

An unsung hero of Oregon's Beach Bill

July 6 marked the 50th anniversary of the 1967 date when then Oregon Gov. Tom McCall signed HB 1601 into law, establishing Oregon's coastline and its beaches as public land for all people to enjoy.

Though accolades mostly benefited McCall, State Treasurer Bob Straub is also known within the ranks of HB 1601 supporters. But, little recognition is given to the lesser-known men and women who were part of Oregon's Legislature, committees and organizations to save Oregon's beaches from land sales and privatization.

There was Associated Press reporter Matt Kramer, whose articles, which appeared in almost every newspaper in Oregon, kept the public abreast with the ongoing, and often heated, battle over Oregon's beaches. It was Kramer, who coined HB 1601 the "beach bill" through his reporting. And, Gov. Oswald West set the stage for being the first governor to start the process of keeping Oregon's beaches public by getting his 1913 bill passed.

Yet, when Oregon became a state in 1859, its belief was that what the state owned, the state could sell. In 1872, the Legislature authorized the selling of dry-sand land to private citizens. However, controversy and concern grew within the state since the beaches were an important form of coastal transportation from north to south along the coastline. Therefore, in 1899, the Legislature declared the beach land from the Columbia River to the south border of Clatsop County a public highway.

Not to downplay Govs. West's and McCall's defining moments to have the foresight to protect Oregon's beaches for future generations — the beaches had already set a precedent for being a recreational playground and there was, of course, the doctrine of customary rights — and both governors were known to be proactive environmentalists of Oregon's natural landscape.

Driving force

Still, there was one other. A man who was a driving force and key to starting the legislative process in saving Oregon's beaches against burgeoning abuse and misuse by developers and property owners. His name was Dr. Robert Bacon.

GUEST COLUMN REBECCA HERREN

Bacon, a professor of anatomy at the University of Oregon Medical School since 1955, was an environmentalist. During his first trip to Oregon for an interview with the school, he was in awe of Oregon's beauty, remarking that a slope of Douglas firs where the biggest trees he'd ever seen and the campus gardens were the "most beautiful in the United States, except possibly for Duke." He described the snow on Mount Hood as dazzling white and the sky as a National Geographic blue.

I met Bacon during an event at the Seaside Aquarium in 2005. His wife, Sue Daniel, accompanied him. I knew Daniel through her time as a board member of Friends of Haystack Rock, and it was by Daniel's prompting I volunteered with the Haystack Rock Awareness Program for a couple of seasons. It was about this time that Bacon's name became synonymous with the Beach Bill among us locals.

Bacon was a low-keyed, non-political kind of man, whose introduction into politics began when a young biochemistry student named Lawrence Bitte approached him about an incident that happened with his aunt and uncle at a family gathering in Cannon Beach. His aunt, Betty Wilson, complained to Bitte of being told they could not use the area where they were picnicking and were ushered out of the "private" section in front of the Surfsand Motel.

The owner of the newly built motel had outlined the dry-sand area in front of the property with drift logs and signs to provide a private beach for its guests. This commercial exploitation enraged Cannon Beach residents and visitors alike. A Portland mathematics professor, J. Richard Byrne, wrote a letter to the Highway Commission demanding clarification of public rights to the beach. The interpretation given at that time was the public rights access only included the wet sands area below high tide, and an inquiry would be launched. Bitte, on the other hand, was preparing a letter to McCall.

In the meantime, the controversy in Cannon Beach continued, inciting



Lawrence Bitte (left) and Bob Bacon (right) take a stroll on Gearhart Beach between 2007 and 2008 for the documentary film "Politics of Sand."

CANNON BEACH HISTORY CENTER AND MUSEUM

inquiries into other instances of commercial development along the coast. Not hearing back from McCall, an irritated Bitte made contact with Bacon, who had the reputation of caring about his students.

Since Bitte had not received a reply to his letter, Bacon suggested they travel to Salem to express their feelings and try to get clarification regarding public rights to the beach. Bitte was unable to attend a hearing on the privatization of Oregon's beaches because of schedule conflicts and sent his wife, Diane, with Bacon instead.

Bacon and Bitte's wife missed the hearing, but were not deterred in their efforts to be heard. They walked to the hearing room where they met Rep. Sydney Bazett and explained to him why they wanted Oregon's beaches to remain public lands. Bazett encouraged the two to return after lunch and state their case before the committee of about 20. Bacon and Bitte were the only two who came forward to weigh in on the issue.

Bitte's wife described it as intimidating — a room of all older men in pinstripe suits and smoking cigars. They both felt the hostility in the room that seemed to be directed at them, said Bacon in a 2005 Seaside Signal interview.

Word spread that the hearings on the Beach Bill would continue. Bacon who had no interest in

politics, traveled across the state on behalf of keeping Oregon's beaches public. Together, Lawrence Bitte and Bacon formed the Citizens to Save Oregon's Beaches (CSOB). He jokingly recalled how the group was referred to as the SOBs in the 2009 documentary "Politics of Sand."

Bacon remembered many of the people who helped make the Beach Bill a reality. Among them were journalists Matt Kramer, Ken Fitzgerald, Jim Long and media mogul Ancil Payne of King Broadcasting Co. who kept the bill in the forefront of news coverage.

In the documentary, Bacon showed concern over the Beach Bill's continuing battle of being modified and weakened. CSOB, he said, never supported the 16-foot vegetation line of the Beach Bill. "We wanted it to state a "natural beach line" since the landscape is ever-changing. In a lecture last December at the Cannon Beach Library, conservationist Neal Maine noted that the public should keep in mind the shoreline and beach are transitory, and the Beach Bill was a political event with no mention of ecological processes.

Crucial trip

If Bacon had not taken that crucial trip to Salem, what would have been the fate of Oregon's beaches? Or, if the confrontation with Bitte's aunt and uncle never happened and

Surfsand owner William Hay's plans to bring a bit of Hawaii and Florida to Oregon was allowed, what would have become of Oregon's beaches? Would there be miles of beach littered by masses of brightly colored umbrellas and cabana tents? Would there be fences erected, extending to the low-tide line blocking off sections of private beaches?

If legislative initiatives and natural resource preservation activities had not been passed during the 108 years since the state's admission to the Union and the passage of the Beach Bill, could the Beach Bill pass legislation today?

The Beach Bill was appealed several times. Judge Alfred Goodwin, the Oregon Supreme Court judge wrote the 1969 decision upholding the constitutionality of the Beach Bill, declaring Oregon's beaches to remain public property. A Cannon Beach motel owner sought to have the Beach Bill declared unconstitutional in an U.S. Supreme Court 1994 appeal, and again, the court upheld the lower court's decision favoring a doctrine of custom. However, Justice Antonin Scalia noted, "To say that this case raises a serious Fifth Amendment issue is an understatement. And it is serious in the sense that the land grab may run the entire length of the Oregon coast."

Oregon is the only state to have open public access to its entire coastline, with Texas and Hawaii following in suit. And, though it is the birthright of all Oregonians to have open access to all the beaches edging its shores, we shouldn't become complacent in this right or take it for granted. Developers, politicians and private citizens will continue to threaten and challenge Oregon's Beach Bill.

In 1997, Bacon gave an interview for the 30th anniversary of the Beach Bill. About his part, he said it best, "I taught 4,300 physicians about the structure of the human body, but I felt this (the Beach Bill) was the most important thing I ever did."

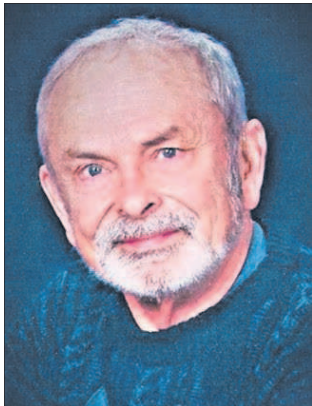
Bacon retired to the coast in 1982 after teaching anatomy for 45 years. He lived in Gearhart until his death in January 2009.

OBITUARIES

Gary LeRoy Laws

June 30, 1939 — Aug. 25, 2017

Gary LeRoy Laws was born in Portland, Oregon, to Burrage and Doris Laws on July 30, 1939. He moved to Seaside at the age of 6, where he attended school and went on to be a student at the University of Oregon. He married his high school sweetheart, Marlene Ordway, in 1958.



GARY LAWS

Gary began his lifelong meat cutting career at Safeway in Tillamook, then moved to Seaside where he purchased the Ocean Vista Meat Market and set meat cases in small grocery stores throughout town. His meat cutting vocation continued at Reed and Hertig, and concluded at Safeway in Seaside in 1988.

Gary honorably served in the Oregon National Guard, Seaside Fire Department, Seaside Kids, the Junior Chamber of Commerce, and was an avid sports fan.

Gary loved supporting his four children in their school and after school athletics and activities. He rooted for his mighty Oregon Ducks, the Trailblazers, Seahawks, Mar-

iners, and was even known to lend the Oregon State Beavers his occasional support. Gary was an accomplished woodworker who constructed a few local houses for resale.

In 1987 Gary and Marlene moved to Tolovana Park, where Gary assembled an elaborate workshop for building custom furniture, toys and supplying crafts for their in-home gift shop "Country Giving," which they operated until full retirement in 2005. They then moved to Cannon Beach.

He loved the outdoors, was an active hunter, liked

to travel, and was known as a very kind and compassionate person who loved his family, friends and pets. He was a devoted follower of Jesus Christ and an active member of the Cannon Beach Community Church, where a celebration of life service was held on Saturday, Sept. 2, 2017, at 11 a.m., with lunch to follow.

Gary is survived by his wife, Marlene; daughters Suzy Rotunna and Pam Forster; twin sons Troy Laws (wife Debbie) and Todd Laws (wife Cheryl); grandchildren Sean Forster, Kiley Laws, Nick Forster, Kathryn Laws, Caleb Laws, Conor Laws and Mia Rotunna; nephews Randy and Mike Laws; and nieces Neisa Stahly and Trina Sleeman.

Gary was preceded in death by his parents, Burrage, Doris and stepmother Margaret Laws; brothers Bill, Darrel and Ron; sister Shirley; and his nephew Scotty.

Memorial gifts may be given to the Cannon Beach Community Church. A guest book is available online at www.hughes-ransom.com.

PUBLIC MEETINGS

Tuesday, Sept. 12

Cannon Beach City Council, 5:30 p.m., regular meeting and work session, City Hall, 163 E. Gower St.

Monday, Sept. 18

Ecola Creek Watershed Council, 4:30 p.m., City Hall, 163 E. Gower St.

Tuesday, Sept. 19

Cannon Beach Public Works Committee, 9 a.m., City Hall, 163 E. Gower St.

Thursday, Sept. 21

Cannon Beach Parks and Community Services Committee, 9 a.m., City Hall, 163 E. Gower St.

Cannon Beach Design Review Board, 6 p.m., City Hall, 163 E. Gower St.

Thursday, Sept. 28

Cannon Beach Planning Commission, 6 p.m., City Hall, 163 E. Gower St.

Friday, Sept. 29

Emergency Preparedness Committee, 10 a.m., City Hall, 163 E. Gower St.

Tuesday, Oct. 3

Cannon Beach City Council, 7 p.m., City Hall, 163 E. Gower St.

Tuesday, Oct. 10

Cannon Beach City Council, 7 p.m., work session, City Hall, 163 E. Gower St.

Tuesday, Oct. 17

Cannon Beach Public Works Committee, 9 a.m., City Hall, 163 E. Gower St.

Thursday, Oct. 19

Cannon Beach Parks and Community Services Committee, 9 a.m., City Hall, 163 E. Gower St.

Cannon Beach Design Review Board Meeting, 6 p.m., City Hall, 163 E. Gower St.



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<p>NEW PRICE</p>  <p>ALMOST OCEAN FRONT 31921 Cottage Ln, Arch Cape Relax in the hot tub and view the ocean while listening to the waves. FOR DETAILS CALL 1-800-784-9541 EXT 575. CMLS#17-1022 \$535,000 Jackie Weber 503-440-2331</p>	<p>NEW PRICE</p>  <p>NEW CONSTRUCTION 9370 Dewolf Rd, Manzanita Thoughtfully designed, light-filled spaces are ample and open with wonderful flow on nearly 1/2 acre. CMLS#17-1093 \$378,000 Kate Merrell 503-739-2324</p>	<p>NEW PRICE</p>  <p>DIFFERENT AND ADORABLE 79917 W Beach Rd, Arch Cape This tidy cottage will make you smile the minute you walk in the door. An easy walk to the sand, this house oozes charm and whimsy. CMLS#17-1108 \$350,000 Kate Merrell 503-739-2324</p>
<p>NEW LISTING</p>  <p>TOOTHBRUSH READY 3621 S Hemlock, Cannon Beach Adorable free-standing condo comes mostly furnished and turn-key ready. One block to the beach, your beach spot is here. CMLS#17-1230 \$325,000 Tina Chapman 503-440-9957</p>	<p>NEW PRICE</p>  <p>SPECTACULAR OCEAN VIEWS 32 Braeridge Dr, NeahKahNie Building site on .32 acres with all utilities installed, paved roads in gated community. CMLS#16-322 \$239,900 Chuck Overton 503-440-2653</p>	<p>NEW PRICE</p>  <p>PRIVACY PLUS OCEAN VIEWS Parcel 2, Ray Brown Rd, Arch Cape Build your beach getaway between Cannon Beach and Manzanita. FOR DETAILS, CALL RECORDING 1-800-784-9541 EXT 669. CMLS#17-455 \$225,000 Jackie Weber 503-440-2331</p>
<p>NEW PRICE</p>  <p>GREAT LOCATION 160 E Siuslaw St #3, Cannon Beach Just one block to the beach, 3 bedroom condo, 3 fireplaces and a carport. Zoning allows nightly vacation rental. CMLS#16-1644 \$272,000 Dana Weston 503-738-2839 Craig Weston 503-738-2838</p>	<p>NEW LISTING</p>  <p>RELAX, ITS BEACH TIME 401 Cannon Beach Ridge #102, Cannon Beach Adorable, 2 bedroom, one bath condo affords you the best of both worlds, away from it all yet close enough to the sea. CMLS#17-1303 \$210,000 Tina Chapman 503-440-9957</p>	<p>NEW LISTING</p>  <p>CHOICE SPOT 12895 A Street, Nehalem Affordable building site, in quiet coastal town, 2 miles to Manzanita Beach. FOR DETAILS CALL 1-800-784-9541 EXT 777. CMLS#17-1077 \$55,000 Jackie Weber 503-440-2331</p>

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