

Complex: Future still uncertain for property, businesses

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motorcycle. Since then, police have also linked Merrill to a major Ocean Park burglary. They suspect him of providing equipment and financing to the burglars, who were busted when they tried to sell about \$15,000 in stolen guns to an undercover cop. The case is still under investigation, according to Pacific County Prosecutor Mark McClain.

Merrill disappeared after his family paid \$25,000 to release him from jail. There is now a nationwide warrant for his arrest, and the family stands to be held liable for the entire \$250,000 bail if he does not turn up.

In his absence, another member of the family has stepped up: his sister-in-law, Julie Merrill, president of Apollo Mopeds in Ocean Shores, Washington.

"Julie seems to be very reputable. She seems to have a good head on her shoulders," Phillips said Monday. The mayor, City Administrator David Glasson and Building Inspector Matt Bonney met with Merrill about a month ago to discuss the possibility of reopening the businesses.

Julie Merrill could not be reached for comment.

Family business

State records show Vancouver, Washington, residents Robert and Eldora Merrill opened Long Beach Mopeds, along with an Ocean Shores amusement business and an investment company, in the mid-1980s. They have operated the local go-kart business since at least 1991. Over the last two decades, the Merrills' children and other relatives took an increasingly active role in starting and running various enterprises, including go-kart tracks in Longview and Vancouver. Julie Merrill has helped run the family empire for almost two decades. Tony Merrill appears to have taken over management of the Long Beach businesses in about 2005.

The family has started at least 16 parent corporations since the 1980s. Some of their properties and businesses, including the ones in Long Beach, have been transferred between owners and corporations numerous times, making it challenging to piece together a complete history of their business dealings.

In 2011, they transferred ownership of the downtown Long Beach properties to the Merrill Partnership. This partnership appears to include Robert, Eldora, their son Timothy, and Julie, his wife. However, Tony Merrill probably operated the businesses on his own — the two elder Merrills and Julie Merrill told city officials they were mostly unaware of the problems at the Long Beach complex.

"(Julie) was appalled with how the place looked," Phillips said.

Disrepair and disrepute

At the height of tourist season, the windows of the moped shop are boarded up and there are knee-high

weeds growing through the cracks in the asphalt. The rental bikes that once lined the sidewalk are now covered up with tarps.

It shocks some tourists to see a Long Beach institution in disarray, the mayor said, but there were serious problems well before the businesses closed. In fact, the city, the state Department of Labor and Industries and the County Public Utilities District had all been pressuring Tony Merrill to clean up his act.

In a May 2015 letter, the city cited him for piles of lumber, tires, scrap metal and "junk," including old shopping carts. Officials had received complaints, and were concerned the piles were a safety hazard as well as an eyesore.

Phillips, who was a councilman before he became mayor in January 2016, said Merrill established a pattern of partially complying when the city pressured him.

"He would clean a little bit up, and it would go back to the way it was," he said.

The city imposed a stop work order in February 2016 when he installed buildings that did not meet city standards. A month later, the city suspended his business license for numerous ongoing violations, including piles of "broken, rusty" bicycles and mopeds, a collection of junk cars, and "rags, batteries, trash, tires" and other litter. The landscaping and fencing also violated city standards.

He got his license back several days later, but Merrill was ordered to keep working on cleanup. In June 2016, the city filed a case against him in Municipal Court for lingering violations. In October, Bonney, the building inspector, gave Merrill a list of 26 things he needed to do to keep his license. Among them, removing weeds, garbage and stagnant water, fixing broken equipment and faulty wiring, and getting rid of unauthorized storage buildings.

Citing "multiple areas of unsafe wiring," Labor and Industries in November ordered the PUD to disconnect Merrill's property from the utility service "as soon as possible." During the raid six months later, officers learned Merrill had been running the moped building off of generators.

Ongoing negotiations

The future of the property and the businesses are still uncertain, Phillips said. He thinks Julie Merrill will only take over if she can negotiate a satisfactory lease with Robert and Eldora Merrill, but at least one potential deal with them has already fallen through.

"Someone negotiated with the parents for several hours, but didn't come to an agreement," Phillips said.

At the meeting last month, "We gave her a list of things that have been done prior to opening, a list of things for six months, and for 12 months," Phillips said. Immediate tasks included removing some big fuel and oil tanks.

"I believe the moped building cannot be occupied until repairs have been done to it," he added.

Road: County hopes to have the road completed within the next year

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Sheriff's Office that opened last year and has worked on other projects in Warrenton.

The design process typically takes about nine weeks, and the county is hoping to have the road completed within the next year, Summers said. The next steps for the county include acquiring permits and opening bids for construction contractors. In total, the project

will cost an estimated \$1.2 million, more than \$500,000 of which will come from a state grant. Previous additions to Ensign Lane as part of development in the area cost \$2.9 million.

Though not yet official, S.E. Bugle Avenue is the name the county is calling the road. Summers said the name references a tool used to hunt elk, an animal commonly seen roaming the county.

Seaman's Day: 'They are very social dogs'

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National Historical Park that recognizes Meriwether Lewis' Newfoundland, Seaman, during the Lewis and Clark Expedition from 1804 to 1806.

Crichton described the breed as "loving" and "forgiving."

"You never have to worry about them with strangers or kids," she said.

Crichton added that Newfoundlands are smart, and laughed as she described how her previous dog, Truman, was inconspicuously escaping her house. One day she waited to see how the Newfoundland was getting out. She caught him twisting the door handle using his front paws while standing only on his hind legs.

Big companion

Xihuitl Campos and Frank Valenzuela traveled from Seattle to show their black, 211-pound Newfoundland, Sir James Bond, at their first Seaman's Day.

"I'm amazed how good he does with kids," Campos said of her 2-year-old dog.

Valenzuela said he is not a very social person, but Newfoundlands "make you go out of your comfort zone and meet other people."

Sir James Bond's striking size, bear-like appearance and friendliness creates a lot of publicity for Valenzuela and Campos.

"They (Newfoundlands) like to say 'Hi.' They are very social dogs," Valenzuela said.

Valenzuela, like other Newfoundland owners, said caring for this breed is a lot of work as they drool and shed every-



Colin Murphey/The Daily Astorian

Deacon the Newfoundland finds himself a spot away from the heat on Wednesday during the Seaman's Day celebration at the Lewis and Clark Historical Park. The event began as a way to recognize the role Seaman, a Newfoundland owned by Meriwether Lewis, played in their epic voyage. More photos available online at DailyAstorian.com

where, but would not trade it for anything.

"I've always liked big dogs. Now I have the opportunity to be with them and enjoy them. He's like a big companion," Valenzuela said.

A favorite event

Sally Freeman, a Lewis and Clark National Historical Park ranger since the summer of 1989, started the Seaman's Day talks, which she said is the park's most popular one-day event.

"I think it's fun. Definitely one of my favorite events of the year," Freeman said. "These dogs are very loyal."

Freeman said she noticed an interesting trend in this Seaman's Day. Of the 12 dogs, 10 were boys. And of the boys, six of their names started with the letter B.

Every second Wednesday of July, Newfoundland dogs are invited to the Fort Clatsop Visitor Center while the park acknowledges the famous dog. Freeman shared many

stories of the Lewis and Clark Expedition, including when Seaman herded a charging buffalo bull away from the lodge where Lewis, William Clark, and the other travelers slept, potentially saving their lives.

It has been 211 years since the expedition, and it has become a tradition for Lewis and Clark National Historical Park to introduce people to modern Newfoundland dogs and to learn more about Seaman's role in the expedition.

Untangled: Freeing whales can be dangerous work

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Oregon and Washington state are not named in the potential lawsuit and the two states see fewer reports of entangled whales — only one whale was reported entangled in Oregon's waters last year. But fishermen, fishery managers, gear producers and sellers, biologists and others associated with the industry have already been brainstorming how to address the issue for a months.

'Nobody wants that'

An Oregon whale entanglement group, coordinated with help from Oregon Sea Grant, formed recently. It boasts 18 members so far, representing a wide swath of the commercial, science and management communities based around ocean fisheries. The group has already held one meeting and plans to hold another next week in Newport. A similar group has already formed in California and another is in the works in Washington state.

Dungeness crab is an excellent product, maintains Fran Recht, habitat program manager for the Pacific States Marine Fisheries Commission, which was established by Congress to coordinate management of Pacific Ocean resources in California, Oregon, Washington state, Idaho and Alaska.

"It's sustainable," she said. "And this is a black eye, and nobody wants that."

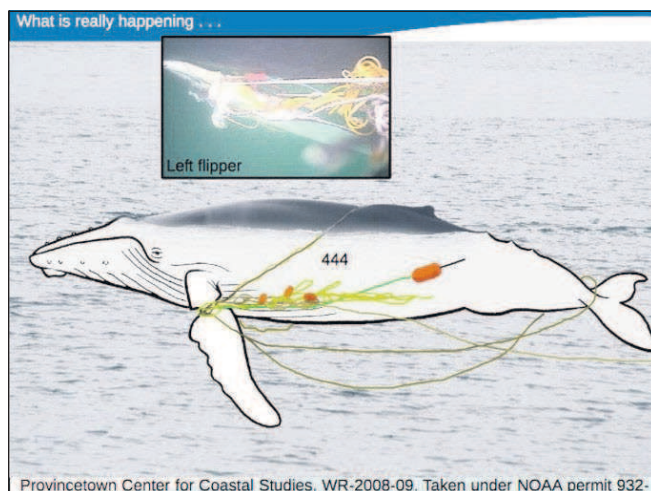
Gear that shows up tangled around a whale in California could easily have come from somewhere farther north, the Oregon entanglement group members say. In many cases, a tangled whale is not always immobile.

This makes it more complicated to pinpoint exactly where any entanglement problems begin and who bears the most responsibility, though commercial crab gear with its long lines that can wrap around whale torsos, fins and tail flukes, has been implicated up and down the West Coast.

In California, there are far more boats — private boats as well as fishing vessels — and dozens of more eyes on the water. With all that traffic, entanglements can happen more often; they are also more likely to be reported when they do occur.

Humanitarian issue

The Oregon Coast, by contrast, is an empty stretch of blue



Provincetown Center for Coastal Studies. WR-2008-09. Taken under NOAA permit 932.

— cold and formidable.

"It's not so easy to sight a whale that's tangled," said Jim Rice, of Oregon State University, the stranding coordinator for the Marine Mammal Stranding Network for the Oregon Coast. "It's a needle in a haystack, frankly."

In Oregon, "most of the reports of entangled whales come from fishermen," he said. "We rely a lot on them to let us know what they see when they're out there."

On average, his group, permitted by NOAA to disentangle whales, receives two confirmable reports of entangled whales each year. Many more reports end up being false alarms: gray whales foraging close to shore and near buoys, not in any danger at all.

"From a conservation standpoint, I don't think it's terribly serious," Rice said. Oregon impacts so few whales and the whales impacted tend to be gray whales on their annual migration from California to Alaska, not endangered humpback or blue whales. "It's more of a humanitarian issue than anything else."

He is encouraged by how proactive Oregon and Washington state fishermen have been in addressing the issue.

But, Rice said, "I think the challenge is to find means that are not going to be too much of a burden on the fishermen and would have a realistic outcome for the whales."

Because Oregon sees so few incidents of whale entanglement, it could be hard to measure if changes to gear have positive results.

"It's going to take testing and it's going to take time," said John Corbin, a commercial crab fisherman and member of the Oregon Dungeness Crab Commission. "It's imperative for us to at least be looking at gear modifications to see whether or not they're feasible

for the fishery."

Federal regulators have sent mixed messages in other fisheries.

The Trump administration in June withdrew a rule that would have set strict limits on the number of endangered whales, dolphins and sea turtles tangled in sword-fishing nets in California and Oregon. The fishing industry and conservationists had worked on the rule, published last October under the Obama administration, but the National Marine Fisheries Service decided the changes were not warranted.

Dangers

In a photo graphic shown during a presentation in March, a single rope stretches across a gray whale's smooth back. It looks like someone has dropped it there, carelessly. Below water, unseen, that rope twists tightly around one of the whale's pectoral fin, pinching it in a thick tangle that includes other gear lines, weights and floats.

The graphic appeared at workshop in Portland, the first mass meeting of Oregon and Washington's fishing industries over the issue of whale entanglement.

A whale tangled like this won't last long. But freeing it can be dangerous work.

"Entangled whales can become very defensive when approached and may use their powerful tail flukes to strike their would-be rescuers," Rice said.

Boats can capsize; people might get directly hit by a flailing whale.

"It's also possible for the responders to get caught up in the lines attached to the whale and lose fingers or get dragged into the water," Rice said.

Canadian fisherman and marine mammal responder Joe Howlett died Monday after

he and a rescue crew freed a trapped right whale in the Gulf of St. Lawrence, Canada. NOAA has since suspended all large whale entanglement response activities until further notice. The agency wants to review its own emergency response protocols in light of the tragedy.

Solutions

So far, solutions to whale entanglement proposed by the commercial fishing industry include everything from adjusting fishery seasons to changing the gear used.

"Our fishery is more efficient now than in the past and will be more efficient in the future," reported Oregon crab fisherman Justin Yeager in March. "We can do better. We need to realize the responsibility that comes with being a crab fisherman and make the changes that make a difference."

He believed the Dungeness fishery could see the most success by changing the behavior and timing of the fishery and improving gear retrieval programs.

The East Coast has already grappled with this issue, though with a different whale and in a different fishery. Traps for that region's lobster fishery caused serious injury and deaths among endangered North Atlantic right whales.

Even with this example, Sheila Garber, who works for Englund Marine & Industrial Supply in Astoria and is a member of the Oregon whale entanglement group, says there are no solutions yet.

"There are a lot of things the guys have already done," she said, pointing to the use of sinking lines, or neutral buoyancy lines, both ways to make it so there is less line floating on the surface of the water.

The group needs to gather much more information before it can start posing realistic answers to the problem.

Look at the gray whales, Garber said. Not all of them go north. Some stop midmigration in places like Depoe Bay and don't go any farther.

"The fishermen actually usually trigger any sort of change," she said. Gear suppliers like Englund's try to work hand in hand with fishermen when something like whale entanglement comes up. "But a lot of it comes from the fishermen. It's a very proactive industry because it's their way of life."