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## Public Comments

Balloons Above the Valley Hot Air Balloon Launch Site  
Use Permit P19-00303  
Planning Commission Hearing September 2, 2020

## Hedge, Emily

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**From:** Lynn Mullins Nelson <jlmeggs@aol.com>  
**Sent:** Saturday, August 22, 2020 5:24 PM  
**To:** Hedge, Emily  
**Cc:** m2morgan@hotmail.com  
**Subject:** Fwd: Balloon Launching  
**Attachments:** Balloons over house Sept 21, 2019 IMG\_4111 (2).jpg; Ballon over house Sept 21, 2019 IMG\_4422 (1).PNG; Ballons landing 100 ft away Aug 10, 2019 IMG\_4136.PNG; Ballons over residences Oct 9, 2019 IMG\_4137.PNG; Balloons coming by low IMG\_4144.JPG

[External Email - Use Caution]

Ms. Emily Hedge  
Planner III  
Napa County Planning, Building, and Environmental Services  
1195 Third Street, Ste. 210  
Napa, CA 94559

Dear Ms. Hedge,

Thank you for taking the time to review and consider our request that you deny additional hot air balloon launches at 5360 Washington Street, and increase regulation enforcement of balloon flight violations.

We have some concerns regarding the regulation of balloon flights in Napa Valley as follows:

#1 Safety - for the passengers and for multiple residences over which these aircraft are flying. Attached are photos of balloons drifting over and landing near our residence at 5468 Washington Street just north of Trubody Lane. Some of the balloons come from the South and some come from the North due to multiple launching sites. The number of balloons airborne on any day has been steadily increasing over the past few years and some days we count more than 10 in the air at one time. We have witnessed balloons scraping the top of our redwood trees (well under the 500' clearance rule). We have also witnessed multiple "crashes" into vines and had a medivac helicopter awake us one morning when a passenger was injured and had to be flown out. On Sept 21, 2019 two balloons from the current launch site at 5360 Washington Street flew north from the launch site over our redwood trees and seemed to catch a down draft directly toward our roof. I have attached photos I took from my front yard which show how close they were. The balloons were hovering much less than 500' over the top of our house bumping each other at times, both blowers going full bore, imagine if there were two more following them. There are also power lines in the area serving a cluster of homes around us. It concerns us that so many balloons are not only flying overhead but now launching in such close proximity to residential areas.

#2 Privacy - Many of the balloons passing over or near our residences are low enough to hear conversations coming from the passengers in the basket. At times we draw our shades for fear that they are able to see in our bedroom. This is an intrusion on our privacy and once again indication that they are flying way too low! (see attached photos). On Aug 10, 2019 two balloons landed in the field

just outside our back door within 100' which was a violation of the administrative permit they now fly under. The noise and commotion caused by the low flights and landings is disturbing to not only us, but our neighbors, our dog and the dogs next to us that bark at them. Attached is a picture taken from our back door of the landing approx 100' from our property so you can see how close they are to the residences here. There are also two additional photos attached which show how low they fly over our neighborhood.

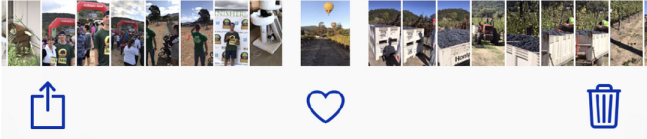
When a winery or other type of business seeks permitting they are required to do environmental impact studies. Has there been any of these studies required or provided by the balloon companies seeking permits? **The balloons are impacting our environment!** We believe there needs to be a stricter limit to the locations and number of launches including how many balloons from all companies that can be up at one time. There should also be defined regulations, penalty's imposed and enforcement of flight regulation violations.

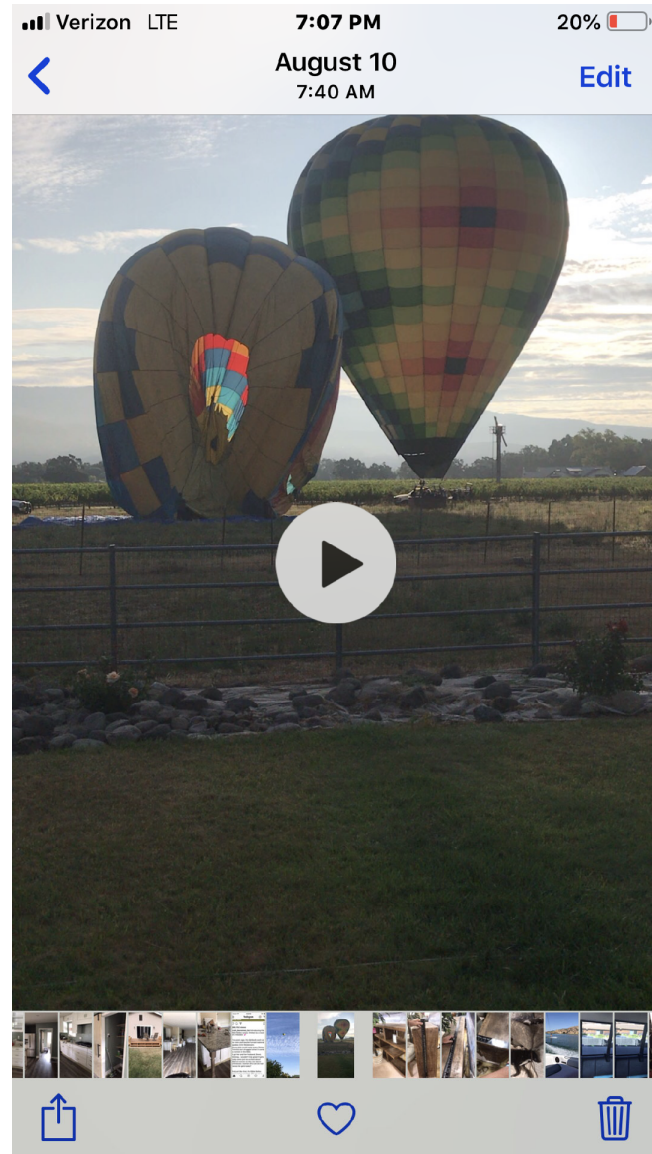
It has come to our attention that the company launching at 5360 Washington Street has applied for a permit to increase the number of launches. We hope you will be prompted by the attached photos and our concerns to deny the increase in launches.

Thank you,

Barry and Lynn Nelson

Verizon LTE 7:12 PM 19%  
October 9, 2018 7:36 AM Edit







August 21, 2020

Ms. Emily Hedge  
Planner III  
Napa County Planning, Building, and Environmental Services  
1195 Third Street, Ste. 210  
Napa, CA 94559

Dear Ms. Hedge:

Our names are Jay and Leslie Ryder and we live at 5446 Trubody Lane in a peaceful neighborhood very close to the proposed balloon launch site at 5360 Washington Street. We are concerned neighbors, citizens, and parents. We are asking you to consider the serious impact of this proposed launch site for hot air balloons. For years we have been documenting the damage and anxiety caused by these mammoth and flammable balloons flying low over our homes and invading our privacy on many levels without regard to FAA rules. Since this operator was given his 50 day permit we had several severe low flights over our home well below the FAA MINIMUM requirements. While we understand that the 50 day permit may be ongoing and we accept that, we absolutely oppose increasing access to 365 days per year.

We are in fear every time we hear and see the balloons flying low over our roofs. To us, they present genuine and compelling public safety issues. We have seen them clip tree limbs, come dangerously close to our homes, and fly barely above the vineyards with no regard for home owners and personal privacy or safety.

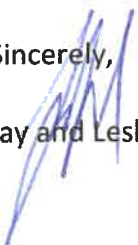
We would like to sleep in peace and enjoy our property. These are our simple rights. And the County has no right to take that away from us to support an industry in the Ag Preserve that is completely unrelated to agriculture.

Napa has grown significantly since the beginning of hot air balloon launches 40 years ago. There are many, many more homes, wineries, businesses, and density in the Ag Preserve. The landing sites have become few and far between causing them to land in streets, neighborhoods, local parks and even school grounds endangering those around them.

Please do NOT approve this 365 day use permit for launching at this site.

Sincerely,

Jay and Leslie Ryder



## Hedge, Emily

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**From:** Stanley Smith <stan1973@gmail.com>  
**Sent:** Tuesday, August 18, 2020 1:27 PM  
**To:** Hedge, Emily  
**Subject:** P19-00303:Balloons Above the Valley use permit

[External Email - Use Caution]

I live at 1140 Vineyard Lane directly south of the balloon launch site and have lived there over 50 years. I have had balloons fly over my house within 50 feet where you can hear the people in the balloon talking and the loud noise of the propane heater when the pilot wants to ascend or maintain altitude. The balloons have landed in the open field next to my backyard to unload passengers and to take on new ones. This was an invasion of privacy.

I question the initial study checklist dated January 2019.

Page 4 1. Aesthetics b. Substantially damage resources, including but not limited trees. Prior to receiving the administrative permit P19-00235 the land was used as a English Walnut orchard and was cleared to launch balloons.

### Discussion

a-d The project does not include any physical improvements on the site. What about the walnut orchard being removed and gravel brought in to provide a driveway to the launch site?

Mitigation Measures: None required. What about all the trees that were removed and the gravel brought in to extend the driveway?

### 11. Agriculture and Forest Resources

a-b No Impact was checked. What about the walnut orchard removal?

Page 5 e) Involve other changes conversion of farm land. Checked no impact.

### Discussion

e. No physical improvements are proposed to convert farm land. This was done prior to receiving the administrative permit P19-00235

Page 15 x111. Noise would the project result in:

a. Generation of substantial temporary or ambient noise levels. checked less than significant

Was the noise study done with 11-15 people in the balloon and were there two balloons launching at the same time? This will greatly raise the noise levels.

Thank you for considering my concerns,  
Stanley Smith



August 20, 2020

Ms. Emily Hedge, Planner III  
Napa County Planning, Building & Environmental Services Department  
1195 Third Street, Ste. 210  
Napa, CA 94559

RE: Use Permit P19-00303, Balloons Above the Valley, Mr. Robert Barbarick

Dear Ms. Hedge:

We are OPPOSED to the request/approval for a Use Permit for 365 days of hot air balloon launching at 5360 Washington Street in Napa. The current Napa County Ordinance provides for 50 days of launching and was **not** meant to turn into full time abuse of the Ag Preserve nor the privacy and well-being of the citizens of Napa County.

There are many reasons for our opposition. First, we live south of the launch site on the West side of the highway – one would think far from the launch site and therefore, no issue. However, we are in the direct flight path of the hot air balloons that currently launch from various sites around Yountville including this site.

This is a problem because the Hot Air Balloon industry has chosen to use the pristine Napa Valley as their site seeing mecca. Daily they ignore the FAA MINIMUM SAFE ALTITUDE requirements of 1000 feet and fly very low over our vineyards and homes (See photos). They are as low as 100 feet – or at tree top levels – and we can see and hear the passengers clearly. They take photographs of our homes and persons – and who knows where those photos are posted? This is a true invasion of privacy and personal trespass. They often scare our cattle and a low flight over our pasture from Balloons Above the Valley resulted in an injured newly born calf this past year.

We have been sending violation notices to the County of Napa because the County has liability in allowing a behavior that is against the law. The County continues to ignore their responsibility. The County Ordinance uses the Code of Conduct created by the Professional Balloons Pilots Association for adherence to the rules. Where is the adherence? Did you know that the Professional Balloon Pilots Association is a non-existent entity? The current President of the Association has written to one of our neighbors that he can't do anything about improper and illegal flights from Balloons Above the Valley (and he doesn't obey the FAA laws either....).

Here are Use Permit issues that need further clarification from staff before a use permit would be granted if at all.

1. The noise study on page 6 states "According to the project applicant, the launching of hot air balloons is dependent on weather.....Although multiple balloons may be

launched per day, the balloons are launched **sequentially** with No More Than ONE balloon launched at a time.” The sound study was based on this input and guidance from the operator. The public notice that we received states: “Multiple balloons can be launched **simultaneously** depending on the weather.” One would believe that the noise study was conducted to show that the noise from hot air balloon activity at 5:30 a.m. and before 7:00 a.m. exceeded the Napa County Noise Ordinance. Hence the change in the application for starts to begin at 7:00 a.m. And the noise study only measured noise from one balloon at a time – not 3 or multiples. Please see attached photo of typical launch by Balloons Above the Valley from this location during his 50 day permit cycle last year. Do multiple simultaneous launches meet noise requirements? Why is there a conflict in the two documents?

2. The public notice also states that the hours of operation are 5:30 a.m. with launches at 7:00 a.m. What is the definition of Launch? We believe that you need to clarify this in detail. Does a launch mean that the balloon inflation will begin at 7:00 a.m.? If not, then the whole purpose of “launching” later and the sound study is defeated. You must make this very clear going forward. Activity to inflate the balloons and fans operating must NOT start before 7:00 a.m.
3. Landing – Has the County investigated where these balloons intend to land? Have the landing sites been approved by the City or neighbors where the balloons often land? Does the later start time create a different pattern of flight as the winds change as the earth heats up? How does this affect their ability to fly at the FAA MINIMUM SAFE ALTITUDE of 1000 feet? How does it affect landing sites? Remember, a hot air balloon goes up and comes down but has NO CONTROL for left, right, diagonal or other maneuverability. What are you subjecting the citizens downwind to with this launch site?
4. The use permit states that there will be up to 8 balloons launched in any given day. Who owns the balloons? Is the County allowing Balloons Above the Valley to be an amalgamator bringing in other hot air balloon operators from different counties or companies? How will this be monitored and how will the County ensure that they adhere to the policies set forth in this use permit and that insurance requirements are met? This use permit should be for ONLY balloons owned and operated by Balloons Above the Valley.
5. Incidents – The County has continued to deny its responsibility for hot air balloon invasion of privacy, excessive low flights, private air space trespassing, illegal and dangerous landings, non-reporting of incidents, non-compliance with FAA rules and neglect of citizens right to privacy. How will this change with the authorization of this use permit? If the County is permitting a use – then it should be responsible for how that use affects its taxing citizens.

6. Accidents – There has been recent publicity in the Napa Register of two emergency landings with injuries. There are probably more that do not make the newspapers. The responses to these accidents call forth the CA Highway Patrol, Golden Gate Division Air Operations, Napa County Sheriff, American Medical Response, Napa County Fire, St. Helena Fire. Who pays for these costs? It better not be the taxpayers or there will be hell to pay in this time of financial stress. Please answer, who pays?

This operator has had other accidents shown in the FAA logs which were not disclosed in his 50 day Permit Application last year. This was brought to Mr. Morrison's attention. This should make his application invalid. Isn't this also fraud? Isn't running people into electric power lines and causing them to be airlifted to hospitals enough to make the County take pause on this activity?

To reiterate, we are OPPOSED to this use permit being granted and believe it is outside the intent and scope of the current Napa County ordinance for balloon launches in the Ag Preserve. Issuance of this permit continues to create trespass and invasion of privacy which is our constitutional right.

Sincerely,

Handwritten signature in blue ink, reading "Morgan Morgan & Phil Lamoreaux". The signature is written in a cursive style with a large "M" and "L".

Morgan Morgan and Phil Lamoreaux







## Hedge, Emily

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**From:** 719gmaj@gmail.com  
**Sent:** Thursday, August 13, 2020 4:42 PM  
**To:** Hedge, Emily  
**Subject:** Fwd: Balloon Launching, Public Meeting

[External Email - Use Caution]

PLEASE NOTE: The City of Yountville declined a similar permit. There are a great many people that have issues with the balloons. It would behoove the committee to research this a bit further and also to look at some of the Facebook postings from private residences regarding the action of the balloon pilots.

I was notified at the last public meeting but I have not been notified formally of the September 2 meeting. Please put me on your list for future notifications. I live at 1214 Carrell Lane, within 1000 feet of the proposed launch site. The letter below is what I sent to Yountville. I feel it definitely applies to your public meeting as well. Respectfully, Judy Lindsey

**From:** Judy Lindsey <719gmaj@gmail.com>  
**Date:** May 29, 2020 at 11:03:35 AM PDT  
**To:** publiccomment@yville.com  
**Subject: Balloon Launching**

My name is Judy Lindsey. I have lived on Carrell Lane, Napa, (about 2 miles south of Yountville) for over 50 years. Consequently, I have dealt with the Balloons for some time. Yes, they are beautiful to look at. BUT, there is another side to them that most people do not realize. The heaters are very noisy and they hover very low. They will tell you that they have a 500 foot limit, from the ground, that they adhere to unless they are landing. This is not accurate. The large percentage of time, they are below that height. I can hear talking, see cameras, etc. I don't really want to stop the balloons. It would be ideal if they could launch away from residences. I realize that that is not always possible. However, if they would adhere to the height regulations, many of us would not have an issue. Please consider this. It would be helpful to have a process to notify authorities when they go below the 500 feet. There also must be some type of penalty to the Balloon companies. Something more than a "slap on the hand". What the owners of the Balloon companies are telling you is NOT how the pilots function.,


Respectfully submitted,

Judy Lindsey  
1214 Carrell Lane  
Napa, CA 94558  
707-252-2477

Dear County Staff and Planning Commissioners:

We live at 5350 Washington Avenue and we write this letter to wholeheartedly support the use permit application for Balloons Above The Valley. We have written before of our support because it is required by the permitting process. But our support has grown since the prior letters because we have had the opportunity to watch closely now many balloon launches of Balloons Above The Valley. The launches are quiet, the guests are quiet and courteous, and frankly, the balloons are lovely and entertaining. We cannot think of a better way to help preserve Napa Valley's wonderful vineyard agriculture than by allowing Balloons Above The Valley to share the unique and intimate view of the valley that only Balloons Above The Valley can provide. Please permit this wonderful business to continue to showcase our Agricultural Preserve for guests not only of theirs, but of Napa Valley's.

Respectfully,

 1/7/2020  
Peter Galea



## Hedge, Emily

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**From:** Lynn Mullins Nelson <jlmeggs@aol.com>  
**Sent:** Tuesday, November 26, 2019 8:34 AM  
**To:** Hedge, Emily; Bordona, Brian  
**Cc:** m2morgan@hotmail.com; leslie@ryderhomes.com  
**Subject:** Fwd: Balloon Launching  
**Attachments:** Balloons over house Sept 21, 2019 IMG\_4111 (2).jpg; Ballon over house Sept 21, 2019 IMG\_4422 (1).PNG; Ballons landing 100 ft away Aug 10, 2019 IMG\_4136.PNG; Ballons over residences Oct 9, 2019 IMG\_4137.PNG; Balloons coming by low IMG\_4144.JPG

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