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Gary Patton

Gary Patton: California Coastal Commission Oral History Project

Interviews conducted by
Todd Holmes
in 2017

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Gary Patton, 2015
Photo Courtesy of Gary Patton

Gary Patton is an environmental attorney and coastal advocate in Santa Cruz, California. He was active in the 1972 Proposition 20 campaign that created the California Coastal Commission, and became involved in Santa Cruz politics the following year as the attorney for the Save Lighthouse Point campaign. This campaign stood as one of the first tests of coastal regulation in the city. It also launched a twenty-year political career for Patton, who would serve as a Santa Cruz County Supervisor from 1975 to 1995. His pioneering work in coastal regulation and land use policy earned him the honor of being named one of the most influential people in Santa Cruz during the twentieth century. In this interview, he discusses a range of issues related to the Coastal Commission from the vantage point of both a County Supervisor and early member of the Central Coast Regional Commission.

Table of Contents — Gary Patton**Interview 1: April 28, 2017**

Hour 1 1

Birth in San Francisco, California — Life in Palo Alto — Stanford Attendance — The Volunteers in Asia Program — Marriage — Union Theological Seminary — 1971 Move to Santa Cruz — Falling into environmental law — McHugh-Bianchi building case — Community organizing — Future mayor of Santa Cruz Bert Muhly — Impact of Prop 20 on Santa Cruz — The regional “Sea Ranch” — The Coastal Commission and policy makers — Collectiveness amidst political divisions — Initiative passes — Lighthouse Point Association — Campaigning for County Supervisor — Political participation increase

Hour 2 19

Community issues and political discourse — Central Coast Regional Commission — Issues with the Regional Commission — Tension between staff and commissioners — Election as a signal of change — Local Government Commission — Mel Lane — *Land Use Report* program — Permanence of the Coastal Commission

Interview 2: April 28, 2017

Hour 1 34

Board of supervisors — Governance through the people — Local Coastal Plan for Santa Cruz — Development plans — Measure J — Timber Harvesting — Protection versus economic growth — Creating long term visitors — Natural resource based accommodations — Geographical pressures on the coast — Governor’s personal interests — Coastal Commission’s erosion of good feeling — Budget cuts — Peter Douglas

Hour 2 50

Proposals around the central coast — Development attempts in Big Sur — Cannery Row — Monterey Bike Path — San Simeon Point — Conserving the land — Offshore oil issues — National Lobby for the coast — Issues of the Coastal Commission — Democracy in the environmental struggles — Present challenges in coastal communities — Influence of development pressures

Interview 1: April 28, 2017

01-00:00:06

Holmes:

All right. This is Todd Holmes with the Oral History Center at UC Berkeley. I have the pleasure of sitting down with Gary Patton. Today is April 28, 2017, and we are here at his home office in the beautiful city of Santa Cruz, California. Gary, thanks so much for joining me.

01-00:00:26

Patton:

Oh, I'm very pleased to do it. It's a real pleasure.

01-00:00:29

Holmes:

So, this is for the California Coastal Commission Project, and you have been involved in a variety of ways with the Commission, and also the issues of coastal management. Here in our first session, let's start off with a little background about yourself and your education. Did you grow up here in California?

01-00:00:51

Patton:

No, not completely. I was born in San Francisco, and my father got a job back in Washington DC during the war, so I briefly went to Washington DC, but I don't remember a thing about that. And then we lived very briefly in Indiana, but my mother was a San Francisco girl and she wanted to live on the Peninsula or in the Bay Area, so we moved back. My father was a business executive at a company called Lenkurt Electric, which wasn't the Silicon Valley at that time, because there was no silicon involved, but he was in the sort of first wave of the electronics industry coming out of Stanford University. So, ultimately, we moved to Redwood City, then to Palo Alto. And I mainly grew up in Palo Alto, went to Walter Hays Elementary School, Jordan Junior High, and then Palo Alto High School, and then moved across the street after high school graduation to Stanford.

I went to Stanford starting in 1961, and was first a politics major, then a US history major, and was in a very exciting program during my junior and senior years called the Honors Program in Social Thought and Institutions. In your junior year, you met with all of the great professors—in the humanities, social sciences, politics, history, anthropology, everything—in a seminar session, and the group, which was about 20 or so students, studied one word for the entire year. "Utopia" was our word, so I studied utopia for my junior year. And then in your senior year, you had to write a thesis, again related to the topic. At the end of that year, or the senior year, which was 1965, I had failed to write the thesis. I was terribly ashamed of myself, but I just couldn't do it, and I was struggling to try to capture, somehow, the utopian ideal that had come out of these studies during this two-year program.

So luckily, because I was from Stanford, and they knew Stanford people were good, I went directly to Stanford Law School. I didn't have to drop out of school or something, but I didn't finish my thesis and graduate until the end of

my first year in law school. I found, at that time, and it was somewhat comforting, that there was only one person in the entire seminar who had completed his or her thesis on time. I was not an outlier failure. In fact, everybody in that seminar had been trying to grapple with, “what do we do?” This was the time of the Vietnam War; major challenges, obviously; the sixties; a change in philosophy and society and politics. And what on earth was I going to do? What should we be doing collectively to address all of those issues? And I couldn’t, as a senior in college, somehow deal with that and come up with the right answer, but my thesis was called “The Future of Change in America.”

I ultimately did complete it. I went on to law school at Stanford, but I didn’t really want to be a lawyer, didn’t really like law school. And so, I dropped out of law school, resisted the draft, went on a Merchant Marine trip, came back, actually confronted the Selective Service System, and refused induction, and went to jail for one day. They never prosecuted me because of the appalling way they had treated me as a resister to participation in war.

And then, before I graduated from law school, I actually went to a program that had grown up at Stanford and is still based there—it is at UCSC [University of California, Santa Cruz] now, too—the Volunteers in Asia Program, which was a summer program for me, and is now usually a two-year program, in which people from the US, students or recent graduates, spend a couple of years in an Asian setting, usually working with community. It’s sort of like a Peace Corps, but it’s a private group, with education as a major focus, and I taught vocabulary to students in Macau, which at that time was a Portuguese colony, right on the China mainland. And I met my wife during that trip and we came back and got married. And I then went to theological seminary at Union Theological Seminary for about just one academic year. I would have liked to have continued, but my father, who had gone back to law school and started a law practice in Santa Cruz, begged me to come help him, so we moved to Santa Cruz in 1971.

So, I came to Santa Cruz ten years after I graduated from high school, which was the year that my family moved to Santa Cruz from Palo Alto. My father retired at just about that time from Lenkurt Electric Company, and so we moved up into the hills, to a place on Vine Hill Road; it was about forty acres or so and was called “Wildwood.” That is where my family moved in 1961. But I was gone most of the time. So, I showed up back in Santa Cruz in 1971, and was just a young lawyer, general practice—wills, divorces, slip and fall accidents—whatever you had, talk to me and I’ll try to represent you. And that sort of got me to where I started getting involved in some of the issues around environmental protection, coastal protection, et cetera.

01-00:06:41
Holmes:

As a lawyer with your father’s firm, did you broach any of the environmental law at that time? What was the state of environmental law at that time?

01-00:06:49

Patton:

Well, there wasn't really any environmental law. If you think about the main environmental statutes which were adopted under President [Richard] Nixon, oddly enough—the Clean Air Act, Clean Water Act, the EPA [Environmental Protection Agency], and then the National Environmental Policy Act, which then later very shortly gave us the California Environmental Quality Act—

01-00:07:13

Holmes:

CEQA, yeah.

01-00:07:14

Patton:

CEQA, and that was under Ronald Reagan. That all was in the early 1970s. My first environmental case, which I lost, unfortunately, was representing a group that wanted to protect the historic McHugh-Bianchi building, which was a lovely, old, Victorian grocery store right downtown, on the main corner of downtown, actually, across from where the town clock is now located in Santa Cruz. And I tried to use the California Environmental Quality Act, brand new at that time, to protect that, in a lawsuit which said the City hadn't evaluated the environmental impacts enough before allowing the demolition. But I lost.

And then, I was hired relatively soon after that to represent a group called the Save Lighthouse Point Association. The group was trying to save the last open space, the last privately owned open space, left within the city limits. Now, Lighthouse Field is a state park, but then it was a privately-owned property that was on the coast in the city of Santa Cruz, a 38-acre field, right at Lighthouse Point, right where Monterey Bay ends, and the Pacific Ocean begins. And so that was really when I got into environmental issues, and right at a time when all sorts of things were pointing towards public concern about environmental protection, including, specifically, the coast. It was, of course, in 1972 when Prop [Proposition] 20 passed.

01-00:08:50

Holmes:

Well, yeah, I wanted to talk to you about that, because I know you were involved a bit with Prop 20, and then, I do also want to touch on the Lighthouse Point. What was your involvement with the initiative?

01-00:09:05

Patton:

I feel sort of guilty about saying, "Hey, I'd love to talk to you about the Coastal Act and coastal protection, get myself on camera, an oral history—I can get my little piece of the puzzle in there." But you know, Todd, the direct involvement I had was relatively small. I signed the petition, and I circulated the petition, but not as part of the organized movement. That particular petition drive was notable because it was a true citizens' petition. It was not paid signature gatherers getting all those signatures. It was: "Do we care about the California coast? We need to protect it. Let's sign these petitions." And so, people did that in both an organized way and in a just a volunteer capacity.

I was one of the volunteers. In other words, I cared. I had a few friends, but many people, the people who put that on the ballot, they set aside their life to make that happen. I was a young guy with a family, trying to support them and being a lawyer, but I was terrifically energized by what was going on with that movement. And as we probably will talk about a little later, it played a role in terms of what I did, subsequently—with the Lighthouse Point Association, and so forth. But I had studied political theory at Stanford and was very into politics, and then United States history, particularly the Revolution, and I thought we needed big changes. That was my analysis—and it still is. I was terrifically impressed by the idea that ordinary people were going to take charge of the government to do something that had to be done that the institutions of government, the official agencies, were not doing. And we were losing the best part of our relationship to the natural environment, and if you live in Santa Cruz, you care about the coast.

01-00:11:20

Holmes:

I wanted to talk to you a little bit about that. Who were some of the leaders here in the Santa Cruz area—

01-00:11:27

Patton:

Well, the one I remember, there was a woman named Virginia Sharp, and I think she played a role. I can't really remember whether she did, but a guy I know who did, a friend and a wonderful person, and a person who later turned out to be the mayor of Santa Cruz for awhile, [Louis] Bert Muhly definitely played a leading role in our community. He had also been the county planning director in Santa Cruz County. He, I think, came out of the Central Valley, and located here in Santa Cruz. He was a very progressive person, personally, and he ended up in teaching land use planning in San Jose State University. He played a real rallying role in the Santa Cruz, and in the Central Coast region, and he was considered to be a great leader because he had been the planning director and knew about these issues from a professional standpoint, which, candidly, nobody else did. Nowadays, there are many people, not as many, probably, as there should be, but many people who understand the basics of land use planning. They get the idea of coastal protection; they've maybe read some of the Coastal Act, and they've read newspaper articles about it; they get the concept of using our laws to protect the natural environment, in a way that really was just not something people thought about.

01-00:13:01

Holmes:

And how would you say the Prop 20 campaign here in Santa Cruz tapped into the cultural rhythms of the city and surrounding area? You were talking about ordinary citizens getting energized by this idea, and that obviously, the coast itself plays a very vital role, it seems, within those rhythms.

01-00:13:23

Patton:

Well, for instance, surfing is a basic concern of people who live in Santa Cruz—you may be surprised by how many. Somebody who is a professor at

UCSC in biology or mathematics, they may well be orienting themselves to the surfing conditions and essentially planning their daily activities around surfing. I know many attorneys who do that. My former son-in-law was a district attorney, assistant district attorney, and he leaves the county building and his role as a prosecutor and goes surfing virtually every day, depending on where the waves are.

And so, the surfing community, which now is almost professionalized, but at that time was the kind of the hidden underground spring of people who cared about the coast. They played a big role in this. They played a huge role in the Save Lighthouse Point effort, and the Save Lighthouse Point effort really fed off of the efforts around the Coastal Act. So, what I remember—and my memory, unfortunately, since I'm participating in oral history interview here, is not always the best. That was a long time ago, actually.

01-00:14:52

Holmes:

Everyone always says the same thing, so you're not alone.

01-00:14:54

Patton:

Glad I'm not an outlier on that either. At any rate, the memories I have are about getting solicited in movie lines, about people looking for signatures on our downtown street here, the Pacific Garden Mall, then Pacific Avenue, and finding people and harassing them to sign the Coastal Act [Prop 20] initiative. I'd already signed it, but you found that this was a popular thing, and of course, this was true up and down the state, and particularly in Southern California. The thing was really based out of Southern California, where the impacts were already much, much greater than up here. There were some insults to the environment around here, the big insult was a hotel development called the Dream Inn, still located near to our historic beach boardwalk, the Seaside Company's amusement park on the bay.

01-00:16:01

Holmes:

Oh sure, it's iconic.

01-00:16:02

Patton:

It's iconic, and there's the main beach, which is called Cowell's Beach, sits right in front of and adjacent to the Boardwalk. And then right on the bluffs above the main beach, the city of Santa Cruz allowed a developer to build what they called the Dream Inn, which was this concrete, cinderblock—I don't know, eight-story, maybe ten—huge, ugly hotel, that then had something even on top of that, because they intended to add more floors. And so, they had the elevator shaft sticking up—it was just ugly as sin. It overshadowed the main beach, and people, once they saw it, thought, "This is what's happening to our coast; we can't allow that to happen again." And of course, in Southern California, that was even more true.

01-00:16:58

Holmes: It's interesting you mention that, because when we really look into the Prop 20 campaign, we have the origin story of Sea Ranch, right, where a lot of people—

01-00:17:09

Patton: Sea Ranch, I remember Sea Ranch, yes.

01-00:17:12

Holmes: But I've also found that, because of the regionalism, if we think of how big that coast is, each region on the coast seemed to have, in a sense, its own "Sea Ranch," right? So, you're talking about the Dream Inn for Santa Cruz. In Southern California, you had the AVCO and Irvine developments, which were really at the top of the list for people in that area. So, there was a variety of issues that were motivating citizens, in their local communities and regions, to get involved.

01-00:17:43

Patton: On the other side of the bay here, Monterey, the Monterey County side of Monterey Bay, the hotel and visitor industry—which is very strong there, much more so than Santa Cruz, and is a big part of our economy—they were building right on the sand, right there. I'm trying to remember the name of it. It's now I think a Best Western hotel, and I think it motivated people as well, because they had a lovely kind of intimate, primal beach with nothing, and then suddenly there was a huge hotel. And there were lots of other proposals on the way, and many people were really trying to get in and stop it before it multiplied, around here anyway.

01-00:18:29

Holmes: Yeah. And that hotel, it used to be a Best Western, but I think it is now called Monterey Tides. I think it has changed names numerous times. I've stayed there many times.

01-00:18:38

Patton: It's a nice hotel, yeah.

01-00:18:39

Holmes: Yeah, and it is right there on the beach with the cinderblock walls, for the high tide. I've heard stories about that, how it was one of the pivotal projects that really, for the Monterey side of the bay, really motivated people.

01-00:18:55

Patton: Well, I'll tell you a story which jumps ahead sort of chronologically, because it relates to something that happened when I was on the Regional Coastal Commission after the Coastal Act was passed. When I served on the Board of Supervisors, I would sometimes go to meetings in Los Angeles, and would, of course, get on Southwest Airlines and go down to LAX [Los Angeles International Airport], and then somehow get to wherever the meeting was. And so, I had an experience which I've never forgotten, because it was such a

shocking experience. It was sometime after I had left the regional commission, probably sometime in the, maybe, early 1980s.

So, the Coastal Act that now exists, which was a legislatively enacted measure, not the initiative; at any rate, that Coastal Act, in its original form, let the regional commissions actually have initial permitting authority over proposed developments in the coastal zone, which also was quite extensive in many places. At any rate, we had, in the regional commission here, in the Monterey Central Coast region, voted on a development called the Glass House, which was right down the beach, near to the hotel that we were just talking about there in Monterey. And it was turned down, as it should have been under the Coastal Act. It wasn't a big deal in my mind, because it was not consistent with the Coastal Act.

So, it was turned down, and I didn't pay a lot of attention to it because I had forgotten all about it. But I was on a Southwest plane going from San Jose to Los Angeles for some meeting, and when you're in Southwest, you take the window seat or the aisle seat, and then you keep praying that no one's going to get into that middle seat. That was how it was then. And so, you would look up as people walked down the aisle, if you had been seated earlier, and just kind of trying to send the vibe "You don't really want to sit here, do you?" And I was doing that, and some guy walked down the aisle, and looked at me, and stopped, and he said, "You're Gary Patton, aren't you?" And I said, "Yeah?" I didn't recognize him at all. He said, "Well, I hope you're happy," he said, "you wrecked my life." And I said, "What?" And he said, "The Glass House Hotel, you remember that? You asshole." He had been the developer.

And I didn't remember it, I didn't remember him, but once he said that, I did remember how the feelings ran very high, because there was a fundamental shift, when the Coastal Act kicked in, about what could happen in California. And people who had pledged their lives, basically made their whole plans based on the old idea, suddenly found there was a new idea. And it was powerful.

01-00:22:14

Holmes:

Oh wow. In also thinking about the campaign, are there other stories that come to mind? I know there's some of the iconic stories from the Prop 20 campaign. We think of Jim Mills and his bike ride down—

01-00:22:28

Patton:

I remember reading about that. And it probably came through Santa Cruz.

01-00:22:32

Holmes:

Yeah, but you never saw it, though?

01-00:22:33

Patton:

I don't remember it. I remember meeting Jim Mills later in his legislative career, and he loved trains. That's what I knew him as, a train guy.

01-00:22:43

Holmes: Oh, interesting.

01-00:22:44

Patton: Oh yeah, no, he was very much into trains, and I got involved with transportation issues and I'm a member of Track Train Riders Association of California, which—

01-00:22:56

Holmes: The rail fans.

01-00:22:57

Patton: Yes, the rail fans. And you were telling me before that you take the Capital Corridor. I'm sure Jim Mills had something to do with that. But I don't remember that specifically, and as I say, that's why I feel a little guilty about talking to you about this campaign, because it was peripheral to my life, although I was energized by it, thinking "Oh my gosh, we're going to do this!" And then, I was not really optimistic it was going to pass, because the business interests were really against it.

01-00:23:33

Holmes: I want to get to that here in a minute, but are there other stories that you remember? I know that we had billboards and the advertisements with the FEC [Federal Election Commission], these kind of things. Anything like that here locally in Santa Cruz.

01-00:23:45

Patton: You know, I really don't have a lot of memory of the campaign itself, other than that. I circulated a few petitions and filled them up and mailed them in, and I saw people out on the streets and in the lines, and I may have gone up to campus one time. UC was just starting. Basically, they had just started. It was 1967, I think was the first year.

01-00:24:16

Holmes: Yeah, it was still young.

01-00:24:17

Patton: And so it was very young, but a lot of support from students, I know that, but I was not so personally involved in that. And I didn't really know Bert Muhly at that time. I knew him later and found out about his role in the Prop 20 campaign. But no, I knew about the campaign mainly because it was a possibility that it would help protect some of these things that people in Santa Cruz really cared about. And, as it's turned out, of course, it's been a real change in our basic relationship to the coastal environment on a sort of a natural resources basis, which I don't think anybody understood or thought about. I certainly didn't think much about the idea of protecting coastal habitat and wetlands, and the biology and agricultural lands. It was much more, "Stop the hotels from building on the beaches." That was really what I remember the campaign focused on, and "We don't want to be like Miami."

01-00:25:28

Holmes: That's a very apt metaphor right there.

01-00:25:31

Patton: Yeah, and sealing off the coast with these, just one after the other, big developments. And you said in Southern California, these were not necessarily visitor serving. They were residential subdivisions, of which Sea Ranch was another good example. Here's a wild and rough and beautiful part of the California coast up in Sonoma County that was just going to be transformed into this private preserve for probably the extremely rich, but nobody could go there anymore. And not too many people, if you think about it quantitatively, probably went there. But our sense of free access depended on, someday we might go there, or we went there once when we were younger.

01-00:26:18

Holmes: Sure. Before moving on from the campaign, what are your thoughts on how the Coastal Commission was greeted by policy makers.

01-00:26:33

Patton: Oh, terrible!

01-00:26:34

Holmes: We surely know that. Were there Democratic supporters, Republican supporters, as well as opponents?

01-00:26:44

Patton: I cannot really remember how this played out in a partisan sense, but I think it was not considered to be a partisan issue. It was not at all. I know, for instance, that you've studied and know about Mel and Bill Lane, who ended up being critically important in terms of advancing, once the Coastal Act passed, advancing these coastal policies and coastal goals. I think they were Republicans. I can't imagine they weren't—

01-00:27:17

Holmes: They were.

01-00:27:18

Patton: And so, there was not that partisan slant on this, at all. But policymakers who hated this—and they really hated it, and I think it was a bipartisan hatred—were the elected officials in local government, county and city positions, who were really being told by the entire public, the entire public of the state of California, turning around and pointing their finger at them and saying, “You are failures. You're not doing your job; you're not protecting things we care about. We are going to supersede your authority.” And that's what the Coastal Act did. The regional commission took over permitting. In other words, the biggest thing you do when you're a local official is decide how the future of your community gets built. Suddenly, you couldn't do that in the coastal zone.

01-00:28:09

Holmes:

That's really interesting. Because as you were saying, support was bipartisan, that your local citizens handing out petitions, many times not only span generations, they span the political spectrum.

01-00:28:25

Patton:

They did, absolutely. The ordinary people, and we're a mixed bag, as ordinary people. I can't remember the percentage by which it passed. It was good, but it was not overwhelming. I'm sure it was a close call, right? But it was grandmothers and young sixteen—well, you had to be eighteen to circulate that, but young people as well as old people, Republicans, Democrats, white people, brown people, black people.

01-00:29:00

Holmes:

Which is even more interesting when we think of this time—it's a time politically of polarization, when we look at society in a lot of ways, right? Vietnam had torn families apart; it had torn friends apart; the Civil Rights Movement. So, there was a lot of polarizing issues going on. And when we look at the Coastal Commission, it seems that was able to bridge a lot of political divides.

01-00:29:27

Patton:

I'm glad you said that, so I will remember that, because that's absolutely true. My experience is the same. But thinking of the fight to protect the coast as a unifying, community-building effort—it really was. And then of course, it has become divisive because it's a very strongly regulatory program, and that means there's always this tension between protecting the coast for all and somebody who has a property right, or a property interest, and they have an individual desire to do what they think is best for them. And then we've got: "Who are these people that are telling me you can't do that?" And that's, of course, any regulatory program has that tension built in, and it is kind of like you got to choose which side are you on. And so, you could see this as, wow, this is going to be hugely divisive. But at the time of the campaign, I agree with you, there were, I think, business interests and others, local government, people didn't like it. But kind of the broad community sentiment was, "Hey, let's get together and save our coast here. We need to do this."

01-00:30:49

Holmes:

You mentioned that, that you had questioned if it was actually going to pass because of the development interests that were opposed. Can you talk a little bit about that?

01-00:31:00

Patton:

Well, my experience as one who served on a board of supervisors for twenty years here in Santa Cruz County, and was on the regional commission at the start of my career in politics, is that people motivated by business development, money-making interests, are more involved in political decision making and have more impact than ordinary people, generally speaking, because the stakes are higher. In other words, why do you spend a lot of time

and effort and money on something when it's just kind of peripheral to your interests? Maybe you would like there to be a height limit on the neighborhood that you live in, but are you really going to spend the next six months of your life working on that? Probably not. But if you're the one who wants to build higher, like this guy with the Glass House Hotel, it's like, "Hey, my future life depends on this."

And so, I just suspected that money was going to win in this, because it was very clear. This was like grassroots versus money, grassroots versus the real estate industry, grassroots versus developers. At least, that's the way it came across to me, and I think that's actually how it was. The point you just made a little moment ago was really true. This was the opportunity for people—Republicans, Democrats—just to say, "Hey, look, let's set aside that and try to understand; everybody has an interest in keeping our coast beautiful and accessible and not overdeveloped, and we want the community, our collective, our societal values, to govern in this coastal zone." Not just say, "Hey, it's an opportunity for people individually to make some money and realize their individual dreams." So, I was kind of nervous that that wouldn't be the way it worked out.

01-00:33:23

Holmes:

Well, before we move on, what was your reaction when you saw that it actually passed? Do you—

01-00:33:29

Patton:

Oh, I was really happy. I think I used that word energizing. For me, the idea of that campaign being successful—I'll tell you another worry I had. As you probably know, the coastal initiative Prop 20, that initiative was, I believe, four years. It was a limited term, and it expired. I really questioned that as a strategy because the way I looked at it, if the public was going to assert its rights to do something, the public should make it permanent. How often are you going to be able to get the vote? And then you were leaving this in the hands of the legislature, which, once again, is very susceptible to money and vested interests and usually responds to local government. And so, why do you think after four years the legislature is going to renew this thing? So, I was nervous when the four years came up, on the same basis I was worried about it passing in the first place. And so, I was just really happy when it passed. I thought, "Oh my gosh, this is really great. This is—

01-00:34:51

Holmes:

Do you remember where you were on election night?

01-00:34:54

Patton:

I don't; I don't remember that.

01-00:34:57

Holmes:

I was talking to another person who was involved with the campaign, and of course, she had to remind the historian that they didn't really run TV, the 24-

hour news cycles like they do today. So, people went to bed that night, and they kind of woke up the next morning and opened the newspaper. I guess that's how many found out.

01-00:35:24

Patton:

And sometimes, even the newspapers wouldn't really have the answer. It always was frustrating to me with these newspapers, because they had to go to press at midnight at the latest to get on your doorstep at 6:00, and a lot of times, the final returns weren't in. So, you never really knew. But, do you remember how much the coastal initiative passed by?

01-00:35:51

Holmes:

It was—

01-00:35:52

Patton:

Fifty-two percent?

01-00:35:53

Holmes:

It was 55 to 45 percent.

01-00:35:55

Patton:

Okay, well, that's pretty solid.

01-00:35:56

Holmes:

Something around there.

01-00:35:56

Patton:

That's good.

01-00:35:57

Holmes:

I think it was right around there.

01-00:35:59

Patton:

So, they probably knew at night that it was going to pass.

01-00:36:03

Holmes:

I'm not sure. But it's very interesting, if we look at the breakdown, and in thinking of regionalism along the coast, that it passed in every coastal county except for the North Coast. So, Mendocino, Humboldt, Del Norte—

01-00:36:18

Patton:

Where the pressures appeared less, I think. They didn't have the Dream Inn, or Avco yet. Sea Ranch was prior to the Coastal Act, I guess, huh?

01-00:36:33

Holmes:

Yeah, they had a vested right—it was already developing. But it's also an interesting aspect, when you look at the landscape. Mel Nutter talked a little bit about this, as geography plays a role in also protecting the coast, that it would be very difficult up there on the North Coast, on some of those shorelines, to try to build an Avco kind of community or a Sea Ranch, right?

It's just not really permitting to that. But I'm sure, as you point out, without Prop 20, there's a good chance that they would have found a way.

01-00:37:06

Patton:

That whole northern part of California keeps wanting to secede and make its own state, the state of Jefferson and so forth, and they're individualistic. When you live in the Bay Area, for instance, the Monterey Bay region, on this side of the hill, there get to be so many people living in the same place that you realize that you need rules. You need to restrain individualism, or the thing turns into a mess. If you're out in the boondocks in Mendocino County or Humboldt County, somewhere up there, it's like, "You're trying to tell me I can't do something on my land?" And nobody really feels threatened, they don't think there's that much of a problem, and they sort of side with the individualistic approach. But I didn't remember the results. It's interesting to hear that.

01-00:37:59

Holmes:

Well, in saying how Prop 20 energized you, and you've mentioned a few times, this also led to the Save Lighthouse Point campaign, which I think came up for vote in 1974. Can you talk a little bit about that campaign? Because I think it was initiated by the Save Lighthouse Point Association. Was this around the same time?

01-00:38:21

Patton:

This was a very seminal event in Santa Cruz County history, and Santa Cruz city history, and it really came after Prop 20, after 1972. I don't know really because I was not a founder of the Save Lighthouse Point Association. I ended up being its attorney, and then sort of just a member. But what was happening here is a great example of a hugely intense development that would've really disrupted the then-current state of the city of Santa Cruz. Lighthouse Field, there may be three or four different parcels, but it was an integral 38-acre parcel of open land, right at Lighthouse Point, right by where the big surfing spot was, Steamer Lane, that surfers loved. It was just undeveloped. It had been the Phelan estate, Senator [James] Phelan. He had a 37-acre beautiful place. So, because of that, it had really never been independently developed. It wasn't subdivided into small lots. It was a few big parcels, I think two of which were owned by the city.

And the city was, at the time I showed up in '71 and then 1972, very pro growth, very pro development. Santa Cruz County was the fastest growing county in the state of California. The city of Santa Cruz was leading the way, and so, the first idea that civic leaders had—and this is not when I was here; this was in the 1960s—was to have Frank Lloyd Wright develop a huge, big development right on the coast on Lighthouse Field. And he came here. He designed this weird-looking thing, a Frank Lloyd Wright kind of weird-looking thing, called the Court of the Seven Seas, and a lot of people rallied around, but then for whatever reason, the economy probably, it never took off.

Then, in the early 1970s, the city of Santa Cruz, the County of Santa Cruz, and a private developer called Teachers Management and Investment—which had, essentially, pension funds from teachers, and was based in, I think, Newport Beach—they came up with a joint plan to have a public-private partnership. And the plan was to develop a new hotel like the Dream Inn, which was hated by many; a convention center, and convention centers were the big economic development driver at that time; and a shopping center, big shopping center; and condominiums; and I think there were like seven acres of surface parking involved. But those were the major components, and the city and county formed a joint powers authority and proceeded to start trying to permit this thing and get it through the permit process. And it was going through the permit process with the Coastal Commission not yet having kind of gelled.

Everybody who was anybody loved this. The unions loved it, jobs; business community loved it, development; and so forth. Real estate people loved it. The neighborhood did not like it, and surfers hated it, and the public in general didn't like it, but, that was unclear. Nobody was organized in opposition, and the story of how the Save Lighthouse Point Association started, as I tell it to my classes up at UCSC, was with a surfer. This young guy, who had just graduated from high school, was a surfer. His name was John Scott, and he had two items of value: one was a surfboard, and one was an old, beat-up car, probably a Woodie—I don't know; I don't actually remember the story that well. Two things: his car and his surfboard. He used his car to go to the surf; he was an avid surfer. He found out about this development proposal, and that nobody was doing anything about it. The city was handling it as a routine matter. There was no reason to believe it wasn't going to pass and go through just fine, and so he sold his car, the less valuable of the two things he owned—

01-00:43:28

Holmes:

Yes, of course!

01-00:43:28

Patton:

And put a full-page ad in the local paper, the *Santa Cruz Sentinel*, that said, "Save Lighthouse Field," and called a meeting for what is now the Loudon Nelson Community Center; which at that time was the Laurel School. He rented a room there in the evening, and a huge number, more than anybody would expect, came out, and they formed the Save Lighthouse Point Association. And so, they started meeting. I did not go. I probably read about it in the paper, but I was not thinking about that. But I had written a will for a woman who lived on Gharkey Street—she's subsequently been on the city council, been mayor—Katherine Beiers. She worked at the UCSC McHenry Library as a librarian. She was fairly new in town. She did not think this was a good idea, so she was part of a group that said, "We better get an attorney."

She remembered that I had written her will, so she said, “Well, he’s young and I bet he’s cheap.” They came and met with me, and they had quite a little delegation of about three or four, maybe five people, including somebody who was really important to the effort, a guy by the name of Andy Schiffrin. He was a planner, MIT [Massachusetts Institute of Technology] master’s in planning, who had just moved to Santa Cruz for whatever reason—I’m not quite clear—but he had some professional expertise in planning. And so, they came to interview me. I was interested in this. I didn’t really know too much about it. I’d been by the Lighthouse Field but had never really looked at it. So, I went out and looked at it, and I wrote out a brief of about, I don’t know how many, five or ten pages, something, of every possible thing we could do legally that I felt might help, because it was a done deal, as far as everybody knew.

And so, they hired me, and they did pay me at the start, but not for very long. I just became a member and we met every week, and we just kind of went down the list. We did everything we could possibly do, ending up with a city initiative to pull the city’s financing out of the joint project, which was the initial blow that prevented this development from going ahead. And that was in June 1974, that the initiative went on the ballot. We qualified it. It was like a little replay of the Coastal Act, just in the city of Santa Cruz, and then the development also went to the Coastal Commission, which turned it down. So, that campaign was essentially stimulated by the kind of energy of “We can protect our coast,” that came out of the Coastal Act campaign, but then focused very specifically on protecting Lighthouse Field.

Simultaneously, there was another group called Operation Wilder, which was fighting a proposal that was more like the Avco-type proposal, called Wilder Ranch and Beaches. This was going to be 10,000 homes on the northern part of, on the coast, just north of the city of Santa Cruz. It was going to double the size of the population of Santa Cruz in one development, 10,000 homes. Moroto Investment Company, I think, was the developer out of Southern California, and people didn’t like that either. I supported the group, but I was not involved with it because I was busy with Save Lighthouse Point. But Operation Wilder hired a Saul Alinsky organizer, and they beat that proposed development at the same time the Save Lighthouse Point Association beat the Lighthouse Point development, and that completely changed the politics of not only the city, but sooner rather than later, the county, because then I got elected to the Board of Supervisors out of that campaign.

So, this was a time in which you could really say the statewide example of the Coastal Act gave local citizens, ordinary people, the idea that we could act, take governmental action through an initiative, and change the future of our community, and protect it. And so, really, the whole Lighthouse Point experience, I believe, was deeply inspired by the Coast Act, but it was separate. As you can tell, I was not deeply engaged in the Coastal campaign.

It's not like a phalanx of people who would really agitate, and some of them did, but it was separate thing, but the idea.

01-00:48:22

Holmes: It was very much connected.

01-00:48:24

Patton: The idea was very connected. It was just: "We can do the same thing here. We're going to save Lighthouse Field."

01-00:48:30

Holmes: Mike Fisher, who served on the regional commission, then later became executive director of the commission, he's often said that the most important aspects about the commission was really, on the local level, more than usually seen at the state level. And this is where we think of the legislature and the Coastal Commission, but it was really, as you're talking about, citizens looking at their local officials, trying to have a voice to stop those kind of developments.

01-00:49:07

Patton: Well, exactly so, and speaking sort of from a legalistic point of view, both the California Environmental Quality Act, CEQA, and the Coastal Act gave citizens a legal ability to get involved. So, they were inspired, which I felt was the thing that was critical, but they then had some tools. They had some tools. They had some statewide policies and local governments had to follow them, and if they didn't, you had somewhere you could go. You could go to the commission; you could appeal; you could deal with that.

01-00:49:46

Holmes: Which, before that, there was not much.

01-00:49:48

Patton: No. Really, if you think about it from a local government perspective, and ofcourse, I was a local government official for 20 years, local government people were used to being in charge, and they would pay attention to the politics, and if people really hated something, maybe they would turn it down. But, they didn't like the idea that, "Hey, gee, somebody else can tell us how to run the city or the county, that they can supersede our authority," because the idea of local control through cities and county governments, that's a basic in California government. And the Coastal Act essentially said, "Wait a minute. The people of the state, acting initially through the initiative process, are going to set up some policies which you have to follow. You can't set your own policies. You've got to follow the statewide policies." And that was a revolution in terms of effective legal control over land use in the coastal zone.

01-00:50:50

Holmes: That's very well put. I wanted to talk about you moving into that, your campaign for supervisor. So, this was at the same time of having the initiative,

the Lighthouse Point initiative, and then at the same time, you decided to also run for supervisor. How did that come about?

01-00:51:13

Patton:

I didn't have any plan to run for office, to be an elected official at all. How it came about was like this: A couple of the people who were active in Operation Wilder had seen me, because they—the groups were different groups working on separate development proposals, which were actually happening simultaneously—but when it came to public meetings, people would go to both of them. Lighthouse Point was in the city, you see, but the Operation Wilder—the Wilder Ranch and Beaches development—while it was going to be next to the city, it was actually proposed on land that, at that time, was in the unincorporated area. And it still is in the unincorporated area.

So, there weren't a lot of city council meetings on that because they didn't have jurisdiction. The most they would've ever had was sort of LAFCO—Local Agency Formation Commission—hearings to see if the development could be annexed. There were some city council things because the city was getting involved with the proposed development in anticipation of an annexation. But, the Lighthouse Point thing was in the city, and the city was both passing on it, and, part of the development grew, so you knew that they approved it because they were part of the profit-making enterprise. And so, we would have meetings sometimes with like 1,500 people in attendance, and I was the attorney, and I was making these speeches, and I was filing letters, and I was going on TV to make statements, and so forth. So, I became a notable public figure as the spokesperson for the Save Lighthouse Point Association.

So, a couple of people came to see me, to urge me to run for Supervisor, because the incumbent had decided not to run for reelection. Actually, their names are Alan and Denise Holbert, and they had been Operation Wilder people. Alan had basically grown up in Santa Cruz. His father was a revered doctor who was in an iron lung, and still practicing at that time. Denise had spent most of her life in Santa Cruz, and her father ran a store called Traders, kind of a junk store, but everybody went there. I remember going there. They were interested in politics, and they decided—and I think they were right; I hadn't had that idea myself—that I would be a very successful candidate. I was young, smart, went to Stanford, a lawyer fighting for the community. In other words, I fit the mold of not who was then on the Council or on the Board, but of who could be. And they were smart enough to figure that out.

So, they came to ask me to run, and I said, "Thanks, but no interest." I had no idea of that. But then I thought about it. I didn't really like being a lawyer very much, candidly, and so I thought well, yeah. And I'd been very excited by this citizens stuff, as I said. It was just terribly energizing to me. So, I ran, and the campaign, in 1974, you have a June election, and then unless somebody gets more than 50 percent, you have one in November. So, they undoubtedly

approached me late in '73. I remember them coming to meet with me; I don't remember the date. But it was at my office downtown, in my law office, and so, one of the things that we worked into the campaign—and frankly, this is a good way to run a political campaign—is you have a measure on the ballot that the candidate supports. It's not just the candidate, because people are justifiably suspicious of personal ambition in political candidates, that all they really want is to advance their own personal career with my vote and my support and my money. And so, if what you're running on isn't you, but an issue, then it helps to dampen down that—not completely, by any means, but it does send the message that, hey, you're in this for a reason. You're not just: "I want to be official. I want to be important."

So, we had this initiative, which we already had decided was a good idea, and so I could run with the initiative, and I did come out as one of the top two people in the June campaign. There were quite a few people who ran, and I was pretty young. When I was elected I was 29 years old, and I was the youngest county supervisor in California—I think maybe in the history of Santa Cruz County, but certainly the youngest in California at the time I was elected. At any rate, I ran in June. The guy who ended up being in the final with me was a former mayor of the city, an older guy, and very right wing, very conservative. He had been on the Council to Support Lighthouse Point, so it was real clear which side we were on. University students could vote for the first time ever in Santa Cruz. So, we won in November. The initiative campaign was over in June, but that was a vital part of differentiating the candidacies.

01-00:56:52

Holmes:

And what was the gentleman's name that you ran against?

01-00:56:55

Patton:

Ernie Wicklund, and he had been distinguished for being in favor of the Vietnam War. I was a draft resister, which I did not try to hide. I was anti-war, and of course, the war was still in progress, or just coming to an end, actually.

01-00:57:18

Holmes:

Were there any interesting turning points in the campaign?

01-00:57:24

Patton:

Oh yeah, well, the whole campaign was a turning point for me, of course. I guess the real—I don't know, I'm trying to think of the turning point, because really, the campaign was a turning point. There was a very, very active citizen support. In other words, the popular participation was the theme of this campaign. And we were door to door everywhere. I went into—which they don't let you do anymore—I went door to door in university dormitories, which the university said you couldn't do, and I just defied them. I said, "They're voters, I get to go see them." And I got 99 percent of the university precinct vote, so, that was very significant. I then was targeted in the future as just some sort of student candidate. [laughs]

I think the interesting part of the campaign that might've been a little bit different, and so you could say it was a turning point, was the popular quality of it. I mean, literally, probably hundreds of people supporting that campaign, in terms of, again, Prop 20 not that far off as a model. In other words, people getting personally engaged, which normally you don't do. Normally, you put out some flyers and mail them to people, or whatever. Very active citizen participation, which was the theme of my whole time on the Board and so forth. So, that, I think, was probably the turning point.

Ernie Wicklund had done something with the Vietcong flag. He had torn down some Vietcong flag that somebody had put up on their house. And so, he was against free speech because he tore down somebody's flag. That was a kind of an issue if you want to call it that—a notable thing in the campaign. But he was an old guy, and young citizen participation politics beat the old establishment politics. That's what it was.

01-00:59:52
Holmes:

Sure, sure. So, it's not just Lighthouse Point, but even that you're—

01-00:59:55
Patton:

Oh no. Yeah, it was all over for Lighthouse Point by that time. We had won.

01-00:59:59
Holmes:

Sure, but looking at that year—we had Prop 20 in 1972, then Lighthouse Point, and then your election as county supervisor. What stands out is really this community engagement, this kind of popular shift politically, as you've talked about.

01-01:00:14
Patton:

Well, this is what happened probably elsewhere in the state, and I only really know about it from a personal level in Santa Cruz, but that is absolutely what happened. And the whole quality of our politics changed. Citizen groups of various kinds, and neighborhood community groups, grew up around a lot of issues. The first budget session in 1975, when I was on the Board, we shifted about a \$1.2 million, I think it was, out of various kind of recommended projects that the county administrative officer had wanted, and gave that money in grants directly to community-based organizations, to plant community gardens, help with women's health—a whole range of social services.

So, in the end, the transition was very much about citizen participation taking control of the governmental, regulatory, and the financial taxing and spending tools that government gives us, and using them for popular community-based ideas, as opposed to business as usual, which was very development oriented. As I say, Santa Cruz County was the fastest growing county in the state at that time, and the fifth fastest growing county in the United States, with plans to put big freeways right down the middle of the town, high rises on the—

01-01:01:53

Holmes: Yeah, on the east side.

01-01:01:54

Patton: Over here, and a freeway connection over the university to bypass going on Mission Street. Mission Street is the state highway, but it goes through the middle of all of the businesses in town. It's not a very speedy route, and they were going to cut a big, four-lane freeway over the university to bypass all that. It was a huge development era in which my election was one of the shifts—and that's because this is a coastal community. The Coastal Act set the model that got people saying, "Hey, wait a minute, we can stop what's happening and do something new and different, and that's more protective of the natural environment." And that really was the history of Santa Cruz County starting right then. And as I say, I'm somewhat embarrassed to admit that I was not the person to go to in Santa Cruz County on Prop 20, but I was the go-to person to protect the county later because of Prop 20.

01-01:02:58

Holmes: Yeah, well it's an important point of its legacy and impact.

01-01:03:03

Patton: Yes, absolutely, and you know Michael Fisher is absolutely right. I think that the way this changed things was at a local level, because ninety-nine percent of all of the decisions are local decisions, and now they must be informed by these statewide policies, and they are informed by the statewide policies. There are still things that get away from us, from my perspective, but it's vastly different now. We're not Miami Beach, up and down Southern California, and Sea Ranches, and everywhere on the rural parts of the coast, and we do have agricultural land protected right along the coast and Ventura, right up, San Luis Obispo, Santa Cruz, and north.

01-01:03:50

Holmes: So, as a supervisor, that also seemed to help you get a seat on the Central Coast Regional Committee.

01-01:03:59

Patton: Well, right; the way the initiative was set up, a state commission and a set of regional commissions were established by the initiative, and local government officials were given seats at the table. And so, I was serving, and I've forgotten, candidly, exactly who voted to appoint me. Maybe the Board of Supervisors was the agency that got to make the appointment, but I served representing Santa Cruz County on the regional commission, which actually then met in our board chambers in Santa Cruz County. The chambers then, now they're Superior Court, but they were right down there in the courthouse, and I believe the commission met biweekly.

It was an intense period of time, and of course, the concept was that in the interim, as a statewide coastal plan was being adopted at the state level, these regional commissions would handle permitting, so that you had four years to

come up with the state coastal plan. You didn't, in the meantime, just give away development approvals. So, our rules were that you couldn't really make any long-term commitment to a development, pending adoption of the plan mandated by the Coastal Act. Developments like the Glass House Hotel just couldn't be approved during the time the overall, statewide plan was being developed. It just was not legal to do that because the public had said, "Look, no big developments along the coast that could compromise the integrity of the future plan." And so, it was a very powerful institution, and sitting on it was a huge commitment of time, because you really were like a planning commission for San Mateo, Santa Cruz, and Monterey counties, the Central Coast region.

01-01:06:16
Holmes:

What were some of the big issues that, during—because you served on the Central Coast Regional Commission from 1975 to, was it about 1978 or so?

01-01:06:27
Patton:

Well, I think it would have been '76, because the Coastal Act in '72 gave it four years. And so, I did serve that entire time, then the state Coastal Act eliminated the regional commissions. And so there was just the state commission, and the idea was, now that we have a set of policies and a plan and a government structure for the coast, we can give local governments back their direct authority again, because they're going to be operating under the supervision of the state and under these state rules. So, I believe it would have been '75 through probably the end of '76. Not that long, in a way, because I didn't take office until January of 1975, and then, I believe that the Coastal Act was passed in 1976.

Jerry Smith, I remember, from the Saratoga area, Assembly Member Jerry Smith, was the author of the [1976 Coastal] bill. And Peter Douglas, later deputy and then executive director of the commission, was involved with the legislation. I remember following it and participating and caring about it. I was very suspicious of getting rid of the regional commissions. Of course, I served on one. I thought it would have been better to keep those regional commissions, and the whole issue of regional governance was, at that time, a big debate. How do we deal with these multi-jurisdictional issues, housing and transportation and other things, in a way that can really deal with them on a regional basis, since giving these little jurisdictions authority to make land use decisions that then affect a region, and the region itself has no mechanism to deal with them?

I kind of liked the regional commission idea, but, politically speaking, at the state level, I was just really pleased that we didn't eliminate the commission entirely. And I think the public's commitment to coastal protection really is reflected in the fact that the state legislature—which was not environmentalist, and they weren't coastal protectors by any means, most of them—still, the fact

that it passed, and it was a close vote as I recall, was due to the fact the public still cared a lot.

01-01:09:27

Holmes:

Yeah, I think after the Coastal Act passed in '76, depending on the particular region, a lot of the regional commissions began to sunset by 1978 or 1980—

01-01:09:42

Patton:

Was that how it worked?

01-01:09:43

Holmes:

Yeah, they sunsetted. There were a few years of overlap to get the mechanisms running, but when you were there, on the Central Coast Regional Commission, what were some of the big issues that you were confronting?

01-01:10:02

Patton:

Well, basically the biggest issues that I recall were these hotels, in Monterey County, specifically. The Lighthouse Point thing came and went through the commission before I got on the commission, so it must have been in '74, I suppose—pardon me, in '73 or something like that. No, no, no, no, it would have been in '74. So, yeah, I don't remember the chronology exactly of when these things happened, but, my recollection was, there were lots of little relatively small type developments, because virtually everything had to go through the commission. And so, I can't really even remember any specifics, but I do remember the big hotels in Monterey County, and they were significant developments in the sense that there was a lot involved in them, and they got turned down.

I think the other thing that I remember is wetlands protection, specifically, that that was a completely new concept for the development side, and from some of these local governments. Just the idea that, wait a minute, these natural systems, the ecological aspect of the region we lived in, was going to be given primacy. I don't think ESHA—Environmentally Sensitive Habitat Areas, which currently is a key part of the coastal program to protect the environment today—I don't think that was part of the program yet, but wetlands were, and there were several. And I just don't remember the specifics, but I remember wetlands, because that's where I learned about wetlands. I was not a biologist. I learned about some of the natural systems that support life by being on the Coastal Commission, because the staff was charged to protecting those systems, and wetlands, specifically.

We have some wetlands-type things in Santa Cruz, and of course, and on the Monterey County side as well. I think there were some developments up in San Mateo County as well.

01-01:12:28

Holmes:

The Elkhorn Slough, I know is a big wetland in the region—

01-01:12:31

Patton:

Which is of world importance, really, a globally important estuarine system.

01-01:12:38

Holmes:

But it's interesting that you mention wetlands, because going through the files of the Coastal Commission, and particularly during these early years, you see that struggle of staff and commissioners trying to wrap their head around incorporating this new type of science and environmental understanding into the program. I think, in some ways, one could probably say that the Coastal Commission really helped define these areas.

01-01:13:06

Patton:

Oh, absolutely—it's interesting that you're saying you're finding this looking through documentary searches. I don't remember the specifics, as you can tell, but I remember that issue, something new to me, and educational for me, and it really represented the public educating itself through the Coastal Act. I have written a blog every day, starting in 2009, and up until January— when I changed the name of it—it was called *Two Worlds*. I came to understand, by the end of my time on the Board of Supervisors, that we really inhabit two different worlds, simultaneously. Ultimately, we live in the Natural World. If you think about a picture of the earth from space, we live in a natural world that we didn't create. We're just lucky to be here. We're alive. God only knows. If you believe in God, you could say, "God only knows." Who knows how we got here? But life exists; we're part of it, and everything depends on that natural environment.

However, we live most immediately not in the World of Nature, but in a human world that we create. And what strikes us and seems most important to us, is what *we* do. When we're building our own world inside that world of nature, dependent on the world of nature, what we're mostly interested in is, "How do you get to the beach?" We're concerned about the things we build, and we forget that what we do is ultimately dependent on the integrity of the natural systems. And so, wetlands are a great example of our appreciation now that all life, biological life, begins in the wetlands, really, it's hugely important. And from a human world perspective, they're kind of soggy. What the hell do we care? Let's pave them over, fill them in, and make some good use of them. Let's open up some affordable housing, or some new marinas, or whatever it is that strikes us will be a good idea.

The Coastal Act really does require us to understand that our development of the human world is dependent on these natural systems, because the Coastal Act says they have to be protected. It was kind of a revolutionary idea, back in the 1970s, because nobody was thinking that way. Nobody really understood the importance of protecting the natural environment, not just for aesthetic reasons, but to maintain life on earth, and our global warming crisis today is, of course, another example of this truth: We're either going to remember this, or we're going to perish.

01-01:16:09

Holmes:

Speaking of the operation of the Central Coast, did you notice tension between staff and commissioners at the regional commission, as well as perhaps between regional commissions?

01-01:16:27

Patton:

There were some tensions. Not everybody on the regional commission or on the state commission were like coastal protectors, that's not how they defined themselves. Many of them were there with a deep resentment of the whole idea that this coastal process was interfering either with their normal local government plans, or with, specifically, the kind of developments that they thought would help the economy, that would be better for the state, et cetera. So, there was a significant amount of tension within our regional commission, the way I remember it. And I had a buddy who later became a leader of the League of Women Voters of San Mateo County. She was from San Mateo County. Her name was Linda Craig, and she and I always sat together, and she had apparently known about my campaign for supervisor before; she had been following it from San Mateo County, because San Mateo County coastal protectors wanted allies in Santa Cruz County.

Linda Craig was sort of a, I would say, minor version, another version of Lennie Roberts. Lennie Roberts, as you probably know, was a fantastic leader, and still is, of environmental protection, particularly coastal protection on the San Mateo County coast. Coastal protectors like Linda and Lennie did not want to see Santa Cruz County come from essentially the south and start putting pressure on San Mateo County, and of course the opposite is also true. Both counties have a lot of commitment to coastal protection, and if one were pro-development, while the other were more protective of the natural environment, that would not be good for efforts to protect the coast.

So anyway, Linda and I hardly ever disagreed; we were both strong votes for coastal protection. I am not certain I remember much about other members of the regional commission, the Monterey County people. However, there were two outstanding women from Monterey County: Ruth Andreasen and Marit Evans. They that served on that commission; they were coastal protectors. And so, our commission, by and large, were strongly in favor of the kind of policies we were putting through. I don't remember great tensions on our regional commission except some irritation with specific people sometimes, because the staff—and that, of course, is what has made the commission so wonderful over the years—the staff really completely internalized the policies of the Coastal Act. And the staff people who are still serving and leading the commission were there from the start. It's been going on for several years, but they're retiring now, and I know the staff is always trying to find people who again would make basically a lifelong commitment to the commission.

The various appointees at the state commission come and go, and there've been sometimes of real political pressure for development coming from the

appointing authorities and so forth. But the staff has provided continuity for the Coastal Act policies, and the basic understanding of what the public said it wanted to achieve. And literally, you would go, and you can still do this, you can go to a Coastal Commission meeting, and the staff will have been there, no matter where it is, they will know the spot. They may have gone there for that particular permit application, but they will have been there over 20 years. They will know the coast intimately. And in the early years, and I can't remember all of the people who sat on the state commission, I did go to a number of state commission meetings, and it was quite a community setting. I know there was internal conflict; I just don't remember specifically. On our regional commission, I don't remember much, because our commission was rather strongly environmental in terms of the people who got appointed.

01-01:20:56

Holmes:

And speaking of the regional commissions, there were six of them, and all these regional commissions had a mix of local—

01-01:21:12

Patton:

Officials.

01-01:21:12

Holmes:

Yes, yes, elected officials. And you were an example of that. We talked about how, in many respects, your election as supervisor was one of those signals of change, right, politically?

01-01:21:26

Patton:

Yes, that's true.

01-01:21:28

Holmes:

Did you see yourself then as different than, let's say, your other elected officials that were sitting on these regional commissions? There were conflicts of interest in some cases, there were development pressures. As an elected official, that's one of the things they want to see, their community develop and grow, perhaps.

01-01:21:54

Patton:

New tax revenues, new tourism, coming businesses, getting established there, sure.

01-01:21:59

Holmes:

So, did you see yourself as different in how you, at least the—

01-01:22:04

Patton:

Well, I was, yeah, [laughter] I was very much different. Later, not that much later, but in 1978, on our countywide ballot was an initiative—not an initiative; it was a referendum. Three members of the Board, with two against, but three members of the Board voted to put on the ballot of June 1978 a measure I wrote, which was called Measure J. It was a growth management system, very strongly protective of the environment, and radically so. There's no other county in the state that has as strong a set of policies, which have

subsequently been incorporated into our local coastal program, into the general plan, and so forth. This was the most radical measure. Agricultural land, in Santa Cruz County, land that is commercially productive for agriculture, cannot be developed or divided—period. No exceptions. This is it. If it is commercially viable agricultural land that is what it will be, period. No, you can't change the use.

Now, if you happened to own agricultural land in Santa Cruz County in 1978, you knew that the value of your land for agriculture was maybe \$20,000 an acre, and the value of the land, if you could get the government to say you could develop, it was \$300,000 an acre. So, this was essentially a massive devaluation of your ability to make money off your agricultural land, and it was obviously incredibly contested. And I was the person who thought that up, and I got our Board to put it on the ballot by a close vote, and then it passed. I was the most hated person in Santa Cruz County for most of my political career because of that. But, now, everybody says, "Thank God we did that." It's like the Coastal Act, very similar. I didn't refer to it in the campaign or anything, but it's like, we are going to say no. We are going to have some rules that say, "We're not going to exercise our discretion. If it's a wetland, you don't have discretion." Well, we'll keep it unless there's a higher and better use. No. No discretion. We're going to set some rules that are based in what we think is the right thing to do, and that's it.

And so, I definitely saw myself as trying radically to change the way land use and development happened, everywhere, as far as that goes, but specifically in Santa Cruz County. And I went around and spoke all around the state, particularly in the Central Valley, after Measure J passed. But nobody else was ever successful in doing this. Then, the state of the law sort of changed. Measure J would not be effective today if we tried it, because the Supreme Court has held that if you're going to change general plan policies, you have to essentially have a referendum petition that contains the entire general plan. And it just becomes impractical, politically, to do that. Measure J was two-and-a-half pages or something, very brief: Here's what's happening now; here's what we think ought to happen; here are the policies; and protect agricultural land the way I've described; when you build housing, 15 percent must be permanently protected, for an average or below average income person; new growth should be encouraged inside the existing urban areas; new growth will be discouraged outside; protection for special environmental things; and every year, the public, through its representatives, has to make a decision on how much growth the next year will bring, and there will be a growth goal determination which will be political. So, that system doesn't exist anymore except in this county.

01-01:27:04
Holmes:

During your time on the commission, there were obviously other supervisors who did not hold your type of outlook. What were your thoughts on some of these other commissions? Examples of other supervisors under that kind of

development pressure and at least didn't see themselves in the same position to make the kind of stand that you did?

01-01:27:31

Patton:

Well, actually it's interesting, because, and again, I can't really remember the exact chronology, but there was an effort in which I was involved that started right around the time I got on the Board. But it included some supervisors from Sonoma County, as well, who played a leadership role in this, and it was stimulated by Tom Hayden, who was then an advisor to Governor Brown. Governor Brown was elected in '74, and so was I, and I was elected, as far as I was concerned, to make the local government level more environmentally protective and politically progressive.

There was a group called the County Supervisors Network, and I was a member; Sam Farr, who has served in Congress now from this region for many years, had served in the State Assembly, but he was, at that time, a county supervisor; and then Ernie Carpenter and Eric Koenigshofer from Sonoma County; and others, but sort of progressive, environmentally protective supervisors. And they were not only on the coast, but they were mainly on the coast, because that's where that kind of supervisors had gotten elected. We formed this group, and then Hayden talked Governor Brown into setting up something called the Local Government Commission on Energy Conservation and Renewable Resources, and this was actually an executive branch commission appointed by the governor. And the concept was—and it was extremely effective—that we would have a system whereby statewide initiatives, policy initiatives that the governor wanted to accomplish, but that were running into political problems in the state legislature, we would, as local officials, start passing local versions. And we did this specifically around energy, energy conservation.

And so, the Local Government Commission on Energy Conservation and Renewable Resources was created by the governor, and the governor made the appointments. I was a member; I later got to be the statewide chair and was for a number of years, after it separated out and became a nonprofit. But what was interesting about this is, if you're a supervisor, you automatically are part of the County Supervisors Association. If you're a city council person, you're automatically on the League of Cities. The County Supervisors Network, and then subsequently the Local Government Commission, they were not—you couldn't join if you wanted to. You had to be selected because of your politics. You had to be progressive. So, it was particularly a network of progressive, local officials, and when we got to the Local Government Commission, it was both city and county officials. So, the County Supervisors Network kind of disappeared and went into the Local Government Commission. And I guess, again, I can't remember the chronology, but it was probably '76 or so that these things were happening. And actually, that was pretty quickly after I got on the Board, because we immediately were facing

offshore oil development, and that's where this group became very, very powerful and ultimately changed national policy.

So, yeah, I was very aware of the different flavors of local government, elected officials, and those progressive and environmentally committed local officials tried to help each other. I would send checks to campaigns for people, and they would send checks to me. We were trying to develop a statewide network of people who were environmental protectors, who wanted to see active government getting involved to do things, economically and otherwise, for communities, and not just have them sort of be business-oriented developments. Kind of a Bernie Sanders at the grassroots level kind of an effort. So, I was very much aware of those differences, and we would help each other try to figure out who to recruit to run, help them, give them campaign advice, tell them our war stories, and so forth, so that they would have ideas of how to win. And we would cheer when the good guys won and mourn when they lost.

And this is what I'm saying with Lennie Roberts. She had that idea, which I didn't even know about when I was running. She and others in San Mateo County had actually helped my campaign. I wasn't even aware of it, but they said, "This would be a guy who would then be part of a statewide movement ultimately"—which I ended up being, of course; they picked me right—that, "He would be a good person, so let's see if we can help him, and let's certainly watch what happens."

01-01:33:36

Holmes: Can we take a quick break?

01-01:33:38

Patton: We can.

01-01:33:42

Holmes: Well Gary, I wanted to ask, here towards the end of our first session, I wanted to ask a little bit about the early years of the state commission and perhaps your interaction with that. Of course, the commission was headed by Mel Lane, and then the executive director, Joe Bodovitz—

01-01:33:58

Patton: Was Bodovitz, right, he was the first, I think.

01-01:34:02

Holmes: Yeah, he was the executive director.

01-01:34:03

Patton: Right, the first executive director, correct.

01-01:34:07

Holmes: What were your impressions and memories of Mel Lane?

01-01:34:11

Patton:

Well, as I say, I grew up in Palo Alto, and so he was quite an amazing force in the community. And really, *Sunset Magazine*, was just sort of a very wonderful, if you think about it, publication, that celebrated kind of the right kind of life, very consistent with the Coastal Act. I can't remember any articles or anything, but I used to read it, because it would come. We subscribed. My mom basically read it. The barbecues, all of the things that they had there was really good.

So, I was well disposed to Mel Lane without having ever met him, but then, I did meet him, and I did go to a number of state meetings. I am trying to remember why or where I did this. And I knew Joe Bodovitz, currently one of my Facebook friends. It was just really, an amazing community. And so, what I remember from these state meetings that I went to was specifically the sense of a shared community of people who were set apart by their role in really forging a new understanding of how we were going to relate to the coast. Things were very serious, not without some fun and lighthearted moments and everything, but taking very seriously the importance of what they were engaged in, and this permeated the staff, and the commissioners, and of course, Mel Lane was very good at, with a rather light touch, bringing people into that kind of a perspective. That's definitely, I think, the way he felt about it, and just, the potential contentiousness was damped. As I'm remembering the meetings that I went to—there were lots of people who would come to the meetings consistently.

And so there was a real community of people who—and from the citizen side—who knew about every part of the California coast. The staff, as I was saying earlier, they knew in detail the California coast, and then the commissioners benefited from that. The commissioners, they knew about where they were from, they knew about the general task, but in these meetings, and these very long hearings sometimes, they took in what was coming from the people who testified, who came from all parts of the state. And they developed a kind of appreciation for the complexity of the natural environment along the coast, the economic issues related to development, and they were, I felt, very sensitive to the need to not try to be absolutists, to try to find solutions that would allow appropriate development. A lot of ports and industrial issues came through the commission; we've got major developments that we need to use, the coast has to be where they are, and they're coastal dependent, and we need to have coastal dependency be recognized; it's a real thing.

And so, it wasn't just a kind of, "hey, we don't like development, we're going to stop it;" it was a wise stewardship of the resources of the coast. What I remember about the state meetings, more than any specifics, people, or permit things, is the community that developed, because I can't remember how many of these meetings I might have attended, but I attended a number of them and remember the feeling in the room. The commission would adjourn for a lunch

or for a break, or then after the commission was done, they would have dinner and go to various places. And what you found was there was a growing group of people from the entire California coast who met each other in the context of the commission meetings, which were monthly, and recognized the commonality of interest we had as Californians in protecting the coast.

It was, again, I think, inspiring to all involved, and including the local officials and the public members who got on the commission who hadn't thought about these issues, but who—indoctrination wouldn't be the right word, inspiration would be more like it—but who started to gain a real appreciation and love for the coast. And Mel Lane was the perfect guy to make this happen, eminently respected, business success, Republican, not some sort of regulatory kind of a guy. Bodovitz was a very straight-laced kind of a guy in my recollection. Peter Douglas, more like a hippie, not that I think he actually was a hippie, but he was more of a freewheeling spirit. Joe Bodovitz was very down-the-line kind of thing, but the combination of ingredients there, in those commission meetings in the early days, set the tone for this, really. A celebration of what we could achieve if we would all work together seriously in the spirit of the Coastal Act.

And so that's really what I remember. I wish I had some specific, good little war stories, which I don't think I do. But there was a woman, and I'm trying to remember, I think she was a staff person named Pat Stell, and I'm pretty sure that was her name. She died; I remember when she died. And I knew a number of the Coastal Act staff, and the regional staff would come, they'd be part of this community: Lee Otter, Les Sternad, Susan Hansch, she came out of Santa Cruz. And so, you would go to these meetings, and you would meet these coastal staff people working with the local people who had relationships with them, and then the state commissioners, the state staff, and then the lobbyists and the developers as well. It became a real kind of a community effort or ongoing conversation that really changed people's basic fundamental attitudes and approaches, I felt, and if you went to the meetings a few times, you would pick that up. And that's what I remember. I won't say surprising, it was just, it was unusual. You didn't see that in governmental bodies elsewhere.

01-01:42:27

Holmes:

No, that's interesting. Well, and then speaking of governmental bodies, as we've discussed a little bit earlier, the Coastal Act was passed in 1976. And in thinking of Mel Lane and Joe Bodovitz, their time on the San Francisco Bay Commission, prior to—

01-01:42:48

Patton:

Which was really kind of a model.

01-01:42:50

Holmes:

Yes, very much so. And it was almost like reliving that story again—they had four years to put together a program, show that it worked, right? And then

they put together the plan to make it permanent. It was almost like déjà vu. Mel Lane and his side, as you're describing, not just running the permit hearings but really illustrating its effectiveness and its workability. And in the process, as you eloquently said, creating that type of community and rethinking attitudes toward the coast. And then Joe Bodovitz, running the staff, doing the research—

01-01:43:36

Patton:

And he wasn't military, but he made sure people did the right thing, got their report, that it was good. And I, for many years, until the radio station went bankrupt, I had a weekday program called the *Land Use Report* on our local radio station, KUSP, which covered the entire Monterey Bay. I would cover land use issues, just a minute and a half during the morning edition on National Public Radio. I would do a land use report for this region, and I consistently used to say that the staff work that the commission did was the gold standard of land use planning in the state. And Bodovitz, and the directors, for sure, they all made that commitment to the staff. You don't see anything that's slapped together—they go through every issue, and that started right from the start. It's really powerful, if you actually read a Coastal Commission staff report for even relatively small things, every policy, past precedents, scientific literature if it's appropriate, all of these things are in there, and then the commission deals with them. And that's part of this serious—in other words, we're taking this seriously. It's not like, "hey, put your finger in the wind; what do you think everybody wants?"

01-01:45:14

Holmes:

Or some of the stereotypes of what we would usually think of state workers, right, in various departments and bureaucracies?

01-01:45:22

Patton:

No, no, and so, Mel Lane, really, of course, deserves an incredible credit. When something starts, when it's new, it's either going to be made into something solid and substantial that has the ability to endure and to grow and so forth, or, it goes awry, and in our country, again, that was my undergraduate career study in American history in the Revolutionary tradition, we were very lucky in the way our Revolution and Constitution came about, and the Coastal Act was developed with the same kind of spirit. I mean, there was contention, and it was brand new and there were lots of problems, but this ultimate seriousness that we were going to make the system work; that's what happened with the Coastal Commission.

01-01:46:23

Holmes:

That's interesting. When it was passed in 1976 and made permanent, many people have often pointed to the role of Jerry Brown—he was governor then—of, as some stories say, securing the needed votes—

01-01:46:41

Patton:

Did he?

01-01:46:41

Holmes: —to make sure. Well—

01-01:46:43

Patton: That's what some would say?

01-01:46:44

Holmes: That's what some say.

01-01:46:46

Patton: Because he's never been my idea of somebody who loves the Coastal Commission.

01-01:46:50

Holmes: Well, I think that's interesting, because you have other interpretations where people point to that same thing, but I think it was the newspapers at the time who really tried to give him credit, or at least touted his role in that. But as you were just saying in talking about Mel Lane and Joe Bodovitz, as well as others who were involved in this effort, I've often wondered—and I'd love to get your opinion on this—if touting the role of Jerry Brown overlooks their important roles in, of course, putting it together and running it successfully.

01-01:47:31

Patton: I think so, absolutely. The governor is in a great position, whoever the governor is. Arnold Schwarzenegger is the author of the Global Warming Solutions Act, right? He's the one who gets credit for California taking seriously global warming issues and that we're going to deal with them. Well, you know, frankly, he wouldn't have thought that up on his own. He was the governor at the time. I don't remember what role Jerry Brown played, but he probably did play a good role. The person that I remember, because I had personal contact with him, is Peter Douglas, and he was, at that time, I don't think working for the commission. I think he was on the legislative side, on a legislative staff position. He was working anyway, with Jerry Smith, who was the main author, and I remember getting—because it was critically important to Santa Cruz County's future.*

I was elected '74, took office in '75. This was in '76. I was the county supervisor for the North Coast region in Santa Cruz County, which is where huge, undeveloped areas exist, and where this new city proposal had been proposed; the North Coast was very developable coastal property, and I was an advocate of total protection. And Peter Douglas called me up late at night

* Peter Douglas worked in the legislative office of Assemblyman Alan Sieroty. Sieroty and John Dunlap were the original authors of Coastal Legislation in 1970, 1971, and 1972. Their bill was the basis for Proposition 20. It was through Sieroty's office that Douglas became involved in the creation of the Coastal Commission and worked the political liaison between the assembly and commission until the 1976 Coastal Act was passed. In this effort, he worked closely with others such as Assemblyman Jerry Smith. In 1977, Douglas left the assembly and became the Deputy Director of the Commission.

one time, where there was going to be a committee hearing the next day, and he wanted to know where I wanted the coastal line to be drawn, because many local government officials were asking that it be as narrow as possible, because that gave them more jurisdiction and less for the Coastal Commission. And I said, "Well, how about to the mountain range right along the coast all the way? Just take the whole North Coast, put it in the Coastal Act." And he said, "Well, can you get that? Will you guys support that?" And I said, "Yeah, we'll support it."

And so, he did it, and Santa Cruz County has one of the biggest coastal zones of any county, and it has profoundly helped protect that area, because then we incorporated that, of course, in our local coastal program. We have a lot of general plan policies. I was involved in all of these, and so I remember that Peter, and this was like one of many calls he was making, he was getting it set up so that the local representatives in the state legislature, the state senators, and the assembly members, were going to hear from their local officials that it was okay, because the local government was the place where this would go awry because it constrains local power, and you can't pass some statewide system if all the local governments hate it. Politically, it's very, very difficult. I tell this to my students: Why is it that the state legislature cares about what local officials do? It's because they're the ones who can run against them. They're the ones who can beat them in an election. And so, if you do the wrong thing and make a city council person or a board member mad, they may run against you and they may beat you, so you want to try to work with them.

Well, that's what I remember, mainly, at the time of the Coastal Act. I was very nervous it wouldn't pass, and Governor Brown probably did help. But I would not think of him as the key. He was not Lancelot leading the charge, in my opinion.

01-01:51:10
Holmes:

That's very interesting. I think that's a good place to stop.

01-01:51:13
Patton:

Okay, good, and you can hear our lawnmower in the background there.

01-01:51:17
Holmes:

[laughs] Yeah.

Interview 2: April 28, 2017

02-00:00:02

Holmes:

Okay. This is Todd Holmes again, with the Oral History Center at UC Berkeley. Today's date is April 28, 2017, and I am here with Gary Patton for our second session, here in the beautiful city of Santa Cruz, California. Gary, first of all, thank you for joining me for lunch, and agreeing to a second session here. When we left off, we were broaching a few discussions, of you as a board of supervisor, and of course, you worked on the regional commission. And a lot of this career, this political career, as you were discussing in our last session, stemmed from the inspiration of Prop 20 that led to nothing short of a kind of revolution here in Santa Cruz—thinking, thinking politically, thinking about land use, resources, coastal management. I wanted to pick up and talk a little bit about your tenure as a member of the board of supervisors. You were elected in 1974, and you served for 20 years?

02-00:01:02

Patton:

20 years, so, '74, '78, '82, '86, and then what, '90, to '94, that's right, because I essentially stepped off the Board the first Tuesday in January 1995.

02-00:01:19

Holmes:

Wow, so, that's 20 years of service to this community, that's—

02-00:01:23

Patton:

Well, "service:" makes my time on the board sound like that's what politicians say, "We've twenty years of service," and really, that sort of makes an elected official sound like some sort of a technician, call them in to take care of your washer and dryer. And the great thing about being an elected official during the time I was involved, here in this particular community, is the joy of actually having the ordinary people, to use that phrase again, the ordinary people of the community walking up to you and delegating to you their aspirations for changing and confronting and preserving and protecting and executing what they would like to see happen in their community. Democratic self-government, if it's working correctly, if there's a healthy politics is something extraordinary. This is the way I look at it. Back in the days of duels or something, a group would designate somebody to fight on its behalf and to act on its behalf, and, not necessarily to administer—although if you're not good at administration, you probably can't do a very good job representing people—but representing a community to try to make things be the way they want them to be. Service is a pale word compared to the real joy of doing that.

Boards of Supervisors, traditionally, at least ours, meet on Tuesdays, every Tuesday, virtually. And so, every Monday for 20 years, I had an open public meeting, and I brought the copies of the agenda for the next day's meeting and I passed them around. I talked about what was on the agenda, and I listened to people and answered questions, and sometimes huge delegations would come in on a big topic. The idea that your community has the ability to govern

itself, through its elected officials, is terrific. This is what makes America great, if we're great at all. The idea of making America great again—we'd be great if we can achieve that kind of government, and it gets ever harder as you move up to state and national levels, but at the local level, it's really a privilege to be kind of representing people as long as you really are in touch with them and are doing the things. People, if they don't like what you're doing, they'll let you know; if they do like it, they'll let you know; and if you get elected, presumably, the majority of the people do like what you're doing.

02-00:04:18
Holmes:

And I was going to ask you, one of the issues that you had to face that's coastal related, as a supervisor, was, after 1976, putting together the LCP, right, the Local Coastal Plan for Santa Cruz. Can you talk a little bit about that?

02-00:04:36
Patton:

Oh yeah. I mean, this was of course very, very important. On the Board, you do everything. You're in charge of the government, five people in charge of the government, so healthcare, automotive, mechanical needs of the auto pool and stuff, everything, you do everything. But what our community tended to be focused on was land use and development issues, going from being the fastest growing county in the state and fifth fastest growing county in the nation, to a more managed and controlled growth and development pattern. They were interested in land use and development, and I was interested in it, and it's a good thing for a lawyer. Lawyers deal with the regulatory environment and so forth. So, the Local Coastal Program, essentially tailoring coastal policies to our local needs—it's hard to think of something that would be more important in the land use context.

Here is how this went in Santa Cruz County, which is unusual because of a growth management measure that was adopted by the people here in Santa Cruz County in June of 1978. This, by the way, was exactly the same election that gave us Prop 13, the Jarvis-Gann Initiative. So, at the very time that local government was losing because of that statewide initiative measure, power over essentially its own finances, Measure J on the ballot in the county of Santa Cruz set up some policies for growth and development in the county as a whole that then integrated and related to the Coastal Act policies and generated our particular pattern of land use and development.

And here was what Measure J did: Measure J, which I wrote, and then was not an initiative, it was a referendum, but what that meant was that at least three members of the Board had to decide to put it before the people, and it was a three to two vote. Only three people supported it on our board, out of five, but it went to the voters, and so then if the voters adopted this measure, it would be like an initiative, because it would never be able to be changed except by a vote of the people. So, one of the reasons you ask the people to do things is when you want to establish some policies that can't be changed. And the

Coastal Act, in its initial iteration, was very similar, of course, and I think we mentioned in that first session, I was a little nervous, because those policies adopted by the people were only for the first four years. Then you had to rely on this unreliable legislature and governor to get you on to a permanent situation.

At any rate, Measure J did various things. There were six basic policies. One of them was that if you had commercially viable farmland, land that could be used profitably for agriculture, the only thing it could be used for was agriculture. It could not be developed; it could not be divided, period. And there is no more absolute statement in the state about the protection of agricultural land, very controversial. Second, that there were areas where urban growth had occurred and where there was infrastructure for urban growth, and Measure J said all new development had to be guided into those areas, and such urban growth had to be discouraged outside of those areas. The third policy of Measure J was that we needed to focus our infrastructure investments, not, again, to promote sprawl outside of the urban areas, but to support development in the urban areas. And then, there was a policy about protecting sensitive habitat areas like wetlands, and then there was a housing policy which said that, whenever you as a developer built at least five homes, you would have to preserve fifteen percent of them in perpetuity as affordable to an average or below average income person, to have at least some small component of permanently affordable housing. And then finally, that every year, every calendar year, the Board of Supervisors would have to hold a public hearing and then set a growth goal depending on what the public wanted. So, not necessarily slow growth or no growth, but growth that the community decided, not just a bunch of individual decisions added up.

Well, that passed, and then we got the mandate essentially to have a coastal plan. So, our coastal plan, which, when you look at the map of the coastal zone in Santa Cruz County, you will find on the North Coast, which I represented, huge areas of land that the coastal policies applied to, then as you get into the urban areas, it goes much more along the Highway One corridor and essentially, just first big highway next to the sea, which is a typical coastal policy limit, in terms of the geography. And then down into south county, lots of the agricultural land in the Watsonville area is to the ocean side of Highway One, so that that's all protected.

So, what we did in our general plan and local coastal plan—both of which were sort of adopted, if not simultaneously, in conjunction with one another—is, we put very, very strong natural resource protection policies everywhere in the coastal zone, and on the North Coast, which has been the area essentially going north toward San Mateo County out of the city of Santa Cruz. These were very developable lands, but a lot of it commercially viable for agriculture, particularly on the so-called benchlands to the ocean side of Highway 1, but then also in some uplands and grazing lands and so forth. We defined, using Coastal Act policies, essentially, grasslands as being a

protected habitat. You drive through California and you look to both sides of the road, it's grasslands. It's like, scrub—who needs it?

02-00:11:26

Holmes: Especially on Highway 99, like—

02-00:11:27

Patton: Yeah, 99.

02-00:11:28

Holmes: And I-5 [Interstate 5].

02-00:11:29

Patton: Yeah, all of that. And so, what we did—and really, the Coastal Act supported this, and helped once we made the designation protected and if not perpetuity, so far, it's been many years now—we designated these grasslands as protected habitat, and essentially applied the kind of protective coastal policies that the Coastal Act calls for, in what amounts to most of the open lands in the coastal zone. But then we used the same policies outside the coastal zone in most cases. So, we've ended up with a very strong set of environmental policies that concentrates growth into areas, in urban areas already suitable for growth, and tends to protect that natural resource outside the coastal zone. And I think that had there not been a Coastal Act, while Measure J would have still more or less suggested that was the right thing to do, certainly very compatible philosophies, the Coastal Act just gave that a stature, and essentially a precedent, because the Coastal Commission had been in existence for a number of years prior to our enactment of our local coastal program.

That really made it possible for Santa Cruz, I think, to make happen what the public wanted to have happen, and this happened in a really enforceable, long-term way. If you've ever been sitting on a City Council or Board of Supervisors, what developers always say is, "We want certainty, because we have to invest incredible amounts of money to buy land. Hire consultants to figure out what to do, to prepare plans, to go through their permit process, and then if the rules keep changing, it's just a nightmare. And so give us some certainty." And so, we did give them certainty, and there are places where you can develop, and not that it's always completely easy, but it's a lot, lot easier than, everything's up in the air. And then other areas, they're just protected. And the Coastal Act actually, really supports that approach to planning, and it's a good approach, and it does allow for there to be development; it does allow for there to be new things, new options for tourism, new options for industry, new options for residential development. All of those things, the Coastal Act allows, but the certainty that comes from designating areas where we're not going to go do it, that is the important thing that came out, it seems to me, of the Coastal Act as we incorporated it into our local general plan and local coastal program rules.

02-00:14:26

Holmes:

I've had the privilege of doing some oral histories with some planners, particularly in San Francisco. They say the same thing about developers, that it's, "Give us some certainty; let us know what the rules are; don't change the rules."

02-00:14:43

Patton:

And then we'll figure out how to do it.

02-00:14:45

Holmes:

Yeah, yeah. Well, what were some of the issues that Santa Cruz was also facing? I know we talked a little bit about the development, the high rises on the eastern part of the city, the potential freeway that wanted to go right through the middle of downtown. What were some of the issues that, as a supervisor, you were also facing?

02-00:15:11

Patton:

Well, the biggest issues have always been related to the conversion of agricultural land, because agricultural land is cheaper than urban land. So, it's attractive, if you are a developer, and if you can convert it by getting an approval for a development on agricultural land, suddenly it's worth a lot more. The profit value is really great if you can convert agricultural land, which means that the politics—more campaign contributions, more whatever gets you the votes kind of a thing. So, converting agricultural land has always been the big issue, and in Santa Cruz County, Measure J really was intended to—not that there aren't still some things that come up—largely eliminated that concern. Protecting the natural areas, which I mentioned—certainly, the Coastal Act deeply cares about the sort of the ecology that supports our society. Measure J reflected that as well, with a very sort of vague policy. It wasn't absolute. Affordable housing: pretty absolute. Farmland: absolute. Inside urban areas: pretty absolute. Preserving valuable habitat areas, wetlands, and other such areas, that wasn't absolute. They're all very site specific and so forth.

So, we've had concerns over the years about just how do you deal in a development context with those kind of wetlands, specifically, riparian corridors, which are not really a wetland, but they're related; waterways, a lot of issues around that; in Santa Cruz outside the coastal zone, timber management and development and dealing with existing development in timberlands, because we have huge amounts of very productive forest lands in Santa Cruz County. And I was always one who said, "Look, let's protect forest lands as forest, like we would protect agricultural lands for agriculture; which means, though, you have to let them harvest the trees." And the environmental sensibility of the community, largely, is: No, no, no, no, we love trees; don't ever cut one down. And if you tell people who have large forested areas, "You cannot cut down your trees," then they will say, "Well what can I do?" What they can do is develop rural home sites of some kind, or mansions or whatever. And so, I always felt the tradeoff was better to have

good timber harvest regulations locally and preserve and protect the natural environment of our forests through selective harvesting.

Those have been big issues in Santa Cruz County over the years, and I was an advocate of protecting forest lands and then allowing them to be harvested on a very well-managed basis. Since I left the Board, basically, the politics is always, don't let them cut down the trees. So, those are continuing difficulties in Santa Cruz County, and then transportation issues, and housing issues: always very, very difficult issues, with or without the local coastal program and Measure J. And I would have to say those are the ones that bedevil us still and will probably always be with us, because we can't expand highways indefinitely. As you expand them, more people use them; doesn't really solve the congestion problems.

And housing on the coast—the Coastal Act, as initially passed, had an inclusionary requirement, and that was scrapped under a bill by our local Henry Mello, a member of the state legislature. He led the charge to get that taken out. I wish that had never been taken out, because as development occurs, setting aside part of it for permanently protected affordable housing is that are incurring in the coastal zone everywhere, and in Santa Cruz County, too. So, it's a crisis. That, to me, would be the biggest single issue we've had to face, and increasingly more so after I left the Board, not because of anything that had to do with me, just because, as time goes on, prices go up, demand goes up, and it's a global market, as you probably know. In Monterey County, Japanese people buy up Pebble Beach. People all over the world would love to own real estate in the coastal zone.

02-00:20:22

Holmes:

And for good reason, right?

02-00:20:24

Patton:

Of course, and partly because of the Coastal Act; it's a lovely place, and it's going to stay that way.

02-00:20:29

Holmes:

It was interesting when you were talking about the timber harvesting and your position on that. That's really one of the difficult—I would imagine—the difficult balancing acts as a supervisor and a policy maker on the local level, of trying to balance coastal conservation with still having and encouraging a coastal economy at the same time? This, we think of, say, the Santa Cruz Beach Boardwalk, as a good example of that. Today, that would most likely face a very tough track.

02-00:21:13

Patton:

I don't think that they could build that today.

02-00:21:14

Holmes:

No, no, I don't think so either. Yet, after Prop 20, this kind of development, and tourism, right, could you talk a little bit about those challenges of trying to

again protect these coastal lands and this coastal region, but at the same time understanding that the community needs an economy, and that this economy on the coast is also tourism in some respects?

02-00:21:39

Patton:

Of course. Santa Cruz is a major tourist destination, so is the other side of the bay, Monterey County, and the tourism is somewhat different there. In Santa Cruz County, what has typically been the case—and the business community, the tourism people in the tourism business always want to change this—is, we've always had a lot of what we call the day trippers. In other words, people will pour over the mountain from the relatively hot valley, either Santa Clara Valley, Silicon Valley, or the Central Valley, show up in Santa Cruz, and spend the day at a cooler and lovelier beach environment, and then drive back home, leaving their beer bottles behind. That's the typical pattern. And they would go to the boardwalk, for instance, which is a tourist attraction that will operate into the evening hours, but it's essentially a plan to come to the beach for the day. You can be on the beach, but it's not like a natural environment. It's hundreds or thousands even of people, and then there are all these amusement rides and bands and music and noise, and it's a big party on the beach there, and lots of amusements.

And so, the challenge for Santa Cruz County has been: Is there a way to capture longer term visitors? And in order to do that, actually, what you find you need is to provide some really wonderful accommodations, and then a host of natural features, where people can come to Santa Cruz for a week, have their summer vacation in Santa Cruz, and then have many things to do, the boardwalk being one day, but you wouldn't do that day after day. And we actually, without ever trying officially to do this, it seems to me, have partnered with the state of California, and that is that we have, I think, more state parks per population than any place in California, and we have all of these wonderful state facilities along the coast, and some of them up in the mountains: Big Basin, Castle Rock. We have some forest areas. We have Nisene Marks, and another one in sort of the mid-county area. But we have these wonderful recreational areas that are wonderful because their natural condition has been preserved.

And then, we are fairly willing, within the urban areas, to find ways to build fairly nice accommodations for people so that they will like to come and stay. For instance, we favor here short-term rentals, which, some places like Monterey County has been fighting them. We have been sort of accommodating them under rules that protect neighborhoods. But finding ways to provide a basis for people to come visit, and then go into the natural areas. Most recently, literally right in the final weeks of the Obama Administration, President [Barack] Obama designated the large portion of the North Coast of Santa Cruz County as a national monument. It was somewhat controversial in the community here, because the idea was: This may be attracting people that we're not really prepared to serve, and traffic and police

and other kind of things that are really necessary as you have lots and lots of visitors.

But the strategy of Santa Cruz County has really been to provide natural resource-based recreational opportunities with the residential accommodations of various kinds that will get people to stay here for a longer period of time. And we have some world-class entertainment-type festivals; the Cabrillo Music Festival is just nationally known, and the Santa Cruz Shakespeare, extremely good Shakespearean repertory theater here during the summers. So that has been our strategy. Other places in the coastal area and coastal zone in California do face these in a more discreet manner, which is probably where you mind was when you were asking the question. We haven't had that problem here so much because we provide natural resource kind of recreation as opposed to more intensive tourism. No Sea Worlds. But those are the kind of things that really do make the choices in the coastal zone very difficult.

We also don't have the industrial push. Some industries really need to be on the coast. We had a cement plant, which has now shut down, a cement plant was, initially, I think, connected for cooling to the ocean, and the Davenport plant was also relatively close to a major limestone deposit. But that cement plant is no longer functioning, and it's now being reviewed, really, as we speak today, through a grant to see what it could be converted into to accommodate this kind of natural resource-related tourism that I was speaking of, because it's right adjacent to the new national monument, the North Coast areas. And it could be a base of operations with some restaurants; probably overnight facilities; some retail that supports this kind of recreational opportunities. The Curry Camp, if you will, where you have the commercial activities in the Yosemite National Park, and they provide the ability of people then to really go out and camp and enjoy nature way outside the boundaries of some urban-type environment. But in other places, I think it's been a very difficult kind of a choice. I'm somewhat familiar with San Mateo County, and they've had residential pressures that they continue to experience in the coastal zone, and not so much industrial, and not so much recreational, but it may be that up in Sonoma County, there are these kind of conflicts. I think it's largely a Southern California problem, that is where it really happens.

02-00:28:38

Holmes:

Yeah, of course. It's really interesting to think of, again, how geography begins to shape these types of issues along the California coast. Here in Santa Cruz, as you were mentioning, you have a type of ecotourism, right?

02-00:28:53

Patton:

Yes, it really is.

02-00:28:55

Holmes:

Where there are other parts of the coast that that's just not feasible. That's just the way the geography is. There's—

02-00:29:02

Patton: Ventura.

02-00:29:03

Holmes: Yeah, exactly, right? Newport. Well I wanted to also get your perspective in the sense of kind of like a supervisor's look at the Coastal Commission. We talked a little bit about the early years with Mel Lane and Joe Bodovitz, but then, of course, as they left the commission around 1978 or so, we had a new generation come in, and here I'm thinking of Mike Fisher's tenure as executive director. Did you see much of a difference of style between the newcomers coming in such as Michael Fisher versus Joe Bodovitz? I know each person brings their own type of perspective and style to the job, but—

02-00:29:57

Patton: Well, I think Mike Fisher, as I remember him, and I know him personally, he's a great person, as Joe Bodovitz is. He was a little bit different, I think in style, from the way Joe Bodovitz handled the executive director position. And I think he also had a little bit different political challenge. My recollection is that, just about the time Michael took over was when the governor and the legislature started deciding, "maybe we're spending too much money and this Coastal Commission's a little too regulatory, and we're getting a lot of complaints from our big contributors, that they aren't letting them build on the beach in Malibu and that's really outrageous." And there were some of these kind of conflicts at the state legislative level that Michael was trying to deal with. And so he, I think, always tried to project and, as far as I was concerned, largely succeeded, in saying that the commission really can work to be a good arbiter of the various pressures and work them out and not be super regulatory, work with developers to make sure it happens.

Bodovitz, I think, was much more, during his era, of just getting the whole program underway, and then Fisher was the first to really kind of deal with it under the pressures of development in the way where, suddenly, this is the system that exists, and how is it really going to handle some of these major proposals that are going to come before the commission? Is it just going to slap them aside, or not? He came from the Sierra Club. He was an environmentalist, there isn't any doubt about that. But he, I felt, gave a very equable feeling, at least he tried to, and as I say, my recollection is that the state government began coming down on the commission, which then continued with his successor Peter Douglas even more so. Just like "hey, you guys are out of control; we're getting a lot of complaints; you're shutting down opportunities." Local papers began to grab editorials.

And so, Fisher really, as between Bodovitz and Douglas, who then was a long-term executive director, was in a transition period where the sort of good feeling of "oh, we're going to protect the coast," ran up against the realities of people who felt like they needed to do something, that the commission was the main obstacle, and, how the hell do we deal with that politically, and

policy-wise? Fisher, I think, was always really good on the policy, but he was facing political difficulties. That's my sense of it.

02-00:33:08

Holmes:

Yes, as you say, it certainly was a transition period, and from others I've spoken to, they too have that same perspective of, Michael Fisher walked right into that transition period, both politically and of the commission itself. It's funny, as you mentioned Malibu here, this is also, I think, one of those first cases of seeing how the political landscape was beginning to change a little bit, was with Jerry Brown, and—

02-00:33:42

Patton:

His famous singer/good friend Linda Ronstadt.

02-00:33:47

Holmes:

Indeed, here's someone who was, and even seen today, as an environmentalist, and yet, some have raised questions of how he dealt with the commission, with—

02-00:34:00

Patton:

Jerry Brown has never been a great booster of the Coastal Commission, partly because it is a constraint even on the state government. Like all chief executives, and our current president, Trump, exemplifies this to the nth degree: "I'm the president; I want to do this; who can say I'm not; that's why I'm here." And any executive has that tendency, and Jerry is no shrinking violet in terms of when he's trying to get what he wants. And yet, the commission really is a set of state policies that, as I said with Measure J, the essence of a good policy is certainty, and certainty means no as well as yes—in fact, there isn't any certainty for yes, but there's got to be some certainty for no.

So, you can focus where is our discretion going to be applied, in what way will we be able to decide things, and what are just off the table. You can't fill wetlands, period, that's what's off the table pretty much, so don't bring us an elaborate thing of, you're going to build a wetland somewhere else. That's not going to work. And Jerry Brown, I think that was somewhat vexing to him. He didn't necessarily like that, and I don't remember the details of the Linda Ronstadt thing, but I do remember there was such a thing, and I guess she wanted to build a house on Malibu or somewhere, and the commission didn't just say, "Oh Linda, anything you want is fine," and she got irritated, and her good friend the governor got irritated, too.

02-00:35:48

Holmes:

Yeah, I think it was something about her and her friend; I believe it was a seawall that they wanted to build.

02-00:35:53

Patton:

Seawall, okay. And the commission does not like seawalls, basically, although they've let them go.

02-00:35:59

Holmes:

But it also came about, as well, during that time with the fire, there was a big fire that came into Malibu, and what I think, as the commission usually operated, is every time—even with a house that had vested rights—when they wanted to do some kind of improvement, that’s when they would come to the commission, and the commission would negotiate. Say, “Okay, well, we’ll allow you to have that improvement if you give us some coastal access, some kind of easement,” in many respects. And that has always been a big problem in Malibu, from what I understand.

02-00:36:39

Patton:

I think that’s right, because it’s such an exclusive community. Most of the people are extremely wealthy. They’re there to get away from access, and I would say the number one thing that the commission wants is access, making the coast available to all, and that means in Malibu, in Santa Cruz, wherever. If it’s in the coastal zone, the public should have a right to get there.

02-00:37:06

Holmes:

Have you experienced access problems here in Santa Cruz, or is that not as much an issue?

02-00:37:14

Patton:

Hasn’t been as much an issue, but there are always little things. I’m trying to remember where the first example in our local situation occurred with parking restrictions, because the commission has taken a very aggressive stand that, as local governments are trying to deal with neighborhood parking problems. It’s a very significant issue sometimes in neighborhoods, where you go to sleep at night and wake up and your street is filled with cars, and all the people have walked down to the beach, and you can’t get out of your driveway, and you can’t park there, and if your mother comes for Easter, they can’t even get within two miles. So local governments have then put up permit parking restrictions and so forth, and I think that we did have that here, but it was probably after I was off the Board. I remember it happened; I don’t remember too many details about it. But the commission took the issue of, “hey, if you’re going to have that kind of a system, you have to put up a sign; that sign is a development.” The definition of development in the Coastal Act is: “Can you think about it? It’s a development.” In other words, it’s very, very broad.

So therefore, if you want to put up a sign that says you can’t park here from x hours to x hours, you need a permit; the commission has to approve that. So, they then get control over neighborhood parking issues, and it’s been incredibly divisive sometimes. I think they’re still fighting about it up in Tomales Bay and so forth, and they fought repeatedly in various places up and down the coast, and I think there were some incidents in Santa Cruz. The conservancy, the State Coastal Conservancy, which we haven’t talked about, but which is a kind of partner agency, usually getting bond money from bond issues, and then working with, generally, almost always working with the

commission to invest in access projects—we've had a lot of those in Santa Cruz County, and they are both development projects and access projects.

So, sometimes, the access project that the visitors will like and that the commission likes, and that the Conservancy wants to facilitate, the neighbors, the residents in the general area, they don't like it at all, because it's bringing people to their part of the coast. And while they may be jolly well wanting to protect the coast as a whole, when it comes right down to, on the next weekend, are there going to be a thousand people going down to the beach somehow on a stairway that runs off their street, that means they're going to see these people, and they're going to deal with them, and maybe they're not going to always be nice people and they're going to throw junk on the side of the road or whatever.

So, access projects are development projects, and while the idea of coastal access is great, it obviously has impacts. And so that's sometimes a very contentious issue, and I know we've had fights about coastal access in Santa Cruz. I've never been personally involved in any, but all of the access projects that I ever was involved in—I represented the North Coast—they weren't in urban areas; they really were just making beaches and coastal areas more accessible to the general public. And that was something that, again, the population, as a whole, likes. It's when you get the neighborhood conflicts that it gets to be a problem.

02-00:40:55

Holmes:

Well, and that's where coastal protection and that kind of activity invades on the home front in many respects, right? It's a lot different of again, saying, "Yes, we want to protect the coast, and we should all have access." But that doesn't mean I want your access right outside my gate."

02-00:41:18

Patton:

And this is, over time, the erosion of good feeling, which then leads to political problems. It comes from a coastal commission that is seen as unfeeling and unresponsive to issues that local people care about deeply. And when you go to the commission, and the commission is at the end of a long, 12-hour set of hearings, and that's when your local access project comes up, and the commission has heard a hundred of these local access fights over the last several years, and they know where it's all going to come down, they may or may not be gentle. They let you talk because that's your constitutional right, and you've got a public hearing right, but they're not overwhelmingly sympathetic, because they feel the coastal mandate is clear. You got to make access; the staff has looked at this.

So, the public relations work that the commission has sometimes not done as well as it could, in terms of its contact with the public when there are developers involved, particularly, but even just these neighborhood issues, that leads to the kind of political complaint that generates governors saying,

“I don’t want to put you in my budget for this much money; you guys are not my favorite group.” And this also then leads the legislature as a whole to not give the commission enforcement powers. That has been a terrific fight over the years, where the commission has consistently said, “Look, let us actually have the power to enforce our own permits, and give us the staff; give us the legal possibility of penalizing people who just do what they want to do even though they never got a permit, or they got a permit that said they couldn’t do it.”

The irritation with the commission coming from other things, just the kind of rubbing people the wrong way because they’re the regulatory big dog in the room, that has led to problems throughout the years. And I think those were the kind of things that the first executive director who really started getting that kind of feedback from people was Mike Fisher, and I think, and I don’t know to what degree—and I don’t know whether you’re going to talk to Mike Fisher—but I think those kinds of issues were vexatious, and the Governor Brown/Linda Ronstadt is an example of that.

02-00:44:03

Holmes:

Yeah. Well, and as you brought up, of course, the first governor to finally express his frustration and say, “I am cutting you out of the budget,” was, of course, George Deukmejian. Can you talk a little bit about that time?

02-00:44:19

Patton:

Well, I don’t remember all the details. I was on the Board of Supervisors, and he had been the attorney general. And in California, the attorney general—starting with Evelle Younger, who was a Republican, and then John Van de Kamp, a Democrat—the attorney general had been the environmental crusader at the state level. They have their independent power. They represent state agencies; they carry out state laws; they work with law enforcement; they’re a sort of a law and order agency of state government, but they have independent powers, and Evelle Younger set up an environmental section. John Van de Kamp did continue that and really supported it very, very strongly. And Deukmejian came in as attorney general; he wiped out the environmental section, and then as governor, he waged a campaign basically against the environment. He bought into the concept which was popular with some who didn’t like regulatory efforts to preserve the environment. By the time Deukmejian came in, we now had a number of examples.

Remember I was saying that, in our first session, that it was really the early 1970s when we started getting environmental regulations, at either the federal or the state level, or when local communities started thinking about the environment. I came into the public arena working on things just when that was starting, and by the time of Deukmejian, it had started and gone quite a ways down the line, including with the Coastal Commission, which had incredible power, and lots of people were being rubbed the wrong way, and he decided he was against the environment. I think it’s fair to say that. He did not

like environmental protection efforts. He believed they were wrong-headed, partly because his supporters thought so, but he didn't seem to have that much personal sensitivity to it.

And so that made a bad time for the Coastal Commission, and I don't really know how bad it was. I know that, I'm almost certain that our board—as a board communicated with our state legislators officially through resolutions and sending people up to testify and so forth—that we wanted to have funding and protect the Coastal Commission and the Coastal Act. But I don't remember the intricacies of the bills and the budgets and so forth. It was a fairly strong attack though, I do remember that.

02-00:47:06

Holmes:

Mike Fisher in his oral history talks about his one, and perhaps only, meeting that he had with Deukmejian, trying to reach some common ground. And of course, Deukmejian reminds him of, “I campaigned on abolishing the Coastal Commission, and if I had the votes, you wouldn't even be sitting here right now because I would have achieved that.” I think that sent the very clear message of what Mike Fisher was up against, and in that sense of another changing of the guard, of him stepping down. And then Peter Douglas steps in as executive director, which again brings in an entirely new era as well to the Coastal Commission. You knew Peter Douglas, is that correct?

02-00:47:58

Patton:

Oh, quite well, yeah, quite well. I was so sorry he passed away way too early in life, and as I remember, he was the guy who then, I think, working with Jerry Smith in some capacity—I'm not sure now what it was—he actually called me up as a local official. I may have met him before that time, I don't know, but I bonded with him over what we did here in Santa Cruz County, because hardly any other jurisdictions did the local government want to expand the coastal zone in their jurisdiction. And I think I was the chair of the Board. He called me up and said, “What does your board want to do? Should we expand it or not?” And I said, “Expand it, expand it to the maximum you possibly can.” And he said, “Are you guys really going to stand for that? You're not going to jump on me, on my author.” And I said, “No, no, we're going to back that.” And we did back that expansive definition of the Coastal Zone in our county, of course.

And so, we bonded over that, that we want maximum protection, and then throughout the years, I knew him in various contexts. He was much more of a political crusader than Mike or Joe, either one of them. I'm not sure how he would have gotten along with Mel Lane, because by the time Peter was the executive director, it seems to me the model was like you are a new student in an exclusive boys' or women's school, or maybe a university. There're the traditions, there's a tradition, and you're going to be part of it, but you're not going to violate that tradition. And the tradition, by that time, really was that there was a Coastal Act, and it was going to stay there. It was very protective,

and the commission had a staff that knew the coast, that was committed, and they, many of them, spent their entire professional careers at the commission—some of them are still there. They would do everything possible to get you the facts; and that the commission as a whole worked with the staff to achieve the Coastal Act policies, and it was not subject to the normal rules of political life in the state capital. It was a standalone empire of coastal protection.

Everybody on the commission, I won't say drank that Kool-Aid, but they bought into that, and therefore, they largely—not that there wasn't some difference on the commission through the various appointments—but as a whole, the commission stood for coastal protection, and they would go to the state legislature and were proud to be associated with it. And Peter was their spokesperson and agitator and so forth. Then he kept them going throughout all of the various difficulties. And I remember getting calls from him and saying, "Hey, can you please call up x legislator and tell him that this is important, and here's why," and I would do that, and others would, too. He would be the guy that would be making sure that he understood how he could get the votes necessary to keep the commission funded, and not have his jurisdiction undermined and so forth. He was much more political, in that sense, than, I think, either Mike or Joe, understanding that relationships with the legislature, particularly, were going to determine whether the commission could do its job, and getting allies in that political effort, in the commission community as a whole.

So, I think the commission would not have been nearly as effective if—I don't know how many years he served, but a long time—he did—

02-00:52:14

Holmes:

I think it was over 25 years.

02-00:52:15

Patton:

Yeah. He was the voice of the commission. Thank God for Peter Douglas, because to the degree that he did helped deepen and profoundly entrench that idea of a coastal protection. That kind of idea, once it takes hold, can be eroded away and disappear. I'm seeing some of that happen in Santa Cruz County now that I'm not on the Board and haven't been for over twenty years. Some of the things that, when I was on the Board, it would have been no question about it; now, more questionable. Similarly, with the coastal thing—without Peter being there, and the fact that Charles Lester, his successor then, was actually terminated by the commission, that was contrary to the model that Peter was trying to inculcate.

But I think he did a fantastic job of making certain that sort of a gleam in the eye of the public before the Prop 20, through the sort of energizing of the Prop 20 campaign, to the early years of setting up the institution and administration, to the more sort of maturity of the agency as a kind of really standalone

governmental body committed to the overall protection of the coast as Proposition 20 called for—he deserves the lion’s share of the credit for that happening, and I think he was successful. I think that roots are deep. The roots are deep, but, they can be poisoned; they can be damaged.

02-00:54:08

Holmes:

Well, as you were saying, that Peter Douglas came along when he did, he took on George Deukmejian in the best way possible. But what is interesting that you point out, is his political experience really seem to help shape the way he was going to help guide this Coastal Commission.

02-00:54:37

Patton:

Right. He came at it from a political side, and he had to.

02-00:54:41

Holmes:

Yes. And again, how invaluable that experience was. How do you work with the legislature? How do you try to find some kind of common ground, perhaps, with the governor or other dignitaries? That’s political experience there—

02-00:54:54

Patton:

And he did find common ground. I can’t remember all of the various things, but practically every budget year, there was a problem of some kind, and I had an enduring relationship with him at budget time. I remember hearing from him. And to me, looking at it from a sort of theoretical perspective of political science, the commission has maintained the freshness of it being, effectively, a political institution in the best sense of the word, which is in our political arrangements, we are making choices about what we care about and what we are investing in, and what we’re doing. It is not a purely administrative, regulatory kind of bureaucracy. The commission, to that degree, is the bureaucracy that regulates the coast, like the Department of Education is the bureaucracy that regulates our educational system. But nobody has the joy and enthusiasm about the Department of Education that people have about the Coastal Commission.

02-00:56:08

Holmes:

That’s very true.

02-00:56:08

Patton:

And it’s too bad, but they don’t. And Peter, I think, is the one that really had that political sensibility, a politics like: “We can do it; we can do it, and we can find ways to work with you. Don’t come; don’t shut us down.” He was very good at that.

02-00:56:28

Holmes:

Speaking of shutting down, there were attempts, obviously, to fire Peter Douglas. Two of these played out publicly in 1991 and 1996, under Governor Pete Wilson. Do you have any thoughts or recollections of these?

02-00:56:49

Patton:

Well, I have the recollection, second-hand, that a supervisor who was in Monterey County, Lou Calcagno, a Republican, served on the commission during the Pete Wilson era, and I can't remember the years— I don't know the years—but he was, I think, maybe the swing vote on the commission to keep Peter. It's too bad Peter isn't here, because he would definitely know exactly what happened. But my recollection is that local lobbying—in other words, this is a local government official but he's sitting on the commission as one of the local representatives, in Monterey Bay region, Monterey County. He represented the north county area. He was a dairy farmer, and there was significant environmental concern, and I believe that he really kind of went against the party line and played it very close to the vest.

So, he didn't get kicked off the commission, because in those days, you could just get kicked off the commission if they didn't think you were going to vote the way they wanted you to vote. Your appointing authority would just eliminate you. And so, I think he was a key vote in one of those instances. Not both, and I'm not sure which one it was, but there were a couple of times when they came very close to firing Peter. I don't remember what specifically I did, but I heard about it, and I tried to help with my contacts and tried to make sure Peter stayed. But Santa Cruz, none of our representatives would have done that, but Calcagno, he could've definitely voted to get rid of Peter Douglas.

02-00:58:52

Holmes:

Oh, interesting. Yeah, that must have been 1996. Calcagno was Chair of the Commission then, and he actually was the one who notified Peter's allies like Mel Nutter that a movement of dismissal was afoot. I wanted to shift a bit and get your thoughts on and discuss some of the issues that came before the Coastal Commission during a few of those decades, and perhaps we'll start with some issues that seem to be centered here in your region on the Central Coast. I know there have been a number of proposals regarding Big Sur, which really stands out in my mind.

02-00:59:18

Patton:

Uh-huh. Oh yeah, that's been a very big deal.

02-00:59:22

Holmes:

Can you talk a little bit about that? I know there's been a number of proposals for that part of the coast.

02-00:59:29

Patton:

Well, Big Sur, I'm not completely familiar with Big Sur. It's obviously in a different county. Most recently, I've had a lot of dealings representing some people in Monterey County who deal with Big Sur, and so I know some of the personalities there now, but Big Sur historically has been extremely protective of its own integrity as a very small community. They have not wanted anybody to tell them what to do. If they were given the right to determine

what was going on, they would not want a lot of people visiting Big Sur. Of course, there are a huge number of businesses up there that profit from all of the tourism and stuff, but they are feeling very jealous about protecting themselves as an independent community.

So, way back in the early days of Congressman Leon Panetta, there was a concept about, essentially, having the federal government essentially buy—there's a huge bunch of National Forest lands up there and there are state parklands up there. And it's a spectacular geography, of course, as everybody knows, and there were development pressures. Lots of developers would like to come up there. And Sea Ranch would be a minor thing compared to what you could do with Big Sur—lots of opportunity to make a lot of money building high-end resorts for people to visit Big Sur.

And so, one concept was, protect Big Sur by essentially assuming federal control, and they fought like crazy against that. Leon Panetta, who, I think, initially went in thinking that might be a good idea, backed way down, and then what ultimately happened, and I think it was when he was a supervisor, Supervisor Sam Farr brokered a kind of deal in Big Sur, in which, really, their local coastal program protected what you could see. In other words, the whole point of their Local Coastal Program was, if you could see it from Highway 1, you couldn't develop it. Figuring out a way to make that politically palatable and then to make it actually work, because there were some areas, particularly on the coast side of Highway 1, where you could not prevent the people from building on the parcels unless you wanted to buy them, which was prohibitively expensive.

So, the Coastal Commission spent an incredible amount of time on very detailed planning for—Otter Cove is one area—areas along the highway where, if you go and go by there now, you can hardly even know there're any houses there, but they are there. Incredible architectural and other conditions to minimize visibility, but the main thing was, that on the upland side of Highway 1, all of the huge beautiful vistas, you cannot do anything if it can be seen. And so that has been very, very central to preserving Big Sur. Along with the Big Sur Land Trust, the private nonprofit that purchases and protects lands, the state government and the national government continuing to find easements and purchase lands has also really protected Big Sur. What has really happened is, Big Sur has now become simply these little towns right along the highway. They're sort of a couple little nodes, and that's it. And still, the public who lives there and who run the restaurants and so forth, they don't like the fact that they are a visitor site, Highway 1 is jammed, and people driving along there just looking.

02-01:04:32
Holmes:

Well, it's one of the most iconic coastlines in the world. I mean, try—

02-01:04:36

Patton: Any car ad you ever see, there you are.

02-01:04:39

Holmes: And speaking of that, Bixby Bridge, which is, of course, this iconic bridge—

02-01:04:45

Patton: Beautiful.

02-01:04:45

Holmes: I remember Allen Funt, host of Candid Camera, I think, bought most of the land surrounding the bridge, and was trying to develop there at one time.

02-01:04:53

Patton: That's correct; that's correct. There's a guy there who owns thousands upon thousands of acres, named James Hill, and his grandfather, probably, was one of the railroad barons, and he bought this incredible amount of land in Big Sur. And he has been there and he tried to make a deal, Hill did, to develop a high-end resort, and he was going to give easements and so forth over other lands, or part of his lands, in return, and the Coastal Commission turned him down. And so, the Coastal Commission has been very protective of Big Sur, and has endeared itself because of that to, I think, most people in Monterey County and the state. But some of the local people just deeply, deeply resent their interference with their property rights. And then, coastal access is not something they are wild about, if it means people get to visit where they live. They would like it to be their private preserve.

02-01:06:01

Holmes: There was also, of course, in speaking of the city of Monterey and Monterey County, there's been a number of proposals, of one that Mel Nutter actually spoke about, which I've never heard before, of how Cannery Row could've very much been different.

02-01:06:22

Patton: Oh, that's interesting. Yeah, I never got into the details of that, but that's absolutely correct. Of course, there's the aquarium that is now right there at the end of Cannery Row, a huge tourist attraction, and really a scientific institution as well. It's not just a display case; it's a—

02-01:06:41

Holmes: It's world renowned.

02-01:06:41

Patton: And it's world renowned, and I think there were significant coastal issues. There're been significant hotel proposals along there, and then preserving the sort of low-rise, historic quality of Cannery Row. Again, I was not involved in those details, but I believe, given the opportunity, people, developers, would have loved to come in and really put big, imposing hotels and commercial establishments along there, in a way that the commission didn't really let them do.

02-01:07:17

Holmes:

Were you also involved with—or at least observing—the development of the Monterey Bike Path? I believe this happened in the 1990s.

02-01:07:25

Patton:

What a great achievement, really, and I don't know, I assume the Coastal Conservancy must have put in a lot of money for that.

02-01:07:34

Holmes:

Yeah, because it used to be railroad land, owned by Southern Pacific.

02-01:07:37

Patton:

That's right, and they, I believe that they bought that rail line, or land, and then transformed it, and of course now, it's projected to go all the way around, because Santa Cruz County now has bought the rail line here, and so we have what's called the Rail Trail Proposal, which would run from Davenport to the city of Monterey, one continuous trail.

02-01:08:00

Holmes:

Oh wow, that would be great—

02-01:08:02

Patton:

And so, it's not done yet, but the commission, I think, has largely favored those kind of things, so that permitting-wise will be no problem. The problem has always been property owners who don't necessarily like that kind of access. Once the [United States] Army was no longer in Fort Ord, of course now, it can go through the Army former Fort Ord base, which it does, a lovely bike trail through there up to Marina. And they're also talking about restoring real rail service, besides, and Santa Cruz County's proposal is a rail trail so that we would still have the opportunity to have rail transportation, but also with a biking and pedestrian trail right along in the right of way. And we just passed a sales tax, a gasoline sales tax increase that will be used for transportation, and with millions of dollars for that trail. So yeah, I think that is a real success story, and if you've ever gone along there, along that trail, it's a great place to walk.

02-01:09:16

Holmes:

Oh yeah, and well, if we think of what some of the ideals and purposes of the Coastal Commission were, I think that it's exactly that. I know in regard to the story of the Monterey Bike Trail, Southern Pacific wanted to rip out the rail line and then just develop the land, because of course, they owned the land that it was on, and that would be prime waterfront property—

02-01:09:40

Patton:

And those right of ways, sometimes, they're not just the rails, they're parcels that are like real parcels.

02-01:09:46

Holmes:

Yeah, large parcels on both sides. And so, again, that's one of those examples we can think of—

02-01:09:54

Patton:

And the commission said, “You’re not going to do that.”

02-01:09:56

Holmes:

[laughter] They fought tooth and nail for that, but what’s really interesting is to again, think of what a great public use of this beautiful coastline, right around the Monterey Peninsula. And now what you’re describing of coming right around the bay up into Santa Cruz.

02-01:10:14

Patton:

It’s going to literally be possible to walk from Santa Clara County, through the Big Basin into Santa Cruz County, get on that coastal trail, and then go all the way over to Big Sur, ultimately.

02-01:10:29

Holmes:

Oh wow. What a great example of what the commission has been able to do.

02-01:10:36

Patton:

And that’s going beyond its sort of regulatory purpose, which is where we started out our conversation, which was stopping the development, overdevelopment, of the coast. We need to put the brakes on to an affirmative vision of enjoying and promoting, for economic as well as for non-economic purposes, the coast, and I think Douglas was definitely involved in that whole fight. And that’s the kind of way you get people together and make this not a regulatory, not a bureaucratic agency, but an agency to realize our hopes as a state for how we want to make this wonderful place even better.

02-01:11:19

Holmes:

I’ve had Charles Lester once tell me that it’s not about stopping growth, but carefully shaping that type of development along the coast, and I think, yeah, it’s a great example of that.

02-01:11:30

Patton:

Oh, that’s a great example. And as I say, I wasn’t involved in that, but you’re right. If Southern Pacific wanted to try to do that, no, they’re not going to get to do that.

02-01:11:38

Holmes:

Another proposal here in this area, which was a little further down the coast, but here in the Central Coast area, was, of course, Hearst Ranch. The proposed development of San Simeon Point and the surrounding lands owned by the company.

02-01:11:58

Patton:

Yeah, and I’ve kind of forgotten the details of that now, but it was really close, as I’m remembering it. The commission basically had to shut down a development proposal before there could be the public acquisitions and the public arrangements that would lead to the long-term preservation of that area—

02-01:12:23

Holmes:

Yeah, the focus was on San Simeon Point, which as a kid of the 1980s, that area was well known because that's where part of Arnold Schwarzenegger's film *Commando* was filmed. And then you also have Hearst Castle. But then you look at that area today, the beautiful coastline is still untouched, which wouldn't have been the case. From my reading, the proposal would have developed that entire peninsula—if it went forward, you would have had a number of hotels; they were talking about some kind of way to bring a casino there; some golf courses. That's one of those developments you look at and realize how it would have profoundly altered that entire section of the coast.

02-01:13:16

Patton:

Right. I was talking about how Measure J was compatible with the Coastal Act. What you see in the Hearst example you just discussed is exactly how, where there isn't already a commitment to development, that's not the place to develop; let's do it somewhere else. And preserving that incredible area, that San Simeon area, the San Luis Obispo County area there, it's like it was in 1850 or something, just fantastic, and there's no need to change that. There's no need to change that, and there are other places where tourists can visit and so forth. And Hearst Castle wouldn't be allowed today, but, isn't it spectacular now that it exists as this historic place?

02-01:14:12

Holmes:

Yeah, a historic place that's then surrounded by scenic land and coastline that preserved and left—

02-01:14:15

Patton:

It's a jewel in the coastline. If you had the little Motel Six, the Hearst Castle Six, that wouldn't be any good.

02-01:14:28

Holmes:

Yeah, down there on the Point. No, that wouldn't be good at all. [laughs] The Hearst Castle Six, oh wow. You were mentioning, in one of the cases that came to mind when we were discussing how Peter Douglas was able to, in the sense, craft what some would consider unlikely alliances at times, and the various development proposals there at Pebble Beach came to mind with that.

02-01:14:55

Patton:

That came really right near the end of his life and his tenure on the commission. I think, he did a very good job in trying to negotiate that, because their development plans were extensive in the forest, the Del Monte Forest, and that isn't really the way it ended up. They ended up with very modest development potential. They still haven't built it all, I think, but they ended up with much less ambitious transfiguration of the Del Monte Forest and that Pebble Beach area, with some economically valuable rights to develop, which will help the company economically.

02-01:15:48

Holmes:

I could never find, at least as of yet, the solid details on what the initial development proposal was. Do you remember those details?

02-01:15:59

Patton:

I don't remember completely, but, it was, I think, one or more golf courses which would have required, essentially, cutting down huge amounts of the forest. And I don't remember whether it was a thousand or what, but a huge number of new homes. And again, I've forgotten the exact details, but what ended up coming out was, I think, no new golf courses, and a relatively minor amount of new homes, as well as a specific commitment to some affordable housing in Pebble Beach, which had never existed before. It's a development that's currently just gone through the development process. I think it's been approved.

02-01:16:47

Holmes:

And what's also interesting, if we look at how Peter Douglas was viewed by property owners and development interests—taking a broad stroke here—it seems not many developers would come to stand up for Peter Douglas. But here you had the CEO of Pebble Beach, who not only came out always in support after that of both Peter and the Coastal Commission, but even, I believe, when Peter died, he a personal eulogy of how Peter Douglas helped change his view of the commission and the regulation of the coast.

02-01:17:28

Patton:

Well, Peter Douglas was very much a man of wisdom—

02-01:17:34

Holmes:

A sage, if you will.

02-01:17:35

Patton:

Yes, he was. And I think, probably when he was doing these negotiations around Pebble Beach, knew of his own health problems at that time. I remember getting, and I've still got it I'm sure, his—he would put out some thoughts, Word documents of five or ten pages. He would be thinking about the meaning and purpose of life, and little biographical information, and so forth. And he really did try to get to a heart of a person, at least in certain circumstances. He was trying to say, "Look, what is your legacy going to be? What is our purpose in life? Why are we here?" He would get to you at a profound level, not just: "Come on, you can't develop a hundred units. Why don't we talk reasonably?" He was not a bureaucrat, or at least, not only a bureaucrat, and that made a big difference.

02-01:18:50

Holmes:

You mentioned offshore oil issues, proposals here as well as in up and down the coast. I know there was a big push, particularly during the late 1970s and 1980s.

02-01:19:07

Patton:

Yeah. Very important here, and of course, that led to the Monterey Bay National Marine Sanctuary, and then there's the Farallones Marine Sanctuary off San Francisco. You may or may not know, President Trump has just announced within the last several days an attempt to roll back marine sanctuary designations made in the last ten years, including some off Sonoma County and up in there. But here's what happened from my perspective, because I had a huge involvement in offshore oil on a personal level, and so I do remember a lot of things about this particular thing since I was personally involved. Offshore Outer Continental Shelf Lease Sale Number 53 was proposed, and of course, I don't remember the year it was proposed, but it was during Jimmy Carter's presidency, and Jerry Brown was the governor and it was in his first term. So, it was probably in '75 or '76, right after I got on the Board.

And what was going on is: The federal government, of course, controls lands that are on the outer continental shelf, many parts of which are believed to, and I think do, contain significant mineral oil resources. And the federal government, in the early 1970s had the idea that this would be a great way to make money, and of course, oil companies wanted to use the resources. So, when OCS 53 was proposed, everybody was shocked. There was going to be some development up off the Davenport North Coast area in Santa Cruz County; there were areas off Sonoma County; a lot of development off Mendocino County; development off Orange County and San Diego County; I think additional development off Santa Barbara, and in San Luis Obispo. So basically, all along the coast, there were going to be oil wells out in the ocean, and this was a proposal with a Democratic president, and it was something that we really did not like in Santa Cruz County.

So, as I mentioned earlier, we had something called the County Supervisors Network, and so I contacted the County Supervisors Network and we had a meeting and decided that we needed to fight offshore oil development. We set up a system of financing opposition in which all the counties would contribute something like \$10,000, and Santa Cruz County would be the lead—in other words, they would make the checks to Santa Cruz County for outer continental shelf efforts to stop offshore oil drilling.

And so, basically, I thought this system up, and we did this, and then we decided to hire somebody to staff. It was a political issue, so we decided to hire somebody, and the person we hired, who worked under my direction more or less, was a guy by the name of Richard Charter. He had been a graphic artist; he lives in Tomales Bay, right by where offshore oil was proposed. He hated it, as people up there hated it, and he had gotten active, and there were community activist efforts up and down the coast. So, he and a friend of his, who's now the head of a bay—I can't remember the official title—a guy by the name of Warner Chabot, who had graduated, I think, from

UCSC. But he was a young guy, and very good as a press relation kind of guy, and so was Richard Charter.

We hired Richard Charter under this OCS Local Government Coordination Program, I think was its official title, and we started developing a political plan to fight offshore oil. And so, first thing we did was try to get the state government involved, and we got state resolutions. We got the governor to get on the right side of the issue. We started building local contacts, not only now with counties but with cities, and for instance, getting counties that had not been part of the initial effort to join in, Orange County being one of them. Orange County was very Republican, very conservative, but not in favor of offshore oil development. And so, we started a political campaign to get a California coastal alliance, essentially where all of the local governments along the coast would coordinate. It was called the Local Government Coordination Program. They would pass resolutions. We were in constant contact. We had supervisors from all the counties participating: Norm de Vall up in Mendocino County; Eric Koenigshofer and Ernie Carpenter in Sonoma County; et cetera. The only county that never participated was the city and county of San Francisco. Mayor [Dianne] Feinstein, then the mayor, would not participate. Everybody else did, ultimately, and we built an opposition encompassing the entire coast of California through this Local Government Coordination Program.

Then we lobbied in Washington, DC, and we ended up with the tactic of getting moratoriums declared in every year's appropriations bill. So, the way we stopped offshore oil was on an annual basis; we got the Congress to put into the appropriations bill a prohibition of any offshore oil development in specified areas. We then ended up having to have a national campaign, because the Atlantic states started joining in. And of course, when you started doing the committee analysis, a lot of people on the relevant committee were from the Midwest. They were not from coastal states at all. One of the things that I remember vividly, because I thought it was so clever—Richard Charter was sort of acting as our brains of this—we would lobby; we would fly into Washington, DC, to lobby, and he had prepared beautiful, sort of oversize, color postcards with pictures of like Big Sur and lovely pictures of the coast in California, and he would have them printed especially. We would go around to Congress members from like Kansas, and give them postcards that would say, "Save the Kansas coast." We lobbied effectively, year after year, until George H. W. Bush ran for president and he made a ten-year moratorium, so we won for a ten-year period.

This all started, basically, in Santa Cruz County, this incredible coalition along the coast, Republicans, Democrats, ultimately cities as well as counties funding efforts to lobby, politically, at the state, but mostly the national level. And then out of that came efforts to have marine sanctuaries dedicated, which then were successful and, of course, prohibited offshore oil drilling in large parts of the coast. Richard Charter—I get emails from him practically every

day—he's still doing this. He is still active, and again, he, like the staff at the Coastal Commission, this little thing that he got into became his life's work, and he's been recognized on a national level for his coastal protection efforts.

Near the end of the campaign, we came up with a concept which was very clever, in which I can't remember now whether I wrote this law or not, but we didn't have to put it on the ballot here, because essentially local governments have no control over what happens in the ocean. The State Lands Commission has the first two miles, and then the federal government has it. But what we did was to adopt local ordinances. We got local governments through these connections; we adopted local ordinances up and down the coast that said, "No facilities can be built onshore, period, if they service offshore oil." So therefore, we were cutting off access to the land, making it much more difficult to develop offshore. The Coastal Commission ended up helping in all of these efforts. They did not like offshore drilling either, because of its direct impact on the marine environment, its impact on fisheries, and then obviously, its tendency to have really industrial developments come up along the coast. Santa Barbara has onshore industry and offshore development. The '69 oil spill there started the environmental movement in many ways in California, and we've contained any future development there.

So, I was very proud to have been a part of that effort. That some little group of people in some place as small as Santa Cruz could end up changing national policy against enemies or political opponents that were the oil companies, the biggest corporations on the planet. And we won, because ultimately, we proved that political action makes a difference, and if you really care, you can use your political institutions to get what you want. So, it was really an inspiring thing, and it's being challenged always, everywhere. But this protection really started right here. Richard Charter has carried the fire on, like the Olympic torch, but it was really an inspiring thing, if you think about it, that some sort of small little community could say, "Hey, we don't think offshore oil's any good," and then say, "Well, how could we stop it?" and then you realize, you have to get the national government to change its policy, so how do you do that? Well, you get all the local governments in the state to take a position, then you lobby governments elsewhere, and you can change the world here. So, it was a very great thing to be involved in.

02-01:31:13

Holmes:

Oh wow.

02-01:31:14

Patton:

Really inspiring.

02-01:31:15

Holmes:

Were there other issues that come to mind outside of oil during those decades of the Coastal Commission? Outside of oil and others we've talked about—

02-01:31:24

Patton:

Well, the marine sanctuary, offshore oil, and desalination. The commission recently approved a huge desalination plant, and there are desalination proposals in Monterey County. There was one in Santa Cruz, which the people put an initiative on the ballot in the city of Santa Cruz and essentially made it impossible to develop a desal plant in Santa Cruz. At least, I'm hoping that's true. But the commission, again, one of the great things about the commission as it has evolved is its commitment to quality information and science, and so desalination just sounds like the greatest thing since sliced bread, if all—

02-01:32:20

Holmes:

Especially in the midst of a drought, right?

02-01:32:22

Patton:

Right. It's like, oh, we got the ocean, what's the problem? Let's develop desal. Well, there's massive numbers of reasons that desal is not really a great solution, but it certainly has a profound effect on the marine environment, and the commission has developed a whole series of—and one in particular that I remember was probably about five or six years ago—scientific, research-level papers on the impact, marine impacts associated with desalination. It just provides the information about what's really involved, as opposed to just sort of the, “oh this is a great idea, water, we need water; let's build a plant, and make water.” So, yeah, they played a key role in desalination.

They've played a key role in port issues. I think in Southern California, a lot, which, I'm not that familiar with, but up in the Monterey Bay after the marine sanctuary, both the sanctuary and the commission have collaborated to prevent the discharge of waste materials from ocean cruising liners. And so, when they do come into Monterey, certainly come into San Francisco Bay and so forth, and obviously come into Southern California ports as well. The commission has gotten involved with Sea World. It has certainly grown from a kind of water, land use regulation agency in a defined coastal zone to being the California state steward of the marine environment, and working on fisheries' issues; the Marine Life Protection Act, working for that, then working with that.

The commission has grown in stature over the years so that it is a recognized authority, not only on the coastal zone land, but on the interaction of the marine environment with the land, and with the economy, and with tourism, and with, just basically, the biology of our oceans. And it's really an incredible institution now, I think recognized nationally, if not internationally, as the model agency for these kind of issues. And Peter Douglas played a large role in helping to do that. The commission itself, as I say, has established a tradition of: We expect the best. We expect really high-quality analysis. We expect to make decisions that will shape the future in fundamental ways. This is what the commission has become.

02-01:35:30

Holmes:

That's a very good point. And it's one of those things which I think many of your stories today have highlighted that it's not just one person. It's communities, your average citizens coming together. And if anything, Gary, I have to be honest, from our discussions today—and I hope readers, when they read these transcripts, will also be able to recognize that—it really is a democracy with its faults and everything else here in the US. It's democracy that really has made that work.

02-01:36:04

Patton:

Right, right. Well, as I say, I really feel so lucky to have been able to be involved in this work—because I didn't particularly want to be a lawyer, but I had no idea that I would get involved in that democratic process in any significant way. But, I have, and the Coastal Commission with which I've had some connection, but really more of a peripheral connection than a fundamental connection, is just the best of that. It's easier to make that work in a small community like Santa Cruz than it is in the state of California, and yet, that commission has done that.

02-01:36:54

Holmes:

Yes, very much so. I just had a few more questions before our time is up, and I wanted to get your thoughts—thinking of the big picture here—of what are some of the biggest challenges that we still face? Even with the Coastal Commission and all the success and precedence that it's had, and it's set, what are some of the biggest challenges that you think coastal communities still face?

02-01:37:18

Patton:

Well, the biggest challenge that we all face is what is happening because of global warming, and our human destruction of the ecosystem that supports life; that has very practical impact. So, the commission is now focusing a great deal on sea level rise and the impacts of global warming. They are, I think, participating very significantly in some of the ocean health issues associated with global warming, which can include fisheries' management issues and perhaps some other issues that I'm not directly aware of. But to me, there are going to be incredible challenges associated with global warming that the Coastal Commission will have a primary interest in, and certainly, how the ocean, where and when and how it hits the coast, is going to change, and has already changed. So what accommodations are we going to make and what are we going to do about that? That's certainly one thing.

I think we're going to continue to have to confront the demand for desalination; how that relates to the coast is going to generate some significant issues. I think that coastal access issues will grow in importance. When the population continues to grow, demand to get access to the coast continues to grow, and what is going to happen? That's another huge area the commission, I think, runs into. For instance, as I say, I'm working with some short-term rental owners in Monterey County. Those are huge issues for the owners, and

the Coastal Commission is getting involved with those issues. There are certainly going to be issues of transportation, and how the commission might be able to play a role in getting people to and from the coast and along the coast at a time when, really, we can no longer just assume you can build a highway.

The most recent big issue involving transportation that the commission addressed was down in, I think it was Orange County, an attempt to put a freeway right through a state park, and they turned it down. And I think there will be significant other efforts to develop alternative transportation and/or to have to face conventional highway expansion transportation. For instance, the Coastal Act does say Highway 1 is supposed to be a scenic, two-lane road in the coastal zone, and I know in Monterey County, there are traffic congestion problems on Highway 1. Can that highway be expanded? Should it be? The commission is going to play a key role. That's just here, and I know that's happening up and down the coast.

So those kind of transportation issues are going to be really key, and to the degree that we start developing other kinds of transportation. You read, and you wonder, what about these flying car proposals? Things seem to be developing very quickly with new technologies. The commission will definitely be involved, because everything ultimately touches the coast and often is based on the coast. A huge amount of the population lives right on the coast, and everybody wants to get to the coast, and a lot of the productive businesses and industries need and relate to the coast, and so, all of these things are going to be challenges.

02-01:42:01
Holmes:

Yeah. Lastly, with Charles Lester's dismissal here last year, there was talk again of what some call "regulatory capture," the influence of say, development interests to be able to finally capture or significantly influence, at least, the commission. What are your thoughts? Do you—

02-01:42:27
Patton:

I'm nervous about that. I'm very worried about that.

02-01:42:29
Holmes:

Do you think the development interests wield more power today than they did in the 1970s?

02-01:42:34
Patton:

They wield the same power, but the question is—is there the countervailing power? And it's not that they have more power today, but it's—is there still the committed community of coastal activists which both reflect and sustain the commission's commitment? That is why this sort of lifelong staff commitment and establishing these traditions is so critical, because really, new commissioners would come onto the commission, they would not necessarily have any tradition or history around coastal protection. And

whether it was Peter Douglas, or fellow commissioners, or other staff, everybody sort of got the idea of “hey, development pressure, yeah, we know about that; we’ve heard about it; we’ve figured out how to deal with it; we know how to say no when we’ve got to say no; we know how to say yes in the right way.” We’ve got a whole way of doing it that is protective of the coast and upholds our highest aspirations and policies of the act, and everybody kind of bought into that, and it was sustained by very significant participation, by just these ordinary people who started it all off with Prop 20.

To the degree that the ordinary people are now so stressed economically that they can’t come to these commission meetings—they can’t do it; they’re not actually involved in coastal activism anymore because they’re working 18 hours a day just to keep a house—that means the countervailing pressure of the developers is always there; they are always working. It’s not they have more advantage, now, but there used to be this other group of coastal activists that was definitely there. Political bodies of all kinds essentially relate to the people they know, and so if they know only the developers and their representatives, only they will really be taken seriously. But what I was describing earlier on, when you would go to a state commission meeting, there would be this camaraderie, this kind of a community feeling that people go to these meetings once a month—the staff is there; the commissioners are there; various lobbyists are there for all sides, and citizens are there, and local government people are participating—that there is this whole sense of an enterprise that we’re all engaged in to protect the coast, to the degree that that atrophies, then we start having problems.

And if you will look at what happened with Lester—I can’t remember whether it was 10,000 or 15,000 or more signatures—people packed the hearing room, and it was very clear that, on a onetime basis, that kind of community concern is still really front and center and present, but it’s not necessarily there every meeting. I’ve gone to some commission meetings relatively recently, in San Luis Obispo and Half Moon Bay, and while there were a few people there, it was not quite as I remember it in the good old days, and I haven’t been back to the commission other than these two relatively recent forays.

And so, to my mind, that lack of real activism at the grassroots level, which I largely attribute to economic stress—people just don’t have the time anymore; they have to be out working more than one job, a lot of families; both people in the family or both partners work and so forth—is a big problem. The other thing is this lifelong commitment by the staff that carried on and that informed commissioners and the commission’s activities. That is very powerful. When somebody comes up, makes an argument and it sounds pretty good to the commission, to have a staff person say, “Well, in 1988, somebody made exactly that same argument and the commission went along with it, and here’s a picture of that. It didn’t work, and we’ve never done that ever since, and so we never really should do it again; that wasn’t a good idea”—that makes a

difference. And people are just dying, in some case, but they're retiring. They're 70 years old.

I met a guy named Rick Hyman, who was a coastal staff person who is retired now. I saw him—where was it—just downtown the other day, and I said, “Oh, hey, Rick, how are you; how's it going?” and “Good,” and I said, “So you are really retired?” He says, “Oh well, yeah, except when I go in as a staff just to volunteer.” The people who have been on the Coastal Commission staff have made a lifetime commitment, and as they fade out, the people that come in after them, if they just think of it as a bureaucratic job, they're not going to be able to pass on the tradition. Hey, it is hard to do this. It is really hard. It's the Glass House Hotel. To tell somebody, “I'm sorry, our answer to your life's work is no; the answer is no, you can't do that”—it's heartbreaking for some people when they get turned down, but you have to turn them down on behalf of what, really, the people of the state have said is the right thing to do. And as that tradition atrophies, because the people have just moved on, it's very hard to keep that tradition going.

So that's sort of what I see as the problem. Not so much the developers have more clout, it's that that's the only clout that's left. And commissions and supervisors and elected officials, all they know is usually what they read and hear. If you don't have the people who love that little park that's going to be shaded by the big development, you don't have that coming to you; you can't make the right tradeoffs.

So that's what I'm nervous about, and nervous about participatory democracy in our current society anyway, in view of, number one, the huge failure to believe anymore that government can work, because we see a lot of evidence that it's corrupt and no good; and secondly, that people just don't have built into their life enough time to get engaged in the community. And that means you can't really make democracy work; you can't do it without community engagement. You can't have that if the people aren't involved. It's a great success to go out on the street, get those petitions, start the institution, participate in the institution, have the institution mature, and become a great part of what is best about California, but it is sustained always by what started it.

02-01:50:36

Holmes:

That's well put, and I think it's a good place to perhaps end. Thanks so much for your time, Gary.

02-01:50:40

Patton:

Hey, my pleasure, thanks for interviewing me. It's good to talk about this because, as you can tell, I really do think this has been a democratic and California state success story, and it is not over by any means. It's still a success.

02-01:50:57

Holmes:

Well, hopefully we have more citizens like you. Thanks so much. It's a pleasure.

[End of Interview]