

Santa Monica Daily Press

A newspaper with issues



NEWS OF THE WEIRD by Chuck Shepard

Brian Lawrence, 38, died of a heart attack five days before he was due in court to answer the charge that he and his girlfriend had had sex in New York City's St. Patrick's Cathedral in August 2002 as part of a radio station's stunt (September). And eight people on a 16-day sightseeing tour sponsored by their First Baptist Church of Eldorado, Texas, were killed when their bus slammed into a tractor-trailer (Tallulah, La., October). And at least 39 Hindu pilgrims were killed in a stampede of crowds while waiting to ritually bathe their sins away in the holy Godavari River in western India (August).

QUOTE OF THE DAY

"It's so beautifully arranged on the plate — you know someone's fingers have been all over it."

— Julia Child
on nouvelle cuisine

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A sea view: SM was born at the Miramar

By Daily Press staff

More than 100 years ago, an Australian sailor walked into a Santa Monica watering hole and ordered a few drinks. Unable to pay his tab, the sailor gave the bartender a fig tree sapling he had brought around the world.

Today, that sapling stands 80 feet tall and spans 120 feet. It's called the Moreton Bay Fig Tree and it's planted at Ocean Avenue and Wilshire Boulevard, on the old property of former State Sen. John P. Jones, founder of Santa Monica.

State Sen. John P. Jones, a wealthy silver miner, arrived in Southern California in 1875 with a scheme to build a railroad and harbor to transport silver bouillon to the U.S. mint in San Francisco.

Jones, a wealthy silver miner, arrived in Southern California in 1875 with a scheme to build a railroad and harbor to transport silver bouillon to the U.S. mint in San Francisco. He and Col. Robert Baker, his partner, bought the land between West Los Angeles and the Pacific Ocean and created the town of Santa Monica.

At a cost of \$40,000, Jones built a mansion he called "Miramar," which means "view of the sea" in Spanish, atop the bluffs in downtown Santa Monica. Since it was finished in 1889, the Miramar grounds have served as a private residence, a boy's military academy, an Army Air Corps center and, for decades, a hotel.

Today, the property is owned by a private investment fund based in Los Angeles, according to hotel officials. It was bought in 1999 for \$90 million. Another \$17 million has been



Photo courtesy
(Above) The Miramar Hotel, located on Wilshire Boulevard and Ocean Avenue, as it looked a century ago, serves as a piece of Santa Monica history. (Below) The Moreton Bay Fig Tree at the entrance to the Fairmont Miramar is more than 100 years old.

spent upgrading it under the management of Fairmont Hotels & Resorts, which currently runs the 300-room hotel.

Officials are in discussions now with City Hall to make further changes, including possibly building a high-rise tower and opening up the property so the fig tree can be seen more easily from passersby on Ocean Avenue.

Jones, who was born in England and raised in Ohio, had a limited high school education but an appetite for knowledge. Known as a skilled orator, he served as senator for Nevada and later moved to Santa Monica. Before he



died in 1912, Jones, a widower, had three girls by Georgina Sullivan Jones, his second wife.

He also donated much of his vast holdings to the City of Santa Monica, including the prime blufftop real estate now known as

See MIRAMAR, page 5

Bear advocate passionate in life, enigma in death

BY JEREMIAH MARQUEZ
Associated Press Writer

LOS ANGELES — Timothy Treadwell's death came just the way he had predicted.

Treadwell and his girlfriend were mauled by a 1,000-pound grizzly bear last October in a remote section of Alaskan wilderness that Treadwell knew well after years of living among its bear population.

That Treadwell was killed doing what he loved did not surprise many of those who knew him. He had acknowledged his

forays into the backcountry were tempting fate.

The Malibu resident started an environmental group and received donations from celebrities such as actor Leonardo DiCaprio and supermodel Gisele Bundchen, in part by saying the bears he loved were in jeopardy. He spun colorful stories about his adventures for the Discovery Channel, David Letterman's late-night audience and the Walt Disney Co.

What few knew about Treadwell was that much of his

life was an invention.

Interviews with associates and reviews of public records reveal Treadwell as a complex character — part wildlife enthusiast, part showman, part educator, part impostor.

The organization he said was dedicated to saving bears did find a useful outlet educating school children, and some researchers have said his detailed observations about bear behavior are valuable. But his organization was not registered as a nonprofit, as it claimed, and some wildlife experts said the

bears he claimed to be saving didn't need his protection.

His tales of being Australian or raised as an English orphan, later rescuing himself from a life of drugs and alcohol through his fascination with bears, only made his story more compelling.

It was only after his death that many of his more recent friends learned he was born under a different name as the middle-class son of a Long Island phone company foreman.

Charismatic in life, Treadwell

See BEAR MAN, page 5

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HOROSCOPE

Pain the town red, Leo



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The stars show the kind of day you'll have:

★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

ARIES (March 21-April 19)

★★★★ Spend time with a very creative and/or artistic friend. You might consider this person a bit flaky at times. Use some of your high energy to clear out a project or two. Caring emotes from someone you consider key in your life. Tonight: Treat someone dear to something he or she loves.

TAURUS (April 20-May 20)

★★★★ You are on top of your game. Others do the unpredictable, and you absolutely enjoy what goes down. In the next few years, you could find yourself with a rather wild crew of friends. Don't take someone's harsh words personally. Tonight: Just ask, and you will receive.

GEMINI (May 21-June 20)

★★ You might need some time off, but you have a difficult time achieving that goal. A boss or parent makes a strong demand that might throw you into a whole new way of thinking. Be careful when mixing funds and friendship. Tonight: Slow down, please.

CANCER (June 21-July 22)

★★★★ Make time for a partner you value. Communication flourishes in a unique manner. Your way of handling a problem could be very different from someone else's. Brainstorm away. Express your caring. Tonight: Be with loved ones.

LEO (July 23-Aug. 22)

★★★★ A partner could delight you with his or her imagination and sense of fun. Make it OK to go overboard; after all, how often do you have such a great time. Let the good feelings flow. Right now, live for the moment. Tonight: Paint the town red.

VIRGO (Aug. 23-Sept. 22)

★★★★ Visualize more of how you want your life to be. Right now, you are in the position to make it happen. Your positive attitude draws many to you. Discuss more of what you desire with someone who understands you. Tonight: Do something very different.

LIBRA (Sept. 23-Oct. 22)

★★★★ A loved one or a dear friend makes an important move toward you. You could be surprised by his or her level of caring. You might want to open up and discuss your feelings more deeply. Security evolves with this building bond. Tonight: Make nice.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Others are running the show. Let them. You might be having a ball at home or letting someone treat you well. Express your caring by doing something very nurturing. Feelings abound. Tonight: Go along with another's wishes.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You might have a project that you need to get done, but you find that your mind drifts to other things and people. If you are writing or doing something creative, you might succeed. Otherwise, it will take all your self-discipline to complete your task. Tonight: Put your feet up. You need some time off.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Your ability to see the best in a situation emerges. Still, don't let a child or loved one pull the wool over your eyes. You need to be anchored in reality, if possible. Your ability to see the big picture helps. Tonight: Relish the moment.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ You might want to express more of your ideas, feelings and sometimes wild thoughts to a family member or partner. You might discover that others like some of what you share, and they add that practical touch of making it a reality. Tonight: Stay close to home.

PISCES (Feb. 19-March 20)

★★★★ Follow your intuition, and you will only succeed. Sometimes you might not be sure of yourself. That is so now. Also note that you will have a tendency to be overly sensitive in the next few weeks. Others seek you out. Tonight: Out and about.

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LOCAL

COMMUNITY BRIEFS

Time to dump the tree

By Daily Press staff

The city of Santa Monica will collect Christmas trees for recycling at four local parks the first two weekends in January. Residents also can recycle their trees for free at the city's refuse and recycling transfer station throughout the month.

Residents with curbside recycling service can place their cut-up tree in their yard waste collection container. Officials ask that people remove tinsel, ornaments and stands from the tree.

It is unlawful and a serious fire hazard to leave unwanted trees at the curb or in the alleys, city officials said.

Santa Monica drop-off services are at these parks:

■ Douglas Park, Chelsea Avenue and Wilshire Boulevard.

■ Reed Park, Lincoln Boulevard and California Avenue.

■ Los Amigos Park, Fifth Street and Hollister Avenue.

■ Clover Park, 25th Street and Ocean Park Boulevard.

Pick-up times will be 10 a.m. to 3 p.m. on Jan. 3-4, and Jan. 10-11.

Hours for the Santa Monica refuse and recycling transfer station are Monday through Saturday from 6 a.m. to 2 p.m. The facility is located at 2401 Delaware Ave. Call (310) 829-7323 for more information.

People who live outside of Santa Monica's city limits can call the city of Los Angeles Christmas tree recycling hotline at (800) 5-TREE-56 for information about recycling in their neighborhoods.

Attorney General attempts to quell ID theft

By Daily Press staff

Attorney General Bill Lockyer has urged the board of governors of the Federal Reserve System and the Federal Trade Commission to delay preempting state consumer protection laws that guard against identity theft until the provisions of the federal Fair and Accurate Transactions Act of 2003 are in effect.

"Although many important provisions of the federal law will not go into effect for almost a year, state consumer protection laws could be preempted immediately," Lockyer said. "We cannot leave residents of California and other states without strong protections against identity theft and other consumer fraud. With holiday sales and gift exchanges luring California shoppers into stores, the potential for identity theft is at a peak, and strong laws protecting consumers are critical."

As president of the National Association of Attorneys General, Lockyer sent a letter this week to the Federal Reserve System board of governors and the FTC, urging them to link the effective date of the new preemption provisions contained in the FACT Act to the date each of the provisions in the federal law goes into effect.

The FACT Act, signed by President Bush on Dec. 4, revises the existing Fair Credit Reporting Act by, among other things, making permanent preemption provisions of the FCRA that were set to expire on Jan. 1, 2004. But a rule adopted, without public comment on Dec. 15 by the board of governors and the FTC appears to preempt state laws effective Dec. 31, 2003, leaving consumers with no protection for six months to a year.

California law, for example, gives identity theft victims the right to obtain copies of applications and transactions for accounts that are fraudulently opened in the victim's name. The FACT Act contains a comparable provision and thus preempts all states from enforcing similar state laws. If the provision preempting state law became effective Dec. 31, as proposed, California consumers would have no right under either state or federal law to obtain the information until the federal law goes into effect in June 2004.

New art exhibit to bolster fellowship recipients' careers

By Daily Press staff

A new art exhibit at Walt Disney Concert Hall seeks to spread the word about works from fellowship recipients.

"Contemporaries," a new exhibit at the Redcat Gallery, will showcase the work of selected artists who have received fellowships through the California Community Foundation's Visual Arts Initiative over the last five years.

Curated by Claudine Ise of the UCLA Hammer Museum, the show includes works by Jim Isermann, Michael McMillen, Mark Licari, Lynn Aldrich, Monica Majoli and others.



A very steep NW swell peaks with some waist-high sets today. The real question is the water quality — so check it out before you jump in.

OUTLOOK: Expect a slow fade into Saturday. The storms are out there and being tracked but it's too soon to say how they'll stack up.

Write us at wood@smcp.com and tell us what the surf is doing today at your local break.

Today the water is:

58°

Sunrise: 7:05 a.m.
Sunset: 5:01 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
WEDNESDAY	11:24	1.6	10:19	1.7	4:31	4.8	4:56	3.2
THURSDAY	12:24pm	0.9	11:04pm	2.1	5:07	5.0	6:24	3.0
FRIDAY	1:08pm	0.4	11:46pm	2.3	5:42	5.2	7:27	3.2
SATURDAY	1:44pm	0.0	N/A	N/A	6:15	5.5	8:14	3.3
SUNDAY	12:25	2.5	2:18	-0.3	6:47	5.7	8:52	3.4
MONDAY	1:01	5.0	2:50	-0.6	7:19	5.8	9:25	3.4

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The CCFVAI was created, said officials, to support the work of Los Angeles-area artists and foster a greater understanding of the many cultures and communities that coexist in the LA area. Officials also said the foundation views art as an important vehicle for building one community out of many — transcending social, political and economic barriers in ways words cannot. Since 1999, the 88-year-old foundation has awarded \$2.8 million to artists through the initiative.

"Contemporaries" will be displayed from Jan. 8 through 18 and will be open Tuesday through Sunday from 12 p.m. to 6 p.m. Admission is free and open to the public. The Walt Disney Concert Hall is located at 631 W. Second St. in downtown LA. For more information, call (213) 237-2800. Profiles about featured artists will be available in the "Contemporaries" catalogue, which will be available online and by request in January.

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LETTERS

Cut the schools off

Editor:

After painfully reading the month-long deluge of wimpy "Thank you" letters written by what appears to be naive parents and children, advanced by those who are unabashedly slick in the pro-educator group, it seems that their attempts to create a foundation in the public's mind for their next major thrust to perpetually demand ever more astounding amounts of taxpayer monies for their so-called budget shortfall is actually additional funding for non-mandated and unnecessary pet school programs. Programs that the state will not fund because these programs are not mandated by state legislation, and are discriminating in nature, as they are designed at best to only enrich the educators themselves with some additional jobs, a select few gifted and talented children, and not equally benefit all children fairly as would say, a better English or math program.

Cases in point are instead of modest programs that benefit all children, SMMUSD has their grandiose music, choir, art and English as a second language programs, (the latter being completely unfair to most American children who don't need to learn English) that have just a small percentage of all students participating in and benefiting from, due to not all children having such advanced talents, or need at all. And these programs now have such enormous budgets and extra teachers and staff that they cannot ever be realistically maintained with funding.

The money shuffling educators always ask for enormous amounts of funding for one or two specific purposes, such as building maintenance, new buses, etc., and after receiving it instead use it to hire or otherwise benefit teachers and other personnel. All public funding should be used for what it was proposed to be used for, not conveniently put into a general (slush) fund that can be otherwise tapped into for other purposes by the crafty educators. We the public are purposely left ignorant by the educators as to exactly how much of taxpayers' money they manipulate annually. We need accurate accountability by them on a regular basis. Further, the educators should be made to do what they profess to do best: Just be in the business of educating children. Spend 100 percent of their time on our payroll teaching and not playing with public monies. It appears from their actions that many of them believe that the generously provided public funding is "their money" to use whimsically as they see fit. It never was, and is not. There is overwhelming evidence that they have been notorious for decades in mismanaging most of the now scarce funding provided to the school districts. Any money handling or management ought best be done by professional financial advisers, such as bankers who really know how to manage huge sums of public and private monies — not merely these financially inexperienced educators who greedily it appears, would have you believe otherwise. They may fool a twenty-something-year-old single mother into believing so, and supporting their preposterous posi-

tion, but not the rest of us who pay into the system, whether we have any children in school or not. Actually to be fair, taxpayers with no children in schools ought to have substantially reduced tax rates — not ever increased rates to pay for someone else's child to be educated. Financial institutions managing the flow of huge sums of funding to the districts is clearly the proper answer to the myriad of financial problems the educators have created. Allowing the American financial community to bid on the management of these astronomical amounts of funds is in the public's best interest and a solution that is long overdue.

Patrick Holland
Santa Monica

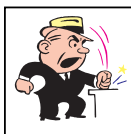
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Will proposed 'Living Wage' ordinance hurt schools?



**MY
WRITE**
By Bill Bauer

Another salvo in the battle for worker's rights and unionization was fired just before Christmas when activists took to the streets for yet another pro-union demonstration.

This time, Santa Monicans Allied for Responsible Tourism, also known as SMART, and officials from St. Anne's Church, used the traditional Christian "posada" to promote justice for workers and unionization of the Doubletree Hotel.

Today, SMART is essentially a front for the Hotel Employees and Restaurant Employees union. Vivian Rothstein, SMART's executive director, is a paid HERE union organizer. The organization is based at HERE's union hall at Sixth Street and Colorado Avenue.

SMART was formed a few years ago by a coalition of Santa Monicans for Renters' Rights activists, HERE union officials, pro-laborists and old time Santa Monica leftists to promote a "living" or minimum wage for Santa Monica work-

ers. It was passed by the SMRR-controlled City Council in July, 2001.

It required businesses in the coastal zone grossing more than \$5 million annually to pay workers \$12.25 an hour without health benefits or \$10.50 an hour with health benefits. Although written with hotels and restaurants in mind, it would have affected all large businesses.

Companies with valid union contracts were exempt. In fact, it would have been cheaper for hotels and restaurants to unionize and pay the lower union wages than remain non-union and pay the higher city-mandated minimum wage.

The ordinance was immediately challenged by the tourism industry and business community. An initiative that repealed the "living wage" qualified for the ballot and was approved by voters in the fall 2002 election. Since then, living wage advocates vowed to bring the issue back.

Rothstein has announced plans to present another living wage proposal to the City Council on Jan. 13.

Details of SMART's latest proposal haven't been announced, but published reports suggest it could be modeled after San Francisco's recent living wage proposal approved by its voters this past fall that calls for an \$8.50 hourly minimum

wage (\$1.75 over the \$6.75 state set minimum wage).

SMART's version will likely cover the entire city of Santa Monica this time. And the estimated \$3 million expanded city bureaucracy necessary to administrate and enforce the previous living wage ordinance will be needed, too.

I have a couple problems with all of this.

■ If Santa Monica mandates higher business costs, then everything from food to clothing will be more expensive here. It will be harder for local businesses to compete with surrounding communities. Increasing numbers of people will go outside the city to take advantage of lower prices on goods and services. Those on fixed incomes who can't leave to shop elsewhere will suffer the financial impact more.

■ The City Council was not elected to promulgate the agenda of a labor union and its sycophants, especially when that agenda takes money from every man, woman and child in the city, and most severely impacts the poor and immobile.

However, HERE contributes a considerable largess to SMRR and its candidates in the form of campaign money and workers. So, in 2004 as in the past, watch Santa Monica's ruling political party try sell us

all down the river, again.

■ The city is in a financial vise. Money is tight and could get a lot tighter. There could be two proposals on the November 2004 ballot that call for substantial city support for schools — plus a host of other state, county and city revenue proposals that could lead to higher sales taxes, additional property taxes and other increased fees.

So, what's it going to be? \$3 million to administrate a minimum wage bureaucracy or support our schools? Or, will we try to do both and raise taxes, thereby hitting residents with a double whammy?

These days, City Hall seems to be more concerned with serving the needs of everyone and anyone but residents.

While claiming they don't have enough dough to provide basic services, they can always find the bread to finance their social programs, whether it be a homeless shelter, affordable housing or a minimum wage benefiting primarily non-residents fortunate enough to be employed within the city borders.

(Bill Bauer is a longtime Santa Monica resident and a freelance writer).

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

YOUR OPINION MATTERS! Send your letters to Santa Monica Daily Press Attn. Editor:
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LOCAL



Original Miramar hotel is no longer standing

MIRAMAR, from page 1

Palisades Park, the parkland at the northeast corner of Lincoln and Wilshire boulevards, now known as Christine Emerson Reed Park, and several area church and public school grounds.

After Jones died, the Miramar was sold to King C. Gillette, the inventor of the modern razor. Towards the end of World War I, the grounds were leased to a boy's military academy, whose students marched down Ocean Avenue in full uniform carrying unloaded muskets and rifles.

It wasn't until 1921 that the property was first used as a hotel. Since then, it has been run by various wealthy hoteliers — except for during World War II, when the Army Air Corps took over the Miramar and used it as a redistribution center for officers and other enlisted men returning from overseas.

But for the rest of the past 82 years, the Miramar has been a luxury hotel used by celebrities and leaders alike. Visitors to

the property include everyone from Susan B. Anthony, actress Madame Modjeska and novelist Mark Twain — a family friend of the Jones' — to Wolf Blitzer, Joni Mitchell and Chevy Chase.

In between, the hotel has served as a getaway for Greta Garbo, Cary Grant, Eleanor Roosevelt, Mr. and Mrs. John F. Kennedy, Supreme Court Justice Earl Warren, aviator Charles Lindbergh and many others. It's been a backdrop for numerous movies and television programs, including "Dallas" and "Starsky and Hutch."

Today, none of Jones' original property stands. The mansion was bulldozed in 1938, leaving as the oldest structure the six-story "Palisades Building," built in the 1920s, which houses bedroom suites. But the Moreton Bay Fig Tree, given to the Jones' by the bartender in 1889, still stands where it was planted by gardener W.H. Lee.

— John Wood



John P. Jones

Malibu resident described as good-hearted, but misguided

BEAR MAN, from page 1

had become an enigma in death.

Grizzlies are rare in the continental United States but common in Alaska, where they are known as brown bears along the coast. Reaching up to 10 feet tall and weighing as much as 1,500 pounds, the largest and most aggressive are much more likely to attack people than the smaller black bear. More than 400 grizzly attacks on humans have been documented in Alaska since 1900, a fraction of them fatal, according to the U.S. Geological Survey's Alaska Science Center.

Treadwell refused to see the bears as "savage beasts." What others feared, he sought out. He spent nearly a dozen summers living among grizzlies, primarily in the Katmai National Park and Preserve on the Alaska Peninsula.

He once was filmed crawling along the ground singing as he approached a sow and two cubs, and wrote of trudging through a warren of tunnels formed in tall brush and used primarily by grizzlies.

"He was good-hearted, but misguided," said former Katmai park superintendent Deb Liggett, who met with Treadwell over coffee in 1999 to express Park Service concerns about his behavior around bears.

Nonetheless, Treadwell, 46, won national acclaim for his daring and devotion. He named some bears and videotaped many of his encounters.

In 1997, he published a book, "Among Grizzlies: Living With Wild Bears in Alaska."

More recently, he offered filmmakers working on Disney's animated feature "Brother Bear" his insights into grizzlies. He also appeared in a short segment about

bears that ran on the Disney Channel before the film's release, said Cardon Walker, vice president of television specials for Buena Vista Pictures Marketing.

Treadwell made regular visits to schools after returning to Southern California from his annual trips to Alaska. Blond, good-natured and animated, he held students spellbound with tales of Mr. Chocolate the Bear and other animals in regions of Katmai he named the "Grizzly Sanctuary" and "Grizzly Maze."

"His passion for the bears and wildlife was just infectious, and the students loved his stories," said Phil Cott, principal of Webster Elementary School in Malibu, where Treadwell lived in a rented condo. "But he wasn't just a storyteller. He was very serious about the bears and their habitat and their role in the overall ecology."

Not everyone embraced Treadwell's views.

"Bears are bears, and the sooner we treat them as bears instead of humans in a bear suit it will be less dangerous," said Tom Smith, a biologist at the Alaska Science Center.

Critics said Treadwell's lifestyle could encourage copycats who would enter the wilderness and harass wildlife. Some worried that the mauling death of Treadwell and his girlfriend, 37-year-old Amie Huguénard, would harm grizzlies by turning public opinion against them.

Elizabeth Laden, a newspaper publisher in Idaho who has reported on bears for more than 20 years, noted that Treadwell's death led authorities to kill two bears in self-defense after arriving at his campsite.

"I think he did harm to the bears,"

See BEAR MAN, page 6

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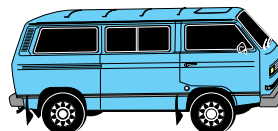


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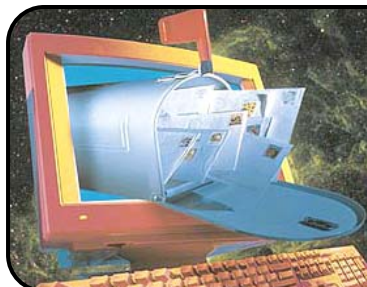
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STATE

Treadwell battled paranoia, alcoholism and drug use

BEAR MAN, from page 5

Laden said. "He made the bears think it was OK to be around humans. He took the wildness out of the grizzly."

Stephen Stringham, a bear biologist and professor with the University of Alaska system, defended Treadwell's work.

Treadwell, he said, kept meticulous diaries of bear genealogy, mating patterns and maternal behavior. All that will be valuable to researchers once his notes are organized, said Stringham, who had planned to collaborate on several papers with Treadwell.

"Look, Tim's a naturalist, not a scientist," Stringham said. "Still, the details he has, no one's got anything like it. It's extremely valuable to science."

During a middle-class upbringing on Long Island, Treadwell — born Timothy William Dexter — nurtured a passion for animals and the outdoors.

As a boy he had a collection of teddy bears, including one called Mr. Goodbear, and he often spent summer days playing in a nature preserve, said his mother, Carol Ann Dexter.

A high school swim team member, he earned a scholarship to Bradley University in Peoria, Ill., and set a university record on the 3-meter dive.

"He wasn't big, but he wasn't afraid of anything," said Jim Spink, his former diving coach at Bradley.

In what his father, Valentine Dexter, called the start of a downward spiral, Tim injured his back while diving, lost his scholarship and dropped out in 1977 before starting his junior year.

Back home in Ronkonkoma, his troubles worsened: He crashed the family station wagon and was arrested on charges related to drunken driving.

"That led up to his leaving," said his father, who now lives with Carol Ann in Coral Springs, Fla. "He wanted to make a fresh start."

Packed in Treadwell's bags was a childhood keepsake: Mr. Goodbear.

He moved to Southern California in 1978, staying with his older sister, Vikki Pless, in Long Beach before striking out on his own and beginning a personal transformation.

Over the years, he waited tables and mixed cocktails in beach communities. He legally changed his last name to Treadwell in 1987 after using it informally for years, according to Los Angeles County records.

He also shed his Long Island accent. He told friends of being Australian or of growing up a British orphan on the streets of East London. People magazine in 1994 quoted him as claiming to be a native of Australia who moved to California as a teenager. His feigned accent fooled English nationals who frequented a pub where he worked, said Tom Reilly, Treadwell's former roommate and friend.

"And the pub was co-owned by a woman from Liverpool," Reilly said.

Treadwell first spoke with an Australian accent to stand out while applying for an apartment in Long Beach, his father said.

Supporters defended Treadwell's shifting persona, noting that in his book he said he was raised in New York.

Besides, said friend Jewel Palovak, his partner in the organization that promoted his work with bears, Grizzly People:

"People reinvent themselves a thousand times over in L.A., and they're usually lauded for it."

Sunset Beach friends described Treadwell as a fun-loving eccentric, but he recalled his early years in Southern California as some of his darkest.

In his book, Treadwell wrote of an ongoing battle with alcoholism and drugs and a paranoia so acute he carried a gun and slept with a loaded M-16.

He appears to have been in trouble with the law at least twice.

In 1984, a Timmy Treadwell was accused of illegally discharging a firearm, according to court records in Beverly Hills. Three years earlier, a Timothy Winthorpe Treadwell of Sunset Beach was booked on suspicion of assault, Orange County records show. Treadwell was living in Sunset Beach then and had used the middle name Winthorpe, those who knew him said.

As a bartender, he once got into a brawl with a patron who had insulted a woman, said former friend Tessa Winterberger.

Treadwell's book also tells of a near-death experience from a drug overdose. Re-evaluating his life, he wrote, he decided to seek out bears in Alaska.

Treadwell's environmental crusade began slowly but quickly gained attention, propelled by his outsized personality.

He and Palovak started Grizzly People in the mid-1990s to support Treadwell's forays to Alaska and educate the public, particularly schoolchildren, about bears. To make ends meet, Treadwell occasionally fell back on bartending and friends' generosity.

But increasingly, he turned to the most obvious source of charitable giving in Southern California — celebrities. The list of Hollywood stars who either attended his fund-raisers or gave him money included DiCaprio, Bundchen, and actor Pierce Brosnan.

Robert Towne, the screenwriter whose credits include "Chinatown" and "Mission: Impossible," said Treadwell made a presentation at his daughter's elementary school. He remembered Treadwell showing him video footage of what looked like a grizzly nuzzling its snout in the activist's palm.

"I was fascinated," said Towne, who with his wife wrote Treadwell a check he recalled was in the thousands of dollars. "However eccentric he was ... I think his work should be valued and honored."

Towne said Treadwell was terrified the bears would be killed by poachers without his presence, a pitch Treadwell commonly made to contributors.

Friends said Treadwell would have reveled in the attention his life and work have generated since his death.

"He's in hysterics up there," said Warren Queeney, an actor in Los Angeles and a friend of Treadwell's for 10 years.

Queeney only learned his friend was from Long Island when he met Treadwell's father at a memorial service, but he said he felt more amused than duped.

"He was a con artist, but boy, he pulled it off," Queeney said. "The man was truly a riddle wrapped in a sleeping bag. I don't know if any of us will ever know who he really was."

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NATIONAL



Biohazard lab poses deadly risks for community

BY MATT GOURAS

Associated Press writer

HELENA, Mont. — A proposed federal biohazard lab planned at the Rocky Mountain Laboratories in Hamilton would pose a "negligible" risk to the community, federal authorities concluded in a second environmental study released this week.

Nearby residents opposed to the lab housing some of the world's deadliest diseases had complained that authorities failed to prove it is safe to put the facility in a populated area.

The supplemental environmental impact statement does not suggest making any changes to the lab's expansion plans, said Valerie Nottingham, with the National Institutes of Health, which runs the lab.

"The project hasn't been changed or anything, we just added the health and safety information that people wanted," Nottingham said.

The agency said the \$66 million lab expansion would be safe and would pose little threat to the environment or public health. The lab would be used to study and house diseases such as Ebola.

The federal agency said the lab is needed to help study infectious diseases of the type that some fear may be used in bioterrorism attacks. It said a number of potentially

dangerous pathogens has received little attention because there is no place to study them.

A spokesman for the Friends of the Bitterroot, which has questioned parts of the project, said the EIS still doesn't answer key questions, such as how much biological weapons material would be studied.

Jim Olsen said the report also doesn't assess the risk of someone in the lab getting infected and walking out the door and spreading a disease.

"What we are advocating here is full disclosure," he said. "We really want to understand the risk."

The so-called "Biosafety Level 4" lab would join others already in Atlanta, two locations in Maryland and two locations in Texas.

Rocky Mountain Labs pioneered research into Rocky Mountain spotted fever and Lyme disease. The lab in February 2002 announced plans to build a Biosafety Level 4 laboratory on the 33-acre campus in Hamilton, a town of about 3,700 residents.

Such labs are built to safely study deadly diseases and operate under strict security and safety guidelines.

The compound will be protected by guards, and will be built with a number of internal safety measures to make sure diseases under study don't get away, the lab's supplemental study concludes.

The research would be embedded deep within the

facility, with buffer corridors on all sides. All air entering and leaving the lab would be sifted through special filters designed to remove microbes. Air leaving the lab would be filtered twice before being released outside.

"Theoretically, human error or multiple, simultaneous mechanical failures could lead to accidental release of biological materials from the laboratory," according to the EIS. Analysis "revealed that the potential risk to the community surrounding the Rocky Mountain Laboratories and specifically the (expansion) from potential release of infectious agents is negligible."

Workers would have to wear protective suits, and the lab room would be gas tight to keep the microbes inside from leaking out.

The plan calls for cooking all the waste generated in the lab to destroy biological waste. The document also envisions a special "tissue digester" to destroy infectious wastes from the animals worked with in the lab.

The supplemental EIS was prompted by complaints from Hamilton-area residents that the first draft released over the summer was inadequate. The lab initially planned to conduct a less extensive environmental assessment, but agreed in September 2002 to conduct a more comprehensive review.

Nottingham said they will take comments for 45 days on the latest report before preparing a last EIS. A final decision on the expansion could come as early as this summer, she said.

Sunflower storage tight in N. Dakota due to large pile up of grains, seeds

BY BLAKE NICHOLSON

Associated Press Writer

BISMARCK, N.D. — North Dakota's two sunflower processing plants have run out of storage space for the first time in recent memory, but not because of a large crop in the state this year.

Officials say heavy deliveries to the Cargill crushing plant at Fargo and the Archer Daniels Midland plant in Enderlin are largely due to a pileup of small grains and other oilseed crops on farms last fall.

"With the large small grain crop we had, a lot of storage space was taken up early from those crops," said John Sandbakken, international marketing director for the Bismarck-based National Sunflower Association. "When the sunflower crop came in, a lot of people were looking to sell ... and the price was good at harvest."

Roger Watchorn, merchandising manager for the Cargill plant, said the plant has bought more sunflowers this harvest season than it has in several years.

"At this point, we're full. We just can't take any more," he said. "We haven't seen this heavy of deliveries in the last five, six years."

The Enderlin plant is accepting deliveries only from farmers with whom it contracted, Sandbakken said.

Plant officials referred questions to ADM headquarters in Decatur, Ill. Officials there did not return telephone calls seeking comment.

The U.S. Department of Agriculture has estimated sunflower production in North Dakota at 1.45 billion pounds, down 15 percent from 2002, because of a drop in yield and fewer harvested acres. Final production numbers will not be released until mid-January.

Farmers still are stretched for storage space because of other crops. Soybean and corn production set records in North Dakota in 2003. Wheat farmers produced their biggest crop since 1996, at 317 million bushels, up 46 percent from the previous year.

Other crops also saw big increases from 2002, including barley, which more than doubled in size, and oats,

which was up 66 percent.

Those large crops, along with a shortage of rail cars late this year, have many farmers and grain elevators looking for storage space.

"If the rail cars aren't moving, the only thing the farmer can move for cash flow is oilseeds," Watchorn said.

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STATE

Dunes emerging as major environmental battleground

BY SETH HETTENA

Associated Press Writer

GLAMIS — A small, broom-like plant found only in the dunes of California's Imperial Valley has turned this vast and desolate landscape into one of the nation's unlikeliest environmental battlegrounds.

The fight pits those trying to protect the fragile habitat of the Pierson's milkvetch against the huge crowds of off-roaders headed to the Algodones Dunes to ring in the New Year by driving and partying in the desert.

The plant, which is protected by the powerful Endangered Species Act, is keeping dune riders out of an area 3 1/2 times the size of Manhattan.

Off-roaders say the milkvetch is emblematic of what's wrong with the Endangered Species Act, which celebrated its 30th birthday Sunday. They contend it locks up huge areas of public land with what they call bad science about endangered species.

Environmentalists counter that the protection given to the milkvetch is keeping life in the nation's biggest and most popular set of dunes from being ground beneath the wheels of dune buggies and all-terrain vehicles.

To protect the plant, the Bureau of Land Management agreed to temporarily ban vehicles from 49,310 acres of dunes in 2000 as part of a settlement with the Center for Biological Diversity and two other groups. Traffic was barred in 1972 from a separate section that was later designated a 32,000-acre protected wilderness.

The BLM says protecting plants some-

"There's been a blatant disregard for habitat protection in parts of the dunes."

— **DANIEL PATTERSON**
Ecologist, Center for Biological Diversity

times takes a back seat to keeping the peace when huge crowds flock to the Imperial Sand Dunes Recreation Area, 160 miles east of San Diego and just a few miles west of the Arizona state line. The mix of crowds, drinking, drugs and fast driving has been a recipe for chaos on past holidays.

"It was straight out of a 'Mad Max' movie," said Paul Spitler, the chairman of the seven-member California Off-Highway Vehicle Commission, who monitored the closures during a wild Thanksgiving 2001 that also saw a fatal shootout in the dunes. Spitler says the BLM needs to limit the more than one million visitors to the area to get a better handle on the situation.

Authorities say they have cracked down on the wild mobs that once pelted rangers with cans and bottles and put a stop to strong-arm robberies in broad daylight. But the effort means no officer can be spared to keep people away from endangered plants.

"We're kind of short-handed on officers when there are so many people out there," said Bob Zimmer, the BLM's chief ranger in the dunes. "We still have a have a lot of drunk driving, drugs and assaults."

On the 30th birthday of the Endangered Species Act, Daniel Patterson, an ecologist

with the Center for Biological Diversity, led a visitor to a narrow strip of sand that's home to a few Pierson's milkvetch.

The area is marked as off-limits to the vehicles that buzz past on both sides, but the restrictions are difficult to enforce and rangers concede they are routinely violated. Patterson points to fresh vehicle tracks in the sand left behind by an off-roader who took an illegal short cut.

"There's been a blatant disregard for habitat protection in parts of the dunes," he said. "Anybody who goes in here knows that this area is closed."

While 68,000 acres remains open to vehicles, dune riders chafe at the closures and insist they're being kept out for no good reason. They paid for a study that found the vehicles haven't harmed the plants.

"I'm not in favor of decimating endangered species, but I think a lot of this stuff has been a bunch of hokey," resident Jim Broxholme said from behind a stand where he sells snacks and auto supplies to off-roaders gathering in advance of the holiday.

For all the fuss about the milkvetch, little is known about the plant discovered in 1927. It shares part of its name with the family of plants that some believed would increase the milk yield of goats.

No one is sure how many of the Pierson's milkvetch are in existence. Complicating things, the plants have a boom-and-bust cycle that corresponds to rainfall. The BLM estimates it will spend \$850,000 in 2004 to send its employees out in the heat to walk a total of 1,700 miles — the distance from San Diego to Vancouver, Canada — counting milkvetch.

"This is probably the most expensive monitoring that's ever been done for a listed plant species," said John Willoughby, the BLM's state botanist.

Willoughby says the evidence to date shows that the numbers of milkvetch have not changed much over the past 25 years. That's not to say vehicles are good for the plants, he says. Rather, the dunes are so vast that most of the plants don't see many off-roaders.

Both sides agree on one thing: There will be more lawsuits. Off-roaders have successfully petitioned for a federal review of the science that led to the Pierson's milkvetch listing as a threatened species five years ago. The U.S. Fish and Wildlife Service is expected to issue its determination on the milkvetch in May.

"We're going to see this through," said Greg Gorman, chairman of the American Sand Association, a group mounting a challenge to the Endangered Species Act and seeking access to the dunes. "If we get this plant delisted everybody wins. Because it's setting a trail."

Patterson says the Center for Biological Diversity won't give up, either. "The stakes are way too high," he says.

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NATIONAL



Alaska struggles with its climbing suicide rate

BY MARY PEMBERTON
Associated Press Writer

ANCHORAGE, Alaska — When Robert Tokeinna was a teenager and got depressed, his mind turned to thoughts of suicide.

It is not an unfamiliar notion in Brevig Mission, an isolated Inupiat Eskimo village of around 300 people on the Bering Strait, about 75 miles from the Russian border. Several of Tokeinna's relatives committed suicide. The most recent was his uncle, who shot himself last year.

But now, at 21, Tokeinna tries traditional Eskimo dance when he gets down. And he is teaching other young people in his village to use dance to get them through the tough times, too.

"I didn't think dancing was preventing suicide. I thought it was just an activity. Now, I look at it differently," Tokeinna said. "It lifts up the spirit and makes the person happier."

The state wishes it had a thousand Robert Tokeinnas.

Alaska has one of the highest suicide rates in America — in large part because of the large number of Alaska Natives who take their lives.

Several factors are said to put Alaska Natives at risk, including the availability of guns; the gloomy isolation imposed by Alaska's pitiless climate and geography; poverty; boredom; alcohol and drug abuse; and the erosion of traditional values and culture.

Brevig Mission is reachable only by sea and air. During the long, dark Alaska winters, temperatures average 10 degrees below zero. Even in the summer, the sun warms Brevig Mission only into the 40s and 50s.

While a modern sanitation system is being installed, some villagers still use "honey buckets" — usually old five-gallon plastic paint containers — as toilets. The waste is collected and dumped in the village's sewage lagoon.

Nearly half the residents live below the poverty line, scraping by on the arts and crafts they make. Villagers used to raise reindeer for money, but that industry fell off in the 1970s. The mining industry is depressed. And in recent years, the salmon runs in western Alaska collapsed; only this year did the salmon return in large numbers to the rivers and streams.

Tokeinna said the worst thing is boredom: There is not enough to do in Brevig Mission, and many young people turn to drugs and alcohol.

Alaska had the highest suicide rate in the nation in 2000, when 135 people took their own lives. Alaska's rate that year was about twice the national average, at 21.1 suicides per 100,000 population. Alaska dropped to sixth in 2001. Figures for 2002 have not been released.

In 2000, the suicide rate among Alaska Natives was roughly four times the national average, at 42.9 suicides per 100,000 people. For Alaska Native males, it was more than six times the national average, or 68.5 per 100,000 people.

Jeannine Sparks, a guidance counselor at Wasilla High School north of Anchorage and interim chair of a state council on preventing suicide, said every suicide, whether it was the suicide of her twin sister's husband in 1992 or the student who shot himself in 2001, affects people the same way.

"They deal with shame," Sparks said. "In villages where this has happened,

there is a sense of loss and hopelessness. They need time to heal, and before they have time to heal, another one happens."

Two years ago, the state assigned a 15-member Suicide Prevention Council to develop a plan to prevent suicides. But the council's first coordinator resigned, several seats are vacant and the final plan is overdue. The task force is only now getting on track.

Also, the state health department recently got \$248,000 in federal money to develop a curriculum to teach divorce attorneys, clergy and even bartenders how to recognize suicide warning signs.

And the Community Based Suicide Prevention Program — a program around

since the late 1980s — received \$845,000 this year. Fifty-seven communities will receive grants.

"I think we are pretty close to not feeling hopeless. We know what to do and now let's do it," said the council's new coordinator, Susan Soule, suicide prevention program manager in the state health department.

Tokeinna learned traditional dance mostly from videotapes because dance had died out in the village. He also attended a conference this fall on preventing suicide and is using what he learned to form a dance group for young people in his village.

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Colorado resorts looking closer to home for employees

By The Associated Press

DENVER — Officials at Colorado ski resorts say fewer jobs are being filled by foreign workers this season because of new, stricter national security screening policies.

Vail Resorts typically requests permission to sponsor about 1,200 employees covered by H-2B visas. This year, the company asked the Labor Department for just 1,000.

Such visas require an employee sponsor. Valid for one year, the visas can be extended in one-year increments for up to three years.

Winter Park has hired 140 temporary foreign workers with H-2B visas, compared with 214 last season. Copper Mountain has employed 250 foreign employees with worker and student visas, down from 300 last season. Steamboat and Aspen both asked for fewer visas.

Recent U.S. security requirements that all temporary visa workers apply in person at American consulates in their home countries are crimping international recruiting efforts.

"It's getting a lot harder now. There are a lot of people in Argentina who want to come here to work," said Ruben Kuratsu, a 23-year-old Copper Mountain cashier from Mar Del Plata, Argentina.

Kuratsu said traveling to an interview at the American consulate in Buenos Aires was worth the job: "If I take home \$1,000, it's like \$3,000 at home. That's good."

The number of H-2B visas issued by

the Labor Department depends on the strength of responses to job advertisements. The agency monitors responses sent to local post office boxes.

For years, locals balked at ski resort jobs ranging generally from \$6.40 an hour to \$9 or \$10 an hour. But after two years of a soft economy, resort companies are seeing increasing interest from U.S. citizens.

"There are more Americans out there looking for jobs, so we have adjusted the number of people we need to recruit," said Sarah Benjes, international staffing manager at Vail Resorts.

Rod Haratyk, 57, a disabled veteran from Leadville, said he is considering a cook job, or maybe a night desk job, in exchange for a ski pass, insurance and a more spending money.

"I'm probably the ideal ski area employee because I'm more concerned with the benefits than the money," he said. "It can be tough living up here."

Jim Laing, vice president of human resources for Aspen Skiing Co., said he noticed a lot of lifestyle and career changes after the Sept. 11 attacks. That's meant resorts don't have to look abroad for employees as much as they used to.

In 2000, Winter Park went to South America to recruit employees for the season. "There were so many opportunities here, and we have so many entry-level jobs, people weren't biting," spokeswoman Joan Christensen said. "Now, it's another story."

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NATIONAL

Federally sponsored party for The Wilderness Act put off until after 2004 election

BY JEFF BARNARD
Associated Press Writer

GRANTS PASS, Ore. — A federally sponsored conference to celebrate the 40th anniversary of The Wilderness Act has collapsed after the U.S. Forest Service told conservationists it had to be postponed until after the 2004 election.

Informed that the National Wilderness Summit and Expo scheduled for Oct. 1-7 in Denver could not be held before the Nov. 2 election, conservation groups jointly planning the event dropped out, feeling they were no longer full partners in the event.

"What is frustrating to me is we have leadership at the Department of Interior and the Department of Agriculture talking about partnerships on public lands," said Don Hunger, director of national program development for the Student Conservation Association, who served as co-chairman of the conference planning committee. "It pretty much turns that relationship on its head, and says we're not a partnership."

Sally Collins, associate director of the Forest Service, the agency's No. 2 position, said she alone made the decision to postpone the conference out of a general desire to keep it from being overshadowed by the Nov. 2, 2004 elections.

Collins said she found out the conference was scheduled for "before the presidential election and got really concerned. Because I didn't want anything to take away from the celebratory nature of this summit."

Collins' statement is contradicted by a letter to Hunger from Dave Holland, Forest Service director of wilderness resources and chairman of the Interagency Wilderness Policy Council, made up of representatives of the Forest Service, U.S. Bureau of Land Management, National Park Service, U.S. Fish and Wildlife Service and U.S. Geological Survey.

Holland's Dec. 15 letter said the timing "became a concern" with the Departments of Interior and Agriculture, which oversee the five agencies planning the event.

"The Interagency Wilderness Policy Council agreed to move the conference to address the Departments' concerns," Holland wrote.

Forest Service spokesman Joe Walsh acknowledged that the departments of Interior and Agriculture expressed concerns, but Collins made the decision on her own.

"If we don't want this to be political, it has to be in a neutral time frame," Walsh said.

Mike Francis, national forest program manager for The Wilderness Society,

expressed skepticism Collins made the decision without influence from the Bush administration.

"No bureaucrat in their right mind would make a call to call off a major conference on the 40th (anniversary of The Wilderness Act) without being told by one of the political bosses in the Bush administration to do it," Francis said.

"It's hypocritical for the Bush administration's Forest Service to be holding a wilderness celebration. Somebody might ask them some very tough questions in a political year that they don't want to answer."

Groups seeking designation of more wilderness suffered a setback this year when Interior Secretary Gale Norton struck a deal with Utah Gov. Mike Leavitt to discontinue protections for 2.6 million acres of potential wilderness, opening the way for oil and gas drilling.

Hunger said Collins contacted him last weekend in an effort to resurrect the conference, but no decisions are likely until January.

The Wilderness Act was signed in September 1964 by President Lyndon Johnson. It restricts grazing, mining, logging and mechanized vehicles on public lands designated by Congress as wilderness. The areas have grown to 107 million acres, more than the national park system.

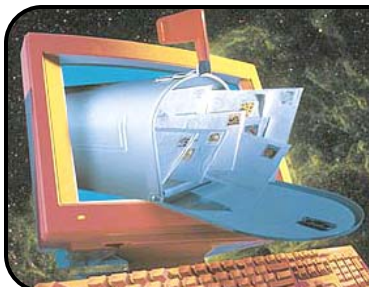
The five agencies in the Interagency Wilderness Policy Council each committed \$30,000 for the conference, said Tinamarie Ekker, senior policy analyst for Wilderness Watch, who served on the conference program committee. The rest of the \$243,600 budget was to come from fees paid by people attending the conference and organizations buying space at the exposition.

Conference planners had hired consultants and negotiated use of the Colorado Convention Center in Denver, Ekker said. Those commitments had to be broken.

Conference planners meeting in June in Golden, Colo., considered the election as a factor for scheduling the gathering, and decided it was outweighed by a desire to assure that people working in wilderness areas during the summer could attend and to avoid conflicts with the holiday season, Ekker said.

"Wilderness is not an issue that has any relevance for an election outcome," Ekker said. "What we were hoping was if we could get the administration on stage before the election saying some good things about wilderness, maybe we could hold them to that after the election."

At the agencies' insistence, conservation groups had agreed to keep the conference apolitical, staying away from hot-button issues such as designation of new wilderness areas on federal lands, Ekker said.



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NATIONAL



Easterners discover organic yogurt from Oregon

BY ROSEMARY CAMOZZI

Associated Press Writer

EUGENE, Ore. — Six days a week, hundreds of cases of Nancy's Yogurt emerge from refrigerated trucks onto the sidewalks of New York City, then are whisked into dairy cases of tiny Greenwich Village natural food shops and swank Upper West Side supermarkets.

Many of these stores order daily from the Nancy's line, says Wright Polak, a New York City-based natural foods broker who has worked with the Springfield Creamery, makers of the Nancy's line, for three years.

"They do an amazing amount of volume," Polak says. It hasn't always been thus.

When the creamery began shipping to the East Coast a few years ago, distribution was on-again-off-again, Polak says. Store buyers grew faithful only after getting many customer requests.

"Once there's a devoted customer base, the retailers will continue stocking it, come hell or high water," Polak says.

Several years ago, the creamery set itself a goal of becoming a nationwide retailer. That's no easy task in the cutthroat food wholesaling business.

But this past September, the creamery passed an important milestone, offering its products for sale in all 50 states.

Distribution is through regional warehouses of United Natural Foods International, the leading U.S. distributor of natural and organic foods. UNFI supplies more than 14,000 stores, including large natural foods chains, independent natural products retailers and conventional supermarkets.

Reaching a deal with UNFI was key, says Sue Kesey, co-owner of the creamery with her husband, Chuck. Via UNFI, the creamery can maintain a strong presence in big natural food chains such as Whole Foods and Wild Oats.

"You need a presence in the whole country to be able to promote products in all those stores," she says. "We had to be in their radar as more than a regional player."

But like the cultured products the creamery makes, the expansion is taking a long time.

"We've made a commitment to do this," Kesey says, "but it's a slow build. That's what we do best."

This is a great time for the business to enlarge its distribution, says Jerry Dryer, an independent dairy industry analyst and newsletter publisher based in Chicago.

"I see a lot of momentum going in the food business for 'small is better,'" Dryer says, adding that the East Coast has few companies that resemble Springfield Creamery.

"The customer is looking for small, innovative manufacturers."

Yogurt sales have surged in the last 20 years. In 1982, U.S. consumers bought 600 million pounds of yogurt, says James Miller, a dairy analyst for the U.S. Department of Agriculture. By 2002, that had risen to 2.1 billion pounds.

The purity of the Springfield Creamery line sets it apart from many rivals, Dryer says.

"People are opting for a higher quality product," he says, noting that Nancy's has no cornstarch, pectin or fillers and uses only real fruit.

He also says that products containing probiotics and prebiotics (the live cultures found in Nancy's products and some others) are big sellers.

According to the U.S. Agriculture Department, organic dairy was the fastest-growing segment of the organic food industry in the 1990s, with sales up more than 500 percent between 1994 and 1999.

"Organic is a godsend to dairy farmers," Sue Kesey notes. "It has enabled them to feel like they are getting paid for what they are doing."

Springfield Creamery, which has about 50 employees, makes conventional and organic yogurt, cottage cheese, sour cream, cream cheese and kefir. About 20 Oregon farms supply milk to the creamery.

The Nancy's line has been available in natural foods stores on the West Coast for more than 30 years and in Fred Meyer stores for 20 years. It can also be found in Safeway stores in Oregon and Northern California and in some independent chains.

During their first years in business, the Keseys were able to expand their distribution through their friendship with two young entrepreneurs: a University of Oregon grad named Gilbert Rosborne and his partner, Huey Lewis, later of musical fame.

The two distributed underground comic books to nat-

ural foods stores in San Francisco, and it was easy to add Nancy's Yogurt. Once a week, they rented a truck and drove a load of yogurt, wrapped in ice and blankets, to San Francisco.

"Organic is a godsend to dairy farmers. It has enabled them to feel like they are getting paid for what they are doing."

— SUE KESEY

Co-owner, Springfield Creamery

Later, Kesey says, the company used other distributors, some of which went bankrupt. When Mountain People's Warehouse came into existence, Nancy's West Coast distribution finally stabilized.

The creamery began shipping products eastward about three years ago, but without consistency. Local consumers who moved away requested Nancy's in their new homes. Also, visitors to the West went home and asked their local stores to stock Nancy's.

"We started getting a tremendous number of calls and e-mails from people who were visiting and wanted to

have Nancy's back home," says Sandi Zimmerman, East Coast sales manager for the creamery.

East Coast consumers seem especially taken by the creamery's organic and cultured soy products, Kesey says.

To make its products more recognizable, the creamery recently updated all its labels and containers with bright graphics that are consistent across all lines.

The company also hired a new brokerage on the East Coast, and Zimmerman has spent time on the road, educating brokers and accompanying them to in-store product demonstrations.

Publicity is important now that the creamery is moving into the territory of its biggest competitor, Stonyfield Farm, a New Hampshire company that began making organic yogurt 20 years ago. After becoming the nation's largest organic yogurt brand, Stonyfield sold a 40 percent stake in itself for an estimated \$125 million to Group Danone, the French food and beverage giant that makes Dannon Yogurt.

Stonyfield has been busy establishing a presence on the West Coast, and bought Brown Cow West, an Antioch, Calif., organic yogurt maker, earlier this year.

"They definitely own the East Coast, and rightfully so," Kesey says, conceding that Nancy's will always play second fiddle in that region. "You know you can't take over the East Coast market, and you don't want to."

But she has no plans to cede the West Coast.

"They can't bump us around out here," she says. "We are the standard of the industry on the West Coast."

Organic farmers to get exemption from marketing, promotion fees

BY ERICA WERNER

Associated Press Writer

WASHINGTON — Brothers Buzz and Bud Sowden grow organic prunes, and they're tired of being treated like conventional prune farmers when it comes to paying fees to an industry marketing board.

"We do not market in the same areas as conventional food. We do not compete with conventional food in that we sell at a higher price," Buzz Sowden said. "We have to pay for (organic) certification, and then to have to pay the marketing order dues on top of that. We find it excessive and definitely not to our benefit."

The brothers, who farm 200 acres in Northern California, soon may get relief from the fees, which Buzz Sowden estimated cost them more than \$10,000 last year.

The Department of Agriculture, implementing a provision in the 2002 Farm Bill, is proposing a rule change that would exempt producers and marketers of 100 percent organic products from most of the payments.

The agency's Agricultural Marketing Service is seeking public comment through January on the proposed rule change, which would affect producers of 28 regional varieties of fruits, vegetables and nuts, from California dried prunes to Washington hazelnuts to Florida tomatoes.

Sellers of these commodities have to pay fees to support "marketing order programs" — educational, research, promotional and quality-control programs administered by boards or committees.

Under the rule change, organic sellers would no longer have to fund the marketing, advertising or promotional portions of the programs — exempting them from about 65 percent of the fees they now pay, the

"I see frankly no reason they should be exempted from the assessments requirement."

— JOHN MCCLUNG

Marketing manager for Texas fruit

USDA estimates.

The USDA is preparing to propose rules enacting the same organic exemption for 16 other research and promotion programs that are administered nationally, among them those for milk and pork — the sources of the famed "Got Milk?" and "Pork, The Other White Meat" campaigns.

The change was inserted in the Farm Bill after lobbying by the Organic Trade Association, which says organic products now account for about 2 percent of all food grown in the United States.

"The feeling is pretty much universal that the thing that sells organic, whether it's milk or beef or an orange or a box of cereal, is the fact that it's organically grown, not that it's another box of cereal or piece of beef," said Katherine DiMatteo, the Organic Trade Association's executive director. "Organic producers felt that the scientific research and the promotion did not serve them, did not sell any more organic."

Some conventional farmers dispute that, believing all marketers of a product are helped by its promotion, whether organic or not.

"I see frankly no reason they should be exempted from the assessments requirement," said John McClung, who manages marketing order programs for Texas citrus, onions and melons. "They essentially receive the same benefits as anybody else. You pool the assessments, you do marketing and promotion

activities, they benefit from it as much as anybody else."

But McClung and others said the money contributed by organic handlers represented a small enough percentage of the total budget that its loss wouldn't make a big difference. The California Almond Board, for example, has a \$20 million annual budget, and will lose perhaps \$50,000 of that when the organic exemption goes through, said Ned Ryan, the board's chairman.

The USDA estimates the rule change would affect only about 84 sellers, who would save some \$3,600 each. Even some in the organic food industry said the change would be largely symbolic, another sign of recognition for an industry that only in 2002 became subject to national standards and labeling.

"We actually now are a different commodity, and it's important we start seeing organic milk is not regular milk, it's a separate legal identity, it has separate programs and separate everything," said George Siemon, chief executive of the Organic Valley farm cooperative in Wisconsin. "So to me, in part, this is following that recognition that organic is a different commodity and it needs to be recognized in all government programs as a different program."

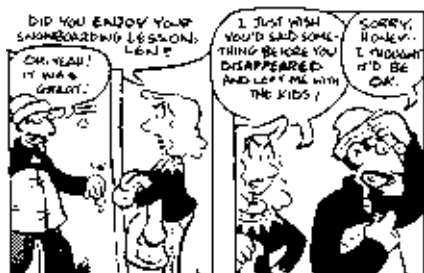
The Sowden brothers have more tangible concerns, too.

"We would prefer to channel those funds as we see fit," Buzz Sowden said.

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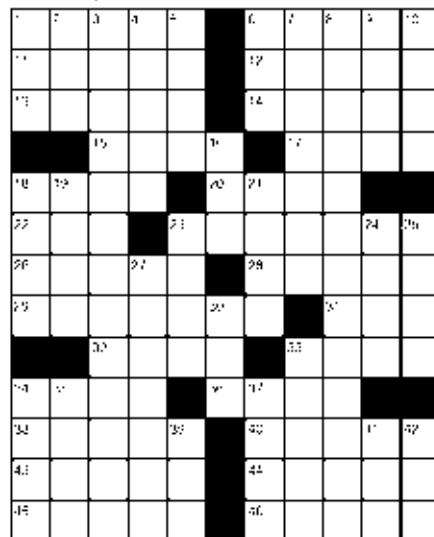
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BACK PAGE

Nevada prostitution lobbyist faithful to cause

BY ED VOGEL

Associated Press Writer

RENO, Nev. — When people of faith condemn prostitution, Nevada Brothel Owners Association Director George Flint waits for his chance to respond.

"Other than his family, who was Jesus' best friend?" Flint asks. "She was a young woman named Mary from a town on the Sea of Galilee called Magdala." For centuries, Mary Magdalene has been portrayed as a prostitute, although the Bible is silent on her profession.

Then Flint mentions Rehab, described in the Old Testament as a harlot who protected Israelite spies and aided in their escape from Jericho.

It might seem surprising that the 69-year-old Flint, mouthpiece of Nevada's legal prostitution industry for the past 20 years, is well-versed in the Bible. But his parents were fundamentalist ministers in Wyoming, and he dutifully attended Eugene Bible College and became an Assemblies of God minister in Oregon.

Tired of being the always-broke father of four young children, Flint moved to Reno in 1962 to open the Chapel of the Bells wedding chapel.

Flint became politically active almost immediately, lobbying legislators on behalf of the wedding chapel industry. A banker friend who purchased the Kit Kat Ranch in Moundhouse, just east of Carson

"We live in a world where we have no choice whether we want prostitution."

— **GEORGE FLINT**

Nevada Brothel Owners Association Director

City, suggested he also lobby for brothels.

That's what he has done since 1985, showing up nearly every day during legislative sessions to serve as the industry-hired lobbyist for Nevada's legal brothels.

"We live in a world where we have no choice whether we want prostitution," Flint said. "The only choice is how we want it, controlled or uncontrolled."

State law permits legal prostitution with county commission approval in rural counties. Ten counties have licensed brothels, and Nevada has 26 legal brothels that employ about 300 prostitutes. No other state has legal prostitution.

Though he is a familiar figure at the Legislature, Flint usually shuns publicity. He figures it best not to draw attention to a business many abhor. He seldom testifies before legislative committees.

But Flint has protected the industry. When AIDS first became a public concern, brothel owners feared legislators might outlaw prostitution. With Flint's leadership, the industry took the lead in self-regulation, requiring regular testing for HIV and condom use.

"It's become a normal special interest group like the bankers or gaming," Flint said of prostitution. "I think part of the reason for its acceptance is the way I approach lobbying. I don't haul girls into the building. It has been very gradual. I now have the same access to individual legislators as everyone else."

This year Flint proposed the brothel industry pay the new 10 percent live entertainment tax, like strip clubs, bars and any other business that provides entertainment for patrons. By imposing a \$20 to \$40 charge on brothel admissions, Flint estimated, the industry would contribute \$2 million a year to state coffers. Only in the last days of the legislative session did the brothel tax die.

Flint remains open to a tax increase. In exchange, he wants the Legislature to repeal an old law that prevents advertising by brothels. Even if the Legislature does not lift the ban, Flint believes it soon will be successfully challenged in the courts.

Sen. Dina Titus, D-Las Vegas, the primary legislator behind the tax on strip clubs, intends to support the brothel tax

legislation in the 2005 session.

"I would certainly vote for it," she said. "But the reason they want to be taxed is it legitimizes them even more. We have totally abandoned the family atmosphere in Nevada."

Compared with the 300 legal prostitutes in all of Nevada, Flint estimates 10,000 illegal hookers work Las Vegas on most weekends. He also contends that 70 percent of the exotic dancers in high-end strip clubs sometimes turn tricks.

"There are private boxes on the ceilings in some of these clubs that cost \$500 to use," he said. "What do you think happens there?"

Las Vegas police Lt. Stan Olsen, the department's legislative lobbyist, said Flint's 10,000 figure is greatly exaggerated, though he said police do not have a specific figure on the number of prostitutes in Las Vegas.

In an ideal world, Flint said, sex would not be separated from love or marriage. But he says many men are too homely, too timid, too handicapped or too disfigured to attract the affections of any woman.

"Other than the urge to survive, the urge for sex in a normal man is the strongest urge he has to deal with," Flint said. "I have come to the conclusion that legal and regulated prostitution is better than the alternative since it eliminates pimps and eliminates crimes on the client and on the woman."

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