



FREE!

# Santa Monica Daily Press

April 17/18, 2004

A newspaper with issues

Volume 3, Issue 135

## LOTTO

### FANTASY 5

26, 27, 31, 32, 35

### DAILY 3

Afternoon picks: 0, 4, 2

Evening picks: 2, 3, 5

### DAILY DERBY

1st Place: 9, Winning Spirit

2nd Place: 5, California Classic

3rd Place: 1, Gold Rush

Race Time: 1:48.45



## NEWS OF THE WEIRD

by Chuck Shepard

The Japanese navy created a TV ad in February to encourage enlistments and public support for its mission of sending security troops to Iraq. In the spot, according to a Reuters reporter, seven actors dressed, Village People-like, as sailors dancing on the deck of a ship, singing (roughly translated), "Nippon Seaman Ship, Seaman Shipo, For Love... For Peace" and "I Love Japan, I Love Peace, The Maritime Self-Defense Force." (The ad is needed, said a senior officer, because "there are a lot of young people and women who don't seem interested (in the navy).")



## QUOTE OF THE DAY

"From the sublime to the ridiculous, there is but one step."

— Napoleon



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## People in the News

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## Fire season poses considerable threat to SM Mountains

BY LAUREN BONIFACIO  
Special to the Daily Press

While spared from the devastation of October's wildfires, the Santa Monica Mountains and other local forest areas will be at risk amid the upcoming fire season, officials say.

San Diego and San Bernardino counties were hit the hardest last year, but strong winds, high temperatures and low humidity could combine to make areas in Los Angeles County prime targets for wildfires in the coming months, said LA County Fire Department

spokesman John Mancha.

"We always prepare for the worst," he said.

Firefighting agencies across Southern California are gearing up for the fire season, an eight-month period beginning in mid-May that typically consists of dry conditions and rising temperatures.

Along with the Santa Monica Mountains, areas in Malibu, Topanga Canyon and the Antelope Valley are overgrown with trees that could fuel a potential fire, said Bill Patzert, a climatologist at

See FIRE SEASON, page 5

## EcoFest an energetic celebration of Earth

By Daily Press staff

While Earth Day is officially April 22, there is plenty of celebrating and educating going on today.

Thousands are expected to attend "Clean Energy Now," which will be held all day on the Third Street Promenade.

In honor of the 34th anniversary of Earth Day, the Promenade between Broadway and Wilshire Boulevard will be transformed into an EcoFest from 10 a.m. until 7 p.m. in efforts to demonstrate how greater Los Angeles puts ecological lifestyles into practice.

There will be 60 environmental exhibits and a solar-powered stage, featuring environmental speakers including Santa Monica Mayor Pro Tem Kevin McKeown, and Earth Day LA Director John Quigley, who gained a modicum of recent fame by sitting in the Old Glory Oak Tree in Santa Clarita for months.

There will be eclectic world music performances by Electric Skychurch, Champa 51, Stephen Longfellow Fiske, Peter Alsop, Rob MacMullan of VH-1's "You Rock" series, virtuoso violinist Jennifer

See EARTH DAY, page 6

## SM not making world a smaller place

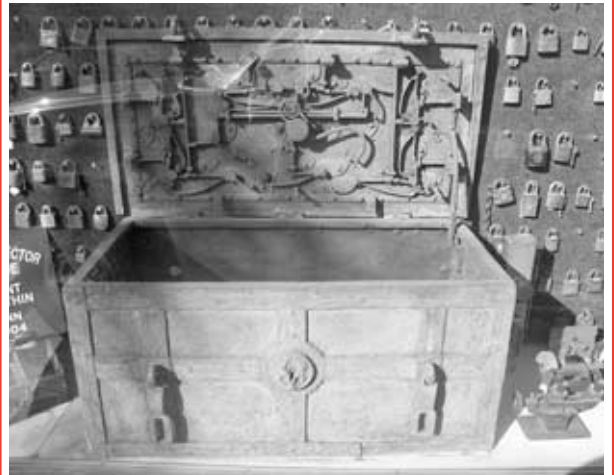
By Daily Press staff

A recent study reveals that Santa Monica uses 5.7 percent less of the Earth's resources than it did a decade ago.

City Hall has released a study analyzing the change in the city's "ecological footprint," which tracks its use of the Earth's resources in terms of water and land area. Results showed its use shrank by 167 square

See RESOURCES, page 7

## For keep's sake



Del Pastrana/Daily Press

As part of a weekly contest, the Daily Press will give away a free prize to the first reader who can accurately describe where this photo was taken. E-mail answers to sack@smdp.com.

## Businesses signing on to alter consumer law

### Opponents label change 'wolf in sheep's clothing'

By staff and wire reports

A business group seeking to amend a decades-old California law against unfair competition said it has begun submitting more than a half-million signatures to county election officials as a prelude to putting its initiative before voters in November.

The initiative by "Californians to Stop Shakedown Lawsuits" would require that private attorneys represent a client when they file a lawsuit alleging a violation of the state's Unfair Competition Law.

But a Santa Monica-based consumer watchdog group calls the initiative "a wolf in sheep's clothing."

"This is the biggest threat to consumer and environmental protection we've faced in California," said Jamie Court, a spokesman for The

### "This is the biggest threat to consumer and environmental protection we've faced in California."

— JAMIE COURT  
Foundation for Taxpayer and Consumer Rights

Foundation for Taxpayer and Consumer Rights. "This isn't about helping Santa Monica's businesses."

Court contends the change has more to do with big corporations wanting to free themselves from the law's accountability.

The 1933 law allows private attorneys to sue on behalf of the public to stop deceptive business

See LAW, page 7

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## Do what you want, Aries



**JACQUELINE BIGAR'S STARS**

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

★★★★★-Dynamic ★★★★★-Positive ★★★-Average

★★-So-so ★-Difficult

**ARIES (March 21-April 19)**

★★★★ Though you hit your power days of the month, you might need to slow down some and take a snooze or deal with a difficult roommate or family member. You jump past problems with ease if you relax. Tonight: Your time to do what you want.

**TAURUS (April 20-May 20)**

★★ Back off, especially when you find a conversation or heated discussion impossible to win, or when the other party or you are unreasonable. Do something just for you right now, taking your well-being into your own hands. Tonight: Make a choice for you.

**GEMINI (May 21-June 20)**

★★★★ Finally, you are able to toss away thoughts of work and/or responsibilities and simply enjoy yourself to the max. Others or a specific friend delights in your company; the more people around you, the better right now. Tonight: Where you are, the fun is.

**CANCER (June 21-July 22)**

★★★ Acknowledge that you might be a bit off or out of sorts. You might want to talk about a problem in a more direct manner with a respected friend. Take your time, because the right moment could make all the difference. Tonight: Out on the town.

**LEO (July 23-Aug. 22)**

★★★ Don't allow a sinking feeling or uneasiness to change your plans. Find a favorite person with whom you can be free or let your inner child out. Curb a tendency to be introverted or self-involved. Be there for others. Tonight: Opt for a movie or concert. Let your mind wander.

**VIRGO (Aug. 23-Sept. 22)**

★★★★★ Plan on spending quality time with someone you really do care about. Understand that friends don't like not having you around. In the long run, you value this person and connect on a very deep level right now. Tonight: Add more spice to your life.

**LIBRA (Sept. 23-Oct. 22)**

★★★★ Defer to others, as you might be interested in what they choose. Don't worry about a work project right now. You need some time off to gain perspective. Lighten up with others' companionship. Let loose finally. Tonight: Just don't be alone.

**SCORPIO (Oct. 23-Nov. 21)**

★★★★ You might want to complete a project or two right now. You need to do this so that you can relax and enjoy yourself more. You also might want to schedule a long weekend or a visit with a friend in the near future. Tonight: Make it easy.

**SAGITTARIUS (Nov. 22-Dec. 21)**

★★★★ A close friend or partner easily could rain on your parade, if you let him or her. Allow yourself to look at life from the sunny side, permitting yourself to enjoy those around you. A flirtation builds. A relationship opens up. Tonight: Romp the night away.

**CAPRICORN (Dec. 22-Jan. 19)**

★★★ Family does demand your attention. If attached, you might have a problem with your partner, or with a special person in your life if you are single. He or she might be down, looking at the glass as half-empty rather than half-filled. Tonight: Barbecue at home.

**AQUARIUS (Jan. 20-Feb. 18)**

★★★★ If you are tired, do something about it! Take a nap rather than ruin a fun day or not enjoy those around you. Schedule a checkup or a visit with the dentist, if need be. Hang with friends and catch up on others' news. Tonight: At a preferred haunt.

**PISCES (Feb. 19-March 20)**

★★ You might want to slow down your spending right now. If you are trying to impress someone close, forget it. He or she will either like you as you really are or not. Be authentic. You will develop a stronger bond. Tonight: Learn that fun doesn't need to cost a lot.

# Santa Monica Daily Press

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## LOCAL



## COMMUNITY BRIEFS

## Roaring '20s revived

By Daily Press staff

The Santa Monica Conservancy will relive the Roaring '20s. The group's annual meeting will be held in the basement of The Georgian Hotel at 1415 Ocean Blvd. May 8 at 1:30 p.m., and will include a montage of 1920s imagery, jazz music and a live narration, official proceedings.

After the visual tour of Santa Monica during the '20s, The Georgian's bar and art deco lobby will be open to attendees.

A designated Santa Monica historic landmark, the Georgian also is a member of the Historic Hotels of America program established by the National Trust for Historic Preservation.

The hotel, which recently underwent a \$2 million renovation, opened during the height of the Depression and was considered to be one of the most modern and lavish spots of the time. Movie stars and mobsters were among its patrons.

The annual meeting is open only to Santa Monica conservancy members.

For more information about the event or joining the conservancy, call (310) 458-0399 or visit [www.smconservancy.org](http://www.smconservancy.org).

The Santa Monica Conservancy is a non-profit, community organization that's dedicated to the preservation of Santa Monica's cultural, historic and architectural heritage.

## Electric auction, artful display

By Daily Press staff

Venice Art Walk's 25th anniversary celebration cocktail party and art auction will be held May 6 from 6:30 p.m. to 9:30 p.m.

The auction will take place in artist Laddie John Dill's studio, located at 1625 Electric Ave. in Venice. Valet parking will be provided.

The auction will feature works by artists Chuck Arnoldi, Larry Bell, Billy Al Bengston, Robbie Conal, Woods Davy, Laddie John Dill, Mark Di Suvero, Ron Griffin, Dennis Hopper, Peter Lodato, Eric Orr Studios, Astrid Preston and others.

The auction raises funds for the Venice Family Clinic, the largest free clinic in the United States, which provides medical care to uninsured individuals and families in Los Angeles County.

Ed Beardsley of Bonhams and Butterfields will be the featured auctioneer.

To purchase tickets priced at \$150 per person or \$250 per couple, contact (310) 392-9255 or visit [www.venicefamilyclinic.org](http://www.venicefamilyclinic.org).

The anniversary celebration is a prelude to this year's Venice Art Walk held the weekend of May 22-23.

In honor of the Art Walk's 25th anniversary year, artist and actor Dennis Hopper, a resident of Venice, is serving as honorary chair with his wife, actress Victoria Duffy, and has donated a work of art for the fundraiser.

Art walk posters and shirts will be available.

## Voluntary act of appreciation

By Daily Press staff

Santa Monica-UCLA Medical Center will honor its more than 300 adult volunteers by hosting a "Volunteer Recognition Luncheon" at the DoubleTree Guest Suites in Santa Monica and other festivities to celebrate "National Volunteer Week," April 19-25.

The luncheon will recognize more than 125 volunteers who achieved milestones at the medical center during the past year. Santa Monica resident Jette Simmons will be the top honoree, with more than 67,000 hours of service. Two other Westside residents, Alice Kurtz of West Los Angeles and Kuljit Marwah of Malibu, will be honored for 35,000 and 22,000 hours of service, respectively.

Simmons also will be honored for reaching the 35-year milestone, as will Santa Monica resident Renate McDonald. Two other Santa Monica residents, Pauline Daws and Donna Peterson, will be honored for 30 and 25 years, respectively.

The luncheon also will pay tribute to the "Santa Monica-UCLA Knitters," a group that knits caps and booties for the approximately 2,000 babies born at the medical center each year. The knitters also crochet hats that are sold in the medical center's gift shop.

Adult volunteers donated more than 55,000 hours of service to Santa Monica-UCLA in 2003 by assisting caregivers, working in non-clinical departments and running the gift shop.



Expect 3- to 5-ft., waist- to head-high sets, occasionally 7 ft., and fair conditions on Saturday, with waist- to shoulder-high sets on Sunday.

Outlook: Saturday morning will see light and variable to light-onshore wind, picking up stronger by mid-morning and eventually building out of the W in the 8-15 knot range by the afternoon. Look for lighter morning winds on Sunday.

Write us at [wood@smdp.com](mailto:wood@smdp.com) and tell us what the surf is doing today at your local break.

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62°

|           | LOW TIDES |        |         |        | HIGH TIDES |        |         |        |
|-----------|-----------|--------|---------|--------|------------|--------|---------|--------|
|           | Morning   | Height | Evening | Height | Morning    | Height | Evening | Height |
| SATURDAY  | 8:45      | -0.3   | 7:04    | 2.8    | 12:45      | 5.4    | 4:22    | 3.0    |
| SUNDAY    | 10:16     | -0.3   | 9:28    | 3.1    | 1:57       | 5.0    | 6:09    | 3.4    |
| MONDAY    | 11:34     | -0.4   | 11:30   | 2.7    | 3:36       | 4.8    | 6:55    | 3.8    |
| TUESDAY   | NA        | NA     | 12:33   | -0.5   | 5:11       | 4.8    | 7:27    | 4.2    |
| WEDNESDAY | 12:41     | 2.1    | 1:18    | -0.5   | 6:24       | 4.9    | 7:56    | 4.6    |
| THURSDAY  | 1:32      | 1.4    | 1:55    | -0.4   | 7:21       | 5.0    | 8:22    | 4.9    |
| FRIDAY    | 2:15      | 0.9    | 2:27    | -0.2   | 8:09       | 4.9    | 8:47    | 5.2    |

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The hospital's volunteer workforce includes adults, pre-medical students called "care extenders," junior volunteers ages 15 to 18 and pet-assisted activity teams that visit patients in the hospital. For information about volunteer opportunities at Santa Monica-UCLA, call (310) 319-4614.

## Seniors getting their groove on

By Daily Press staff

Seniors 60 years and older are invited to the 12th Annual Senior Day.

The event will be held from 10:30 a.m. to 2 p.m. on May 13, on the Third Street Promenade, between Arizona Avenue and Santa Monica Boulevard.

Registration will start at 10:30 a.m., and entertainment will start an hour later, and a lasagna lunch for \$1.75 will begin at 12:30 p.m.

There will be music from Tunes 'R' Us, dancing and drawings for prizes.

For more information, contact the Commission for the Senior Community at (310) 458-8644, or visit [downtownsm.com](http://downtownsm.com).

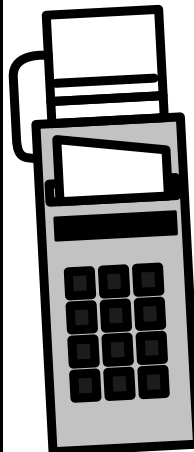
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## OPINION

## The Q-Line

## Council failing to read the signs

Here are your responses to this week's Q-Line question:

**"Are city officials justified in cracking down on businesses with illegal signs or are they diverting valuable resources away from the city's bigger problems?"**

■ "I prefer gold lettering on business windows and a small sign of professional taste on the front of the business. Signs should lend to the aesthetic beauty of the community. If the city does not monitor the installation of signs, who will? Certainly not the signmakers."

■ "I don't know why the city officials ... made these signs illegal. It had to be a City Council member. I can't believe that, once again, they are concerned about something ridiculous. They are not bothered by the constant urinating, defecating and panhandling going on. Get them out."

■ "I think this is much ado about nothing. Typical response from the left. I

think this is ridiculous. We have bigger problems to deal with. Look around."

■ "I believe that city officials have nothing better to do but sit on their asses and waste money. They are bothering businesses that are trying to provide jobs and money to the community. Waste money, that's all they do. They should be thrown right out of office. They are not, nor have they ever been, concerned about the citizens who actually live here, work here and raise families here."

■ "This is not justified and our valuable resources are being wasted. How about these bums everywhere? I don't even shop here anymore because it is such a

hassle to sidestep these people every day, everywhere you go or look. I think it's about time the City Council got its priorities straight."

■ "If businesses want to have their signs up without getting a hard time from city officials, they should just fasten them to all the bums. It seems the bums are the only thing in the city that the city won't hassle."

■ "Once again, the only thing I have to say is what the hell are they doing over at City Hall? Furthermore, I think Bill Bauer should run for mayor. Perhaps he can get the city back toward what it used to be, not this stinking pippen with criminal mental cases, vagrants and drug addicts. There is a woman living in a makeshift tent in the park, nuts as can be, and nobody does a thing about it. It is so obvious that the City Council never takes a walk around the city. We need people like Bill, Jeff Shepard and David Pisarra running for office here. If one of them just ran on the platform of cleaning up this city and getting the vagrants out of here, I can promise them votes."

■ "The clown Council is definitely not justified here. It's just the latest pathetic

diversion pulling attention away from all the ridiculous decisions this City Council has made. The powers that be have driven the tourists elsewhere, enraged the working population by the lack of enforcement of the homeless and vagrancy problem and made it impossible to get around the city with their gridlock traffic patterns. It's time to go after the businesses that made this city great. I can't wait to see what's next."

■ "Once again, the city has found another way to avoid dealing with the major problems of vagrancy, traffic and parking issues. Who do they think they are fooling? Certainly not the citizens who live here. What's with the "aesthetic and safety reasons" for the crackdown on signage? The aforementioned are much more of a hazard to the poor citizens — victims of the ongoing incompetence and stupidity of City Hall."

■ "The city needs to take the sign Nazis and train them to be poop-and-urine troops. I don't know any citizens that are concerned about signs. We have bigger things to worry about. Wouldn't it be nice if we could keep the businesses here in Santa Monica instead of chasing them away with our silly City Council?"

## Silver bullets, tarnished excuses permeate all levels



## MODERN TIMES

By Lloyd Garver

The other day in Fantasyville, an angry Mr. Jones purposely drove his Buick into Mr. Smith's living room. Mr. Jones has been a danger to Mr. Smith for many years. He even shot holes in Smith's canoe back in the days of the previous mayor. I went down to Fantasyville to check out the story.

The first person I spoke to there was Connie Wheat, assistant to the Mayor. The following is a transcript of the interview:

**ME:** It's a beautiful day, isn't it?

**CONNIE:** I wouldn't know about that. Weather's not my area. You could check with ...

**ME:** That's OK, Dr. Wheat. Do you believe this attack could have been prevented?

**CONNIE:** There was no silver bullet that would have prevented the Buick from driving through that picture window. We would have just been swatting flies and shaking the trees since we didn't have any actionable intelligence due to the structural impediments which have existed historically.

**ME:** What does that mean?

**CONNIE:** I'm sorry, that's classified. Let's just say it didn't help that the city police department hasn't talked to the county sheriff's office since before Lincoln grew his beard.

**ME:** Mr. Smith says that he received a threatening letter that he turned over to the authorities.

**CONNIE:** That document was not a threatening letter.

**ME:** Could you please tell me the title of the document?

**CONNIE:** The title was "Threatening Letter Regarding Driving a Buick into Mr. Smith's Living Room."

**ME:** And you didn't consider that a threatening letter?

**CONNIE:** No. There was "no who," "no when," and "no why," so when it came to acting on it, "no way."

Next, I went to talk to the mayor and the vice mayor.

**ME:** Do you always do interviews together?

**VICE MAYOR:** I'm sorry, but that's classified.

**ME:** Many of my readers wonder if you insisted on being together because you wanted to keep your stories straight. Some even speculated that you might signal each other.

(THE VICE MAYOR SIGNALS TO THE MAYOR THAT HE SHOULD RESPOND)

**MAYOR:** That is nonsense. There's no reason for signals. I've rehearsed my part

so many times I know it by heart.

(THE VICE MAYOR SHAKES HIS HEAD "NO" TO THE MAYOR)

**VICE MAYOR:** Uh, what the mayor means is that since we are both going to speak the truth, there would be no reason for us to collaborate on our stories. Besides, most of the information is classified. Or will be after you ask about it.

**ME:** Everybody knew that Mr. Jones was a danger to ...

**VICE MAYOR:** Look, we can't stop every 1987 taxicab yellow Buick going 90 miles an hour with a shotgun-toting nutjob at the wheel. What if we had stopped him and he had just been rushing to get his pregnant wife to the hospital?

**ME:** Your former chief of police, Richard Cluck, apologized for not doing more to get people like Mr. Jones off the street. What would be the harm if your administration and the previous administration just said you're sorry that it happened, everyone should've done more, and you're going to do your best to make sure nothing like this ever happens again?

**MAYOR:** That would set a dangerous precedent. If my predecessor and I apologized, then people would expect politicians to apologize every time we make a tragic mistake.

(THE VICE MAYOR NODS HIS HEAD, APPROVINGLY)

Somewhat discouraged, I sought out the smartest man in town — 93-year-old Solomon Wiseman.

**ME:** You've seen so much in your lifetime, what's your take on how the administration has dealt with this tragedy?

**WISEMAN:** They probably dealt with it the same way any administration would have.

**ME:** So, you're a pessimist?

**WISEMAN:** 'Pessimist?' Are you kidding? I'm 93 years old and just bought a car on time.

**ME:** But it sounds like you don't believe there's a chance in the future for something like this to be handled in a better way.

**WISEMAN:** Oh, there's a chance. All we have to do is get people involved who will cooperate with each other rather than compete, take some initiative rather than cover their butts, and accept responsibility for their actions rather than point fingers at everybody else.

**ME:** And where are we going to find people like that?

**WISEMAN:** I'm sorry, that's classified.

**ME:** I'm sorry, too. Very sorry.

(Lloyd Garver has written for many television shows, ranging from "Sesame Street" to "Family Ties" to "Frasier." He also has read many books, some of them in hardcover. He writes the "Modern Times" column for CBSnews.com's opinion page and can be reached at [smdp@lloydgarvermoderntimes.com](mailto:smdp@lloydgarvermoderntimes.com).)

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## LOCAL



# Last year's fires raised awareness among residents

FIRE SEASON, from page 1

NASA's Jet Propulsion Laboratory in Pasadena. "And then you pile the drought on top of that and (a wildfire) is definitely good to go."

The area has seen reduced rainfall since it was drenched by the El Nino phenomenon in 1998. During the subsequent six-year drought, this year is the driest yet, said Patzert, who follows large-scale, long-term climate variations based on changes in ocean temperatures.

"The drought has been so severe that we have literally tens of millions of dead trees in the local forests," he said. "Talk about tinder ... it is a forest of standing matchsticks."

This week, Gov. Arnold Schwarzenegger's Blue Ribbon Commission made several recommendations to prevent destruction from future wildfires. Established by former Gov. Gray Davis and Schwarzenegger following the fires last year, the commission drafted a nearly 250-page report that proved inconclusive as to how the recommendations should be funded.

A local group has its own recommendations.

A national- or state-wide fire science research institute should be established to pool research and most effectively use the government's limited funds, the Aerial Fire Protection Associates proposed in a February hearing of the Blue Ribbon Commission.

The AFPA is a Topanga Canyon-based citizens group that was established after the 1993 Malibu-Topanga Canyon wildfires. The goal of the group, which will

**"The drought has been so severe that we have literally tens of millions of dead trees in the local forests. Talk about tinder ... it is a forest of standing matchsticks."**

— BILL PATZERT

Climatologist at NASA's Jet Propulsion Laboratory

soon be applying for non-profit status, is to gather information, make recommendations and raise funds to help support fire agencies, AFPA founder Tony Morris said.

"Right now, we have scattered capability to study wildfires. There's nothing in one location," Morris said. "We want to share our findings with basically the entire country."

Another top area of concern for fire agencies is the beetle-ravaged pine forests from Big Bear to San Diego, said Michael Padilla, chief of aviation at the California Department of Forestry and Fire Protection (CDF). Last year, firefighters fiercely protected the dead pine forests from sparking up — only 10 percent of the bug-infested trees were burned.

"That's what the scary part is, that whole area still has the potential that it had last year," Padilla said.

Whatever the fuel, the results could be deadly. Twenty-four people lost their lives within the two-week stretch of raging wildfires at the end of October. Nearly 740,000 acres of land across Southern

California burned, and more than 3,600 homes were destroyed.

In hindsight, state and national budget problems in recent years probably raised the stakes of last year's fires, Patzert said.

The patches of dead trees — or in fire terminology, "fuel" — scattered across the state would have been cleared out if the funding had been available, Patzert said.

The CDF is struggling to stretch out its resources. The department is given eight months' worth of money to operate during the peak wildfire months, even while fire dangers across the state have forced it to operate on a year-round basis, Padilla said.

"Now we're running air tankers year-round and it's just to a point where ... we're really pressed to keep aircraft

operational," Padilla said.

The sheer strength of the wildfires last year were beneficial in one aspect — they brought fire safety to the forefront of Southern Californians' minds, officials said.

"I think with the graphic evidence, with TV, seeing what the dangers and hazards of the fire can create, it just keeps everyone more aware," Mancha said.

As the wildfire season approaches, LA County is conducting compliance inspections to reduce fire hazards. Residents are eager to try and protect themselves, Padilla said.

"It's not falling on deaf ears," Padilla said. "When people become aware of the danger to themselves, it makes it easier for the firefighters to be able to deal with it."

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## LOCAL

# Energetic response: Utilities push people to ditch 'hog' appliances in name of Earth

*Water savings would fill Rose Bowl 106 times*

By Daily Press staff

California's utilities, water agencies, businesses and nonprofit organizations have come together with "Flex Your Power" to honor the spirit of Earth Day by urging people to retire older "energy hog" appliances in favor of new high-efficiency models.

"This partnership ... will help the state achieve the goals laid out in the Energy Action Plan for California: To meet 100 percent of California's energy demand growth over the next 10 years through a combination of energy efficiency, demand response and renewable generation," said California Public Utilities Commissioner Susan Kennedy.

To demonstrate the environmental benefits of efficient appliances, Maytag has donated 40 Neptune Top Load washers and dryers as part of the statewide campaign to nonprofit organizations and individuals. The washers save up to 25 gallons of water per load, compared with a 10-year-old washer.

Maytag estimates that Californians who are currently using their energy efficient washers saved nearly 715 million gallons of water and close to 12 million kilowatt hours of energy in the past year.

"If all appliances purchased this year were Energy Star qualified appliances, our state would save nearly 9 billion gallons of water and more than 700 million kilowatt hours," said Dennis Wolcott,

president of the 2004 California Water Awareness Campaign. "That's enough water to fill the Rose Bowl 106 times and enough energy to power 111,600 homes for an entire year."

**"This partnership ... will help the state achieve the goals laid out in the Energy Action Plan for California ..."**

— **SUSAN KENNEDY**  
California Public Utilities Commissioner

The efficient washers and dryers will be given away today at 2 p.m. on the Third Street Promenade, where Earth Day festivities will be taking place throughout the day.

As part of the Los Angeles Earth Day event, campaign partners, Los Angeles Department of Water and Power and the City of Santa Monica announced that the Asian-American Drug Abuse Program and the Ocean Park Community Center have been selected to receive the Maytag appliances.

The new machines should save the organizations about 925 gallons of water each week and 48,100 gallons of water each year, officials estimated.

Utility officials added that many California residents are eligible for rebates on the water- and energy-saving appliances they purchase. To find a rebate in your area, log on to [www.fypower.com](http://www.fypower.com).

# 15,000 people expected for 'Clean Energy Now'

EARTH DAY, from page 1

Nacke, The Agape Children's Choir, Lyle Gregory, Green Power Girl, Holistic-Hooping.com and special guests.

"This is an extremely important Earth Day because in this election year we have a choice between clean energy solutions or the continued dependence on fossil fuels and the associated issues of global warming, pollution and war," Quigley said.

"In addition to the theme of clean energy, we are also suggesting people 'vote for the Earth,' both in their consumer purchases, and at the ballot box," he said. "Earth Day is a chance for people to educate themselves about environmental solutions already in the marketplace and learn effective ways they can take action."

An estimated 15,000 attendees will witness "solutions for a sustainable lifestyle," demonstrating how the right energy choices support America's national security, and featuring leading ecological product choices. Exhibitors will promote hydrogen fuel cells, Toyota Prius hybrid vehicles, a Honda natural gas-powered car, solar energy systems, environmentally responsible investing and energy efficient appliances.

Families will also be exposed to hemp and organic cotton clothing displays, "Earth Tic-Tac-Toe" and exotic wildlife. There will be many kid-friendly exhibits

and activities as well.

National and local environmental organizations will be on hand at the free event and will include Earth Day LA, the National Resources Defense Council, Sierra Club, California League of Conservation Voters, Rock The Vote, Physicians for Social Responsibility, Environment 2004, Earth Institute, International Earth Day Network, Heal the Bay, TreePeople, Coalition for Clean Air, Coalition for the Environment & Jewish Life, Global Green USA, Surfrider Foundation and many others.

The fete is also a chance to clean up the environment through volunteer efforts by Heal the Bay, a nonprofit organization dedicated to ensuring a healthy future for the Santa Monica Bay.

Volunteers will gather at Malibu State Park at 10 a.m. to replace non-native species with native plants in efforts to restore habitat and prevent stream bank erosion. There will also be restoration efforts at Malibu Lagoon State Park. Volunteers are asked to meet at the park at 10 a.m.

Tools and gloves will be provided for volunteers. Be sure to bring drinking water, sunscreen, hats and boots or appropriate waterproof footwear.

For more details, call (800) HEALBAY, ext. 146, or e-mail [streamteam@healthebay.org](mailto:streamteam@healthebay.org).



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## LOCAL



# Businesses band together to combat frivolous suits

LAW, from page 1

practices, such as false advertising and price-fixing. Without the law, someone will have to be injured or lose money before legal action can be taken, Court said.

The group supporting the initiative, which includes the California Motor Car Dealers Association and the California Chamber of Commerce, among other business interests, contends that the law encourages frivolous lawsuits because it allows attorneys with no clients to sue even if a business did nothing illegal.

The group said Monday it had gathered more than 650,000 signatures — nearly twice as many required to qualify the

measure for inclusion on the ballot. Organizers began delivering the signatures to county election offices last week and said they expected to finish this week. The signatures have to be certified by June 24.

"This measure is a balanced approach that will stop frivolous shakedown lawsuits while protecting the rights of individuals to file suit if they are harmed," John H. Sullivan, the group's co-chair said in a statement.

The initiative also would specify that only an attorney representing the state could take legal action against a business to enforce California's environmental and consumer protection laws.

Last year, several legislators introduced bills to change the law after at least two Southern California law firms filed thousands of lawsuits seeking millions of dollars in settlements against mostly ethnic- and minority-owned businesses.

One firm, Brar & Gamulin, allegedly filed hundreds of lawsuits against nail salons, claiming their practice of using the same bottle of nail polish on multiple customers is dangerous. Many settled their cases for thousands of dollars rather than proceed with a costly trial.

Most of the bills, however, were killed early in the legislative session after consumer groups objected.

Attorney General Bill Lockyer has warned against amending the law, saying his office and district attorneys don't have the time or resources to chase down all businesses that cheat their customers.

Local attorney David Pisarra favors the initiative. He feels few Santa Monica businesses engage in practices that would warrant prosecution under the law.

"This will benefit business, no question," he said. "Small minorities of lawyers are abusing this law. Having a client will diminish (the) abuse of this law."

(Jaimie Wetherbe contributed to this report.)

# Santa Monica leaves some pretty small footprints to fill

RESOURCES, from page 1

miles from 2,914 square miles in 1990.

One of the most effective tools for measuring human impacts on local and global ecosystems, the Ecological Footprint takes into account factors such as land use, electricity and natural gas use, gasoline and diesel use, transportation and vehicles, roads, housing, food, products, waste and recycling.

"While the U.S. trend is depleting resources at a faster rate than ever before, the city of Santa Monica is proud of our commitment and progress toward sustainability, but we still have far to go," said Craig Perkins, Director of City Hall's Department of Environmental and Public Works Management.

The Earth's total area of biologically productive land and fresh water sources is

finite, and must be shared among a growing population of more than 6 billion people, officials said. This finite amount provides about 4.5 acres per person, and the U.S. average is 24 acres per person. The average Santa Monica resident's footprint is almost 13 percent smaller than the national average, at 20.9 acres per person.

"It's a matter of limits and we've met ours," points out Dean Kubani, City Hall's sustainable city coordinator. "The footprint provides us with valuable information for making better choices, and we feel we can help residents become better aware of those choices."

Officials say simple things individuals can do to reduce their ecological impact include carpooling, using public transportation, reducing energy use, eating locally-grown foods and buying in bulk to

reduce the amount of waste created.

"Right now, we're trying to fit a big foot into a tiny shoe and we can't walk very far like that," said environmental outreach specialist Andrew Basmajian.

City Hall will be offering individual footprint workshops at the Santa Monica Festival on May 1 at Clover Park. Also, individuals may calculate their own footprint at [www.smeppd.org](http://www.smeppd.org), beginning on April 20.

The Ecological Footprint is one of about 70 indicators used as part of Santa Monica's Sustainable City Plan, established in 1994 and updated in 2003.

## Things you can do to reduce your ecological footprint:

■ Cut reliance on gasoline. Carpool, purchase fuel-efficient automobiles, reduce driving alone, reduce trips (in fossil-fuel cars).

■ Use public transportation more. The city offers an award-winning Big Blue Bus system and electric shuttles that help you get to your destination.

■ Walk and bicycle more, or skate and skateboard.

■ Cut energy use. Turn off lights, shut down computers when not in use and use sea-breeze ventilation instead of air-conditioning.

■ Make eco-informed purchases and buy recycled products.

■ Recycle more. The city's Blue Bin program makes it easy to recycle your paper, glass and plastic products.

■ Reduce your waste. Buy in bulk, purchase quality and well-designed items that can be rebuilt or repaired, reduce consumption and re-use when possible.

■ Eat locally-grown foods. The city has four Farmers' Markets for you to choose from. See <http://farmersmarket.santa-monica.org> for times and locations.

■ Cut water waste. Plant low-water landscaping, be mindful of personal water use when bathing.

■ Support your city government's initiatives towards sustainability, particularly reductions in energy use and a continued shift to renewable energy.

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## STATE

# Questions remain about proposed deal for Hearst Ranch

BY TIM MOLLOY

Associated Press Writer

**SAN SIMEON** — The Hearst Corp. is offering California the chance to permanently preserve some of the most stunning coastal land in the country.

The plan is supported by dozens of environmental groups, who see it as an irresistible opportunity to save some of the state's most pristine real estate.

But skeptics, including the Sierra Club, said the rights retained by Hearst under the proposal could allow it to develop parts of the land — even after it has been paid not to. They worry that the Hearst family could build mansions near the shore or vineyards on the ranch land they will continue to own.

The worst-case scenario, they said, is that state officials trying to meet a May 31 deadline set by the corporation could approve the plan without reading all the small print — some of which the company hasn't yet provided.

"I don't think we can say we're opposing it because we don't know what it is," said Susan Jordan, executive director of the California Coastal Protection Network. "It's fuzzy in areas that we consider to be of extraordinary importance."

For \$80 million in cash and \$15 million in tax incentives, the corporation is willing to sell the state 1.8 square miles of coastal land near Hearst Castle, along a lightly developed stretch of coast midway between Los Angeles and San Francisco. Another 128 square miles east of California Highway 1 would be placed under a conservation easement that would

bar most development.

Hearst Castle, with its 165 rooms and 127 acres of gardens, terraces, pools and walkways became a state park in 1958, even though rolling hills and rugged beach nearby remained in the hands of the Hearst Corp.

State officials are currently negotiating with Hearst and the American Land Conservancy, which is brokering the proposed deal.

Officials will take all the time necessary to make sure both sides get a fair deal, said Sam Schuchat, executive officer of the state Coastal Conservancy.

Much of the funding would likely come from state resources bonds. State transportation officials are considering chipping in \$23 million in money received from the federal government, with other funding coming from private donations.

Hearst attorney Roger Lyon said an independent appraiser has determined the land is worth more than double the asking price, but the company is willing to donate the difference. All the details of the agreement will come out eventually, a legal requirement because it involves state money, he said.

The land is cherished for its beauty and diversity.

On the coast, sea otters and wind-surfers frolic in tides that wash over rugged shoreline where elephant seals sprawl. Inland, forest and grasslands are home to cattle as well as zebras, sambar deer and other exotic species imported by William Randolph Hearst when the castle was being built.

Threatened red-legged frogs and endangered steelhead trout live in the free-flowing streams, and several species of oak found nowhere else thrive with California poppies and other native plants.

In 1998, the California Coastal Commission shot down a Hearst Corp. proposal to build an 18-hole golf course and 650-room resort on some of the ranch property after strong opposition from environmentalists, local residents and even some members of the Hearst family.

William Randolph Hearst's great-grandson, Hearst Corp. Vice President Stephen Hearst, began looking into selling the land and development rights after the commission decision.

He sees the current proposal as a way to preserve business interests as well as protect the land where his family has camped, raised cattle and gone horseback riding since George Hearst bought the first acres in 1865.

"When we drive through the gate and enter the property, every one of us believes we're home," Hearst said. "There are lots of folks that have an emotional attachment. It doesn't come anywhere near the emotional attachment that this family has for this land."

Under the proposed deal, the company would retain the right to build a 100-room resort within existing Old San Simeon Village, next to San Simeon Point. It would be modeled after plans by Hearst Castle architect Julia Morgan that Lyon discovered in a Hearst building in 2002.

The company would give up the right to develop as many as 400 homes on the property but retain the right to build 27.

No exact locations have been set, but Lyon said the homes would be built to minimize their effect on the land. Each would be constructed on a five-acre site with surrounding 20-acre buffer zones.

The homes wouldn't be visible from Hearst Castle or Highway 1, no existing trees would be removed, and no new roads would be added.

Mark Massara, the Sierra Club's director of coastal programs, said nothing in the guidelines would prevent the company from building 27 new Hearst castles. In Orange County, as many as 100 homes have been built on a five-acre parcel, he said.

Hearst also could continue ranching on the property protected by the easement, but the Sierra Club and others are concerned the family could do much more.

San Luis Obispo County senior planner John Hofschroer said county agricultural policies would allow the land to be used for wineries and vineyards, a prospect that alarms the environmental group because of the water, fencing and pesticides involved. They want such use banned under the easement.

"It's grazing land right now, and when you start intensive agriculture it can be as impacting as housing development depending on how it's done," said Sierra Club volunteer Tarren Collins, chair of the group's statewide coastal campaign.

So far, Hofschroer said, the company has done a good job balancing business and preservation.

"It's a very well-managed ranch, one of the best managed in the county," he said.

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## Lockyer proposes changes to state, federal energy rules

**SACRAMENTO** — State and federal energy laws and regulations are stacked against California officials who are seeking refunds for overpriced electricity during the energy crisis, a report by the California attorney general released Tuesday concluded.

Federal energy regulations continue to create "enormous incentives on the part of generators to try and create an energy crisis in the future because of the massive potential for profits" and lax enforcement of the rules, said Ken Alex, a deputy attorney general.

"At least part of the energy crisis, we believe, has been caused by the abuses of the deregulated market," said Alex, who headed Attorney General Bill Lockyer's energy task force.

Alex singled out electricity generators accused of manipulating the wholesale energy market to drive up prices, saying their games “created a dysfunctional system.”

The state is seeking \$9 billion in refunds for overcharges during the 2000-2001 energy crisis, when wholesale prices hit record highs. The Federal Energy Regulatory Commission, which oversees wholesale energy markets, has ruled that the state is due about \$3 billion.

"I think it's fair to say that three years after the end of the energy crisis, we are frustrated that we haven't recovered some of the billions of dollars Californians were overcharged," Alex said.

FERC spokesman Bryan Lee disagreed with Lockyer's assessment of both the cause of the energy crisis and how federal regulators reacted to California's plight.

The commission “has done everything within its legal authority to rectify the unjust and unreasonable prices that occurred in 2000 and 2001,” Lee said, pointing to more than \$100 million in FERC-ordered refunds.

The AG's report was correct in saying laws would have to be changed for FERC to go beyond what it has already done, Lee said. However, the AG's report "report conveniently downplays the state's own culpability in insisting upon a fatally flawed market design."

FERC also took issue with the report's finding that price spikes were due to market manipulation, Lee said. FERC's own investigation found that "none of the manipulation would have been possible if not for the underlying supply-demand imbalance and improper market design."

The 1996 deregulation law was designed to open the wholesale and retail electricity markets to competition. Utilities sold many of their power plants, and then bought wholesale power through a day-ahead market.

— **KEN ALEX**  
Deputy attorney general

Eventually, utilities would be allowed to raise or lower customers' rates based on wholesale prices.

But wholesale rates soared in 2000, before most utilities could escape a retail rate cap imposed by state regulators as part of the deregulation law. The utilities then

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ran up huge debts, requiring the state to step in and buy wholesale energy on their behalf.

Among the changes Lockyer's report proposes is the elimination of the federal "filed rate doctrine," which states that once a wholesale electricity seller files its rates with FERC, that rate cannot be challenged retroactively.

That works for cost-based electricity markets, Alex said, but it doesn't make sense to use it when that switches to a market-based system.

Alex said FERC has ruled that when the buyer and seller agree on a price, even if it's in a market rife with manipulation or fraud, that price is considered to be the filed rate and cannot later be challenged.

This, Lockyer said, “gives energy companies a license to steal from California ratepayers. We’re asking Congress to revoke that license.”

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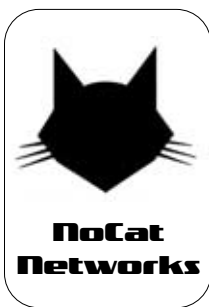
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## NATIONAL

# Energy conservation needed along U.S.-Mexico border

**BY BARRY MASSEY**

Associated Press Writer

**ALBUQUERQUE, N.M.** — Manufacturers, businesses and government institutions along the U.S.-Mexico border need to implement energy efficiency measures to help meet growing power demands, according to a report issued Thursday by the Western Governors Association.

"New electricity generating capacity in Mexico is expected to meet the increased industrial demand and population growth only through the next three years," the report said.

The report also said domestic fuel supplies for electricity generating stations, which are becoming increasingly dependent on natural gas, are not keeping pace with demand.

Because of the lag time in construction of new power plants, business and industry must take steps to use electricity more wisely, such as by installing more efficient lighting, air conditioning and ventilation systems. Improved maintenance also can save energy.

Besides squeezing more work out of existing electricity supplies, the report said industry can reap considerable energy cost savings.

Manufacturing plants through the border region could save nearly \$23 million a year through energy efficiency measures. Governmental, educational and health care institutions could save \$15 million a year. Businesses such as hotels and motels could save \$5 million.

In the larger Mexican cities of Tijuana, Ciudad Juarez and Matamoros, manufacturing plants could save 26 percent on energy costs, or \$17 million a year, according to the report.

Manufacturing maquiladoras account for about a third of the region's use of electricity, the report said.

The study looked at the border region that extends across portions of six Mexican states and four U.S. states — Texas, New Mexico, Arizona and California.

"This report creates a blueprint for making energy efficiency a significant part of the West's energy policies, whether in the United States or Mexico," said Arizona Gov. Janet Napolitano.

Energy demands are projected to grow by nearly 6 percent a year in Mexico along the border and up to almost 4 percent a year in some areas of the U.S. border states, according to the report.

The report concluded that although utility reform is expected in the border region, lag time can be expected for construction of new power plants and development of new natural gas sources.

**"New electricity generating capacity in Mexico is expected to meet the increased industrial demand and population growth only through the next three years."**

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"These factors bring into question the continued availability and future cost of electricity in the border region," the report said. "Therefore, energy conservation, distributed generation and renewable energy must become an integral component of future energy policies and must play a key role in meeting the region's energy needs."

The report was issued at a North American Energy Summit organized by the WGA. Governors of Western states, leaders from Mexico and Canada are meeting along with energy industry officials, environmentalists and scientists.

In a speech at the summit, Ernesto Cordero Arroyo, undersecretary for energy formulation and technological development in Mexico, said that North America "needs to be seen as a region facing common energy challenges."

"Canada, Mexico and the United States have the same goal: satisfy our countries' energy demands at competitive prices," he said.

## Alberta joins agreement on new transmission lines

By The Associated Press

**ALBUQUERQUE, N.M.** — The Canadian province of Alberta has joined a Western Governors Association agreement that's meant to make the approval process easier for new interstate electrical transmission lines.

Alberta Premier Ralph Klein signed Thursday's agreement, along with New Mexico Gov. Bill Richardson, the chairman of the association, and Colorado Gov. Bill Owens, the vice chairman.

The action lets Alberta participate in a 2002 agreement that establishes a framework under which state, tribal and local governments and federal agencies coordinate a joint review process for locating and getting permits for interstate transmission lines in what is known as the western interconnection.

The western interconnection, one of three separate electrical interconnections in the United States, covers all or parts of 14 western states, two Canadian provinces and northwestern Mexico.

Klein said Alberta is not currently generating enough excess electricity to export it. "But we are thinking ahead as we look to other forms of power generation."

He also said the agreement would expedite new projects through such things as cooperative environmental reviews and sharing analysis.

Alberta will name representatives to be liaisons to project teams that work on the transmission ventures under the original agreement.

## NATIONAL

# No quarter: One-fourth of country's allowed oil, gas wells not being drilled

BY ROBERT GEHRKE  
Associated Press Writer

**WASHINGTON** — Roughly a fourth of oil and gas wells with permits approved by the Bureau of Land Management have not been drilled, despite skyrocketing oil and gas prices that have prompted Republicans in Congress to demand more access by oil companies to public lands.

More than 7,000 oil and gas wells that received permits in the last 10 years have gone untouched, prompting conservationists to question why the Bush administration has been advocating opening new land to drilling and streamlining the permit process.

"No one is saying we shouldn't be drilling out West. But this surplus raises the question of why there's a rush to open some very sensitive areas to drilling, including areas that have been proposed for wilderness protection," said Michelle Haefele, an economist with The Wilderness Society.

The BLM recently auctioned off new oil and gas leases along the Utah-Colorado border that included areas identified for possible wilderness protection. Another lease sale is scheduled in Colorado next month for lands that environmentalists say should also be protected.

However, Andrew Bremner, director of government affairs for the Independent Petroleum Association of the Mountain States, said there is a certain amount of guesswork in oil and gas drilling. Producers seek permits for an area where they suspect there may be oil or gas, but they don't know which wells will produce until drilling starts. At a cost that can reach \$1.5 million per well, permits unlikely to succeed are abandoned.

"It's such a dynamic process and we have all the technology on our side, but there's still a sliver of educated guessing," Bremner said. "It would be simplistic to say we're not drilling as many wells as we want to."

He said if BLM could assure permits would be processed in a timely manner, producers wouldn't have to apply for so many at once and fewer would go unused.

The BLM is supposed to process permits in 30 to 35

days, but a review by The Associated Press of thousands of applications showed it took the BLM an average of 89 days over the last three years.

The AP review also found that the Bush administration has approved wells at a rate that is 34 percent higher than during the last three years of the Clinton administration.

**"It would be simplistic to say we're not drilling as many wells as we want to."**

— **ANDREW BREMNER**  
Director of government affairs,  
Independent Petroleum Association

BLM figures obtained by The Wilderness Society show that, over the last decade, 25 percent of permitted wells are not being drilled. The percentage of wells not being drilled has remained relatively steady, but as the number of wells permitted has increased more wells have gone undrilled.

According to BLM figures, it costs the bureau about \$3,800 to process a drilling application.

The Bush administration and BLM have made oil and gas production in the Rocky Mountain West a top priority. Last August, the BLM issued new policies aimed at removing impediments to oil and gas leasing.

The Republican-backed energy bill that is stalled in Congress seeks to provide additional money to speed up the permitting process for oil and gas wells.

In April 2001, Vice President Dick Cheney's energy task force made a goal of removing restrictions to energy development in the region, which it said placed off limits 40 percent of the natural gas in the Rockies.

Estimates by the U.S. Geological Survey released in January identified 3.9 billion barrels of recoverable oil and 139 trillion cubic feet of natural gas on federal lands in five prime Western ranges. It noted that all but 15 percent of the land was open to drilling without significant restrictions.

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## NATIONAL

## EPA seeks to clear the air between choking counties

BY JOHN HEILPRIN

Associated Press Writer

**WASHINGTON** — The Environmental Protection Agency on Thursday told officials in 31 states, including California, that they must develop new pollution controls because the air in some of their counties, home to more than 150 million people, does not meet federal health standards.

The EPA, acting under court order, identified all or parts of 474 counties that either have air that is too dirty or that contributes to neighboring counties' inability to meet the federal air standards for smog-causing ozone.

The new standards "are strong medicine" and "will require more actions on your part to achieve cleaner, healthier air," EPA Administrator Mike Leavitt said.

Most of the counties are in the eastern third of the country, but California, which has some of the toughest air pollution

requirements, continues to have the worst air problems.

The EPA said the Los Angeles basin had the worst smog problem, the only region to be placed in the "severe" pollution category. Three other regions of California — Riverside County, the San Joaquin Valley and Sacramento — were designated as having "serious" pollution and have until 2013 to meet the standards.

The other regions, including the San Francisco Bay area, have from "marginal" to "moderate" dirty air and will have three to six years to come into compliance. Areas that continue to violate the standard could face sanctions, including a loss of federal highway funds.

Four of California's most popular national parks — Yosemite, Sequoia, Kings Canyon and Joshua Tree — were among eight parks nationwide found to violate the new smog standard.

A designation of noncompliance can have an economic impact on areas because

often businesses are reluctant to locate there, fearing future pollution controls.

"Many communities will find it difficult to eventually meet such standards without jeopardizing local economic growth," said Jeffrey Marks of the National Association of Manufacturers. He said more than half of the country's manufacturing capacity is located in areas that do not meet the air standards.

Nat Mund of the Sierra Club said the EPA designations "show that more than half of all Americans live in places with unhealthy air ... (that) Americans face a serious air pollution problem."

Ground-level ozone, a precursor to smog, has been found to be a serious health problem, causing respiratory illnesses. It can be especially damaging to the elderly, children and people with asthma, according to health advocates.

The EPA said that the regions in non-compliance may have to impose new controls on industrial plants, restrict transportation and require tougher vehicle inspection programs to clean up their air. Some counties also may have to require the use of special, cleaner-burning gasoline.

The EPA already has said it will take actions to reduce pollution from power plants and announced Thursday, in a companion regulation, new requirements aimed at curtailing pollution over parks and wilderness areas. The rule, which would affect power plants and industrial facilities, is aimed at reducing haze in 156 parks and wilderness areas in 35 states.

"This isn't about the air getting dirtier. The air is getting cleaner," said Leavitt. "These new rules are about our new understanding of health threats, about our standards getting tougher and our national resolve to meet them."

The county designation has been long awaited, ever since the EPA in 1997 issued tougher health standards for ground-level ozone and fine soot because of concern that the requirements were not

adequately protecting the elderly, children and people with respiratory illnesses.

Deadlines for meeting the air quality standards range from 2007 for those with the least serious problem to as long as 2021 for areas with the dirtiest air.

The counties in nonattainment included most of California, a ring of states around the Great Lakes, and a concentration of Northeast states from the Washington, D.C. area to Boston. Also failing the federal test are parts of eastern Tennessee, Georgia, North Carolina and the Dallas, Houston and San Antonio areas in Texas.

Leavitt said despite the widespread notifications of noncompliance "many states received good news."

He said 2,668 counties met the standards. And 19 states had all counties in compliance: Alaska, Florida, Hawaii, Idaho, Iowa, Kansas, Minnesota, Mississippi, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, Washington and Wyoming.

The 1997 regulations, which were delayed for four years because of a lengthy court challenge that eventually went to the Supreme Court, allow less ozone in the air, from 120 parts per billion down to 85 parts per billion. They also require air sampling over an eight-hour period instead of only one hour, making compliance tougher.

The Supreme Court upheld the standards in February 2001. Environmental and public health groups such as the American Lung Association and Environmental Defense sued to force government into action.

Leavitt was under a court-ordered deadline Thursday to release the list of non-complying counties and the categories they fall in, which determine the corrective measures and time frames to accomplish cleanups.



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## NATIONAL



# Kerry and Bush both looking to be soul survivor

BY NANCY BENAC  
Associated Press Writer

**WASHINGTON** — Since the days of John F. Kennedy, modern politicians have tried to have it both ways on matters of religion — espousing personal religious beliefs that at times are at odds with their public policy pronouncements.

Democrat John Kerry is the latest candidate to navigate this terrain, offering himself as a practicing and believing Roman Catholic who nonetheless holds positions contrary to the teachings of his church. Kerry supports abortion rights, stem cell research, the death penalty for terrorists and civil unions for gay couples — all opposed by the church hierarchy.

President Bush, to a much lesser extent, occasionally has found himself at odds with leaders of his denomination, as when prominent Methodist leaders preached against the war in Iraq as a violation of God's law.

But candidates who disagree with their church leaders aren't necessarily always in disagreement with their fellow parishioners — also known as voters.

American Catholics, for example, disagree with their church on birth control and a number of other issues "and they're not going to punish Catholic politicians for sharing their views," said Alan Wolfe, a Boston College political scientist and author of several books tracking social and religious trends.

"American Catholic politicians pay very little attention to the idea that their votes as public servants should be guided by their religion, and most American Catholics completely support that," Wolfe said.

In Kerry's case, his religion is "creating an affinity for him among Catholics," despite his disagreements with church teachings, said Democratic pollster

**"I'm not running to be a Catholic president.**

**I'm running to be a president  
who happens to be Catholic."**

— JOHN KERRY

Democratic presidential candidate

Celinda Lake.

Recent polls show a majority of American Catholics support abortion rights.

Still, the clash between a candidate's personal religious beliefs and public policy stances is getting a closer look this year in part because of increasing impatience among some Catholic leaders with politicians who claim the faith but say they don't want to legislate personal beliefs. Earlier this year, for example, Archbishop Raymond L. Burke of St. Louis said he would deny communion to Kerry because of his views. Archbishop Sean P. O'Malley of Boston, Kerry's hometown, suggested a similar penalty for those in conflict with the church without naming the senator.

The nation's Catholic bishops late last year created a task force to consider whether to recommend sanctions against Catholic politicians who favor policies contrary to church teachings. Among the options are denying access to Catholic schools or hospitals that might be used for campaign events to denying communion and seeking excommunication.

The task force is headed by Cardinal Theodore McCarrick, the Washington archbishop. Kerry met privately with McCarrick on Thursday for 45 minutes in what was characterized as a get-to-know-you session. It was not known whether the work of the task force came up.

McCarrick declined comment on the meeting. But a few days earlier he seemed

otherwise, the key question is whether candidates are sincere rather than any specific matter of policy.

"Most religiously active people, and certainly most Catholics, have been convinced that Bush is very sincere about his religious convictions, even if they disagree with him," said Hudson. "People have yet to be convinced that Kerry is as sincere."

Bush frequently invokes religion in his public remarks and draws strong support from conservative Christians.

Kerry doesn't usually address religion directly but often casts his policy decisions in terms of moral imperatives rooted in faith. Asked about his policy differences with the church, Kerry has said, "I'm not running to be a Catholic president. I'm running to be a president who happens to be Catholic."

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## NATIONAL

# Go West: Loss of jobs in national economy hasn't hurt all states

BY ANGIE WAGNER  
Associated Press Writer

**LAS VEGAS** — For 10 years, Bryan Davis has trudged through dusty construction sites and prepared new Las Vegas homes for insulation. Before residents even move in, he's off to work in another neighborhood. He is never unemployed.

Life is good for construction workers in Nevada, the fastest-growing state in the country, where homes are cranked out in assembly-line fashion. In the past three years, construction jobs here have increased by 16,000 or almost 19 percent, according to estimates of the U.S. Bureau of Labor Statistics.

But Nevada is a bright spot in a national economy that has lost 2.2 million jobs since President Bush took office in January 2001 — the worst job-creation record of any president since Herbert Hoover.

The West has fared slightly better than the rest of the country, led by job growth in Alaska, Nevada and Wyoming. From January 2001 to January 2004, the West's job loss was less than half the national rate, and the West accounted for the top five states in job growth.

"It's some testament to the West that in general the states have done a little bit better," said Richard Wobbekind, an economist at the University of Colorado-Boulder. "It shows they have a little bit more balance than they did in the past."

February saw a slight uptick in jobs in the West that exceeded the national improvement from the month before, but the pattern was typical for that time of year. The 13 Western states added 161,500 jobs, a 0.6 percent increase, topping the country's 0.4 percent growth. All but one Western state had increases — Wyoming lost an estimated 300 jobs. Alaska had the most robust February growth rate at 1.4 percent, or 4,100 jobs.

Colorado had the most dismal job report — down 97,300 jobs or 4.4 percent the last three years. The recession and dot-com fallout hit that state hard — a 26.7 percent loss in information jobs. Colorado, Oregon, Utah and Washington each lost jobs in six of nine categories, mostly because of layoffs in construction, information and manufacturing. California and Idaho had losses in five categories.

Jobs in manufacturing, information, natural resources, mining, trade, transportation and utilities are hard to come by in the West. Colorado, Oregon, Washington and California are the worst places to look for a job.

Utah had a meager job growth of 0.1 percent, but that's little consolation to electrician Boyce Christensen of American Fork, Utah. He's been out of work since November and has only worked 12 months in the past two years.

He used to earn \$23 an hour, but now borrows from his mother and retirement savings to make his mortgage payments. Food comes from a food pantry. He took away allowances from his four children and they no longer get birthday presents.

"I stay busy," said Christensen, 39. "I'm doing yard work, planting my garden so I've got some more food to eat."

Christensen blames his unemployment

on outsourcing of jobs and Bush.

"I honestly think if we get George Bush re-elected again we can just wipe the whole middle class off the United States," he said.

One reason the West had more jobs than the rest of the country is because it is less reliant on manufacturing than the Midwest, said Jeff Chapman, analyst for the Economic Policy Institute in Washington, D.C. Washington, Colorado and California still had substantial losses in that category, but the West's job diversity helped it avoid even more.

## Leisure-hospitality and government are the main sources of new jobs.

So where are the jobs?

Go West, and put Nevada and Wyoming at the top of the job hunt. Those states added jobs during the last three years in seven of nine sectors. Alaska, Arizona and Hawaii weren't far behind — six of nine industries adding jobs between January 2001 and January 2004.

Leisure-hospitality and government are the main sources of new jobs. Every Western state except Colorado showed growth in hospitality jobs. Only Montana lost government jobs. Many jobs are fueled by the huge population boom in the West. From 1990 to 2000, the region had the largest growth in the country — 19.7 percent, to 63.2 million people.

"Population growth is probably the No. 1 factor that creates a dynamic economy," said Lee McPheters, associate dean at Arizona State University's business school. "What is making the West still more dynamic than the rest of the country is people are willing to come to the West and start anew, perhaps a new business."

It's not gangbusters, he said. But it's better than most places.

But economists say the industries doing well are ones that don't pay well.

"There's jobs being added in leisure and hospitality in those states," Chapman said. "The jobs that pay better — manufacturing and information — those still haven't rebounded."

After being out of work since May 2003, Steve Brooke, a site acquisition specialist and right-of-way agent, finally decided he had to leave Colorado because there were no jobs in telecommunications. He's blown through his savings, lived on credit cards and taken a truck-driving job to earn money for Christmas.

He blames outsourcing of jobs and overspending by telecommunication companies.

"They were just trying to build out so much faster. There's just so much fiber out there, nobody's using it. They just all ran out of money."

He has started a new job in San Diego, but the effect of his unemployment lingers.

"I was once doing really good," Brooke said. "I had about \$30,000 in savings and no debt. Now that's not the case. We're about the opposite. I've got about \$30,000 in debt."

## INTERNATIONAL



# New Mexican border no longer the forgotten middle child

BY LESLIE HOFFMAN

Associated Press Writer

**PALOMAS, Mexico** — Santiago waits on a bench in the town plaza, a small denim backpack tucked between his feet. Around him, about two dozen other men also wait, water jugs and knapsacks in hand.

Santiago's hope, like that of others convened at this staging point just south of the U.S.-Mexico border, is to find a "coyote" who can smuggle him north via a route that holds a growing allure.

Yes, says the 18-year-old from a small ranching community in the state of Guanajuato, there are more popular staging points to the west where a smuggler could take him by way of the Arizona desert. But that doesn't interest him.

"Es mejor aqui," says Santiago, who will only give his first name, his leg nervously bouncing. "It's better here."

"Here" is the remote expanse of southwestern New Mexico — thousands of square miles of buffalo grass and mesquite brush, dotted by ranches, farms and a few small towns. "Here" is 180 miles of borderland where New Mexico and Mexico meet, much of it marked only by barbed wire and manned by a few cameras, some underground sensors and a small corps of agents.

Wedge between the bustling, high-profile immigrant corridors of Arizona and Texas, the New Mexico border has become something of a forgotten middle child as more money, agents and technology get funneled to busier areas.

Arizona's Tucson sector, the nation's busiest, made 345,543 apprehensions last

year; New Mexico had 48,584 apprehensions statewide. On average, in Arizona as a whole, an average of about six agents patrol each mile of border; in New Mexico, that number is fewer than two.

New Mexico is "the last, major unfortified stretch of U.S.-Mexico border," said Wayne Cornelius, director of the Center for Comparative Immigration Studies at the University of California at San Diego.

Agents and border residents say that an inevitable shift toward more illegal immigration through New Mexico is under way. In the first six months of the budget year that started in October, agents in Lordsburg apprehended 85 percent more undocumented immigrants compared with last year. Deming was up about 10 percent.

Adding to the momentum of the shift, they say, was last month's announcement of a \$10 million U.S. campaign to control the Arizona-Mexico border — an effort that will include hundreds more agents and the first use of unmanned aerial drones.

"Arizona is putting the pressure forward, but there's a force behind that and it's going to go somewhere," said Rick Moody, the patrol agent in charge of the Border Patrol station at Deming. "What's the last place? ... New Mexico."

Last summer, concern over immigration prompted the formation of the Southwest New Mexico Border Security Task Force. That panel, which includes law enforcement, government agencies, private businesses, landowners, and Mexican authorities, issued a report that called for a range of improvements, from better communications and surveillance systems to more officers and new facilities.

The task force, said Jim Creek, a New Mexico Border Authority official who helped set it up, is "acknowledgment that we have a problem that could get much worse."

"The only way we can make it work is to work together," says task force member Bill Miller, a fourth generation rancher whose land southeast of Rodeo, N.M., straddles the New Mexico-Arizona line.

For now, agents in New Mexico have had to make do with less, relying on old-fashioned tactics to supplement the smattering of technology and help from surrounding communities.

Along the 53-mile stretch patrolled by Deming agents, for example, there are seven camera towers, all erected several years ago. They have helped account for more than 62,000 apprehensions along that stretch since 1999, and more cameras are on the way. There are also scattered underground seismic, magnetic and infrared sensors and permanent barriers built in some areas to block cars from driving across the line.

But in the Bootheel — sparsely populated ranchland tucked into the southwestern corner of the state — agents have no cameras or barriers. There, the Lordsburg station's 52 agents are responsible for 81 miles of border and the 3,000 square miles north of it.

Leaning out the window of a four-wheel Border Patrol vehicle, Patrick Musante's eyes fix on the parched desert terrain that hugs the dirt road. He slowly scans the dirt south of Rodeo, a small town that has become a stop where illegal crossers catch rides to hub cities like Tucson, Phoenix and Albuquerque.

He calls this "cutting sign," Border Patrol lingo for looking for tracks left by vehicles or people.

"We do the best we can," says Musante. "We come out here, and we work a lot of hours and drive a lot of miles, but there's just so much of it."

Unlike other states, New Mexico does not have the urban centers on either side of the border that attract smugglers looking to build an operation — the sparse number of hotels and businesses serving as a deterrent.

But smugglers are finding ways around that. Several old school buses serve as a shuttle between Palomas and a little village called Las Chapas, about 20 miles west. From the village's old, abandoned homes, immigrants collect and head north to cross nearby or walk west to cross through New Mexico's Bootheel.

The lack of development on the U.S. side can work to smugglers' advantage, agents note. They have an open range in which they can operate with little fear of detection.

A latticework of highways and dirt roads that crisscross New Mexico's border area provides necessary transportation routes out of the region.

It's those miles of roads that Lordsburg's agents comb for tracks. Their territory officially encompasses the Bootheel but often unofficially spills over the Arizona border to help Douglas agents to the west and Deming agents to the east apprehend migrants.

Some agents have noticed increasingly aggressive efforts to gain passage to the United States.

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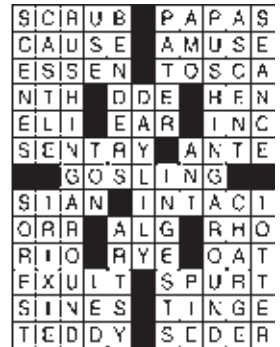


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7 Gambol  
11 Come in  
12 Cube maker  
13 Tied fast  
14 Gift bearers  
15 Jingle creator  
16 Wreck explorer  
17 Winter O'Casey  
18 Betting setting  
19 Transport  
21 Chiding sound  
22 Vodka-cranberry juice drink  
25 Funny fellow  
26 Noted loch  
27 View-points  
29 Magnet end  
33 Take the wheel  
34 Rabbit fur  
35 'If I — Hammer'  
36 Lease signer  
37 Sky sightings

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1 Eastern monks  
2 Undermine  
3 Scent  
4 Voracious swimmer  
5 Flat  
6 Traffic stopper  
7 Big rigs  
8 Singer Lenny  
9 Innocent type  
10 Belgian sleuth  
16 Yorkshire area  
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## Obituaries

### Leon Hyatt



WE HAVE learned  
that Leon Hyatt, a  
long time business-  
man of the Santa  
Monica West Side Area passed  
away, Monday April 5th from an  
un-named, un-known lung  
disease. Leon Hyatt opened the  
Arsenal Restaurant & Lounge in  
1960. He added a successful  
Sports Bar in January 2000, just  
months before retiring to the San  
Fernando Valley. Mr. Hyatt was  
a veteran of WW II in the  
Asiatic-Pacific Theatre, where he  
served in the Army Occupation  
of Japan. Leon is survived by  
his wife Ginny, and daughters,  
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Roberts, and Mona Bradley, as  
well as eight grand-children.

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## Obituaries

### DANIEL BYRAM MAY



son and brother, Daniel Byram May,  
will be held on his 29th Birthday,  
Tuesday April 27th, 2004 at 10:30am  
at the Windmill Chapel of Self-  
Realization Fellowship Lake Shrine  
at 17190 Sunset Blvd, Pacific  
Palisades 90272. (Use the first  
entrance up Sunset from PCH). All  
who knew Daniel are invited to this  
celebration of a life notable for com-  
passion, cordiality, courage, humility,  
service, scholarship, patriotism, and  
devotion to God. Daniel skipped two  
grades, graduated with honors in  
Physics, received the Chancellors  
service award, provided leadership  
for the undergraduate Physics society  
at UCLA, and played Clarinet at the  
Rose Bowl with the UCLA marching  
band. He was also a very dedicated  
teacher, who took nine Compton ESL  
students to Disneyland in a limo-  
sine. He started an internet newspa-  
per (Angels Weekly.com) which  
showcased good things happening in  
the LA area. In lieu of flowers, please  
consider a donation in Daniel's honor  
to Self-Realization fellowship where  
Daniel served as camp counselor,  
Sunday school teacher, choir member  
and audio/visual crew member.  
Following the service, the celebration  
will continue at a reception in Malibu.

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## PEOPLE IN THE NEWS

# Jackson leaves president eating with man in mirror

By The Associated Press

■ **WINDHOEK, Namibia** — Namibian government officials were surprised to learn that Michael Jackson wouldn't be arriving Friday as they had thought.

An American organization claiming to represent Jackson, St. Louis-based Adventure in Africa Tours, had sent a letter to President Sam Nujoma saying the singer planned to visit Namibia as part of a 12-day African cultural tour.

A meeting was scheduled for Jackson with the president at noon, Nujoma's personal assistant, Andre Hashiyana, said Friday.

However, Jackson spokeswoman Raymone K. Bain said the travel company had acted without the singer's permission.

"I guess we will do our due diligence to look into how this happened," she said by telephone from Washington. "These things do happen quite often. There are a lot of misrepresentations and misinformation."

Bain noted that Jackson couldn't leave the United States because he had turned in his passport to Santa Barbara County prosecutors in California as a condition of his release after he pleaded innocent to child molestation charges. A pretrial hearing in the case is scheduled April 30.

"It is so awful how innocent people can be taken in by people who will just run with things without having the proper authorization to do so," she said.

An official reached at Adventure in Africa Tours maintained a trip had been planned but fell through. She didn't know why and did not give her name. The company's director was not immediately available for comment.

News of the supposed visit had made headlines in this southern African country. It would have been Jackson's third trip to Namibia, where he's immensely

popular and gets a reception usually accorded visiting heads of state.

■ **PROVIDENCE, R.I.** — Patriots coach Bill Belichick told Brown University students to appreciate their college experiences during a lecture with ESPN anchor Chris Berman.

Belichick and Berman also sang to a college student for his birthday Thursday night during the fourth annual Casey Shearer Memorial Lecture, which brings journalists to campus each year.

"As you move forward in life, you're not going to have as much time to develop friendship as you do now," Belichick said. "A lot of people treat you a certain way because they're working for something."

When a student asked about the team's contract dispute with veteran cornerback Ty Law, Belichick refused to comment.

"Are you a correspondent for The (Boston) Globe?" Belichick asked. "What, are you kidding me?" Berman, a 1977 Brown graduate, joked with the often-casual Belichick about wearing a suit for the lecture. He also said Belichick made him look good because the Patriots won the Super Bowl, fulfilling Berman's prediction from the start of the 2003 season.

■ **COPENHAGEN, Denmark** — Tens of thousands of people waving red-and-white Danish flags cheered Queen Margrethe Friday as she appeared on the palace balcony to mark her 64th birthday, flanked by members of the royal family, including Crown Prince Frederik and his Australian fiancée, Mary Donaldson.

Well-wishers shouting "hurrah" had gathered outside Amalienborg Castle for the customary changing of the guards that preceded Margrethe's birthday appearance.

Frederik and Donaldson — in a stylish dark blue jack-

et and a white skirt; Prince Henrik, Margrethe's husband; and their youngest son, Prince Joachim, and his wife, Princess Alexandra, surrounded the popular monarch.

Frederik and Donaldson will wed May 14 at Copenhagen's Lutheran cathedral.

On Friday, Defense Minister Svend Aage Jensby announced that Frederik had been promoted to senior commander in the navy and to lieutenant colonel in the army and air force.

■ **LOS ANGELES** — Slave to women's fashion that he is, David Duchovny jokes that he wishes he could have put on a dress for the new drag-queen comedy "Connie and Carla."

"I was kind of disappointed when I saw I was going to be the literal straight guy," said Duchovny, who co-stars with screenwriter Nia Vardalos and Toni Collette in the movie. "That there wasn't going to be that scene where I come out in a dress, which I was hoping for, lobbying and campaigning for."

Duchovny plays the brother of a drag queen who finds himself oddly attracted to Vardalos' character — a singer hiding out from mobsters by posing as a man in a drag-queen revue.

Before he became a star as FBI agent Fox Mulder on "The X-Files," Duchovny had some experience with women's clothing, playing another FBI guy on "Twin Peaks." Duchovny had a recurring role as a cross-dressing agent in the early 1990s series.

Duchovny brought in a tape of himself in women's clothes on "Twin Peaks" for his co-workers to watch while making "Connie and Carla."

"All I remember from my personal experience is that it's really uncomfortable what women have to wear," Duchovny, 43, told The Associated Press. "It's all tight, it's kind of confining. It's no fun."

**DID YOU KNOW?:** A grand piano can be played faster than an upright (spinet) piano.

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