiwanis meeting somewhere. So as I recall, I was absent from school dozens of times during the year but I was never officially absent because they were always excused absences. So I began to understand how rules were never exactly ironclad. There was always some room for interpretation. But having that year or two years, where I was having stature or having respect and realizing it was nothing of my own doing, it was just because of the demographics of the high school and who everybody else was that suddenly rose to the top of the pond.

The second thing that happened. I went off to Penn State—

02-00:08:04  
Meeker:

You mind if I interject?

02-00:08:07  
Travis:

No. Go ahead.

02-00:08:09

Meeker:

I don't know that that's totally convincing to me in that they had to have selected you and were they just pulling names out of a hat for somebody to be head of yearbook and somebody to do this.

02-00:08:23

Travis:

Well, I think what it was, and the reason I mention the choice of wanting to go into architecture. For a yearbook you need somebody that knows something about design and layout. So even though I may not have known anything about it I was somebody who had expressed an interest in design and layout. I think that's why I was chosen for the yearbook. In the student government, we had a program where you got to shadow local officials. Allentown, being the county seat and now having two high schools, one of the high schools would get city offices and the other one would get county offices and then they would switch them the next year. So in my senior year I had an opportunity to shadow one of these people. What you had to do was get elected by the student body. I looked at the various positions and one of them was something called a prothonotary. I had no idea what a prothonotary was. (It's kind of a clerk of the court. It's an old English term.) I thought, "Well, I don't know what it is or what he does and nobody else will either." So I approached this with my sense of whimsical. Everybody else was running for office saying, "Elect me treasurer because I am an honest person and I know how to add," and so forth. Well, I ran for office based on the fact that the garbage trucks were too noisy and we needed quiet garbage trucks. It was silly but it was my way of approaching something serious and kind of making fun of it and belittling myself a little bit. I got elected to be prothonotary and I spent a day with the guy and I still don't have any idea what he does. But it gave me an opportunity, I think, to play out my capacity for not taking everything entirely seriously and not taking myself too seriously and yet trying to do something good.

The second thing that happened is I went off to Penn State. I went there for a year. Penn State had just built some new high-rise dormitories and they were sterile. They were unfriendly. I didn't like them. So I wanted to move into something that was more cozy, sustainable, part of the culture of the community. Well, I looked around and I didn't know where to go and I didn't have any peers to guide me. The two peers that I looked to were on "Ozzie and Harriet," Ricky and David Nelson. When they went to college they went into fraternities. So I figured, well, if that's what they do that's what I should do. So we had a fraternity rush, and a fraternity said, "Yes, you're good. You can come join our fraternity."

So I arrived there in the fall of my sophomore year and the first thing they did was put us in a big room with a bunch of other guys who didn't know each other. The first night an upperclassman, drunk, came in and told us how we would love these people as our brothers for the rest of our lives and we were so lucky to be part of Phi Kappa Psi. I just wanted to sleep and I didn't know

these guys and it set things off badly for me. The next day they took all of us pledges out where they had a beautiful brick patio. They had us dig up the moss between the bricks. That really offended me because it was beautiful moss and it was gorgeous with this brick so cleaning it all off didn't make any sense to me at all. So I said, "Look, this isn't for me. I'm sorry." So I quit the fraternity and went out to look for another place to live.

Well, in State College, being in the middle of the state with a huge farm country around it and a burgeoning population of students, there wasn't any other place. So I said, "Okay, fine." We were on a ten-week term. I'll drop out for a term and I'll come back ten weeks from now. So I said, "Okay, I'm withdrawing. See you." Only then did I find out in architecture they offered a class in the fall, one in the winter, one in the spring, and they didn't offer the fall class again until next fall. So I ended up being out of school for a year. During that year I got a job working for a department store downtown, not the Hess Brothers that I had mentioned but a competitor, H. Leh & Company. I worked in advertising. Again, in design, and design oriented sorts of things. It gave me great experience in a different part, a different aspect of design, and working, making my own way, gave me I think a greater sense of confidence so that when I did go back to Penn State I knew that if I chose to I could go off and get a job on my own. I wasn't beholden to getting that college degree. So it was a wonderful experience.

It was a time when newspaper advertising could not show photographs of women in undergarments. They had to use sketches. We had models who came in and an artist who would sketch them. So I spent a great deal of my time with models with very little clothing on. (I had a lot of clothing on, they didn't.) So it was a wonderful experience for a nineteen-year-old. It was a delightful year.

02-00:15:09

Meeker:

What did you learn as far as graphic design? Did you learn illustration? Did you learn layout? What were the specific skills?

02-00:15:16

Travis:

It was primarily layout. We had professional artists and I would be taking their work and putting it into context and laying out the sheets. Then we would take them to the newspaper every day. The head of the advertising department was David Leh. It was a family operation and he kind of took me under his wing. I got to do a lot of different things. I remember writing obituaries for the head of one of the competing department stores. The guy wasn't dead, but I learned that one of the things you do is have the obituary in the can so that when the guy does die you just have to fill in the date. I think that that's where I learned this notion I talked about with the Design Review Board at BCDC, where I would prepare the minutes of the meeting in advance of the meeting because I pretty well knew what would happen. I think that's where I picked up that technique.

02-00:16:32

Meeker: Interesting. Was that the correction you wanted to make, as well?

02-00:16:35

Travis: That was the correction and the amplification.

02-00:16:35

Meeker: Yeah, okay. And then the amplification. Okay. Let's now jump forward, kind of leapfrogging over BCDC, which we discussed last time, at least your first couple of years there, to leaving BCDC And then working in a consulting capacity, including doing some design work for the new East Bay Regional Park District. Why did you leave BCDC, first of all?

02-00:17:08

Travis: I had no desire to leave BCDC. Let's back up a little bit as to how this happened. The East Bay Regional Park District, which was created during the Depression, had never gone to the electorate and asked for the electorate to approve a bond for parks. They decided to do so in 1971 or so. But some critics said, "Well, you don't have a plan for how you will spend the money. We're not just going to give you the money. You need to do a plan for where you're going with the park district." So the park district management decided, "Okay, we will prepare a plan," and they needed a consultant to do this. Stewart Udall, who had been the Secretary of the Interior under President Kennedy and then President Johnson, had left office and formed a company called Overview. What Udall would do was track the newspapers in the country and he look for opportunities where somebody needed some planning done and he would call up from Washington. Imagine you're the head of the park district and Stewart Udall calls. "This is Stewart Udall and I see that you need a plan and I have some experience with planning for things like this." Well, hell, yes. He ran the National Park Service along with a lot of other things. So what Stewart would do is come to town, get the contract, and then hire a local team to actually do the work. Then we would call him in, he'd come and deliver the results. So that was his role. He would get the business and deliver.

02-00:19:11

Meeker: He was a figurehead?

02-00:19:13

Travis: He was a figurehead and also very well placed in the Democratic Party. He was beginning to gear up the organization for the McGovern campaign so he knew people in the Democratic Party and one of the Democratic activists and supporters was Al Baum, the deputy director of BCDC who I worked for. Al was either approached by Stewart or Al approached him. But anyhow, Al decided he was going to go off and be an independent consultant. Stewart hired him and said, "Fine. You run the office here in the Bay Area and you hire whomever you need." Al turned to me and said, "Trav, I want you to come work for me." I said, "Why should I do that? I am perfectly happy here at BCDC. This is a one-year contract. I don't know what'll happen at the end

of the year. No.” Every time I said no, Al would up the ante a thousand dollars a year. We went through this dance five times. I was making \$10,000 a year and he was offering me \$15,000 a year. Well, a 50 percent pay raise is a big deal so I finally decided, “Well, why not?” So I went off to work with Al in Overview. At the time the Hotel Claremont was going through some rough times so they rented out part of the hotel for offices. Our office was in the basement of the tower of the Hotel Claremont. The Association of Bay Area Governments was also in there so we got to know them pretty well. I and another guy, three of us, were hired by Al and we did the planning and analysis for the park district and then Stewart came in and delivered the final plan.

During that period of time my wife and I were having some problems because she was, as I described, a hippie. She was a flaky hippie, too. It turned out that she actually had a very solid analytical mind, it’s just that I took care of everything so she didn’t have to. So things were not going well for us and we at Overview hired a young graduate from UC Berkeley as our secretary. She was between jobs. She too was married but we now have been married for thirty-eight years. So that’s where we met. When our daughter was small and we would go past the Hotel Claremont she would look at it and think it was a fairy castle. We would explain that mommy and daddy met in the tower of that building. We didn’t tell her it was the basement of the tower because it was a much better story.

02-00:22:25  
Meeker:

Well, that’s good. Thank you for bringing that up to date. I would like to hear more about the actual plan that you created and what role you played in the drafting of that plan.

02-00:22:36  
Travis:

It was a very wonderfully illuminating experience. I remember one of the things that I was doing was—this is a regional park plan so it begs the question of, well, what is a regional park? It’s not a local park, it’s not a state park, it’s something in between. So I went and looked at all the literature and came up with firm criteria for what a regional facility is and what isn’t. If you think of the park district and know anything about it, there are certain parks like Temescal in Oakland, which is a regional park facility. Well, it’s actually a local park and it shouldn’t be in the regional park system. So I went and told the general manager, “This shouldn’t be a regional park.” He pointed out all the elected officials and the judges who lived around there and used that park, which provided him with the political support he needed in Sacramento. That made it a regional park. I understood that. Then I went back and came up with some criteria for a regional shoreline, a regional wilderness, and a regional park. You could then apply these and make sure that when you’re buying land it fits within these criteria.

02-00:24:04  
Meeker:

Can I ask you to pause that for a second?



02-00:24:06

Travis: Sure.

02-00:24:07

Meeker: So this Temescal example is pretty interesting. Is that the Lake Temescal right there off of California State Route 24 and California State Route 13?

02-00:24:15

Travis: Right off of 24 and 13. Yeah, that's right.

02-00:24:19

Meeker: What is the history of it becoming a park and how was it brought into this park system?

02-00:24:28

Travis: Yeah, good question.

02-00:24:28

Meeker: Why was it not a city of Oakland park?

02-00:24:30

Travis: Generally speaking the East Bay Park District, while it's called a regional park system, is really the county of Alameda and the county of Contra Costa. Neither of them have county park systems. So you put the two of them together and then you have this regional overlay. The regional park district came about during the Depression because people wanted access to the East Bay Municipal Utility District watersheds, but the water district was afraid that having recreational use would contaminate the water supply (a not unreasonable position) so they didn't want people using their property and their facilities. But people wanted to have a recreational opportunity so the park district was formed in part to buy some property from East Bay MUD and then to set up a recreational system. It is interesting, I think, that this happened in the middle of the Depression, that people would agree to set up a district and to tax themselves to pay for it. The most popular recreational pursuit at the time was the Sunday afternoon drive so the park facility that was created to accommodate that is now called Skyline Drive. That didn't exist. Skyline Drive goes from the Little Farm, past the merry-go-round, past Lake Anza, past the golf course, past the steam trains, down to Redwood Park and it just connected all of these little—

02-00:26:31

Meeker: Follies almost.

02-00:26:32

Travis: Follies, very good, yeah. You could get in your Model T with your family and spend a whole day just driving along the hills. So that's the way it was conceived originally. It then became a way of protecting open space but one of the criticisms of the park district was they would buy land that they had no money or plans to use. People said, "We should use what we have before we buy any more." Others would say, "Look, once it's gone, it's gone. Let's just

buy it and land bank it,” as it were. But it became much more engaged in place making and simply saving open spaces. So I came up with all these criteria for what I thought were reasonable and I took them to the assistant general manager and he looked at them and he said, “Okay, that’s great. Every director in every district gets one.” I said, “Well, you can’t have a shoreline park in an inland district.” He said, “We’ll find a pond somewhere. We can have a shoreline. Everybody gets one.” What it taught me was that politics plays an inherent major role in how things operate and this was perfectly okay. It was an eye-opening experience for me. We did that for a year, from about mid-1972 and finished up in early ’73. In November of 1972 the electorate in California passed Proposition 20, which created the new Coastal Commission. I wasn’t paying any attention to this. I was paying attention to the fact that we had a lovely secretary. But it passed and we finished our work at Overview in April or so of 1973.

Joe Bodovitz, who had been my boss at BCDC and the guy who hired me was executive director there, and Mel Lane, who was the chairman of BCDC, who had been appointed by Pat Brown to BCDC, were both moved to the Coastal Commission. So Mel was the new chair, Joe was the new executive director. Jack Schoop, who was the guy who interviewed me for my job at BCDC, had gone back to be the head of planning for the state of Wisconsin. I remember sending him a Christmas card and saying, “Hey, Jack, how you doing? Have you heard about this Proposition 20 thing that passed in California? I understand that Joe will be the new executive director.” Jack got in contact with Joe. Joe hired him as his chief planner. So you had the chairman, the executive director, the chief planner and at that point Joe said, “All right. I’m not going to raid BCDC staff. They’re off-limits.” Well, I didn’t work for BCDC. I worked for Overview Corporation, so I was fair game. And it turned out, unbeknownst to me, that there is a state rule in the civil service system that when you are appointed to a position you go through a probation period, and it can be six months, a year, or whatever. In most cases it’s a year. Whatever it is you do during that year you cannot be promoted higher than one step above you. I was a junior planner at BCDC and I was away from BCDC and the state for one year and one day. That made me eligible to go from a junior position to a senior position. Pure luck. In state bureaucracies, a lot of people get just to the associate level, the second level, and they never get any higher than that because there are very few senior positions. But I called Joe and said, “Are you hiring?” “Yeah,” he says, “you’re fine. You’re in.” So they ran a selection process. But I already had the job.

I remember calling Jack Schoop, who had then signed on as the chief planner, and I said, “Jack, I’m finishing up the work for Overview on Friday the 13<sup>th</sup>, I guess it was.” I said, “I’d like to take a couple of weeks off and then report to the Coastal Commission.” He says, “Trav, I have always found that starting a new job is more invigorating than a vacation. You be here on Monday morning.” So on Friday I finished, and Monday I was at the Coastal Commission. We were making this agency up as we went along, opening

offices from Eureka to San Diego, trying to grapple with this law that had six regional commissions and a state commission. Joe being the wonderful guy he is said, "Well, Trav, you do what needs to be done." So I did whatever it was. I think my title was assistant chief of planning but it was kind of a jack-of-all-trades.

02-00:32:33

Meeker:

So during this period of time, from the point in time at which Prop 20 gets on the ballot, there's campaigning, people have written basically that the opponents to it outspent those in favor of it a hundred to one, to the point in time that you, I guess, contact Joe Bodovitz and ask him to be considered for a position. What did you know, what did you learn, and how did you learn of this whole initiative?

02-00:33:09

Travis:

I knew very little about it. As I said, I wasn't paying attention to the campaign. I didn't care all that much about it. I was focusing on finishing my work for the East Bay Park District and we also had a secondary contract with the Association of Bay Area Governments to do an open space plan for them. So I was quite busy with that and I was not engaged in the campaign at all.

02-00:33:36

Meeker:

Do you remember voting in November?

02-00:33:40

Travis:

I know I did because I always vote but I don't remember taking an active interest in it. No.

02-00:33:47

Meeker:

Okay. And so you don't remember even if you voted yes or no on it?

02-00:33:49

Travis:

Well, I know I voted yes because it would have been in keeping with the way I think about things. But I don't remember. I know I had to have done that because that's the way I am but I don't remember having done it.

02-00:34:02

Meeker:

Understood. So once it passes in November, I think it wins by 10 percent or something like that, I think it was fifty-five to forty-five, when then do you start to pivot and think about this as a next opportunity for you?

02-00:34:20

Travis:

When do I think of it as a next opportunity?

02-00:34:27

Meeker:

Well, you had mentioned in I guess a Christmas card to Jack Schoop that you had heard Bodovitz was going to be there.

02-00:34:34

Travis:

Yeah. I was not thinking of a job there. It just never occurred to me. I was finishing up things at Overview. Al was trying to get more work for his firm and the Overview firm. I don't recall when it was that I thought—well, maybe Joe called me. I don't remember. But my whole point is it seems like I just showed up. Well, oh, geez, somebody's looking out for me and says, "Hey, Travis is going to finish up this contract. We got to do something for him. Why don't we pass Proposition 20, because it'll be perfectly positioned." But it didn't feel like I was in charge of anything. It wasn't that I was very clever. It's just I'd show up at the door and they'd say, "Oh, yeah, here's a desk. Sit here." "What should I do?" "Whatever needs to be done." I ended up at the Coastal Commission and we used to joke that I had a division that was everything else. It was not the regulatory unit and it was not the planning unit. We used to call it SPECTRE. It was Spending, Personnel, Energy, Contracts, Technical Research, Et cetera. SPECTRE. For example, in the public access program, the idea of requiring public access was just hated by the people along the coastline. They did not want to do that. When you buy a piece of coastal property, you not only get it but you get the Pacific Ocean and the beach in between so they did not like the idea of providing access.

02-00:36:33

Meeker:

Yeah. You don't want the hoi polloi parking in front.

02-00:34:34

Travis:

That's right.

02-00:36:35

Meeker:

And bringing their coolers through your side yard and that kind of stuff, right?

02-00:36:39

Travis:

That's right. I ended up inheriting that program. I hired a guy and I've hired him now a few different times during my career. His name is Don Neuwirth and he's extremely bright and a really canny political operative. What Don did was change public access from a political liability into an asset for the Coastal Commission by publishing a coastal access guide. All these easements, all of these provisions, all these places for public access existed but nobody knew where they were. So he put together a crew of interns, and then he went to the University of California Press and cut a deal with UC Press where they would pay him author's royalties in advance. He used that money to hire the interns so he didn't have to deal with the civil service system. They did the work and then he delivered the camera-ready copy to UC Press. They published a book and it was a huge bestseller for them. But it turned out that there was a requirement in state law then that if any state agency did any printing it had to be done by the State Printing Office in Sacramento, which was the largest printing operation west of the Mississippi, because they did all the textbooks. But we didn't have it printed by the printer. So Don convinced them that the requirement was if you have any printing job that costs more than \$5,000 it has to be done by the state printer.

But since UC paid us rather than us paying UC, our contract actually had a negative value and therefore was exempt. Well, they scratched their heads for so long that by the time they finally realized he was bullshitting them it was too late because we had a top seller and they weren't about to step in and say, "Here's a very creative, innovative state agency that's done something wonderful but it's wrong." So Don took that program and turned it around. I then got responsibility for offshore oil regulations, something I knew absolutely nothing about, and Don helped me out on that one, too.

02-00:39:22

Meeker: Well, we'll drill down in that one, so to speak.

02-00:39:26

Travis: As it were.

02-00:39:26

Meeker: As it were. When did you actually start then at the Coastal Commission? Do you recall the month?

02-00:39:32

Travis: It would have been April of 1973. I think there were four employees there when I started.

02-00:39:41

Meeker: So between the time of November of '72 when you likely vote for the creation of the Coastal Commission and then April when you start, what was your process of learning about it? Did you read the legislation?

02-00:39:56

Travis: No. I just showed up. It's planning. Planning is planning. You know how to approach things, do the analysis.

02-00:40:12

Meeker: There are a lot of similarities between BCDC and the Coastal Commission.

02-00:40:18

Travis: Oh, absolutely. Yes.

02-00:40:19

Meeker: And then there are actually some pretty profound differences, as well. Where in the process did you begin to identify how the Coastal Commission was similar and how it was different?

02-00:40:32

Travis: I think from day one when I walked in. I think the reason using the template of BCDC didn't work as well with the Coastal Commission is that San Francisco Bay and the Bay Area is a defined region. It is that Bay Area because of the Bay. What they did with the coast of California, wisely, is recognized that in something that's a thousand miles long you need local presence there. You can't do it all from a single statewide office. So there

were six regional commissions and they were established in Proposition 20. But the borders between the regions never made much sense. For example, San Francisco, Marin, and Sonoma County was one region and San Mateo, Santa Cruz, and Monterey was another region. So you have this division at Daly City, and, of course, Daly City is part of the metropolitan San Francisco area. So the border should have been somewhere other than a political boundary so they never fit quite right. At the same time you had the state commission providing oversight and it's very difficult to apply the same rules when you're dealing with redwood forests in Del Norte County and palm trees in San Diego. So in some ways it was a forced fit. That became apparent very, very early on. And, of course, you get tensions between the headquarters staff and the regional staff. Some of these people we didn't know. We would come to town and we were like IRS auditors. They wondered what we were doing there.

02-00:42:42

Meeker:

Well, so you were a part of obviously the headquarters staff.

02-00:42:43

Travis:

The state, yes.

02-00:42:44

Meeker:

Where was that located?

02-00:42:45

Travis:

In San Francisco.

02-00:42:45

Meeker:

In San Francisco.

02-00:42:47

Travis:

By law it had to be in a coastal county. That's the touch of Joe Bodovitz again. By law BCDC had to be in San Francisco, but I guess he figured he couldn't get away with that, so the office had to be in a coastal county just so it wouldn't be in Sacramento.

02-00:43:05

Meeker:

Can you tell me what the staff contingent was like in that first couple of year period of time? The starting period of time?

02-00:43:16

Travis:

We were stuffed into a little office. It used to be the *Wall Street Journal's* West Coast operation over on Market Street. We couldn't have had more than fifty people in there, if that.

02-00:43:33

Meeker:

And you had this special SPECTRE duty, which was kind of et cetera. But then the main duties were, of course, the permitting and the planning.

02-00:43:45

Travis:

The planning. I would drop in or Joe would drop me in because I remember working on the plan and I told you the story of the state printer. Well, we had to have the plan printed by the state printer and we had all these color masters. So we took it up there and the first thing they did was they trimmed things, they cut the register marks off. It was just awful. You would have a legend that would show one color and a map that would show a different color. They were just incompetent idiots. So I remember I was engaged in that process, in doing the plan process.

I was also working on appearance and design. I brought that over from the BCDC and did the work on that element. The same approach was used of taking a particular subject matter, studying it to death, coming up with tentative findings and policies, and then putting them all together into one plan. It was much harder to do with the huge area of the coastal zone. The difference between BCDC and the Coastal Commission was BCDC was created to deal primarily with one specific issue—the Bay was getting smaller. Local government wasn't adequately addressing the regional or the state interest. The Coastal Commission was created, I think, because of an overall failure of local government. You had each local government not recognizing that the coast was a special place and there was all kinds of development taking place. One of the things I learned in my travels up and down the coast was I would ask people, "Why did you vote for Proposition 20?" I would find they voted for it for exactly opposite of what the other guy voted for. Somebody would say, "I voted for it because they were building too many hotels along the coast and it was changing." The next person would say, "I voted for it because we need to have more hotels along the coast so we can have access to it." Then the next person would say, "I voted for it because the dune buggies on Nipomo Dunes are just tearing everything apart." And then the next person would say, "I voted for it because I have a dune buggy and I want to go down and be able to use the coast." So they were opposite in their intent but common in their support for protecting and dealing with the coast as a special place.

The coastal zone of California is bigger than the state of Rhode Island, and the Coastal Commission initially had sweeping authority over everything unlike BCDC, where BCDC controls filling in the Bay and requires public access to the Bay, but the choice of whether you build a hotel or a shopping center or a factory is a local government's decision. The Coastal Commission got authority over those land use decisions, as well. I found the process of working there fascinating, just learning the political nuances. Somebody once told me that the Coastal Commission deals with issues that are too big for local government to handle and too small for local government to care about. And I would watch this. I remember one time we had a huge oil facility in the Santa Barbara Channel and we had a public hearing on it and the oil company showed up and said, "Well, here's what we're going to do." Nobody said anything. It took ten minutes, and we approved it. The next one was

somebody wanted to build a garage behind their house and there were fifteen people there to testify on it. That's where I found that the amount of attention is almost inversely proportional to the importance of the issue because you can get your arms around those little ones.

02-00:48:27

Meeker:

One of the things that I think is most interesting in comparing the two, that is BCDC and the Coastal Commission, is that in BCDC, the legislation, it's very clear that, yes, it's established to prevent fill that wasn't necessary, to encourage access. But there was also in the law a clear attempt to attain some balance between conservation and development.

02-00:48:57

Travis:

Yeah, that's right.

02-00:48:59

Meeker:

The Coastal Commission Act didn't have that.

02-00:49:02

Travis:

That's right.

02-00:49:03

Meeker:

It was very clear that its interests were on the side of preservation. It was preserve, protect, and, if possible, restore. Was this something that you were aware of early on or how did it impact the work that you did?

02-00:49:21

Travis:

I wasn't. I became aware of it much more so after I went back to BCDC. I remember not too many years ago when Peter Douglas, the then executive director of the Coastal Commission, and I were at a conference. I got up and introduced myself and said, "I'm the executive director of the Bay Conservation and Development Commission, where the most important word in the name of the agency is "and." We want to achieve environmental protection but not at the price of economic prosperity. We want to see economic development but not at the cost of environmental degradation. We do both all the time in everything we do." Peter Douglas got up and he said, "I'm the executive director of the California Coastal Commission and there's no *and* in our name." And if you think of the success of the Coastal Commission, it is the places along the coast where things didn't happen. It's impossible to drive from San Francisco to Santa Cruz, down Highway One, and not thank our lucky stars for the Coastal Commission and all the things that have been proposed there that aren't there.

02-00:50:42

Meeker:

For example?

02-00:50:43

Travis:

Well, Westinghouse owned a large portion of Half Moon Bay and they were going to build another Daly City around Half Moon Bay. And there have been various proposals for the farmlands as you drive down the coast for



subdivisions and so forth. They just didn't happen. The Bay, on the other hand, is the most urbanized estuary in the United States. When we got it, it was on life support and we've just been trying to keep it alive. Only now is it beginning to turn around, where—outside of the Everglades—the largest coastal restoration in the nation is around San Francisco Bay. So I think it proved you can do both. But the Coastal Commission, you're right, was set up to stop development. I think it's failure is to not acknowledge that there are parts of the coast that are already developed. It's foregone. You just let them go. They're going to keep developing. The issue that they're now facing, as is BCDC, is sea level rise, what will climate change do to that, and how do you deal with the fact that erosion is just inevitable and it will eat away at the coast?

02-00:52:09

Meeker:

Was that kind of what you were getting at? Maybe not the climate change aspect but the lack of and when you wrote—this is from a presentation or an essay that you wrote that you handed to me. In it you said, “The drafters of the initiative,” meaning Prop 20, “did not have to compromise to gain legislative approval so they wrote an extreme proposition based on high hopes, grand ideals, and expectations, which proved to be unrealistic.” I think this was about 1985. So just as you were, I think, leaving the Coastal Commission and heading back to BCDC. What prompted that?

02-00:52:49

Travis:

At the time the Coastal Commission was under legislative assault all the time. By positioning the Coastal Commission as the arbiter of last resort for a huge chunk of the most expensive real estate in the country, it was inevitable that they were going to make mistakes. Perhaps not mistakes, but decisions that people could differ with. And when you're dealing with expensive real estate, if somebody doesn't get what they want, they'll try to get you. So I think not tempering its responsibilities and not setting aside some areas where we're not going to try to protect everything and we most definitely aren't going to try to take it back in time to where it was before, was a mistake. Instead, we should have protection in some areas, and treat other areas differently. In hiring the staff, they hired people who didn't want anything to happen. I guess that is why I ended up being so much happier at BCDC. I like to make things happen. I like to make good things happen and stop bad things. But not all things are bad.

02-00:54:28

Meeker:

What can you tell me about Peter Douglas, because I understand he actually wrote the Coastal Commission Act.

02-00:54:36

Travis:

That is the legend, yes.

02-00:54:39

Meeker:

And then he later went on to, I think, be deputy director and then when Bodovitz leaves he becomes director for many years. So clearly he's a key player in all of this. It might be second-hand knowledge but what can you tell me about his role early on and perhaps what his interactions with BCDC were and how that influenced his thinking.

02-00:55:08

Travis:

Interactions with BCDC?

02-00:55:10

Meeker:

Yeah. And, again, I'm kind of asking you to maybe give second-hand testimony. And I'll certainly ask Joe about this, as well. But did you ever learn of any interactions he had with BCDC in the pre-Prop 20 process?

02-00:55:33

Travis:

No. Peter worked for Alan Sieroty, who was a legislator from Southern California. I imagine you can find at least half-a-dozen, probably a dozen people, who are sure they were the primary authors of Proposition 20. Peter just got to say it more often and loudly than any of the others. There were a lot of people engaged in that but he was one of the key draftsmen. And, as I said, it was modeled on BCDC but I don't know whether he used that model observing what was happening or whether he and Joe were talking and working together. I don't know. I wasn't there.

02-00:56:20

Meeker:

Okay. So you don't have any sense of how it was that the Coastal Commission didn't have an "and" whereas BCDC did?

02-00:56:28

Travis:

I know that Joe advocated for that and some of the other people. Bob Mendelsohn, who was one of the early commissioners, wanted that, too, just because it tells you that we're looking out for both. But at the time, and what was happening along the coast, the sense was we just have to stop. We can't continue with a compromised version of business as usual. Just hold this thing. Then, of course, it turned out that when we took the plan, the Coastal Plan to the legislature, local governments had seen what happened with BCDC so they didn't take the position of, "Oh, just stop. Don't adopt this." What they did was come up with the concept of the so-called "local coastal programs." They said, "Well, it's great to have these state policies but don't adopt a plan for the whole of the coastline. Just give us the policies of law and then let us amend our local general plans so that we can incorporate your values and perspectives from the state level, put them in our local plans and then we'll just take care of it for you." So it was protecting local autonomy but it's very hard politically to get a local elected official, who gets elected and reelected by a local constituency, to advance a state objective if that objective is contrary to the interests of the constituency who elects her.

02-00:58:20

Meeker:

Can you tell me a little bit about the interaction—you started to allude to this—but between staff members in San Francisco and in the six regional commissions?

02-00:58:42

Travis:

I don't actually remember how the permit process worked and whether there was an appeal process. I guess there was one that brought things up because I was dealing mostly on the planning side at that point. What we would do is meet with or communicate with the staffs in the regional offices. For example, "We're doing a staff report on recreation. Here's the way we want to structure it. Here's the information we need from you." They would draft up something based on what they knew about their area and then send it to us and we would incorporate it. It's surprising in just that short period of time between then and now—well, I guess not so short anymore—this was before faxes; we didn't have email; we didn't have word processors. This was all done in IBM Selectric typewriters, and everything had to be handled by mail or telephone so we didn't have the instant turnaround. They would draft something and we would then have it for a couple of weeks and change it and probably circle back with them. I don't remember the details.

02-01:00:01

Meeker:

What is the book that I was just reading? Sabatier? [see Paul Sabatier and Daniel Mazmanian, *Can Regulation Work? The Implementation of the 1972 California Coastal Initiative*, 1983]

02-01:00:13

Travis:

Oh, Paul Sabatier? From Davis?

02-01:00:16

Meeker:

Correct, yeah. One of the things that he sort of alludes to in that is perhaps the cultural difference between staff members in the regions who may not be true believers in the same way that the central office staff would have been. Is there any truth to that?

02-01:00:35

Travis:

I think there is.

02-01:00:36

Meeker:

Do you have any examples of maybe how that played out?

02-01:00:39

Travis:

I think he is right in that if you were a big proponent of Proposition 20, and were very active in the campaign and wanted to work for the Coastal Commission, you wanted to be at the seat of power. So you wanted to work for the state office. On the other hand, if you were somebody who lived in Ventura and went looking around for a job because you didn't like the one you had, you wanted to stay in Ventura and you weren't so much committed to the Coastal Commission as you were to just having another job. So the staffs in the region tended to be populated by people from those regions

whereas the staff in the state office tended to be populated by people who were interested in overall state government and state authority. We had people who would come in from other places to work.

02-01:01:54

Meeker:

Were the regional staff primarily focused on permitting? Is that how it worked?

02-01:01:59

Travis:

Yeah. They handed the permit workload and they were involved in the planning. But the planning staff, the controllers of the plan, were really in San Francisco.

02-01:02:15

Meeker:

Okay. Did you, in your position there, have much engagement with the commissioners?

02-01:02:25

Travis:

Not too much. The engagement was interesting because the state commission would meet up and down the coast. When you have a meeting and it's in Santa Barbara and it's for three or four days, you go down there and you stay at a hotel for three or four days and you meet during the day. The staff is staying in the same hotel so you had an opportunity for social engagement with the commissioners that I didn't have, for example, at BCDC because they come in at one o'clock and they leave at five o'clock and it's always the same time on a Thursday and you don't have that lunch or dinner afterward. I found the same thing was true dealing with, particularly, repeat permit applicants—the oil companies, the big guys, or consultants who would represent clients. It's kind of a rolling party so you really get to know those people pretty darn well.

02-01:03:42

Meeker:

Can you tell me a little bit more about that? At the time, I think it was—I could have this wrong—but there was, I think, a third of the commissioners coming from the State Assembly. So Moretti, who I think was Speaker at the time, would have been appointing them. Then the president pro tem of the senate and then Governor Reagan. Did you engage with all these people? Did you get a sense of them having different agendas given their different relationships to government?

02-01:04:17

Travis:

I don't recall. I'm sure it was very clear. I would be engaging with them and making a staff report to them about something and then we'd get together for dinner and drinks and it was a social sort—so I got to know them more as to how they were separate from their political views.

02-01:04:46

Meeker:

Can you think of any commissioners who you felt were particularly influential on the commission?

02-01:04:51

Travis:

Mel Lane. Mel Lane was a saint. First off, you wouldn't call him a conservative now but he was a conservative Republican businessman. Successful. So the Republicans looked at him and said, "This is no greenie. He knows how to run a business. He's wealthy. So he's one of ours." Yet he was also kind of a Teddy Roosevelt conservationist, who favored management of our resources so you don't want to waste them, and you don't want to pollute. That was his political agenda. I don't think anybody ever went away from testifying before Mel Lane and feeling that they weren't heard and respected. And he had a capacity of explaining to you, "Look, I know I've only given you three minutes and I would like to give you more time, but, you see, there's a line of people out there. If I give you more than three minutes, how do I explain to the guy at the end of the line that he doesn't get his three minutes?" And you're just like, "Yeah, that's right. That's fair. I don't want to do that." So that was the way he treated everybody. And he was masterful in gauging the commission in a debate and dialogue in which they all got done and they felt good. They may not have won but they knew that their view was heard and was considered. They had an opportunity to do their best. You came away from the meetings with Mel running them, and you'd think, "This is the way government should work." I was very proud and pleased to work with him and with Joe.

02-01:06:52

Meeker:

Any other commissioners who were particularly influential?

02-01:06:56

Travis:

Rich Wilson, who was a rancher then from the north. He's down in Ojai Valley now. Bob Mendelsohn, who was a supervisor in San Francisco. Ellen Stern Harris, who was a journalist, worked for the *LA Times*. These were all really bright people, too. Who else is there?

02-01:07:27

Meeker:

What are they bringing to the commission? What made them more memorable to you than perhaps others whose names that you're not remembering right now?

02-01:07:36

Travis:

I think a love of California, of the coast, a commitment to wanting to keep it or make it a special place, whatever that might be, however they would define it. There were none of them that I felt were sleazy. They weren't manipulative, even though they may have had their own views as to what should happen. They were good decent people.

02-01:08:12

Meeker:

I know that you weren't involved in the drafting of the act, but one of the important differences between the Coastal Commission, Prop 20, and BCDC was not simply the thousand-plus miles of coast line but also the fact that it goes a thousand-yards inland as opposed to a hundred feet of the shoreline. And then what was it, I believe something like three miles out into the ocean?

02-01:08:44

Travis: Three miles and more now with federal consistency authority.

02-01:08:49

Meeker: Okay. Is it, what, five miles now or something?

02-01:08:51

Travis: It's forever.

02-01:08:53

Meeker: It's forever. Okay. It's over to Fukushima or something like that, right?

02-01:08:59

Travis: Yeah. There have been states that have used this federal consistency authority to exercise jurisdiction over something that happened in another state.

02-01:09:08

Meeker: Oh, interesting. Well, we can talk about that later. But when you first start working there and you see this much broader—I guess we would call it horizontal—east to west authority, what did you think of that at the time? Did it seem reasonable?

02-01:09:33

Travis: No. It seemed overreaching. One of the things that I found in the state office, it was made up of the true believers. I remember at one point—my wife and I were splitting up and I was at the Coastal Commission—and I went out on a Saturday night and ended up deciding not to go home so I went into the office. So it's about four o'clock Sunday morning and the phone rings and somebody asks for Joe Petrillo, who was another of the staff members. I said, "It's four o'clock on Sunday morning. What would he be doing here now?" And she said, "Well, you're there." And that's what it was. It was our lives. We were the best and the brightest that there were and we were capable of doing everything and anything. So the Coastal Commission would get into issues that were beyond the capability of the staff and probably beyond the capability of anyone, trying to manage who could stay in a coastal hotel based on the zip code of where they came from to achieve economic equity, to make sure that everybody could get a room on the coast. It was just too far reaching.

02-01:11:20

Meeker: Well, that's super interesting because in reading Sabatier and Mazmanian one of the things that they point out as being difficult was just dealing with public demand for the coast, the coast as a resource. Sort of like dealing with public demand for fossil fuels or housing in San Francisco, right. It's a resource, there's a finite amount of it. More people want it than can reasonably be provided access to. And it sounds like this is something that you sort of recognized pretty early on working there.

02-01:12:10

Travis: Yeah. It was both finite and enormous at the same time. I described how I found that people voted for Proposition 20 even though they had diametrically

opposed views. What I found out, later on, was people thought that the Coastal Commission was failing for diametrically opposing reasons. Somebody would come and say, “You know, I voted for Prop 20 to stop all the development and I came down to this area where there used to be an open field of flowers and now there’s a great big hotel there.” Yet the Coastal Commission was so proud that they made that great big hotel smaller and they provided public access as part of it. Well, if your standard was approving anything is a failure, there’s nothing that the Coastal Commission could have done short of denying every permit. But if they denied every permit and you were somebody who said, “We ought to have facilities along the coast so people can use them,” it set up such high expectations that they couldn’t possibly fulfill them. And they were cranking these decisions out. I always hesitated when I was at BCDC to point out to the bean counters in Sacramento that the Coastal Commission handles as many permits in one day of one meeting as BCDC handled all year. So I used to joke with Peter Douglas, saying, “You’re like the Walmart of coastal management. You can get anything. You get any decision on anything about anything. BCDC’s like a fashion boutique. We do a few things, but we do them very, very well.” And the Coastal Commission would just grind these things through. The intellectual capacity and the political capacity of both the staff and the commissioners to thoughtfully deal with these things and think about the huge ramifications of them, was mind-boggling.

02-01:14:28

Meeker:

Well, when you were there as a staff person, did you feel extraordinary pressure to make these kinds of things happen?

02-01:14:35

Travis:

No.

02-01:14:36

Meeker:

You were involved in some permitting, right?

02-01:14:38

Travis:

No, the way to think about this is at both BCDC and the Coastal Commission Joe Bodovitz was the architect. I was the general manager of the guys who did the masonry or something like that. I had a lofty title but I dealt mostly with the internal stuff. I wasn’t dealing with the gut decisions. I was making sure that we had enough concrete and we were delivering the things. So I didn’t get involved in the substance as much. I wouldn’t say that I wanted to. I was perfectly happy doing what I was doing. I like government when it works well and I tried to make it work well.

Back in my days at Penn State, I remember when I was in ROTC, the officers who taught the ROTC were line officers in the Air Force and they would go down to the Air Force base in Harrisburg and check out a cargo plane and fly someplace to get flight time in. We as cadets could go along so we’d go down on a Saturday afternoon, check out a plane, fly someplace that had a good

officers club, get drunk, stay at the bachelor officers' quarters, and then fly back on Sunday. Big deal. So I was in the back of a cargo plane reading a book and the captain came back and asked, "What are you reading?" I said, "It's the funniest book I have ever read." It was called *Catch-22*. And he said, "You won't think it's so funny after you realize it's true." In essence I have found that there are inherent contradictions and it is very easy in government to fail. I worked very hard to try to untangle things so that it worked as well as I could possibly make it work so the guys who were out there on the line, had the ammo, had everything they needed, so they could do their jobs. Joe could work with the commission and they could make thoughtful decisions without having to worry about whether the phone bill was getting paid.

02-01:17:05  
Meeker:

Well, this then kind of begs the question of the overreach that you had witnessed. And the early 1970s was the period of time when arguably there was a fair amount of government overreach happening, or at least ingenious plans that the vast majority of the public later rejected. So interurban busing, right, sending kids to different school districts, including busing kindergarteners all the way across town. We can debate the moral good or bad of it but this is something that people decided they didn't want to do. Similarly with affirmative action programs that were cast through really a quota system, by which you had to hire X-number of people from these different backgrounds. These are all things that came out in the late sixties and early seventies. And it sounds like there was some of this kind of stuff happening at the Coastal Commission, as well. You talk about identifying different zip codes for being eligible for certain hotel rooms. I'd love to hear more about this and what the ideas were that were generating these ideas and then how it was that they were never brought to fruition.

02-01:18:33  
Travis:

Well, drawing parallels between affirmative action, busing, and the Coastal Commission I think is overreaching. I think in the seventies, we were still in a period when there was faith that government could do things and do things well. Hell, we had just sent a man to the moon and returned him safely. Now, if we can do that, government can probably do lots of things. So we were experimenting with lots of things. Some of them worked, some of them didn't work. But I think, looking at it in hindsight, it was inevitable that when great expectations were placed on government, government would try to realize those expectations and in some cases would fumble the football. So I think that's part of what we were seeing. I am extremely proud to have worked for government and I advise young people that it's a great feeling going to sleep at night knowing that you've tried to help your community. Government gives you the opportunity, the resources, the authority to make that happen. So we look at it now, with the polls showing that used car salesmen are probably more loved than elected officials, particularly in Congress, deservedly so, that we're tainted by that perspective right now.



02-01:20:13

Meeker:

But there was still an exuberance in the early seventies when you were there. So it sounds to me like you're saying this is sort of a part of a culture of a "can do" attitude.

02-01:20:29

Travis:

Yes.

02-01:20:31

Meeker:

But then some more exuberant ideas obviously never made it. Was there a point at which you felt like a pushback from the public? How does that period of exuberance end or peter out or something like that?

02-01:20:51

Travis:

Well, for me I would just get exhausted. At the Coastal Commission I finally just got worn down. Governor George Deukmejian was elected. I have suggested that it's so much easier to be a Republican than a Democrat because Republicans don't think the government can work and then they get elected and prove it. Democrats try to make it work. One of the ways that you can effectively make government not work is you just deprive it of resources. So Deukmejian was elected and he didn't change the law, he just whacked the Coastal Commission's budget. Because I had a number of staff who were one person of one civil service classification, when you eliminate that civil service classification you know who the person is. It's not like you're going to be buffered by, "Well, I'll eliminate this position and somebody will bounce into it." So it made every decision very, very personal and hard. Going through that just wore me out. I was just physically drained. So when I got a call from the then executive director at BCDC saying he had an opening as a deputy director, would I be interested, I thought, "Well, maybe so."

02-01:22:30

Meeker:

Let me ask you to talk a little bit about your work heading the oil drilling permit stuff.

02-01:22:39

Travis:

Yeah.

02-01:22:40

Meeker:

So this is permit activity.

02-01:22:44

Travis:

Right.

02-01:22:47

Meeker:

It's interesting reading about the history of the Coastal Commission. I don't really see that much reference to the 1969 Santa Barbara oil spill. That's not even mentioned, at least in my memory, in the Sabatier book as a reason why the Coastal Commission and Prop 20 was passed.

02-01:23:09

Travis:

That's odd. I think it did. It played a big role there. There was a motel, as I recall, it was called Dream Inn in Santa Cruz. People just hated this thing. It was built right on the beach. If you were in San Diego you didn't vote for Proposition 20 because you cared about the redwood forest. There was something that had happened. I think it was for the most part something you didn't like happened and it was a sense of, "Well, I don't know what Proposition 20 does exactly but I know that the way we're doing it now isn't working because we're getting these things happening along the part of the coast that I care about." I really think that's what was driving it.

02-01:24:16

Meeker:

So you think that the Santa Barbara oil spill was largely influential for people in Santa Barb—

02-01:24:21

Travis:

In Santa Barbara. Yeah,.

02-01:24:22

Meeker:

Okay. What then was part of your job description that meant that you were going to work around permitting? Was this sort of on-land stuff or were these oil derricks out in the ocean?

02-01:24:39

Travis:

It was mostly the stuff in the ocean. What we were trying to do, more than anything else, was contain the oil operations. You had all of that stuff in the Santa Barbara Channel. The oil companies, Interior Secretary James Watt and Governor Deukmejian wanted to do that along the entire California coastline. I think the reason I was put there is I didn't know anything about offshore oil, but I had a capacity to manage people. We're not trying to close down the oil operations that are there, we just don't want more in the area where we don't have oil operations. So in order to do that you needed somebody who could moderate the folks who said, "Well, we've had an oil spill in the Santa Barbara Channel. Therefore we should phase this out and get rid of it entirely."

02-01:25:46

Meeker:

So you didn't really start doing this until after, say, 1981 when James Watt is interior secretary?

02-01:25:49

Travis:

I think that's about right—yeah.

02-01:25:52

Meeker:

He must have been quite an interesting person to deal with.

02-01:25:56

Travis:

Well, I never dealt with him personally but it was interesting. Everybody thought that Ike Livermore, who was Ronald Reagan's Secretary for Resources in California, would become the Secretary of the Interior. But for

reasons that aren't clear, Watt got it. The Sierra Club honored a bunch of environmental heroes in California and among them were Joe Bodovitz, Mel Lane, and Ike Livermore. So there was this event down in Silicon Valley and Livermore at the time was probably in his nineties. He was an enormous guy, probably six foot five. I had never met him so I went up and introduced myself to him. I said, "I'm the current executive director of the BCDC and I understand that you, sir, were highly influential in getting Governor Reagan to sign the bill that made BCDC permanent." "Yes," he said. "It only passed the senate by one vote, you know." I said, "I know that." And he said, "I went in and I had every argument that I could come up with for environmental and natural resource reasons that the governor should sign it. But it wasn't me that convinced him." He said it was his Director of Finance, Caspar Weinberger. He said, "Cap came in, said, 'Governor, sign this bill. It's good for business.'" Whether Weinberger was really that prescient and could see that now the way we attract good people to the Bay Area is through the quality of life that we offer them and part of that is the Bay and the natural resources, or whether it was because Cap had a place on Telegraph Hill and he liked looking at the Bay, I don't know. But it was a wonderful story to know that. But you had Watt and, again, George Deukmejian as governor and they were coupled together and it was the Coastal Commission who was holding them off. I remember Pete Wilson once said, "Nobody in California ever lost an election by being opposed to offshore oil development." That's just not where the body politic was.

02-01:28:37

Meeker:

Well, that was one thing that I found to be interesting, actually, was that Pete Wilson was one of the sponsors of the legislation—

02-01:28:44

Travis:

Early on. Yeah.

02-01:28:44

Meeker:

—pre-Prop 20.

02-01:28:44

Travis:

Yeah. It's hard to, over the period of time, realize, while it's been a slow shift, the country has become incredibly more conservative than it was then. You could be an environmental Republican. There were a lot of them.

02-01:29:07

Meeker:

Nixon.

02-01:29:08

Travis:

Yeah. Clean Water Act, Clean Air Act. All kinds of things. Coastal Zone Management Act. Yeah.

02-01:29:14

Meeker:

Endangered Species Act, too. Can you tell me more about your work on regulating offshore oil? First of all, it sounds like your main goal was to

prevent more from happening but then also not make the companies too concerned that you were going to be shutting down their existing operations.

02-01:29:42

Travis:

I think that you would be hard pressed to find in California or anywhere somebody from an oil company who said, "I directly negotiated with Travis on that deal." I didn't do that. I hired people who knew what they were doing. I wasn't the person that was at the staff table making the presentations, except at the very end after I resigned and was leaving. I realized the power of the lame duck. I could say anything I wanted and I just blasted Chevron on something. I don't remember what it was. I had really knowledgeable technical experts who were there and were working with them. I do remember the difficulty we had one time. We were dealing with Exxon, I believe it was, and it was a very complex project. We had a meeting in San Francisco and in this conference room there must have been fifteen or eighteen people from Exxon. Engineers, attorneys, geologists, geophysicists, everybody. And we had a graduate student who was in law school. That was it. She went in the room, came back out, and said, "I need help." So I walked in, just looked around the room and said, "Okay, here's your team and here's ours. Don't you think it's a little unfair?" I looked around and said, "You can add two more." Then I just left and she just went, "All right," and she took them on.

02-01:31:50

Meeker:

What do you mean you can add two—

02-01:31:53

Travis:

That it will take two more of you to equal her. And all I was doing was just giving her a pat on the back and saying, "Don't count the numbers. Look at capacity." So that was my job, to get the right people in the right place. But they had the law behind them and ultimately it worked pretty well.

02-01:32:25

Meeker:

Meaning?

02-01:32:27

Travis:

Well, you have the capacity to simply say no. That comes with a political price, which the Coastal Commission continues to pay. But on offshore oil, particularly, again, after the Santa Barbara spill, it was hard to find somebody who wasn't already working for an oil company who loved them.

02-01:32:47

Meeker:

I think this was written maybe in the seventies and they anticipated over ten years it would be something like a 600 percent increase in the amount of oil being pumped off of those offshore rigs. I guess there's probably at least two ways for this to happen. One, they can just build a lot more of them, which seems like, according to the Coastal Commission, was a non-starter. And then, two, they could conceivably make those still already pumping, modernize them and make them more productive. Did you ever get any of the latter and how would the Coastal Commission deal with something like that?

02-01:33:30

Travis:

Well, there was some of that. Fracking is the best example of that where you come up with a new technique that allows you to get oil that you thought was not attainable. The other thing that happened was slant drilling, where you didn't need to have a facility out in the ocean, you drilled it from shore and just have the pipes go out. There was a lot of that and the technology was changing. They were also improving. I remember, as I said, we would go to the Coastal Commission meetings and you'd stay there, so you'd get to know these people. There was an attorney for Chevron. He explained how he came out of law school and he really wanted to go to work for the Coastal Commission. He applied for a job with the Coastal Commission but it's just that the civil service system took so long that he needed a job and Chevron hired him. So he was working for them but he had a value system that was the same as the people who were the regulators. Over time you would see the old guys going away. Chevron bought Texaco but really what happened was Texaco used Chevron's money to buy Texaco, which runs the company now. So Chevron, although it's a California company, is really run out of Houston and it's the old Texaco people whose value system is running it. So anyhow, you had—

02-01:35:23

Meeker:

Did you learn a distinction between value systems of different oil companies?

02-01:35:27

Travis:

Oh, yeah. They was night and day.

02-01:35:32

Meeker:

I don't think that many on the environmental movement would acknowledge that.

02-01:35:33

Travis:

No. Chevron used to be a good company. BP was a good company for a while. You can really see the value system. You can see the change as they get bought out or people retire. Yeah, I found it at BCDC when I was back there the second time. I had a head of enforcement. At BCDC the executive director has the capacity to issue a cease and desist order, which not only orders somebody to legally cease and desist, it can actually order them to take measures to mitigate or repair. He came in and he says, "I want you to issue a cease and desist order to this guy." I said, "Okay. Where's the evidence?" He said, "Come on, Travis. Everybody knows he's a bad guy." So I said, "Oh. I should get the bad guy law out over here instead of the good guy law over here." My point was the law is the law. You apply it the same way. But, in part, I learned that he was right. There are some people that, no matter how much you screw up, they won't be bad. They'll fix it. And there are other people who view government as a challenge. "Set something up and I'll find a way of getting around it." Their whole joy is circumventing their way through it. After a while you learn the good guys from the bad guys. It's like saying, "Okay, well, this guy, I know what he wants to do and I know what we want

to do and I know he'll do what we want to do in the right way." So you cut them slack. But others, they're like children. You just dog them every step of the way, and even then they won't do it right.

02-01:37:45

Meeker:

I think that we are going a little bit out of chronology here. But I did kind of want to ask you—

02-01:37:53

Travis:

Well, you told me at the beginning it was okay to do that. Now you're changing the rules, just like—

02-01:37:55

Meeker:

No, it is good. It's my fault actually.

02-01:37:59

Travis:

There's no fault involved.

02-01:38:02

Meeker:

It's my responsibility. I remember when Joe, you, and I had lunch a couple of months back. He had mentioned his first big test was the San Onofre nuclear power plant. And partly what happened was that this had basically been approved by all of the authorities, from the State Water Board all the way up to the Nuclear Regulatory Commission of the federal government. There was already a reactor operating there. They wanted to basically build one or two more on a rather larger scale. Did you have any play in this when it first comes up, when he's dealing with this as an early issue in the seventies?

02-01:38:47

Travis:

I didn't and I'm glad because, in retrospect, the way it turned out is my wife ended up running the mitigation program for the San Onofre nuclear power plant. So our daughter's education has been paid for by Southern California Edison. Had I been involved in that permit it would have been awkward so I'm glad I wasn't because I've benefited greatly from that.

02-01:39:16

Meeker:

It would have been perhaps a conflict of interest or it was just a—

02-01:39:19

Travis:

Yeah. It was, again, one of those dumb luck situations. What the Coastal Commission did was, I think, approved it at the regional level and then denied it at the state level. Then there was tremendous political pushback. The issue was really they had these beautiful sand bluffs and Edison said, "We got no choice other than to bulldoze a half mile out of existence but it'll have no impact on ocean water." They just held firm. Well, the Coastal Commission denied it and then they negotiated something where Edison said, "Oh, well, we can actually leave most of the bluffs alone and we will agree to fund a study. We don't know what the impacts are. There's no way of knowing in advance so what we will do is we'll set up this marine review committee which will pay for," Southern California Edison will get to appoint one

member, the Coastal Commission one, and then those two will choose a third member. These are experts. They'll do the necessary studies, figure out what the impacts of the plant really are, and then figure out what we should do to mitigate what impacts, if there are any. That was the agreement. This was going to cost a bundle of money, and the Coastal Commission said, "Well, we want to be in control of this money," but wisely they also said, "We don't want the money to come into our budget," because if all of a sudden you have the equivalent of your entire state operating budget being paid by Southern California Edison, you come into the legislature and say, "We need this much money to run it," they'll said, "Well, you already got that much money." You say, "Well, no." The other thing is you don't want is that money being subject to the state controls on contracting and so forth. So what they agreed was the money would come in and there would be an independent consultant working under the direction of the Coastal Commission who would take that money and spend it pursuant to the direction of the Coastal Commission and they person who they hired was my wife Jody because she had worked for Joe on a previous project dealing with liquefied natural gas at the Coastal Commission. So she would take the money and hire the researchers at UC Santa Barbara. They would do all the work and then they would figure out how to design an offshore kelp forest restoration project or a wetland restoration project at San Dieguito. So she did that for twenty, twenty-five years, I guess.

02-01:42:27

Meeker:

The way it's been written about historically is this is perhaps not a win for the Coastal Commission. But the way that you're describing it sounds like maybe that's not an accurate representation?

02-01:42:42

Travis:

The difficulty you have is you want to make a regulatory decision and you want to base that on really good information. But when you're doing something like this and you don't know and there's no way of knowing, so the best you can do is say, "Well, let's operate it." It was interesting. The committee concluded after San Onofre went online, the conditions in the ocean were actually better than they were before. But had San Onofre not gone online they would have even been better than better? So what they ended up mitigating was the difference between the improved conditions and the greater improved conditions that likely would have happened without it because the water was getting cleaned up and a whole variety of other things. So it was the best you could do under imperfect circumstances. Maybe because I'm proud of my daughter and her private school education, I'm a little bit biased in this. Jody and I went down there to visit the San Dieguito Wetland Restoration project. The whole thing has been carefully designed to achieve a whole series of objectives. But it was all designed before we knew about sea level rise. So when you talk to the scientists, you ask, "What's going to happen with this?" "Well, it is going to flood. It won't work." "Well, what should you do in that case?" "Well, I guess you should go back to Southern California Edison and say, 'Hey, you guys got to rebuild it.'" To which

Southern California Edison will say, “Yeah, and if we don’t pay for it, what are you going to do to us?” You say, “Well, we’re going to revoke the permit.” And they say, “We already closed the plant.” So nobody could have anticipated that. So I think, again, you can’t expect perfection in anything. That’s one of the things that I find both frustrating and challenging with planning. There are no right answers. There is the best of a series of imperfect alternatives. And the most powerful force in planning is always the status quo because whatever its faults we know we can tolerate it because we are tolerating it. So we tend to discount the benefits that you get from change and we tend to amplify the potential problems. So San Onofre I think, again, given the political context, given the deal making, given the science, you know, look at it and say, “That’s pretty cool.”

02-01:45:49

Meeker:

Well, that’s interesting because that’s somewhat related to I think criticism also in the Sabatier book about the failure of the Coastal Commission. And that they mean that there wasn’t enough, in essence, publicity or engagement with journalists and television describing just what it had achieved. And given that was difficult because just what they had achieved was mostly preventing things from happening. So they weren’t able to point to something and say, “We did this.” They could only point to something and say, “Nothing happened here when it could have happened here.” But there was no apparently sort of PR apparatus within the Coastal Commission at the time. Was that apparent to you guys? Was that frustration that you didn’t feel like you were getting your story out there?

02-01:46:56

Travis:

The thing that is hardest to defend in Sacramento in a budget is your public affairs program because the legislature looks at it and said, “Look, we want you to do your job. You shouldn’t have to pay people to tell people that you’re doing your job well. It’s just self-aggrandizement. Why should we pay for this?” So that’s the first thing that comes off of your budget. So I think to criticize somebody for not doing something that it was unrealistic of them to have the resources to do, it’s Monday morning quarterbacking.

02-01:47:32

Meeker:

Sure. And for that matter, both Bodovitz and Lane were involved in journalism.

02-01:47:37

Travis:

Yeah. At BCDC our entire public affairs program was me and all I did was promptly return reporters’ calls. That probably did more for us than anything in terms of just getting reporters—I would give them straight answers and I’d give it to them promptly. They’ll cut you an amazing amount of slack if you help them make their deadlines.



02-01:48:12

Meeker:

Let's wrap up today by talking a little bit about public access. I kind of feel like I'm really jumping around here and I feel like I'm probably missing out on some important issues around the Coastal Commission but we can talk about that in a minute. There was one fascinating article that you wrote in which you described the pitfalls, as well as the possibilities, associated with the public access program. And this had a lot to do with interpreting the law and putting it into action. And that is, yes, you want access. But how do you actually activate that? How does that move from policy to some sort of programmatic agenda? And you said in the article if access cannot be required for one house, can it be required for two or ten or fifty? How do regulatory agencies fairly and equitably deal with the problem of cumulative impact of two, ten, fifty, or a hundred little houses? That is the law doesn't specifically enumerate exactly how access is going to be achieved in every circumstance. There's no way it possibly could. But you as the professional working in this agency has to interpret and then apply. How did you figure out how to do that?

02-01:49:41

Travis:

Well, I don't know that I ever did. I found the contrast between BCDC and the Coastal Commission on public access fascinating because I posed those dilemmas and then, of course, the guidance that we're getting is through law and court decisions. The Supreme Court, of course, took up a specific Coastal Commission case in *Dolan* and *Nollan*.

02-01:50:11

Meeker:

*Nollan*.

02-01:50:11

Travis:

*Dolan* was Oregon, I think. Or that was first *Tigard*.

02-01:50:15

Meeker:

There was *Nollan* in '87. Then there was—

02-01:50:17

Travis:

There was *Nollan*, there was *Dolan* [1994].

02-01:50:17

Meeker:

*Yost vs. Thomas* in '84. That had to do with federal consistency.

02-01:50:24

Travis:

Okay. Yeah. But in essence the Supreme Court has said, "Look, if there is an impact on access, you can address that impact by having a nexus between what you require and what the impact is." So this was the case of the house down in Ventura, Santa Barbara County, where the Coastal Commission said, "The house is too big. It's blocking visual access and what we're going to do is require physical access along the beach." The court said, "No, you can't do that. If it's a visual impact you can require a view corridor but you can't require physical access." And then in—

02-01:51:11

Meeker:

You could require a what?

02-01:51:12

Travis:

A view corridor. Say you have a public street. You can see the ocean from the public street. You're going to build a big building so that you can't see the ocean from the public street. They say, "Well, you can limit the size of it so that you can have a view of the ocean but you can't require a physical access in front of the house." And then in *Dolan* they said there has to also be a rough proportionality, so you can't require a whole bunch for a minimum impact. Before that you could do horse trading. You could say, "Well, you're going to do this." I'll take the extreme case, say, "This project is going to have an impact on blocking access someplace but if you have a program where you take school kids out on boats that cuts the deal." You can't do that kind of horse-trading any more. So the Coastal Commission is very limited in what it can do. But I got to BCDC and I was amazed because at the Coastal Commission you would say, "You're going to build something along the coast, you have to offer an easement to the public." But until a public agency comes in and takes that easement, whether it's local government or a park department or the conservancy, it doesn't exist. It's just an offer. Then if there is to be a trail on that easement a public agency has to pay for it and that trail has to be maintained, the public has to pay for that, too. At BCDC, in most cases BCDC requires the entire bayfront to be reserved for public access, improved for public access, maintained for public access, and if a member of the public falls and breaks their ankle, you're liable for it. So you say how does one agency get away with that and the other one can't? Well, part of it is weather because when you provide public access in Malibu and you've got however many million people in Los Angeles and it's warm, they're going to go there. Here it's cold and windy so you don't have throngs of people. And because most of the Bay shoreline, the uses are commercial as opposed to residential. When you have a conflict with public access and private use, it's somebody walking by my bedroom window or by my front door. If it's a restaurant or a hotel, it's just another way for the customers to get to them. So those differences and those conditions make it a lot easier for BCDC to have sweeping requirements. But we found over time, and we've talked about this, how the regulated community learned to use those as part of their marketing so access is now part of the amenities that they offer. They come in with proposals that we could not possibly dream of requiring.

02-01:54:33

Meeker:

Well, back at the Coastal Commission was there a formula developed about access?

02-01:54:39

Travis:

No. Again, it was on a case-by-case basis. The easiest way to handle it is the Mel Lane approach. "I'm suggesting that the appropriate access for your property is the same as similar properties. So if it was reasonable for them, it should be reasonable for you." There's some equity argument there,

precedent, but never got boiled down to formulas or this amount of feet for that amount because you have different kinds of access in different areas.

02-01:55:20

Meeker:

So an example, perhaps, would be if somebody's building a house directly on the sand, there's not any other access to it, they're going to have to build some sort of right of way. If they're on a cliff and there's no logical reason that somebody would be able to get down that cliff, there's no access.

02-01:55:37

Travis:

That's right. That's where we used to use *in lieu* payments. If you had a single-family house and you say, "Well, your house doesn't interfere with access, but if you build a hundred houses along here it will so what we'll do is figure out what the impact of a hundred houses are and you pay one percent of it." The court would say, "No, you can't do that. If the problem is access, you can't pay for it. There's no rough proportionality or direct nexus there. So the court decisions actually made it harder to do deals.

02-01:56:29

Meeker:

But those court decisions happened after you left?

02-01:56:31

Travis:

No. They were there.

02-01:56:35

Meeker:

Well, I think *Nollan* was—

02-01:56:36

Travis:

Seventies? [*Nollan* was decided by the US Supreme Court in 1987, but lower court decisions in this case date to the early 1980s]

02-01:56:36

Meeker:

Oh, was it? Okay, I don't know. I saw it as '87. Maybe I saw it incorrectly. I'll do some more looking into this. So these decisions were impacting you when you were there?

[brief break in audio for water break]

Let's spend a few minutes talking about the 1976 act that passed the state legislature and would have been signed. Who was governor then? Was it Brown? I think it was Jerry Brown by then.

02-01:57:42

Travis:

I guess it would have been Jerry Brown. Yeah.

02-01:57:43

Meeker:

Jerry Brown. Did you play any role in the drafting of this plan?

02-01:57:49

Travis:

I didn't. What happened was I was involved in the planning initially and then finishing up the plan. Then I turned my attention, I mentioned *Catch-22* and realizing that it was true, to the internal operations. I decided that my principal role was to protect the staff from the insane bureaucracy of the State of California. The way I wanted to do that was be the administrator, the head of the administrative unit so I would take care of the budget and personnel, human resources, contracting, all that sort of—to make sense out of that. One of the things that I discovered was there was a potential pot of money in the federal Coastal Zone Management Act. In order to get at it, it required us to also administer our program in a manner that was consistent with the federal law and get federal approval for the California program. So I turned my attention to that and was working on that while the folks were in Sacramento trying to get the law passed to make it a permanent agency.

02-01:59:20

Meeker:

So the federal Coastal Zone Management Act was an act of Congress passed like a month before Prop 20?

02-01:59:27

Travis:

Nineteen seventy-two.

02-01:59:29

Meeker:

Yeah. So I think it was October '72. What did that entail? Can you describe that for us?

02-01:59:36

Travis:

It is still one of the strangest laws. It's a voluntary federal law. You don't have to do it. The way Congress offered incentives to states, they said if you develop state coastal management programs we'll give you planning money to work on these, to put them together, and then if the federal government approves them, we will require federal agencies to be consistent and follow them. Normally you have federal supremacy. It exists at all levels of government. You have local government and the state doesn't have to do in a locality—the University of California can pretty much ignore what the City of Berkeley wants because the university is a state agency. And similarly a federal agency can ignore what a state wants to do. But this law relaxes federal supremacy and puts a requirement that federal departments comply with it.

02-02:00:45

Meeker:

Well, there's an exchange here it seems. It seems like the federal government's interest in this was reducing the innumerable local agencies, cities, counties, et cetera that they had to work with.

02-02:00:56

Travis:

No. If you look at what's happening in the United States, the population is moving to the coasts. We have, I think, 55 percent of the population of the United States living in coastal counties. So we're moving from the center to

the edges and seeing a lot of issues and problems that the states weren't effectively dealing with. So the feds stepped in and said, "We have an interest in this." There was a political concern that this was the beginning of national land use planning—and if you're going to do national land use planning, it would probably be done through the Department of the Interior. So to deal with that political concern what the drafters of the law said is, "Well, just to prove that's not what we're up to, we're going to give the responsibility to the Department of Commerce for administering this program." Seventy percent of the Commerce Department's budget is within the National Oceanic and Atmospheric Administration, which does everything from the Weather Service to satellites to Arctic research and a lot of other things. But they're the ones that administer this program. The notion was that they would horse-trade and by having the federal agencies act in a manner and comply with the state plans but have the state plans be required to carry out these national objectives, that was the trade.

02-02:02:45

Meeker:

Then what was the process by which you ran the initiative to get California's Coastal Plan recognized under the federal plan?

02-02:02:56

Travis:

The process was I spent about a month-and-a-half in Washington writing the EIS for it. This whole process is called federal consistency. Joe Bodovitz looked at it and said, "Now, let me see if I understand this. You have a state agency and you have a federal agency and if we disagree, we have to submit our dispute to another federal agency to resolve it." He says, "That's like calling your mother-in-law in to handle the dispute between you and your wife. You know which way that decision's going to go." So he didn't think it would work at all. But that was really the authority that kept James Watt from drilling off California. It was the federal consistency authority as exercised by the Coastal Commission. So we got it approved in—I think it was August of 1977. So that's where my attention was on that side of things rather than in Sacramento.

02-02:04:05

Meeker:

Is there anything else to be said of significance about that effort and about the impact that the qualification had?

02-02:04:16

Travis:

Well, it is fascinating to look at the history of the federal coastal program because, as I say, it's a voluntary law. So if you're the head of the federal agency administering a voluntary law you've got to sell it state by state. You've got to do retail sales and you've got to explain to the state what's in it for them beyond the little bit of money that's available. What happened politically was BCDC had been in place for seven years before this law passed so to suggest to California that it needed this federal law in order to manage your coast, California says, "The hell with you. We're done." Oregon and Washington were the same way. So you had the federal government saying,

“Well, politically we have to approve what’s already in place in Washington, Oregon, California, and around San Francisco Bay, even though they’re all different.” So they had to come up with implementing regulations that would accommodate this vast array of different programs. Then they turned to states that aren’t particularly interested in doing this, like Virginia or Alabama or Illinois and those states say, “Well, we’ll just do pretty much whatever we want to do because that’s what those guys did.” So to try to then bring them up to some standard that is high enough to actually achieve some difference was politically very difficult. The program also includes all the Great Lakes and all the Trust territories. So there’s a federal coastal management program for Western Samoa—

02-02:06:17  
Meeker:

Guam and Puerto Rico.

02-02:06:16  
Travis:

Yeah. All these things. So it’s really hard to administer this, and then over time you have bureaucrats in Washington coming to work for this program and their whole experience is dealing with carrying out federal laws that are mandatory. They get into this program, which is voluntary, and they don’t act like salespeople anymore, they act like federal bureaucrats. The amount of money continues to decline and you, wisely, have a Congress that comes in and says, “What has this program achieved?” Well, since you didn’t have standards of measurement for where you wanted to go, we play this really little funny mind game. OMB [the Office of Management and Budget] wants measurables and said, “Okay, in California we want to measure this.” So we have a wetland and there was a proposal to fill that wetland. They came to the Coastal Commission and the Coastal Commission said no. So we get credit for—let’s say it’s a hundred acre wetland. Okay. Then some other guy comes along at the same wetland, and says, “Well, I want to fill it for something else.” We say, “No.” Do we get two hundred acres now because we saved it twice? Then the third guy comes along and said, “I’m not even going to propose anything because I know I can’t build it there.” Do we get credit for a third time because he refuses to try? How do you measure what didn’t happen? How do you measure oil that wasn’t spilled? How do you measure public access that wasn’t taken away? I described the analogy as setting up a program in, say, 1900 and we’re going to set up a transportation program and we’re going to measure how effective you are in running a public transportation program. You design the entire thing around a railroad. Then some jerk comes along and invents airplanes and you try to impose the same standards of measurement on an airplane that you did with a railroad. It doesn’t work. So you can’t hop in after the fact. I think the first professional paper I wrote in 1976 was called *Can An Amoeba Find Happiness Under a Microscope?* What does it look like from the perspective of the amoeba? So anyhow, we got the program approved. Federal consistency has worked. The Coastal Commission has gotten some money and BCDC has gotten some money and there you go.

02-02:09:14

Meeker:

The federal consistency that was trying to be achieved—I know that that’s a concept, right, but in reality what was trying to be achieved—what was trying to be achieved, I guess, with the federal consistency?

02-02:09:32

Travis:

Okay, here’s the best example. At the Alameda Naval Air Station there is something called the Seaplane Lagoon, which is a big square hole with water in it and it’s where they would fly in seaplanes. Well, after the 1930s they didn’t have seaplanes anymore, so they didn’t need a lagoon. So somewhere in the 1960s the Navy looked at it and said, “Just fill the damn lagoon and we’ll build stuff on it.” Well, people looked around and said, “Wait a minute. We’ve got a state law that’s passed and local governments can’t fill the bay willy-nilly and state agencies can’t and private developers can’t. Why should the federal government be allowed to fill it just on the speculative value?” Well, that’s what federal consistency does. It would say, “Yeah, that’s right. If it’s good public policy for the state, for locals, for private, it ought to also be good for federal agencies.” Now, of course, there are kick-out provisions. If you’re going to do something for reasons of national security, yeah, that’ll override it. It is, I think, a very elegant concept and should be applied here in Berkeley. Why should the University of California be able to continue to do things in downtown Berkeley that might be very good for the University of California but are contrary to the best interests of the community of Berkeley just because it’s a state entity? They ought to play by the same rules as everybody else. So I think if Berkeley comes up with a plan for downtown that meets the needs of the University of California, the university ought to comply with it. And, in fact, that’s what we did. That’s how I was involved in that effort for planning in downtown Berkeley. It’s the same concept.

02-02:11:36

Meeker:

So when it comes to realizing the mission of the Coastal Commission which is protect, preserve, and perhaps restore, was the idea that the federal government then was going to try to get states to adopt that same sort of general framework for their coastlines, as well?

02-02:11:59

Travis:

It wasn’t that the federal government was taking up the states policies, it was that the state had to demonstrate that it was also advancing the federal interest.

02-02:13:23

Meeker:

Why or even would the federal government express an interest in access, for instance?

02-02:13:32

Travis:

While 55 percent of the people live in coastal counties, the vast majority of them do not live right on the coast. But they’re citizens of the United States. It’s their coast, too. My coast is everywhere. You shouldn’t be able to buy it and block me from getting to it.

02-02:13:59

Meeker: So it was the federal government acting as a representative of the people in those cases?

02-02:14:03

Travis: Yes.

02-02:14:04

Meeker: So back to the '76 act and then we can wrap up. So you weren't involved in the drafting of it. But I'm wondering if, from your vantage point in the Coastal Commission, did you see your work being transformed in any way by how that act was being articulated?

02-02:14:25

Travis: I can't recall that I did.

02-02:14:29

Meeker: Yeah. You had mentioned the local control project.

02-02:14:36

Travis: Yeah. Local coastal programs.

02-02:14:37

Meeker: Local coastal programs. Right. And this idea, from what I understand, was transferring Coastal Commission permitting authority to local agencies. That was part of the '76—

02-02:14:52

Travis: Yeah, that was part of the '76 law. Subject to appeal, subject to some areas would always be retained by the Coastal Commission. That was something that the local governments said, "This is our idea. The way we will retain local autonomy is through this LCP program." But there are some local governments that have never done a local coastal program because they've decided that, on balance, rather than me as a local elected official having to tell my constituents they can't do something because of state law. I'd rather just approve it, have it go to the Coastal Commission, have them turn it down, and then me belt the bejesus out of them for it. Interestingly, though, when you get to Sacramento the legislature there says, "Coastal Commission, you're not doing your job because these LCPs aren't getting done." But the Coastal Commission, well, they can say, "Look, it's up to them. It's voluntary." "No, you're the ones who are in charge of the whole program. You should find some way of making them do that." And then you cut off the budget for it so they don't have any assistance. So the Coastal Commission is seen as having responsibility. It gets blamed for something that it does not have the responsibility or authority to make happen.

02-02:16:32

Meeker: Interesting. Sabatier refers to some protests actually against the Coastal Commission, hardhat protests basically around increased unemployment in



California in advance of '76. These protests run mostly probably by building trades.

02-02:16:58

Travis:

Well, you could have funded the Coastal Commission if you could have charged tickets for the theater quality of it. There have been protests over the years. It is really great theater. One of the things that I found fascinating was there was a period of time when the Coastal Commission was very engaged in Malibu. The lesson I learned is don't piss off screenwriters. You can still find this in movies where you'll find references, just a side reference. "Yes, and the chairman of the Coastal Commission is on the take," or something like that. These little references would show up in TV shows just to jab the Coastal Commission. They were very funny.

## Interview 3: April 8, 2015

03-00:00:00

Meeker:

Today is the 8<sup>th</sup> of April 2015. This is Martin Meeker interviewing Will Travis and this is interview session number three. A few things I want to wrap-up about the Coastal Commission today. I know that we had exhausted, I think, a lot of the topics last time that we met. But I've got a few questions and we'll see how far we get with these.

One was that I know that your position was in budget and administration and we talked about one of your main tasks was to, in essence, play interference and help protect the staff so that they could do their job and not be overly influenced by what was happening in politics or what was happening amongst the public. So to that extent, when the Coastal Act is being debated in 1976, there's a lot of tumult in the public sphere, particularly amongst the construction trades. There was a recession, there was high unemployment, and the construction trades in particular were not happy with the Coastal Commission. And so I'm wondering if you can give me a sense of what these protests, because I understand there were in fact protests by hard hats, you know, in the Nixonian sense. What do you suppose the impact of that changing public attitude was on your staff?

03-00:01:43

Travis:

Well, first off, I didn't experience any of those protests directly. I expect if they took place, or when they took place, it would have been at the Coastal Commission meetings. The meetings were held up and down the coast, usually at hotels and I was working in the San Francisco office so I wasn't out there in the field where that was happening. I'm sure it had to have affected the staff because we thought we were doing God's work. All being God-fearing people, the crowd was also part of all of that. So the sense is that you think you're saving the coast but the people don't appreciate it. I'm sure it was demoralizing. But, again, I never experienced any of that directly.

03-00:02:43

Meeker:

Do you recall any engagements with your staff where you tried to reinforce the good that you were doing and encourage them not to pay too much attention to what was happening outside?

03-00:02:59

Travis:

I don't, no. I don't recall that.

03-00:03:02

Meeker:

Okay. Did your staff ever come to you and suggest that they were feeling outside pressure directly to alter their work in any fashion?

03-00:03:22

Travis:

No, not that I recall. But, again, in the work that I was doing in providing the resources, the financial resources that they needed and working through the

administrative system, they wouldn't have come to me if somebody was pressuring them to do something they didn't want to do. They would have gone to their line supervisor or someone like that.

03-00:03:48

Meeker:

Okay. What about in general at the time? There was starting to be an emerging discourse that you're either going to have economic growth or you're going to have environmental protection, that you can't have both at the same time. When did you first notice this emerging conversation, this debate happening?

03-00:04:14

Travis:

That was happening from the debate on Proposition 20. It was always cast that way. Fast forward, that was one of the things I tried very hard at BCDC to get rid of that debate that you can't have both. But the staff at the Coastal Commission, then and I believe now, they're primarily environmentalists. Philosophically they love the natural environment. A lot of them have degrees in natural resources and natural resource sciences so their client tends to be the environment, not the people. They try to communicate to the general public why protection of the environment is important. So to the degree they felt any pressure or any backlash, I think the sense would have been that, "Look, thanks but we know better than you."

Where I found the frustration and the disenchantment is that there's a sense that government doesn't work well. In the 1970s, I think this is when the Republicans came up with the strategy of "starve the beast." What you have is government, which tends to be seen as a Democratic priority. Democrats like government. They like government programs. They like to use government to advance public interest. The Republicans found they couldn't confront that directly, but what they found they could do was simply deprive government of the resources. When you do that it's like buying a sophisticated automobile and then trying to use low octane gas to run it. It's won't perform well. So it's a self-fulfilling prophecy, where you say government doesn't work well so we'll deprive it of the resources it needs to work well, and then government doesn't work well. See, we told you. And then you can start to get rid of the programs. When Governor Deukmejian was elected he slashed the Coastal Commission's budget and, frankly, they've never recovered from that.

03-00:06:57

Meeker:

Do you remember that being part of the campaign? What was your perspective on that?

03-00:07:02

Travis:

No. I don't know that Deukmejian specifically talked about the Coastal Commission. He may have but it wasn't a major issue. It was just he didn't like government in general and he wanted lower taxes and less government. And he got less government.

03-00:07:25

Meeker:

So I'm trying to think. Was he elected in '82 or '84? Do you recall?

03-00:07:30

Travis:

I think it would have been '84 because it was '85 that I left the Coastal Commission and that was right after we had to go through the budget cuts and eliminate positions and I realized that that was not going to be a good place to be spending one's career.

03-00:07:49

Meeker:

Can you tell me what that was like? Elected in '84, becomes governor in '85. Was it only obvious to you when the budget is passed that things were going to change?

03-00:08:07

Travis:

It's kind of like a coming storm. You can look out, you can see the clouds, but you don't know how it's going to manifest itself, you don't know what the timing is. But we knew it was coming. That was different than the surprise I had at BCDC when both Governor Wilson and then later Governor Schwarzenegger, out of the blue, said, "Oh, let's get rid of this agency." That one we didn't see the gray clouds coming at all. But we knew something was going to happen. Oftentimes governors will put a hiring freeze into effect. It's a slow death by a thousand cuts. Somebody leaves, you can't fill the position. But what Deukmejian did was come in with a meat ax, and just cut the budget.

03-00:09:06

Meeker:

What percentage did he cut it from roughly?

03-00:09:09

Travis:

I don't recall. But it was enormous because I recall putting all the department heads together in a closed room and we had to go through and go from here to here and count up the positions and count up the dollars. I had a lot of positions that were one-offs. So it was always not just the position, it was the person. That was a terrible, terrible time, one of the only two times I recall coming home and just weeping.

03-00:09:50

Meeker:

How many people were you forced to let go?

03-00:09:54

Travis:

Oh, it was probably a dozen, eighteen, something like that.

03-00:09:59

Meeker:

I know that you left shortly thereafter that. But can you give me a sense of how those departures, that change in budget impacted the work of the Coastal Commission, both I guess in the short term and in the long run from your vantage point?

03-00:10:16

Travis:

Well, one of the policy decisions that the Coastal Commission made, and, as I say, they're still suffering from this. There are different kinds of commodity in government. One of them is dollars and the other is positions. In the state we call it PYs: personnel years. The feds call it something else. But you get both. So if you have money but no positions, you can't hire anybody. If you have positions but no money, you can't hire anybody. So the Coastal Commission decided when they cut the budget after they eliminated the positions, they would fight to keep every position they had left with the hope that they could get grant money or somehow get money to come in so they could hire people. Typically in a state budget about 80 percent of your budget is salaries. The other 20 percent is rent, travel, phones, and all of that. Well, if you're trying to hold onto all of these positions there's no place left to cut except on your operating expenses. So what they kept doing was holding onto that money. We had staff but we said, "You can't make a long distance phone call," or "You can't travel," or "You can't do anything." Well, they couldn't do their jobs. So you had people sitting there frustrated, angry, not being able to do their jobs, doing their jobs badly, and terribly demoralized because they wanted to do good work but couldn't.

03-00:12:16

Meeker:

Are those two different kinds of decisions? Was one a budgetary decision? Is one more of a political decision about kind of keeping FTEs or keeping lines and then budget?

03-00:12:28

Travis:

The dollar cuts were an externality that came from Sacramento. The decision to keep the FTEs or PYs was a management decision internally by the Coastal Commission executive management. That's something they've tried to do for years, is keep that. Again, when I went over to BCDC, I wanted to make sure that if I was hiring somebody I could support that person so they could do their job well. I felt it was better to have nobody and to identify what it is that we weren't doing because we didn't have anybody to do it than to have somebody and have it look like we could do it but we didn't have the resources to support them.

03-00:13:22

Meeker:

Can you think of any concrete examples about how the changing budget and the decline of staff resulted in missed opportunities?

03-00:13:32

Travis:

No, I can't. It was a long time ago. As I say, I was operating internally doing the support work, so the specifics as to how that was playing out at the offices I didn't see. Also, at that point in my career, I was approached by the then executive director of BCDC, who said that his deputy had left and wondered whether I was interested in the position. So my focus changed at that point.

03-00:14:15

Meeker: I assume you would have left before the Commission appointments had changed all that much as a result of—

03-00:14:26

Travis: See, again, I can't even tell you who was the chair of the commission at that point. Early on I was involved with the commission. But then as they pulled away, looking at running the federal program, running the administrative stuff, the only line responsibilities we had was offshore oil and I had a technical staff that handled that. I never made any of the presentations to the commission and often didn't even go to the meetings.

03-00:15:01

Meeker: Interesting. Last time we had talked a little bit about the *Nollan* decision. That actually came down from the Supreme Court in '87 but clearly it was in the lower courts for years before that. Did you have much interaction with that?

03-00:15:20

Travis: No.

03-00:15:20

Meeker: Were you feeling the implications that were becoming apparent?

03-00:15:25

Travis: No, again because I wasn't directly involved in running the regulatory program. I did have the responsibility for the Coastal Access Guide and the whole program of advertising the success of the Coastal Commission and providing access. But I wasn't supervising the line staff who were processing the permits.

03-00:15:52

Meeker: So you don't really have much to add about the Supreme Court decision?

03-00:15:54

Travis: No.

03-00:15:55

Meeker: Although maybe we can talk about that in the context of BCDC.

03-00:15:58

Travis: Sure.

03-00:15:58

Meeker: Because I imagine that that decision had some impact on—

03-00:16:03

Travis: It did indeed.

03-00:16:04

Meeker: Well, we'll get to that in a few minutes. Another thing about what you had just mentioned as far as providing access and making sure the public knew

that the Coastal Commission was successful in that. Was there any consideration and danger in showing how much access there was? In that perhaps the work that was being done was not as necessary as some people might have thought?

03-00:16:38

Travis:

No. The reason we did the *Coastal Access Guide* is we found that we had required a lot of access, and access was being provided but nobody knew where it was. Therefore the sense wasn't that there was too much, but rather it was a mystery. Where was it? So our thought was we could demonstrate to the public that here's your little secret handy guide so that you can enjoy this public access. And it was phenomenally successful. I just got an email a couple of days ago from a friend of mine who said, "I remember when I went to California the first time. I used the *Coastal Access Guide* and I got to find beaches that," he says, "I don't think anybody knew they were there except me."

03-00:17:32

Meeker:

I actually think I need to get one of those because oftentimes I'm driving up the coast. You always kind of see pullouts and trails and they're not necessarily marked that this is public access and you can go through those.

03-00:17:45

Travis:

Yeah. Well, of course, the Access Guide, I think, it's now online. There's probably apps you can find that you can use. It's gone through a lot of iterations but the first one with a little matrix as to here are the facilities and here's the location and here's how you find them, it was a lot of fun creating and a lot of fun getting the feedback from the public about how much they enjoyed that.

03-00:18:14

Meeker:

Was it your team that played a role in assembling this data?

03-00:18:20

Travis:

Well, it was one guy. He had the reputation of being a troublesome employee. I liked him and admired him and he's the one that put the idea together. "Let me hire a bunch of interns, get the money from UC Press to pay for the interns through advances on our royalties as author." He's the one that supervised and laid the thing out and did the whole thing. He was the genius that did it.

03-00:19:01

Meeker:

Who was that?

03-00:19:02

Travis:

His name's Don Neuwirth and his name will come up later. He's the guy who we hired at BCDC when SFO wanted to build runways in the Bay. He's a superb political operative.

03-00:19:21

Meeker:

There are a couple of little things that you had mentioned in passing that I'd like you to tell me about. And I don't think we got it on tape last time but you mentioned the TOM-T process. What exactly was this and how did it get employed?

03-00:19:43

Travis:

We were dealing with the folks at the Department of Personnel Administration, or whatever it was called at that point in Sacramento. At the Coastal Commission we were just playing it all fast and loose. We would hire people and assign them to do work and if it didn't work out there, they'd do something else and we'd move them around. So I went to Sacramento and the person at the Personnel Board, or whatever it was called, asked everybody to bring their organization charts. I said, "We don't have an organization chart." She was shocked because if you worked for government and personnel you've got to have an organization chart. So she said, "Well, you have to have one." It was like me saying, "We don't have gravity." I said, "Well, we use TOM-T. And she said, "What's TOM-T?" I said, "It's *task oriented management technique*. You get the people, good people, and you assign them to do what it is that needs to be done until there's another task and then you assign them over to there based on their skills." I said, "They use it to build Saabs, TOM-T." I came out of the meeting with my what's now called HR director, and she asked, "What in the hell is TOM-T?" I said, "I don't know. I just made it up." So I'm with the same person, probably six or eight months later, and we were at a seminar in Sacramento and they were telling us about the various ways they're managing state resources. The person doing the seminar was showing organization charts and at one point turned around, and she said, "But some people are now using TOM-T. It's the way they build Saabs." I thought, "Oh, no. No, no. It was a joke. It was a joke."

But I keep coming back to that, the incident when I was sitting in the back of an Air Force cargo plane reading *Catch-22* and the pilot came back and asked, "What are you reading?" I said, "It's a really funny book." And he said, "Well, you won't find it so funny once you realize it's all true." I thought back about that. There is so much in government that's almost on the edge of the absurd. It turns out it's not just government. That's why Dilbert is a great comic. When you get an organization and you put a bureaucracy in place inevitably there are going to be unintended consequences and funny things are going to happen. The trick is to just watch out for them and enjoy them when they happen.

03-00:22:26

Meeker:

Did this idea have legs? Did you ever see it referenced anywhere else?

03-00:22:38

Travis:

I never saw it referenced anywhere else but we used it a lot.



03-00:22:43

Meeker: Oh, you did?

03-00:22:43

Travis: A lot. The closest thing was something called “matrix” where you would have two supervisors and you had to respond to both of them. At BCDC we were always trying to get the planners and the regulators talking to each other, to get people out of silos. So moving people around, that’s about as close as we got to it. It’s very hard to do.

03-00:23:15

Meeker: So you were moving regulators to work in the planning context and vice versa?

03-00:23:21

Travis: Yeah. I’ve had an idea for a long time that I wish I could have implemented, which is to have an intern program where everybody joins so that, say, you go to work for Chevron but then for six months you’re working for the Coastal Commission and then for six months you’re working for some other industry someplace else. I think what it would do is give professionals a much broader perspective as to how the world operates. I have found that what happens, whether it’s government or a business or anything, you get a bunch of people together, you put them in a room, you close the doors, you start talking, and after a while you convince yourselves that all of the world’s wisdom and integrity lies within that room and that if you could just control everybody else outside there who don’t understand and don’t have the right values. By moving people from room to room, I think that people would have a much broader perspective and a richer body of experience and they’d be making better decisions.

03-00:24:35

Meeker: Interesting. The institutions that you worked for allowed this kind of behavior? Meaning switching and moving around? And that worked?

03-00:24:46

Travis: Well, one of the advantages of having a state agency headquartered in San Francisco and not in Sacramento, it’s amazing how many directives from Sacramento blew out of the window of the car on the drive down Interstate 80. We’d get these things and just ignore them. So it took some creativity and it also took a bit of—I don’t want to call it courage because that’s not really what it was. It was just a bit of willful defiance to just say we’re going to do it this way but just don’t tell anybody.

03-00:25:33

Meeker: Well, working at Berkeley, you can imagine things are similar. And I’ve always lived under the idea that it’s always easier to ask forgiveness than permission because people really have a tendency to want to say no.

03-00:25:49

Travis:

Yeah. Well, that's the easiest thing to do. It's just so much easier to say, "Well, if I say 'yes' somebody might question me. But if I say 'no' nobody will know and therefore it'll just go away."

03-00:26:09

Meeker:

And this is the kind of thing that you had to deal with throughout your career, I'm guessing.

03-00:26:13

Travis:

Yeah. It was the kind of thing I had to deal with. But I really enjoyed having the authority, the capacity to just try stuff, to just try experiments. There's so much in government where we will hypothesize as to if we do this, here is the way I think things will happen. But we never test the hypothesis. We just put a law into place that says, "It will therefore happen this way." Well, oftentimes it doesn't. So I always like pilot projects. Let's just try this. We'll see what happens and if it doesn't work, well, it goes away. And if it does work, you expand on it. I enjoyed that. I remember in 1969 when I was working for the consulting firm that was working on Disneyworld, I remember the partner asking, "What do you want to do with your career?" I said, "I want to be a creative bureaucrat." He looked at me, because those two words just didn't go together. But that's what I ended up doing.

03-00:27:33

Meeker:

How would you define that then?

03-00:27:35

Travis:

The way I defined it then, I think what I had in mind, is I always had a sense that government could do good for people. We needed government but we needed good government and we needed government to be adventurous, innovative, and creative. I think that's what I had in mind. Having the support, the authority that comes with being in government, but also getting rid of all the cobwebs and stodginess and trying to do different things. Joe Bodovitz gave me the opportunity to do that.

03-00:28:17

Meeker:

Well, fifteen years later, now you are at the Coastal Commission in 1985, what did you think about government then?

03-00:28:29

Travis:

There is government as an institution and then there is the government in practice. My proudest possession was my business card because it had "State of California" on it, "Will Travis" and a title. What that said to me was the people of California have entrusted you with their belief that you can help them. I always felt that. I have always believed that. In 1985 what we were seeing was government in practice. You can do evil to government by not funding it, by passing crazy laws, by doing all kinds of things. So it is keeping the ideal in mind to make the institution work as best it can while you have

other forces that are trying to both knock down the institution and eliminate some of the practices of government.

03-00:29:39

Meeker:

Would you have said in '85 that the ideal and reality were closer together or further apart than when you first started proposing this creative bureaucratic approach in '69?

03-00:29:50

Travis:

Well, in '69 it was a belief. I'd never worked for government. In '85 I was probably seeing it at its low point. Yeah, that was the low point. Working for an institution, an institution being the Coastal Commission, that was under attack, being underfunded, being criticized, and the thing that caused me to leave the Coastal Commission, it wasn't that I got up one day and said, "This is miserable, I'm going to start looking for another job." I didn't. I was unhappy. But when I was contacted about a position at BCDC I had that sense of you can't go back. I'd been to BCDC. You've got to move on with your career. I looked at BCDC and at the time it had fewer employees than I had secretaries because, as the head of administration, all of the administrative assistants, as they're called now, worked for me. So I had more of them than BCDC had total staff. So I thought, "Boy, that's really a step back." But I also recall, as I was considering this, getting up in the morning and I was headed to SFO to get on an airplane to go down to Santa Barbara because that's where the offshore oil industry was that we were dealing with, and reading the *Chronicle* on the plane. I thought, "You moved here to the Bay Area because you love the Bay Area, yet you spend most of your life on airplanes going someplace else. You're either going to southern California or Washington or Sacramento or wherever. Maybe it's better to go back to what it is that attracted you to the place in the first place." So that was one of the things. It's like, "Yes, it's going back and yes it's smaller, but I will be dealing with these issues and this place that I love and these issues that I find fascinating to read about in the paper that I can't do anything about because I'm someplace else."

03-00:32:26

Meeker:

When did Joe Bodovitz leave the Coastal Commission rather? It was about '82? Is that right? [correction: about 1979]

03-00:32:33

Travis:

Yeah, that's about right. Eighty-two.

03-00:32:36

Meeker:

And it was Michael Fischer who took over. How did that transition impact the organization?

03-00:32:45

Travis:

Well, those of us who worked for Joe have a common bond. We say after you work for Joe you can't really be happy working for anybody else again because he's just such a saint, such a mensch. I guess he practiced TOM-T without ever knowing it. He would hire you and then just say, "Well, here's a

typewriter and a desk and go do good things.” After you got tired of doing what you were doing, you’d go in and say, “Joe, I’d like to take over the administrative functions because we also want to get the program approved under the federal coastal law and that’s going to bring in money, federal money, and it just makes sense to be managing the state money and the federal money together.” And he said, “Do you know anything about administration?” I said, “Well, I can balance my checkbook.” He says, “That’s good enough.” So he put me in charge of that. Anybody that came in after that, and Michael Fischer and I are still very close friends, but Fischer was no Bodovitz and nobody else could be.

There were a lot of us about the same age and Fischer was in that group. So when Bodovitz said he was leaving, anybody could throw their hat in the ring for the job. At other people’s urging, I did, too. I didn’t really want it. I didn’t think I would get it. But I remember I went in for my interview and they asked, “What do you have that distinguishes you from all of the other candidates?” I said, “Look, you have the good fortune of having the best and brightest that there are. You can just randomly choose any one of us and we’ll do just fine.” I think there was a sense in a lot of people’s minds who had competed for the job that Fischer got it but I should have gotten it instead. So there was a change, a little bit more sniping. So you had the externality of the budget cut and the internality of making these policy decisions by somebody that you may not admire as much as you admired Bodovitz.

03-00:35:27

Meeker:

Would you be able to characterize how his policy decisions veered from what you would have expected Joe to have done?

03-00:35:38

Travis:

I can’t recall anything specific that would have been done differently.

03-00:35:43

Meeker:

What about policy decisions that you would have done differently?

03-00:35:47

Travis:

Well, as I said on the budget front, I think they made a mistake. But chances are I would have made the same mistake. I learned from that mistake at the Coastal Commission and didn’t make it again at BCDC. But I could have just as well made it there.

03-00:36:06

Meeker:

Meaning not giving the existing employees the resources to do their jobs?

03-00:36:10

Travis:

Right.

03-00:36:14

Meeker:

One more thing before we move on to BCDC and that is also another one of these slightly , governmental things.

03-00:36:27

Travis: The what?

03-00:36:28

Meeker: This is the “Joint Secretariat for Federal Affairs, Integrated California Coastal Management Program.”

03-00:36:35

Travis: Yes.

03-00:36:34

Meeker: This is something that you and Mike Wilmar at the BCDC dreamed up, I think somewhat late in your time there at the Coastal Commission.

03-00:36:45

Travis: Right.

03-00:36:46

Meeker: What was the Joint Secretariat for Federal Affairs Integrated California Coastal Management Program?

03-00:36:53

Travis: The federal coastal law was passed in 1972 but the money for it either was not provided or was impounded so it was really 1975 before they got the program up and operating. Meanwhile, BCDC had been in existence since '65, the Coastal Commission since '72, and Oregon and Washington were developing their coastal plans. This federal law is unusual in that it's a voluntary law. It says, “States, you don't have to do coastal plans but we encourage you to do so.” And the way they encouraged us is they gave us money and they also gave us an authority called federal consistency. It turns the usual hierarchy of power on its head. Local governments is where most of the planning and land use regulation takes place in the United States but state agencies don't have to comply with local plans. That's why the University of California can do whatever it wants to do in Berkeley even though Berkeley might not like it. And the feds don't have to comply with either the state or local plans. That's called federal supremacy. What federal consistency provides is that if the federal government approves your state coastal management plan as meeting all the requirements of federal law, then federal agencies have to comply with it, as well. There are some weasel mechanisms so the feds can get out of full consistency and exemptions for national security and so forth, but it's still a rather novel concept. So the federal office in—

03-00:38:52

Meeker: What was the idea for achieving this federal consistency? Why would the feds have wanted to give up any power to begin with?

03-00:38:59

Travis: Because they had to have some incentive for states to participate in the program. They didn't have to and the money was a lot so they said, “We're going to come up with this idea.”

03-00:39:11

Meeker:

I guess what was the original impetus for the feds to pass this law to begin with?

03-00:39:17

Travis:

Sputnik. In 1957 the Russians put Sputnik into space and all of a sudden America has doubt about its capacity in science and math, including oceanography and marine sciences. You can follow forward then as to what the federal government was doing, and one of the things it started to do was look at ocean and coastal affairs. There was a commission with a long name but it was always called the Stratton Commission because its chairman was Dr. Julius Stratton, who was the former head of MIT. This group of fifteen people from federal agencies, state government, industry, academia, came up with 120 separate recommendations in late 1969 and one of them was to put this federal Coastal Zone Management Act in place to encourage states to do planning for the coastline, to protect and preserve and where possible restore and enhance the nation's coastal resources. This was after the 1969 oil spill. This was after—what was the river in Ohio? Cuyahoga that burned?

03-00:40:50

Meeker:

Cuyahoga. Cuyahoga.

03-00:40:53

Travis:

Cuyahoga River. It was also, interestingly, in the 1960s and seventies, every week we were seeing on TV *The Underwater World of Jacques Cousteau*. There was a popular view that we had to do something about this. So that's where the law came from.

03-00:41:16

Meeker:

Oh, yeah. And also, what was it, Mutual of Omaha's Wild Kingdom?

03-00:41:20

Travis:

Yeah. Right. So anyhow, the law passed and the feds, to implement it, they had to do a sales job because this wasn't a federal law where they said this is the requirement. They had to convince people, convince states. So they put the program in NOAA, National Oceanic and Atmospheric Administration and NOAA appointed to run it a guy by the name of Robert Knecht. Bob had worked at the NOAA facility in Boulder, Colorado, and he'd also been the mayor of Boulder. The greenbelt around Boulder, that was Bob's idea. So he was a politician, an elected official, and he peddled coastal management everywhere from Maine to Samoa.

In the law it says every state in dealing with the feds had to have one designated agency as the point. In California that designated agency was and still is the Coastal Commission. But BCDC has a separate law and it was around seven years before the Coastal Commission. BCDC has jurisdiction over the Bay. As I used to describe it, BCDC has jurisdiction over the heart and soul of the California coastal zone, San Francisco Bay, and the Coastal Commission has jurisdiction over that little section between Oregon and

Mexico that the Pacific Ocean laps against. But they're totally separate entities. They're sister agencies, fraternal sisters, maybe, but they're more like similar agencies in adjoining states. But the feds back in DC said, "Well, you have to have one designated agency." And since the Coastal Commission was that designated agency, Mike Wilmar, who was at BCDC at the time and was trying to get the BCDC program approved, would write a letter to OCZM in Washington and say, "I've got this program and here's what I want to do and is this okay?" Well, they would look at this letter and say, "Hmm, that's not from the designated agency." So they would send a letter to me at the Coastal Commission asking how they should answer Mike's letter. Well, Mike and I were working together to try to get the two programs approved and we were sharing all kinds of information and it just seemed damned silly to us.

The federal staff also pretty much insisted that there had to be not just one designated agency, but one overriding authority to put us together. I didn't have it. So Mike and I got one of our graphics guys to put together letterhead and on it it said, "Joint Secretariat for Federal Affairs, Integrated California Coastal Management Program," and we designated ourselves co-presidents. So he'd write a letter to them, they'd write a letter to me, and we would, in a very officious manner, write back to them saying, "This matter has been raised to the attention of the Joint Secretariat for resolution," and we would send them a letter which we, as co-presidents, signed. Well, they caught on. They knew we were being silly.

They went along with it but they also at the end decided, "Look, you really ought to study whether these two programs should be put together under one agency." So we hired an independent consultant to study it. The feds paid for it. The consultant concluded that whereas BCDC was largely responsible for two things, keeping the Bay from being filled, and providing public access to the shoreline, and had jurisdiction only a hundred feet around the Bay, the Coastal Commission had authority over everything and had jurisdiction that went five miles inland and sometimes to the top of the coastal range. So if you put the two together you'd either have to expand BCDC's jurisdiction and authority or shrink the Coastal Commission's in order to make it work. There were a lot of downsides to that and no real compelling reason for putting them together so the conclusion was "It's not busted, so don't fix it." The feds said, "Okay, that's fine." And we all went on with our work.

Well, little did we know that in 1995 Pete Wilson would propose the same thing again. We dug out the same study again, which was done by the former deputy director of BCDC. And who does Pete Wilson turn to to try to resolve this? Joe Bodovitz. Trusted Joe. And Joe said, "Well, there was a study that was done." And so it went away again. It was a good study. Got a lot of mileage out of it.

- 03-00:47:13  
Meeker: Well, back to this Joint Secretariat. I can't imagine you not getting fired for doing something like this, to be honest.
- 03-00:47:25  
Travis: Why? It solved the problem.
- 03-00:47:28  
Meeker: Well, yes. Yeah. And it's maybe a little too much of being a creative bureaucrat? I'm not being glib. All I'm saying is that, just from the way in which I know institutions work and a government feeling that individuals representing those state agencies are misrepresenting themselves as well as their agencies. I'm surprised you never got a reprimand or something like this.
- 03-00:48:04  
Travis: No, it was so over the top you would have had to have been a complete fool to be fooled by it, and we never tried to use it to get money or anything. The letters that we did write were in such officious language that you read it and you said, "Oh, God, this is—"
- 03-00:48:31  
Meeker: A lot of "heretofore" and "whereas is and that." Yeah.
- 03-00:48:32  
Travis: Yeah. This is really funny stuff. Yeah.
- 03-00:48:36  
Meeker: Okay. So they knew upon receiving the first communique from this Joint Secretariat that there was something mirthful about it, I guess?
- 03-00:48:46  
Travis: They had to have. Yes.
- 03-00:48:50  
Meeker: Did they ever respond by sending a communication to the Joint Secretariat?
- 03-00:48:56  
Travis: I suppose they did. I think they asked the Joint Secretariat to oversee this study of the integration of the programs.
- 03-00:49:09  
Meeker: So they treated it as a meaningful fiction?
- 03-00:49:14  
Travis: Yes. We made great friends with the staff back there. To this day they still show up at my doorstep whenever they're in town. Bob Knecht, behind his back and to his face, he knew it, was always called "Velvet Mouth." We had no idea what he was saying but it just sounded so nice we just had to do it. He hired a bunch of young people. They were creative, they were dedicated, and we had a lot of fun together and got things done.



03-00:50:00

Meeker:

Well, I think that that is actually kind of an interesting part of the story that's worth maybe documenting or giving some examples of. Let's put ourselves in the position of a landowner on the coast who wants to build a hotel or just add on to their house, add on a second story to their house or something like that, and they interact with the Coastal Commission. What they're getting is bureaucrats that they don't see have any particular care, I guess, or personal concern for what this person is having to go through as far as getting approval—it's this idea of the faceless bureaucrat. I think that you mentioned that before. But the idea that, simultaneously, you and the folks in Washington are getting together and knowing each other and that it sounds like the way that these things happen is not like George Orwell's *1984*, Terry Gilliam's "Brazil," or something like that. There are personal relationships.

03-00:51:14

Travis:

Personal relationships and, with a few rare exceptions, I don't know of anybody that I ever hired at BCDC or the Coastal Commission who came in and said, "I'm here because I want to work for the State of California and I don't care what agency it is. I just want to work for the state because I know you get a number of holidays every year and a good retirement." It was people who cared about the coast, and they were people, some of whom had worked for NGOs or for Surfrider Foundation or for the Sierra Club or for something like that. I think where the public could have expressed some frustration was not that they were faceless bureaucrats but that they were proud bureaucrats who didn't share the values of the people who wanted to have a house along the coast. It was the value of, "Look, fella, it would be better if you just stayed where you are and this was public access so that you could come here and enjoy it on the weekend along with everybody else. There's no reason for you to have a property along the coast and block off access for everybody else." And for the most part the staff was very young. I saw this directly with the oil companies, where they would just seem to ask, "Who are you? What is this? Is this *Lord of the Flies*? What's happening here?" There was a passion, a commitment. We're here to protect the coast and that's our objective. It's not to make you happy drilling for oil or building a house or a condo. It's not what we're about.

03-00:53:21

Meeker:

So was Mike Wilmar the person who recruited you?

03-00:53:33

Travis:

No, his name was Alan Pendleton, a longtime friend of mine. In fact, when we bought this house thirty-eight years ago, we sold both of our cars to get the down payment and we couldn't quite make it, so we needed a second \$10,000 and Alan provided it. So we go back a long, long way. He was the executive director of BCDC, and I had developed a reputation at the Coastal Commission, after I told you about how I was trying to protect the staff, I had developed a reputation as being the guy in state government who was most successful in firing people because I just wouldn't tolerate incompetence. It's

really hard to fire people and most everybody that I fired I didn't "fire." I convinced them it was in their own self-interest to go someplace else and they would resign. Anyhow, I got very good at that and BCDC had some problem employees so Alan recruited me to come in as a hatchet man. He said, "I'm planning to retire soon so I just need somebody to do this and then maybe you could get the executive director's position." That sounds good to me. Well, I should have insisted on reading the fine print, because it took him ten years to retire. So I was deputy director for ten years.

03-00:55:10  
Meeker:

One of the reasons that it sounds like you were obviously dissatisfied with the things at the Coastal Commission had to do with state politics and reduction of budget. Was not that same situation impacting the BCDC?

03-00:55:30  
Travis:

No, it wasn't. The Coastal Commission really attracted a lot of political controversy and political hatred and there were bills every year to abolish the Coastal Commission or limit its authority or change its jurisdiction. That didn't happen with BCDC. I remember a lot of times testifying before the legislature when I was representing BCDC. The legislators would look at me and say, "Why are you here?" I said, "We're a state agency." "Well, why is there a state agency just for San Francisco Bay? Why isn't there one for San Diego Bay?" I explained, "Because you have the Coastal Commission." "Well, how come we've got the Coastal Commission and the Coastal Commission doesn't have the Bay?" Then I'd have to go through the explanation, "Well, we were here first and there was a detailed analysis of why the two shouldn't be combined." Nobody knew we were there. It ran along. It never got huge budget increases.

One of the brilliant things that Bodovitz did was one of the twenty-seven members of BCDC was from the Department of Finance. So I always had a commissioner sitting there who was the person who supervised the person who supervised the person who supervised the person who oversaw our budget. So whenever there was a problem with our budget, "Hey, I've got a problem." Everything's fine. I remember one of the deputy secretaries for resources one time talking. He was playing tennis with the Director of Finance and he was saying, "Oh, the Resources budget is being cut." He was bouncing the ball and the Finance director, he says, "You know what? You guys are budget dust. We can fund the entire Resources Agency just by rounding the numbers differently. It's just like three percent of the state budget. It's just teeny." Of the whole Resources Agency, which includes CalFire, which is the biggest local fire department in the world, and Department of Parks and Recreation, and Fish and Wildlife, and all of the other agencies, you had BCDC and it's just this teeny little nit and nobody paid any attention to it.

03-00:58:17  
Meeker:

Circa 1985 do you recall what the was budget of the Coastal Commission versus BCDC?

03-00:58:25

Travis: I don't remember the numbers but the ratios are probably ten-to-one.

03-00:58:33

Meeker: Okay. So when Deukmejian comes along, Coastal Commission is sort of a sore thumb.

03-00:58:38

Travis: He probably cut the Coastal Commission's budget more than was the total budget of BCDC.

03-00:58:45

Meeker: Okay. So this was not anything to dissuade you from moving from the Coastal Commission to BCDC in 1985?

03-00:58:55

Travis: No. Since I never had a career plan because I didn't plan my career, it was always opportunistic. The main thing was I got to come home. I got to stay at home and deal with the issues around the Bay. I had a journalist at one time when I was at BCDC ask, "What's your job like?" I didn't think before I responded so I said, "It's like a kid playing with a full scale train set. I get to play with airports and ships and wetlands and bridges and highways and hotels and it's just really fun." And that's what it was like. It was here on a piece of the Earth that I just cherish. So that was what the driving thing was. That was the factor and the attractor.

03-00:59:58

Meeker: I don't know if you were going to talk about this, but you said the reason that Pendleton brought you to BCDC in part was to be a hatchet man. It sounds like you successfully encouraged these problem employees to move on to greener pastures. How did you do that? What is the process by which one does that? [laughter]

03-01:00:22

Travis: Well, I remember there was one guy. He felt very strongly that professionally BCDC had to do something that it was not empowered to do and was outside of his job description. So he wanted to spend his time doing something that he was not hired or paid to do to advance an agenda that we had no underlying legal authority to implement.

03-01:00:57

Meeker: What was this?

03-01:00:58

Travis: It was something dealing with engineering. BCDC has a responsibility to assure that when it approves something on fill in the Bay it's seismically safe and we have an Engineering Criteria Review Board that looks at these things but he wanted us to go beyond what that authority to deal with an issue. I don't remember what the issue was but it was an engineering issue and he felt very, very strongly about this. I had a long talk with him saying that I really

understood why he felt this was really important and that I just didn't have the capacity to do what was important even though I agreed that this was really critical. I just kept building him up, building him up, and building him up. He finally got so frustrated he said, "Look, if I can't do this I think I have no choice but to resign." I said, "Well, I understand you feel that way so regretfully I accept your resignation." He had resigned before he knew he'd resigned and then couldn't rescind it because I'd accepted it. So it was things like that.

I found that one of the tricks is you get a problem employee and you send him off someplace else. That's terrible. That's just hiding your problem and giving it to somebody else. But what I've also found is people like plants bloom in different environments. Sometimes they just need to be repotted. That's all they need. So it was looking at what a person's strengths and weaknesses were and looking around and seeing if there might not be something that they would be happier doing elsewhere because when you're in a job and you're getting lousy performance reviews and you're doing your best and it's just not good enough, you're not a very happy camper and you'd prefer to be someplace else if you could. So sometimes it was just helping them find that place or offering to support them with letters of recommendation. I'm always honest in those letters of recommendation. I always ask the employee to draft the letter because I said, "You will know what it is you want me to emphasize more than I will." I would go through it, edit it and make sure it's accurate. Then I'll stand behind it. I've had a lot of former employees who have succeeded in other agencies or going into business or whatever that I in essence wanted to get rid of.

03-01:03:58  
Meeker:

Interesting. When you returned to BCDC in '85, how had it changed over fifteen years?

03-01:04:10  
Travis:

Good question. I think it was fair to say it was pretty much a different agency. Of Joe and the people who were there when I left in 1972, there were a few of them left, mostly in the administrative and the support staff. But the attorneys, the chief of planning, the chief of regulatory, all of them had rotated out, so it was a new cast of characters. It still was carrying out the same responsibilities. It's one thing when you're just developing the plan and getting things started. By that time it was pretty much of a line agency. It was kind of cranking things out the door, doing permits.

I do recall, when I was there in the 1970s, we worked on the permit for the houseboat marinas in Marin County. The reason there are houseboats over there, there used to be a state agency whose job was to encourage San Francisco Bay to be filled and they did that by plotting off streets on the bottom of the Bay and then selling the area in between as building lots. The idea was you would reclaim them, fill them, and then the streets would be

built. So there's this private land on the bottom of the Bay. But it could only be used for the houseboat marinas if it wasn't needed for some Public Trust uses, which are recreation, fisheries, commerce, maritime commercial and so forth. BCDC has to make a finding it's not needed for a Public Trust use. You can't make that finding in perpetuity because you can't see into the future. So we decided to authorize these houseboat marinas for fifteen years. I thought in 1972, okay, we'll authorize it. I do the permit and it's gone. Well, it comes back to BCDC, there I am. I was gone for thirteen years. So shortly after I get there they said, "We're dealing with an application to renew these permits." I thought, "Damn, I thought I got rid of those." So they popped back into my lap again.

03-01:07:26  
Meeker:

But it sounds to me like the first time you were there this was really a fledgling agency trying to establish its legitimacy and it had a lot of work to do. In addition to establishing its legitimacy it had to make sure that in fact it had the ability to do what it was charged with doing. And it seemed like within those first five to seven years it in fact did that. But then you come back in '85 and it's almost like kind of on cruise control, auto pilot.

03-01:08:03  
Travis:

Yeah, I think that's a good way of describing it.

03-01:08:07  
Meeker:

Well, then, when you came in and you saw an agency that was kind of on autopilot, did you have an agenda? Aside from serving Pendleton, did you have an agenda for what you would like to see the agency become or did you think it was just fine as it was?

03-01:08:26  
Travis:

No. I knew it wasn't fine. My agenda was to fix things that I found weren't right. So I was looking for issues where we could improve the way we did things. Again, I keep coming back to I want government to work and I want it to work well. While I had no grand vision for how I thought BCDC should change, I could look for the problems. One of the problems that I saw was—and you made reference to the *Nollan* decision—what BCDC does when somebody comes in for a permit, the requirement in the law is you have to provide “maximum feasible public access consistent with the project.” That typically is taking the whole bayfront of the project and putting it in the public access, and also, if there's no way to get there from a public road, having some sort of a trail or something that allows you to get down to the shoreline and then improve that public access, put benches, put in landscaping, maintain it forever, and be liable if anything goes wrong. At the Coastal Commission, what we had done when somebody wanted to build something, we said you had to provide public access. As far as we could get away with politically was to say you have to offer to dedicate an easement to get down to the coast. Then we had to find somebody to take that easement, ideally a local government, a park department, something like that. Then the public would

have to pay for the trail, the public would have to pay to maintain it and clean up the trash and the public would be liable if anything went wrong. Well, how do you have two different agencies, one of them requiring just the stars and the heavens, and the other one barely able to get an offer to dedicate? How do you make this consistent with the guidance that came from the Supreme Court under the *Dolan*, *Nollan*, and various other case laws where it said you can only require something that directly deals with the impact. In *Nollan* they wanted to build a bigger house. The Coastal Commission said, “No, that’s going to block the views from the road and we’re going to require you to provide a strip of access along the beach.” The Supreme Court said, “No, you can’t do that. If the house is blocking the view you can require the house to be smaller or you can require a view corridor so that you could see through there but you can’t require physical access.” And under *Dolan*, there the court said there has to be a rough—

03-01:11:43  
Meeker:

Was that the South Carolina one?

03-01:11:43  
Travis:

That was the Oregon one. *Dolan* said there has to be a rough proportionality between the impact and the condition. And I’ll take an extreme. You couldn’t say, “Well, this is going to block a view that now exists which is twenty-foot wide and in return we’re going to limit the size of your house so that it provides a view corridor that’s 200-foot wide.” The court said, “No, there has to be a connection.” I found that BCDC was way off the charts and I knew that if we were challenged legally we’d lose. So what I did was, working with the business community, kept emphasizing and showing them examples of how public access, in essence, opens another door, another face for you to be having your retail sales or making your development more attractive. And we had the good fortune, even then, of dealing with tech companies which love to be along the shoreline of the Bay because their workers love to jog or bicycle. That’s the way they get to work. That’s what they do so they were building, in essence, public parks that had offices in them. So by working with them and through the various business organizations, developers came to realize that the public access that BCDC is requiring was something that’s in their financial best interest to do anyhow. The greatest example of this is AT&T Park. We required public access along the shoreline but you go down there, that whole hall of fame that they have along the shoreline—

03-01:13:49  
Meeker:

The promenade area.

03-01:13:50  
Travis:

—the promenade. Willie McCovey Cove is a name they made up. It used to be called “the end of the sewage treatment outflow from Mission Creek.” They took the public access requirement and that whole notion where you can go watch the ballgame for free, that was their idea. This changed what had been an onerous regulatory requirement into a brilliant marketing strategy. It

makes it really easy to do your job when people are coming in proposing stuff that is far greater than you could ever require.

03-01:14:28

Meeker:

Was this kind of an agenda you had when you went there?

03-01:14:33

Travis:

No, it wasn't an agenda. I think where this came from was the year that I had worked for a department store in Allentown, Pennsylvania and I was doing advertising and public relations. It kind of got into my blood, that if you explain things differently and help people look at the problem from the perspective of how can I deal with this problem in a way that benefits me you get better outcome. To the degree I look back at it and see that there's a common thread that has gone through my career it's always trying to negotiate a deal so that everybody walks away from the table saying, "I'm happy. I'm good."

03-01:15:21

Meeker:

But it's interesting. What you're also saying is sort of a foundational difference between the Coastal Commission and BCDC, in that the Coastal Commission, in many cases such as *Nollan*, you're dealing with a private property owner who all they see is a family with screaming kids kicking sand up onto their patio. That's all they have to gain, right, or graffiti in the public access way or people peeing or something like that. Right?

03-01:15:52

Travis:

Right.

03-01:15:53

Meeker:

Whereas BCDC you're not really dealing with individual private small landowners, homeowners. You're dealing with hotels. Probably Oracle, I imagine, was one of the big companies that you dealt with.

03-01:16:03

Travis:

Absolutely. Yeah.

03-01:16:07

Meeker:

And there's a different sense of private property I think for those two poles.

03-01:16:19

Travis:

Yes. Absolutely. One of the differences is climate. Here, while the Bay is clean enough to swim in, it's still damn cold. When you have public access here you have a few people come down to the shoreline to enjoy it. In Southern California when you have a nice sunny day you've got seven million people in the LA Basin who want to get to the beach. So that's one big difference. Two is we don't have, relatively speaking, a lot of residential development right on the shoreline of the Bay, and that's where the real rub between public access and private land use is. Housing is private. You don't want the public outside your window. Whether it's a hotel an office building or restaurant, any retail commercial, you welcome the public in. That makes it

different. So a combination of climate, just the pressure to use the area, and the types of land uses. And then, I have to say, we have a very sophisticated clientele in the Bay Area. This is Silicon Valley. These are the people that do it differently. They're willing to say, "Well, yeah. Okay."

We had the issue of liability that was a big deal. "Wow, you want us to be liable if anything goes wrong?" "Yeah." So the Bay Planning Coalition, which then represented the views of industry and was, I would say, adverse to BCDC, they did an analysis of the insurance and their conclusion was that if you have a sidewalk along the front of your house and you have public access along the back of your house, you just let your insurance agent know and they put a rider in your policy and usually they don't charge you at all for it. There's no more danger from somebody walking along one side of your property as there is on the other. So it was a non-issue.

03-01:18:46

Meeker:

Interesting. What about the staffing of BCDC when you arrived in '85? As far as the number of staff and the kind of work that they were doing.

03-01:19:07

Travis:

I would have to go back and look at the actual detailed numbers but as I recall there were probably 50 percent more people than there were in 1972 in '85. So it might have grown from a dozen to eighteen or something like that. Maybe twenty, twenty-five. It grew as new requirements, new laws, such as the Suisun Marsh Protection Act, were passed. So you get a couple of staff for that but it hadn't grown very much. And it was very difficult to get any increase because the Department of Finance said, "Look, your law hasn't changed and you had enough staff last year to administer the law. If the law hasn't changed why do you need more staff?" So you could go through and do some justification. But I found that the capacity of staff was eroding because as you have more permits that you've issued, inherently you have more permits to monitor. So initially you didn't need anybody to monitor them because there weren't any permits. But then over time, keeping track of those things—I remember, oh, my goodness, probably nineteen—this is after I became executive director, we wanted to get a budget augmentation. The staff wrote the thing up, as you do for the Department of Finance, justifying the augmentation. It's almost like a 1040 form. You fill it out. I went to a seminar down in Silicon Valley and they were talking about what they were doing. I was just listening to the language. I came back and I rewrote the thing as an investment. We're not asking for more money. We're proposing an investment for the State of California and here's what you get as a return on the investment. It just happened to come up to \$1,000,024, which we rounded to a million. The staff always called it the *Million Dollar Baby* because it was about when that movie came out. And went through. The Department of Finance said, "We can't possibly approve this." I said, "I understand." They said, "But if you propose it we won't oppose it." So they would go to the hearings and I would do my pitch and the legislature would say, "Department



of Finance, what's your position on this?" They'd say, "It's the policy of the Department of the Finance to not support this." "Why?" "Because it's our policy." They just sat there. So it was pitching, casting things in a different way, getting the resources by focusing on value added.

I always used to tell the Commission and the staff that our job isn't to try to find ways to deny permits. Our job is to look at the law, the policies, and the project and if they're inconsistent, to work with the applicant to refine the project so that it's consistent with the law and policies. Occasionally we would have something come up where it was inconsistent with the law and policies, but we looked at it and it was such a damn good idea that we changed the policy to allow the project. That's why it became a labor of love. It was the love of San Francisco Bay—I'm laughing because if you look at BCDC's letterhead it says at the bottom, "Making San Francisco Bay better." That was our mission. The Commission thinks they adopted that. They never adopted it. We just put it on the letterhead. It's pure advertising slogan. But that's what we were trying to do. We're going to make the Bay better. How? Well, it depends. And that's what we worked at doing. The test of our success was an applicant who would call me as the executive director and say, "Look, when I heard that I needed a BCDC permit I just said, 'Oh, no, that's awful.' I didn't want to do it, I didn't want to go through the process. But we're done and I have to admit that my project is better." That's the value added. If you aren't doing that through regulation, if you aren't using regulation to stop the bad stuff and make stuff even better, why are you investing the money in the regulation?

03-01:24:30

Meeker:

What was the million-dollar baby? What was the project?

03-01:24:34

Travis:

It was a whole series of staff who did everything from computerizing our recordkeeping system to a couple of staff in planning, a couple of staff in permits. The permit staff, we explained how this would get rid of backlogs, expedite the process, make it faster and easier to get through the regulatory process. The planning staff were looking at some key issues and problems that nobody had been addressing so we wanted to get policy in place so that we could assure that the resource was protected and projects could move ahead.

03-01:25:16

Meeker:

There was a wide variety of activities.

03-01:25:17

Travis:

It was the same positions, the same duties that we had proposed initially but it was written as an advertising pitch, as a marketing pitch. You don't see those in government so when they come through they're so refreshing you go, "Oh, darn. That's pretty cool."

03-01:25:47

Meeker:

So I have actually a whole list of different issues here and vaguely in chronological order. So some you might have nothing to say about, some you might have a lot to say about. And some I have a lot of information on, some I don't. And the first one I don't have a whole lot of information on but I know it was a big deal and I know it's also something that's coming up again in a slightly different way and that was the Peripheral Canal. Given that was basically about Delta water coming into the Bay and diverting that to south land. This would have been mostly out of the purview of BCDC except for issues having to do with water quality, I imagine, and salinity in the Bay, for instance. There was, I guess, a referendum passed by voters in '82 that allowed for this, so this was while you were still with the Coastal Commission. But then there was a successful effort to kill it. Do you recall any role that BCDC played in this?

03-01:26:54

Travis:

We probably looked at it and commented on it. I remember the Peripheral Canal was something that Jerry Brown was in favor of until the initiative passed and then he was opposed to it, in the same way he was opposed to Proposition 13 until it passed and then he was for it. There's a reason he got elected four times. Ask Willie.

03-01:27:15

Meeker:

Not including the attorney general. Two times, right. Something like that. Yeah.

03-01:27:21

Travis:

Anyhow, under federal consistency, I mentioned that it turns things on its head. The other thing that federal consistency says if there is a federal activity that effects your coastal zone, not that it's in the coastal zone, but it effects it, you can exercise authority over that federal activity. That is how the Coastal Commission stopped oil drilling on the federal outer continental shelf, outside the three-mile limit. So it's a very powerful tool. BCDC has policies that deal with freshwater inflow into the Bay and protection of resources. And I have joked that you could use that federal consistency to control federal water decisions at the delta once and then the law would be changed. Because it's such a powerful tool.

Now, ironically, right now as a consultant I am working with the Delta Stewardship Council, which wants to get their plan for the delta approved under the federal coastal management law, so that the Delta Stewardship Council can get control over those federal water decisions. And they have a big hurdle to do that, because when Mike Wilmar and I got our programs approved, the federal agencies looked at it, said, "What's federal consistency? I never heard of that," and they'd go to their attorneys, say, "What's federal consistency?" and the attorneys would say, "Don't worry about it. Federal supremacy. We don't have to listen to states. Don't worry about it." And they thought that it was powerless. We thought it was powerless.

When the Coastal Commission's program was approved by NOAA in the Department of Commerce, the American Petroleum Institute was really afraid that the Coastal Commission would use that authority to stop oil drilling on the federal outer continental shelf. Joe Bodovitz said, "Oh, this federal consistency, it's never going to work." It has a provision in it that if you have a disagreement with a federal agency, you can call in the the Secretary of Commerce to mediate the dispute. Bodovitz says, "That's like me having an argument with my wife and I call in my mother-in-law to settle it." He says, "That's not going to work." So when the American Petroleum Institute, concerned about the Coastal Commission misusing this authority, sued when Commerce approved the Coastal Commission's program Joe said, "What's the problem?" They said, "Well, here's why we're afraid." He says, "Oh, don't worry about it." He says, "I'll tell you what. We will agree to stay the federal consistency authority if you will agree that we can get the federal funds that come with federal approval because that's what we want. We want the money." And the American Petroleum Institute said, "That's fine." So we got the money, the suit went on, API lost the lawsuit, and the Coastal Commission used the authority to stop oil drilling on the federal outer continental shelf. At one point they used the authority and it got to the Supreme Court and by a five-to-four decision the Supreme Court said, "You know what? You're right. The Coastal Commission doesn't have that authority," so Congress changed the law and gave it back to them. Pete Wilson said, "Nobody ever lost an election in California by opposing offshore oil drilling." So it was a big deal. It's a big deal.

03-01:31:36

Meeker: Who changed the law?

03-01:31:38

Travis: Congress.

03-01:31:39

Meeker: Congress changed the consistency law?

03-01:31:42

Travis: Yeah.

03-01:31:43

Meeker: To allow the Coastal Commission to have that authority?

03-01:31:45

Travis: To allow the Coastal Commission and the other states to have that authority.

03-01:31:47

Meeker: No kidding.

03-01:31:48

Travis: Yes.

03-01:31:49  
Meeker: What law was that? Do you recall?

03-01:31:50  
Travis: Well, it's the Federal Coastal Zone Management Act of 1972.

03-01:31:55  
Meeker: Yeah, but then it was modified.

03-01:31:55  
Travis: I don't remember what the year was that the modification was.

03-01:31:59  
Meeker: Okay. So the relationship of this to what happens—

03-01:32:04  
Travis: In the Delta is—

03-01:32:06  
Meeker: In the Delta.

03-01:32:06  
Travis: Now all of the federal agencies know about consistency. So when the Delta Stewardship Council tries to get its program approved all those federal agencies are going to be looking for every procedural obstacle that they can find to prevent it from being approved.

03-01:32:23  
Meeker: Is this Delta program also approved under the Coastal Zone Management Act?

03-01:32:27  
Travis: Not now.

03-01:32:28  
Meeker: Not now?

03-01:32:29  
Travis: Not now but they can submit it, just as there is a segment for the coast, there's a segment for the Bay, and there can be a segment for the delta. The San Francisco Bay Delta is the largest estuary on the west coast of the North and South American continents. It's the largest estuary so it ought to be in the federal coastal management program. It's like Chesapeake Bay west, so it ought to be in there.

03-01:33:02  
Meeker: Especially with rising sea levels.

03-01:33:03  
Travis: That's exactly right. Yeah. The city in the United States that's most threatened by flooding is Sacramento. More so than New Orleans. So yes. It should be in. They've asked me to help them get it in. I've said I will do all I can to help them but it's a big heavy lift. So where that left us at BCDC is we looked at it

and said, “Well, maybe we could exercise some authority over some specific water decision that the feds were going to make,” but likelihood was that if we tried to do that the law would get changed and we’d never get the authority again. So we commented but I know we didn’t exercise that authority or try to.

03-01:34:00

Meeker:

So a few years later something major happens in the Bay. Let’s talk about this and then we can wrap-up today. And I don’t know how much you’ll have to say about this. I imagine there will be some things, it’s pretty interesting, we’re still dealing with it today. And it was the 1989 Loma Prieta earthquake. Strikes just as—was it game two or three of the World Series was getting underway and causes some pretty substantial damage to the Bay Bridge, for one. Some roadways near or along the Bay, such as the Embarcadero Freeway. The reason I’m bringing this up is I imagine that BCDC would have had to into some sort of emergency response mode to facilitate a quick response amongst agencies such as Caltrans in order to deal with repair and rebuilding. And also earthquake safety was written into the BCDC law. So what was the impact of this on the work that you guys did?

03-01:35:24

Travis:

Well, one of the things that we found initially is we had our Engineering Criteria Review Board and we had a capacity to review seismic safety on new fill projects but not on stuff that was along the shoreline. If you look at the Loma Prieta earthquake and you look at where the failures were, get an old map of the Bay and you will see the section of what was then called the Cypress Freeway in Oakland, the part that collapsed, went over a cove. If you look around the Bay, the Marina District, that was all filled before the 1915 Pan Pacific Exposition. It’s all the filled land around the shoreline of the Bay. And what it did was substantiated the theoretical argument that if you don’t engineer fill properly it can liquefy. But the stuff that BCDC had approved did fine. The only bridge that stayed open right after the earthquake was the Dumbarton Bridge. It was the closest to the epicenter of the Loma Prieta earthquake. It was the only bridge that BCDC had approved because the others predated us.

03-01:36:48

Meeker:

Oh, I didn’t realize Dumbarton was after ’65. Huh.

03-01:36:52

Travis:

We quickly looked at this and said this makes a case for expanding the authority of BCDC to look at the seismic safety of projects along the shoreline of the Bay that are built on this old un-engineered fill, just as we’d look at engineered fill. We were not successful in getting that law passed because there was pushback from the Bay Planning Coalition and from local governments who said, “We can do this just fine. We don’t need a state agency looking over our shoulder.” But I found that it substantiated the

authority that BCDC had been given, demonstrated that we'd done a good job and demonstrated that it was necessary to have this kind of a review.

As for issuing emergency permits, I don't remember issuing any. We probably did. Every fall we would issue emergency permits for somebody who said, "Oh, my God. It's raining. Oh, I knew I was supposed to get that levee repaired. I didn't but I was going to get to it and now it's flooding." "Yeah, okay, fix it." So I had the capacity as executive director, with the concurrence of the chair, to issue these emergency permits. So we probably issued some.

But most of the response was rather slow in coming because people were waiting for their insurance and they'd have to go through other permitting agencies and get financing. So that wasn't so much a big deal. One of the concerns we had was that after the 1906 earthquake you ended up with all this rubble. Where the hell do you put it? The easiest was you just dump it out the front door into the bay. But the Embarcadero Freeway that was torn down is now another freeway. It was ground up and it's used as the base for the expansion of 580. So all of this concrete, all this stuff is recycled now because it's a resource.

03-01:39:28

Meeker:

Oh, the expansion of 280 down to South Bay? [Correction: 580 in Hayward]

03-01:39:30

Travis:

Yeah. The concern we had that it would just be pushed into the Bay, it's too valuable to do that. We were engaged in testifying responding, and looking at different things. There's always a tendency after any kind of a disaster, to waive all the permit requirements so we can rebuild fast. But we were explaining how, no, what you don't want to do is rebuild in a fashion that will allow the structure to do what it did the last time. What you want to do is improve it. So I recall doing a lot of that, a lot of response to it.

A footnote on the Loma Prieta earthquake. It resulted in a meeting of the Joint Secretariat. It turned out our office at BCDC was at the corner of Market and Van Ness. I knew that I'd never get home so I thought, "Well, everybody's going to end up using ferries because it's the only thing going." So I walked down Market Street and it was fascinating because I could tell how old a building was not by looking up but by looking down. If there was a lot of rubble along the sidewalk I knew it was an old building and if there wasn't I knew it was a new building. It was demonstrating that we'd learned to build in a way that could survive earthquakes. So I walked down Market Street and looked around trying to find a ferry. I found a Hornblower dining yacht. I thought, "Wow, this looks good." I said, "Are you taking people to the east bay?" He says, "No. We have a dinner cruise lined up." And there were actually people coming down from the hotels and going out for dinner. So I'm walking around and I ran into Mike Wilmar. He had been at the baseball game. They bused them back to downtown and he was going to take a ferry

home. His office was right over where the Boulevard Restaurant is now. So we went into his office and we found a cache of wine in the basement that they reserved for winning law cases and we found a phone down in the basement that was still an old hardwired phone, so it didn't need power. We were able to call and reach our loved ones, let them know we were fine, and then Mike and I proceeded to take a walk around to see the damage. We walked all around, underneath the Embarcadero Freeway, not knowing that it was one aftershock away from falling on our heads.

Then at two o'clock in the morning we got a ferry. It was a beautiful night. Just a gorgeous clear night. As the ferry was leaving the Ferry Building and going toward Oakland, there was no power in San Francisco but there was power in Marin and there was power in San Mateo and behind the hills you could see the glow of the fires in the Marina District. As the ferry goes away from the dock and with no power in San Francisco, San Francisco simply vanished. It was just this black hole. It was the eeriest thing I've ever experienced. We went to the East Bay and about three o'clock in the morning there was a bus waiting. It brought us around, took me home.

03-01:43:09

Meeker:

Was your office closed for a few days thereafter?

03-01:43:12

Travis:

Might have been two days, I think. I went in and inspected it and said, "Okay, we're up and running." It was a relatively minor earthquake. It was seventy miles away so it was not a big one.

03-01:43:33

Meeker:

Was BCDC asked to weigh in on, for instance, decisions of whether the bridge or the Embarcadero Freeway were viable to be reopened?

03-01:43:50

Travis:

No, it's outside of our jurisdiction. We were called mainly because so many members of our Engineering Criteria Review Board were also on various other taskforces and so forth. So we were part of some governor's response panel to look at the earthquake.

03-01:44:16

Meeker:

Actually, just one other thing about the bridge. This is not about the earthquake. But I understand you did a project on the bridge and one thing that people talked a lot about was how back when the bridge was being built, or when they were doing the retrofit to get rid of the Key Line trains beneath it, like they would change the paint and all the lead scraps would just go into the Bay. Now, even when they're doing sort of sandblasting they have to recover all the sand. Is this something that BCDC was involved in or is this more about a water quality agency?

03-01:44:57

Travis:

It is an overstatement, but not too much of an overstatement, to say that there is a new Bay Bridge because Larry Goldzband, who's the current director of BCDC, and I went to lunch with a high official at Caltrans. I asked just that question. I said, "Why in the world are you going to retrofit this thing when you've got all that lead underneath there and in the process of retrofitting you're going to put more of it into the Bay and when you get done retrofitting it you're still going to have a bridge that is built on timber pilings in the Bay. Why don't you build a new one?" And the answer we got from the Caltrans official was, "Well, we think that with all the environmental regulations and rules and policies and such, that it'll just take too long to do that." He kept talking and talking. Finally, I said, "Who are you talking about?" He said, "BCDC." I said, "Look, if you want to replace that bridge I can guarantee you that you'll get a fair hearing and a very reasoned decision." And ultimately when that bridge came through BCDC for a permit, I had to stop the Commission to remind them what they'd just done. They had unanimously approved it in about five minutes because we'd had a whole series of briefings before that so by the time it got to the permit all the issues had been fully vetted and also the oversight panel that worked with Metropolitan Transportation Commission—they had this huge panel that was made up of the panel that Caltrans had plus our Engineering Criteria Review Board, plus our Design Review Board, because I had gone to Steve Heminger the executive director of the Metropolitan Transportation Commission] and said, "Look, these guys are going to look at it after it's designed and then they're going to kibbitz. Get them up front. Make it theirs." And that's the way it worked. They were all engaged in the whole process from the very beginning so, again, by the time it got to BCDC we said "boom chicka boom." I said, "Hey, stop. Remember a few years ago Caltrans wanted to eliminate BCDC and we have now demonstrated that we can handle these big mega projects. We've got a good process and they get approved." They did it. It has public access on it, even though Quentin Kopp passed a law that said we couldn't have that. Yeah, he stripped us of our authority to require public access.

03-01:47:51

Meeker:

When did that happen?

03-01:47:52

Travis:

Right before the bridge was designed. He had been a member of BCDC and never liked it. So he was chairman of the Senate Transportation Committee and got a provision in law that, as we dealt with the bridge, we could not require public access on the bridge.

03-01:48:18

Meeker:

Was it just the bridge?

03-01:48:19

Travis:

Just that bridge.



03-01:48:21

Meeker: Just that bridge?

03-01:48:21

Travis: Yes, that bridge, the one with the public access on it today. That bridge. Again, what happened was the constituents for public access convinced MTC [Metropolitan Transportation Commission] to fund it and Caltrans to build it, even though we couldn't require it. We didn't have to require it. It's like the developers who see it's in their own self-interest to do something.

03-01:48:45

Meeker: What were some of the issues of particular interest to BCDC in the approval of the new span?

03-01:48:52

Travis: The impact of pile driving, the impact of the removal of the old bridge, which, interestingly, is a permit that's before BCDC right now. The impact on filling, because the approach to the new bridge is actually on solid fill. As you're going west, it goes off to the right, to the north where there's a long stretch of fill. So all of that had to be justified and mitigated. And the mitigation is another story entirely.

03-01:49:43

Meeker: Do you want to tell that now or do you want to wait?

03-01:49:45

Travis: Well, that's the one where I wrote the children's fairy tale. *The Saga of Skaggs Island*. I'll send that to you.

03-01:50:05

Meeker: I don't think I have *The Saga of Skaggs Island*. Well, let's wrap up there for today. Is that good?

03-01:50:10

Travis: Okay.

## Interview 4: April 17, 2015

04-00:00:00

Meeker: This is Martin Meeker interviewing Will Travis. Today is Friday, the 17<sup>th</sup> of April 2015. And this is interview session number four. Let's get started. I want to talk about something that you played a pretty key role in that was related to BCDC but you also kind of played an auxiliary role in this work. And that is the Shell Oil spill of 1988.

04-00:00:40

Travis: Ah, yes.

04-00:00:43

Meeker: And then the response to it by BCDC and then the longer response about managing the settlement and the purchase of thousands of acres of land from Cargill. So first maybe you can just start out by telling me about the oil spill, where it happened, how it happened, and what kind of damage it caused.

04-00:01:05

Travis: The oil spill was in 1988 at the Shell refinery in Martinez, California. It was caused when somebody left a valve open. There are containment dikes around the tanks that they store the oil in but somebody had left another valve open or a floodgate open so the oil flowed out of the tank, into the containment dike, which should have held it, but it was open, too, and it flowed down into wetlands adjacent and adjoining San Francisco Bay. I don't recall the exact amount but there was significant damage to the wetlands surrounding it.

04-00:01:57

Meeker: Did, at the time, BCDC have a kind of response protocol to something along these lines or would that have been another agency that would have dealt with kind of the immediate response to something like this?

04-00:02:10

Travis: We didn't because, in fact, there wasn't much in the way of response in California. That came about after the big Exxon oil spill in Alaska.

[Break in audio: knock at the front door]

What happened was I was responsible for running the offshore oil regulatory program at the Coastal Commission so when we had the oil spill here in San Francisco Bay I took my then executive director, my boss, and I said, "Alan, let's go up here. I want to show you what happens when you have an oil spill and how they respond and boom and so forth." So we drove up there and we were looking around and I got to talking to the guys from Shell. I said, "Okay, you're recovering this oil. What are you going to do with it?" And he said, "Well, it's simple. You just dewater it and then it becomes product and we sell it." And a light went off in my head because you need a BCDC permit to place fill in the Bay and fill is defined broadly but probably doesn't include

oil. We weren't a water quality agency. But you also needed a BCDC permit to take anything out of the Bay that's worth more than twenty bucks. I realized by taking this oil out, by cleaning it up and selling it, it had economic value and they needed a BCDC permit for that, for taking it out. They didn't have a permit for that because they never thought to get one so it gave us a legal hook to make a claim against Shell as a result of the spill and the subsequent cleanup. So that's how we got involved in this.

I think there were seventeen other departments and agencies that also filed claims. So the attorney general's office said, "Let's consolidate these into one big claim and we'll just handle it all at once. So we showed up at this meeting of all the plaintiffs and they said, "Who are the hell are you? Why are you here? Why do you think you have a claim?" We explained why and they scratched their heads and said, "Okay, fine. We'll throw you in the mix with everybody else."

At the meeting the agencies had, for the most part, sent resource people, not lawyers and not so much managers, but actual people who dealt with natural resources and I knew a number of them. We caucused and we said to the attorney general's staff, "Look, instead of having a long lawsuit and spending a lot of money figuring out what the damages are, how about we settle the case fast?" SO we gave the attorney general's office instructions. Ideally we thought twenty-four million dollars is what we could get. But we also said, "Here are some fallbacks." As I recall, they were twenty million, sixteen million, and our bottom-line was eight million. The attorney general's representative went into the meeting with Shell and said, "We want twenty-four million dollars." And the Shell people said, "Not a nickel over twenty." And it was settled in minutes. So of the twenty million, ten million of it, or nine million and change, went into various either specific counts or actually to pay for the state's work in addressing the damages, and then the other ten million and change went into this fund.

Then a memorandum of understanding or memorandum of agreement was crafted that the court approved, and the court established through this memorandum something called the Shell Oil Spill Litigation Settlement Trustee Committee or some long name like that. It was made up of six representatives, four from natural resources trustee agencies, two from the state, the State Lands Commission, and the Department of Fish and Game, which is now the State Department of Fish and Wildlife, and the Federal Marine Fisheries Service in NOAA and the U.S. Fish and Wildlife Service in the Department of the Interior. The East Bay Regional Park District was also added, as was BCDC and BCDC's job was to represent the people of the Bay Area. For reasons that were never clear to me, only the trustees, the four trustee agencies, got to vote. The park district and BCDC were there, we could participate but we couldn't vote. So we were just hanging around. So the then-assistant general manager of the park district, who's now their chief guy, the general manager, Bob Doyle, and I, convinced these folks that, "You're the

ones that are going to make all the decisions. So why don't we, since we don't get to vote, we'll take care of just kind of managing the meetings and all of that." And they said, "That's fine." So they made me the chair and Bob the vice-chair and we then organized the meetings.

Well, we met for over ten years and we never voted. I would just conduct the meetings and I'd say, "Well, it sounds to me like we're pretty much in agreement on this, right?" "Yeah, okay." So we just never voted. And by not letting them vote we became full participants in the discussion and by chairing the meetings and managing how things went and what we took up, it worked out marvelously. If you look at it in hindsight and you see an agency that has no authority to deal with the oil spill at all, gets at the table, and then works it so that we can get the settlement money fast. Ironically, after we did this the federal law changed. It worked so damn well that it's now illegal. What you do now, and what happened with this Cosco Busan bill, the first thing you do is you go through a long detailed analysis of what the actual damages are, what the value is and that's how you establish the amount that's paid in, and then you go and allocate the money. By settling fast we got the money and, ironically, it came to us at a point where we were going through a mild economic downturn. So you had developers that were looking to unload property at low cost, and nobody else had any money to spend because there were no bonds or anything so we were the only game in town and we were able to do some incredible deals.

04-00:10:33  
Meeker:

So before we get there, before we get to the deals, I want to go back and follow-up on a few things. I'm particularly interested in this moment where you, as a representative, show up to this meeting amongst all of the other litigants who are suing Shell for damages and some sort of remediation. Who were the main players at that meeting who had the major claims on this and what were their claims based on?

04-00:10:57  
Travis:

Their claims were based on damage to the natural resources. So it was State Lands because the oil had flowed out over state land, over water of state land. The state Department of Fish and Game, which is the lead agency for dealing with oil spills in California, had costs that it had incurred and there were dead ducks and fish. One of the things we had to study was an endangered plant called *Mason's lilaepsis* to see if we could get that to recover. Then the federal Fish and Wildlife Service and U.S. National Marine Fisheries Service were dealing with the species that were impacted by the spill. The park district was there because it had parks along the shoreline that had been oiled. Anyhow, those were the main people.

04-00:11:56  
Meeker:

Was the idea that they were going to, in essence, refund expenses already expended in cleanup? This must have been at least a few months after the spill, right?

04-00:12:07

Travis:

No. That's why, of the twenty million, half of it went to reimburse for actual expenses or specific damage to boat docks or cleaning up the hulls of boats in marinas, that sort of thing and the rest of it went into this pot. We were then given some criteria and instructions as to what we were supposed to do with the money.

04-00:12:35

Meeker:

Well, how'd you get to that point where only half of it was going to go to, in essence, recovery efforts and refunding expenses already expended to that other ten million?

04-00:12:49

Travis:

You know how much it costs when you send a boat out there to do something. You know how much it costs. Those were calculations. The rest was the difference between that real amount and the twenty million, which was a negotiated amount. I found out years later from Shell that the reason they settled so fast is they thought their vulnerability was forty million dollars. So they came out of the meeting paying half of what they thought they could potentially be exposed to and we came out of the meeting getting damn near everything that we thought we could get. So it was a good deal all around. And, again, the notion of then having the money fast to spend on things at the right time. It turned out that in the instructions we were given we were told that we should try to restore wetlands or acquire property to restore wetlands and in there was a goal of restoring a thousand acres of wetlands. Now, where did that come from? That came from a property known as Cullinan Ranch, which is just west of the Napa River coming out of Vallejo, along Highway 37. It was a big hay ranch. There had been a proposal to put in a subdivision that had boat docks and locks—a very Newport Beach kind of a thing. BCDC had filed a lawsuit against it, Save the Bay joined us and ultimately the project went nowhere. But here was this hay ranch and they were looking around for a way to buy it and property was a little over a thousand acres. So by saying, "Here's your goal, a thousand acres, and here's a property of a thousand acres, it looked like we could make that link."

Well, before we even got started Senator Barbara Boxer was able to get federal funds from another source and get the ranch purchased by U.S. Fish and Wildlife Service. So that property was not available to buy anymore. But it turned out that we acquired and set in place the restoration of ten thousand acres with just one project, and that was the Cargill salt ponds in the North Bay. Again, it was an opportunity that we hadn't dreamed of. What happened there was as the chairman of the trustee committee, I had access to the books. We got, I think it was \$10,800,000, or something like that, but in the process of this period, we made over four million dollars in interest. It was amazing. So I was just checking the books one morning and we had a meeting at BCDC scheduled with representatives from Cargill. They used their ten thousand acres of salt ponds in the North Bay to make salt for simply one customer, and that was Dow Chemical, which had a big plant up in the Delta. And Dow's

major product was used by the paper and pulp industry. Unfortunately one of the byproducts of this process was something called dioxin. So EPA says, "You can't use this process anymore that creates dioxin." Dow says, "Well, now we've lost that customer." They then turn to Cargill and say, "Cargill, we don't need your salt anymore because we're not going to make that product." Well, you need a BCDC permit for building something in the Bay, along the shoreline of the Bay, or a substantial change in use. So Cargill, knowing that they weren't going to be making salt anymore and evaporating it, didn't want to get a BCDC permit for a substantial change in use because they didn't know what the use would be.

04-00:17:52

Meeker:

There were no ideas or proposals on the table?

04-00:17:55

Travis:

Well, there were proposals. There were ideas from an airport to shopping centers. Anything that Cargill could have sold the land for they would have done so.

04-00:18:07

Meeker:

Yeah, outlet mall.

04-00:18:09

Travis:

There you go. So Cargill came in to BCDC to talk to our staff with the whole purpose of saying, "We aren't changing the use. We are simply mothballing our salt-making operation. We don't have a customer now but we may have a customer in the future and when we do, we will make salt again." So that was their objective in this meeting. Having just looked at the books that morning, what drew my attention to it was the balance was \$10,000,000.49 or \$10,000,068. It was just a hair over ten million dollars. It was a strange number because it was so close to being ten million. So as we're having this conversation I said, "Have you thought about selling the land?" "Well, we would entertain a proposal, entertain offers." Blah, blah, yeah, yeah. And I said, "Would you take ten million for it?", full well knowing if he had said, "Yeah," I could have written a check that day. And they said, "Well, we'd certainly entertain discussions."

04-00:19:36

Meeker:

What about bringing other of your colleagues in on this?

04-00:19:41

Travis:

You mean before I wrote the check?

04-00:19:44

Meeker:

Sure. Or well, even before you—

04-00:19:48

Travis:

Sure. Before I made the offer?

04-00:19:48

Meeker: Yeah.

04-00:19:50

Travis:

What the offer did was started a negotiation process. Cargill said, “Yeah, we’ll consider that. We, of course, at Cargill have to go to back to Minneapolis just to talk to headquarters to be sure.” So then at the next trustee meeting I said, “Look, there’s this opportunity here to buy this property and I think we can get it for ten million dollars.” We look at that. There were downsides and upsides, but as we went away from the celebration of the acquisition that I’d helped spearhead, I said to my wife, Jody, “I bought two properties in my life. Our house and the largest coastal wetland restoration in California’s history.” She said, “That’s not a bad start.”

I didn’t know anything about buying property, but there is a state agency that does, the Wildlife Conservation Board. They are the entity that buys property for the state for environmental purposes and they have professional negotiators and appraisers. So we brought them in and we also brought in money from other agencies. The Coastal Conservancy put some money in, as did Fish and Wildlife. So our ultimate drawdown wasn’t ten million. I think we contributed, I want to say, eight-and-a-half or something like that. But it was a long drawn-out negotiation process as we investigated taking over the land.

Saltmaking is a terribly simple process. You impound salty water and you let the sun shine on it. The sun evaporates some of the water. The water gets saltier and you just move it from pond to pond until it finally gets to the plant site where it’s so saline that the salt precipitates out to the bottom. You then pump the water off of the top and you scrape up the salt. That’s how it’s done. If the state bought the property we were going to have to figure out how you turn off the saltmaking operation because the sun keeps shining. You have a very high-saline solution. If you take out the water and you take out the hydrogen chloride, you get a mixture that has water plus everything else that’s in water except hydrogen chloride and it’s called bittern. It’s not fair to call it toxic because it’s highly concentrated water. But if you pour it on a fish the fish isn’t going to be happy. And there was a big empondment of this bittern. So we had to figure out what to do about that, and what was the cost of dealing with that in the long-term. We brought a lot of advisors in through the process looked at whether this is a good idea or a bad idea. So it was a long negotiating process that I didn’t have absolute control over but I kept pushing it along.

My strategy was, at the end of every meeting, I wanted to leave us with the need for having one more meeting to talk about this because as long as there was something to talk about we just kept moving. And eventually when you run out of stuff to talk about you either have come to an impasse or you’ve come to a deal. And we ultimately came to a deal.

04-00:24:08

Meeker:

When you say these meetings, were these meetings with Cargill or meetings—

04-00:24:12

Travis:

No. These were the meetings with the trustee committee. I would say that probably one of ten meetings would have Cargill there. The rest was more shuttle diplomacy. In our meetings of the trustee committee, there's appropriately a demand for transparency in government. But, as I like to say, smoke-filled rooms are great if you don't have smoke in them. Having the capacity, as we did as a committee that was set-up by a court settlement, as staff people who were simply administering money, we could meet in private. We held our meetings at the Department of Fish and Game in Yountville, California, ostensibly because it was equidistant from Santa Rosa, where the National Marine Fisheries Service was, and Sacramento, where the state agencies were, and San Francisco and Oakland, where BCDC and the park district were. But really what it did was meant that once a month we were in Napa Valley. We'd have our meetings in the morning and then we might as well go to lunch. That tended to assure that we had good attendance at the meetings because people wanted to come to them. That worked out very well indeed.

04-00:25:52

Meeker:

What were some of the main points of contention or need for negotiation amongst the trustees about deciding about whether this should be done, whether it was worth the price?

04-00:26:04

Travis:

Well, is it worth the price? How much is the land worth? Cargill had done an appraisal which they gave to us which showed that it was, as I recall, it was forty million dollars or something like that.

04-00:26:21

Meeker:

Thirty-six or something. Yeah.

04-00:26:23

Travis:

Since it wasn't clear that the land could be filled without a BCDC permit and BCDC had policies that would tend to preclude that so on one hand you could say it has almost no value and on the other hand ten thousand acres of property in the San Francisco Bay Area anywhere is worth something. So it was how much is it worth, how do we go about determining that, where do we get competing appraisals, how does that process work, and how do we think about what happens after it's purchased? It turned out that a mistake we made was we bought the property and gave it to the Department of Fish and Game in the state. California and Fish and Game was terribly underfunded at that point and they got another \$250,000 to manage the land. Then the manager of that district said, "I need another ranger more than I need to do anything with this. We'll just let it sit there." So it sat there for years and the water kept getting saltier and saltier and saltier. I view that as kind of the beta version of how to do a deal because we did a lot of stuff wrong. Then when Senator



Feinstein brokered a deal to buy the salt ponds in the South Bay, everything that we had done wrong they could see and corrected it. So they did the planning right from the get-go. They were engaged right away. Cargill hated the U.S. Fish and Wildlife Service because in their operations in the South Bay, they actually made salt on property that they had sold to Fish and Wildlife Service. Fish and Wildlife Service's goal and mission is fish and wildlife so they tended to interfere a lot with Cargill's saltmaking operation. Cargill just thought these people were nuts so when we started to do the deal in the North Bay, one of Cargill's non-negotiable points was if we purchased it, it couldn't go to the Fish and Wildlife Service. I said, "Okay, it'll go to State Fish and Game." Well, subsequently Cargill learned that Fish and Game was worse from their perspective than Fish and Wildlife.

04-00:29:10

Meeker:

Fish and Wildlife, was that a federal agency?

04-00:29:12

Travis:

A federal agency, yes. It's very confusing because what had been state Fish and Game is now state Fish and Wildlife. So there are two. There is the Fish and Wildlife Service, which is federal, and the Department of Fish and Wildlife, which is state. Same names. You had people who worked for Cargill that knew how to move water around. A lot of the water movement isn't done by pumps. It's done by siphoning, and they knew how this ancient process worked. Well, the Fish and Game people said, "Just go away. Don't bother us. We'll figure it out." We learned that that didn't work. So the Cargill people were actually involved after they sold their property in the South Bay to help with the operations because they knew more about how to operate this system than anybody else did. So it was a great learning experience.

04-00:30:13

Meeker:

This is so fascinating. But one of the things that I found to be kind of interesting was thinking about the salt ponds not just as what one might expect on first glance, which is salt, toxicity, not conducive to any form of living matter, and also just blight. Like not really serving a function. But as it turns out, they were host to interesting organisms and also different kinds of wildlife that would appreciate different kinds of salinity. So in a sense they were a location of some biodiversity. And then they also played a role, particularly down the South Bay, as flood protection and that kind of stuff. For the North Bay issue, were any of those issues about maybe the positive role that the salt ponds actually played under discussion? Did any environmental organizations come in and say, "You're destroying habitat by getting rid of the salt ponds?" Did any of that happen?

04-00:31:26

Travis:

Well, first off, in one of the ponds there was a duck club. It was always ironic to me. We're protecting species for the purpose of killing them, and the same is true with fish. So there were environmental operations in there. The reason, if you fly over the ponds and you see they have these different colors, is

because you have different marine organisms in them at different salinities. In the brightest pink ones, it's brine shrimp and they're actually harvested and dried and sold for aquarium food, for fish food. So, yes, they have a lot of values that species over time adapted or found were attractive to them. For reasons that I could never figure out, there was a huge flight of the pink flamingoes that lived up in there. I don't know where they came from but they were happy as flamingoes.

04-00:32:52

Meeker:

Well, they like high saline water I think. Yeah.

04-00:32:55

Travis:

I guess. The area has a certain environmental value now. You say, "Okay, originally this was all either open bay or wetlands." It was impounded and the salinities changed in the ponds, and as the salinities changed the species that were there originally couldn't survive because the salinity went up. But other species came in so if you wanted to instantly turn it back to the way it was in 1850, well, the species that were there in 1850 have gone someplace else. It's almost like climate change, where if you took all that away from them they'd have no place to go. This is why the planning for the restoration of the ponds is done on a very slow basis, so that some of them you keep in a relatively high saline condition for those species that have been there now while you're restoring some of the others for other species that have been pushed out a hundred years ago but we'd like to recover.

04-00:34:16

Meeker:

That's a complex operation.

04-00:34:16

Travis:

It was. Very complex.

04-00:34:18

Meeker:

Yeah. And so I imagine that the recognition of this change in biodiversity caused by the salt ponds and then also projected to be caused by the removal of the salt ponds, that would have been part of the negotiation or planning process?

04-00:34:35

Travis:

It was and as I said, unfortunately what happened was when we turned it over to the State and our committee went out of business shortly thereafter, we were disappointed that the State didn't move aggressively to carry out its planning. Then it was turned over to the Coastal Conservancy and they wanted to get federal funds so they had to bring the Corps of Engineers along, so it took years. But that is all moving along.

04-00:35:16

Meeker:

The ownership of the property moved from Fish and Game to the Coastal Conservancy?

04-00:35:19

Travis:

No. It's still owned by Fish and Game. The Coastal Conservancy is doing the planning and they are also doing the planning for the South Bay. So you look at all the mistakes we made in the North Bay, you correct them in the South Bay and then you take the experience from the South Bay and apply it back to the North Bay. So together now we've got some 23,000 acres of salt ponds being converted to wetlands. It's the largest wetland restoration project, at least west of the Mississippi and probably anywhere in the United States, outside of the Everglades. Here we have the most urbanized estuary in the country and the biggest natural resource restoration project in the country right here.

04-00:36:14

Meeker:

What is the goal of those restorations? What is the net gain, if you will, from restoring wetlands in the Bay?

04-00:36:29

Travis:

Well, we have lost so much. We've lost about 80 percent of the wetlands and they are the nursery of the estuary. Wetlands are more productive than a Kansas wheat field in terms of just biomass and the numbers of species you have. So whether it's fish or birds or anything part of the ecosystem, the wetlands are the heart and the soul of the estuarine system. That's what we need more of than anything else.

04-00:37:08

Meeker:

Now that we talked a little bit about the North Bay, can you maybe foreground what actually happened in the South Bay and the negotiations with Cargill, where the money came from?

04-00:37:19

Travis:

Okay, I will, but before we leave that, one of the interesting things that happened with our committee is I thought it would be a good idea, since we were meeting in private for the most part though every once in a while we would announce, "Well, we've bought this property," or "We've given money for that." But it wasn't a high-profile operation, I said, "We ought to have an audit done because we owe it to the public." So we hired an auditor and the first thing the auditor said was, "Well, show me your tax records." I said, "We don't pay any taxes. We're all government agencies." He said, "Well, the only way you cannot pay taxes is if the IRS has ruled that you're a 501(c)(3) and you don't have to pay taxes." I said, "Well, we're not that. We're created by a court and we got advice from both the U.S. Attorney's office and the California Attorney General's office saying 'You're fine. Don't worry about it.'" But we as directors had fiduciary responsibility. And, as I said, we made over four million dollars in interest. I was looking at that and we said, "Boy, somewhere along the line, we could lose everything personally." But the attorneys kept saying, "Well, we'll defend you. Don't worry." I said, "Well, that's nice to know but what if you lose?" "Well, we'll defend you." But it was quite contentious and worrisome for a period of time. Ultimately the

statute of limitations has passed and all the money is gone and everything's fine.

04-00:39:11

Meeker: So the concern was you would pay capital gains taxes on it?

04-00:39:11

Travis: Yeah and as directors we had a personal fiduciary responsibility for that. So for a long period of time we actually kept money in reserve, just in case. Nobody pursued it. But the North Bay salt ponds acquisition, it's one of those classic no good deed goes unpunished because there was some—I don't remember what the burr under their saddle—was but there was some organization that felt that Cargill had an appraisal of thirty-six million and what they did was they sold the property for ten and then they took the difference as a tax write-off. So this organization said, "Well, it's not right that the taxpayers of the United States should, in essence, be subsidizing Cargill which got ten million dollars." So they sued challenging the validity of the appraisal. So there were lawsuits. We thought we did something good but there were lawsuits and we were named parties in the lawsuits.

04-00:40:33

Meeker: Do you recall who it was or what organization leveled that lawsuit?

04-00:40:35

Travis: No. I think the guy's name is Chuck Hanson but I don't remember. He might have made it up himself. I don't know.

04-00:40:42

Meeker: What was the outcome of that particular lawsuit?

04-00:40:45

Travis: He lost, we won.

04-00:40:50

Meeker: Well, I mean, it is an interesting question because Cargill is deemed by many in the environmental community to be less than heroic.

04-00:41:01

Travis: Yeah. I think that that is because it's a multinational company and they are big. Basically it deals with agricultural commodities. Nothing is sold under the name Cargill. They own all these other companies so they don't do retail sales, so nobody's heard of them. But it is the largest privately held, closely held corporation in the United States, larger than number two, three, four, and five combined, I think. It's just a mammoth operation. I was at dinner one night with one of the vice presidents at Cargill and this other guy was asking, "Cargill, do you do seafood?" "Oh, yeah." He said, "Do you do aquaculture?" And I said, "Look, if Cargill wants fish it just buys an ocean." The vice-president looked at me, he said, "Actually, we'd probably find a way for the federal government to buy the ocean and give it to us." So they're huge and

assertive. They have a huge operation that is devoted simply to reducing their taxes. They're looking for every angle they can.

But the people that I dealt with, the human beings at Cargill, bar none they were decent, honest, and environmentally very sensitive, and very proud of their legacy. They were so proud that what they have left behind is the largest coastal wetland restoration project. Without them being willing to negotiate a deal and sell, we wouldn't have that. As all multinationals, it's easy to get a bad reputation, but the people I dealt with there were wonderful people.

04-00:43:22

Meeker:

And particularly if you're dealing in agriculture, in environmental commodities and if you're privately held. Therefore there's not a lot of visibility into the inner workings of it.

04-00:43:31

Travis:

That's right.

04-00:43:32

Meeker:

It's kind of like a magnet for lawsuits, I would imagine.

04-00:43:36

Travis:

Yeah.

04-00:43:38

Meeker:

Well, you established a relationship here. I assume early nineties was when most of these negotiations were taking place. And then later on, of course, the southern salt ponds come into your purview. What is the—

04-00:44:00

Travis:

I keep stopping you because there's one other thing.

04-00:44:03

Meeker:

No, that's fine.

04-00:44:04

Travis:

There's one other thing that I want to bring in. Our committee needed somebody to help us administer all this and we turned to an organization called the California Environmental Trust. Its president was Joe Bodovitz. So Joe and his vice-president, a woman by the name of Tish Sprague, we worked very closely with them. Again, the relationship that I had with Joe where I have a mentor, somebody that I trust, somebody that I can turn to. Having that at the Shell Trustee Committee allowed me to have, I guess, a sense of there's adult supervision behind me and that was very helpful. When we got to the South Bay our committee was gone by that point. BCDC was supportive of that but I was not actively involved in those negotiations. Joe was and he was working with them down there.

04-00:45:21

Meeker:

So that acquisition was done under the auspices of the California Environmental Trust, correct? The South Bay.

04-00:45:27

Travis:

The South Bay. Dianne Feinstein is the one who pulled that off. Joe had an associate at California Environmental Trust that spun off another organization, which is called the Resource Legacy Fund now. Michael Mantell. And he was actively engaged in that.

04-00:45:53

Meeker:

When you say Dianne Feinstein, what does that mean exactly?

04-00:45:58

Travis:

In the same way that I was the point person advocate calling the people together in the North Bay, she did that in the South Bay. She wanted the deal to happen. She looked around for resources, for money. She had a long relationship with Bill Britt, the vice-president of Cargill, the same guy that I dealt with, because Cargill was back in Washington a lot doing things. And she, working through the Resources Legacy Group, was able to bring foundations, Hewlett Packard, Moore, and there's one other one involved. They're the ones that brought the bulk of the money in. It is interesting that we were able to buy ten thousand acres in the North Bay for ten million dollars. In South Bay they got a little bit more. As I recall it was 13,000, but it was \$100 million. I said, "I think Cargill learned something about negotiating between the two deals. That is in Silicon Valley, but the other one's in Napa Valley, so maybe that has something to do with it. They also learned that Cargill would take on the responsibility for dealing with the bittern. They also learned that they would do the planning almost from the get-go. So there's just a lot of that.

I wasn't involved so much in the negotiations and although Senator Feinstein said repeatedly that the acquisition in the South Bay had absolutely nothing to do with the expansion of the runways at San Francisco International Airport, that's what the driving force was. San Francisco Airport, if they expanded, were going to need lots of mitigation and the best place to do that would have been for SFO to pay for the restoration in the South Bay. But the airport project went away. The acquisition was there but there was no money to start the restoration process. So the Coastal Conservancy has been very effective pulling bits of money from here and there to keep that process moving along.

04-00:48:50

Meeker:

Was there like an institution or did she have a staff person? Who actually was in charge of the negotiations? Was it just kind of the office of Senator Feinstein or—

04-00:49:05

Travis:

Well, there were a couple of key people. She had a staffer who worked on it a lot. There was the Resources Legacy Group, Michael Mantell. There was a

point person from U.S. Fish and Wildlife Service, a negotiator. So there were a lot of people engaged. But she was kind of the choreographer who kept it moving ahead.

04-00:49:30

Meeker: Who owns the title to the land now?

04-00:49:36

Travis: Most of the property is federal government, U.S. Fish and Wildlife Service, but then there's also part of it that went to state Fish and Game. There's two landowners, fed and state, and then the decision was to bring in the Coastal Conservancy to do the overall planning so you have somebody that's looking at it comprehensively that is not going to be an owner of any part of it, and therefore they tend to have a more balanced approach. They're looking at it from the ground up and the resources, not who owns what.

04-00:50:21

Meeker: I don't think that we've defined the Coastal Conservancy, because I know it came out of legislation related to the Coastal Commission. Can you give me just a little sort of primer on the Coastal Conservancy?

04-00:50:35

Travis: Sure. Yeah, very briefly. At BCDC and at the Coastal Commission we watched the Corps of Engineers, which is both an operating agency and a regulatory agency so it has to give permits to itself. We realized that you can do planning and then you can do regulation to implement the plan but occasionally you need hands-on. I think in characterizing the Coastal Conservancy, it's like a redevelopment agency. We said, "Well, fine. Here's what you want to do but we're going to have to actually invest money." I think we talked about the Coastal Commission requiring public access. It would get an offer to dedicate an easement and then the local government wouldn't pick it up so you had all these offers up and down the coast. The Conservancy then stepped in and said, "Look, we'll pick those up so that they just don't go away." It can provide grants, it administers bond money. It's an activist on the ground doing things. We felt that having that authority rest within the Coastal Commission where it was both planning, regulating, and then doing things itself, would have an internal conflict, an inherent conflict just as we had seen with the Corps of Engineers. So the decision was made with the Coastal Act to then also create this new entity, the Coastal Conservancy, which has jurisdiction along the coast and in San Francisco Bay. There's a subsidiary program within the Coastal Conservancy called the San Francisco Bay Conservancy Program. It's the same board of directors. That's the entity that we can turn to for assistance when we can't get something done purely through regulation or planning.

04-00:52:53

Meeker: I'm trying to remember where I read this. I think it was probably in your introduction to that Heyday book on the salt ponds, the beautiful coffee table

book [Chris Benton, *Saltscapes: The Kite Aerial Photography of Chris Benton*]. And I think in that you had mentioned that it would have been your preference to have Cargill remain in operation indefinitely. I don't know how sarcastic you were being in it.

04-00:53:21

Travis:

No, what I meant was in the North Bay, when we took ownership, there was the sense that the Cargill people were like the people you buy a house from and you send them away. But there was nobody at Fish and Game hired to run the pumps and the siphons and be watching things and even if they had been there, they didn't know how to do it. So I would have liked to have had the Cargill employees there as land stewards because, again, my experience with them, these are people that love the national resources. They made salt but didn't get passionate about salt. They got passionate about the birds and the wildlife that they saw out there and taking their kids fishing. They loved that place and when people love a place they take good care of it. So I would have loved to have had them there to do that. And they did that at the South Bay.

04-00:54:27

Meeker:

They did that in the South Bay. What was I going to ask about Cargill, as well? Where is it now, I guess, as far as South Bay? Let's start at North Bay. I know that the facility that processed salt in the North Bay is gone, right?

04-00:55:06

Travis:

The saltmaking facility?

04-00:55:06

Meeker:

Yeah.

04-00:55:07

Travis:

Yeah.

04-00:55:08

Meeker:

And also the facility, the buildings and all that kind of stuff. That's just wiped from the landscape, I guess.

04-00:55:13

Travis:

Yeah.

04-00:55:15

Meeker:

But is that the same in the south? What is the status of the property there?

04-00:55:18

Travis:

They didn't sell all of their property in the south and they also retained the right to make salt on some of the property that the federal government owns. So there's still a big salt-making operation down in Newark. As I recall, only three or four percent of the salt that they make ends up on our tables. It's used in processing foods, it's used for melting snow on highways, it's used for a whole variety of things. So they have this enormous stack down there and if you go to the supermarket, it doesn't matter what the label says, unless it's



clearly from France or something like that, it pretty much all comes from the same stack down there. So they make salt for other companies and then just put their labels on it.

04-00:56:22

Meeker: Like Morton's kosher salt is from there?

04-00:56:24

Travis: Yeah.

04-00:56:29

Meeker: The question that I had actually wanted to ask was about sort of the lifecycle of restoration of wetlands. Is it projected there is a point at which the management of those lands by people like Cargill or other people that have been trained to do this is no longer necessary, whereby the wetlands are in fact restored in a complete sense? That they're in essence, at that point in time, self-regulating.

04-00:57:00

Travis: Well, it is possible that that would have happened had we not been overtaken by climate change. What will happen is as the water rises you have this area where you have intertidal marsh, which is the area where at low tide it doesn't have any water on it and at the high tide it does. That's where you have the really rich vibrant wetlands. As sea level rises, that area is going to want to move upland unless you don't have someplace for it to go, unless you have an interstate highway that it bumps up against. As sea level rises wetlands can keep up with it to a degree because as the wetlands grow they capture sediment and it fills in between the plants. And as the plants grow and die they fall down and that slowly increases the mass and it goes up to a degree. But as sea level accelerates the question is whether the wetlands can keep up with it. The current information I've seen says if you restore those wetlands in the South Bay, they will probably have a life of about seventy years. Then sea level rise will overtop it and it'll become open water. It won't be wetlands anymore.

04-00:58:56

Meeker: That's pretty dire.

04-00:58:58

Travis: It is, in fact, yes. The good news is, in the meantime, those wetlands are wonderful for flood protection because they soak up floodwater and they absorb wave energy so if you have a wetland in the front, the dike or the levee at the back of it can be lower because the waves hitting it aren't going to be as high as if it were open water. If you combine levee construction with wetland restoration it actually makes the levees cheaper so they're starting to call wetlands "horizontal levees" because they function much the same way. But, again, it only works up to a certain point and unless you have a place for the wetland to migrate inland and upland. Eventually it's get overtopped and it'll be open water.

04-00:59:55

Meeker:

So let's move on to sort of a very different topic, and that is moving from kind of rural wetlands to a very highly urbanized area, and that is the Mission Bay Project in San Francisco. Land formerly owned by Santa Fe Railroad, then that changed to Catellus, which was spun-off or—

04-01:00:30

Travis:

Yeah, that was Southern Pacific. There's a fascinating little side tale here. Southern Pacific Railroad and Santa Fe Railroad merged. Then the ICC concluded that that would be anti-competitive and they wouldn't allow the railroads to merge so then the railroads separated. But the railroads owned a lot of land. Remember that part of the incentive for building the railroads was the government was giving away plots of land. So the whole of the waterfront along the Eastshore of San Francisco Bay was owned by Santa Fe Railroad. When they merged they created a subsidiary of the merged railroads' properties called Catellus. The railroads then unmerged but Catellus ended up staying because it had nothing to do with railroads. It was real estate. So, yes those were the Southern Pacific rail yards that became owned by Catellus.

04-01:01:37

Meeker:

So this area, Mission Bay, which is what the development became known as, had kind of been going back and forth since late seventies, early eighties. There was an early plan for a ballpark there that later was thrown away, to be replaced by another plan for a ballpark. There were plans for a lot of commercial real estate, then that plan was ultimately not approved, to be replaced by a plan where it was more of a balance between commercial real estate and residential real estate. This is the plan that Willie Brown got approved shortly after his election. A lot of this land is within a hundred feet of the bay shoreline. And some of the creeks go in, I guess. I don't know if like Mission Creek was a—

04-01:02:38

Travis:

There actually wasn't very much in BCDC's jurisdiction that is literally right along the creek edge and the bay edge. BCDC's jurisdiction was a hundred feet and BCDC's authority is limited to assuring that there's maximum feasible public access, unless the area is designated and reserved for port or industry. And some of it was. We went through a process with the port to get those designations lifted. So while BCDC approved the huge master plan, it really had jurisdiction only over a tiny edge of it.

04-01:03:21

Meeker:

Well, at the time you would have been deputy director and then director about this transformation. What was your thought about this plan that was coming through the pike?

04-01:03:32

Travis:

Well, again, because we didn't have much jurisdiction over it, I have to say, I didn't pay all that much attention to it. Subsequently we got involved because it's the lowest lying part of San Francisco and it's the poster child for why you

have to pay attention to sea level rise, which they didn't do. Some people said they should have, but they didn't. So they're going to have to do a lot of retrofitting.

04-01:04:05

Meeker:

I want to wait to talk about the sea level rise until a bit later when I'm prepared to talk about it. But as far as signing off on the plan, were there any particular issues or anything that was memorable?

04-01:04:21

Travis:

Not really, no. We were looking at the public access along the edges and for the most part they had parks all along the edges. It was not controversial from our perspective. We didn't have to put a lot of staff resources into it.

04-01:04:41

Meeker:

They basically knew what they were going to have to do and they came to you with an acceptable plan.

04-01:04:44

Travis:

They just did it. Yeah.

04-01:04:46

Meeker:

Okay. Also in the 1990s there was the beginning of a unified Waterfront Plan for San Francisco. This was something that BCDC must have played a pretty key role in.

04-01:05:04

Travis:

Yeah. That was another of those things that happened that you could never have dreamed would happen. My father-in-law passed away and we had to go through a terrible decision to end life support for him. This was at the University of Missouri in Columbia. Once we made that decision as a family I could feel the hospital staff turn their attention from him to the family. It was a beautiful thing that they did. They took care of us at that point. But I was out for a long period of time as deputy director and back there with him and my family.

I came back and a friend of mine, Mike Wilmar, who was earlier executive director of BCDC, said, "There's a new director at the Port of San Francisco. Let's go have lunch with him. You ought to get to know him." So we went to the Palomino and had lunch and the guy said, "I understand you were out with some family illness," and I briefly described it to him. He just got this strange look on his face and he told me the story of his father, who had some long medical problem, ended up at the University of Missouri in Columbia in literally the same ICU and they had made the decision. He had an advanced care directive. They made the decision to end life support and the hospital wouldn't honor it because they said that ethically they couldn't do it. He had to get court orders administered by a sheriff with a sidearm. He said, "I felt like I was killing my father." So we sat there, two people, having opposite

experiences at the same place in the middle of America. Well, we bonded just like that.

So we talked about the waterfront and I said, “Dennis, what do you want?” He said, “I just need flexibility on what we can do on the piers.” Then he said, “What do you want?” I said, “I want parks, big parks, and old piers removed so the Bay gets bigger.” And that was the deal. We then went through about five years of planning and BCDC and the port, which tended to blame each other for problems, became partners. You see the waterfront now with the Exploratorium and the new cruise ship terminal and the restored Ferry Building and AT&T Park, it came out of that agreement. That was the structure. That was the deal. You get flexibility. We get a bigger bay and more public access. That’s what we’re supposed to get, and I’m so incredibly proud of what we were able to achieve there.

04-01:08:22

Meeker:

How specific did it get? Were the specific piers identified about which ones would—

04-01:08:29

Travis:

It’s a very good question, Martin, because the problem is it got too specific. What I have found we do with planning, we try to get it as specific as possible so that the planners can’t be undermined by the implementers of the plan. So you try to be really precise and say, “It has to be this wide.” But what we put in the plan reflects the values and the knowledge we have at the time we adopt the plan. Sometimes things happen that you didn’t anticipate. The Exploratorium is a great example of that. The Exploratorium is on Pier 15 and Pier 17, old finger piers sticking out into the Bay, and they were pretty bad shape. But somewhere in the 1950s, I imagine, the port had put an apron between these two piers to connect the two piers with another pier and they put it a little bit lower. So what you were able to do is you drive trucks down there and then you back the trucks up to the pier so that the back of your truck is at the same level as the pier. This is when they were moving away from break bulk to containers. If you could make the break bulk a little bit more efficient so that you could offload a ship, put it on the pier, and then easily get it in trucks, it would help you in the competition with containers. It didn’t work. The containers all went to Oakland. San Francisco, it’s still called a port, but it’s really a shopping center district. So this apron was there. We at BCDC wanted more open water. The Port of San Francisco said, “Look, this apron is useless and we’d be happy to get rid of it.” So the plan said that’s to be removed.

04-01:10:48

Meeker:

What pier was this?

04-01:10:49

Travis:

It’s between Piers 15 and 17. The Exploratorium comes along and says, “All right, we want to build the Exploratorium on Pier 15. Eventually we want to

expand to 17 but not just yet. And, by the way, we want to have stuff in between, so that there's a public area outside and bridges that cross and so forth, and not keep the apron there." Well, to do that was inconsistent with the plan because the plan was based on an assumption of what we knew in 2000, not what the Exploratorium's specific plan would be in 2010 or '11. So we had to go through and amend the plan to allow some of that coverage to be left behind and then to mitigate this coverage, which would not be removed. The port had to go and find some other piers someplace else to tear down instead. So it was the kind of thing, just in terms of broad sweep, it got too specific.

The pier where the cruise ship terminal is now, when we were doing the plan, there was a proposal by Mills Corporation for a big mixed-use commercial retail project. They ended up doing their planning and there was a big relatively new piershed building on Pier 27 but one end of it wasn't needed so the area that was designated for a park. It was kind of, you take the Embarcadero and you say, "Here's how much of the building we need and what's not needed is a park." Well, that's all fine and good except then that project went away and the new passenger ship terminal comes in, but you have a park that's configured on the basis of something that's no longer valid. The challenge is to get the plans specific enough so that they have meaning but also have some flexibility so that you can adapt to changed circumstances and different values.

04-01:13:38  
Meeker:

This really highlights an existential problem of bureaucracies and regulation. And in many cases what happens is just complete inertia. It just stops. There are people who have a certain guideline on this way and people who have a certain guideline on that way. And according to the guidelines they're both following what they should be doing but never shall the twain meet in this case and so nothing can ever happen. And this is when you start to get people going postal. How did you, as deputy director or director, I assume it would have been when you were director, do your best to sort of slice the Gordian knot here, I guess? I'm using too many metaphors but you get what I'm talking about?

04-01:14:47  
Travis:

I always tried to stress with the staff, I said, "Look, follow the law but if it doesn't make sense, use common sense. I'll back you." We created the concept of bureaucrats because everything was done by favoritism. With bureaucracies we said, "We're not going to do that anymore. We're going to have people that are impartial and they follow the rules. We'll make the rules and you follow the rules. You're not paid to be innovative. You're not paid to solve problems, you're paid to follow the rules." So it takes a certain culture to get people to step outside the box. I've run into this problem personally. I was recording something at the county courthouse. I went in and I had no idea how to do this so gave the clerk a piece of paper and this woman just said, "That's the wrong form. You have to do a 5112." "Well, how do I know?" I'd

be more than happy to do it [the right way], but she just berated me up and down like I was the lowest life form. I thought, “Chances are in her life right now she’s underpaid, she’s probably not in a happy marriage, things aren’t going well for her, and she’s got no power. But she’s in charge of this form and, by God, you’re going to do it her way.” I think a lot of the problems we face with bureaucracies are just that. You have people [working there and] the only way that they have any fulfillment or authority or control, is [to say] “Just do it this way.” So it was difficult to get staff to understand that it’s perfectly okay if it doesn’t make sense, don’t do it. Let’s find a way of making it legal. As my deputy director Steve McAdam said, “We have an ironclad standard at BCDC. Close enough.” You just move through like that. There’s always that tension. When you’re doing planning you want to have enough clarity to provide guidance for the regulators so that they’re not just doing everything on a case-by-case, deal-by-deal basis, but you also need to have some flexibility in there.

I still believe that if somebody objectively says, “All right, we’re going to take the entire experience of the American republic and we want to find two dozen agencies that actually worked, that actually accomplished what they’re supposed to do,” I think BCDC would make that cut. And the reason it works so well is that enormous 27 member commission. You’ve got people from throughout the Bay Area, from different departments, from local governments, from federal agencies, from state agencies. It’s the classic stakeholder group. And when that group of people comes to a consensus on something for all of their interests, it’s right. You count to thirteen. That’s what you do. BCDC has these standards in law, “maximum feasible public access consistent with the project.” What the devil does that mean? Yet wisely BCDC has never gone through and said, “Well, in this case it’s this wide and this high.” It looks at its experience, looks at what’s worked, what hasn’t worked, what’s new, what’s old, and comes up with a reasoned, thoughtful determination of what that terms means in this particular spot on the face of the Earth. And it works marvelously.

04-01:19:25

Meeker:

This is great but I still am really interested in what happens in your office when you are trying to make those decisions that actually make the office work along those lines. And I don’t know. Maybe we go back to this port plan, around the sometimes too specific directives around use of piers. How was that kind of impasse or difficulty solved and what kind of specific instruction did you give that you felt like you were allowing the two main *raison d’être* of BCDC to continue but you can also make things happen at the same time. What’s the secret here? But I apologize for the convolutedness of my question.

04-01:20:31

Travis:

No. What I learned from Joe Bodovitz is you hire smart people, get the hell out of their way, and you just allow them to do their jobs. I have to say that in

the plan for San Francisco, I didn't get engaged in, well, how wide should the public access be. I had a planning staff. They'd had a lot of experience with that. They were working with the regulatory staff. They were crafting all of those details. But they knew that our overall objective was, at the end of the day, we are not going to have the control over the port that we had before. They need flexibility and you've got to give them that. And in order to give them that you need to be comfortable that they're giving us what we need, which is more access and removing some old piers. I knew on the other side of the table the port would be arguing for less standards, more flexibility. You just let that play out. It's hiring smart people and hiring people that share the sense of, "I'm proud to work for government. I'm going to make it work well." When you have people come in, and when they start asking about, "What are the retirement benefits?" you know we're not going to hire them.

04-01:22:07

Meeker:

Can you think of any examples of something like this that came to your desk and you were compelled to really kind of agonize over the right decision or the right directions to give?

04-01:22:27

Travis:

Well, let's see, a tiny little detail. We were talking about the Exploratorium. BCDC, for reasons that aren't clear—well, I sort of understand them—when we require public access it's open to the sky and the reason for that is we want to make sure that the public access feels "public." A lot of the work that we did on design of public access is to overcome the tension that exists when you put the public between a private use and the water. When you go to Hawaii and you rent a vacation cottage on the beach, I don't care who you are, you're offended when somebody walks by because you've rented the cottage and you've rented the beach and you've rented the Pacific Ocean and that's yours. So we did a lot of work on how you deal with design to overcome that. So we always wanted the public access to be open to the sky. When they were doing the Exploratorium we wanted public access out at the far Bay end. They, for very good reasons, wanted that area really secure because what they were concerned about is you get kids in there and you don't want to have somebody from the general public, a pedophile, be able to slip in a back door and take a kid. They were justifiably concerned about that. If you have public access and it's out around the outside and you have displays out there, you could have this be a problem. They also had an upstairs area and they had to get handicapped accessibility, fire egress, and it turned out there was just no place for this public access. We wanted public access up on the roof, but it just didn't work. You couldn't meet your fire code and your handicapped accessibility and your safety and security requirements and do all this.

So Chris Meany, the Exploratorium's representative who is with Wilson Meany Sullivan real estate developers], the people that are doing Treasure Island, called me and said, "Trav, we can't do it but there's a corner, in essence the corner office, the most exclusive part of the Exploratorium." He

said, “It’s inside but we can give you access inside.” I thought about that and I thought, “Well, let’s try it out.” It wasn’t written in stone that it had to be open. We’ve talked about this. I like to try things. Sometimes they don’t work, and we’ll talk about one of those, but it’s better to try it and to find out what doesn’t work so that then the next time you can make a better decision. So the staff thought that that was not a particularly good idea. It turns out that the access is lousy. Nobody uses it, nobody knows it’s there, and they have dedicated the most expensive attractive important part of the Exploratorium to a use that the public doesn’t enjoy. But it closed the deal and they were able to build it.

If you go down to the San Francisco waterfront you have public access along the Embarcadero and then on the backside of the bulkhead buildings.... The bulkhead buildings have an interesting history. They’re like a Hollywood backdrop. The piers where you’re unloading all of this stuff, they were violent, corrupt, dangerous. It was an awful thing. And the good people of San Francisco did not want to see that so they built these bulkhead buildings, these wonderful Beaux-Arts city beautiful things with arches in them, but they’re only about forty feet wide because] their purpose is to hide the waterfront. Well, a developer came along with this idea of, “Let’s have access along the bayside of the bulkhead building.” It’s a very intimate space but it goes through buildings. If you walk from the Ferry Building along Pier 1 and then you go in you can go behind it. But there’s one part where they had a tenant, La Mar restaurant, and they had their bar in the bulkhead building and the restaurant is out on the pier. It’s where the Delta Queen used to leave for Sacramento. So there’s this public access area that goes through the middle of it. We decided to try that out and what we used as our objective is the way you can go into a hotel lobby, if you go into, say, the Palace Hotel in San Francisco, they’ve got a long hallway that goes past the garden court. As a member of the public you walk through there, you feel perfectly welcome.

So how do you design something that, even though you’re not a tenant or a patron, you feel comfortable going through there? We have played with that design and made some alternations but it just doesn’t work. You feel like you are walking crosswise through a restaurant where everybody’s going this way, between the bar and the dining area, and it just doesn’t work. You step out and then you’re in an archway and it feels just fine because it’s a little historic walkway. But trying things like that, again, because it’s not written anywhere you don’t have standards that you have to deviate from. We can try things like that and I have had some really creative staff who love to do that sort of thing.

04-01:29:26

Meeker:

How often did these kinds of things come to your desk?

04-01:29:30

Travis:

Two, three times a week. What I would always do was try to get the staff engaged, I would say, “Okay, what are the issues here?” and let them debate



them. If they didn't tell me what they wanted I said, "Well, okay, what's your recommendation?" I would do this at our general staff meetings, too. It wasn't me telling them what to do. We would have a discussion and then I would try to extrude from that. I said, "Well, what I'm hearing is I think you want to be going in this direction." And if I thought there was something wrong with it I would say, "Well, have you thought about this?" So we would come to a common decision. On those occasions when either they couldn't decide or I disagreed and I said, "Well, here's what we're going to do" and that was it, it always surprised me that they did it. I wasn't going to go force them. I wouldn't even probably know if they deceived me. I think in a lot of cases you get smart people grappling with things and they get to the point of saying, "Goddamn it, somebody has to make a decision. Let's just get a decision." Then it would end up at my desk. But I also think that they'd also learned that it was better for them to reach their own decisions because there was a chance if you brought it to me I'd try something that they wouldn't like so it was better to keep it from me, as it were.

04-01:31:27

Meeker:

Would you go down to these specific places where these somewhat intractable issues appeared and try to get a sense, the feel of the land yourself?

04-01:31:35

Travis:

Oh, yeah. I used to joke that the five most important things I did as executive director were "show the flag." I'm there. I went to a lot of events that I didn't want to go to just because they knew BCDC was there. "Put out fires," which is something's going screwy and you got to be in that legislator's office to tell him, "Hey, what you heard wasn't true. Here's what's really happening." Show the flag, put out fires. "Field trips." Get out, see things, talk to people. "Lunch." That's really important. Do a lot of those. And the other was "dabbling" and that is just engaging in stuff that I don't need to be engaged with but that's interesting, that just keeps us on the edge of things. And then I had really good deputies who did all the rest of the work, which was run the regulatory and planning operations and make sure we stay on budget and things like that. You can look at plans but you can't feel what it's like. You've got to get out there and see it.

04-01:32:59

Meeker:

Well, let's, in the last twenty minutes or so we've got today go back to Catellus. And I actually don't have a lot of information here but I'm sure that you'll pick up on it. There were some Catellus projects in the East Bay that required some approval from BCDC. There was one project in particular that called for a big reflecting pool. And I remember reading about this and it sounded rather interesting. And it seems like something that was somewhat instructive that happened, that perhaps you could illuminate.

04-01:33:47

Travis:

All right. Catellus, or at the time I think it was still Santa Fe, ended up owning most of the tidelands along the Eastshore from Richmond down to the Bay

Bridge. In order to give incentives to build railroads the State of California gave the railroad a lot of property. So they had all this land and they came up with plan for the Eastshore in which had, as I recall, the amount of office space equivalent to five Transamerica Pyramids. And they had high-rise hotels proposed for Emeryville and Berkeley and Albany. It was just amazing. Afterward, in talking to the guy who was running the project, I said, “There isn’t that demand for offices. There isn’t that demand for hotels. What were you thinking?” And he said, “Oh, we had no intention of building those. We were just trying to create land value.” If they could get approvals for these things and then sell the land to the State of California, it’s just like Cargill. You get a higher appraised value because it’s worth more if it’s approved for a high-rise hotel or office building than it is if it’s vacant. So that’s all they were doing. They were gaming the system, and ultimately the state did buy the property.

But one of the things that they had proposed in Emeryville was, where Interstate 80 turns toward the Bay Bridge, just north of the Bay Bridge, between Powell Street and the Bay Bridge, there’s huge mudflats there because as the tide goes out it’s very shallow. They were coming up with conceptual ideas and one of the ideas they had was to put way out in the bay a weir so that water would come over the weir and then it would be wet all the time instead of having this mudflat.

04-01:36:41  
Meeker:

Almost like a salt pond.

04-01:36:44  
Travis:

Almost like a salt pond. Yeah, very much like a salt pond. It was a strange idea and there was a scoping session held. A scoping session is where you’re going to prepare an environmental impact report and you invite the public in to say, “As we’re looking at this report and doing the environmental evaluation, what are the issues we should be looking at?” And they say, “Well, make sure you look at impact on salmon migration or the impact on endangered clapper rail or traffic.” It just gives you a shopping list. It’s never anything substantive. So I went to the scoping session, which is this non-event, and I don’t know what caused me to do it—probably because it was just because it was such a stupid idea—I said, “I’m going to do something that normally bureaucrats don’t do at scoping sessions. I’m going to tell you what I think about this.” And I made up this story about a couple named Homer and Suda Mae. Homer was the vice-president of [correction: Santa Fe Railroad] and Suda Mae was his wife. They came out here from the home headquarters and they stayed at what was then the Holiday Inn in Emeryville and Suda Mae noticed that there was a beautiful view of the Bay but it would get covered with mud. So Homer with the same kind of can-do attitude that Santa Fe used when they built a railroad across the west came up with this idea of putting these weirs in there so that it would be filled with water all the time. By characterizing it this way, with these two hicks, who had no idea about the

sensitivities of California and its environmental values, was the only way you could have dreamed up this idea. It was a lot of fun. This was before video recordings but it was taped and somehow it got out and everybody was listening to this damn thing. One of the commissioners called the chairman and the chairman called my boss, the executive director. He says, "Did Travis really do this?" And bless his heart, he said, "Yeah, he has a strange sense of humor. Don't worry about it." And it just went away. But it was so much fun and it killed the project. Just boom, gone. So that's now McLaughlin Eastshore State Park.

04-01:39:40

Meeker:

So it sounds to me like what you're saying is you gave sort of a highly sort of cynical, somebody might consider offensive parody of the thinking that went into the creation of this.

04-01:39:58

Travis:

I've done that on a number of occasions, partly because it's fun, and partly because if you make something that is ridiculous really funny it becomes very clear that it is ridiculous. Sometimes these ideas just kind of keep percolating along because nobody has stood up and said, "Are you crazy? This is a dumb idea." So anyhow, it works.

04-01:40:34

Meeker:

It's actually interesting. Yes, it's a dumb idea but just sort of stepping back, by creating this pond that was not susceptible to tides, in a sense, they weren't shrinking the Bay, were they?

04-01:40:52

Travis:

Sure.

04-01:40:53

Meeker:

They were?

04-01:40:54

Travis:

From my East Coast perspective, when I came to California and I looked at this mudflat I thought, "That's ugly." But it's really important. A tidalflat is a very highly sensitive and productive environmental area. What they would have done is taken mudflats and if they had put the weir in and then put asphalt over the top of it they couldn't have done it any worse and it would have taken the wetland that's behind it and isolated it. So it would have completely changed the ecosystem.

04-01:41:36

Meeker:

Okay. So that then gives some more insight into what BCDC is interested in regulating beyond simply bay size and public access.

04-01:41:50

Travis:

Well, it is part of the Bay. It would have been the same physically as if you were just filling it.

04-01:41:59  
Meeker: So your story of the fictional executive and his wife, did this sort of become notorious? Were people passing this around [laughter] or something like that?

04-01:42:10  
Travis: No, no. Well, I don't think so, but I would run into somebody occasionally who said, "Hey, I listened to the Homer and Suda Mae thing. That was pretty good." Okay, that's fine.

04-01:42:22  
Meeker: Do you still have a recording of this somewhere?

04-01:42:23  
Travis: No, I don't. No.

04-01:42:27  
Meeker: Okay. Had you rehearsed this in advance or this just—

04-01:42:32  
Travis: Oh, I wrote it down. I think I gave you a copy of it.

04-01:42:37  
Meeker: Hmm, I need to look. I might have read it. Maybe that's where I came across it.

04-01:42:42  
Travis: Maybe you read it and it just seemed like it sounded, well, okay. I guess, "How did he know Homer and Suda Mae?"

04-01:42:48  
Meeker: I don't think I'm that dull! [laughter] I can be pretty thick sometimes but I think I would have got that. All right. I've got all these little things that I'd like to talk about. Let's see.

04-01:43:07  
Travis: We going to get to the airport at some point?

04-01:43:09  
Meeker: Yeah, we're going to get to the airport.

04-01:43:13  
Travis: Darn.

04-01:43:15  
Meeker: [laughter] Actually, this is kind of a big thing and I don't know how much time we've got on it. Let's see here. We've gone about two hours now so do you want to wrap-up for today and pick up on Monday?

04-01:43:31  
Travis: That's up to you. I'm fine.

## Interview 5: April 20, 2015

05-00:00:00

Meeker: This is Martin Meeker interviewing Will Travis. Today is the 20<sup>th</sup> of April and this is interview session number five. Like to start out today by talking about the Port of Oakland. The Port of Oakland is, I think, the fifth busiest port in the United States, from what I understand, the third busiest container port on the West Coast. And it is a port that, throughout much of the 1980s and nineties and actually 2000s, was trying to build capacity.

05-00:01:10

Travis: Correct.

05-00:01:12

Meeker: And part of building capacity required installation of more and larger cranes to facilitate the transportation of containers and also dredging of the Bay to allow even bigger ships to come in and out.

05-00:01:34

Travis: That's right.

05-00:01:37

Meeker: And then place this also in the context of the BRAC commissions, the Base Realignment and Closure Commissions that closed down the Alameda Naval Air Station, the Oakland Naval Supply Terminal and the Oakland Army Base, all three of which are right on the Bay, prime shipping property and a large portion of the Oakland properties get handed over to the Port of Oakland. So clearly they're going to want to do something with this land. I'm sure that you saw this coming on the horizon. How did BCDC engage with and respond to the plans?

05-00:02:17

Travis: First off, the Port of Oakland wasn't so much trying to increase capacity, as it was trying to remain competitive. I think it's fair to say that from a port perspective the Bay Area is geographically disadvantaged. If you're bringing container cargo in from Asia it's about a day shorter trip if you take it into Portland or to Tacoma. And if you bring it into Southern California, into LA Long Beach, you've got a nice straight shot across the desert with nice rail connections. If you bring it into the Bay Area, first off, the Bay is shallow so it has to be dredged repeatedly and, secondly, you've got this pesky thing called the Sierra Nevada mountain range. For a long period of time the tunnels through the Sierra weren't high enough to accommodate double stacking of containers.

So the solution to that was to actually lower the rail bed. You leave the tunnel where it is and you dig out underneath it so that you can have a larger tunnel. That meant cooperation with the railroads. They were the ones that had to make the investments. And then you have the Port of Oakland, which is

surrounded by development on all sides, so it didn't have any place to grow. So their approach was, again, to work with the railroads to make a more efficient layout of the port so that you can more easily offload the cargo right from the ships onto the trains and use unit trains, and through federal financial support from the Water Resources Development Act, to get money to dredge the channels deeper. There is a breed of ship called post-Panamax. They're too big to go through the Panama Canal so you have these ships that just operate in the Pacific Ocean. They're post-Panamax. Now they're actually widening and deepening the Panama Canal, so I guess they're will be post-post-Panamax ships. The canal will get big enough so that you can take these large ships through.

In order to accommodate these ships with much greater length and draft you had to dredge the Bay to fifty feet. This left the port with a dilemma of what do you do with this dredged material. And the port seemed to have a capacity for continually find the wrong places to want to put this stuff. For a long period of time dredging within the Bay was deposited very near Alcatraz Island, on the theory that the tide—since you have the equivalent of six Mississippi Rivers washing out through San Francisco Bay every day—would just wash the material out and it would go out into the Pacific Ocean. It turned out that the material accumulated near Alcatraz Island and there was a mountain being built on the bottom of the Bay. It was such a problem it became a navigational hazard and had to have the top taken off of it so that it didn't interfere with shipping.

So the port, looking at that, decided they would take the material offshore, basically off of Half Moon Bay and Pacifica. They went and looked at the charts that the Department of Fish and Game had as to where fishing took place and they looked for places where nobody ever caught any fish. So that's where they were going to deposit the material. Well, it turned out that fishermen, as you know, who are always catching fish "this big" didn't necessarily tell the state where they actually caught the fish because they didn't want the other fishermen to know where they were fishing. So the data were inherently inaccurate. So when the port proposed to deposit the material there, the fishermen reacted to it.

So they looked around at a whole variety of things and one of the things that presented an opportunity was the closure of military bases around the Bay. There were more bases closed around the shoreline of San Francisco Bay than in any other state outside of California. So we got to be very knowledgeable about base reuse planning. It's a whole interesting subject on its own but one of the bases that was closed was the Oakland Naval Supply Center. That facility had, I think it was three or four berths near the middle of the Port of Oakland. The area had originally been wetlands. It had been dredged for fifty, sixty, seventy, eighty, ninety, a hundred years. It was where the hospital ship *Hope* used to be berthed. The Navy didn't need this berth anymore because it didn't have a supply base there so a bright guy at the Port of Oakland, a fellow

by the name of Jim McGrath, who I had worked with at the Coastal Commission and who subsequently got appointed to the Regional Water Quality Control Board by Jerry Brown, and who the board in turn appointed him to BCDC. So he's now a BCDC commissioner. He was then the head of the environmental division at the Port of Oakland. He came up with this idea of instead of taking the dredged material and having to transport it some great long distance to up near the confluence of the Sacramento and San Joaquin Rivers where there was a privately-operated facility that charged the dredgers a tipping fee and used the dredged material to create wetlands. What Jim said was, "Let's take this area that had been dredged and was, therefore, unnatural and let's restore it to its natural topographic conditions, which will then support the reestablishment of the least tern, which is a bird that had bred and lived on Alameda at the Naval Air Station there. And by not having to haul this material so far, that will reduce our costs. By having reduced costs there, we can then afford to haul some of it to the Hamilton Air Force Base, where a runway was being covered with dredged material to bring that subsided area up to intertidal elevation so that it could be reestablished as a wetland. So here was something that looked like a deal made in heaven. It saved the port money, it saved distance in hauling the dredged material, it restored a wetland, and in return created enough money so that the rest of the material could be hauled to create another wetland. The only thing wrong with it was it was filling San Francisco Bay and BCDC was created to stop that from happening. So Jim came up with this nutty idea, and I kept shooting it down. But every time I came up with another question or another issue about what would be wrong with it, Jim would come back with a counterproposal as to how he could take care of it. So ultimately we crafted an elaborate set of conditions. If this happens we do that, and here's what we do here and here's how we measure success. BCDC ultimately decided to amend its Bay Plan to allow for one pilot project with some very tight mitigation criteria and until it is successful we can never do another one. So I think our response was very creative.

The problem is that nature has its own way of doing things. While we wanted a certain habitat there nature decided, "That's not exactly what I want to do." Also we had some timelines, some schedules, but it turns out when you put the material there it settles, it compacts, so you have to put more material on top of it. So it's all taking much longer than it should have and as a result you can't do another experiment. Therefore the Commission, in trying to assure that something awful wouldn't happen, has prevented anything similar from happening.

05-00:11:55

Meeker:

Anything similar meaning anything good?

05-00:11:57

Travis:

Anything good. If you look at government regulation it's almost always reactive. And government hates mistakes. So if you try something as a private

entrepreneur and it fails you said, “Gee, I’ve learned that doesn’t work. I’ll try something else” and you can go on and learn from your mistakes. Government’s reaction tends to be, “We never want this to happen again,” so you set up a whole series of conditions, prohibitions, and restrictions, which will prevent that same thing from happening again but usually prevents a whole other bunch of things that may have some benefits at some other time in the future.

05-00:12:48

Meeker: And also might not prevent further problems in the future. I mean you see that in financial regulations, right?

05-00:12:53

Travis: Yes, indeed.

05-00:12:56

Meeker: How much material are we talking about here?

05-00:12:58

Travis: I don’t recall the numbers.

05-00:12:59

Meeker: I’m wondering if you can give me a little more description of exactly what the plan was and how it transpired, maybe some more detail on it.

05-00:13:12

Travis: Well, what you had is an area, a big basin that was where they berthed these ships. Next to it was the main shipping channel. So if you took dredged material and put it in this basin it would tend to just slough off into the shipping channel. So they had to put a retainer wall under the water to hold the material in there. Then also, they built a park around all of this. It’s a lovely park. The problem is it’s entirely within the confines of the Port of Oakland. Even people who live a short distance away don’t know that it’s there so it’s not heavily used. That was a planning error, which we’re trying not to repeat in other places.

05-00:14:11

Meeker: So the idea was to basically fill in this basin that had previously been dredged. And so this is where the conflict between the Bay Plan and what the specific plan for this was.

05-00:14:27

Travis: Right.

05-00:14:27

Meeker: Was to fill this in but the idea was you were filling in deep enough Bay that it was able to accommodate these ships but in the process you were trying to recreate wetlands that had been lost decades before?



05-00:14:44

Travis:

That's right. Up to that point we talked about beneficial reuse of dredge material. Dredged material used to be called "spoils." It was seen as junk, mud leftovers you wanted to get rid of it. So we just tossed it away. But we realized that it was sediment, and sediment is a rich resource for a whole variety of things. One of the things that we needed sediment for was there had been this vast area around the shoreline of the Bay that had been diked off and had been used for either salt production or agricultural lands. We talked about Cullinan Ranch. These areas, as they were diked off and used for other purposes, tended to subside and compact. So their ground elevation lowered. This is what's happened in the Delta. If you want to restore wetlands in those areas and you just breached the dike, it'll fill up with water. It'll be a nice water area, but it won't be intertidal wetlands. So the idea was to take dredged material and put it in these diked areas, which under BCDC's law were not considered part of the Bay. That was the approach we were using. What the port and Jim were proposing was to do the same thing but within the Bay. But BCDC was trying to stop the Bay from being filled. So in essence what he put forth was a dilemma of filling the Bay from an environmental perspective as a way of enhancing the quality of the environment because while an open water basin is really nice if you're a fish, you have a much more biodiverse and productive area if it's intertidal wetland. But you need to fill it and bring the elevations up.

05-00:16:51

Meeker:

This is something new that was being done from a scientific or engineering perspective, right?

05-00:16:58

Travis:

Correct.

05-00:16:59

Meeker:

Who was it that would have designed this and what knowledge base were they using?

05-00:17:07

Travis:

I don't remember the consulting firms but you had hydrological engineers. It could very well have been that Phil Williams, who was a pioneer here in the Bay Area, working with hydrology and wetland restoration and using wetlands, his is the firm that realized that if you have wetlands they're very, very good for flood protection in addition to environmental purposes. So we have a variety of very good consulting firms. I don't recall which ones the port used for its design work.

05-00:17:44

Meeker:

What was the hypothesis, in essence, that would lead from basically bay to fill to productive wetlands? What was the mechanism and the timeline? How did you think this would actually occur?

05-00:18:04

Travis:

As I recall we hoped it would play out over about ten years. It's been more than that already and it is not yet even intertidal wetland because of settlement and a variety of other things. It's just going slower than anybody thought. One of the problems was the federal government. We thought there would be a flow of federal funds to pay for this. But recently the federal government has become much more adverse to actually spending money for infrastructure projects like this or for environmental restoration.

05-00:18:43

Meeker:

I actually looked on Google maps today before coming here about seeing what it looked like because I remember actually going out to that park. I'm maybe one of the few people that ever used it. But we had a Sunday afternoon picnic out there, a big group of people. And it was nice. It's sort of windswept and everything. But I do remember it being sort of open bay. But actually, if you look at the current Google view of it, it does show that it looks more like wetland-y.

05-00:19:14

Travis:

Yeah, good.

05-00:19:15

Meeker:

So I don't know if this is a recent development or slowly getting there —

05-00:19:19

Travis:

It's slowly getting there. I believe it is. Yes. Remember, I've been away from BCDC for over three years now so I'm not tracking everything.

05-00:19:31

Meeker:

Yeah, but up to that point in time.

05-00:19:33

Travis:

Yeah. Yes.

05-00:19:33

Meeker:

It's an ongoing project.

05-00:19:35

Travis:

It is an ongoing project and I know that not too long ago BCDC, at the behest, urging, and criticism of Save the Bay, had a briefing on the project because Save the Bay just wanted it to go faster. They wanted better gravity, I guess, to pull things together quicker. So the Commission looked at what had happened and why it was going more slowly. It inspired me to actually go back and testify to the Commission in the public session that they ought to realize that maybe it is a good idea to allow pilot projects. Maybe this was not the best thing that we did when we set up such very abundantly clear criteria, which just didn't acknowledge that nature always gets to bat last and nature gets to decide so to allow a bit more flexibility.

05-00:20:37

Meeker:

So what was the outcome of that? You said it was just like a study project.

05-00:20:43

Travis:

It was a briefing on the progress. So the project is going on slowly and at some point it will either be deemed a success and then I guess you could try another one or it will be deemed a failure and you could never do one again unless you go back and change the policies of the Bay Plan.

05-00:21:04

Meeker:

What was being done at Hamilton Air Force Base? I didn't quite get that.

05-00:21:10

Travis:

Hamilton was one of the bases that was closed. It was an interesting base because it was closed four times. Hamilton started life as an Army base and it was closed. It became an Air Force base and it was closed. There was a Coast Guard facility there and it was closed. And then there was another facility there. So it kept getting moved from one branch of the Defense Department to another. What it was was a single runway airfield up near Novato in Marin County. It had about a 10,000 foot runway. At some point in the nineteen probably late eighties, maybe early nineties, they did an analysis—this would have been the eighties. They did an analysis of where demand for air passengers was growing fastest in the Bay Area. It turned out it was growing in the East Bay and in the North Bay. So here you had this abandoned runway so some folks said, “Well, let's put in an airport. What a great place for at least a small plane commuter airport.” But the people of Marin County, who don't like change in any way, shape, or form said, “No, we don't want airplanes flying over us. We don't want noise. We don't want an airport here.” As I recall, they teed it up three times in different public votes, and the conclusion was always “we don't want an airport.”

Nevertheless, the Port of Oakland looked at this and said, “Well, if you decide you do want an airport, we know how to run an airport. We've got one.” This is something I found later when we were dealing with SFO. Airports learn how to run airports so some of them spin off a consulting business of running airports. If you have a third world nation and you want your economy to develop, you've got to have a well-operated airport. So what you do is contract with somebody else to run your airport. So Oakland said, “We know how to run airports. We've got one. So if you want an airport there, we'll run it for you.” Well, even worse than change, the people of Marin County don't want people from Oakland coming in there so they rejected that. A short while thereafter Senator Barbara Boxer invited me into her office and she said, “I have an idea. The Port of Oakland needs to dredge its channels and we've been talking about taking this airfield and closing it and restoring it to wetlands. But it's subsided. It's well below sea level. How about we take dredged material from the Port of Oakland and use it to do this wetland enhancement?” I thought, “Well, that's an interesting environmental idea.” But I realized what she was trying to do was make sure that it could never be

used as an airport because if you cover that runway with mud it's gone. So that's where the concept came from. But then how do you get the dredged material over to the Hamilton Air Field because there's a long area of mud flats, tidal flats, offshore so that you can't get barges right up to the shoreline. So they needed to put a pipe way out into the open bay. It became a very expensive proposition. But that's the concept and the whole area is being restored. It's a beautiful community because the original Hamilton Army Air Field was put in the twenties and thirties and has these wonderful mission revival buildings. so it has a very nice Spanish quality to it. They have kept those. They have kept the hangars. If you see the movie "The Right Stuff" what looks like Edwards Air Force Base, that was actually shot at Hamilton. It's a very nice community and they put in a lot of new housing and then they put a levee right next to the inner edge of the wetland, The perimeter dike has been breached and its being slowly restored to wetland.

05-00:26:15

Meeker:

So what was happening when you say that the runway was below sea level, so it had been diked and therefore that's why the water wasn't coming in? Is that right?

05-00:26:26

Travis:

No. It was originally a farm field on the shoreline of the Bay. You put a runway on it and then you put a levee to protect the whole area from occasional flooding. Then over the years the runway and all of the area sinks, so it gets down five, six, seven feet below sea level. So at that point if you would breach the levee, the whole area would flood. I don't want to diminish the quality of the open bay, but it would just be more open bay. Since we've lost 80 percent of our tidal wetlands, the notion of taking dredged material and recreating tidal wetlands has great appeal. So that's the notion. You bring it up to intertidal elevation, open it up and it becomes wetland.

05-00:27:21

Meeker:

This idea of restoring tidal wetlands is interesting. I'm wondering when did this become a main goal of BCDC? Because it's not preventing fill and it's not providing access. It's kind of yet a third, it seems, main goal of BCDC.

05-00:27:45

Travis:

Yeah, good question. I think from the get-go BCDC understood the importance of wetlands. The way I view it is when the law was passed in 1965 and made permanent in 1969, the Bay was a third smaller than it was a hundred years earlier and it was terribly polluted. So BCDC was inheriting a patient on life support. For years and years it just kept limping along. Then we started to see small wetland restoration projects. But then with the thought of doing Cullinan Ranch at a thousand acres and then the North Bay salt ponds at 10,000 acres, we began to think more grand. Then there was a joint effort of a whole variety of agencies that came together called Habitat Goals Project. That was simply to establish, if we're going to restore this estuarine system, how much of what do we need where? It was made up of resource managers,

biologists coming together, talking to each other and trying to figure out if you're going to do something here, what did nature want it to be? What was the default? How could you use this area with the least amount of engineering and management? Where did you want it to go? You'd have these fights. A piece of property would be purchased, for example, Cullinan Ranch. It was purchased for restoration to tidal marsh. But seasonal marshes and seasonal wetlands established there on the farmland, on the grazing land, during the winter. So to reestablish intertidal wetlands you would have had to mitigate the loss of the seasonal wetlands. So you had these fights between different kinds of natural resources and advocates for different things. By bringing these resource managers together and making a very clear statement that these goals were not to be used for regulatory purposes, it was a series of guidelines, it gave us a blueprint, something to shoot for. And with the possibility of these landscape scale types of projects, we realized we could take the patient off life support and could actually improve the health of the Bay and the estuarine system to a degree that had not been imaginable twenty years earlier.

05-00:30:49

Meeker: Well, the science wouldn't have been there either.

05-00:30:51

Travis: That's true. Yeah. We've learned a lot along the way.

05-00:50:56

Meeker: Did BCDC mostly work with consultants like Philip Williams or did they have staff assigned to some engineers?

05-00:31:02

Travis: Both. We have biologists on the staff and natural resource people. But they are, for the most part, dealing with permits and dealing with planning studies. They know enough about particular issues to know when they need more assistance and that's when we would bring in consultants.

05-00:31:29

Meeker: So actually back to the Middle Harbor Plan. You had mentioned in passing the park that was built there. What was the process by which that was negotiated and built?

05-00:31:46

Travis: Again, the brilliance here of Jim McGrath. He wanted to do something for everyone so he wanted to come up with something that would advance the primary goal of the Port of Oakland, which was to provide more throughput. So you dredged the channel and you provide more capacity. He wanted to do something that would benefit the environment, restore the wetland. But there had also been a great deal of tension between the Port of Oakland and particularly the West Oakland community. You have these containers and you have the trucks that pull them. The trucks would park in West Oakland and sometimes idle and leave the engines running. So the people who lived there were being exposed to very high levels of diesel particulates and noise and the

danger of being run over by a truck. So there was a great deal of tension between the West Oakland community and the port. So Jim wanted to give something to the community. What better way to do that than to engage them in putting a park in not very far from where they lived. Then they negotiated with the East Bay Regional Park District to operate it so that you didn't have the port operating a park, you had the park district that knew how to operate parks. It turned out that that relationship hasn't worked as well as they had thought and the port is now actually operating it themselves.

05-00:33:35  
Meeker:

What were some of the issues involved in that? Do you know?

05-00:33:40  
Travis:

Well, it was an urban park. The park district tends to do more natural parks. It didn't fit. And part of it was the port revenues had gone down so they didn't have the money to pay a professional park operator. They saw that the use of the park was a lot lower than they had anticipated so they thought, "Well, given the low usage we can maintain it at a lower cost and we can do it ourselves." So that's what they decided to do.

05-00:34:15  
Meeker:

Did BCDC get involved in the planning or negotiations around the park?

05-00:34:18  
Travis:

Oh, yeah because that public access was all part of the deal.

05-00:34:25  
Meeker:

What did you think of the plans?

05-00:34:26  
Travis:

Well, I was very skeptical, as I said. But Jim is extraordinarily bright and very persuasive. Every time we would come up saying, "Well, what if this goes wrong?" he would come back and say, "If that goes wrong here's how we can fix it," or "Here's how we can minimize the chance of that going wrong." Still it was filling the Bay and I was hired by the State of California to keep people from filling the Bay. Again, he said, "But this is a good reason for filling the Bay." This is a terrible metaphor but it's kind of like a needle exchange program. You say, "Well, I don't want you to be using this but if you're going to do it at least this is a better way of doing it." What Jim was proposing was something that would benefit the environmental quality of the Bay. It would be better after it was filled. So it became hard for me to rationally argue against that. So we crafted some policies and made some changes and brought in Save the Bay and all the various stakeholders and negotiated a series of changes that ultimately everybody went along with, perhaps not fully supported, but went along with.

05-00:36:06  
Meeker:

Was there anything else you'd like to talk about the Middle Harbor Plan?

05-00:36:12

Travis: Well, no. It leads to the BRAC process. We should talk about that a little bit.

05-00:36:18

Meeker: Yeah. That's actually what I was going to move on to next. So the BRAC process, the Base Realignment and Closure Commissions, I think the first major one was 1989 and then three or four after that. Resulted in the closure of the Oakland Army Base, the Alameda Naval Air Station, Moffett Field, Mare Island, Hamilton Air Force Base.

05-00:36:40

Travis: Treasure Island.

05-00:36:40

Meeker: Treasure Island. You name it. The Presidio.

05-00:36:44

Travis: Yeah.

05-00:36:44

Meeker: And these, of course, are all lining the Bay, every single one of those, in fact. When you saw this happening, did you create a policy or establish a process by which these bases would move from military to civilian use?

05-00:37:06

Travis: Well, first off, some of these bases we had designated in the Bay Plan as priority use areas. The purpose of priority use areas is to ensure that on the list of things that BCDC can approve filling the Bay for, you don't end up having to fill the Bay for one of these allowable uses because you used a perfectly good shoreline area that was suitable for that use for something else, and then you say, "Oh no, now we've got to fill the Bay." So you have something like the—

05-00:38:00

Meeker: Can I interrupt? It sounds to me like what you're saying is that, in essence, the bases became sort of reserve land use areas.

05-00:38:06

Travis: That's right. They were land banked, as it were. And they were land banked for things that seemed reasonable. For example, Hamilton Army Air Field, Hamilton Air Force Base. It was reserved as an airport priority land use. Well, that makes sense. It was an airport. Alameda was a Navy base, so it was reserved as a port, a Navy port. What we found very quickly was that sometimes these things weren't useful for what they were reserved for. I explained how Hamilton turned out not to be an airport but it became a perfectly good wildlife refuge. We had Alameda reserved but it was a naval air station. It wasn't a port. We talked to the Port of Oakland about putting port facilities in Alameda. It's just across the channel, the estuary, from the port. Why not have containers on both sides? Well, if you think about that, Oakland is on the side of the channel where the rest of the United States is.

Alameda is an island. So you would have to get all of that stuff off of Alameda and they have constraints through the tunnels, the tubes, that go under the Bay. It just didn't work so we had to change our designations of some of these.

It was a fascinating process. In essence, if you're sitting in the Pentagon and you look at, well, let's say Mare Island, you look at it and you say, "Okay, we've got a complete community here. It has houses, it has schools, it has churches, it has commissaries, it has a wonderful working waterfront. It's a spectacular community and it's worth hundreds of millions of dollars. Let's sell it to Vallejo." Vallejo looks at it and says, "Look, this whole area is contaminated. You haven't taken care of it. You've deferred maintenance on all the utilities and infrastructure. You have dumped your trash out the back door along with a lot of unspent munitions. It's just awful. We'll take it off your hands if you give us \$100 million." That's the way the negotiations started and they took years and years and years to try to get to some resolution so that the property could be transferred to the local governments. And the federal government has historically way underspent for cleaning up these areas. I won't say they're catching up, they will never catch up, but they're starting to invest some money in doing this. So you had all of a sudden a land bank around San Francisco Bay in which you're trying to attract private capital to come in there and invest. But so are a lot of other communities all throughout the United States that have had military bases close in their backyards. Mather Air Force Base, McClellan and various others even in Sacramento and in California. So it was a process that we engaged in through a BRAC reuse committee. I think it was established under the auspices of the Bay Area Council. We worked with them to try to move this process along but it has been very, very slow. You see Treasure Island is still not really developed. We're finally getting plans for Hunter's Point. There's some interest at Google in Moffett. But it's a very, very slow process.

I had an interesting experience at Alameda Naval Air Station. Alameda was a Navy maintenance base. They had these huge facilities where they would bring in planes and retrofit them and clean them up and paint them and do whatever you do to an airplane. Because it was maintenance, they didn't have ongoing operational requirements. So they could fly these planes in and out when they wanted to. The runways at Alameda are lined on both sides with gravel aprons. There is a little bird, an endangered bird, called the least tern. Least terns nest on cobble beaches. That was their native habitat. Well, there aren't a lot of cobble beaches left in California, and least terns are small birds, so they have bird brains. To their bird brain, this gravel looked like a cobble beach so they would nest there. It turned out that about 10 percent of all of the least terns in the universe were at Alameda Naval Air Station. The Navy could operate around the nesting season. When the birds were there nesting they didn't fly jets in and out and this became an incredible natural resource refuge for these birds. Also you had a security fence around the edge of the base, so you couldn't have cats and dogs and other critters getting in there. So when



the base was closed I looked at this and I thought, “What use could you put there that would protect and maintain those kinds of conditions?” It occurred to me that California at that time was expanding its prisons and they were putting a whole bunch of them out in the Central Valley. California also has a policy that they try to match the ethnic composition of the guards with the ethnic composition of the prison population, which is why when Pelican Bay opened up in Humboldt County they had to hire a bunch of blacks and Hispanics from the Bay Area and Southern California to move up there because there weren’t any. I thought, “Well, you could do that in the Bay Area very easily from the local population.” And if you have prisoners coming from the surrounding area it would be easier for their friends and families to visit them. And if you put a prison here you’d still have that perimeter fence so you could have it and maintain the surrounding area such that the least terns could continue to live and thrive. So I asked the California Department of Corrections if they would be interested in exploring this idea. “Yeah, sure.” So I asked the Alameda base reuse people if they’d be interested in considering it and they said, “Well, we’ll consider it.” So we scheduled a meeting and there was somebody from Corrections, me, and Alameda sent, I think, the youngest most junior person they could find. We met in this little room with a card table and some folding chairs. The guy from Corrections said that they would love to explore a prison here and they would cover all the upfront costs of environmental analysis and whatever else, and he was willing to provide millions of dollars right on the spot. The young man jumped back. You could have thrown a king cobra on the table. He said, “No, I can’t take anything. I can’t take anything.” And that was the last meeting we had. It was a stupid idea. It was very naïve.

But subsequently the community at Alameda is still anguishing with what to do with the base because Alameda views itself as a town of single-family home owners, even though most of the population are renters in apartments. But that’s the way they see themselves so they have a provision that you can’t build anything bigger than a duplex. You can’t really make this thing pencil out without larger development and it’s, as I said, an island so you have a serious transportation problem. So it has turned out that part of the land is going to go to the Fish and Wildlife Service. They’re going to have to figure out how to manage it. Part of it is going to go to the Veterans Administration, not for a cemetery but for disposal of human remains.

05-00:48:19  
Meeker:

A crematorium kind of thing?

05-00:48:20  
Travis:

Crematorium or something like that. And they’re looking at a park around the shoreline and then doing something else with the rest of the base. But they’ve been at the planning for twenty years,. And you have all of these bases that are going through that very similar process.

We also faced some very interesting and almost humorous things. A number of the bases had huge hangars and open space. The hangars were great for film studios because filmmakers loved to come from Southern California, shoot up here, have lunch and then go back. Alameda is where they shot the “Matrix” films. And there was a period of time when Robin Williams was making movies but he wanted to go home to dinner every night. So the Robin Williams movies would be made on the bases. There was one made up in Vallejo, another made on Treasure Island. So the thought was if you could have a complete studio you could keep them and the dollars.

Early on in the process there was a movie being shot at Treasure Island. There is a provision in federal law or regulation that whenever you shoot a movie on a military base the Department of Defense gets last editing rights. That is to ensure, I think, so that you don’t inadvertently show something that you don’t want the enemy to see or you don’t portray the military in a bad light or whatever. But it was in the law. A film was being shot on Treasure Island in one of these studios and it had nothing to do with Treasure Island or the military. It was just a sound stage. But the Department of Defense intervened and said, “Well, we want to edit the thing.” The movie producers said, “Gee, I’m going to shut down the operation and go someplace else.” At the time Ron Dellums was chairman of the House Armed Services Committee. We reported this problem to him and it took about twenty-four hours and it was fixed. But curious things like that happened. As you move from military operations to civilian reuse, anything that can possibly go wrong will go wrong.

05-00:50:56

Meeker:

Did the military explain what it was that they wanted to edit?

05-00:51:00

Travis:

No. They had the right to edit it.

05-00:51:03

Meeker:

They were reserving the right to do it, yeah.

05-00:51:04

Travis:

They were reserving. Yes. They just said, “Please send us a film. We’re going to edit it.” Somebody went through a checklist and said, “Oh, we get that to edit it.” And somebody else said, “Send it to us,” without thinking the thing through.

05-00:51:18

Meeker:

Well, this is interesting. There are so many of these bases and so many thousands of acres of prime Bayfront property. Was there developed kind of a unified policy about how BCDC was going to interact with the various agencies involved, the ports of Oakland? Like the ports and the wildlife agencies and the military? Was there like a unified policy?

05-00:51:54

Travis:

No. We didn't do anything formally. What did happen, though, was from our perspective, other than those we had reserved for priority uses and which, in a number of cases, we concluded they were wrong or it ought to be changed or lifted, our responsibility was going to make sure that there was public access along the shoreline of the Bay. We had realized early on that the way you achieve that objective is by encouraging development because you get the access as a condition of the development. So you had agencies and interests who looked at, say, Alameda, and there was a long push by Audubon to make the whole thing a national wildlife refuge. Well, that's fine and good from the perspective of the least tern and other species, but Fish and Wildlife didn't have the money to operate it. You had the community that wanted some economic development there. You had recreational interests that wanted public access along the shoreline of the Bay. So where we got engaged it was more of a broader understanding that we should encourage the development of reuse plans. We should understand that we're in competition with a lot of other people and a lot of other states. We should try to make the process work as easily as it could and as fast as it could because that is the way we could achieve our objectives of getting more attractive development along the shoreline of the Bay and public access to the Bay. So I spent a lot of time as executive director engaging in these meetings. But did we develop a Bay Plan policy dealing with the reuse of bases? No. We had our body of policies that we wanted to achieve and this was just yet another mechanism for doing that.

05-00:54:11

Meeker:

What about, I guess, balancing residential development with perhaps restoration in some of these areas? I know Alameda there has been some residential development, new residential development on the former Naval Air Station. I don't know what the stage of it is now but I think in Hunter's Point there's also quite a bit of that about to happen. Is this stuff that BCDC would have to approve? Typically BCDC has not been receptive about sort of shorefront residential development.

05-00:54:47

Travis:

That is a great misunderstanding. If you look in the Bay Plan there's a policy which encourages high-density development and high-density housing along the waterfront.

05-00:54:58

Meeker:

Just provided it doesn't entail filling.

05-00:55:00

Travis:

That's right. And the reason the policy is there is to allow more people to enjoy the Bay and the Bayfront. So BCDC has no prohibition, and on land BCDC has no authority to decide what land use should be there. That is the prerogative of local government. They decide whether it's housing or hotels or commercial real estate or manufacturing or whatever. BCDC's role is to ensure that there's public access along the shoreline of the Bay. If you look at

the plan for Treasure Island, for example, there's 8,000 housing units, as I recall. Huge. But the entire perimeter of the island is going to be public access because that's also where they're going to put their levee system that will protect the island from sea level rise. So it would be very difficult for BCDC to do anything other than approve and applaud what they want to do at Treasure Island.

05-00:56:14

Meeker:

What about issues of pollution and congestion, particularly around Treasure Island, which seems to be the most obvious?

05-00:56:22

Travis:

Again, BCDC isn't the Bay Area transportation planning agency. Treasure Island has an amazingly elegant plan. I think it is a standard that the rest of the world should look at. Treasure Island, there's only three things wrong with it. You can't get to it because you have to use the Bay Bridge and it's congested. The island was created by putting a levee in the Bay and then pumping dredge material in, so it has the seismic stability of soup. And it's low lying and susceptible to flooding from sea level rise. Those are the only things wrong with it. So what they have done is come up with a very elegant solution, and what they are going to is what they call "densify" the material. It's just hammering the sand together so it takes it from a sandy soup to something like concrete. And then you put what they call stone columns along the shoreline to make sure it can't slough off into the Bay. As you put a large development on top of it, it remains stable. They will also raise the ground elevations in those areas where it's too low to get up above the flood plain. And then the whole perimeter of the island will be reserved for open space so that you can have a levee system around it and over time, as sea level rises, the levee can rise too. The toe of the levee then goes into the public access area, but the public gets access to the top of the levee. And they'll pay for all of this with a geographical hazard abatement district so that it's internally financed by the development that takes place there. This is all very expensive to do so you do it in as small an area as possible. As a result all of the development will be within easy walking distance of a ferry slip where you just shoot right across to the Ferry Building so you don't even use the Bay Bridge. They planned it so that it's designed as a walkable community so people can use bicycles or whatever to get around. Chances are you will keep your car in a garage and every three weeks, if you want to go to see your grandma or go to Yosemite, you get your car out of the garage and go up and out. They'll actually have a fee to discourage people from coming down to the island by driving. They'll improve the bus connections. It's a very elegant plan, but it's very expensive and it's taken a long while to go through all of the steps and to get the financing. But they're in line to get BCDC approval within the next few months, I would think.

05-00:59:29

Meeker:

Of course the plan doesn't do anything about the horrendous weather out there.

05-00:59:33

Travis:

Well, that's the other thing they've done. They've actually designed the street grid so that it's not a box grid. It's angled so that it provides protection in the streets from the wind. It's been designated as one of the Clinton Foundation's Climate Positive Development Programs. They looked at a number of city plans around the world and this is one of them that they gave the stamp of approval as an outstanding environmental design.

05-01:00:03

Meeker:

And this was the San Francisco Planning office that did this?

05-01:00:08

Travis:

No, there was, I believe, a Treasure Island Reuse Authority and now it's tied to Treasure Island Development Agency. Wilson Meany is the developer. Skidmore Owings & Merrill [SOM] were the original master planners. When we started looking at sea level rise at BCDC I realized that they'd already taken it into effect so I asked, "How did this come about? How did you get out in front of us?" John Kriken, who's one of the partners at SOM said, "Well, our firm does a lot of work in China, and the Chinese have been demanding that we plan for a meter sea level rise for decades." So they brought that experience from China to Treasure Island so when we at BCDC started to develop our policies for dealing with development, we kind of reverse engineered it from Treasure Island because they'd gone through the thinking process. How do you deal with this uncertainty of sea level rise, provide protection, but how do you also provide the capacity to adapt over the future to however high the water gets when it is getting there because you don't know how high it will get and when. By having a wide area reserved and the financial capacity to do this, it will be a sustainable community out there for a hundred years or more.

05-01:01:50

Meeker:

Interesting. Are there any other reuse issues that you think are worth discussing?

05-01:02:07

Travis:

No, but it provided an incredible opportunity for the Bay Area to have all of this real estate made available on the Bayfront. I just think everybody thought it would be so much easier than it was because each party came at it from their own perspective. Whenever you have that much property thrown very quickly into the mix it takes a while. One of the things that has amazed me was there were a lot of really well-paid blue collar jobs on the military bases. But if you look at the unemployment after the big base closures there was a little blip and the Bay Area economy has just absorbed all of those. So we have, at least at the macroeconomic basis perspective, we have turned swords into ploughshares very effectively here.

05-01:03:13

Meeker:

That's interesting because we did this big oral history project on the Oakland Army Base and interviewed Jim McGrath, among many other people. But

what we learned in that process was something we probably should have known to begin with but it became readily apparent in the process of interviewing all of these people, a lot of civilian DoD employees. And that was these were people whose parents didn't go to college, they didn't go to college, they maybe graduated high school and they would start as a GS1 clerk typist and twenty years later they were a GS14 and had a good—

05-01:03:51

Travis:

Now they had no place to go.

05-01:03:52

Meeker:

Well, no, that's not true. Some retired and a lot of them went to Coast Guard Island. Some maybe went to places like the Port of Oakland or maybe something like that. But you're right. They didn't necessarily have that many places to go. But what the base provided them with was enough income to buy a house in San Leandro, to send their kids to college, and their kids then are the ones who are getting presumably the new economy job. And so that dip maybe was like kind of a generational thing. I don't know. I guess that's not a question, but—

05-01:04:37

Travis:

I think one other thing about the base reuse we were aware of it but it was greatly illustrative of approaches changing over time. I'm thinking of Fort Baker, where they had this historic Army fort and the notion was we're going to take it and make it into a private resort and use that money to protect the recreational use of the whole area. When the Bay Plan was enacted public recreation was public recreation and a city hall was a city hall and they're publicly owned. Then we went through this transition where cities, when they were running into financial problems, would sell their city halls to somebody else and then lease them back. The Presidio is the classic example of this. How do you take something that's a military base and reuse it in a fashion that is financially self-sustainable as a national park? Our whole notion of what is a national park and what is public recreation changed. So we had to go through that internally with BCDC and some of the policies of how do we allow something when the primary purpose is not public recreation but is to provide the revenue so that you can use it for public recreation on the rest of the area without, which you wouldn't get any public use at all. The base reuse process illustrated that change. That, I think, one of the public policy challenges we face and BCDC's obviously facing this with sea level rise. You put policies in place regulations and plans, and they reflect the values and the knowledge around what's here now and then you try to use them as things are changing. You finally get to the point where they don't work anymore, so you throw them out, start again, and respond.

05-01:07:10

Meeker:

Well, how do you manage that process of thinking through changed circumstances, trying to remain true to the Bay Plan but also integrating other previously unthought-of solutions?

05-01:07:29

Travis:

I think there's a way to think about this, and I'll be callous. The State of California, when they hired me, they didn't hire me to think. They hired me to carry out the law, the law that the legislature enacted. But I was fortunate in working for an agency that was carrying out a law that the agency had crafted and recommended that the legislature enact. BCDC said, "We've taken a look at all these things and here's what we think you should do." And the legislature said, "Yeah, that's what we want you to do. Now go do it." So there was this long history and tradition and culture of there being two things I do. One is to carry out the law and the other is to advise the legislature when the law doesn't make sense anymore. I can't deviate on my own from the law but I keep an eye out. Maybe BCDC is unique. I don't know that employees at DMV say, "Hey, the form we're using doesn't work anymore." I don't know. Maybe they do. But that's the way you deal with it. You compartmentalize it. I'm carrying out the law. I'm sorry. I know what you're saying. Jim McGrath, you've come up with an idea that looks to me like it's a good idea but I can't approve it. Then we went back and in our case the legislature was BCDC because the Commission was acting in their quasi-legislative capacity as the administrators of the policies of the Bay Plan, which had been incorporated into law. We went back to them and said, "Hey, guys, things have changed. Change the rules and then we can administer them." And the Exploratorium was the same thing.

05-01:09:26

Meeker:

I know one of the things that you did do as director, and probably as deputy director, as well, was in fact engage with legislature both as a body and I imagine legislators as individuals. Can you give me any examples of how you would approach that activity?

05-01:09:48

Travis:

Well, a definition of "a good day" to me is one that is not spent in Sacramento.

05-01:09:55

Meeker:

Well, then, tell me about a bad day that you had to spend in Sacramento.

05-01:10:00

Travis:

You have agencies that have offices in Sacramento. Most do. Shortly after I became executive director I wondered whether we should do that so that we would have an ongoing presence with the legislature. So I consulted with Paul Thayer, who at that point was the executive officer of State Lands Commission. He'd run the legislative program for the Coastal Commission and he'd worked for State Senator Byron Sher in the legislature. I said, "Paul, do you think that BCDC ought to have an office and a presence in Sacramento?" He said, "Well, Trav, I don't want to be insulting to you but I don't think a lot of the legislators get to the end of their week and say, 'Gee, why hasn't somebody from BCDC called me?'" His point was unless you have some sort of an active program or you're regularly attacked or engaged

you don't need to do that. But when there is something that you want to see accomplished, then you have to work with the legislature. In our case it was often explaining to legislators from Southern California why in the world there was a state agency dealing with San Francisco Bay and moving from there. Then it's just like dealing with any other thoughtful stakeholder. Here's what we think ought to be done, here's why, and then providing them with the information that they need to thoughtfully analyze it and come to a reasoned conclusion.

05-01:11:49

Meeker:

Are there any good examples of work that brought you to Sacramento? Any projects or any change in legislation or something like that?

05-01:11:57

Travis:

Well, fortunately I had a really good staffer that handled legislation so I didn't get called up there more than I wanted to be. There were a couple of instances when we were dealing with San Francisco International Airport where I got called on the carpet, which was very uncomfortable. But mostly it was dealing with budget and budgetary matters. We did have a proposal after the Loma Prieta earthquake where we'd realized that the service provided by BCDC through our Engineering Criteria Review Board on fill had a great benefit and that it would be good to have that dealing with all areas around the Bay that had been filled. We just were not successful. That may have been because we didn't have the ongoing relationship with legislators that the opponents did.

05-01:13:04

Meeker:

Well, I think we've got about a half an hour left today, so why don't we talk about the SFO expansion plans. I know that we've kind of danced around it a little bit. And you've brought it up in various contexts. But maybe you can just give me a summary of what the plan was and then what the problems were associated with it.

05-01:13:27

Travis:

All right. San Francisco International Airport, in the 1990s, engaged in a massive expansion of its terminal facilities and there was a contention that they were doing that as the first step to putting runways, new runways in the Bay. The airport denied it. The airport director was a guy by the name of Lou Turpen and he just said, "No, that's just not going to happen." Shortly after I became executive director I sat down with the new director, John Martin, and I said, "John, I just want you to be aware that BCDC can approve fill for runways in the Bay. They are listed as a water-oriented use. But we can only do so if the whole regional air system is reaching capacity." The thought the legislature had, that BCDC recommended to them, is with SFO and Oakland right on the Bay and San Jose just south of the Bay, if that whole system reaches capacity and you have no way of expanding at those airports you're going to have to go find a new place for an airport. And the last time they went through that exercise the closest place they could find was in San Benito County, which is way south of San Jose. If it was ever surplus, Travis Air



Force Base would be a good candidate. But anyhow, it would be finding a location for a new facility like Denver went through when their airport, which was surrounded by development, reached capacity. They had to go halfway to Kansas before they could find a site. So I explained this to John Martin and he said, “Well, we have no intention of doing this but we’ll think about it and I’ll keep you advised.”

Then in short order a proposal emerged that would have built a new runway about a mile out into the Bay, parallel to runway 28 and would have extended the crosswind runways. It would have been—I don’t remember the volume or the size of the fill. Martin came to us and said, “Well, we’ll fully mitigate this by restoring the South Bay salt ponds to wetlands.” I said, “Well, John, you can’t get from here to there. You can’t say, ‘Allow me to fill the Bay and I will do this wonderful mitigation.’” I said, “That’s kind of like if you come to me and say, ‘You know, there’s a kid that lives down the street and he’s noisy and I know he’d going to end up being a bad kid so I’m just going to shoot him. But I’ll provide scholarships for 10,000 other worthy kids.’” I said, “What you do is, we’ll evaluate whether there’s a need for these runways and if we conclude that there is then you will have to provide appropriate mitigation.” I also asked where he was going to get the money to do this and he said he had \$200 million set aside for mitigation. But in talking with Cargill, whom I had good relationships because of the negotiations we had with them in the North Bay, they said, “Well, he might be interested in buying our land but he’s never talked to us. And besides, \$200 million wouldn’t buy it, much less restore it.”

At this point, or perhaps even before, the process got hijacked by Willie Brown and the political interests. And it changed from an analytical project to a political project.

05-01:18:00

Meeker: Could I actually ask you to pause right there?

05-01:18:01

Travis: Sure.

05-01:18:01

Meeker: So on the verge of it becoming a political project, did you feel like that there was any chance of this happening?

05-01:18:12

Travis: Yes.

05-01:18:13

Meeker: Meaning—

05-01:18:14

Travis: I thought if John, if the airport, could demonstrate that our system is reaching capacity and we really need new runways and they are designed in such a

fashion that it will minimize the impact on the Bay and there is appropriate mitigation, I thought that there could be a regional consensus that this might happen.

05-01:18:48

Meeker:

Okay. It would just need to go through the appropriate channels.

05-01:18:50

Travis:

It would go through the appropriate channels. But what happened is the official position of the airport was not that the runways were needed to increase capacity, it was that the runways were needed for something called NLA, new large aircraft. Those were the Airbus A380s. The airport contended that the wingspan on those was so wide that if you had one taxiing between the existing runway, on the taxiway, and the terminal, that the wingtips would hit the terminal or airplanes that were parked there. There was just no room for these NLAs. The other justifications were delays because of weather. The current runways are 750 feet apart so when you have bad weather and you can't see the other guy that's 750 feet away the federal regulations requirements say you can't fly parallel so it shuts down one runway. You lose half your capacity. And the other reason was noise. They wanted to get the runways farther out in the Bay so that the communities along the shoreline and on the peninsula would have less noise. I guess what they decided internally is if you tell the communities down there the airplanes are going to be a mile farther away but there'll be twice as many of them, they thought that that would erode community support.

05-01:20:39

Meeker:

So they were going to be farther away, just twice as big? Well, not twice as big but bigger aircraft.

05-01:20:47

Travis:

Bigger and more of them. There would have been more of them coming because you could be running both runways all the time. We approached SFO and said, "Look, this is a big project that we don't have the staff capacity to handle." So they agreed that they would fund us upfront so that we could appropriately analyze their project. They provided, as I recall, it was about \$100,000 a year and I hired Don Neuwirth, the guy who had been at the Coastal Commission who turned the public access issue from a political liability into a political asset. He's a professional planner and politically very savvy. He ran our program of participating through this airport planning process. But what was going on is Willie Brown and John Burton were trying to push this thing through politically and they kept hiring more consultants. Don kept coming back with really solid analytical work showing that, one, you could land these NLAs and move them around without new runways. He's obviously been proven right on that because the existing runways are still out there, and the A380s are serving SFO. He showed that through improved technology you could deal with the delays that you have in bad weather, both by angling your approach so that instead of coming in parallel

you come in at the side and then turn at the last minute, and by staggering the planes, and by better communications. We're slowly moving to this new system where you're using GPS. It's ironic as hell. I was talking to a pilot. He said, "When I'm in my hang glider using GPS I know where I am within a foot all the time. When I'm piloting a 747 I know where I was twenty seconds ago within 300 feet." So by having the planes communicate with each other they'll be able to operate in worse weather conditions. And the planes are getting quieter all the time.

This process was going along and then there was a progressive slate that was elected in San Francisco, including Aaron Peskin. He felt his role was to defeat Willie Brown wherever he could, and the airport was one of them. Aaron, working with David Lewis and Save the Bay, crafted this mechanism, this citizens' initiative, that said any investment in airport improvements costing more than \$100 million, or whatever, has to be approved by the electorate in San Francisco. That passed on the ballot and they realized that they would never be able to get that approval.

Subsequently you had 9/11, which caused air travel to drop precipitously. You had the dot-com boom busted in San Francisco Bay Area. You had SARS in Asia, which cut down on travel. You had the bankruptcy of United Airlines, which handled about 55 percent of the passengers at SFO. And then the airport's bond rating got reduced, so they had to pay more in interest to pay off the construction of the international terminal. So as John Martin said, even if he had all the permits he couldn't afford to build the project. There is now a regional planning effort that is looking at the airports all the way from Sacramento to Monterey, that whole area, and what you need for air transportation. If out of that comes a regional consensus and a regional financial approach, I think you could end up with runways in San Francisco Bay.

05-01:25:57  
Meeker:

When did you first learn that this was moving from kind of a discussion amongst commissions and regulators trying to figure out the best way to move ahead to it becoming a political football?

05-01:26:14  
Travis:

It was an evolutionary process and I—

05-01:26:19  
Meeker:

And this was when Brown was mayor and Burton was in the state senate.

05-01:26:23  
Travis:

Right, yeah. I had two encounters with those gentlemen. The first time I encountered Senator Burton he was getting an award from Save the Bay at one of the restaurants over at Fishermen's Wharf. They were giving him this award and it was this awkward meeting where they weren't quite sure why there were giving him an award, but they were giving him one, and he wasn't

quite sure why he was getting it. So they said some things and then he said some things critical of environmentalists and he started to talk about the Waterfront Restaurant and how all they wanted to do is put up a goddamn awning and BCDC won't even approve the goddamn awning. This was shortly after I had become executive director. So after he went through his rage I went up afterward and introduced myself. I said, "I'm the new executive director at BCDC and what you've been saying about the Waterfront Restaurant isn't completely accurate. The reason they haven't gotten a permit for their awning is they haven't applied for a permit, and we have a long history of not issuing permits that aren't applied for. But if they come in, we can work this out, I'm sure." He looked at me and he said, "Fuck the Waterfront Restaurant. Fix the airport." So I at that point knew it was very important to him.

Then subsequently something happened with the airport and I think whenever they ran into an obstacle and either the mayor or [correction: John Burton] would ask what's going on, they would blame BCDC. So I was called up to the senator's office. He was president pro tem at the time. He asked me to come, the chairman of BCDC, his Commissioner that he appoints to BCDC, and my old friend Paul Thayer, who was at the State Lands Commission and had worked for the senator. The senator brought me in. There was a long table and the parties were at this side of the table and I was at one end and he was at the other. He starts just going after me and I could feel myself sliding down in the chair. I finally said, "Senator, the person that you're describing isn't me. I don't know who he is, but I don't like him very much either." And then, bless his heart, my chairman said, "Senator, can I make a suggestion?" And he said, "Sure, what." He said, "Whenever you have problems with the staff or the airport has problems with the staff, instead of calling you, why don't you have them call me?" And you could see the senator—the airport had put a monkey on his back and he had a guy that volunteered to take on the monkey." He said, "You're right."

05-01:30:11  
Meeker:

He became a flak catcher?

05-01:30:13  
Travis:

Exactly. So we were dismissed from the room. His appointee to the Commission said, "He was really angry with you." I said, "Yes, I know." And she said, "No, no, no. He was really angry." I said, "Yeah, I know but how do you know?" And she said, "Because he didn't curse once." So that was my encounter with the senator. We have subsequently become friends and he calls me from time to time to deal with issues that I might be helpful with. At some point Mayor Brown also called me into his office. We had a very nice cordial conversation about all matters of things but never the airport. And he finally said, "On the airport issue, I have not spoken out publicly about the administration of BCDC and I would prefer to never have to speak about the administration of BCDC." And I said, "Well, thank you. I hope you don't

have to either.” And he says, “Okay. Thanks very much for dropping in.” And I was sent away. But I realized what he had said to me, he said, “I could just squash you like a bug if I want to but I don’t really think I have to. I think I can just let you know that I can.” Anyhow, a very interesting encounter. Then, again, subsequently the whole thing just unraveled. It never came before BCDC. It was never a permit application. It just vanished into a perfect storm of events from 9/11 and SARS and United Airlines bankruptcy and a vote in the electorate in San Francisco.

05-01:32:23  
Meeker:

Well, let’s play a counterfactual for a second and say that 9/11 didn’t happen and the dot-com bubble didn’t burst, all that kind of stuff didn’t happen and it did get to the point of working its way up to your desk, in essence. And your staff, let’s say, were not convinced by the reasoning offered by the Airport Commission and they were not inclined to want to send it to the BCDC Commission for review and you agreed with them. What would have happened if the Commission sort of voted no on it, in large part supported by you and your staff. Would it have been possible for someone like a mayor to quash you like a bug?

05-01:33:15  
Travis:

Sure. A mayor with the president pro tem of the senate. While BCDC’s commission in all of its existence has never, ever approved a permit that the staff recommended be denied. They have denied permits that the staff recommended by approved. The strength of BCDC, the brilliance of it, is you’ve got twenty-seven members, some appointed by the governor, some appointed by the legislature, members of the public, state agencies, federal agencies, city representatives, all the counties. It’s this big stakeholder group and when they decide something for the Bay, it’s an expression of regional consensus. So if our staff had recommended to the Commission that they deny the permit, I’m pretty confident that they would have denied it. And it would have been such a strong expression of regional consensus that just as when the Commission denied a permit to Caltrans and that caused Caltrans and its mother agency, the Business Transportation and Housing Agency to convince Pete Wilson to abolish BCDC, and they tried, the Bay Area community came back and said, “Oh, no you don’t.” I think we would have survived. And if we had recommended that the Commission approve it and they didn’t I think we would have survived. I think the real issue would have been if my staff recommended in a way differently than me because it was my name that goes out on the staff recommendation and that’s where the tension would have been. I assured my staff that if we ever got to the point—and part of the reason I brought Don in as an outside consultant—I said, “If we ever get to the point where we’re apart on this one, I’ll take the fall” because I needed them to focus on doing their jobs and not be distracted by this big monster that was chewing around at the outside. I needed us to be maintaining the quality of professionalism and analysis that we were famous for.

05-01:36:11

Meeker:

You had said that there was never a time, and there has never been a time, that basically the staff recommended no and that they voted yes. And it's kind of pointless to ask if the airport would have been one of those times because who would know. But I guess I'm wondering, if that in fact was the case, would that have made the director's position untenable in some way?

05-01:36:43

Travis:

No. See, in many ways I had the best job in state government because, working for twenty-seven people, in order to get fired I have to piss off fourteen people all at the same time. And that's tough to do. You get half a dozen who are angry with you, but as you get from six to seven to eight to nine, some of them either forgive or forget. The other is we were operating from the law and the plan which the Commission had adopted. So these weren't my values. This is what the Commission said. So our staff analysis and recommendations always went back to the body of policy that was theirs. So I wasn't telling them what I thought. I was telling them what they should think based on what they had already decided. That's why, politically, we were so comfortable and that's why BCDC has that record. The staff job—you don't have to put up your fingers to the political wind—you just say, "Here's what they told us to do. Here are the rules." If SFO had stuck with its position and said, "We're doing this for NLAs and for noise and for delays," and we showed that you could handle all of those in a different way without filling the Bay, the Commission would never have approved it. If SFO had said, "We want to bring in more airplanes," chances are it would have eroded their support on the peninsula and they'd have never got it to us anyhow. So you can academically play with these things, but it was never anything I lost sleep over.

05-01:38:37

Meeker:

Well, that was my next question.

05-01:38:40

Travis:

Was there ever anything?

05-01:38:41

Meeker:

Or was this something you lost your sleep over?

05-01:38:44

Travis:

Well, the one thing that caused me great anguish was Barbara Kaufman, who had been the president of the Board of Supervisors in San Francisco. She was appointed by Governor Gray Davis as the chairman of BCDC and she had very strong views. I subsequently found out that, essentially, her job was to do two things. One was to fire me and the other was to get the airport approved. Well, I retired years after she left and the airport's new runways are not there. But that was the mayor working through the governor to get at BCDC somebody there who was an internal advocate. What she did was she tried to engage in the staff process but the rest of the Commissioners said, "No, when this comes to us we'll get to vote on it. You just stay the hell out of it." So she

got herself crosswise with the Commission and subsequently she had the attorney general telling her some things that she could and couldn't do. She disagreed and hired private counsel to fight with the AG. She didn't play well. I lost lots of sleep over her because that was a very difficult time.

05-01:40:29

Meeker:

But that is related to the airport.

05-01:40:31

Travis:

Yes, oh, yes. It was. Yeah.

05-01:40:32

Meeker:

Interesting. Well, let's stop there for today.

05-01:40:35

Travis:

Okay.

## Interview 6: May 26, 2015

06-00:00:00

Meeker:

Today is the 26<sup>th</sup> of May 2015. This is interview session number six, Martin Meeker interviewing Will Travis. So I'd like to get started today by asking you about this one development proposal, the Shores of Redwood City that in my mind bring up some issues of potential competing or conflicting interest of bay front development projects. And the particular thing I'm referring to is just beyond the Port of Redwood City there was a plot of land that a developer proposed to create something called the Pacific Shores Center, basically an office complex. And it sounds to me like the Pacific Shores Center checked all the boxes that made it an acceptable project for BCDC but the Port of Redwood City, as well as other tenants nearby that had heavy industrial uses were worried that that development would conflict with and perhaps ultimately result in their eviction from the properties. First of all, do you remember this happening? It was shortly after you became the executive director. It was probably one of the first conflicts that you had to adjudicate in some fashion.

06-00:01:50

Travis:

Well, as I recall, I think BCDC's authority was quite limited. It is possible, and I don't remember, that we had the property in the Bay Plan designated as a waterfront industrial area.

06-00:02:05

Meeker:

That's correct.

06-00:02:08

Travis:

So the issue before us is: is it needed for waterfront industry or could that designated be lifted? And if it is lifted then it's up to the local government as to what use goes there. The purpose of the designation for the waterfront industries is to ensure that there's enough dry land reserved for the demand for those sorts of spaces so that if you need those industries in the future you aren't going to have to fill the Bay for them. There was down there, as I recall—it might have been Ideal Cement and there was also an oyster shell deposit. That's why the cement company was there. They would mine oyster shells offshore and use that as a source of the calcium to make cement. So the question was: is this going to be needed in the future for the continued economic vibrancy of the Bay Area? As I recall our analysis concluded that there was more than enough space for industry. In fact, the demand for industrial space, heavy industrial space, was such that we didn't need to reserve anything in the Bay Area anymore according to a regional economic analysis.

06-00:03:44

Meeker:

Meaning that the demand was declining rather than increasing?



06-00:03:46

Travis:

Yes. The economy was changing from heavy industry to high tech. So what you needed down in Redwood City was not a place to make cement, it was a place to import material so that you could build Silicon Valley. So from a rational analysis it didn't appear that it was needed for heavy industry anymore. What the port was doing was engaging in I would call it kind of industrial NIMBYism. They were concerned that if you had a white-collar facility with a lot of offices, those people would do what suburbanites do when the suburbs move in next to a quarry and then complain about the dust and the noise. They were afraid that it was going to impact the port and its ongoing operations. Ultimately they agreed to put berms up so that you wouldn't have dust and noise and it would mitigate the impacts. The facility was approved. One of the things that I found fascinating, the developers of this site planned a traditional series of five story office buildings surrounded by a sea of parking. But from the get-go they had a second phase planned which they have not yet built, which is to fill those parking lots with more buildings and use the space in-between and create an urban downtown. So they were thinking twenty, thirty years ahead. I'd never seen any developer do that. They have yet to build that second phase but I know it exists on paper. I find in planning and dealing with the regulatory environment there's never a right answer. There's never a perfect answer. It's always choosing the best of a series of imperfect alternatives and oftentimes you have different sorts of imperfections. So it's choosing which one to go with, which one is looking toward the future. This was a classic example of the way the Bay Plan was constructed and when it was constructed in the 1960s to preserve ports and heavy industry and the way the economy of the Bay Area had changed and how this was moving in that direction. I think we made the right decision and provided space. That's now largely all high-tech down there and you've seen a lot of high-tech companies emulate that sort of development along the shoreline of the Bay and the South Bay in Silicon Valley.

06-00:07:15

Meeker:

A part of the Bay Plan is that clearly these waterfront properties are being reserved for uses that require waterfront property. And it also meant that commercial space, office space, residential space was discouraged, right? Am I not getting that correct?

06-00:07:43

Travis:

The Bay Plan actually encourages high-density residential development along the shoreline under the hypothesis that that will allow more people to enjoy the Bay. And it encourages development along the shoreline because the bigger the development the more public access you can extract from it and the higher quality of public access. So there is nothing in the Bay Plan that discourages development along the shoreline. That is largely a manifestation of local pressures. The term NIMBY is often used but I found we have something called NIMBV. Not in my Bay View. You have people who live in the hills surrounding the Bay and they want to look down at the Bay shoreline and for whatever reason they're generally offended by development,

particularly high-rise or high-density development along the shoreline. So we've seen a number of cases where somebody would propose something along the shoreline, then financial support from people in the hills would provide the wherewithal for the people who lived along the shoreline to oppose the development, often for reasons of environmental justice or concern about toxics or whatever. But I'll overstate it. It was a ruse. People just didn't like to look at development along the shoreline.

06-00:09:31

Meeker:

There's something like that happening in Berkeley right now.

06-00:09:35

Travis:

Yes. In Berkeley. In Richmond we've seen it. A lot of places.

06-00:09:40

Meeker:

If my memory serves there's a group of students at Berkeley that think that the view from the top of the Campanile is going to be impacted by a development project.

06-00:09:52

Travis:

Yes. And that was one of the issues that came up when I was working with Berkeley, the City of Berkeley, on the Downtown Plan, not blocking views from places where the view is largely blocked by trees. But you can't be opposed to trees. So you're not in favor of cutting the trees down, but you are in favor of not allowing any development that would slightly cause a sliver of view blockage.

06-00:10:23

Meeker:

This concept of industrial NIMBVism is pretty interesting. I'm wondering when you get an entity like the Port of Redwood City or those other heavy industry businesses that were down there objecting to a potential new development, does that signal to you that there just needs to be a negotiation or that there's going to be serious opposition to allowing this permit to go through?

06-00:10:55

Travis:

I have to admit I get frustrated but not surprised that you have people articulating what they try to describe as thoughtful sound public policy, which has very little to do with the interests of the general public. They're using the regulatory process to advance their economic self-interest. You see this all the time dealing with legislation or permits or planning or whatever. The good news is it's easy to figure out what their concerns really are. You look at it and say, "Well, why in the world is the Port of Redwood City, which would seem to have nothing to do and no impact, and the development would have no impact on the port, why are they concerned?" You can quickly unwind it and say, "Ah, here's what it is. Here's what the issue is." Then you can come up with design or mitigation features that address that, and once you address it you do two things. One is you pull the rug out from under them because they

can't complain about something that won't be there. And, two, you actually solve the problem.

06-00:12:20

Meeker:

Okay. That's helpful. I think what I'd like to talk about now is the Waterfront Plan in San Francisco. And there are many different facets of this, everything from building a Chelsea Piers-like entertainment and recreation complex I think out on Piers 27 to 31 to proposals to actually remove existing piers, concern about viewsheds and those kinds of things. And also then dealing with an entity like the port and the City of San Francisco looking for new places to build in a city that's already pretty built up. Can you tell me this process of negotiating the Waterfront Plan and maybe walk me through the process.

06-00:13:20

Travis:

All right. What we have in state law is you have the various local governments around the Bay. They have their authority. And then you have BCDC having an overlay dealing with largely can you fill the Bay or can't you and public access along the shoreline of the Bay. It gets significantly more complicated in the San Francisco waterfront because the Port of San Francisco, up until 1960 sometime, was actually the Port of California. It was run by the State. John Burton sponsored legislation that transferred that responsibility to the City. But it came with a responsibility to also carry out the Public Trust so there was oversight by the State Lands Commission. So you have the port, in essence, in the position of thinking that through the Burton legislation they had the same authority that the State did and, therefore, BCDC was irrelevant because the port was the state agency, not BCDC. So there was that tension. And then you have the port, in addition to having BCDC trying to look over its shoulder, having the State Lands Commission looking over their shoulder. BCDC is also engaged in this tension as well. I thought that we at BCDC were the entity that administered the Trust but there's somebody else there. Then you have this complexity of the port. I think it's fair to now say the Port of San Francisco is really not a port district. It's a commercial retail entertainment district that happens to have a couple of maritime facilities left over. History has passed it by. The port has gone to Oakland. So you have this entity that is responsible for administering the waterfront and it is called an enterprise agency in that the City of San Francisco doesn't provide revenue to run the port. What they say to the port is, "You've got this little strip of land and you're responsible for doing all these things and you generate the money to make it all happen." So you have BCDC saying to the Port of San Francisco, "We want lots of public access along the Bay." You have the State Lands Commission saying, "There are great restrictions on what you can do on your land. You can't put residential, for example, out on the piers." And then there are restrictions as to what happens when a pier gets torn down and can you replace it. In order to generate revenue the only choice they have is to have real estate development. So it's this internal conflict of not having enough capacity to generate the

money you need to carry out the public objectives unless you propose something that is largely inconsistent with the public objectives. So that's the morass that you have.

06-00:17:15

Meeker:

Well, and then on top of it, if I may interrupt, the voters in San Francisco passed a proposition that said a moratorium on any waterfront development until a plan has been established or something along those—

06-00:17:30

Travis:

Yes, this was in 1980, and they said a moratorium on development and forever a moratorium on hotels, on the piers. Then just a few years ago they passed another one, which said if you want to go beyond the established height limit it needs a vote of the people of San Francisco. So there have been two exercises of the public interjecting themselves in a public vote or forces allowing the public to participate in this process. So that's the overlay. The mechanism that BCDC has is something called a Special Area Plan. In its most simple, pure, idealistic form, what a Special Area Plan says is, "BCDC and the local government will sit down together." So instead of having one set of rules that the local government administers and then having BCDC have its own set of rules, which it administers, they come up with a common set of rules so that, at least in theory, if you get an answer from the Port of San Francisco you could expect to get the same answer from BCDC because they're singing from the same hymnal. So that's what the Special Area Plan was and is. The difficulty—and I say this as somebody with a graduate degree in regional planning so I've sworn my allegiance to planning—the purpose of a plan is so you don't have to make every decision on a case-by-case basis. You have an overall vision. But the difficulty is that vision is always based on what you know at a particular period in time, what your values are, what the economics are. But it is very difficult to see into the future so the Special Area Plan for the San Francisco waterfront, which was adopted in 2000, was based on information from 1995 and what we knew then about what interests wanted to do.

One of the things that was of interest was Pier 27/29, which is a big triangular pier that stretches out into the water. It's a relatively new pier and had a piershed on it and it was used largely to import newsprint and paper and for publishing, but we didn't need it anymore. So they were exploring different ideas, and, as I recall, it was Willie Brown who went and saw Chelsea Piers in New York, which is where the transatlantic ships used to berth. They weren't in use anymore so somebody took the Chelsea Piers and used the piersheds and put in driving ranges and movie studios and a whole mix and variety of things. They were very interested in doing something like that on Pier 27 so as we're doing the planning process in the back of our minds is this is probably what's going to happen there.

06-00:21:29

Meeker:

I believe it was the same firm, too.

06-00:21:30

Travis:

It was the same firm. Yeah. It was the same people. And about the same time the 49ers were looking at a stadium at Candlestick and they were going to have a shopping center and a mixed-use development and that was being done by the Mills Corporation. The Chelsea project came up to the Port of San Francisco, design, conceived by the Chelsea folks, and by a—I don't remember, I think it was a five-to-four vote or a four-to-three vote—the Port of San Francisco flipped and selected Mills to do the Chelsea project. While there was no evidence of this, the commonly held belief was that the project at Candlestick fell apart and Mayor Willie Brown suggested to his members on the Port Commission that as a consolation prize Mills should get the Chelsea project. So they got the project and, as I recall, the economy changed. It wasn't their project in the first place. They didn't quite know how to do it, and the whole thing fell apart. But we had a plan that was crafted around how much of this piershed could be saved and used for a Chelsea-like development. The part that wasn't needed for Chelsea would be a public plaza. Well, it turned out Chelsea went away, Mills went away, America's Cup comes along and they provided the construction of what they call a cold shed. It's a building that doesn't have any of the internal [correction: utilities] in it. It's that structure which became the cruise ship terminal. So you have the dimensions of the plaza based on what wasn't needed for a project that was not built and the whole piershed was torn down and replaced by something else. It's just a great example of how you end up with what you think is a thoughtful plan with broad policies that after a while you look at it and say, "That doesn't make any sense at all." Therefore, that's why now the port and BCDC are going through the process of updating the plan to reflect what we've learned in the last fifteen years so that it's better positioned to deal with what they will face in the future.

06-00:24:45

Meeker:

So you're not only dealing with unforeseen consequences, the fallout of the 49er stadium not happening so that Mills comes in, the dot-com bust that happens about this same time, but you're also dealing with different interests.

06-00:25:04

Travis:

That's right.

06-00:25:05

Meeker:

For instance, I know that Save the Bay, and other environmental organizations, were at various points at least portrayed in the newspapers as unhappy with the Waterfront Plan and how it was being rolled out. It seemed to me, based on reading those articles, that what they were really looking for was just almost like a wholesale removal of existing piers.

06-00:25:33

Travis:

Yeah, that's right.

06-00:25:37

Meeker:

And then if you read those articles, too, you get some old-time labor people and sixth-generation San Francisco residents who hated to see the Disneyfication of the pier and they want heavy industry back and they think that BCDC is culpable of the transformation of the Bay Area economy, all this kind of stuff. As director of BCDC, engaged in these negotiations, when do you listen to these outside viewpoints and how do you incorporate them?

06-00:26:10

Travis:

Well, you always have to listen to them. But I found that at times you would have positions that were based—and, again, I will overstate it—Telegraph Hill Dwellers Association is a very powerful force in San Francisco. Those people look down on the waterfront.

06-00:26:33

Meeker:

So to speak.

06-00:26:33

Travis:

As it were, yeah. They literally look down on it. I have suggested that they firmly believe if you keep the waterfront and the piers looking the way they looked in the nineteenth century, eventually the clipper ships will come back because it just is such a great place for them. One of the most brilliant things that the Port of San Francisco did was establish a historic district over the northern waterfront. It's going to end up looking pretty much the way it looks now. And the Telegraph Hill Dwellers don't so much care what's going on inside the piers as long as they look historic. So it gave the port the flexibility of doing different things inside the piers. The Exploratorium is a great example of that. The restoration of the Ferry Building. Pier One. A lot of piers are like that. And that brought great peace. But you do have those people that feel that they don't like the way direction that the economy or society or progress or future is going, instead of opposing that, they will oppose the way that manifests itself on the ground. If you can simply prevent a building from being converted from a pier that's used for storage to a pier that's used for retail/commercial, if it can't be used for retail/commercial it has to be used for something and that something might be an old-time maritime use. It doesn't make it happen. It prevents it from being foreclosed by using it for something else. Again, it happens in all of these negotiations, all these positions. So it's listening to what people are saying and then trying to figure out what's really behind what they're saying. From the perspective of the Save the Bay—Save the Bay was created to keep the Bay from being filled and ideally they'd like to see it unfilled. Well, if you have a bunch of old piers and they rot into the Bay, it makes the Bay bigger. So they said, "Well, if they're going to rot anyhow, let's just tear them down." Well, you can't tear them down unless you pay somebody to tear them down. But the Port of San Francisco doesn't have the money to do that unless they get development someplace else. So you have these tradeoffs. It's not a game that can be played unless you acknowledge that revenue has to come from someplace to do these things. And the State Lands Commission also took this view that probably the

greatest Public Trust use of a pier is to tear it down and just make it part of the bay again. So they were not particularly enamored of any retail commercial use of the piers. They felt that that wasn't their responsibility under state law and under their job of administering the Public Trust because what better use of water for navigation and fisheries than to just have it be water with fish in it. Get rid of the pier. So there were always those competing interests. But that's what made it all so fascinating.

06-00:30:55

Meeker:

Well, this tradeoff between development and thus income on some piers and then ability to remove others was one of the main outcomes of the Waterfront Plan. Can you tell me a little bit about how that came to be, what the negotiations were, what the hard sticking points were?

06-00:31:20

Travis:

I think we talked about the deal that the port director and I cut early on, which is fundamentally what do I want at BCDC? Well, the law says I want the Bay not to be filled. I want it bigger. So I want piers torn down and I want more public access than I could get on a case-by-case, permit-by-permit, project-by-project basis. So there are some big public parks. And what he wanted was flexibility so that he didn't have BCDC engaged in all of the negotiations. I will give you an example of that and how arcane it got, and this wasn't BCDC. This was State Lands. When State Lands was looking at the Mills project they said, "You can have a retail commercial development but it has to be Trust oriented." So the retail uses have to be for Public Trust purposes. As I recall, Mills had a proposal for a bowling alley and the Lands staff said, "No, that's not a Trust use, but an ice skating rink would be." Their reason was that ice is frozen water and on the East Coast you had Trust areas, ponds, that froze in the wintertime so that was considered to be a Trust use by some of the East Coast states. So if you brought that Trust use and put it on a pier and you had an artificially refrigerated frozen pond on a pier that's a Trust use but a bowling alley wasn't. They said that retail commercial that catered to tourists, catered to visitors, that was a Trust use. But retail commercial that catered to residents wasn't. So if you had a store that sold men's shirts and they were t-shirts or sweat shirts, that catered to tourists. That's okay. Now, you take the shirts off the hangers and you put men's dress shirts on the hangers, that's not a Trust use. So I asked, "What about short sleeved sport shirts?" And their answer was, "We would have to consult with the attorney general's office to decide." I thought this is the most ridiculous way to make land use decisions. It made no sense to me. So I was trying to do my best with admittedly a sense of trust in the Port of San Francisco and the staff of the port. For years we at BCDC and the port staff were battling with each other. Then the port director and I got together and said, "Look, I don't care which of us is to blame. We're both responsible for the fact that the San Francisco waterfront is a pit and we're not going to put up with it anymore." So let's help each other achieve success." That said, from my perspective, "I'm going to trust your staff and you trust our staff. We'll do what we have to do, you do what you have to do."

I kept reminding my staff and ourselves we're a state agency. State. Big, big issues. Big things. Not petty little crap like that. Let the port do that. So we tried to separate it that way and give them the flexibility so that they could achieve the economic development that they needed to provide us with the big parks and the removal of piers that we wanted. That was the tradeoff. That's the fundamental overarching goal and construct of the [correction: Special Area] Plan for San Francisco.

06-00:36:08

Meeker:

How'd you get the State Land Commission off your back?

06-00:36:17

Travis:

Well, there was a change of directors. That helped. The guy who was a director was a good friend of mine, a great wonderful guy. I remember when I worked for the Coastal Commission and the executive director of the Coastal Commission and I were meeting with the executive director of the State Lands Commission. The executive director of the Coastal Commission, Mike Fischer, said to Claire Dedrick, "Your job is easier than mine because you only have to count to two and I have to count to seven." (Two being a majority of the three members of the State Lands Commission, and seven being a majority of the twelve members of the Coastal Commission.) Her response was, "No, my job is harder because I can get fired by just counting to two. You have to count to seven." I think what was happening was that the State Lands Commission, which is made up of constitutional officers, was going through some transition, and the director didn't know where they were and didn't know where they wanted to come out. The safe thing to do is just don't let anything happen because generally speaking you get in trouble when stuff happens. You don't get in trouble by being the bureaucrat who prevents stuff from happening because there's always a very good reason for it and you can always cite a provision of state law or regulation or a constitutional provision and say, "Well, this isn't my values. This isn't what I want. I'm not hired to think. I'm hired to carry out the law. Somebody else made the rules and I'm just saying what they are." You get in trouble when you say, "Here's what the rules are and either they don't make sense or on balance here's what I think we ought to do in this case in order to allow something to go forward." He was not an attorney and I have joked many times that the Public Trust is a doctrine that is of interest to people who find quantum physics too easy. It doesn't exist in law. It's all case law.

06-00:38:59

Meeker:

Common law, yeah.

06-00:39:00

Travis:

Common law. And it starts with Roman Emperor Justinian and you have all these cases over the years and you try to find your way through this as to what the answer is, but it's not written down anywhere. So it's very, very difficult. He was not an attorney and I think he just said, "Oh, I'll just not let anything happen and everything'll be cool."



06-00:39:23

Meeker:

Well, we'll get more into that issue around the sea level rise because I know that plays a part in the report and it's pretty intriguing. When you hit a moment in which you just keep getting deeper and deeper into the weeds, talking about collared versus non-collared shirts, it's often impossible to kind of dig yourself out of that, right? How did you guys back up and say this is not the right way to do it? How did you actually get out of that zero sum game, I guess?

06-00:40:02

Travis:

Sometimes the easiest thing to do is just to say, "Isn't this ridiculous?" and then you just let the other guys defend it. Then you just move on. Ultimately we ended up at BCDC and the port and the State Lands Commission where we approved a cruise ship terminal down at Pier 30/32, which is where later the Warriors had proposed to put their stadium. It's a big double pier that had piersheds on it and they burned down in the fifties or sixties, so it's just this big flat thing. There had been a number of proposed uses for it and one of them was a cruise ship terminal, but the only way to make that work was, in essence, to build a shopping center that would pay for the cruise ship terminal. But even that didn't work. There was an Australian company, Lendlease, that was behind it. But with the collapse of the real estate economy they abandoned the thing. Ultimately we came up with a negotiated solution but because it was risky we embodied it in legislation and took it to the legislature and said, "This is what we think we ought to do. You tell us it's okay." What that does is it also gives you insulation or protection from lawsuits because you can't sue the agencies because we're just carrying out the law. You're engaged in these discussions, and there's just an infinite, it seems, number of issues. What I have always found is, and it's probably because I'm not smart enough to figure out all the details, is to just try to keep the big picture in mind. What are you trying to achieve? Keep that so that the public can say, "This is where those guys are going, and I support what they want to achieve and if these details are necessary to get there, well, we'll go along with it." Other than the people that have the really direct interests in some little nuance of it, the general public, I think, unlike those of us who work for government or are policy wonks, people don't get up in the morning and say, "Gee, I'm really interested in what government is doing." They just want it to work. If the general public sees that you're trying to make it work and they support where you're going because you've articulated clearly what you're trying to do, they say, "Okay, that's fine."

06-00:43:20

Meeker:

Back to the Waterfront Plan. I know that when the negotiations were ongoing Save the Bay was critical of it. Then when it was announced, the final version, they were pretty happy with it and praised it. Is there a formal sort of feedback or process by which you would share drafts of the plan with interested parties to get them onboard so that when it comes out there's a clear understanding that there's a mandate behind this?

06-00:44:02

Travis:

That is on a case-by-case basis and with the San Francisco Waterfront Plan there were direct discussions going on with Save the Bay and with the various other entities and stakeholders that were involved to try to figure out what do you really want, what are you opposed to? It's not surprising you'll have somebody who will take a position and say, "We're just opposed to this. This is awful," because what they're doing is staking out a ground, a position while they're negotiating internally on some detail. And if they don't stake out that more extreme position it doesn't give them any leverage then to say, "Well, okay, we're trying to work out a detail here and if we can't work out that detail, so what." If they've been taking the position that we're opposed to the whole thing and have real doubts about it, they won't be able to negotiate effectively.

06-00:45:15

Meeker:

Okay, I guess that works. I went on Google the other night when I was preparing questions for this and I was trying to figure out what has changed vis-à-vis the Waterfront Plan in reality. In other words, you had talked about how the Pier 27/29 didn't become the Chelsea Piers and instead there's now a cruise ship terminal there, that before that it was used for the America's Cup. What other changes that were part of the plan have come to fruition and what remains to be done as far as you know?

06-00:46:03

Travis:

Well, we tried very hard in the plan to not be specific as to saying this use will go here, this development will go there. What we said was here is a place for a large-scale development and as part of that large-scale development there will be requirements for a certain amount of public access next to the piers and here are the areas where we will have public parks. Pier 27, Brannan Street, which is just south of Pier 30/32, and tried to keep it at a very broad brush level.

06-00:46:54

Meeker:

What about the piers that were to be removed?

06-00:46:56

Travis:

I think the port looked at the piers and they said, "Okay. Either here's stuff that we can't see any possible use for so we'll designate it to be removed or it's a pier that's really in bad shape and is going to fall into the Bay anyhow unless we put a lot of money into restoring it." That approach seems to make sense, but it turned out to create some problematic issues in two cases. One was the saddle between Piers 15 and 17, where the Exploratorium went in. It's called a saddle. There were two old piers and in the 1950s they put a deck in between that was a little bit lower so that you could drive trucks out there and then you'd back the truck up to the pier. So the pier floor was level with the truck bed.

06-00:48:06

Meeker:

It's like a loading bay.

06-00:48:07

Travis:

It's a loading bay. Nobody's ever going to use those things for cargo operations so a loading bay is useless. So the port said, "We'll just tear that out." And that was one of the piers that were going to be removed. Then it turned out the Exploratorium came in and said, "We want to do the Exploratorium on Pier 15 but we also plan to expand eventually into 17 and we'd like to have some areas in between for public access so that people can get across, so we don't want to remove all of that. So we had to then amend the Special Area Plan to allow us to approve a project plan that made considerable sense. But the port had already agreed to remove x-square feet of pier so it had to find the equivalent of the area that it would leave behind unremoved someplace else to remove. So they had to mitigate the piers that they weren't going to remove that were going to be mitigation for the development that were going to be allowed under the Special Area Plan. But it turned out in the first blush of the plan, everything that they wanted to remove they'd already designated so there wasn't anything else left. So they were scratching around down on the southern waterfront and talking about, in some cases, they'd plan to remove pier deck but leave the pilings behind. We said, "Okay, if you remove the pilings, that gives you credit for more than just the pilings because the pilings interfere with navigation so it had an impact greater than the pier." That was one of the examples. And the other one was Pier 23. The end of it was in terrible shape but it turned out it's a historic pier that Telegraph Hill Dwellers and the folks who like looking at the waterfront the way it looks now said, "We want it to always look like that because it's a historic pier." So going through that process of trying to find something else to remove or some other benefit that could be gained, it was a challenge.

06-00:50:46

Meeker:

What's the definition of a historic pier?

06-00:50:49

Travis:

Well, there's a historic district there so everything that is there now is an historic structure and you can't change the exterior appearance of it. You have to maintain its historic visual integrity.

06-00:51:13

Meeker:

Were there other entities, ports, or communities around the Bay Area that saw the negotiation that happened for this Special Area Plan and wanted something similar?

06-00:51:27

Travis:

No, I think just the opposite. They looked at it and said, "Please don't put us through that." The notion of a Special Area Plan, where instead of having a local government say one thing and a state agency say something else, you say, "Guys, go in the back room, sort it out, come up with one plan" makes terribly good sense. But there are only Special Area Plans for San Francisco, Richmond, Benicia, Richardson Bay, and there might be one other one. It hasn't turned out to be a very popular concept, I think, in part, because

BCDC's jurisdiction is so limited. For the most part we're trying to get public access. If all you get is clarity on how much public access it's not worth it to go through the long planning exercise. Rather you just work it out on a case-by-case basis.

06-00:52:35

Meeker:

Rather than get started on the sea level rise, which I know is a major issue, why don't you tell me about the work that you did on the Rosie Riveter National Historic Park. I know that sitting right next to me is Judy Hart's transcript and she gave you a copy. And it says, "For Will, who made Rosie possible." [laughter]

06-00:53:06

Travis:

That's quite an overstatement.

06-00:53:07

Meeker:

Well, perhaps it's an overstatement but can you tell me about what their plans were, what the process of approval, making it happen was?

06-00:53:18

Travis:

Sure.

06-00:53:21

Meeker:

Maybe just define what the park is for us.

06-00:53:22

Travis:

Okay. What you have in Richmond is a waterfront that has a couple of container cranes. They were a result, as I recall, of some negotiations that, I think it was Matson, was having with the Port of Oakland. Matson was trying to advance its own economic self-interest, and the port was doing its thing. Matson said, "Well, to hell with you. If you won't give us what we want we're going to go to Richmond." So they put up a couple of container cranes and had a little operation there. BCDC in the Bay Plan has these areas reserved for priority use areas and one of them is ports. We had areas reserved at Oakland, San Francisco, Redwood City, Richmond, and Benicia. At Richmond virtually the whole waterfront was reserved for port priority use because, hell, it had been a shipyard. It has containers there. It has a lot of trans-shipment through there. If our port growth is expanding and we can't accommodate it all at Oakland, you need a place for container operations, and in the Bay Plan it's this large blue port area. What that blue area is are the old Kaiser shipyards. And you have this Ford plant that was there that was where they built jeeps during World War II. The plant had been there since the thirties. And then they have a huge warehouse that's five or eight stories tall, poured concrete. It's a bomb shelter really. There's some dry-docks there and these all date from World War II and the operations in World War II. Then there is a large area that is used for storing imported automobiles. They come off the ships. They're in big parking lots. But from BCDC's perspective this was an area that was land banked. It was reserved in case we ever ran out of space at the Port of Oakland.

What Judy Hart did, and the people of Richmond did, was look at this area and they realize this was the best example in the United States of America of how, on the homeland side, we were winning the war by simply building ships faster than the enemy could sink them. You had these huge dry-docks there and you had all these women and blacks had come into Richmond, and Henry Kaiser, who never built a ship in his life, but had built Hoover Dam said, "Well, I can take the same kind of mass production process that you can use for automobiles and make ships and cut it down into discrete little components." In order to make it easier to work on them he turned them over so that you worked down onto the bridge of the ship and then they just flipped it over and put it on the ship, just because it was a hell of a lot easier to build it. So you had all of this stuff out there from World War II. There was no healthcare for these people so Kaiser said, "Well, I'll start a little clinic." That's Kaiser Permanente today. That's where that came from. And you have all of this. Judy had this notion of, "We should make this into a national historic site."

The people in Richmond were not enamored of BCDC and our restrictions. They wanted to use their port as they did with Marina Bay, which was where the Kaiser shipyards were. They took all of them out, they had a redevelopment agency, and they built a marina and built residential development, a new beautiful suburban style waterfront. That's what they envisioned for their whole waterfront. They didn't want it to be a port and they most clearly didn't want it to be the remnants of this old World War II stuff. But Judy came there and found this, and with Mayor Tom Butt and then Mayor Rosemary Corbin and Representative George Miller, saw what a treasure this was. I understand from talking with Judy that in the internal discussions, the skeptics in the city said, "Oh, we don't want a historic park here because historic means you preserve history. You don't change it. You don't do anything. And BCDC wants this all to be a port and they would never allow you to do this. They'll want it all torn down. They'll want those dry docks filled."

I wasn't familiar with the details of the area and there was an event out there and I went out and I met Judy and she walked me through this thing. What just captured me was you have this Ford plant there. And this plant, everybody looks at it and says, "What's the big deal? It looks like every other factory in the United States of America," because it has this saw tooth roof with skylights and big steel casement windows. Well, the reason it looks like every other factory in the United States is because every other factory in the United States was modeled on it. This is the second one. The Rouge River plant that Ford had in Michigan was the first one and this was the second one. Henry Ford had this vision he would have this plant and he would build Model A's, they would roll right down onto the craneway, load them on ships and he would sell Fords in Asia. So I got there and looked at this and here's this plant and what's next to it are the parking lots that are filled with all the imports from Asia coming into the United States. And I thought, "If ever there

was a three-dimensional history book that explains here's what was happening here, here's what they were going to do, here's what happened in World War II, here are the buildings, here are the dry docks, here's what this was used for, here was a—" It was so apparent and obvious that I just fell in love with it.

So much to the dismay of the city fathers in Richmond I said, "Yeah. I think it's a great idea. What a sensational idea." Sure you could have a port. Sure you could have these cars moving in through here. But don't tear it down. Don't fill it. Celebrate it. Celebrate its history." So Judy and I became soulmates and worked together on that over the years and I'm just so happy with what's happened out there. Ultimately the city fathers have come around and they have seen the value that this has to the City of Richmond, giving it an identity. It was one of those things, you just kind of stand there and you go, "Well, of course we have to do this."

06-01:02:17  
Meeker:

How did you sell this idea to the commissioners?

06-01:02:20  
Travis:

I never told them. It never came up. The only reason it would have come up was if the City of Richmond would have said, "We want to lift the port priority use designation," or "We want to do something here that is inconsistent with the port use designation." And they never did. They said, "The area in between the buildings we want to use for storage of imported cars." Well, that's perfectly fine. That's a port use. They wanted to restore the Ford building and use the craneway. There were some issues with public access there. But it just never came up as a policy issue. Everything that they're doing out there now is fully consistent with BCDC's plan. If it is ever needed for a container facility it's still land banked, it's still there. But you look at the way the Port of Oakland has sunk from the second busiest port to the fifth and how even so it is increasing its throughput capacity, that's never going to be needed. So it's a battle that will not ever have to be fought and meanwhile, slowly, Rosie the Riveter, the facilities, the visitor center is there, the Ford building is restored. There's now a road so that you can get out there. The Red Oak Victory, another Liberty ship, has been restored. To me that fascination of where land uses, old and new, interface, interrelate, that's the exciting stuff. That's what's really interesting and that's the epitome of a fascinating place where historic preservation in the context of vibrant economic activity, especially port operations, it doesn't get much better than that.

06-01:04:35  
Meeker:

It sounds to me what you're saying is it didn't really require any work from BCDC other than you as director to say, "Sure, that doesn't conflict with the Bay Plan." Or correct me.

06-01:04:50

Travis:

No, that's true. I became an advocate and it's like where you have a negotiation and you say, "All right, I'm going to go into this negotiation and I know I'm going to have an ally out here and I know what their position is and why and I'm going to count on that." And I came in and did the flip. It gave me a lot more power than I would have had otherwise.

06-01:05:27

Meeker:

What do you mean you did the flip?

06-01:05:28

Travis:

Well, the expectation that the City of Richmond had was that BCDC would oppose this historic park in the midst of a port area. But I embraced it and celebrated it and said, "Of course we should do this." So I would show up at a lot of events and participate in a lot of things. So instead of BCDC being seen and being relied on by the skeptics as being an ally, I was an ally with Judy and the people who wanted Rosie.

06-01:06:10

Meeker:

Was there any other work then that needed to be done by BCDC in this whole process?

06-01:06:14

Travis:

No.

06-01:06:15

Meeker:

No?

06-01:06:16

Travis:

No. It was one of those freebies. As I said, the things I used to do in my job were put out fires, show the flag, go to lunch, field trips, and dabbling. And this was one of those dabbling ones. Nobody cared. It was a local issue in Richmond and I didn't have Commissioners calling me saying, "Why are you in Richmond saying that we should be doing this, that, or other?" I'm not. I'm just saying I think it's a good idea. It's completely consistent with BCDC's law, policies, and the Bay Plan and it's a great opportunity to celebrate the victory at the homeland and the role that women were playing. Why shouldn't we be doing that? Yeah, okay. Go get them tiger.

06-01:07:16

Meeker:

Did you ever get those kinds of questions?

06-01:07:17

Travis:

Never.

06-01:07:18

Meeker:

But BCDC still would have had to approve the visitor's center and the refurb of the Ford plant which then meant there's a restaurant out there and all that kind of stuff.

06-01:07:31

Travis:

Yeah, but what we'd be looking at is will this interfere with the use of this area ultimately for a port? Well, no, it won't interfere with it. There's a building there now and if you're going to use it for a port and you have to tear down the building, you'll have to tear down the building anyhow. And does it have public access? We did have big challenges with the developer who said, "This is Richmond, and Richmond is different than San Francisco. You can't have public access along the shoreline of Richmond at night because we have different people there. You might be able to do that at the Ferry Building, but not here. We have to close it off." In essence, we just stood our ground and said, "You're wrong." And we turned out we were right. That's a big moneymaker. He rents out the Craneway, which is the end of the Ford building. It's \$10,000 a night.

06-01:08:40

Meeker:

Yeah. It's beautiful.

06-01:08:41

Travis:

It is beautiful. And interestingly, Orton, the operator of the Ford building, is involved in the development of Pier 70 in San Francisco and he's dealing with the historic buildings there because he's learned how to do it. He's learned how to work with BCDC.

06-01:08:59

Meeker:

Interesting. Well, why don't we stop there for today.



## Interview 7: May 28, 2015

07-00:00:08

Meeker:

This is Martin Meeker interviewing Will Travis. Today is Thursday, May 28<sup>th</sup> and this is interview session number seven. I'd like to start out today by asking you about a project that, from what I understand, falls into the "lessons learned" category. And that is the effort by Cargill to transform about 1,400 acres of salt ponds they were using in Redwood City to a housing development that was going to have as many as 12,000 homes. The idea was that 700 of those 1,400 acres would go for homes, commercial development, et cetera, about 250 for parks, and over 400 acres for wetlands restoration. And this was in about 2009.

07-00:01:11

Travis:

I think that's about right, yeah.

07-00:01:12

Meeker:

Okay. Can you tell me a little bit about this project, how they brought this idea to you?

07-00:01:20

Travis:

The project started out when Senator Dianne Feinstein was negotiating the acquisition of the salt ponds in the South Bay. She wanted to acquire all of them and Cargill wanted to sell all of them. But the price tag that they were looking at was \$300 million and the Senator said she didn't think she could raise that kind of money. So she asked, was there a way that it could be reduced? Cargill looked at their plant site in Redwood City. They have two plant sites, one in Newark on the east side of the bay, one in Redwood City on the west side of the bay. They're actually connected with a pipeline underneath so they can move water and salt back and forth. They were harvesting the salt on the west side of the bay and processing at Redwood City. Because it was a plant site the area around it, the 1,400 acres or so, when there was water on it, it was on top of a base of gypsum and salt and it looked like the far side of the moon. Cargill believed that it had very little environmental value and they also believed that legally BCDC didn't have jurisdiction over it and perhaps neither did EPA and the Corps of Engineers because for such a long time it had been used as an industrial site. As such Cargill believed that they could develop the property. So they agreed to take that property out of the acquisition package, which dropped the price tag \$200 million. So it then was an acquisition that the Senator was comfortable with and a price that Cargill was comfortable with. So the acquisition then took place.

Then Cargill looked at what to do with the property. From the relationship I had with the Cargill staff and corporate folks, they were kind enough to ask for my advice. And my advice to them was, "Well, in terms of what goes there, ask the community. Ask Redwood City. Don't come in with either high-

rise hotels or single-family houses or factories or whatever. Just ask the community.” So they approached Redwood City, which like most of Silicon Valley, has a desperate shortage of housing. So they were interested in that. They were also interested in wetland restoration, more soccer fields, more public facilities. And there’s already a flooding problem along Highway 101. There’s a mobile home park there that floods regularly. So the city asked Cargill to explore could they provide housing, could they provide wetland restoration, could they provide some means of protecting the area from flooding. Cargill again was kind enough to ask my advice. “Who do we hire to plan this?” In my experience, two of the best planning firms were ROMA Design Group, and Calthorpe and Associates. Peter Calthorpe I had known from the days when I was on the Planning Commission in Berkeley. He lived here in Berkeley and he was a proponent of new urbanism. It is a planning concept that, in essence, where we’re sitting in old North Berkeley now is what new urbanism will look like a hundred years from now. And Redwood City has that character, too.

07-00:05:34  
Meeker:

Which includes like a main street, walking neighborhoods—

07-00:05:36  
Travis:

A main street. As Peter once explained to me in 1990 when I was on the Berkeley Planning Commission, he said, “In new urbanism we’ll have narrow streets so that the cars move slowly. We’ll have front porches so that people can sit and talk to their neighbors. The garages will be in the back. They’ll be single-family houses, but they’ll be small, close enough so that you can walk to shopping and to schools, but also close enough to transit so that you can get to the big city.” I was nodding my head, then I finally paused and said, “Peter, I already live there.” He said, “Yes, of course. That’s what I’m talking about. North Berkeley.” So that concept of a streetcar suburb from the early twentieth century. It’s been used successfully in planning around the United States.

So what Cargill did, and they have the strength to do this, they went into the two firms and, instead of hiring the firms, they picked the two principals. They hired Peter and they hired Boris Dramov, two people that have egos as big as all outdoors. I thought these people would kill each other but they turned out being fast friends and they travel together and they’re great colleagues. So it worked out well.

Cargill then went shopping for a developer and found a firm called DMB in Arizona. They were so impressed they wanted me to see DMB’s work and I wanted to see it so we had a negotiation. I said, “You can’t pay me. I’ll cover my own costs.” But I went to see the work that DMB had done and it was just absolutely the highest quality development I’ve ever experienced.

07-00:07:20  
Meeker:

Where was that?

07-00:07:22

Travis:

It's around Phoenix. Largely they focus on golf course developments but they've done some work where they designed a community, they built the whole downtown, they stocked the stores so it was there before they invited the first potential customer to come in and look at a house to buy. So they have the wherewithal and the capital to build the whole thing out. It was the new urbanism model. One of the problems they had in the community in Arizona was that the school system was lousy. So they cut a deal with either University of Arizona or Arizona State to provide a place where student teachers would go. So they were able to cherry-pick the best teachers, young teachers. They had a problem, as planners often do, with the fire department. The fire departments love big straight roads so that they can scream to the fire, not noticing that there are more people killed in traffic accidents on these straight roads than are ever killed in fires. So they were looking for narrow alleyways and roads. The fire department didn't like it. They said their trucks wouldn't fit. So DMB bought them a whole fleet of small trucks. That's the way they approached things. So they had a good design team, good development team, a good environmental team, and then they proceeded through their planning and came up with a scheme that would restore wetlands on a good bit of the property. They had a big levee system that would protect both the property and the area in Redwood City that was flooding, and provide a lot of housing. Save the Bay opposed it. They saw it as being fill in the bay. Legally salt ponds are not "the Bay" as defined by law, and BCDC had a series of policies which, amongst everything else, said if you're going to take a salt pond out of production—and let me back up there.

When BCDC was created in the 1960s, you had these tens of thousands of acres of salt ponds around the bay. There was concern that they would be filled and converted to development. So what BCDC wisely did was say, "These ponds have value in salt production," and wanted to make it as easy to stay in salt making as possible. So they eliminated, as much as could be done, a lot of the regulatory hurdles and restrictions so that the area could continue to be used for salt making. The policies also said if you're going to stop using a pond for saltmaking, a substantial portion of it should be restored to the bay or to water. The general approach that Cargill and DMB were taking seemed to meet that standard. Meanwhile, BCDC was updating our salt pond policies and making some changes because history had overtaken us and we'd purchased the ponds in the North Bay and the ponds in the South Bay were being converted to wetlands so we had a different set of circumstances and we wanted policies that met the reality of the world around us.

07-00:11:15

Meeker:

Could I ask you to pause there for a second?

07-00:11:16

Travis:

Sure.

07-00:11:17

Meeker:

And go back to the beginning of this whole process when you said that Cargill determined that these 1,400 acres in particular would not be subject to BCDC review. Based on what were they making that determination?

07-00:11:32

Travis:

A very interesting interpretation. The law defines salt ponds as ponds that were used for “the solar evaporation of salt” three years prior to the creation of BCDC. It gives a date. What Cargill contended is that meant the evaporator ponds out in the bay. Where you get to the plant, the ponds are not used for “solar evaporation” anymore. The saline water is pumped in there, and the salt precipitates out to the bottom and then you pump the water off the top and you harvest the salt. These are harvest ponds. So Cargill’s contention is that doesn’t meet the definition. The state, the attorney general, said “Yes it does.” Sp Cargill and BCDC agreed to disagree and they still agree to disagree to this day. It’s been forty years now where Cargill says, in essence, “We don’t need a permit from BCDC to do anything in this area where you don’t have jurisdiction, but we will apply for a permit, which may contain conditions which we are not legally obligated to follow, which we will follow. And we have agreed to disagree.” The disagreement is over on the side. If it ever comes to a battle, it’s there. Everybody reserved their rights. But life goes on. And I have to say, I discovered that I admired Cargill for taking that approach. They could have dug in and just said, “No, we’ll fight to the death.” But they were looking, as I tended to look for, not look for a reason to fight. Let’s look for an area where we have commonality in agreement and let’s move forward from there. That was the legal issue.

07-00:13:45

Meeker:

So when Cargill comes up with this project they are applying to BCDC at the same time they’re not recognizing the authority?

07-00:13:55

Travis:

They had not yet applied. They have to go through all of the local process first. Whatever the legal definition, Save the Bay looked at it and said, “This is a low lying area. If you go down there in January,” back in California when it used to rain in the winter, it would be covered with rainwater. It would look like San Francisco Bay. It would look just like the ponds out from there. And with sea level rise, this is another reason not to develop these low-lying areas. And Save the Bay used it as a cause for fundraising and they still do. So there’s a continued cry and it’s very easy to take a multinational corporation like Cargill that’s located in Minneapolis, far away, it’s an outside multinational huge corporation, which inevitably has, in part of its historic record done some things wrong and you can cite that, so it’s easy to cast it as the devil, the evil from afar. Save the Bay has generated a lot of income for itself by doing that. So they have opposed it.

As the project was going through the process I tried very carefully, when people would ask me what’s our opinion on it, I said, “Well, on the one hand

you have a proposal for taking a low-lying area that, if we had enough money to buy it, could be converted back into wetlands like the other salt ponds are. On the other hand, we desperately need housing in Silicon Valley and they're proposing to do that and we have flooding down there which, if Cargill doesn't provide the flood protection, the public is going to have to pay for it. So there's good and bad." I tried to be measured on it. I also tried to make it clear that just as BCDC had changed its policies not too long before that, by the time this project went through the whole process and got to BCDC I didn't know what BCDC's policies would be. So I thought it was premature to take a position either for or against it. So I tried to be balanced. At one point there was some public outcry that Cargill DMB was trying to short circuit the process. It was a general claim that there was no government mechanism for dealing with something like this.

So the chairman of BCDC and I wrote a letter to the newspaper that said, "Actually there is a process. It'll go through the city and if it gets the approvals of the city it'll come to BCDC. BCDC's been around. We've dealt with big projects like this. We have a fine process. Just let it work. Don't try to come to a decision on the project prematurely." David Lewis of Save the Bay was very incensed by the letter and he appeared before the Commission in the public comment period and demanded that the Commission censure both their chair and me for writing this letter. The Commission did something that I didn't expect and, in retrospect, was the most brilliant thing they could have done. They did nothing. They didn't comment. They didn't nod their heads. They didn't smile. They all just sat there and looked at him, and he got done and he turned around and walked away. Nothing ever happened.

07-00:17:59  
Meeker:

Were you at this meeting?

07-00:18:01  
Travis:

Oh, yeah. I was sitting right up at the dais.

07-00:18:02  
Meeker:

What were you thinking or feeling when you were being brought out on the mat like that?

07-00:18:13  
Travis:

I think more than anything a little bit amused. I could see why David was doing this. He was trying to advance his own position and he was trying to get the Commission to, from my perspective, prematurely, take a position. What he wanted was ammo so that he could go to Redwood City and say, "See? The chairman and the executive director wrote this letter and their Commissioners said that was the wrong thing. They shouldn't have done that." So I could see why he did that. I was amused in the sense of so much government, particularly in public meetings, is theater, and I enjoyed the theater of it and watching him do this. Maybe I'm being gracious now in retrospect. If they

had done something I'd have been really ticked off. But they didn't. They just let it go. And ultimately the project died of its own weight.

07-00:19:19

Meeker: So let me back up a little bit.

07-00:19:20

Travis: Sure.

07-00:19:21

Meeker: So what was his particular gripe based on?

07-00:19:26

Travis: He believes that we shouldn't be evenhanded. Even though this property in an area where, legally, there was, at least from Cargill's perspective, some question whether we had jurisdiction at all, and even though we had policies that generally call for the continuation of saltmaking, because it could be restored to wetlands, it was low lying and we were dealing with sea level rise, from his perspective, you shouldn't develop in this sort of area. So he didn't think that it was appropriate for the agency that was created to protect San Francisco Bay to not jump up and down and scream that you shouldn't do anything at this particular site. As I say, ultimately—or perhaps it'll never be ultimately—Cargill and DMB, in the face of rising opposition from the citizens and the community in Redwood City—just one issue after another would come up and there were more and more people opposed to it. David had done a sensationally good job of getting and generating public opposition to it. Cargill withdrew their application from the city and then were negotiating with the federal government as to whether there was jurisdiction over all of the site. They were trying to, perhaps, redesign the project around the jurisdiction. Recently the Corps of Engineers was about to issue a jurisdictional determination—this would be under the federal Clean Water Act—and EPA stepped in, which is an odd thing for them to do, and said, “No, we'll take responsibility for the jurisdiction.” So it was another legal and jurisdictional setback for Cargill and the project. So what will happen to it in the long-term I do not know.

07-00:22:03

Meeker: What did the EPA determine?

07-00:22:05

Travis: Nothing. They just determined that they had the responsibility to administer the Clean Water Act because they were concerned that the Corps was going to come to a conclusion that about half of the property was not subject to the Clean Water Act jurisdiction. It's a strange shared responsibility that the two agencies have. So here again David was very successful in generating political pressure from the Congressional delegation in the Bay Area, from Senator Feinstein and others to EPA that it should step in and take jurisdiction. And that's where we are today. The conclusion I heard from the DMB people is, “Never do a big project in a small town.” It's just too hard to do. And in

something like this, the nuances of it were profound. Where do you get the water to supply these new residents? DMB had worked out an elaborate negotiated trade where they would get water from somebody who would not take water from somebody else who was entitled to get water. It was this elaborate legal system that wouldn't actually generate more water or give them the rights to water. Anyhow, that's where it is today. The area is still low-lying. Highway 101 is still subject to flooding. The public doesn't have the money to build the flood protection, we desperately need housing in Silicon Valley, and there's a fabulous wetland restoration effort going on all around it and perhaps this should be part of it.

07-00:24:06

Meeker:

Did the planning ever get to the point where they, meaning Cargill and DMB, attempted to come up with a design solution to deal with flooding and sea level rise for the development itself?

07-00:24:22

Travis:

Oh, yeah. What it would have done is built what the Dutch call "super [Correction: levees]". It's just this enormous berm that is so big it can't fail because it can't be overtopped. Usually the way you get failure of berms is you get the water that comes over the top and then it washes it out from the back and then it falls over. But this thing is hundreds of feet wide so that you can't get enough water to go over the top of it. It's a big hill. They would then build the houses on the inland side of the hill, do wetland restoration outward, and in addition to protecting their houses on this project, it would protect everything inland of it, including Highway 101 and the mobile home park and part of the Stanford campus, and a variety of other things. So it would have significant benefits.

The other thing the DMB was looking at, and they had done in a number of their projects, is in California whenever you want to raise money as a public entity, you need to get two-thirds voter approval. Well, as a developer, if you control the land you can put provisions in place that go with the land. So they would have put in place a mechanism so that everybody that bought into the project would have a legal and fiduciary responsibility to pay for, not only this levee, but other levees around it. So it would have provided a financial mechanism to generate revenue as part of a regional strategy for protection of the shoreline of the Bay. It was very clever what they were proposing which, again, as a developer over a large parcel you can do. Those restrictions flow forever to all the subsequent owners of land within that development.

07-00:26:37

Meeker:

CC&Rs, I guess, right?

07-00:26:40

Travis:

Exactly. CC&Rs.

07-00:26:41

Meeker:

Was there any opportunity for DMB, Cargill, and Save the Bay to negotiate or was it a black and white situation?

07-00:26:57

Travis:

I know that Cargill would have liked to have negotiated. They were also looking for some environmental advocate—an environmental group—that they could ally with. They would have loved to have done it with Save the Bay. But Save the Bay had had an experience when there was the proposal to fill the bay for runways at SFO. I would joke with the director, John Martin, that he ought to have a plaque on his wall for all of the money that he generated in donations to Save the Bay to stop the runways. Cargill and DMB should be getting the same thing. From the perspective of a nonprofit, an NGO, needing money to continue operations, if you have some cause out there that everybody hates and every time you cite it donors write you checks, you want that to continue as long as possible and you don't want to all of a sudden say, "Well, it's not such a bad deal." I think David and Save the Bay were looking at it in a broader context. This was one project. They had a lot of things they were doing and as long as this one project kept generating money for all of the other good things they were doing, they had no reason to negotiate to achieve this project. Save the Bay is not in the business of ensuring that there's an adequate housing supply in the Bay Area. That's not why they were formed. So that's not something that comes onto their agenda.

07-00:28:38

Meeker:

It seems that Cargill didn't really mount a robust PR campaign either. Just take the housing issue, for instance.

07-00:29:00

Travis:

You're right. They did. They tried. But Peter Calthorpe would talk about the benefits of new urbanism and why we needed housing, and David was able to beat him time and again in debates by simply saying, "I support all that. That's smart planning. That's smart growth. We ought to have smart growth, but not at a dumb location." By simplifying it this way people would say, "Yeah, what this guy is talking about, he's absolutely right. We ought to be doing that in downtown Redwood City, but not out here." So David was dealt the better hand, and he played it very, very well.

07-00:29:48

Meeker:

What is the current disposition of the land as far as you know?

07-00:29:53

Travis:

It's simply sitting there. It gets wet when it rains, if it ever rains again, and it's not used for anything.

07-00:30:02

Meeker:

So Cargill's not using it for any industrial purposes?



07-00:30:05

Travis:

No. If I had to guess, and this is a guess which I will probably regret telling you, at some point Bill Britt, who's the President of Cargill Land, who's the guy I negotiated with on the North Bay, a guy I have a great deal of respect for, has retired. DMB and Cargill, they've broken up and they're dividing up who's legally responsible for paying what bills. A lot of the people who were engaged in this have gone away. So at some point when David moves on to something else, somebody will look at this and say, "There's a big piece of property there and I have somebody from Google or some high-tech company or somebody somewhere who's willing to write a check," and a negotiation will take place with Cargill and there'll be nobody who will lose face at Cargill anymore because somebody will be there and say, "What the hell are we holding on to this property for? We aren't using it. Let's get rid of it." It was worth, we thought, \$200 million when we thought we could develop it, but it looks like we can't. They'll come to an agreement. The property will be sold. It'll become part of the national wildlife refuge down there and then society is still going to have to figure out how to keep Highway 101 from flooding and deal with sea level rise. I would guess that maybe ten years down the line that's what will happen, but in the meantime it'll just sit there.

07-00:31:52

Meeker:

So you don't think development is a possibility on that piece of land?

07-00:31:56

Travis:

Right now I don't.

07-00:32:02

Meeker:

Fascinating. Well, sea level rise has come up in that conversation so we should move on to that. The first question about sea level rise, of course, is tied to global warming, climate change, air pollution, CFCs, the whole constellation of pollution, consequences of pollution that we're as a society trying to deal with right now. When did this issue, climate change and then the potential for sea level rise, first hit your radar?

07-00:032:45

Travis:

That's a very interesting question because this is one of those things that it's on the radar screen and it's been there for a long, long time and finally the operator looks at the radar screen and says, "What's that?" BCDC did a study of sea level rise in 1985 or something like that. It was one of the first in the nation. Back then we looked at some of the data, and we looked at the fact that the Bay had been rising over the past century. One of the advantages we have in San Francisco Bay is the longest continuously operating tide gauge in the entire country is at the Golden Gate so there's a 150 years of data. You could see the Bay was slowly going up. We were seeing seven, eight inches of sea level rise over a century.

07-00:33:54

Meeker:

And I remember in, what was it, '82, '83, those massive El Nino years, where much of those years places like Alviso, near San Jose, were underwater.

07-00:34:03

Travis:

Right. But that was not sea level rise. That was storm surge. If you look at the charts, it's just lots of noise. But if you find the line in the middle there you can see that overall it's gone up. So we hired Phil Williams, who's a noted hydrological expert, wetlands restoration expert, to take a look at this and some of the data. And BCDC said, "Yes, we're having sea level rise. Yes, it's probably caused by carbon dioxide, it's caused by man's activities, or at least they contribute to it." But we didn't have any firm policies for dealing with it. So it was there, it was a study, it was to a minor degree incorporated into our Bay Plan policies and restrictions. but it was just not a big deal.

In 2005, I think it was, Elizabeth Kolbert wrote a couple, three articles for *The New Yorker* called "The Climate of Man," as I recall. I read them and it was one of those moments when you say, "Uh-oh." So I went in and asked my GIS staff, I said, "Look, she's talking about a meter of sea level rise by 2100. Just out of curiosity, where's a meter around San Francisco Bay look like?" They came in with this map, it's a bathtub map. Ironically, what the map looked like was San Francisco Bay in 1849 because the bay is a third smaller than it was in 1849 because it's shallow so it was easy to fill. So it was filled but when we filled it we just filled it high enough to get it above sea level of the past. So when you add a meter of sea level rise, as soon as you get over the front lip of wherever the fill is, the water would just shoot back to the original shoreline. So it showed this enormous area, 330 square miles, I think, around San Francisco Bay that was low-lying. Some of it is relatively easy to protect by just building some sort of a levee in front of it, but it included San Francisco International Airport, Oakland International Airport, downtown San Francisco. West Oakland, Richmond. Huge areas. And most of the South Bay was way below sea level now because Silicon Valley used to be called "the Valley of Hearts Delight" up until the 1950s. It was fruit orchards. and the fruit orchards were irrigated with well water. As the water was withdrawn the ground elevation sank. So if you would look at the Bay in cross-section, this being the south end, it's like that. The water was extracted, the land elevations went down so Alviso is, I think, ten feet below sea level, maybe more. The reason the area around the shoreline doesn't flood is you have this mosaic of salt ponds. Cargill was always very, very careful to point out that those levees were not designed or built for flood protection. In fact, a colleague, Steve Ritchie, who's an engineer now with the San Francisco Public Utilities Commission, he's a civil engineer. He went out and looked at it and he said, "Those aren't levees. Those are heaps of dirt. They're just mud piled up." But because you have a series of ponds, you have a series of intervening levees, and through the redundancy of the levees, they provide flood protection, which keeps that area from flooding. So there's this vast area around San Francisco Bay.

When I saw the maps I thought, "Oh, my word. This is going to take a rather profound response." So we began looking at this issue internally as a staff. I had the honor of a staff of just absolutely wonderful professionals, largely

drawn out of the natural sciences, resource protection, fish and wildlife, geology, hydrology, looking at the world through a lens of nature. We were conserving the Bay and also we had a responsibility for development. So the first staff response that came out to this was, in essence, this is another reason you shouldn't be developing around the shoreline of San Francisco Bay. I thought about that and I said, "The public's first reaction isn't going to be, 'Wow, we're dealing with sea level rise. Let's run for the hills.' It will be 'How in the world do we protect ourselves from this?'" So trying to find a balance between both an acknowledgement that sea level rise was changing the world we were going to live in in the future and a realization that we had a responsibility to deal with the public that lived around the Bay took us through two or three drafts of internal staff reports before we got something that we were ready to put out.

07-00:40:32

Meeker:

Can I actually ask you a process question?

07-00:40:34

Travis:

Sure.

07-00:40:35

Meeker:

You've got this whole new area of concern yet you also still have your regular docket of work. How do you transition staff or staff up or get additional funding to get people to work on this massive new study question?

07-00:40:58

Travis:

Very good question. The first thing I did was I brought this to the Commission and I pointed out that BCDC was created because the Bay had gotten smaller and was projected to get even more smaller, and BCDC had a mandate under the law to prevent that from happening and we had an authority under the law to achieve that mandate because if you wanted to fill the Bay you needed a permit from BCDC and if we didn't issue the permit you couldn't fill the Bay. With sea level rise the problem was the Bay was going to get bigger. We had no mandate to deal with that, and even if we chose, absent a mandate, to do that, we had no authority to do anything about it. We couldn't tell somebody that they couldn't develop along the shoreline of the Bay because that area had the potential of being inundated by future sea level rise. We had the authority only then and now to assure that there's public access provided along the shoreline. So that was a dilemma that we had and I presented it to the Commission. They looked back at me and said, "Well, okay, what should we do?" I think I answered without thinking. I said, "Well, I can't find anything in the law that prohibits us from thinking." So they said, "Well, you go think about this. Let's figure out what we should do." As an agency that has policies that guide development around the Bay, we looked internally and said, "Of course, the first thing we should do is change our policies." And in a myopic sense, that made sense. So we developed this thick staff report called *Living with a Rising Bay*. It had all these maps, it had all the data, it had all the

science, and then it concluded with here's how we ought to change the policies of *San Francisco Bay Plan*.

07-00:43:15

Meeker:

This was from 2011?

07-00:43:18

Travis:

It was about 2008, I guess, or '09. From the perspective of the general public, local governments, developers, their first response to sea level rise wasn't let's amend the Bay Plan. In a process where you have public policy manifesting itself through a regulatory system, what tends to happen is that the interests that will be affected by that policy use their people that handle the entitlement process. They have attorneys who deal with BCDC or other regulatory agencies and those folks who deal with the entitlement process don't like it changed because they know how it works now and they sure as hell don't want it changed because there are just too many uncertainties. So you had local governments looked at this and said, "Wow, BCDC came out with these maps and they're coming out with these policies. It is hard enough now to take a closed gas station and tear it down and build a three or four story mixed-use development because we get all the neighbors complaining about noise and traffic and shadows and everything else. Now, because this area has the potential of being inundated if it's not protected, we're going to have to do a study of sea level rise. So every little project is going to require an EIR. That'll add millions of dollars to the cost. So their response was, "Don't do this. Don't make any changes to your plan at all." I think the sense was that bureaucrats who run regulatory programs go to school and in the first day they hear, "The first thing you have to know is you need more power and you need more money and you need more authority and you're going to need more studies." Then you go to the next day in the class. So the sense was that somehow we were up to a power grab. And there was some element of truth to their argument because if you think about this, BCDC has jurisdiction over San Francisco Bay and the law defines it as the area that's below mean high or high water, wherever that is. With sea level rise, that whole area that I showed has the potential of being inundated by 2100, if nobody does anything and that comes to pass in 2100, BCDC would have jurisdiction over that whole area. So if the law wasn't changed, no levees were built, and everything was just left, they would be right. So they looked at it, said, "Ah-ha, we caught you. We know that's since what you're going to get in a hundred years, you're trying to get it now. You're trying to get authority over that now and it's a sweeping jurisdictional land grab."

So it was a mistake to start off with amending the Bay Plan. What we should have done was said, "Okay, we've done this map. This is a problem." The Commission said, "Go think about it. We want to sit down with you and think about it. What should we do? What should we as a society do?" And we should have brought all the stakeholders in and talked this all through. Maybe coming out at the end of it would be somebody saying, "Well, we got to do

this and that, and this and that, but in the meantime it's probably a good idea to update the Bay Plan." And we could have said, "Oh, yeah, that sounds like a good idea. We'll go about doing that." But we didn't.

07-00:47:38

Meeker:

You weren't doing this in isolation, though. It's very apparent from this report, and I guess I'm confused whether it came out in 2008 or 2011.

07-00:47:48

Travis:

It was adopted in 2011.

07-00:47:48

Meeker:

Adopted in 2011 and then came out a few years before that, I guess. Right.

07-00:47:53

Travis:

The first draft. What you see adopted is about the third or fourth draft.

07-00:47:59

Meeker:

Ah, okay. But there's also a lot of other studying going on in there.

07-00:48:01

Travis:

Lots of other things. Yeah.

07-00:48:02

Meeker:

There's the Global Warming Solutions Act of 2008. There's the "Preparing for Rising Sea Levels in the Bay Area" conference in Oakland in 2008. Governor Schwarzenegger issued Executive Order S1308 that ordered state agencies consider sea level rise when considering projects. There was a sea level rise interim guidance document and finally the Sustainable Community Strategy, although that, I think, contradicted in some ways with the sea level rise.

07-00:48:30

Travis:

Remember that the legislature was so enamored of the clarity of the work that Joe Bodovitz and Mel Lane and the original Commission did with the Bay Plan, they adopted it into law. So the Bay Plan policies are law. Regulatory law. All that other stuff was either directed at reducing greenhouse gases, slowing climate change and global warming, or it was advisory or internal. This was reaching out to the community itself and that's why it was quite different and quite controversial.

You mentioned Governor Schwarzenegger. Just a side note on that, kind of an amusing thing that happened was Governor Schwarzenegger, when he signed AB32, which was the California Global Warming Solutions Act, he did it on Treasure Island. Treasure Island is a wonderful place because you've got this beautiful view of downtown San Francisco. He had a big screen and he had Tony Blair on the other screen and they were having this dialogue back and forth talking about global warming and what they were doing about it. So when the governor decided to come out with some guidance on climate change and sea level rise, he said, "Let's do it at Treasure Island again." And

Governor Schwarzenegger, as a celebrity, was unlike previous governors when they had press conferences, the governors would say, “We’re going to have a press conference. We want everybody to come.” Governor Schwarzenegger didn’t tell anybody he was going to have a press conference because he didn’t want a lot of people there. Because he was a celebrity, too many people showed up. So they let the press know, they let the media know, but it was not a generally publicized event. But we as a state agency found out he was going to have this event and we knew some folks in his office. So we went over to Treasure Island and we had these big maps that we had prepared showing the extent of sea level rise around San Francisco Bay. We thought that would be a great backdrop for the press conference. So we’re there, we put up the maps, and there were other maps there and the governor shows up in his big black SUV. And, again, his press conference were all crafted for the media, so he didn’t stand up and give speeches. He spoke in a conversational tone because he was wired. Questions would be asked and he would repeat the question and handle it from a podium. So he’s standing there giving this talk and at one point I could see his eyes and he looked and he saw the map over there, this big poster with a map. He stepped away from the podium and walked over to the map. His handler said, “You’re off mic, you’re off mic.” He said, “I know I’m off mic. This is a photo op.” So he walks over and he’s pointing to this and talking about it and then he comes back. So next day in the *Chronicle* is this map and I looked at it. There’s the governor and there’s the BCDC logo and I’m a good bureaucrat. But what I didn’t realize is he had his hand right over Treasure Island.

Treasure Island, it’s a closed military base in the middle of San Francisco Bay. As a place to develop, there’s only three things wrong with it. You can’t get to it because the Bay Bridge is congested. It has the seismic stability of soup. And it’s low lying and subject to flooding from sea level rise. Other than that it’s a great place for a community.

07-00:53:09  
Meeker:

The weather is atrocious, too.

07-00:53:10  
Travis:

The weather’s kind of windy, yes. But the planners had come up with a very elegant design solution, which is you deal with the seismic problem by densifying the material, by hammering it together. You raise the ground elevation so that it’s up higher. It’s very expensive to do this so you do it in a small area, which means everybody who lives there will be within walking distance of a ferry terminal so you can use a ferry to get to downtown San Francisco. And then you reserve the area around the outside of the island for a levee system, which you pay for with a geological hazard abatement district so that the financing is internal and not imposed on the taxpayers. So it’s an elegant, beautiful design solution. It was one of the Clinton Foundation sustainable cities of the world or resilient cities of the world. It’s a great plan and strategy they have. And it should go forward.

But the governor has his hand over it so the financial people looked at it and said, “He’s saying this shouldn’t be there.” So we had to work with the City of San Francisco, the Treasure Island Development Authority, and Wilson Meany, who was a developer, to try to ensure that the misunderstanding was corrected. Ultimately the governor wrote a letter endorsing Treasure Island. But it’s funny because I’m so proud of getting our logo there with the governor, but there were unintended consequences and misunderstanding of an issue.

07-00:54:59

Meeker:

So the misunderstanding was that he put his hand over it to hide it in some ways or—

07-00:55:02

Travis:

His hand was like this and I think he was pointing at the thing. But if you got the right angle it looked like his hand was just kind of covering it up. I have to admit, when I saw the paper the next morning I never even noticed that. I just noticed the smile and there he was. There was the governor and there was our map, and his eyes and our BCDC logo were at the same level, and, boy, aren’t I great. But that’s how things were read into it. There were dozens and dozens of incidents like that, where people would misunderstand what we were trying to do, what we would say and how that would be misinterpreted.

Mission Bay, for example, in San Francisco, that is approved by a BCDC permit fifteen years ago. So when we started through the process of amending the Bay Plan to deal with sea level rise, the attorneys who handled entitlement for Mission Bay said, “This won’t affect us, will it?” I said, “No, these are policies that deal with new development.” “Well, you’re not going to come back in and open up our permit, are you?” I said, “We can’t open up your permit. You’ve got a permit. As long as you don’t change anything it’s okay.” “Okay. Well, we want you to say that in the policies.” I said, “Now, wait a minute. That’s the law. I’m not going to in policies, say, ‘Okay, here’s the policy but in accordance with state law, which does not allow us to open up a permit that we’ve already issued fifteen years in the past, this doesn’t apply to Mission Bay.’ I’m not going to do that.”

07-00:56:53

Meeker:

What I’m hearing is a lot about the difficult response that met this report, right. I’d actually like to back up a little bit and ask a little bit more about the report itself to try to get a sense of what people might have been responding to. Before I do that, I can’t remember where I saw this reference, but in this larger context about dealing with sea level rise and thinking about how other cultures have dealt with it historically, I saw a reference to a trip that you went to Holland.

07-00:57:28

Travis:

Yes.

07-00:57:29

Meeker:

And can you tell me about this and how this fits into the story and then I'd like to get into some of the particularities in the study.

07-00:57:35

Travis:

Let's do that but let me finish the story about Mission Bay.

07-00:57:38

Meeker:

All right, sorry.

07-00:57:38

Travis:

Okay. So the attorney and I agreed ultimately that we would have an exchange of letters. They would send us a letter, which said, "Your new policies, as we understand it, do not apply to Mission Bay because it's been issued a permit, blah, blah, blah." And I would write a letter back saying, "Yes, your understanding is correct." So that would be in the record. Then I said, "Okay, now we've done all this. But you realize the irony of this is you're focusing on the entitlement process. The difficulty is at some point in the future you're going to call your client and you're going to say to your client, 'BCDC's policies don't apply to you and I can prove it to you because I have a letter right here, but I can't deliver it to you. And the reason is my office is on the second floor of the Ferry Building and the first floor is flooded.' And your client over in Mission Bay is going to say, 'Well, that's all right because even if you could get over here my office is on the third floor and the first two floors are flooded.'" It's not going to change where the water level is. It's not going to change the real issue. But the focus was on the entitlement process rather than on the reality of the problem.

So going back. When we first started to engage in this process of dealing with sea level rise and what to do about it, this was during the George W. Bush administration, which so far as climate change was concerned, it didn't exist and there was certainly no assistance that they were going to be providing in terms of technical assistance or financial assistance. But I remembered as a kid when we got our first TV set I used to watch the evening news. And one of the things I remembered watching as a kid was this 1953 flood in The Netherlands that had just devastating impacts. Fifteen hundred people died. I knew about Holland. I'd been there. I knew about so much of the country being below sea level so I thought, "They've had 800 years of experience. They probably know something about this." So I approached the Dutch government because the U.S. government wasn't dealing with it. I told them what we were doing and wondered if they could provide us any advice. Now, what the Dutch were doing was marketing their capacity that they had as water managers and planners. They have a lot of consulting firms that know how to do this. So what the government was doing was offering free samples. They had a program called the Delta Alliance, which is also what Delta Airlines calls their frequent flyer program. But the Dutch Delta Alliance was looking at deltas around the world and how the Dutch experience could be applied there. So they invited me to go to The Netherlands, visit with them



and see some of the things they were doing. Then they agreed to provide financial assistance to us. Partly because I couldn't figure out how to get euros into the state budget and partly because it was easier for them to hire consultants to work with us, they hired Arcadis, which is a big Dutch-US consulting firm. It actually now has more employees in the United States than in Holland. And Deltares, which is a think tank, and a couple of universities and they had people come over to San Francisco Bay, look at the conditions that we were facing, and then offer some ideas from their perspective that we could use. That was extremely helpful to get that outside perspective, that depth of understanding, and they really had some creative ideas.

But you can't take ideas from a different culture and apply them readily. We found was that in Holland there's something called the water boards, and they are more powerful than the king. They are the people who are responsible for ensuring that the dikes and the levees are safe. If a farmer isn't maintaining his levees they can just come in and say, "You're not maintaining your levees. You go away." And somebody else takes over the farm. They have such a sophisticated system that in The Netherlands, as a kid, you're growing up and you quickly learn you're always looking over your shoulder to see where the North Sea is because it's a continuous, constant danger. But you also learn not to worry about it. Your government will take care of you. And you have such confidence in that it is not necessary to get flood insurance in The Netherlands. In fact, it's illegal. Why would the government allow some shyster to sell you insurance for something that can never happen? They're looking to provide thousand year protection. We're striving to get a hundred years of protection. They're looking a thousand years into the future. So that's the way the culture of The Netherlands looks at flooding. It's a problem but government will take care of it.

Here, as a government official, if I come to somebody and say, "Hey, your land is in danger of flooding," their first reaction is "You're trying to interfere with my private property rights. Get out of here." So we realized that we could take some of their engineering expertise, some of their design solutions, and welcome their expertise. Arcadis is now playing a major role in dealing with the Sacramento San Joaquin Delta and dealing with the levees there. But you can't just grab something from one culture and put it someplace else. But it was a very enriching experience.

I went to a couple of conferences there. One of the interesting things in working for the state is learning that the most heavily government regulated industry in the United States is government. Everything I did was overseen by other people. If one of my staff wanted to travel out of state, they'd need my approval as the executive director, it would need the approval of the Resources Agency, it would need the approval of the Department of Finance. And if you were going out of the country, it needed the approval of the Governor's Office, sometimes by very highly placed people in these offices. So I was going to go to The Netherlands for this conference at Dutch expense.

I said, "I'm going to The Netherlands. Give me an out-of-state travel approval." "Oh, no. California's going through a budget deficit and it would look bad." I said, "It's not costing the state a dime." "Well, it still looks bad." So I said, "All right. To hell with it. I'm going on vacation." "Well, you can't go." I said, "You can't tell me where I can't go on vacation. I'm going on vacation. Goodbye." "Well, okay, but you have to make it abundantly clear that you are not representing in any way, shape, or form California or the governor." I said, "Fine. I had no intention of doing this anyhow."

So they had this conference in Rotterdam and they had this big event and they had a very high level officials from Vietnam, from India, from Egypt, and a number of other countries. These were like the vice presidents and secretaries of the interior. They were really highly placed. And I was there. So they said, "What we're going to do at the end of this, we're going to sign a ceremonial agreement." I thought, "Wait a minute. They're asking me to sign this thing." But I realized I'm not signing on behalf of the governor. I'm signing on behalf of the President. So I signed it. So there's some document that somewhere has my signature on it, saying the United States has agreed to this.

07-01:07:06

Meeker:

On behalf of George W. Bush.

07-01:07:07

Travis:

No, by that point it was on behalf of Barack Obama. As I remember, I said that, "I'm sure Secretary Clinton would approve of this."

07-01:07:23

Meeker:

Okay. So the study that results in the actual research, that results in the study *Living with a Rising Bay*, it sounds like the first circulating draft came out in 2008 and then adopted by the commission in 2011. Can you tell me how this study was done?

07-01:07:50

Travis:

What we were able to do is simply redirect resources. We had a budget for our planning program and that was probably five or six people. The Commission every year would decide we're going to study wetlands or public access or airports or whatever. and they said put resources into dealing with climate change. So we had some staff assigned to that. The first draft of the report, as I recall, the second word in the report was "anthropogenic." I said, "No, we can't have a report in which you get one word into it and then have to get out a dictionary." We need to make this, as Bodovitz had taught me, so that a high school student can understand it. Interestingly, in the subsequent ten years, probably a high student will now understand what anthropogenic means. Again, because it was drafted by natural resource people, it had a tone which was don't build in low-lying areas. Retreat from low-lying areas. Phase out things in low-lying areas. Use wetlands and soft solutions. Don't build sea walls. Don't build levees. It had a very conservationist/environmental slant to

it. So we went through a couple of drafts internally to get it up to the point where I thought it was more balanced.

We finally came out with something that initially the environmental community in the Bay Area thought was absolutely sensational, but it was opposed by local governments, it was opposed by development interests, it was opposed by landowners, it was opposed by everybody else. As we went through the process I realized a lot of this was both misunderstanding and concern that we were up to something. So what I decided to do was negotiate with smaller groups, by just saying, "What are you worried about? What do you think we're trying to do?" And they'd finally say, "Well, I think what you're trying to do is stop all in-fill development." I said, "Okay, we're not trying to do that. How do you think we're doing that?" "Well, here's how it could be interpreted." I said, "Okay, I see that. Now, what I want you to do is write language that prevents me from doing what it is you're afraid I'm going to do." So a lot of the language in there is optics. It says, "Here's what our policy is. Now, here's what it isn't. Here's what it's not going to do. Here's how it can't be interpreted and here's how it can't be used." By going through that process of allowing the people who were worried to come up with language, we moved them to the point where they were at least willing to consider it.

But what happened was the environmental community went the other way. So we had some shuttle diplomacy. First, understand you have these public hearings. Rick Cole, who was the mayor of Pasadena, he's now the deputy mayor of LA, defined a public hearing as an event at which nobody listens. And that's largely true. People come, they have their prepared statements. The people who are listening to them know what they're going to say or they don't care. It's not a dialogue. It's not a discussion. So I didn't think it would be valuable to get the development people and the environmentalists together to just shout at each other. So we engaged in shuttle diplomacy. One group we would work out language with. Then we would take it to the other group. They would then refine it and then we kept moving it back and forth. These were not closed meetings. They were noticed. Anybody could come to them. But you really had to work hard to find out where they were and when they were. So they were largely meetings held in our office at BCDC with the key stakeholders.

07-01:12:58

Meeker:

Who were representing those two groups?

07-01:13:01

Travis:

Save the Bay. The Nature Conservancy, I guess. They had a big role. Sierra Club, Audubon Society. The usual cast and there were some others. On the development side, interestingly, they settled on three attorneys who we referred to internally as "the three wise men." One was an attorney from the East Bay, a guy who had been very active in real estate and the Port of

[correction: Oakland]. One was Mike Wilmar, an attorney who was a former executive director of BCDC, and Zane Gresham a third attorney who dealt with a lot of development work in San Francisco. Ironically, perhaps not ironically, the East Bay attorney was a very close advisor of Jerry Brown, who when he got elected governor, asked him to vet candidates for the chair of BCDC. As he went through the process of vetting them he came to the conclusion that none of them were as good as he was. That's Zack Wasserman, who is now the chair of BCDC. So a guy who started out in this process, whose job was to prevent—or at least be skeptical of and to minimize the effect of these policies dealing with sea level rise—had the wisdom and the courage to say, “You know what? These guys are right. This is a problem for society.” And he is now the biggest proponent of BCDC taking a very strong activist role in dealing with sea level rise and trying to come up with a regional strategy of everybody working together to make this happen. I really admire people who change their minds or change their positions because it shows that they're listening and they're thinking and he's just sensational. He's probably the best chairman of BCDC since Mel Lane.

07-01:15:25

Meeker:

The foundational part of this study is the projective science that anticipates, at that point in time, a sixteen-inch rise by 2050 and a fifty-five-inch rise by 2100. Where did that science come from and to what extent was it broadly controversial or broadly accepted?

07-01:15:53

Travis:

It came ultimately out of the IPCC, the Intergovernmental Panel on Climate Change of the UN. The problem with sea level rise projections is you get a projection by making some assumptions. If you make an assumption that we're going to move to green fuels and get away from fossil fuels as our primary source of emissions, you're not going to have the globe heating as much as it would otherwise and, therefore, sea level will go up slower. If, on the other hand, we continue with business as usual then it will go up faster. So if you look at these numbers there's a great delta and the farther you get out into the future the bigger it gets. So I've concluded that the way to make money is to get one of these experts and you say, “Tell me how high the sea will be at any date in the future. I don't care what the number is.” And you bet against him. And then you get a second expert and you bet against him. At that point you're guaranteed not to lose money, even if one of them is right. And then you get a third one and you start making money. And they're all over the place because nobody knows.

So what we were trying to do was move away from sixteen inches at this date and fifty-five inches at the end of the century because nobody knows. So it is instead what's a reasonable range and how do you deal with that uncertainty? In dealing with the engineers they would always say, “Well, how high will the water get and when?” And I said, “I don't know.” And they said, “Well, you're not doing your homework. Until you tell me, I can't do my job.” “No,

this is uncertain.” How do we design and build in a way that accommodates that uncertainty? So that’s what we were trying to do at BCDC. Just have a range, and plan depending on what you’re putting in an investment into. In landscaping for a park, you don’t spend a lot of money worrying that this plant might get inundated with salt after ten years because after ten years you’re going to tear it out and put another one in anyhow. On the other hand, if you’re building the Bay Bridge for 150 years, you do want to be thinking out 150 years. Ironically, with the Bay Bridge they didn’t think in terms of sea level rise. When the bridge was designed, the start point was well before we were thinking about sea level rise so they didn’t think about the approaches so it’s possible that after an earthquake the bridge will be standing, but because of liquefaction and sea level rise you won’t be able to get to it because the toll plaza will go underwater. So one of the things I’m working on now in my retirement is a park that will envelop the toll plaza and provide protection for the toll plaza with a series of levees around it.

07-01:19:11  
Meeker:

There’s so much of interest in this report. I think one of the most interesting challenges, kind of existential challenges, that it brings up, it’s kind of a question of governance and how should the legislation enabling BCDC change so that it can deal with the moving shoreline as well as dealing with the cumulative effects of shoreline protection. So in other words, you’ve referred to this a few times, and that is BCDC was established to prevent the bay from getting smaller. With sea level rise you’re dealing with the consequence of the bay getting bigger. How does that then influence the reason for the existence of BCDC? How does that then change BCDC’s responsibility? And then there’s this whole interesting section in there regarding the rules around takings and legality, common law, those kinds of things.

07-01:20:31  
Travis:

Well, to answer that question, let’s go back 6,000 years. Human civilization is really only 6,000 years old. We’ve been around as a species a long time but that’s when we started to think about how we organize ourselves. For the past 8,000 years our climate has been pretty stable. So without temperature going up or down you didn’t have much ice freezing or melting and as a result sea level didn’t go up and down. So as a civilized species we have learned that the shoreline is where it is because that’s where it’s always been.

07-01:21:23  
Meeker:

Well, and sea level is, by definition, sea level.

07-01:21:26  
Travis:

That’s right. It doesn’t change. So without the sea level coming up, which would move the shoreline inland, our experience has been sea level doesn’t change, and, therefore, the shoreline doesn’t change. And because it is where it is, because that’s where it’s always been, we’ve assumed that’s a fact and, therefore, that’s where we’ll always be. But with sea level rise, the shoreline

will want to continue to migrate inland and upland over time. We have developed virtually all of our laws and all of our property restrictions on the assumption, based on experience, that that line is right there and it'll always be right there. So you have a certain set of rules apply in the water area and a certain apply in the land area. Now, as you move that line, all hell breaks loose because, well, wait a minute, those rules are out there, that side of the line. When you move the line, do the rules come inland with it or do they stay where we thought the line was? So we're having to rethink all of this. Everything goes into a cocked hat. That's why I think we're in this process right now where BCDC was created to deal with a problem of the mid-twentieth century and that problem was people were filling the Bay. BCDC has in its law that when it approves fill, it has to assure a permanent shoreline, and the way we do that is through legal restrictions on the property so that you can't have somebody get a permit to fill the bay, they fill it, then BCDC goes out of existence for one reason or another and then they go fill some more. There'll be a property restriction left behind that says they can't do that.

With sea level rise what will happen is in some places the shoreline will stop being permanent and in some cases we're going to want to allow it to move inland. We're going to allow those wetlands to migrate inland and upland because wetlands provide us flood protection and they have great environmental value. In other areas, like the San Francisco waterfront, there's no way of dealing with the problem without filling the bay. Think about the San Francisco shoreline. How do you deal with it? How do you protect it? I guess you could fill the Embarcadero and make it eight or ten feet higher and put the roadway up on top of a big levee. Well, there used to be a big freeway up on top of it and we tore it down because we wanted to reconnect the city to the bay. It also leaves you with the piers, which are a national historic district. And if we're protecting everything inland of the Embarcadero, but allowing the piers to go away, that probably doesn't make a lot of sense. So maybe what we should be doing is going outboard of the piers and putting some sort of a flood protection out there. Well, that's really deep water. It's going to be really expensive to do that. So maybe, just maybe, we should do what the Dutch did. The Dutch say, "We're tired of spending all this money to build all these damn big dikes. We're going to turn to the private sector. You go build a dike." The private sector says, "Why should I build a dike?" "Well, you can build it wide enough so that you can put buildings on top of it, you can create real estate." So you could build a big levee outward of the waterfront and have some development on it. Well, that is exactly what BCDC was created to stop.

So maybe, just maybe, the problems that we were solving with laws in the twentieth century will be the solution to the problems of the twenty-first century. So that's where we are in this process right now, trying to rethink this. We have a tendency as a people, when a new problem comes up, we try to apply an old law to it even if the law never envisioned this problem. And then we are so surprised that we get irrational answers when we apply an old law that didn't consider that. The California Environmental Quality Act is one

of those. Nobody was thinking about global warming when that law was passed. So that now one of the issues the courts are dealing with is the law says you have to analyze the impact of a potential project on the environment. Well, a case came along and somebody said, "This project will be impacted by sea level rise and global warming." It is the impact of the environment on the project, not the project on the environment. The courts are looking at this and saying, "Wait a minute. That's not what the law says." But it's what you should do. So if the court comes to the wrong conclusion we're going to have to go back and change the law.

07-01:27:09

Meeker:

When in the process did this realization start to become apparent? These ideas that you're talking about are fascinating and problematic and there is no solution to them yet, as you've said. But when in the process does it become apparent to you and the people who are working with you that what has existed for the last 6,000 years is about to change?

07-01:27:39

Travis:

Yeah. Unlike Elizabeth Kolbert's article, which I read and had what has been referred to as the, "Oh, shit" moment. I mean, "oh, shit!" It's been an evolutionary process. The experience I had with the attorney for Mission Bay, that was an eye-opener because I realized that the people who were engaged in the political debate were the wrong ones. They were the people that were dealing with the entitlement process. They weren't the policymakers who were making the investments. They weren't the people who were looking at what was going to happen to the project long-term. They had hired other people to take care of these sorts of situations for them. There were just a number of those things that came along. The realization that our climate has been stable for 8,000 years came from my discussions with John Englander, a great friend and colleague who write *High Tide on Main Street*, which is the best book by far about sea level rise and the impact it will have on development along our shorelines. He is a marine geologist by training and he spent his life diving and finding old shorelines. He realized that the shoreline has moved over time so while we think of it as constant, when you get down there under the water or you're a geologist on land and up in the mountains you're finding seashells, you realize if you take a long enough period of time, it's gone up and down quite a bit. He's then distilled out of this that observation that we've been living as a civilized society, a civilized species in this rather calm period and that is the way we see things. Just as all of us, we look at everything based on our life experience because that's all we have to use.

07-01:30:06

Meeker:

It's obviously much bigger than BCDC itself but I think BCDC is an interesting case study to look at this within. So you have sea level change. This report identifies that it causes in some ways an existential crisis for BCDC. But I don't see in the report that there is a clear solution or way forward about how BCDC is going to exist or what in fact it should be

protecting in the future. Was there an understanding or do you think that there's an understanding, am I missing something in the report?

07-01:30:57

Travis:

What BCDC is doing is now under the leadership of Zack Wasserman, and Zack says, "This is a ten-year campaign. The first few years are really getting people to understand what we're dealing with." Fortunately here in the Bay Area we have enlightened and open-minded people. There are some journalists that are looking at sea level rise and they're very frustrated because in order to have a story about sea level rise you either have to find an elected official who refuses to acknowledge that it's a problem, which is a great story, or somebody that knows it's a problem and they're approving something anyhow. But they can't find anybody like that in the Bay Area because everybody says, "Yeah, I know it's a problem. What the heck do we do about it?" So it's going to be a long process of dealing with this and sorting our way through. It's going to be an evolving process. What BCDC is doing right now is, again, under Zack's leadership is saying, "All right. We've got two subcommittees. One of them is looking at rising sea. We want to get as much information as we can to try to define what's the range, when, over what period of time, what's the latest science on this." And the other one is looking internally at here are our policies. Our policies are all based on this line is permanent and our job is to keep the Bay from getting smaller but we're now dealing with a different challenge. So how should we change our policies in the context of our law so that they respond to this new reality and then where do we have to say we can't make a change without a change of law and what should that change be. And I've dealt with this heavily regulated industry of government and situations where BCDC goes to the legislature and says, "Look, we need in our law to mandate that we address sea level rise." The Department of Finance says, "Well, you don't have the money to do that." We said, "Yeah, we know that but we need the mandate to deal with it." "Well, we'll only agree to support that change if you say that you'll never ask for state money to do it." "Well, we can't ask for state money to do it unless we have a mandate to do it because you wouldn't give us state money." That's right. So the only way you can get the change that would allow you to get money to do it is to agree to not ask for money to do it if you get the change. That kind of stuff happens all the time. But BCDC will, I think, over a period of time be able to identify specific situations where here's what we as a society. Remember, government is neither good or bad. It's not that it works well when it's small and local and bad when it's big and distant. Government is, once we get beyond you and me and my wife and daughter, how we as a neighborhood are trying to organize ourselves to deal with a common problem. That's all government is. So how does government respond to this? It'll take some changes in law and some of them will be hard and some of them will be easy and some of them will be controversial and some of them won't and some of them will pass and some of them we'll wish for.



07-01:34:38

Meeker:

When you were director did you come up with any ideas for how policies should be changed and/or how the law should be changed in order for BCDC to deal with climate change?

07-01:34:55

Travis:

Whether it was when I was executive director or afterward, what I think we should be doing right now is looking at the fact that we build along the coastline in a certain way. Whether we admit it or not, we always build with the notion that whatever we build will be there forever. This little house we're in, built in 1927, is a spec house that sold for \$5,000 and the builders probably thought, "This is a nice house. It'll be a great place for somebody for fifty years." Well, it's going to zoom past it's hundredth anniversary and it'll probably reach 200 years. We tend, once we do something, we want to keep it there forever. And that's the way we think about our coastlines. If that coastline is going to be moving inland and upland, how do you build something so that you can enjoy the waterfront, but over time that shoreline is going to move. If you think about it on an instantaneous basis, it's like building a sandcastle. You enjoy it, you put in creativity, you love that sandcastle, but you know that when you come back tomorrow and it's gone. So how do we build along the shoreline knowing that maybe in fifty or a hundred years it'll be gone? Do we build things that are designed like world's fairs? They look like they're permanent but they're only there for eighteen months? Or do we build things so that as the water comes up underneath them they can float, and then they go back down, they float, and eventually we have to build boardwalks to them. Or do we build things that you can take apart and move them someplace else or tow them uphill like house trailers? We need to come up with new ways of building along the coast.

07-01:37:08

Meeker:

Or extraordinarily fortified, like a—

07-01:37:11

Travis:

Yeah. But remember, however high you build that levee, eventually it'll get overtopped. So how do you build? Then once we figure out what are those prototypes we'll have to go back in and reverse engineer the laws which prohibit a lot of those. Trailers are great examples. Mobile homes. They are illegal most places because they are perceived to be low income, low status housing. We don't want them in a nice suburban neighborhood. But in terms of just a ubiquitous structure that works for sea level rise, you just back it up to the coastline, you enjoy it, and then as the water comes up you just tow it up the hill. So maybe we should be thinking about building coastal communities, not as cities, but as long-term campgrounds, which is fine until you think about all of the world's cities looking like RV campgrounds and who the hell wants to go there? So thinking these things through, then reverse engineering the laws to allow you to try some of these out on a prototypical basis, to see what works, what doesn't work, and then moving forward. It's

going to be a long evolutionary learning process. There is no right solution that works everywhere.

07-01:38:38

Meeker:

Do you suppose some of the frustration, or what's the word I'm looking for, not feedback but criticism, I guess, of the report was that there was no clear agenda for how BCDC will respond and how as a society we're going to fix this?

07-01:39:06

Travis:

I don't think so. I think if we had a clarity of a solution that would have been even more difficult to deal with than the uncertainty of simply identifying the problem. It's a hard issue to get your mind around. It's also one that we tend to be thinking about in the long-term future, although the President's Science Advisor said over the weekend that he was part of the Clinton Administration, and the Clinton Administration said, "We're not certain about this. Let's watch and see what happens." He said, "Well, we've done that and now we see what's happening." It's going faster than anybody dreamed of. So for a lot of people, it's still not part of their day-to-day life, their reality. "My wife tells me I got to lose weight, I want the kids to get into a good college, it sounds like the transmission on the car is going out, and you want me to think about climate change and sea level rise and what'll happen fifty years from now? No."

07-01:40:22

Meeker:

Another point in this that I found even pretty interesting is very specific to BCDC, was this idea that BCDC issues permits. But if you issue a permit that's said and done. What then do you do about the cumulative or future impact of something?

07-01:40:47

Travis:

That's right.

07-01:40:48

Meeker:

I guess how was it that this understanding was arrived at and do you see there's a workable solution to that?

07-01:41:01

Travis:

There is. What you can do is put reopeners in the permit. Essentially permits are issued based on that assumption that things don't change. So it's forever. But you can make certain assumptions and you can say in the permit this will be monitored and if it turns out that things are different than we assumed then you can have a legal reopener clause so that you can go back into it and get another bite at the apple. The people that get the permits will fight that. They want absolute certainty. So they'll try to restrict it as much as they can. But it's a very hard thing to deal with rationally, to explain. "No, I don't think the climate is changing. I'm denying all of the science. I disagree with the Pope and I don't want a reopener clause," to which the Commission will say, "Fine, you're not going to get your permit then."

07-01:42:15

Meeker:

What about the section in the report on takings? What do you think the proper response of BCDC is to the possibility that lands that are currently not part of the Bay might fall within that?

07-01:42:34

Travis:

Yes. It isn't so much an issue for BCDC as it is for the State Lands Commission because the Lands Commission—as I said, here's the shoreline and everything [correction: seaward] of the shoreline is encumbered by the Public Trust. And the Lands Commission is responsible for that. That's the people's land. Inboard you can have private property. But as that shoreline erodes and moves inland, Lands will be property criticized if it does not exercise on behalf of the public a property interest on this new land that it got. At the same time the property owner who's losing it is saying, "You guys are stealing private property from me. I didn't do anything. I didn't cause climate change. I didn't cause the erosion. Why should I lose the land that I bought, that I paid taxes on?" So it's going to be an impasse. We have in California something called the Little Hoover Commission, which looked at this issue of climate change, governance in the face of climate change, and how many uncertainties this will create. This is something where the legislature should come in and come up with a legislative solution for this because it is, I think, far better to do that than to allow individual cases to be adjudicated and have different courts come to different conclusions and then hope you will get a rational public policy through the appellate process and ultimately get a court decision that says, "Okay, here's how you apply it." I think this is where we need a legislative solution. But Lands has thus far not embraced that notion. They prefer the litigation approach.

07-01:44:46

Meeker:

So the first major draft of the report comes out in 2008. It's not for three years that it's adopted by the Commission. What transpires? Was it a difficult sell for the Commission to adopt this report?

07-01:45:02

Travis:

Initially, as I said, when we took it to the first series of public hearings, which were, I want to say, 2009, that's when you had the landowners, local governments, businesses, everybody except the environmental community, was opposed to it. That's when we pulled it back and went through this series of—I don't know how many local governments and various organizations I met with and talked with. We tried to refine the policies and then brought them back and with reluctant to no support from the environmental community, but with support from the business community and local governments, the Commission unanimously adopted it and the unanimous was a big deal.

07-01:45:55

Meeker:

What was the biggest critique amongst the environmental community that thus resulted in their lack of support?

07-01:46:05

Travis:

They felt that it is simply best to retreat that in terms of a long-term solution, where you're going to have shoreline continuing to come inland, that's the only viable way of dealing with it. To try to, even on an incremental basis, to provide protection, particularly if you're going out into the Bay to provide that protection, they fought to prevent the Bay from being filled. They don't want it filled now for protection of the stuff that's along the shoreline that in the long-term shouldn't be there anyhow and can't be there because of sea level rise. So they would prefer just pulling back from the shoreline.

07-01:46:53

Meeker:

What do you think of that?

07-01:46:55

Travis:

I think it's politically unrealistic and I think that as a society we have made certain decisions and there's no right answer to this and there's no right answer at any period in time. Let's look at Foster City, for example, which was the last gasp of the old, huge reclamation projects in the Bay. It's now fifty years old. The people who are living there are realizing their flood insurance premiums are going up because the levees around the outside are deteriorating and the land is settling and it's getting lower so the levees that were designed to a certain height aren't that height anymore and then you're getting sea level rise coming up over it. You look at that and you say in the long-term, a thousand years, that's not going to be there. In a hundred years, well, maybe it should begin not to be there. But fifty years. People have made decisions based on taking their investment, all of their wealth, buying a house in a place that government said it was okay to build a house, okay to build these levees, to turn around instantly and say, "Oh, sorry. Bye." There is at least callous injustice in that.

07-01:48:40

Meeker:

What do you mean?

07-01:48:42

Travis:

Well, to just say that to somebody. "We're real sorry but you're going to lose your house. It was a mistake for us to have allowed it in the first place, but you're on your own, goodbye." So I think what we will do, the first solution, the first approach, will be how do we protect Foster City at least for another half century. Then after that, well, maybe the next generation will begin to think about this and look at it and see how much it costs to provide that continued protection. You're seeing houses that are at that point reaching a hundred years in age, so you begin to buy them out, or have life estates. It's going to be an evolutionary process over time.

07-01:49:30

Meeker:

I've always been curious about this notion of like a hundred-year lease on various properties. Maybe people buy overseas or something along those lines. It's a little bit like that. It's like you don't really own it but if it's a hundred years you're going to be long gone anyway. Yes, you might be

worried about your children and their status but that's about all. It's not really going to affect you because you're not going to see the loss of ownership.

07-01:50:03

Travis: Well, given the way healthcare is improving, maybe you will.

07-01:50:07

Meeker: Maybe we will.

07-01:50:10

Travis: My rationalization for not thinking about that too much is that we as professional planners in the United States have generally looked at twenty-year plans. If you think back twenty years ago we didn't have everybody walking around with a little screen in front of them texting everybody. That's a new vice. I remember getting the first Macintoshes for our office in 1987. So trying to plan in a rapidly evolving society with great differences in technology is difficult for twenty years. With sea level rise we're talking about fifty and a hundred years. A hundred years. Let's say that I hire you in 1900 and your job is to do a comprehensive plan for the City of Detroit. Look at what's happened to Detroit over the next hundred years as automobiles developed and then the city collapsed. There was no way that anybody in 1900 could anticipate that. There is no way that we, sitting here in 2015, can anticipate the changes which I think will be even more dramatic over the next hundred years. So I think what we are doing is kind of keying up these issues for the next generation to deal with. The exciting thing, I am finding in teaching, is for me, sea level rise became a reality in my life with Elizabeth Kolbert's article in 2005. I was over sixty years old when I read that. So I've been dealing with climate change as a big thing in my life for ten years. The students that I'm dealing with have been dealing with it for ten years. That's half of their lives and it's the conscious part of their lives. So climate change for them is a reality. I can tell them stories about Earth One that I lived on but Earth Two that they're going to live on is going to be quite a different place and they're prepared for that and they understand that. So I think they are better prepared to deal with these problems. What for me it takes unwiring sixty years of hard wiring I put into my brain and got all lined up right, they don't have to do that. They have the creativity, the innovation. So it's keying up the problem for them in a way that they can constructively understand it and deal with it.

[break in audio; background conversation]

07-01:53:39

Travis: The Commission unanimously adopted the sea level rise policies at the October 2011 meeting. At the November meeting I announced I was retiring. In December I was gone. I often joked that I'd never retire because I was having so much fun. I couldn't imagine anything more fun. But the toll, the

physical and emotional toll of going through that process of getting these policies adopted, it wore me out. And that's why I decided to retire. Subsequently I am probably more engaged in dealing with climate change now than I was at BCDC because I can spend all my time on it. I don't have to do performance evaluations or budgets or answer to people when I say inappropriate things in public meetings.

07-01:54:55

Meeker:

What was it about the process that was so exhausting and not fun?

07-01:55:06

Travis:

My wife says that my strength and my weakness is the same thing. My strength is I realize that everybody else has a good point. My weakness is I'm willing to acknowledge everybody else has a good point. This was something, this issue, the impact of sea level rise on San Francisco Bay had a profound impact on me. I made the conscious decision in my life to live in the Bay Area and I've had the good fortune of spending my entire life here. I love this place and I can see what sea level rise can potentially do to it. It is a really important issue to me. I could see how people were perceiving what we were trying to do, but it was so damn important. Unlike the general that could keep sending the private over the hill, I had to go over the hill. I was the one that was out there at the meetings. It's not that I didn't trust my staff to do it, but I felt that if somebody was criticizing BCDC and misunderstanding us, they deserved to be meeting with the executive director of the agency. Their concerns should be honored. But that was a lot of nights, a lot of meetings, and it was just exhausting. It just wore me down. So I needed a break and retirement's a nice break. I like it.

07-01:56:47

Meeker:

Okay. So no big regrets then?

07-01:56:50

Travis:

No. None whatsoever.

07-01:56:53

Meeker:

Do you have any thoughts on perhaps what the greatest legacy of your own contributions to BCDC have been or what you hope they might be?

07-01:57:05

Travis:

What I really hope is that I carried forward the values that Joe Bodovitz and Mel Lane and Jack Schoop, the people that put BCDC together, the ones that said, "Here's why we're doing this and here's how we're doing it." That it never got to the point where it was just a bureaucracy grinding things out. I had the good fortune of having staff that—I don't think a soul worked there because they said, "Boy, I'm really interested in the state retirement benefits." One of the wonderful things that happened to BCDC was in the year 2000. This was at the top of the dot-com boom. We were in an office up at the corner of Market and Van Ness. It was in a building that were three buildings hooked together and they had a curtain wall around them. It was just a terrible

building, badly managed, and we had all kinds of problems. The owner of the building walked in one day and said, “I am sick and tired of you complaining.” I said, “Fine, fix things.” And he said, “I have a better deal. Break your lease and leave.” I said, “Why should we do that?” And he said, “Because I’ll give you a quarter-of-a-million dollars.” The building is now owned by the City of San Francisco. He leased it to them and then sold it to them and made a bundle. So we were looking for office space and we’d find a space we liked but before we could get to the next point in the negotiation a dot-com that was not making something that nobody ever heard of would lease not only that floor but three more. They were just buying up space. My staff took me to a space on the 26<sup>th</sup> floor of 50 California Street. The State of California has a policy that when the state agencies lease a space you tear everything out and you put in these prison made cubicles. Well, this space had asbestos in the ceiling and the state’s Department of General Services said, “Ooh, we don’t want to touch it. Can you live with it like it is?” It was a Fortune 500 company that was in there. It was a beautiful space, with private offices, ten-foot divided glass doors. You came off the elevator, there was this marble lobby and then a glass wall with a conference room with a sweeping view of the Bay. We used to refer to it as the religious spot because people would come off the elevator, they would look out at the view and they would say, “Oh, my God.” It was just this beautiful, beautiful office. The other legacy is starting 1997 I didn’t want to pay to train staff in IT so we bought Macintoshes and we just kept buying more. So we were an all Apple office.

So I would have potential employees come in, and they would look around and they didn’t see a state agency. They saw a really high-class successful consulting firm. That’s what it looked like. I had a Presidential reception in our office because they couldn’t find a better place for it. The President of Kiribati, an island nation that is going underwater. The potential staff would also come in and they would look at the Macs and they said, “This isn’t an ordinary state agency.” So I was getting staff that would leave consulting firms, take a \$10,000 a year pay cut to come work for us because we were mission driven.

That was one of the things that I was most proud of, is to have an agency that never sank down to just being another bureaucracy. It always had that same pride, that same dedication, the same clarity of purpose that Joe Bodovitz envisioned the day he opened the door.

07-02:01:47  
Meeker:

Interesting. What I’d like to ask you about now is your work on the Berkeley Downtown Area Plan. From what I understand this study lasted from approximately 2005 to 2012. At least that’s what it says in this long report. I didn’t realize I was printing up something so huge but there it is. But I recognize that this goes back a long time. This has to do with the history of urban planning, it has to do with the 1990 Downtown Plan that was created for Berkeley. And I also know that you served on the Berkeley Planning

Commission for a period of time and I think that preceded this plan. Can you maybe tell me first about your service on the Berkeley Planning Commission in general terms?

07-02:02:50

Travis:

The Berkeley Planning Commission is another one of those adventures of life that I never applied for and it resulted from something we did at BCDC. This actually comes back to the Apple computers. Apple was trying to market their computers to government and—remember the original wonderful little classic boxes. They just couldn't figure out how to get into that market. I had a friend who worked for Apple and I suggested that what they should do is get government officials to come to something that they would like to come to where they could capture them and really spend time talking to them. And the way you capture somebody is you put them someplace where they can't leave, which is a boat.

So what Apple did was hired Hornblower, the dining yacht people, to have a cruise on the Bay, and on that cruise they were showing off their Apple computers to government agencies. So I got invited on this thing and we went out from the Berkeley marina. In the process of getting on the boat I noticed that there was a little houseboat sitting there, permanently moored there, and that was their commissary. That's where they prepared the food for the big dining boats. Well, that was legally fill in the Bay and it didn't have to be there. It could have been on shore. So it started a long enforcement process with Hornblower. It turned out that the City of Berkeley owned the underlying bottom of the Bay and when we had an enforcement proceeding we always had it not only against the violator but the landowner who's legally responsible for anything that happens on their land. So we named the City of Berkeley. We negotiated an settlement with Hornblower that what they would do is, instead of paying a fine to BCDC, they would allow their boats to be used by the Berkeley School District and they would provide interpretive services. So they would take the Berkeley school kids out on the Bay and show them the Bay and some of its history and the natural environment and all that. So no money changed hands. Hornblower looked good to the City of Berkeley and blah, blah, blah.

But the City was named in this enforcement proceeding and this somehow got to the city council and the city council said, "Why are we named? We want the person from BCDC to come explain this to us." For whatever reason the council meeting was on one of those nights when there was some issue up that was such a big deal they had the council meeting in that big auditorium they have on the high school campus that holds about 4,000 people. So all these people were there for something else, but I had to get up and explain why the City was named and what we were doing. The council ultimately concluded that was a pretty clever idea and they liked it a lot. Then a few days later I got a call from a city councilmember who represented the south side of town. She said, "I understand you live in Berkeley. Would you like to be on the Planning



Commission?” So she liked the approach that I was taking. I agreed that I would serve but I warned her that we were going to be adopting a child and I would be out of the country for some period of time. She said that there was one big issue coming up, but she didn’t think that that would interfere with my being away. Well, I served on the Planning Commission, from, I think, 1990 to ’92 and the issue, which was the update of the General Plan, was finally voted on when my daughter was in high school. So it took a while.

My second adventure with the City of Berkeley involves Mayor Tom Bates, who’s still our mayor. He serves on BCDC and he and I would commute to BCDC meetings together on BART. The mayor explained that the university had outgrown the campus and wanted to expand downtown. In any other city that has a downtown that has had some financial difficulties and other problems, if you said, “I’ll tell you what. I can get one of the greatest universities in the world to come into your downtown, build 700,000 square feet of high quality space, which would be inhabited by well-educated, well-paid people who would frequent your downtown businesses,” they would put up a statute to you in the public park. But Berkeley being Berkeley, the City sued the university to say, “You can’t do that.” So Tom and I were on BART and I said, “Tom, what are you going to do if you lose this lawsuit?” He said, “Well, we got to win it because if we don’t the [correction: university] can do anything they want to do.” And I said, “Yeah, and if you lose, they can do whatever they want to do. But if you win they’ll have to do a supplemental environmental impact report and then they can do whatever they want to do. They’re a state agency.” So the council thought about that and decided to settle the lawsuit. Now, Berkeley being Berkeley, there was subsequently a citizen’s lawsuit against the settlement of the lawsuit but that’s another case.

So the agreement was that the university would provide funding for the City to do a new Downtown Plan, and the purpose of the plan was to figure out whether the university’s needs could be accommodated downtown in a way that was beneficial to the City. The City’s main concern is when the university takes space downtown it goes off the tax rolls. But there are certain advantages to having university facilities in your downtown, too.

07-02:09:42

Meeker:

So all these machinations happened before the Downtown Area Plan advisory came up with the initial draft, 2005, 2007?

07-02:09:51

Travis:

Right.

07-02:09:53

Meeker:

So that’s leading up to this.

07-02:09:55

Travis:

This would have been probably 2004 or early 2005. So the university agreed to fund this process and the City in its infinite wisdom does what it always

does. Berkeley has 44 standing boards and commissions that deal with everything from planning and zoning to oversight of the police and civil justice and parks and waterfront. So they formed a Downtown Area Plan Advisory Committee and it was, I think, twenty-one members appointed by the council. The mayor got to appoint the chairman and he said, "Travis, you're it." I thought, "Well, twenty-one members. I'm dealing with twenty-seven commissioners at BCDC. Twenty-one's going to be easy. Twenty-seven is fine." What I didn't realize was that at BCDC, the Commissioners were polite, gracious, kind, respectful. Watching a BCDC meeting is like watching Masterpiece Theater. Everybody behaves well. And in Berkeley it's—

07-02:11:20

Meeker:

It's "Geraldo" [Rivera].

07-02:11:22

Travis:

Yeah, it's "Geraldo." Yeah. [laughter] Anyhow, so I'm the chairman of this committee and get there the first day and everybody's at each other's throats.

07-02:11:37

Meeker:

What kinds of people were on the committee?

07-02:11:40

Travis:

There are a lot of people in Berkeley who know an awful lot about nuclear physics or English literature or whatever, and they tend to think if they know a lot about one thing they probably are expert on everything. So you have a lot of people that have time and interest so they serve on these boards and commissions. Generally speaking, while Berkeley loves to think of itself as a very progressive community, when it comes to land use politics it's as conservative as any small town in Kansas. We like it the way it is. We don't want it to change. Berkeley has wonderful neighborhoods but it went through this legacy in the 1970s where they started to tear down single family houses and put up these hideous four or five story apartment buildings, all of them just dog awfully ugly. I realized I just insulted a dog. Butt ugly. So people remember that and they don't want that to happen again. But Berkeley is also one of those communities that from a perspective of planning and trying to reduce our impact on the planet and reduce greenhouse gas emissions, it's perfectly located with BART right downtown, three BART stations in the city, and just that short walk up Center Street to the university campus. You've got 10,000 people a day on that one block. It deserves to evolve as cities evolve and grow up a little bit down there but it also has historic buildings, some that have historic value not in their architecture but in that something happened there.

So you have a group of people in Berkeley that want to keep it as it is, some are committed to historic preservation, and a lot who are really skeptical of the university. They view it as being like a coal mine or something. It's just this dirty awful place that does terrible things, even though a lot of them work there. Interesting tension takes place. As a committee we were given less than

two years, as I recall, to come up with a draft plan so what we did was parceled it out, formed a series of subcommittees that dealt with different aspects of it.

07-02:14:34

Meeker:

A lot like the Bay Plan, for instance?

07-02:14:37

Travis:

Yeah, very much. Caught me, didn't you. Never come up with a new idea if you could steal an old one that worked. So we went through this process, and one of the things that we did—and I know the university's doing Dorothy Walker's oral history and she was on the committee with me. She's a great ally and friend and advisor. She said, "We need a committee that will look at the issue that the university has raised," which is where do they put 700,000 square feet downtown. Well, with all these different committees we had, we were meeting almost every night. She chaired that committee and she wisely selected that they would meet on Tuesday nights and the reason for that is the city council met on Tuesday night. The Berkeley newspaper—what was it? The *Daily Planet*. It was always funny. The *Daily Planet*, which was a weekly newspaper—the publisher of was a very strong historic preservationist and I convinced myself, I don't know if this is true, but I convinced myself she told her reporter, "You can only report on Travis if he does something bad, never anything good." There would be reports of entire discussions that I was in and they never happened. They just make up stuff. I went, "Okay." So anyhow they had one reporter to cover us but he would also cover the city council on Tuesday nights. So we never had any press coverage at the meetings with the university. I also thought—

07-02:16:38

Meeker:

Which suited Dorothy Walker just fine.

07-02:16:39

Travis:

It suited Dorothy Walker just fine. I also thought that if we were doing this plan to see how we could work with the university, that we ought to have some people from the university on our committee so I invited three of them. "Well, you don't have the authority to do that." So I got called in front of the council and one of the council members said, "You can't do that. Only we can appoint them." So I said, "Oh, okay, fine. Appoint them." He could find no reason not to, so he took it upon himself and we had three non-voting members from the university. In the process of those meetings what we found out is the university already owned enough property downtown to accommodate all 700,000 square feet. So the issue around the lawsuit that was the heart of the settlement was a non-issue. Since we knew that was off the table, we could just have a lot of fun. Then it was dealing with bus rapid transit and where that would go, which was nowhere, cutting down trees, design standards and ultimately trying to come to an agreement on how many buildings, how high could be put downtown. We came up with a final plan that, as I recall, passed by—we had twenty-one members. I think it was

seventeen to four or eighteen to three. Then subsequently one of the members that was in the majority was behind a referendum to overturn it. So we were done in the end of 2007. Then fortunately the economy went into a tank. Nothing was happening. The plan went through a referendum. It was then rescinded. It went to the Planning Commission. They approved it seven to two. It went to the council. They approved it seven to two. There was another referendum so the council, withdrew the plan so there was nothing to have a referendum on. Then they put something else on the table, which passed overwhelmingly. Then there was another referendum. Then there was another issue. Finally last year, by a 74 percent electorate vote, finally a version of it has been put in place. Now the first projects are coming through that would advance the plan, which is to provide more housing downtown, to provide more economic development downtown.

One of the things that I found very interesting: There's a tremendous demand for both rentals and condos by empty nesters. A lot of people look back at their lives, they say, "When were we the most happy? It was when we were students at UC." They've raised their kids, they have a big house in suburbia, they want to move back downtown, go to the theater, go to the stuff on campus. So I think that that will really change the character of downtown and the more people you have the more effective and feasible it is to provide bus transit and a variety of other things. It will take a while but I'm confident we're going in the right direction.

07-02:20:15  
Meeker:

More successful retail stores can be—

07-02:20:18  
Travis:

Yeah. Another interesting thing was that when we were doing the plan we found downtown you could not buy a computer. There just weren't any stores that sold computers. There was a Gateway store that went out of business. You couldn't buy a computer not just downtown but in all of Berkeley until Apple opened a store down on Fourth Street. And you couldn't buy women's underwear. There just weren't any stores that sold them. I don't know why. Berkeley has a lot of relatively small properties downtown and at the time you had a demand for big box retail stores. Now we have that Target store downtown. This is a nationwide trend where the retailers are realizing that the millennials are moving back into the cities from the suburbs, so they've got to chase them. It doesn't do them any good to have a big store out in Pleasanton if the folks won't go out there. So they're changing their business plans and their business models and I think that will help a lot with downtown Berkeley.

07-02:21:33  
Meeker:

Were you involved post-2007 in the redrafting of it?

07-02:21:40  
Travis:

No.

07-02:21:42

Meeker: So you were basically involved in the first drafting?

07-02:21:43

Travis: Yeah. Every once in a while I just show up at a council meeting to remind them that we'd done this and what they were doing was generally consistent with what we were doing.

07-02:21:54

Meeker: Is that true?

07-02:21:57

Travis: Generally consistent. We had over a thousand meetings in those two years and we just took on everything you could. So the plan that we gave the Planning Commission, the city council, was just loaded with everything. So if you were a purist, you could find something that was taken out and you could say, "Well, this isn't true to the intent of the Downtown Area Planning Committee because we had in a provision that you couldn't cut down a tree someplace and the tree will be cut down and, therefore, the world will come to an end."

07-02:22:42

Meeker: The main chapters in the 2012 edition were environmental sustainability, land use access, historical preservation, streetscapes and open space, housing, community, and health services, economic development and implementation.

07-02:22:58

Travis: Yeah.

07-02:23:00

Meeker: A lot of overlap actually between those. It's pretty interesting. The concept of safety is constantly appearing in there. Which is super interesting. I'm wondering if you can unpack that term for me because I imagine in a place like Berkeley the idea of safety means something to every different person you speak to. Or nearly.

07-02:23:25

Travis: Well, there is safety and then there is the perception of safety. Berkeley is one of the few cities that has its own health department, and we have a big facility downtown that takes care of people and provides services. We'll call them homeless. They may not be homeless, but they're people that have special needs and don't have the economic wherewithal that others have. So that attracts a bunch of people downtown. And then you have the high school. The high school has 3,300 students and it's an open campus so they offload downtown for lunch and then come back. So you have a strange mix. And then you have a retail center and a transportation hub and a link to the university and all these people interacting.

07-02:24:25

Meeker: Plus any time there's a social conflagration, that attracts all sorts of people with their agendas.

07-02:24:32

Travis:

And admittedly also a great theater district now with Berkeley Rep and Freight and Salvage and the jazz club, they've changed the name, Aurora. It's sensational. It has the things that make cities wonderful, vibrant places but also make them, depending on who you are, a little bit sketchy. So you have what is one person's expression of compassion, social justice, and care, being another person's worst fear expressed in a human being who needs those services and very strong feelings on both sides.

07-02:25:23

Meeker:

How were those dealt with, I guess, in the drafting process?

07-02:25:30

Travis:

Well, again, much like the Bay Plan. Don't make believe they're not there. Don't say to somebody, "You can't feel that way." Legitimize what their concerns are and then try to get them to help you deal with the problem. It is much harder in Berkeley because everything is on a high level of rhetoric and passion. There's a level of abstraction. When somebody says, "It's not personal," it always is. But in Berkeley when you say it is personal, it never is. It's always about something else. When I was on the Planning Commission one of the commissioners came in and sat down. We had something before us that was either a lot split or a lot consolidation so it was about as noncontroversial as it can be. Either a guy wanted to divide a lot in half or put two together. I don't remember what it was. Anyhow the other planning commissioner says to me, "We can't approve this." I said, "Well, why not?" He says, "You see that guy in the second row?" "Yeah." He says, "I'm not entirely sure who he is but I'm pretty sure he's here because he's in favor of the project." I said, "So what?" "Well," he says, "if he is who I think he is, he's the guy who was the main financial contributor to the candidate who ran against the city councilman who appointed me to the commission." I said, "Now, wait a minute. You don't know who he is?" "No, but I'm pretty sure." "And you don't know why he's here?" "I can't imagine why he'd be here other than to support this." I said, "Even if it is, how does that affect the merits?" He said, "We can't approve this." And that's the way it was. It's all this reactionary—"What's your position?" "I'm for it." "Okay, then I'm against it." I don't care why. I don't know whether it's something in the water or what it is. But it's a fascinating experience. I would leave BCDC and my political position, my perceived political position, would move from the left to the right even though I never changed. It was just the atmosphere in which I was working. At Berkeley oftentimes people would come up and testify, "He's the executive director of the San Francisco Bay Conservation and Development Commission," and then sit down.

07-02:28:25

Meeker:

This actually brings up a bigger issue that I've always wondered about. I don't know if you're going to bite at this or not. You were just kind of hinting at it. But Berkeley is one of those places, kind of mythical places in the American imagination, maybe like Madison, Wisconsin or Ann Arbor. It's like the so-

called People's Republic of Berkeley. And that it is seen as this bastion of left wing-ism. Like not even Democratic Party, right. Like it's something beyond that, further to the left. But since I would argue we don't have a real robust left tradition in the United States that's identifiable in the same way that you'd find in Western Europe, for instance, it's really unclear what that means, right, except as it manifests in these localities. Did you get a sense from working on the Planning Commission or working on this plan about what it means to be Berkeley political left?

07-02:29:45  
Travis:

As I said, Berkeley has forty-four boards and commissions. So you have a council appointee to each one of these. It's hard for a member of the council to find forty-four citizens who are willing to spend one night a week, plus all the homework, engaged in this. Or it would seem that it would be hard. But in Berkeley there's a cadre of people who either are financially—they're trust fund babies, or they're retired, or they're financially independent or in Berkeley they don't need a job. They have a lifestyle that gives them the free time. They're the ones that participate in this process. They are not necessarily representative of the 110,000 people who live in Berkeley. So you've got 110,000 people and then there are 200 who are doing the theater. The rest of them don't pay any attention to it. When I watched the vote on this Downtown Plan that came through last time, it was seventy-four, seventy-five percent. Well, you can't get three out of four people in Berkeley that would seem to agree that the sun is shining. But overwhelmingly they said, "Yeah, sure, that's what we want for our downtown." Yet you have opponents over and over and over and over and over. You have this core that that's their lives.

At any public meeting in Berkeley we have a public comment period and with forty-four boards and commissions on any night, sometimes you'll have four or five of them meeting in the senior center in different rooms. So we had one this woman and she'd come testify and I could never figure out what the heck she was talking about, what it had to do with downtown. But I'd thank her for comments. So one night I excused myself and let the vice chair take over the meeting and I just stepped out. This woman went to one of the other committees that was meeting. I went and stood in the back of the room and she said the same thing to them and they didn't know what she was talking about either. I assume she went to all of the rest. So I think maybe her doctor said, "You need to get out and become part of the community." So this was part of her therapy. But it's not representative, I think, of the reality of the City of Berkeley because when you get out and you're talking with the neighbors, they're always bewildered as the people who are engaged in this process are as to what's going on.

07-02:32:58  
Meeker:

Do you see this group of particularly active citizens, do they have an identifiable ideology or is it mere sort of oppositional personality or something?

07-02:33:13

Travis:

Well, one, it is interesting that you have the people who probably came out of the peace movement, Vietnam, the early civil rights and environmental movement who saw that government was not doing a very good job in representing their views. So they are there to oppose government even though they're acting on behalf of government. They have an establishment and they're opposed to them. You then have also some people that, as I say, love Berkeley the way it is and they just don't want it to change. They like historic preservation and they just do that. And then you have people who are skeptical about police and police activities. They'll serve on the peace and justice committee. And then there are also, probably half of these people, who are just "we can't let the loonies run the madhouse." They are good solid professionals in their fields who are willing to dedicate themselves year after year to put up with this, to be a bulwark of, "All right, we've got a seven-member majority council. I have to represent the views of the grown-ups." And they are there, too, but it's the loonies that are the most fun though.

07-02:34:57

Meeker:

Okay. Do you have any final thoughts on the plan and perhaps how it's rolling out?

07-02:35:02

Travis:

Well, I think it's rolling out now well. It was perfect timing because it was inevitable in the Berkeley process it would go through a whole series of challenges. Since that happened while we had a recession nobody was building anything anyhow so it didn't matter that we didn't have a plan in place. Now the first buildings are coming to the council they're having to figure out some of the details. The building developers are supposed to provide public benefits. They didn't define those, which is probably a good thing, because if you define them you keep getting the same thing over and over. Maybe if you get it in the first one, you don't need to get that in the second one. So they're working their way through this. There is always a desire to make something smaller. Unfortunately, the way the process works, say you're a developer you know how much it's going to cost to build the thing. You know what your profit is. So you put some money aside for benefits, for community benefits. But what happens is the process lasts so long that money that you put aside ends up being used to underwrite the cost of participatory democracy. So when you get to the end of the process you don't have money for all those benefits so you end up with a mediocre project, which leaves people in the position of saying, "Remember that guy who promised us this wonderful project and we got this one that's really not special at all? Well, that's what this next one's going to do." It's sad to see that happen. The projects get smaller, things get washed away. But overall I think the market is such that you have money that wants to be spent in Berkeley and they'll find a way of working these things out and I think we will have a better downtown as a result of it.



07-02:37:12

Meeker: So you think they'll be six or eight or above story buildings as part of this?

07-02:37:18

Travis: The plan allows for a fixed number of relatively high buildings. There's one that's behind where the Shattuck Hotel is. That's the first one that's coming through. There's another one at the corner of Center and Shattuck where the Bank of America is. That'll be a hotel/condo project. And then there's a series of seven or eight story ones around—

07-02:37:45

Meeker: Have these been approved then?

07-02:37:46

Travis: No, they're in the process. Some of the low-rise ones have been approved and these others are going through the system right now.

07-02:37:54

Meeker: Interesting. Any other thoughts on that particular chapter?

07-02:37:59

Travis: No. It was very educational. It really made me appreciate BCDC all that much more. And think about this. We started the work on sea level rise just about the time the downtown stuff finished so the timing was such that I was able to pivot over concentrate on the BCDC work. I'm glad I didn't have to do the two at the same time.

07-02:38:33

Meeker: I bet. So you've not just participated but served in leadership positions in a whole number of different organizations and initiatives. I have fourteen listed here. But I think there is one I'd like to ask you about and if there's others you'd like to talk about that's fine with me, as well.

[break in audio; side conversation deleted]

07-02:39:30

Meeker: SPUR. And that originally was San Francisco Planning Urban Research Association. You've been on the board of directors. Are you still on the board of directors?

07-02:39:46

Travis: Yes.

07-02:39:49

Meeker: I know that SPUR goes back in San Francisco history a very long time and it was through SPUR that BCDC first got its start as Joe Bodovitz was working there, at the time that he was asked to do the initial research and report. It might be too much to ask what your engagement with SPUR is but maybe ask why it is that you decided to join their board of directors.

07-02:40:17

Travis:

The board of directors, as I recall, is about seventy-five people and the board is made up of people who are rainmakers. Either they have money or they have access to money.

07-02:40:40

Meeker:

To support the work of the organization itself?

07-02:40:43

Travis:

Exactly. Or they are people who are leaders in a particular area or they are people who are willing to take on leadership of some of the staff work. I served as the chairman of a committee we had at SPUR dealing with climate change. SPUR did an analysis and we came out with a report called *Climate Change Hits Home* describing the impacts of climate change and particularly sea level rise in the Bay Area. Interestingly, in San Francisco the progressives belong to SPUR but in San Francisco the progressives are the establishment. So it has tremendous access and influence to city hall and a superb staff and the analytical work they do is great. The board of directors has these high level people on it from Airbnb and Google and SFPUC so that the board meetings are like graduate seminars in which the students all have forty years of experience. It's a wonderful, wonderful learning experience for me. We also go to different cities every year. I've been with SPUR to New York and London and most recently to New Orleans to learn what we can from their experience and bring that home. So it's simply an opportunity. The joy, the greatest joy I have right now is just learning. It's a wonderful educational experience that I also get to participate in some fascinating issues.

07-02:42:40

Meeker:

Why did you decide to join the board?

07-02:42:46

Travis:

Like all things in life I didn't decide. They said, "Y'all come in."

07-02:42:50

Meeker:

Okay. We could do a whole interview on SPUR. I find that a very interesting organization. But I think that we won't do that here. Right.

07-02:43:04

Travis:

One of the things SPUR realized a long time ago is that while its focused on San Francisco, San Francisco doesn't exist as an island. So we have, over the past two years, opened offices in San Jose and in Oakland so we've got a three-city centered region and there are so many things that are regional that we have to be addressing on a regional perspective. Given my background in regional planning and the work I did at BCDC, it just is a natural for me to be there as either a spokesman or an advocate or a supporter for that approach.

07-02:43:49

Meeker:

Do you think there's any future in regional government in the Bay Area?

07-02:43:53

Travis:

No, I don't. In terms of, one, comprehensive regional government. I think we'll have more one-offs, where we'll craft something to, say, deal with sea level rise because you can't do that just jurisdiction-by-jurisdiction because if one jurisdiction doesn't participate that's where the water comes in. But my sense is that in order to get comprehensive regional government, in Sacramento you would have to demonstrate that local government has just been an abject failure and it's hard to make that case. So we're finding the local governments now are engaging in sub-regional cooperatives, where they'll get together and, say, five or six of them will have one police department or fire department or when they're dealing with flooding around San Francisquito Creek, they realized you need five cities and a county or two counties. So we'll patchwork it together that way. But the work that Joe Bodovitz did on Bay Vision 2020, I don't think we're going to see another one of those for a while. I wish I were wrong.

07-02:45:28

Meeker:

In addition to all of this, in essence, volunteer activity you've done on boards and advisory committees and so forth, I understand that once you retired from BCDC you took on some clients as a consultant. Can you tell me a little bit about that work and what it is that you're hoping to accomplish?

07-02:45:50

Travis:

Yeah. Well, first, with all sincerity, when I was at BCDC my proudest possession was my business card because it had the logo of the State of California on it. It had my name and it had a title and that was who I was. One of the things that happened in the Bay Plan on climate change was we said you need a regional approach for sea level rise. But given all of the distrust for BCDC, if we had said we need a regional approach after BCDC had said, "No, we're not out to do a power grab here. No, no, no, no," and then had turned around and said, "and BCDC should be the leader in coming up with that strategy," it wouldn't have gone anywhere. There was this Joint Policy Committee, which served to coordinate the work of BCDC, the Regional Water Quality Control Board, the Association of Bay Area Governments, and the Metropolitan Transportation Commission. So we recommended in the plan is that this Joint Policy Committee should take on that role. Of the four agencies, the only one that really had any money was the Metropolitan Transportation Commission. So I had negotiated with the executive director of MTC that I would take on the role of taking this recommendation from BCDC and getting the Joint Policy Committee to do it. He said, "Fine." So I became the Senior Advisor to the Joint Policy Committee. So BCDC adopts these policies in October. I show up at the JPC in January and they said, "What are you talking about? We didn't hire you. Who hired you? He hired you? He didn't talk to us about it." So it took them about three months to finally get me on board. Then they looked at it and they said, "Wait a minute. You want us to take on the lead role after BCDC has had this hot political hot potato? Why the heck should we do that? We don't want to do that." So I then had to work

and explain what they were doing and why they should be doing it. But I realized they didn't have any capacity for even thinking through these things.

So I was the Senior Advisor. I had a business card, I had a title. I felt okay. But my wife and I were off in Florence in September of that year and I woke up in the middle of the night and I couldn't sleep, but I was thinking about what we had seen the day before and what we were going to see the next day. I wasn't thinking about work and I realized I didn't want to think about work anymore. So I came back and got the JPC to unanimously agree to take on this lead role but to also assign it to their member agency that had the most experience dealing with it—BCDC. Then I told them I didn't want to renew my contract. So in essence what BCDC did was threw a pass downfield. I threw the pass. Then I ran downfield, caught the pass, and then I lateralled it back to BCDC and then I was able to walk away. So at that point I had nothing to do and I was comfortable not having a business card. Then I just let people know that I was interested in climate change and a variety of other issues. And as has been my case in life, I don't go knocking on any doors. They call me. They say, "Hey, we're dealing with this. Would you be interested in helping?"

07-02:50:29

Meeker:

Could you talk about a typical project?

07-02:50:31

Travis:

Well, the Golden State Warriors were a client and they wanted to build their stadium out on the pier, on Pier 30/32. I used to joke with Rick Welts, the president, saying, "How long are you going to pay me to keep saying the same thing, which is are you crazy?" There were so many hurdles and there was never a compelling case as to why it had to be out there on the pier. They finally found a waterfront site that isn't subject to BCDC or the Corps of Engineers or State Lands or the port or Proposition B or anything down in Mission Bay and it's a far better location for it.

07-02:51:16

Meeker:

There's a whole set of opposition that's brewing down there.

07-02:51:20

Travis:

Yeah, it's four guys. They're trying to shake them down. That's all. I've had other clients that are interested in saying "We want to build in a way that addresses sea level rise. How do we do it?" I can't tell you who they are but working behind the scenes with their architects and their planners and exploring the kinds of ideas we were talking about—how do you design and build something so that it doesn't matter which one of the projections is right or wrong, the building will be fine? How do you do that? That's fascinating.

I also have people that come to me and say, "I need a permit from BCDC." There are legal restrictions that I cannot engage in providing either testimony or even help to anybody who had a project that I was involved in as the

executive director of BCDC. But I have also, just as a matter of policy, said, “I’ll never appear in front of the Commission and I’ll never meet with the staff. But I’ll talk to you.” So people come to me and they say, “I need a BCDC permit.” I said, “Fine, go talk to the staff.” “No, no. We want to talk to you.” So I tell them exactly what I would have told them as executive director but the difference is, one, they pay me and the second they listen to me. I’m scratching my head, “What’s going on here?” I think what it is, as the executive director of a regulatory agency I was kind of perceived as an IRS auditor. As their consultant I’m their accountant. So they open the books and they say, “Here’s what we want to do.” And I say, “You can’t do that.” “Well, why not?” So it’s explaining not the rules and regulations and policies, but the values of BCDC. “Here’s what BCDC’s trying to do and here’s why.” And sometimes it’s tweaking it so that it’s the same thing but explaining it in a different fashion. “Can you just do it this way?” “Well, yeah, sure.” Well, that’s all you need to do. So I’m finding I have as much or more capability of advancing thoughtful public policy objectives without any authority than I had when I had the authority. It’s bewildering to me. I’ve talked to a number of people about this and they said, “That’s what consultants do. It’s just helping people understand what they should be saying and how they should be thinking about things.” So I find that fascinating and enjoyable.

07-02:54:19

Meeker:

Is this a one-man operation or do you have subcontractors?

07-02:54:23

Travis:

No. My office is my iPhone. In LinkedIn, which is the professional network, the assumption is that you work for somebody. So you have to put your employer. I said, well, my employer is Will Travis. You have to have a title. Himself.

07-02:54:46

Meeker:

“Himself at Will Travis.”

07-02:54:47

Travis:

Yes. “Himself at Will Travis.” Consultant. No, it’s just me. Just having fun.

07-02:54:57

Meeker:

Well, let’s wrap-up. Before I ask sort of the final question, know that after you review this, if you feel like there are substantial things left out, if there’s a whole chapter in your life that you want to talk about I’m happy to come back and do another session with you. If there’s smaller things you can add that to the transcript. So this doesn’t have to be the ultimate end. But in the event that it is, what we always ask are do you have any final thoughts that you’d like to share after engaging in this review process.

07-02:55:39

Travis:

None that I can think of.

07-02:55:41

Meeker: All right. Is there anything that I should have asked, maybe, that I didn't?

07-02:55:50

Travis: None that I can think of.

07-02:55:51

Meeker: [laughter] All right. Well, if you do think of something, like I said, we are happy to—would you say a reopen?

07-02:55:58

Travis: A reopen. A reopen clause, yeah.

07-02:56:00

Meeker: There's a reopen clause on this so we can do that. But thank you very much.

07-02:56:06

Travis: Thank you. Thank you. It is an honor.

[End of Interview]

Travis:

On second thought, I'd like to end by following up on my earlier brief mention of "The Saga of Skaggs Island." Here's what that was all about.

When the folks at SFO decided they wanted to build new runways on fill in the Bay they realized that they would need to mitigate the negative environmental impacts of the fill. The most appropriate way to do this would be by restoring tidal wetlands somewhere in the Bay. The airport planners preferred to do this in the South Bay by acquiring salt ponds from Cargill and converting them to wetlands. But they were also looking for other opportunities—especially opportunities where they could get somebody else to help pay for the mitigation. In this spirit, SFO used its political connections to take advantage of the mitigation needed for the construction of a new eastern span of the Bay Bridge that would replace the span damaged by the Loma Prieta earthquake. Caltrans agreed to provide a substantial amount of money—I recall it was on the order of \$10 million—to pay for environmental enhancement projects to offset the damage caused by filling the Bay for new bridge approaches, driving pilings into the Bay and other such work. The money was doled out for a variety of worthy projects, including growing eelgrass along the shoreline in Berkeley.

But the bulk of the money was set aside in a deal made in Sacramento by high-ranking officials in Governor Gray Davis' administration. The deal involved SFO buying an option to purchase a hay ranch from a farmer named Jim Haire in Sonoma County. The ranch had once been wetlands that were drained. SFO planned to restore the ranch to wetlands by flooding the property. But there was one big problem with this idea. There was a large former military base—Skaggs Island Naval Station—between the Bay and the Haire ranch. The base had been closed in the early 1990s. The U.S. Fish and

Wildlife Service wanted the property so it could be restored wetlands. This would serve SFO's purposes because having wetlands on the Skaggs Island property would allow the Haire Ranch to also be converted to wetlands.

But the transfer of the property from the Navy to the Fish and Wildlife Service was fraught with technical and political problems. The Navy insisted on handing the property to the Service in an "as is" condition so the Service would be responsible for cleaning up any contaminants on the property. The Service balked at this because although they knew some of the buildings contained asbestos, they didn't know what else the buildings might contain because of the super-secret nature of the Navy's operations on the base, and they knew that since the base had been closed the abandoned buildings had been used by squatters who may have engaged in any variety of unsavory activities, including making methamphetamines. The Navy took a strident stand that it wasn't responsible for cleaning up the property, in part because the Navy was mad at the Fish and Wildlife Service for objecting to the Navy's training operations in Puerto Rico because they harmed wildlife on the island of Vieques.

The deal cooked up in Sacramento involved using the bulk of the money provided by Caltrans to remove the contaminants and destroy the old Navy buildings so the property would be clean enough for the Service to accept it "as is." At the BCDC public hearing on the Bay Bridge permit application the Sacramento brokers had the deal delivered by the local elected officials from Sonoma County who were members of BCDC. As part of the deal, I was given the responsibility for doling out the money to pay for the cleanup work. I was also given the authority to allocate any remaining funds to some other mitigation project if the work at Skaggs Island proved to be impossible.

Well, it turned out that the work proved to be far more complicated than anyone envisioned and it took years to complete. Over time other interests who were looking for money to do other environmental enhancement projects kept asking me to give up on the Skaggs Island work and give the money to them. While the Skaggs project wasn't perfect and I had no part in crafting the political deal that brought it about, I believed I was obligated to carry out the deal so I stuck with the project. Congresswomen Lynn Woolsey and her local staff guy, Tom Roth, were strong proponents of the project. They pushed on the Navy and the Service in Washington. SFO lost interest in the project when it abandoned its runway expansion plan in 2002, but in 2011, the Skaggs Island property was finally transferred to the Fish and Wildlife Service to become part of the San Pablo Bay National Wildlife Refuge.

A public event was held at Skaggs to celebrate the property transfer. I was invited to speak at the event. I knew from experience that the other speakers would be public officials, agency staff and NGO advocates who would all be congratulating themselves and each other for taking far too long to do what they were paid to do without acknowledging that whatever the merits of the

final outcome, the process of getting there probably represented government at its worst. For some reason this perspective inspired me to present my remarks in the form of a children's story. I called my story "The Saga of Skaggs Island." I guess people don't expect bureaucrats to try to make funny speeches because my remarks invoked only bewilderment and embarrassed giggles from the other speakers. But when I retired, the San Francisco Bay Joint Venture, which is a public-private partnership that advocates wetland restoration, gave me a certificate acknowledging the merit of my remarks.

The actors in the story are as follow: the Big Bay Airport is SFO; the Boss of the Big Bay Airport is John Martin, the director of SFO; the Great Big Bay is San Francisco Bay; the old military base is Skaggs Island Naval Station; the guardian of the Great Big Bay is BCDC; the War Department is the U.S. Navy; the Bird and Bunny Department is the U.S. Fish and Wildlife Service; the governor named Soon-To-Be-Recalled is Gray Davis; the Highway Department is Caltrans; the former welfare mom who was elected to Congress and who didn't think liberal was a dirty word is Lynn Woolsey; and Mr. Great Big Bay Bureaucrat is me.

Here is The Saga of Skaggs Island.

It was a dark and stormy night, delaying the planes flying into the Big Bay Airport. So the boss of the Big Bay Airport decided to build more runways in the Great Big Bay. To quiet the screams of the guardian of the Great Big Bay, the boss promised to turn a hayfield into a wetland.

Unfortunately, there was an old military base between the dreamed-of wetland and the Great Big Bay. So the boss had a great idea. What if the War Department gave the military base to the Bird and Bunny Department, which could then transform the base into another wetland that would connect the dreamed-of wetland in the hayfield to the Great Big Bay? What a wonderful idea this was!

To make it happen the boss of the Big Bay Airport convinced the governor, who was named Soon-To-Be-Recalled, to tell the Highway Department, which wanted to build a new bridge across the Great Big Bay, to give some money to the Bird and Bunny Department in case the guardians of the Great Big Bay also screamed about the bridge.

The Highway Department put the money into a plain brown envelope, tied it up tightly in red tape, and gave it to Mr. Great Big Bay Bureaucrat to keep in his desk drawer until the Bird and Bunny Department was ready to build the wetland.

However, the War Department was mad at the Bird and Bunny Department because the Bird and Bunny Department had messed up the War Department's plans to blow up a tropical island. So the War Department, which wouldn't tell anybody what went on at the military base when it was open and had no idea what went on at the base after it was closed, told the Bird and Bunny Department it would have to take anything and everything found on the base if it wanted the



property. But the Bird and Bunny Department didn't want any toxic material, methamphetamines or cigarette butts that might be on the property.

The War Department, which was still mad about not being able to blow up a tropical island, would not budge. And the Bird and Bunny Department, which had made inflexibility into a high art form, also would not budge.

As time passed, people begged Mr. Great Big Bay Bureaucrat to untie the red tape around the plain brown envelope and spend the money in it for all sorts of other wonderful things. But Mr. Great Big Bay Bureaucrat said, "It may be a bad deal. But a deal is a deal!" so he would not untie the red tape.

Into the drama stepped a former welfare mom, who was elected to Congress and who didn't think liberal was a dirty word. She wagged her finger at the War Department. And she wagged her finger at the Bird and Bunny Department. And she wagged and wagged. Eventually, the War Department, which found itself too busy blowing up two countries to worry about blowing up a little tropical island, budged a little bit. And the Bird and Bunny Department, which found itself with far too much land to manage and far too little money to pay for it, also budged a little bit. So the property was eventually transferred from the War Department to the Bird and Bunny Department.

Around the Great Big Bay, everyone was happy.

The boss of the Big Bay Airport decided he didn't need more runways because more delays were caused by passengers losing their shoes at security checkpoints than by bad weather.

The Highway Department dreamed of opening the new bridge across the Great Big Bay if only the Chinese could make enough steel to finish it.

The former governor, named Soon-To-Be-Recalled, watched his successor, smiled and said, "And you thought it would be easy."

The former welfare mom, who was elected to Congress and who didn't think liberal was a dirty word, kept getting re-elected.

And Mr. Great Big Bay Bureaucrat finally got to put the plain brown envelope that was tied up tightly in red tape into his out box.

The End