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Hot and bothered over Fort Ord burns

By KELLY NIX

THE FIRE at Fort Ord this week that got out of control may have been successful at removing brush so hundreds of acres of land can be cleared of unexploded U.S. Army ordnance, but it was also blamed for health problems, a school

closure and other hassles.

As part of an ongoing process to clear the land of live mortars, bullets and other explosives — all left over from training before the base closed in 1994 — so the land can be opened up for recreation, the U.S. Army burned one parcel without any problems Monday. But on Tuesday morning, the

Army started a larger fire on an adjacent 341-acre parcel — a fire that, despite very light winds from the northeast, jumped containment lines in the early afternoon, causing the evacuation of York School off Highway 68.

As a result, the fire burned 124 extra acres south of the intentional burn area. Nobody was injured and no structures were damaged.

But the fire, which caused a massive plume of smoke and ash that steadily spread and drifted southwest, caused minor health problems and other hassles over the Peninsula and dominated the skies from Salinas to Big Sur.

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Environmentalists back P.B workforce housing plan

By KELLY NIX

SEVERAL PROMINENT environmentalists this week offered their support of a controversial affordable housing project the Pebble Beach Company has proposed near the Del Monte Park neighborhood in Pacific Grove.

The \$7 million project is to fulfill an inclusionary-housing requirement imposed by Monterey County when it approved the P.B. Co's overall development plan in 2012. But it has faced harsh criticism from dozens of Pacific Grove and Del Monte Forest residents who live near the site. Their fears include noise, traffic and parking issues, and even odors emanating from the 24 two- and three-bedroom units, which will be rented to P.B. Co. employees and their families.

This week, though, groups and individuals often critical of plans for housing in open space offered their support of the company's project.

The League of Women Voters of Monterey County officially backed the project at a meeting this week, LWV member Janet Brennan told The Pine Cone Tuesday.

"Our league board met Monday night, and we think it's such an important project we decided to come out and support it," said Brennan, who's also on the board of LandWatch Monterey County.

Though the league was concerned about the site's natural resources, Brennan said her fears were lifted during an Oct. 4 site visit with Pebble Beach Co. Vice President of Real Estate, Mark Stilwell. LandWatch executive director Amy White and environmental activist Joyce Stevens were also on the tour.

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PHOTO FROM FISHERMANS WHARF IN MONTEREY BY PAUL MILLER

Tuesday morning a fire was set at Fort Ord to clear brush for the removal of unexploded ordnance from the former Army base. Within an hour, a giant plume of smoke dominated the sky over the entire Monterey Peninsula.

Mother of deceased Esalen worker files suit

■ Claims institute's denial of health coverage 'hastened' son's death

By KELLY NIX

THE MOTHER of an Esalen Institute worker who died of cancer two years ago alleges in a lawsuit that management at the new-age retreat center perpetrated a timecard scheme to falsify work hours so the man wouldn't qualify for the center's full-time employee health plan. The scheme not only violated state and federal laws, it "hastened" her son's death from carcinoma, the lawsuit says.

Geraldine Ross, whose son, James Probst, 48, was an employee at Esalen for eight years before his death in 2011, alleges Esalen fraudulently altered the number of hours Probst worked so the nonprofit retreat center wouldn't have to offer him health insurance, which was available to employees who worked more than 32 hours a week. Probst did not have his own health coverage.

"As a result of the misclassification scheme," according to the suit filed Oct. 9, "Esalen avoided additional California state employment taxes, unemployment insurance, health insurance coverage, Social Security, Medicare and other payroll deductions for the hours Probst worked."

In a statement to The Pine Cone Thursday, Esalen CEO Tricia McEntee said the new-age center has not reviewed the civil lawsuit and doesn't comment on pending litigation. But she extended sympathies to Probst's loved ones.

"We remain deeply saddened at the loss of Jim Probst, a beloved member of the Esalen community, and wish to extend our heartfelt condolences to his family," McEntee said.

The lawsuit also alleges wrongful-death negligence against Esalen because managers did not properly classify Probst as a full-time employee, which otherwise would have made him eligible for health insurance.

"As a proximate result of [Esalen's] breach of duty," his mother claims in a lawsuit filed in Monterey County Superior Court, "Probst was not timely diagnosed and/or treated, causing him to suffer damages, including aggravated injury, pain and death."

The suit also accuses Esalen of workers compensation fraud, willful misclassification, unfair business practices, negligent misrepresentation and other charges.

Probst, who lived on Partington Ridge, was hired by Esalen in 2003 as a temporary maintenance worker and

See **ESALEN** page 31A

Pacific Grove plans capture, treatment of storm runoff

By KELLY NIX

THE COMPLICATED, expensive and possibly unnecessary task of keeping rain that falls on Pacific Grove streets from running into the Pacific Ocean will be the focus of a public meeting this month.

The city wants input for environmental review of five projects it's proposed to comply with a state order to capture and treat storm runoff before it flows into the city's "area of special biological significance" just offshore.

The Monterey-Pacific Grove ASBS Stormwater Management Project includes diverting dry-weather and wet-weather runoff flows into an upgraded stormwater collection and treatment system. The project would serve Pacific Grove and a small segment of Monterey.

Estimated to cost in excess of \$10 million, the project would direct the flows to a new Point Pinos stormwater

See **RUNOFF** page 12A

Unlucky hydrant knocked over again

By CHRIS COUNTS

IT'S TOO early to call it Old Faithful, but the geyser that soaked Carmel Valley Road in June offered an encore performance this week.

Four months after a county worker using a tractor-mower accidentally damaged a hydrant, causing an estimated 3 million gallons of water to shoot into the sky before flowing back to the river, the same hydrant was knocked over Oct. 15 at about 8:30 a.m. — this time by a truck. The culprit in this case was a driver who fled the scene.

"We're investigating it as a hit-and-run," California Highway Patrol spokesman Jaime Rios told The Pine Cone. "We believe a black Dodge pickup may have been involved."

See **GEYSER** page 27A



PHOTO/MEENA LEWELLEN

A geyser shoots from a water main Tuesday after a fire hydrant on Carmel Valley Road was knocked over for the second time in four months.

ENVIROS

From page 1A

“There are no new pine trees growing there, and the area is kind of strewn with trash and bottles,” Brennan said. “There are some skateboard ramps in there, too.”

The League of Women Voters of Monterey County, Brennan said, is strongly in favor of affordable housing projects in the county, adding that the proposed location is consistent with the area’s zoning.

“And it’s a certainly a good location in terms of being close to schools and shopping,” she said. “And it’s right on the way for workers who work at Spanish Bay.”

Prominent slow-growth group LandWatch Monterey County advocated strongly for inclusionary housing within Del Monte Forest during the Pebble Beach Company’s approval process with the county.

The company’s proposal has met the organization’s approval, executive director Amy White said.

“The need for affordable rentals on the Peninsula for hospitality workers is great,” she told The Pine Cone.

LandWatch directors look forward to reviewing the environmental document on the project and providing its “full support once the details are clearer,” she said.

During the site visit, the forest, in White’s opinion, looked degraded. “And the location appears perfect — near services and schools and of course, right next to P.G.,” she said.

‘Been stomped for decades’

Rita Dalessio, the administrative chair for the Ventana Chapter of the Sierra Club, said the organization hasn’t taken a stance on the housing project and is focusing, instead, on other issues, including the land-use debate on Fort Ord.

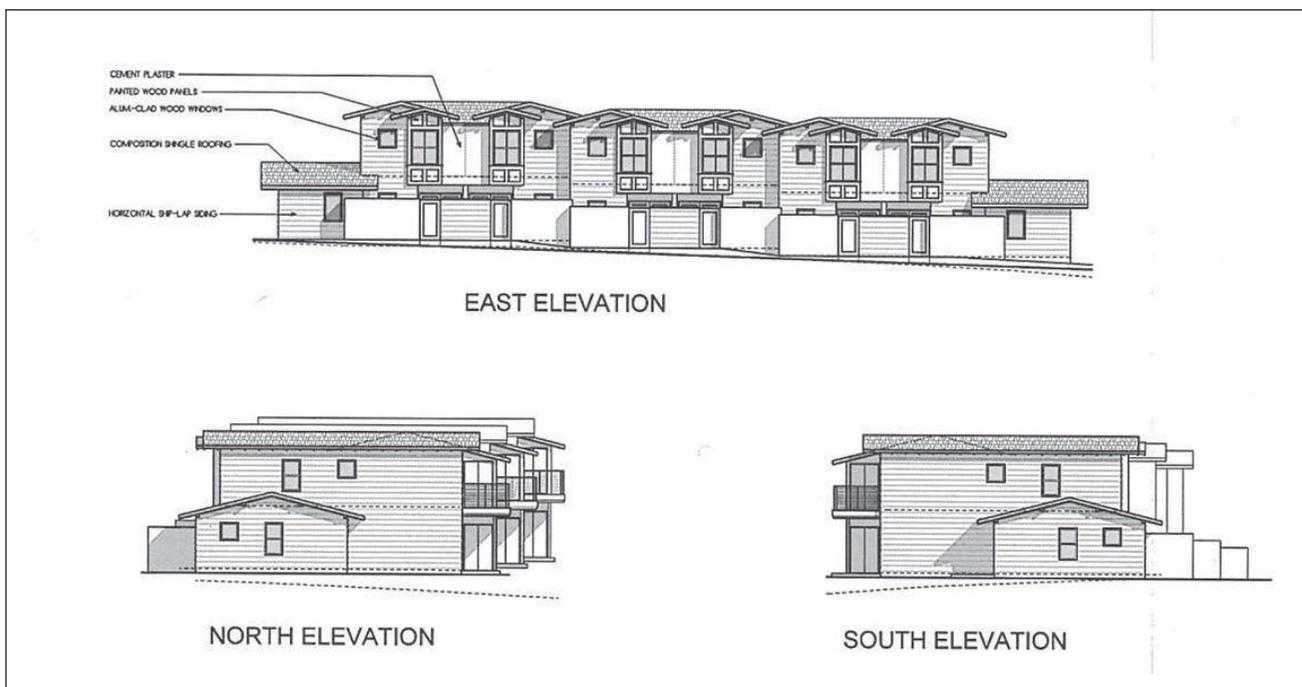
However, Joyce Stevens called the project “worthy” and said Pacific Grove and Pebble Beach residents haven’t done much to protect the forested area.

“Neighbors have loved this property to death,” said Stevens, who is the director of Monterey Pine Forest Watch, which itself has not yet taken a position on the proposal, “so there is little habitat to protect. And apartments are not new in the area, they already abound.”

When she was on the visit to the site, she noticed beer bottles, dog feces, rubbish and dying trees.

The area “has been stomped down for decades,” she said.

On Wednesday, the Pacific Grove City Council voted to form an ad-hoc committee to field concerns from neighbors and work with the P.B. Co. to come up with alternative loca-



This Pebble Beach Company elevation shows how the townhouses it wants to build off Congress Road will appear from the front (top) and the sides. The rear of the units will include garage doors.

tions for the project, councilman Dan Miller said.

“Ken Cuneo and I were appointed as a subcommittee to work on some answers for the Del Monte Park residents,” he said. “And we will be doing that rather quickly before the project gets any legs at the currently proposed location. No one seems to want it there, and there are many questions as to how it got there.”

More than two dozen spoke against the project during the public comment period at the meeting, while only one or two spoke in favor of it.

“We also agreed that the council should send a letter of inquiry to [the P.B. Co.] and copy the county supervisors with at least four questions,” councilwoman Casey Lucius told The Pine Cone.

The questions will ask whether residents will continue to have access to Del Monte Forest once the project is built; details on replacing the 716 trees that will likely be removed for the project; details on other sites that were considered; and questions on how the P.B. Co. will support students who live in Pebble Beach but attend Pacific Grove schools.

“After meeting with residents, the committee might have

more questions,” Lucius said Thursday, “but this is what we agreed to.”

Not so fast

However, some nearby residents disagree with the environmentalists and any attempt to mitigate the impact of the workforce housing project.

Joseph Zakar said Pebble Beach was never built as a high-density residential community and that the addition of high-density housing in an area “that was built as a single-family-home community just doesn’t make any sense.”

“Consider the additional noise from the comings and goings of just 24 units,” Zakar wrote in an email to The Pine Cone Thursday. “Not everyone who lives in the proposed housing will work at Pebble Beach.”

The apartments, he said, will exacerbate traffic problems on Highway 68 and surface streets that he expects will occur with the Pebble Beach Company’s final development plan.

“Highway 68 is bad enough to travel now,” he said. “With the addition of the hotel rooms, the new hotel and these units, it will be impossible.”

CHOPPERS

From page 10A

to the local economy. And he said the airfield is a great place for a helicopter to operate.

“It’s a safe location,” he said. “It’s already used by helicopters for fire and medical emergencies.”

Paul Ingram of the Carmel Valley Community Park District said Delfino is offering to donate any money he makes from the helicopter tours to the local park agency.

Gularte said he would like to move forward with the plan, but only if residents endorse it. “I’m not looking for a fight,” he added.

Carmel Valley resident Christine Williams told The Pine Cone she’s opposed to helicopter tours. “Everyone I’ve talked to thinks this is a terrible idea,” Williams said. “Those living near the airport cannot imagine this noisy disruption to their quiet way of life. This is in the middle of a residential neighborhood. Nobody I know is in favor of it.”

Envisioning a society where commuters used airplanes instead of automobiles, Byington Ford opened the airfield on Dec. 7, 1941 — the same day Japan attacked Pearl Harbor. The sudden arrival of World War II derailed his plans.

The Delfino family bought the property in 1953, and it continued to be used as an airfield until 2002.

Delfino had planned to build 18 market rate homes and six inclusionary units on the 29-acre property. But now, he is trying to sell the land for \$5,995,000. The property is being marketed by Sotheby’s to developers, commercial builders and investors as a site for up to three “private estates.”

Mick Pfaff of Sotheby’s said Delfino isn’t abandoning the idea of building 24 units on the property. But he is considering other options. “He’s looking at all the possibilities,” Pfaff explained.

Messages left for Delfino this week were not returned.

The community center is located at 525 Ford Road. The meeting starts at 4 p.m.

GEYSER

From page 1A

Rios said there were eyewitnesses to the accident, and it was reported that some of them had photographed the truck before it fled. If anyone has such a photo, the CHP would like to see it.

Reaching a height of at least 25 feet, this week’s geyser continued to spray water until about 11:45 a.m., reported division chief Miles Schuler of the Monterey County Regional Fire District, which responded to the incident. The hydrant is located at 8860 Carmel Valley Road, about 20 feet off the roadway and about five miles east of Highway 1.

While Cal Am worked to contain the flow, Carmel Valley Road was restricted to one-way traffic. Schuler said firefighters helped direct motorists around the spill and divert the water away from one home. He said some water did make it into the garage of another home.

As a result of the leak and the effort to stop it, some residents experienced low water pressure for several hours.

Catherine Bowie, a spokeswoman for California American Water, said about 500,000 gallons of water spilled — although it really isn’t lost since it didn’t leave the watershed.

Bowie estimated it will take about two weeks to repair the hydrant, which is connected to the main water pipeline that runs through Carmel Valley.

“Hopefully, we’re going to put up a barrier to prevent this from happening again,” she added.

Rios encouraged residents with any information about the driver of the black Dodge pickup to call (831) 796-2197.

Man cited in fight about dogs

POLICE CITED a 50-year-old man for battery after he shoved a dog owner during an argument on Carmel Beach over his allegedly unruly canines the afternoon of Oct. 3, according to Carmel Police Sgt. Brian Pon.

“Officers got dispatched over to the beach on report of a possible fight in progress,” he said, after a man walking there got into an argument with the victim.

“It’s kind of confusing, but one guy started yelling at a guy with two dogs, and words were exchanged,” he said. “And then one of the people alleged his dog was kicked.”

A shoving match followed, with the dog owner as the victim and Stephen Hart, the upset beach goer, as the suspect, according to Pon. “There were no injuries,” he said.

Hart was cited for battery, a misdemeanor, and released at the scene.

FIRE

From page 1A

In a letter to the Monterey County Herald, a Carmel Valley man, Thomas Kennett, said he could “barely breathe” because of the fire, and his house, clothes and furniture smelled of smoke. “I am almost ready to seek refuge in another county for a week to get clear of the noxious smoke,” he wrote.

In Carmel, the huge smoke clouds darkened the sky and dropped ash all over the city for several hours.

Golfers at Tehama Golf Club said the fire blanketed the fairways and greens with a thin layer of ash that “resembled fertilizer.”

The plume also went directly over Pacific Grove and Monterey, exacerbating respiratory problems for some with allergies and asthma.

Another Herald letter writer pointed to the wildlife that would be killed or displaced from the burn.

“How much wildlife was killed at Fort Ord on Monday?” said Monterey activist Nina Beety. “Snakes, lizards, birds, insects, animals, plants — nowhere to go, unable to breathe, dying from smoke inhalation and being burned alive.”

On Wednesday, the Army said Tuesday’s uncontrolled blaze was actually beneficial in that it burned additional land that was slated for future clearance.

Seminar on sheltering in place

MIKE BRASSFIELD, emergency planner and Monterey Community Emergency Response Team members, will hold a discussion and seminar on disaster preparedness, sheltering in place and evacuation Saturday, Oct. 19, from 9 a.m. to noon in the dance studio in Seaside’s Oldemeyer Center at 986 Hilby Ave.

The free seminar is open to anyone age 13 and older, and will cover what it means to shelter in place, how to keep yourself and family members safe, and what to do when evacuation orders arrive, including what to take, where to go and how to get there.

Brassfield’s talk is sponsored by the Community Emergency Response Volunteers of the Monterey Peninsula, Seaside Fire Department and the Seaside CERT Program. For more information, email CERV501c3@gmail.com or call (831) 649-3050.

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