



# San Jose Mercury News

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THE NEWSPAPER OF SILICON VALLEY

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### DO YOU AGREE?

Your thoughts on the Stones: [www.mercurextra.com/bkava](http://www.mercurextra.com/bkava)

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Critic Bruce Newman's daily dispatches: [www.mercurextra.com/movies](http://www.mercurextra.com/movies)

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High: 70-74  
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## HURRICANE KATRINA

# GRIM RECOVERY OF STORM DEAD

### U.S. AGENCIES, SPECIALISTS DESCEND ON GULF COAST



DAVID J. PHILLIP — EUROPEAN PRESSPHOTO AGENCY

**ST. BERNARD PARISH:** Officials prepare to move bodies out of storage in Louisiana on Thursday. Federal workers and specialists are now focusing on finding and identifying people who died from Hurricane Katrina.

By Thomas Fitzgerald and Melody McDonald  
*Knight Ridder*

**NEW ORLEANS** — As the floodwaters drain from the streets, the city is giving up its dead.

Bodies are found tied together and attached to trees, bridge abutments, fences — put there by passersby to keep them from washing away. Going house to house, with Vicks VapoRub under their nostrils to block the stench, rescue workers mark houses that hold bodies — and enter the spots on a global positioning device. Specialists will come later to collect the dead.

After racing to save the living, authorities are now overwhelmed with finding and identifying those who perished — a task with massive dimensions as Katrina's death toll threatens to climb into the thousands. Officials have set aside 25,000 body bags as federal

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JILL RICHARDS — KNIGHT RIDDER

**NEW ORLEANS:** A body floats in a northside neighborhood Thursday. Katrina's death toll is expected to climb into the thousands as special teams begin collecting the remains.

## State may ease rules to stretch gas supply

By Paul Rogers  
*Mercury News*

Trying to reduce the risk of gasoline shortages and even higher prices in California as a result of Hurricane Katrina, the administration of Gov. Arnold Schwarzenegger is considering relaxing some air pollution rules on gasoline.

On Thursday, the state Air Resources Board held a hearing in Sacramento on an emergency proposal to allow oil companies to begin selling so-called "winter blend" gasoline immediately. Normally, the change occurs Oct. 31.

The earlier switch would allow oil companies to make 10 percent more gas from each barrel of oil, state officials say. But it would also increase smog-forming emissions by about 3 percent for the rest of the summer.

It's not clear what the changes will mean for gasoline prices, which averaged \$3.05 for regular unleaded in California this week. Some experts suggested it might dampen price increases, or even cause prices to dip slightly.

By Thursday evening, Catherine Witherspoon, executive officer of the air board, had not announced a decision. Many observers in industry, gov-

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### WHY IT MATTERS

The Schwarzenegger administration is considering an emergency rule to relax some smog standards on gasoline as a way to keep prices from jumping further after Hurricane Katrina.

## Gay union veto plan opposed

### CAMPAIGN TO LOBBY GOVERNOR PLANNED

By Aaron C. Davis  
*Mercury News Sacramento Bureau*

Stunned by Gov. Arnold Schwarzenegger's vow to veto same-sex marriage legislation — even before the bill was printed — its authors will delay delivering it to the governor for two weeks to give gay rights advocates an opportunity to bombard him with calls, e-mails and protests.

"The governor has said he supports the will of the people," said Sen. Sheila Kuehl, D-Los Angeles, one of the Legislature's six openly gay members. "Well, let the people call him, let the people e-mail him, let the people be heard. Then he can say he's following the will of the people."

The question of how Schwarzenegger, who for years had given mixed signals on his beliefs about same-sex marriage, declared so quickly he would veto it dominated the Capitol on Thursday.

After it was approved late Tuesday night, the bill, AB 849, was still being processed Wednesday when Schwarzenegger's press secretary issued a

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[mercurynews.com](http://mercurynews.com)  
Poll: Do you support same-sex marriage?

## Valley backers playing angel to indie films

By Glenn Lovell  
*Mercury News*

At a time when Hollywood is battling a sharp decline in movie ticket sales — and has all but abandoned the Bay Area — Silicon Valley has become a hotbed of independent filmmaking, thanks to generous merchants and gutsy investors.

"We think San Jose is the single best place to get films financed," said Thomas Trenker, a former San Francisco investment banker now playing film angel. "It's not only the capital of Silicon Valley with all these business-savvy entrepreneurs, it also has a vital independent film scene."

Art and commerce will converge to-

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### INSIDE POLICE EMPTYING CITY

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### PARENTS DISCUSS TRAGEDY

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### FOR SQUAD, A GRISLY MISSION

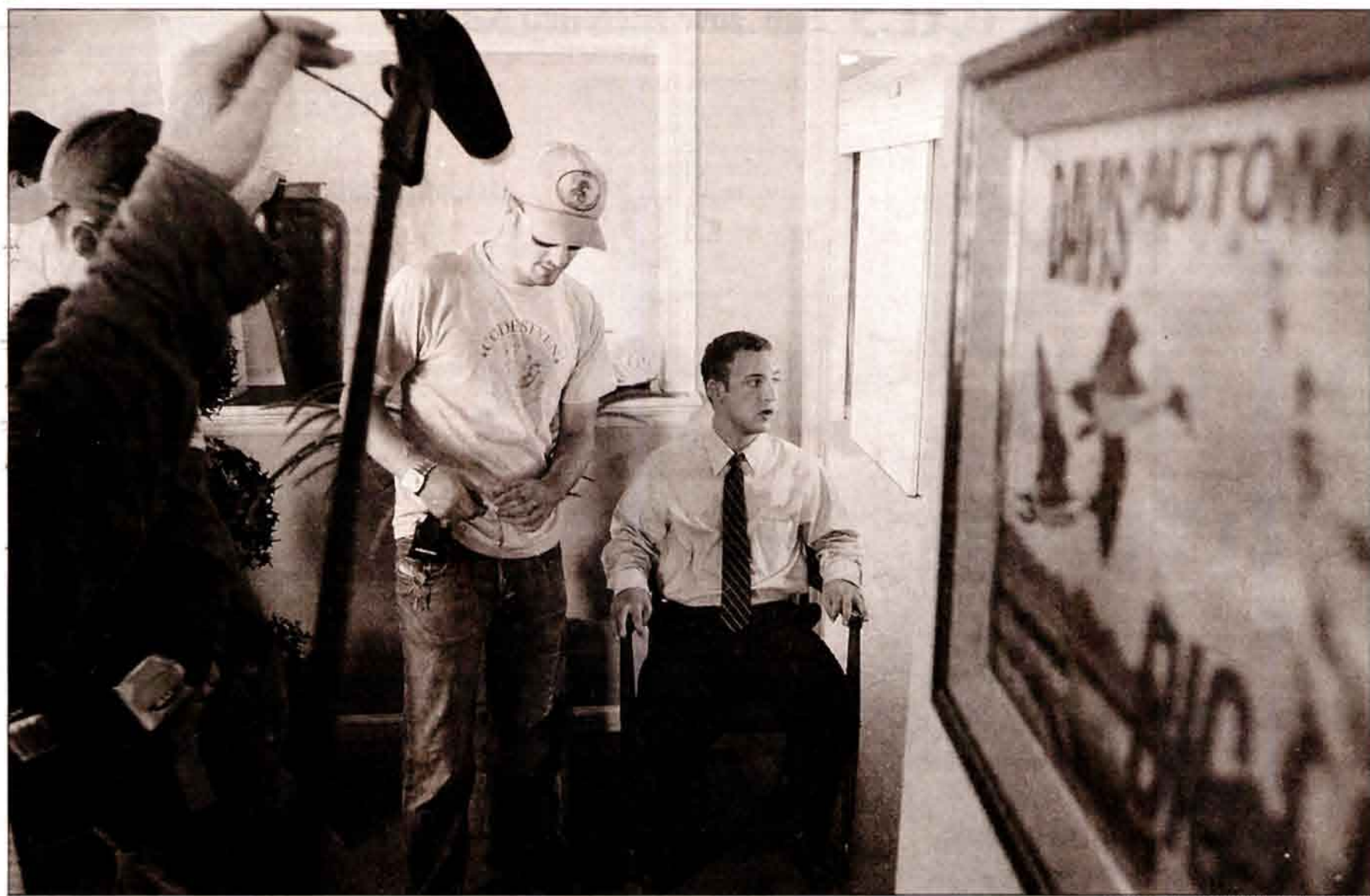
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### GROUPS CALL FOR AID, FUNDS

PAGE 6B



Get the latest evacuation updates with photos and daily blogs.



**MADE IN LOS GATOS:** Actor Ben Savage, right, waits as co-director Chris Wolf and crew set up a scene for the independent film "CarBabes," which was set at the Moore Buick-Pontiac-GMC in Los Gatos. Cast and crew bunked at Los Gatos Lodge for 70 percent off.

# FILMS | Valley in the picture

Continued from Page 1A

night at the Silicon Valley Capital Club in San Jose for the first FilmAngels Meeting and Dinner. Five projects at various stages of development, including a Stephen King horror film being developed by Steve Wozniak, will be pitched to a roomful of accredited investors. Entry fee: a "suggested donation" of \$150.

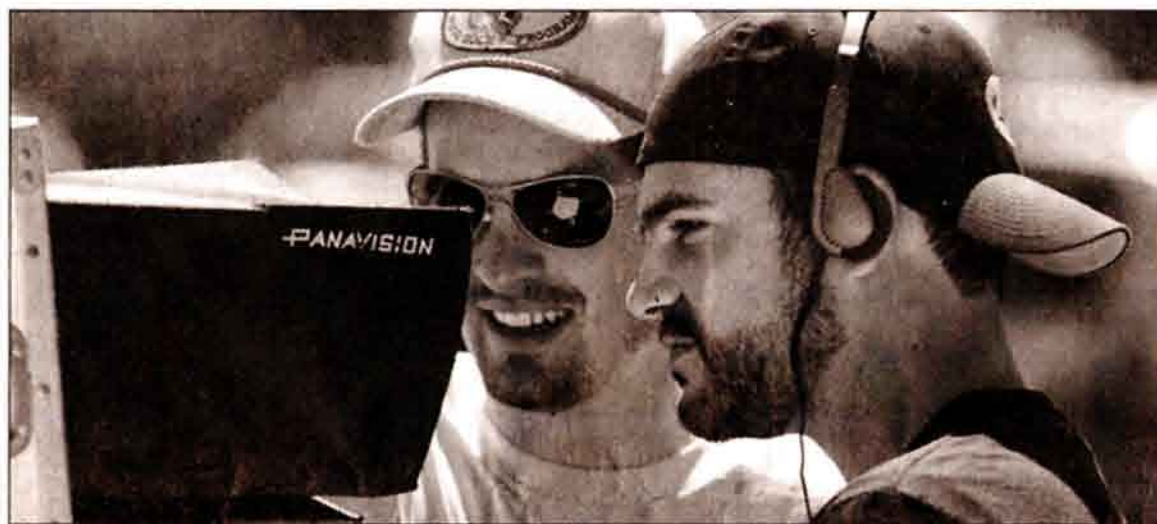
Besides the Wozniak project ("Gotham Café"), filmmakers from San Jose and points north will pitch: "Skin City," a documentary on the new Las Vegas; "Two Moon," a drama about a teenager battling a hometown casino; "Quality of Life," a completed drama about graffiti artists; and "Becoming Buddha," a fantasy-biopic by Marin's Ron Fricke ("Koyaanisqatsi").

## Projects in the works

If these projects find backers, they'll join several other independent features that have been, or are now being, shot in the South Bay. "CarBabes," a labor of love by five area friends that stars TV's Ben Savage ("Boy Meets World"), wrapped last week at a car lot in Los Gatos. "Fat Rose and Squeaky," a relationship drama starring Oscar winner Louise Fletcher and Emmy winner Cicely Tyson, is currently shooting at a Victorian mansion in the Naglee Park neighborhood of San Jose.

The \$500,000 budgets for both films were raised by passing the hat among local investors. The productions also have relied on the kindness and largess of area merchants, as well as plain folk excited about rubbing shoulders with the next generation's Steven Spielberg.

The producers of "CarBabes" saved \$50,000 by shooting for a nominal fee at Moore Buick-Pontiac-GMC. Cast and crew bunked at Los Gatos Lodge for 70 percent off. "Fat Rose" cut corners with hotel discounts, a decent deal on the Victorian rental and free loaner cars compliments of B&B Saab of Santa Clara. Sav-



**BEHIND THE SCENES:** Chris Wolf and Nick Fumia direct "CarBabes" last month in Los Gatos. Producer Ben Rekhi, 26, who attended Los Gatos High School, says the community support was invaluable.

ings on cars: \$3,000. "There was no way we could have made 'CarBabes' without those breaks and freebies," said producer Ben Rekhi, 26, who attended Los Gatos High School and has already made two other features. "It would have cost us three or four times as much without that help. It means a lot when you have ties to the community, and it believes in what you're doing."

## Deal on house

The Naglee Park house used in "Fat Rose" was leased for three weeks for \$5,000. That's a pretty good deal given the potential wear and tear that can come from a film crew on the premises.

"We spent a lot of time fixing it up to show," said co-owner Julia Fritz, laughing. "They've made it look more lived in, more dilapidated, with torn curtains and stacks of newspaper. And they're letting the grass grow, so it looks less cared for."

"But we liked the sound of the project, and that helped cinch the deal."

Other local films that have relied on breaks in room rates, parking, transportation, equipment rentals and meals include "Drifting Elegant," "The Nar-

row," "Charlie the Ox" and "Night Without Justice," a short about San Jose's most infamous chapter, the 1933 St. James Park lynching. The latter may soon become a feature.

Last year, Mark Shepherd was able to shoot "The Narrow" in Campbell for pocket change. The tale of one man's redemption, set for a Camera 7 screening Thursday, cost a rock-bottom \$70,000.

"We got all of our locations free," said Shepherd, "and the city of Campbell waived their fees because of a mix-up where some police didn't arrive to block off a street."

Before the economic downturn, San Jose's Film & Video Commission once attracted such studio productions as "Terminator 2," "Birdy," "Mad City" and Clint Eastwood's "The Rookie," adding a combined \$16 million to area coffers. Now, with Hollywood cutting corners by shooting in Canada and Europe, the commission's main concerns are parking permits and hotel discounts.

**Independent film boom**  
But that's changing thanks to the boom in indie production. "Business has really picked up in the last six to eight months," confirms Film Commissioner

Kate Manley. "Besides the automotive commercials shot here — two to three a month — we have three independent films in the works. I think it's because the city is willing to work with these grass-roots productions."

Tom McEnery, San Jose's former mayor and a would-be filmmaker himself (he has his own St. James Park lynching script), isn't surprised that fledgling filmmakers find handouts in the South Bay.

"Besides the weather and other amenities," he points out, "there are all those information-age millionaires who want to branch out into movies. That's where these smaller productions are finding investors."

Tonight's Capital Club gathering is expected to attract almost 50 would-be Jerry Bruckheimers.

"Everybody's trying to figure out new ways to put independent filmmakers together with investors," said former film commissioner Joe O'Kane, who brought John Travolta in "Mad City" to San Jose. "This is a novel, cost-effective way to make that happen. And I think it's a good one."

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## WHERE THE SAVINGS ARE

Several independent films have saved money by shooting in the South Bay.

### "CHARLIE THE OX" (2004)

Saved \$2,500 on the free use of Bobbi's Coffee Shop in Cupertino, and received a 40 percent discount at the Fairmont Hotel.

### "THE NARROW" (2004)

Saved \$2,500 on an ambulance and crew, and \$400-\$500 on police officers who worked gratis.

### "CARBABES" (2005)

Saved \$50,000 on its main location, a Los Gatos car lot, and received 70 percent off a block of rooms at the Los Gatos Lodge.

### "FAT ROSE AND SQUEAKY" (2005)

Saved \$3,000 on rental cars, compliments of B&B Saab Santa Clara, and received discounts on rooms at the San Jose Hilton.

Source: Glenn Lovell

# GASOLINE | Relaxing air pollution rules considered

Continued from Page 1A

ernment and environmental groups said they expect the rules to be relaxed today.

During summer months, state law requires refiners to make gasoline with low levels of evaporation, to reduce smog. But to do that, oil companies must lower Reid vapor pressure, a measure of evaporation, by adding chemicals called alkylates. California imports those chemicals from Louisiana and Mississippi, along with about 5 to 10 percent of the gasoline consumed in California.

With nine oil refineries and much of the chemical industry of the Gulf of Mexico shut down, state officials now fear California shortages.

By waiving the winter blend rules seven weeks early, California's oil companies could use another chemical called butanes, instead of al-

**mercurynews.com**  
Poll: Do you think changing the gas blend is a good idea?

kylates, enabling refineries to make 10 percent more gasoline from every barrel of oil, according to a staff report from the air resources board.

"This should flatten prices, if not make them start to drop down," said Claudia Chandler, a spokeswoman for the California Energy Commission. Chandler would not predict how much gas prices might fall. But she said combined with less overall driving after Labor Day, it would help. Other officials agreed.

"Nobody knows for sure," said Jerry Martin, a spokesman for the air resources board. "The main thing we'd get from this is a stable supply of fuel." Oil industry officials said

the move would boost supplies.

"This will certainly keep prices from going up any further," said Jay McKee-man of the California Independent Oil Marketers Association. He predicted \$2.50 to \$3 a gallon for the remainder of the year.

The rule change is supported by the oil industry, the California Energy Commission and environmental groups.

"We're not happy about the state authorizing an exemption that will increase pollution, but given the emergency nature of the situation, and the short-term nature of the variance, we aren't opposing it," said Bonnie Holmes-Gen, vice president of the American Lung Association of California.

If approved, the new gasoline would increase by 75 tons a day statewide a type of pollution known as volatile or-

ganic compounds, or VOCs, a component of smog. All vehicles, machinery and industry in California emit 2,517 tons a day of VOCs, so the new gas represents 3 percent more.

Environmentalists said they expect that in April, when state law requires the cleaner summer blend of gasoline again, those rules will not be waived. And they said they want oil companies to pay into a fund to offset the extra pollution by funding programs like retrofitting diesel engines on school buses.

"Under normal circumstances, we would oppose this," said Roland Hwang, vehicles policy director for the Natural Resources Defense Council in San Francisco. "The goal is to prevent \$3.50 or \$4 a gallon in a few weeks." Hwang said the wider problem is that America's demand for gasoline is too high. "Washington has failed miserably at raising fuel economy standards," he said. "If we had raised fuel economy standards 20 years ago, we wouldn't be in this problem."

Many environmentalists privately weighed the 3 percent smog increase for seven weeks over the political risk of being perceived as having blocked a strategy that might bring relief to gas prices. One group, however, opposed the proposed changes.

"There's no proof that if we increase supplies by 10 percent that prices will come down," said Danielle Fugere, climate change director of Bluewater Network, a division of Friends of Earth, in San Francisco. "You are exchanging health benefits — asthma, heart disease — for a few pennies at the pump."

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# VETO | Lobbying campaign planned

Continued from Page 1A

statement that the governor would veto it. That denied proponents, who at that very moment had assembled for a scheduled meeting with the governor's staff, any opportunity to lobby the governor.

Richard Costigan, Schwarzenegger's legislative secretary, told reporters Thursday night that the governor's quick veto vow was not dismissive of gay marriage but reflective of the issue's significance.

"Everyone knows about the same-sex marriage bill, and we thought it was important to get that out early," he said, "to let the public understand exactly where the governor stood on that issue. There are few bills that rise to that level."

Schwarzenegger press secretary Margita Thompson said the late-day revelation should have come as no surprise. The governor has consistently said he believed voters had spoken when they approved Proposition 22 in 2000 that defined marriage as between a man and a woman.

Schwarzenegger, she said, had come to truly believe that approving same-sex marriage went against voters' desires.

Assemblyman Mark Leno, D-San Francisco, author of the bill, dismissed that explanation. Stunned by the announcement, Leno on Thursday characterized Schwarzenegger's decision as a shrewd political move to protect right-wing support for his Nov. 8 special election initiatives.

"It's transparent as can be," Leno said. "He is politically pandering to the very far right of this state... We would have appreciated the respect of having an opportunity to have him talk to our families and children so he could hear from their mouths the suffering they experience because of the current law."

Leno on Thursday lobbied lawmakers to support a rare parliamentary procedure to hold the gay marriage bill from going to the governor's desk until next year. That effort appeared destined for failure late Thursday, but lawmakers did say they were prepared to delay the bill going to Schwarzenegger until Sept. 23, which could be done without any further action by the Assembly.

Among others, Leno said Benjamin Lopez, lobbyist for the Traditional Values Coalition, tipped the governor to act against the gay marriage bill. "They threw a public tantrum, and the governor jumped."

Lopez on Wednesday had threatened that if Schwarzenegger signed the bill many conservatives would stay home in protest and not vote on Nov. 8.

"It's an honor to be singled out," Lopez said, referring sarcastically to Leno's comment, "but it's not me who is out of the mainstream, it's Mark Leno and his fellow same-sex marriage advocates."

Lopez said he last spoke with the governor's office on Tuesday about the bill.

Eddie Gutierrez, spokesman for Equality California, the state's largest gay-rights lobbying group, said the group is planning protests in Los Angeles and San Diego this weekend.

"One man cannot terminate the civil rights movement," Gutierrez said. "He will go down in history as the 'discriminator.'"

The long-term political impact on a group of three Assembly Democrats who cast the deciding votes for gay marriage came sharply into focus Thursday.

Assemblyman Simon Salinas, D-Salinas, along with Tom Unger, D-Santa Ana, and Gloria Negrete McLeod, D-Chino, faced mounting criticism from conservative and religious groups in their districts.

The Monterey County Republican Party issued a statement saying Salinas' vote violated the will of his constituents, who overwhelmingly supported Proposition 22.

Salinas is termed out of the Assembly next year and is planning to challenge Republican state Sen. Jeff Denham of Modesto. A Denham campaign consultant said Thursday he has no doubt Salinas' vote will become a campaign issue.

Salinas didn't either. "I don't have any illusion that the opposition will certainly use this as a wedge issue to say that I'm too far out there," Salinas said. "But this is part of the job... people will have to look at who I am and what I stood for."

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