

# Da Yang: 'It's not a Da Yang issue. It's an industry issue'

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Da Yang contracted water-quality firm Aqua-Terra Consultants, which has helped train the company's employees in best practices and optimize the hydrosieve screens that remove solids from wastewater.

"It's not a Da Yang issue," Alan Ismond, a project engineer with Aqua-Terra, said of wastewater challenges. "It's an industry issue."

Ismond said Da Yang, like other processors, are struggling to meet the wastewater requirements in the 900-J permit based on arcane EPA guidelines from the 1970s that haven't been upgraded because seafood byproduct doesn't pose a serious threat to the environment.

"There really isn't pollution in the seafood industries," Ismond said. "There's only unrecovered product."

## Expansion

Two years ago, Da Yang approached the Department of Environmental Quality about getting a permit for an expansion on Pier 2. An inspection by the state revealed the company had been operating without a permit for the past seven years. Da Yang was fined \$85,000 last year and has since been operating under a temporary agreement, agreeing to meet the requirements of the expired 900-J permit while the state completes the update. In its most recent fines, the state said Da Yang has failed to meet those requirements.

Ismond said many processors are having trouble meeting the requirements, and that he is reluctant to have Da Yang invest money in meeting the requirements of the 900-J permit when he doesn't know what the company's new permit requirements might be. Da Yang is also helping finance Aqua-Terra's testing of new methods to better remove seafood byproduct from wastewater for use in animal food.

"Let's take a deep breath



ABOVE: Local contractor Joel Bergeman, left, and Da Yang Plant Manager Chang Lee, right, inspect recent upgrades made to various parts of the seafood processing facility. BELOW: Local contractor Joel Bergeman addresses changes made to various parts of the Da Yang Seafood processing facility in Astoria.

and figure out permits that protect the environment, keep seafood processors operating and puts as much" seafood byproduct as possible to use as animal feed, Ismond said.

## Work on demand

Da Yang was recently fined \$60,000 by the Bureau of Labor and Industries for failing to provide meal and rest breaks, and for breaking a requirement of manufacturers not to work employees more than 13 hours a day.

Chang Lee, a manager with Da Yang, said the company faces challenges as a processor of wild, perishable seafood that can come in any time of the day and needs to be immediately processed. "If you don't process today, it will be bad tomorrow," he said.



Lee said the company had reached verbal compromise with its boat-unloading crews to forego unpaid lunch breaks in the middle of a shift, and instead receive paid lunches after unloading. He said the company has admitted that

the agreement was unlawful. As for the 13-hour shift limit, Lee said, Da Yang didn't realize it was considered a manufacturer, but has to unload seafood quickly whenever it arrives.

Da Yang waived its right

to a contested hearing on the labor violations and agreed to make six monthly payments of \$10,000 on the labor violations.

## Looking into lease

The labor violations sparked an outcry from several speakers at a recent Port meeting, including the president of the local longshoremen's union, calling for Da Yang to be punished. The Port Commission directed staff to look into the implication of the fines on Da Yang's lease.

Jim Knight, the Port's executive director, said there is language stating that Da Yang needs to follow state and federal laws, but nothing about the consequences for not doing so. He said the number of fines don't warrant the Port taking

its own action.

"To me, it isn't grounds for terminating their lease agreement," he said. "We would be throwing out a perfectly good tenant."

Knight said it is impressive how quickly Da Yang has grown since opening at the Port in 2004. The company has invested millions in expanding its operations, along with extending utilities and reinforcing sagging, pockmarked docks where fishermen deliver product on the west side of Pier 2.

Knight said the work Da Yang has done on the docks is beyond what the Port can handle. The cash-strapped agency is trying to secure funding from the Federal Emergency Management Agency to repair the docks, which have been damaged by both long-term deferred maintenance and recent winter storms.

## Community value

Joel Bergeman, a local contractor who works on many of Da Yang's improvement projects on Pier 2, said the company has been a boon to the region's economy, hiring local contractors and fixing problems at the Pier 2 plant as they arise.

"You're not buying this thing off an assembly line," Bergeman said of Da Yang's plant. "It's not a Ford. You're building it as you go."

When Da Yang isn't in the midst of processing fish, Bergeman said, it tries to keep people employed by using them in construction projects.

On its website, Da Yang claims to have invested more than \$38 million in Astoria, employ 38 people year-round and up to 200 in peak season and have a payroll of \$7 million annually. The company has tried in the past to expand into cold storage and a trucking hub on Pier 2. It recently leased more space in the Port's seafood-processing warehouse, and completed a new \$8 million shrimp-processing plant, which Lee said will help the company further diversify.

# Balensifer: Commission voted to appoint Newton as mayor pro tem

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Newton as mayor pro tem, or acting mayor if Balensifer is ever unavailable.

## 'Very professional'

Warrenton resident Lylla Gaebel thanked Newton during the meeting's public comment period, saying the way he decided to step aside was "very professional."

Balensifer was sworn in as mayor — after Gaebel called out a reminder from the audience that the new mayor should be sworn in, a formality City Manager Linda Engbretson said probably wasn't necessary since he'd already been sworn in for his position on the commission — and the commission declared his seat vacant.

Ackley later read from a printed statement, congratulating Newton for "throwing his hat in the ring for

the appointment for mayor," commending his commitment to the community and thanking the former NAPA Auto Parts owner for "keeping our vehicles and RVs running. ... We are truly blessed to have him as part of the governing body of our city."

"Mayor Balensifer," she read, "We congratulate you and look forward to continuing our continuity as a commission and as you step into those large shoes left by Mayor Kujala, we trust you will take some pages from his book in the manner in which the community has been accustomed."

"This commission has largely operated under the principle of reflective listening; acting, not reacting; showing compassion and being passionate; upholding the charter and making common-sense decisions when called upon," she continued.

"We look forward to our continued camaraderie and making sound decisions for our community and want you to know you have our support."

## 'Gone either way'

After the meeting, Ackley said the public hearing last month on the appointment had helped clarify who they might choose for mayor, "but it wasn't decided until tonight" and it still could have "gone either way."

"We did a little talking, but it was Mr. Newton's decision (to withdraw)," Dyer said.

"I didn't know what to expect but I'm humbled by the support by the community and the vote of confidence from the commissioners," Balensifer said. He added that he hadn't expected to appoint a mayor pro tem that same night, but that the appointment has typically gone to the person who is interested in having it.

"It seemed fitting to me that we nominate (New-

ton)," he said, "and the rest of the commission seemed to agree."

After City Recorder Dawne Shaw had read through the ballots and it was clear the commission had unanimously appointed Newton mayor pro tem — Newton cast a ballot for himself — Dyer congratulated him.

"You'll make an excellent

mayor pro tem," he said, then added, jokingly, "and it might be a fight in a year and a half, huh?"

## Application deadline

Engbretson said she has heard from a few residents interested in applying for the position Balensifer has left vacant. Warrenton residents interested in being appointed

to fill that seat must submit a resume and a letter declaring their interest in serving on the commission to City Hall before 5 p.m. May 22. The commission will hold an informal meet-and-greet at 5:15 p.m. on May 23 before the regular meeting. They plan to appoint a person to fill Balensifer's vacant seat at a meeting in June.



Rick Newton

# Academy: 'The timeline is tight'

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"We were going to outgrow the building on Sunset," Simmons said. "In the Children's Center, we can make this space work for the foreseeable future."

Simmons said the building would take fewer, if any, renovations because it already meets many of the school building code requirements. It's larger, includes a playground, and during a walk through, Simmons said Coastal Construction gave him a ballpark cost estimate of \$50,000.

Being a stand-alone building also helps reduce cost, because the fire code requirements in the last location were dependent on the fact the space shared walls with other retail businesses, Simmons said. "When I got the email (with the estimate) I believed we were

done. I didn't have a plan to raise \$150,000," he said. "I've been surprised, within a day there was an outpouring of support of people determined to make this happen. To open this school it's going to take that."

## School or housing?

Before the academy can start constructing anything, it must submit a conditional land use agreement to the city, City Manager Brant Kucera said.

Since the city owns the property, the City Council must vote to give permission to Kucera to go ahead with lease negotiations at the June 6 council meeting. Then the earliest the request can go before the Planning Commission for approval is June 22.

"The timeline is tight, but if nothing out of the ordinary happens, and the council decides to grant permis-

sion, then I think we can do it," Kucera said.

However, the city has also designated the Children's Center as an option for affordable housing in a strategic plan, Kucera said, with a vision of retrofitting the building into nine housing units. Affordable housing has remained a priority issue for Cannon Beach.

"We would be moving away from that plan," Kucera said.

If councilors denied the property to the academy, or if the permitting and construction process don't meet the fall deadline, Simmons said students enrolled would just be enrolled in Seaside School District.

"We'll do what we can to move the process along to meet all of the deadlines if council chooses to move forward," Kucera said.

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