

SAVING COQUILLE POINT: A YEAR OF CITIZEN ACTION IN BANDON

By Vivian Connolly

“Special places don’t stay special by accident.”—Jay McLoughlin, forest activist in Glenwood, Washington.¹

In the late 1980s, the small ocean-side city of Bandon (population 2215) was engaged in a struggle endemic to the whole Oregon coast: development versus environmental protection. During the year 1989, when the struggle was at its fiercest, it centered around a defining symbol: Coquille Point, the rocky headland area rearing its eighteen windswept acres high above the wave-scoured gray seashore, its massive bulk a land-based echo to the foam-girdled seastacks a few hundred feet west of the tideline, primeval chunks of the earth’s deep substance thrust skyward in tortuous prehistoric convulsions.

Today it is one of Bandon’s principal tourist attractions, especially during the summer. Its official name is the Coquille Point Unit of the Oregon Islands National Wildlife Refuge. Visitors come--alone, or in family groups, or in rented buses--to train binoculars on the nearby rocks, searching for the exotically--named seals and seabirds described on the informational signboards spotted along the curving asphalt paths along the top of the bluffs, or to sit on the three strategically placed wooden benches and contemplate the awesome expanse of mist-shrouded ocean.

In the late 1980s, the Point was a desolate wasteland, its topsoil and hard-pan layers eroded by wind, rain, tire-tracks and boot-heels into an orangey-clay desert. Most long-time Bandonites, who had traditionally built their homes inland, out of the reach of the punishing coastal storms, regarded it as ownerless no-mans-land of little value.²

But city manager Ben McMakin saw it from a different perspective. His ten years of doing the city’s business had made him aware that Bandon was going through a time of transition. As the local fishing, dairy, and lumber industries declined, sending young working people to other areas, a new wave of residents had poured into Bandon, many of them refugees from the overdeveloped seacoast of California. Their hunger for ocean views was driving up the prices of beachfront property. The bluff-top land to the south of the Point was sprouting a growing number of houses, plus a three-story motel, built into the bluff face on embedded steel pilings.³ As McMakin explained to the *Western World’s* local readers, it was only a matter of time til the point itself would undergo some kind of development.⁴ As an expert municipal grantsman, he suggested a way to ensure that some of the developer’s profits would be channeled into Bandon’s chronically troubled city treasury.

At a city council meeting on November 22, 1988, he had launched his ambitious proposal: the formation of an Urban Renewal District. This state-sponsored development

program had been designed to revitalize the “blighted areas” of the inner cities by encouraging new building and commerce. It enabled cities to finance development-friendly infrastructure improvements via municipal bond issues based on the expected increase in tax receipts that would come with rising property values.

To the basic trio of roads, parks, and sewers, McMakin added a special inducement: a municipal swimming pool, situated in back of the high school, open to the general public. The capital costs would be paid via the special financial arrangements of Urban Renewal; the costs of operation would come from a different windfall: the rent on a small patch of city land which formed part of the private-public mosaic that covered the tops and sides of the rugged headland.

McMakin had tailored his plan to appeal to the long term Bandon residents whose memories stretched back to the days of the dance hall and the “natatorium”—a heated salt-water swimming pool—that had made the Point a recreational center back in the twenties. Those buildings had disappeared, along with most of the town, in the catastrophic fire of 1936. Efforts to resurrect the old swimming pool had foundered for lack of money. Now the land surrounding its ruined foundation was being eyed as the site of a new kind of buildings: high density condominiums, intended for summer rentals; destination resorts, housing their own entertainment complex. As the developers turned worthless wasteland into luxury housing, perhaps the city’s piece of the headland, small but strategically placed, could be leveraged into a new “natatorium.”⁵

But as McMakin himself acknowledged, there were many people in Bandon, who were not so development—friendly, Bird-watchers Max and Mary Powers, savoring their welcome withdrawal from the hurly-burly of the San Francisco bay area to a small blue house on the blufftop, a few blocks north of the disputed area, worried about what a sudden eruption of newly built houses might do to the off-shore nesting grounds of Bandon’s pelagic cormorants and common murre. ⁶ Bill and Joan Russell, returning to their native Oregon after an international odyssey involving Bill’s career as an officer in the U.S. Air Force and a second career in the burgeoning aerospace industry, feared more development might drive the harbor seals from their pupping areas on Elephant Rock. ⁷ Owen and Sara Duvall, frequent visitors from Klamath Falls during the 70s and 80s, who had just achieved their long sought goal of an ocean-view retirement aerie on Beach Loop Drive, had similar qualms about the “seals and birds on the rocks who can’t go to the city council and express their opinions.”⁸ Douglas Haines, in his family’s bed-and-breakfast at the northwestern edge of the property under discussion, was concerned about Bandon becoming like “so many other coast towns where high-rise condos and hotels tower above the beaches.”⁹

They found an eloquent spokesman in Stan LeGore, the co-proprietor of a struggling landscaping business. He and his wife, Liza Ehle, had been keeping a watchful eye on the push toward beachfront development through much of the eighties. ¹⁰ Now, through an op-ed piece in the *Western World*, LeGore sent out a call for grassroots mobilization; instead of using the small city-owned plot as a bargaining chip in the high-stakes game of Urban Renewal, the city should turn it into a public park—“the most beautiful and spectacular park along the whole Oregon Coast.” He invited any readers “willing to dedicate a small part of [their] lives in 1989 to political change” to contact him via the appended phone and post office box numbers. ¹¹

In the last three weeks before Christmas, the *Western World* encouraged a lively debate on its op-ed page, featuring framed “Viewpoint” columns from LeGore and McMakin. The reading public’s responses flowed in through the first couple months of 1989, supporting both sides of the development question. ¹²

By the beginning of February, LeGore felt confident of enough support to announce the birth of the *Coquille Point Newsletter*. During the next two years, its more-or-less monthly issues would serve as the organizational core of the pro-park forces.¹³ LeGore used his chatty, conversational style to prod his supporters to action, providing insistent WHAT YOU CAN DO lists: sign the petition, come to the vital meeting, show up at the wildlife lecture, write to the papers, contact your legislator, come help us draft the statement, make copies, send out mailings, send money for paper and postage. Amid all the nuts-and-bolts details, he never lost sight of his two overriding missions: to educate his readers on the relevant issues; to convince them of what was at stake in the current struggle. If the developers won, he told them,

there will be a view, but it won't be the same. There won't really be any open space to walk the dog, or the wife, or your troubles, or just walk along the cliff and look at the ocean and rocks without buildings closing in all around you. Bandon is changing fast, and we can't stop the changes. One of the wonderful changes is that people are working to save the one place that can always remind us why we are here, no matter how the rest of the town develops.¹⁴

In his initial call to political action, LeGore had targeted Ben McMakin as the chief obstacle to the public enjoyment of Coquille Point's natural beauty. Now he focused his readers' attention on McMakin's contract with the city council. Many of them joined him in a campaign against its renewal, involving street demonstrations in front of city hall, a well-attended public meeting in Old Town, and a torrent of pro-and-con letters in the *Western World*.¹⁵ But when the council made its decision early in May, the vote for renewing his contract was five in favor, one against.¹⁶

There was better news in another phase of the battle. By May 24, Bunny Kadeau, a volunteer wildlife docent, had organized the collection of twice the number of needed signatures to place a proposed charter amendment on the ballot, mandating voter approval before any of the city's land on the Point was sold, leased, or otherwise removed from public use.¹⁷

Now the team of LeGore and Ehle switched its focus to Bandon's Planning Commission. With the passage in 1973 of Oregon's definitive land use planning statute, familiarly known as Senate Bill 100, the Planning Commission had become a key player in the process that guided the growth of the changing city. With the help of a state-wide process of citizen consultation, the legislators had defined the Nineteen Goals which each local government body would use as a template in producing a Comprehensive Plan for local land use, tailored to its specific locality. Goal One, Citizen Involvement, made clear the law's intention that all land use planning should involve citizen input.¹⁸

Ehle's interest in urban planning had started in Seattle, where an entry-level job with an architectural engineering firm had introduced her to the intricacies of Urban Renewal. After earning a University of Oregon degree which included courses in urban planning, she had settled in Bandon in the early eighties and had become a regular visitor at planning committee and city council meetings, driven by her need to see how local government actually worked in the town where she was struggling to establish her nascent landscaping business.¹⁹

LeGore, who had arrived in Bandon about seven years earlier, seems to have picked up Ehle's interest in citizen involvement by osmosis, first as her employee and later as business partner and husband. During an earlier anti-McMakin campaign involving a city-built stairway down to the beach, he'd joined her in kibitzing from the sidelines at public meetings, and shared

her elation at having their position endorsed by the planning commission, (a decision later reversed by the city council.)

Now, caught up in her apprehension that commercial developers were “going to wreck one of the jewels of Bandon,” he followed Ehle’s cardinal rule, *Do the research*, and started poring through the ninety-some pages of Bandon’s Comprehensive Plan, which was kept on an open shelf in the local library. He came up with a startling discovery: most of the land on Coquille Point wasn’t included.

As the result of a series of questions to city officials, he learned that when the original Comp Plan was being written, four strategically placed parcels were still under Coos County’s jurisdiction. They had been annexed by Bandon’s city council as part of a lengthy process completed in the previous January, but had never been integrated into the Comp Plan or gone through the official process of zoning.²⁰

LeGore immediately drafted a letter to the Planning Commission, pointing out the land’s lack of zoning, and giving his list of suggestions about how to correct it. A similar letter to the *Western World* brought the new information to a wider public, backed up by an editorial comment endorsing the need to look at the lands pre-annexation status, including any restraints on building imposed by the County.²¹

The Planning Commission scheduled a special session on June 15th to discuss some of the questions raised by the gaps in the zoning. Of the twenty-five people who signed the visitor’s list for the meeting, thirteen were identifiable “Stannites”—as the pro-park enthusiasts were called by their opponents.

Larry Ward, the city’s official planner, opened the meeting, handing out detailed maps showing the boundaries of Tax Lots 500, 600, 700, and 800. (See Map 1, p.12.) McMakin’s Urban Renewal plans had included only the latter two items—the unzoned tax-lots which contained the land on the top and sides of the bluff owned by the Rex Roberts/Charles Larsen consortium; this meeting’s primary focus was Tax Lot 600, owned by David L. Davis, a well-known local developer, who had served for the last four months as a member of the Planning Commission. Today, pleading conflict of interest, he’d stepped down from his official seat among his fellow commissioners in order to argue his pro-development case.

He began by assuring his listeners that he supported their efforts “to see Coquille Point preserved for the city.” Then he entered an urgent plea that Tax Lot 600, no part of which lay on their treasured headland, should not be bundled in with Tax Lots 700 and 800, owned by the Roberts/Larsen consortium, The commission should zone his land now, not compel him to go through the long-drawn-out process that was clearly in store for the land the park supporters had leveled their sights on.

The anti-developers weren’t in a mood to listen. Tax Lot 600 consisted mostly of steeply sloping land on the face of the bluff, stretching from the northern edge of the Roberts/Larsen land on the Point all along the northern seacoast of Bandon and down to the jetty at the mouth of Coquille River. Max Powers, when he bought his lot above the southern end of Davis’s semi-vertical holdings, had believed the bluff face land belonged to Coos County. His anger at finding Davis’s bulldozer crew at the foot of the bluff below his small blue-roofed duplex, apparently probing the junction of bluff face and beach as a site for prospective houses, had been one of the motives that led him into the ranks of the antidevelopment faction. Now his voice, protesting to the commission against the threat Davis’s ownership might represent to a large stretch of Bandon’s beachfront stirred up a host of troubling visions: huge machines drilling into the weathered rock; steel pilings serving as anchors for cliffside buildings, perhaps even Malibu-

style blufftop aeries cantilevered out over the precious beaches, which by Oregon law were supposed to belong to the general public.

Other members of the audience, including Hugh Harrison and Stan LeGore, expressed their anxiety in a series of questions. They asked for a clearer statement about the background and history of all the newly-annexed tax lots, more information about their geological structure, an engineering assessment of the land's suitability for building, information from Coos County officials about the exact legal specifications which had governed its use under their jurisdiction, a professional appraisal of its current wildlife. Chairman Mary Schamehorn, rising to close the meeting, accepted the need for more information before the commission could make any zoning decisions on Davis's parcel.²²

Meanwhile, the man whom LeGore had cast as the villain of his civic melodrama had invited a new set of voices into the dialogue. In January, when McMakin had launched his Urban Renewal plan, he had proposed the formation of a group of representative citizens which would make an in-depth study of the issues involved in the fate of the Point, and give the city council its recommendations.

When the Coquille Point Study Committee held its first meeting in April, it became evident, even to McMakin's opponents, that his appointees represented a wide range of viewpoints. There was a delegate from the Chamber of Commerce, a realtor representing the principal landowners' interests, a member of the Bandon school board: there was also a strong pro-park contingent which included Bunny Kadeau and Jordan Utsey, two of LeGore's most active volunteers. The members who turned out to be the most influential were two professional wildlife experts, Mike Graybill, the director of the South Slough National Estuarine Reserve in nearby Charleston, and Palmer Sekora of the U.S. Fish and Wildlife Service, the manager of the Western Oregon National Wildlife Refuges.²³

In giving the committee its mandate, McMakin had focused on Goal Five of the statewide planning guidelines, which prescribed special consideration for Oregon's fish and wildlife. Sekora was asked to give his professional advice on this topic at two meetings of the committee in June and August.

The pro-park forces had long been aware that the offshore seastacks off Coquille Point served as resting or breeding grounds for a large number of widely assorted sea birds. Now Sekora's meticulous statistics backed up that awareness with nuts-and-bolts concreteness: "On Elephant Rock, ninety-six pelagic cormorants, four oystercatchers, 160 western gulls, twenty-five pigeon guillemots and four tufted puffins. On the North Coquille Point Rock, 214 Brandt's cormorants, nearly 6,200 common murrens...."²⁴

But, as McMakin was quick to point out, it wasn't the rocks they were talking about. They were already protected. Now some important decisions had to be made about the land on the headland. McMakin and Mayor Jim Cawdrey weren't impressed by Sekora's attempt to expand the definition of "habitat" to include land the birds might visit for food or fly over in their yearly migrations. They wanted something more scientific, articles in impressive scholarly journals, giving solid non-nonsense answers to the questions McMakin had set before the committee: the specific boundary line development should not cross to protect wildlife, studies available to prove the case for preservation, practical measures to be prescribed for developers plans, involving exact specifications on outdoor lighting, building height limits, setbacks and traffic patterns.²⁵

But as both Sekora and Greybill knew, there were very few such studies. It was his thirteen years of professional experience on the Oregon Coast that had convinced him "that we

do know for a fact, just from some of the historical data, about former colonies that no longer exist because people have developed that land too close to the birds, and the birds have either moved elsewhere or ceased to exist.”²⁶ As Graybill pointed out, “The only way to document wildlife disturbance is retroactively, and then it’s too late.”²⁷

Both experts harked back to a provision in the Open Space section of Goal Five about enhancing the value to the public of abutting or neighboring wildlife preserves. They repeatedly described the Point as “best area for wildlife viewing on the Oregon Coast”, a phrase which would become the semi-official mantra of the pro-park faction.²⁸

As McMakin kept pushing the question of setting development boundaries, Sekora found himself in a tricky position. Because of its role in implementing the Endangered Species Act, the U.S Fish and Wildlife Service had become a perennial target of anti-government indignation, especially in areas with strong economic interests in timber and fishing. Its official policy counseled its agents to be cautious and non-intrusive in matters concerning local land use decisions.²⁹

On the other hand, all his personal and professional instincts urged him toward taking a more active part in this particular controversy. The unique qualities of the Point itself, the current upsurge of local environmentalism, the strange glitch in the legal process which had suddenly tossed the fate of a long stretch of Bandon’s beachfront into the public arena—surely he wouldn’t be doing his duty if he simply ignored all these serendipitous factors.³⁰

So when urged to define more sharply the boundaries of the area which he recommended should be preserved as open space, he gradually became more specific, finally committing himself to an eastern boundary at H Street (a street not yet constructed, though platted on city maps) and setting its northern limits at a line extending from the junction of Madison Avenue and Seventh Street to three closely grouped offshore rocks.³¹ (See Map 2, p.13)

The words of support from the Study Committee came at a fortunate time for the park supporters. Two days later, on August 17, they were scheduled to meet with the planning commissioners to continue the lively discussion about the fate of the unzoned tax lots. This time, thanks to a mandate laid down in the land use statute, they wouldn’t be merely commenting from the sidelines; their testimony, given from center stage, would be the main item on the meeting’s official agenda, and though the same official decision makers would look down on them from their high seats in the council chamber, they’d be there in a different role: not as members of the Planning Commission, but wearing “their second hat” as members of the Committee for Citizen Involvement.³²

This interesting structural quirk dated back to the early eighties when Bandon was struggling to write its original Comp Plan. The function of the Committee for Citizen Involvement, as described in the legislation, was to insure “the opportunity for all citizens to be involved in all phases of the planning process.”³³ Faced with a shortage of volunteers, the Planning Commission, following the example of other south coast towns, had picked up the state-provided option of itself assuming the title of that committee. Their chosen way of fulfilling the CCI’s rather nebulous mission had been to hold a number of special meetings for the specific purpose of eliciting public opinion on Comp Plan issues.³⁴

Now, as a part of a state-prescribed “periodic review” of the Comp Plan, they were faced with the problem of fitting the unzoned new land into the Comp Plan. In compliance with their original process, the commissioners had decided to again don their CCI hats; they announced a series of public meetings, starting on August 17, expressly designed to invite the people of Bandon into the planning process.³⁵

Again LeGore sent out the call in his newsletter. The *Western World* reported the enthusiastic response from the public: “Sixty-two people jammed the Council Chambers August 17 to voice their support for leaving Coquille Point free of development.” At the chairman’s request, Palmer Sekora led off the list of speakers, repeating what he’d been telling the Study Committee about protecting wildlife and outlining his suggested buffer-zone boundaries.

A steady parade of pro-park speakers followed his lead. Campaign stalwarts like Hugh Harrison, Ruben Saez and Stephen Brown voiced their thoughts in carefully crafted phrases about the area’s obvious uniqueness, describing the Point as Bandon’s Grand Canyon or Amazon forest. Others framed their appeals in a more personal style: Enid Duncan spoke of pollution in California, and warned, “Don’t let it happen here.” Bunny Kadeau spoke of a visiting couple who were planning to move to Bandon “just for the puffins.”

Mary Powers, inspired by Sekora’s words to the Study Committee, had turned his suggested boundaries into a tri-colored map and handed out copies to everyone in the crowd. Addressing them from her wheelchair (a souvenir from a 1940s polio episode), she told them she was sure there was public money available somewhere to establish a beautiful park within those diagramed outlines.

Bill Russell, riding the wave of enthusiasm for Powers’s vision, called for a straw vote of the crowd on the question of protecting the bluffs. Chairman Schamehorn asked for a show of hands; the *Western World* recorded that “all but one or two” people responded.

The pro-development speakers, given their chance to state their case at the podium, confined themselves to a few short statements. David L. Davis had resigned his seat on the Planning Commission in mid-July, citing conflict of interest. Now he put forward a general plea for caution and his hope that plans for his land down by the jetty would not be caught up in the controversy surrounding the Point.

Richard Snapp, the spokesman for the Roberts/Larsen consortium, was new to his job, and hadn’t had time to prepare a full presentation. His request for a two-week extension was given short shrift by the planning commissioners. Their unanimous vote postponed any further discussion about zoning to the next CCI meeting in mid-September.³⁶

After the official session concluded, City Council member Reed Gallier electrified the lingering crowd with an unofficial proposal: that Mary Powers be appointed to head an official City Council committee to seek out funds and support for a public park. His suggestion was approved by a unanimous vote at the next city council meeting.³⁷

During the following weeks, the pro-park comments in the *Western World* echoed the meeting’s heady exhilaration: “People Want Bluff Protected” was the title of Donna Leveridge’s “Viewpoint” article.³⁸ “Bluff Message Crystal Clear,” wrote Stan LeGore. “The vast majority of people of this community want Coquille Point to be left open space.”³⁹

But the group of earnest campaigners who welcomed LeGore as their spokesman was actually only one part of Bandon. There was another Bandon yet to be heard from, the long-memoried residents who had lived here all of their lives, many of them the descendants of the original settlers who had carved their small human enclave out of an alien wilderness. Bound together by history, they resented the current influx of “local vocals”, living on comfortable nest eggs earned in the cities, preaching a quasi-religious duty to Nature. They considered LeGore “a terrible rabble rouser”, Bill Russell “too energetic” and “pushy”.⁴⁰ These were the people McMakin and Mayor Jim Cawdrey felt most at home with, the people they saw as their basic constituency, with whom they shared the political ethos common in rural areas all over the country that valued individual property rights as the bulwark of personal freedom. This

viewpoint was represented in Oregon's legal system by the concept of a "compensable taking", defined by Rohse as "the extreme regulation of private land to a point where the owner is denied all reasonable use of it,"⁴¹ or as anti-park spokesman Jim Davis phrased it "coercing people out of their property rights without due process of law."⁴² As Fred Carleton, the Planning Commission's legal counsel, had warned the CCI at its August meeting, the prospect of landowner's suits based on this doctrine hung as a constant specter over the heads of the city's attorneys.⁴³

To McMakin, duty-bound to protect the city's precarious financial status, the exuberant outburst of pro-park feelings seems to have loomed as an imminent threat, evoking "serious concern that the CCI would recommend to the Planning Commission that the privately held land over the bluff be zoned open space or natural resource" and opening up "the very real possibility of the city being dragged into court at the cost...of thousands of dollars."⁴⁴

So as the eager pro-park contingent prepared more of its fervent testimony for the next CCI meeting, McMakin and Cawdrey were pursuing a series of hasty maneuvers designed to slow down this intemperate rush to judgment: conferences with Larsen, Snapp, and Davis; conversations with Glen Hale of the DLCD; a quick off-the-cuff discussion with the City Council.⁴⁵

Most of the thirty-six names on the visitors list for the CCI meeting on September 13 belonged to members of the pro-park contingent. The first item of business on the official agenda was "Discussion of Periodic Review, including items pertaining to Tax Lots 500, 600, 700, and 800." They expected the meeting to follow the usual procedure: after the formal roll call, City Planner Larry Ward would lay out the options before the committee, and Chairman Mary Schamehorn would ask for discussion.

But this time it was Ben McMakin, usually a silent presence confined to the sidelines, who took the podium, with a proposal to put the fate of Coquille Point into the hands of a neutral mediator, a professional from the DLCD, appointed in faraway Salem, who would assemble a task force of five to eight people which would somehow "resolve the problem" of zoning the crucial tax lots "without extensive and potentially costly litigation." He'd already obtained the informal consent of the landowners and the city council; now he was asking the CCI/Planning Commission to make it official.

The questions from the audience came thick and fast. Who would be on the task force? How would its members be chosen? Would the city be represented? Who would provide it with input? Would the Coquille Point Study Committee play any part in this process? What about the land that belonged to the city? Would it enter into the mediation process?

The answers they got from McMakin were vague and confusing. As to the task force: "It's up to the facilitator to figure that out... He might do it individually... maybe go to LeGore ... to Mary [Powers]... to Douglas [Haines]... There are many ways to do it, and he might try another way..."

There were a couple of things about McMakin's proposal that seemed to be reasonably certain: it would put the zoning process on hold for from six to twelve months; during this time the Coquille Point Study Committee would be "put on hiatus."

When the DLCD's liaison Gordon Hale added some alarming comments about closed door sessions and the possibility of binding arbitration, Commission/Committee members Fred Pryor, Mary Schamehorn and Judy Densmore began to show some perturbation, questioning whether the proposal for mediation might take important decisions away from the people of Bandon.

Liza Ehle's tone was a bit less measured. She protested against the way the proposal had

been sprung on them out of the blue: "Nobody in this room had any knowledge of what was going to come before them...So when Ben says he is going to have mediation between the two developers, instantly all the citizens say, hey what the hell happened to us...CIAC, Citizen Involvement---we immediately got mediated out of the picture."

Overriding the swelling tide of objections, the chairman invited the landowners up to the podium. Davis made his usual forlorn plea for separate consideration; Fred Snapp tossed out a few suggestions about trading some of Rex Roberts's space near the ocean for the right to build multiple units further inland. The visitors were allowed a few more dissenting comments; then Commissioner Judy Densmore briskly put forward a motion: that the CCI should recommend to the Planning Commission (their alter selves) that an emergency plan be adopted which essentially recapped McMakin's mediation proposal. The Chairman asked for a show of hands; all six commissioners present voted in favor of Densmore's motion.

So much for the Committee for Citizen Involvement. But how could they move that decision on through the Planning Commission to the City Council? Should they wait for the next official Commission meeting? Could they put on their other hats now and become the Planning Commission? Perhaps they could forward the CCI's verdict to both the Planning Commission and the City Council? Densmore yanked them deftly out of the semantic confusion: "That is a motion. Whatever we are."⁴⁶

By the following day the mediation proposal had already been placed on the City Council's agenda for their September 19 meeting. LeGore, interviewed by the *Western World's* reporter, acknowledged what seemed like a crushing setback: "We are the victims of the arrogance of brute force. A decision was made in a smoke-filled room, and there was nothing we could do about it. The process failed us."⁴⁷

But the council meeting the following Tuesday brought with it a stunning reversal. The pro-park forces, sandbagged by McMakin's backstage maneuverings, had decided it was time to hire their own lawyer. Acting at their behest, Coos Bay attorney Jerry Lesan wrote a letter to the mayor and the council pointing out how McMakin had abandoned the legally-mandated roadmap for communication between various government bodies. The CCI's pro-mediation decision had gone straight from the CCI to the council; the city ordinance said it should have been forwarded via the Planning Commission. He added a few legal questions about city council procedures: the lack of adequate notice in placing the mediation proposal on the September 19th agenda; McMakin's alleged informal polling at the special 5 p.m. council meeting on the previous Tuesday.

The letter arrived at City Hall on the morning of September 19th. The city council meeting started that evening at seven, with lawyer Lesan in attendance to back up his written comments. Myron Spady, the city attorney, forestalled any discussion of mediation, admitting the "good possibility" that the city had made a "procedural error" The council members heeded their legal advisor's advice to avoid a "procedural wrangle" by postponing any further discussion on the CCI's recommendation until October 3rd, at which time a unanimous vote of the council sent it back to the CCI, where it never received any further serious attention.⁴⁸

The pro-park enthusiasts had fought a successful defensive action, putting the question of zoning the beachfront back where LeGore thought it belonged, in the hands of the Planning Commission. But the Commission wasn't yet ready to tackle this hot potato. They decided to detach the troublesome tax lots from the mass of other loose ends they were tidying up in the Periodical Review of the Comp Plan by isolating them under yet another DLCD label: "Segmental Review"; thereby pushing the zoning decision far into a highly indefinite future.⁴⁹

Meanwhile, Mary Powers had recruited her own hard-working committee, including two members of the city council, Lee Sutton and Milan Brace. Their first contact outside the local power structure, Congressman Peter DeFazio, had helped them expand their burgeoning network to include Senators Robert Packwood and Mark Hatfield. Powers had been using her remarkable powers of persuasion to enlist the support of some national environmental organizations—The Nature Conservancy, Defenders of Wildlife, The Trust for Public Lands—with the 1000 Friends of Oregon providing consultative backup.⁵⁰

The September 27 issue of the *Western World* carried a photo of Powers touring the Point with the regional state parks supervisor, Ron Hjort “to see what shape a park on the point would take.” By the end of October, she was telling the council that the state park department’s office in Salem was organizing a proposal and that she expected public funding would be available.⁵¹

As the idea of a park in Bandon gathered momentum in Salem, one of the areas explored by the state officials was the amount of support for a park among local residents. The answer arrived in the first week of November, delivered by Bandon’s voters: on the question of control of city land on the Point, a whopping 720 out of the 864 who mailed in their ballots voted to keep it in the hands of the electorate.⁴⁴ At the city council meeting two weeks later Powers made a portentous announcement: on the 28th of November, City Manager Ben McMakin, Mayor Jim Cawdrey, and Planning Commission Chairman Mary Schamehorn would meet with a group of state park officials, CCP members, and representatives from some national organizations at a brainstorming session involving a possible eighteen acre state park on the embattled headland.⁵³

The meeting was held in the glass-fronted second-floor dining room of Lord Bennett’s restaurant, a few blocks south of the Point. The state’s plan for the park as laid out by landscape architect Kathy Schutt-Staver, embraced all of the land within Sekora’s suggested boundaries, and proposed a cooperative venture between the state and the city. The state would provide \$300,000 to build and maintain the park’s basic amenities: a parking lot, landscape planting, an interpretive structure, trails and fencing, a viewing site, public toilets. The cost of acquiring the land—which might run as high as \$1.4 million--would be equally shared by the state and the city.⁵⁴

For the pro-park activists, the state’s proposal represented a high point in their campaign to keep this unique stretch of Oregon coastline in the hands of the general public.⁵⁵ They had come a long way during this turbulent year. LeGore’s early vision of saving a few cramped acres had grown to include the whole of the rocky headland, plus an additional swathe stretching northward to the site of the Table Rock Motel, at the corner of Beachfront Drive and Eighth Street.

There was still a rough road ahead. The state, having made its first offer, was expecting the city to come through with a pledge of commitment, backed up by some definite action: putting a ballot measure before its voters to finance a bond issue; finding a way to freeze any private development while they waited for public funds to make their tortuous way through the pipeline.⁵⁶

McMakin’s experience had made him acutely aware of all the things that could go wrong between the state government’s promise and the time the funds made it down to the local level. His first chance to get a bond measure onto the ballot was on March 27, four months away. And what if the voters decided against it? Any measure which threatened to raise property taxes was bound to meet with a good deal of opposition.

Nevertheless when he laid the state park proposal before the council on the night of December 5, McMakin threw the considerable weight of his personal influence squarely behind

the proposed state park, recommending that the requisite bond issue should be placed on the March 27 ballot and that a building moratorium should be imposed on all the land within the proposed state park area.

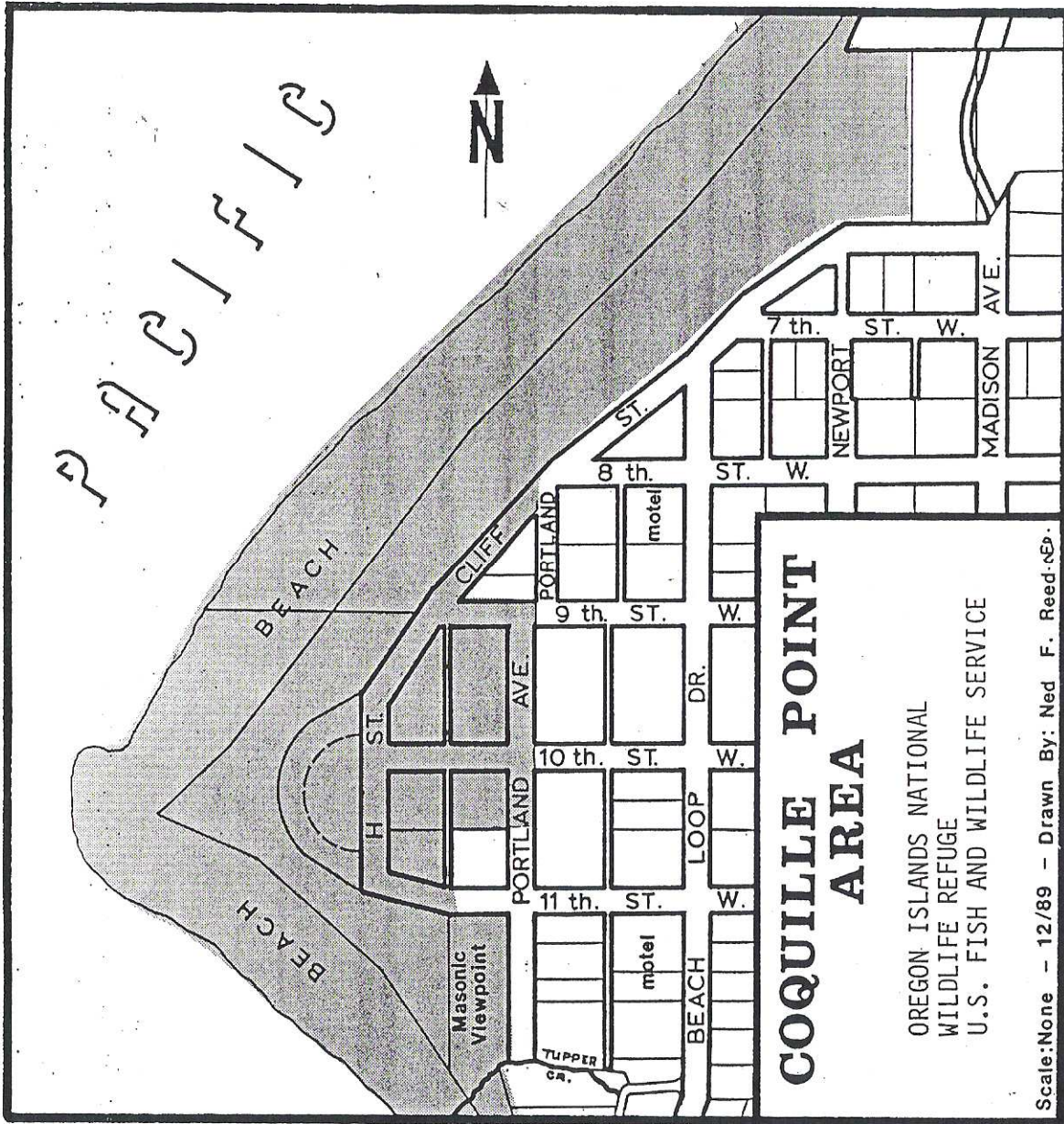
After about an hour of public discussion, the moratorium question was put to the council: members Watson, Martindale, and Sutherland, previously its staunch opponents, joined the pro-moratorium faction of Sutton, Tiffany, and Gallier in a unanimous vote for an emergency moratorium of thirty-five days, and set the date of December 19 for an official hearing about extending the freeze for a further four months.⁵⁷

On that very same night, while the Bandon Council was giving the state park proposal its stamp of approval, a small group in the Portland office of the federal Fish and Wildlife Service was discussing a different plan for preserving Coquille Point by adding it to the national system of wildlife refuges. The suggestion had been made in earlier years, but had been passed over in favor of more high-profile proposals. But the new evidence of public concern in the local area, plus the involvement of the Congressional delegation, had moved it higher up the list of departmental priorities, and it had just received Washington's official approval. Now Sekora wanted assurances that the same powerful public figures who had backed the state's fifty/fifty proposal would throw their weight behind his agency's plan to shift the total cost of the park to the federal budget.⁵⁸

Government protocol required Sekora to wait until December 12 before sending the official proposal to the city manager. His first public presentation, to a crowd of more than a hundred people who piled into City Hall on the night of December 19, came at the start of the officially scheduled moratorium hearing.⁵⁹

He quickly sketched out the new plan's essentials: The United States Fish and Wildlife Service was proposing full federal funding for the acquisition, rehabilitation and development of Coquille Point as part of the Bandon National Wildlife Refuge.⁶⁰ The park boundaries would be essentially the same as those in the state park plan; the same basic amenities would be provided. The state park department would probably handle the maintenance duties. His agency was assured that the project's supporters in Congress would include the funding for the new refuge in the 1991 federal budget. The Nature Conservancy had agreed to serve as a financial bridge during the acquisition process, which would involve only willing sellers at fair-market prices. From what he could see at this point, this could all be done at no cost to the city.⁶⁰ As LeGore summed things up in his exuberant newsletter, "Essentially the council was presented with a two million dollar development proposal with no strings attached."⁶¹

There was still a long journey ahead, replete with acrimonious court fights, stormy public debates, and excruciatingly slow bureaucratic procedures before the refuge was made official. From this point on, most of the crucial decisions would be made far from Bandon—in Salem, Portland, and Washington, D.C. But it was during the twelve busy months from December 1988 to December 1989 that a small group of people in Bandon had come together to define their goals for Coquille Point, and then had enlisted enough support among their fellow citizens to make their voice heard in those distant places.



Map 2--Source: Bandon City Hall Archives

NOTES

1. Quoted in William G. Robbins, "The Place We Call Home," *Oregon Humanities* (Spring/Summer 2005): 19.
2. Liza Ehle, interview by author, Bandon, OR, December 18, 2006.
3. For a vivid account of the abrupt decline of the southwest coast's timber industry during the 1980s, see William G. Robbins, *Hard Times in Paradise, Coos Bay, Oregon*, Rev. ed. (Seattle: University of Washington Press, 2006). For new residents/real estate prices, see editorial, *Western World* (Bandon), October 14, 1987.
4. Ben McMakin, "Viewpoint," *Western World*, December 14, 1988.
5. "Manager Floats Idea for Bluff, Airport Development," *Western World*, November 23, 1988; Ben McMakin, "Viewpoint," *Western World*, December 7, 1988.
6. Max Powers, phone interview by author, December 11, 2006.
7. Bill and Joan Russell, interview by author, Bandon, December 11, 2006.
8. Sara Duvall, interview by author, Bandon, December 6, 2006. Both the Russells and the Duvalls were strongly influenced by their experience as volunteers in the California state park system.
9. Douglas Haines, letter to the editor, *Western World*, April 12, 1989.
10. Liza Ehle, "Viewpoint." *Western World*, December 7, 1988.
11. Stan LeGore, "Viewpoint," *Western World*, December 1988. LeGore follows the *Western World* article (note 5) in describing the city plot's area as 3.8 acres; in a later statement, McMakin reduced this figure to 1.91 acres. (Ben McMakin, "Viewpoint," *Western World*, December 14, 1988).
12. Stan LeGore, "Public Good Vs. Private Gain," and Ben McMakin, "Growth Helps Ease Tax Load," *Western World*, December 14, 1988; Susan Snyder, letter to the editor, *Western World*, February 1, 1989; Jane Reed, letter to the editor, *Western World*, February 8, 1989.
13. Stan LeGore, "Viewpoint," *Western World*, February 1, 1989. Pro park forces: there seems to have been little formal organization in this group; they sometimes called themselves "Concerned Citizens for Coquille Point"; at other times they shortened this to "Citizens for Coquille Point."

14. *Coquille Point Newsletter*, October 9, 1989. All material from the newsletter used in this article comes from Bill Russell's private collection of Coquille Point memorabilia.

15. Lee Sutton, "Viewpoint," *Western World*, February 22, 1989; "Protesters Boycott Council Input Session," *Western World*, April 12, 1989; "Concerns Aired at Town Hall," *Western World*, April 26, 1989; Catherine Haines, letter to the editor, *Western World*, March 15, 1989; Lenny Worth, letter to the editor, *Western World*, 1989; Ray Steinbronner, letter to the editor, *Western World*, 1989.

16. "Council Votes 5-1 to Retain City Manager," *Western World*, May 10, 1989.

17. "Coquille Point Initiative Petitions Being Verified," *Western World*, May 24, 1989.

18. Mitch Rohse, *Land-use Planning in Oregon: A No-nonsense Handbook in Plain English* (Corvallis, Oregon State University Press, 1987), 256-257.

19. Ehle, interview.

20. *Coquille Point Newsletter*, June 9, 1989.

21. Stan LeGore, letter to the editor; "Comment: Focusing on Growth," *Western World*, May 17, 1989.

22. Meeting narrative: "Beach Bluff Lands and Development: Planners Want to Know Before Zoning Parcels," *Western World*, June 21, 1989; Bandon Planning Commission Minutes, June 15, 1989; Max Powers, taped interview based on author's questions, Oakland CA, July 2007; "Comment: Moving Wisely," *Western World*, June 21, 1989; Bob and Joan Steele, letter to the editor, *Western World*, May 31, 1989.

23. Bandon City Council Minutes, April 4, 1989.

24. (Bandon) Coquille Point Study Committee Minutes, August 15, 1989. (In Bill Russell's Coquille Point collection.)

25. Ibid; see also "Wildlife Experts to Talk with Point Committee," *Western World*, August 9, 1989.

26. Coquille Point Study Committee Minutes, August 15, 1989 (In Bill Russell's collection).

27. "Subcommittee Learns of Wildlife Needs," *Western World*, June 21, 1989.

28. Dirk Vinlove, "Coquille Point Called 'One of the Best Wildlife Viewing Areas in Nation,'" *Western World*, August 23, 1989.

29. Russell, interview.

30. Palmer Sekora, e-mail message to author, October 5, 2007.
31. "Citizens Pack City Chambers for Bluff Lands Hearing," *Western World*, August 23, 1989.
32. "Wildlife Experts to Talk with Point Committee," *Western World*, August 16, 1989. This article uses the name "Citizens Involvement Advisory Committee"; the official minutes use "Committee for Citizen Involvement,"
33. Rohse, 256.
34. Bandon Planning Commission Minutes, November 19, 1987, Bandon Committee for Citizen Involvement Minutes, May 9, 1990.
35. Bandon Planning Commission Minutes, June 22, 1989.
36. Meeting narrative: *Western World*, August 23, 1989; Bandon Committee for Citizen Involvement Minutes, August 17, 1989; Davis resignation: Bandon City Council Minutes, August 22, 1989.
37. Bandon City Council Minutes, August 22, 1989.
38. August 19, 1989.
39. August 23, 1989.
40. Barbara Eakley, interview by author, Bandon, February 15, 2007.
41. Rohse, 221.
42. Jim Davis, letter to the editor, *Western World*, April 18, 1990.
43. Bandon Committee for Citizen Involvement Minutes, August 17, 1989.
44. Jim Cawdrey, "Viewpoint," *Western World*, September 27, 1989.
45. Bandon Committee for Citizen Involvement Minutes, September 13, 1989; Bandon City Council Minutes, September 19, 1989; "Bluff Mediator Idea to Be Aired," *Western World*, September 27, 1989.
46. Meeting narrative: Bandon Committee for Citizen Involvement Minutes, September 13, 1989; "Mediator to Be Asked for Bluff Solutions," *Western World*, September 20, 1989.
47. McMakin and LeGore quotes, "Mediator to Be Asked for Bluff Solutions," *Western World*, September 20, 1989.

48. Bandon City Council Minutes, September 19 and October 3, 1989; “Bluff Mediator Idea to Be Aired,” *Western World*, September 27, 1989.

49. Dirk Vinlove, “Bluff Lands Singled Out for Closer Review,” *Western World*, October 18, 1989.

50. “Senators,” Bandon City Council Minutes, September 19, 1989; “national organizations,” Powers, “Viewpoint”; “Friends,” Stan LeGore, letter to Bandon Committee for Citizen Involvement, September 16 1989 (Bill Russell collection).

51. Bandon City Council Minutes, October 24, 1989.

52. “Voters Say ‘Retain Voice at Coquille Point,’” *Western World*, November 15, 1989.

53. Bandon City Council Minutes, November 21, 1989.

54. “City Bond Asked to Buy Park Land,” *Western World*, November 29, 1989.

55. Mary Powers, Douglas Haines, Stan LeGore, and Eric Armstrong were identified by the *Western World* (November 29, 1989) as “citizen representatives” at this meeting.

56. “Freeze private development,” Bandon City Council Minutes, December 5, 1989. According to LeGore, the state officials were “appalled” to find that a 22-unit motel was under construction at the corner of 11th St. and Portland Avenue, within the proposed state park boundaries. (*Coquille Point Newsletter*, April 26, 1990). Margaret Gorman, a longtime Bandon resident, had received the Planning Commission’s conditional approval to build the motel on two of her four Coquille Point lots after a June 26, 1989 hearing at which only one Bandon resident, Anne O’Sullivan, had opposed her application. LeGore in his August 10, 1989 newsletter, seemed to accept the motel as a fait accompli, describing it as a “24 foot building which will soon be part of the landscape.” However, after their plans for a park expanded to include the whole headland, the pro-park faction launched a campaign to persuade the Planning Commission to withdraw the permit. At the time of the Lord Bennett meeting, the commission, citing a number of discrepancies between Gorman’s original plan and her actual construction, had ordered her to re-start the planning process from scratch, and had scheduled a new hearing for November 30th. The controversy continued through much of the following year, with a bewildering sequence of denials and approvals by the Planning Commission and the City Council. In his October 15, 1990 newsletter, LeGore finally accepted the motel as “a fact of life we all must live with.” The final boundaries of the National Wildlife Refuge were redrawn accordingly. (Minutes of the Bandon Planning Commission and Bandon City Council, 1989-1990.)

57. Bandon City Council Minutes, December 5, 1989.

58. Melody Gillard-Juarez, “Federal Funds Said Likely for Park at Coquille Point,” December 20, 1989.

59. Dirk Vinlove, "Feds Offer Park at Coquille Point," *Western World*, December 27, 1989.

60. The proposal was later amended to place the Coquille Point site into the Oregon Islands National Wildlife Refuge.

61. Bandon City Council Minutes, December 19, 1989.

62. *Coquille Point Newsletter*, January 5, 1990.
