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**SANTA BARBARA NEWS-PRESS**



OUR 152ND YEAR

THURSDAY, SEPTEMBER 20, 2007

50¢

**ROOT OF THE PROBLEM**

Removal of El Paseo eucalyptus spurs controversy over protection of landmarks



MIKE ELIASON / NEWS-PRESS

Above, the courtyard of the Wine Cask restaurant in El Paseo was the home of a 60-foot-tall eucalyptus tree until the tree was cut down last month in a controversial move that Santa Barbara attorney John Woodward says violated the city's landmark ordinance. Below, the courtyard is shown in 1971 with the tree in question visible in the far left corner.

By **MARIA ZATE**

NEWS-PRESS BUSINESS WRITER

John Woodward, a longtime Santa Barbara attorney and local history buff, is leading a charge to get the city to crack down on what he and others say is a flagrant disregard for rules that were put in place to protect historic landmarks.

Last month, a 60-foot-tall eucalyptus tree that graced the courtyard of the Wine Cask restaurant in El Paseo was cut down by the new owner, despite pleas from community members to save the historic tree, which was part of the property's original landscaping.

Because El Paseo is a designated landmark property, the building's owner, El Paseo Partnership, along with all tenants, have a binding agreement with the Santa Barbara Trust for Historic Preservation, giving the trust control over the exterior of the building, including all landscaping.

In addition, the city's landmarks ordinance says that a historic landmark may not be altered or demolished except in very narrow circumstances.

"Chopping down that tree was a violation of both of those provisions," Mr. Woodward explained. "The whole purpose of the landmarks ordinance is to preserve historic landmarks. This is such a flagrant violation of the landmarks ordinance. "If we don't enforce it in this case,



COURTESY PHOTO

then all of Santa Barbara's landmarks are in jeopardy," he emphasized. "The (Wine Cask) owner knew full well that he was not supposed to cut down that tree, but he had it cut down

anyway." El Paseo's property manager and owner, SIMA Corp., told the News-Press last week it had nothing to do with the tree and fountain removal

from the Wine Cask patio. Wine Cask management declined to talk to the News-Press when contacted last

*Please see TREE on A12*

**Simpson posts bail, is released**

By **RYAN NAKASHIMA**  
ASSOCIATED PRESS

**LAS VEGAS** — In a scene of legal déjà vu, a grayer, heavier O.J. Simpson stood handcuffed in court Wednesday to face charges that could put him behind bars for life. The prosecutor who failed to get him a dozen years ago was there to watch, and news cameras tracked his every move as if they were covering a slow-speed chase.

But as Mr. Simpson made his \$125,000 bail on charges including kidnapping and armed robbery, legal experts were questioning: Could a former football star who beat a double-murder rap really do hard time for a crime that sounds like a bad movie?

Police have laid out a case that makes Mr. Simpson the leader in a

tense, armed holdup of sports memorabilia collectors. Some of the facts — including a curious recording of the confrontation — don't seem so clear-cut.

Legal experts say that issues such as who had rightful ownership of the goods and the reputation of witnesses in the sometimes less-than-reputable world of memorabilia trading could cloud the prosecution's case.

Mr. Simpson has insisted he was merely retrieving items that were stolen from him earlier.

Alfred Beardsley, one of the collectors who says he was robbed at gunpoint by Mr. Simpson and several

other men, told NBC's "Today" show before Mr. Simpson's hearing that he

*Please see SIMPSON on A12*



O.J. Simpson

**Carpinteria safe water program under way**

By **ANGEL PACHECO**  
NEWS-PRESS STAFF WRITER

The Carpinteria Valley Water District cut the ribbon to dedicate its \$27 million Capital Improvement Program for safe drinking water on Wednesday at the district office.

December will mark completion of the project, which was adopted in 1999. The four-part project includes the covering of Carpinteria and Ortega reservoirs, a new well with a filtration plant and a 3 million gallon storage tank.

The Capital Improvement Program

updates the district's reservoir system that was built in the 1950s.

"It was quite apparent that this system would be insufficient to meet the new requirements that were coming down from the federal and state governments," said Fred Lemere, board of directors president.

Before the project began, the district's water storage capabilities included the open-surfaced Ortega and Carpinteria reservoirs, according to Mr. Lemere. To improve water quality, the decision was made to

*Please see WATER on A8*



STEVE MALONE / NEWS-PRESS

Megan Allen, 10, and Lauren Greer, 13, display medals given to attendees of the dedication program at the Carpinteria Valley Water District on Wednesday. Their mother, Norma Rosaes, is the business manager for the water district.

**County set to tackle elder abuse**

By **SCOTT STEEPLTON**  
NEWS-PRESS ASSOCIATE EDITOR

Santa Barbara County District Attorney Christie Stanley is going after those who prey on elderly adults.

The new Elder Death Review Team will include the Sheriff's Department Coroner's Division, the District Attorney's Office, law enforcement agencies across the county, and county Public Health and Adult Protective Services.

Ms. Stanley's goal, she said in a statement announcing the plan, is to reduce abuse and neglect of dependent adults — and make sure those who commit such crimes pay for their actions.

Achieving that goal will involve sharing information.

"The end result will be a strengthening of the collaboration between each of the agencies," she said.

Under the plan, coroner's officials will notify Adult Protective Services of all deaths involving elderly and dependent adults within the past 24 hours.

If Adult Protective Services determines the dead person has a "history" with the agency, the Sheriff's Department would be notified.

The Coroner's Division would continue to determine whether an autopsy or "law enforcement intervention" is warranted.

For the first six months of the program, the team will meet to discuss the cases forwarded from each law enforcement agency and Adult Protective Services.

The first meeting is next week in Solvang.

After the initial six-month period, the team will meet quarterly.

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**Record supplies of vaccine produced to combat flu**

By **LAURAN NEERGAARD**  
ASSOCIATED PRESS

**WASHINGTON** — Come one, come all: After years of shortages and confusion, this fall promises plenty of flu vaccine to go around — up to 132 million doses, more than the nation has ever produced.

The ample supplies have the government urging vaccinations not just for people at highest risk of dying

from influenza, but for anyone who wants to avoid a week of aching misery.

"Flu is a formidable foe," Dr. Julie Gerberding, head of the Centers for Disease Control and Prevention, said Wednesday. "It is not an illness we should be complacent about."

But new CDC data show only a fraction of people who need flu shots the most get them, including just one in five babies and toddlers. And

there's wide geographic variation, with Rhode Island reporting the most high-risk adults vaccinated and Nevada the fewest.

Shots aren't the only option. Wednesday, the government ruled that it's safe for younger kids than ever before to try a nasal-spray vaccine called FluMist. Once only an option for people ages 5 to 49, FluMist now can be used by children as young as 2.

Flu usually peaks in February, so a winter vaccination isn't too late. Still, Dr. Gerberding advised seeking vaccine early in case flu begins striking before the usual November.

Indeed, there already are reports of sick schoolchildren in Hawaii, although the geographic distance makes it impossible to predict if that signals an unusually early flu season

*Please see VACCINE on A9*

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