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**PLANNING COMMISSION  
STAFF REPORT- UP\_MAJOR\_INLAND**

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**JULY 21, 2016  
U\_2013-0008**

**SUMMARY**

**OWNER:** PATHWAYS IN EDUCATION  
320 N HALSTEAD ST STE 220  
PASADENA, CA 91107

**APPLICANT:** BLACKBIRD FARM  
18601 VAN ZANDT RESORT ROAD  
PHILO, CA 95466

**AGENT:** TROY SCHLERETH  
320 N HALSTEAD ST, SUITE 220  
PASADENA, CA 91107

**REQUEST:** Major Use Permit for the expansion of a permitted transient habitation (resort and recreational) facility, previously known as Highland Ranch. The proposed expansion would increase the number of guests and employees from 36 to a maximum of 292 over a 7 year development time line.

**DATE OF COMPLETION:** 04/25/16

**LOCATION:** Approximately 2 miles southwest of Philo, lying off of Van Zandt Resort Road (private) which is accessed off of Rays Road (CR 131). Located at 18601 Van Zandt Resort Road, Philo; APN's 026-392-21, -22, -23, -24, -25, -29, -30, and -31.

**TOTAL ACREAGE:** 72.22 acres in the area that are zoned Forest Land where most of the existing and new structures are to be located and approximately 100 acres in TP zoning where many team-building activities will take place.

**GENERAL PLAN:** Forestland- 160 Acre Minimum (FL160)

**ZONING:** Forestland- 160 Acre Minimum (FL160)

**SUPERVISORIAL DISTRICT:** 5

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**RECOMMENDATION:** Conditional Approval

**STAFF PLANNER:** ADELE PHILLIPS

**PROJECT DESCRIPTION: November 3, 2015-A revised use permit application using Use Permit #U\_2013-0008 was submitted with changes reflected below:**

Major Use Permit for the expansion of a permitted transient habitation (resort and recreational) facility which was previously known as Highland Ranch. The proposed expansion would increase the number of guests and employees from 36 to a maximum of 292 and would be developed over a 7 year time line (Phase I through VII).

**Phase 1 (Summer 2016)**

1. High ropes restrooms:
  - Multi-Stall
  - Women's: two toilets, two sinks, two showers, changing area
  - Men's: one toilet, one urinal, two showers, changing area
  - One sauna (dry) room to accommodate 6-8 people
  - Equipment room
  - This restroom will also be utilized by students after hiking since the current bathrooms located near the pool and tennis court are not equipped to handle students.
2. Polytunnel (Hoop House)
  - Outdoor greenhouse
3. (5) Learning Platforms/Yurts
  - wood framed decks for classroom use, 44'x44'
4. Garden
  - 20,000 square feet in area
  - Completely organic
5. Hay Barn
  - 24'x26', enclosed on three sides, 13' clear height minimum inside, holds 365 bales at capacity, near existing wood cutting area
6. (4) Cabins, 1500 sq. ft. each with toilets, showers, lavatories to accommodate eight (8) guests or employees in each
  - laundry room attached to one of the cabins
  - no cooking facilities
  - finishes and flooring similar to existing cabins
7. Kitchen with outdoor services-6,500 sq. ft.
  - Kitchen for interactive lessons in cheese making, bread making and preserves
  - three compartment sinks
  - pizza oven
  - stove
8. Parking Lot for twenty (20) passenger vans and employee automobiles
  - 1/2 acre
  - gravel
9. A 500 sq. ft. office and infirmary with a single stall ADA restroom

**Phase 2: (Summer 2017)**

1. Four yurts with restrooms intended for housing students and guest

2. Additional restrooms, estimated 450 sq. ft.
  - (2) Women: two toilets, two lavatories, two showers
  - (2) Men: one toilet, one urinal, two lavatories
3. An exercise building with small ASA bathroom
4. Six (6) 1500 sq., ft., cabins as in Phase 1

**Phase 3: (Summer 2018)**

1. Two (2) 10,000 sq. ft. vineyards
2. A 300 sq. ft. steam room/sauna,
3. A 3000 sq. ft. sheep's milk creamery
4. Six (6) 1500 sq. ft. cabins as in Phase 1

**Phase 4: (Summer 2019)**

1. Eight (8) 1500 sq. ft. cabins as in Phase 1

**Phase 5: (Summer 2020)**

1. An events pavilion with dining seating occupancy for 164 indoor and outdoor decks with commercial catering kitchen for handling cooking training and demonstration classes

**Phase 6: (Summer 2021)**

1. Lodge/Inn with ten (10) private rooms with ten (10) private bathrooms, commercial kitchen, dining room with deck

**Phase 7: (Summer 2022)**

1. Six (6) lodge cabins with two (2) 750 sq. ft. units in each with private bathrooms

**APPLICANT'S VISION FOR EDUCATIONAL CAMPS:** "Pathways in Education-Mendocino, Inc. (PIE-M) is a non-profit organization which has been granted 501(C)3 status and has purchased the property formerly known as 'Highland Ranch' in order to operate youth camps. PIE-M offers 11 day sustainable living camps for urban high school students. Students are flown into the Santa Rosa Airport and then driven to PIE-M in one of the 12 passenger vans that PIE-M has purchased. PIE-M will purchase 8 more as growth requires. PIE-M's educational programming is intended to expose urban students to unique opportunities unavailable to them in their regular school and community. During their stay, students engage in sustainable farming, cheese-making, fruit preserving, caring for animals, high-ropes course, gardening, and confidence and leadership activities.

Pathways in Education, Inc. (Pathways) have had great success with a similar student program at Rocky Mountain Pathways Ranch, Inc. ('RMPR'). RMPR is a 62.5 acre ranch located in Allenspark, Colorado and its clients have expressed a desire for a similar camp in California. For the past three years, RMPR has taken urban high school students out of their comfort zone and into an entirely new environment. While at the ranch, students are immersed in standard curriculum as well as lessons on wildlife and the Colorado wilderness. Students, some of whom have never seen a horse in person, are taught about horse physiology and general care and partake in equine training activities. While participating in ranch work, students experience daily life at a ranch and take ownership over animal care and small building projects. Goal setting is a theme throughout the trip as students are encouraged to begin planning for their future. Many students find these activities difficult initially, but throughout the camp recognize personal development and self-confidence growth. Upon leaving RMPR, they have developed lifelong friends and widened their horizons. Data shows that students who have participated in various Pathways programs are less likely to drop out of school and have improved test scores with their rededication to their education and future. At all Pathways programs, including PIE-M, students earn academic credit toward their high school diploma through coursework and experimental learning activities.

As Highland Ranch operated previously, PIE-M also offers spaces open to public guests who are interested in the educational mission of PIE-M. PIE-M will host guests and educational retreats in the existing cabins and in a planned lodge. PIE-M is also open to 'day visitors' or groups interested in educational workshops, creamery demonstrations, and/or teambuilding through high ropes courses. In addition, all guests can make use of the horse trails, ponds and hiking paths. The educational-programming available to students at PIE-M, consisting of classes such as Cheese-Making 101 and Seed to Table courses, are also available to all guests and visitors.

PIE-M could potentially be utilized for a small number of special events throughout the year, including weddings, family reunions, corporate retreats, or team building activities. PIE-M realizes that tourism and recreation-based activities must be located in areas with adequate access and services, and minimal impacts to surrounding areas and resources. At capacity, PIE-M would host 292 people on the property, a number which includes all staff. Our goal is to aide in the creation of a vibrant and diversified economy for Mendocino County while still protecting the outstanding surrounding environment."

**APPLICANT'S STATEMENT:** "Pathways in Education-Mendocino ("PIE-M") requests a Major Use Permit for expansion of recreational and transient habitation use for our facility. This expansion will not involve much removal of commercial tree species. Mendocino County's two foremost land use goals, of maintaining a rural character and natural resources while still fostering commercial growth and improving communities, will be furthered by granting PIE-M a major use permit. PIE-M intends to maintain the rural character, preserve and improve the natural resources on the property, yet, with few additions; PIE-M will add the exciting opportunity for student groups to enjoy the beauty of Mendocino County while learning about sustainable farming, healthy living, and rural food-making. On the whole, PIE-M will positively affect the economy of Mendocino County when it is granted a major use permit. The current occupancy allows for 36 people on the property and PIE-M would like to increase the permitted occupancy to 292. With this increased occupancy, PIE-M will expose more students from all over the United States to sustainable living curriculum and Farm to Table instruction. Students will make use of the horse trails, ponds and hiking paths. PIE-M will also be open to the general public as an educational resort for guests interested in learning about sustainable farming and participating in team-building activities. For the uses described above, PIE-M proposed to add the following structures: a freestanding restroom, a poly-tunnel-type green house, a garden, a kitchen with outdoor services, a parking lot, a sauna/steam room, an office/infirmary, two vineyards, a creamery/milking parlor, farmworker cabins, student cabins, a high ropes course, an event pavilion, exercise building, and a lodge/inn. With this construction we intend to match the aesthetic of the current buildings, will remove as little vegetation as possible and commercial trees will not be removed. The current aesthetic of the buildings is country rustic. The material used on all new structures shall be natural materials, similar to the materials on the existing buildings, redwood siding stained and sealed. Roof slopes will be similar to existing and roofing materials shall be dark metal, ideal for fire protection. In accordance with the General Plan, our design shall adhere to resource protection standards in order to integrate and complement the natural ecology and environmental setting."

**RELATED APPLICATIONS:**

**On-Site**

- U 157-76; use permit for the original Highland Ranch vacation camp-36 guests and employees.
- CC\_2011-0001; certificate of compliance which created two legal lots where the proposed project is located.
- B\_2011-0007; boundary line adjustment which created three legal parcels of which one is part of the subject property.
- BL\_2013-0124; business license taken out by the applicant of this project to confirm the legality of the Highland Ranch vacation camp

**In Vicinity**

- U 44-87, UM 44-87/91/97/2001, and U\_2012-0005; these use permits and modifications pertain to the Shenoa adult-family retreat/conference center that originally was projected for 135 guests and 20 permanent staff. The Shenoa property is located approximately 1.5 miles to the east of the subject property.

**SITE CHARACTERISTICS:** The project site which is owned by Pathways in Education-Mendocino is approximately 250 acres of which the majority of the existing development and future development will be located in a meadow clearing area of 72 acres. The remaining area consists of rolling hills, redwood and fir groves, a lake and five ponds. There are also orchards of pears, apples, cherries, plums and walnuts planted by previous owners.

The following historic account of the property was provided by a Cultural Resources Survey that was prepared by Alto Archaeological Consulting: "Blackbird Farm (formerly Highland Ranch) is a ranch property and grave site that was first established circa 1887. In the late 1930s, the property was used as a resort offering vacation cottages, recreational ponds, horseback riding, and hiking. Historic features on the property include a farm house, outbuildings, a barn, cottages, and a grave site. Modern outbuildings and cottages have been built since circa 1980"

**SURROUNDING LAND USE AND ZONING:** The surrounding area is primarily in Timber Production zoning and the land uses are rural residential or timber production. Hendy Woods State Park is adjoining the subject property to the north and there is one residence located approximately one and a half (1 ½) miles to the northwest.

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	FL	FL/TP	180	TIMBER
EAST	FL	TP	41	TIMBER
SOUTH	FL	TP	150	TIMBER
WEST	FL	TP	40 TO 240	TIMBER

**PUBLIC SERVICES:**

Access: Ray's Road (public) and Van Zandt Resort Road (private)  
 Fire District: ANDERSON VALLEY FIRE DISTRICT AND CAL FIRE  
 Water District: NONE  
 Sewer District: NONE  
 School District: ANDERSON VALLEY UNIFIED SCHOOL DISTRICT

**AGENCY COMMENTS:** On April 17, 2013 and again on January 22, 2016, when the latest modification was submitted, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their required related permits, if any, are listed below. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial is discussed in full as key issues in the following section.

REFERRAL AGENCIES	RELATED PERMIT	COMMENT	DATE
Department of Transportation	Encroachment Permit	Comments	May 9, 2016
Building Services-Ukiah PBS	Building Permits	Verbal Comments	May, 2014
Environmental Health-Ukiah	Food Facility Permit	Comments	May 27, 2014
Resource Lands Protect Committee		Comments	April 18, 2014
County Assessor		No Response	
Air Quality Management District	Large grading project permit	Comments	May 15, 2014
Sonoma State University-NWIC		Comments	May 16, 2014
Archaeological Commission		Comments	June 11, 2014 & Aug. 13, 2014
CalFire	CalFire File # 58-13	Comments	April 2, 2013

Anderson Valley CSD-Fire District		Comments	May 30, 2013, July 18, 2013, and May 29, 2014
Anderson Valley School District		Comments	May 14, 2014
State Water Quality Control Board	Domestic Water Supply Permit	Comments	August 8, 2014
State Fish and Wildlife	Streambed Alteration Agreement	Comments	July 10, 2014 & August 7, 2014 (Field Trip)
State Parks and Recreation		Comments	July 16, 2014 & August 7, 2014 (Field Trip)

**KEY ISSUES:**

**1. General Plan and Zoning Consistency:** The subject property is classified Forest Lands under the General Plan and the zoning of 72.22 acres of the total 245± acres is Forest Land and 173.43 acres are zoned Timber Production. The original Highland Ranch resort is located on the 72.22 acres of Forest Land zoning and the majority of the proposed Blackbird Farms resort is also to be located on the 72.22 acres of Forest Land zoned lands. There will be some team building and educational activities such as hiking, ropes course and forestry conservation on hands teaching that will take place on some of the Timber Production zoned lands. There also will be restroom facilities which will be made available to those who are participating in the team building and education activities. The County Resource Lands Committee has reviewed the project and after review of the original proposed project recommended that there be no cabins, parking areas, eating facilities etc. located in the Timber Production zoned lands. The applicant modified the plans and removed these activities from the Timber Production zoned lands.

Policy DE-18 of the General Plan notes that the following uses could be compatible with the Forest Lands land use classification: forestry conservation, processing, and development of natural resources, recreation, and utility installations. Division I of the County Zoning Code lists Transient habitation-resort and recreational as a permitted use in the Forest Lands district upon issuance of a Major Use Permit. The County Zoning Code also lists Transient habitation-campground as a permitted use in the Timber Production district upon issuance of a Major Use Permit. The proposed project will include clusters of cabins, gardens, vineyards, a sheep barn, horse barn, barbeque area, kitchens, dining areas, swimming pool, tennis courts, assembly hall, and possibly an events pavilion and lodge. These buildings will all be located in the 72.22 acres that are zoned Forest Lands.

Policy RM-125 of the General Plan recommends the building envelopes, clustered development, and commercial, industrial, civic, and sensitive uses on non-resource lands shall be designed with buffers or set-backs. Buffers shall generally be defined as a physical separation of 200 feet. The proposed development will respect a 200 foot buffer between future development and lands in Timber Production zoning and the lands of Hendy Woods State Park.

**2. Special Planning Areas:** The proposed project is located in the Anderson Valley Community Planning Area which lies along the State Route 128 corridor, extending generally from Yorkville to Boonville, Philo, and Navarro. The proposed project is located approximately three miles to the west of Philo in an area where other private resorts are located as well as Hendy Woods State Campground.

Goal CP-AV-2 recommends the expansion of economic and housing opportunities in Anderson Valley consistent with the desired rural agrarian character of the valley. This project will provide economic opportunities and will provide cabins for the housing of full-time and part-time employees. The project will also include row crops, fruits, and sheep's cheese production.

Goal CP-AV-8: Recommends expansion and diversifying existing economic ventures; the proposed project will expand the existing resort and will provide outdoor education for young people from all over the state.

Policy CP-AV-6: Continue to promote diverse agribusiness as well as wine production and sales: the proposed project will promote agribusiness with the intention of developing a sheep creamery/milking parlor with plans of selling the sheep's cheese to local merchants and the proposed project will include a 20,000 sq. ft. organic garden with intentions of selling some produce to local merchants as well as at farmer's markets.

Action Item CP-AV-10.2: The County will encourage and work with the Anderson Valley Community Services District to identify new recreational opportunities and ways to expand recreation in the Valley; this project will have recreational and educational programs, which will also be available to Mendocino County students.

### 3. Use Permit Discussion to Support Findings:

- a) Staff has noted under key issues number 1 and number 2 that the establishment, maintenance, or operation of the proposed use of Transient Habitation – Resort and Recreation facilities is in conformity to the General Plan and the proposed use preserve the integrity of the Forest Land and Timber Production Zoning District.
- b) Staff has provided Use Permit conditions that will assure that adequate utilities, access roads, draining, and other necessary facilities have been or are being provided. Conditions have been recommended by the Division of Environmental Health for septic system sanitation and potable water, the Regional Water Quality Board for potable water, the Mendocino County Department of Transportation, Anderson Valley Fire Department and CalFire for adequate access roads, and Building Services Division for adequate drainage.
- c) The subject property is located in a remote area which has very few neighbors. The applicant has proposed measures along with the recommended conditions to assure that the project will not constitute a nuisance or be detrimental to the health, safety, peace, moral, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposer use.

**4. Environmental Protection:** An Initial Study was completed for the project and circulated for public review on June 22, 2016, in accordance with the California Environmental Quality Act (CEQA) Guidelines and a Mitigated Negative Declaration is recommended. The review identified the following potential impacts which will be less than significant with incorporation of the proposed mitigation measures discussed below:

Biological Resources: The State of California Department of Parks and Recreation indicated a concern regarding the possibility of rare, endangered, threatened, sensitive fish and wildlife species located in the State of California Hendy Woods State Park property located to the northeast of the project area. A Biological Resource Assessment was prepared for the project by Richard Tanner, wildlife biologist with North Coast Resource Management in October 2014. The assessment was conducted on and adjacent to the Blackbird Farm property to determine if any special-status species or their habitat occurred in the area.

The conclusion of the assessment is as follows: "We believe that the proposed Pathways in Education project on Blackbird Farm is not likely to adversely affect potentially occurring sensitive or other protected fish and wildlife species or their habitat in the project area. We believe that construction in the project area will not create disturbance or harassment for owls or murrelets nesting in the Hendy Woods State Park, and the recommended measures will mitigate disturbance to vegetation and wildlife and the planned TPZ will provide mitigation for loss of habitat."

Below are recommendations for surveys and agency consultations that may be necessary:

#### Special Status Species and Habitat

- Conduct a preconstruction botanical survey to ensure no listed or special status plant species are present in the project area where vegetation will be removed.
- Standard project-related work and construction should occur during the Limited Operating Period (LOP), August 15-March 15. If work will be conducted outside of the LOP, a nesting bird survey

should be conducted in areas of impact or California Department of Fish and Wildlife (CDFW) should be consulted.

- If construction will occur outside the LOP during the nesting bird season, surveys should be conducted for raptors including but not limited to the northern goshawk and the sharp-skinned hawk. These surveys should be conducted in the project area and within a ¼ mile-buffer of the project area.
- Northern spotted owl survey should not be necessary because no suitable habitat for this species will be removed. Consequently, it is classified as a 'Disturbance-Only' project (USFWS2011) and no known activity centers are located within 0.7 miles. If, however, construction occurs outside of the LOP, surveys may be required. In addition, adherence to the guidance detailed in USFWS' *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California* (USFWS 2006) will be required.
- Surveys for marbled murrelets should not be necessary because of the distance from the project area to suitable habitat. However, if construction occurs outside the LOP, it will be necessary to adhere to USFWS' guidance for potential disturbance (USFWS 2006) based on the project location; its distance from potential habitat in HWSP; and the attenuation effects of the ridge along the north edge of the project area.
- Based on the presence of suitable habitat of both the northern spotted owl and the marbled murrelet in HWSP. A consultation with USFWS may be necessary.
- Conduct an inspection for Sonoma tree vole nests in all trees to be removed. This survey should be conducted regardless of whether construction occurs during the LOP. The survey should be completed several weeks prior to tree cutting and following informal consultation with CDFW.

#### Scheduling

- As noted above, every effort should be made to complete work during the LOP (August 15-March 15) to avoid potential impacts to all nesting birds.
- Due to the limited scope of work, contractors involved with this project should be required to perform work and complete permanent protection measures in as short a time frame as feasible.
- Contractors should only be permitted to use previously disturbed areas for staging materials or equipment. Areas should not be developed for the purpose of staging.
- Contractors should, to the extent feasible, limit the use of equipment in work areas to track or flotation tire driven equipment with lower ground pressure to reduce impacts to existing vegetation.

#### Equipment Fueling and Maintenance

- Contractors should perform fueling and maintenance of vehicles and equipment at an offsite facility, whenever possible.
- Contractors should ensure that absorbent spill cleanup materials and spill kits are available on the site and should be disposed of properly after use.
- Contractors should ensure that any fueling conducted onsite is as distant as possible from stream crossing and/or ponds.

Public Services –Fire Protection The Anderson Valley Community Services District-Fire District and Cal Fire have provided recommended conditions regarding this proposed project and staff will include all of those conditions that are found in the three separate letters: 1.) sent May 30, 2013 (written by AVFD Chief Colin H. Wilson), 2.) sent July 18, 2013 (jointly written by AVFD Chief Colin H. Wilson and CalFire Captain Shawn Zimmerman) and 3.) sent May 29, 2014 (written by AVFD Fire Chief Andres Avila) and CalFire conditions of approval as outlined in CalFire File Number 58-13.

Transportation The Initial Study has provided a determination that the project would substantially impact existing transportation systems. The additional traffic brought about by seven years of construction is a substantial increase from the current traffic plus the additional traffic that will result from the additional vehicle traffic needed to deliver the campers and the employees to the project area and the additional traffic generated by the proposed event pavilion which is to be used for weddings, family reunions, corporate meetings, etc.

Staff has a concern regarding the maintenance of the private roads which access the subject property, primarily Van Zandt Resort Road off of Ray's Road near Philo and the private road that accesses the subject property from Greenwood Ridge Road. Staff recommends that the applicant do quarterly inspection of these roads to determine what repairs must be made to meet the requirements of CalFire and the Anderson Valley Community Services Fire District for access of emergency vehicles year around. Staff recommends that an agreement be reached with the applicant regarding a before and after evaluation program of the pavement from Ray's Road to the subject property. The program shall be designed to determine whether the construction traffic causes pavement deterioration and the project applicant would be responsible for repairing any project induced pavement deterioration.

The Mendocino County Department of Transportation is concerned about the impact this project will have on the road surface of Ray's Road from State Highway 128 to Van Zandt Resort (private) and on Van Zandt Resort Road to the bridge. (See Conditions 22-25)

**RECOMMENDATION:**

By resolution, adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and grant Use Permit, U\_2013-0008 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

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DATE

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ADELE PHILLIPS

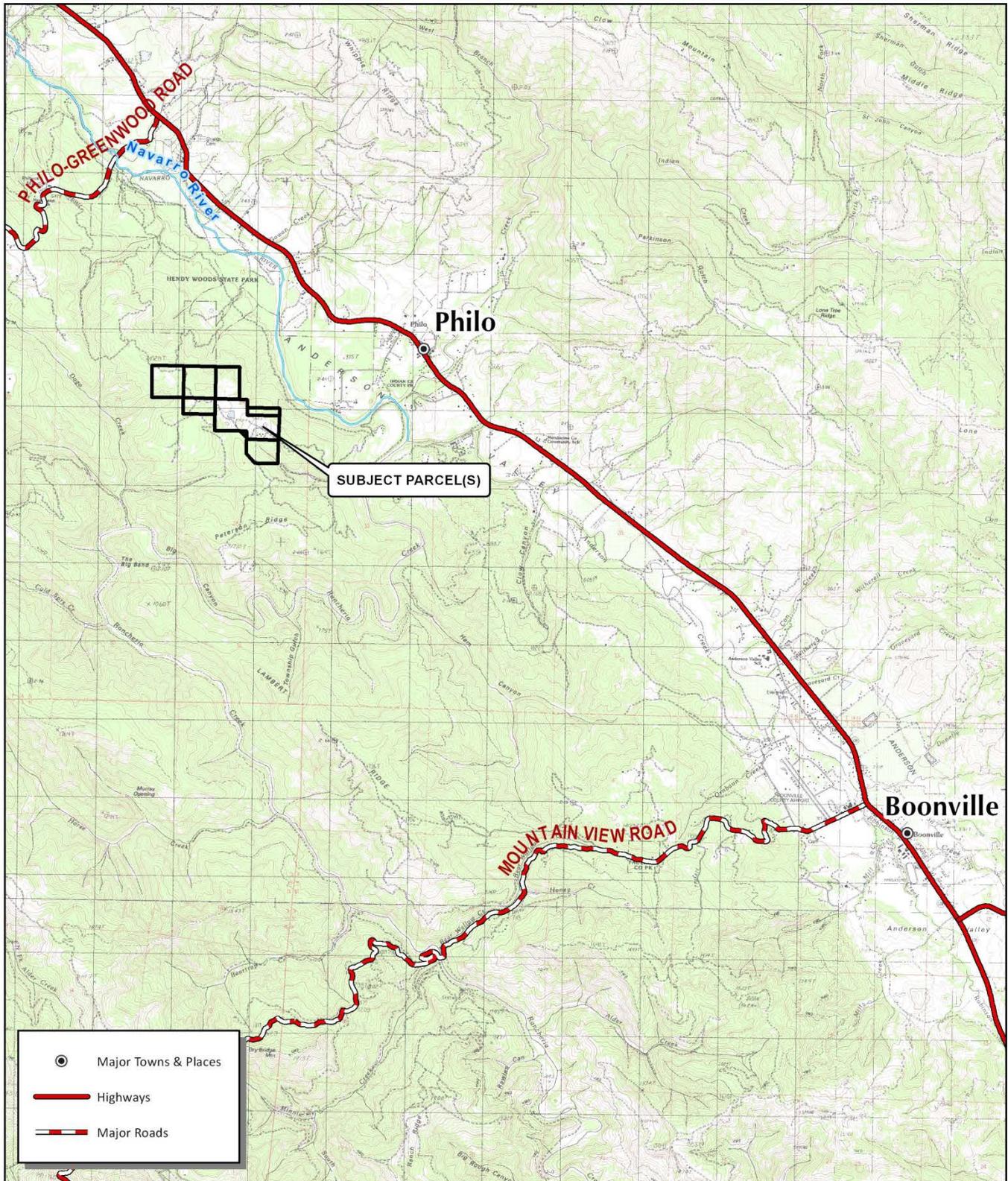
Appeal Period: 10 Days  
Appeal Fee: \$910.00

**ATTACHMENTS:**

- A. Location Map
- B. Topographical Map
- C. Aerial Map
- D. Site Map
- E. Adjacent Owner Map
- F. Zoning Map
- G. General Plan
- H. Fire Hazards Map
- I. Soils Map
- J. Timber Production Map
- K. Evacuation Plan
- L. Proposed Culvert Replacement
- M. Existing Structures
- N. Existing Property
- O. Proposed Access Turnouts
- P. Typical Cabin Photo

**[MITIGATED NEGATIVE DECLARATION] Initial Study available online at:**  
<http://www.co.mendocino.ca.us/planning/meetings.htm>

**RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A)**



CASE: U 8-2013

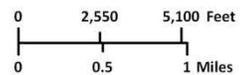
OWNER: Pathways in Education Mendocino, Inc.

APN: 026-392-24, et. al.

AGENT: Jamie Hall

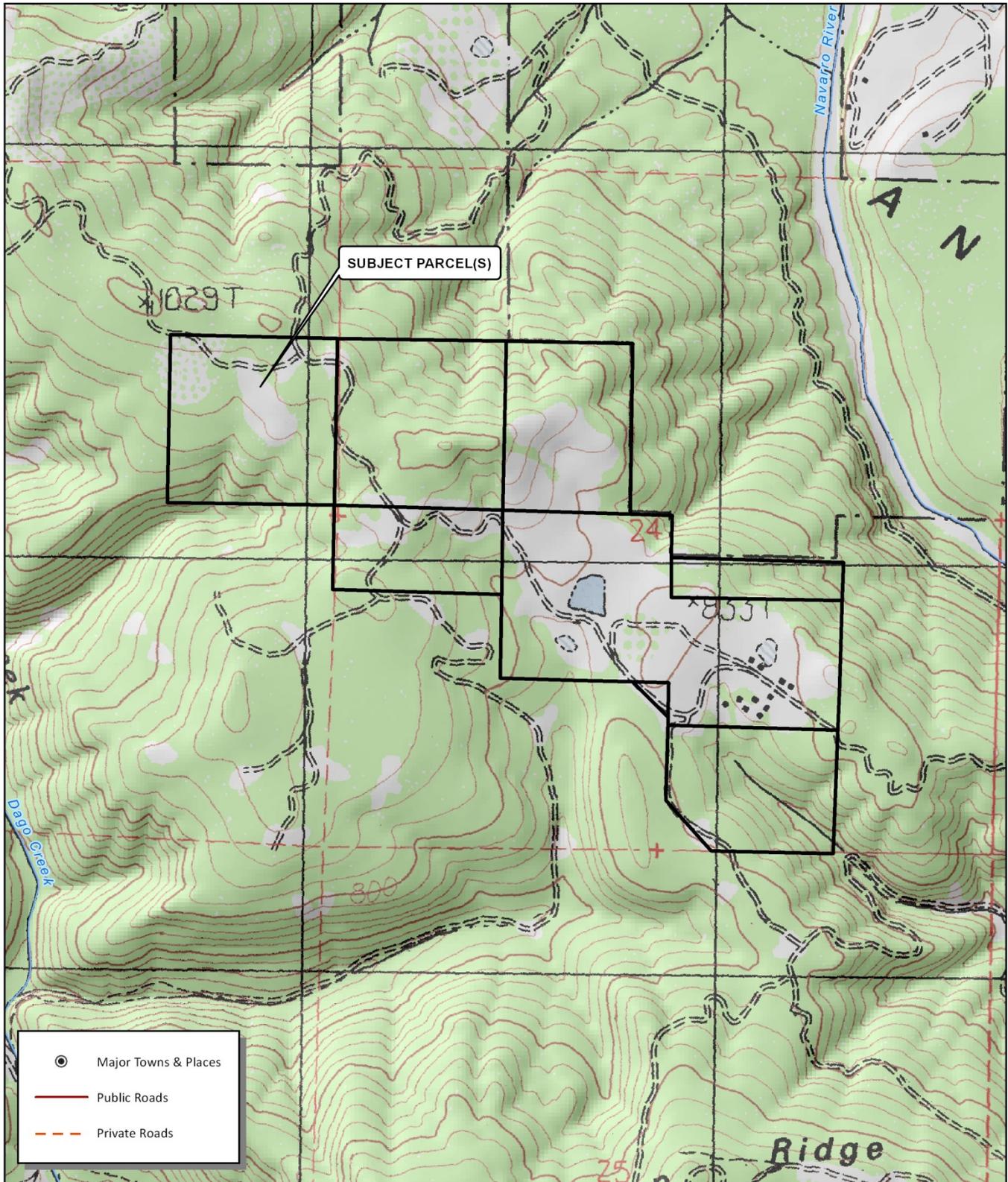
ADDRESS: 18601 Van Zandt Resort Road, Philo

LOCATION MAP



1:63,360

EXHIBIT NO: 1



CASE: U 8-2013

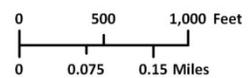
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AGENT: Jamie Hall

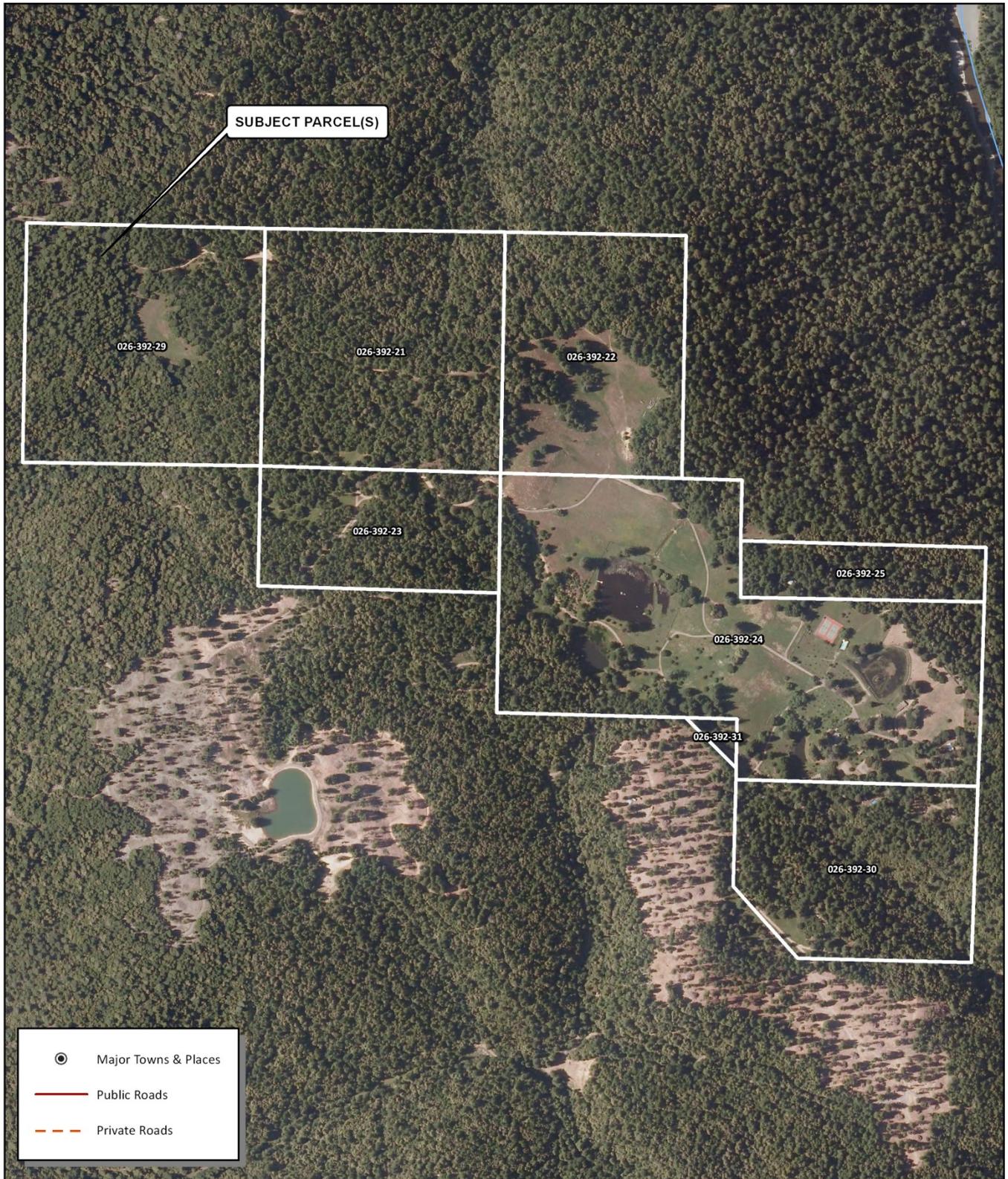
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TOPOGRAPHIC MAP  
CONTOUR INTERVAL IS 40 FEET



1:12,000

EXHIBIT NO: 2



CASE: U 8-2013

OWNER: Pathways in Education Mendocino, Inc.

APN: 026-392-24, et. al.

AGENT: Jamie Hall

ADDRESS: 18601 Van Zandt Resort Road, Philo

2010 NAIP AERIAL ORTHOPHOTO

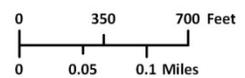
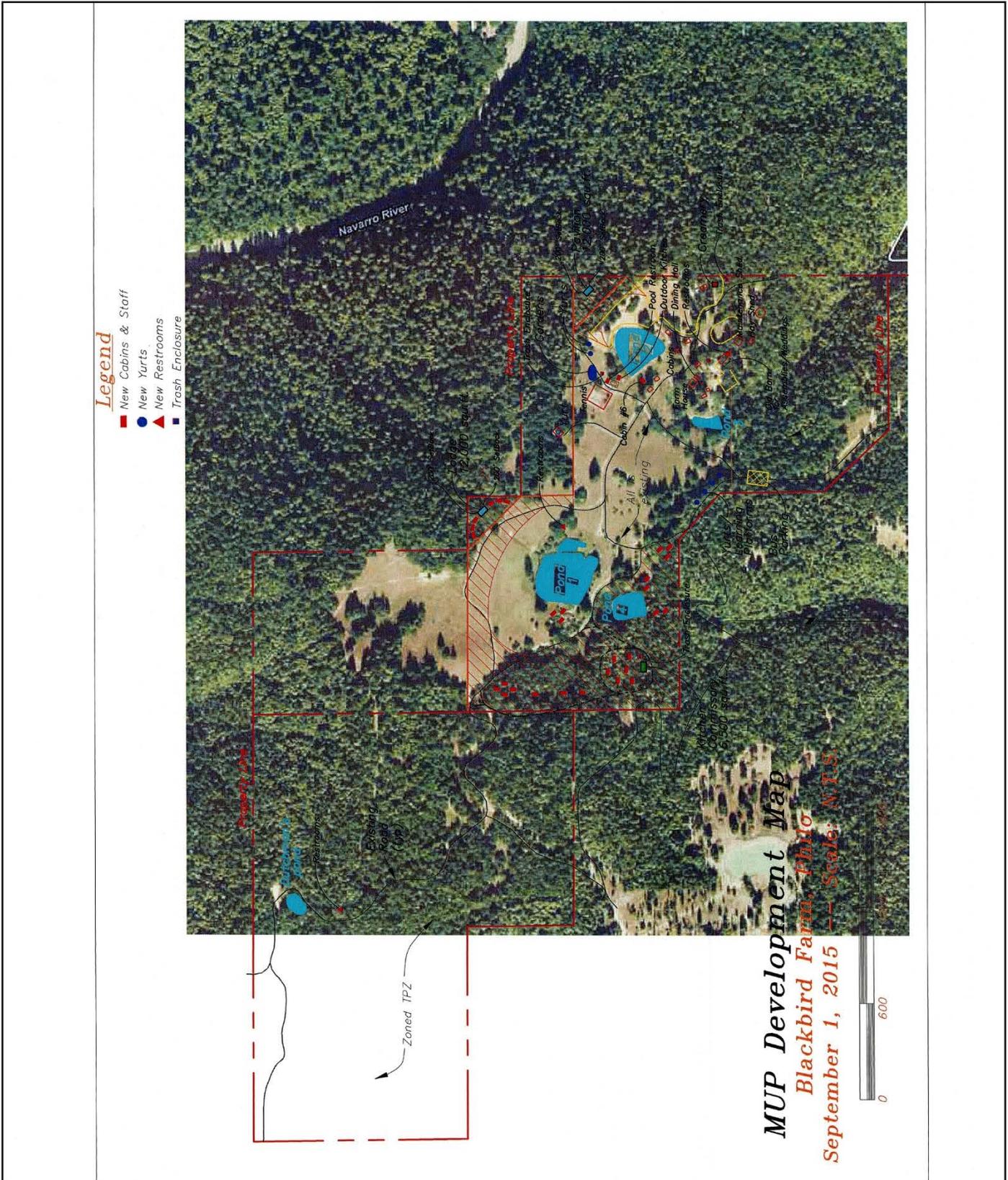


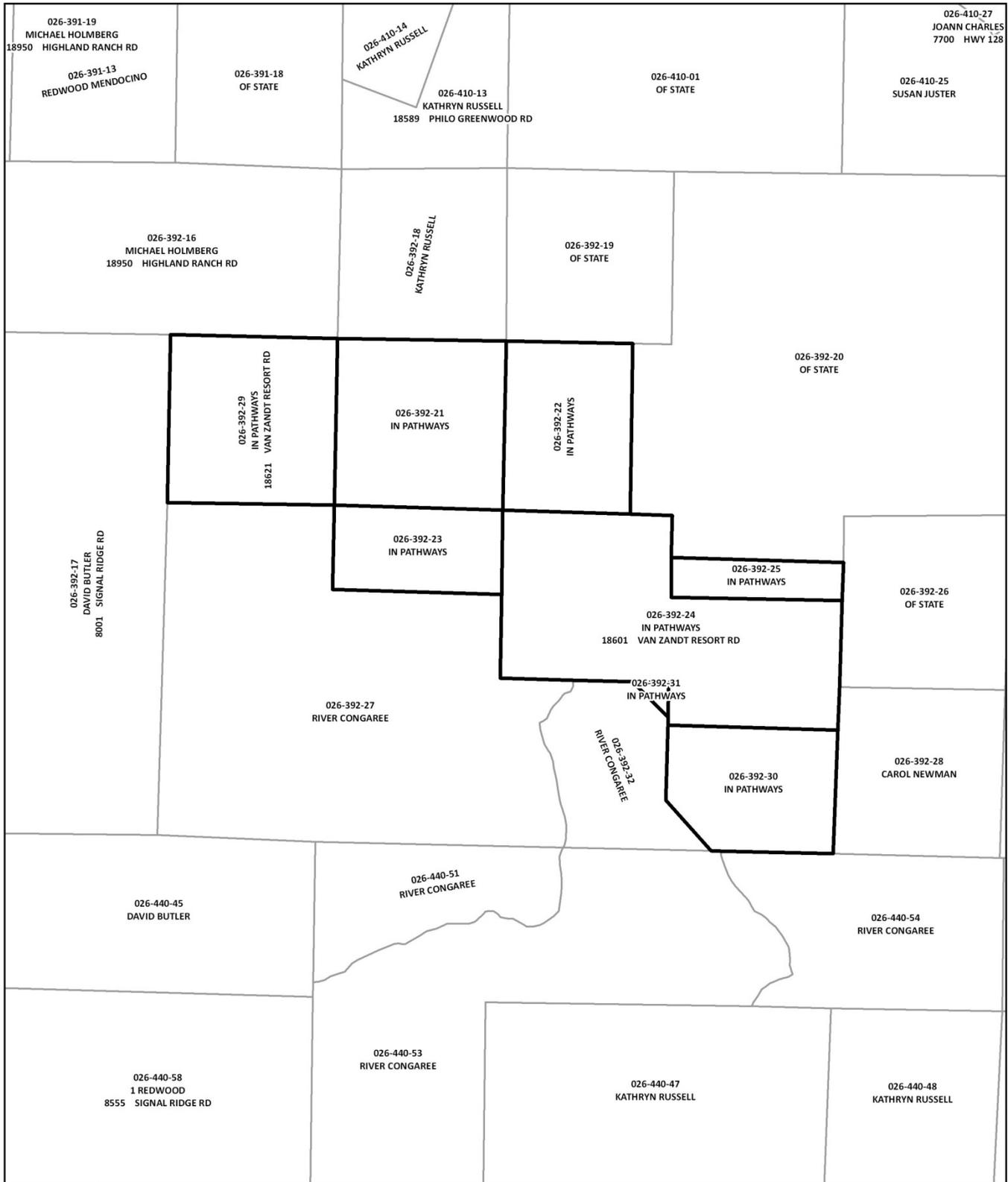
EXHIBIT NO: 3



CASE: U 8-2013  
 OWNER: Pathways in Education Mendocino, Inc.  
 APN: 026-392-24, et. al.  
 AGENT: Jamie Hall  
 ADDRESS: 18601 Van Zandt Resort Road, Philo

REVISED DEVELOPMENT MAP

NO SCALE



CASE: U 8-2013

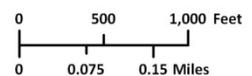
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AGENT: Jamie Hall

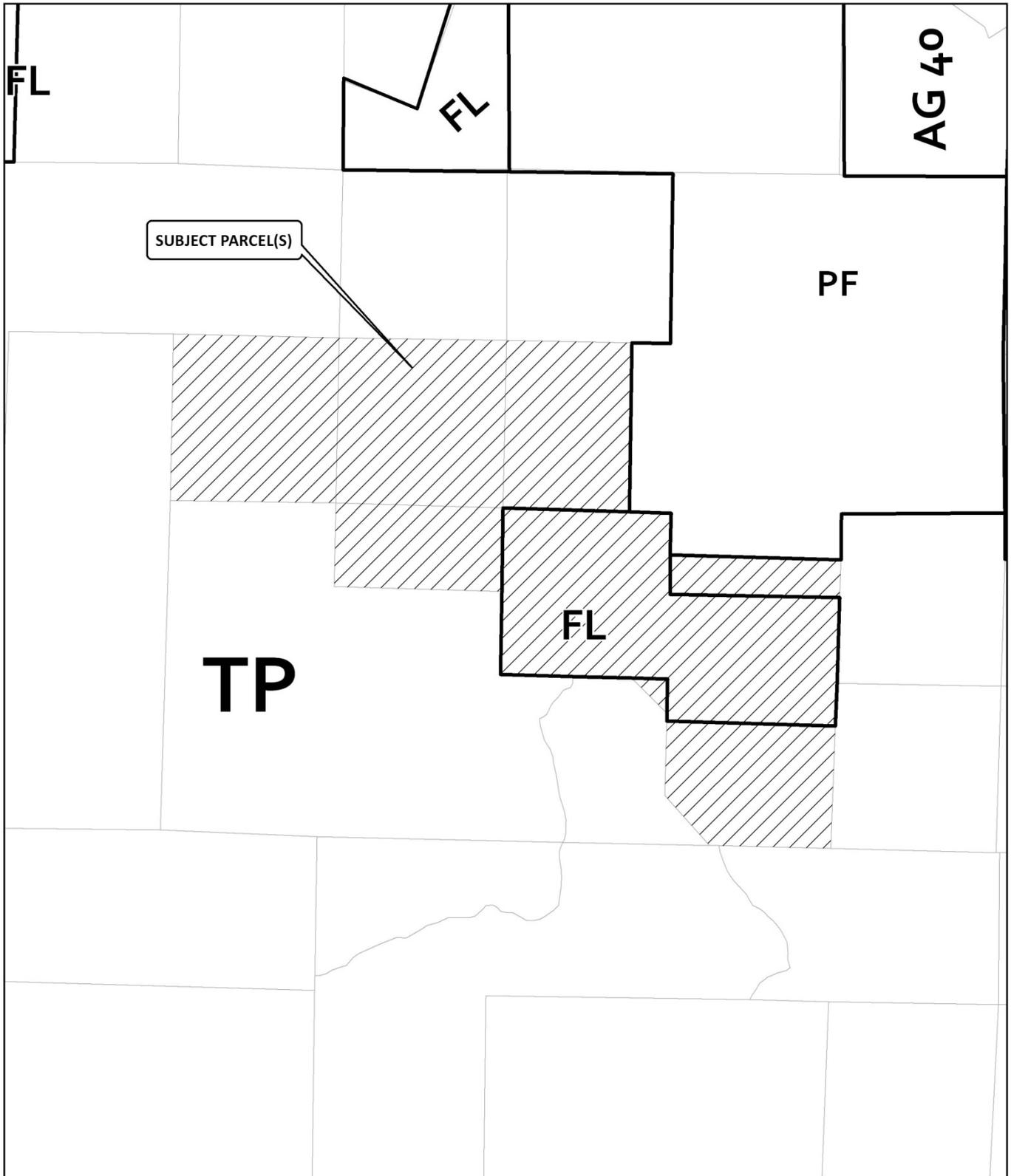
ADDRESS: 18601 Van Zandt Resort Road, Philo

ADJACENT PARCELS



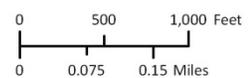
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EXHIBIT NO: 7



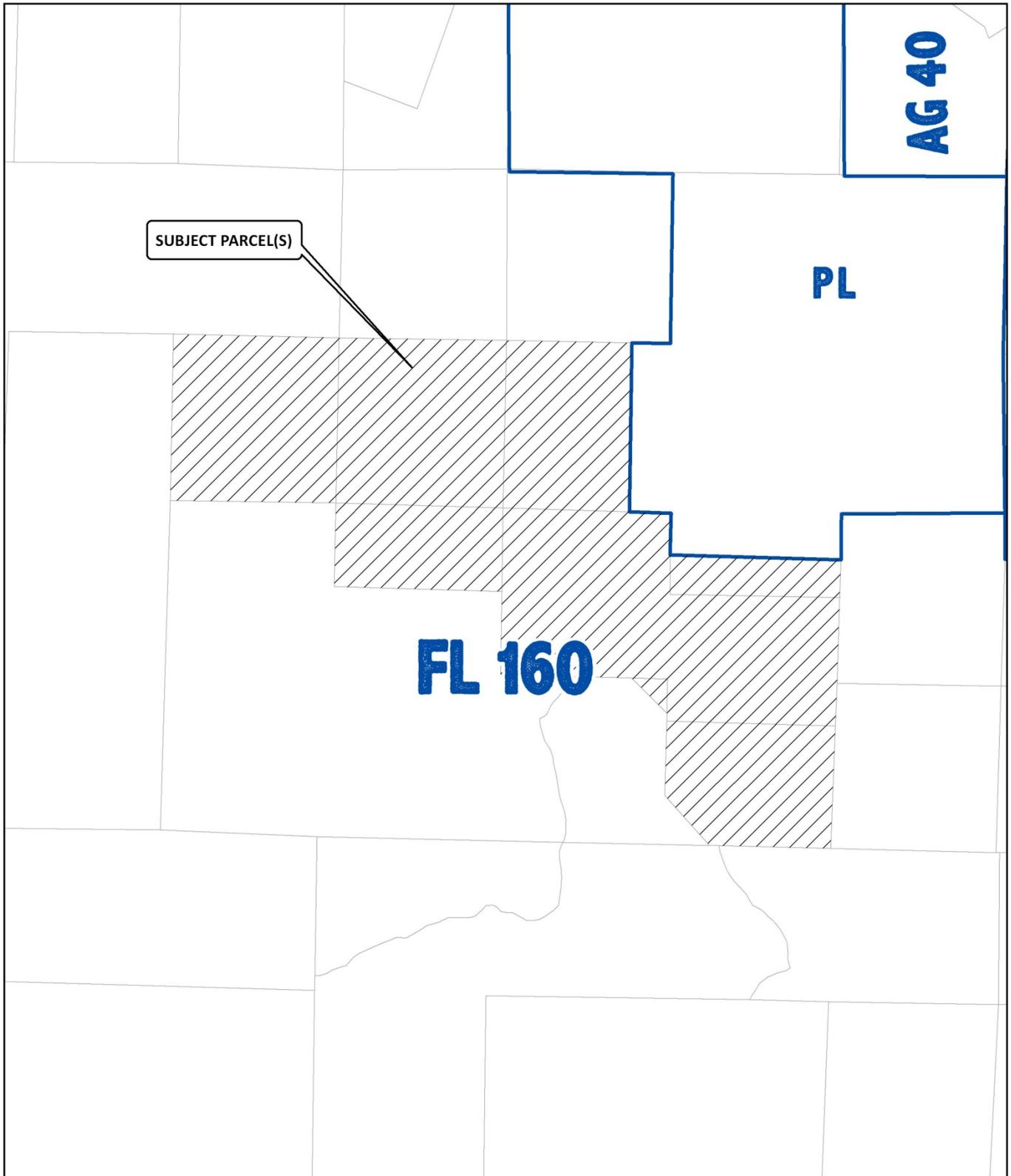
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OWNER: Pathways in Education Mendocino, Inc.  
APN: 026-392-24, et. al.  
GP/ZONE: FL 160 / Varies  
ADDRESS: 18601 Van Zandt Resort Road, Philo

ZONING DISPLAY MAP



1:12,000

EXHIBIT NO: 5



CASE: U 8-2013

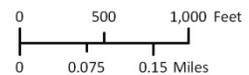
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GP/ZONE: FL 160 / Varies

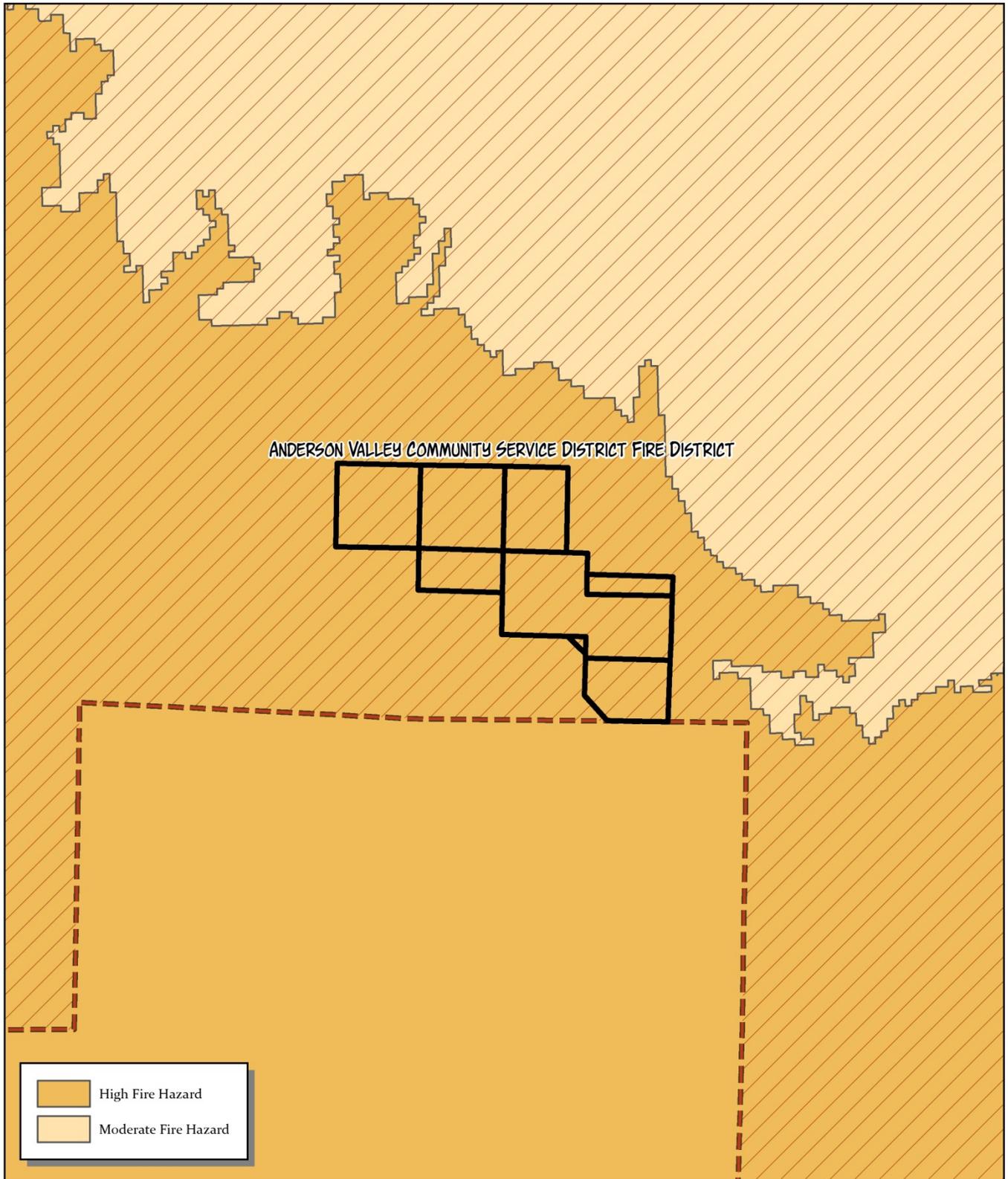
ADDRESS: 18601 Van Zandt Resort Road, Philo

GENERAL PLAN DESIGNATIONS



1:12,000

EXHIBIT NO: 6

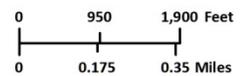


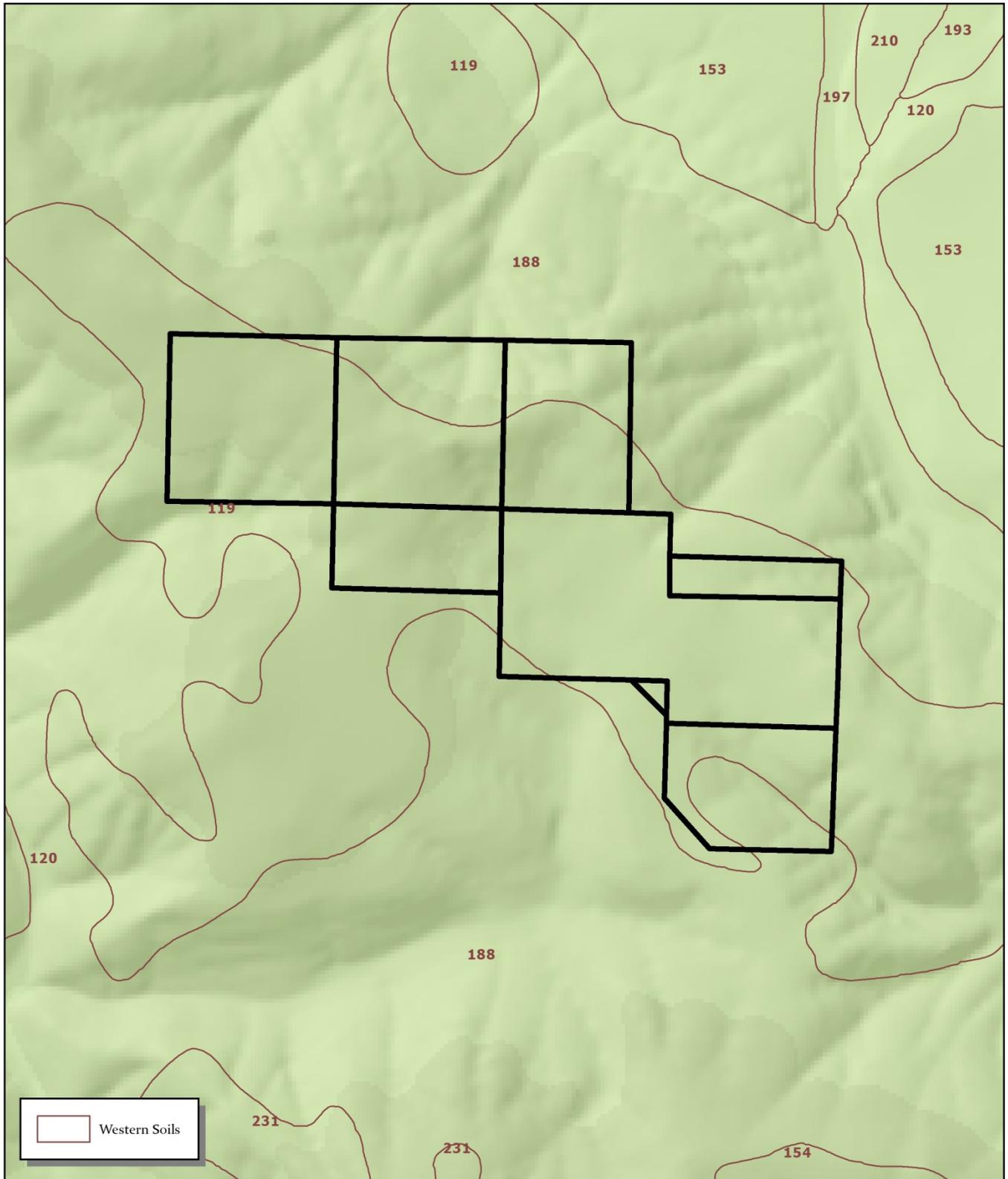
ANDERSON VALLEY COMMUNITY SERVICE DISTRICT FIRE DISTRICT



**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**

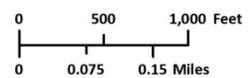
CASE: U 8-2013  
OWNER: Pathways in Education Mendocino, Inc.  
APN: 026-392-21, et. al.  
AGENT: Troy Schlereth  
ADDRESS: 18601 Van Zandt Resort Road, Philo

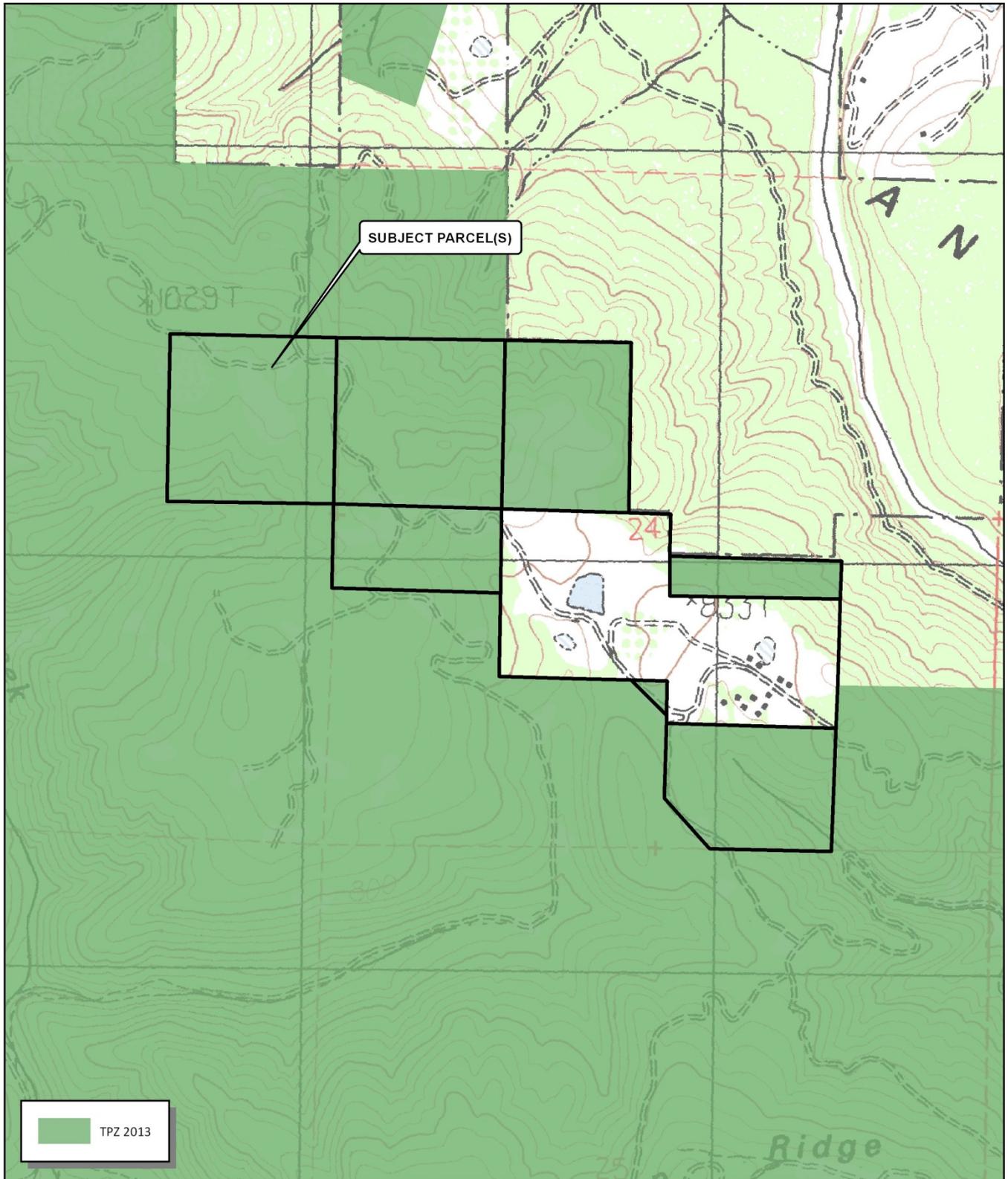




**LOCAL SOILS**

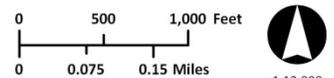
**CASE: U 8-2013**  
**OWNER: Pathways in Education Mendocino, Inc.**  
**APN: 026-392-21, et. al.**  
**AGENT: Troy Schlereth**  
**ADDRESS: 18601 Van Zandt Resort Road, Philo**



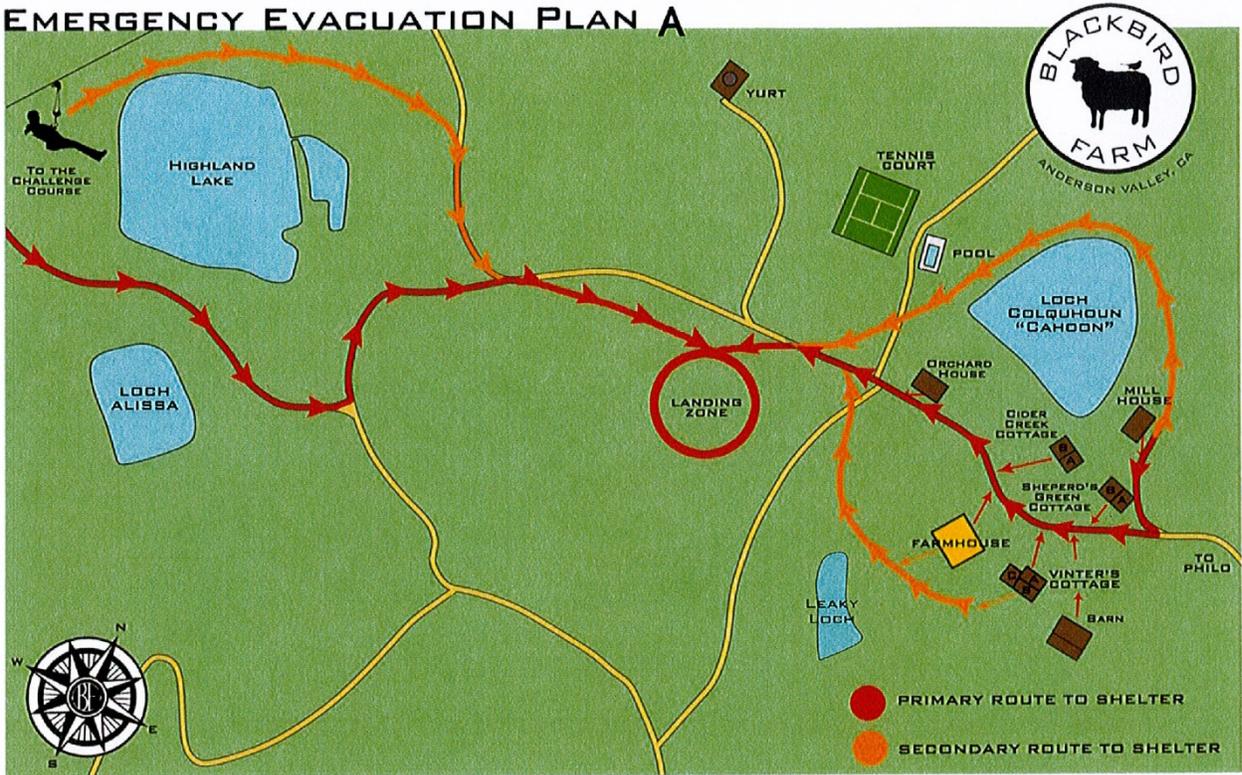


CASE: U 8-2013  
OWNER: Pathways in Education Mendocino, Inc.  
APN: 026-392-24, et. al.  
AGENT: Jamie Hall  
ADDRESS: 18601 Van Zandt Resort Road, Philo

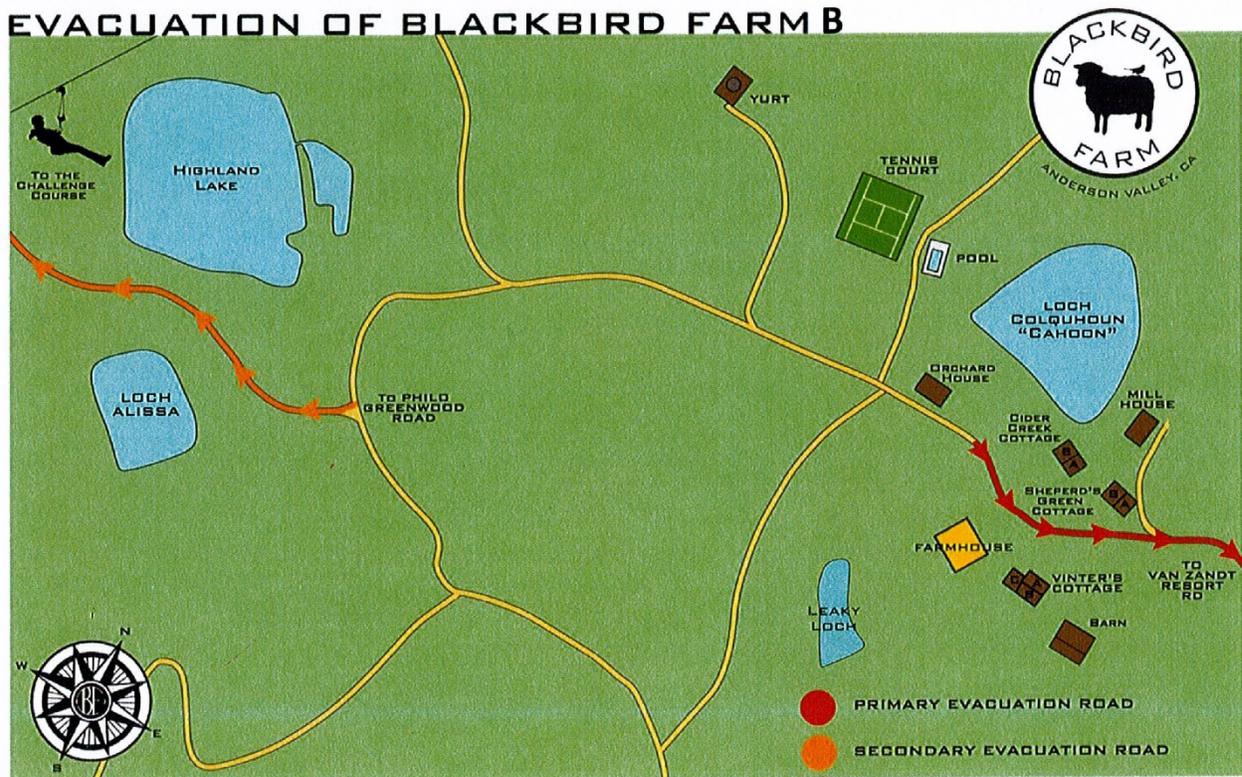
LANDS IN TIMBER PRODUCTION ZONING



**EMERGENCY EVACUATION PLAN A**



**EVACUATION OF BLACKBIRD FARM B**

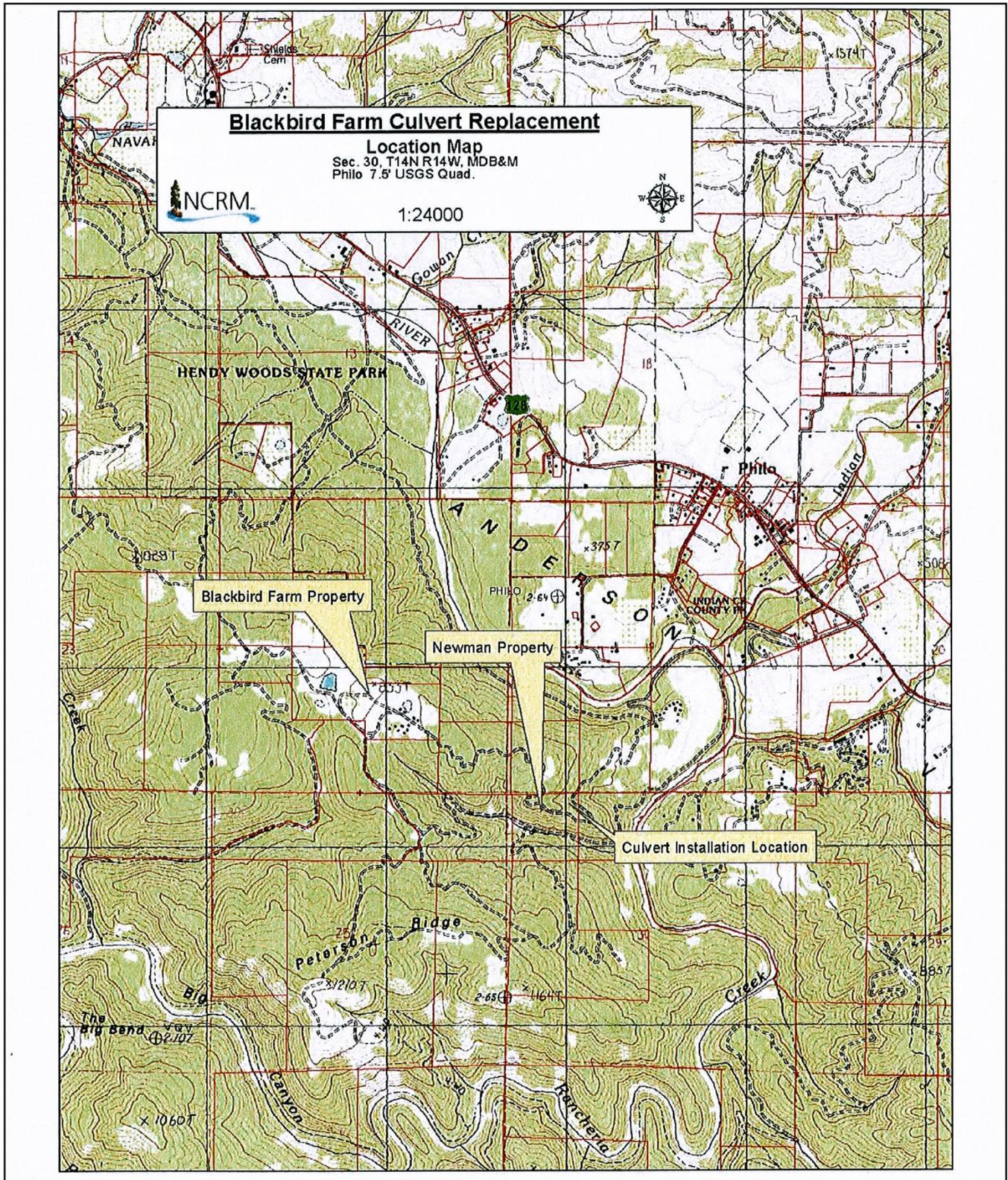


**EXHIBIT (EXISTING STRUCTURES)**

CASE: U 8-2013  
 OWNER: Pathways in Education Mendocino, Inc.  
 APN: 026-392-24, et. al.  
 AGENT: Jamie Hall  
 ADDRESS: 18601 Van Zandt Resort Road, Philo

NO SCALE

EXHIBIT NO: 4-B



CASE: U 8-2013

OWNER: Pathways in Education Mendocino, Inc.

APN: 026-392-24, et. al.

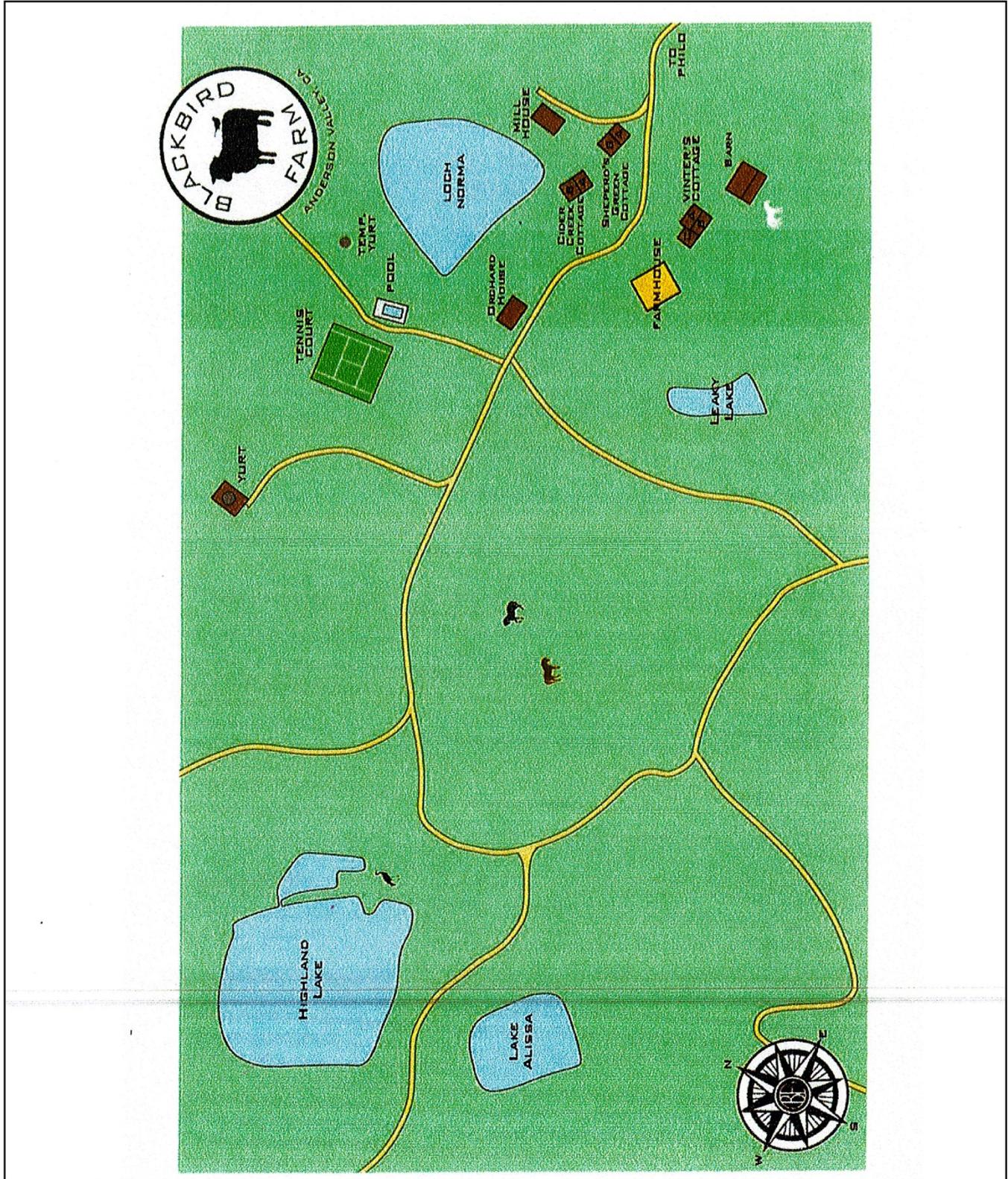
AGENT: Jamie Hall

ADDRESS: 18601 Van Zandt Resort Road, Philo

EXHIBIT (PROPOSED CULVERT REPLACEMENTS)

NO SCALE

EXHIBIT NO: 4-C

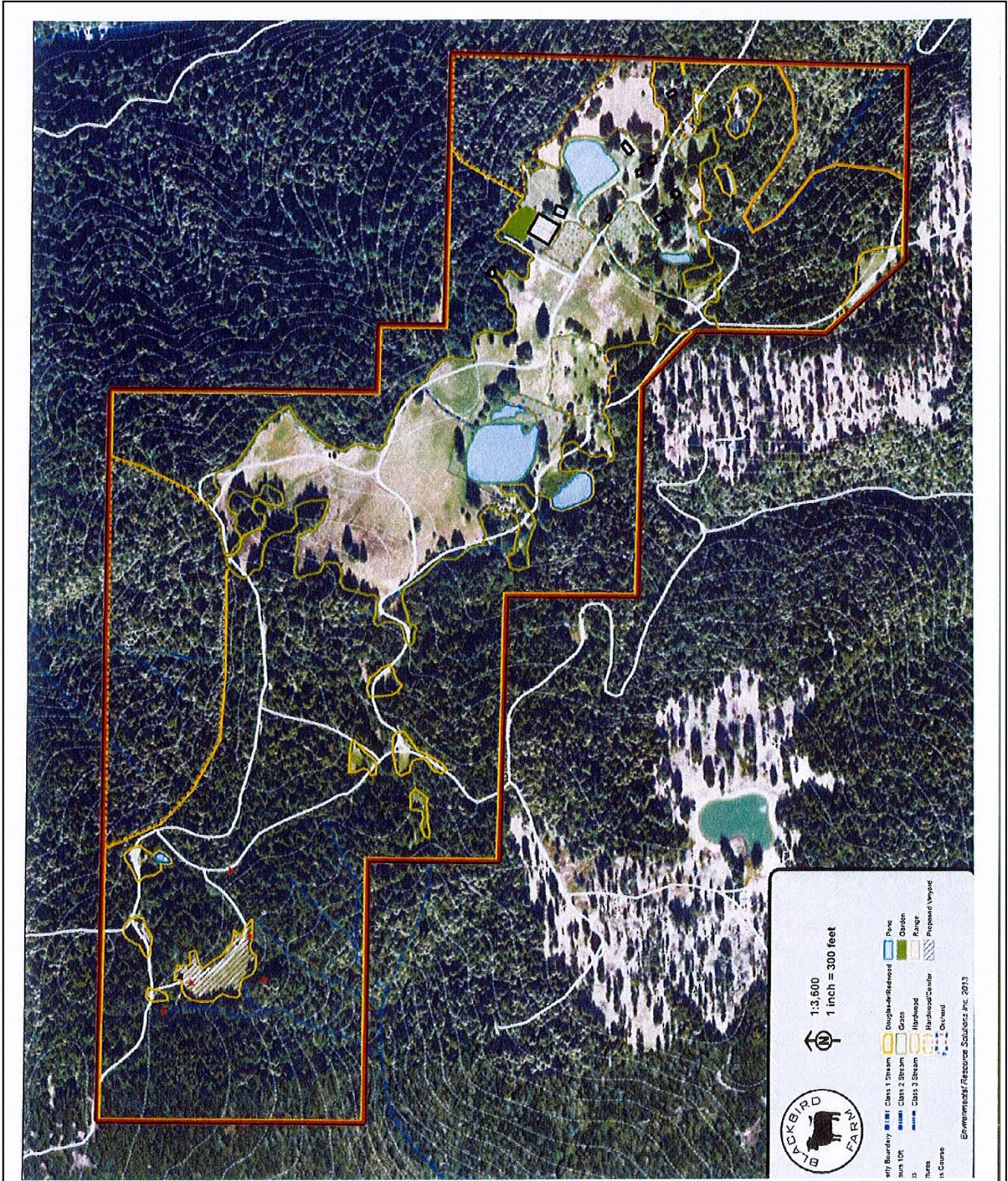


CASE: U 8-2013  
OWNER: Pathways in Education Mendocino, Inc.  
APN: 026-392-24, et. al.  
AGENT: Jamie Hall  
ADDRESS: 18601 Van Zandt Resort Road, Philo

EXHIBIT (EXISTING STRUCTURES)

NO SCALE

EXHIBIT NO: 4-D



CASE: U 8-2013

OWNER: Pathways in Education Mendocino, Inc.

APN: 026-392-24, et. al.

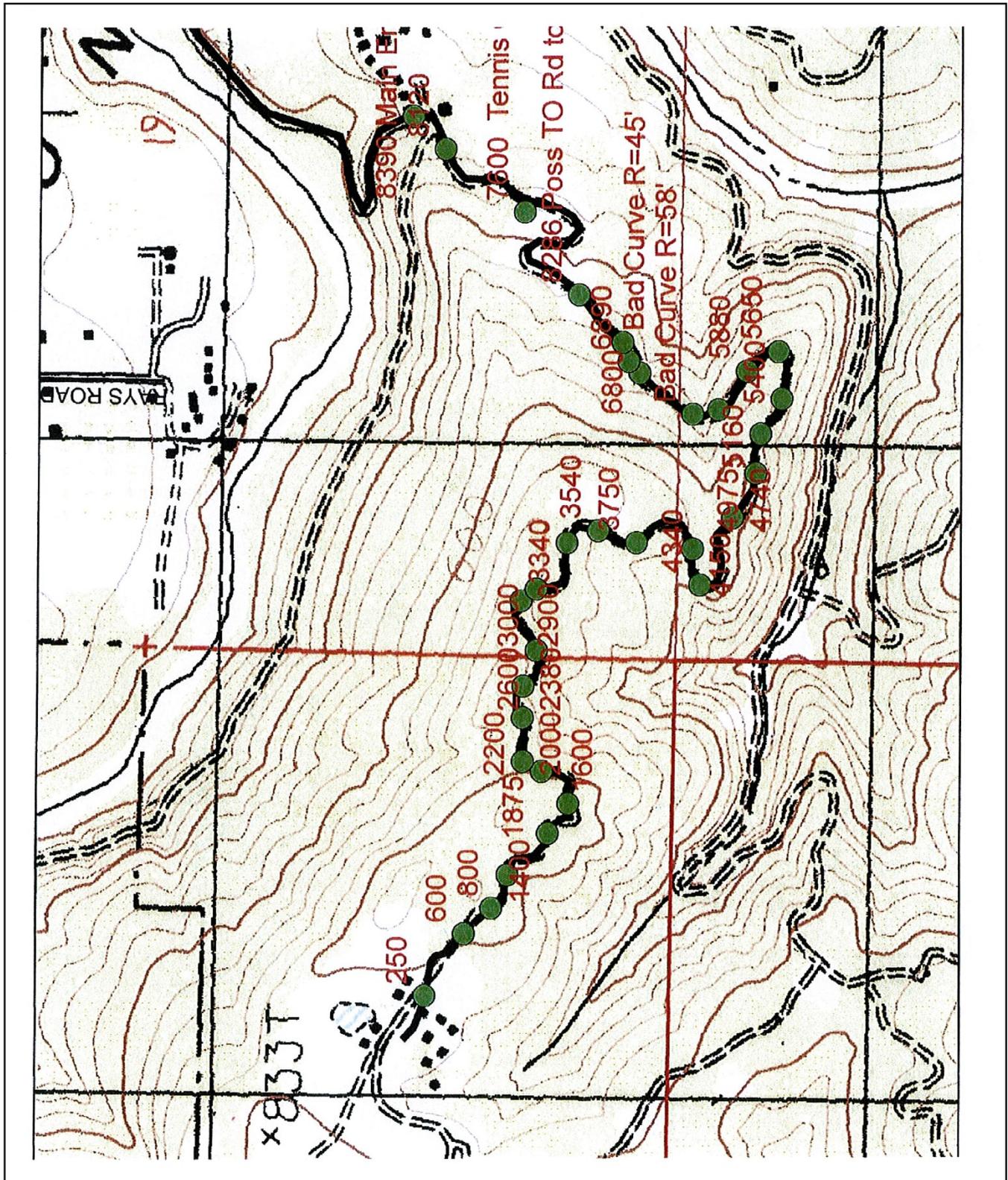
AGENT: Jamie Hall

ADDRESS: 18601 Van Zandt Resort Road, Philo

EXHIBIT (EXISTING PROPERTY)

NO SCALE

EXHIBIT NO: 4-E

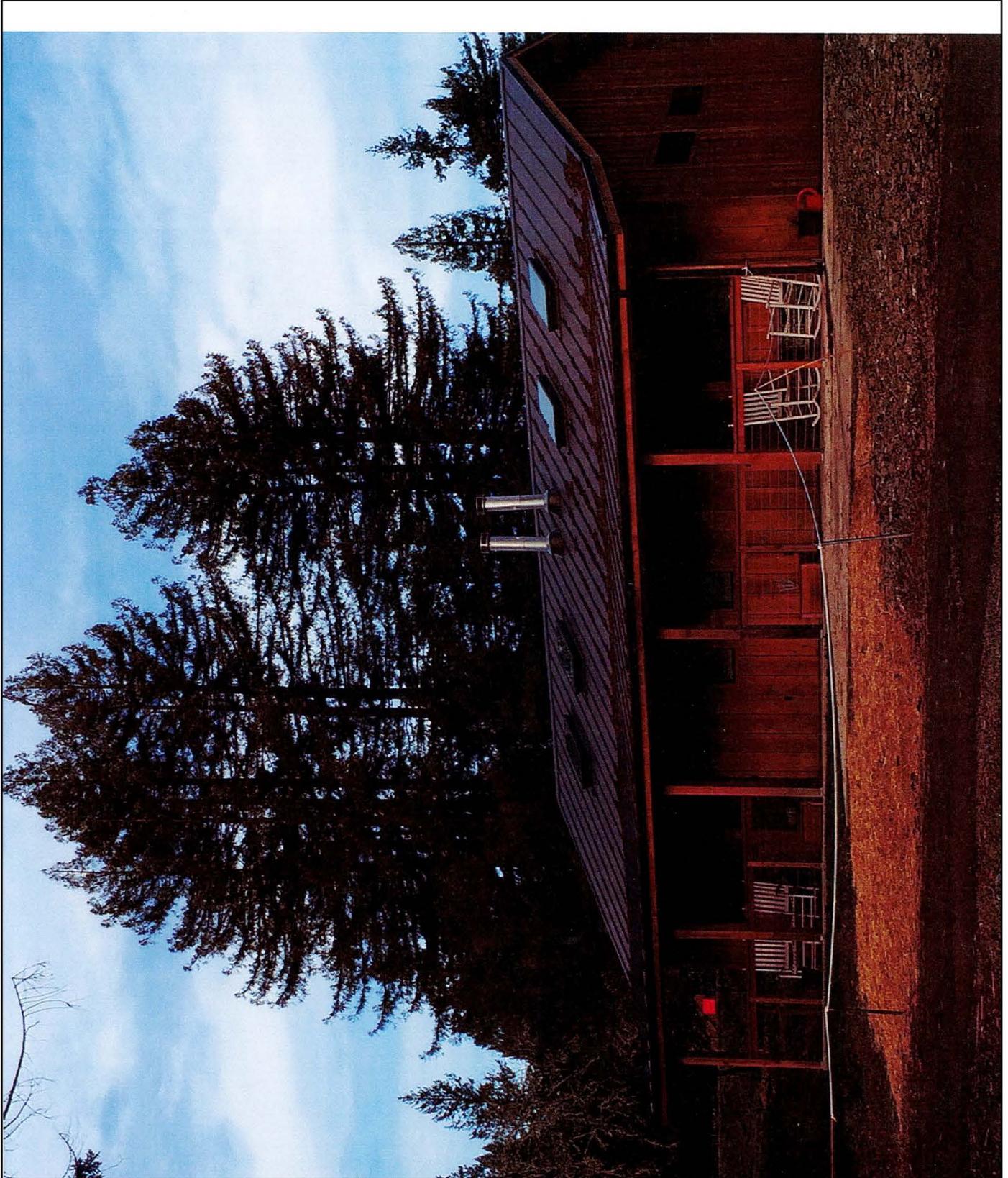


CASE: U 8-2013  
OWNER: Pathways in Education Mendocino, Inc.  
APN: 026-392-24, et. al.  
AGENT: Jamie Hall  
ADDRESS: 18601 Van Zandt Resort Road, Philo

EXHIBIT (PROPOSED ACCESS TURNOUTS)

NO SCALE

EXHIBIT NO: 4-F



CASE: U 8-2013  
OWNER: Pathways in Education Mendocino, Inc.  
APN: 026-392-24, et. al.  
AGENT: Jamie Hall  
ADDRESS: 18601 Van Zandt Resort Road, Philo

TYPICAL CABIN

NO SCALE

## INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

### Section I Description Of Project.

**DATE:** APRIL 28, 2016

**CASE#:** U\_2013-0008

**DATE FILED:** APRIL 4, 2013

**OWNER:** PATHWAYS IN EDUCATION

**APPLICANT:** BLACKBIRD FARM

**AGENT:** TROY SCHLERETH

**PROJECT COORDINATOR:** FRED TARR

**REQUEST:** Major Use Permit for the expansion of a permitted transient habitation (resort and recreational) facility, previously known as Highland Ranch. The proposed expansion would increase the number of guests and employees from 36 to a maximum of 292 over a seven (7) year development time line. The proposed expansion would be developed in seven (7) phases:

#### **Phase 1 (Summer 2016)**

1. High ropes restrooms:

- MultiStall
- Women's: two toilets, two sinks, two showers, changing area
- Men's: one toilet, one urinal, two showers, changing area
- One sauna (dry) room to accommodate 6-8 people
- Equipment room
- This restroom will also be utilized by students after hiking since the current bathrooms located near the pool and tennis court are not equipped to handle students.

2. Polytunnel (Hoop House)

- Outdoor greenhouse

3. (5) Learning Platforms/Yurts

- wood framed decks for classroom use, 44'x44'

4. Garden

- 20,000 square feet in area
- Completely organic

5. Hay Barn

- 24'x26', enclosed on three sides, 13' clear height minimum inside, holds 365 bales at capacity, near existing wood cutting area

6. (4) Cabins, 1500 sq. ft. each with toilets, showers, lavatories

- laundry room attached to one of the cabins
- no cooking facilities
- finishes and flooring similar to existing cabins

7. Kitchen with outdoor services-6,500 sq. ft.

- Kitchen for interactive lessons in cheese making, bread making and preserves
- three compartment sinks
- pizza oven
- stove

8. Parking Lot for 20 (12 passenger vans) and 26 automobiles

- 1/2 acre
- gravel

9. Office and Infirmary

- 500 sq. ft.
- single stall ADA restroom, 1 toilet & 1 sink

#### **Phase 2: (Summer 2017)**

1. Yurts

- Four yurts with restrooms are intended for housing students and guest

2. Additional restrooms, estimated 450 sq. ft.

- (2) Women: two toilets, two lavatories, two showers

- (2) Men: one toilet, one urinal, two lavatories
- 3. Exercise building with small ADA bathroom
- 4. Six (6) 1500 sq. ft. cabins as in Phase 1

**Phase 3: (Summer 2018)**

1. Vineyards
  - One vineyard located near proposed high ropes course
  - One vineyard located near the Holy Hill
2. Steam Room/Sauna
3. Creamery, 3,000 sq. ft.
  - Sheep’s milk, possibly built of concrete block construction
4. Six (6) 1500 sq. ft. cabins as in Phase 1 & 2

**Phase 4: (Summer 2019)**

1. Eight (8) 1500 sq. ft. cabins as in Phase 1, 2, & 3

**Phase 5: (Summer 2020)**

1. Event Pavilion
  - Dining seating occupancy of 164 on indoor and outdoor decks
  - Commercial catering kitchen for handling cooking training and demonstration classes
  - Trash unit and recycle of kitchen food waste
  - Bathrooms

**Phase 6: (Summer 2021)**

1. Lodge/Inn
  - ten (10) private rooms with ten (10) private baths
  - approximately 12,000 sq. ft.
  - Commercial kitchen
  - Dining room
  - sitting area, storage, deck

**Phase 7: (Summer 2022)**

1. Six (6) lodge cabins
  - Each cabin separated into two (2) 750 sq. ft. guest quarters with private bathrooms and showers

**ENVIRONMENTAL DETERMINATION: MITIGATED NEGATIVE DECLARATION**

**LOCATION:** Approximately 2 miles southwest of Philo, lying off of Van Zandt Resort Road (private) which is accessed off of Rays Road (CR 131). Located at 18601 Van Zandt Resort Road, Philo; APN's 026-392-21, -22, -23, -24, -25, -29, -30, and -31.

**Environmental Checklist.**

*“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).*

*Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of “no” responses.*

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise

<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site; cumulative as well as project-level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

**"Potentially Significant Impact"** means there is substantial evidence that an effect may be significant.

**"Potentially Significant Unless Mitigation Incorporated"** means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

**"Less Than Significant Impact"** means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

**"No Impact"** means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

**INITIAL STUDY/ENVIRONMENTAL REVIEW:** This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

<b><u>I. AESTHETICS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Have a substantial adverse effect on a scenic vista?*

The subject property is located approximately two (2) miles from a public roadway and is located amongst a thick coniferous forest. The property had been cleared years ago and had been used developed as a rustic camp in the 1960s or earlier. The primary development of the proposed resort will be located on an area that had been cleared of trees years ago when the original settlers had a farm on the property. The adjoining properties are separated from the proposed resort area by trees and under-brush. **Less Than Significant Impact**

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The proposed project will result in very little tree removal or grading and the existing historic buildings are to be renovated and incorporated in the camp development. There are no state scenic highways in the area. **No Impacts**

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

The proposed development will result in very little tree removal or grading and the visual character and quality of the site and its surroundings will not be degraded. The applicant is proposing to development the property with rustic one story cabins and lodges with redwood siding and metal roofs and the events pavilion with redwood siding metal roofs and stone retaining walls. Staff will recommend that the roof colors match that of the wooden sidings. **Less Than Significant Impact**

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Goal RM-15 of the County General Plan calls for the protection of the qualities of the county’s nighttime sky and for reduced energy use. Proponents of “dark sky” regulations point out the many benefits of reducing the upward spread of light, which include conserving energy, reducing glare, maintaining rural community character, safeguarding wildlife in their natural environment, and restoring the view of the starry night sky. County development policies require the focusing and directing of light and the design of lighting fixtures to minimize the glare of night lighting. **Less than Significant Impact**

**MITIGATION:** None required

<b>II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?*

Neither the subject property nor any nearby lands are in prime or unique farmland or in farmland of state wide importance. **No Impact**

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No lands in the area are zoned agriculture or in a Williamson Act Contract. **No Impacts**

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))*

The majority of the development that is being proposed is within an FL-Forest Land zoning district where the proposed use of transient habitation (resort and recreational) is a conditional use. Much of the adjacent land which is also owned by the applicant is within a TP-Timber Production zoning district and the applicant is requesting that some outside activities such as a ropes course, a zip line, and a restroom available to students gardening and partaking in outdoor education classes for sustainable forest management practices such as reforestation, water quality protection and timber stand improvement will be provided in the TP zoning district. These uses will not result in the fragmentation of lands zoned "TPZ to housing or some other use that permanently precludes its use for timber production, or timber growing. All proposed structures shall have a physical separation of at least 200 feet from the parcels that are zoned TP or PF **Less Than Significant Impact**

d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

As noted in the response to c) above, the portions of the property that are in a TP zoning district will be used by the applicant to educate the camp participants in forest management practices such as reforestation, timber stand improvement, and water quality protection. The only structural development being proposed by the applicant in the TP zoning area is a restroom which will be utilized by the students when they are participating in outdoor recreation and education programs. **Less Than Significant Impact**

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

None of the changes being proposed would result in the conversion of forest land to non-forest use. There are approximately 173 acres of the subject property that are in the TP zoning district and approximately 72.22 acres in the FL and other than hiking paths through the TP zoning area, approximately 15 acres would be used for recreation and educational activities. There is no proposal to remove trees from the parcels. **Less Than Significant Impact**

**General Plan Policy supporting the proposed project:**

Policy RM-120: Support improved forest management through education, technical and financial assistance, cooperative endeavors, and best management practices.

Policy RM-121: Protect forest conservation and timber harvesting operations by minimizing conflicts posed by non-resource uses.

**MITIGATION:** None required

<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Conflict with or obstruct implementation of the applicable air quality plan?

During construction, there will be grading for repair of the roadway access to the camp site and for developing building sites. The Mendocino County Air Quality District requires a large grading project permit for grading operations in excess of one (1) acre or road construction in excess of one (1) mile. The purpose of the permit is to minimize the amount of dust generated from grading operations, Air in the county does not meet the state’s standard for particulate matter (dust) less than 10 microns in diameter (PM10).The main source of PM10 in Mendocino County is dust generated from unpaved roads. The Air Quality District regulations will help to minimize the dust created through the construction grading activities. **Less Than Significant Impact**

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The Air Quality District regulations will help minimize the dust created through the construction grading activities. **Less Than Significant Impact**

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Mendocino County exceeds the state PM10 standards for particulate matter (dust); however with the required Air Quality District regulations in place for the road and pad grading, this project should not considerably increase any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Aside from state standards for new wood-burning devices, the County lacks control programs for emissions from these sources. **Less Than Significant Impact**

d) Expose sensitive receptors to substantial pollutant concentrations and e) Create objectionable odors affecting a substantial number of people

This area of Mendocino County does not have asbestos-containing serpentine rock so there would be no concern during construction grading of the release of concentrations of air toxics. The project would result in emissions from stationary sources such as generators during construction activities and the project will result in additional motor vehicle trips to and from the project location. The applicant will be utilizing passenger vans to transport campers to the project location and the primary means of transportation while at the project location is either by walking or by electric vehicles. The project will not result in exposing individuals to substantial concentrations of air toxics or odors. **Less Than Significant Impact**

**MITIGATION:** None required

<b><u>IV. BIOLOGICAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.*

The CNDDDB Maps identify the Coast Fawn Lilly as being located in the vicinity of the subject property but there have been no sightings on the subject property. Most of the construction for the proposed project is to be located near the existing development in areas where minimal vegetation exists. **Less Than Significant Impact**

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations and/or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

The State of California Department of Parks and Recreation indicated a concern regarding the possibility of rare, endangered, threatened, sensitive fish and wildlife species located on the State of California Hendy Woods State Park property located to the northeast. North Coast Resource Management conducted Biological Resources Assessment. The assessment was conducted on and adjacent to the Blackbird Farm property to determine if any special-status species or their habitat occurred in the area. The conclusion of the assessment is as follows:

“We believe that the proposed Pathways in Education project on Blackbird Farm is not likely to adversely affect potentially occurring sensitive or other protected fish and wildlife species or their habitat in the project area. We believe that construction of the project area will not create disturbance or harassment for owls or murrelets nesting in the Hendy Woods State Park, and the recommended measures will mitigate disturbance to vegetation and wildlife and the planned TPZ will provide mitigation for loss of habitat.”

Staff will include the recommendations that are noted in the NCRM Assessment. These recommendations address potential impacts to biological resources anticipated during construction. **Less Than Significant with Mitigation Incorporated**

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

There are a total of five ponds in the project area which will remain on the property. These ponds have been used for recreation for boating by campers and for storage of water for irrigation and for fire suppression. There is no indication that these ponds will be removed or altered. The proposed development will not impact the ponds. **Less Than Significant Impact**

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Refer to the response to letter b) above. **Less Than Significant with Mitigation Incorporated**

e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

There are no existing local policies or ordinances that go beyond Fish and Wildlife recommendations for protecting biological resources. **No Impact**

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?*

Hendy Woods State Park is located to the northeast of the subject property and the applicant indicates that they will be very respectful to the protection of the Park and to the conservation of vegetation and wildlife on the Park property. **Less Than Significant Impact**

**MITIGATION:** Required and mitigation conditions will be noted in the final resolution

<b><u>V. CULTURAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

On August 13, 2014, the Mendocino County Architectural Committee accepted a Cultural Resources Survey Report that was prepared By Alex DeGeorgey and Peter Van der Porten of Alta Archaeological Consulting. They had intensely surveyed approximately 180 acres and asserted the following:

1. There is an historic gravesite on the property which dates to 1887
2. The existing original farm house which is being used was built in the late 19<sup>th</sup> century. (The report notes that the farm house has been extensively altered since its original construction).
3. The subject property includes a site of an historic (mid-1960s) trash and bottle dump.
4. According to information furnished by the National American Heritage Commission, there are no known Native American cultural resources in the immediate area.

The following recommendations were provided by the Alta Archaeological Consulting and will be included as conditions of this use permit:

1. A qualified professional architectural historian shall be consulted to definitely determine if the historic farm house building appears eligible for the California Register of Historical Resources, before significant alterations to the building are proposed.
2. If previously unidentified cultural resources are encountered during project implementation, avoid altering the materials and their context. A qualified professional archaeologist should be contacted to evaluate the situation. Project personnel should not collect cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.
3. The 1887 gravesite shall be left undisturbed by future development on the subject property. **Less Than Significant Impact**

**MITIGATION:** None required

<b>VI. GEOLOGY AND SOILS.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?*

There are no active earthquake faults as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map in this area. **No Impacts**

b) *Result in substantial soil erosion or the loss of topsoil?*

Substantial soil erosion or the loss of topsoil is not anticipated because most of the projects development will be in areas with slopes less than 5%. Grading permits will be required and best management practices will be adhered to for all earth moving. **Less Than Significant Impacts**

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

According to the County Plans Examiner, all future new development on this property, because it is a commercial development, will require a soils report and appropriate grading and foundation design. **Less Than Significant Impacts**

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

According to the County Plans Examiner, all future new development on this property, because it is a commercial development, will require a soils report and appropriate grading and foundation design. **Less Than Significant Impacts**

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

The developers have hired a professional in the field of septic services in Mendocino County and prior to future development; the County Division of Environmental Health will require proof that there are adequate areas on the property for leach fields and back-up leach fields for all future development. The Division of Environmental Health will also require property design of new sanitary septic systems. **Less Than Significant Impacts**

**MITIGATION:** None required

<b><u>VII. GREENHOUSE GAS EMISSIONS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act, 2006, recognized that California is a source of substantial amounts of greenhouse gas (GHGs) emission which poses a serious threat to the economic well-being, public health, natural resources, and the environment of California, AB 32 established a state goal of reducing GHG emission to 1990 levels by the year 2020 with further reductions to follow, In order to address global climate change associated with air quality impacts, CEQA statues were amended to require evaluation of GHG emission which includes criteria air pollutants (regional) and toxic air contaminants (local). As a result, Mendocino County Air Quality Management District (MCAQMD) adopted CEQA guidelines to assist lead agencies in evaluating air quality impacts to determine if a project’s individual emissions would be cumulatively considerable. According to the MCAQMD, these CEQA thresholds of significance are the same as those which have been adopted by the Bay Area Air Quality Management District (BAAQMD). Pursuant to the BAAQMD CEQA Guidelines, the threshold for project significance of GHG emissions is 1,100 metric tons CO<sub>2</sub>e (CO<sub>2</sub> equivalent) of operations emission on an annual basis. The project, as proposed, would create cabins, lodges, eating and entertainment facilities to accommodate a maximum of an additional 200 persons. Most of the persons would be temporary visitors to the facility with approximately 12 permanent employees. There will be passenger vans that will transport the visitors to the facility, thereby limiting gas emissions to passenger vans (maximum of 12 and 12 employee cars), far fewer than the projected 66 cars that would be required without the use of vans. During construction operations, all construction equipment and generators will meet BCAQMD regulations and the result after total build-out would probably result in CO<sub>2</sub>e emissions well below the threshold for project significance of 1,100 metric tons CO<sub>2</sub>e. The Mendocino County Air Quality Management District requires a permit to construct and a permit to operate which will establish thresholds to meet the emission standards for the project. **Less Than Significant Impact**

**MITIGATION:** None required

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project will not involve the transport, use, or disposal of hazardous materials. **No Impact**

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

This project will not involve the release of hazardous materials into the environment. **No Impact**

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

This project will **not** emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. **No Impact**

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The project site is **not** a site which is included on a list of hazardous materials sites compiled pursuant to

Government Code Section 65962.5. **No Impact**

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

The project site is not located within an airport land use plan. The closest general aviation airport is north of Boonville which is approximately 5.5 miles from the project site. **No Impact**

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

There are no private airstrips within the vicinity of the project site. **No Impact**

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

There are no adopted emergency response plans or emergency evacuation plans in the area. **No Impact**

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The project area is located approximately two (2) miles northwest of Philo and is in a wooded area which is considered an area where wildland fires might occur. Historically, there have been few fires in this area which is partly due to the fact that the rain totals in this area average 39.87 inches and also due to the fact that the subject property adjoins Hendy Woods State Park which is an area of stately Giant Redwoods which do not easily burn and if there were wildland fires in this area, there would be a rapid response to protect the State Park and surrounding areas.

In addition to the high moisture content in the vegetation in this area and in addition to the fact that the Hendy Woods State Park would garner rapid protection if a wildfire did occur, the applicants are very concerned about the protection of those who will be visiting the camp and have prepared **The Blackbird Farm Emergency Plan** which provides a Fire Policy as well as what to do during other types of emergencies. The Fire Policy includes fire safety, fire prevention, what to do in case of a fire, fighting a fire, etc. Lastly there is an escape plan that includes a landing zone on the property which is in a large meadow area where visitor’s cabins are located and provides an area to congregate near ponds and in an area where evacuation can take place. There are also two evacuation routes that are available for the escape from serious fires. **Less Than Significant Impact**

**MITIGATION:** None required

<b><u>IX. HYDROLOGY AND WATER QUALITY.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Violate any water quality standards or waste discharge requirements? b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such as that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level ((e. g.), the production rate of pre-existing wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted.)*

The State of California Water Resources Control Board will be the permitting agency that regulates water quality and quantity standards for a system of this size. The applicants will be required to meet their standards on a regular basis. **Less Than Significant Impact**

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of a stream or a river, in a manner which would result in substantial erosion or siltation on or off-site. d) Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, or substantially increase the amount of surface runoff in a manner which would result in flooding on or off-site and e) create or contribute runoff water which exceed the capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff? f) Otherwise substantially degrade water quality?*

The proposed project would be designed and permitted with requirements to maintain the existing drainage pattern of the site, to not alter the existing drainage pattern of the site so that there is no alteration of the course of a stream or river, not to create or contribute runoff water which would exceed the capacity of existing or planned storm-water drainage systems and not to degrade water quality. Best grading management practices will be adhered to. **Less Than Substantial Impact**

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? i) Expose people or structures to a significant risk of*

loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? j) Inundation by seiche, tsunami or mudflow?

The subject property is not within a flood hazard area or within an inundation area according to the Mendocino County mapping division. **No Impact**

k) *Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm-water pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash.*

The majority of the project area is not in close proximity to a creek and is located on lands of less than 5% slopes where grading will be minimal and where erosion will be easily controlled using proper erosion control techniques which are required as part of the building permit procedure. The camp areas will be kept free of trash and any pollutant substances that would impact the quality of water runoff. This is a camp which will primarily be utilized by young campers who are being supervised by teachers and one of the emphasis is on conservation and ecology education. **Less Than Significant Impact**

l) *Have a potentially significant impact on groundwater quality.*

The Mendocino County Division of Environmental Health will regularly inspect the groundwater for bacteria which might be caused by faulty septic service systems and the State Water Resources Control Board will inspect potable water sources for quality. **Less Than Significant Impact**

m) *Impact aquatic, wetland or riparian habitat?*

The portions of the subject property where the majority of activities will take place have no aquatic or riparian habitat areas. There are four ponds on the property which will not to be impacted by development and are primarily utilized for recreation activities, irrigation and emergency water supply however they are also available as amphibian and fowl habitat areas. **Less Than Significant Impact**

**MITIGATION:** None required

<b>X. LAND USE AND PLANNING.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Physically divide an established community?*

There is no established community in the project area. **No Impact**

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The subject property is primarily located in a Forest Land Zoning District with surrounding lands either in Timber Production Zoning or Public Facilities Zoning. The subject property has been used for a Transient Habitation-Resort and Recreational Facilities use since the 1950's and has not been detrimental to the surrounding Timber Production Zone. This discretionary use would result in a major expansion to the

existing use however staff believes that the use that is being proposed would be compatible with the contiguous lands zoned Timberland Production and would be consistent with General Plan Policy RM-123 and would not restrict further timber production in this area. It should also be noted that the owner of the subject property, Pathways in Education, own much of the adjacent lands that are in the Timber Production Zoning District. The owners would also like to teach the students who will be participating in the outdoor education program about timberland management. **Less Than Significant Impact**

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

There are no applicable habitat conservation plans or natural community conservation plans on the subject property. **No Impact**

**MITIGATION:** None required

<b><u>XI. MINERAL RESOURCES.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

There will be no loss of availability of a known mineral resource that would be of value to the region and the residents of the state. **No Impact**

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

There will be no loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. **No Impact**

**MITIGATION:** None required

<b><u>XII. NOISE.</u></b> <b>Would the project result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

airport, would the project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?*

The subject property is zoned Forest Land (FL) and the surrounding property is zoned Timber Production (TP); both zones include, as permitted uses, forest production and processing-portable sawmills. The proposed project will be a camp where most of the noise would come from talking, singing and laughter which would result in decibel levels which would be less than that of a portable sawmill. It should also be noted that there no residences adjacent to the subject property and only one residence within a mile and a half radius and that residence is also located in either a FL or TP zone. **Less Than Significant Impact**

- b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

The proposed project will not generate excessive groundborne vibrations or noise levels. **No Impact**

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

There will not be a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The camp will not be utilized every day of the year nor will the numbers of campers and visitors be consistently over 200 persons. The proposed maximum number of campers and visitors will be at 234 only when special events such as weddings, company retreats etc. occur at the same time that the school outdoor education programs are occurring. **Less Than Significant Impact**

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

There will be an increase in the ambient noise levels in the project vicinity that will exceed levels existing without the project but as has been pointed out these noise levels will not exceed noise levels that might occur with a portable saw mill or other timber cutting activities on the property which would be a permitted use in the FL and TP zoning districts. The noise levels that would be generated in the project vicinity would be primarily voices of campers who would be staying at the camp. There will also be amplified music which would be generated with future special events that the applicant wishes to have. The music that might be generated with these special events will be mitigated through conditions which will limit the music playing to 10 P.M. at night, limit the music to 60 decibels at adjacent property lines and directing the music away from adjacent properties.

The applicant notes the following: "Some events or occasions at Pathway in Education-Mendocino (PIE\_M) may require amplified music. Due to the density of trees and large expanse of the property, excessive noise is not a concern. PIE\_M's closest neighbors, Mike Holmberg and Anne Siri, are one and a half miles away from the Farmhouse. The Shenoa property is approximately two miles away and Tom Russell's residence is two and a half miles away. PIE\_M is cognizant of the acceptable noise level guidelines and will minimize the exposure of community residents to excessive noise and ensure that new land uses and improved roadways will not create unacceptable noise levels on adjacent parcels"

**Less Than Significant with Mitigation Incorporated**

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The project is not located within an airport land use plan. **No Impact**

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

The project is not located within the vicinity of a private airstrip. **No Impact**

**MITIGATION:** None required

<b><u>XIII. POPULATION AND HOUSING.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Induce substantial population growth in an area, either directly or indirectly.* b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.* c) *Displace substantial numbers of people necessitating the construction of replacement housing elsewhere.*

The project would not induce population growth, it would not displace substantial numbers of existing housing and it would not displace any people. **No Impact**

**MITIGATION:** None required

<b><u>XIV. PUBLIC SERVICES.</u></b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?*

**a) Fire protection**

The Anderson Valley Fire District and Cal Fire have provided comments regarding this proposed project and staff will recommend that all recommended conditions that are found in the Anderson Valley Fire District letters of May 30, 2013 (written by Fire Chief Colin H. Wilson), July 18, 2013 (jointly written by AVFD Chief Colin H. Wilson and Cal Fire Captain Shawn Zimmerman) and May 29, 2014 (written by

AVFD Fire Chief Andres Avila) shall become conditions of the Conditional Use Permit to mitigate impacts from this project with regard to fire protection. Staff will also recommend that all conditions of approval as outlined in CAL FIRE File Number 58-13 must be met. **Less Than Significant with Mitigation Incorporated**

**b) Police protection**

The Mendocino County Sheriff Department has jurisdiction in this area and every new development in the unincorporated area of the County puts new demands on the Sheriff’s Department. This project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; the demands put on the Sheriff’s Department for this project wouldn’t result in any more service than adding another winery in the Anderson Valley area. The students who will be attending the educational camp will be well supervised and those who are attending have earned the right to attend and are being rewarded for their leadership roles and for their academic achievements.

When there are special events, most of those who attend will be staying on-site and will be driven to and from the events in passenger vans; the vans being driven by persons who are familiar with the private Roads. **Less Than Significant Impacts**

**c) Medical Services**

Minor emergency medical services would be provided through the Anderson Valley Health Care Center and major medical attention requires a 911 call. The Blackbird Farms staff has emergency-trained employees who will provide first aid for the injured or ill party. They have an emergency plan established and have a line of command to follow. Their expertise in this field comes from operating other educational camps including a similar camp in Colorado that has been operating for a number of years.

This project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. **Less Than Significant Impacts**

**d) & e) & f) Schools, Parks and Other Public Facilities**

The proposed project will not put demands on schools, parks or other public facilities. The project might actually assist schools by providing outside recreational programs for local school districts, they may also become involved with volunteer work for nearby parks such as Henley Woods State Park by doing clean-up work or trail repairs. **No Impacts**

**MITIGATION:** Required and mitigation conditions will be noted in the final resolution

<u><b>XV. RECREATION.</b></u>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The proposed project is adjacent to a remote area of Hendy Woods State Park and there is no clear demarcation between the State Park lands and the subject property. The campers will be well supervised and the chances of them trespassing onto the State Park lands are minimal, however staff recommends

that the applicant provide signage along the property line advising campers not to trespass. **Less Than Significant Impact**

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The applicant is proposing to have certain team building recreational activities on a portion of the PIE-M property that is located in the Timber Production zoning district. The activities include a high-ropes course, a zip-line, hiking, horse riding and other confidence and leadership activities. These proposed activities are compatible with the Timber Production zoning district and will not adversely impact the environment. **Less Than Significant Impact**

**MITIGATION:** None required

<u><b>XVI. TRANSPORTATION/TRAFFIC.</b></u> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Generate substantial additional vehicular movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Effect existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially impact existing transportation systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Alter present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Increase traffic hazards to motor vehicles, bicyclists or pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Generation of substantial additional vehicular movement?*

Originally the applicant proposed to accommodate up to 60 automobiles on the site but have reconsidered and have opted to provide the campers and future event attendees with access to the property in twelve (12) passenger vans thereby reducing the number of automobiles that would be utilizing the private, narrow access roads. There will also be parking available for the employee's automobiles and for any persons requiring their own vehicles for personal reasons. The parking area will also include six (6) ADA accessible parking spaces. **Less Than Significant Impact**

- b) *Effect existing parking facilities, or demand for new parking?*

There will be a ½ acre parking lot for up to twenty (20) twelve (12) person passenger vans as well as parking space for employees and for six (6) ADA accessible parking spaces. There is ample space on the subject property to accommodate the parking for these vehicles. **Less Than Significant Impact**

- c) *Substantial impact upon existing transportation systems?*

There are two private access roads to the subject property. One is off of Ray's Road near Philo and one is off of the Greenwood Road near the main entrance to Hendy State Park. The applicant has provided the following discussion regarding their two access roads:

"The primary access road is the "Van Zandt Resort Road" which is approximately 2.5 miles long. Pathways in Education-Mendocino (PIE-M) is a dominant tenement to an easement over the "Van Zandt Road." The PIE-M property has a 2010 judgment filed in the Superior Court of California which affirms that the property now known as PIE-M has an easement to that road as well as a secondary easement to maintain that road. PIE-M has invited both former Anderson Valley Fire Chief Colin Wilson and current Fire Chief Andres Avila to the property to review our roads and they have provided their opinions on improvements to the road."

PIE-M has either performed or made plans to perform all of the recommendations of the two fire chiefs, including:

- Road signs identifying “Van Zandt Resort Road” conforming to Mendocino County road sign standards at the following locations:
  - ◆ On Ray’s Road at the farm approximately ½ mile from Hwy. 128 where Van Zandt Resort Road begins
  - ◆ On Van Zandt Resort Road just past the entrance to Van Zandt’s Resort Road and before the gate
  - ◆ At the fire road to Hendy Woods near the entrance to Shenoa
- We have installed permanent metal signs at all necessary turns on the Greenwood Ridge access road indicating the evacuation route stating, “To Greenwood Ridge Road”
- We have set the electronic gate near the Van Zandt Resort Road to have an “open time delay” of 30 seconds
- We have made improvements to Van Zandt Road from the Shenoa property through the Newman Ranch to the Blackbird Farm including replacing an existing culvert with a new culvert which will provide support for CalFire and Anderson Valley Fire District (AVFD) apparatus as well as to provide better turning radius for the fire apparatus
- We have removed approximately 30 trees from Van Zandt Road to allow CalFire and AVFD’s fire trucks to safely travel the road.
- We removed understory brush and saplings within 10 feet of the edge of the roadway and will continue to keep up this maintenance from Station 0 to Station 8390.

PIE-M’s second access route is an unpaved road approximately 3.5 miles long leading to the property from Greenwood Ridge Road and then an additional one mile to Hwy 128. PIE-M has a prescriptive easement over the private road from the subject property to Greenwood Ridge Road. This road is significantly easier to drive on than Van Zandt Resort Road-it is wider, less steep, and has fewer curves.

Both roads are wide enough for emergency vehicles. In a letter dated May 30, 2013, AVFD Chief Colin Wilson stated that “we have elected to accept the Van Zandt Resort Road as the primary access with the following provisions”. Most of those provisions have been completed but it will be the responsibility of PIE-M to maintain Van Zandt Resort Road from the Shenoa property to Blackbird Farm to assure year round accessibility for emergency vehicles. The Mendocino County Department of Transportation (DOT) has expressed concern over the condition of Ray’s Road surface and recommends the following conditions be added:

- Improve Ray’s Road (CR 131) from State Highway 128 with double chip seal surfacing to the “Y” in the road. *Note: Should the applicable fire protection service provider(s) require additional road width, the applicant shall redesign the road improvements accordingly.*
- Place 8 inches of new Class 2 aggregate base rock from the “Y” Ray’s Road, where the private portion starts, to the bridge. The base rock shall be moisture conditioned and compacted.

(Any proposed work within County rights of way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.)

Road improvements shall be constructed in accordance with improvement plans prepared by a California Registered Civil Engineer and approved by the Mendocino County Department of Transportation. In appropriate situations, when specifically requested and approved in advance by the County Engineer, required improvements may be constructed without formal improvement plans. If so approved, all work must be completed under the direct supervision and control of a California Registered Civil Engineer who, upon completion of the improvements, shall file a report with the Mendocino County Department of Transportation verifying the road improvements have been constructed in substantial compliance with the prescribed minimum standards and accepted industry practices.

Serious consideration should be given to any comment by Caltrans regarding the existing private road approach to State Highway 128

A similar arrangement will be necessary to assure that Van Zandt Resort Road is repaired to meet CalFire and Anderson Valley Fire District standards to assure that emergency vehicle access is provided all year to the Blackbird Farm resort. **Less Than Significant with Mitigation Incorporated**

d) *Alter present patterns of circulation or movement of people and/or goods?*

The patterns of circulation for people and goods to the subject property remains the same as it has been for many years. The only change will be that the two private access roads will be better maintained to assure safe access for people and goods and especially emergency vehicles. **Less Than Significant Impact**

e) *Result in inadequate emergency access?*

The proposed project will result in improved emergency vehicle access since there will be conditions that require regular maintenance to the two private access roads to provide year round accessibility for emergency vehicles. There will also be accessibility for helicopters for rapid evacuation if necessary. **Less Than Significant Impact**

f) *Increase in traffic hazards to motor vehicles, bicyclists or pedestrians.*

There will be an increase in traffic of motor vehicles but the applicants are making attempts to minimize the increase in traffic by providing passenger van transportation from the Bay Area and from nearby locations in the Boonville-Philo area. There are also improvements to Van Zandt Resort Road for safer vehicular access including additional turn-out locations and some wider areas around curves. **Less Than Significant Impact**

**MITIGATION:** Required and mitigation conditions will be noted in the final resolution

<b><u>XVII. UTILITIES AND SERVICE SYSTEMS.</u></b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

The County Division of Environmental Health has provided the following conditions that will be included in the conditions of approval of this use permit.

- Submit acceptable site evaluation reports (septic system designs) for all structures that may generate wastewater prior to issuance of building permits.
- Submit acceptable septic system replacement area designs for all existing structures that lack the same.
- As use expands, maintain proper permitting from Environmental Health Department including the following: Organized Camp, Food Facility.

**Less Than Significant Impact**b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The potable water for the project will be well water and because of the increase of water use for this project, the State Water Resources Control Board will be the permitting agency. There will be a condition of approval that requires proof of the State Water Resources Control Board permit prior of building permit approval of project related structures. It is doubtful that the State will require a new water treatment facility to be construction.

There will be no need for the construction of a wastewater treatment facility; the applicant will need to meet DEH requirements for sanitary septic sewer systems prior to building permit approval of project related structures. **Less Than Significant Impact**

c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities the construction of which could cause significant environmental effects?*

The project will not result in the need for new storm water drainage facilities; water run-off may increase slightly but there will be no changes in the direction of storm water run-off. **No Impact**

d) *Have sufficient water supplies to serve the project from existing entitlements and resources, or are new or expanded entitlements necessary?*

This determination will have to be made by the State Water Resources Control Board once the permit is issued. **Less Than Significant Impact**

e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Not applicable. **No Impact**

f) *Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?*

Solid waste of Willits has a transfer station on Hwy 128 in Boonville and they transfer their solid waste to a landfill sight in Solano County where there is sufficient capacity. **No Impacts**

g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

The solid waste is picked up on Van Zandt Resort Road and is taken to the transfer station on Taylor Road in Ukiah. Cardboard, plastics, metals, aluminum and paper are recycled. The solid waste company complies with federal, state and local statutes and regulations related to solid waste. **No Impacts**

**MITIGATION:** None Required

<u><b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b></u>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Revisit IV Biological Resources b) and d)

b) *Does the project have impacts that are individually limited, but cumulatively considerable?*

The past projects in this area date back to the 1950's and there has been very little development in this area since then. The incremental effects of this project when viewed in connection with the effects of past projects do not increase the impacts considerably.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Revisit XIV Public Services a) and XVI Transportation c)

**DETERMINATION:**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on

the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
April 28, 2016

DATE

\_\_\_\_\_  
Signature on file

FRED TARR

Resolution Number \_\_\_\_\_

County of Mendocino  
Ukiah, California  
July 21, 2016

U\_2013-0008 - PATHWAYS IN EDUCATION-MENDOCINO, INC.

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND GRANTING PATHWAYS IN EDUCATION-MENDOCINO, INC A MAJOR USE PERMIT FOR THE EXPANSION OF A PERMITTED TRANSIENT HABITATION (RESORT AND RECREATIONAL) FACILITY, PREVIOUSLY KNOWN AS HIGHLAND RANCH. THE PROPOSED EXPANSION WOULD INCREASE THE MAXIMUM NUMBER OF GUESTS AND EMPLOYEES FROM 36 TO 292 OVER A SEVEN (7) YEAR DEVELOPMENT TIME LINE.

WHEREAS, the applicant, PATHWAYS IN EDUCATION-MENDOCINO, Inc. dba BLACKBIRD FARM, filed an application for a Major Use Permit with the Mendocino County Department of Planning and Building Services to expand a permitted transient habitation (resort and recreational) facility from a resort that accommodates 36 guests and employees to a resort that would accommodate a maximum of 292 guests and employees, located approximately 2 miles southwest of Philo, lying off of Van Zandt Resort Road (private) which is accessed off of Ray's Road (CR 131). Located at 18601 Van Zandt Resort Road, Philo; APN's 026-392-21, -22, -23, -24, -25, -29, -30, and -31; General Plan FL:160; Zoning FL:160 and TP:160; Supervisorial District 5; (the "Project"); and

WHEREAS, the application for the project was deemed complete on April 25, 2016; and

WHEREAS, a MITIGATED NEGATIVE DECLARATION was prepared for the Project and noticed and made available for agency and public review on June 22, 2016, in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, July 21, 2016, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the MITIGATED NEGATIVE DECLARATION and the Project. All interested persons were given an opportunity to hear and be heard regarding the MITIGATED NEGATIVE DECLARATION and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Planning Commission regarding the MITIGATED NEGATIVE DECLARATION and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based on the evidence in the record, makes the following findings;

1. General Plan Findings: The subject property is classified Forest Land (FL) under the General Plan. The project is consistent with the General Plan (Policies DE-18 and RM-125) and the Community-Specific Goals and Policies (Goals CP-AV-2 and CP-AV-8 and Policy CP-AV-6)
2. Zoning Findings: The subject property is zoned Forest Land (FL) and Timber Production Zoning (TPZ). The project is consistent with County Zoning per Section 20.064 and Section 20.068.
3. Use Permit Findings: The Planning Commission approves Use Permit U\_2013-0008 subject to the conditions of approval recommended by staff and found in Exhibit A of the resolution further finding:

- a.) That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan.
- b.) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- c.) That the proposed use will not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.
- d.) That such use preserves the integrity of the zoning district.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program set forth in the Conditions of Approval. The Planning Commission certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Major Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST: ADRIENNE M. THOMPSON  
Secretary to the Planning Commission

By: \_\_\_\_\_

BY: STEVEN D. DUNNICLIFF  
Director

MOLLY WARNER, Chair  
Mendocino County Planning Commission

\_\_\_\_\_

\_\_\_\_\_

## EXHIBIT A

### CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

#### U\_2013-0008 - PATHWAYS IN EDUCATION JULY 21, 2016

**APPROVED MODIFIED PROJECT DESCRIPTION:** On November 3, 2015 a modified use permit application was submitted for this project.

Major Use Permit for the expansion of a permitted transient habitation (resort and recreational) facility, previously known as Highland Ranch. The proposed expansion would increase the number of guests and employees from 36 to a maximum of 292 over a 7 year development time line (Phase I through VII)

The proposed expansion would be developed in seven (7) phases as indicated in the modified use permit application.

#### **CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by \*\*):**

##### **Aesthetics**

1. All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner that will not shine or allow light glare to exceed the boundaries of the parcel on which it is placed.

##### **Agriculture and Forestry Resources**

2. All proposed structures shall have a physical separation of at least 200 feet from the parcels that are zoned TPZ (Timber Production Zone) or PF (Public Facility).

##### **Air Quality**

3. The applicant shall obtain a District Large Grading Permit (District Form 207.27) through the Mendocino County Air Quality Management District (AQMD). In addition, compliance with Regulation 1, Rule 430 will be required. Written verification shall be submitted from **AQMD** to the Department of Planning and Building Services that this condition has been met to the satisfaction of the agency.

##### **Biological Resources**

- \*\*4. The following measures shall be implemented to avoid or minimize the potential for adverse effects on any creek that flows into Navarro River (Waters of the United States).

- Erosion control measures shall be implemented during construction of the project.

Erosion control measures to be utilized include the following:

- To the maximum extent practicable, activities that increase the erosion potential in the project area shall be restricted to the relatively dry summer and early fall period to minimize the potential for rainfall events to transport sediment to surface water features. If these activities must take place during the late fall, winter, or spring, then temporary erosion and sediment

control structures shall be in place and operational at the end of each construction day and maintained until permanent erosion control structures are in place.

- Suitable BMPs, such as silt fences, straw wattles, or catch basins, shall be placed below all construction activities at the edge of surface water features to intercept sediment before it reaches the waterway. These structures shall be installed prior to any clearing or grading activities.

### **Mitigation Monitoring Program**

- The Department of Planning and Building Services must approve the erosion control plans prior to grading taking place.
- The applicant is required to install erosion control measures prior to grading taking place and Building Service must approve said erosion control measure.

\*\*5. The following measures shall be implemented for the protection of special status plants and wildlife.

- Conduct a preconstruction botanical survey to ensure no listed or special status plant species are present in the project area where vegetation will be removed.
- Standard project-related work and construction should occur during the Limited Operating Period (LOP), August 15-March 15. If work will be conducted outside of the LOP, a nesting bird survey should be conducted in areas of impact or the California Department of Fish and Wildlife (CDFW) should be consulted. The nesting bird survey should be conducted for raptors but not limited to the northern goshawk and the sharp-skinned hawk and should be conducted within a ¼ mile of the project area.
- The applicant should consult with the US Fish and Wildlife Service when construction occurs outside the LOP to determine if surveys should be taken to include the marbled murrelets and/or the spotted owl.
- Have a biologist conduct an inspection for Sonoma tree vole nests in all trees to be removed. The survey should be completed several weeks prior to tree cutting and following informal consultation with CDFW.

### **Mitigation Monitoring Program**

- The Department of Planning and Building Services must be consulted prior to any construction so that a determination can be made if botanical biological surveys will be required at preconstruction stage and mitigation measures for the protection of special status plants and wildlife can be made.

\*\*6. Scheduling for construction shall include the following mitigation measures.

- Every effort should be made to complete work during the LOP (August 15-March 15) to avoid potential impacts to all nesting birds.
- Contractors should only be permitted to use previously disturbed areas for staging materials or equipment. Areas should not be developed for the purpose of staging.
- Contractors should, to the extent feasible, limit the use of equipment in work areas to track or flotation tire driven equipment with lower ground pressure to reduce impacts to existing vegetation.

### **Mitigation Monitoring Program**

- The Department of Planning and Building shall verify that construction work is being performed during the LOP
- The applicant must submit a site plan on an aerial map to verify that the areas for staging materials or equipment in previously disturbed areas.

**\*\*7. Equipment and vehicle fueling and maintenance mitigation measures.**

- Contractors should perform fueling and maintenance of vehicles and equipment at an offsite facility, whenever possible.
- Contractors should ensure that absorbent spill cleanup materials and spill kits are available on the site and should be disposed of properly after use.
- Contractors should ensure that any fueling conducted onsite is as distant as possible from stream crossing and/or ponds.

**Mitigation Monitoring**

- The Department of Planning and Building Services shall require a letter signed by the Project Manager of the construction for Pathways in Education-Mendocino, Inc. verifying that the equipment and vehicle fueling and maintenance mitigation measures are being properly conducted.
8. This entitlement does not become effective or operative and no work shall be commenced under this Entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$ 2,260.25 (OR CURRENT FEE) shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to July 5, 2016 (Within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has “*no effect*” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**

**Cultural Resources**

9. A qualified professional architectural historian shall be consulted to definitely determine if the historic farm house building appears eligible for the California Register of Historical Resources, before significant alterations to the building are proposed.
10. The 1887 gravesite shall be left undisturbed by future development on the subject property.
11. In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

**Geology & Soils**

12. The applicant shall obtain all necessary permits through the County Building Services Division prior to grading or construction.
13. The applicant must submit acceptable site evaluation reports (septic system designs) for all structures that may generate wastewater prior to issuance of building permits.
14. The applicant must submit acceptable septic system replacement area designs for all existing structures that lack the same.

## **Hazards & Hazardous Materials**

15. Construction specifications shall include the following measures to reduce potential impacts in the project area associated with accidental spills of pollutants (e.g., fuel, oil, grease)
  - A site-specific prevention plan shall be implemented for potentially hazardous material. The plan shall include the proper handling and storage of all potentially hazardous materials, as well as the proper procedures for cleaning up and reporting any spills. If necessary, containment berms shall be constructed to prevent spilled materials from reaching surface water features.
  - Equipment and hazardous materials shall be stored a minimum of 50 feet from creeks or ponds.
  - Vehicles and equipment used during construction shall receive proper and timely maintenance to reduce the potential for mechanical breakdowns leading to a spill of materials.
16. The Blackbird Farm Emergency Plan which is part of the U\_2013-0008 application is to be used in instructing all new employees and shall be part of their six (6) month refresher training course.

## **Hydrology & Water Quality**

17. The applicant must submit a letter to the Mendocino County Department of Planning and Building Services which indicates that the North Coast Regional Quality Control Board has issued Pathways in Education-Mendocino, Inc. a Domestic Water Supply Permit for the Blackbird Farms transient habitation project on Van Zandt Resort Road near Philo, CA. This permit must be issued prior to any new structure from U\_2013-0008 being constructed.
18. As use expands, the applicant must maintain proper permitting from the Environmental Health Department including the following: Organized Camp, Food Facility.

## **Land Use & Planning**

19. All existing and future structures shall meet current setback requirements to property lines. A site map shall be submitted to the satisfaction of Planning and Building Services clearly identifying compliance.

## **Noise**

20. The applicant shall develop a construction noise mitigation plan subject to the County's review and approval. The following conditions shall be incorporated into the mitigation plan to reduce construction noise impacts:
  - a) Muffle and maintain all equipment used on site. All internal combustion engine-driven equipment shall be fitted with mufflers, which are in good condition. Good mufflers shall result in non-impact tools generating a maximum noise level of 80 dB when measured at a distance of 50 feet.
  - b) Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
  - c) Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area.
  - d) Prohibit unnecessary idling of internal combustion engines.
  - e) Prohibit audible construction workers' radios on adjoining properties.

- f) Restrict noise-generating activities at the construction sites or in areas adjacent to the construction sites to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday and not at all on Sundays and holidays.
- g) Allowable construction hours shall be posted clearly on a sign at the construction sites.
- h) Designate a “noise disturbance coordinator” who is responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler) and require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site.

**Public Services**

\*\*21. The applicant shall comply with any requirements or recommendations of the Anderson Valley Community Services District (Fire District) (AVFD) letters of May 30, 2013 (written by Fire Chief Colin H. Wilson), July 18, 2013 (jointly written by AVFD Chief Colin H. Wilson and Cal Fire Captain Shawn Zimmerman) and May 29, 2014 (written by AVFD Fire Chief Andres Avila) and all conditions of approval as outlined in Cal Fire File Number 58-13. (Letters and Cal Fire conditions are attached as Exhibit “B”)

**Mitigation Monitoring Program**

- The Mendocino County Department of Planning and Building will not issue any building permits for new structures that are associated with U\_2013-0008 until AVFD and Cal Fire have provided letters to indicate that their conditions have been met.

**Transportation**

\*\*22. The applicant shall pay for a program to be used to determine whether the construction truck traffic causes pavement deterioration along Van Zandt Resort Road (Private) from Ray’s Road to the project site. The project applicant shall also be responsible for repairing any project induced pavement deterioration. The repair shall also include the encroachment area where Ray’s Road abuts Highway 128.

**Mitigation Monitoring Program**

- The applicant will submit proof that VanZandt Resort Road repair has been completed, if necessary, to the Planning Division, prior to final Building Permit Approval after each phase of construction has been completed.
- \*\*23. Improve Ray’s Road (CR 131) from State Highway 128 with double chip seal surfacing to the “Y” in the road. *Note: Should the applicable fire protection service provider(s) require additional road width, the applicant shall redesign the road improvements accordingly and should Caltrans need the existing road approach to State Highway 128 improved, the applicant shall make those improvements.*
- \*\*24. Place 8 inches of new Class 2 aggregate base rock from the “Y” Ray’s Road, where the private portions starts, to the bridge. The base rock shall be moisture conditioned and compacted.

Any proposed work within County rights of way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.

Road improvements shall be constructed in accordance with improvement plans prepared by a California Registered Civil Engineer and approved by the Mendocino County Department of Transportation. In appropriate situations, when specifically requested and approved in advance by the County Engineer, required improvements may be constructed without formal improvement

plans. If so approved, all work must be completed under the direct supervision and control of a California Registered Civil Engineer who, upon completion of the improvements, shall file a report with the Mendocino County Department of Transportation verifying the road improvements have been constructed in substantial compliance with the prescribed minimum standards and accepted industry practices.

#### **Mitigation Monitoring Program**

- The DOT shall provide assurance to the Department of Planning and Building Services that the necessary repairs to Ray's Road and to VanZandt Resort Road from Ray's Road to the Navarro River Bridge have been completed.
- \*\*25. The applicant shall agree to maintain Van Zandt Resort Road (private) from Ray's Road to the project site and to maintain the private road from the project site to Greenwood Ridge Road to assure that all emergency vehicles are able to access the project site year round. The applicant shall provide the County of Mendocino Department of Planning and Building Services with proof that the Anderson Valley Community Services District (Fire District) and/or Cal Fire are satisfied with the condition of these private roads by May 15<sup>th</sup> of every year.

#### **Mitigation Monitoring Program**

- The County of Planning and Building Services must receive the letter from AVFD and/or Cal Fire by May 15<sup>th</sup> of every year. If this letter is not submitted, the Planning Division may request the Planning Commission to rescind the Use Permit #U\_2013-0008.

#### **Special Condition**

26. Use Permit # U\_2013-0008 must be renewed by August 1, 2021. **The applicant has the sole responsibility of submitting a renewal request by June 1, 2021.**

# ANDERSON VALLEY FIRE DEPARTMENT



PO Box 398 14281 HWY 128  
BOONVILLE CA 95415

Phone (707) 895-2020  
FAX (707) 895-2239

EMAIL [firechief.avcsd@gmail.com](mailto:firechief.avcsd@gmail.com)

May 30, 2013

Planning and Building Services  
County of Mendocino  
501 Low Gap Road  
Ukiah, CA 95482  
Ph. 463-4281  
Fax 463-5709

Pathways in Education-Mendocino Inc.  
18601 Van Zandt Resort Rd.  
Philo CA 95466

U8-2013

We have been asked by the applicant to provide preliminary comments on this project related to the requirements for the access road. The following recommendations relate only to the access road and are being provided at this time to permit the applicant to proceed with the use permit process. We will have additional comments when the application is circulated for agency comments.

We met with Mr. John Hall on the subject property on May 28<sup>th</sup> and reviewed the overall plans for development which will substantially increase the occupation of the facilities. We noted that the current application does not specify the maximum occupancy that would be allowed under the new use permit but we understand it would be somewhere between 150 and 200 from what Mr. Hall told us.

We spent several hours in the field examining the access roads and have the following general comments on them.

The Van Zandt Resort Rd. is approximately 2 ½ miles long from Philo to the main house on the property. The first mile of this road also serves the old Shenoa Resort and has been improved to their main entrance. From this point on the road is substantially narrower and problematic from the perspective of permitting resident evacuation and access for incoming emergency responders.

There is a second access road that is approximately 3 ½ miles long leading to the property from Greenwood Ridge Road and then an additional one mile to Hwy 128. This road is somewhat better

than Van Zandt Resort Road but it is still a narrow dirt road with few turnouts in some portions. It is also considerably further from the nearest responding AVFD fire station.

The response time to the facility over Van Zandt Resort Road would be about 20 minutes from our stations in the Philo area. The response time over the Greenwood Ridge Road route would be at least double that. For this reason we feel the Van Zandt Resort Road route should be utilized as the primary emergency access road.

Given the fact that there will be two assembly occupancies added to the facility with a total occupancy exceeding 150 and further complicated by the fact that over 100 of these will be minors attending a school or camp setting, we considered requiring the main access road be widened to the standard 20 feet for a fire access road. After reviewing the larger picture which includes a year-round second exit over the Greenwood Ridge route and the potential to shelter the entire population at one of two locations on the property and readily available to all occupants, we have elected to accept the Van Zandt Resort Road as the primary access with the following provision:

1. Road signs be provided and installed to Mendocino County road sign standards identifying Van Zandt Resort Road at the following locations;

On Ray's Rd. at the fork approximately ½ mile from Hwy 128 where Van Zandt Resort Road begins.

On Van Zandt Resort Road just past the entrance to Van Zandt's Resort and before the gate.

At the fire road to Hendy Woods near the entrance to Shenoa.

2. Permanent metal signs be provided at all necessary turns on the Greenwood Ridge access road indicating the evacuation route stating "To Greenwood Ridge Rd."
3. The electronic gate near the Van Zandt's Resort have the "open time delay" reprogrammed from its current open time of approximately 5 seconds to a minimum of 30 seconds.
4. The curve located at station 6120 on the attached Fire Department Blackbird Farm Road Survey spreadsheet be widened to the minimum 50 foot radius as specified in Public Resources Code 4290.
5. The log bridge located in the same curve be removed and replaced with a culvert to provide adequate roadway and support for fire apparatus.
6. All trees identified by the Fire Department be removed to ground level.
7. Turnouts be provided or improved per the attached spreadsheet.
8. Understory brush and saplings within 10 feet of the edge of the roadway be removed to Fire Department satisfaction from Station 0 to Station 8390.

9. Refuge areas be identified after conferring with the Fire Department. These designated refuge areas should then provided with signage stating "Emergency Refuge Area in the Event of Wildland Fire".
10. An emergency plan be developed, published and made available to all occupants specifying that if an evacuation is required that occupants are to utilizes the Greenwood Ridge access Road **IF IT IS SAFE TO DO SO** or to shelter in place at one of the identified emergency refuge areas if occupants cannot be sure they will have time to reach safety when evacuating. Occupants could also utilize the Van Zandt Resort Road route to evacuate if conditions indicated that evacuation was necessary and that the Greenwood Ridge Road route was compromised. Early evacuation of occupants when threatened with wildland fire should be the primary plan. Sheltering in place should only be considered when safe evacuation appears to be questionable.
11. All staff members must be trained in the emergency procedures and maps identifying the evacuation routes and shelters areas must be conspicuously posted in all sleeping areas and assembly areas.

Please contact me with any questions on the above requirements.

Sincerely,

Colin H. Wilson, Fire Chief

# ANDERSON VALLEY FIRE DEPARTMENT



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Phone (707) 895-2020  
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EMAIL [firechief.avcsd@gmail.com](mailto:firechief.avcsd@gmail.com)

July 18, 2013

Mr. John Hall  
Blackbird Farm Guest Ranch  
18601 Van Zandt Resort Road  
Philo, California

Dear Mr. Hall,

Per our discussion today I am writing to clarify my position regarding my requirements for improvements to your primary access road (Van Zandt Resort Road).

I must qualify these remarks by saying that I can only require these improvements to be made as part of the Use Permit (U8-2013) process you have initiated which proposes to significantly increase the occupancy of your property and construct several new structures related to that usage.

In my letter to you dated May 30, 2013, I detailed, among other things, specific improvements to the road including improving turnouts, removing roadside vegetation, replacing a culvert and log bridge, widening the road at the location of the culvert and log bridge and removing several (30 +/-) trees adjacent to the road way that present a hazard to emergency vehicle access.

In my opinion, these improvements should be made even if your proposal to increase the occupancy load was not pursued.

In the course of the last several years we have responded to two structure fires and several medical aids on the property under the previous owner's tenure. Fire apparatus, particularly water tenders had difficulty negotiating this road even in daylight hours and without having to deal with private vehicles exiting the property as would be the case during an approaching wildland fire.

The majority of the trees that were marked for removal are small (16 inches or less in diameter) and have grown up in the roadway over the last 30 +/- years and should have been removed during periodic road maintenance. The roadside brush identified for removal interferes with visibility and provides fuel

for fires that would impair emergency ingress and egress if involved in fire when access was required. It should also have been dealt with as an ongoing maintenance item.

Several of the turnouts specified were usable at some point in the past but have been reclaimed by new growth of brush and small trees.

The single most significant issue threatening emergency access is the culvert and log bridge. The culvert is partially crushed on the upstream side already and heavy truck traffic such as fire apparatus may well cause further damage because this portion of the culvert has very little dirt over it. The downstream portion has been extended by placing several small diameter logs across the inside portion of the turn and then covering them with dirt. Large fire apparatus has to lead into the turn with the front wheels on the extreme inside edge of the roadway over the partially crushed culvert. The rear wheels track in and must travel over the portion of the road that is supported only by the log bridge. It is impossible to determine how sound these logs are now. Whatever their current condition it is a given that they will deteriorate over time and, almost certainly, when they fail it will be under the weight of a heavy truck such as one of our water tenders or engines. If this occurs, the truck could well be caused to roll over to the downhill side. If it does not roll, there is a high probability that it will be stuck in the turn blocking all ingress and egress. In either event there is a clear potential for injury and possibly even death if emergency responders or evacuees find themselves trapped on the narrow overgrown roadway in extreme fire conditions.

As stated above, I can only mandate these improvements as part of the Use Permit process but common sense and a concern for the safety of persons utilizing the road would dictate maintaining the road in a condition that would provide reasonable access.

I have reviewed and discussed this situation with Shawn Zimmermaker, a Cal Fire Prevention Officer and he agrees with my position.

Sincerely,



Colin H. Wilson, Fire Chief



Shawn Zimmermaker  
CAL FIRE Fire Captain

# ANDERSON VALLEY FIRE DEPARTMENT

14281 HWY 128  
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May 29<sup>th</sup>, 2014

Department of Planning and Building Services  
860 North Brush Street  
Ukiah CA 95482

Regarding the proposed expansion of the Blackbird Farm Facilities located at 18601 Van Zandt Resort Rd in Philo, CA 95466.

Case # U 8-2013

Anderson Valley Fire Department has reviewed the proposed "Major Use Permit Application" submitted to the Anderson Valley Community Services District. The Fire Department has only a few comments in addition to any comments that may be addressed by the AVCSD Board. The following will need to be a part of the new development process:

1. As stated in the letters sent by Former Fire Chief Colin Wilson, the fire access roads must be improved to the specifications previously determined prior to any increase in public or employee staffing. This project should be a first priority for Blackbird Farms.
2. Any construction which requires an OSFM mandated inspection, the AVFD will need to be involved in the process. Phases four and five have projects identified as assembly occupancy buildings which will require plan checks from AVFD.
3. The existing hydrant system that is currently on the property is not adequate for fire suppression of the proposed structures. The current system will need to be improved and expanded to facilitate the proper water delivery requirements for structural firefighting, wildfire supply and fire sprinklers.

Thank you for the opportunity to comment. Please contact me if there are any questions that I may be able to assist with.

Andres Avila  
Fire Chief, AVFD

**Owner/Agent Information**

CAL FIRE File Number 58-13 Date 4/2/2013  
 Owner's Last Name Pathways in Education Owner's First Name \_\_\_\_\_  
 Owner's Phone Number (818) 952-1790  
 Owner's Mailing Address 320 N. Halstead St Suite 220  
Pasadena, CA 91107 Agent/Phone # Ken Lefranchi 707 528 2449

**Project Information**

Project Street # 18601 Project Street Name Van Zandt Rd Type of Project Use  
 Project City/Community Philo Battalion 5 Boonville Finaled

**Conditions of Approval**

With reference to the above case number, the California Department of Forestry and Fire Protection requires the following MINIMUM standards as set forth in Title 14, "Natural Resources; Div. 1.5, be adhered to in order to gain a "Final Clearance" and "Approval for occupancy" from this Department. Local agencies may have additional requirements that may be more restrictive.

**Address Standard** California Code of Regulations, Title 14, Section 1274.01

Address must be posted at the beginning of construction and maintained thereafter. It shall be posted on BOTH sides of a mailbox or post at driveway entrance so it is visible from BOTH directions of travel. Minimum 3 inch letter height, 3/8 inch stroke. Reflectorized, contrasting with background color. Sequential numbering issued by Mendocino County will be utilized. Multiple Addresses will be on a single post.

**Driveway Standard** California Code of Regulations, Title 14, Section 1273.10

Driveway will be minimum 10 feet wide, all weather surface. It shall be a maximum of 16 % grade, minimum 50 feet inside radius on turns, and have a minimum 15 feet vertical clearance. Driveways longer than 150 feet, but less than 800 feet require a turnout near the midpoint. Driveways longer than 800 feet require turnouts every 400 feet. Turnouts shall be a minimum 10 feet wide and 30 feet long with a 25 foot taper at each end. A 40 foot radius turnaround or 60 foot hammerhead "T" is required for driveways longer than 300 feet and must be within 50 feet of the building. Gates will be 2 feet wider than the traffic lane and located at least 30 feet in from the road.

**Road Standard** California Code of Regulations, Title 14, Section 1273

Roads will have two-9 foot traffic lanes (18 ft. wide road surface), Minimum 40,000 lb. load capacity, and have an all weather surface. Roads will have a maximum grade of 16%, a minimum curve radius of 50 foot, and a minimum of 15 foot vertical clearance. Dead end roads shall not exceed: 800 ft for parcels 1 acre or less - 1320 ft. for parcels 1 to 4.99 acres - 2640 ft. for parcels 5 to 19.99 acres - 5280 ft. for parcels 20 acres or larger. Dead end roads are also required to have turnarounds every 1320 ft. and at terminus. Turnarounds shall be a minimum 40 ft. radius or 60 ft. hammerhead "T". Roads shall be officially recognized by Mendocino County with approved signs at each intersection and visible for 100 feet from both directions. The sign shall be minimum 3 inch letter height, 3/8 inch stroke, reflectorized and contrasting with background color. One Way Road Standards (if approved) are available from this office.

**Bridge Standard**

California Code of Regulations, Title 14, Section 1273.07

Bridges shall have a minimum 40,000 lb. load capacity, minimum 15 foot vertical clearance. Appropriate signing including: Weight limits, Vertical Clearance, One Way Road, Single Lane conditions shall be posted. One lane bridges shall provide an unobstructed view from one end to the other with turnouts at both ends.

**Emergency Water Supply Standard**

California Code of Regulations, Title 14, Section 1275.01

Subdivisions shall meet or exceed either PUC Revised General Order #103, NFPA Standard 1231, or ISO Rural Class 8 Standard (local jurisdiction may require more as these are minimum standards). Fire Hydrant shall be 18 inches above grade, minimum 4 feet and maximum 12 feet from road or driveway. Hydrant shall be minimum 50 feet and maximum 1/2 mile from building it serves, and minimum 8 feet from flammable vegetation. Hydrant shall have 2 1/2 inch male National Hose fitting, suitable crash protection and located where Fire Apparatus using it will not block entry. Hydrant shall be identified with a 3 inch reflectorized blue dot on driveway sign, or placed within 3 feet of hydrant, or identified by blue highway marker as specified by State Fire Marshal.

**Defensible Space Standard**

California Code of Regulations, Title 14, Section 1276.01

All parcels 1 acre or larger shall provide a minimum 30 foot setback for all buildings from all property lines and/or center of a road. All parcels less than 1 acre shall provide for same practical effect by standards set forth by local jurisdiction.

**Maintaining Defensible Space**

Public Resources Code, Section 4291

Any person who owns, leases, or controls any property within the State Responsibility Area, shall at all times maintain a firebreak by clearing an area of all flammable vegetation or other combustible material 30 feet immediately around and adjacent to any building or structure. Additionally, a fuel reduction zone is required for an additional 70 feet or to the property line, whichever is nearer, this zone shall eliminate the fuel continuity. The total defensible space is 100 feet or to the property line. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure.

**CAL FIRE: ADDITIONAL COMMENTS:**

**Brett Pinson**  
Battalion Chief

By: 

Reviewing Official Shawn Zimmermaker  
Fire Prevention Bureau