

Regional Oral History Office
The Bancroft Library

University of California
Berkeley, California

James McGrath:
Oakland Army Base Oral History Project

Interviews conducted by
Lisa Rubens
in 2008

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It is recommended that this oral history be cited as follows:

James McGrath, "Oakland Army Base Oral History Project" conducted by Lisa Rubens in 2008, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 2008.

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Editorial note: A substantial amount of editing and cutting was made throughout the interview because those portions discussed people the interviewer and interviewee knew in common and issues pertaining to Mr. McGrath's personal life. No material was cut that had to do with Mr. McGrath's role at the Port or his reflections on the Oakland Army Base or politics in Oakland.

Interview #1: 04-03-2008

Begin Audio File 1 04-03-2008.mp3

01-00:01:40

Rubens: I'm talking with Jim McGrath. Would you spell your name for the record.

01-00:02:03

McGrath: McGrath. M-C-G-R-A-T-H.

01-00:02:08

Rubens: What kind of name is that?

01-00:02:11

McGrath: That's an Irish name, but don't read too much into that.

01-00:03:40

Rubens: Where were you born?

01-00:03:48

McGrath: I was born in a small town in Washington called Richland, part of the tri-cities, where my dad worked at Hanford and Hanford was one of the sites in which they developed the nuclear bomb. There were three sites in the country.

01-00:04:06

Rubens: Oh, yes. How could I ask that? Yes.

01-00:04:10

McGrath: And where they didn't handle their waste properly, fissionable materials left at Z9 trench. Groundwater could move them around. Famous— famous story in hazmat cleanup. Hazardous materials.

01-00:04:31

Rubens: Your father was a physicist?

01-00:04:34

McGrath: My father was a nuclear engineer, systems engineer.

01-00:04:38

Rubens: Where had he been trained?

01-00:04:38
McGrath: He went to the University of Washington and...

01-00:04:45
Rubens: So growing up, did you have any particular strong feelings about what you were going to be and about the environment or about nuclear stuff or...?

01-00:04:56
McGrath: Well, yes. How much do I really remember? You remember the emotional content rather than what happened. I mean, I was sort of a typical nerd. I read everything.

01-00:05:08
Rubens: Where were you in the birth order?

01-00:05:10
McGrath: I was number two of six, and we lived there until fifth grade, when we moved to New Jersey— a small town in New Jersey, where I loved it.

01-00:05:23
Rubens: What prompted the move?

01-00:05:25
McGrath: My dad went to work for the company that was building the nuclear ship, *Savannah*. The attempt to show that nuclear propulsion could be used in more than just military ships, but peacetime uses, and it was a fiasco. And then he moved to— then we moved to Southern California, where I went to high school at South Torrance High School. He worked for McDonnell Douglas there and worked on space labs.

01-00:06:00
Rubens: What year are we talking about when you moved to...?

01-00:06:02
McGrath: Southern California? Moved there in '62, 1962.

01-00:06:07
Rubens: You were in what grade?

01-00:06:08
McGrath: I was in eighth grade.

01-00:06:12
Rubens: How'd you like Los Angeles?

01-00:06:21
McGrath: I loved the beach and I pretty much didn't like anything else about it.

01-00:06:24
Rubens: How long did it take you to get to the beach from Torrance?

01-00:06:27

McGrath: Well, where we were, we were in a place called Hollywood Riviera and it was a quarter mile from water.

01-00:06:43

Rubens: And were you interested in what your father was doing?

01-00:06:48

McGrath: Yes. Not profoundly. I mean, I was a kid.

01-00:07:00

Rubens: You know, I'm sort of doing short shrift to what is no doubt a very rich life, and we can come back, but I'm trying to get you to when you come to work for the Port of Oakland. But your background sounds so interesting, and I just wanted to explore this a little bit because of your father's involvement with...

01-00:07:16

McGrath: Nuclear energy?

01-00:07:17

Rubens: Yes. And one other question directly related to this. I'm particularly interested in people's images of California, so from Washington to New Jersey and then to California, did you think you were going to be near Disneyland and the Brooklyn Dodgers and...?

01-00:07:33

McGrath: Oh, yes. I mean, when I left... First of all, I was in junior high school, which is a very difficult age. I mean, if you've had junior high schools or if you're taught them... But you don't know that when you're there. So as I left my junior high school, where I was kind of mover and shaker, and where I had some pretty good friends— they all wrote in my yearbook, you know, "Date a movie star," things like that, you know, that assumed there was nothing to California but Hollywood. And what did I really know? Not much. And then you get to Los Angeles, and probably my most profound memories that have anything to do with my eventual career are smog. We had a view— the place that we lived, Hollywood Riviera, started up the Palos Verdes Peninsula. So we were up a little bit from the valley flats, and there was a hillside view, but we could see the north part of the basin maybe four or five days a year. Maybe ten.

01-00:08:45

Rubens: So it's at the height of its...

01-00:08:46

McGrath: There— I played football. I played junior varsity football—

01-00:08:49

Rubens: There was pollution.

01-00:08:50

McGrath:

—in a stage two smog alert, where they don't let kids play now. And where— I played both ways. I played offense and defensive tackle, and I loved playing football. It was just great fun. And you couldn't breathe right until the next day on those very tough days. So, you know, if you have to look at Los Angeles and concern for environment, it was air quality.

My first environment job was with the Environmental Protection Agency when they were preparing a clean air plan for Los Angeles. And we were completely convinced at that stage that the only way to protect people's health— because it's really a health issue— is to restrict driving and restrict parking and restrict malls and things like that. Politically, the sky fell on us. I mean, it was just an unbelievable revolt politically, and of course, cars are really no longer a significant concern for air pollution. Global warming, they're a concern, but in terms of the health aspects of, you know... The tiny relative number of diesel trucks are far more of a health concern. So, you know, the lesson is if you've got problems with machines, make the machines clean.

01-00:10:10

Rubens:

When did you go to work for the EPA?

01-00:10:12

McGrath:

I went to work for EPA as an undergraduate student while I was finishing up here at Cal, and that would have been 1971.

01-00:10:22

Rubens:

And how long did you work there?

01-00:10:22

McGrath:

I worked there for— until 1976.

01-00:10:26

Rubens:

OK, so let me back up. We'll get to that. We're talking about remembering the stage two smog alerts. I'm from Los Angeles and also I remember what was really big when I was in high school was the banning of backyard burning. You had to separate your trash and bottles and cans couldn't be... It wasn't recycling per se, but the goal was to stop the burning. It was Howard Berman who promoted that.

01-00:11:29

McGrath:

Quite a famous politician.

01-00:11:30

Rubens:

Very. But began as a

01-00:11:33
McGrath: City councilor. Well, and if you look at it now in terms of the health problems, burning plastics is probably the biggest source of dioxin, so...

01-00:11:50
Rubens: He was ahead of his time.

01-00:11:52
McGrath: Some pretty good ideas.

01-00:11:54
Rubens: I want to ask you one more thing about LA and growing up. Your father did not have a direct military connection, is that right? McDonnell Douglas contracted with the military?

01-00:12:05
McGrath: MacDonald— yes, but he was always working on their space lab program. You know, I don't remember everything he did, and then, of course, I moved away in '67 and never really came back.

01-00:12:19
Rubens: Had he been in World War II?

01-00:12:21
McGrath: Yes. He flew PBV's in Alaska.

01-00:12:24
Rubens: I don't know what PBV's are.

01-00:12:26
McGrath: They're a reconnaissance plane and the war was fairly distant there, and the hazard was the weather, you know, running scouting flights in the Aleutians was pretty heavy duty.

01-00:12:41
Rubens: Was it something that he talked about?

01-00:12:46
McGrath: My dad was from the generation that didn't talk. They didn't talk about their feelings, they didn't talk about their work. He didn't talk about his work because much of what he did at GE [General Electric] in Richland was classified. So he had, you know, whatever security clearance. And he couldn't talk about it.

:

01-00:13:08
Rubens: And how about when he was at McDonnell Douglas?

01-00:13:15

McGrath:

Well, like most people, I think... You get to the stage of your career where you're very good at the technical work and the issues all become people issue. So what I remember are the people frustrations and probably that's what I— you know, through my career, probably that's what I talked about at home, as well.

01-00:13:35

Rubens:

Just a little bit more on your family. Did your mother work?

01-00:13:39

McGrath:

My mother— for an oral history tidbit, my mother was Rosie the mathematician. She worked at Boeing. She was one of three women that worked at Boeing during World War II. This was before she was married. They worked with the design crew and ran the— I mean, there weren't computers. There weren't finite element models. So the structural analysis for designing aircraft had to be done manually and they sat there with adding machines and ran all the calculations.

01-00:14:18

Rubens:

Had she been to college?

01-00:14:25

McGrath:

I think she probably had about two years of college at that point. She went— she started at Washington State and then went to the University of Washington.

01-00:14:32

Rubens:

What is her name, by the way?

01-00:14:33

McGrath:

Kathleen Marie McGrath. Well, her maiden name was Mackey. Kathleen Marie Mackey.

01-00:14:38

Rubens:

And did we say your father's first name?

01-00:14:43

McGrath:

Richard. My grandfather was Russell.

01-00:14:46

Rubens:

And where did your parents meet?

01-00:14:49

McGrath:

Their families had been friends and they were both engaged to somebody else. That fell apart.

01-00:14:56

Rubens:

Did they marry before the war?

01-00:14:57
McGrath: No. They married after the war. I was born in 1949. My older sister was born in 1946. But she did not work after her marriage and the six kids.

01-00:15:17
Rubens: A Catholic family?

01-00:15:22
McGrath: Yes. I'm a recovering Catholic.

01-00:15:27
Rubens: So that was confession and Sunday...?

01-00:15:30
McGrath: Occasional flagellation. Parochial school, Sunday masses.

01-00:15:37
Rubens: Oh, it was parochial school.

01-00:15:38
McGrath: No, not... I went to parochial school through fifth grade, but then after that you had to go to CCD classes because we weren't going to parochial school. I think it was seventh grade, actually

01-00:15:46
Rubens: CCD means?

01-00:15:49
McGrath: God, I don't remember. Congregation of Catholic Doctrine or something like that.

01-00:16:09
Rubens: OK. And were you eager to leave LA for college?

01-00:16:17
McGrath: Yes.

01-00:16:18
Rubens: What were your options for school? What did you think about?

01-00:16:23
McGrath: Well, let's see. I was recruited by Michigan State. I was a National Merit Finalist, so you get recruited. The only two I gave any serious consideration to were Cal and MIT, and I couldn't afford MIT.

01-00:16:42
Rubens: Would you ever have considered CalTech?

01-00:16:47
McGrath: My mom pushed CalTech and she also— and was pretty wise here— pushed Scripps, because my career has been all— pretty much all

marine oriented. And, of course, Scripps would have been a great— would have been a great college. But Cal was pretty good. Cal— as you know, the trouble with Cal is the undergraduate education is impersonal at best.

01-00:17:11

Rubens: You start Cal in 19...?

01-00:17:15

McGrath: 1967. Fairly turbulent times.

01-00:17:19

Rubens: Exactly. Were your parents a little worried about you coming?

01-00:17:24

McGrath: I don't think so. Not that they voiced.

01-00:17:25

Rubens: It was also the “Summer of Love.” And had you heard about the Free Speech movement and the...?

01-00:17:37

McGrath: Oh, certainly. I'd heard about the Free Speech movement.

01-00:17:40

Rubens: And anti-war movement. Did you have any strong feelings when you came to Cal about the Vietnam War? Was your father pro-war? Did you argue with your father about the war?

01-00:17:59

McGrath: I had begun to become aware of the war as first a potential threat to me. In other words, going to college would give you a draft deferment, and I hit 18 and I had to register. And some of my friends who weren't going to college got drafted or went into the military, depending on their persuasion.

01-00:18:27

Rubens: So was it something discussed amongst high school boys, about what to do?

01-00:18:30

McGrath: A tiny bit. It was still very distant and... You're looking back 40 some years. It's kind of hard to figure out exactly when you thought what. Exactly when your political ears began to open up. I certainly participated in anti-war demonstrations once I was here. And I'm sure we talked about it in the house. I had very different political views eventually than my parents. My parents were Republicans.

01-00:19:13

Rubens: Republicans. And particularly— were they involved in party politics or just they voted?

- 01-00:19:18
McGrath: They voted. And I had sort of general vague Libertarian principles until Goldwater, who was kind of scary and, you know, then I began to think a little more for myself. But exactly when I began to think what...
- 01-00:19:35
Rubens: OK. I just wanted to know if your father was a hawk, you know, who was saying, "Bring in the Air Force and..."
- 01-00:19:40
McGrath: I think at some stage he was a hawk. My mom was a little more moderate. He also worked in things that involved the government, so— and had been in the military, and I think he realized that the government is not necessarily the most efficient way to do things, and not necessarily the most honest with its clients. So part of conservatism and part of my own views come, you know, with a healthy disrespect for a political agenda.
- 01-00:20:10
Rubens: You had an older sister. Had she gone to school?
- 01-00:20:15
McGrath: She went to the University of Oregon. She's a schoolteacher in Los Angeles.
- 01-00:20:19
Rubens: So you go to Berkeley—
- 01-00:20:28
McGrath: I began in chemistry, dropped out—
- 01-00:20:31
Rubens: Because?
- 01-00:20:32
McGrath: I wanted to be a high school teacher. I was going to teach chemistry in high school.
- 01-00:20:36
Rubens: Did you have a good high school teacher?
- 01-00:20:37
McGrath: Yes. I had some very good high school teachers.
- 01-00:20:41
Rubens: Well, I meant chemistry. Was he particularly— or she...?
- 01-00:20:44
McGrath: Chemistry was very exciting to me. And, you know, my first vague thoughts had to do with, "Gee, what goes on in the brain is chemistry,

and maybe we can help, you know, deal with mental illness with understanding brain chemistry and the like." And then you get here and you realize the slog to get a PhD to actually do anything like that. And, you know, the curriculum is rigorous, to say the least. So I did all the lower division math, science, and physics, and kind of just felt revulsed when I began to do upper division courses in chemical engineering. I was actually in chemical engineering. And, you know, the idea of fine-tuning— as I— you create symbols in shorthand for your thinking. But the idea of fine tuning the controls on the napalm factories just somehow didn't quite appeal to me, so...

01-00:21:59

Rubens:

Did you think that's what...?

01-00:22:01

McGrath:

That's exactly what I thought. Oh, yes.

01-00:22:05

Rubens:

—think there were not other options? Or was it clear that's who was recruiting here or...?

01-00:22:11

McGrath:

In chemical engineering, it was manufacturing. Your horizons were paint factories, etcetera. And I didn't see myself going on and getting a PhD, either economically or in terms of.... There were some very unsavory aspects of the chemical industry. So the idea of being a chemical engineer, which is to work on processes, was just... No regrets about that decision.

01-00:22:52

Rubens:

And what do you think is enlightening to you to this? I mean, is the political environment here pushing you or are you just thinking, "Oh, I don't want to work for one of these major companies."

01-00:23:10

McGrath:

Well, all of the above.

01-00:23:14

Rubens:

OK. So then what do you do? What do you study?

01-00:23:17

McGrath:

Well, I dropped out for two years because my dad said, you know, "If you're not going to be in engineering, I'm not going to support your education." And I said fine.

01-00:23:26

Rubens:

Well, how come you weren't drafted?

01-00:23:29

McGrath:

I had a high draft number in the lottery. The lottery had come by then, so I had a nice number. There are 365 days in a year, so they'd give— they'd draw the days in each year. And my number was in the 200s or the 270s or something like that. It was well up into the 200s. So— which is interesting. I think if we did not have an all volunteer army— military, now,— the public would have revolted against this [Iraq] war much, much sooner and much, much harder. It is too painless.

01-00:24:21

Rubens:

And of course the military learned from Vietnam: now they allow the caskets, the bodies coming home, to be photographed or filmed on t.v.

01-00:24:25

McGrath:

Yes. Well, it's invisible in many ways, and then it's enforced invisibility by Der Fuhrer.

01-00:24:33

Rubens:

So for two years, you did what? Is that when you worked for the EPA?

01-00:24:38

McGrath:

I worked for Western Electric, in the Bay Area. I stayed in Berkeley. And met my wife.

01-00:24:43

Rubens:

Where was Western Electric literally?

01-00:24:45

McGrath:

Well, Western Electric did the electrical installations in Pacific telephone offices. So I worked everywhere from Hayward to Crocket, and I would do installations. So we would install the telephone equipment and switching equipment.

01-00:25:01

Rubens:

You were the phone man?

01-00:25:02

McGrath:

Well, not the phone man that goes to your door, but the phone constructor or the contractor that builds the central office equipment, in actual buildings. There's a building down on Bancroft in Berkeley that had all the switching systems. So when a landline made a call, it would be routed through an office that then would say— OK, the first number limits this option, the second number, and so forth. So it would progressively switch. So I did that stuff.

01-00:25:46

Rubens:

Did you feel you learned stuff doing that?

01-00:25:49

McGrath:

All kinds of ways. I mean, I became a reasonably proficient electrician because I did a lot of AC and DC work, and did a little pipe fitting, and

did a little— lot of soldering and a lot of wire wrapping, and then I also... The amazing thing at that stage was the telephone company is a regulated utility, and its rates were set by a portion of its capital investment. So the technology was beginning to materialize for electronic switching rather than manual switching. The switching systems that I was installing actually were electromagnetic and they would... They would open and close gates with these things. Not terribly fast, not at all cheap. So they had a technology at that time, electronic switching, which put all of it— began— they didn't have miniaturization or computerization, but they began to have the beginnings of it. But that stuff was cheaper. So they continued to install the electronic switching systems because it was a big investment and their rates were set on it. So I began to see— and then it was big business and they just don't want waves, they just want compliant workers. All of that.

01-00:27:11

Rubens: So you're there for how long?

01-00:27:16

McGrath: I was there for long enough to make enough money to be able to go back to school. About a year and a half I worked.

01-00:27:26

Rubens: At this point, did you have any interaction with Oakland? I mean, besides that maybe you were assigned to work on a building somewhere, but...?

01-00:27:39

McGrath: No. I worked in Oakland.

01-00:27:45

Rubens: OK. Then you go back to school in what field?

01-00:27:47

McGrath: I went back to school in history.

01-00:27:50

Rubens: And was it US or Latin American?

01-00:27:53

McGrath: It was US history, although I dabbled around. And I studied pretty much Civil War to 1954, the Supreme Court desegregation decision. Did labor history, labor history in the Bay Area that was pretty much my independent research work.

I had Lawrence Levine. I had Kenneth Stamp. Stamp was a marvelous lecturer. He was not the kind of warm human being that Larry was. Larry was a little bit disorganized in lecture. Marvelous human being.

One of— my roommates, actually, girlfriend was his au pair for quite a while. Alice—

01-00:28:55

Rubens: Alice? I just saw Alice—

01-00:28:56

McGrath: Do you know Alice?

01-00:28:57

Rubens: —at his Levine's memorial service at George Mason. Alice Strifeld.

01-00:29:00

McGrath: Well, Alice was living with Chris Maack still a good friend of mine and he was one of my roommates. He was in biochemistry. So— no, I haven't seen Alice in maybe ten years, 15 years.

01-00:29:23

Rubens: OK. She didn't marry him?

01-00:29:25

McGrath: No. She didn't marry him.

01-00:29:27

Rubens: Were you pretty close to Larry? I mean, did you— or just you took a lot of classes?

01-00:29:36

McGrath: I wasn't that close to Larry. I mean, he knew me because I was one of his star students. I think I took one or two classes from him.

01-00:29:44

Rubens: Did you take a black history course with him?

01-00:29:45

McGrath: Yes. That's what I took, excellent material.

01-00:29:57

Rubens: Did he want you to become a grad student?

01-00:30:01

McGrath: Probably. I mean, we talked a little bit. I didn't go to a lot of his office hours. I mean, at that point— at some point there, I was working part-time for the Environmental Protection Agency, so I had begun working and my wife was going to graduate school to be a teacher and I was trying to figure out, OK, how was... I was making a little money in the environmental field. I needed to finish, and then I needed to make a decision as to whether or not I was going to go ahead and get a teaching credential or not, so...

01-00:30:36

Rubens: So you graduated— having gone back, you graduated in two years?

01-00:30:42

McGrath: Yes.

01-00:30:43

Rubens: OK. And during that period, you married?

01-00:30:46

McGrath: No. I didn't marry, but I did live with the woman who became my wife.

01-00:30:57

Rubens: She was in the teaching program at U.C?

01-00:31:01

McGrath: The second year I think she was in the teaching program.

01-00:31:04

Rubens: She graduated from Berkeley?

01-00:31:05

McGrath: No. She had graduated from the University of Wisconsin, Stevens Point. She was from Stevens Point.

01-00:31:35

Rubens: Leon Litwack had been a student of Stamps and came here after teaching at Wisconsin, Madison.

01-00:31:38

McGrath: He drove Ken Stamp absolutely mad.

01-00:31:42

Rubens: How was that manifested?

01-00:31:44

McGrath: Litwack was a pretty standard Marxist. I mean, his view of the world was pretty standard, you know, pretty routine Marxist. And what was interesting about Cal and what was interesting about history was trying to make sure you got political perspectives from all around. I mean, as eventually this comes down to history— our memories are imperfect and trying to recall what happened and why it happened... Every person's view is going to be a little bit different. So—

01-00:32:23

Rubens: They call that subjectivity now.

01-00:32:26

McGrath: So good history and good intellectual rigor in any field requires that you mine the broadest array of sources and then make up your own damn mind. And part of— so you need a Marxist perspective, you need a right wing perspective, you need some moderates perspectives,

you need the facts, and then you need to think. You need to put the pieces together in your own different ways.

01-00:32:58

Rubens: So just give me one example of why you thought Litwack drove Stamp crazy. Did you ever hear Stamp say anything?

01-00:33:05

McGrath: Oh, yes. I think he dismissed one of Litwack's books in a lecture for question.

01-00:33:10

Rubens: I see. Because he was a Stamp student, you know.

01-00:33:13

McGrath: I did know that.

01-00:33:15

Rubens: Yes, yes. OK. So how did you get the job with the EPA?

01-00:33:19

McGrath: Initially, it was a work study, in their region nine office in San Francisco. And that was— a bunch of the western states— Hawaii, Arizona, California, and Nevada.

01-00:33:37

Rubens: What'd you literally do?

01-00:33:38

McGrath: Well, I started reviewing environmental impact statements. So I worked in the group that would review for EPA the impact statements of other federal agencies. And gradually— eventually, I was offered a job when I graduated. Began at a fairly low level and...

01-00:33:58

Rubens: OK. So you never worked for the EPA in LA?

01-00:34:03

McGrath: They didn't have a regional office that we could...

I got a full-time job and worked in the construction grant program and worked on water quality planning and water quality issues. And that pretty much defined my career path.

01-00:34:22

Rubens: Would you say something about— how old is the EPA at that point?

01-00:34:29

McGrath: Well, the EPA was pretty much brand new. They were formed out of bits and pieces of the Federal Water Pollution Control Authority and the National Health Service Officers. So they came into being about

'70 or '71. And I started working for them as a work study student in '71. So— or maybe it was '72. The Clean Water Act was either— you know, the first writing of the Clean Water Act was 1972. So it was either in Congress or had just been passed when I started.

01-00:35:08

Rubens:

So did you have a sense that you were part of something that was new and exciting and policy defining?

01-00:35:17

McGrath:

Oh, yes. And Paul DeFalco was the head region nine region administrator. And he was a very powerful and cantankerous figure.

01-00:35:37

Rubens:

How old was he?

01-00:35:42

McGrath:

Mid'50s.

01-00:35:43

Rubens:

How many of you were in that office?

01-00:35:47

McGrath:

Oh, there were probably 200. There's many—many, many more now. But there was a group of— what Paul did is he hired interdisciplinary people. So there is a tendency in most fields to be a little bit chauvinistic about your particular expertise, and with the water pollution focus, people— you know, many people thought that only civil engineers specialized in sanitation could possibly do that. And DeFalco brought in biologists, generalists, and things like that to have a little more interdisciplinary approach. And of all the things that Paul did that were right, I think that was one of the best, the idea that you really do need interdisciplinary teams to be effective.

01-00:36:36

Rubens:

Well, how were you designated?

01-00:36:38

McGrath:

Well, I was a student, so I wasn't— Paul had handpicked most of the nine or ten generalists and was seeding them around the organization to help in communication, and I wasn't one of his pets. So I was always a little bit of an outsider to Paul.

01-00:36:53

Rubens:

Were you called a water specialist then?

01-00:36:58

McGrath:

No. I was eventually an environmental protection specialist. But I was just a student intern.

- 01-00:37:05
Rubens: OK. And then when you got hired full-time, you were an EPA specialist?
- 01-00:37:08
McGrath: Right.
- 01-00:37:11
Rubens: And who told you what to do?
- 01-00:37:15
McGrath: Different people over different times. Probably doesn't pay to go there.
- 01-00:37:19
Rubens: All right. And then did you decide at any point that you needed advanced training or...?
- 01-00:37:24
McGrath: Well, I worked there, and it was an era in which construction grants were being given to local governments to upgrade their sewage treatment plants. So the modern sewage treatment plant that we see at the base of Bay Bridge by East Bay Mud, the facility by San Francisco, those all began in those eras. So there was a combination of a regulatory stick and a financial carrot to help do the right thing. And indeed, it was important stuff. And then some time in 1976, I went to work first on a loan from EPA, and eventually full-time for the California Coastal Commission.
- 01-00:38:09
Rubens: Oh, see, that... Because isn't the Coastal Commission Act in '72?
- 01-00:38:15
McGrath: The initiative was in 1972, so they— and they had prepared the Coastal Plan and then submitted it to the legislature, and the legislature was considering the permanent establishment of the agency. And so I went over there on loan in '75 while it was being considered because it was due to sunset in January of 1976. And then I was one of the first hires of the new entity. So I left EPA and...
- 01-00:38:45
Rubens: What were you called when you were hired?
- 01-00:38:50
McGrath: Coastal Program Specialist or Coastal Program something.
- 01-00:38:53
Rubens: Again, this was new, was there a real feeling of excitement?

01-00:38:58

McGrath:

Oh, yeah. I mean, the Coastal Commission was brand new. It had probably absolutely the smartest group of people I've ever worked with. I was in the San Francisco office.

01-00:39:11

Rubens:

A range of ages?

01-00:39:13

McGrath:

Yes. Well, Joe Bodovitz was the executive director. Marvelous man. Just saw him about four weeks ago. He had been the first executive director of the Bay Conservation and Development Commission. He was a newspaper man. Wrote brilliantly. One of just the most talented people who can craft language, still, in my whole life, and a wonderful man to work for.

01-00:39:49

Rubens:

Where does he live?

01-00:39:52

McGrath:

Marin County. So Joe's just a wonder. And we were doing very cutting edge things, and...

01-00:40:02

Rubens:

I interrupted you, when you said some of the most exciting, brilliant people worked there. Do you want to just name a few? I know that there are probably others. This isn't to exclude them, but...

01-00:40:13

McGrath:

Well, Frank Broadhead was the guy that had hired me. He also came out of Cal, where he was a law and planning major. A famous double major. Also makes wine, looks like a leprechaun. Just— Stephanie Hoppe, an attorney, was one of my long term bosses. Bill Boyd, who's still in Berkeley, was the second chief counsel. Don Neuwirth who's still knocking around the Bay Area in the planning field. New Yorker, and everything that means, including stands too close to you from western— you know, the laid back west.

01-00:41:04

Rubens:

Cal was an important recruiting ground?

01-00:41:09

McGrath:

Well, Frank was from Cal. I don't remember where Don was from. There were enough from there.

01-00:41:33

Rubens:

Well, let's hear what you did.

01-00:41:35

McGrath:

Well, I was their water— I was their technical expert. So eventually I came back to— you know, I worked on water quality stuff, which I

had the background for. But then I began to be interested in coastal processes, what's happening to beaches in California with erosion and with dams and sand supply. So I eventually came back to Cal and got a masters in civil engineering.

01-00:41:56

Rubens: When?

01-00:42:00

McGrath: I finished in '83, so I did some work as an extension student or independent studies student, and then I was admitted and did the program in two years, part-time, and finished in '83.

01-00:42:15

Rubens: You had a family by then?

01-00:42:15

McGrath: I had a family and two kids.

01-00:42:19

Rubens: OK. And you keep the job?

01-00:42:22

McGrath: Worked part-time. Mostly worked full-time for a while, while I took— one semester I took 11 units and then I had to work part-time.

01-00:42:31

Rubens: Did you have to do a thesis for...?

01-00:42:34

McGrath: I did. I did. I did fine grain sediment on the Salinas River. Studied under Bob Wiegel and Shen over at the— you know, the civil engineering group, water resources group. Bob Wiegel is still over there as an emeritus professor.

Shen had been hired from Colorado State. He the man for sediment movement in rivers. And he didn't stay at Cal that long, but I did my thesis with him.

01-00:43:20

Rubens: Where'd he go?

01-00:43:21

McGrath: I don't know if he retired or what.

01-00:43:23

Rubens: What kind of name is Shen?

01-00:43:25

McGrath: It's Chinese. And then in 1990—

01-00:43:32

Rubens:

So was that stuff pretty exciting, too? Cutting edge and...?

01-00:43:35

McGrath:

It was. I mean, if I hadn't had kids, I would have continued on and gotten a PhD and gone into research, because I found... I mean, all my life, I'd been interested in how things work. How things work physically, how things work politically, how things work, you know, in terms of human behavior. So yes, trying to figure out how rivers work. Trying to take the data that you've got and put a coherent theory behind it. Interesting stuff.

01-00:44:09

Rubens:

Were you working with computers?

01-00:44:17

McGrath:

Well, in '83— yes, I learned to program. I learned in Fortran. I couldn't still do it. You know, the fast computer at the lab over there was an AT— it was an IBM PC world, and...

01-00:44:34

Rubens:

Was that one of the reasons things were changing so dramatically, because you could kind of run numbers so much more...?

01-00:44:44

McGrath:

Yes, but this was at the very early stages of that. I mean, I could take computers and use different calculating techniques to figure out what version A, version B, version C of sediment theory would give you for a sediment generation on a river, and then you could compare it to USGS data. So it— but it's far more sophisticated now than when I learned, certainly.

01-00:45:13

Rubens:

What other part was so exciting about this study that maybe you would have gone into research?

01-00:45:28

McGrath:

Well, I mean, I was pretty fascinated with the— I'll talk a little bit about the Salinas River, my thesis... And I guess it's still used a little bit. It was on sediment, I don't remember the name exactly. Some people out in the field as professional engineers still use it for teaching purposes. But the essence of what my theory was...

There was a very— very heady man named Douglas Inman at Scripps who had created the idea that there's a river of sand and that sand comes down the rivers and gets trapped between headlands and then eventually goes down in coastal canyons and that this is a continuous process, so that's California's losing its beaches because there's dams on the watersheds. And, in fact, I think the process is a little bit more complicated, and I participated with some of the initial studies to look

at sand cells in Oregon. And what we began to discover is that these headlands were pretty substantial barriers to movement, and maybe the sand that you had on beaches had been there quite a while. So as I began to look at that and look at the Salinas River, and think about that, you realize that sea level had once been about 300 feet lower, which meant that the rivers were much steeper and they could deliver much more sediment, and much coarser sediment.

So my thesis was looking at the Salinas River, that most of the sand that was the large grain size that you would have— that could stay on a beach in that kind of wave action was probably eroding more from the historic dunes out there, which were thousands— tens of thousands of years old and probably had been generated at a lower stand of sea level, when the river had a lot more horsepower to deliver sediment to the coast. And if you look at recent storms, the river of sand that— while they generated a fair amount of sediment, that sediment was pretty fine grain size and kind of didn't fit the river of sand model. Well, here I am, you know, a graduate student with, you know, the engineering lite degree at UC. I'm not going to take on Doug Inman in publications. I mean, I know Doug. He was, you know, cantankerous and brilliant.

01-00:48:20

Rubens: Did you know him then?

01-00:48:21

McGrath: Oh, yes. I mean, the wonderful thing about being at the Coastal Commission is you could call anybody and they would talk to you. So...

01-00:48:28

Rubens: Who was the Governor? Brown?

01-00:48:30

McGrath: Brown was instrumental in the act. Let's not talk about him.

01-00:48:35

Rubens: Fine. Were you going up to Sacramento very much?

01-00:48:40

McGrath: Well, I did a little bit. I mean, I did legislative testifying, but. the idea, just to finish that little piece—the idea of trying to figure out— trying to look at the Salinas River not as a master's thesis but as a PhD thesis and try to do the kinds of techniques that could look at the question of was sand really delivered mostly at the lower standing of sea level, you know, 20,000 to 80,000 years ago rather than modern? This— you know, a very intellectually exciting idea, and the idea of what it would... The work of what it would take to prove an idea like that, right or wrong, was kind of exhilarating. But— so in 1990—

01-00:49:32

Rubens:

Would you just say for the record— the Salinas River runs from...?

01-00:49:38

McGrath:

It drains the coast range in— it runs through Sprecklesville and out the river into Monterey Canyon, which was the greatest canyons in the world. It's one of the major— greatest— one of the greatest sub aerial. In other words, it's... The Grand Canyon would be lost in the Monterey Canyon. So Monterey Bay is a huge crenulate bay [sort of shaped like pie crust], and in the center of it is this huge canyon.

01-00:50:20

Rubens:

Is the Monterey Canyon underwater?

01-00:50:23

McGrath:

Underwater. You could put the Grand Canyon in there and lose it. It's that kind of scale. So when you're thinking about physical processes... I mean, these are kind of the granddaddies. They're huge. And although man has tinkered with these things, the physical processes is still going on. Trying to understand them is...

01-00:50:47

Rubens:

What did happen with your master's thesis?

01-00:50:49

McGrath:

Well, I finished. I went back to work.

01-00:50:53

Rubens:

With the Coastal Commission?

01-00:50:54

McGrath:

With the Coastal Commission. And...

01-00:50:54

Rubens:

Did you get a little more money and a little more position?

01-00:50:59

McGrath:

No, no. Well, that wasn't the objective. The objective was to try to maybe make myself employable outside the Coastal Commission, because that was the Dukemajian Administration and there was great hostility towards coastal management.

01-00:51:12

Rubens:

Were you— were you based in Berkeley by then? Was your family here?

01-00:51:18

McGrath:

Yes, yes, yes.

01-00:51:20

Rubens:

OK. Did your wife— was your wife teaching?

01-00:51:22

McGrath:

She only taught for a period of time. Then we started having kids. She only worked part-time after that. So— I mean, that was kind of the plan. Buy a house that was cheap enough that we could afford to raise kids on one income. So in 1990, the Port of Oakland hired me as their environmental manager and my work— the big problem with the Port of Oakland was the stalled dredging problem and my work and my expertise in sediment movement, in rivers and estuaries, was kind of my technical ticket.

01-00:52:03

Rubens:

You had been hoping for a job outside of the Coastal Commission. Had you considered any others?

01-00:52:09

McGrath:

Yes. I had been finalist for a couple of jobs up in the Pacific Northwest, Oregon in particular. I was interested in the state of Oregon. I'm sort of addicted to windsurfing, so I wanted to stay in a place where I could sail.

01-00:52:29

Rubens:

But then '90 came along and you took it. I'm going to change tape and then we'll do a little bit more on that. I want to ask you one more question about the windsurfing. Had that interest developed when you were in Los Angeles?

01-00:52:42

McGrath:

Yes. I mean, I surfed a bit when I was a kid. I never got really good at it. I began windsurfing after college.

01-00:52:58

Rubens:

That's a new sport, wasn't it?

01-00:52:59

McGrath:

It was pretty new. I came in to it in about the fourth year or so it was around.

01-00:53:03

Rubens:

And you did it here in the Bay?

01-00:53:05

McGrath:

I did it— I started up in Benicia with a friend where you didn't need a wetsuit. But I've been doing it 29 years now, so— and I'm involved in the Organization of Windsurfing and Racing. You're going into more depth than I had expected.

01-00:53:41

Rubens: Yes. I didn't expect to ask you so many details, but it's all fascinating to me, and illuminates a lot of history.

[End Audio File 1]

Begin Audio File 2 04-03-2008.mp3

02-00:00:00

Rubens: Some of this interview has gone a little more in-depth into his background because it was such a critical time. Things are so interesting and that maybe the history of the Coastal Commission is under way with our office. And you said, too bad, who just died the first—

02-00:00:20

McGrath: Mel Lane

02-00:00:22

Rubens: Who was the brother-

02-00:00:23

McGrath: Who was the brother of Bill Lane. Bill was *Sunset Magazine*. Bill was *Sunset Books* and Mel was one of the fundraisers for you know, that other university, Stanford. His memorial was in their chapel. First time I'd been in the chapel, but Mel sort of organized that.

02-00:00:42

Rubens: But you're saying he was the first head of the...?

02-00:00:47

McGrath: Of the Bay Conservation Development Commission. And also of the Coastal Commission.

02-00:00:50

Rubens: The people that are still around are Boyd and...?

02-00:00:54

McGrath: Well, Joe Bodovitch is still around. We can go there at some other time.

02-00:01:03

Rubens: Ok. So you're hired in 1990 for the Port of Oakland. The Port hires you?

02-00:01:11

McGrath: Port hires me.

02-00:01:12

Rubens: And you're called?

02-00:01:13

McGrath: I'm the environmental manager.

02-00:01:14

Rubens: Had they had one before?

02-00:01:16

McGrath: They were creating an environmental department. They had had one— Bill Vandenberg, who was a former Corps of Engineers guy, but had health problems. And then they had had— so Bill was like the first guy at the, you know, department level. And then they had a consultant whose name escapes me at the moment, who had been doing it on a contract basis. And so I was the new guy.

02-00:01:50

Rubens: What were your duties? And what did you envision your job being?

02-00:01:56

McGrath: Well, the biggest item, and I think what interested them, was could I provide some solution to the dredging problem? Because at the Coastal Commission, I had regulated the Corps of Engineers. I certainly understood dredging. I understood it economically and environmentally and I had, I think, really solid green credentials. So that was their interest. They were kind of suspicious of me because I had solid green credentials.

02-00:02:21

Rubens: Was that word 'green' being used then?

02-00:02:24

McGrath: Yes. I think so.

02-00:02:25

Rubens: It was? Because where had you done some dredging?

02-00:02:28

McGrath: Well, I had been involved in California. The beaches are all fairly heavily modified by harbors and breakwaters and so in order to maintain beaches and maintain harbors, sometimes you have to dredge the harbors and if that materials sandy, it needs to go on the beach. I mean, in states like Florida, it doesn't go on the beach and you see real problems with the beaches because of that. So under the Federal Coastal Zone Management Act, the state of California has some authority over the federal activities such as the Corps. So I'd run that program for the Coastal Commission for six years or so. Knew dredging, knew it economically, knew how to talk to the Corps of Engineers. Had a, you know, a civil engineering degree, so I could talk

to people on technical issues with credibility and knowledge. And so the Port was going through a big cleanup of all the hazardous materials in all the various sites. There were 75 known underground storage tanks that had to be removed by 1996. There was a state super fund site that had been a former shipping site that had some pretty nasty stuff in it.

02-00:03:49

Rubens:

Anything particularly on the army base?

02-00:03:53

McGrath:

Well, the army base wasn't in the Port's jurisdiction then. So it was a federal enclave, the military base. And so I came to work and I began to build a department, and began to look at the dredging. Now, what was interesting— and it's interesting that you know Laurel Marcus and Danny Beagle, your husband, knows Laurel. I knew at the time from— I mean, before I took the job, I called Will Travis, who was Deputy Director over at the Bay Conservation Development Commission to ask him if I should, you know, what his opinion was and whether or not there was enough room to work in the arena in things that were economically feasible, yet environmentally preferable to do with the dredging project. So he said, "If you guys use the Sonoma Baylands Project, you'll get a much clearer path from regulatory agencies." And Will is a credible person in terms of his political judgment and the like. So I knew that if I could put that together, it would solve the problem, at least temporarily.

02-00:05:11

Rubens:

Are you saying Sonoma Baylands Project as a model?

02-00:05:13

McGrath:

As a— well, for the particular project that they had. The Port of Oakland was trying to deepen the harbor from 35 feet to 42 feet. So I knew that if I could figure out a way to do that, institutionally and economically, the permits would come.

02-00:05:28

Rubens:

Let me just be clear in my head. Sonoma Baylands Project— was that Laurel's group or was that a project she had done?

02-00:05:35

McGrath:

That was a project that she was the project manager for. Laurel at the time worked for the California Coastal Conservancy. So the Sonoma Bay Lands Project was a... Sonoma Bay Lands was an area in— near the Petaluma River, northern part of the Bay, and it had been wetlands at one time. They'd been farmed for— since the 1870s or so. And as part of that, they had put up dikes and drainage facility to make sure that the Bay water would stay out and that it wouldn't flood every time there was any kind of flooding. And the agricultural process gradually

caused the land to subside, between the oxidation of the soils and the settling physically by running heavy equipment. It had been purchased by the open space district up there with the idea of preventing development and restoring habitat. And you could have simply breached the dikes there and eventually had wetlands, but the estimate was that would take 50 to 75 years for enough silt to come in and reestablish the contours. So the idea was to take Port of Oakland material, put it in the— in the site and hasten that process. So the biggest problem with that turned out to be the Corps of Engineers, because they'd never done it that way.

02-00:07:10

Rubens:

That way means what? Ferry it from one place to another?

02-00:07:13

McGrath:

Yes, and then pump it into a... And they were determined that it should go into the... I mean, they saw their mission as to do things the cheapest way it could possibly be done. And it— at the time, the dredge material was routinely disposed of in the Bay. But that had created a problem. They put it in the Bay at a rate much faster than it was being carried away by the tides, so what had formerly been a big hole next to Alcatraz Island was now within 35 feet of the surface. So about a third of the 40 million cubic yards that they had dumped there had stayed there. And there was debris in that, and there were issues with turbidity and there was a fish blockage.

02-00:07:58

Rubens:

What's that last word?

02-00:08:00

McGrath:

Turbidity. And so the agencies were not interested in a whole bunch of new material going out there. The Port of Oakland was under pressure to deepen the harbor quickly, because at that time, the American President Lines, APL, was headquartered in Oakland, the flagship port, and there was a new generation of container ships coming on line that could only come into the Port of Oakland at high tides. And they actually had to sit and wait for a higher tide to go out. So long story short, Laurel Marcus and I figured out a way to talk everybody into it with Danny's help and Lee Halterman who was— the Godfather, we called him, because he was just the mastermind. You know, the fact that Ron Dellums was Congressman and had a 100% League of Conservation voting rate. He had unquestionable environmental credentials. So he could do the heavy lifting with the Corps of Engineers, and the Port, who didn't necessarily want to spend any more money, and with environmental organizations who didn't necessarily believe anything that might come out of the Port and the Corps. It was really Laurel's project. I mean, she was just a mensch.

She was just awesome. I mean, I'm in awe of her and it was— it was a real treat to work on.

02-00:09:45

Rubens: So it worked. You had known Laurel when you were at the Confer—

02-00:09:47

McGrath: I knew Laurel a little bit.

02-00:09:49

Rubens: But you didn't particularly work together?

02-00:09:50

McGrath: Right.

02-00:09:50

Rubens: And then once you went to...?

02-00:09:53

McGrath: And we were in, you know, really regular meetings.

02-00:09:56

Rubens: What was the key to convincing the Corps then?

02-00:10:04

McGrath: Well, there was a person, Frank Dunn. Frank Dunn was... The Corps of Engineers had both a district office and a division office and the divisions oversee a number of districts. The Corps has a district office in Los Angeles and a district office in Honolulu and a district office in San Francisco, and then a division that oversees that, and Frank Dunn was the chief of planning in San Francisco.

02-00:10:38

Rubens: In what? A western division?

02-00:10:40

McGrath: For the western division, west div. And Frank just didn't believe that something like this made sense, and he was very powerful.

02-00:10:50

Rubens: From an old school kind of... How old about? Does it matter or...?

02-00:10:56

McGrath: Way old school.

02-00:10:58

Rubens: "We have a way of doing things and we're not doing this."

02-00:11:00

McGrath: And cantankerous as hell. And so two things— there were two things that were instrumental in the deal, and they were pretty much brokered by Dellums' office and by Lee Halterman in particular. The first was

APL threatened to leave Oakland unless they got some relief. And work was under way to designate an ocean disposal site, but the site would not be ready to use when they needed it, and so the Port had a small project that would help APL, about 440,000 cubic yards. And the only available disposal site at that time was Alcatraz, which was highly controversial. So Dellums' office put together a proposal that the Port of Oakland would use it for one time, and then would not use it again for the rest of the deepening project, which was another six million cubic yards. So would use it for a little less than 10% of the material.

02-00:12:08

Rubens:

Use it means?

02-00:12:11

McGrath:

The Alcatraz in Bay site. And the Port of Oakland would support two things politically, and the other player on this was Barry Nelson, who was the Executive Director of Save San Francisco Bay at the time. The number one priority for Save the Bay, and in fact, NRDC at the time, was the passage of the CV— Central Valley Improvement Act, which was an effort to try and break some of the water supply issues on the Central Valley Project and get a little more freshwater coming into the Bay. Bill Bradley, Senator Bill Bradley was carrying CVIP. And it—

02-00:12:55

Rubens:

Why Bill Bradley?

02-00:12:56

McGrath:

Because he was a general progressive and had studied these things.

02-00:13:01

Rubens:

He wasn't from California, right?

02-00:13:02

McGrath:

It's in his book. No, he was from New Jersey. He actually talks about it in his book. And what the enviros needed was some help from industry, from— they needed to sort of break the lockstep between urban interests and agricultural interests, which are guaranteed surplus water in California, whether there really was surplus water and regardless of its damage. So they needed some urban help and the NRDC went to work on certain urban institutions, like cities and they brokered some support from Metropolitan Water District down in Southern California and then they came to the Port of Oakland. So the deal ran like this. The Port of Oakland, and its political clout, which was, as it turns out, fairly substantial in terms of making sure that the bill wasn't vetoed by Bush I, would get to use Alcatraz one time. The enviros would not sue because— couldn't withstand the lawsuit. Part of the legislative fix was direction to get the Corps of Engineers to use Sonoma Baylands and funding. So all those pieces were put together.

Judy Lemmons in Nancy Pelosi's office and Barry Nelson and I worked on the legislative language to mandate Sonoma Baylands. Frank Dunn continued to be a problem. Lee Halterman asked where the problem was. We told him and the lightning bolt hit Frank Dunn. Frank Dunn retired, the Corps of Engineers began to understand that the Congress was serious about getting the project done this way and that began to break the logjam.

02-00:15:10

Rubens: Great story.

02-00:15:14

McGrath: And I got to go to a meeting at the Commonwealth Club with Bill Bradley. He's one of my particular heroes.

02-00:15:21

Rubens: So the Port of Oakland was pleased with you. You did good work.

02-00:15:24

McGrath: I did good work.

02-00:15:25

Rubens: How long did that take? You started in 1990?

02-00:15:28

McGrath: Probably took a year and a half to two years to put that... I don't remember the dates on those things. But brokering that— and it was a handshake deal. It couldn't have been anything else, but it was a handshake deal that was carried out, and you know, the fact that Dellums had the kind of environmental convictions he had, the commitment to jobs in Oakland. I mean, that was always the interesting part of my job. It was part of that— the progressive coalition was more than just the environment. And they— it was, you know, the idea of job training, employment, and you know, quality of life issues.

02-00:16:15

Rubens: Let me ask you a fill in question.

02-00:16:17

McGrath: Sure. And then we need to stop.

02-00:16:19

Rubens: The Corps of Engineers, how big is it at that point?

02-00:16:33

McGrath: Their San Francisco was probably in the hundreds. I wouldn't know that for sure.

02-00:16:39

Rubens:

OK. Danny really represented Jimmy Herman and the longshoremen. The other person I think who was really big was head of the Alameda Central Labor Council-

02-00:16:55

McGrath:

Alameda Central Labor Council, and then the vice-president of Trans-America, who was on the Board of Port Commissioners. And the business roundtable... I mean, when it came— so Bradley was a brilliant tactician. I mean, just brilliant.

02-00:17:14

Rubens:

Big, too, right?

02-00:17:15

McGrath:

Oh, yes. Oh, yes. I mean, the man had physical and intellectual talents that we rarely see. And I remember he took the CVPIA and he stripped off pieces, he stripped off pieces, and then brought them all back in conference committee. So he got up and— so many... Many of the people that were kind of on board with the deal were looking at this and they're going, "Oh, is it still there? Is it still there? You know, we're still going to support this deal." And then he put it all back into conference committee.

02-00:17:52

Rubens:

He himself?

02-00:17:53

McGrath:

He himself.

02-00:17:54

Rubens:

People, too, that he worked with?

02-00:17:56

McGrath:

Yes. And so he got up to talk about it at this celebration. He said, "There were those that doubted my judgment— doubted my strategy." And it was— I mean, Barry Nelson and I talked at the time. That this was a reform in California water policy that we had been seeking for 20 years, and we didn't think anything this powerful was feasible against California water interests. So then it turned to is this bill going to be signed? And, you know, I was a small player in all this. But Laura King was at NRDC and she was the first person that called me. She was one of the policy people, so...

02-00:18:50

Rubens:

She was where?

02-00:18:51

McGrath:

She was at NRDC, National Resources Defense Council. So eventually I get invited to, you know, a kind of cool meeting. It's in

the Trans-America pyramid and it's up in their hoity-toity conference room on the top floor. Who's there? Sunny McPeak {inaudible} Business Roundtable. I can't remember the name of who was vice-president of Trans-America. You know, and a handful of people. So here is the progressives on water policy. This is gratitude to Trans-America in the Business Roundtable for getting Bush to sign the bill. So Bradley outmaneuvered Pete Wilson in terms of the politics of whether or not Bush would sign this. It went into law. Part of that language was the authorization— in effect, the direction of the Corps to use Sonoma Baylands. And once it all passed, the Port of Oakland did a small dredging project and the Corps of Engineers, with Frank Dunn departure saw the light.

02-00:20:06

Rubens:

When you say water interests, who do...?

02-00:20:11

McGrath:

Well, Sunny Mcpeak of course, had led the opposition to the peripheral canal.

02-00:20:14

Rubens:

Yes, OK. Agribusiness, I guess, too?

02-00:20:20

McGrath:

- agribusiness. So the CVPI was something that began to bring some market forces to that and began to guarantee a certain amount for habitat in terms of water—

02-00:20:31

Rubens:

Where's the university in this? Is it a player?

02-00:20:34

McGrath:

I don't think so. What's your specific era that you're looking at here? Are you looking at the...?

02-00:21:06

Rubens:

The history of the Oakland Army Base and then the conversion.

02-00:21:12

McGrath:

OK. So I know the conversion—

02-00:21:14

Rubens:

That's what we get to do next.

02-00:21:15

McGrath:

Right. I don't know the history of the base.

02-00:21:16

Rubens:

The conversion begins in 1996.

02-00:21:41
McGrath:

Something like that.

02-00:21:41
Rubens:

I'm interested also in talking about the community response. I'll be talking to Queen Thurston and Ellen Wyrick-Parkinson.

02-00:22:10
McGrath:

Ellen's... Here's one of the neatest things about my job. I got to talk to people in West Oakland that wanted to make their community better. And I mean there were certainly some people around the edges looking for economic advantage. But people like Ellen, Monsa Nitoto, George Bolton, Willie Keyes.

02-00:22:41
Rubens:

Who is Willie Keyes?

02-00:22:43
McGrath:

Willie Keyes has passed. Willie Keyes was one of the West Oakland neighbors. There's— I'd have to think of the—

02-00:22:47
Rubens:

WOCG is the group, right? West Oakland Community Action Group.

02-00:22:52
McGrath:

Well, West Oakland Community Action Group was the group that was set up within the base closure process.

02-00:22:58
Rubens:

Right.

02-00:22:59
McGrath:

But there was another group called West Oakland Neighbors that actually sued the Port of Oakland for air quality issues. And these people were all genuine. They were just genuine. They were out to make...

02-00:23:11
Rubens:

Roughly when did they do this?

02-00:23:15
McGrath:

This is from '96 probably until the— you know, the permits were obtained and construction started. And these people were wonderful. So trying to craft mechanisms to get the Port of Oakland to listen and to take complicated technical issues and communicate them effectively and credibly to people that were suspicious was a tough job, but it was... I mean, how could I not like these people?

Ruens:

I'm also interested in the former Port director, Chuck Foster.

02-00:25:12

McGrath: But see, Chuck Foster had come out of the model cities program. See—

02-00:25:17

Rubens: Yes. Plus, he's African American, right?

02-00:25:18

McGrath: He's African American and he had— you know, had major credibility in the community. I mean, I walked into the first community meeting we had and one of the reverends, whose name escapes me— huge man, huge man. Danny would know who he was. Since passed, but, you know, sort of like one of the real powerful figures in West Oakland. He and Chuck hug each other in front of the whole audience, and just like set the tone for, "This guy's got some street credibility in West Oakland." And Chuck was the man who empowered me. I mean, of the people that I would work for that I would work for again in a minute, Joe Bodovitz, Chuck Foster.

02-00:26:11

Rubens: Who was head of the port when you came?

02-00:26:14

McGrath: Oh, it was Nolan Gimpel. He was... He was not somebody that you would...

02-00:26:19

Rubens: OK. Then came...

02-00:26:20

McGrath: Well, then Charlie Roberts ran it for a while and I'd work for Charlie again. Charlie's out in the Pleasanton area. He's still alive.

02-00:26:30

Rubens: Then Foster.

02-00:26:32

McGrath: Right. And then Tay Yoshitani. He's up at the Port of Seattle now.

02-00:26:47

Rubens: So what's your time like? I'd like to just keep us rolling. Not now, you know, but when could you— is this comfortable for you to come here and...?

02-00:26:58

McGrath: Yes. I could come back next Friday.

02-00:27:03

Rubens: OK.

02-00:27:20

Rubens:

You were saying the only time you were...

02-00:27:41

McGrath:

Well, the only time I was ever in a room with Nancy Pelosi and I probably met her but I'm sure she doesn't remember me. We had gone back to Washington and the Port of Oakland was trying to figure out if it could do this small dredging project for the innter harbor to help AP [American President Lines]. So we're somewhere in the House office building and there's the vice-president of APL and there's Charlie Roberts and there's some Corps staff and there's Dellums and there's Nancy Pelosi. I can't remember who else was in the meeting, but— it might have been Feinstein. So Charlie tells his— he's come back to say that the Port really can't do the federal project, that there are certain aspects of being— that this—

02-00:28:28

Rubens:

Charlie is-

02-00:28:29

McGrath:

Charlie Roberts, who was Executive Director of the Port, and had been District Engineer for the Corps. The Port really can't try to do this thing on a fast track because there's just so much opposition on so many aspects and none of the alternatives like Sonoma Bay led to the ocean and were ready. And so this is an announcement. I'd say, you know, this is what we need to do and you need to help the Corps of Engineers. And at that point, the vice-president from APL says, "We may have to leave Oakland if we can't get the dredging done quickly." And Dellums and... I'm not sure who else— it might have been Nancy Pelosi. My memory's a little fuzzy at this date, said, "Well, then, we're going to have to do it faster. We're going to have to use the Alcatraz site. At that point, I go, "Oh, what a..." My life is over. My credibility is dashed. You know, I'm going to have to take this project ahead for the Port and it won't work. Well, so we flew back to Oakland. But the interesting thing is when a bunch of very politically powerful connected people want something to do— to be done, and they have the kind of environmental credentials that Pelosi and Dellums had, the word gets back to the environmental groups to— maybe it's time to cut a good deal. And it was eventually the genesis of the deal. But my first impression was, "Oh, my God. My life's over."

02-00:29:59

Rubens:

But why? What was the problem with Alcatraz?

02-00:30:01

McGrath:

Well, Alcatraz had become, in many ways, a symbol.

02-00:30:04

Rubens: OK. And— but one other thing. Now, with all the to do over Treasure Island, it might have been smart to put some of this stuff on Treasure Island to buoy it up?

02-00:30:15

McGrath: Well, Treasure Island wasn't closed at that point, so...

02-00:30:17

Rubens: Well, that's life. Never mind. Who imagined that. Excellent. But don't you think when you look back now?

02-00:30:24

McGrath: Yes. Well, and it's one of those things.

[End of Interview]

Interview #2: 4-11-2008

Begin Audio File mcgrath_james3_04-11-08.mp3

03-00:00:51

McGrath: Greed has become a way of life in administration at the University of California. Brady was a senior vice-president here and was associated with a few sort of minor, tawdry scandals. You could probably find out about them through your gossip mill. He was on the—

03-00:01:08

Rubens: When was this, roughly?

03-00:00:09

McGrath: Well, he was on the Board of Port Commissioners in 1990, when I started at the Port.

I have never belonged to the Alumni Society of the University of California, because of Brady and what he means culturally in this institution. I mean, this institution has—it's, you know, bimodal. It has these wonderful professors that make a good living, but not a great living—and this administration that is a full class society. It's got the very rich at the top, it's got the very poor in the clerical positions, and the administration doesn't work very well. When I was younger, I said—I would have said it doesn't work for shit, but.

John WOO is unconscionable. John Wu was the attorney who justified torture for the Bush administration. And he's a professor at the University of California Law School. To hire somebody like that is unimaginable. I mean, don't get me wrong, I don't think that there shouldn't be diversity of views—but I think there should be some integrity baseline. And the reasoning, as it turns out in his memo—I

mean, it's bad law, but more important than that, it is, in my mind, contradictory with every aspect of legal ethics. At some point you have to tell a client, "You just can't do that."

03-00:06:12

Rubens:

Thank you for being so patient and I will cut out some of our personal conversation here. This our second interview, and it's the April 11. And I guess we ought to just jump to what you have to say about both how you started learning about the decommissioning of the Oakland Army Base—and then your role in that process.

03-00:12:31

McGrath:

Well, let me start with an orientation. There are many of the details of the history of the Army base that I don't know. That I didn't research. What I—perhaps the perspective I can give you to orient you is, what happens when a base closes? And what happens—what are the communication issues, what are the strategic issues, what are the economic issues, and the like? And it's been interesting to watch the base, and the most recent Wayans Brothers' [film studio proposal] walkout, and the like. So let me just give you maybe five minutes on that.

03-00:13:04

Rubens:

Take your time.

03-00:13:09

McGrath:

The Oakland Army Base was designated by the Bay Conservation Development Commission as a Port priority use area. And it's interesting, because I now sit on the BCDC as a commissioner. And the purpose of that was that legislation that established BCDC recognizes that there are ports and they're vital to the economy, but they also recognize they do damage to the environment. You dredge, you will, you have industrial activities, you will spill things, and the like. And so the objective that they had was to not have any more fill for Port purposes than they had to do. Now, all local governments don't necessarily want a port in their neighborhood. And the time that this went on was back when there were rumors about establishing super ports for oil carriers—the idea of 250,000 or 500,000 DWT freighters that would overwhelm facilities, and the brainstorming at that time were big offshore islands—lots of fill. And then BCDC got very worried about that, and said, "We will make sure that we hold on to anything that's suitable for a port area."

03-00:14:20

Rubens:

DWT is—?

03-00:14:21

McGrath:

Deadweight tons. Sorry. The ultra-carriers and super-ultra-carriers that were rumored. Now, it turned out that they were not as economically

viable, because with a ship that large, the stresses on the steel mean they don't last as long. And there were air quality reasons that refinery capacity in the Bay Area didn't increase dramatically, so it never materialized as a real threat as opposed to conceptual threat. But BCDC looked around the Bay and said, "Here are the waterfront areas that are suitable for preservation." So one of those was the Oakland Army Base, and the whole base was designated.

03-00:15:00

Rubens:

About when?

03-00:15:07

McGrath:

Certainly by the time—certainly probably by '86 it had been designated. And so the military, as a result largely of the home-porting battle over the Missouri, said "We're not going to—we're not going to be as comfortable in the Bay Area as we were. We've got to shrink our footprint domestically." And they began to look at the Bay Area facilities as something they could jettison. So—

03-00:15:42

Rubens:

"They," is—?

03-00:15:45

McGrath:

The military. I mean, there was a military base-closer commission that was, in theory, isolated from Congressional pressure. And as a practical matter, I think it was pretty isolated. I mean, Congress likes to have a little pork in every district—that doesn't necessarily lead to the most efficient setup. And although the Oakland Army Base had been a vital shipping point for Desert Storm, the first Iraqi war, most of the actual shipping occurred through the container terminals. They did use the Oakland Army Base and the berths there for military transport. But I think they were beginning to realize that you could ship through a commercial terminal, with its modern efficiencies, more quickly than an old, and in some cases very old, army terminal.

So they began to look at closing these things. And the Oakland Army Base was designated for closure. Now, once a base is designated for closure, there's a number of processes set up for how the land gets disposed of. Whether or not it should be sold, how it should be cleaned up, who might have claims on the land—first, second, and third, and the like. As soon as it began to be rumored, people in the city of Oakland who were concerned about the footprint of the Port of Oakland—and the Port of Oakland has not been the best neighbor of the domestic areas that—residential areas in West Oakland. Began to look at how we can use this thing for economic benefit, for employment benefit, for potentially housing, and the like. The Port of Oakland, at the time, said, "Well, we need it all." And—

03-00:17:29

Rubens: Need, or want?

03-00:17:30

McGrath: Well, they said they needed it all. And, of course, they wanted it all. And the initial effort by the Port of Oakland, which came from senior management in the maritime side, was—we'll put in the claim under the port aspects of the base-closure legislation for all of it. Some of us argued that that was strategically unwise, and that it would backfire, and indeed it did. It kind of infuriated people in the city.

03-00:18:03

Rubens: Could you stretch that out for one minute? Why did you think it would be unwise?

03-00:18:08

McGrath: Well, in my view, and I'll just limit my viewpoint to myself, the Point definitely needed the waterfront areas, and the areas that would make efficient terminals. But the backland, as you went back, there was a lot of it. It wasn't necessarily associated with the terminal. It might be good support for port-related industries. It might be good support for trucking or railroad facilities—but there was no way the port would draw that down in twenty years. So in my mind, for the port to land-bank areas that had not been on the tax rolls and that wouldn't be used for a period of time was foolish.

03-00:18:53

Rubens: Would there have been the possibility that the Port could have sold parts of that land to then generate capital for whatever it wanted to do?

03-00:19:01

McGrath: Well, not really. Because the idea of a port conveyance was that it would be in the national interest, in the national shipping, to do these things. But the Port then couldn't turn around. I mean, it would have to be for port-related uses. The Port couldn't then take free land from the federal government and sell it for profit. That—

03-00:19:21

Rubens: But only for the port's use. Still couldn't do that.

03-00:19:23

McGrath: No. I mean, that sort of defeats the equity. I mean, there were other claimants for land, including the homeless. I mean, one of the benefits that is up-front and high-priority for any closed base is homeless.

03-00:19:36

Rubens: Yes. And wasn't Brauer doing something that—

03-00:19:38
McGrath: John Brauer, wonderful man. And Bob Brauer's son. And Bear fans. Bear basketball fans. John is a great guy, and he was the homeless representative.

03-00:19:54
Rubens: But I interrupted you to get clear in my own head—your point was that you didn't think it was a good idea. Nevertheless—

03-00:20:02
McGrath: The Port made this claim.

03-00:20:03
Rubens: Made this claim, and in fact it backfired. That's when I interrupted you.

03-00:20:04
McGrath: It did, it definitely had a certain amount of backwash.

03-00:20:12
Rubens: How did it backfire?

03-00:20:14
McGrath: Well, you can't go to the federal government as a port and make a claim that you need all this land for port purposes if the city's not with you. You've just essentially created a political stalemate. So it was—

03-00:20:31
Rubens: And the city was not with—

03-00:20:33
McGrath: No, the city was definitely not with us.

03-00:20:35
Rubens: The head of the port at that time was—?

03-00:20:37
McGrath: I believe that was Chuck Foster.

03-00:20:40
Rubens: And the mayor was—?

03-00:20:45
McGrath: That would have been—I'm pretty sure it was Jerry Brown. But it may have been the last years of Elihu Harris.

03-00:20:47
Rubens: You're talking about the military as if—I don't mean to be putting words in your mouth—the military's initiating this, and I was wondering where Dellums is in terms of initiating the closure.

- 03-00:21:09
McGrath: Well, let's go back a little bit. I mean, Dellums wasn't, in fact, with the Port. I mean, that's the fundamental thing, is that the Port didn't vet it with its political godfather.
- 03-00:21:15
Rubens: Why?
- 03-00:21:18
McGrath: Why did the Port not do that? Greed, I think.
- 03-00:21:24
Rubens: He would have been interested in the city or the state and not in the port, particularly?
- 03-00:21:38
McGrath: Well, here—let me back up a little bit because this is tied, to some degree, politically, and in relationships to the closure of the FISCO, the Fleet Industrial Supply Center—the first closure. Now, Dellums had always been a protector of military jobs, because they were jobs for the underemployed. And, you know, it seems to some people counterintuitive about his long objection to the overuse of military power, but he's also been a strong advocate of working-class jobs in his district.
- 03-00:22:00
Rubens: He had been in the military.
- 03-00:22:04
McGrath: He was in the military. I think he understood it. I mean, working with him, and working with Lee Halterman—I mean, they had an understanding of military and military strategy that I always found awesome. So when it became clear that the bases would not be closed, he looked at FISCO, and he said, "This is ideally suited for modernizing the Port of Oakland." And he convinced Clinton to give it to the port and give it quickly. Now, most of it had come from the port. It had been taken in an eminent-domain type of action—
- 03-00:22:42
Rubens: Roughly when?
- 03-00:22:44
McGrath: —for military purposes. In the forties.
- 03-00:22:46
Rubens: In World War II.
- 03-00:22:47
McGrath: So it had been taken for a dollar. There were some in-holdings that weren't port in-holdings, but most of the base was, in fact, former port land. Hence—

03-00:22:55

Rubens: The base is called FISCO?

03-00:22:56

McGrath: FISCO. Fleet Industrial Supply Center, Oakland. It was also called the Oakland Supply Center. But it was the Naval Supply for—

03-00:23:06

Rubens: And it was right next door to it.

03-00:23:07

McGrath: It was within the boundaries of the port. It was—

03-00:23:11

Rubens: Well, but also it's the Oakland Army Base.

03-00:23:13

McGrath: Yes. The Oakland Army Base is kind of a buffer between the most modern—before FISCO was redeveloped, the most modern terminals in the port and the residential areas. So at that time, one of the activists in Oakland, Nancy Nadel, was outraged that Dellums, one of her patrons, would direct that this go to the Port without going through the base closure process. And there was quite a, you know, a public spat between the two. And these are people that are very strong in the progressive movement. Nancy's got very strong and, I think, very legitimate interests about the contamination effects of the port, as well as the quality-of-life effects of the port.

And Dellums' response was "This land is virtually all the Port's, in any event. There are legal arrangements that would come back to the port, and I want things to happen quickly in terms of the dredging." But the other part of it was, "I won't do it again with the Oakland Army Base." So in terms of the politics of it, Dellums' own viewpoint about how to handle sort of flak on his left wing from Oakland was, "The next one will go through the base-closure process."

03-00:24:27

Rubens: And the flak, in this case, represented the community.

03-00:24:30

McGrath: The community—

03-00:24:33

Rubens: —not necessarily a commercial or a corporate or—

03-00:24:36

McGrath: Exactly correct. And by the time the base had closed, Nancy was either in the city council or clearly—

03-00:24:43

Rubens: On her way.

03-00:24:44

McGrath:

-on an inside track. And so, the port didn't check enough with its political base, with Ron Dellums, and claimed the whole thing as a base.

Now, on the other side, you had the city—you had Robert Bobb as the new city manager.

03-00:25:00

Rubens:

Bob-Bobb, we called him.

03-00:25:03

McGrath:

Well, we called him lots of things. A very aggressive man, and a very suspicious man. And you had Jerry Brown in as mayor. And they were looking at this thing as, "A bunch of real estate is going to fall on our hands from out of the sky, and we can use it for virtually anything." They had a field-of-dreams look that was preposterously unrealistic. And I think if you look now and you find that they can't peddle the land for what they thought they would. I mean, it's in an industrial zone. It's close to the port. It has areas that—you know, it has things that it can be used for—but other things. So the city was working with the philosophy that it needed to increase its tax base, it needed to increase the population of people downtown, and it needed to buffer itself in better ways from the port—and it would have all this land, and it could have patronage, and it could have jobs, and it could have, you know—and part of the city's very legitimate concern is, the Port of Oakland is an automated port. It is not the generator of jobs locally. It's an economic engine for the region. But the shipping benefits are region-wide—they're not primarily in Oakland, while the footprint impacts are primarily in Oakland. And as I said before, working for Chuck Foster was wonderful, because he understood that, and he understood that we had to learn, at the Port of Oakland, to be a better neighbor, and deal with those issues.

03-00:26:36

Rubens:

Even though he hadn't initially consulted with—

03-00:26:40

McGrath:

You know, as Port Director, you're doing a lot of things. I will forgive politicians for mistakes. I will look for redemption. [laughter]

03-00:26:50

Rubens:

Wonderful. He might have had an assistant that said, "You should do this."

03-00:26:58

McGrath:

Right. So the claim sort of backfired, and the Oakland Army Base went into the base-closure process. And that was a separate process, and it was established by law. And I wasn't key to it.

I'll give you two more pieces. Part of that set up a West Oakland Community Advisory Group.

03-00:27:15

Rubens: WOCAG.

03-00:27:17

McGrath: WOCAG. And I worked with that group, and it was a high-maintenance thing, but—

03-00:27:24

Rubens: Who assigned you to work with that group? It just became part of the job operations?

03-00:27:31

McGrath: It became part of the job. I mean, the first WOCAG meeting, there were probably fifteen or twenty Port people there. Kind of too many.

03-00:27:40

Rubens: Why? Why were so many there?

03-00:27:42

McGrath: Well, because there was a maritime interest, there was how are we—what are the governmental relations aspects of this? Because it might play out legislatively. And then there were the environmental groups, because we had expertise, and the like. And eventually—and then we had a planning group as well. Which wasn't, again, strategically the best. Eventually it settled down to four or five people from the port working with the group, and building our credibility the only way you possibly can—you work with people, you tell them this—"I know this—I don't know this, I'll check." And you're scrupulous about telling them the truth.

03-00:28:23

Rubens: Meeting by meeting.

03-00:28:22

McGrath: Meeting by meeting. And the—some of the people there—George Bolton, who is a wonderful man. I mean, I just can't say anything but very nice things about George Bolton—he had been through a planning process over Middle Harbor Shoreline Park. He knew us—he knew me. I relied upon him.

03-00:28:46

Rubens: He actually lived right there.

03-00:28:48

McGrath: He lived in Oakland—he had lived in Oakland. He worked on one of the bridge authorities in Oakland.

03-00:28:58

Rubens:

He knew how to read plans. That's another thing that is so amazing about him. He understands construction, standards.

03-00:29:00

McGrath:

George knows pretty much everything, and he's good-natured but firm. He's clear in communication. I can just take him out and show him things, and I can point out what could be done, and what might not be done, and where the, you know, sanitary sewer outfall was, and what kind of issues that presented, and the like. And we could bounce ideas off of him. And I, you know, I was very careful to never—I wouldn't flack for the Port. And they didn't like me a lot for that at times.

03-00:29:33

Rubens:

Who didn't like you a lot for that?

03-00:29:34

McGrath:

People in the Port. You know, they just wanted everything scripted and, you know, that just doesn't work in the real world.

03-00:29:39

Rubens:

Does "flack" mean, in this case, scripted? Or does it also mean praising, keeping a solid—

03-00:29:46

McGrath:

No, I mean, I was sort of carrying their water, staying on message, that kind of—you know, that kind of Republican bullshit. And I just—I don't do that. Because—

03-00:29:57

Rubens:

Did somebody ever come to you and say—

03-00:29:59

McGrath:

Oh, yeah. I can—

03-00:30:00

Rubens:

"Shape up, Jim?"

03-00:30:02

McGrath:

I was told a number of times that I wasn't enough of a team player. And I was accused of cutting inside deals and stuff like that. And all I have is the power to persuade. But—

03-00:30:17

Rubens:

They never took you off working with the community.

03-00:30:20

McGrath:

No, nope. And eventually they realized that I had established relationships which were more important than sound bytes. So George was one of the genuine good guys. Ms. Wrick- Parkinson—a

wonderful woman. And I got to tell you, there were some people there that seemed a little less savory to me, people who were interested in money for their group or personal—and they didn't stick around the process, because the process was kind of long and unwieldy. But here is—here I am, working with a group of people that wanted to make the community better. It was the best part of my job. I may understand and know things that may prevent something being practical that they don't, but I had no doubt about their motivation. And so my job was to explain what I understood to them, retain my credibility, listen carefully to what they wanted to do, and work with them to try to make Oakland better. And it was pretty cool. That was the really fun part of the job. And I didn't mind being between them and the port, translating what could and couldn't be done in a framework of feasibility.

03-00:31:44

Rubens:

What percentage of your time, roughly, was spent on this while—

03-00:31:49

McGrath:

Oh, probably 15%.

03-00:31:50

Rubens:

How often would you go to meetings with WOCAG?

03-00:31:52

McGrath:

Probably six, eight times a year, and then a fair amount outside in other meetings.

03-00:32:02

Rubens:

And then just overview, about how long?

03-00:32:05

McGrath:

Oh, I don't remember how long the process took. It took years.

So that's the WOCAG process. Now, let me go back and reintroduce the idea of the Port Priority Use. The city said, "Well, we can have this land, and we can use it for anything." And we pointed out early on that it had a port priority use designation. And they said, well, BCDC only has one hundred feet of shoreline. And I said, well, while they only have one hundred feet of shoreline for permits, they have authority over federal activities under the consistency provisions of the Federal Coastal Law Management Act that gives them authority over such things as land transfers.

And when I first introduced this, I mean, there were people in the community that thought BCDC was an arm of the Port of Oakland, and—or that we were making this up, or that we were—

03-00:32:59

Rubens: And we, in this case?

03-00:33:00

McGrath: We being the Port of Oakland. We were making this up, or the like. And I remember getting called into a meeting with Robert Bobb and a whole bunch of city manager kind of level of things, and laying it out for them. I mean, you know, I'm sort of curious as to how things work, so I always dig in and figure out how things work. And I had worked with the Coastal Commission on the consistency process, and I knew the process very well. So there was no question in my mind that BCDC had a veto authority over the transfer of the land for anything other than port purposes. And they brought a former executive director of BCDC in, who's a private attorney now, who told them exactly the same thing. And it was really funny—we were in the same meeting, and, you know, Robert Bobb was furious.

03-00:33:50

Rubens: What was this man's name? We can find it if it doesn't come to you immediately.

03-00:34:00

McGrath: It'll come to me, but it'll take a few minutes. [Michael] So—now, the other part of that—so that's the framework. There's a legal framework that gives BCDC authority. Then if you drill down a little bit and you look at the base itself and you look at what the port needs, the port—the work that we were doing with planning and looking at new modern marine terminals is—the area where the ship docks, or berths. And the cranes, and the laydown areas—those are invaluable.

03-00:34:36

Rubens: Laydown means where the stuff goes?

03-00:34:38

McGrath: Where the—yeah. Where the boxes come down and settle on the tarmac. That is definitely port priority use. There was a certain dimension to those terminals that didn't take all the land in the Oakland Army Base. And if you looked at how to lay out the land in the army base and the land that the port already had in the most efficient way, and get, you know, real berths in there for real modern container terminals, and how deep it would be—you would have some of the Oakland Army Base left over. And so at the end of the day—and there were pretty smart people at the Port trying to figure out how to work this out and trying to figure out, you know, could you, at the end of the day, leave some land for the city? Or leave some land for related supporting uses? That would benefit the city economically and work this out in a mutually acceptable manner. And the city hired the former port planner from BCDC, who had done the port priority use area, and I believe I recommended her to them.

03-00:35:46

Rubens: Who was that?

03-00:35:48

McGrath: Jennifer Ruffalo. And so they hired Jennifer Ruffalo to help them—she had credibility with everybody. I mean, I—

03-00:35:59

Rubens: Community, port, city?

03-00:36:00

McGrath: Everybody. And they had the former BCDC executive director attorney. So they had a legal staff that could help them navigate through this. And we figured out a way to lay out a different development scenario, where not all the land would go to the port as a port priority use, but enough to cover the next period of years. One of the advantages of having the Oakland Army Base land was, it would be cheaper to redevelop that land than to develop new fill. The BCDC Port Plan had designated, I think it was a forty-acre piece of fill, to match what their projections were. We told them—quite frankly, modern shipping's different than the shipping was in the last round of the Seaport plan. Cranes are faster. The configuration of the land and the proximity to rail is very important, to get the boxes off the terminal. And you can get more through-put capacity out of an efficiently laid-out terminal than you can out of the terminals. So if we get this land, with the configuration we really need, deep enough terminals, we won't need the forty acres of fill. So they were—and, you know, Travis and I worked that over lunch.

03-00:37:18

Rubens: Travis...?

03-00:37:19

McGrath: Will Travis, the executive director of BCDC at the time. So we worked that out over lunch as kind of a handshake deal. As to how—because you can't leave the city with nothing. You can't walk into a battle like this, where a councilwoman is worried about the friendliness of the port and an economic base for her neighbors, who are underemployed—you can't give them nothing. It's just a stalemate.

03-00:37:47

Rubens: Oh, we're now speaking of Nancy Nadel, who became—

03-00:37:50

McGrath: Right, right.

03-00:37:50

Rubens: -a city councilwoman.

03-00:37:53
McGrath:

So Travis and I worked that out over lunch. And he said “You give up the forty acres, and we think we can work this out.” And so that handshake deal carried into the planning process. It worked—I mean, Jennifer Ruffalo’s numbers and configuration said we could move all the through-put capacity in that. We wouldn’t need the whole of the base. The city had a tough time trying to swallow the idea; they had visions of, you know, eco-industrial park, and they had any number of developers telling them about how much money they would make, and this, that, and the other thing. And, of course, the land’s not ideally located. It’s very close to an industrial source, very close to a sewerage treatment plant.

03-00:38:41
Rubens:

Not ideally located for commercial development, or—?

03-00:38:46
McGrath:

Well, their first idea was, like, a high-rise hotel on the waterfront, looking at San Francisco and Treasure Island, right next to the sewerage treatment plant.

03-00:38:53
Rubens:

Not ideally located for a commercial resort.

03-00:38:54
McGrath:

I mean, what were they thinking?

03-00:38:55
Rubens:

Yes. But good for so many things that it’s being used for—whether it was homeless, or movie sets, or something—but those are not as viable economically?

03-00:39:05
McGrath:

No, they were never viable. There wasn’t—there wasn’t a lot of hard analytical thinking in real estate in the city of Oakland. It was a field-of-dreams world. So—and that’s about as charitable as I can be on that. So—and you played this out over a period of time.

03-00:39:27
Rubens:

And you know whatever you decide to edit—I want you to be more candid, then—because I don’t tell anyone what’s said until you see the transcript.

03-00:39:32
McGrath:

Right. Well, at different times I would get asked questions by the developers. And I knew enough of the players that I could make an assessment over what—But just from a market sense, the land in the Oakland Army Base was not as valuable as some developers led the city to believe.

03-00:39:49

Rubens: Really?

03-00:39:49

McGrath: Never.

03-00:39:52

Rubens: It couldn't have become a Fourth Street, a—

03-00:40:01

McGrath: Circulation issues, proximity issues—you've got a big freeway running through there, you've got a big—

03-00:40:12

Rubens: How much, in fact, toxicity do you think there is—was out there? And could it have been eliminated?

03-00:40:18

McGrath: Well, there was a lot of toxicity on the base. There was a big plume under the main building. I mean, one of the things George and I didn't always see eye-to-eye on was that he wanted to save the big administrative building, but that sat right over a big subsurface plume—had seismic issues and the like.

03-00:40:37

Rubens: A plume is a—?

03-00:40:38

McGrath: Groundwater contamination. I don't remember what the contaminants were. But—you know, and Jerry wanted to move the military school in, so he moved it into that building that had hazmat issues.

03-00:40:49

Rubens: Yes, yes. Jerry Brown.

03-00:40:52

McGrath: Jerry Brown. It was not possible to rationalize with him on issues involving the military school.

03-00:40:59

Rubens: But you're just saying—Gap as an anchor-

03-00:41:01

McGrath: Wasn't going to happen.

03-00:41:02

Rubens: Retail was not going to happen.

03-00:41:04

McGrath: Was not going to happen.

03-00:41:04

Rubens:

Some people thought it was going to happen and wanted it to happen.

03-00:41:08

McGrath:

Right. They—you know, if you look at sort of the distance between places—now, people also need to understand real estate strategy. You want as many options as you can to play one group against another. In defense of the city, the city's problem was that they were under-retailed, and retail is one of the few sectors that pays a lot more in taxes than it requires in services.

03-00:41:36

Rubens:

Fourth Street, I understand, in Berkeley, accounts for a third of the tax base.

03-00:41:39

McGrath:

Yes. So retail is something that cities have no choice but to chase, but unfortunately, they don't chase it with enough understanding of how they're played against one another. And so—and if you watch, you'll see a retail center of some sort, let's say Home Depot, I don't think that's it in particular—but you'll see that they'll get three or four in an area, and they'll decide the most efficient is to have two or three. So they'll close one, and it won't be an unprofitable one. But it will be a distance between them, and there will be a series of negotiations with the local government for concessions.

03-00:42:18

Rubens:

This is just a parenthesis—how come that Jack London Village never made it? I thought it looked good—I liked going there.

03-00:42:33

McGrath:

I know the Jack London Village. Jack London Village had a funky little feel to it, and it had surface parking that was pretty affordable. It didn't have a lot of great businesses and it didn't have a lot of great restaurants. And for whatever kinds of reasons, and I think there's a bunch of them—people disliked being stuck behind the train. The trains would come in at lunch and they would interfere with access to the, you know, channel side.

03-00:43:11

Rubens:

And this was before the re-do of where Broadway hits the water: where Barnes and Noble went in?

03-00:43:15

McGrath:

Right. Right. But none of that commercial development was ever very successful. None of it.

03-00:43:20

Rubens:

How about now—

03-00:43:21

McGrath: Still hasn't.

03-00:43:28

Rubens: We're talking about Jack London Square. Where was the Port Building? Was it always there?

03-00:43:34

McGrath: Well, no, the Port Building was moved, about 1990, to a new building that's on the water, at Jack London Square. It had been also a little further south, in what was then the old Spaghetti Factory—it was above the old Spaghetti Factory. And there were enough—it had grown enough that there were people scattered around it in different locations, so that had—

03-00:43:58

Rubens: It had been there and didn't have its own building? Since—?

03-00:44:01

McGrath: Well, that was the Port Building, with—

03-00:44:03

Rubens: Then they rented it to the Spaghetti—

03-00:44:04

McGrath: Right.

03-00:44:06

Rubens: How many worked for the Port administration when you were there?

03-00:44:16

McGrath: Well, I don't know in the Port Building. The Port staffing was between five and seven hundred at the time when I was there.

03-00:44:20

Rubens: And so when it was the Spaghetti Factory, it was—

03-00:44:24

McGrath: There were probably three hundred in that building. You know, round number.

03-00:44:29

Rubens: It grew.

03-00:44:30

McGrath: So I've outlined sort of the parameters of what was eventually done as a deal, and held together was sufficiently technically supportable in the Port Priority Use to go through BCDC as an amendment to their plan. Now, one of the things that I knew about BCDC is that any amendment to the Bay Plan is set up so that it becomes, in effect, state law. They have the authority to amend the Bay Plan, which was

adopted as part of their parent legislation, by a two-thirds vote. So you really have to—you can't have a burning controversy run through BCDC at all smoothly. It's got to be technically sound, it's got to be supportable—

03-00:45:18

Rubens:

And does it also trump federal? You said that at some other point, and then I—

03-00:45:24

McGrath:

Well, it doesn't trump federal law. What the Federal Coastal Zone Management Act does is, the federal government decided it wanted states to develop programs that manage their coastal zones. And what they wanted—what the federal government wanted out of states' programs was, it wanted them to look at uses of more than local significance. In other words, they didn't want parochial local governments to prevent putting in a nuclear reactor if there had to be one, and there was only really one sensible place that made sense in North Carolina. If there needed to be a Newport, if there needed to be an LNG terminal, if there needed to be a military base.

03-00:46:07

Rubens:

Okay.

03-00:46:08

McGrath:

So these were uses that it determined were in the national interest, and that the structure of local governments saying, "You know, we don't want our views blocked" was antithetical to the national interest. So it said "If states set up programs that account in the planning process for these national-interest needs—and there are a long list—it's more than that. We will give you review authority over federal activities to make sure that they don't conflict with your plan." Now, that authority over federal activities is not absolute. It's limited to—on one side of the activity's consistent to the maximum extent practicable, and on the other side there's a basis of appeal to the Secretary of Commerce. So it doesn't trump—it's more that it gives BCDC a role in the federal arena. So it federalizes BCDC for planning purposes, and there was really no way, with the idea of minimizing fill but still providing port capacity, that BCDC wasn't going to be overruled. So their authority there was a federal authority, in effect.

03-00:47:32

Rubens:

And since we're just talking about BCDC for a minute—I had not asked you if BCDC had an official rep at WOCAG.

03-00:47:45

McGrath:

They had people that came now and then. It was a long process, and, you know, it was tough for them, because they'd get screamed at. They'd get called out, because—"What do you mean, we can't do

what we want with this land?" So at times we would try to explain and translate. But they did have representatives that came at key times. We did organize presentations so they began to understand the process and what it was about. And I can't remember the details of those processes, but.

03-00:48:14

Rubens: And you had some channels back at BCDC.

03-00:48:18

McGrath: Yes.

03-00:48:19

Rubens: And again, a little bit parenthetically: you are now on the Board of Commissioners at BCDC?

03-00:48:26

McGrath: Oh, it's not the Board of Commissioners—it's the Commission itself.

03-00:48:28

Rubens: You're on the Commission itself.

03-00:48:30

McGrath: Right.

03-00:48:31

Rubens: When did you go on it?

03-00:48:33

McGrath: Just about a month ago. Two months ago.

03-00:48:34

Rubens: Could you have been on it as an employee of the Port?

03-00:48:39

McGrath: No.

03-00:48:39

Rubens: That would have been a conflict of interest.

03-00:48:41

McGrath: Absolutely. I had to be away from the Port for two years, and have no economic ties left to the Port. I mean, I get a pension. And I was appointed by the governor to the Regional Water Quality Control Board, and by the Regional Water Quality Control Board to BCDC.

03-00:49:00

Rubens: I see. So you represent the Water—

03-00:49:04

McGrath: —Quality Control Board.

- 03-00:49:05
Rubens: And is that what BCDC is—representatives from different groups?
- 03-00:49:08
McGrath: Right. It has twenty-four voting members, and I'm one of them.
- 03-00:49:18
Rubens: And does the Director of the Port have a non-voting seat on the Commission?
- 03-00:49:23
McGrath: No.
- 03-00:9:25
Rubens: That would be a conflict of interest.
- 03-00:49:26
McGrath: Right.
- 03-00:49:27
Rubens: He has his back channels—hears what's going on.
- 03-00:49:30
McGrath: Sure. And, you know, we would meet with him periodically. I mean, the best ways to get things done is to understand what people need, what their legal constraints are, what their economic constraints, and try to do something that makes sure that you reflect that. So I didn't just have lunches with Will Travis to cut backroom deals. What I understood was: their objective in the planning process was to reduce the amount of fill if they possibly could. The Port's objective was to have an efficient marine terminal. And we agreed that if we could explore the idea of reconfiguring it with the right kind of circulation behind it, which includes roads and railroads, there might be ways to get the capacity through. I mean, at that time we had ordered a brand-new crane, which was about four times faster than our old cranes. So in fact, if you look at what you invest in a marine terminal, to get capacity out of that marine terminal, faster equipment is much more cost-effective than landfill. And not everybody in the Port realized that. And then, of course, the Port had these forty acres of fill designated. And, well, what are we going to give that up for?
- 03-00:50:50
Rubens: What are we going to get for it?
- 03-00:50:52
McGrath: What are we going to get for it? And I said, "Well, what's it going to cost you to fill it and then mitigate for it?" So it was those kinds of discussions, where I understood—we met to understand what the irreducible needs of BCDC were.

03-00:51:05
Rubens: Let me fire two more questions here.

03-00:51:07
McGrath: Sure.

03-00:51:08
Rubens: There's also the community and how to manage the community interest. Now, what was the primary objective of the community?

03-00:51:15
McGrath: Well, the community wanted—

03-00:51:16
Rubens: Jobs.

03-00:51:176
McGrath: They wanted jobs, and that was not something that was easily satisfied. They also want a lighter footprint of trucks in the neighborhood.

03-00:51:28
Rubens: To reduce noise, reduce congestion.

03-00:51:30
McGrath: Right. There are three aspects of that that come immediately to mind. One is where the trucks drive. The second is where the trucks stage. And the third is what the trucks may emit, in terms of—

03-00:51:49
Rubens: Emit. Give off.

03-00:51:48
McGrath: Emit. In terms of the emissions. Now, fortunately, there were people at the Port of Oakland and people in the city who had worked together at relocating the freeway after the freeway collapsed, in ways that really moved those activities, which were the heaviest concentration of trucks, further away from the residential areas.

03-00:52:09
Rubens: There is a relationship between the decommissioning and the freeway relocation—is it sort of on the... The freeway relocation is an act of God. It's a result of the '89 earthquake.

03-00:52:24
McGrath: Right. And it had already been done. It had already been relocated before the base came up. So it was part of a fixed landscape. I mean, it was a huge investment.

03-00:52:32

Rubens: Well, but it was also part of the very intense community organizing, too.

03-00:52:37

McGrath: Right. And the practical effects of that—it was in the Port's interest to move trucks closer to the Port for saving money. It was in the community's interest to move trucks further away from the residents. So there were absolute parallel interests there. And the Port's person, Jim Putz, who worked on the freeway, and worked—I mean, he did marvelous service both for the Port and for the community.

03-00:53:03

Rubens: And where is he now?

03-00:53:05

McGrath: He's retired—he lives in Pacifica. So that whole activity—and Nancy's husband was still alive at the time. He was a community activist, and he was instrumental in that relocation.

03-00:53:33

Rubens: An African-American man who died.

03-00:53:35

McGrath: Yes. Chappelle Hayes. And so they had worked together and moved the freeway further away, and moved the ramp structure and things like that. Those things where the trucks might actually queue up—they had all been moved further away from the community. It wasn't enough. The community was also interested in truck routes. One of the things that was difficult to manage and difficult to communicate was that the residential area of West Oakland has been mixed residential and industrial since the thirties.

03-00:54:37

Rubens: Oh, before that.

03-00:54:38

McGrath: Yes, probably since the twenties. I mean, the black community was small there until the great migrations of the war era.

03-00:54:58

Rubens: But it was vital.

But at that time, the Port was much dirtier, but provided—and the railroads, much dirtier, provided jobs. Lots and lots and lots of jobs. So an industrialized, you know, automated system doesn't. And there were industrial locations that employed local people in small buildings all scattered around West Oakland. And there had to be ways to get their import and export goods from the Port to there. So you couldn't outright ban trucks in West Oakland, and any time you tried to do, the

Chamber of Commerce—the black Chamber of Commerce, the Hispanic Chamber of Commerce, they went up in arms, you know. Because you had to have—so how do you handle local traffic in this mixed area?

[End Audio File 3]

Begin Audio File mcgrath_james4_04-11-08.mp3

04-00:02:18

Rubens: When did you leave the Port?

04-00:02:20

McGrath: Just under three years ago. July.

04-00:02:23

Rubens: It did not have to do with your car accident, did it?

04-00:02:24

McGrath: Well, in a way it did. I mean, financially, I was over fifty-five, so I had the—I figured out a way that my pension would be sufficient, given my many years of governmental work. And my mom had left me some money—we got some money from the accident. And there were more important things to do. I mean, these big projects were worth the headaches, but the project that they wanted me to do before I left was a new billboard for the Bay Bridge Terminal. And that thing is just a terrible eyesore.

04-00:03:05

Rubens: Did you do it?

04-00:03:06

McGrath: No.

04-00:03:07

Rubens: That's not you.

04-00:03:08

McGrath: I left. [laughter]

04-00:03:08

Rubens: We're on tape four, the second tape of the second interview with Jim. We were talking about interests, and I was going to ask you about one more interest in the whole planning process of the Oakland Army Base. I wanted to specifically talk about labor, because sometimes labor is conflated with the community. Of course it is an issue—jobs. But then there is labor. And in our first interview, we had talked about my husband representing the ILWU and the Bay Area Dredging

Coalition. And that was heavily labor-based. So I just wondered about labor—the Alameda Central Labor Commission and, you know, all that kind of thing. Vis-à-vis the Port and Oakland.

04-00:04:08

McGrath:

Let me give you my take on labor and Port. I studied labor history as an undergraduate here at the University of California. And particularly I have an interest in the integration of the unions in the fifties. Which unions were segregated and which were not.

04-00:04:32

Rubens:

Do you know Chuck Wollenberg's work on the Boilermakers?

04-00:04:41

McGrath:

I'm not sure about that aspect. I know who Wollenberg is, and I read some stuff from him: this, you know, we're talking thirty years ago, so exactly what I remember? I did my senior thesis, my two semester research paper, on sort of the Bay Area labor movement and issues around Black Power and—

04-00:05:05

Rubens:

Starting when? When was this?

04-00:05:07

McGrath:

Well, I went up through 1954.

04-00:05:09

Rubens:

But you went back to—

04-00:05:11

McGrath:

I went back to about 1940?

04-00:05:13

Rubens:

—the general strike?

04-00:05:14

McGrath:

No, that was too—I tried to look at sort of how World War II and the great migrations began to affect things. So I used World War II as one watershed, and *Brown v Board of Education* as the other watershed. That was the era I looked at. And which unions admitted blacks, which didn't—what the mechanisms of it were, you know. And so I had been in a labor union, and through a strike, at Western Electric. So I had a generally pro-union view, and a pretty lefty view, and people at the Port of Oakland called me, at different times, their favorite or least favorite Trotskyite. So I had a very different take on the role of labor than most people in management at the Port of Oakland.

04-00:06:12

Rubens:

And maybe even people in the labor movement, if you're saying Trotskyite.

04-00:06:18

McGrath:

Well, that was not my own term for myself. That was somebody else's term for me.

04-00:06:22

Rubens:

Oh, excuse me. They might not quite have understood.

04-00:06:24

McGrath:

I realize that. Obviously, I think there are blind spots on both sides of this divide. And Charlie Roberts was, I think, one of the more interesting people. By and large, people at the Port of Oakland in higher management levels feel threatened by labor unions.

04-00:06:45

Rubens:

Remind me please who is Charlie Roberts?

04-00:06:45

McGrath:

Charlie Roberts was the executive director—the second executive director after I took over. He was the executive director of the Port before Chuck Foster, and he was the executive director that was responsible for setting up the Bay Dredging Action Coalition. So he realized that there were—that labor was one of the potential supporters of the Port, and it needed to have a better way of communicating with labor. And in that respect, Charlie was truly visionary.

So there wasn't necessarily excellent communication. Now, Jimmy Herman was extraordinarily easy to get along with. I mean, Jimmy was certainly a labor lion, but also understands the business. And the longshoreman's viewpoint about labor and automation was, as long as we benefit from the improvements in technology, we won't fight it.

04-00:07:54

Rubens:

Well, they made the deal.

04-00:07:55

McGrath:

Right.

04-00:07:56

Rubens:

They allowed for mechanization to come in.

04-00:08:00

McGrath:

They made the deal and they lived up to the deal, and they provided one of the very powerful forces for heavy lifting on support. And if you look at somebody like Ron Dellums and his capacity to deliver the deal on the thirty-eight-foot project, where the material went to Alcatraz and it provided the commitment that the Corps of Engineers would use to know the Baylands—here's a person with 100% approval from the labor unions, 100% approval from environmental organizations and the official scoring, and he could turn back on them and say "This is the way—this is what I need you to compromise on."

04-00:08:37

Rubens: Dellums could do that.

04-00:08:39

McGrath: Dellums could do that, and he could do the same thing to the Port. This is what I need you to compromise on. And so no one should ever underestimate that importance. There were things that were done because of—not just his influence, but his credibility.

But not everyone at the Port of Oakland was comfortable listening to labor. So labor was a positive force in general.

04-00:09:12

Rubens: But were they taking a point of view, you know, as a united point of view? Build the hotels—I don't know—commercial development—?

04-00:09:24

McGrath: I'm not familiar with every position that Labor took. I mean, I was doing an environmental thing much more than a labor thing.

04-00:09:29

Rubens: They weren't necessarily at WOCAG meetings either?

04-00:09:32

McGrath: No.

04-00:09:32

Rubens: Okay.

04-00:09:35

McGrath: But one of the things that was negotiated—and if you want to explore this, the person would be Lee Halterman—there was a project-labor agreement. And here's the Port of Oakland—it was doing not just the dredging project. It was doing a terminal expansion project and an airport-terminal-expansion project—was labor going to benefit from these, or was this all going to go to business? How were you going to do these things? So Lee Halterman was the negotiator for the Port on the project-labor agreement. It was difficult at times for him to convince the Port that this was in their interest. It did deliver labor peace during virtually all the construction. I don't remember how, exactly, the longshoremen's strike fit into that.

04-00:10:25

Rubens: Oh, that was so much earlier.

04-00:10:29

McGrath: Well, there was a big longshore strike that shut down the West Coast for about thirty days during the period of time while I worked for the Port.

04-00:10:38

Rubens: When you worked for the Port?

04-00:10:41

McGrath: Yeah. About six years ago, I think. The contract had expired. But the contract-labor agreement, I believe, affected all the construction, and how much of it would go to labor, how to deal with the bidding issues, and those things like that. So that's my take on labor.

04-00:11:03

Rubens: Great. Let's go through just a couple others. Bolton was very concerned how the old hospital would be used; Brauer was pushing for the homeless to get it.

04-00:11:26

McGrath: The administrative building. The administrative building is the most landmark of the buildings out there. And that was the one that he wanted to preserve historically.

04-00:11:34

Rubens: Right. Yes. But that's on the Oakland Army Base?

04-00:11:37

McGrath: Yeah. Yes/ it's on the Oakland Army Base.

04-00:11:41

Rubens: Bolton was referring to a different place—he was referring to a hospital up in the hills.

04-00:11:42

McGrath: Oak Knoll.

04-00:11:44

Rubens: Yes. And wasn't that what was going to be for homeless?

04-00:11:51

McGrath: Now, I don't know Oak Knoll very well.

04-00:11:55

Rubens: Doesn't matter—it's not the Oakland Army Base. Do you have anything to say about placing homeless people on the Oakland Army Base?

04-00:12:03

McGrath: No. I talked to John periodically, and I—John Brauer—and I trusted him. I probably talked to him as much, many times, at the Cal basketball game as anywhere else. I mean, relationships are great, because, you know, if you share at least one thing in common—but they cut their deal. They had a leading place at line; for whatever kinds of reasons they decided that that was not the best place to put housing, and they would take the money run. They sought, if my memory

serves me well, some job-training benefits. But John cut that deal—it had to be penciled into everything, and I just trust him, so.

04-00:12:51

Rubens: So there was no homeless piece in the—

04-00:12:54

McGrath: There was no requirement, other than it—

04-00:12:55

Rubens: In the Army Base area.

04-00:12:57

McGrath: Right. It had to be paid. And the question, of course, was—who paid it, the city or the Port? But that deal had been—I was not involved in that.

04-00:13:05

Rubens: Did you have anything to do with redevelopment and the Army base?

04-00:13:11

McGrath: No. Well, probably—

04-00:13:14

Rubens: They ended up getting a piece of it, and I've never quite gotten that story, but we're not there yet in this project.

04-00:13:24

McGrath: Well, the last big piece that I can remember—and this was, I think, one of the more significant contributions at Tay Yoshitani who was the executive director after Chuck Foster. Tay looked at the Oakland Army Base and the layout of the railroads—and the Port or Oakland's strength is in engineering and in a particular marine terminal and airport terminal construction. It's very good at that. It knows pavement, it knows—and there are some things that the Port of Oakland is just world-class at. Real estate's not among them.

04-00:13:53

Rubens: What's world-class, just for the—

04-00:13:56

McGrath: It's a really fine engineering organization. It understands how to build pavement cost-effectively, to drain it. I mean, these are not trivial things to achieve its basic purpose of shipping cost-efficiently and minimal resources. It doesn't understand railroads real well, and the layout of railroads. And the complication of trying to get an inter-modal terminal in there. So the Port built, as part of the FISCO project, a joint inter modal terminal that one of the two railroads really wasn't interested in coming into. It was laid out, because of the configuration of the land, in a not-terribly-efficient way. So Tay looked at the

Oakland Army Base when that closure came up, and said, "You know, if we laid out the rail in this manner, we could get the land more efficiently, and we could save, you know, perhaps fifteen or twenty acres' worth of net land utilization, and make a real terminal that was more usable and that had lower operational costs."

So part of the Oakland Army Base was to begin to look at that. Now, that's kind of tough environmentally, because in doing that, you would actually lay out the rail facility closer to the residential area.

So it would be tough. And when taking up with this idea, we were close to the end of the environmental review process for the actual transfer. And I said, Tay sit on that idea, it's a great idea. But let's finish the base transfer—let's transfer the general lands through a programmatic document. And then let's look at it in terms of what we do." And at some point here, you know, not too long after that, I left the Port. But part of the difficulty in managing these things was a certain level of impatience. Jerry Brown decided he wanted a casino there. And in the middle, I'm trying to get Jerry Brown to listen was certainly beyond my skill level, much less my pay grade.

04-00:16:23

Rubens:

Did you have Bob Brauer's ear?

04-00:16:25

McGrath:

Oh, yes.

04-00:16:26

Rubens:

And you had Halterman's ear?

04-00:16:27

McGrath:

And I had Halterman's ear, and I had Jim Levine's ear.

04-00:16:30

Rubens:

I don't know who Jim Levine is.

04-00:16:31

McGrath:

Jim Levine was one of the developers in the West Oakland piece. He was one of the designees, and I know Jim pretty well. So here's Jerry—let's put a casino in the city's portion. That hadn't been covered in the environmental document in draft—that document was about to go final. So here's Jerry, essentially throwing the adequacy of the environmental impact report into a cocked hat. Now, it's somewhat ironic that Jerry now is the state official in charge of litigating to make sure that all environmental review is squeaky-clean, and is so concerned about carbon. But, you know, it's just like—wait. Be a little patient. Let the land transfer then do the environmental review that you need to do. "No, I want this now." You know, if you do this now, you will actually move further from your goal. So I didn't try directly with

Jerry. I had—oh, what office was—this was very funny. I'll tell you this story. So I called Jim—Jerry Brown is a larger-than-life creature in the city of Oakland, and was not famous for his patience in listening. So I called Jim Levine, and tried to use my best back channel to say, "This is not smart. In fact, this can backfire not only in terms of the casino, but in terms of the entire transfer process—it can set it back two years. And I know this. The environmental review process is my specific area of expertise, and I can just let things blow up, but part of my responsibility is to not let things blow up, and let them go through the right process. So I called Jim Levine, because he's on the development team, and I want him to—So he says, "You have two Port commissioners that are Jerry Brown appointees. Call them." So Jim Levine washes his hands of trying to talk Jerry Brown out of the casino. So I call, and the two are Phil Tagami, who also is not famous for how well he listens to people—rants and waves a little bit—and John Protopopus, who was, not then but later, Chairman of the Port Commission. And a very nice man and a very thorough professional in real estate.

04-00:19:03

Rubens:

The mayor appoints all the commissioners?

04-00:19:08

McGrath:

He appoints them, and they serve a fixed term. So, you know, some were holdovers from Wilson for a while, but now they're all, you know. And some are now holdovers from Jerry Brown. And the rest are—I think Dellums has only appointed two so far. So I called John Protopopus, and I run him through it, and he gets it. He makes a quick study. And so I figure that I've discharged my responsibility to try and prevent a train wreck. And he calls me back and he tells me that the mayor wants to talk to me. Now—and so this idea of being back-channel, so there's deniability and so we can get the mayor to quietly be quiet and not blow up his own environmental review process. And I go, "You know, well, the mayor has his own environmental staff, and actually we heard about this concern from them, and probably he should talk to them." And he said, "Yeah, I know, but Jerry wants to talk to you." So—and I did—

04-00:20:11

Rubens:

Is this true, that you did hear from them, or are you now—

04-00:20:15

McGrath:

No, this is true.

04-00:20:16

Rubens:

—trying to legitimize—okay.

04-00:20:18

McGrath:

No, this is absolutely true. Their environmental staff—and, you know, Jerry was an intimidating guy, and nobody wants to deliver bad news. So, fool that I was, I called Jerry. And Jerry said, "Come over here right now." I said, "You know, Mr. Mayor, what I'm trying to do is create a back-channel communication to not have problems with the adequacy of the document. And, you know, at the time I come over to you and sit down with the city staff, this is no longer a back-channel communication, isn't it. So you have your own environmental review staff, you have your own legal staff, and you know, I think they can advise you on the problems of adequacy under the California Environmental Quality Act." And I get off the phone and I go up to talk to the Executive Director, because I just sort of stepped in it and walked around with it. [laughter] So he says, "Well, you should call the city attorney, who would flag this in the first place." I said, "Yeah, I should have done that right away." So I go back down to my office and I pick up the phone and I call him and he was in, "Jerry Brown's office." So.

04-00:21:23

Rubens:

It's the former council member?

04-00:21:27

McGrath:

No, it wasn't Frank Russo. It was before—it was further down, at a level that I'm not sure whether Russo was there yet.

04-00:21:31

Rubens:

Okay.

04-00:21:34

McGrath:

But it's just the kind of thing where—

04-00:21:38

Rubens:

And what's the result on that? What finally happens?

04-00:21:40

McGrath:

Well, you couldn't have put a casino there. And, you know, the casino was one of the field-of-dreams ideas, and how much money we're going to make with this land—and the market wasn't there. I mean, to put a casino next to a sewage treatment plant—I mean, that's where the city's property was. To put a luxury, four-star hotel next to a sewage treatment plant: these weren't realistic real-estate proposals.

04-00:22:08

Rubens:

In New York you can put it across the street from a morgue, but I guess a morgue's a little different than a sewage treatment plant.
[laughter]

04-00:22:14
McGrath:

Your morgue doesn't have an ongoing smell problem like the sewage treatment plant. So, anyway, Oakland real-estate politics were terrible.

04-00:22:30
Rubens:

Can you just make a statement, then, about your specific— You had to write for the Port of Oakland Environmental Review for the base closure and transfer?

04-00:22:42
McGrath:

No. There were two lead agencies. Under environmental laws, an environmental document can be prepared that covers multiple purposes. So the federal agency getting rid of the land was the Army. And there was a base closure process, which was set up by law and established by Dellums, that looked at the actual closure process. So to get rid of the land, you had to do an environmental impact statement at the federal level. It could cover and did cover some aspects, but not all aspects, of California law. But part of that has to be—what are the likely effects? And those likely effects include the redevelopment. So you had to have an agreed-upon land use that would be at the end. That everyone would say, "This is the likely outcome of the base being closed, and these are the facts. If it's going to be used for port, traffic's going to go up." So the city put all of this under a redevelopment agency boundaries so it could get tax-increment financing. So the city was—

04-00:23:54
Rubens:

Tax increment financing?

04-00:23:58
McGrath:

From the land.

04-00:24:00
Rubens:

And what was that going to be used for, the tax increment?

04-00:24:03
McGrath:

That's to help pay for the infrastructure cost to redevelop the land. You're going to have to tear down buildings, put in roads.

04-00:24:09
Rubens:

The city puts that all in.

04-00:24:11
McGrath:

Big money. And then, you know, some of the land becomes private, some of it becomes port land. There was a \$15 million, I think, loop road that would be required to make the circulation work. You'd have to move one of the major streets. So you're looking at, you know—oh, I don't remember the numbers, but well over \$20 million worth of infrastructure costs.

04-00:24:39
Rubens: This is all part of the environmental report.

04-00:24:41
McGrath: Right.

04-00:24:42
Rubens: And your role in this report?

04-00:24:46
McGrath: We were to make sure—the city was the lead agency; we were a responsible agency.

04-00:24:50
Rubens: We, the port.

04-00:24:50
McGrath: We, the port.

04-00:24:51
Rubens: Were the responsible agency.

04-00:24:53
McGrath: Right.

04-00:24:54
Rubens: What does that mean? Legally, financially? Document preparation?

04-00:24:59
McGrath: We would be responsible for utilizing this report, or adding to it as needed, when one of our projects came for approval.

04-00:25:06
Rubens: Who generated the report?

04-00:25:08
McGrath: The city of Oakland generated the lead EIR by the redevelopment agency. And it had, in general terms, the impacts of redevelopment. So it had overall traffic numbers, the timing of the traffic increases, what things would look like in general, emissions, you know, air quality analysis. Then the Port of Oakland would come along later and say, "Okay, we're now going to relocate the joint inter-mobile terminal. And it's going to be here rather than here—it's going to be on the Army base. We're going to do a very specific EIR about how that's going to change the emission patterns and the like."

04-00:25:44
Rubens: Did you do that?

04-00:25:45
McGrath: No. That had not been done when I left. The transfer was just kind of—it was just the first stage of the transfer of the land.

04-00:25:55

Rubens: Is there a document that you did do?.

04-00:26:02

McGrath: I don't think so.

04-00:26:17

Rubens: BRAC?

04-00:26:22

McGrath: Base Reuse Authority. That's the group set up by Dellums' legislation. And it's got—I don't remember exactly the representations, but Aliza Gallo was the head of that. For a while it was actually Henry Gardener, who is now at ABAG.

04-00:26:47

Rubens: Gallo, wasn't she De la Fuentes' appointee?

04-00:26:53

McGrath: She's close to him—yes.

04-00:26:58

Rubens: There was the Army Military Traffic Command—MTMC. There was the Office of Economic Adjustment. There was the East Bay Conversion and Reinvestment Commission. I'm just waiting to say when you're there. Of course, we've got the City Council, WOCAG. There was another group that was set up. There was a business group that was parallel to WOCAG. Do you know what that was called?

04-00:28:26

McGrath: No. You know, the Port hasn't actually yet done anything—or by the time I left, the Port hadn't done anything with the Oakland Army Base.

04-00:28:33

Rubens: This Oakland Army Base Oral History Project is a joint project of Oakland Redevelopment and—

04-00:28:45

McGrath: And the Port.

04-00:28:46

Rubens: And the Port.

04-00:28:47

McGrath: As mitigation for—and this was all a historic district. And it's not going to be retained as a district. I mean, all of the structures, or most of the structures of significance, are going to be demolished rather than reused constructively. So you've got to do mitigation.

04-00:29:01

Rubens: Got it. Anything else that you want to say?

04-00:29:08
McGrath:

No.

Well, the bases were significantly underutilized land. I mean, before they reached the stage of how are they going to be reused, they were operating at a fraction of their historic peaks. I mean, when the Port went in to reconstruct FISCO, it found that the Navy had, if I remember this story correctly, a unique gauge of railroad tracks. And they hadn't been used since the forties.

And kind of looking at this, when you realize that, in fact, most of the shipping of materials for Desert Storm was done with container ships—so you've got this facility sitting there of however many hundred acres, essentially underutilized. Not generating the tax revenue, not generating any jobs—closure made a lot of sense.

04-00:32:27
Rubens:

Well, I know you have to go, so we'll stop. Thank you so much.

[End of Interview]