

From: [Morrison, David](#)
To: [Frost, Melissa](#); [Fuller, Lashun](#); [Ayers, Dana](#); [Gallina, Charlene](#)
Subject: FW: Allowing Private Winery Helicopter Landings
Date: Monday, February 27, 2017 10:28:58 PM

-----Original Message-----

From: Anni Donahue [<mailto:ronanni@comcast.net>]
Sent: Monday, February 27, 2017 8:54 PM
To: Morrison, David
Subject: Allowing Private Winery Helicopter Landings

I am emailing the Planning Commission to express my opinion on the helicopter plan for a winery/resident of Napa. My husband and I are totally against this item before you. Even a mile away would cause disruption and unacceptable noise to the residents living near this winery. Have you heard or seen the helicopter landings and takeoffs at the Queen of the Valley Hospital? A mile still not enough, and I am not complaining about these happenings at the Queen as they can have a lifesaving outcomes. I am just using this as an example. This winery owner can't live like other Napans who own planes/helicopters by keeping his helicopter/plane at the airport and driving to and from the airport to his home? He gets to disrupt everyone else's lives to provide comfort to himself? Please think of everyone you represent and what a precedent this establishes when you vote on this matter. Thank you for your time and most importantly your consideration regarding this matter.

Ron and Anni Donahue
3416 Crestview Way
Napa CA 94558
707 253-1653
ronanni@comcast.net

Sent from my iPadH

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From: [Morrison, David](#)
To: [Frost, Melissa](#); [Fuller, Lashun](#); [Ayers, Dana](#)
Subject: FW: Heliport
Date: Tuesday, February 28, 2017 10:21:31 AM

-----Original Message-----

From: Ramos, Belia
Sent: Tuesday, February 28, 2017 10:21 AM
To: Morrison, David
Subject: FW: Heliport

Belia Ramos
Napa County Board of Supervisors
District 5

belia.ramos@countyofnapa.org
707.259.8277

-----Original Message-----

From: Jacqui Murray [<mailto:jacquimurray@sbcglobal.net>]
Sent: Tuesday, February 28, 2017 10:08 AM
To: Ramos, Belia
Subject: Heliport

Dear Belia. Please do not approve the heliport. Do not sell the quality of napa valley for the sake of money. This port would serve so few and disturb so many. I didn't buy a house in coombsville for this. I enjoy the peace and quiet of nature. Thank you Jacqueline murray

Sent from my iPhone

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From: [Frost, Melissa](#)
To: [Fuller, Lashun](#)
Subject: FW: Palmaz heli port
Date: Tuesday, February 28, 2017 8:05:36 AM

-----Original Message-----

From: McDowell, John
Sent: Tuesday, February 28, 2017 8:05 AM
To: Ayers, Dana; Gallina, Charlene; Frost, Melissa
Subject: FW: Palmaz heli port

-----Original Message-----

From: Planning
Sent: Tuesday, February 28, 2017 6:48 AM
To: McDowell, John
Subject: FW: Palmaz heli port

Came in on the POD line...

Terri Abraham
Planner
Napa County Planning, Building, and Environmental Services
1195 Third St., Suite 210
Napa CA 94559
707.299.1331
707.299.4075 direct fax

terri.abraham@countyofnapa.org
New County Web site www.countyofnapa.org

The happiest people don't have the best of everything. They just make the best of everything they have. Live simply, love generously care deeply, and speak kindly.

-----Original Message-----

From: Wayne Ryan [<mailto:Wayneryan@sbcglobal.net>]
Sent: Monday, February 27, 2017 5:02 PM
To: Planning
Subject: Palmaz heli port

I am a 30 year resident of Napa County and I strongly appose the heliport at Palmaz. I feel this would create a nuisance for the neighbors and set a very bad precedent Sincerely Wayne Ryan
2332 Bueno St
Napa CA

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From: [Morrison, David](#)
To: [Frost, Melissa](#); [Fuller, Lashun](#); [Gallina, Charlene](#)
Subject: FW: Use Permit Application #P14-00261-UP
Date: Monday, February 27, 2017 5:12:33 PM

From: STEVEN FROST [mailto:sfrost1064@comcast.net]
Sent: Monday, February 27, 2017 5:09 PM
To: joellegPC@gmail.com; mikebasayne@gmail.com; anne.cottrell@lucene.com; tkscottco@aol.com; JeriGillPC@outlook.com
Cc: Ayers, Dana; Morrison, David
Subject: Use Permit Application #P14-00261-UP

Commissioners

Napa County Planning Commission

RE: Amalia Palmaz Living Trust/Palmaz Personal Use Heliport

Use Permit Application #P14-00261-UP

I have lived in Napa County for forty-two years, living the past 29+ years on property, in a quiet neighborhood, that my grandparents purchased and built a home on in the late 1940's. I object to the County's policy to grant Conditional Use Permits for Private Use helicopter landings in Napa County. According to extensive California case law, Conditional Use Permits are to enable a municipality to control certain uses which could have detrimental effects on the community or that are in the best interest of public convenience.

The Palmaz application serves no public purpose and can only have detrimental effects on the welfare of this community (e.g., noise... regardless of the flight path or altitude, increased fire danger, potential fuel contamination of the watershed). This heliport would be an infringement on the preservation and enjoyment of nearby property owner's property rights. Approval of this application could also be precedent-setting for others wanting to do the same in the future. Where does it stop? I respectfully request that you deny this application and put the best interest of the community ahead of what the County may perceive to be a possible benefit (insignificant, all things considered) of using the heliport in an emergency situation. Imagine if it were your home located near the proposed heliport.

Sincerely,

Steven Frost

1064 Rose Drive

Napa, CA 94558

cc: Dana Ayers, Planner III

Napa County Planning, Building &
Environmental Services Department

David Morrison, Director

Napa County Planning, Building &
Environmental Services Department

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From: [Morrison, David](#)
To: [Frost, Melissa](#); [Fuller, Lashun](#); [Ayers, Dana](#)
Subject: FW: Helipad
Date: Tuesday, February 28, 2017 3:03:15 PM

-----Original Message-----

From: Marshall Zaslove [<mailto:sfsos@sbcglobal.net>]
Sent: Tuesday, February 28, 2017 2:55 PM
To: Morrison, David
Subject: Helipad

Dear David,

We are longtime county taxpayers and residents on 3rd avenue in Coombsville.

We are VERY strongly opposed to the proposed helipad development in our area, and find the prospect of more noise, overflights, pollution and degradation of bird and wildlife alarming and unacceptable.

This seems to us a very un-Napan concept: degrade the entire area, and annoy thousands of residents, so one or two people can fly in!

Unbelievably elitist, self-serving, and unacceptable.

Is this the future of Napa you wish for our children and grandchildren? Flight path for the privileged few? I don't think so.

Kindly convey our **STRONG** objections to the planning group, on our behalf, since we may not be able to attend tomorrow.

We are all watching.

Best regards,

Marshall Zaslove MD

Nina Zaslove

Sent from my iPad.

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From: [Steven & Sandra Booth](#)
To: [Ayers, Dana](#)
Subject: Palmez Heliport
Date: Monday, February 27, 2017 7:13:49 PM

Dear Dana,

Private heliports are contrary to good planning sense. The concept of a private heliport in Napa Valley is flawed in the singular case and equally flawed in its potential to invite multiple cases. Do not entertain or encourage approval of this project. It is a bad idea from first to last. If you feel driven to initiate a County planning precedent, start with denying this project.

Sincerely,

Steve Booth

--

Juniper Booth Studio
P. O. Box 6063
Napa, CA 94581

Steve Booth's cell: 707-227-8967
Sandra Booth's cell: 707-252-7029
E-mail: juniperbooth@gmail.com
Website: juniperboothstudio.com

From: [fiona-c](#)
To: [Ayers, Dana](#)
Subject: Palmaz personal use heliport use permit
Date: Monday, February 27, 2017 6:24:11 PM

Attn.: Dana Ayers, Planner
Napa County

I live in Alta Heights and I am writing to express my objection to Personal Use Heliports in Napa County. The noise when helicopters fly overhead is very disturbing to those of us who live anywhere near the flight path, and also to the wildlife in the area. If you allow the Palmaz Personal Use Heliport a permit, I think you will be opening a pandoras box of requests from all over the Napa Valley. Please do not allow this use permit; please let us live in as much peace and quiet as possible.

Yours sincerely
Fiona Campbell
1509 Meek Ave, Napa

From: [Henni Cohen](#)
To: [Ayers, Dana](#)
Subject: Proposed Palmaz Heliport
Date: Monday, February 27, 2017 8:58:14 PM

Dear Ms. Ayers,

I am writing to express my opposition to the prospect of the approval of a private heliport in Napa County. There is no justification for its approval.

The issues of noise, even with a "low-noise helicopter," restricted number of flights per week, and 'mitigation measures' as hinted at by the consultants who prepared the EIR, have been addressed by other concerned citizens.

The crucial question is why such a facility is needed? The individual in question does not live in an inaccessible area where there is no other way to get to his property. He is within an easy drive of the Napa airport and, surely, the drive would not take longer than a helicopter ride. And what about the times when there is bad weather that would prohibit the flying of the helicopter? The individual would have to drive to his residence under those circumstances. The heliport is merely an extension of the individual's sense of entitlement, to the detriment of his neighbors and Napa County, not a necessity.

If commercial helicopters are banned, shouldn't private ones be as well? They present the same noise, intrusion, and privacy issues that were the basis for the ban on commercial helicopter use.

I do not live on Hagen Road, nor near the proposed site of the heliport. However, as I live off of Soda Canyon, where the number of wineries seems to be proliferating to the detriment of our rural life and there are a number of large properties, I am very concerned about the slippery slope that will be created if the Palmaz heliport is approved. Once one such place is permitted, how can the County deny the application for other heliports? I would hate to see the skies of Napa become congested by private helicopters. Not a pretty thought. The many balloons one sees, especially during the summer, are bad enough, with their noise and sometimes intrusive positions above our homes.

I respectfully suggest that the Planning Commission take these points into consideration as it decides whether to approve or deny the application for the Palmaz heliport. And I believe that the only decision is to deny the application for a private heliport in Napa.

Thank you for your consideration.

Henrietta Cohen
1044 Loma Vista Dr.
Napa, CA 94558

From: gridley52@gmail.com
To: [Ayers, Dana](#)
Subject: heliport
Date: Monday, February 27, 2017 7:48:03 PM

Dear Ms. Ayers:

There is no legitimate reason to approve a heliport in this county. Please kill this proposal.

Thank you,

Paul Gridley
4601 Dry Creek Road
Napa

Sent from [Mail](#) for Windows 10

From: [Norman Manzer](#)
To: [Ayers, Dana](#)
Subject: Palmaz fiasco
Date: Tuesday, February 28, 2017 12:05:07 AM

Dana, please add our names to those opposing the impending disaster of permitting private helicopters and helipads in Napa County, the god-awful Palmaz proposal to wit. Norm and Linda Manzer, St Helena. Thank you.

From: [Tom Mcgee](#)
To: [Ayers, Dana](#)
Subject: Heliport
Date: Tuesday, February 28, 2017 6:17:36 AM

Planning Commission,
There is a helipad at Napa County Airport, a 24 hour all weather airport.
It is a 20 minute drive from there to Hagen road. End of comment.
Tom McGee (50 years as private, commercial, and military pilot)

Sent from my iPad

From: [Daniel Mufson](#)
To: [Ayers, Dana](#)
Subject: Re: PALMAZ LIVING TRUST APPLICATION / GC EXHIBIT 4
Date: Tuesday, February 28, 2017 3:54:58 PM
Attachments: [Palmaz Online Signatures 2-28-17.pdf](#)

Dear Ms. Ayers, I am attaching a copy of a Petition signed by 356 residents of Napa County against the proposed heliport. Please enter this Petition in the official record. Please confirm that you have received this submission.

To the Napa County Planning Department, Planning Commission and Board of Supervisors:
RE: Palmaz Residence Private Use Helicopter Application 4031 Hagen Road, Napa, CA
94558 Use Permit # P14-00261

I am a resident of Napa County and object the County's policy to grant Conditional Use Permits for Private Use helicopter landings. According to extensive California case law, Conditional Use Permits are to enable a municipality to control certain uses which could have detrimental effects on the community or that they are in the best interest of public convenience.

The Palmaz application serves no public purpose and can only have detrimental effects on the welfare of this community and therefore request that you deny it.

Daniel Mufson
President, Napa Vision 2050

(707) 780-2050

PO Box 2385
Yountville, CA 94599

www.napavision2050.org

Petition

To the Napa County Planning Department, Planning Commission and Board of Supervisors:

RE: Palmaz Residence Private Use Helicopter Application 4031 Hagen Road, Napa, CA 94558 Use Permit # P14-00261

I am a resident of Napa County and object the County's policy to grant Conditional Use Permits for Private Use helicopter landings. According to extensive California case law, Conditional Use Permits are to enable a municipality to control certain uses which could have detrimental effects on the community or that they are in the best interest of public convenience.

The Palmaz application serves no public purpose and can only have detrimental effects on the welfare of this community and therefore request that you deny it.

356 petition signatures:

Name	Address
Abernethy, Lee A	3005 North Ave. Napa, California 94558
Adams, Moss	385 Randolph Street Napa, CA 94559
Afentoulis, Oneta	155 Mayfield Court Napa, CA
Alarcon, Sara	1016 Birkdale Dr Napa, Ca 94559
Allegra, Antonia	St Helena, CA
Allen, Carol	Napa, CA 94559
Allen, Robin	1026 Rose Dr Napa, Ca 94558
Altman-michaels, Lorrie	3229 Piedmont Ave. Napa, California 94558
Amaral, Arlan	
Andronico, Susan	3110 Vichy Ave Napa, CA 94558
Angell, Trudi	4510 Silverado Trl Calistoga, CA 94515
Aycock, Lisa	5147 Wild Horse Valley Road Napa, CA 94558
Bacci, Beverly	
Bacci, Roland	1103 Mt. George Avenue Napa, ca 94558
Bacci, Theodore	1375 Trower Ave Napa, California 94558
Bailey, Una	60 Belvedere Ct. Napa, CA 94559

Bailo, Sandina	3271 Twin Oaks Napa, Ca 94558
Barberi, Amy	112 Legacy Ct Napa, CA 94559
Barker, David	2467 Claret Street Napa, CA 94558
Barron, Juli	645 Cabot Court Napa, ca 94559
Bartlett, Andy	1286 Hudson Ave Rochester, NY 14621
Bates, Ernest	
Belden, Paula	1150 La Grande Ave. Napa, CA 94558
Benefield, Richard	2064 Kirkland Road Napa, CA 94558
Bennett, Wendy	4206 Maher St Napa, Ca 94558
Bernier, John	4347 Madeira Ct Napa, CA 94558
Bernstein, Michael	32 Country Ln Napa, CA 94558
Bien, Gail	1086 La Londe Napa, CA 94558
Bird, Carrysa	367 College Avenue Angwin , Ca 94508
Birleffi, Cathy	7 View Rd Calistoga, CA 94515
Bock, Astrid	871 Liberty Dr
Boyd, Priti	1024 Wyatt Ave Napa, CA 94559
Boyd, Kathleen	151 Randolph Napa, California 94559
Brault, Penelope	1061 Rose Drive Napa, Ca 94558
Bronson, Richard	7410 Wild Horse Valley Rd Napa, Ca 94558
Brooks, Bernadette	3103 Dry Creek Rd Napa, CA 94558
Brown, Deborah	93 El Nido Dr Napa, CA 94559
Brown, Thomas	P. O. Box 10490 Napa, CA 94581
Browning, Bethany	1840 Sutter Court Napa, ca 94559
Bucknell, Christian	611 32nd St Oakland, CA 994609
Burger, Debra	595 Montecito Blvd Napa, CA 94559
Cadman, Brie	1186 East Avenue Napa, CA 94559
Callahan, Sandra	237 Ashlar Drive Napa, Ca 94558
Carpenter, Theresa	3960 Hagen Rd. Napa, Ca 94558

Carpenter, Hugh	3960 Hagen Rd Napa, Ca 94558
Carpignano, Patricia	
Carr, Anne	1730 Dean York Lane Saint Helena, CA 94574
Carr, Ron	3783 Norfolk St. Napa, California 94558
Carrell, Mari	82 Village Parkway Napa, California (CA) 94558
Cassayre, Elizabeth	1243 Arroyo Sarco Bapa, CA
Chiarella, Victor	
Christensen, Daralyn	181 Kaanapali Drive Napa, CA 94558
Cloud, Vicki	1157 Green Valley Rd Napa, CA 94558
Cochran, Linda	1347 Calistoga Ave Napa, CA 94559
Coffield, Denise	286 Monte Vista Dr. Napa, CA 94559
Coffield, William	286 Monte Vista Dr. Napa, CA 94559
Cohen, Henrietta	1044 Loma Vista Dr Napa, CA 94558
Cohn, Rusty	207 Cardwell Ct Napa, Ca 94559
Conaway, Jackson	2010 North Third Avenue Napa, CA 94558
Conroy, Michael	1568 Palmer Street Napa, CA 94559
Conway, Betty	
Conway-wahle, Erica	
Cooney, Christopher	1322 Hestia Way Napa, CA 94558
Correll, Jeff	30 Pienza Drive American Canyon, CA 94503
Corthell, Laura	677 Montecito Blvd Napa, CA 94559
Corwin, Linda	379 Brown Street Napa, Ca 94559
Corwin, Douglas	379 Brown Street Napa, CA 94559
Cox, Diane	
Culler, Karen	1098 Vineyard Ln Napa, CA 94558
Dalla Betta, Ladan	2005 1st Street Napa, CA 94559
Damery, Patricia	3185 Dry Creek Rd, Napa, Ca 94558, United States Of America Napa, CA 94558
Darlington, Laura	2018 Heinke Dr Napa, CA 94558
Davies, Rachel	Boston, MA

Davis, Jeff	677 Cabot Way Napa, CA 94559
Davis, Carol	2237 First Avenue Napa, CA 94558
Dayan, Kelly	12 Palcale Pl Napa, CA 94558
De Man, Elaine	1113 Chiles Avenue Saint Helena, CA 94574
De Weese, Irene	
Deamicis, Ralph	29 Valley Club Circle Napa, CA 94558
Dellario, Charles	1561 Third St Napa, CA 94559
Dickson, Jacqueline	5290 Wild Horse Valley Rd Napa, CA 94558
Dolcini, Marie	1915 2nd St
Dougherty, Kim	4300 East 3rd Ave Napa, CA 94558
Dougherty, William	4300 E 3rd Ave Napa, CA 94558
Dowd, Madaleine	106 Macinnes Ct. Napa, CA 94558
Doxsee, Lisa	1420 King Ave. Napa, CA 94559
Dunlap, David	
Duval, Maria	2064 S. Terrace Dr. Napa, CA 94559
Eason, Kevin	33 Vanessa Ct W Napa, CA 94558
Edwards, Thomas	2049 3rd Avenue Napa, Ca 94558
Elke, Mary	2210 N Third Ave Napa, CA 94558
Elles, Sandy	
Evanko, Jack	21 Pinnacle Peak St Napa, CA 94558
Evans, Gordon	
Farella, Frank	
Farella, Tom	
Farley, Sonja	6 Chateau Ln Napa, CA 94558
Farley, Mark	6 Chateau Ln Napa, CA 94558
Feutz, Linda	
Firpo, Sharon	2765 Atlas Peak Rd Napa, Ca 94558
Fisher, Curt	
Fitch, James	1086 4th Ave Napa, CA 94559
Fitch, Jerry	5045 Coombsville Rd Napa, CA 94558
Flyr, Diane	1086 La Londe Lane Napa, Ca 94558

Fraser, Dianne	2612 Colombard Ct St Helena, CA 94574
Freeman, Staci	3292 Browns Valley Rd. Napa, CA 94558
Freeto, Brian	1188 Jerome Way Napa, CA 94558
Fresquez, Joseph	1215 Monticello Rd. Napa, CA
Frost, Bruce	1064 Rose Dr Napa, CA 94558
Gallagher, Mike And Connie	1035 Barriw Lane Napa, CA 94558
Galvin, Daniel	4991 Dry Creek Rd Napa, CA 94558
Garcia, Karen	2336 Clay St. Napa, CA 94559
Gardella, Theresa	16 Joshua Court Napa , CA 94558
Gelow, Diana	366 Saint Andrews Dr Napa, Ca 94558
Genes, Mary Therese	1039 Bell Lane Napa, CA 94558
Gennet, Matthew	1040 First Ave Napa, CA 94558
Gennet, Natasha	1040 First Ave Napa, CA 94558
Gerosa, Kirsty	
Geske, Deborah	2255 First Ave Napa, CA 94558
Ghenender, Ingrid	
Giarrusso, Fred	
Gibbons, Jennifer	61 Belvedere Ct Napa, CA 94559
Gonzalez, Judy	2026 Heinke Drive Napa, Ca 94558
Goodrich, Jennifer	2270 Loma Heights Rd. Napa, CA 94558
Gracia, Leslie	2438 Shoreline Dr Napa , CA 94558
Gravelle, Marie	Po Box, CA 6558
Green, Cathy	3114 Vichy Napa, CA 94558
Gregory, Susan	1887 Main Street Napa, CA 94559
Gronseth, Christy	1105 Pennyroyal Street Napa, CA 94559
Gularte, Crystal	
Gustin, Barry	
Gustin, Carolina	
Gutierrez, Gloria	
Hacenstein, Erin	3320 Greystone Ct Napa, CA 94558

Hagerman, Heather	763 Kearney Way Napa, CA 94559
Hall, Shirleen	3177 Vichy Ave Napa, CA 94558
Haller-wilson, Nicole	2009 Cedar St Berkeley, Ca 94709
Harley, Dylan	3641 Ruston Lane Napa, CA 94558
Harley, Mikah	3641 Ruston Lan Napa , CA 94558
Harrison, John	4482 Sandalwood Street Napa, CA 94558
Hartman, Petra	Po Box 131 Pope Valley, CA 94567
Hauptmann, Daniela	1955 Summit Lake Dr Angwin, CA 94508
Heidger, Friederike	2247 West Oak Knoll Ave Napa, CA 94558
Heinke, Dennis	
Herrick, Elaine	23 Highland Drive Napa, CA 94559
Hershkowitz, Denise	1039 Ross Circle Napa, CA
Heskett, Susan	1117 Cayetano Dr. Napa, CA 94559
Hirayama, Lisa	16 Dogwood Ct Napa, CA 94558
Hirsch, Christopher	710 Trancas St #242 Napa, Ca 94558
Hise, George	
Hitchcock, Patricia	1023 Mt George Ave Napa, CA 94558
Ho, Mui	1605 Arch St Berkley, CA 94709
Hocker, Bill	1605 Arch St Berkeley, CA 94709
Hoolry, Lynne	1406 East Ave Napa, CA 94559
Hopkins, Dotty	1330 River Park Blvd. Napa, CA 94559
Horsch, Colette	
Horsch, Dan	
Hough, Douglas	1987 South Terrace Drive Napa, CA 94559
Hunt, Lynette	136 Tyson Ct. Napa, Ca 94558
Imbach, Nanci	4038 E. 3rd Avenue Napa, CA 94558
Jackson, Pamela	1049 Stonebridge Dr Napa, CA 94558
Jacob, Karen	
Janik Md, Andrew	104 Valley Club Cir Napa, CA 94558

Jemison, Lynn	2168 Monticello Rd. Napa, CA 94558
Jennings, Christina	614 Montecito Blvd Napa, CA 94559
Johanson, Lisa	1167 First Ave Napa, California 94558
Johnston, Robert	149 Silverado Trail St. Helena, CA 94574
Jordan, Cecily	7440 A Wild Horse Valley Rd Napa, CA 94558
Jotter, Colette	1035 Bella Drive Napa, CA 94558
Kelly, Carole	
Kelly, Tim	1193 Ross Circle Napa, CA
Kelly, Karen	1193 Ross Circle Napa, CA
Kelly, Cris	537 Minahen St Napa, CA 94559
Kent, Lawrence	2160 Penny Lane Napa, CA 94559
Keolker, James	30 Fountain Grove Circle Napa, CA 94558
Kerr, Cathleen	2970 Redwood Road Napa, CA 94558
Kesler, Estreya	285 Monte Vista Dr Napa , CA 94559
Kirkhofer, Gary	770 Lincoln Ave #63 Napa, Ca 94558
Kitchens, Charlie	
Klare, Ashleigh	1409 Banks Avenue Napa, CA 94559
Kohagura, Ellen	
Koufos, Betty	
Krammer, Annette	351 Circle Oaks Dr Napa, CA 94558
Kuffel, Irene	1058 2nd Ave Napa, CA 94558
Kuhen, Cindy	
Kuhlman-furrer, Emilie	566 Monroe Street Napa, ca 94559
Kunowski, John	2064 Kirkland Road Napa, CA 94558
Lafontaine, Elaine & Will	
Lambert, Parie	3128 Vichy Ave Napa, CA 94558
Leick, Susan	
Lew, Leslie	1512 Banks Ave Napa, CA 94559
Lewis, Marjorie	
Lindberg, Grania	1515 Laurel St
Linden, Catherine	

Lofaro, Phil	522 Westgate Drive Napa, CA 94558-1239
Long, Rebecca	3118 Vichy Ave Napa, CA 94558
Long, Hugh	3118 Vichy Av Napa, CA 94558
Long, Darlene	
Lucas, Michael	5014 Coombsville Napa, CA 94558
Lucas, Linda	780 Magellan Way, 16 Napa, CA 94559
Lucero, Carla	1109 East Ave Napa, ca 94559
Lukanish, Laura	1065 La Grande Napa, CA 94558
Mackenzie, Michelle	
Madrid, Helen	155 Kaanapali Dr Napa, CA 94558
Mains, Norman	3167 Dry Creek Road Napa, CA 94558
Marriott, Sarah	1322 Hestia Way Napa, CA 94558
Martel, Jolaine	895 Sanitarium Rd Deer Park, CA 94576
Mason-steinberg, Elizabeth	2040 Sommer St Napa, CA 94559
Masterson, Patricia	727 Hunt Ave. St. Helena, CA 94574
Matsumoto, Greg	3116 Vichy Napa, CA 94558
Matsumoto, Ryan	3116 Vichy Ave. Napa, CA 94558
Mcaughtry, Diane	212 Buttercup Ct Napa, CA 94559
Mcclaine, Lynne	1052 Third Avenue Napa, CA 94558
Mcclure, Christine	
Mccomber, Chad	2139 Penny Ln Napa, CA 94559
Mccoy-blotzke, Nancy	265 S Hartson St Napa, CA 94559
Mcdonald, Chris	1420 King Ave Napa, CA 94559
Mckee, Teresa	2040 Coombsville Rd Napa, CA 94558
Mckeithan, Donna	1995 Seville Dr Napa, CA 94559
Mcnicholas, Thomas	4200 Maher St Napa, CA 94558
Meehan, Diana	4272 East Third Avenue Napa, CA 94558
Meng, Billy Sue	
Meng, Charles	

Mercer, Elizabeth	4071 Fairfax Dr Napa, ca 94558
Mertesdorf, Nancy	124 Griffen Lane Napa, CA 94558
Milgrom, Jennifer	3310 Hagen Rd. Napa, CA 94558
Milgrom , Louie	3310 Hagen Rd. Napa, CA 94558
Milstein, Howard	
Mines, Mary L.	8300 Wild Horse Valley Road Napa, CA 94558
Mittman, Joanna	1025 Clark Street Napa, CA 94459
Moore, Ralph	1987 Seville Dr Napa, CA 94559
Morgan, Morgan	2200 West Oak Knoll Ave. Napa, CA 94558
Morris, Valerie	917 Jackson St., Unit A Napa, CA 94559
Moser , S	1597 East Ave. Napa , CA 94559
Mosher, Kathy	1207 Sproul Ave Napa, CA 94559
Mufson, Dan	1877 Atlas Peak Road Napa, CA 94558
Mulligan, Sean	22 Queens Court Napa, CA 94558
Murrell, Mike	1023 Clark Napa, CA 94559
Musante, Robert	1080 Rose Drive Napa, CA 94558
Muth, Johanna	3170 Mt. Veeder Road Napa, CA 94558
Myers, Judith	2081 Coombsville Rd Napa, CA 94558
Nagle, Carol	3116 Vichy Ave. Napa, CA 94558
Neeffe, Sherri	1101 Olive Hill Ln Napa, CA 94558
Nicol, Robert	7440 Wild Horse Valley Road Napa, CA 94558
Nieri, Bruna	1900 Laurelwood Lane Napa, CA 94559
Novak, Mary	
Nussbaum, Harris	P.o. Box 3868 Napa, CA 94558
Oneill, Andrew	
Padoawn, Chris	3065 Vichy Ave Napa, CA 94558
Parker, Kent	1533 East Avenue Napa, CA 94559
Parsley, Ellen	5260 Country Ln
Parsley, Harry	5260 Country Ln

Paul, Laurie	7440 B Wild Horse Valley Road Napa, CA 94558
Pelosi, Lisa	1110 Chiles Avenue St. Helena, ca 94574
Peters, Donnel	2190 Unbridled Court Napa, CA 94559
Peterson, Paula J.	Po Box 296 Angwin, CA 94508
Pettigrew, Crystal	446 Country Club Lane Napa, CA 94558
Piazzola, Michael	
Poeck, Charles	
Pollock, Jenna	1109 East Ave Napa, CA 94559
Poole, Jeanine	1177 Green Valley Road Napa, CA 94558
Price, Linda	1567 Silver Trail Napa, CA 94558
Provus, Jason	1085 La Grande Ave Napa, Ca 94557
Pursell, Robert	
Pursell, Sarah	
Qatsha, Alex	1011 Mount George Avenue Napa, CA 954558
Raasch, Karl	30 Fountain Grove Circle Napa , ca 94558
Rackliffe, Dianne	1406 East Avenue Napa, CA 94559
Ramsland, Tor	214 Saffron Ct Napa, Ca 94559
Rasmussen, Laurence	1133 Barrow Lane Napa, CA 94558
Rauenbuehler, Peter	8300 Wild Horse Valley Road Napa, CA 94558
Reasoner, Kathryn	1411 Maxwell Avenue Napa, CA 94559
Reeves, Robert	1114 Coombsville Rd Napa, Ca 94558
Reid, Matthew	1311 Pine St Calistoga, CA 94515
Rice, Jeanette	124 Griffen Lane Napa, CA 94558
Richardson, Susan	Napa, CA 94559
Richardson, Mary	1962 Seville Drive Napa, CA 94559
Ringwood, Susan	620 Oakville Cross Road Napa, CA 94558
Rivas, Janet	4124 Foxridge Way Napa, CA 94558
Roden, Brett	6 Valarie Ln Napa, CA 94558
Rodrigues, Kate	60 Belvedere Ct. Napa, CA 94559

Roth, Christine	1114 Pennyroyal Street Napa, CA 94559
Roth, Steven	1114 Pennyroyal Street Napa, CA 94559
Rowser, Douglas	3724 Willis Dr. Napa, ca 94558
Russell, Mark	42 Chapel Hill Dr. Napa, CA 94559
Rustice, Melissa	4444 Morse Ct Napa, CA 94558
Ryan, Wayne	
Sabine, Ellen	1930 Locust St Napa, CA 94559
Salese, Erica	1089 Ross Circle Napa, CA 94558
Sander, Monty	423 E 1st Street Napa, ca 94559
Sanders, Sharon	4287 East 3rd Ave Napa, CA 94558
Saunders, Jenele	506 Sherry N Calistoga, CA 94515
Scales, Stacy	733 Lathrop St Napa, Ca 94558
Schember, Philip	1542 Basque Ct Napa, ca 94559
Schmidt, Angelina	218 E. 1st Street Napa, CA 94559
Schubert, Andreas	
Schubert, Georgia	
Sellers, Eldon	
Sfara, Vincent	18 Moneticito Blvd Napa, CA 94559
Shackford, Hellene	
Shamp, Judith	10027 Del Monte Houston, TX 77042
Sheffer, Ronald	2165 Penny Lane Napa, CA 94559
Shenk, Sue Dee	1238 2nd Ave Napa, CA 94558
Shenk, Edward	1238 Second Ave Napa, CA 94558
Shepp, Diane	
Shueh, Mayen	2033 Big Ranch Road Napa, CA 94558
Siebern, Diane	132 Kreuzer Lane Napa, CA 94559
Siebern, Vincent	132 Kreuzer Lane Napa, CA 94559
Simich, Margaret	3683 Columbia Dr Napa, California 94558-4110
Skowronski, Jane	1219 Jerome Way Napa, CA
Smith, Abbie	

Smithers, Pam	St Helena, CA 94574
Snow, Tower	177 Ridge Dr Danville, PA 17821
Snowball, Barbara	
Sornberger, Kate	1621 Meek Ave Napa, CA 94559
Spinelli, Joyce	1075 Loraine Dr. Napa, CA
Squires, Anitra	
Stanton, Ken	395 Clark Way Angwin, Ca 94508
Stern, Karen	1134 Willow Ave. Napa, CA 94559
Stewart, Lynne	26 Elan Way Napa, CA 94559
Stolarczyk, Hanna	2010 North Third Avenue Napa, CA 94558
Stonecipher, James	118 Woodland Drive Napa, CA 94558
Streich, Dorothy	Napa, CA 94558
Stromberger, Karla	76 Highland Dr Napa, CA 94559
Thall, Michelle	738 Sunnyside Rd Saint Helena, CA 94574
Thompson, Michael	1058 2nd Ave Napa, CA 94558
Tingle, Julie	1133 Alta Ave Landers, CA 92285
Togni, Lisa	1530 Kearney St St Helena, CA 94574
Troedsson, Karin	
Tully, Marsa	1515 Howell Mtn Rd N Angwin, CA 94508
Valentine, Erica	121 Stone Mountain Circle Napa, CA 94558
Van Prooyen, Lucinda	1049 Mount George Avenue Napa, CA 94558
Villante, Frank	
Voges, Sharon	1307 Hestia Way Napa, CA 94558
Von Reitzenstein, Wolf	6475 Wild Horse Valley Road Napa, CA 94558
Walton, Deborah	26 Jacks Lane Napa, CA 94558
Ward, Wendy	1180 Green Valley Road Napa, CA 94558
Wear, Lori	203 East First Street Napa, Ca 94559
Webster, Joan	6440 Wild Horse Valley Road Napa, CA 94558-4021
Weins, Mike	2209 Redwood Rd Napa, CA 94558
Weiss, Jennlea	31 Vista Ranch Rd Napa, CA 94558

Wentworth, George	1060rose Drive Napa, ca 94558
Wheaton, Kelly	1335 Inglewood Ave St St Helena, CA 94574
Wiegardt, Caroline	P. O. Box 5072 Napa, CA 94581
Wiley, Marianne	1093 Rose Dr Napa, Ca 94558
Williamson, Pat	
Wilson, Bernadette	1083 Rose Drive Napa, California 94558
Wilson, Connie	1658 Scott Street St. Helena, Ca 94674
Winiarsky, Julia	
Wood, Lynn	2074 Kirkland Av Napa, Ca 94558
Wood, Kathleen	3411 Covey Ct Napa, Ca 94558
Yates, Joanne	555 Canon Park Drive Saint Helena, CA 94574
York, Nancy	1047 Ross Circle, Napa
Yost, Margaret	1633 King Avenue Napa, CA 94559
Zaslove, Marshall	1115 Third Avenue Napa, Ca 94558
Zlomke, Evelyn	340 Foothill Blvd Napa, CA 94558

From: [Robert nance](#)
To: [Ayers, Dana](#)
Subject: Palmaz Heliport
Date: Tuesday, February 28, 2017 8:55:20 AM
Attachments: [palmaz helo pad \(2\).doc](#)

Hi Dana

I am a supporter in favor of allowing this project .
thank you

Bob Nance
2074 Coombsville rd
Napa ca
707-815-8554

Hello My name is Bob Nance , I spent 34 years in the US army flying helicopters.. I would like to share some information about these machines. *Step back In the 1960's* The top helicopter was the UH-1 nicknamed Huey,, this was a 9500 LB aircraft that could hold 6 combat troops and a crew of 4,.. this aircraft has a 2 blade rotor system , the blades are about 2 feet wide and each 24 feet long , The sound of a huey approaching you is a WOP WOP WOP sound, This can be heard a few miles out in front of the aircraft,, this sound is the blades compressing the air as the rotor turns at about 400 RPM. The blade tips are actually approaching the speed of sound , the tail rotor in the rear gives direction control to the pilot and its 8 feet long and turns at a much higher RPM, this also is quite a loud sound,, **1960 technology. that is the movie sound you hear from the many films, mostly war movies from that ERA , this is the sound most people identify with helicopters,** we had in military Huey's flying over the Valley for quite a few years, Sometimes with myself the cockpit ,

Fast forward to 2017 ,, there are no more Huey's in the US army,, Only one from Cal fire occasionally fly's over,, the majority of the new generation of helicopters are made with a 4 bladed system. The blades are shorter, narrower they are made of advanced metals and composite materials, the tail rotors are a 1/3 of the size of a hueys. They are designed to be quiet, they do NOT sound anything like the hueys, in fact if you are on coombsville rd and one fly's over at 1500 feet , you may not hear it until it is directly overhead,(50-65DB 65 being short final to pad) , pickup trucks on the road make more noise,(55DB) , at 2500 feet they are very stealthy .less than 40 DB that s why many law enforcement agencies are using those helicopters to observe and apprehend felons, **the military also has gone to this type of rotor systems for stealth reasons** These aircraft are used also by, fire agencies, med evac companies to save lives every day in the US ,, SO bottom line here is they are NOT the obnoxious noise making demons that some people profess, example of sound DB levels 65 DB Mower, 90 motorcycle, tractor 84, Horn 85
30 -40 quite night in country .

Another point the Helo pad at the Palmaz location is around 1400 feet elevation, and after takeoff and climbing toward napa they are probably over 2500 feet which the noise levels are even diminished even more 40 and less ,,

the Palmaz family has one of the highest technology wineries in the world, they are by far one of the most environmental conscious business's in the valley, state and probably our country,, they are the ones that sets the standards for others in many areas,

One last comment .. ask a combat vet what they think about a sound that comes from a helicopter ,, they will to a man will say that it is NOT noise, obnoxious ,or irritating at all I fact they feel that it ,means that their wounded fellow soldiers will be soon getting treatment , critical supplies are coming, reinforcements on the way and the enemy will soon be breaking contact , and that Noise to you is soothing music to their ears

Bob Nance
2074 Coombsville rd

From: [Jeanne Johnston](#)
To: [Ayers, Dana](#)
Cc: "[joellegPC@gmail.com](#)"; "[mikebasayne@gmail.com](#)"; "[anne.cottrell@lucerne.com](#)"; "[ksottco@aol.com](#)"; "[JeriGillPC@outlook.com](#)"
Subject: Napa Valley Country Club's Opinion Re: Proposed Heliport
Date: Tuesday, February 28, 2017 11:36:28 AM
Attachments: [NVCC Opinion Re- Palmaz Heliport.pdf](#)
Importance: High

Napa Valley Planning Commissioners:

We appreciate your time in reviewing the attached correspondence from the President of our Board of Directors regarding the above-mentioned. Fran may be reached for a conversation or clarification at president@napavalleycc.com.

Thank you.

JJ



Jeanne M. Johnston
General Manager
Club Sales and Marketing Director
Napa Valley Country Club
3385 Hagen Road
Napa, California 94558
707-252-1111, Extension 238 or
Direct Line: 707-603-3486



Via E-Mail Delivery – Napa County Planning Commissioners:

District 1: Joelle Gallagher (joellegPC@gmail.com)
District 2: Michael Basayne (mikebasayne@gmail.com)
District 3: Anne Cottrell (anne.cottrell@lucene.com)
District 4: Terry Scott (kscottco@aol.com)
District 5: Jeri Gill (JeriGillPC@outlook.com)

Planner: Dana Ayers (Dana.Ayers@countyofnapa.org)

February 27, 2017

RE: Proposed Palmaz Heliport

Dear Commissioners:

Since 1915 the Napa Valley Country Club (NVCC) has been part of the Coombsville countryside and a recreational destination for families across the Napa Valley. Our 500, plus members, most of whom live within 10 miles of our Hagen Road site, have long enjoyed the bucolic setting and peaceful beauty of the family club.

Sadly, our 100-year history is now threatened by the proposed heliport by its neighbor and former member who own the Palmaz Vineyard.

Helicopters are noisy and dangerous. Therefore, best practices in local land use planning require heliports to be placed in airport zoning districts surrounded by commercial and industrial properties, with residential districts only starting at a distance where noise is no longer a significant impact. Land use planning best practices place heliports in airport zoning districts surrounded by commercial and industrial zoning districts with residential zoning districts only starting at a distance where noise and safety are no longer a significant threat. Other than when there is a necessary public safety benefit, e.g. a hospital, a heliport would never be placed next to a recreational destination. For this reason, Napa's heliport is located at the Napa County Airport, at its hospital and should never be a consideration next to a recreational area.

The proposed heliport is located just 3,113 feet approximately from the Napa Valley Country Club. Given the close proximity, noise will be a significant issue regardless of where it is sited on the Palmaz property:

- When taking off and landing, using the industry standard of 12-15° angle of ascent and descent, the helicopter will fly over the club property as low as 830 feet. FAA flight rules recommend a minimum altitude of 2,000 feet AGL over recreational areas or other "noise sensitive areas."
- High-speed transport helicopters such as the Bell 429 are particularly noisy in flight. Designed for speed, their rotor blades give off significant quantities of HSI and BVI rotor blade noise in a sweeping horizontal plane. The result is you can literally hear them miles away. The FAA recommends HSI and BVI noise be considered when local government makes compatibility planning decisions for the relative location of airports within a community.

Unfortunately FAA guidelines are not enforceable upon a private operator such as Palmaz. In reading the Environmental Impact Report, we see that most FAA Advisory Circular guidelines have been ignored in evaluating the Palmaz heliport application. We hope that the Planning Commission will choose to consider these and other best practices when voting to approve or deny the project.

The applicant has proposed a series of mitigation measures such as no fly zones, a limited number of flights, limited hours of operation, etc., to mitigate noise. We believe, based on applicable aviation case law, that these mitigation measures are


3385 HAGEN ROAD | NAPA, CALIFORNIA 94558

VOICE 707.252.1111 | FAX 707.252.1188

WWW.NAPAVALLEYCC.COM

unenforceable and therefore should not be considered in your decision making process. Furthermore, the in-flight noise cannot be mitigated by simply moving the relative location of the heliport within the Palmaz property. On behalf of our 500-plus member families, the Board of Directors of the Napa Valley Country Club voted unanimously to recommend rejection of the Palmaz heliport application. We believe helicopters belong in airport zoning districts, not in the agricultural preserve. We worry about the health and welfare of our members and guests who would be regularly subjected to the resulting noise from the project. Thank you for your swift attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Fran Grasso", with a long horizontal flourish extending to the right.

Fran Grasso
President, Board of Directors
Napa Valley Country Club

From: [Stephen Rae](#)
To: [Ayers, Dana](#)
Subject: P14-00261-UP Letter to NCPC
Date: Tuesday, February 28, 2017 12:02:03 PM
Attachments: [NCPC Palmaz 28 February 2017.docx](#)

M. Ayer

Attached is my letter or the Palma heliport public hearing on tomorrow's agenda. If possible, I may attend to emphasize and expand on my concerns.

Stephen P Rae
[707-287-0248](tel:707-287-0248)

28 February 2017

Napa County Planning Commission
1195 Third St., Suite 305
Napa CA 94558

RE: Palmaz Personal Use Heliport Use Permit #P14-00261-UP

Dear Chairperson and Commission Members:

I am writing to register my opposition to the granting of this personal use heliport Use Permit (#P014-00261-UP). The permission to establish such an obtrusive use associated with a residential use in rural Napa County displays a willingness to permit additional such uses in the future, and encourages others to consider doing so.

Currently, the citizens of our County endure frequent helicopter and low level plane traffic over residential and recreational lands. Over the years such traffic has increased. This traffic encroaches on the peace and tranquility that characterizes our valley. The land use assessment of this project fails to reflect the value of the quality of life in our county and disclose how this project may induce its subsequent deterioration.

I am surprised that the potential for this project to encourage others to do the same has not been assessed. And, I am surprised that reference to future review by the Airport Land Use Commission is understood by County staff to address the air traffic consequences of the use permit. Similarly, do we know whether County limits on frequency of use and air traffic patterns will be enforceable over time? I believe that the Use Permit would open the door to increasing use of the site beyond County limitations and the encouragement of others to establish similar uses throughout the county wherever land and funds are available. Therefore, I suggest that the future cumulative effects of this project do not conform to General Plan considerations, violate the spirit and intent of land use limitations reflected in recent votes by residents, and constitute encouragement to proliferate similar uses in the Napa Valley.

Of course the No Project Alternative does not meet the personal wishes of the applicant. But, when does such a personal convenience outweigh the long-term consequences of further degrading the quality of life in the Napa Valley. Please **DENY** this use permit application.

Sincerely,

Stephen P. Rae, PhD
1130 Cayetano Court
Napa CA 94559-4199

Data/P/P/NCPC Palmaz 28 Feb 2017

From: [Brian Russell](#)
To: [Ayers, Dana](#); [Morrison, David](#)
Cc: [Anderson, Laura](#)
Subject: Palmaz communication
Date: Monday, February 27, 2017 6:14:00 PM
Attachments: [2017-02-27 Ltr to David Morrison re- Mt. George Alternative Project.pdf](#)

David,

Please see the attached communication regarding the Palmaz private use heliport project.

Thank you,

Brian

Brian Russell

ABBOTT & KINDERMANN, INC.

A Professional Corporation

1485 Main St. | St. Helena, CA 94574

tel: (707) 294-2775 | fax: (707) 968-5728

[website](#) | [blog](#) | [email](#)

(Sacramento Office)

ABBOTT & KINDERMANN, INC.

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February 27, 2017

Via Email to: david.morrison@countyofnapa.org

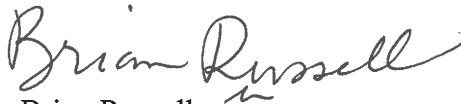
Mr. David Morrison
Napa County Planning, Building and Environmental Services
1195 Third Street, 2nd Floor
Napa, CA 94559

Re: Palmaz Private Use Heliport, CUP #P14-00261

Dear Mr. Morrison:

I am contacting you in regards to Napa County's staff report on the Palmaz Private Use Heliport P14-00261 ("Project"). After reviewing the staff report on the Project, we agree with staff's recommendation that the Mt. George Alternative Project is a feasible Project alternative that achieves all of the Project objectives. On behalf of the applicant, Amalia Palmaz Living Trust, we agree with the recommendation to approve the Project at the Mt. George Alternative Project location.

Very truly yours,



Brian Russell

BR/lh

From: [Tittel/Caloyannidis](#)
To: [Ayers, Dana](#)
Subject: UP 14-00261 (PALMAZ LIVING TRUST)
Date: Tuesday, February 28, 2017 11:50:28 AM
Attachments: [PALMAZ - PLANNING COMMENT.doc](#)

Dear Dana,

I would like to re-introduce into the file my 5/6/15 document which is one of several not referenced in the FEIR.

Thank you.

George Caloyannidis

Prepared for Napa Vision 2050 by:
George Caloyannidis, Architect PhD
2202 Diamond Mountain Road
Calistoga, CA 94515
calti@comcast.net

May 15, 2015

Kelli Cahill
Napa County Planning
1195 Third Street
Napa, CA 94559
kelli.cahill@countyofnapa.org

RE: Palmaz Residence Private Heliport Application
4031 Hagen Road, Napa, CA 94558 (APN 033-110-080)
UP# P14-000261-UP

Dear Ms. Cahill,

A) RELEVANT HISTORIC PERSPECTIVE:

Our Diamond Mountain Homeowners' Association with the cooperation of the Napa Planning Department, Planning Commission and the Board of Supervisors was instrumental in establishing Ordinance No. P 04-0198-ORD approved on June 15, 2004 which prohibits commercial helicopter landings at wineries.

During the several hearings preceding the Ordinance at which we presented approximately 3,500 petition signatures of support, a variety of interest groups opposing the Ordinance testified based on the general argument that helicopter tours at wineries would be beneficial to their financial health and that the Ordinance would have the unintended consequence of a proliferation of flybys around the county.

Without knowing what the future held, some argued that despite the detrimental noise effect generated by the proliferation of helicopters over the Napa skies, at least some financial benefit might be derived. No such case can be made to justify this application. Eleven years later we now know that none of the arguments proved to be true - the wineries are doing financially better than ever and no proliferation of flyovers has occurred.

B) LEGAL FRAMEWORK OF THE CONDITIONAL USE PERMIT:

The 1997 Governor's Office of Planning and Research Conditional Use Permit Manual **(1)**, defines the Use Permit as a tool to: "Enable a municipality to control certain uses which could have detrimental effects on the community" (*Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal. App.3d 1176).

It further lays out:

Case Law: "The proposed use is in the best interest of public convenience and necessity and will not be contrary to the public health, morals, or welfare (*Upton v. Gray* (1996) 269 Cal.App.2d 352).

General Welfare Standard: "The establishment, maintenance or conducting of which a use permit is sought will not, under the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood" (*Hawkins v. County of Marin* (1976) 54 Cal.App.3d 586).

Nuisance Standard: "Any use found to be objectionable with the character of the city and its environs due to noise, dust, odors or other undesirable characteristics may be prohibited" (*Snow v. City of Garden Grove* (1961) Cal.App.2d 496).

Zoning Consistency Standard: "That such use would be essential or desirable to the public convenience or welfare, and will not impair the integrity and character of the zoned district or be detrimental to the public health, safety, morals or welfare" (*O'Hagen v. Board of Zoning Adjustment* (1971) 19 Cal.App.3d 151).

Conditions of Approval: "The condition must further a legitimate public purpose".

On the other hand, in protecting the rights of the property owner, the same *Planning Law* specifies that: " The property owner may not be required to carry a disproportionate load in furthering the public purpose" *California Land-Use and Planning Law*, 9th edition).

It is difficult to find that granting any private helicopter use permit in the unincorporated areas of the county which are quiet and rural in character is *in the interest of any public convenience, is not objectionable to its character and environs due to noise or other undesirable characteristics, is desirable to the public convenience etc.*

On the contrary, each and every impact of such a use permit is detrimental to the welfare of its communities in every respect without contributing to a single benefit.

On the other hand, it is impossible to make the case that denying such a use permit poses a disproportional load on the property owner in furthering a public purpose, as there is none.

In essence, this use permit is asking the community and the public to carry an undue burden for the sole benefit and pleasure of a single person and his family, directly contrary to California Conditional Use Permit case law.

Should the Supervisors elect to ignore the above case law record, the following are important additional issues for consideration:

C) PALMAZ APPLICATION - INTENT / CREDIBILITY:

The application documents refer to the applicant alternatively as "Palmaz Residence" or "Palmaz Vineyards". In one instance the word "Vineyards" has been scratched out and replaced with "Residence". This ambivalence coupled with the fact that the proposed helipad, while technically on the residence lot is equidistant to the Palmaz Winery for which the helicopter use is prohibited, raises serious concerns as to the stated intent of the use.

Added to this is the fact that a variety of Palmaz entities own several hundred acres surrounding the proposed helipad (of the 16 neighbors within the 300 foot notification radius, 6 are Palmaz entities) making adherence monitoring to the provisions of the use permit by the County impossible.

Adherence therefore is solely based on the good faith of the applicant.

Judging from its past history, the credibility record of the applicant is dismal. In 2011 he was fined \$ 1.9 million by the San Francisco Bay Regional Water Quality Board for violating environmental laws by illegally filling creeks and wetlands during the development of its vineyards. After burdening the public with a protracted court battle, Palmaz agreed to reduce the fine in exchange for restoring the wetlands. Is this the kind of applicant who the public, and especially its neighbors can trust to use the helicopter solely for his family and guests and not for winery visitors and operations? Or one we can trust to adhere to the stated flight schedules and patterns?

D) COUNTY'S ABILITY TO ENFORCE:

The County's record in monitoring illegal helicopter landings and use permit compliance is equally dismal.

During the past few years and as recently as 2013, Diamond Mountain homeowners have filed complaints with the County - including helicopter photographs, colors, ID numbers, time of landing and departure - regarding prohibited landings at the Constant winery without the County ever investigating them, let alone imposing sanctions of any kind.

This, coupled with the fact that almost half the county winery use permits in 2013 were found to be in violation, exposed the County's unwillingness to impose sanctions of any kind to even known violators has become cause of widespread disillusionment with the County's ability to safeguard the public interest .

Granting such a use permit would compromise the integrity of the process and further erode the public trust.

E) THE AIRBUSS EC 130 B4 / THE MEAD & HUNT NOISE REPORT:

The applicant's Noise Report touts the quiet qualities of the helicopter intended for use, an Airbus EC 130 B4. This helicopter is indeed quieter than most of its kind. It is large, accommodating 7 people with ample cargo space and has a wide, 35 foot long body. It was specifically designed for and is being used by tour operators around this country (Hawaii, Aspen, Long Island, Grand Canyon, to name a few) and the world; hardly a typical personal use machine.

The EC 130 B4 has a good safety record, though in 2012 cracks were discovered in its Tail Boom **(2) (3)**.

The applicant's Mead & Hunt Noise evaluation has not taken any direct test measurements resulting from an actual approach, landing, takeoff and flights of the EC 130 B4 as this specific location. Figure 3 (CNL Noise Contours) is a generic one, superimposed on to the specific location. As a result, it does not reflect and fails to account for the specific topography of the site. The immediate proximity of Mt. George, a rocky, lacking substantial tree growth mountain, is likely to generate a substantial amplifying ricochet sound effect over the wider neighborhood community exceeding the generic dB standards.

The Mead & Hunt Report has also failed to provide specific background noise measurements in this quiet neighborhood, the only way to more accurately assess the impact severity of the introduction of helicopter noise.

While approach and departure paths are specified, FAA regulations leave it up to the pilot to adjust such paths according to his judgment depending on weather and wind patterns. There is no way to insure any specific neighbors that no flight patterns will directly impact them overhead.

In spite of the benign presentation of the EC 130 B4 noise impact, the factory recommended flight path specifications state: "Select a path as far as possible from sensitive areas or fly along the noisiest land route (highway, railroads...)" **(4)**. The Hagen Road community is a sensitive area indeed and the flight path through it before it reaches the closest highway (Silverado Trail) is two miles away.

F) HELICOPTER NOISE PERCEPTION FINDINGS:

The Mead & Hunt Report states (pg. 2 / Design Helicopter) that in spite of the EC 130 B4 producing lower than International Civil Aviation Organization (ICAO) noise levels, according to the manufacturer, it still delivers 86.8 EPNdB (Effective Perception Noise) on takeoff and 84.3 EPNdB flyover noise levels.

According to the California Land Use Planning Handbook **(5)**, 37% of average communities find such noise levels to be "very severe" , similar to a "3rd floor apartment next to freeway" and that "the general community attitude is likely to be the most important of all adverse aspects of the community environment" (4-8).

The Schultz curve (7-14) indicates that the percent of people being highly annoyed accelerates smoothly between 55 dB and 70 dB. The FAA selected the 65 dB as the dividing point between normally *compatible* and normally *incompatible* residential land use (7-12).

The Handbook (6-8) acknowledges that "helicopter noise has a character all its own" and attributes it to its unique *blade slap* sound.

More extensive research, *2008, 9th International Congress on Noise as a Public Health Problem, The Improvement of Helicopter Noise Management in the UK* **(6)** identifies the uniquely annoying character and effect of helicopter noise but also the lack of sufficient research. The study's Summary concludes by stating that "virtual noise" such as the one triggered by the common association with emergency services is just as important as acoustic noise (measured in dB) and is unlikely to significantly improve public acceptance of helicopter noise. Social surveys indicate that helicopters are 10 to 15 dB more annoying than fixed wing aircraft.

There are several studies on the subject. Of note is Aviation Week's, 2015 Managing Helicopter Noise **(7)** which corroborates the above findings **(6)** but also states (pg.4) that, according "to the FAA's study of nonmilitary helicopter noise in cities, helicopters used in public service operations such as law enforcement, medical transport and firefighting, are regarded more benignly than those carrying sightseers, or executives". The Palmaz intended use belongs to the latter category.

Research is in agreement that comparing dB levels of helicopter blade slap noise to similar dB levels of other noise generating activities such as "Normal Conversation" or "Noisy Restaurant" is not an accurate way to compare annoyance levels between the two.

G) BUYER AWARENESS DISCLOSURES:

Due to the obtrusive perception of fixed-wing aircraft and especially helicopter blade slap, the California Land Use Planning Handbook **(5)** recommends Buyer Awareness Disclosures wherever there is a nearby airport/helipad with likely disturbing noise effects either by Recorded deed Notices or Real Estate Disclosure Statements (4.3.1). Similarly, the Napa County General Plan (Action CC-451), states: "The County shall use navigation easements, disclosure statements and other appropriate measures to ensure that residents and businesses within any airport influence area are informed of the presence of the airport and its potential for creating current and future noise".

H) INSUFFICIENT NOTIFICATION RADIUS:

Given the wide-reaching impact of helicopter flights, the County's required 300 foot notification radius is grossly insufficient. During the flights that took place at the Constant winery, we received calls from neighbors as far as one mile away warning of an impending helicopter approach.

In the Palmaz case, since the flight path through a sensitive area extends to two miles before it reaches a manufacturer recommended highway, the notification radius ought to be one mile at a minimum.

I) CUMULATIVE IMPACTS:

In assessing this application, the County must evaluate the approximate number of properties which potentially could accommodate private use heliports. They generally are one acre minimum with an area safe enough to perform a landing satisfying FAA safety standards.

Judging from data presented by Planning in relation to all potential winery sites in the county, one can estimate with some accuracy that the number of residential sites which could accommodate a helipad to be in the order of 10,000. While the ownership of a helicopter is expensive (the proposed EC 130 B4 proposed by Palmaz retails in excess of \$ 2 million) there are less expensive models on the market as well ones for rent. In addition, there are also several thousand wealthy enough Napa county residents who can afford one of the above qualifying alternatives.

Even more significantly, since the ownership of a helicopter is not a requirement - just the use of one is - landings by helicopters owned by operators, similar to a taxi service would be a relatively inexpensive personal use accommodation.

This is a calculation with transformative environmental implications for the entire county which this use permit needs to take into account.

J) HELICOPTER FLIGHT PROBLEMS IN OTHER COMMUNITIES:

Helicopter noise around the country as well as the UK and New Zealand is triggering massive community protests, ones not experienced regarding fixed wing aircraft. Torrance CA, Long Island's North Fork, Chicago, Los Angeles, London are setting up complaint lines for citizens to express their anger.

In the U.S., Sen. Chuck Schumer introduced restrictive legislation over Long Island (traffic in the sky requires such legislation) and in California, Sen. Diane Feinstein teamed with Rep. Adam Schiff to enact an amendment mandating the industry find solutions to the helicopter noise problem "or else".

While the county has no jurisdiction in the sky, it has jurisdiction over land use and landings. I am sure, Napa County is not willing to reach the point where it needs to set up complaint sites and address hundreds of complaints daily.

K) CONCLUDING REMARKS:

It seems that the exclusion of private use helicopters in Ordinance P04-0198 was insufficiently vetted against California Conditional Use Permit case law as shown under **(B)**.

Given the rural, quiet agricultural character of the unincorporated areas of the county, it seems impossible that any private use helicopter application can show a public benefit of any kind or that it is not detrimental to its respective neighborhood character and environment.

Such use permits will always have to be denied if these standards are taken seriously into account as they should.

It is therefore my recommendation for the BOS to revisit this Ordinance and either remove private helicopter landings from the exclusion list or outright permit them. If the ease by which approximately 3,500 petition signatures against helicopter landings at wineries were collected in 2004 is any indication, it is highly unlikely that the county residents' mood on the much less justified private use helicopter issue has changed.

Adjusting the Ordinance in either direction, will relieve applicants from incurring unnecessary expenses and save valuable Staff, Planning Commission and Board of Supervisors time in evaluating them.

In addition to the fundamental use permit requirements in denying private helicopter landings in general, the specific ones surrounding the Palmaz application, make a compelling case for its denial.

REFERENCES:

- (1) Governor's Office of Planning and Research Conditional Use Permit 1997
- (2) Inspection of Tail Boom (Cracks) EC 130 B4
- (3) Airworthiness Directives EC 130 B4
- (4) Flight Path Selection Specifications EC 130 B4
- (5) California Airport Land Use Planning Manual
- (6) The Improvement of Helicopter Noise Management in the U.K.
- (7) Aviation Week, Managing Helicopter Noise

WILDLIFE ISSUES

BIRD STRIKES

ACCIDENTS

From: [Tittel/Caloyannidis](#)
To: [Ayers, Dana](#)
Subject: USE PERMIT P 14-00261
Date: Tuesday, February 28, 2017 10:17:05 AM
Attachments: [PALMAZ - PLANNING COMMISSION HEARING.doc](#)

Dear Dana,

Attached is my comment to the Amelia Palmaz Living Trust application.

It will be followed by 4 EXHIBITS marked GC EXHIBIT 1, 2, 3 and 4 in separate emails (5 in total including this one).

Thank you,

George Caloyannidis

George Caloyannidis
2202 Diamond Mountain Road
Calistoga, CA 94515

February 28, 2017

To: Ms. Dana Ayers
Napa County Planning
1195 Third Street
Napa, CA 94559
dana.ayers@countyofnapa.org

**RE: THE AMALIA PALMAZ LIVING TRUST APPLICATION
FOR A PERSONAL USE HELIPORT USE-PERMIT # P14-00261**

The comments which follow are directed both to the findings of the FEIR and to the decision making bodies. They are not separated as they are often intertwined.

A) DEFICIENT RECORD IN THE FEIR

I have submitted a total of 21 comments including several attachments on this issue - exclusive of petitions - to the County (Cahill, Ayers and Morrison) on the following dates:

2015 : 5/19

2016 : 3/25, 1/8, 1/12, 1/17, 1/18, 1/19 (4), 1/21 (3), 2/1, 2/19 (2), 4/14, 4/29, 5/6, 5/14, 7/14, 7/25

Of these only the highlighted 3 were acknowledged and responded to in the FEIR. While the FEIR addressed many of these comments in general terms, some it did not.

Further, the FEIR has failed to acknowledge the 196 petitions within a half-mile radius of the site and the 428 from other parts of the county (the ones I have personal knowledge of) which have voiced the specific concern over the "loss of their right to peace and quiet enjoyment of their properties". While the EIR has responded to this by stating that it is a matter of opinion not material to the physical environment, I will argue that it is.

B) APPLICANT'S UNDEFINABLE IDENTITY

The FEIR refers to the applicant as "**The Amalia Palmaz Living Trust' (Palmaz or applicant)**" *who is the actual owner of record* as being the one seeking a use permit for "a private use heliport". Per Ordinance P 04-0198 such use permit is defined as one "*for noncommercial activities of an individual owner or*

family and occasional invited guests". FEIR response 178-2 states: "Personal use facilities generally have a limited number of users (in this case, solely the applicant)".

Who is the sole applicant? It is not "an individual owner or family" as specified, but a "Living Trust".

1) Since the "applicant" is not an actual person but a "Living Trust" involving undisclosed entities (individuals, partnerships, corporations) with unknown powers and duties who may have the right to enjoy the benefits and responsibility to comply with its condition, before a use permit is granted:

1.1) The Amalia Palmaz Living Trust document must be entered into the public record.

1.2) The language in Ordinance P 04-0198 must be amended allowing entities other than individual owners or their families as qualifiers.

2) Even so, Living Trusts are subject to changes over which the County has no jurisdiction so that technically, anybody subsequently named as beneficiary will be entitled to the benefits of the use permit if granted.

3) The FAA (Article 2.3530-9) requires a notification when the ownership of a parcel changes. While the entities within the Living Trust may change at the discretion of its Trustees, the title of the property does not change. This circumvents the intended FAA notification process. Neither the FAA nor the County have the power to prevent changes in a Living Trust.

Prior to granting this use permit, Napa county must develop a protocol for the disposition of a personal use helicopter landing use permit when there is a transfer of title of the property for which such use permit has been granted.

The FEIR and the decision making body must resolve the ambiguity of the "applicant's" identity, analyze its implications and consequences which may be extremely far reaching.

4) There are several duties, voluntary and otherwise which the "applicant" is being made to comply with as described in Section 2.1 of the FEIR. The FEIR is consistently using the term "the applicant" instead of "the Amalia Palmaz Living Trust" which is misleading and has serious implications. The discrepancy is obvious when one reads: "A flight log summary would be created by the applicant" as compared to: "A flight log summary would be created by the Amalia Palmaz Living Trust" as it appropriately should have.

In order for the FEIR not to be misleading, it must substitute all references to the "applicant" with the "Amalia Palmaz Living Trust". Heretofore, this writing will apply the term "Living Trust" to accurately describe the "applicant".

6) It is obvious that the number of conditions and duties the Living Trust must comply with under the terms of a use permit is impossible at that it necessitates an actual person to do so.. The problem is that such person is not the property owner of record who obtained the use permit. The only way an actual person can be the owner of the parcel is if the Living Trust conveyed the property to that person.

7) It is conceivable that the Living Trust, could convey the property to an actual person to whom the use permit is granted who then could re-conveyed the property back to the Living Trust, thus conveniently circumventing the problem and compromising County control. That person would notify the FAA for the change of title as required but since the use permit runs with the land, the County would have no jurisdiction to intervene in any way; for example requesting a CEQA review if warranted.

It is imperative for the County to carefully examine the implications and consequences if it chooses to approve a private helicopter use permit for anyone other than actual persons as the owners of record of a parcel rather than entities such as Trusts, Partnerships or Corporations over the details of which it has no knowledge or subsequent controls.

C) NONCOMMERCIAL USE

1) The FAA defines "Personal-Use Airport" as one *"limited to non-commercial activities of an individual owner or family and occasional guests"*. This definition precludes such owner from profiting from the use of the airport. However it does not prevent an outside person from profiting by its use such as vendors or taxi services picking up a family member from such a home **or airport**.

2) Just as property owners and their guests are granted the right under certain conditions (parking, garages etc) to access their property by car, they also have the right to call upon vendors, repairmen, taxi services without having to acquire a separate use permit from the County. Such activity does not violate the noncommercial clause as it is defined.

C) ENFORCEMENT

1) Though use permits run with the land and the comments above notwithstanding, the Living Trust has been made an integral part of the use permit conditions. Following are the problematic duties the County as part of its use permit conditions:

The Living Trust must:

- Operate a specified helicopter model
- Keep and file flight logs
- Avoid no fly zones
- Follow prescribed flight paths and elevations
- Operate within specified time windows
- Adhere to all FAA regulations

I have submitted extensive comments on both the County's and FAA's inability to monitor adherence to these conditions. The response is that as with all other use permit violations in the county, enforcement

is "complaint driven". As has been demonstrated by County audits, this model is ineffective in stemming winery use permit violations 40% of the time.

In the case of private use helicopter permits, it is impossible to work.

A complaint on flights which do not adhere to any of the above conditions for which the Living Trust is responsible must include one or more of the following information so as to be credible:

2) First and foremost: Identification of the helicopter.

Non compliance documentation is impossible in practice due to the height, the seconds-long timeframe between perception and recordation, and the shaded helicopter underside or darkness. Without positive identification, no complaint is credible in documenting any of the following use permit violations:

2.1) Adherence to specified number of flights and permitted flight windows.

Non compliance documentation is impossible due to the large property within which the helipad is located and the inability to prove whether any helicopter takes off or lands on that site as distinguished by one just passing by. Also due to the inaccessibility of the site, taking a photograph of the helicopter on the helipad in order to document its identity is impossible.

It is equally impossible to document whether the passengers transported are only the ones permitted.

The fact that the winery is in such close proximity makes such monitoring essential in order to prevent its use for guests to the winery which are prohibited.

2.2) Adherence to flights over no-fly zones or along specified flight corridors.

Non compliance documentation is impossible as there is no way for anyone to gage and record whether a helicopter is flying directly above or somewhat outside a no-fly or specified zone. It is equally impossible to document where the helicopter was in relation to such zone or corridor.

2.3) Adherence to flight heights.

Non compliance documentation is impossible for a person to perceive let alone record the height of a helicopter.

2.4) Justifications for deviating from prescribed flight corridors.

Non compliance documentation is impossible to document and verify the reason why the Living Trust has deviated from specified flight paths.

2.5) FAA specified safe operation.

Non compliance documentation is impossible for a person to be knowledgeable enough to ascertain, let alone record an unsafe operation.

It is obvious that the obstacles for filing a credible complaint with enough information as to initiate a meaningful investigation are insurmountable, making the complaint drive compliance model completely misleading and ineffective.

D) COUNTY'S PAST HELICOPTER ENFORCEMENT RECORD

As I have pointed out extensively in my communications 1/19/16 and 4/14/16 (omitted in the FEIR), the County has demonstrated complete inability to monitor let alone enforce the law *even after it had received fully documented complaints of continuing illegal helicopter landings* at the Constant Diamond Mountain Winery for a decade even following the passage of Ordinance P 04-0198.

The same applies to complaints filed for landings at the Rainin property on lower Diamond Mountain Road without a use permit.

The County has not put forward a credible mechanism by which it can assure the community of its ability and willingness to enforce the conditions of the use permit of this application.

The County lacks any credibility that it will monitor and effectively enforce possible violations by the "applicant".

E) RELIANCE ON RECORDS UNDER SOLE LIVING TRUST'S CONTROL

While the helipad use permit is a land use issue, the subject one contains conditions which are under the Living Trust's sole and complete control such as non use for the adjacent winery, keeping logs, filing truthful reports, switching on (or not) GPS tracking and others.

Adherence to such conditions place the County and the community in the position to rely exclusively on the Living Trust policing itself.

For such records and compliance to be credible, it is fair to factor in the Living Trust's past compliance record with building code and use permit regulations.

As the public record shows, the Palmaz family has performed egregious grading operations on their Hagen road property without permits which have caused environmental damage triggering the largest ever fine by the San Francisco Bay Water Quality Board.

- **In addition, we have been made aware of a pending complaint ("Investigative Service Request") in the public record filed by "Genesee Friends" in Plumas county (GC Exhibit 1) which asserts with ample documentation that the Palmaz family has constructed a heliport at**

its Genesee Valley Ranch APN 008-350-008 (GC Exhibit 2) with a permit obtained from the FAA but without County permit even though such permit specifically states that it does not preempt local land use regulations. This is in apparent violation of the Plumas county General Plan (GC Exhibit 3) which specifically prohibits airports.

- Said complaint also alleges that the Palmaz family has constructed a building the use of which was applied for and permitted for "agricultural purposes" the use of which it has now converted to a helicopter hangar.

It must be noted that Plumas County has the matter under consideration.

In consideration of the above, it seems that without reliable independent verification of the Palmaz family's compliance with the terms of this use permit as it is required to do, the County would be doing a disservice to the community.

F) ANNOYANCE AND STRESS AS PHYSICAL FACTORS

F.1 NOISE

The FEIR has dismissed public objection to the noise generated and risks involved by a personal use helicopter and the inability of people on the ground "**to enjoy the peace and quiet of their property**" as submitted through my by **196** immediate neighbor petitions (an astonishing percentage) and **428** further away. It has deemed the nature of the objection to be "*personal opinion which does not affect the physical environment*".

It is widely accepted science that stress is a major contributing factor to a variety of disorders and serious ailments including heart disease and cancer. In as much, stress is detrimental to the health and well being of residents and thus affects the physical environment.

PERSONAL EXPERIENCE

- *Our family's and our neighbors' experience with the illegal helipad at the Constant Diamond Mountain Winery (elevation 2,050 feet) during the application process and the subsequent monitoring and recording of their illegal flights after the application was preempted by Ordinance, was horrifying and lasted for an entire decade until Mr. Constant's illness and death.*
- *We were all under constant alert whenever we heard **any** helicopter flying in the sky trying to discern whether it would land at that property. This stress was not just limited to the 5-6 minutes of a landing or takeoff or the seconds-long over flight which is the impact the FEIR evaluated.*
- *Whenever any neighbors heard a helicopter, they would all call the one neighbor (Ebiner) who was able to have a view of the helipad to take a picture of the helicopter to forward to the County after having to fight his way through 200 feet of brush. Then if we were lucky, the County would send an occasional letter of warning with no follow up.*

- ***Being on edge around the clock was a constant annoyance and stress for us and our surrounding neighbors. The state of continuous vigilance and alert was not limited to the direct noise generated by the helicopter and it will not for the Hagen Road community either.***

The huge attendance at the Scoping Hearing - more than likely to be repeated at the Planning Commission hearing - is proof that people are already stressed at the prospect of the annoying noise for which they feel no justification but also as they worry over the decreasing value of their homes.

The fact that the FEIR evaluated only the small duration of an incident as disturbance which it claims to mitigate to a "less than significant" level does not recognize the around the clock status of alert and stress under which neighbors have to live in trying to monitor compliance as the County expects them to do.

I had submitted in the record the science studies on Noise on 1/17, 1/18 (Waddington 9th International Congress on Noise), 1/19 (voluminous Salford U.K. and DEFRA), 1/19 (Aviation Week) 5/6/16, 1/20/16 and 5/6/16 none of which were acknowledged by the FEIR.

There is wide consensus that the effects of helicopter generated noise may not be adequately addressed by solely assessing compliance with community permitted noise standards. As laid out in the above referenced research studies, helicopter noise is particularly annoying.

While residents are willing to accept emergency or beneficial to the community helicopter noise, they are particularly annoyed when they see no justification or public benefit for it. In this particular case, the convenience and pleasure rides of a family are not perceived as valid justification.

Whether the FEIR reconsiders its findings on noise mitigated to less than significant levels or not, it is imperative for the decision making body to familiarize itself with the prevailing science on the resulting stress, health and risks inflicted upon the community on the ground.

F.2 ACCIDENT RISK

On 1/21/16 I submitted comments along with statistics on civil helicopter accidents (Aviation Safety Network and U.S. Civil Helicopter Trends) and on 1/19/16 risks and statistics on bird strikes (Aviation Week). None were acknowledged in the FEIR.

The FEIR's general response on helicopter accident risks is that all modes of transportation carry a risk. However, while fixed wing aircraft have a 0.175 per 100,000 hours accident incidents, helicopters have a 7.5 incident. This is a huge difference which weighs on the conscience of and affects the well being of the community.

Furthermore, bird populations, especially the species which are abundantly present in the immediate vicinity are in the increase some more than 5-fold (Aviation Week). Helicopter accidents due to bird strikes are very common.

Finally, accidents within 1 mile from a heliport are disproportionately high in comparison to the ensuing flight.

Increased actual accident risk, even the mere perception of it (California Airport Land Use Planning Handbook) are two more factors contributing to stress placing the physical environment, life and property at higher risk as well as the physical well being - due to increased stress - of the community below.

The FEIR has made no attempt to mitigate neither the helicopter-generic nor the site-specific risk of the application.

G) CUMULATIVE IMPACTS (ALSO: GH EXHIBIT 4)

CEQA Mandatory Findings 15065(a)(3) define impacts to be cumulatively considerable when the *"incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects and the effects of **future probable projects**"*.

While the EIR argues that there are no past and present projects, it dismisses the impacts of *"**future probable projects**"* as speculative.

How speculative is the prospect of the proliferation of private use helicopter applications?

To my knowledge, there are helipads and helicopter flights at two properties on Diamond Mountain and one each on Hennessey Ridge, Pritchard Hill, Soda Canyon, Atlas Peak and Tubbs Lane, all operating without use permits. We have circumstantial evidence that there are many more which the FEIR or the County could easily identify with over flights.

Though a through FEIR ought to have done so in the interest of a complete record, it chose not to.

Considering the fact that parcels in Napa county typically consist of several acres both on the valley floor and the hills, easily satisfying FAA safety rules, and considering the huge number of highly wealthy people who own them, It is not speculative to anticipate that a flurry of similar applications will follow on the heels of this particular application if approved.

In addition, one must consider that the cost of owning a helicopter is not an overwhelming obstacle as rentals and commercial helicopter taxi services are available (Uber in Aspen) which still qualify in the sense that they provide a personal service.

This was the line of thought of the Supervisors which compelled them to deny the Constant application and subsequently close the door in 2004 by creating Ordinance P 04-0198 which prohibits helicopter landings at wineries. If this was not" speculative then", it should not be now.

H) PUBLIC PURPOSE FOR USE PERMITS (ALSO: GC EXHIBIT 4)

My comment dated 5/19/15 (not acknowledged in the FEIR) cites the following case law governing use permits contained in the 1997 Governor's Office Conditional Use Permit Manual (also previously placed into the record):

Hawkins v. County of Marin, Snow v. City of Garden Grove, O'Hagen v. Board of Zoning Adjustment, all decided by the California Appeals Court and summarily echoing *Upton v. Gray* in substance which opined that a use permit must find that **"the proposed use is in the best interest of public convenience and necessity and will not be contrary to the public health, morals, or welfare"**.

During the Supervisors' deliberations prior to enacting Ordinance P 04-0198 in 2004, Supervisors Dodd and Luce - following case law - argued that flying helicopters at wineries might benefit the economy. In the end, concerns over the potential negative cumulative environmental impacts outweighed such benefits. In hindsight, the Napa valley's economy did just fine without winery helicopter visits at wineries.

The deciding body must find that this application if approved, benefits only the convenience of a single family (Living Trust) at the cost of causing harm, increasing risk and placing an undue burden on an entire community with precedent-setting potential harm on the entire Napa valley.

At the same time the ten-mile drive to a public airport does not place an undue burden on said family (Living Trust).

The granting of this use permit is not "in the best interest of public convenience and necessity".

NOTE: Due to volume, GC EXHIBITS 1,2,3 and 4 will be electronically submitted by separate emails.



PLUMAS COUNTY CODE ENFORCEMENT

555 Main Street
Quincy, CA 95971

voice

fax

www.plumascounty.us

Investigative Service Request Form (Complaint Form)

Important Note: Complete and accurate information, including complainant's signature, is required. Incomplete or insufficient information may delay or stop this investigation.

Name of Violator: Genesee Valley Ranch

Street Address of Violation: 4130 Genesee Rd, or 3791 Beckworth Genesee Rd, or 1172 Beckwourth G. Rd.

City/Town: Taylorville, CA. 95983 Assessor's Parcel Number: 008-350-008

Complaint Types. Check categories that apply **AND** include written remarks at the bottom

- Grading or diversion of water flows without permit
- Building a structure without a permit (*does not apply to a structure exempted from building permit requirements*)
- Unsafe dwelling, dangerous building
- Lack of final inspection, using an unfinished or non-approved building
- Other dangerous or unpermitted construction without permits (specify)
- Two or more dwelling units in single-family zoning
- Home occupation – commercial uses in a residential zoning district
- Non-compliance with commercial site plan
- Living in a travel trailer
- Site development, setback violations (*easement issues are considered civil matters-not enforced by Code Enforcement*)
- Other zoning or planning violation (explain below)
(NOTE: CC&R requirements are civil matters-not enforced by Code Enforcement)
- Septic system, none present or surfacing (circle one)
- Water well violations, lack of water, or maintenance required that endangers water potability
- Solid waste accumulation, trash, and items that attract rodents or insects on private property
- Health related – restaurants, food outlets, public pools, and consumer protection issues
- Hazardous materials – material spills, toxic storage, underground tanks
- Abandoned, wrecked, dismantled autos and parts on private property
- Junkyard, auto dismantling, or accumulation of other material for storage and/or sale
- Other

DESCRIBE THE VIOLATION: (Specific details required. Use separate sheet(s) if necessary)

See attached.

Records of complaints are considered "acquired in confidence" consistent with Section 1040 of the Evidence Code and Section 6254 of the Government Code.

I request that my identity as complainant be kept confidential. In submitting this complaint, I understand that the County or a court may determine that the disclosure of my name as the person filing this complaint or that the release of this form to the public is legally required.

I do not request that my identity as the complainant be kept confidential.

* Reporting Party's Name: Genesee Friends

* Mailing Address: _____

Physical Address: _____

* Phone: _____ Alternate Phone: _____

Email address: _____

* Signature: _____

* Contact required information - complaint cannot be processed without this information

DESCRIPTION OF VIOLATION

A building permit was issued by the Plumas County Building Department for a storage facility/agricultural building in Genesee Valley. The Palmaz family has constructed and is utilizing the permit location as a heliport.

This use of the facility/building as a heliport is documented in the attached photographs, taken August 12, 15, and 16, 2016 (exhibits 1,2,3,4, and 5). The FAA registry number of this Bell 429 helicopter is N665PV. The attached aircraft registry identifies the registered owner as Cedar Knoll Vineyards, Inc. DBA Palmaz Vineyards (exhibit 6).

According to County planning staff, no request has been received by the County for a Special Use Permit in this matter.

While property owners applied to the Building Department for a storage facility/agriculture building, their request to the Federal Aviation Administration (FAA) on January 8, 2016 was for a heliport. FAA form 7480-1, submitted by Amalia Palmaz, is attached (exhibit 7).

The Plumas County General Plan identifies Genesee Valley as an area where no airport construction is to be permitted. According to the Federal Aviation Administration, a heliport is an airport. The FAA definition of an airport is attached (exhibit 8).

Attachments:

- Exhibit 1 photo: Palmaz helicopter arriving at heliport – August 12, 2016
- Exhibit 2 photo: Painting the storage barn-August 15, 2016
- Exhibit 3 photo: Palmaz helicopter just outside heliport/building – August 16, 2016
- Exhibit 4 photo: Palmaz helicopter about to take off from helipad – August 16, 2016
- Exhibit 5 photo: Palmaz helicopter N-number at heliport – August 16, 2016
- Exhibit 6: FAA Registry
- Exhibit 7: FAA Form 7480-1, Notice for Construction, Alteration and Deactivation of Airports
- Exhibit 8: FAA definition of airport



Exhibit 1



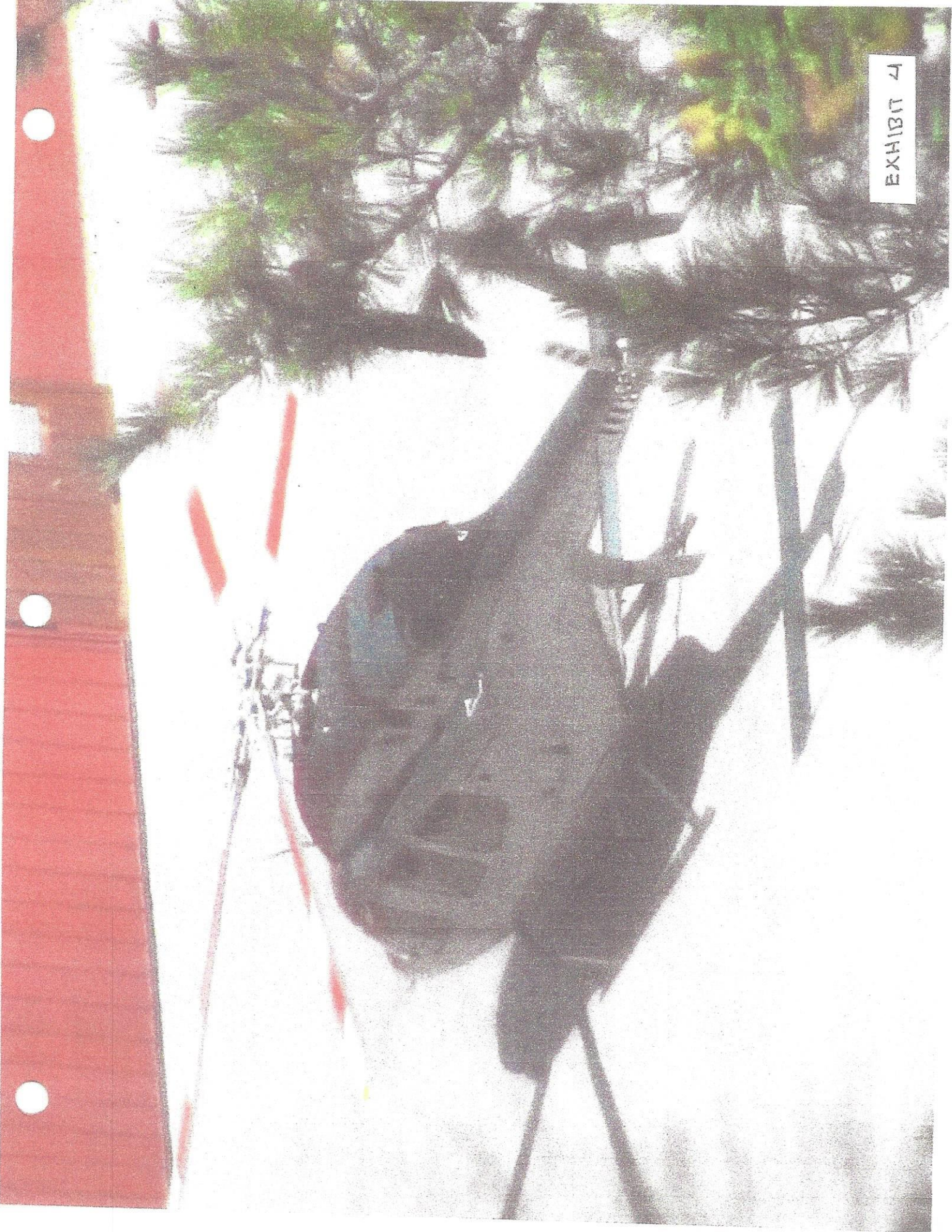
EXHIBIT 2



EXHIBIT 3



EXHIBIT 4



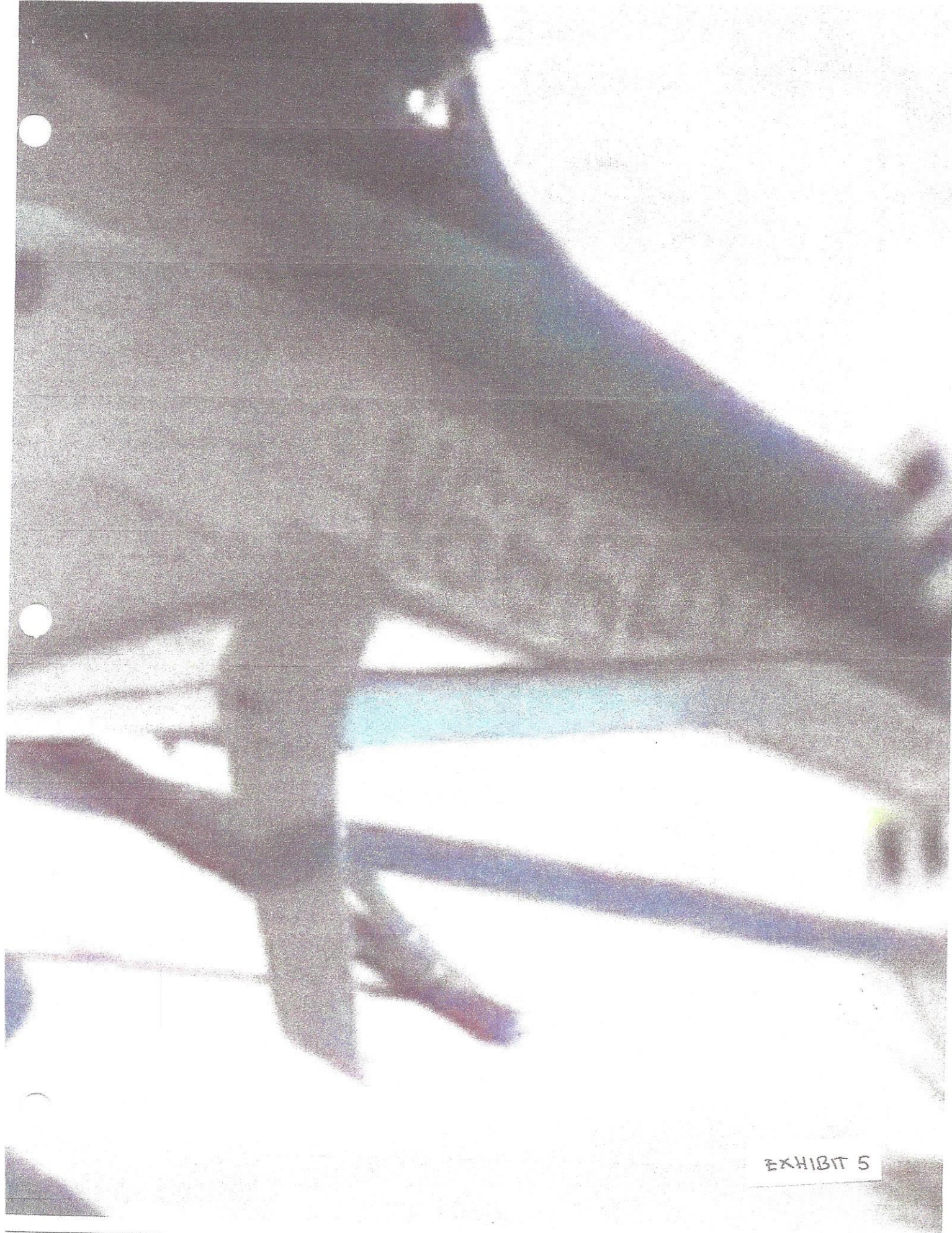


EXHIBIT 5

**Aircraft
Inquiries**

FAA REGISTRY

N-Number Inq

- N-number
- Serial Number
- Name
- Make / Model
- Engine Reference
- Dealer
- Document Index
- State and County
- Territory and Country
- Pending / Expired /
Canceled Registration
Reports
- Recent Registration
- N-number Availability
- Request A Reserved
N-Number**
Online
- In Writing
- Reserved
N-Number Renewal**
Online
- Request for Aircraft
Records**
Online
- Help**
Main Menu
- Aircraft Registration
- Aircraft Downloadable
Database
- Definitions
- N-Number Format
- Registrations at Risk
- Contact Aircraft
Registration

N665PV is Assigned

Data Updated each Federa



Aircraft De

Serial Number 57271

Manufacturer Name BELL HELICOPTER TEXTRON CANADA

Model 429

Type Aircraft Rotorcraft

Pending Number Change None

Date Change Authorized None

MFR Year 2015

Type Registration Corporation

Registere

Name CEDAR KNOLL VINEYARDS INC DBA PALMAZ VINEYARDS

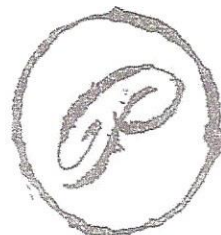
Street 4029 HAGEN RD

City NAPA

County NAPA

Country UNITED STATES

Ainwortl



January 8, 2016

Mr. James Lomen
Manager
San Francisco Airports District Office
Federal Aviation Administration
1000 Marina Blvd., Suite 220
Brisbane, CA. 94005

Dear Mr. Lomen:

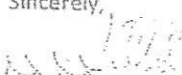
Please find enclosed FAA Form 7480-1 ("Notice for Construction, Alteration and Deactivation of Airports") regarding a proposed new helicopter landing area (Palmaz Ranch Heliport) in Plumas County, California.

The proposed helicopter landing site will be utilized for non-commercial purposes as a "Private" Heliport ("Prior Permission Required") during "Day" and "Night" VFR weather conditions.

After reviewing the enclosed FAA Form 7480-1 and the supporting enclosures, please contact Mr. Arthur J. Negrette at (916) 444-2090 [mobile (916) 705-3333] or via e-mail at ajnegrette@yahoo.com if additional information or clarification is required.

We look forward to your timely review and a favorable "Airspace Determination" for the proposed helicopter landing area.

Sincerely,


Amalia Palmaz
Manager
Oak Court Palmaz, Ltd.

Enclosures: (1) FAA Form 7480-1; (2) "Topo" Location Map for "Palmaz Ranch Heliport"; and (3) Proposed Primary & Secondary Flight Tracks.



Federal Aviation Administration
 1000 Marina Boulevard, Suite 220
 Brisbane, CA 94005-1835

San Francisco Airports District Office

March 10, 2016

TO:

Oak Court Palmaz, Ltd
 Attn: Amalia Palmaz, Manager
 4130 Genesee Road
 Taylorsville, CA 95983
 christian@palmazvineyards.com

RE: (See attached Table 1 for referenced case(s))
 THIS IS NOT A FINAL DETERMINATION LETTER

The Federal Aviation Administration has received your notice concerning:

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2016-AWP-407-NRA		Taylorsville, CA	40-02-11.72N	120-45-48.51W	0	3760

Description: Construction and establishment of Heliport. Landing area is Pavement. TLOF is 40 feet by 40 feet. FATO is 65 feet by 65 feet. Ingress/Egress is 170 degrees. Landing area will be utilized for non-commercial purposes. Private use, during day and night VFR weather conditions.

NOTE: If the coordinates of your notice were submitted in NAD 27 datum, they have been converted to NAD 83 datum as shown above. NAD 83 datum will be referenced on all future correspondence and will be used for the purpose of this study.

Your notice has been assigned Aeronautical Study Number 2016-AWP-407-NRA and we are in the process of conducting an aeronautical study to determine the effect on air navigation. A determination or response will be forthcoming.

Please inform involved consultants of this correspondence.

If you have any questions, please contact Neil Kumar, (650) 827-7627 Neil.Kumar@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-AWP-407-NRA.

ORIGINAL SIGNED BY

Neil Kumar
 ADO



Federal Aviation Administration
 1000 Marina Boulevard, Suite 220
 Brisbane, CA 94003-1835

San Francisco Airports District Office

May 06, 2016

TO:
 Oak Court Palmaz, Ltd
 Attn: Amalia Palmaz, Manager
 4130 Genesee Road
 Taylorsville, CA 95983
 christian@palmazvineyards.com

**NOTICE OF HELIPORT AIRSPACE ANALYSIS DETERMINATION
 ESTABLISH PRIVATE USE HELIPORT
 CONDITIONAL NO OBJECTION**

The Federal Aviation Administration (FAA) has conducted an aeronautical study under the provisions of Title 14 of the Code of Federal Regulations, Part 157, concerning:

RE: (See attached Table 1 for referenced case(s))

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Heliport Name	Description	Location	Latitude (NAD83)	Longitude (NAD83)	Heliport Elevation (feet)
2016-AWP-407-NRA		PALMAZ RANCH HELIPORT	Construction and establishment of Heliport. Landing area is Pavement. TLOF is 40 feet by 40 feet. FATO is 65 feet by 65 feet. Ingress/Egress is 170 degrees. Landing area will be utilized for non-commercial purposes. Private use, during day and night VFR weather conditions.	Taylorsville, CA	40-02-11.72N	120-45-48.51W	3760

We have completed an airspace analysis to establish the subject private use heliport. As studied, the location is approximately 4 nautical miles SE of Taylorsville, CA.

Our aeronautical study has determined that the private use heliport will not adversely affect the safe and efficient use of airspace by aircraft provided the following conditions are met and maintained. Reference FAA Advisory Circular (AC) 150/5390-2, Heliport Design (Current version).

All helicopter approach/departure operations are conducted in the area of 265 degrees clockwise to 165 degrees using the helipad as the reference point. All operations are conducted in VMC conditions. The landing area is limited to private use. A wind indicator is maintained adjacent to the takeoff/landing area, clear of the

ingress/egress routes. The landing area is constructed in accordance with AC 150/5390-2C. A post construction evaluation is conducted by Flight Standards prior to operational use.

This determination does not mean FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of the navigable airspace by aircraft and with respect to the safety of persons and property on the ground. In making the determination, the FAA has considered matters such as the effect the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA) and known natural objects within the affected area would have on the heliport proposal.

The FAA cannot prevent the construction of structures near a heliport. The heliport environment can only be protected through such means as local zoning ordinances or acquisitions of property in fee title or aviation easements, letters of agreement, or other means. This determination in no way preempts or waives any ordinances, laws, or regulations of any government body or agency.

Please complete, sign, date, and return the enclosed Airport Master Record 5010 Form. Instructions for completing the form can be found online at <https://www.faa.gov>, in AC 150/5200-35A, "Submitting the Airport Master Record in Order to Activate a New Airport". This action will ensure your heliport is activated.

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until 05/06/2017. Should the airport not be established and the Airport Master Record 5010-5 Form not returned by 05/06/2017, an extension of our determination should be requested in writing by 04/06/2017. Should you not elect to establish the airport, please notify the FAA in writing by 04/06/2017.

If you have any questions concerning this determination or completion of the Airport Master Record form, please contact me at Neil.Kumar@faa.gov or at (650) 827-7627.

Sincerely,

Neil Kumar

ADO

Attachment: Airport Master Record 5010 Form

2016-AWP-407-NRA

NOTICE FOR CONSTRUCTION, ALTERATION AND DEACTIVATION OF AIRPORTS

A. Airport Owner <input checked="" type="checkbox"/> Check if this is also the Property Owner 1. Name and Address <input checked="" type="checkbox"/> Check if this is the Airport's Physical Address Oak Court Palmaz, Ltd 4130 Genesee Road Taylorsville, CA, 95983		B. Airport Manager (Complete if different than the Airport Owner) 1. Name and Address <input checked="" type="checkbox"/> Check if this is the Airport's Physical Address Amalia Palmaz Manager, Oak Court Palmaz, Ltd 4130 Genesee Road, Taylorsville, CA, 95983																																			
2. Phone: (707) 287-7397 3. Email: christian@palmazvineyards.com		2. Phone: _____ 3. Email: _____																																			
C. Purpose of Notification (Answer all questions that apply)		D. Name, Location, Use and Type of Landing Area																																			
1. Construct or Establish an: <input checked="" type="checkbox"/> Airport <input type="checkbox"/> Ultralight Flightpark <input type="checkbox"/> Balloonport <input type="checkbox"/> Heliport <input type="checkbox"/> Seaplane Base <input type="checkbox"/> Other		1. Name of Landing Area: Palmaz Ranch Heliport 2. Loc ID (if existing): _____																																			
2. Construct, Alter or Realign a: <input checked="" type="checkbox"/> Runway <input checked="" type="checkbox"/> Helipad(s) <input type="checkbox"/> Other <input type="checkbox"/> Taxiway (Public Use Airports only)		3. Associated City and State: Taylorsville, California 4. Distance from City: _____ (mi)																																			
3. Change Status From/To: <input checked="" type="checkbox"/> VFR to IFR <input type="checkbox"/> IFR to VFR <input type="checkbox"/> Private Use to Public Use <input type="checkbox"/> Public Use to Other		5. County (Physical Location): Plumas, California 6. Direction from City: Southeast																																			
4. Change Traffic Pattern: <input type="checkbox"/> Direction: _____ <input type="checkbox"/> Altitude: _____ <input type="checkbox"/> Other (Describe Below)		7. Latitude: 40° 2' 11.7200" 8. Longitude: 120° 45' 48.5100" 9. Elevation: 3,780																																			
5. Deactivates: <input type="checkbox"/> Airport <input type="checkbox"/> RWY _____ <input type="checkbox"/> Fwy _____		10. Current Use: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Public <input type="checkbox"/> Private Use of Public Lands																																			
6. Description: _____		11. Ownership: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Public <input type="checkbox"/> Military (Specify) _____																																			
		12. Airport Type: <input type="checkbox"/> Airport <input type="checkbox"/> Ultralight Flightpark <input type="checkbox"/> Balloonport <input checked="" type="checkbox"/> Heliport <input type="checkbox"/> Seaplane Base <input type="checkbox"/> Other																																			
E. Landing Area Data (List any Proposed, New or Unregistered Runways, Helipads, etc.)																																					
1. Airport, Seaplane Base or Ultralight Flightpark (use second page if needed)		2. Heliport, Balloonport or other Landing Area (use second page if needed)																																			
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>RWY ID</th> <th>Lat & Long</th> <th>Surface Type</th> <th>Length (feet)</th> <th>Width (feet)</th> <th>Lighting (if any)</th> <th>Right Traffic (%)</th> <th>Elevation (AMSL)</th> <th>VFR or IFR</th> </tr> <tr> <td>/</td> <td>Show on attachment(s)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Show on attachment(s)</td> <td></td> </tr> </table>	RWY ID	Lat & Long	Surface Type	Length (feet)	Width (feet)	Lighting (if any)	Right Traffic (%)	Elevation (AMSL)	VFR or IFR	/	Show on attachment(s)						Show on attachment(s)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Helipad ID</th> <th>Lat & Long</th> <th>Surface Type</th> <th>FLOF Dimensions</th> <th>FATO Dimensions</th> <th>Lighting (if any)</th> <th>Ingress/Egress (Degrees)</th> <th>Elevation (AMSL)</th> <th>Elevated Height (AGL)</th> </tr> <tr> <td></td> <td>Show on attachment(s)</td> <td>Pavement</td> <td>40' x 40'</td> <td>65' x 65'</td> <td>Perimeter</td> <td>170</td> <td>Show on attachment(s)</td> <td>0</td> </tr> </table>	Helipad ID	Lat & Long	Surface Type	FLOF Dimensions	FATO Dimensions	Lighting (if any)	Ingress/Egress (Degrees)	Elevation (AMSL)	Elevated Height (AGL)		Show on attachment(s)	Pavement	40' x 40'	65' x 65'	Perimeter	170	Show on attachment(s)	0
RWY ID	Lat & Long	Surface Type	Length (feet)	Width (feet)	Lighting (if any)	Right Traffic (%)	Elevation (AMSL)	VFR or IFR																													
/	Show on attachment(s)						Show on attachment(s)																														
Helipad ID	Lat & Long	Surface Type	FLOF Dimensions	FATO Dimensions	Lighting (if any)	Ingress/Egress (Degrees)	Elevation (AMSL)	Elevated Height (AGL)																													
	Show on attachment(s)	Pavement	40' x 40'	65' x 65'	Perimeter	170	Show on attachment(s)	0																													
F. Operational Data (Indicate if the number provided is Actual or Estimated)																																					
	1. Number of Based Aircraft		2. Average Number of Monthly Landings																																		
	Present or Estimated	Estimated in 5 Years	Present or Estimated	Estimated in 5 Years																																	
Single Engine	0	0	0	0																																	
Multi Engine	0	0	0	0																																	
Jet	0	0	0	0																																	
Helicopter	0	0	0	0																																	
Glider	0	0	0	16																																	
Military	0	0	0	0																																	
Ultralight	0	0	0	0																																	
3. What is the Most Demanding Aircraft that operates or will operate at the Airport? (Provide approach speed, rotor diameter, etc. if known)																																					
4. Are IFR Procedures for the Airport Anticipated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Within _____ Years																																					
G. CERTIFICATION: I hereby certify that all of the above statements made by me are true and complete to the best of my knowledge																																					
1. Name, title of person filing this notice (type or print) Amalia Palmaz Manager, Oak Court Palmaz, Ltd		2. Signature (in ink): _____ 3. Date: _____ 4. Phone: (707) 228-5597 5. Email: christian@palmazvineyards.com																																			

FAA Federal Aviation Regulations (FARS, 14 CFR)

FARS > Part 1 > Section 1 - General definitions

As used in Subchapters A through K of this chapter, unless the context requires otherwise:

Administrator means the Federal Aviation Administrator or any person to whom he has delegated his authority in the matter concerned.

Aerodynamic coefficients means non-dimensional coefficients for aerodynamic forces and moments.

Air carrier means a person who undertakes directly by lease, or other arrangement, to engage in air transportation.

Air commerce means interstate, overseas, or foreign air commerce or the transportation of mail by aircraft or any operation or navigation of aircraft within the limits of any Federal airway or any operation or navigation of aircraft which directly affects, or which may endanger safety in, interstate, overseas, or foreign air commerce.

★ *Aircraft* means a device that is used or intended to be used for flight in the air.

Aircraft engine means an engine that is used or intended to be used for propelling aircraft. It includes turbosuperchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers.

Airframe means the fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces (including rotors but excluding propellers and rotating airfoils of engines), and landing gear of an aircraft and their accessories and controls.

Airplane means an engine-driven fixed-wing aircraft heavier than air, that is supported in flight by the dynamic reaction of the air against its wings.

★ *Airport* means an area of land or water that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities, if any.

Airship means an engine-driven lighter-than-air aircraft that can be steered.

Air traffic means aircraft operating in the air or on an airport surface, exclusive of loading ramps and parking areas.

Air traffic clearance means an authorization by air traffic control, for the purpose of preventing collision between known aircraft, for an aircraft to proceed under specified traffic conditions within controlled airspace.

Air traffic control means a service operated by appropriate authority to promote the safe, orderly, and expeditious flow of air traffic.

Air Traffic Service (ATS) route is a specified route designated for channeling the flow of traffic as necessary for the provision of air traffic services. The term "ATS route" refers to a variety of airways, including jet routes, area navigation (RNAV) routes, and arrival and departure routes. An ATS route is defined by route specifications, which may include:

- (1) An ATS route designator;
- (2) The path to or from significant points;
- (3) Distance between significant points;
- (4) Reporting requirements; and
- (5) The lowest safe altitude determined by the appropriate authority.

Air transportation means interstate, overseas, or foreign air transportation or the transportation of mail by aircraft.

PLUMAS COUNTY GENERAL PLAN

APPENDIX V

SPECIAL MANAGEMENT AREAS

GENESEE VALLEY SPECIAL MANAGEMENT AREA

Establish the Genesee Valley Special Management Area to identify areas of special concern to the residents of Genesee Valley and to develop more specific goals, diagram directives, and land use managements for such areas which better reflect the values of the Genesee Valley Community.

CONSTRAINTS

NATURAL RESOURCES

Provide special management and development opportunities while preserving for continued utilization the natural resources of Genesee Valley on a valley-wide basis.

SENSITIVE WATER AREA (LAKES, RIVERS AND STREAMS)

Diagram Directive

Identify all "sensitive water areas" which shall include recreation water areas, important fish and wildlife habitat, springs, domestic wells, seasonal drainages, riparian areas, wetlands, and ground water recharge areas, and all surface waters and watersheds which are sources of water supplies. Identify streams, streamside areas, and other wetlands in deteriorating condition and set priorities for restoration. Identify faults and other geologic features through which ground water might be contaminated or groundwater and surface water recharge potential could be diminished.

Land Use Management

Require soil stability, dynamic stream stability and erosion control evaluation and runoff, infiltration and drainage evaluation, and wetland identification for all developments with the potential for five or more parcels so as to ensure maintenance of water quality and fish and wildlife habitat. Limit disturbance in sensitive water areas according to ground slope and stability, stream class channel stability, fishery, and wildlife. Maintain water quality by precluding degradation. Require on site rehabilitation of deteriorating watersheds to reduce sedimentation and channel erosion. Require improvement of riparian vegetation which is in unsatisfactory condition. Encourage programs which limit disturbance in sensitive water areas, which inventory sensitive water areas and which improve riparian vegetation which is in unsatisfactory condition.

Limit the density and intensity of development in areas of faults and other geologic features through which groundwater might be contaminated or groundwater and surface water recharge potential could be diminished.

Ensure that mining operations shall respect and protect the integrity of the sensitive water area.

SENSITIVE WATER AREAS - CRITICAL WATER SUPPLIES

Diagram Directive

Identify known "critical water supplies." The designation of critical water shall be based on an existing or potential overdraft or contamination of groundwaters OR significant impairment of

existing beneficial use of ground water fed surface waters. Critical water supplies include subsurface and surface waters.

Land Use Management

Encourage the formation of a Ground Water Management District:

- (a) To determine the long term sustainable ground water rates and recharge patterns of the hydrologic basins.
- (b) To determine the effect of activities on water quality and quantity for existing and projected beneficial uses of critical ground and surface water supplies.
- (c) To determine what long-term monitoring and mitigation plans and measures are needed as conditions.
- (d) To determine if the cumulative effects of development in the area will overdraft the groundwater or foreclose other beneficial development opportunities which are in the public interest, based on compatibility with the General Plan. The required studies shall be prepared by or under the supervision of a California registered geologist or by a qualified engineer or hydrologist.

SOILS

Diagram Directives

Identify unstable slopes and "sensitive" soils areas. Sensitive soils areas shall be designated on the bases of erosion potential, saturation potentiality, high groundwater levels, and lack of suitability for septic tank usage where community sewers are not available.

Land Use Management

Limit the intensity and density of development on unstable slopes and sensitive soil areas to the levels needed to eliminate hazards to public health and safety. Permit density transfer as a means of limiting the intensity of development on unstable slopes and sensitive soil areas. In areas of oversteepened slopes of more than 60%, areas of low effective ground cover density, areas with soils with the potential to be unstable when saturated and areas of very high erosion potential or having high risk of landslide, expose no more than 5% of the areas to bare mineral soil per decade. Modify these disturbance limits upon specialist recommendation, as determined by the Planning Department, on a case by case basis with funds provided to the County by the project proponent. Recommendations shall address the maximum area of soil exposure allowable, and needed measures to eliminate hazards to public health and safety while maintaining effective organic ground cover for resource protection and minimizing erosion. Recommendations shall include measures and procedures for restoration of any deteriorated areas and mitigative standards for roads, skidtrails, landings, and other facilities for developments. Analyze on an affected area basis, not only on project areas and mitigate on site. Cooperate with other agencies and private land owners in long-range watershed planning. Use an interdisciplinary approach.

WILDLIFE

Diagram Directive

Identify significant wetlands. Identify roadless areas. Identify old growth mixed conifer forests. Identify significant riparian woodland and meadowland communities. Identify prime habitat for rare and endangered plant and animal species.

Land Use Management - Important Wildlife Habitat Areas

Cooperate with state and federal land and wildlife management agencies, and with private interests, in preserving prime habitat for rare and endangered plant and animal species. Encourage enhancement of prime habitat for rare and endangered plant and animal species through state, federal, and private land and wildlife management programs. Permit density transfer from prime habitat for rare and endangered plant and animal species.

Maintain the Blacktail deer winter range and critical winter habitat.

Preserve remaining old growth stands for protection of old growth dependent species.

Prohibit development and mining of roadless areas.

Prohibit development in old growth mixed conifer forests and significant riparian woodland and meadowland communities. Permit density transfer from old growth mixed conifer forests and significant riparian woodland and meadowland communities.

Commercial uses which would otherwise be permitted uses shall be permitted subject to Special Use Permit.

Require analysis of the effect of the use on wildlife habitat and incorporation of all necessary mitigations into project design.

Land Use Management - Important Wildlife Migration Routes

Commercial uses which would otherwise be permitted uses shall be permitted subject to a special use permit. Require analysis of the effect of the use on important wildlife migration route and require mitigation of all significant adverse effects.

Land Use Management - Significant Wetlands

Maintain or enhance wet meadow/willow habitat for Threatened and Endangered Species and improve waterfowl habitat. Require on-site analysis of wet meadow and willow habitat and incorporation of maintenance and enhancement measures into project design to improve capability for Threatened and Endangered Species habitat and to improve waterfowl habitat.

Prohibit mining activities in significant wetlands.

RESOURCE PRODUCTION

AGRICULTURAL PRODUCTION AREAS

Land Use Management

Prohibit density transfers in Agricultural Buffer areas.

To preserve agricultural lands for the long-term economic and environmental well being of the community and for the scenic enjoyment of visitors and tourists, encourage the voluntary formation of land trusts and the use of conservation easements. Uses protected by land trusts and conservation easements shall include those set forth in Sections 51075 (a) and 65560 of the Government Code, which are:

- (1) Preservation of natural resources, including plant and animal life, fish and wildlife habitat, ecological study areas, river and bays, coastline and watersheds;
- (2) Managed production of resources, including forest, range, agricultural resources, commercial fisheries, and ground water recharge areas;
- (3) Outdoor recreation, including the pursuit of outstanding scenic, historic or cultural values, the use of parks, river and shoreline access, and scenic highway corridors;
- (4) Public health and safety, including special management to regulate hazardous conditions posed by flood plains, earthquake faults, and unstable soil and to protect and enhance air and water quality.

MINING

Mining in the Genesee Valley Special Management Area is part of the historic character of Genesee Valley. Historic operations have existed in the Ward Creek area, the Little Grizzly Creek area, and the Hinchman Ravine area to name a few. Today, the remnants of abandoned operations exemplify the colorful, boom-bust history of local mining. Historic mining sites also attest to the duration of the destructive legacy of past mining such as the copper pollution from Walker Mine and tailings. Environmental degradation caused by mining debris, tailing piles, acid mine drainage, abandoned roads, landings, structures, and equipment is still evident in Genesee Valley.

Diagram Directive

Encourage preservation of examples of historic mining where they are not causing adverse environmental impacts.

PROPOSED NEW MINING SITES SUBJECT TO SMARA

New surface mining operations shall be permitted when their environmental effects are mitigated to a level of insignificance. Mining operations and practices shall not significantly alter the topography of Genesee Valley. Mining operations shall mitigate effects on visual quality, water

quality and quantity, wildlife, air, noise, traffic, aesthetic values, and other natural resource uses like timber, agricultural, and recreation during mining activities and after mining activities cease. The proposed mining operation shall be described in an overall project operation and reclamation plan and annual plans of operation and reclamation. The annual overall project and operation and reclamation plans must include the present and future costs of (1) the operation by activity, (2) the identification and mitigation of environmental impacts, (3) monitoring by activity, (4) ongoing and post project reclamation by activity, and (5) interim idle periods.

Gravel extraction operations shall comply with the Surface Mining and Reclamation Act and shall be coordinated with local Coordinated Resource Management stream channel restoration efforts.

HYDRAULIC FORCES OF WATER

Land Use Management

Permit hydroelectric generation facilities through a Special Use Permit. The Special Use Permit shall impose conditions of approval necessary to mitigate adverse environmental and social impacts.

Establishment of hydroelectric generation facilities must respect and protect the integrity of the opportunity and constraint areas where it is established. Scenic standards shall be considered paramount.

Allow the establishment of hydroelectric facilities where such will not adversely alter off-site historical flood patterns.

SAFETY

GEOLOGIC HAZARDS

Land Use Management

Limit the density and intensity of development in areas of unstable geologic conditions to the levels needed to eliminate hazards to public health and safety, including ground water contamination or diminishing of ground and surface water recharge potential, which may result from proximity to faults or other features of bedrock morphology.

FIRE HAZARD REDUCTION

Goal

Develop and promote the restoration of a healthy forest, which is fire, drought, insect, and disease resistant, recognizing the vital function that fire played in maintaining forest health and productivity.

Reduce overstocked stands of second growth conifers with heavy ground fuel loads and dense green and dead ladder fuels. Cooperatively develop and promote implementation of area-wide forest management strategies which will effectively utilize forest products while improving wildland

forest stands by replicating the functions of natural fire including reduction of competition, ladder, and ground fuels, and culling weakened trees.

Diagram Directive

Identify the Genesee Valley Special Management Area as a Fire Hazard Reduction Area.

Land Use Management

Map and evaluate all private woodlands within the Special Management Area boundaries by a standing committee of public and private forestry professionals and area landowners. The objective of the committee shall be development, promotion, and assistance in implementation of cooperative, multiple ownership timber stand improvement and fuel reduction strategies. A significant portion of Genesee Valley and surrounding forests have become "potential high fire hazard areas". In developing site specific fire hazard reduction plans, timber and fire will be addressed as one component, given their natural interaction.

Cooperatively develop and implement forest management strategies to reduce ground and ladder fuels, to improve stand health and vigor, to reduce hazard from wildland fire to a low hazard and to maintain a sustained yield of primary and secondary forest products, and to maintain or enhance scenic quality and fish and wildlife habitat.

FLOOD HAZARDS

Diagram Directive

Identify "primary flood hazard areas" to include all areas in design floodways (channels), and man-made and natural stream courses including the live stream channel and historic meander belt, riparian areas, and wetlands adjoining the live stream channel in those areas within the 100 year flood plain.

Identify the areas in Genesee Valley within a 100 year flood plain as the "Indian Creek, Genesee Valley Special Flood and Erosion Hazard Management Area".

Land Use Management

Permit no building construction in the primary flood hazard area. On stable stream reaches with natural or man-made bed and bank controls up and downstream, permit alteration, channelization, diversion, or land filling of flood hazard areas for the protection of existing developments. In unstable primary flood hazard areas, encourage the formation of special flood and erosion hazard management areas for the purpose of stabilizing stream channel and flood patterns. Permit no river channel straightening, structural bank stabilization, riprapping, or other modification of waterways, including gravel extraction or surface mining, without analysis of compatibility with objectives and strategies for the Management Area as such strategies are developed. The analysis shall identify measures needed to ensure compatibility. Those measures shall be implemented in project approval.

Gravel extraction operations subject to the Surface Mining and Reclamation Act of 1975, and surface mining operations, prospecting, and exploration to which that act does not apply, shall not be considered alteration, channelization, diversion, or land filling if they do not adversely alter offsite historical flood patterns or adversely impact streamside riparian areas.

All such projects shall be subject to the Genesee Valley Flood Hazard Management Area maintenance and monitoring plans when implemented.

For primary flood hazard areas exhibiting impaired natural floodplain values or functions, including unstable stream channels, ditches, encourage formation of flood and erosion hazard management areas for the purpose of stabilizing stream channels and restoring floodplain values and functions.

AIRPORTS

Land Use Management

Airports shall not be permitted in the Genesee Valley Special Management Area.

SCENIC

INDIAN CREEK SCENIC AREA

The Indian Creek Scenic Area is conterminous with the 100 year Flood Hazard Area.

Indian Creek Features that qualify the Indian Creek area for scenic designation:

Important Scenic Qualities Which Attract Tourists

1. Reduced highway speed, highway elevation, absence of vegetation adjacent to the highway, and the orientation of Indian Creek combine to offer a dramatic view of Indian Creek with the forested mountains and grassy fields of Genesee Valley as backdrops and vantage points.
2. Large oak, cottonwood, and conifer stands provide a partial canopy of shade over the waters of Indian Creek. The creek's edges are covered by grasses, wildflowers, trees, snags, and fallen logs.
3. During the fall, leaf foliage changes color. During the spring, songbirds and wildflowers grace the meadows and streamsides of creeks. During the winter, brilliant red and yellow willow branches overhang the boulders and waters of Indian Creek.
4. The absence of off-premise advertising signs and commercial activities and noises, and the roadless mountains and pastures, contribute to the feeling of open space and natural beauty, attractive to the motorist.

Standards for Land Development

1. Locate transmission and utility lines where they will be concealed by dense and permanent vegetation or topographical features where possible. Avoid crossing meadows where possible. All new services of 200 feet or less shall be underground.
2. Prohibit structures within the Indian Creek Scenic Area.
3. On-premise signs shall not exceed 6 square feet nor exceed the height of any on-site building roof line.

Land Use Protection Measures

1. Maintain timber and agricultural resource production uses and gravel extraction within the designated area consistent with scenic protection.
2. Locate roads, landings, and clearings where they are concealed by topography, wherever possible.
3. Prohibit off premise advertising signs.

GENESEE VALLEY SCENIC AREA

Features that qualify Genesee Valley for scenic designation:

1. Visual aspects important to the maintenance of rural character:
 - A. The meadow of Genesee Valley provides nearly level pastureland, fenced by poles and barbed wire for containing large numbers of livestock.
 - B. The numerous existing old structures designed and built for agricultural uses and still in use by agriculture contribute to the rural character of Genesee Valley, specifically, barns and corrals.
 - C. Areas near residences are used for large gardens and the keeping of small farm animals, such as chickens and sheep, horses and cattle.
 - D. Four distinct climatic regimes result in varied forest communities and frequent sightings of wildlife including: deer, eagle, hawk, falcon, owls, geese, ducks, cougar, bear, coyotes, bobcat, fox, grosbeaks, tanagers, bluebirds, and nighthawks.
 - E. From all vistas and vantage points in the Genesee Valley Viewshed, the massive boles, and crowns of old growth trees, snags, and stands are visible on the dark flanks of the mountains, at the edges of the meadows and streams and against the clean sky.

2. Representative samples of historical life styles important to Genesee Valley:
 - A. Old Victorian ranch residences of wood or brick construction dot the Valley rim and reflect the self sufficiency of early Genesee Valley families.
 - B. Barns and out-buildings represent past agricultural needs and practices and are constructed with local materials of fieldstone and roughsawn pine siding.
 - C. Animal-drawn agricultural implements such as hay rakes are often visible from the traveled way and agricultural practices such as haying, cattle drives, and sheep herding are visible from the road.
3. Important scenic qualities which attract tourists:
 - A. The pastoral setting of old residences, barns, and grazing livestock and wildlife, contrasted by the rugged snowcapped and granite faced slopes of the Grizzly Ridge, provides a lasting visual impression to the passerby.
 - B. The absence of off-premise advertising signs and commercial uses and noises contribute to the rural historical feeling of Genesee Valley and provide a relaxing change of character for people who live in more densely populated areas.
 - C. The pastures and forests of Genesee Valley are surrounded by mountain slopes with up to 4,000 feet of vertical relief. These slopes are almost unmarred by evidence of roads, fires, logging, or human activity. The slopes evidence striking geologic and biologic diversity. Geologic diversity includes avalanche chutes, talus slopes, limestone domes, and rock formations such as Cougar Head, Grey Face, Tower Rock, and Devil's Bathtub. Biological diversity includes oak woodlands, mixed conifer forests, pasturelands, and riparian woodlands. The deep, steep sided canyons of Indian Creek, Last Chance Creek, Red Clover Creek, Grizzly Creek, and Montgomery Creek add scenic grandeur to the winding valley floor.

Standards for land development:

1. Locate transmission and utility lines where they will be concealed by dense and permanent vegetation or topographical features where possible. Avoid crossing meadows where possible. All new services of 200 feet or less shall be underground.
2. Encourage the nomination of ranch homesites and barns which may qualify for State historic landmark designation or for the National Register of Historic Places and protect the historic character of the town of Genesee.
3. On-premise signs shall not exceed 6 square feet maximum for residential uses and 100 square feet maximum area for commercial uses, nor exceed the height of any on-site building roof line.

Land use protection measures:

1. Maintain agriculture, resource production, and rural residential areas.
2. Utilize density transfer to maintain existing open space of Genesee Valley pastureland and to locate rural residential densities away from scenic areas.
3. Prohibit off-premise advertising signs.
4. Protect scenic values by supporting requests for withdrawal of National Forest lands from mineral entry.
5. Maintain the natural free flowing condition of Indian, Red Clover, Little Grizzly, Hosselkus, Hinchman, Ward, and Montgomery Creeks, except for the use of adjudicated water rights and streambed restoration projects under public auspices.
6. Maintain the roadless character of Grizzly Ridge, Indian Creek, Last Chance, and Red Clover canyons.

SCENIC ROADS

GENESEE VALLEY SPECIAL MANAGEMENT AREA SCENIC ROADS

Protection Measures and Development Standards, County Roads 111 & 112

Establish a 100 foot scenic corridor, measured from the edge of the road easement. The following development standards shall apply:

1. No off-premise advertising signs.
2. Signs, on-premise only, shall not exceed 6 square feet maximum for residential uses and 100 square feet maximum area for commercial uses. Signs will not exceed the height of any onsite building roof line. No pennants, flashing lights, or internally lit exterior signs shall be permitted.
3. Locate transmission and utility lines where they will be concealed by dense and permanent vegetation or topographical features where possible. Avoid crossing meadows where possible. All new services of 200 feet or less shall be underground.
4. Establish building exclusion areas within 50 feet from perennial streams or irrigation ditches, measured from the top of the bank.
5. Maintain natural topographical features within public road right-of-way, where it is not a clear and present danger to public health, safety, and welfare.
6. Maintain natural vegetation within scenic corridor areas and prohibit excessive scarification, thinning, and limbing of roadside trees.

7. Protect roadside trees and prevent scarification and excessive thinning and logging practices within the right-of-way. A 3 - 5 member Citizens Review Committee, with terms to match that of the Supervisor who appointed the members, shall be consulted by the Department of Public Works before any trees are thinned, removed, or trimmed beyond three feet from the edge of the traveled way. The Citizens Review Committee and the Department of Public Works shall prepare a roadside trimming plan which shall be incorporated in these scenic road development standards.

GENESEE VALLEY SPECIAL MANAGEMENT AREA

Land Use Management

Provide a natural appearing landscape where management activities are not visually evident. Provide visual diversity with a range of species age and size classes of trees, including large, mature trees. Limit roadside openings, place openings behind screens, above or below observer eye level, and limit design and locate road openings, structures, and facilities as unobtrusive as possible.

NOISE

Determine in the Genesee Valley Special Management Area the ambient noise levels for the land use areas in Genesee Valley for the purpose of establishing acceptable noise levels for specific land use areas.

INDUSTRIAL

Land Use Management

Industrial uses are incompatible with the Genesee Valley Special Management Area.

HISTORICAL

Goal

Preserve and document Genesee Valley's prehistoric, ethnographic, and historic resources for their scientific, educational, and cultural value.

Diagram Directive

Identify prehistoric, ethnographic, and historical sites, structures, and objects of scientific, educational, or cultural value.

Land Use Management

1. The demolition of any designated historical building shall be permitted upon approval by the County after consideration of the value to the public interest.

They shall be at least 50 years old;

They shall be historically "significant" within a relevant historic context, such as the theme of the area, geographic boundaries, and chronological period;

They shall have reasonably accurate historical information, either written or oral, such as dates of construction, builder, periods of use, alterations, and historic attributes;

They shall possess integrity of location, unique and/or unusual designs, setting, materials, workmanship, feeling, and association, such as with significant historical events or individuals;

They may have/are likely to yield information important in prehistory or history;

They may embody the distinctive characteristics of a type, period, method of construction, or that represent work of a master, or possess high artistic values;

Qualified buildings ultimately shall be recorded with the appropriate state and federal agencies.

Candidate Historic Buildings:

1. Hand hewn Log Cabin and Stone House (built 1870-1880).
2. Mormon Pole Barn, built in 1852, at Mormon Station.
3. Borden Log Cabin, built by Fred Borden after the Yukon Gold Rush.

RECREATION

RECREATION

Land Use Management

In the Genesee Valley Special Management Area off-road recreational use shall be limited to non-motor vehicle, except wheelchairs, uses such as hiking, fishing, camping, bicycling, horseback riding, or packing with animals. Recreational use shall be integrated with the Area Historic Roads and Trails, as well as new trails.

Historic Roads & Trails of educational and cultural value

Trails:

1. Taylorsville - Mt. Jura Trail
2. Montgomery Creek Trail
3. Hinchman Trail
4. Hosselkus Trail
5. Mt. Ingalls Trail

2. Establish a Genesee Valley Historic Committee. This committee will include interested local citizens and a minimum of one archaeologist. The Historic Committee will work with the County, State, and other agencies or groups, when appropriate, to help document ethnographic, cultural, natural history, historical features, and historic sensitivity in the Genesee Valley Special Management Area and relevant adjacent areas, including Native American and Early Settler sites and Points of Historic Interest. Other functions of the Historic Committee may be to:

Set criteria for establishing historical buildings, consistent with State Office of Historic Preservation (SHPO) guidelines and format;

Develop a list of candidate buildings for historic nomination which meet the established criteria. These buildings will be formally recorded and the information filed with the Archaeological Information Center in Chico;

Periodically provide and recommend to the County a list of historic buildings to be added to the County General Plan;

Compile local historic information on all types of historic resources from any available sources; compile an informal list of potential historic buildings, structures, and sites in the area;

Improve access to information about local historic resources as appropriate.

3. Require an archaeological inventory, both prehistoric and historic, according to CEQA guidelines.
4. The Planning Department shall inform the Historic Committee of applications or requests which may affect cultural resources of the Area. The Historic Committee will respond to and review CEQA-based archaeological recommendations on projects which adversely affect historic resources when appropriate and practical. The Committee will submit any written comments or recommendations for those resources to the Planning Department in the time frame established by the Department.
5. The Historic Committee will study and evaluate, as practical, the establishment of a Rural Historic Landscape in all or portions of Genesee Valley. A Rural Historic Landscape is a geographic area that historically has been used by people, or shaped or modified by human activity, occupation, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features.

Historical Buildings

Historical Buildings are structures such as a house, barn, church, hotel, etc., created principally to shelter any form of human activity. It may also refer to a historically and functionally related unit such as a courthouse and jail, or a house and barn. Historic Buildings shall meet the following criteria for their evaluation and recordation. Evaluation shall be consistent with guidelines and format established by SHPO:

6. Nye Creek Trail

7. Ward Creek Trail

TRAILS

Goal

1. To improve and enjoy the recreational potential of the Plumas National Forest and Genesee Valley, and to encourage the development of nonintensive, dispersed recreational uses.
2. To facilitate non-motorize trail access to achieve that end.

Diagram Directive

Identify points of recreational interest, including vista points, old growth groves, historic points, springs, and streams, which are potentially accessible through development of a non-motorized trail system.

1. Identify existing trails which need some development or maintenance.
2. Identify planned new trails and planned trail alignments for future development. Develop alternative trail alignments and access points to avoid conflicts with access across private property.

Land Use Management

1. Encourage developments to provide adequate public easements for identified trails, planned trails, and planned trail alignments. When feasible, incorporate trails in road rights-of-way when consistent with the identified trails, planned trails, and planned trail alignments.
2. Manage lands adjacent to trails to meet noise standards. All trails shall be for non-motorized use only, except wheelchairs.
3. Border trails with a buffer through a 25 foot right-of-way. Within this buffer, logging shall be limited to thinning and selective cutting. Protect trail easements, where granted, by encouraging developments to provide alternate access routes, limited access, or to otherwise ensure continued safe use of trails.
4. Coordinate with Plumas National Forest recreation personnel to encourage private individuals or groups to identify new trails or maintain existing trails.
5. Encourage a development and maintenance program, including the search for state, federal, and private funds.

6. Trail and bikeway improvements shall be physically separated from road improvements, preferably by vegetative, topographic, or other substantial barriers. Work with local Road Department and Recreation District personnel to develop trails and bikeways.

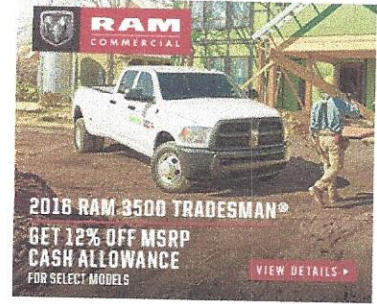
PUBLIC BUILDINGS

Identify Assessor's Parcel Number 008-160-11 as a possible future fire station site.



This property is no longer available.
[Search for Available Property \(/america/?Search=county\).](#)

GC EXHIBIT 3



Available

Genesee Valley Ranch

3791 Genesee Beckwourth Road, Genesee (/Genesee-CA/all-land/),
California (/CA/all-land/) 95983 - Plumas County (/Plumas-County-
CA/all-land/)

\$8,950,000 | 1060 Acres

6 beds 8 Bathrooms 9000 Sq.Ft.

Recreational Property (/Plumas-County-CA/Recreational-
Property/), Riverfront Property (/Plumas-County-
CA/Riverfront-Property/)

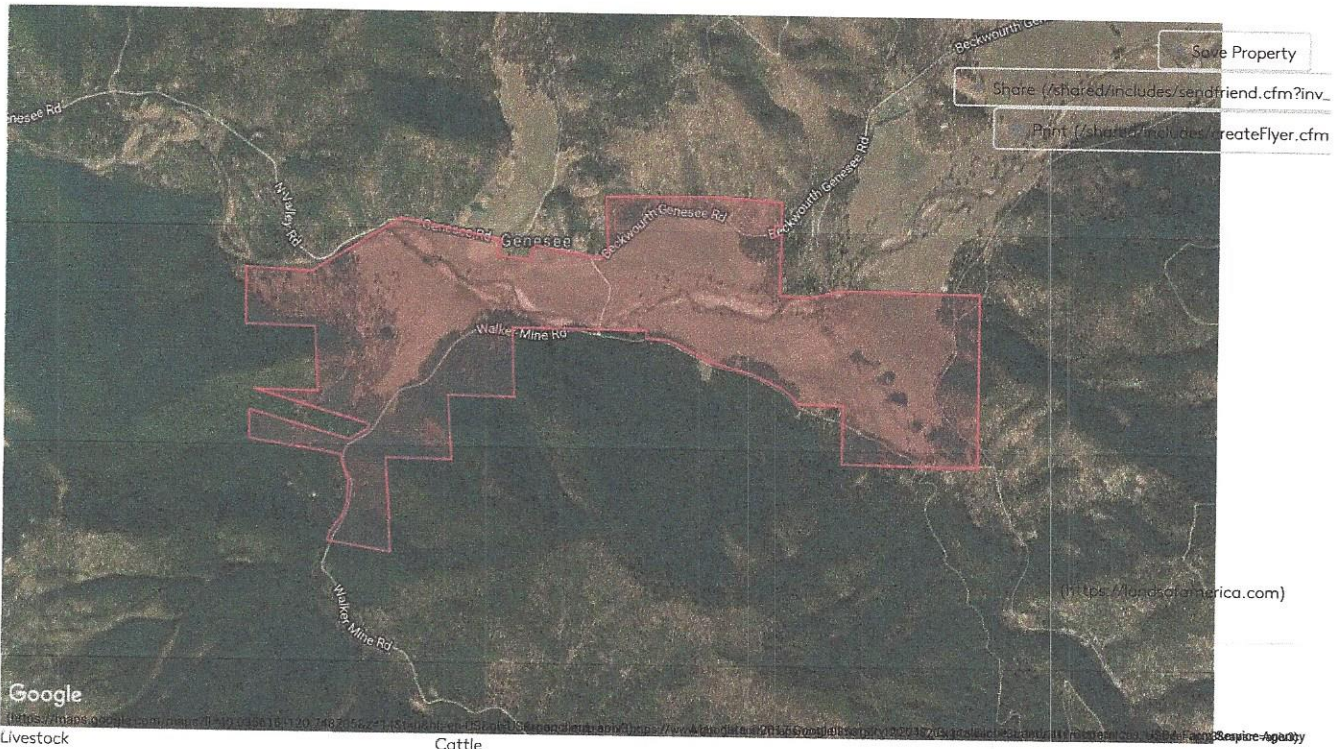
Photo (13)

Property ID 1882975

Description

Genesee Valley Ranchs 1060+/- acres are nestled deeply in Northern California's Sierra Nevada Mountains in the midst of the Plumas National Forest. A 9,000 square foot handcrafted log home is the centerpiece of this unique property. With six bedrooms, eight baths, and six wood-burning fireplaces, this home is ready for entertaining friends and extended family. The thirty-two foot ceilings exemplify the timeless nature of rustic elegance in architecture. Multiple guest homes overflowing with charm allow plenty of elbow room for everybody. Homesteaded in 1878, this ranch has historical significance and legendary appeal. Water is the new gold and this ranch is complimented by 3 creeks, 6 ponds and water rights to irrigate pasture to summer around 225 cows for the season. Endless activities are available on site including fly-fishing, hiking, biking, horseback riding and more.

Layers



Livestock

Cattle

Housing

Construction
Log

Land

Barn Information

Barn(s)
Equipment Barn
Hay Barn
Shop Building
Stable(s)
Tack Room

Land Type

Livestock

Number of Ponds (water 1-5 acres)

5-10

Property Type

Farm/Ranch
Single Family

Street/Utilities

All Weather Road

Fish

Trout

Lot Description

Acreage
Creek
Heavily Treed
Horses Permitted
Irregular
Landscape
Pasture
River Front

Number of Wells

1

Proposed Use

Grazing
Hunting/Fishing
Residential Single
Resort

Topography

Bottom
Flood Plain
Varied

Game

Bear
Dove
Ducks
Geese
Grouse
Mule Deer
Quail
Turkey

Miscellaneous

Cattle Working Pen
Fenced for Cattle
Helipad

Present Use

Grazing
Hunting/Fishing
Residential Single
Resort

Road Frontage Desc

Asphalt
Gravel/Rock

Type of Fence

Cross Fenced
Partially Fenced

Tax Data (Show Tax Data)

Plumas County Properties by Type

Residential Property in Plumas County (/Plumas-County-CA/Residential-Property/)

Plumas County Properties by City

Partola, CA Land for Sale (/Partola-CA/all-land/)
Quincy, CA Land for Sale (/Quincy-CA/all-land/)

Properties for Sale in Nearby Counties

Butte County Land for Sale (/Butte-County-CA/all-land/)
Lassen County Land for Sale (/Lassen-County-CA/all-land/)

Napa County Planning Commission
1195 3rd Street
Suite 210
Napa, California 94559

GC EXHIBIT 4

February 28, 2015

Re: Palmaz Helipad: Napa County Conditional Use Permit No. P14-00261

Dear Commissioners,

This letter is written in opposition to the proposed Napa County (“County”) Conditional Use Permit Number P14-00261 (“CUP”) for the construction, operation, and use of a helipad (“Helipad”) located at 4031 Hagen Road, Napa, California, Assessor’s Parcel Number 033-110-079 (“Parcel”) submitted by the Amalia Palmaz Living Trust (“Applicant”).

As evidenced below, this opposition is mandated by the specific facts and law evidenced below:

1. The Helipad Must Be Denied Because It Is An Unauthorized Use In The Agricultural Watershed.

As a matter of California Constitutional law, conditional use permits are prohibited from granting uses that are unauthorized by a zoning ordinance.¹ A conditional use permit cannot change existing zoning for a parcel, and may only consent to authorized zoning uses for any parcel.²

The Parcel is zoned Agricultural Watershed³ and the County’s definition of Agricultural Watershed Uses (with or without a use permit) does not authorize the use of a helicopter or Helipad on the Parcel.⁴

As other counties and courts have confirmed, the flying of a helicopter and helipad are “*not recreational uses*” nor “*accessory uses*” authorized in a Rural Conservation District that is analogous to the County’s Agricultural Watershed District and authorized uses.⁵

The Applicant’s use of the Helipad to fly to and from the Applicant’s businesses and commercial interests is not a “*personal use*” required in the Recommended Conditions of Approval drafted by County Staff.⁶

2. The Helipad Fails As Substantial Evidence Proves It Is Detrimental To The Public Welfare And Injurious To Property And Improvements In The Neighborhood Violating California Law.

California law prohibits the issuance of a conditional use permit that is detrimental to the public welfare or injurious to property or improvements in the neighborhood.

“the administrative body is required to make its decision in accord with the general health, safety and welfare standard.”⁷

¹ State of California Constitution, Section 65903.

² State of California Constitution, Section 65903.

³ County of Napa, Assessor’s Parcel Data, Parcel Number: 033-110-079.

⁴ Napa County Code Sections 18.020.020; 18.020.030; 18.08.494; and 18.104.350.

⁵ *Glenn A. Kuszyk v. Zoning Hearing Board of Amity Township, Berks County*, (2003) 834 A.2d 661.

⁶ Recommended Conditions of Approval, Napa County Planning, Building & Conservation Staff Report, March 1, 2017, Planning Commission Hearing.

⁷ *Garavatti v. Fairfax Planning Com.*, (1971) 22 Cal.App. 3d 152.

*“The establishment, maintenance or conducting of the use for which a use permit is sought will not...be detrimental to the...welfare of persons residing or working in the neighborhood...[nor] be detrimental to the public welfare or injurious to property or improvements in the neighborhood.”*⁸

California law affirms the denial of a conditional use permit based on testimony from neighboring property owners avowing that the proposed use is detrimental to the public welfare and injurious to property or improvements in the neighborhood.⁹

*“It is appropriate and even necessary for the County to consider the interests of neighboring property owners in reaching a decision whether to grant or deny a land use entitlement, and the opinions of neighbors may constitute substantial evidence on this issue.”*¹⁰

The County has received one hundred ninety six (196) petition signatures from neighbors residing within one half mile of the Parcel confirming that the Helipad is detrimental to the public welfare and injurious to property and improvements in the neighborhood.¹¹

The County has received four hundred twenty eight (428) petition signatures from County residents validating that the Helipad is detrimental to the public welfare and injurious to property and improvements in the neighborhood.¹²

The County has received written objections from sixty six (66) County residents verifying that the Helipad is detrimental to the public welfare and injurious to property and improvements in the neighborhood.¹³

As documented above, the County has received substantial evidence from surrounding neighbors and Napa County residents that the Helipad (i) is detrimental to the public welfare; (ii) is injurious to property and improvements in the neighborhood; and (i) violates the State of California general welfare standard that imposes limitations on the granting of this CUP.

3. The Helipad Is A Nuisance Breaching The Nuisance Standard Limiting Conditional Use Permits.

California law prohibits the issuance of a conditional use permit that would create a public nuisance due to noise, dust, or other undesirable characteristics.

*“Any use found to be objectionable or incompatible with the character of the city and its environs due to noise, dust, odors or other undesirable characteristics may be prohibited.”*¹⁴

The Helipad would create a public nuisance due to noise levels created in the neighborhood and community.

⁸ *Hawkins v. County of Marin* (1976), 54 Cal. App.3d 586.

⁹ *Desmond v. County of Contra Costa*, (1993) 21 Cal. App.4th 330; *Harris v. City of Costa Mesa*, (1994) 25 Cal.App.4th 963.

¹⁰ *Smith v. County of Los Angeles* (1989) 211 Cal.App.3d 188; *Nelson v. City of Selma* (9th Cir.1989) 881 F.2d 836.

¹¹ Petition delivered to Dana Ayers, Napa County, submitted in evidence by G. Caloyannidis, resident Napa County.

¹² Petition delivered to Dana Ayers, Napa County, submitted in evidence by G. Caloyannidis, resident Napa County.

¹³ Applicant's DEIR referencing Applicant's FEIR.

¹⁴ *Snow v. City of Garden Grove*, (1961) Cal.App.2d. 496.

*“While the sound of spinning rotors may mean...profit to members of the rotary-wing community, to most in the general population, the sound is just noise. Too often, unwelcome noise. And that’s a problem for everyone.”*¹⁵

*“Noise has even more serious effects when it leads to stress related mental health decline...If continued, and of course, if the noise occurs during sleep periods, then fatigue and disrupted sleep patterns can cause irritability, changes in behavior, and reduced ability to work or perform tasks.”*¹⁶

*“There are numerous characteristics of helicopter sound that cause it to be objectionable to many within earshot. High-Speed Impulsive (HSI) noise is caused by transonic flow shock formation on the advancing main-rotor blade, primarily near the blade’s tip...This noise tends to propagate forward of the helicopter. Meanwhile, tail-rotor noise is annoying to humans because its higher frequency (as compared to that of the main rotor’s noise) occurs directly in the hearing spectrum to which human ears are the most sensitive.”*¹⁷

*“Night helicopter operations are a particular problem in the urban environment. The absence of daytime road traffic to mask helicopter noise can make the latter all the more noticeable and bothersome. Furthermore, temperature inversions turn an abnormally high portion of the sound energy back toward the ground and the most severe inversions usually occur at night and in the early morning hours, times when helicopter noise has the most adverse effect upon people.”*¹⁸

*“Helicopter activities located close to residential areas generate more noise issues than those frequenting commercial or industrial zones. According to the Royal Aeronautical Society’s Hayward, ‘Prevailing ambient noise levels affect perceptions, and a quieter setting will accentuate airborne noise, especially if radiated from above.’”*¹⁹

*According to data published in the HAI’s Fly Neighborly Guide, a doubling of height or distance reduces noise by 6 to 7 dBA. In order for a light/small helicopter to meet the generally accepted criteria of 65 dBA over a noise sensitive area, it should fly at altitudes no less than 1,000 ft. AGL, and for medium helicopters, the recommended height is 2,000 ft. AGL. If those noise targets seem ambitious, consider that a quiet bedroom has a noise level just under 40 dBA, and a busy office is around 60 dBA. Voice communications start to become difficult around 65 dBA.”*²⁰

Counties throughout the United States have prohibited helicopter travel due to noise levels and complaints.

*“For nearly a decade, Long Island, New York, residents have inundated public officials with complaints about helicopter noise. In response, in 2011, Sen. Charles Schumer (D.N.Y.) sponsored legislation that would have heavily restricted helicopter operations over the heavily populated island...Schumer subsequently teamed with Rep. Tim Bishop, a fellow Democrat from Long Island, to get the Department of Transportation to mandate an overwater route for helicopters transiting the island. The “North Shore Route” required helicopters to fly 1 mi. off the island’s north shore for the purpose of noise abatement.”*²¹

¹⁵ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

¹⁶ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

¹⁷ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

¹⁸ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

¹⁹ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

²⁰ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

²¹ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

*Residents of Torrance, California, have complained loudly about the increase in flight operations there over the years and object particularly to low-flying helicopters.*²²

*“Sen. Diane Feinstein (D-Calif.) teamed with Rep. Adam Schiff (D-Calif.) to enact an amendment mandating the industry find solutions to the helicopter noise problem “or else” Congress would force the FAA to impose severe restrictions.*²³

7. The Helipad Must Be Rejected As Applicant Failed To Address Cumulative Impacts Violating CEQA.

The California Environmental Quality Act (“CEQA”) and CEQA Guidelines²⁴ require that an environmental impact report (“EIR”) analyze the cumulative impacts of a project if a tiny portion of the cumulative impact is caused by the proposed project.²⁵ A project’s incremental impact may be individually limited, but cumulatively considerable when viewed together with environmental impacts from past, present, and probable future projects.²⁶

The Applicant’s EIR must analyze cumulative impacts resulting from the Helipad because the granting of this conditional use permit will encourage other County residents to construct, operate and use helipads on myriad parcels within the County, creating an environmental noise impact that is cumulatively considerable.

When the Helipad’s noise impacts are combined with the anticipated noise impacts of other past, present and probable future helipads in the County, they will cumulatively raise noise levels at environmentally damaging levels. Whenever this potential exists, the EIR must analyze cumulative impacts.

The Applicant has failed to address the cumulative impacts that would ensue from the granting of the proposed conditional use permit for the Helipad. In fact, the Applicant has deemed the cumulative impacts as “speculative” which requires the invalidation of the Applicant’s EIR and FEIR.

The Applicant’s refusal to address the cumulative impacts of the proposed Helipad is in violation of CEQA Guidelines because even a conclusion that a cumulative impact is not significant must be accompanied by relevant facts and analysis.²⁷ The analysis of cumulative impacts is “vitally important” to the assessment of a project’s impacts,²⁸ and many California courts have rejected environmental impact reports (EIRs) due to inadequate cumulative impact analysis.

Without understanding the cumulative of impacts created by the issuance of a conditional use permit for the Helipad, it is impossible to determine the degree of mitigation required, or to weigh harm against benefits in a statement of overriding considerations as CEQA requires.

Failure to assess cumulative impacts is not excused by the fact that no other probable future helipad project has not yet undergone CEQA review. The Applicant and County must at least qualitatively analyze reasonably foreseeable environmental impacts²⁹ created by additional helipads in the County.

²² Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

²³ Aviation Weekly, Managing Helicopter Noise, March 1, 2015.

²⁴ CEQA Guidelines, 14 Ca. Code Reg. Section 15000 et seq.

²⁵ CEQA Guidelines Section 15130.

²⁶ CEQA Guidelines Section 15130(a).

²⁷ CEQA Guidelines Section 15130(a)(2).

²⁸ *Citizens to Preserve the Ojai v. County of Ventura*, (1985) 176 Cal. App. 3d 421.

²⁹ *San Francisco for Reasonable Growth v. City and County of San Francisco*, (1984) 151 Cal.App. 3d 61.

From: [Debby Fortune](#)
To: [Ayers, Dana](#)
Subject: Palmaz Helipad: I oppose! Please include my response
Date: Monday, February 27, 2017 5:04:28 PM

To the Napa County Planning Department, Planning Commission and Board of Supervisors:

RE: Palmaz Residence Private Use Helicopter Application
4031 Hagen Road, Napa, CA 94558
Use Permit # P14-00261

I object to the County's policy to grant Conditional Use Permits for Private Use helicopter landings.

According to extensive California case law, Conditional Use Permits are to enable a municipality to control certain uses which could have detrimental effects on the community or that they are in the best interest of public convenience.

The Palmaz application serves no public purpose and can only have detrimental effects on the welfare of this community and therefore request that you deny it.

Our family home in Coombsville was once a quiet refuge. The air traffic from tourism and private jets to the Napa airport has become a continuous barrage of noise. When I once could hear birds and the occasional neigh of a neighbor's horse, I hear small jets, private Cessnas, and helicopters all weekend long.

Allowing the ultra wealthy to buzz in and out over our heads to their doorsteps is not just a disruption, but an insult to our environment, and pandering to the ultra wealthy of the valley. We rely on you board and commission members to think far ahead, to protect us all, and not allow this kind of degradation to our valley.

In addition, the south end of the valley needs extra protection. We need you to represent ALL of us, not just your wealthiest and corporate constituents.

Thank you.

Deborah Fortune Walton
26 Jacks Lane
Napa, CA 94558
mobile 510-697-6991

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From: [Gary Woodruff](#)
To: [Ayers, Dana](#)
Subject: Heli port on Hagen Road
Date: Monday, February 27, 2017 6:44:24 PM

This is my statement against the installation of a Heliport on Hagen Road and for that matter any type of heliport within the county's domain. We have two airports in the county for commercial endeavors.

Sincerely,

Gary L Woodruff
2590 Lowell Street
Napa 94558

Sent from my iPhone

From: [Tracy Parker](#)
To: [Ayers, Dana](#)
Cc: [Kent Parker](#)
Subject: Palmaz Helipad
Date: Tuesday, February 28, 2017 4:17:44 PM

Good Afternoon Dana,

I am writing to you today regarding the proposed Palmaz Helipad.

I had hoped to attend the am meeting tomorrow regarding the Palmaz Helipad, however I work during the day and am not able to attend the meeting.

I would like to officially record my opposition to the Palmaz helipad as a neighbor residing in Alta Heights this will invade the Peaceful surroundings of the area, increase the noise level and air traffic.

Regards,
Alta Heights Resident
Tracy Lynne Parker
1533 East Ave
Napa, Ca 94559
415-305-9111

dana.ayers@countyofnapa.org
Sent from my iPhone

From: [Ayers, Dana](#)
To: [Frost, Melissa](#); [Fuller, Lashun](#)
Cc: [Gallina, Charlene](#); [Morrison, David](#)
Subject: Voicemail message regarding Palmaz
Date: Tuesday, February 28, 2017 4:49:09 PM

Below is transcription of voicemail message I received regarding the proposed Palmaz heliport:

[Voicemail message received February 27, 2017, 3:40 p.m.]

Dana, This is John Shaeffer and I've been living here for over 40 years and on 2 previous occasions, helicopter pads and the idea of having them here in the valley came up and they were both seated. [undecipherable] the present one, the Palmaz one, is that they are extremely rich and they're willing to pay whatever they need to pay to do things that most people can't do, but it's the inconsistency because there are many, many people in the valley who don't-- who have voted against this in the past and are voting against this now, and I'm one of them. Unfortunately, I'm going to be out of town the next week or two [rest of message undecipherable]

Dana Ayers, Planner
Napa County
Planning, Building & Environmental Services
1195 Third Street, Napa, CA 94559
Phone: 707-253-4388
Fax: 707-299-4320

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From: [Ayers, Dana](#)
To: [Fuller, Lashun](#); [Frost, Melissa](#)
Cc: [Gallina, Charlene](#); [Morrison, David](#)
Subject: FW: Palmaz helipad
Date: Tuesday, February 28, 2017 4:49:47 PM

Public comment for March 1 public hearing.

From: Todd Walker [mailto:todd@c-linexp.com]
Sent: Tuesday, February 28, 2017 4:45 PM
To: Ayers, Dana
Cc: 'Alfredo Pedroza'; 'Ryan Gregory'; Wagenknecht, Brad; 'Christian Gastón Palmaz'
Subject: Palmaz helipad

Hi Dana,

I may not be able to make tomorrows hearing, however I would like to weigh in in support of this project.

I am currently the Chair of the Airport Advisory Commission, however I am only speaking on my own behalf regarding this matter as the commission has been briefed the details but has not been asked to give a position.

Mr Palmaz has created more than reasonable limitations on his operations such as low usage, well thought out flight plan, modern and quite helicopter, and the placement of the actual heliport. Those that are afraid that 'everyone will start doing it' have not considered that Mr Palmaz has set the precedent for a very high bar. Additionally, I live in Soda Canyon and would like to think that if we have a natural disaster, there may be an option for CDF to operate from MT George.

Please approve this project!

Todd Walker

Cell: 707 494-6702

Office: 707 553-6041



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From: [McDowell, John](#)
To: [Fuller, Lashun](#); [Frost, Melissa](#)
Subject: FW: Palmaz Helipad
Date: Tuesday, February 28, 2017 5:04:14 PM

Correspondence on Palmaz Item

From: morgan morgan [mailto:m2morgan@hotmail.com]
Sent: Tuesday, February 28, 2017 3:32 PM
To: McDowell, John
Subject: Palmaz Helipad

Dear John,

We are writing to ask that you review the legality of heli-pads in Napa County. The Palmaz heli-pad request is coming before the County Planning Commission tomorrow morning (March 1st).

We have spent years fighting low, illegal, invasive flights of hot air balloons over our property. But we have failed to have any impact on their behavior. Why? Because the FAA is their jurisdiction. Therefore, the County, City, State, have NO ability to influence or control their behavior. They are also at the beck and call of the weather, winds, etc. and will use that as their excuse for a low flight or deviated time of flight, or other reasons not to conform with rules that the County thinks they will apply to the permit.

So if the County gives a land use permit for an activity that it cannot control i.e. flight, is that legal? Can you really put the county in that position? It would not matter how many rules you would include with the permit about what they can and cannot do. Once they are airborne the County's ability to control it is NIL.

We strongly suggest you do NOT allow this permit to go forward. We believe there are airport commissions for a reason!

And we hope not to subject the citizens of Napa to what we experience every day - abuse by the hot air balloon companies flying low over our home, invading our privacy, causing unwanted noise and harassment. Reality of an an environment over which you have NO jurisdiction.

Thank you for listening.

Morgan Morgan
Business Manager
Oak Knoll Ranch/Lamoreaux Vineyards
(707) 226-6515

(415) 640-6535 cell

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