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World briefly  
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7 58551 69301 0  
A MediaNews Group Newspaper

The Ukiah

Mendocino County's  
local newspaper

DAILY JOURNAL



Thursday: Sunny  
H 92° L 55°

Friday: Sunny  
H 93° L 55°

50 cents

14 pages, Volume 153 Number 127

ukiahdailyjournal.com

# Stormwater regs put on hold by supervisors

Questions over their  
necessity in the first  
place have arisen

By TIFFANY REVELLE  
The Daily Journal

The Mendocino County  
Board of Supervisors is  
rethinking new stormwater

regulations after protests by a  
coalition from the county's  
agriculture, business and con-  
struction industries that the  
supervisors were misled by  
county staff to believe the reg-  
ulations were required.

The new regulations will  
stay dormant while the Board  
decides whether to change

them or repeal them.

Members of the Agriculture  
Business Coalition -- com-  
prised of the Mendocino  
County Farm Bureau,  
Employers Council of  
Mendocino County and North  
Coast Builders Exchange --  
and other speakers on Tuesday  
urged the board to roll back

what they called a heavy-  
handed and overreaching ordi-  
nance containing the regula-  
tions.

"I see this as just one more  
regulation which is in conflict  
and in duplication with state  
and county and federal regula-  
tions that we already have,"  
speaker George Rau said.

Farm Bureau Executive  
Director Devon Jones called  
the state's urging the county to  
keep the regulations an  
unfunded mandate without  
justification.

The Mendocino County  
Board of Supervisors adopted

See BOARD, Page 14

## Arrest made in arson case

The Daily Journal

A 36-year-old Willits  
man was arrested  
Monday on suspicion of  
arson, the California  
Department of Forestry  
and Fire Protection  
reported.

According to CalFire,  
Steven G. Hensley was  
arrested shortly after  
noon on Monday.  
Hensley is suspected of  
starting a "series of fires  
in the Willits and  
Redwood Valley areas."

CalFire said it was  
not releasing any more  
details to "protect the  
integrity of the upcom-  
ing criminal action."

CalFire Mendocino  
Unit Chief Christopher  
P. Rowney praised fire  
investigators, Fire  
Captain Specialists  
Shawn Zimmermaker  
and Craig Dudley for  
"working tirelessly to  
put an end to the prop-  
erty destruction and life  
threat of these intention-  
ally set fires."

## To Our Readers:

The 10th anniversary  
of the Sept. 11 terrorist  
attacks on the United  
States is coming up and  
we'd like our readers to  
share with each other  
how that event changed  
our lives over the past  
decade. Tell us how the  
attacks changed your  
outlook on the U.S.,  
changed your feelings  
about war or terrorism,  
changed how you live  
your life, changed your  
family, changed how  
you travel, how you  
relate to others or how  
you feel about the  
world at large.

Please write to us  
with your feelings, your  
stories, your photos  
having to do with that  
unforgettable moment  
in U.S. history and we  
will publish them and  
choose some to expand  
as stories to be part of  
our coverage of this  
important anniversary.

Every American was  
affected by the events  
of that day and we  
know this community  
has lots of stories to  
tell.

Email us at  
udjkcm@pacific.net, or  
send your story to  
Ukiah Daily Journal,  
Attention: K.C.  
Meadows, PO Box 749,  
Ukiah, Calif. 95482 or  
drop your material by  
our office at 590 S.  
School Street, Att: K.C.  
Meadows.

## TRANSPORTING TO THE FUTURE



Sarah Baldik/The Daily Journal

The Vectorr, Vac Trac passenger rail system train model created by Max Schlienger and John Reardan runs through vineyards off of Henry Station Road near Ukiah.

# Train that floats on air

Local business  
hoping to reinvent  
light-rail with  
its Vectorr

By JUSTINE FREDERIKSEN  
The Daily Journal

If you happen to be standing  
in a local vineyard on a sum-  
mer afternoon, you would  
expect to see turkey vultures  
circling overhead. But you  
wouldn't expect to then see a  
small train gliding above the  
rows of grapes.

"I've been playing with  
trains for a long time," said  
Max Schlienger, the owner of  
both the vineyard (next door to  
Retch of Ukiah which  
Schlienger founded and used  
to own) and the green-and-  
white train, which is not meant  
for play, but represents what  
Schlienger and his Flight Rail  
Corporation hope is the future  
of high-speed train travel.

The train is a 1/6 scale  
model of what Schlienger and  
Flight Rail's pilot program  
manager John B. Reardan call  
Vectorr, a name they trade-  
marked. What makes the  
Vectorr unique, they said, is it  
is propelled by air.

Underneath the train is a

See TRAIN, Page 14



Above, Flight Rail  
Corporation Pilot  
Program Manager,  
John Reardan and  
President Max  
Schlienger stand on  
a platform with the  
Vectorr train in the  
background. At left,  
this high speed rail  
model is light-  
weight and oper-  
ates without on-  
board propulsion  
system or fuel and  
is capable of oper-  
ating at speeds of  
200 miles per hour,  
and can climb  
grades up to 10  
percent.

# Man robbed by pair he met in bar

The Daily Journal

A Ukiah man reported  
being robbed Saturday  
by a pair of men he met  
at a local bar, the Ukiah  
Police Department  
reported.

According to the  
UPD, the victim called  
police at 12:39 a.m. to  
report that he was run-  
ning after the subjects

behind the Ukiah  
Cinema 6 in the 600  
block of South State  
Street.

The scene was wit-  
nessed by a California  
Department of Fish and  
Game Warden, who  
apparently helped offi-  
cers locate the parties.

The victim told offi-  
cers that he met the two

men in a nearby bar, and  
after drinking together  
the three men left  
together. While the  
group was behind the  
theater, the victim said  
the suspects demanded  
money from him, then  
hit him and ran off with  
cash.

The suspects were  
identified as Norman L.

White, 31, and Jon M.  
Luran, 23, both of  
Ukiah. White and Luran  
claimed the victim had  
asked them to obtain  
illegal drugs.

The suspects were  
both arrested on suspi-  
cion of robbery and con-  
spiracy, and booked into  
Mendocino County Jail  
under \$75,000 bail.

## CITY WORKSHOP

# Limits on fast-food chains not discussed

Council spends  
workshop on  
tasting rooms,  
sidewalk cafes

By JUSTINE  
FREDERIKSEN  
The Daily Journal

After spending three  
hours discussing rules  
for tasting rooms, side-  
walk cafes and other  
topics in the proposed  
Downtown Zoning  
Code Monday, the  
Ukiah City Council did  
not tackle the most con-  
troversial item: limits on  
formula fast-food  
restaurants.

The proposed code  
was written by the  
Ukiah Planning  
Department and the  
Planning Commission  
and is designed to direct  
future development  
downtown, while also  
making the process easi-  
er and clearer for new  
businesses.

"We tried to set up  
the code so that if you  
follow the rules, there's  
certainty for the com-  
munity and it's clear for  
the developers as well,"  
Senior Planner Kim  
Jordan said of the code.  
"If you do it the way it's  
laid out it's very easy,  
but if not, there is still a  
way to do it."

With that idea in  
mind, the council was  
asked to consider stan-  
dards for tasting rooms  
which, if businesses  
comply, would elimi-  
nate the need for even a  
minor use permit.

Jordan said the down-  
town code followed the  
lead of Napa and  
defined tasting rooms as  
"specialty food and bever-  
age sales with tast-  
ings," and listed the  
allowed hours as daily  
from 10 a.m. until 8  
p.m.

Mayor Mari Rodin  
said she would like the  
tasting rooms to be able  
to stay open until 10  
p.m., recalling that 8  
p.m. was too early for  
Tierra, the former down-  
town wine bar, to close,  
"especially in the sum-  
mer, when it's light  
later."

Vice-Mayor Mary

See CITY, Page 14



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UKIAH'S 3-DAY FORECAST


TODAY



89°

Sunshine


TONIGHT



53°

Clear

THURSDAY




92°

55°

A full day of sunshine

FRIDAY



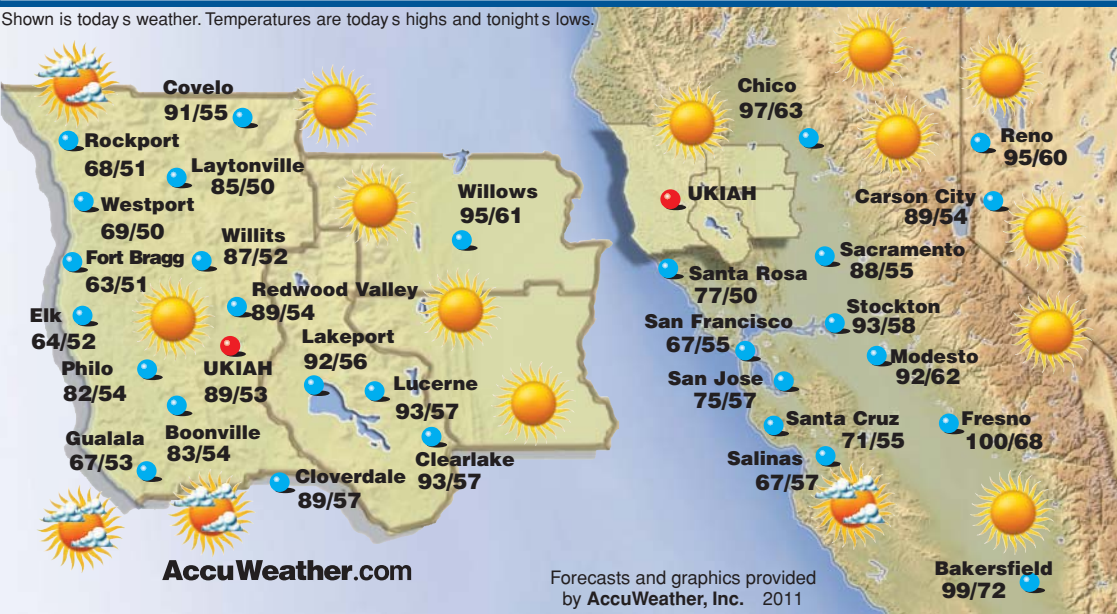
93°

55°

Sunny and very warm

REGIONAL WEATHER

Shown is today's weather. Temperatures are today's highs and tonight's lows.



ALMANAC

Ukiah through 2 p.m. Tuesday

Temperature

High 95

Low 55

Normal high 89

Normal low 54

Record high 110 in 1910

Record low 41 in 1917

Precipitation

24 hrs to 2 p.m. Tue. 0.00"

Month to date Trace


Normal month to date 0.07"

Season to date 0.01"


Last season to date trace

Normal season to date 0.09"

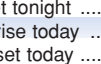
SUN AND MOON




Sunrise today 6:34 a.m.



Sunset tonight 7:56 p.m.




Moonrise today 1:39 a.m.




Moonset today 4:47 p.m.


MOON PHASES




New Aug. 28



First Sept. 4



Full Sept. 12



Last Sept. 20

CALIFORNIA CITIES

City	Today	Thu.	City	Today	Thu.	City	Today	Thu.
Anaheim	87/69	92/69	Irvine	78/67	84/68	Sacramento	88/55	88/58
Antioch	84/57	84/58	Hollywood	82/67	92/68	Salinas	67/57	69/57
Arroyo Grande	69/54	72/52	Lake Arrowhead	90/00	95/01	San Bernardino	94/65	100/78
Atascadero	92/55	92/56	Lodi	94/58	93/58	San Diego	76/68	76/68
Auburn	94/63	94/67	Lompoc	63/64	64/62	San Fernando	96/66	92/66
Barstow	105/79	107/79	Long Beach	81/65	83/66	San Francisco	67/55	69/56
Big Bear	88/69	92/50	Los Angeles	86/67	86/66	San Jose	75/57	77/58
Big Sur	65/55	64/56	Mammoth	78/50	77/45	San Luis Obispo	75/54	76/56
Bishop	98/68	97/58	Marysville	95/00	94/57	San Rafael	72/53	74/56
Blythe	103/87	110/88	Modesto	92/62	91/62	Santa Ana	79/67	81/68
Butte	96/69	94/68	Monrovia	90/68	90/68	Santa Barbara	74/58	73/59
California City	100/74	102/70	Monterey	65/54	67/54	Santa Cruz	71/55	72/56
Carpinteria	69/57	68/59	Morro Bay	65/56	64/56	Santa Monica	80/65	78/64
Catalina	68/62	69/63	Napa	77/53	79/52	Santa Rosa	77/50	82/52
Chico	97/63	96/62	Needles	110/90	110/89	S. Lake Tahoe	82/42	80/44
Crescent City	63/53	62/52	Oakland	67/55	68/56	Stockton	93/58	92/60
Death Valley	117/91	118/87	Ontario	99/69	100/70	Tahoe Valley	82/42	80/44
Downey	86/65	88/66	Orange	87/65	87/65	Torrance	76/64	78/69
Endicott	74/66	75/67	Oxnard	72/60	70/61	Vacaville	90/57	88/57
Escondido	88/66	92/66	Palm Springs	108/65	113/67	Vailley	72/55	73/55
Eureka	63/53	64/52	Pasadena	96/69	95/69	Van Nuys	96/67	96/68
Fort Bragg	63/51	62/51	Pomona	102/64	97/66	Vesalia	96/65	95/65
Fresno	100/68	100/70	Potter Valley	92/55	91/54	Willits	87/52	89/52
Gilroy	81/68	82/55	Redding	98/59	97/60	Yosemite Valley	82/54	83/50
Indio	108/82	112/85	Riverside	98/66	99/67	Yreka	95/63	93/62

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, l-ice.

Lake Mendocino – Lake level: 745.19 feet; Storage: 81,486 acre-feet (Maximum storage 122,500 acre-feet) Inflow: 120 cfs Outflow: 176 cfs

Mendocino County air quality – GOOD (see [www.airnow.gov](http://www.airnow.gov) for more details)

World

Continued from Page 2

Dow Jones industrial average leaps 322, its biggest gain in 2 weeks; BofA slides

NEW YORK (AP) — Stocks posted their biggest jump in nearly two weeks on Tuesday. Investors picked up cheaply priced stocks after fears that the U.S. would slip into a recession pounded the market over the last month.

The Dow jumped 322 points, its best day since Aug. 11, when it gained 423. The Dow dipped about 60 points shortly after an earthquake hit the East Coast at 1:51 p.m., but recovered within 20 minutes and soared even higher in the afternoon.

James Paulsen, chief investment strategist at Wells Capital Management, said the beating stocks have taken since late July made it look like investors were preparing for a recession. Investors questioned that bleak outlook Tuesday after a manufacturing survey from the Richmond, Va. Branch of the

Federal Reserve pointed to a slowdown, not a recession. “And when people are preparing for a recession, slow growth is good right now.”

The Dow, which tracks 30 huge U.S. companies including IBM Corp. and General Electric Co., closed with a gain of 3 percent at 11,176.76. Indexes that track smaller stocks did even better, a sign that investors were more willing to take on risk.

The S&P 500 index rose 38.53 points, or 3.4 percent, to 1,162.35. The Nasdaq composite, which tracks mainly technology companies, rose 100.68 points, or 4.3 percent, to 2,446.06. The Russell 2000 index of smaller U.S. companies gained even more, 4.9 percent.

Irene weakens to Category 1 hurricane but remains 1st big threat to US in years

MIAMI (AP) — Officials and residents from Florida to the Carolinas stocked up on supplies, dusted off evacuation plans and readied for the worst as Irene, the first hurricane to threaten the U.S. in three years, churned over tropical waters Tuesday after cutting a destructive path through the Caribbean.

Federal officials warned the storm could flood

streets and knock down power lines as far north as New England. Irene lost some of its punch Tuesday afternoon and was downgraded to a Category 1 hurricane as it lashed the Turks and Caicos Islands, but the storm remains likely to regain strength and become a major hurricane before making a U.S. landfall.

The hurricane has raked the Caribbean and could cause serious problems along the entire Eastern Seaboard, Federal Emergency Management Agency administrator Craig Fugate said Tuesday during a conference call with reporters. Fugate urged people not to become complacent, even though the forecast is still uncertain and the storm may be days from hitting the U.S.

“We need to remind people, hurricanes are not just a Southern thing. This could be the Mid-Atlantic and the northeast coast,” Fugate said. “We’ve got a lot of time for people to get ready, but we don’t have forever.”

Officials on North Carolina’s Ocracoke Island were taking no chances. Tourists were ordered to evacuate Wednesday, while residents were told to be off the island by Thursday, said Tommy Hutcherson, who serves on the local board that issues such orders.

Train

Continued from Page 1

tube that uses vacuum pressure to push magnets through it. Since the train above the tube also has magnets, it moves as well, and is able to reach very high speeds due to the lack of friction.

There are wheels on the train that grip the track at a 45-degree angle, but Schlienger

said they do not propel the train, only make sure it does not derail.

With its unique propulsion, Reardan said the train can accelerate faster than any traction-type train, brake quickly and impressively handle hills.

“It can easily climb a 10-percent grade,” Reardan said, as the Vectorr model moved up a 6-percent, then a 10-percent grade built into its 700-foot outdoor

track.

“It could go right through the Grapevine (on Interstate 5 in Southern California) without having to build tunnels,” Reardan said, explaining that most train tacks do not go steeper than 3 percent.

“One of the steepest grades is actually between Willits and Ukiah, at 3.2 percent.”

Schlienger said the Vectorr is particularly well-suited for environ-

mentally sensitive areas, because its lightweight trains do not need bulky support grids beneath them. Instead, he said, the tracks have a small footprint that can be built high above existing roads, crops and animal habitats.

“We think these trains could be as green as any trains running,” he said, adding that the trains would also be ideal for inter-city use, such as for shuttles or light freight,

and would not need electrical wires connected to it.

Many types of power could be used to power the vacuum tubes, such as electricity, solar or wind, and the power stations can be placed 50 miles apart.

Schlienger said they have already received several patents for some of the technology, and learned Friday they received another for their “Z-Valve,” which

allows them to close and open sections of the power tube below the train.

Reardan said the next step for the group is to build a full-scale model of the Vectorr, and the corporation is seeking funding to accomplish that goal.

Contact Flight Rail at 463-1080.

Justine Frederiksen can be reached at [udjff@pacific.net](mailto:udjff@pacific.net), or 468-3521.

City

Continued from Page 1

Anne Landis agreed. “There’s a sense (now in Ukiah) that the carpet rolls up at 5 p.m., and I’d like to change that,” Landis said.

Jordan said the time restrictions were designed to allow a lot of

different uses, including residential, to co-exist on downtown blocks.

“We’re trying to find hours that don’t create a nuisance for other businesses and residents,” she said.

Rodin said having people out and about late into the day is what made “living downtown unique and special,” while Council member

Benj Thomas said he was concerned that the later hours would turn the tasting room “into a bar. Tierra open until 10 p.m. would be a bar.”

The council members agreed that the tasting rooms could stay open until 10 p.m., and that if noise becomes an issue, the standards could be revisited.

The public has

expressed the most opinions on a proposed ban on formula fast-food restaurants downtown and on Perkins Street west of Highway 101. The city’s planning commission previously allowed an exemption for ice cream shops and coffee shops such as Starbucks and Peet’s Coffee & Tea, but the

commission eventually voted to ban all chain businesses serving its description of fast food: quickly made, of low nutritional value and inexpensive.

The council seems to support allowing the exemptions, however, as well as other compromises, and asked planning department staff to

come up with three to five approaches for limiting the chains and present them to the council.

Those options are expected to be discussed at the next workshop, which has not yet been scheduled.

Justine Frederiksen can be reached at [udjff@pacific.net](mailto:udjff@pacific.net), or 468-3521.

Board

Continued from Page 1

an ordinance in December that imposes regulations on property owners throughout the county about where stormwater runoff can and can’t go on their property, and what can and can’t be in it.

Questioned by the coalition, County Counsel Jeanine Nadel recently told the board the regulations didn’t have to apply county-wide, only in the suburban areas surrounding the cities of Ukiah and Fort Bragg.

Nadel told the board Tuesday that the regulations could have been limited to those areas when the ordinance was adopted, but county staff didn’t know that at the

time.

County officials previously told the board and the public that the ordinance was a requirement of the stormwater discharge permit the county holds with the North Coast Regional Water Quality Control Board.

A July 21 letter signed by RWQCB North Coast Region Executive Director Catherine Kuhlman “strongly recommend(s)” that the board keep the ordinance in place, but notes the regulations only have to cover the areas outlined in the county’s permit: the suburban areas outside Ukiah and Fort Bragg.

Tony Shaw, executive director of the Employers Council, urged the board to get a legal opinion on what its options are, specifically regarding possible

exemptions the county might qualify for because of its population size, and to do only what state law requires and no more.

“The Clean Water Act was really designed to deal with densely populated, industrial, urban areas ... and the last time I checked the information from Chico State (University), which tracks our demographics, our population was about 35 people per square mile. But these stormwater rules are drafted around 1,000 people per square mile,” Shaw said.

Speaker John Mayfield urged the board to repeal the ordinance and start over, saying the county had “systemic problems” and that county staff had intentionally mislead the board.

“I think you’ve got a

real problem when you’ve got staff giving you their personal opinions rather than what you’ve asked for,” he said. “This is a classic case of misleading the board to get an action that someone was personally interested in getting accomplished rather than what was required.”

Lee Howard of the North Coast Builders Exchange, speaking only for himself, said his request to see all county communication about the stormwater regulation ordinance hadn’t yet been answered.

“It’s your fault you didn’t understand,” Howard said. “If you can’t trust your staff, how can we trust them?”

Previously in the discussion, 2nd District Supervisor John McCowen said at least two board members “repeatedly asked ques-

tions regarding what the board was mandated to do or not, what we were required to do to comply with state requirements, and we were not given complete answers.”

McCowen favored scaling back the requirements to apply only to the areas around Ukiah and Fort Bragg, saying suburban runoff has more of an impact on water quality than runoff in the county’s rural areas.

First District Supervisor Carre Brown and 3rd District Supervisor John Pinches, recommended repealing the regulations and starting over.

“I do not like being manipulated and misled by staff; I felt I was,” Brown said, urging her colleagues to “undo what we’ve done.”

Board chairwoman

4th District Supervisor Kendall Smith said a countywide ordinance should still be considered, and 5th District Supervisor Dan Hamburg noted a local hydrologist said the regulations were needed.

McCowen asked if the board could simply not implement the regulations until it gathered more information and decided what to do about the regulations. Building and Planning Services Director Nash Gonzalez said the regulations hadn’t been implemented since they were adopted, and that the county could continue the practice until the board made its decision.

The discussion continues next month on a date not yet specified.

Tiffany Revelle can be reached at [udjr@pacific.net](mailto:udjr@pacific.net), or 468-3523.