



Santa Monica Daily Press

October 15-16, 2005

A newspaper with issues

Volume 4, Issue 290

DAILY LOTTERY

SUPER LOTTO

2 25 33 39 44
Meganumber: 11
Jackpot: \$7 Million

FANTASY 5

1 6 15 26 27

DAILY 3

Daytime: 3 2 2
Evening: 1 3 3

DAILY DERBY

1st: 09 Winning Spirit
2nd: 08 Gorgeous George
3rd: 10 Solid Gold

RACE TIME: 1:42.73

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

A September sidewalk protest of a Henderson, Nev., Wal-Mart by the United Food and Commercial Workers (which seeks to unionize Wal-Mart, whose notoriously low wage structure is blamed by the union for low wages across the supermarket industry) was staffed by temporary workers hired by UFCW to picket in the hot sun for \$30 for a five-hour shift. Said one picketer to the Las Vegas Weekly, "It don't make no sense, does it? We're sacrificing for the people who work in there, and they don't even know it."

TODAY IN HISTORY

Today is the 288th day of 2005.
There are 77 days left in the year.

On Oct. 15, 1964, it was announced that Soviet leader Nikita S. Khrushchev had been removed from office. He was succeeded as premier by Alexei N. Kosygin and as Communist Party secretary by Leonid I. Brezhnev.

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Jack-o'-graffiti



Fabian Lewkowicz/Daily Press

Graffiti artist 'Snowski' on Friday paints a Halloween-themed mural on Venice Beach.

City Hall plans to massage sex laws

Retail in, parlor tricks out

BY RYAN HYATT
Daily Press Staff Writer

CITY HALL — Community concerns about neighborhood sex shops have prompted city officials to re-evaluate how they regulate adult entertainment in Santa Monica.

As a result, city officials took steps this week to expand the areas in which sex shops can operate while cracking down on prostitution operations that front as massage parlors.

City Attorney Marsha Moutrie explained to the City Council this week that a sex shop that opened on Lincoln Boulevard earlier this year has rekindled debate about

See **SEX LAWS**, page 6

Second, Fourth streets to get facelift

After years of delays, City Hall almost has enough money to pay for it

BY RYAN HYATT
Daily Press Staff Writer

CITY HALL — Big steps to improve downtown sidewalk areas that aren't part of the Third Street Promenade have been approved to the tune of \$3.5 million.

The Santa Monica City Council this week approved an amendment to its contract with Zimmer Gunsul Frasca Partnership (ZGF) for \$39,000 to proceed with design development and construction drawings for a series of sidewalk improvements set for Second and Fourth streets between Colorado

Avenue and Wilshire Boulevard. ZGF, an urban design firm, is spearheading the \$3.5 million project, which the City Council originally adopted in 1997. The project has been put off due to a lack of funding, officials said.

The plan calls for replacing every other ficus tree within the designated area with two ginkgo trees, a move that planners anticipate will lighten the sidewalks and increase visibility of nearby businesses. In addition, modern lighting with a single-headed fixture pointing down at the sidewalks, intended to improve sidewalk vis-

ibility at night, will replace existing cobra-headed street lights. Landscaped curb extensions at the six mid-block crosswalks also will be added to shorten the exposure of pedestrians to traffic while they cross the streets.

Since 2003, a combination of grant funds have trickled in to support the project, including \$2.2 million from the federal government and \$1 million from the state. City Hall already has allocated \$280,000 from its general fund. However, City Hall still

See **STREET IMPROVEMENTS**, page 7

LOCAL

Lock your windows and doors: A burglar might be lurking

BY CAROLYN SACKARIASON
Daily Press Staff Writer

Think your home is safe? Think again, because it's most likely full of security breaches.

An hour-long home security survey by a crime prevention coordinator from the Santa Monica Police Department's community relations division will make you aware of what security weaknesses you might have in your home or apart-

See **SECURITY**, page 8

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HOROSCOPE

Maintain calm, Taurus

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)
★★★★ Others who could prove difficult at first totally change their tune given time. In fact, attempt to deal with important matters in the late afternoon. The Moon in your sign gives you the green light. You have the planets working with you. Tonight: Grin away.

TAURUS (April 20-May 20)
★★★ Though a problem or restriction could rise on the home front, you can deal with it — if you want! Some of you might decide to walk away and let the situation play out. This is not a bad decision. Plan on a quiet late afternoon. Tonight: Maintain a level of calm.

GEMINI (May 21-June 20)
★★★★ Others knock on your door, and everything you say seems to be off in the morning. You wonder why you can't win for losing. By late afternoon, find your friends and throw yourself into a different activity. It seems as if you were given a lucky rabbit's foot. (It's about time.) Tonight: Lots of people seek out the gregarious Twin.

CANCER (June 21-July 22)
★★★ You might have plans to take off and clear out some recent tension. Responsibilities trail you left and right. In fact, you might decide to return home and deal with what you must — sooner rather than later. Tonight: A force wherever you are.

LEO (July 23-Aug. 22)
★★★★ Spend the morning with a loved one or a special friend. You will take off in the afternoon, maybe with this person, to create an adventure. Whether driving or exploring, you set your mind free to wander. Tonight: Do a totally new activity or try a new restaurant.

VIRGO (Aug. 23-Sept. 22)
★★★★ Others make requests. You might have difficulty completing some errands or getting a project done. Why not seize the moment? Others clearly want you around them. Be available. Tonight: Someone zeroes in on you.

LIBRA (Sept. 23-Oct. 22)
★★★★ Use the morning to get through anything you must do. By the afternoon, you will no longer be in the mood to be responsible. Others seek you out. Accept invitations by choosing whom you want to be with. Tonight: Your popularity continues.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Let your ingenuity guide you through the day. Enjoy the early hours, because by late afternoon, a responsibility calls. You might be too tired to socialize. You know what to do. Curl up for a nap. Tonight: Easy does it.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ You don't have to move quickly this morning. In fact, some quiet time might be just what the doctor ordered. Make a call or two if you want. Mid-afternoon, the need to go out and enjoy yourself emerges. Let it happen. Tonight: Lead the parade to fun.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Field calls, get errands done and do any running around you need to do. You will want to lie back come afternoon, though you might have some friends over. Make your home the center of the action. Tonight: Just relax.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Determine what bills you must pay before you go out to play! Making plans could cost more than you like, though you will find less expensive alternatives. What's important is visiting with others. Tonight: At a favorite spot.

PISCES (Feb. 19-March 20)
★★★★ You are favored for success in the early hours. In fact, act on a long-term dream or wish. You might be delighted by what occurs. Your humor mixes well with others. A get-together this afternoon can only be happy. Tonight: You could charm someone.



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LOCAL



COMMUNITY BRIEFS



Photo courtesy

Bruce Schroffel of the Santa Monica Oceanaires brings greetings to Alexander Demenchenko, executive director of the department of folk arts, Russia's federal agency for culture and cinematography. Schroffel presented him with a Santa Monica key ring provided by the Santa Monica Convention & Visitors Bureau.

Taking to the streets of St. Petersburg

By Daily Press staff

An area barbershop singer has forged a bond with St. Petersburg, Russia, Santa Monica's sister city.

Santa Monica Oceanaire Bruce Schroffel has just returned from participating in the sixth International Choral Festival of Barbershop Harmony. The event is held each year in St. Petersburg, Russia.

"It wasn't an ordinary tourist experience," Schroffel said. "I was an ambassador of our country, I was an ambassador of barbershop music, and I represented Santa Monica in our beautiful sister city, St. Petersburg. It turned out to be it an experience of a lifetime."

Schroffel, a long-time member of the Santa Monica Oceanaires Men's Barbershop Chorus, joined the Brothers of Harmony Chorus of Easton, Penn., and female barbershoppers (Sweet Adelines) from the Verdugo Hills Showtime Chorus. Rounding out the delegation was "Gotcha," the Barbershop Harmony Society's 2004 International Barbershop Champions.

The week-long event included eight performances at many of St. Petersburg's most famous venues. After singing at Tchaikovsky and Borodin's gravesites, the group's final performance was before a packed house of more than 2,000 Russians in the famed Grand Hall of the St. Petersburg Philharmonic.

SMASHing pumpkins come to SM

By Daily Press staff

It's sure to be smashing good Halloween fun at Santa Monica Alternative School House this week.

On Wednesday, Oct. 19, a "SMASHing Pumpkins" pumpkin sale will be held from 2:30 p.m. to 6 p.m. at SMASH, located at 2525 Fifth St.

See BRIEFS, page 10



SURF REPORT

For Saturday, size should be running chest high at most west-facing breaks, shoulder high at standouts when the tide is right, which will be a problem. We're facing a tidal swing this weekend with extreme highs nearing 6 feet mid morning. With a later sunrise, this tide will have an effect on nearly all morning sessions, but will really impact mid-morning sessions with a noticeable slow-down. Winds will almost surely be problematic in the afternoon. Sunday should still see chest- to shoulder-high ground-swell sets, but wind swell will be clearly evident.

Today the water is:

64°

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

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	2:12	-0.1	2:35	0.5	8:29	5.7	8:38	5.6
SUNDAY	2:44	0.3	3:19	0.0	8:58	6.1	9:26	5.3
MONDAY	3:15	0.7	4:03	-0.3	9:27	6.4	10:15	4.9
TUESDAY	3:45	1.2	4:48	-0.4	9:58	6.5	11:04	4.4
WEDNESDAY	4:14	1.8	5:34	-0.3	10:28	6.3	N/A	N/A

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The Q Line

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CHECK OUT THIS WEEK'S Q-LINE RESPONSES ON PAGE 4.

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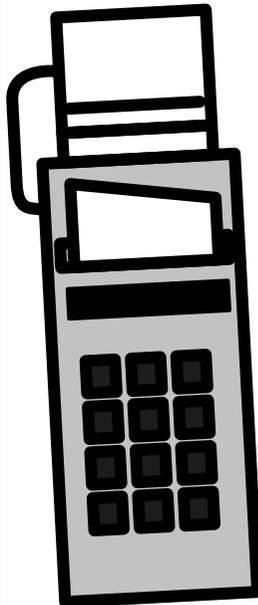
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The Q Line

CITY MANAGER WILL FACE UPHILL BATTLE

This past week, Q-line asked:
“What kind of qualities and abilities would you like to see in the next City Manager?”

Here are your responses:

① “Since the people who already run Santa Monica are the ones who will interview and select the new city manager, it is doomed from the outset. What we will get is more inefficiency and self-serving action with the usual deaf ear to the real needs of the community and will of the citizens.”

② “The main quality of the new City Manager will be to have the agility and care and whip equipment of a lion trainer. They will need it.”

③ “Enumerating what we as citizens would like to see in the new City Manager is pointless. He or she must first be able to speak with forked tongue and smile all the while. Second, be a total ‘yes’ man or woman to the incumbents, and God forbid the person should have a mind of their own, or even a functioning mind.”

④ “For City Manager they should get someone who actually lives in Santa Monica and knows what the city used to be like before the idiots got in charge and ruined it. So they need somebody who will listen to the people of the city, not the big chains, not the idiots on City Council, and not the bum advocates. We don’t need those people here, get rid of them. What they should have is someone who actually has a brain and knows how to use it. So again, that leaves out everyone on the City Council, as well as the people in the Bush administration.”

⑤ “I can almost guarantee the next City Manager will be a woman, probably from a progressive state back east. She will have a string of letters behind her name signifying her brainwashed educational ability to further destroy this town with her elitist vision of urban planning. Have you ever noticed how many women work for City Hall? The Mayor, the City Attorney, the City Manager, the City Clerk and every time your paper quotes someone from some patronage, taxpayer-subsidized City Hall department, it’s a woman. Smells like affirmative action to me. A strong City Manager would need to deal with this and recent plans for building a six-story apartment building next to the post office. Also, over-the-hill actors with minuscule donations to start taxpayer funding of supposed cultural theaters for the elites in our time. Do you notice the City Council seems like old women making decisions? We need a visionary. I would cast my four votes for Denny Zane. Who could be better, a father in this town to low-income housing, affirmative action, extorting money for the school district, traffic problems, parking problems, bicycle riding. Mr. Zane could bring millions into this town by advocating his college passion of a nude beach. We could become the Riviera of the Pacific. Thousands of progressives would travel to

Santa Monica to spend money and shed their clothes. Even our City Council could go to the beach for cultural enrichment. Yes, Mr. Zane could lead us backward into the future allowing us to contemplate our shadows, thinking they represent the light of the future rather than the darkness of socialist failures.”

⑥ “I think that the job of City Manager should go to a very well qualified individual from an Ivy League college or maybe from a California state college. Somebody who thinks about what they are doing unlike most of the (expletive) that sit on the City Council now.”

⑦ “For City Manager I would like somebody who cares about the quality of life of the people who live here. Not some who wants to just build, build, build and make more and more traffic and ruin it for everybody that’s here already.”

⑧ “In my opinion, anyone with any ability or quality would not be in the city of Santa Monica to run it. Santa Monica, in my opinion, has its own set of rules and regulations for everything. So it’s quite a moot point.”

⑨ “The candidate should be uncorruptable, honorable and honest. The person must have the ability to say ‘no’ to special interest groups, ‘no’ to personal interests, ‘no’ to some decisions made by some of the corrupt members of the City Council and you know who you are. A ‘yes’ would be in order only to make Santa Monica a better place to live.”

⑩ “It should be somebody who believes in what Henry David Thoreau once wrote which was ‘a government that governs best, governs least.’ We need somebody in Santa Monica that believes that small government is better, that less regulation is better and that the community can take care of itself.”

⑪ “What I would like to see is a City Manager who works and responds more to the residents as opposed to the staff departments and supporting the staffs and creating their own bureaucratic empires. One way for the City Manager to know what the residents want is to simply read the letters and the editorials in the Santa Monica Daily Press. That way they can get a good idea on what the residents want in terms of dealing with the chronic homeless problems, gang problems, over development, fiscal responsibility, conflict of interest, and issues with the City Council. So it’s not so complicated that the City Manager can’t figure out what the residents want, and the residents are supposedly who the City Manager works for.”

OPINION

Finding true justice among the stars is silly



MODERN TIMES

BY LLOYD GARVER

Most of us know who Harriet Miers is. She’s the woman President Bush wants to be the next Supreme Court Justice. But how many of us know who she really is?

She’s never been a judge, and many people worry about this. How can we tell where she stands on issues? How can we know what kind of judicial reasoning she will use? Is she a maverick or does she like to be part of a consensus? If the other judges order bagels, will she order a donut?

Like the president, I believe there are other ways of telling about a potential Justice than looking at a judicial record. The most logical thing is that if people aren’t sure about her stance on the issues, just ask her.

When she’s called before the Senate Committee, all the Senators have to do is ask her how she feels about Roe vs. Wade, or the Separation of Church and ... Oops! I forgot. When potential Justices are asked how they stand on the issues, they don’t answer the question. Forget the direct questioning approach.

Let’s look at her background. She used to be a Democrat, then she switched and became a Republican. In fact, she gave money to Al Gore’s 1988 presidential campaign. Either her switching parties demonstrates a lack of rigidity and that she’s not an ideologue, or it says she’s wishy-washy.

She was the head of a law firm that represented such clients as Microsoft, the Walt Disney Company, and SunGard Data Systems Inc. So, she might be pro-big business. On the other hand, she was president of the Texas Bar Association, so she may be pro-trial lawyer.

Some conservatives and some liberals oppose her nomination. Either this is a good sign, meaning that she doesn’t have a blind allegiance to any ideology, or it means she’s so bad that neither side likes her.

Her personal biography says that she is “very close to her family.” That’s nice. But does it really tell us how she feels about the legal issues of the day?

So, how can we find out what Harriet

Miers is really like and what kind of Justice she will be? Perhaps to learn what makes Harriet Miers tick we have to go outside traditional areas of inquiry. Some might suggest numerology. I think you add up the number of letters in her name, then add them together, and that’s supposed to mean something. But that sounds a little frivolous for something evaluating a possible Supreme Court Justice.

So, let’s turn to astrology. It’s not anything I believe in, but millions of people do. And there’s a tradition of astrology in politics as anyone who remembers the Reagan administration knows.

Born Aug. 10, 1945, Ms. Miers is a Leo. According to the astrology site that I went to, Leos are “generous and warm-hearted, creative and enthusiastic, broad-minded and expansive as well as faithful and loving.” Sounds pretty nice, but it still doesn’t tell us what kind of Justice she’d be. However, the possible negative qualities of a Leo are “pompous and patronizing, bossy, dogmatic, and intolerant.” Uh-oh.

But don’t despair. When I ran her exact birth date on another astrology site, I came up with some very positive things: “You need to put your personal stamp on whatever you do.” That seems OK for a Supreme Court Justice. And finally, “You tend to be very good at what you do and critical of others’ work if it does not meet your high standards.” That might work for a Justice.

Another way to get some insight into Ms. Miers might be to look at some other Leos. Perhaps her character is similar to theirs. Other Leos include Monica Lewinsky, Martha Stewart, Loni Anderson, and Hulk Hogan. Oh yes, and Bill Clinton.

I guess it boils down to we really don’t know that much about Ms. Miers. I realize that using astrology to try to find out about her is absurd. But is it any more absurd than simply taking the word of the politicians pushing for her to be the next Justice?

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

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COMMENTARY



GUEST COMMENTARY BY STEPHEN KRASHEN

A third of 1 percent for California's libraries

"When I read about the way in which library funds are being cut and cut, I can only think that American society has found one more way to destroy itself." (Isaac Asimov, from his autobiography I Asimov)

A government survey of public libraries released last month ("Public Libraries in the United States: Fiscal year 2003") shows that California's public libraries are in bad shape.

According to the survey, we rank 37th among all states in terms of book holdings with 2.3 books per capita. Maine, No. 1, provides more than double this amount — 5.2 books per capita. California public libraries are even worse off in audio materials, ranking 43rd, and we rank 38th in video and magazine holdings.

California public libraries have 2.5 librarians per 25,000 state residents, putting us in 45th place (New Hampshire has 8.3 librarians per 25,000 people, more than triple California's figure.)

These results are not new. Last year's "America's Most Literate Cities" report from the University of Wisconsin ranked the library systems of 79 U.S. cities. Oakland ranked 51st, Long Beach, 64th; Fremont, 65th; Fresno, 69th; Los Angeles, 73rd; Anaheim, 78th; and Santa Ana 79th. Only San Francisco (34th) and San Jose (39th) escaped the bottom one-third.

California also neglects its school libraries, spending a pathetic 3 percent of the national average. California school libraries have the fewest books per child in the United States, and by far the fewest credentialed school librarians — one per 4,500 students. The national average is one per 900 students.

We should be concerned. Studies confirm that the quality of both school and public libraries are related to how well children read. It is no surprise that California has the lowest reading scores in the nation, and has been last since 1992, the first time scores for individual states were analyzed.

Children of poverty typically do poorly on reading tests, and they are the most dependent on libraries because they have the least access to books at home.

About 35 to 40 percent of circulation of public library materials is child-related. What is to be done?

There are three major sources of funding for public libraries. State governments contribute about 10 percent of library budgets nationally, about 80 percent comes from local (community, district, region) funding, and about 6.5 percent comes from "other" sources (donations, interest, library fines, fees, grants). The federal contribution is negligible, about one half of 1 percent nationwide.

Much of California's shortfall comes from the state. We are only slightly below average when it comes to local support, about 97 percent of the national average, but the state invests less than half — 45 percent — of the national average in public libraries. Also, California libraries were only able to come up with 67 percent of the national average in terms of "other" contributions to the library budget.

If California just wanted to be average, to spend as much per capita on public libraries as other states do, it would have to spend another \$125 million per year. If the state were to pay its share, it would have to invest another \$66 million, making up about half the shortfall. We are even farther behind when it comes to school libraries. Adding \$129 million to the current allotment of \$4 million for school libraries would bring us to the national average.

For a total increase of about \$254 million, we would be spending as much as the average state does on its public and private libraries. That's only about a third of 1 percent of the \$90 billion state budget.

Contrary to popular opinion, nearly all children in the United States master the basics of reading. Some do it faster than others, but they all manage, eventually, to read at least at a basic level. There are few total illiterates who have been to our public schools. To get beyond the basic level, however, children need access to books, and for many children, libraries are their only chance.

Instead of making pious pronouncements about raising levels of literacy and investing more in measuring the problem (increased testing), California might consider making the most obvious investment and spend a third of 1 percent of the state budget, or more, on libraries.

(Stephen Krashen is a professor emeritus at the University of Southern California.)

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LOCAL

Residents request that new laws 'have teeth'

SEX LAWS, from page 1

SEX SHOP TALK

the regulation of such establishments in Santa Monica. Acting on resident complaints, City Hall is tweaking its laws to better balance sex shops' right to operate while attempting to combat the negative effects believed to be associated with them. In addition, City Hall is tackling what some call a more prevalent problem of illicit massage parlors that continue to proliferate within city limits.

"There have been questions about the efficacy of the location of various types of adult businesses," Moutrie told the City Council on Tuesday. "There are (also) 51 businesses licensed as massage parlors. However, we believe about 25 percent of them do not operate legitimately."

Studies show sex shops — stores that sell certain clothing, toys and videos — increase the amount of crime and decrease property values in a neighborhood, Moutrie said. She presented a stack of evidence to support the claim at the council meeting. The adverse effects are especially true when adult businesses become concentrated in a specific area, she said.

Currently, adult businesses are only permitted along parts of Lincoln and Pico boulevards and east of downtown, between Colorado Avenue and Wilshire Boulevard, and Fifth and Seventh streets. The updated ordinance attempts to expand where adult businesses may be located throughout Santa Monica and better define what an "adult entertainment" business is. Due to recent changes in the legal climate, city officials are concerned that if they don't update the ordinance, it opens the city to liability if adult businesses sue over their right to set up shop in Santa Monica.

The new ordinance would allow adult businesses to be located in the Bayside commercial district and the downtown overlay areas, a total area that would range between Colorado Avenue and Wilshire Boulevard and Second and Seventh streets.

According to a staff report, allowing other areas to have adult businesses would enable City Hall to better comply with constitutional concerns. Generally speaking, the courts have prohibited cities from zoning out adult businesses in order to protect the business rights of operators. Thus, any restrictions City Hall has on adult businesses must leave adequate sites available for demand. At the same time, staff seeks to make the sites far enough away from each other to prevent the adverse effects of adult businesses concentrated in a particular area of the community.

The new ordinance would allow 1 to 1.5 percent of the land within Santa Monica available to adult businesses, making City Hall in better compliance with current case law, Moutrie said. As a result of the changes to its sex shop laws, City Hall feels it will be able to avoid lawsuits that may open the city up to a colonization of adult-oriented businesses, officials said on Tuesday.

"Let me make sure I'm hearing this right," said City Councilman Bobby Shriver to Moutrie. "If we're not careful, we might lose all of our power to regulate these types of businesses?" Moutrie agreed.

Spacing requirements under the updated ordinance would remain the same. Therefore, it would continue to be illegal to locate an adult business within 500 feet of a residential district.

Several new provisions also would be added. For example, City Hall would be allowed to impose conditions on a business license and restrict the sale or transfer of the business. Also, signs visible from off-site that depict sexual activities or certain anatomical parts would be prohibited.

Aside from illicit "massage" parlors, staff identified only three sex shops in Santa Monica. The most recently established is "Secret Desires," a retail store that spurned controversy when it opened for business this year, due to its clear visibility off Lincoln Boulevard and its close proximity to residential neighborhoods, officials said.

In addition to Secret Desires, a video store called "The Odyssey" has been situated on Wilshire Boulevard for several years, and a lingerie boutique, "Nighties & Naughties," which also features an adult video section, is located on Main Street.

Ironically, The Odyssey and Nighties & Naughties would still be outside of the expanded zone. However, officials said because those places are established, it would be legally difficult to require they move. However, city officials said they have received few complaints about those shops.

Representatives from all three stores said they are unsure of the ordinance's specifics and declined to comment.

Community members, including neighborhood groups, applauded City Hall's efforts on Tuesday and requested that any new laws "have teeth" that may be easily enforced.

Nina Fresco, a Santa Monica resident who chairs the city's landmarks commission and lives near Secret Desires, said she hopes the new law will still keep plenty of distance between sex shops and her children.

"When my boys are at the age they start hiding girlie magazines under their beds, I hope they don't have to walk 10 feet away from home to get them," Fresco said.

NEW FEEL FOR MASSAGE PARLORS

Moutrie also asked the City Council to advise her on concerns pertaining to massage parlors.

In Santa Monica, there are 51 businesses licensed for massage, with 785 permitted massage technicians, according to a staff report. Police and prosecutors estimate 25 percent of those businesses engage in unlawful operations, namely prostitution. The problem has existed in Santa Monica for years and has proven resistant to enforcement, the staff report said.

In July, a federal grand jury handed indictments to 24 people, including one Santa Monica business owner, each charged for their roles in a human smuggling scheme. The indictment alleges the individuals were responsible for bringing hundreds of South Korean women into the United States to work as prostitutes. The accused, who law enforcement agencies



Downtown alleys not a good first impression, business owner says

STREET IMPROVEMENTS, from page 1

needs to raise \$1 million to complete the project it wants, according to a staff report. In addition, City Hall will have to secure \$61,000 per year in its budget for project maintenance, according to a staff report.

On Tuesday, the City Council asked staff to figure out how to raise the additional funds. One suggestion, made by Councilman Bobby Shriver, was to ask businesses that may benefit from the improvements to consider an assessment to subsidize them.

City Manager Susan McCarthy said she would look into the possibility but seemed hesitant that the approach would pave success.

"Property owners in that area already have goals for an assessment, not including the streetscape," McCarthy said.

Currently, the Bayside Business District — a nonprofit organization that regulates downtown in conjunction with City Hall — is considering an assessment on property and business owners, as well as expanding the business improvement district. The new revenue would fund a litany of services and revitalization projects in the downtown areas.

McCarthy also indicated that Second and Fourth streets are public domain, drawing high volumes of pedestrian traffic. As such, she implied it might be City Hall's responsibility to ensure the difference needed to support the improvements is obtained.

Some business owners who operate within the project's scope are glad it's been approved, but say it's too little too late.

"Downtown Santa Monica is always about the Promenade," said Ali Attar, owner of M&A's tobacco shop near the corner of Fourth Street and Broadway. "For years, this area's been neglected."

Attar said there are visible cracks in the pavement along Second and Fourth streets, which aren't as prevalent along the Promenade.

Attar said business has improved on the street, regardless of what's going on at City Hall. Buildings and storefronts long abandoned are beginning to fill up with new businesses, and there are more people taking detours to visit his cigar and tobacco shop.

However, Attar's bigger issue with the downtown business situation is its current layout, not the sidewalks.

Attar said motorists who plan to shop or visit downtown often enter parking garages along Second and Fourth streets. From there, they step out of their cars and head to the Promenade. Stepping out of the parking garages, the visitors' first pedestrian experiences in Santa Monica are the sights and smells of alleys filled with trash and human waste.

As far as an assessment is concerned, Attar said he'd prefer any money from his pocket goes toward cleaning up the alleys and attracting more pedestrian traffic along downtown's side streets.

City Council is awaiting draft of massage parlor law

SEX LAWS, from page 6

have been investigating since at least September, include Mee Suk Lee, owner of Gold Spa at 1844 14th Street, which is listed as a chiropractic clinic. They are facing charges related to their alleged harboring and trafficking of women for prostitution.

In order to reduce the number of illicit massage parlors, the City Council granted Moutrie permission to explore ways to prevent loop holes in the current licensing laws, as well as develop methods for stricter enforcement, officials said.

Having consulted with the Santa Monica police and City Hall's business licensing division, the proposed law would require massage technicians to be fingerprinted in an effort to weed out

prostitutes, according to the staff report.

There also will be greater restrictions on how businesses transfer licenses in order to reduce the ability for prostitution rings to continue.

The City Council approved the ordinance for adult businesses and is waiting for a law new to be drafted regarding massage parlors.

Still, some elected officials on Tuesday said they were more concerned about health and security risks associated with illicit massage shops than strict approaches to sexuality.

"You don't find prostitutes in massage parlors in the Netherlands," Councilman Kevin McKeown said. "You find them somewhere else."

"I have concerns about the repressive machinery of sexuality in this country."

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SMPD conducts about 70 home security surveys a year

SECURITY, from page 1

ment, and how to protect yourself and your property better.

The SMPD offers the free survey to any resident or business owner in Santa Monica, which entails a crime prevention coordinator coming to your home and assessing how easy or difficult it is for a burglar to enter.

"Eighty percent of all burglaries occur through unlocked or improperly locked windows," said Lauralee Asch, a SMPD crime prevention coordinator.

The survey covers many aspects relating to alarms, doors, windows, garages, lighting and landscaping at your home. Police personnel will make recommendations on how to improve your home's security, often at minimal expense.

"For a small amount of money, you could make it a lot safer," Asch said.

A recent survey of my home found that I failed the security test, starting at the front door, which was weak in just about every area, making it a very desirable target for a burglar.

"Burglars are opportunists, they take the path of least resistance because they're lazy," Asch said.

She suggested that I get a double key deadbolt so if a burglar decided to smash in my front door window, the person wouldn't be able to unlock the door from the inside. She also suggested that I install a "strike plate" that screws a couple inches into the door frame to prevent someone from kicking in the door.

The windows at my house also didn't make the grade — every single one of them could be easily removed because I had nothing securing them besides a flimsy lock. Asch suggested I install sheet metal screws in the windows' tracks, or add a supplemental thumb screw or pin above the window pane.

Better lighting is needed on my back patio, which needs a lock on the fence. And my apartment number needs to be visible on the door so police can find the place in case an attacker is in my home while I'm there.

"We could waste critical time looking for the place," Asch said. "Someone could get killed waiting for us to find their apartment number."

The SMPD also suggests that people keep their shrubbery and other landscaping trimmed well below windows to prevent would-be burglars from lurking in the plants. Planting prickly bushes also are useful deterrents.

Most burglaries happen during the day, said SMPD Lt. Frank Fabrega. That's why it's important to properly secure doors and windows while you are not home, he added.

"We encourage people to have a neighborhood watch program," Fabrega said. "Not everyone has the same work schedule ... when you know your neighbor's schedule you can better watch out for

them when they are not home."

The SMPD gained valuable insight this past summer when a 16-year-old boy confessed to burglarizing at least 32 different homes throughout Santa Monica in a six-month period.

After being arrested by El Segundo police for possessing stolen property, the young criminal confessed to Santa Monica Police detectives that he was the burglar responsible for a slew of break-ins that stretched from San Vicente Boulevard to the southern city limits. He chronicled for detectives his criminal methods and how he chose particular homes to burglarize.

The burglar disclosed that he generally entered through open windows or doors and almost never needed to force entry, police said.

He preferred Santa Monica homes because of the abundance of unsecured residences that he found, which were more prevalent west of Lincoln Boulevard as he neared the beach. The items he was most interested in taking were wallets, cell phones, purses or laptop computers, police said.

He would first knock at the front door or ring the doorbell to ensure no one was home. He would dress casually, and sometimes carried a basketball to be less conspicuous. To be extra careful, he would remove his shoes prior to entering the victim's residence so as not to leave footprints and to reduce the amount of noise he would make. If confronted by an occupant, he would apologize and claim to be looking for the residence of a "friend."

Many times the burglar knew neighbors had seen him in the area, but they apparently didn't report his suspicious presence to police.

The juvenile would fill his empty backpack with small items, hop on a bus back to Los Angeles and give the stolen property to gang members who would sell the merchandise on the street, and then give him a cut.

In 2004, there were a total of 752 burglaries or attempted break-ins throughout Santa Monica, which includes residential and commercial places, according to SMPD's crime statistics. In 1993, there were 1,511 burglaries.

"That's a decrease of over 50 percent," Fabrega said. "Those numbers could decrease if people set up a neighborhood watch program."

The SMPD, which has offered the service for about 10 years, conducts about 70 residential and commercial surveys a year. For any would-be burglars looking to capitalize on my self-confessed security weaknesses, I plan to make my home theft-proof for less than \$100.

Interested parties can contact the community relations office to schedule an appointment to take the survey. Call (310) 458-8473 for more information.

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Santa Monica Daily Press

STATE



Homeowners looking to invest nationwide

BY ALEX VEIGA
AP Business Writer

LOS ANGELES — While many would-be homebuyers have been scared off by dire housing market predictions, Debbie Harris has taken out mortgages on five homes in the past 18 months.

She is among the growing number of fledgling real estate investors around the country who are using equity earned in overheated housing markets to stake their claims to rental property in more affordable areas from Pahrump, Nev., to Wilmington, N.C.

They say there's no reason to fear the housing market will collapse.

"My husband believes there is," said Harris, 51, who runs two cell phone stores. "He's thinking five houses is enough. I'm thinking, no, it's not."

Many of the new investors got into the market after watching their stock portfolios stall as their home equity soared. These days, they're turning to friends, seminars and investment clubs for advice on buying property for long-term rental income or "flipping" homes for profit through quick sales.

A survey by the National Association of Realtors determined that 23 percent of all homes purchased last year were acquired as investment properties.

On the East Coast, investors in New York and Boston are grabbing real estate in growing areas of Florida and the Carolinas, said Lawrence Yun, senior economist for the association.

Californians, meanwhile, are buying in Nevada, Arizona, Utah and Colorado, among other markets.

"California is filling up with equity and now it's spilling over into these other areas," said James Joseph, owner of Century 21 Grisham-Joseph in La Mirada, a Los Angeles suburb. "You find much more attractive rates of return in those other areas than you do here."

The investments have continued even as economists, analysts and even Federal Reserve Chairman Alan Greenspan have voiced concerns about the housing market.

Greenspan has said some of the nation's pricier markets are experiencing a "froth." Economists at the University of California, Los Angeles, have warned the national housing market is due to slow because prices have become unsustainably high.

Developers are building too fast in some regions, particularly the South, while vacancy rates keep rising, they said.

In Clark County, Nev., where Las Vegas is located, the median home price has climbed to \$275,000 — an 18.5 percent hike over the previous year. The

value of some new homes there doubled from the time construction began until they were ready to be occupied.

In the Phoenix area, the median home price jumped 34.2 percent to \$229,500 in the past year.

Still, those prices seem like a steal compared to the \$494,000 cost of a median-priced home in Los Angeles County. In the nine-county area around San Francisco, that figure stands at \$619,000.

Mike House, who hosts meetings for a real estate investor group in Las Vegas, thinks a number of markets have already soared out of reach for investors who want to spend less than \$200,000.

"Los Angeles, Phoenix, Las Vegas ... are all unaffordable now, theoretically," he said.

House got his start in real estate 10 years ago while working in California as an insurance adjuster after the 1994 Northridge earthquake. He was renting an apartment when a contractor told him about the profit potential.

House joined a Veterans Administration foreclosure auction in Jacksonville, Fla., and bought a single-family home for \$49,100. Today, he pockets more than \$200 a month renting the property, which he says is worth as much as \$130,000.

It's one of 40 houses that he owns in Las Vegas, Texas, Florida and Arizona.

"I've never had a real desire to flip because my philosophy is the minute you sell the house, it's the last dollar you make on that place," House said.

Lon Hooker of Ojai runs real estate investment groups that include Harris, House and other members from as far away as Baltimore and New York. He dismisses worries that the real estate bubble could burst.

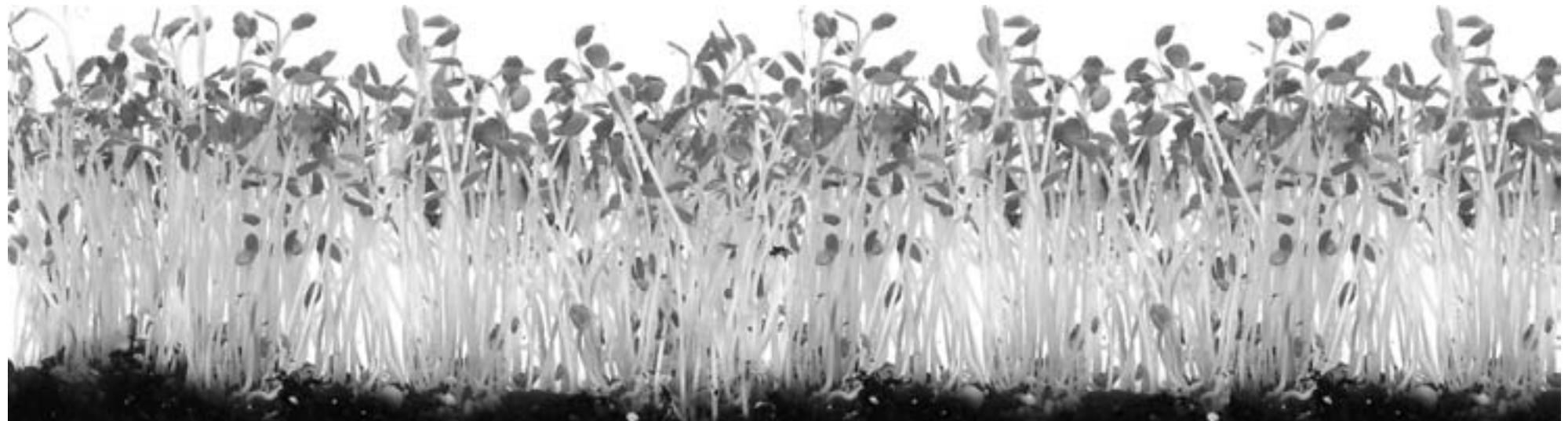
"Even if the whole nation slowed down, if less people are buying then they have to rent, and if they have to rent then the rental market goes up," Hooker said.

Thus far, Harris has bought all her homes in Victorville, a booming desert area about 90 miles east of Los Angeles.

Less than two years ago, she and her husband used their savings to make their first investment, buying a two-bedroom, one-bath house from a high school friend for \$115,000. The home now rents for \$800 a month and is worth about \$190,000, Debbie Harris said.

Like many California investors, she has decided her next purchase will have to be out of state in a more affordable market.

"We were very fortunate that our timing was great and our rent is paying for our mortgage — plus," Harris said. "In the high desert, I don't think there's a way to do that right now. The homes have skyrocketed too fast."



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Court: CalFed should review its distribution

BY JULIANA BARBASSA
Associated Press Writer

SAN FRANCISCO — The agency overseeing the state's largest source of fresh water may have to review its water distribution plan after an appellate court ruled that it failed to consider cutting water deliveries to Southern California.

The California Bay-Delta Authority, known as CalFed, was created five years ago to protect the health of the Sacramento-San Joaquin river delta while ensuring that Californians who depend on its water for irrigation and home use have their needs met.

But the Sacramento judges who wrote the 3rd District Court of Appeals decision last week said that the environmental document the agency relied on to set its current course was too narrow in scope. It did not examine the possibility of pumping less water out of the delta to growing subdivisions and thirsty farmland to the south, the judges wrote.

The state's population is projected to grow from about 37 million today to 49 million by 2020, with half that increase in Southern California. CalFed assumed it had a duty to meet that need, and didn't consider the alternative, the opinion said.

"If there is not water to support the growth, will it occur as projected?" the ruling said. "As the state reaches the limit

of available water and must seek other sources such as desalination, water will become more expensive to obtain and California's appeal will lessen."

Defendants include CalFed, irrigation districts relying on water from the Sacramento-San Joaquin river delta, urban water agencies in Southern California and others. They said it's too early to know if revisiting the agency's environmental impact study would mean a decrease in water exports to homes and farms.

State and CalFed authorities are still reviewing the court's 224-page decision. But other defendants played down the ruling's relevance.

"Whether or not it'll have an impact in the long term remains to be seen," said Tupper Hull of the Westlands Water District, one of the defendants.

But the environmentalists and delta area farm groups that brought the suit said this was an opportunity to do more for the fragile ecosystem's deteriorating health.

"The court clearly called a time out in the headlong rush to export more water from the Sacramento-San Joaquin River delta," said delta advocate Bill Jennings. "It's fascinating to think of an alternative with less exports in light of the catastrophic crash of aquatic life in the delta."

COMMUNITY BRIEFS

BRIEFS, from page 3

There will be a pumpkin sale and a bake sale, as well as glow sticks and body lights for sale. Proceeds from the event provide for programs in art, science and technology for an ethnically and economically diverse kindergarten through eighth grade student population. For more information, call (310) 396-2640.

A time to heal

By Daily Press staff

We could all use some healing.

The Topanga Healing Arts Association invites the public to experience free healing sessions on Sunday, Oct. 16, from 10 a.m. to 5 p.m.

The event, to be held on the grounds of the Topanga Community Center, at 1440 North Topanga Canyon Blvd., will have 25 certified and skilled Topanga health practitioners offering their services, free of charge, at individual secluded booths.

Free workshops and lectures are: group acupuncture, dowsing for health and harmony, reiki and self-healing, easy Tai Chi, plant spirit medicine, polarity therapy, Vedic astrology, yagalates and cranial sacral therapy. There will be a kid's tent and several free workshops for kids. A parent or guardian must accompany kids ages 5 and older.

There will be food and live music. Topanga businesses and healers have donated thousands of dollars in prizes and treatment services, to be raffled off in the morning and in the afternoon. Raffle proceeds will help to defray the costs of the free event.

Learn 'the biz' from the experts

By Daily Press staff

The Santa Monica College Academy of Entertainment & Technology has announced that seven entertainment industry speakers will talk on all aspects of the business in its fall lecture series.

SMC's Mary Pickford Speakers Series will continue on Monday, Oct. 17, with "How a Writing Team is Born," featuring Matthew Federman & Stephen Scaia, writers for "The West Wing" and "Judging Amy."

The remaining line-up is:

■ Oct. 24: "How to Become a Voice-Over Actress," featuring Michelle Roth, whose credits include Toy Story, "Frasier" and "The Nanny," as well as the Care Bear cartoon characters.

■ Nov. 7: "How to Put Together a Movie," featuring producer Monica Levenson, whose credits include Dodgeball, Meet Joe Black, and Clear and Present Danger.

■ Nov. 21: "The Life of an Actor," featuring actor Timothy Omundson, whose credits include the award-winning HBO series "Deadwood," Emmy Award-winning "Judging Amy," and such feature films as Down With Love.

All lectures are free and are held at 7 p.m. Monday evenings at SMC's Academy of Entertainment & Technology's screening room, 1660 Stewart St.

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STATE

Survey: Mexican immigrants less likely to visit ERs

BY ELLIOT SPAGAT
Associated Press Writer

SAN DIEGO — Mexicans who recently arrive in the United States — many illegally — are far less likely to visit hospital emergency rooms than long-term Mexican immigrants or people born in the United States, a report said Thursday.

Researchers at Mexico's National Population Council and the University of California found that only 9.8 percent of Mexican adult migrants living in the United States 10 years or less visited an emergency room in the past year. That's less than half the rate among people born in the United States — 19.9 percent for people of Mexican ancestry born in the United States and 20 percent for U.S.-born whites.

Among Mexican immigrants living in the United States more than 10 years, 13.7 percent visited an emergency room in the previous year, according to an analysis of data collected in 2000 for the U.S. National Health Interview Survey.

The findings run counter to a widespread belief that illegal immigrants are a major burden on emergency rooms, said Mario Gutierrez, program director of rural and agricultural health at The California

Endowment, a private health foundation that co-sponsored the study.

The study draws on data from the U.S. Census, U.S. National Health Survey and Mexican government to compare health care access in the United States between new arrivals from Mexico, long-staying Mexican immigrants and native born.

The health survey data has been available a few years but the findings are new, said Steven Wallace, associate director of UCLA Center for Health Policy Research and a co-author of the report.

"The data was not released yesterday but it was never looked at in this way," he said.

Many new arrivals are in the United States illegally. More than three-quarters of an estimated 440,000 annual arrivals from 2001 to 2004 crossed illegally, according to the Mexican government. Among migrants who arrived within the last 10 years, only 5.5 percent are U.S. citizens, according to 2004 U.S. Census data.

The report found migrants arrive in relatively good health. Only 6.8 percent considered themselves in fair or poor health, much lower than other groups. Only 2.6 percent were diagnosed with diabetes, also much lower than other groups.

More than three-quarters of an estimated 440,000 annual arrivals from 2001 to 2004 crossed illegally, according to the Mexican government.

Fewer new arrivals were found to seek medical care. More than 33 percent of women 18 to 64 years old had no pap smear in three years, higher than other groups. Only 29.7 percent of adults visited a dentist in the past year, much lower than other groups.

Not surprisingly, more than two-thirds of the new arrivals had no health insurance, compared with only 44.8 percent of long-term immigrants, 22.5 percent of Mexican-born Americans and 12.3 percent of U.S.-born whites.

The low utilization of emergency rooms comes despite high occupational hazards, the report said. Eighty-three percent of new arrivals are manual laborers — working in jobs like construction and food preparation and farm work.

Fausta Hernandez, who migrated from the Mexican state of Guanajuato to Salinas, Calif., in 1971, said new arrivals are less likely to use emergency rooms

because they worry they might be deported and are unable to pay. Some who speak indigenous language struggle to understand translators.

"Some of them have very serious problems but they won't go," Hernandez, 45, said in a phone interview. She has \$30,000 in medical bills for having a uterine tumor removed four months ago. Insurance from her husband's employer, a mushroom packer, only picked up about half the tab.

Margarita Hernandez, 40, who came to the United States 20 years ago from the Mexican state of Michoacan, said the U.S. health care system can be daunting to new arrivals. Hernandez worked in a laundry and packed cauliflower before she was diagnosed with lung, neck and spinal cancer.

"They're very confused about the system," she said in a phone interview. "They also don't go because they don't want to get bad news."



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STATE



Governor endorses measure on sex offenders

BY MICHAEL R. BLOOD

AP Political Writer

BURBANK, Calif. — Gov. Arnold Schwarzenegger on Thursday endorsed a proposed 2006 ballot measure to toughen penalties for sex offenders, but Democrats accused him of grandstanding at a time when he is struggling to win support for his initiatives in the November election.

The planned initiative is similar to legislation the governor proposed in August, as the Legislature was nearing the end of its annual session. It would force sex offenders to wear satellite-tracked monitoring devices for life and increase penalties for a host of offenses, from possession of child pornography to luring minors into sexual encounters over the Internet.

"This initiative will give our state the strictest laws and the toughest penalties against sexual predators," the Republican governor said during a news conference at a Burbank hotel. "It's a shame our legislators didn't respond."

Supporters need to collect more than 373,000 petition signatures to qualify the proposal for the June or November ballot

next year. The initiative, dubbed "Jessica's Law," is named for Jessica Lunsford, a 9-year-old Florida girl who authorities say was kidnapped, raped and suffocated by a convicted sex offender.

If enacted, the proposal would add unknown costs to the state budget, which is projected to have a \$6 billion deficit next year and already is burdened with record debt obligations. Schwarzenegger acknowledged the potential heavy costs, which could include building more prisons to accommodate an increase in violators.

In mid-August, less than a month before the Legislature's deadline for passing bills, Schwarzenegger proposed legislation seeking sweeping penalties for sex offenders. In addition to satellite tracking, he wanted to prohibit registered sex offenders from living near parks and schools.

The proposal was amended into separate Assembly and Senate bills sponsored by state Sen. George Runner, R-Antelope Valley, and his wife, Assemblywoman Sharon Runner, both Republicans. Neither was enacted.

Steve Maviglio, spokesman for the Alliance for a Better California, a coalition of unions opposing Schwarzenegger's initiatives in next month's special election, called the governor's appearance "politics at its worst."

"You know a campaign is going south when a candidate stops talking about his issues and postures for the cameras," Maviglio said, alluding to several of Schwarzenegger's initiatives on the November ballot that are trailing in polls.

House Speaker Fabian Nunez, D-Los Angeles, said Schwarzenegger should work with the Legislature to toughen laws on sex offenders, rather than against it.

"The administration never approached Democratic leadership to advance the bill," he said in a statement. "The bill did not have any Democratic co-authors because the governor and his Republican allies kept it from us in order to have another political cudgel to beat the Legislature with and grab headlines."

Some Democrats objected to Schwarzenegger's last-minute legislation when he proposed it over the summer. Assemblyman Mark Leno, D-San

Francisco, said lawmakers didn't have enough time to consider a 52-page bill at the end of their session, when they already were debating hundreds of other bills.

At the time, however, George Runner said Democrats already had seen almost all the ideas included in the new legislation and that they had been rejected either this year or last. Supporters warned then that they would seek a ballot initiative if the Legislature failed to act on their latest bill, which they named the Sexual Predator Punishment and Control Act.

The Legislative Analyst's office and state finance director have estimated the initiative the governor endorsed Thursday will cost "in the low hundreds of millions annually" within a few years. That would be for increased state prison, parole supervision and mental health program expenses.

Earlier this month, Schwarzenegger vetoed a bill that would have created a special board to advise the Legislature and the governor on management of adult sex offenders. Schwarzenegger said the measure did nothing to protect citizens, but instead would simply increase the size of government.



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STATE

Stretch of coast to open near nuclear plant

BY TIM MOLLOY
Associated Press Writer

LOS OSOS, Calif. — For two decades, Pacific Gas & Electric has preserved a three-mile stretch of pristine coastal land bordering the Diablo Canyon nuclear power plant — an ecological haven in the shadow of a seaside facility environmentalists deride as a major threat to California's coast.

Now the state's coastal protection agency wants to open the land to the public. PG&E has agreed, but says it wants to limit public access for fear that hikers will pose security threats or simply love the open space to death.

On the surface it looks like a rare situation in which a power utility is taking a more cautious approach to preservation than professional preservationists.

But some environmentalists in this area midway between Los Angeles and San Francisco say appearances are deceiving. They accuse PG&E of trying to choreograph an elaborate dance in which the utility offers the same piece of land to two sets of state regulators so it can avoid possible environmental fines from one agency while limiting the public access it has already promised another.

No matter what happens, those involved say the dealmaking will end with increased public access to the land located north of the plant, which provides electricity to 1.6 million homes without the air pollution often involved in energy production.

The question is how open the land will be.

Located near the small town of Los Osos and separated by a barbed wire fence from a state park, the unnamed stretch of grassland, creek beds, and bluffs seems like an isolated paradise.

Steelhead trout climb the gurgling Coon Creek to spawn and endangered southern sea otters frolic on rocky outcroppings beyond sea caves. Cattle, sheep and goats graze the grasslands. Peregrine falcons, golden eagles and gray-horned owls feed on abundant rabbits, rodents and smaller birds.

Since the plant opened in 1985, PG&E has used the land, which begins a mile north of the facility, as a safety buffer between residents and Diablo Valley's two nuclear reactors. The company also monitors the environment to gauge how areas closer to the plant are affected by its operations.

In recent years, PG&E has offered up the same land in different negotiations as the utility sought to win state approval for two aspects of its operations that alarm regulators and environmental groups.

Regional water regulators wanted the utility to offset environmental damage caused by a process called once-through cooling, in which the plant ingests ocean water to produce steam, then spits it back into the ocean at higher temperatures. That kills up to 15 percent of the eggs of some species of fish for several miles of coast.

The state Coastal Commission, mean-

Since the plant opened in 1985, PG&E has used the land, which begins a mile north of the facility, as a safety buffer between residents and Diablo Valley's two nuclear reactors.

while, was concerned by the utility's request to permit dry cask storage, in which nuclear waste is enclosed in thick containers to prevent radiation leaks — a technique used at 25 plants nationwide. The casks are kept on the site because there is no national nuclear waste repository.

To win a cask storage permit, the company agreed to the Coastal Commission's demand that it open the land.

Before that deal, however, PG&E had been negotiating with the regional water board to set aside the land as open space to be run by a conservancy — a tradeoff for killing marine life in once-through cooling. If PG&E can't agree with the water board on how to mitigate harm to fish, the board could fine the company, said assistant executive director Michael Thomas.

No deal has been reached with the water board, but that could happen if the Coastal Commission changes its mind and lets PG&E open the land to the public while keeping access limited.

One way to do that: guided tours.

PG&E says hikers should only be allowed on the land when accompanied by

guides who could keep them on trails.

"If you simply allow people out there willy-nilly, there would be damage to the land, damage to this pristine area," company spokesman Jeff Lewis said. "If people were simply allowed out there we wouldn't have any record or way to know who was out there on our property, which creates safety and security concerns."

Andrew Christie, coordinator of the local Sierra Club chapter, said PG&E wants guided tours so it can claim the land is still protected even as the public uses it.

Limiting public access to guided tours appeals to staff of the water board.

"We think it's possible to have access and conservation at the same time," Thomas said.

But the Coastal Commission isn't going for it, saying its deal requires the company to open the land to everyone, without restrictions. The commission believes that can be done without jeopardizing plant security.

"There will be a monitor there," said Peter Douglas, the Coastal Commission's executive director, "so we can see who goes in and who comes back out."



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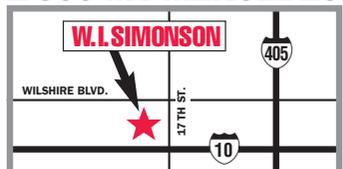
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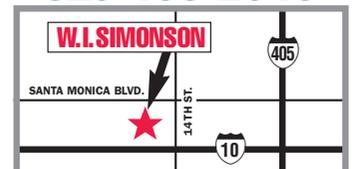


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Teams combing national forests for old military ordnance

BY BOB MOEN
Associated Press Writer

MEDICINE BOW NATIONAL FOREST, Wyo. — Most of the signs for visitors to the Medicine Bow National Forest in southeast Wyoming are like those greeting people at most forests, with the requisite rules about camping, fires and vehicle use.

But on a section of Medicine Bow between Cheyenne and Laramie, forest users see an additional sign warning them not to pick up metal objects — which could be unexploded military ordnance.

From 1879 until 1961, when the U.S. Forest Service took over the land from the Defense Department, the forest's 64,000-acre Pole Mountain area served as a military target and training range.

Now, a team of specialists is combing the ground here for old mortar shells and other ordnance as part of a nationwide effort to make former military ranges on federal and private lands safer for public use.

"We have no records since 1961 of anybody getting hurt, or even livestock damaged or hurt, from any munitions," district ranger Clinton Kyhl said. "But we obviously know there is a risk."

The task, given to the U.S. Army Corps of Engineers here and elsewhere, is enormous.

"Right now we are aware of about 2,400 former ranges across the country," said Julie Kaiser, project management specialist for the Army Corps of Engineers working on the program dubbed Formerly Used Defense Sites, or FUDS. "The bulk of them are old World War II training ranges."

FUDS sites cover an estimated 15 million acres, and virtually every state and U.S. territory has at least one. Conservatively, it is estimated it could cost \$12 billion to remove all the ordnance.

"It's a very expensive prospect to pick up every single piece of what might be ordnance," Kaiser said.

While there have only been two cases nationwide over the last 20 years of anyone being hurt or killed by old military ordnance, the federal government is spending \$145 million over a six-year period to try and assess and inspect each site for the danger posed by unexploded munitions.

Sites where munitions were found previously, where some type of construction or digging is planned and which are currently open to public use, such as Medicine Bow, are ahead in the process.

Similar investigations are under way at Camp Hale in the White River and San Isabel national forests in Colorado and the Mark Twain National Forest in Missouri,

according to John Miller, a corps project manager from Omaha.

At Pole Mountain, mortar shells, small arms ammunition, artillery projectiles and even a case of dynamite have been found on the ground in the past. But now, "it's pretty rare we find this stuff on the surface," Kyhl said. "After 30 or 40 years, pretty much all the surface stuff has been found."

What worries Kyhl and others now is buried ordnance.

Miller said the underground ordnance remains a danger because frost can slowly push objects to the surface over time.

The corps has hired American Technologies Inc., based in Oak Ridge, Tenn., to help it determine where buried ordnance might exist at Pole Mountain and whether any areas need to be cleared.

Since Aug. 8, about two dozen technicians and explosives experts have been crisscrossing the rugged terrain at more than 8,000-foot elevation with metal detectors. They use handheld detectors and a 3-foot-wide wheeled contraption that a technician with headphones pushes along while carrying a backpack of electronics.

"It's basically a mine detector," said D.J. Myers, an ordnance and explosives safety specialist with the corps.

The teams completely covered 12 campgrounds. Since it's impossible to cover every inch of the 64,000 acres —

about 100 square miles — they traversed lines strategically mapped out at points in the forest where soldiers once fired their weapons.

Myers figures the teams will cover about 1 percent of the Pole Mountain area.

Anything they come across is carefully marked, recorded, dug up or — in the case of munitions — blown up.

They found two 3-inch-wide, 18-inch-long practice mortar rounds on the ground during a preliminary search, but other than that their greatest fears and problems have come from the start of hunting season and cows that have a penchant for knocking over and breaking stakes the technicians use to mark their survey paths.

The information they gather will be used by corps officials to determine if any further investigation is needed or if any effort to remove ordnance is warranted.

Kyhl said he doesn't believe any large scale cleanup effort is needed. The information would likely come in handy if the Forest Service should see the need to build a new road or campground, he said.

Meantime, the Forest Service uses pamphlets, displays and signs to warn people not to touch suspicious metal objects, to mark the location if possible and report it to rangers or police.

"The message is: If you see it, don't pick it up. Walk away and report it," Kaiser said.

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NATIONAL



Forest Service protests ruling that has shut down activities

BY JEFF BARNARD
Associated Press Writer

GRANTS PASS, Ore. — The U.S. Forest Service has asked a federal judge to lift a ruling that the agency has cited in suspending permits for nearly 1,500 activities on national forests around the country, including a ski resort, guided hunting and fishing trips, and national guard training.

But conservationists who won the ruling countered that the Forest Service is going far beyond what the law requires to create public outrage that will help conservatives in Congress gut environmental laws.

"We are hoping and praying somebody comes to their senses," said Karl Kapuscinski, CEO of Mountain High Resort outside Los Angeles, which could lose millions of dollars if the transfer to new owners of the permit to operate on the Angeles National Forest is held up, delaying the opening of ski season. "It's almost comical, but it's not."

In support of a motion to stay the ruling by U.S. District Judge James K. Singleton for the Eastern District of California, Forest Service Associate Deputy Chief Gloria Manning wrote that the agency has identified 1,436 projects or activities on national forests around the country where permits were suspended due to the ruling.

They include 115 permits for guided hunting, fishing, river trips and horseback rides, 14 projects on ski areas, 98 permits for public utilities and communications sites, and National Guard training on the Hoosier National Forest in Indiana. They also include thinning and burning to reduce wildfire danger on 20,000 acres, and 169 projects involving trail and campground maintenance.

Last month, the Forest Service said it had suspended the permit for cutting an 80-foot-tall Engelmann spruce from the Santa Fe National Forest in New Mexico to serve as "The People's Holiday Tree" on the grounds of the U.S. Capitol in Washington, D.C.

"It's clear to me that the Bush administration is trying to manufacture a political crisis overextending implementation of this ruling," said Sean Cosgrove, national forest policy specialist for the Sierra Club, one of the plaintiffs in the lawsuit. "I think they would like to create a crisis so they could make legislative attempts to basically change the National Environmental Policy Act or

other conservation laws."

The actions stem from Singleton's July 2 ruling, which found that the Forest Service was improperly approving projects without public comment or appeals under a process known as categorical exclusions. The judge wrote that the ruling should not apply to minor projects, such as cutting the lawn at ranger stations, but was intended to apply to land management decisions.

In arguing for the stay, U.S. Department of Justice Department lawyers wrote to the court that they were likely to prevail on appeal with arguments that the environmental groups lacked proper legal standing to bring the case and the issue was not ripe for judicial review.

They also claimed the ruling was impermissibly broad, and the Forest Service will suffer irreparable harm by being prevented from doing prescribed burning and thinning projects to reduce wildfire danger. The motion also cited the possibility a ski area could be closed and hunting guides could lose a season.

In opposing the stay, Matt Kenna, attorney for the Western Environmental Law Center in Durango, Colo., wrote the court that he has repeatedly told the Forest Service minor activities such as outfitter permits are not affected by the ruling, and offered to work out a solution, but the Forest Service never responded to his calls or letters.

Projects affected by the ruling include prescribed burning, salvage logging, oil and gas exploration and off-road vehicle trails, Kenna wrote.

Kenna argued that the rules in effect prior to those invalidated by the court remain in effect, and do not require the 30-day comment period and 45-day appeal period the Forest Service has imposed.

"I don't know how fast the court can rule on this," Kenna said. "Hopefully sooner rather than later. Nothing else seems to be affecting what the Forest Service is doing."

Kapuscinski of Mountain High Resort said they have been the first in Southern California to open the past eight seasons, and delaying their permit could cost them more than \$1 million in revenues, and untold amounts of publicity that comes from opening first.

He said the permit was transferred from one financial group to another, the management group remains the same, and no groundbreaking activities are planned.

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Social Security benefits to increase 4.1 percent

BY MARTIN CRUTSINGER
 AP Economics Writer

WASHINGTON — More than 48 million Americans will get a 4.1 percent increase in their monthly Social Security checks next year, the largest increase in more than a decade. For the average retiree, it will mean an increase of \$39 a month.

The cost of living adjustment, or COLA, was announced Friday by the Social Security Administration. It will be the biggest increase since a 5.4 percent gain in 1991. The increase last January was 2.7 percent.

The inflation adjustment is based on the amount prices have risen in the July-September quarter compared with the same period a year ago. Rising energy costs have driven inflation sharply higher this year, including a record monthly surge in energy costs in September related to the Gulf Coast hurricanes.

The average Social Security benefit recipient will see his or her monthly check increase from \$963 this year to \$1,002 next year.

About one-fourth of the monthly cost of living increase will be eaten up by a rise in Medicare premiums. The government earlier announced that the monthly Medicare premium that goes to pay for doctor's visits and other services will increase by \$10.30 a month starting next year.

And retirees and all Americans will be facing sharply higher energy bills this winter. The government is estimating that the average household will pay 48 percent more this year to heat with natural gas and 32 percent more for heating oil.

"It is going to be a tough winter for many seniors. Not only will they face higher Medicare premiums but record gasoline prices and higher home heating bills as well," said Mark Zandi, chief economist at Economy.com, a private consulting firm.

In addition to the higher premium for Medicare Part B, Medicare recipients who decide to take advantage of the new prescription drug benefit will start paying a premium of around \$32 per month in January. The amount will vary depending

on which plan they choose.

John Rother, policy director at AARP, said that most seniors are going to find that this year's cost of living increase will fall short of dealing with their rising bills.

"Clearly, the COLA is not going to be enough to offset these higher costs," he said.

The cost of living adjustment announced Friday will go to more than 52 million people. That includes more than 48 million receiving Social Security benefits and the rest receiving Supplemental Security Income payments which go to the poor.

The average retired couple, both receiving Social Security benefits, will see their monthly check go from \$1,583 to \$1,648.

The standard SSI payment will go from \$579 to \$603 per month for an individual and \$869 to \$904 for a couple.

The average monthly check for a disabled worker will go from \$902 to \$939.

The Social Security Administration also announced Friday that 11.3 million workers will pay higher taxes next year because the maximum amount of Social Security earnings subject to the payroll tax will rise from \$90,000 currently to \$94,200 next year. In all, an estimated 159 million workers will pay Social Security taxes next year.

Monthly Social Security benefit checks have been adjusted automatically since 1975 to protect retirees' income from erosion caused by rising inflation.

By law, the monthly increase in Medicare premiums cannot be higher than an individual's cost of living adjustment. Social Security recipients whose cost of living increase will be less than the \$10.30 premium increase next year will not be forced to pay the entire \$10.30.

President Bush had hoped to get Congress this year to pass a Social Security overhaul he viewed as the centerpiece of his second term. It would have bolstered Social Security finances to deal with a looming funding crisis when 78 million baby boomers begin retiring and it would have allowed younger workers to create personal accounts. The measure has failed to attract widespread support in Congress.

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NATIONAL



Democrats see possible rebound in the West's elections in 2006

BY JENNIFER TALHELM
Associated Press Writer

WASHINGTON — Democrats have high hopes that the Rocky Mountain West might not be quite as rock-solid Republican as many think.

Democrats suffered losses all across the country in 2004 and were roundly criticized as being out of touch with average Americans. But they say hard-fought victories in Colorado, Montana and other mountain states — considered strong GOP territory — showed a glimmer of hope.

The test will come in 2006.

Many say the off-year election will be a chance for Democrats to make important inroads in the region if they can win congressional and gubernatorial races in Colorado, Arizona and New Mexico, among other states, and close the margins in other races.

"I think we're on the cusp of great change in this state — and that's true of other (western) states," said Pat Waak, Colorado Democratic Party chairwoman. "The trend now is to build on our successes, rebuild those grass roots and understand every single margin is important."

The hurdle is high for Democrats. Consider:

■ Democratic Rep. John Salazar, who holds a vast rural Colorado district, must win a second term.

■ Democrats want to pick up House seats in districts held by Republicans where Democratic voters are a majority or where they believe the incumbent is weak, including those of Reps. Heather Wilson, R-N.M., Rick Renzi, R-Ariz., and Marilyn Musgrave, R-Colo.

■ And Democrats hope to oust Sen. Jon Kyl, R-Ariz., who is running for a third term.

Kyl faces former Arizona Democratic Party Chairman Jim Pederson, a wealthy Phoenix-area commercial developer who announced Monday he raised more than \$723,000 in the first two weeks of his campaign. But Kyl, who announced his re-election bid this week, already has more than \$4 million on hand.

Republicans point out that President Bush won the mountain states in 2004 — even New Mexico and Nevada, where Democrats traditionally are strongest.

Democrats just don't speak the same language as conservative mountain state voters and so have never been able to make much progress there, said Danny Diaz, a Republican National Committee spokesman.

"Democrats can continue to talk a good game, but they have proven incapable of walking a good game," he said.

But Democratic activists say they made important gains in 2004 that show things are changing in the West.

Prominent statewide and local races went to Democrats. They now hold the governor's mansion and the state legislature in Montana. Salazar and his brother, Ken Salazar, won U.S. House and Senate seats in Colorado. Democrats already held governor's seats in Arizona, New Mexico and Wyoming.

"Something's going on in the West," said Kari Chisholm, a political consultant working with a group of former Democratic politicians pushing to focus more resources in the region.

Experts say they might be right.

Nationally, some of the biggest population gains in the

last decade have been in Arizona, Colorado, Nevada and Utah. The states also have rapidly growing Hispanic populations. The movement is changing the region's character.

In addition, the West has never identified strongly with a political party. Colorado, for example, has a large bloc of voters who don't belong to any party, said Floyd Ciruli, a Denver pollster.

Some Democrats have been able to position themselves as libertarian-minded protectors of western values.

Gov. Brian Schweitzer in Montana, for example, has built a coalition of ranchers, hunters and environmentalists who want to protect hunting and farming land from those who would exploit the West's wide-open spaces.

In Colorado, Ciruli said, many believe strict limits on taxation have strained the state's ability to raise money for schools, roads and other needs. Democrats have been able to blame the problems in part on Republican-controlled government, he said.

"By no means has it become a liberal state," Ciruli said. "But it clearly has become a much more competitive state for Democrats."

The Democratic Congressional Campaign Committee hopes to capitalize on scandals plaguing both Senate Majority Leader Bill Frist, R-Tenn., and former House Majority Leader Tom DeLay, R-Texas, as well as complaints that Bush elevated friends and campaign donors into prominent government positions.

Democrats say the time is right to win the suburban-Denver House seat being vacated by Rep. Bob Beauprez, a Republican running for governor. They also have targeted races in districts held by Reps. Jim Kolbe, R-Ariz., and Jon Porter, R-Nev.

At the same time, however, John Salazar and Rep. Jim Matheson, D-Utah, are on their list of the 10 most endangered Democratic House members.

That illustrates a dilemma the party faces in the West. Western Democrats say their victories are a model for the national party, which is struggling to engage voters. Yet Democrats who have won in districts outside the big cities — including Salazar and Matheson — have succeeded by separating themselves from the national party.

Matheson, for example, has voted more often with conservative interest groups, such as the Family Research Council and the Christian Coalition, than some Republicans.

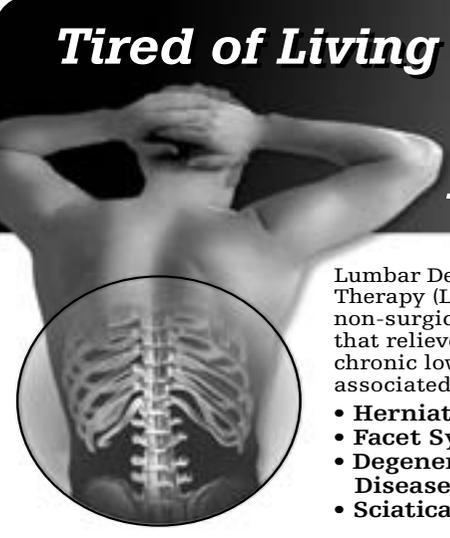
"I think we come from a different cut of cloth," said Matheson, one of the most conservative Democrats in the House, who says he has been successful by working for his constituents and not adhering to the party line.

Rep. Mark Udall, D-Colo., says successful western Democrats understand the region's diverse "western sensibilities" — they have to combine fiscal responsibility with respect for the environment and an understanding of the needs of rapidly growing cities.

Udall, who is helping recruit House candidates to run in 2006, says he thinks the national party should take a lesson from Democrats' successes in the West. He thinks the region could be the key to help the party win back the White House in 2008.

"This is where we can really compete," he said.

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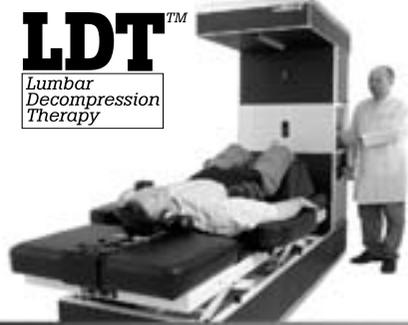


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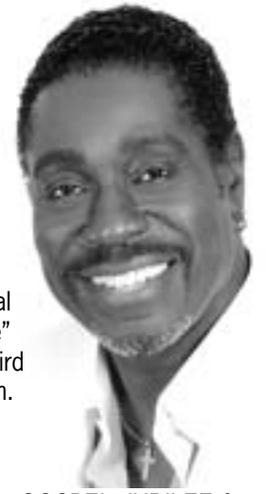


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Court revokes county's approval of ski village

BY JUDITH KOHLER

Associated Press Writer

DENVER — A state court on Thursday revoked Mineral County's final approval of a ski village proposed at the base of the Wolf Creek ski resort because there's no year-round access to the site.

State District Judge John Kuenhold rejected several of the complaints by two environmental groups and the operators of the southwestern Colorado ski area, who are fighting the proposal. But he agreed that the county was wrong not to require the developers have permanent access to the site.

The ruling means that the Village at Wolf Creek must obtain approval from federal and state officials for adequate access to the 287.5 acres of private land within the Rio Grand National Forest before it again seeks final approval of the building plans.

"That promises to be a long, arduous and uncertain process," said Jeff Berman of Durango-based Colorado Wild, one of the two environmental groups that challenged the county's approval of the plans.

Bob Honts, president and chief executive of the company building the village, said the developers aren't happy about the

ruling and might appeal it, but don't expect it to slow them down.

A final decision is pending by the U.S. Forest Service on whether the development backed by Texas billionaire Billy Joe "Red" McCombs can build a permanent road across national forest land.

Bob Dalrymple, the planner for the Rio Grande National Forest, said he didn't expect the ruling to delay release of the final environmental impact statement on the road, although changes might have to be made.

For now, the developers are using a Forest Service road closed part of the year because of snow up to 10 feet deep.

That's the problem, according to the court. The developers promised Mineral County they would obtain adequate access to the site and then in a "surprising" change of position, said the forest road filled the requirement and the county agreed, Kuenhold wrote.

"The decision to abandon a requirement for meaningful year-round access was arbitrary and capricious and misconstrued the state statute and the Mineral County subdivision regulations," the judge said.

Rep. John Salazar, D-Colo., whose district includes the ski area near South Fork,

said he believes the ruling confirms feelings that the project has been too rushed.

"We need to take time to answer some serious questions and re-evaluate the size and impact of this project," said Salazar, who has forwarded several questions about the ski village to the Forest Service.

The San Luis Valley Ecosystem Council in Alamosa and the Pitcher family, which has run the Wolf Creek ski area for nearly three decades, were part of the lawsuit challenging the plans. They claimed that Mineral County caved in to McCombs when they agreed to the \$1 billion project that includes 222,100 square feet of commercial space, hotels and homes for up to 10,500 people.

Mineral County Attorney John Wilder, who has worked on the proposal since the 1980s, called the ruling "a tiny dark cloud with a huge silver lining" because the judge rejected dozens of allegations that the county violated state and county laws and procedures. He said he doesn't believe the developer and county will have to start at the beginning once a permanent road is approved.

The ski area, which operates with a lease from the Forest Service, was once partners in the development, but the own-

ers withdrew because of the project's size and their belief that McCombs was trying to circumvent environmental laws.

Honts has said the Pitchers knew all along how big the development would be and that the approval process has been long and costly.

The Wolf Creek Ski Corp., now run by Davey Pitcher, has sued to clarify its obligations to McCombs. The developer has responded that the ski area owes him at least \$20 million for expenses resulting from the Pitchers' renegeing on an agreement to extend the ski area's road to his property.

Pitcher did not immediately return a message left by The Associated Press.

Supporters say the development will generate hundreds of new jobs and millions of dollars in revenue for the economically depressed area. Opponents contend it will destroy wetlands, harm water quality, endanger lynx the state has released in the area to restore the cat to Colorado and strain government and social services.

Critics have also accused McCombs of wielding his political influence in Congress, where he unsuccessfully tried to get approval of the ski village attached to unrelated legislation.

Problem with reactor cooling system went undetected for 19 years

BY BOB CHRISTIE

Associated Press Writer

PHOENIX — A potential problem with the emergency reactor core cooling system at the nation's largest nuclear power plant went undetected from 1986, when it began producing power, until last week, the Nuclear Regulatory Commission and the plant operator confirmed Thursday.

The issue was identified when engineers at the Palo Verde Nuclear Generating Station did an analysis after NRC inspectors raised questions at a detailed inspection early last week. The NRC was following up to see if earlier cooling system problems had been fixed.

The review showed the emergency cooling system may not operate as expected to provide water to reactor cores after a small leak in the reactor cooling lines, NRC spokesman Victor Dricks said.

The worst-case scenario of an emergency cooling system failure is a meltdown of the reactor core and release of radioactivity into the atmosphere. Plants have many redundant systems, however, and many other failures would have to occur before that happened, nuclear experts said.

The design flaw put the plant outside of

its licensing guidelines and operator Arizona Public Service Co. shut down the two operating reactors immediately until a fix is put in place. The third reactor in the complex 50 miles west of Phoenix was already down for maintenance and refueling.

There's no estimate for when the plant will come back online.

Engineers are looking at reconfiguring the system or writing new manual procedures to get around the problem, plant spokesman Jim McDonald said. They also are rechecking their calculations to see if the system may actually operate as expected.

The plant provides electricity for as many as 4 million customers in California, Arizona, Texas and New Mexico served by seven utility companies.

The power is cheaper than many other sources, but several power companies say it is unclear if they'll need to raise rates to recoup their losses.

The emergency cooling systems in each of the three units are designed to replace water cooling the reactor cores in unusual situations.

Earlier this year, the NRC fined the plant operator \$50,000 because of another problem in a different part of the same cooling system.

Palo Verde nuclear plant at a glance

By The Associated Press

Facts about the Palo Verde Nuclear Generating Station:

- Location: Wintersburg, Ariz., about 50 miles west of downtown Phoenix.
- Design: Uranium-fueled, steam-electric nuclear plant using a pressurized water reactor.
- Capacity: 3,812 megawatts from three 1,270 MW units.
- Construction: Began in 1976, first unit online in 1986. Third and final unit running in 1988.
- Cost: \$5.9 billion for construction and startup testing.
- Owners: Arizona Public Service Co., Salt River Project (Arizona), El Paso Electric Co., Southern California Edison, Public Service Co. of New Mexico, Southern California Public Power Authority, Los Angeles Department of Water & Power.
- Of note: Palo Verde is the nation's largest nuclear plant complex.

Source: Salt River Project

In the more recent case, pumps that provide emergency cooling water may not sense that a storage tank is getting low on water and switch to another source, Dricks said.

The fact the potential problem took so long to be discovered should prompt the NRC to look at other plants and procedures, said David Lochbaum, a nuclear safety engineer for the Union of Concerned

Scientists, a nuclear watchdog group.

Lochbaum said the Palo Verde plant has been a "stellar" performer until the past two years, when a series of problems have cropped up.

"It's a fairly subtle problem, and it was a good catch by the NRC," Lochbaum said of the current issue. "It just would have been a great catch sooner."

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NATIONAL



Funeral home fears hampering investigation of Idaho CJD cases

BY REBECCA BOONE
Associated Press Writer

BOISE, Idaho — From the moment Joan Kingsford first saw her husband stagger in his welding shop three months ago, she wanted two things: His recovery and to know what made him sick.

She didn't get either. Six doctors and several weeks later, 72-year-old Alvin Kingsford died of suspected sporadic Creutzfeldt-Jakob disease.

The fatal brain-wasting illness can only be conclusively diagnosed with an autopsy. Though Joan Kingsford wanted an autopsy, no mortician in the area would agree to handle Alvin's body if his brain cavity had been opened.

They feared they would catch the rare disease, Joan said, and become part of a suspected Idaho cluster of CJD victims. But as she grieved over her husband of more than 52 years, the news was nearly more than Joan could take. As a member of the Mormon church, which like many other religions discourages cremation, Joan opted to skip the autopsy and have a traditional funeral service.

"A week before he passed away, the funeral homes said they wouldn't take the blood out. They just put some embalming in him and told me I had to have a funeral in three days," Joan said. "Everything he laid on they told us to burn. I felt like they didn't give a damn."

State and federal health officials are trying to get to the bottom of Idaho's nine reported cases of suspected sporadic CJD this year.

Sporadic, or naturally occurring, cases of CJD have no known cause or cure, but they are not due to eating mad-cow-tainted beef. Beef-related cases are classified as variant CJD, and it has killed at least 180 people in the United Kingdom and continental Europe since the 1990s.

The best tool of investigators to pin down the diagnosis — the autopsy — is sometimes hard to get, said Tom Shanahan with the Idaho Department of Health and Welfare.

Normally sporadic CJD only strikes about one in a million each year, with an average of just 300 cases per year in the United States, or just over one case a year in Idaho. Over the past two decades, the most cases ever reported in Idaho in a single year has been three, Shanahan said.

Until this year. Of the nine suspected cases reported so far in 2005, two victims tested negative. Three tested positive for a prion disease, though more tests are pending to determine if the fatal illness was in fact sporadic CJD. Four were buried without autopsies.

Still, federal and state health officials are stopping just short of calling the Idaho cases a "cluster," waiting for final test results from the victims who got autopsies.

"I think we'll have a better and clearer picture once all of the investigations have been completed," said Dr. Ermias Belay, a CJD expert with the federal Centers for Disease Control and Prevention. "One thing is very clear in Idaho — the number seems to be higher than the number reported in previous years. But so far, the investigations have not found any evidence of any exposure that might be common among the cases."

The CDC strongly promotes autopsies for CJD victims, but runs into some common barriers, Belay said. Pathologists are often reluctant to perform the procedures, the cost of an autopsy can be high and some families are reluctant to give their consent.

And sometimes, like Kingsford, families simply can't find an undertaker willing to handle a potentially infectious body.

CJD is transmitted through a malformed prion found primarily in the brain and spinal fluid of those infected, Belay said. Standard sterilization procedures don't eliminate the risk of infection; instead equipment must be soaked in a chemical solution for more than an hour and then heated, according to the World Health Organization.

Mortuary procedures — including embalming — can be done safely on intact bodies of CJD victims as long as extra precautions are taken, according to the organization's guidelines, but the WHO does not recommend embalming patients who have had autopsies.

Larry Whitaker, a Beaverton, Oregon-based regional salesman for the embalming chemical and equipment manufacturer Dodge Company, offers workshops to his clients on safe handling of CJD-infected bodies.

"When the brain has been removed, it is an extraordinary risk," Whitaker said. "This is one time I think that cremation has to be more than mildly considered."

Joan Kingsford was thrown into making a decision about her husband's remains much sooner than she expected.

"It was two and a half months before we knew what was wrong with him, and by that time he was in the hospital," Joan said. "He just lost one faculty after another. First he couldn't walk, and then he couldn't eat, couldn't talk."

When the doctors said they believed he had sporadic CJD, Alvin was so far gone that Joan wasn't sure if he understood the diagnosis.

A week before his death, she began trying to arrange an autopsy to confirm the diagnosis. Officials with the Idaho Department of Health and Welfare learned about Alvin's illness a few days later, Shanahan said, giving them little time to help find a mortician or a pathologist willing to help accommodate both an autopsy and an embalming.

"I wish we could have done the autopsy, because I think people need to know about this," Joan said.

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Largest Sunni party attacked in Baghdad

BY THOMAS WAGNER

Associated Press Writer

BAGHDAD, Iraq — Insurgents determined to derail this weekend's referendum carried out two attacks against Iraq's largest Sunni Arab political party on Friday, after the group dropped its opposition to the draft constitution.

The militants exploded a roadside bomb just outside the Iraqi Islamic Party office in central Baghdad, then set fire the party's main office in Fallujah, police said. No injuries were immediately reported in the capital or in Fallujah, a city west of Baghdad that was decimated by a U.S. offensive against insurgents in 2004.

Sunnis denounced the party's head, Muhsin Abdel-Hamid, as a traitor during a demonstration against the constitution in Baghdad.

"Muhsin is a U.S. agent," about 150 protesters shouted, carrying banners with slogans such as "No to the constitution."

The rare attacks against the party by Sunni-led insurgents appeared aimed at punishing it for deciding to end its "no" campaign against the referendum after lawmakers agreed Wednesday to several amendments to the constitution designed to win Sunni support in Saturday's vote.

"This attack by insurgents against the Islamic Party was expected because of its new stand toward the referendum," Iraqi army Maj. Salman Abdul Yahid said after the Baghdad blast. "Insurgents had threatened to attack the group and its leaders to get revenge," he said in an interview with The Associated Press.

Alaa Makki, a senior party official in Baghdad, condemned the attack in the capital and said it won't stop the moderate group's efforts to "use the political process to fight terrorism and promote stability in Iraq."

On Thursday, Iraqi Islamic Party banners urging a "no" vote had been removed from where they hung near monuments such as the Grand Imam mosque.

Other Sunni Arab parties still oppose the charter. They fear it would leave them isolated in central and western Iraq while Kurds in the north and Shiites in the south capitalize on Iraq's oil wealth.

In another insurgent attack in Baghdad on Friday, the Muslim day of worship in Iraq, a roadside bomb wounded four Iraqi civilians when it exploded near one of the many schools in the capital that U.S. soldiers are fortifying with concrete barriers and barbed wire so they can be used as polling stations in Saturday's vote, said police 1st Lt. Mua'taz Saladin.

As police removed bloodstained shoes and shattered glass from damaged cars at the scene, one of the U.S. soldiers working there remained defiant. "This won't affect anything planned for tomorrow. The election will go off without a hitch," Lt. David Forbes said in an interview with an Associated Press Television News.

In Kirkuk, 180 miles north of Baghdad, a car bomb exploded near a Kurdistan Democratic Party office, wounding five civilians, said police Brig. Sarhad Qadir.

On Wednesday night, Iraq's National Assembly endorsed last-minute changes to the draft constitution worked out by

Shiite, Kurdish and Sunni powerbrokers that will allow a new parliament scheduled to be elected in December to adopt amendments to the constitution.

The draft constitution is expected to pass in Saturday's referendum.

There was opposition even in Iraq's Cabinet.

Industry Minister Osama al-Najafi, a Sunni, predicted on Friday that Iraqis will reject the document.

"If the Iraqis are given the opportunity to vote freely, they will say no," he said during a visit to Malaysia. "The constitution does not represent the aspirations of all Iraqi people."

The draft constitution requires a majority, and it will be adopted unless two-thirds of voters in three provinces vote "no." Sunnis only have a majority in four of Iraq's 18 provinces.

The attacks on the Iraqi Islamic Party came as coalition forces closed Iraq's borders and its international airport in Baghdad in another effort to protect voters. Government offices and schools also were closed Friday, the start of a four-day national holiday.

All civilian vehicles will be banned on Saturday as Iraqis are expected to walk to 6,100 polling centers in Iraq.

In Anbar, the western province where some insurgent groups have strongholds, the U.S. military continued an offensive by about 3,000 American and Iraqi troops aimed at securing the cities of Hadithah, Haqlaniyah and Parwana for the vote.

Coalition forces have warned of a spike in militant attacks ahead of Saturday's

vote, and nearly 450 people have been killed over the past 19 days in a combination of suicide car bombs, roadside bombs and drive-by shootings. Many other Iraqis have been kidnapped and killed, their bodies abandoned in remote areas.

Hundreds of Iraqi police and army troops have fanned out across Baghdad, setting up checkpoints and fortifying polling stations with barbed wire and blast barriers.

An eerie calm has settled over the capital and other cities, with little traffic on the streets, few pedestrians and many shops closed.

In Shiite areas of Baghdad, posters and banners urging a "yes" vote plastered walls and shop windows. Iraq's top Shiite cleric, Grand Ayatollah Ali al-Sistani, has directed his followers to approve the constitution.

"Yes" posters were few in Sunni districts.

In the so-called Triangle of Death, a mainly Sunni area south of Baghdad that is known for kidnappings and killings, there was no sign of posters either. On Thursday, Iraqi troops searched cars under the watchful eyes of comrades manning machine-gun positions on the ground. U.S. helicopters hovered overhead. Traffic on the road through the "triangle" was thin.

"I will vote 'yes' so as to isolate the troublemakers," said Faisal Galab, a Sunni Arab sheik from the town of Youssifiyah, about 12 miles south of Baghdad. "I have asked my family and clan to vote 'yes.'"

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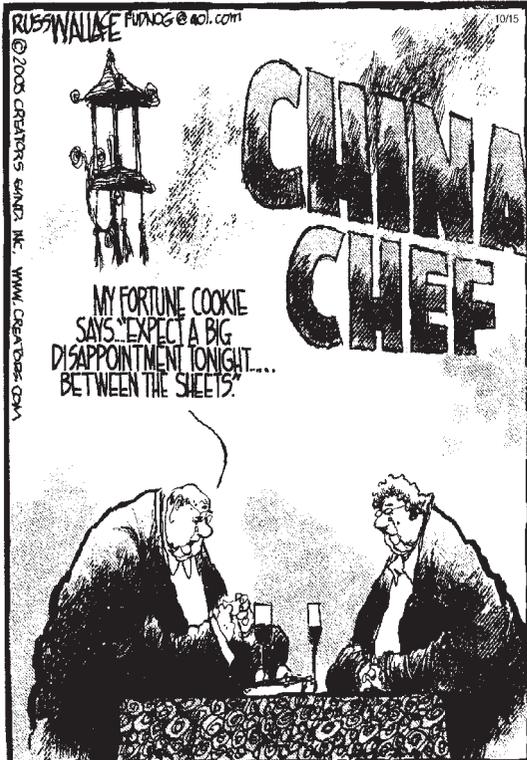
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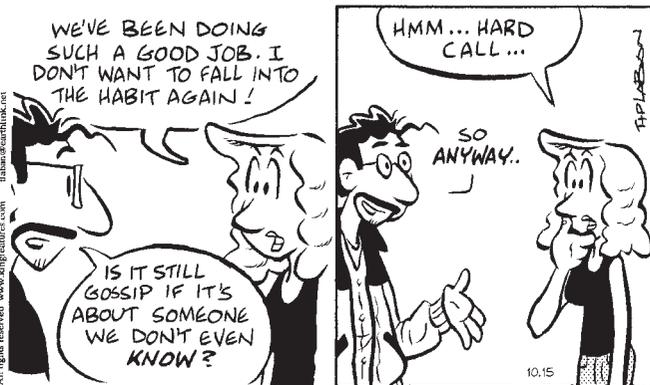


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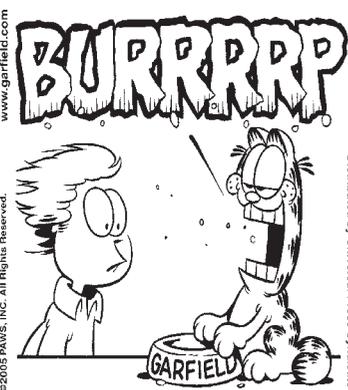
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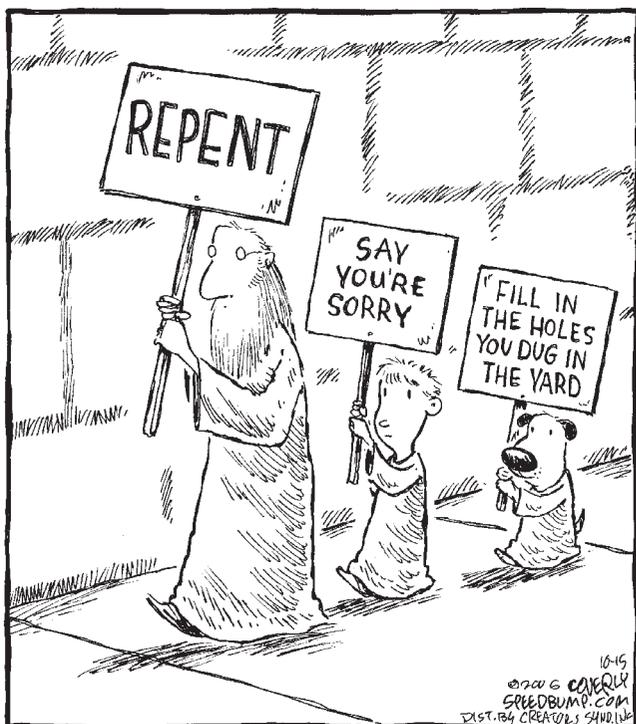
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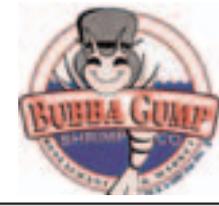
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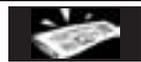
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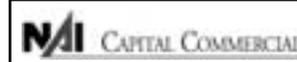
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LOST WHITE cat missing since
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LOST: ALL white female cat with
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named Princess. Missing since
Saturday, October 8th at Kansas Ave.
and Cloverfield. Please call (510) 333-
2975. Reward.

DBAS

FICTITIOUS BUSINESS NAMES STATEMENT FILE
NO. 05 2164202 FIRST FILING. The following
person(s) is (are) doing business as The Greek
Telephone Directory / TheGTD.com, 11704 Wilshire
Blvd., #D295, Los Angeles, CA 90025. The full
name of registrant(s) is/are : Larry Tollin
Enterprises, LLC, CALIFORNIA, 11704 Wilshire
Blvd., #D295, Los Angeles, CA 90025 This
Business is being conducted by, a limited liability.
Signed: The registrant commenced to transact
business under the fictitious business name or
names listed on (Date)4/28/2005. /s/: Larry Tollin
Enterprises, LLC, Member, Larry Tollin
This statement was filed with the County Clerk of
LOS ANGELES County on 9/8/2005. NOTICE: THIS
FICTITIOUS BUSINESS NAME STATEMENT EXPIRES
FIVE YEARS FROM THE DATE IT WAS FILED IN THE
OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS
BUSINESS NAME STATEMENT MUST BE FILED
PRIOR TO THAT DATE. The filing of this statement
does not of itself authorize the use in this state of a
fictitious business name statement in violation of
the rights of another under federal, state, or
common law (see Section 14411et seq., Business
and Professions Code). SANTA MONICA DAILY
PRESS to publish 10/8/2005, 10/15/2005,
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