



Santa Monica Daily Press

April 22-23, 2006

A newspaper with issues

Volume 5, Issue 138

DAILY LOTTERY

SUPER LOTTO

12 19 23 34 47
Meganumber: 19
Jackpot: \$11 Million

FANTASY 5

1 12 22 32 33

DAILY 3

Daytime: 5 2 9
Evening: 2 5 2

DAILY DERBY

1st: 05 California Classic
2nd: 09 Winning Spirit
3rd: 03 Hot Shot

RACE TIME: 1:46.14
Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site: <http://www.calottery.com>



NEWS OF THE WEIRD BY CHUCK SHEPARD

Among men's colognes recently launched: the Elizabeth Arden-NASCAR "Daytona 500" fragrance and the Ecuadorean Football Federation's set of three soccer-motif scents, ranging from a "sporting" aroma to "an intense smell ideal for after work."

Butte, Mont., has long been unhappy with the presence of the Berkeley Pit, a huge, putrid, toxic lake filled by runoff from arsenic, copper, cadmium, cobalt, iron and zinc mines. Last year, however, the town began to figure out that tourists would actually pay to see the 500-acre, 900-foot-deep, foul, wretched mess. Attendance was so good that the admission price was recently increased.

TODAY IN HISTORY

Today is the 112th day of 2006.
There are 253 days left in the year.

On April 22, 1889, the Oklahoma Land Rush began at noon as thousands of homesteaders staked claims.

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Helping homeless as easy as 1-2-3

BY KEVIN HERRERA

Daily Press Staff Writer

CITYWIDE — In efforts to get everyone on the same page when it comes to City Hall's strategies to combat homelessness, city staff has teamed up with business leaders and the Convention and Visitors Bureau to launch a new information card people can use to help the down and out find shelter and other services.

If a homeless person needs medical attention, a hot shower, medicine or is committing a crime, all people will have to do is pull out their wallet-size cards and look for the appropriate number, city officials said.

See INFO CARDS, page 6

The doors of perception



Fabian Lewkowicz/Daily Press
A homeless man sleeps near the corner of Ocean Avenue and Pico Boulevard, disregarding signs that warn 'sitting or lying in this entrance' between 11 p.m. and 7 a.m. is prohibited.

BY KEVIN HERRERA

Daily Press Staff Writer

DOWNTOWN — Santa Monica's policy of fining or arresting homeless people for lying or sleeping in public doorways and on the Promenade is nowhere near as restrictive as a Los Angeles law struck down by an appeals court last week, and therefore, can continue to be enforced, City Attorney Marsha Moutrie said.

Those who wish to take a nap on a city sidewalk can do so, Moutrie said, but only at certain times of the day and only if their activity does not prohibit others from walking by.

This is significantly different

See HOMELESS, page 6

Big oil called out for crude behavior

Consumer group alleges price gouging, calls on legislators to take action

BY KEVIN HERRERA

Daily Press Staff Writer

CITYWIDE — With the average price of a gallon of gasoline rising this week to just above \$3 a gallon in Los Angeles County — the highest price on record — a local, consumer advocacy group is calling on lawmakers and the governor to investigate allegations of price gouging by oil companies.

The Santa Monica-based Foundation for Taxpayer and Consumer Rights (FTCR) contends oil refineries are manipulating production, which has dramatically increased prices at the pump. The foundation insists that legislative leaders and the governor immediately consider legislation regulating refineries in the state, and return "windfall" profits to consumers via a rebate.

State Assembly Speaker Fabian Nuñez, D-Los Angeles, made a similar plea on Friday to Gov. Arnold Schwarzenegger to direct the California Energy and Public Utilities commissions to investigate possible

price gouging by oil companies. This comes as refineries report-

See GOUGING, page 7

Feeling chipper



Fabian Lewkowicz/Daily Press
Elizabeth McGhee (left) and Rachel Heidt, both 20, work their sculptures during Professor Don Hartman's class at Santa Monica College on Thursday.

LOCAL

Seize the Bay: Classic makes run at helping

BY CAROLYN SACKARIASON

Daily Press Staff Writer

SM PIER — Thousands of people next Sunday are expected to run around town in an environmental push to help save Santa Monica Bay — the area's most precious natural resource and one of the most polluted bodies of water in the region.

The first annual Carpe Diem Santa Monica Classic, a 10K and 5K run, will benefit Heal the Bay, a nonprofit environmental group dedicated to keeping Santa Monica Bay clean. The event will be held Sunday, April 30, in celebration of Earth Month.

The race will begin at 8 a.m.

See SEIZE THE BAY, page 8

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HOROSCOPES

Choose easy, Virgo

Santa Monica Daily Press



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)
 ★★★★★ Your imagination or that of a cohort could have you blazing an unusual path. Walk in each other's shoes. You might be surprised at how eye-opening this whole experience is. Happiness surrounds companionship. Hang out. Tonight: Leader of the gang.



TAURUS (April 20-May 20)
 ★★★★★ You might be a lot vaguer than you realize. Or could it be that someone key to your life is somewhat imprecise? Ask questions in a friendly, unchallenging manner. You will get the lay of the land. Tonight: Out and about.



GEMINI (May 21-June 20)
 ★★★★★ The more you detach, let go and are open to new experiences, the better off you will be. Your perspective of a partnership could change dynamically if you walk away from your "images." Tonight: Choose a mentally relaxing happening.



CANCER (June 21-July 22)
 ★★★★★ Togetherness is the main theme right now. You might not be sure what to do or how to handle an issue. An investment developed today might be out of kilter. Try something totally different. Tonight: Say yes to a special friend.



LEO (July 23-Aug. 22)
 ★★★★★ You will tend to produce and perform to your highest capacity. You might see someone from a different perspective if you let him or her be more dominant than usual. You could be seeing this person with a pink haze around him or her. Tonight: The only answer is yes.



VIRGO (Aug. 23-Sept. 22)
 ★★★★★ Pace yourself and get the job done. Your imagination takes you in a new direction or opens you up to a new hobby. Revitalize your home life, making the most out of everything. Basics do count. Tonight: Choose easy.



LIBRA (Sept. 23-Oct. 22)
 ★★★★★ You are full of imagination and liveliness. You might feel taken by someone you care about. Be more imaginative and creative. This person helps you see a conversation or situation in a new light. Tonight: Add that special touch of magic.



SCORPIO (Oct. 23-Nov. 21)
 ★★★ You might want to rethink a situation from a totally different point of view. Your family, home and domestic life could be up for some changes. Trust that they will be positive, even if you are wary right now. Tonight: Enjoy the moment.



SAGITTARIUS (Nov. 22-Dec. 21)
 ★★★★★ Be willing to absorb new information and handle matters in different ways. You might not realize exactly how vague you are being. Surround yourself with music and activities in which your mind can roam. A drive in the country might be perfect. Tonight: Favorite people, favorite spot.



CAPRICORN (Dec. 22-Jan. 19)
 ★★★ You might think or hope your sixth sense is right-on concerning a financial issue. Actually, a risk or investment looks good. STOP. Don't take any actions that could impact your security right now. Play the conservative Goat. Tonight: Use care, even when paying for dinner.



AQUARIUS (Jan. 20-Feb. 18)
 ★★★★★ Your mind and imagination roam, creating delightfully fun scenarios. How you feel about someone could change radically. Make no commitments, as the process of transforming your bond is still active. Tonight: Whatever puts a smile on your face.



PISCES (Feb. 19-March 20)
 ★★ Step back. The theme right now needs to be relaxation. A picnic might work, as well as curling up with a good book. Choose what works best for you. Make it OK to cancel your plans. Tonight: Make it a quiet night.

CIRCULATION AUDIT BY

CIRCULATION VERIFICATION COUNCIL

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LOCAL



COMMUNITY BRIEFS

Asian Americans to get their due

By Daily Press staff

In honor of their contributions to American society, museum directors will examine the past and future of Asian Americans at a free panel discussion at 7 p.m. on Friday, May 5, in the Santa Monica College Concert Hall, 1900 Pico Blvd.

The event is SMC's celebration of Asian/Pacific Islander Heritage Month. Titled "Asian Americana: Exploring the Past, Looking to the Future," the event will feature Dr. Pauline Wong, interim executive director of the Chinese American Museum in Los Angeles; Daphne Kwok, director of the Angel Island Immigration Station Foundation in San Francisco; and Sojin Kim, curator of the Japanese American National Museum in Los Angeles.

The discussion will be moderated by SMC history professor Dr. Lesley Kawaguchi. Light refreshments will be served.

The event is sponsored by the SMC History Department and SMC Associates, a private organization that funds speakers and special programs on campus.

Post office to host passport fair

By Daily Press staff

Leaving the country will be easier for Santa Monicans after this weekend.

The Santa Monica Post Office, located at 1248 Fifth Street, is set to host a passport fair from 9 a.m. to 2 p.m. on Saturday, April 22. Customers will be able to apply and submit their passport applications and have their passport photos taken.

The Western Hemisphere Initiative will require all travelers, including U.S. citizens, to have a valid passport by Dec. 31 in order to re-enter the U.S. when traveling to Canada, Mexico and the Caribbean. Applicants will need an original birth certificate, or certificate of naturalization, in addition to a valid driver's license or government issued I.D. card. Regular passport service costs \$97, and applicants will receive their passports in six weeks. Expedited service is available for \$60.



Submitted photo

Daphne Kwok, director of the Angel Island Immigration Station Foundation in San Francisco, will speak at SMC.



Photo Courtesy

Pauline Wong, of the Chinese American Museum in Los Angeles, will also make an appearance May 5.



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SNOW AND SURF REPORTS

SURF CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 192" - 216"	LIFT HOURS 8:30 AM - 4:00 PM	RUNS OPEN 150	LIFTS OPEN 26/28
CONDITIONS: PACKED POWDER, MACHINE GROOMED, SPRING				

JUNE MOUNTAIN

CLOSED

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 192" - 216"	LIFT HOURS 8:30 AM - 4:00 PM	RUNS OPEN 150	LIFTS OPEN 26/28
CONDITIONS: PACKED POWDER, MACHINE GROOMED, SPRING				

MOUNTAIN HIGH

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 24"	LIFT HOURS 8:30 AM - 4:00 PM	RUNS OPEN 19	LIFTS OPEN 4/16
CONDITIONS: SPRING				

MT. BALDY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 32"	LIFT HOURS 8:00 AM - 4:30 PM	RUNS OPEN 26	LIFTS OPEN 4/4
CONDITIONS: MACHINE GROOMED, SPRING				

SNOW SUMMIT

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 36"	LIFT HOURS 8:00 AM - 4:30 PM	RUNS OPEN 26	LIFTS OPEN 7/14
CONDITIONS: MACHINE GROOMED, HARD PACKED				

SNOW VALLEY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 48"	LIFT HOURS 8:30 AM - 4:00 PM	RUNS OPEN 20	LIFTS OPEN 3/11
CONDITIONS: MACHINE GROOMED, HARD PACKED, SPRING				

SURF CONDITIONS

WATER TEMP: 56°

SWELL FORECAST (1-5 FT)

THIS WEEKEND THE PERIODS SHOULD TIGHTEN UP TO AROUND 12 SECONDS, AND SIZE WILL LIKELY HOVER AROUND WAIST HIGH WITH OCCASIONAL PLUSES WHEN THE TIDE IS RIGHT AND THE WINDS DON'T BLOW IT OUT.

LONG RANGE SYNOPSIS

TRACKING SW FOR BEGINNING OF MAY...

TIDE FORECAST FOR SANTA MONICA

SATURDAY

LOW TIDE	N/A	N/A	12:21PM	-0.3FT
HIGH TIDE	5:06AM	4.68FT	7:08PM	4.2FT

SUNDAY

LOW TIDE	12:32AM	1.9FT	1:03PM	-0.3FT
HIGH TIDE	6:19PM	4.8FT	7:34PM	4.8FT

MONDAY

LOW TIDE	1:26AM	1.1FT	1:40PM	-0.2FT
HIGH TIDE	7:21AM	4.9FT	8:02PM	5.3FT

TUESDAY

LOW TIDE	2:15AM	0.2FT	2:51PM	0.1FT
HIGH TIDE	8:16AM	4.9FT	8:32PM	5.9FT

WEDNESDAY

LOW TIDE	3:01AM	-0.5FT	2:49PM	0.5FT
HIGH TIDE	9:08AM	4.7FT	9:03PM	6.3FT

THURSDAY

LOW TIDE	3:47AM	1.0FT	3:21PM	0.9FT
HIGH TIDE	10:00AM	4.4FT	9:36PM	6.4FT

FRIDAY

LOW TIDE	4:33AM	-1.2FT	3:54PM	1.4FT
HIGH TIDE	10:53AM	4.0FT	N/A	N/A

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The QLine

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**CHECK OUT THIS
WEEK'S Q-LINE
RESPONSES ON PAGES 4-5.**

EST. 1934 **The Galley**

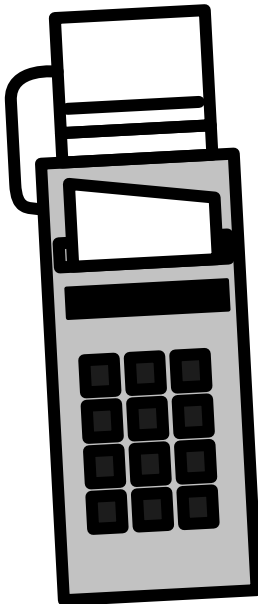
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OPINION

The Q-Line

CURB APPEAL: TACKLE HOMELESSNESS IN BUDGET

This past week, Q-line asked: "What special items do you think should be included in the city's budget for the upcoming year?"

Here are your responses:

① "I believe that one important item that should be included in the city budget is a beer keg item. With a beer keg item in the budget, Councilman Bobby Shriver and homeless Caesar Ed Edelman, who is receiving a bundle of cash to solve Santa Monica's homeless situation, could hold a beer keg party once a week on the front lawn of City Hall and invite the homeless. This would give Bobby and Ed a wonderful opportunity to meet Santa Monica's homeless population and shake their hands and establish a first-name relationship. Here's how it would work. First, plastic beer mugs would be handed out, and then the homeless would line up in front of Bobby and Ed's kegs. As the homeless walk up to Bobby's keg, Bobby would say, 'Hi, I'm President John F. Kennedy's nephew.'" The homeless would say, "Great, pal, how about a little less foam in the mug, please." As they walk up to Ed's keg, Ed would say, "Hi, I'm the new homeless Caesar, and I'm making a bundle solving your problems." The homeless would say, "What problems? A little less foam in the mug, please." Also, Bobby and Ed could hire a string quartet to sing 'Bobby and Ed are Jolly Good Fellows.' The homeless would respond in chorus, 'We'll drink to that.'"

② "What the city could do is spend the money on a new jail and more cops to have a place to put the bums they don't bother arresting because they have no place to put them."

③ "The primary thing this city administration needs to budget for is removing all the filthy, dangerous, alcoholic, drug-addicted crazies from this city before we have no city left at all for the residents. We are sick of being threatened, frightened and intimidated by these creatures. The city has to wake up, really wake up and stop enabling this spreading fungus of vagrancy."

④ "I think that a wonderful thing the city should do is make the streets better, because I happen to be, at this juncture, a disabled person, so now I can see what the streets are like in a wheelchair, so the city of Santa Monica should do that most certainly."

⑤ "We have a city rich in what is useless and unnecessary and very poor in what is

essential. A top budget priority should be the repairing and repaving of our very old crumbling, neglected alleys, with their pot-holes big enough to break an axle, or an ankle. I was once told by the city's engineering department 're-surfacing alleys is not our policies, unless you're interested in an assessment.' In other words, this is a duty the city refuses to perform, and the main reason is that repaving alleys would do nothing to create new tax revenues, which is really all they care about."

⑥ "There are 2,000 homeless in Santa Monica and maybe one which maybe grew up here. Let's take the millions we spend on homeless and housing for poor criminals and make TV and radio ads to be shown in other states like New York and Texas which show the down and out in Beverly Hills and Santa Monica are sick, dying, nuts, beaten, robbed, raped and thrown in jail. This may keep some of them back in their own hometowns."

⑦ "Get the free-loading cruds out of the city. Then we will have lots of money for the window dressing items."

⑧ "First, I would like to see the city address the beautification of Ocean Park Boulevard from Lincoln Boulevard all the way to the beach. On that stretch of Ocean Park Boulevard there is so much cement, it feels like a freeway. I'd like to see a planted median and widened sidewalks. There should also be more places for pedestrians to cross the street. Second, the city should budget for election expenses to allow us to vote on an exception on Prop. S for 415 PCH. In my opinion, we need to have food service there. Ideally, it would be on the second floor so we could see the ocean. This food facility would be open to the public until an hour after sunset. Wouldn't it be great if we could be comfortable and have a beer or glass of wine and some food while looking at the sunset without paying big prices? Without food and drink, I would likely visit the revamped 415 PCH but not go back, except maybe for an event. Importantly, the city should also include money for Big Blue Bus service all along PCH with a stop at 415. The No. 3 bus along

See Q-LINE, page 5

Wake up and go to sleep



MODERN TIMES

BY LLOYD GARVER

One of the weirdest news stories in recent months has been a suggested link between Ambien sleep medication and activities such as sleepwalking, sleep driving and sleep eating. Just as TV commercials for medicines spend as much time issuing their disclaimers as they do advertising their products, I must make my disclaimers now: Researchers are not certain that there is a definite link between Ambien and these activities. And a very small minority of people taking Ambien end up doing these things. So, most of the stories that we read about are not scientific studies, but are anecdotal. But some of these anecdotes are doozies.

There are stories of people who drive their cars while still in a sleepwalking mode and have accidents. And there are stories of people who get up in the middle of the night, eat enormous amounts of food, don't remember eating, but find clues like candy bar wrappers and weight gains. Others claim to have committed crimes while sleepwalking like shoplifting or even physically attacking another person. And one doctor says that he has had passengers who've been in this state on airplanes and signed contracts with businessmen sitting next to them. And I thought a little drowsiness after a sleeping pill was an unfortunate side effect.

Janet Makinen went "from wearing a size 1 to wearing a size 12. I would eat raw eggs. I would eat a half gallon of ice cream. I would eat a bag of potato chips, a loaf of bread." She would find evidence of her "sleep binging" the next day, but had no memory of doing it. Helen Cary, says that her husband witnessed her getting a "package of hamburger buns and I just tore it open like a grizzly bear and just stood there and ate the whole package." Brenda Pobre claims that she gained 100 pounds from eating things that she can't remember eating in the middle of the night. For months, she blamed the candy bar wrappers next to her bed and the popsicle sticks on the floor on her husband and sons before finally believing that she was the one doing the eating.

This being America, there already have

been some lawsuits filed against the drug manufacturer. I assume this was done while the plaintiffs were awake.

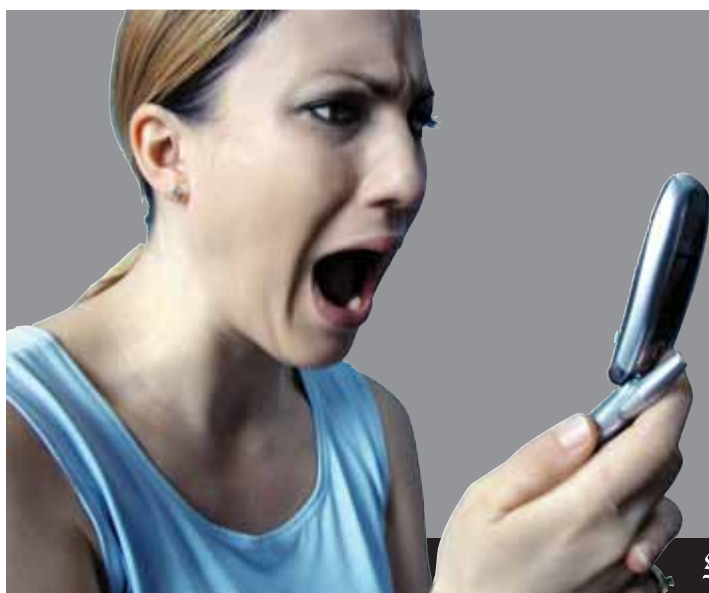
Sleepwalking has long been a part of movies and scary literature. In real life, people don't sleepwalk with their eyes closed and their hands outstretched. Sleepwalkers walk around with their eyes open. They can see while they go about their activities. It's a myth that you should not wake a sleepwalker. Believe me, if you see your spouse reaching for his or her car keys while still asleep, it's a good idea to wake them up. Similarly, if someone close to you is about to polish off a package of hamburger buns, experts would suggest your waking him up and escorting him back to bed.

What's always fascinated me — and has piqued my curiosity once again — is why are most, if not all, the tales we hear about sleepwalking negative ones? We hear about over-eating, dangerous driving, and assaulting people while individuals are asleep. How come we don't hear about overweight sleepwalkers exercising in their sleep? Why don't we hear about people who get out of bed and clean the house while still technically asleep? Why don't we read about people who get up in the middle of the night and write a novel in their sleep? Shoplifting appears to be a relatively popular crime among some sleepwalkers. Why isn't it just as popular for sleepwalkers to go to a store and straighten out all the inventory? We may read about people who supposedly commit violent crimes while sleepwalking, but I've never heard of one who donated a kidney at three in the morning and then went back to bed.

I think this is where the scientific research should be focused rather than on the possible side effects of one specific medication. If they could figure out a way for us to accomplish good things in our sleep, maybe some future scientists will win the Nobel Prize. And if they're really good at what they do, they'll be able to do their research in their sleep.

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

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 editor@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.



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OPINION



The Q Line

Q-LINE, from page 4

Lincoln Boulevard should also go more often, at least every 10 minutes."

© "I suggest funds be allocated for an annual audit of all costs related to the homeless population in this city. This should particularly include all police costs, as well as those extra costs for sanitation, health care, shelters, social agencies, the legal department and administration. Tracking all of the dollars spent by the various departments and agencies would enable the citizens to consider more effective ways of allocating funds in the future for our seemingly insolvable homeless problem. As part of this audit, the police department should also track the number of actual contacts and/or complaints dealing with transients as compared to the department's total operation and reveal what has been the hidden costs that have resulted in allowing an intolerable situation on our streets."

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arrows at every major intersection. Remove the bus lane in downtown. Prune all city trees. Re-landscape the God-awful Palisades Park so you can look at the ocean. Mini-parking structures for employees of businesses on major boulevards. Cut all supposed nonprofit civic expenditures by 60 percent. Help provide funding for school district homeschooling and provide earmuffs and nasal spray for all Santa Monica residents visiting the mall."

© "A trolley or a cable car that goes up and down Wilshire to the beach to UCLA for the students. A trolley that goes up and down Arizona for the old people that can't drive. A trolley that goes parallel or right along Third Street Promenade, and to Montana and Main Street. Put some money into it. Make it look great."

© "Put some more police back onto the Promenade. It's just a mess down there. It's dirty. It stinks. They've got all these layabouts and no one really wants to go down there. The residents don't want to go down there anymore. I was thinking if they have any extra money left over, they could send the City Council to a psychiatrist because evidently they can't even see what is going on in this city anymore."

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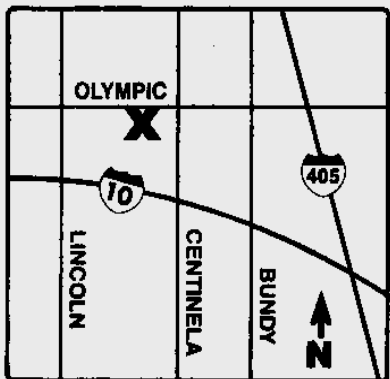
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LOCAL

Professing interest



Photo courtesy Santa Monica College President Dr. Chui L. Tsang (right), seems to enjoy sitting in on a Kiwanis luncheon at the Santa Monica Family YMCA on Wednesday, as part of his community outreach to meet local Santa Monicans. Jaine Jones Harding, Kiwanis vice president and a theater professor at SMC, shares a laugh.

SM laws safe for now

HOMELESS, from page 1

from the Los Angeles law, which was considered the most restrictive in the nation by a judge from the U.S. 9th Circuit of Appeals. In her ruling, Judge Kim McLane Wardlaw said LA officials “can secure a conviction under the ordinance against anyone who merely sits, lies or sleeps in a public way at any time of day.”

Because there is a significant population of homeless in Los Angeles and not enough places for them to find shelter, Wardlaw said enforcing the law is essentially criminalizing the state of homelessness, a violation of the 8th Amendment to the U.S. Constitution, which prohibits against cruel and unusual punishment.

With nearly 2,000 homeless in Santa Monica and only 712 beds, the city looks to be in a similar situation as Los Angeles.

However, Moutrie said the city’s laws allow for those without shelter to at least find a place to rest, whereas in Los Angeles, no place was safe from prosecution.

“We do not think the 9th Circuit Court’s decision necessitates changing any laws in Santa Monica, but I will add that this is a reminder that in regulating public spaces locally, government has to consider and respect individual rights,” Moutrie said.

Carol Sobel, a Santa Monica-based attorney who represented six homeless persons in the Los Angeles case along with the American Civil Liberties Union, said Wardlaw’s decision was very narrowly tailored to the LA law, and therefore, would most likely not affect Santa Monica.

“This decision was very fact-driven and very specific to Los Angeles,” Sobel said. “I know some people will think that this ruling means you can never deal with these issues. Hardly. All the court said is you have to carve out some part of the day (for people to rest) because they can’t move 24 hours a day.”

Sobel said she has not studied the Santa Monica laws regulating sitting and sleeping in public and private spaces, but views them as “totally different” from the law ruled unconstitutional by the court.

In 2003, the City Council enacted two laws that were viewed as anti-homeless. One such law placed limits on public feedings, which is being challenged in court,

The push to halt handouts

INFO CARDS, from page 1

“We wanted something that was more widespread so residents and businesses had an understanding of what services are out there and if they felt the need to help homeless individuals, they know where to go,” said Mona Miyasato, acting human services manager at City Hall.

“The bottom line is we would like people to not enable homeless people to continue to live on the street,” Miyasato added. “That is not good for the individual nor for themselves. We want people to help in proactive ways by linking homeless to services and letting residents and others know that if they want to give money, they should give to those agencies that are providing these services and not just give a handout.”

City Hall spent close to \$1,500 printing 10,000 information cards, which can also be downloaded off the city’s Web site, www.santa-monica.org, Miyasato said. There are larger cards as well as the wallet-size ones. The cards are available at select locations throughout the city, including City Hall.

The cards read: “We’re in it together.”

The Chamber of Commerce, in conjunction with the Conventions and Visitors Bureau (CVB), printed 7,500 cards of their own and 2,500 wallet-sized cards. They mailed them out to members and are distributing them at the chamber and CVB. The cost was just under \$2,200, which included mailings, and another \$250 for the wallet-size cards.

“We certainly hope it was a good investment,” Kathy Dodson, president of the chamber said. “We feel it is really important to get everyone working together to deal with homelessness. We wanted to give people a solution because so many times they don’t know what they are supposed to do when they come in contact with someone who is homeless and in need of help.”

Miyasato said the cards have been distributed widely and she is considering ordering another batch.

LOCAL



Passing the gas buck

GOUGING, from page 1

ed a 10.3-percent decrease in production of gasoline in the state, "tightening the market and causing spot prices in California-use gasoline to jump 22 cents between April 10 and April 17," a report from the state Energy Commission said.

Although inventories are up slightly above last year's level, the week-to-week production cut and the increase in gasoline exports to other states "inevitably pushed market prices higher, in tandem with rising crude oil prices," the foundation said.

"The time to study this is over. It is now time for action," said Judy Dugan, research director for FTCR. "Oil refineries can say what they want, 'Oh, we had to take this refinery off-line for maintenance,' or 'We had to increase fuel production for other states,' but we consider that manipulation of gas prices and consumers just can't take it anymore."

According to a daily tally from motorist club AAA and the Oil Price Information Service (OPIS), the average price for regular gasoline in California hit \$3.015 on Thursday, up 3 cents from the day before, and up 34 cents from a month ago. In the Los Angeles-Long Beach area, gas hit \$3.029 a gallon — the highest price on record. Prices in Orange County, Riverside-San Bernardino, Santa Barbara-Santa Maria-Lompoc and Ventura also broke records.

Industry experts said the rise in fuel prices is directly related to the rise in price for crude oil, which hit a record high of \$73 this week for some of the most popular blends. Certain crude in California is selling for just over \$57 per gallon, according to the California Energy Commission, which monitors fuel production in the state.

Oil refineries said prices have also climbed higher recently because many refineries are being forced to shut down to make repairs and to prepare the summer gasoline formula.

In a statement from the Western States Petroleum Association, a nonprofit trade association representing energy companies in California and five other western

states, oil companies defended their record and said the foundation's claims of price manipulation "show, at best, an ignorance of basic economics, and at worst, a deliberate attempt to mislead consumers."

The association said prices are determined by several factors including: the record-high price of crude oil; government regulations including the mandated introduction of ethanol; taxes; and a growing gap between increasing worldwide demand for gasoline and other petroleum products and the capacity to meet the demand.

"This industry has been investigated more than 20 times in the last few years and there has never been a finding that there has been price gouging, collusion, price manipulation or anything of the sort," said Tupper Hull, a spokesman for the association.

Rob Schlichting, a spokesman for the state Energy Commission, said he was aware of the call by Nuñez and the foundation for an investigation, but said the commission does not have that authority. The Attorney General's Office is responsible and has conducted "several" investigations over the years.

"The Attorney General has not found an instance of market manipulation or collusion and that's all he can look for under the law," Schlichting said. "In 1982 under President Reagan, price controls were lifted on gasoline. There is no law against making profits, even very healthy ones."

Schlichting said consumers better get used to high gas prices, because the supply is only going to decrease in the coming years.

"I guess you could say the days of easy oil have come to a close," he said. "Oil is getting harder and harder to extract, which means prices are going to rise to reflect added costs."

The foundation isn't buying explanations from oil refineries for the rising prices.

"They're dubious," Dugan said. "Most of the increase in prices is pure profit for these guys. It's not like they're taking a hit when prices go up for crude oil. They're passing that on to consumers and that's not right."

Dark doorways deemed dangerous

HOMELESS, from page 6

and the other prohibited people from sitting or lying in a business entrance.

A sign citing the "no sleeping" law must be posted in view for the Santa Monica Police to enforce the code.

City officials passed the law to protect business owners from the unsanitary conditions created by sleeping and defecating in the doorways. The law was also passed to protect the homeless, who, at the time, were increasingly becoming victims of violent crimes. The doorways provided little protection or light and were deemed unsafe places to sleep.

Kathleen Rawson, executive director of Bayside District Corp., a public-private management company that works in partnership with the City of Santa Monica on issues impacting downtown, said the law has been very effective in cleaning up areas in front of those businesses that post signs citing the law.

"Those who have posted have reaped the benefits," said Rawson, who estimated that about 275 businesses have posted

signs citing the law. "The police have been fantastic about enforcement. They have been very proactive and have responded to those who have complained when someone has slept in front of their business, and police have been good about keeping an eye on those spots. Without enforcement, the fines would really have no impact."

Those who violate the law are subject to a fine of up to \$1,000 or imprisonment in jail for up to six months, or a combination of both, according to the ordinance.

Rawson and Kathy Dodson of the Santa Monica Chamber of Commerce both said they would have liked the ordinance to have been written so that businesses would not be required to post signs citing the law.

"A lot of people don't want to post those kind of signs in their front windows because they think it makes them seem unfriendly, and some corporations have policies against posting signs," Dodson said. "But, all in all, I think it has been helpful. We might be next in line of cities (the ACLU) targets. I certainly hope not, but it has happened with other things. It happened with the feeding ordinance."

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Biosecurity is all the buzz as farms combat bird flu

BY SCOTT LINDLAW

Associated Press Writer

HILMAR — Tom Silva's chickens pump out 1.4 million eggs a day, but his operation looks more like a prison than a farm.

To reach his hen houses, an intruder would have to scale eight-foot fences topped by razor wire, then sneak past surveillance cameras.

"Biosecurity" is the buzzword du jour at chicken, turkey and egg operations across the country. A bird flu pandemic sweeping through flocks in Southeast Asia and beyond has spurred American commercial farmers to tighten their defenses.

"This is certainly the biggest issue facing the industry today, no question about that," said Richard Lobb, spokesman for the National Chicken Council.

The stakes are especially high in California, where a \$2.5 billion poultry industry ranks among the top 10 producers nationwide for dinner chicken, turkey and table egg output. State officials say migratory bird routes that stretch southward from

the Bering Strait and down the West Coast could bring the disease by this summer.

A tradition of raising "backyard chickens" for eggs, meat, cockfighting and bird shows runs deep in some Asian and Hispanic subcultures here in the Central Valley. Industry executives and state officials say these backyard birds number in the millions, and they worry these birds out in the open could be exposed to sick migrating flocks.

Then they could pass the disease to their owners — many of whom work at commercial poultry operations.

And there is painful precedent here. An outbreak of Exotic Newcastle disease killed more than 3.1 million birds, mostly poultry, in Southern California in 2002 and 2003.

Silva, vice president of the valley's J.S. West Milling Co., is as concerned about human carriers walking into his four facilities as he is about keeping sick birds out.

"If it gets into our industry, the only way to get it out is to euthanize complete complexes like this," he said during a tour of an egg-laying operation.

10K takes run at healing bay

SEIZE THE BAY, from page 1

at Ocean Park Boulevard and Barnard Way, and take participants from Santa Monica Beach, up Main Street, along Ocean Avenue and up San Vicente Boulevard to 11th Street, and then back. Participants will cross the finish line at the top of the Santa Monica Pier, where there will be an expo, music and a recovery lounge, complete with massage therapists.

The race, the only 10K in Santa Monica, is the brainchild of Peter Abraham, who has been on the board of directors at Heal the Bay since 1994. As a competitive athlete who has had a deep commitment to Heal the Bay, Abraham decided more than a year ago that he wanted to create an event that combined both of his passions.

"It all crystallized for me that I had to put Heal the Bay with a sports event," Abraham said. "There is nothing in Santa Monica and I thought that there should be an event here."

With 20 years of experience producing television commercials, Abraham has delved into extreme sports filmmaking, which led to an interest in sports marketing. He figured that creating an event in Santa Monica that benefited his pet non-profit would be a perfect fit not only for himself, but for a vast majority of the community which prides itself on being physically fit and dedicated to the environment. The registration fee is \$30 prior to the event, and \$35 the day of the race. All proceeds go to Heal the Bay.

Abraham hopes his event, which he is personally financing, stands apart from others in that there are no gimmicks and it rises to a level well above many community-based runs.

"In every aspect, I am trying to elevate the event," he said. "I'm trying to carry that quality and I hope people will notice and come away from this and say 'wow.'"

That means participants will receive high-quality technical shirts; concierges will be in the parking lot to greet participants; free pre-race Peet's coffee and bev-

verages will be handed out; a free breakfast will be offered and a post-race massage area will be available in the Carpe Diem recovery lounge at the expo.

"I want to create an atmosphere that has a certain space and vibe," Abraham said. "I wanted creative, interactive fun things at the expo."

At the expo, a running gait analysis will be offered at the Phase IV Scientific Training and Performance booth. The analysis assesses stride frequency, foot and leg position at foot strike, knee rise and upper body carriage to determine your most efficient biomechanics. A four-angle videography is used and deviations are isolated by slow motion analysis. Limb length correction, exercises and drills are prescribed to improve efficiency and prevent injury.

The expo, held on the pier, also will have a yoga pavilion and demonstrations by Heal the Bay. The city of Santa Monica's environmental division will have hydrogen cars on display.

"This sounds like a great event for us," said Craig Perkins, director of City Hall's environmental and public works management department, adding that Abraham approached him more than a year ago to gauge City Hall's interest in his idea.

Santa Monica used to host a half-marathon that wrapped around the city and to the east near Santa Monica College. Eventually, the event was canceled due to logistical problems. But next weekend's race should be different, Perkins said.

"(Abraham) is really passionate about this," he said. "You couldn't pick a better locale and course than he picked."

Abraham expects between 2,000 and 3,000 participants at the inaugural event. But he hopes to reach a critical mass by the third annual race, with about 6,000 people participating.

"I think that this could be Heal the Bay's biggest public outreach," he said. "I think the table is set to do something huge here. I want this to be a community event."

"But until the gun goes off, I have absolutely no idea who is going to show up."

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STATE



Boeing's last passenger plane marks end of era

BY GARY GENTILE
AP Business Writer

LONG BEACH — In the corner of a cavernous factory, the last Boeing 717 is wrapped in scaffolding, getting its finishing touches.

Its delivery to AirTran Airways next month will mark the end of seven decades of commercial airplane production in Southern California.

At another sprawling complex nearby, thousands of workers still produce the Boeing C-17 military cargo plane. However, there are no new orders for the aircraft in the proposed Defense Department budget.

If congressional efforts to restore the program fail, the last of those flying warehouses will be delivered in 2008, and all airplane production would end in California — once the center of commercial and military airplane construction in the nation.

"More aviation history has been made in Southern California than in any other place in the world," said Bill Schoneberger, author of "California Wings," a history of aviation in the state.

"But we've evolved. The aeronautics industry has moved from an airplane business into a systems business," he said.

Indeed, as corporate consolidation and defense cuts sent airplane production to Seattle, St. Louis and other regions, Southern California has moved from metal bending to aerospace research and development.

Today's workers build satellites, helicopters and unmanned surveillance drones while developing rockets and military jets that are made elsewhere.

Southern California aviation history dates to the early 1900s and features pioneers such as Howard Hughes, Jack Northrop and Donald Douglas, whose Douglas Aircraft built the DC-1 in 1933, one of the first commercial passenger planes ever made.

With weather that accommodated year-round flying, the region drew companies that produced bombers and fighter planes during World War II. Later came passenger liners such as the widebody MD-11 and space vehicles that included the Apollo capsule and space shuttle.

As the nation's defense priorities shifted, Northrop Grumman Corp. went from building B-2 stealth bombers and other planes in the region to providing electronic warfare systems, including the Global Hawk unmanned surveillance plane, built in San Diego.

Boeing builds satellites in El Segundo. And at a research facility in Palmdale, Lockheed Martin Corp. is developing the F-35 Joint Strike Fighter, the next generation warplane.

California's congressional delegation believes the high-wing, four-engine C-17 still has a place in that arsenal.

"We live in a time of uncertainty. No one knows how many C-17s we will need," Sen. Dianne Feinstein, D-Calif., said during a recent tour of the factory in Long Beach that employs 6,000 people.

The cargo plane has been used since 1991 to airlift heavy equipment and transport troops. Supporters say its ability to land on short dirt runways has helped take the load off supply trucks that come under heavy fire in Iraq and Afghanistan.

To replace the C-17, the Defense Department will consider acquiring a proposed new tanker aircraft and modernizing another transport plane, the larger C-5.

Only 180 more C-17 planes remain on order in California. The planes cost about \$154 million each.

Ron Marcotte, Boeing vice president of global mobility systems, said it could take billions of dollars and several years to restart the program if it shuts down.

"It's the suppliers and the learning of this work force which would go away overnight," he said.

"More aviation history has been made in Southern California than in any other place in the world."

BILL SCHONEBERGER
Author
"California Wings"

No effort is in the works to save the Boeing 717, a mid-size, twin-jet passenger plane that struggled to find its market.

Boeing has sold 155 of the planes since the first delivery in 1999. Many of the unionized workers on the assembly line have transferred to the C-17 program or been placed in jobs at other aerospace companies.

The final 717 is being painted and checked out for final delivery. The names of the 800 workers who built it have been scrawled on the inside skin of its fuselage and covered by metal paneling.

Many have worked on airplanes for a quarter-century or more.

Boeing employee Kelly Jenson spent 21 years building passenger planes before shifting to the C-17, where his fate is uncertain.

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Notice is hereby given that the City of Santa Monica has developed the Proposed FY 2006-07 One-Year Action Plan. The One-Year Action Plan is submitted annually to the U.S. Department of Housing and Urban Development (HUD). It delineates the City's specific projects and activities for one-year use of Community Development Block Grant (CDBG) and HOME funds in order to meet the City's overall housing and community development needs as specified in the Consolidated Plan (FY 2005-10) adopted by City Council and submitted to HUD in June 2005. The City is seeking community comments on the Proposed One-Year Action Plan.

Copies of the Proposed FY 2006-07 One-Year Action Plan are now available to the public for a 30-day community review period ending May 9, 2006. Copies are available at City Hall, the Santa Monica Public Library (main and branch libraries), and on the web at smgov.net, or you may contact the Human Services Division, 1685 Main Street, Room 212, Santa Monica, CA 90401, telephone (310) 458-8701; TDD (310) 458-8696. Please send your written comments to the above address by May 9, 2006, or you may present your comments verbally at the City Council public hearing on that date.

The Council Chambers are wheelchair accessible. If you have any special disability-related needs/accommodations, please contact the Human Services Division.

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STATE

‘White’ washed lighthouse is again a beacon of sorts

BY KAREN LINDELL
Associated Press Writer

SAN SIMEON, Calif. — The sprawling castle gets all the attention, but there's another notable dwelling just up the road along California's Central Coast. You, in fact, own this historical abode, and William Randolph Hearst never did.

The Piedras Blancas Light Station, on a point six miles north of Hearst Castle on Highway 1 in San Luis Obispo County, is operated by the federal Bureau of Land Management.

"Hearst owned all the surrounding property, but he didn't own the point; it's always been in government hands," said bureau spokesman John Dearing.

Listed on the National Register of Historic Places, the lighthouse, first illuminated in 1875 and still operational, opened to the public on a limited basis after undergoing a renovation four years ago.

Docent-led tours of the grounds are offered the third Saturday of each month, and although public access is unavailable at other times, you can still see the station from Highway 1.

Piedras Blancas, which means "white rocks" in Spanish, got its name in 1542 from explorer Juan Rodriguez Cabrillo, who first saw the area from the ocean. He named the point after its outcropping of distinctive white rocks.

The lighthouse, which cost \$70,000 to construct, wasn't built until the early 1870s, when San Simeon Bay, just south of Piedras Blancas, had become an important commercial port. Ships were in the dark, sans lighthouses, from Point Conception to the south and Point Sur to the north, so Piedras Blancas shed a little light by filling the gap between the other two beacons.

The U.S. Lighthouse Service operated Piedras Blancas until the Coast Guard became responsible for all U.S. navigation aids, including lighthouses, in 1939. The Bureau of Land Management took over in 2001.

Piedras Blancas has lost height over the years. After a storm in 1949, the lighthouse's lantern, ornate railing and upper tower were damaged and removed, along with the original Fresnel lens. (The power-

ful Fresnel lens, often used in lighthouse lamps, was invented in 1822 by French physicist Augustin Fresnel, pronounced fray-NELL.)

A rotating modern-day "aerobeacon" was installed atop the lighthouse after the storm, replacing the Fresnel. A local Lions Club, however, "rescued" the original lens; it's on display in the town of Cambria, about 13 miles south.

Now trimmed to 74 feet tall, the Piedras Blancas lighthouse is the dominant structure on the grounds. Also on site are a fog signal building and oil house. The fog signaling device, originally an air whistle, is now a horn.

A two-story Victorian keeper's dwelling built near the lighthouse in 1875 was razed in 1960. An additional keeper's house, built in 1906, was moved to Cambria after the 1949 storm.

Just south of the lighthouse is a colony of elephant seals. Wildlife such as gulls, otters and migrating whales cavort around the area, too.

Dearing said the best time to visit the light station is usually late spring and early summer, mainly because those are the least foggy months, but he added that June gloom can descend any time of year along the coast.

Tours of the light station begin at its stately royal neighbor, Hearst Castle, where docents, dressed in 1800s attire, meet visitors and transport them to Piedras Blancas by bus. Once at the site, people can go into the lighthouse's tower, Dearing said, but not up the stairs.

U.S. Rep. Lois Capps, D-Calif., has introduced a bill to designate the lighthouse and its grounds an Outstanding Natural Area as part of the National Landscape Conservation System, which would ensure long-term preservation of the site, and possibly free up funds for additional renovation and restoration.

"The addition of the light station to the Conservation System would be a significant step in preserving this valuable natural and historic resource," Capps said in a written statement. In addition to its "aesthetic beauty," she said, the station is also used as a research site by the U.S. Geological Survey, National Marine Fisheries Service, universities and local schools.

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STATE

Schwarzenegger to make direct appeal to Bush on levee funding

BY SAMANTHA YOUNG
Associated Press Writer

RANCHO CORDOVA — Gov. Arnold Schwarzenegger said he will complain to President Bush during his visit to California that his request for federal help to repair the state's levees has so far failed to yield results.

Schwarzenegger's direct pitch to the president comes after two members of Bush's cabinet declined to embrace emer-

gency funding for the state after they toured the levees by air.

"Right now we are one big storm or an earthquake away from a major disaster just like Katrina," Schwarzenegger said after participating in a state disaster exercise at the Office of Emergency Services operation center in suburban Sacramento. "Everyone seems to understand that but the federal government.

Schwarzenegger will meet Bush on Friday in San Jose, where they will make

a joint appearance at Cisco Systems. On Saturday, Bush is scheduled to tour a fuel-cell technology plant in West Sacramento but without the governor.

On Feb. 24, Schwarzenegger declared a state of emergency for California's levees, designating 24 "critical erosion" sites in Colusa, Sacramento, Solano, Sutter, Yolo and Yuba counties. He asked for a federal emergency declaration two days later, but the Bush administration has so far failed to respond to that request.

The Department of Water Resources on Thursday added five more levee sites to the governor's list.

"I'm shocked at the federal government's lack of action and understanding on this issue," Schwarzenegger said in prepared remarks at the emergency preparedness event.

A federal disaster designation would ease the way for state and federal water officials to repair the levees.

While he was in Washington for a meeting of the National Governors Association in February, Schwarzenegger also asked Bush aides to set aside \$56 million for levee repairs.

White House spokeswoman Jeanie Mamo said Thursday that the Corps of Engineers is working with California water officials to expedite the environmental permitting process for all 29 levee sites.

Nevertheless, White House and Schwarzenegger administration officials last week said they did not expect Bush to bring an answer to the governor's request for levee funding.

In a visit this week, Acting Interior Secretary Lynn Scarlett raised the ire of the governor's office and some lawmakers in comments reported by the San Jose Mercury News. The newspaper reported that she said California did not need emergency funding for its levees.

She sought to clarify her comments in a follow-up statement.

"I affirmed that California's levee system includes antiquated structures that pose significant risks to California communities — both in the near-term and long-term," Scarlett said in the written statement issued earlier this week. "While current weather patterns are improving the situation, risks from these levees remain significant."

Senate President Pro Tem Don Perata, D-Oakland, questioned why Bush is "stiffing" a GOP governor who is running for re-election.

"We know that we are on the edge now of having a levee blow loose, and we're having this cocktail discussion" over federal funding, Perata said. "We're all just wasting our time. ... The federal government's not going to help us out."

Also Thursday, Assembly Speaker Fabian Nunez, D-Los Angeles, and U.S. Rep. Zoe Lofgren, D-San Jose, sent a letter to Bush and Schwarzenegger urging them to forge a partnership to repair the levees.

"It would be penny-wise and pound-foolish to gamble that the levees won't be breached," they wrote. "This is a lethal gamble. It would be far less costly to repair the levees now than to finance a reconstruction after a levee breach."

Lofgren is chairwoman of the California Democratic Congressional Delegation.

Justices aren't there for 'Friends' writer's lawsuit

BY DAVID KRAVETS
AP Legal Affairs Writer

SAN FRANCISCO — Sometimes vulgarity is not just acceptable but necessary in the workplace, the California Supreme Court ruled Thursday as it threw out a sexual harassment case by a former assistant on the "Friends" TV show.

The justices, ruling 7-0, agreed with Warner Bros. Television Productions that trash talk was part of the creative process and, therefore, the studio and its writers could not be sued for raunchy writers' meetings.

No jury would believe the writers' assistant was the target of harassment during profanity-laced script sessions "for an adult-oriented comic show featuring sexual themes," Justice Marvin Baxter wrote.

"Most of the sexually coarse and vulgar language at issue did not involve and was not aimed at plaintiff or other women in the workplace," Baxter said.

Amaani Lyle, 32, alleged six years ago that raw sexual remarks peppering conversations added up to harassment against women.

Lyle said she was offended by repeated references to the actors' sex lives and to the writers' own sexual exploits as they penned bawdy banter for six New York City pals in the NBC sitcom.

She also grew tired of repeated profanity, talk about women's breasts and even simulated masturbation.

Lyle was fired after four months on the job, allegedly because she could not transcribe meetings fast enough or capture the flavor of the meetings.

Adam Levin, the attorney for Warner Bros. who argued the case to the justices in February, said the decision was a boon for Hollywood and other fields that thrive on creativity.

"I think employers in the motion picture industry and other industries are going to breathe a collective sigh of relief," Levin said.

Los Angeles employment law attorney Anthony Onicidi speculated that if the court had ruled the other way, it would have made it virtually impossible to produce television programs or other creative works.

"If your concern is with every statement or gesture, you could be subject to a lawsuit, that is going to inhibit the creative process," Onicidi said.

Jeffrey Winikow, an attorney for the California Employment Lawyers Association that filed a brief in support of Lyle's suit, said the high court should have let a jury decide if the behavior was harassment.

"There was absolutely no evidence to link any of the conduct at issue with anything that occurred on the show," Winikow said.

Warner Bros. acknowledged that some of the sexually explicit talk took place but said it was vital to the chemistry of the show. The justices noted that Lyle had been warned when she was hired that explicit discussions were part of developing the sexually charged comedy.

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NATIONAL



Bush talks tough, but retains little leverage

BY MARTIN CRUTSINGER
AP Economics Writer

WASHINGTON — Once again, President Bush had a difficult time wresting concessions from Chinese President Hu Jintao. And for good reason.

Bush may be the leader of the world's only superpower, but when he talks to the Chinese, it's like discussing an overdue loan with his banker. There's not much leverage.

The summit on Thursday was Hu's first visit to the White House since he became China's top leader three years ago. But he and Bush have met five times in just the past year, including a trip Bush made to Beijing in November.

At each of those meetings, the list of U.S. trade demands has been the same: China must stop unfairly depressing the value of its currency to gain trade advantages; it must halt rampant copyright piracy that is costing American companies billions of dollars in lost sales, and it must open its markets wider to U.S. exports.

The urgency of those demands has grown as America's trade deficit with China has soared; the trade imbalance hit another all-time high last year of \$202 billion.

That deficit, which represented more than one-fourth of America's record imbalance with the world in 2005, has sparked growing unrest on Capitol Hill and prompted a spate of bills to penalize China unless it halts trade practices that critics blame for contributing to the loss of nearly 3 million manufacturing jobs since Bush took office in 2001.

With an eye toward the November congressional elections, the Bush administration has stepped up its own rhetoric. But so far the tough talk has produced few results.

Hu's comments during his half-day summit with Bush failed to go farther than promises he has made before. The biggest disappointment came in the area where the administration had once held the highest hopes, that China would commit to moving faster to allow its currency to rise in value against the dollar.

A weaker dollar against the yuan would make American goods more competitive against Chinese products.

But the blunt reality is that the Bush administration has little leverage to make China do more. Since China joined the World Trade Organization in 2001, the United States can no longer threaten to impose unilateral sanctions as the Clinton administration threatened to do in the mid-1990s in a copyright piracy fight of that era.

The United States can bring WTO cases against China as it did last month in a dispute over auto parts. But on currency manipulation — the area that promises to make the biggest difference in reducing America's trade imbalance — experts say the United States would have slim chances of prevailing before the WTO, in part because no country has faced those charges before.

Members of Congress are pushing legislation that would slam all Chinese goods with penalty tariffs of 27.5 percent if China does not move faster to allow its currency to rise in value. But such a dra-

"It's very easy to talk about limiting imports of bedding or shoes or whatever, but once you do it and prices shoot up, then you will get a backlash."

GARY HUFBAUER

Trade economist
Institute for International Economics

conian measure would basically penalize American consumers who have grown to like the low prices offered by a flood of Chinese imports of clothes, athletic shoes, toys and televisions.

"It's very easy to talk about limiting imports of bedding or shoes or whatever, but once you do it and prices shoot up, then you will get a backlash," said Gary Hufbauer, a trade economist at the Institute for International Economics, a Washington think tank.

Such an action could also spark a trade war, with China retaliating against U.S. exporters, either directly by winning a WTO case that the U.S. tariffs violate WTO rules or more subtly by making sure that U.S. companies like Boeing Co. don't get the next big round of contracts.

Bush was also in the delicate position during Hu's visit of trying to get trade concessions from China while at the same time seeking China's support on a wide range of foreign policy issues, including dealing with the nuclear ambitions of Iran and North Korea.

And then there is the issue of China's vast holdings of U.S. assets. The massive trade deficits the United States has run up with China has meant the transfer of billions of dollars into Chinese hands. That money is used to buy U.S. Treasury securities and other assets.

The deficits have gotten so huge, that China's holdings have ballooned. China is now the second largest holder of U.S. government debt, with \$265.2 billion in Treasury securities, and its total foreign reserves have just surpassed Japan's to become the largest in the world.

The willingness of the Chinese to hold that debt has helped to keep U.S. interest rates low, which has been a boon to American home buyers and other borrowers.

But if for some reason the Chinese suddenly reversed policy and started dumping U.S. assets in favor of parking their reserves in other countries, that could have a serious impact on the U.S. economy by sending U.S. interest rates up sharply.

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Secretary Spellings: Act math doesn't add up

BY FRANK BASS

Associated Press Writer

WASHINGTON — Education Secretary Margaret Spellings is pledging to scrutinize a loophole that allows states to exclude nearly 2 million student test scores under the No Child Left Behind Act.

"When children are not part of the accountability system, then that's a problem," Spellings said in an interview Thursday at the conclusion of four-day Associated Press series that highlighted the excluded scores.

Spellings said the AP report amounted to a "truth-in-advertising" exercise for state policymakers, parents and federal officials. She declined to specify exactly how she will address the excluded scores, noting the issue will come up with the law's renewal next year and with pending federal reviews of state education plans.

At least 10 states are seeking permission to change the numbers of students whose scores do not have to be counted in required racial categories.

"Do we need to move forward to include more and more children all the time? Yes, we do. I think you'll see we're going to continue to look at that issue," she said.

Under the law, schools are required to test students in math and reading and report their scores by group, such as race, disability, English language ability or economic situation. If one group of students fails to meet standards, an entire school

can face penalties.

States, however, are allowed to set minimum numbers of students to ensure statistical reliability and privacy. AP found that states have set wildly different minimum standards for how many children must be counted, allowing schools to exclude 1.9 million scores in required racial categories.

One idea to be considered is "whether a one-size-fits-all solution makes sense or not, and I don't think we know that yet," Spellings said. She emphasized her agency will look at a state's entire education plan, not just the way it sets its group sizes.

Spelling also emphasized the law's accomplishments.

Before Congress passed it in 2001, she said, federal officials had no way to track state progress of roughly 50 million children who attend public school.

Now, she said — even with nearly 2 million uncounted — parents, teachers and educators have a better idea of how 23 million are doing because of the law's requirement that children be tested annually in third grade through eighth grade and once in high school.

Spellings also said the law marks a watershed for closing the racial achievement gap. In previous tests, she said, schools could always produce better results by reporting test scores for an entire grade or building. Now, schools are required to report test scores and show progress for different groups.

Rising gas prices continue to hit poorest Americans hardest

BY BRAD FOSS

AP Business Writer

For most Americans, today's rising gasoline prices are an annoyance, not a serious financial hardship.

Then there are people like Kenneth and Edith Taylor of Baltimore, who already struggle to make their monthly social security checks of less than \$1,700 last by cooking casseroles and soups at home instead of eating out and forgoing new clothes for as long as possible. Now, with neighborhood pump prices averaging \$2.85 a gallon, the Taylors say they simply cannot afford the 80-mile roundtrip to visit their daughter more than once a month.

"There and back is \$10 worth of gasoline," said 84-year-old Kenneth, who used to make the trip in his Buick LeSabre at least every other week.

The Taylor family's increasing frugality may be a drop in the bucket for the world's most voracious energy consuming nation, but it is not inconsequential and could be the start of a broader trend.

Recent government and industry data show that America's consumption of gasoline is not rising as rapidly as it was this time last year, and analysts say families living on fixed or modest incomes usually are the first to cut back. If prices continue to rise, other demographic groups expected to trim their gasoline consumption are young adults, who tend to have less pocket change than their elders, and people living in rural parts of Texas and Wyoming,

where long drives are a routine part of life.

Jim Magagna, a sheep rancher and the executive vice president of the Wyoming Stock Growers Association, said it requires a lot of transportation fuel to manage crops and livestock, and that makes it difficult to significantly curtail consumption on a day-to-day basis. However, ranchers he knows are finding ways to scrimp, for example, using four-wheel all-terrain vehicles instead of pickup trucks to get around their properties.

And because most ranchers live 30 miles or more from the closest grocery, drug store or bank, "they may make one trip to town per week instead of two," said Magagna.

If there is going to be any significant decline in energy prices this year, "it is going to start with softening demand," said Peter Beutel, president of Cameron Hanover Inc., an energy market advisory firm based in New Canaan, Conn.

A.G. Edwards & Sons commodities analyst Bill O'Grady explained that because of constraints in oil production and refining "very small increases in demand bring about outsized gains in prices. Likewise, a very small drop in demand would have a similar but opposite impact. That's the part that's going to surprise people."

So far, though, the evidence points to only a minuscule shift in behavior nationwide, and no deceleration in prices.

Wachovia Corp. economist Jason Schenker said he expects the most price-sensitive Americans to continue cutting back on gasoline where they can.

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NATIONAL



Chewing the fat is all part of Eskimo treat

BY RACHEL D'ORO
Associated Press Writer

ANCHORAGE, Alaska — To urban taste buds, it might seem pretty gross: whipped fat mixed with berries, with optional additions such as fish and sugar. To Marge Andrews, it's a Native delicacy cherished since her youth in rural Alaska.

"There's nothing like it in the world," she says of akutaq, better known to non-Natives as Eskimo ice cream.

Akutaq, pronounced ah-GOO-duck, conjures up memories of festivals and celebrations in the western Alaska villages of St. Michael and Stebbins, where Andrews spent much of her childhood living off the land and sea just as her Yup'ik and Inupiaq ancestors had. The communities, eight miles apart, took turns hosting holiday gatherings heaped with native foods.

"The whole village would travel by dog team," said Andrews, 60, who has lived in Anchorage, Alaska's largest city, since 1991. "I remember one cold, crisp, clear winter night, the snow sparkling, the moon casting the dog driver, the family in the sled and the dogs in shadow. I can still see it so clearly."

Always at the end of the journey was akutaq, a dish so rich a small amount will satisfy and create a lifelong passion for it, according to fans such as Andrews, who works as a cultural program representative at the Alaska Native Heritage Center in Anchorage.

While traditional ingredients such as reindeer fat, seal oil and boiled fish are still used, contemporary recipes may consist of shortening, berries and sweetener. Think of it as berries and frosting, heavy on the berries.

No one knows who invented akutaq or how long ago, although Andrews wouldn't be surprised if its roots go back to ancient times. Considered a high energy food, it's been made in some form longer than anyone can remember, said her heritage center colleague June Martin.

"Probably to supplement a heavy meat diet, people added berries," said Martin, 47, who spent her early years in Savoonga, a Siberian Yupik village on Saint Lawrence Island in the Bering Sea.

However akutaq came about, there are as many ways to make it as there are enthusiasts and available ingredients. Written recipes are hard to come by for akutaq, which means "something mixed" in several Native languages.

Generally, one or more oil-rich foods is mixed with berries or greens and optional additions, including sugar, fish and, yes, even snow.

Depending on the specific region, a dish can include appropriate combinations of:

- reindeer, caribou or moose fat, first cut into small pieces then whipped by hand until light and fluffy
- seal, walrus or whale oil
- berries of any kind, in combinations
- salmon, whitefish or trout
- fish liver
- fish eggs
- cooked sourdock greens, which have a tart spinach taste
- sugar or honey
- odds and ends, including mashed potatoes, rice, dried fruit, evaporated canned milk

Shortening, though, has become the fat of choice, thanks to its efficiency and

Here's the scoop on Eskimo ice cream

Modern version, from Marge Andrews, a cultural representative at the Alaska Native Heritage Center in Anchorage:

1 1/2 cups shortening, softened
1-4 bananas, mashed
2 cups fresh strawberries, cut or mashed
4 pounds mixed frozen berries
honey or sugar to taste
1 1/2 to 2 cups of boiled, flaked fish (optional)

Beat shortening by hand in large bowl until it looks like white frosting, about 15 minutes. Fold in liquefied bananas, then the sweetener to taste. Gradually add strawberries, then berries, stirring well until the shortening is barely visible. The frozen berries will harden the mixture into "ice cream." If fish is used, add first to shortening, blending well until absorbed into the shortening. Follow with other ingredients.

Traditional version, Inupiaq family recipe from Geri Hoogendorn, of Koyuk, Alaska:

1 pound dried (grated or shredded) reindeer fat
1 cup seal oil
1 pint salmonberries
3 cups blackberries
1 cup sugar

Slowly add seal oil to reindeer fat, beating by hand in large bowl. Add a little water while whipping mixture. Keep adding oil and water until white and fluffy. Add berries and sugar. Amount of sugar can be adjusted according to taste.

availability on the store shelves of even the most remote villages. It's certainly a constant in the occasional presentations Andrews puts on at the heritage center. Usually that recipe features shortening, sugar or honey, and frozen mixed berries.

In a recent demonstration, Andrews started with a small amount of shortening beaten by hand in a large bowl until it had the consistency of frosting. She gradually folded in some mashed banana, a generous pour of honey, some sliced fresh strawberries and a big bag of frozen mixed berries. The result was akin to chunky sorbet, a burst of sweet tartness with mellow undertones. Everyone in her audience asked for seconds. "Mmmmmm, so good," Andrews said. "Now you know why the Natives are crazy about akutaq."

Adding fish imparts a subtle layer of complexity, not a jarring clash of flavors. Andrews, in fact, still looks back fondly on her salmon-infused, all-time favorite version, created for a 1982 New Year's observance at St. Michael. Villagers from Stebbins joined their neighbors for a feast, and a big hit of the event was her akutaq — a mixture of shortening; boiled, flaked salmon; blueberries; salmonberries; and nagoonberries, a relative of the raspberry with a hint of strawberry taste.

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Some western states are skeptical about federal animal tracking goal

BY REBECCA BOONE

Associated Press Writer

BOISE, Idaho — The federal government has said it wants to be able to trace livestock movements from birth to slaughter by 2009, but some Western states are unsure if they can meet the deadline.

Agriculture Secretary Mike Johanns announced the official timeline earlier this month. The goal is to pinpoint a single animal's movements among the nation's 9 billion cows, pigs and chickens within 48 hours after a disease is discovered.

The effort takes several steps: First, producers must get a state registry number for every location where they keep livestock. Next, the individual animals will be given numbers, and finally, the information will be combined in a database that national and state health officials can access in case they discover an animal with an illness like mad cow disease.

"In Washington state, we have an estimated 34,000 premises to be registered, with only about 1,000 done," said Chris Spaulding, Washington's animal identification specialist. "One of the key issues for our ranchers and farmers is confidentiality of the data, and our Legislature in 2006 just passed a confidentiality bill so that should help speed things up."

In Oregon, however, the registration process seems to be slowing down. About 8 percent of producers have registered with the state, accounting for about 2,000 premises out of nearly 18,000 sites.

"We're not getting many hits on the Web site, and people are coming to meetings but not really signing up for registration," said Don Hansen, the Oregon state veterinarian. "In the last few months there's been a real slowdown."

Part of the issue is that in most states, participation is voluntary. But Hansen attributes most of the lagging interest to an anti-animal tracking campaign that has heated up in recent weeks, claiming the program will violate individual's privacy rights.

"In my office in the past month there's been a tremendous increase in anti-registration e-mails. It looks to me like a national effort, because they look like copies of the same piece," Hansen said. "I don't think it's happening just in Oregon, it's around the country."

Jason Moniz, a member of the Hawaii Cattlemen's Council and employee of the state veterinarian's office, is more optimistic about his state reaching the 2009 dead-

line. In Hawaii, an estimated 18 percent of beef, dairy, swine, sheep and goat producers have already registered their premises with state officials.

Next door in Nevada, however, only an estimated 5 percent of producers have registered their premises with the state, said Holly Pecetti, Nevada's animal identification coordinator.

"I think the overall goal is a bit on the ambitious side. There are some things that are dependent on the USDA — for instance, you want them to maintain confidentiality. That's a major issue and concern," Pecetti said.

Some producers will be hesitant to sign up for the voluntary program unless they're convinced that any information they provide to the national database won't be made public, she said.

Idaho may be the Western state that is most prepared to reach the 2009 goal, with more than 15,000 of the state's estimated 29,000 livestock already registered.

"No one can say for sure whether Idaho will meet the secretary's guideline to have 100 percent of premises registered by January 2009, but right now we're on track — in fact, we're ahead of it," said John Chatburn, the deputy administrator of the division of animal industries with the state Department of Agriculture.

Idaho's success has been because of frequent and sustained outreach efforts, Chatburn said.

"We've held a lot of workshops around the state, in conjunction with the University of Idaho, and we worked with the various industry trade associations," he said. "We pass out registration materials and do a lot of outreach and go to all the large meetings, annual conferences, trade shows and large fairs."

A previous animal industries administrator issued registration numbers to all the brand owners in the state, since they were already part of a public database, Chatburn said, and the office worked with groups such as the Dairymen's Association to get all of their members registered as well.

Other countries with tracking systems, such as Australia, are using their national tracking system to gain an edge when marketing their beef, said Julie Morrison with the USDA's Northwest Pilot Project. The project — a coalition of livestock producers in Idaho, California, Hawaii, Nevada, Oregon, Utah and Washington — works with volunteers try to find the best tracking system.

Whether all the northwestern states will meet deadline is "a million dollar question," Morrison said from her Boise, Idaho, office.

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NATIONAL



Retired military officer spends 17 years tracking collared geese

BY PERRY BACKUS

Associated Press Writer

MISSOULA, Mont. — Mike Schwitters has been on a wild goose chase since 1989.

It started innocently enough.

Schwitters was watching waterfowl at Freezeout Lake on a nice springlike day that March when he noticed a goose with a numeric collar around its long neck. He wrote down the number and reported it to the U.S. Fish and Wildlife Service.

A few days later, he saw another. He noted the number and made a report.

It wasn't long after that the phone rang. On the other end was an official from Canadian Wildlife Services of Saskatoon, Saskatchewan, representing a relatively new program called the Arctic Goose Joint Venture. He wanted to know if Schwitters might be interested in helping out.

The wild goose chase had officially begun.

For 17 years now, the retired Air Force officer has traveled the length of North America watching geese and recording the numbers he spotted through his high-powered scope. Over those years, it wasn't unusual for him to be on the road for six to seven months a year as he followed the bird's migration route from the Canadian Arctic to Pacific tropics. When he did come home, his time was often spent along the shoreline of Freezeout Lake watching even more waterfowl.

"Over that time I've recorded over 50,000 collars," said Schwitters, 66, of Choteau, Mont. "That means I've looked at at least 15 million geese over the same period."

"I've probably recorded more neckbands than anyone else in the world," he said.

Before the Arctic Goose Joint Venture program came along, biologists often depended on hunters to help them track the birds during their migrations. Geese were captured on their nesting sites and a band was placed around their leg. When a hunter shot a leg-banded bird, they were expected to turn in the band to a local biologist.

That early program provided little overall information about the migratory habits of geese.

"They'd know where the bird nested and where it was shot with nothing in between," said Schwitters.

The neck bands allowed biologists to track the birds from their nesting sites in the South to their summer haunts in the North. To make it work, the program needed dedicated volunteers like Schwitters.

His careful recordings have helped biologists answer a number of important questions about geese and their migration habits, including estimates of the total population, their longevity, mating habits and how they're impacted by disease.

"There are three factors that impact geese populations

— hunting, predation and disease," he said.

One study focused on the impact of avian cholera. Biologists immunized a group of birds and gave another group a placebo shot. About half of the birds given the placebo died of avian cholera.

Biologists also learned that geese mate for life. If a mate does die and the survivor is still viable, it will seek out another bird.

"It's been intriguing for me to be able to spend the time to watch them in their natural habitat at all points along their migratory and breeding areas," he said. "I've been able to watch them doing what they do in everyday life and learn firsthand about their astounding natural history."

A mathematics major in college, Schwitters thinks it might be his inherent attention to detail and ability to easily remember numbers that makes him good at the job.

It's certainly a challenge.

"There's nothing easy about reading numbers that are 1 1/2 inches tall at the range of a kilometer," he said.

Schwitters' keen eye and attention to detail has been noticed. Over the years, other biologists have sought him out to help on a variety of other projects. Those adventures have included a study on Kittiwake gulls in the Bering Sea and a trip on a research vessel searching for Aleutian cackling geese.

His latest project has been working with Washington state biologists in their efforts to pinpoint the location where trumpeter swans are ingesting lethal doses of lead shot.

"It only takes four or five lead pellets to kill the birds," said Schwitters. "The swans pick them up as grit to help in digestion."

"They are hoping to put a big red X on the map to mark the spot where the lead is found," he said. "So far they've narrowed it down to about three or four sections of land straddling the U.S.-Canadian border north of Seattle. That's pretty good considering we started out looking at an entire county."

Schwitters tracks his interest in waterfowl to hunting trips with his father while growing up in Iowa. When he retired from the Air Force, Schwitters packed his family into a motorhome and toured the country for eight months looking for the perfect place to settle down.

Well, that was the official goal.

Schwitters said he also wanted to see how many different species of birds he could spot on the journey as well. He counted 400 that summer. His list has now grown to more than 700.

The Schwitterses found their home in Choteau, on Montana's Rocky Mountain Front, in part because there was a good school system and it was close to some excellent big game hunting. Of course, there were the views of the Front.

Underlying all of that, there was Freezeout Lake.

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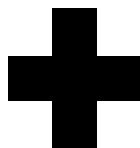
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Group tries to help rural economies

BY NICHOLAS K. GERANIOS

Associated Press Writer

COLVILLE, Wash. — There are lots of artists and craftsmen living in the remote counties of northeastern Washington, but not a lot of customers.

That’s the reason for The Virtual Frontier, a new project that seeks to connect rural artisans with a much larger pool of customers.

It’s for people like Gregg Caudell, who creates \$10,000 paintings, but has a limited market in Keller, a wide spot on the road near the Columbia River.

“I’m hoping I can reach a far wider audience,” Caudell said.

The centerpiece of The Virtual Frontier is www.shopthefrontier.org. It’s one of many Web sites from rural areas. What makes this one different, Caudell said, is that plenty of money is poured into promotion, to raise the profile and get more hits.

“It’s driven more commissions and work my way,” Caudell said.

The Web site is the brainchild of Stone Soup, an organization that seeks to promote economic development in Ferry, Stevens and Pend Oreille counties, long among the state’s poorest.

Betty Buckley, founder of Stone Soup, hit upon the idea of a Web site when she asked people taking her eight-week business classes what more they needed to succeed.

“They said they need a market,” Buckley said. “We make wonderful things here and don’t have a place to sell them.”

Stone Soup spent \$400,000 to get the Web site off the ground just before Christmas last year, including money from federal and state agencies and the Bill and Melinda Gates Foundation.

The site was expensive because it needed to appeal to sophisticated shoppers, she said.

“You don’t get brownie points for being from a poor rural community,” said Buckley, a former state government worker in Olympia who started Stone Soup seven years ago to help women be more self-sufficient.

The site has had more than 70,000 hits since, which Buckley said is better than expected.

They hope to eventually make similar programs available across the region, she said.

The Web site is not a traditional catalog, because many of the items for sale are one-of-a-kind and some are pricey, such as a \$5,200 totem pole that requires special shipping arrangements.

They have deliberately targeted customers with plenty of disposable income, “people who can appreciate spending six hours making a hat,” Buckley said.

Stone Soup’s supporters have been aggressive in seeking customers. They handed out cards at the Sundance Film Festival in Utah, did trunk shows in New York City and Seattle and sent out numerous press releases, Buckley said.

“Our goal for the year was to reach 100,000 hits by next November,” she said.

Among items for sale are oil paintings, pressed flowers, a marriage proposal basket that includes candles, music and massage oil, jewelry, blown glass and a CD that teaches the basics of logging with horses.

The three counties have a combined population of about 60,000 people, two-thirds of them in Stevens County. The unemployment rate runs from nearly 9 percent in Stevens County to more than 12 percent in Ferry County, well above the state’s 4.8 percent.

The mainstream business community has embraced the idea.

Jeni Forman, executive director of the Tri-County Economic Development District, said the Web site will help the region grow its economy from within, without having to lure new businesses from elsewhere.

“Helping them grow and stay in the area is a strong and stable way to grow your economy,” Forman said.

Many of the people on shopthefrontier.org are talented producers, but don’t know how to market their wares, she said.

“It’s not just a Web site,” she said. “It will help entrepreneurs understand how to be in business.”

Pupfish not long for this world

BY KATHLEEN HENNESSEY

Associated Press Writer

DEATH VALLEY NATIONAL PARK, Nev. — They’re kept behind lock and key, protected by barbed wire. They’re photographed, hand-counted and examined under a spotlight. Their diet, activity, water temperature and unborn offspring are all closely monitored by people put to the task by the U.S. Supreme Court.

And still, the Devils Hole pupfish, isolated in a bottomless hot spring in Death Valley for as many as 60,000 years, is falling off the face of the earth.

Only 38 adult Devils Hole pupfish survived the winter, The Associated Press has learned. That’s less than half the population counted last fall, and down from more than 500 that once swam in the red rock hole, the species’ only known natural home.

The head count is a disappointment but not a surprise to federal biologists who’ve been tracking falling numbers since the late 1990s. An accident wiped out as much as half the population in 2004, and the feisty desert fish, named for its puppy-like energy level, has not made the comeback experts had hoped.

No one knows why.

“It’s a real mystery,” said Bob Williams, a U.S. Fish & Wildlife Service field supervisor and spokesman for the recovery team working to save the fish in the Ash Meadows National Wildlife Refuge, about 100 miles west of Las Vegas. “Everyone wants a silver bullet, but it’s not that easy.”

Scientists say more is at stake than the existence of an inch-long glint of blue swimming in a hole at the base of an unnamed hill in the Nevada desert. The disappearance of the pupfish in Devils Hole, if caused by a disturbance to its crystal blue waters, could signal the demise of other imperiled desert fish who depend on the same water system.

Perhaps more likely, its extinction would mark the failure of more than 50 years of coordinated preservation efforts — a shortcoming of science.

Devils Hole pupfish were one of the first listed endangered species. A Supreme Court case protects their environment, and desert conservationists have fought to shield them from developers and farmers. But faced with their mysterious disappearance, scientists are acknowledging that all the human attention, and the error that comes with it, may be killing them.

The Devils Hole pupfish could be in jeopardy of being loved to death.

“There have been a lot of good people working on the problem for a long time, all doing their best, and as with everything, in retrospect, perhaps not doing the right thing or making decisions that didn’t lead anywhere,” said Jim Deacon, a retired University of Nevada, Las Vegas environmental studies professor who devoted much of his career to the pupfish. “Mistakes have been made. The status of the species at the moment is probably largely a response to mistakes people have made and actions people have taken, including actions that been well-intended.”

President Harry S. Truman first protected Devils Hole, a 10-foot-by-70-foot opening to a water-filled subterranean cavern. In 1952, Truman designated the 40 acres around the hole as part of the Death Valley National Monument to safeguard what he called a “peculiar race” of fish.

In 1967, the Devils Hole pupfish was listed as endangered and shortly after a fish-vs-rancher water fight broke out. Irrigation pumping caused the hole’s water level to fall below the gravel-covered angular shelf where the pupfish feed and breed. Fish began to die. A pool of backup fish, or refugia, were established in other locations just in case.

A “Save the Pupfish” campaign was answered with “Kill the Pupfish” bumper stickers. In 1976, the fight went to the U.S. Supreme Court, which ruled in favor of the fish.

Since then, the water level has been kept inches above

the shelf to assure pupfish survival. The population remained steady until 1997, when fewer fish began showing up in the twice yearly census — in which divers descend into the hole and count the fish one by one.

In September 2004, a flash flood washed a bucket full of fish traps being stored near the hole into the water. At least 80 fish were killed. About a year later, officials learned one of the backup locations had been tainted and contained a hybrid fish.

But this “combination of a series of unfortunate events,” as Williams describes it, does not solely explain the crisis.

“The problem now is, ‘Why hasn’t the population built back up?’ They have reproduced there for thousands of years,” he said.

The hole’s spawning shelf appears to be healthy, though the fish may not be reacting well to a recent effort to restore the shelf using different configurations of gravel and pebbles.

“We all had high hopes that (restoration) would mean an increase,” said Cynthia Martinez, assistant field supervisor with the U.S. Fish and Wildlife southern Nevada office. “We may need to be little more patient to give it another year to do that.”

The water’s temperature — a balmy 92 degrees — and quality have not changed, scientists say, though it’s possible the fish could be sensitive to some undetected chemical on scuba divers’ suits or human activity in the hole.

“But you know what (the hole) used to be called locally? Miner’s Bathtub. You would think that kind of activity would have been damaging back then,” Deacon said.

Some hypothesize that the fish is killing itself through inbreeding, that the Devils Hole pupfish is genetically homogenous and the 2004 accident may have dropped the population to unsustainable levels.

Deacon said it’s unlikely because the numbers started falling in 1997, before the accident.

The recovery team had hoped for signs of a revival in its mid-April count, although they knew it was wishful thinking. The spring count is typically lower than the fall’s because pupfish, who live for only about 10 months, die over the winter and haven’t yet been replaced by a new generation. Williams noted that the fish that were counted were younger and “more reproductively viable” than those counted last fall. Still, the news is not good.

“It’s a really, really stressful time for all of us. We’re very concerned,” Williams said.

A recovery team of National Park Service and state and federal wildlife officials are ramping up plans to increase the number of Devils Hole pupfish in a refugium at Hoover Dam, which saw a population increase to 29. They plan to create other refugia and experiment with transporting the fish.

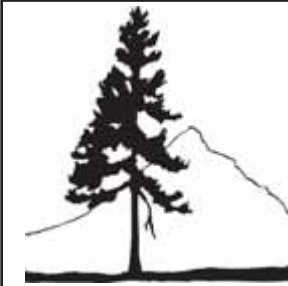
But when it comes to the 38 fish still swimming in the hole stumped scientists are left just trying to get out of the way. Under rules enacted this week, no one is allowed to disturb the fish without approval from regional managers.

“They’ll be no more physical activities within the refugium or Devils Hole,” Williams said.

If the scientists have to leave them alone to save them, that’s fine with Deacon, who believes the prehistoric fish may hold undiscovered evolutionary clues. Experts aren’t sure how they got to the hole, which was created when a limestone crevasse collapsed 60,000 years ago, or why they’re missing a pelvic fin, separating it from other species of pupfish.

“There are literally thousands of people in the world fascinated with this creature,” he said, adding scientists from Iran to Mexico have contacted him about his work.

“There is an obligation of humans to live on the earth in such a way so we don’t diminish opportunities for future generations. One of those opportunities is to know something about Devils Hole pupfish.”



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Woody's French-kiss fizzles

By the Associated Press

PARIS — France's film commission is disappointed: Woody Allen won't shoot his next movie in Paris after all.

Allen has been working on a Paris script, but it turned out to be too ambitious for his budget, the commission said Thursday in a statement.

Instead, he will return to an earlier project set in London, where he shot 2005's "Match Point."

"This is obviously bad news for French film networks and professionals, who were already delighted to be able to work with Monsieur Allen," the Film France commission said in a statement.

A beloved figure in France, the 70-year-old director appeared in a 2003 promotional video to lure American tourists back to the land of champagne. Tourism had dropped during the diplomatic standoff over U.S. plans to invade Iraq.

"I don't want to have to refer to my French-fried potatoes as freedom fries and I don't want to have to freedom-kiss my wife when what I really want to do is French-kiss her," Allen said in the short film produced by the French government.

NEW YORK — Tyler Perry — playwright, producer and performer — may be the unlikely heir to Howard Stern's self-proclaimed throne of "king of all media."

Perry's first book, "Don't Make a Black Woman Take Off Her Earrings: Madea's Uninhibited Commentaries on Love and Life," will debut atop The New York Times' nonfiction best-seller list, it was announced Thursday.

In late February, Perry's "Madea's Family Reunion" reigned at the box office, opening at No. 1 and raking in over \$30 million. It went on to make over \$62 million domestically despite mixed reviews.

The 36-year-old Perry built his fame touring and starring in plays. No matter his medium, Perry's staple character has been the wisecracking, gun-totting grandmother, Madea Simmons.

In the book, which Riverhead Books released in hardcover on April 11, Perry writes in the voice of Madea, sharing observations and advice. It will appear on the April 30 New York Times list of best sellers, the publisher said.

"I'm really happy for the loyalty and continued support of my fans," Perry said in a statement.

EUGENE, Ore. — Curtis Salgado, who is credited with visually inspiring John Belushi's Blues Brothers act, has been diagnosed with liver cancer.

"I am fortunate to be under the care of an incredible team of doctors and nurses, and I'm inspired by the courageous people who have faced this fight before me," the 52-year-old singer and bluesman said in a recent statement.

Salgado, who grew up in Eugene and lives in Portland, was diagnosed three weeks ago. He expects to begin radiation treatment next month and eventually hopes to have a liver transplant,

said his longtime manager, Shane Tappendorf.

Salgado was singing and playing harmonica for blues guitarist Robert Cray in 1977 when he met Belushi at the Eugene Hotel. Belushi was in town to film "Animal House."

In a 2005 article in Guitar Player magazine, Cray recalled: "Curtis wore prescription Ray-Ban sunglasses, and he had a little growth of hair under his bottom lip. Right then, Belushi got the idea to start the Blues Brothers, basing his character on Curtis."

Salgado has been working in Nashville, Tenn., on new material for his fourth album. He expects to be performing by early June, Tappendorf said.

NEW YORK — Soprano Erika Sunnegardh will make her Carnegie Hall main stage debut May 14 with the Metropolitan Opera Orchestra as part of a concert program revised because of conductor James Levine's shoulder surgery.

Sunnegardh was a relatively unknown singer before April 1, when the 40-year-old Swedish-American made her Met debut as the replacement for an ill Karita Mattila as Leonora in Beethoven's "Fidelio." The Saturday- afternoon performance was broadcast internationally to about 11 million listeners in 40 countries.

Sunnegardh's only previous Carnegie appearance was at the small Weill Recital Hall on May 2, 1988, as part of a chamber ensemble.

The concert, announced Thursday, also will feature tenor Ben Heppner, bass Rene Pape and conductor James Conlon. Sunnegardh is to sing "D'Oreste, d'Ajace" from Mozart's "Idomeneo," "Siegmond heiss' ich" with Heppner from Wagner's "Die Walkure" and "In questa reggia" from Puccini's "Turandot."

The world premiere of Charles Wuorinen's "Theologoumenon," which was on the original program, has been postponed.

Levine is recovering from March 27 surgery to repair a torn right rotator cuff, an injury sustained when he fell on the stage of Symphony Hall in Boston following a March 1 performance.

EDINBURGH, Scotland — J.K. Rowling says she has given money to help set up a center for research into multiple sclerosis.

The best-selling "Harry Potter" author didn't say how much she had given toward the \$4 million facility, which will be housed at The Center for Regenerative Medicine at Edinburgh University's medical school.

"It means a great deal to me to be able to provide support for this much-needed research center," Rowling, patron of the Multiple Sclerosis Society Scotland, said Thursday.

Her mother died of multiple sclerosis at age 45.

"It is an extremely exciting step forward in the ongoing battle to try to unlock the mysteries of MS and which will hopefully, one day, lead to a cure," Rowling said.

Multiple sclerosis is a chronic disease of the central nervous system that may result in speech defects and loss of muscular coordination.

There are about 85,000 sufferers in Britain, about one in every 700 people.

The new research center is expected to open by the end of the year.

PHILADELPHIA — The Philadelphia Orchestra has appointed a music-conservatory dean as its next president and CEO, citing his fundraising success and ability to turn to new technology to expand the appeal of classical music.

James Undercofler, dean of the Eastman School of Music in Rochester, N.Y., is expected to start Aug. 1, succeeding Joseph H. Kluger, who has announced he would resign after 16 years as the orchestra's president.

An 18-member committee of musicians, staff and board members recommended the 60-year-old Undercofler, who is a Philadelphia native.

The decision marked a course change for Undercofler, who less than a month ago announced a new five-year term as the Eastman dean. He said he had called Philadelphia to take his name out of the running, had regretted doing so, and after five days had been contacted again by the search committee.

Orchestra officials pointed to Undercofler's fundraising record, overseeing a \$100 million increase in the value of the Eastman School's endowment while dean, and his technological orientation, using the Internet to set up interactive lessons between students in Rochester, N.Y., and Glasgow, Scotland.

Undercofler said he would emphasize outreach and education.

"You'll hear me talk about the power of music and what it can do for communities and individuals," he said.

LOS ANGELES — This time, it was Vanna White's turn to spell out a name — her own.

The longtime letter-turner on "Wheel of Fortune" was all smiles Thursday as she received a star on the Hollywood Walk of Fame.

"I remember my parents telling me, at the age of 10, 'You can do anything you want.'" Dad, we did it!" said White, 49, who debuted as host Pat Sajak's assistant in 1982.

Guests at the 2,309th star's unveiling included Sajak, "Wheel of Fortune" creator Merv Griffin, "Jeopardy!" host Alex Trebek and White's father.

"I picked her because she knew the whole alphabet," Griffin said. "She is America's sweetheart."

White grew up in North Myrtle Beach, S.C., studied to be a model and moved to Los Angeles to pursue acting.

he struck TV gold with "Wheel of Fortune," clapping and turning letters called out by contestants.

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES FOR APRIL 22-23, 2006

Broadway Loews Cineplex
1441 3rd Street
(310) 458-6232

American Dreamz (PG-13)
1:50, 4:30, 7:20, 10:00

Brick (R)
2:30, 5:30, 8:00, 10:30

The Sentinel (PG-13)
1:30, 4:05, 7:00, 9:40

Somersault (NR)
2:10, 5:00, 7:40, 10:15

Mann's Criterion Theatre
1313 3rd Street
(310) 395-1599

Ice Age: The Meltdown (PG)
12:00, 2:30, 4:50, 7:20, 9:40

La Mujer de Mi Hermano (R)
12:40, 3:00, 5:20, 7:50, 10:20

Lucky Number Slevin (R)
11:40am, 2:20, 5:00, 7:40, 10:30

Standing Still (R)
12:30, 2:50, 5:10, 7:30, 10:00

Take the Lead (PG-13)
1:30, 4:20, 7:10, 9:50

V for Vendetta (R)
1:00, 4:00, 7:00, 10:10

AMC7 Santa Monica
1310 3rd Street
(310) 289-4262

The Benchwarmers (PG-13)
11:00am, 12:50, 3:00, 5:30, 7:40, 10:05

Inside Man (R)
12:40, 2:20, 3:50, 7:00, 8:10, 9:50

Scary Movie 4 (PG-13)
12:10, 1:00, 2:35, 3:20, 4:50, 5:40, 7:10, 8:00, 9:40, 10:30, 11:45

Silent Hill (R)
11:00am, 11:30am, 1:40, 4:30, 5:20, 7:30, 10:20, 11:30

The Wild (G)
11:10am, 1:20, 3:30, 5:45, 7:50, 10:00

Nuwilshire Theatre
1314 Wilshire Blvd
(310) 281-8228

The Notorious Bettie Page (R)
12:00, 2:30, 5:00, 7:30, 10:00

Thank You for Smoking (R)
11:45am, 2:15, 4:45, 7:15, 9:50

Laemmle 4-Plex Theatre
1332 2nd Street
(310) 394-9741

The Almost Guys (PG-13)
11:45am, 2:10, 4:45, 7:10, 9:35

Friends With Money (R)
12:45, 1:45, 3:00, 4:00, 5:20, 6:20, 7:40, 8:40, 10:00

Kinky Boots (PG-13)
11:45am, 2:20, 4:55, 7:30, 10:10

Information: calendar@smdp.com

MORE TODAY IN HISTORY

■ In 1509, Henry VIII ascended the throne of England following the death of his father, Henry VII.

■ In 1864, Congress authorized the use of the phrase "In God We Trust" on U.S. coins.

■ In 1944, during World War II, U.S. forces began invading Japanese-held New Guinea with amphibious landings near Hollandia.

■ In 1964, President Johnson opened the New York World's Fair.

■ In 1970, millions of Americans concerned about the environment observed the first "Earth Day."

■ In 1983, the West German news magazine Stern announced the discovery of 60 volumes of personal diaries purportedly written by Adolf Hitler. However, the diaries turned out to be a hoax.

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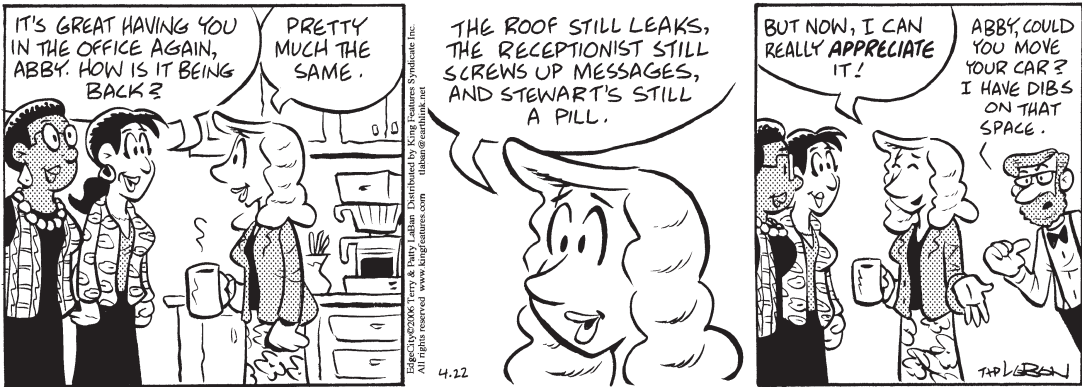
COMICS

The Dinette Set by Julie Larson

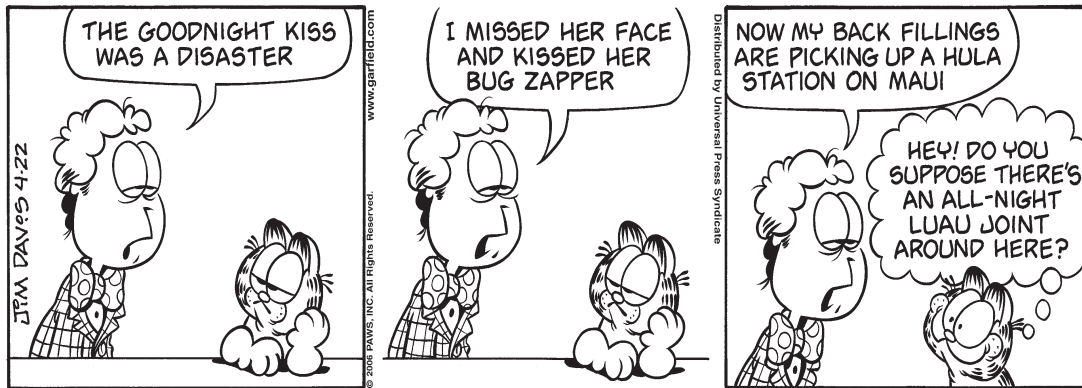


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- 1 Sentry's duty
 - 6 O'Neill field
 - 11 Moscow setting
 - 12 Flows slowly
 - 13 Arrested
 - 14 Posh
 - 15 Seasonal quaff
 - 17 Tall tale
 - 18 Mardi Gras city
 - 19 Lucy, for one
 - 22 Urgent call
 - 23 Breakfast choice
 - 24 Eggs buy
 - 25 Dark suit
 - 27 He loves ewe
 - 30 Popula-tion group
 - 31 Juan's wife
 - 32 Likely
 - 33 Defen-dant of 1925
 - 35 Inferior
 - 38 Blatant
 - 39 In a way, informally
- 40 Thick
- 41 Squelched
- 42 Calculator button

DOWN

- 1 Electri-cians, at times
- 2 Slow passage
- 3 Seductive dances
- 4 Gab
- 5 Academy ethic
- 6 Parties
- 7 Argument
- 8 Showy bush
- 9 Domestic servant
- 10 Invited
- 16 Old coots
- 20 School policy
- 21 Farm mother
- 24 Block up
- 25 Oscar-winner Loren
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Obituaries



LUZ OSPITIA, Sadly on April 17th 2006 passed away.

Luz Ospitia was a resident of Santa Monica for over 50 years. Her sense of community and giving put her on a professional path which included the City of Santa Monica, Community Corporation, Wise Senior Services, Political Campaigns, Community Interests, Clubs, Social Benefits and Spiritual Affiliation. Within all of these endeavors there was always one common thread, that was to help her fellow man. She is survived by her Son George, Daughter Anna, Daughter Lois and Daughter in Law Suzanne. She is deeply loved and will be greatly missed.

Memorial Services for Luz Ospitia will be held Sunday April 23rd, 2006 at 10:30 a.m. Iglesia Bautista Barrington at 1903 S Barrington Ave in Los Angeles, CA

Funeral Services for Luz Ospitia Set for Monday April 24th, 2006 at 09:00 a.m. Woodlawn Cemetery at 14th and Pico in Santa Monica, CA. You may contact Gates, Kingsley & Gates Moeller Murphy Directors (310) 395-9988

MORAN, JACK

Passed away peacefully April 18. He was born September 13, 1912. He was preceded in death six months ago by his loving wife Martha. Jack lived in Santa Monica for 85 years. He, along with his wife Martha, owned and operated The Domestic Hand Laundry on 14th and Broadway for over 30 years. He attended St. Anne's Catholic School and has always supported his alma mater as well as St. Monica Catholic Church and San Miguel Mission.

He is survived by his daughter Patty Kessey, His grandchildren Katie and Kevin Paris, his three great grand children Kyle, Kailey and Konnor. His sister Margaret Smith, his niece Ellen Tonin, two nephews John and Patrick Smith, the Farnham family and numerous cousins and friends.

Visitation will be Friday April 21 form 4-8 pm at the mortuary. A funeral Mass will be held 11:00 am Saturday April 22 at St. Monica Church.

Gates Kingsley Gates Moeller Murphy (310)395-9988

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