

SUNDAY VOICES

You better Belize it!

My feet were comfortably enclosed in flippers as they hung over the side of the 25-foot fiber glass boat, my goggles were airtight and fit snugly over my eyes and nose and my snorkel was hanging by the side of my face ready for use. I was in the open sea, the Caribbean, beyond the barrier reef of Belize, on a whale shark tour with two other tourists, Stein, a cardiologist from Norway living on his boat, and Trish, a pastry chef from Wisconsin living on Caye Caulker, and our three Belizean guides, Louis, Glenn, and Tifara.

"There's one, get in the water!"

I looked out into the ocean to see a very large, black shape just off the side of the boat.

"Get in the water?" I asked.

"Yes, yes, get in the water now!"

So I slid into the rolling waves and put my face in the sea to gaze at a 30-foot whale shark that was quietly, gracefully and peacefully swimming away from me. My first reaction was one of utter amazement and awe in seeing this magnificent behemoth so close to me. I felt no fear when I saw it; the fear I felt was when I pulled my head out of the water and realized I was in the middle of the ocean with 3-foot rolling swells dipping me up and down with their undulations. I looked around to see the others bobbing with the heaving rise and fall of the water and decided it was time for me to get back in the boat.

We climbed the ladder, first Stein, then our guide, and then me. When Trish tried to get up she broke the ladder that had up to this point enabled us easy access onto the boat. We motored over the swells for another 5 or 10 minutes and there was another sighting of a giant shadow just off the bow. Back in the water we went; I kept one eye on our guide and another on the giant whale shark that maneuvered towards the bottom of the ocean oblivious to our presence. After a few minutes, I had had enough and I tapped

Sunday view
BY KAREN RIFKIN

Glenn on his shoulder. He stopped immediately and took my hand as we bobbed and treaded water waiting for the small boat to motor over and pick us up. With no ladder, I was instructed to turn around and was lifted backwards onto the boat. At this point all I could do was sit and shake as the experience of being in the ocean and seeing the whale sharks had been overwhelming for me both physically and emotionally. Louis asked if I was OK; in fact, I was.

Having seen two sharks so quickly we headed back to the reef where the azure waters were calm and comfortable. They served us a traditional lunch of stew meat, rice and beans on the boat, and after some time to digest, we jumped back in the water to investigate the second largest barrier reef in the world. I went in with Stein who was a veteran sailor and knew the oceans well. He pointed out a half dozen barracuda of different sizes swimming just below us and other fish of various shapes and colors. At one point I noticed a fish that seemed to be attached in some way to the sand on the bottom. I kept passing over it wondering what it was and finally at the moment I got Stein's attention and pointed, it began to move. What I witnessed next was a giant sea turtle expanding its limbs out as it began to swim to sea with a remora fish suckered onto it. I could have followed this glorious creature for miles but at one point needing to take a breather from the snorkeling apparatus, I pulled my head out of the water to see fins just 15 feet ahead and quickly realized that a pod of dolphins had joined our small group to swim with and around us. It was

yet another remarkable experience as I treaded and watched their dark, sleek, wet, arched bodies dance through the water right in front of me. Out of the corner of my eye I saw Glenn leap spread-eagled into the sea with his underwater camera to capture an event not that common even to him.

Not needing to go back to the open waters, Louis motored over to the stationary ranger boat where I hopped on and watched as the rest of them ventured out for more snorkeling with the sharks. It was here the ranger explained to me that the whale shark, the world's largest living fish sometimes attaining a length of 50 feet and a weight of 15 tons, migrates up and down the coast from Mexico to Honduras in search of the spawn of the cubera snapper upon which they feed. The best viewing period is three days before or after the full moon especially in April and May; it was a true coincidence that I was there at that time. A great deal of study has been conducted on them lately and the Belizean government in conjunction with world environmental agencies is dedicated to the protection of these denizens of the deep both for their own preservation and for the lucrative ecotourism industry they provide. My fellow adventurers returned within 45 minutes not having spotted another whale shark and I returned to my boat. We considered ourselves very fortunate for the day and happily and contentedly skimmed and bumped over the waves as we headed back to the mainland of Belize.

The next day I hooked up with a tour to visit Cockscomb Wildlife Sanctuary, the world's only jaguar preserve. Prior to tubing down the south fork of Stann Creek, the guide and I spotted a very, very rare sighting of a dark-colored juvenile jaguar in a meadow clearing just adjacent to the jungle. Oh, but that's another story.

Karen Rifkin is a Ukiah resident.

ON THE STREETS

What is your favorite and least favorite thing about Mendocino County?



Tamara Wilder
Technologist
Ukiah

"Favorite thing is the diversity of the area ... Least is some of the influx of commercial development that's starting to happen."



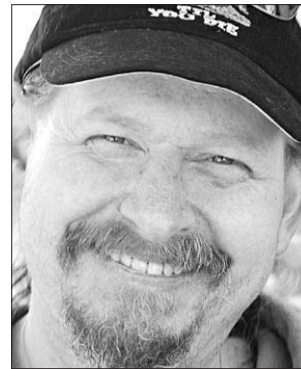
Steven Edholm
Homesteader
Ukiah

"The best thing is the natural environment ... The negative is the rapidly expanding population."



Marcie Anderson
Spiritual teacher
Laytonville

"Favorite is a beautiful blend of country and city ... I couldn't tell you a least favorite."



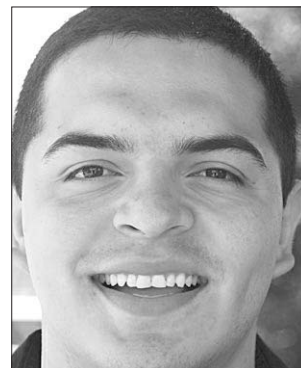
Anthony Fullmer
Fisherman
Ukiah

"I like living back in California ... I love California ... The lack of potential for economic growth."



Alyssum Wier
Jewelry artist
Ukiah

"My favorite is the quality of life here ... Least is the lack of cultural amenities."



Jamie Torres
D.A. Office
Ukiah

"The beautiful scenery ... I don't think I have a least favorite."

Photos and interviews by Sarah Baldik

Budgets threaten dental care

On July 1, approximately 3 million Californians will lose access to adult Denti-Cal, the state's dental insurance program for its poorest residents. In Mendocino County approximately 6,000 individuals will lose their dental coverage. For the first time in California's history, Medi-Cal Optional Benefits, which include dental care for adults, are being eliminated to balance the State budget.

While the state claims that the elimination of Denti-Cal will save money in the state budget, the costs to patient health and the stability of the community safety net far outweigh any potential savings. The cuts in the state budget

Another voice
BY CATHY FREY

mean a potential loss of approximately \$83 million to the 256 health centers in California currently providing dental services. It will also force some health centers to eliminate their entire dental program, including dental services for children (which are federally mandated) and non-Medi-Cal populations.

It's hard to understand how or why the Governor and the legisla-

ture keep attacking dental benefits for adults covered by Medi-Cal. Reducing these critical dental services will only exacerbate overall health conditions for the population with the greatest need for dental care, and those most vulnerable to oral health complications.

Each year, community health centers in Mendocino County provide dental services to over 6,000 adults. The elimination of dental benefits represents a staggering loss to our health center's dental programs, and local health centers stand to lose a significant portion of their revenue. This will result

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Suffering fools

As President Barack Obama considers his first nomination of a justice to the Supreme Court to replace the departing David Souter, a number of commentators have suggested that he look beyond the usual pool of sitting federal appeals court judges -- perhaps to a state legislator or governor. A recent article in the New York Times argued that he should appoint a sitting federal district judge. The author of that opinion was (surprise! surprise!) a federal district judge from Ohio.

If President Obama should nominate a federal district judge, one who most certainly will not be on his list is Samuel B. Kent, until earlier this year the federal district judge in Galveston, Texas. Galveston (devastated by Hurricane Ike in September, 2008) sits on a coastal island close to the estuary leading to Houston about 50 miles away.

Kent had been charged in 2008 with three federal counts of abusive sexual contact and attempted aggravated sexual abuse, stemming from conduct allegedly involving female members of his staff. In February, 2009, however, he pleaded guilty to one count of obstruction of justice, apparently for lying to one of the supervising federal judges about his conduct, and left his federal judgeship. It's a sad end to

Judicial follies
BY FRANK ZOTTER

what had been one of the most colorful careers of any current federal judge. Kent was well-known for writing opinions laced with vivid metaphor and for ridiculing lawyers whose work he found wanting. In short, he did not suffer fools gladly -- but he did belong to that small fraternity of judges whose opinions went beyond the mere mechanics of their work.

A noteworthy example of his attorney-bashing was the order he issued in a 2001 case involving Phillips Petroleum and an injured worker. Kent began by noting that the man alleged he was injured on the tugboat CORONADO in January, 1999, but neglected to add any information about how he was injured -- or as Judge Kent put it, along with some minimal information in the defendant's papers, "represents the totality of the information available to the Court respecting the potential liability" of Phillips.

He went on to add that, like the minimal factual information, "Before proceeding further, the Court notes that this case involves two extremely lik-

able lawyers, who have together delivered some of the most amateurish pleadings ever to cross the hallowed causeway into Galveston, an effort which leads the Court to surmise but one plausible explanation. Both attorneys have obviously entered into a secret pact -- complete with hats, handshakes and cryptic words -- to draft their pleadings entirely in crayon on the back sides of gravy-stained paper place mats, in the hope that the Court would be so charmed by their child-like efforts that their utter dearth of legal authorities in their briefing would go unnoticed. Whatever actually occurred, the Court is now faced with the daunting task of deciphering their submissions."

His derision did not end there. He went on, "Defendant begins the descent into Alice's Wonderland by submitting a Motion that relies upon only one legal authority. The Motion cites a Fifth Circuit case which stands for the whopping proposition that a federal court sitting in Texas applies the Texas statutes of limitations ... That is all well and good -- the Court is quite fond of the Erie doctrine; indeed there is talk of little else around both the Canal and this Court's water cooler. Defendant, however, ... fails to even begin to analyze why the Court should

approach the shores of Erie."

The reference to "Erie" is to a landmark case in which the U.S. Supreme Court laid out a rule about when federal courts should apply state law. Many lawyers would actually find that sentence of Kent's hilarious. Really.

And then, after further criticism of the attorney's failure to explain how Erie applied to this case, he added, "A more bumbling approach is difficult to conceive -- but wait folks. There's More!" Despite his disdain for the performance of the two attorneys involved, Kent eventually had to rule. As he put it, "After this remarkably long walk on a short legal pier, having received no useful guidance whatever from either party, the Court has endeavored, primarily based upon its affection for both counsel, but also out of its own sense of morbid curiosity, to resolve what it perceived to be the legal issue presented. Despite the waste of perfectly good crayon seen in both parties' briefing (and the inexplicable odor of wet dog emanating from such) the Court believes it has satisfactorily resolved this matter."

Kent can only hope that the federal judge who hears his own case will treat him with more dignity than he accorded these two.

Frank Zotter is a Ukiah attorney.

Voice

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in reductions in services, layoffs of staff and longer wait times at our health centers. Mendocino County will be especially hard hit, as many of our centers are the sole provider of dental services in their community.

Needless to say, the elimination of Denti-Cal coverage does not eliminate the need for dental care. Where will our people go to receive care as their oral health problems reach crisis proportions? To our hospitals, of course. When the state of Maryland eliminated its adult dental benefits in 1993, emergency room visits for dental problems rose 21 percent in one year. Many emergency rooms are ill equipped to provide these patients more than extractions, antibiotics and pain medication.

On the surface, eliminating Medi-Cal adult dental services might seem like a necessary step in controlling our state's spending and in managing our current fiscal crisis. Yet in reality, eliminating Medi-Cal adult dental will jeopardize the health of thousands of Mendocino County residents. It will put an increased burden on an already fragile health care safety net, push local hospitals into the oral health business, add to bloated health care costs, and force our local dental services staff out of employment.

It is time for policy makers in Sacramento to act responsibly. They have a chance to restore Denti-Cal optional benefits. For the well-being of Mendocino County's communities, the Alliance for Rural Community Health asks you to contact Assemblyman Wes Chesbro, Senator Pat Wiggins and Governor Schwarzenegger. Urge them to reconsider the elimination of this important health program.

Cathy Frey, MHA is executive director of the Alliance for Rural Community Health.

Letters

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be utilized. It is my hope that we can, however, come together in a positive way to do what is in the best interest of the community we all love and want to see prosper.

Having said that, recent letters to the editor have included a lot of misinformation regarding the MCT organization and it's board members. I would encourage anyone who is interested to visit www.mendocinocounty-tomorrow.com to learn more about our organization. Also to get more information about the proposed project for the Masonite site, go to www.mendocinocrossings.com and review the "get the facts" tab.

Since forming MCT, we have found that there are many people in this valley and in the county who share our opinions and our support for this project. We believe that reasonable, responsible growth is necessary in order for our community to be self sufficient in the future. Additionally, we have heard from many people who voted for our current Board of Supervisors (for numerous reasons) but do not

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agree with their opposition to the Masonite project. For this reason, MCT felt that a ballot initiative is the best way to allow the voters to have a voice in this important issue. After all, the purest form of democracy is: one person, one vote. Why should anyone feel threatened by that?
Please visit the Web

sites listed above and become an informed voter prior to the election. Our community and our county are well worth the effort.
Carol Myer
MCT Board
Member
Ukiah

Go Navy
To the Editor:
I fully support the

Navy and their Training Range efforts. Obviously the Navy has gone the extra mile in vetting this "training range" issue. As a 20-year veteran I have been the recipient of the R&D, the training and the foresight the services engage in. Our service members are the best because of efforts like this. The so-called

environmentalists seem to think we (the USA) are the only nation in the world that affects the earth and our environment. I am not anti-environmental but I understand that we must prioritize. The Navy has been in this "training range" for decades and somehow the fish, the whales, etc., have survived. I did not go down

to speak for the Navy plan at the BOS because I knew the "so-called" environmentalists would flood the chambers and I would have to wait a long time to speak. But everyone should understand that I am active politically and I do vote.
Dennis Scoles
Redwood Valley

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