

ELECTRONICALLY FILED
by Superior Court of CA,
County of Yolo,
on 10/16/2025 5:39 PM
By: April Gonzalez-Aguiar, Deputy

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503-272-1188
Pro Se

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
YOLO COUNTY

MARK BAKER,

Petitioner,

vs.

YOLO COUNTY AND DOES 1-20

Respondents.

Case No.: CV2025-0917

FIRST AMENDED PETITION FOR WRIT
OF MANDATE AND COMPLAINT FOR
INJUNCTIVE RELIEF

Code Civ. Proc., §§ 1085, 1094.5;
Pub. Resources Code, § 21000 et seq.

CEQA

YOLO LAND & CATTLE CO., A

CALIFORNIA LIMITED PARTNERSHIP,

ZIPLINE INTERNATIONAL, INC., AND

DOES 21-40

Real Parties in Interest.

HEARING DATE: MAY 4, 2026
HEARING TIME: 9:00AM
DEPARTMENT: 11
JUDGE: TIMOTHY L. FALL

I. INTRODUCTION

1. This First Amended Petition for Writ of Mandate and Complaint for Injunctive Relief (“Petition”) challenges the decision by the Yolo County Planning Commission on October 9, 2025 to designate the unpermitted commercial drone facility operated by Zipline International, Inc. (“Zipline”) on land owned by Yolo Land & Cattle Co. (“Yolo Land”)

1 which is zoned Agricultural-Intensive, as “ministerial” rather than “discretionary”, in an
2 unlawful effort to evade the requirements of the California Environmental Quality Act
3 (“CEQA”) as identified in California Code of Regulations Section 15000 et seq.

4 **II. PARTIES**

5
6 2. Petitioner MARK BAKER is the Founder and President of the Soft Lights
7 Foundation, a registered 501(c)(3) non-profit corporation dedicated to the protection of
8 individuals and the environment from the harms of LED lights and is a resident of
9 California. Petitioner files this complaint In Pro Per.

10 3. Respondent YOLO COUNTY is a political subdivision of the State of California
11 and is the CEQA Lead Agency for the Project.

12 4. Petitioner does not know the true names and capacities, whether individual,
13 corporate, associate, or otherwise, of Respondents DOE 1 through DOE 20, inclusive, and
14 therefore sue said Respondents under fictitious names. Petitioners will amend this Petition
15 to show their true names and capacities when they are known.

16 5. Real Party in Interest YOLO LAND & CATTLE CO., A CALIFORNIA
17 LIMITED PARTNERSHIP (“Yolo Land”) is a California Corporation.

18 6. Real Party in Interest ZIPLINE INTERNATIONAL, INC. (“Zipline”) is a
19 Delaware Corporation.

20 7. Petitioner does not know the true names and capacities, whether individual,
21 corporate, associate or otherwise, of Real Parties in Interest DOE 21 through DOE 40,
22 inclusive, and therefore sue said Real Parties under fictitious names. Petitioners will amend
23 this Petition to show their true names and capacities when they are known.

III. JURISDICTION AND VENUE

8. This Court has jurisdiction over the matters alleged in this Petition pursuant to Code of Civil Procedure sections 1085 and 1094.5, and Public Resources Code sections 21168, 21168.5, and 21168.9.

9. Because this is an action or proceeding against agencies that operate in Yolo County, venue is proper in this Court. Moreover, the Project is located in Yolo County and the environmental harm caused by the Project will be felt in Yolo County. As such, venue is proper in this Court because the causes of action alleged in this Petition arose in Yolo County.

10. In accordance with Public Resources Code section 21167, subdivision (a), this Petition has been filed within 180 days of the Yolo County Planning Commission October 9, 2025, decision to designate the Project as ministerial.

11. Petitioner has complied with Public Resources Code section 21167.5 by serving a written notice on March 26, 2024 of Petitioner's intention to commence this action against Respondents. A copy of this written notice and proof of service is attached as EXHIBIT A to this Petition.

12. Petitioner has complied with the requirements of Public Resources Code section 21167.6 by previously filing a request that Petitioner prepare the administrative record for this action. Because the Respondent has declared this Project as ministerial, there is no administrative record to prepare.

13. Petitioner will promptly send a copy of the First Amended Complaint to the California Attorney General, thereby complying with the requirements of Public Resources Code section 21167.7.

1 14. Petitioner has performed any and all conditions precedent to filing this instant
2 action and have exhausted any and all available administrative remedies to the extent
3 required by law.

4 15. Petitioner has no plain, speedy, or adequate remedy in the course of ordinary law
5 unless this Court grants the requested writ of mandate to require Respondents to comply
6 with CEQA. In the absence of such remedies, the environment, the public, and individuals
7 with disabilities will suffer irreparable harm.

8 16. The maintenance of this action is for the purpose of enforcing important public
9 policies of the State of California with respect to the protection of the environment under
10 CEQA. The maintenance and prosecution of this action will confer a substantial benefit
11 upon Plaintiff and the public by protecting the public from environmental and public health
12 and safety harms and discrimination alleged in this Petition. Petitioner is acting as a private
13 attorney general to enforce these public policies and prevent such harm.

14 **IV. STATEMENT OF FACTS**

15 **A. Commercial Drone Airport**

16 17. Zipline has been operating an unpermitted commercial drone facility on land zoned
17 Agricultural-Intensive since 2017. The facility operates approximately 500 drone flights
18 per day, 7 days per week, 365 days per year. In approximately December 2024, began
19 operating the drone facility at night, using high-intensity flashing, moving, and strobing
20 LED lights on the drones and drone towers. This major scope change in the project
21 generated public nuisance calls to Yolo County and Yolo County opened an investigation
22 into the Project.
23

1 18. Yolo County staff developed and submitted a report, including an environmental
2 review, to the Yolo County Planning Commission, requesting that the Planning
3 Commission make a determination as to whether the Project is ministerial or discretionary.
4 The Planning Commission voted 7-0 on October 9, 2025 to designate the Project as
5 ministerial, exempting the Project from CEQA environmental review and public input.
6

7 **B. Administrative Actions**

8 19. On January 24, 2025, Petitioner sent an email to Yolo Land & Cattle Company
9 requesting confirmation that the drone airport was operating on Yolo Land & Cattle
10 Company property. (EXHIBIT B). Casey Stone, from Yolo Land & Cattle Company,
11 promptly responded on the same day, but deferred all questions to Zipline International, a
12 company that operates a drone business.

13 20. On January 27, 2025, Keval Patel, General Counsel for Zipline International, emailed
14 Petitioner and referenced compliance with FAA regulations and stated that they would
15 investigate diminishing the intensity of the LED strobe lights. However, Mr. Patel made no
16 mention of CEQA requirements, no mention of Yolo County permits, and no mention of
17 Petitioner's request for accommodation. (EXHIBIT C).

18 21. In late January 2025, Petitioner called Yolo County and spoke with Jeff Anderson,
19 Principal Planner for Yolo County about the drone facility. Mr. Anderson stated that the
20 county had received other complaints about the drone facility and that Yolo County was
21 investigating.
22
23

1 22. On March 19, 2025, Yolo County Senior Deputy General Counsel Eric May notified
2 Petitioner that Zipline was in the process of submitting permits for the unpermitted drone
3 airport, but declined to state that Yolo County would issue a Cease and Desist order and
4 declined to state that Yolo County would comply with ADA and Unruh Civil Rights Act
5 requirements.

6 23. On March 26, 2025, the Petitioner filed the initial claim for this CEQA lawsuit.

7 24. On October 9, 2025, the Yolo County Planning Commission held a hearing to
8 determine if the Project is ministerial or discretionary and voted to declare the project
9 ministerial by designating the project as a “small experimental agricultural and seed
10 research facility”.

11 25. On October 16, 2025, Petitioner submitted an appeal of the Planning Commission
12 decision to the Yolo County Board of Supervisors. (Exhibit D; Exhibit E).

13 26. The decision by the Yolo County Planning Commission to designate the Project as
14 ministerial rather than discretionary exempts the project from CEQA compliance and
15 public input. The Petitioner asserts that the Project has been misclassified as ministerial
16 and must instead be classified as discretionary.

17 27. Therefore, Petitioner has exhausted all administrative remedies and thus files this
18 claim.

19 **V. CEQA PROCESS**

20 28. The California Code of Regulations Section 15000 et seq., is published by the
21 California Secretary for Resources and describes the procedural steps for the CEQA
22 process.
23

1 A ministerial project is exempt from CEQA. (Cal. Code Regs. Tit. 14, § 15369; Cal.
2 Code Regs. Tit. 14, § 15002(k)(1)). A discretionary project, on the other hand, is not
3 exempt from CEQA. (Cal. Code Regs. Tit. 14, § 15002(i)).

4 **VI. FIRST CAUSE OF ACTION**

5 **Violations of CEQA**

6 29. The CEQA Public Resources Code sections 21000–21177, is a comprehensive
7 statute. “It is the intent of the Legislature that all agencies of the state government which
8 regulate activities of private individuals, corporations, and public agencies which are found
9 to affect the quality of the environment, shall regulate such activities so that major
10 consideration is given to preventing environmental damage, while providing a decent home
11 and satisfying living environment for every Californian.” (Pub. Resources Code, § 21000,
12 subd. (g).)

13 30. In this situation, the two Real Parties in Interest, Yolo Land and Zipline, have
14 operated a commercial drone facility since 2017, greatly expanding the footprint of the
15 facility over time. In approximately December 2024, Zipline began operating the drones at
16 night. The drones use intense LED lights that flash, strobe, and move, and adversely impact
17 the environment in a radius of greater than five miles.

18 31. The project scope change of adding nighttime operations created a public nuisance
19 which resulted in complaints to Yolo County. Yolo County then initiated an investigation
20 into Zipline’s operations.

21 32. Yolo County staff then spent approximately six months developing a report on the
22 project. This report included an environmental review submitted by Madrone Ecological
23 Consulting. There are no county codes, procedures, or standards that describe how to

1 handle permitting for a commercial drone facility on land zoned Agricultural-Intensive.
2 Therefore, there is no mandatory action for Yolo County to take, and the project is
3 discretionary. Since the Project is discretionary, the Project is subject to CEQA
4 requirements.

5 33. However, despite the discretionary nature of the Project, the Yolo County Planning
6 Commission voted to designate the Project as ministerial to avoid CEQA. This bad faith
7 decision violates CEQA, Cal. Code Reg. § 15000 et seq.

8 **VII. RELIEF REQUESTED**

9
10 34. Plaintiff respectfully requests that the Court enter judgment:

11 35. A) Declaring that the Zipline Drone Facility is a discretionary project.

12 36. B) Issuing a writ of mandate directing Yolo County to comply with California Code
13 of Regulations Section 15000 et seq. for the Project.

14 37. C) For costs of the suit;

15 38. D) For Petitioner's attorneys' fees as authorized by Code of Civil Procedure section
16 1021.5 and/or other provisions of law; and

17 39. E) For such other and further relief as the Court deems just and proper.

18
19 THIS FIRST AMENDED COMPLAINT IS DEEMED VERIFIED UNDER THE
20 PROVISIONS OF CODE OF CIVIL PROCEDURE SECTION 446.

21
22 Dated: October 16, 2025

23 Respectfully Submitted,

By: /s/ Mark Baker

In Pro Per

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Exhibit A

March 26, 2025

BY POSTAL MAIL AND EMAIL

Eric May, Senior Deputy County Counsel
Yolo County
eric.may@yolocounty.gov
625 Court Street
Woodland, CA 95695

Re: Notice of Commencement of CEQA Litigation – Drone Airport

To Whom it May Concern:

This letter is to notify you that Mark Baker (“Petitioner”), will file, In Pro Per, against Yolo County (“Respondent”) for failure to observe the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 et seq., and the CEQA Guidelines, California Code of Regulations section 15000 et seq., in the administrative process involving the unpermitted drone airport located on the property of the Yolo Land & Cattle Company.

This notice is given pursuant to Public Resources Code section 21167.5.

Sincerely,

/s/ Mark Baker
1520 E. Covell Blvd. Suite B5 - 467
Davis, CA 95616
mbaker@softlights.org

PROOF OF SERVICE

Mark Baker v. Yolo County, et al.

Superior Court of the State of California – County of Yolo

At the time of service, I was over 18 years of age and not a party to this action. I am a resident of the county where the mailing occurred. My business address is 1520 E. Covell Blvd. Suite B5 – 467 Davis, CA 95616.

On March 26, 2025, I served a true copy of the following document described as:

NOTICE OF COMMENCEMENT OF CEQA LITIGATION – DRONE AIRPORT

on the parties in this action as follows:

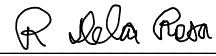
Eric May, Senior Deputy County Counsel
Yolo County
eric.may@yolocounty.gov
625 Court Street
Woodland, CA 95695

BY MAIL: I enclosed the document in a sealed envelope or package addressed to the persons at the addresses listed above and deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid. I am a resident in the county where the mailing occurred.

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document to be sent from the e-mail address rdr@softlights.org to the persons at the email addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 26, 2025.

A handwritten signature in black ink, appearing to read "R Dela Rosa", positioned above a horizontal line.

Rosanna Dela Rosa



Mark Baker <mbaker@softlights.org>

Yolo Land and Cattle

Mark Baker <mbaker@softlights.org>
To: Mark Baker <mbaker@softlights.org>

Fri, Jan 24, 2025 at 9:41 PM

Dear Yolo Land and Cattle,

I live approximately 5 miles from your property. Around December, 2024, I started suffering psychological injuries from intense LED flashing lights on or near your property. Tonight I drove as far as I could to find the exact location of these lights, until the road ended at your property. The LED lights appear to be coming from towers and possibly drones. Before I contact the government about this issue, I would like first inquire if you are aware of this issue and if these LED lights are being used on your property.

Sincerely,

Mark Baker

President

Soft Lights Foundation



Mark Baker <mbaker@softlights.org>

Follow up on your inquiry with Yolo Land & Cattle

Keval Patel <keval.patel@flyzipline.com>

Mon, Jan 27, 2025 at 5:40 PM

To: mbaker@softlights.org

Cc: Conor French <conor@flyzipline.com>, Alyssa Pont <alyssa.pont@flyzipline.com>, Benjamin Berlin <benjamin.berlin@flyzipline.com>, Madeline Klein <maddy.klein@flyzipline.com>, "Chad E. Roberts" <croberts@hsmlaw.com>, CASEY STONE <boyeatsbeef@yahoo.com>, SCOTT STONE <sastone57@gmail.com>

Dear Mark Baker:

I'm General Counsel of Zipline International Inc. Thank you for raising your concern regarding the lights on certain UAVs that you've observed in Yolo County.

Zipline conducts flight testing operations of its UAVs in a manner consistent with applicable law, including aviation safety rules that call for lights of a minimum intensity on our UAVs. These safety rules are expressly required by the Federal Aviation Administration (FAA) so we can safely share the airspace with other aircraft.

Nevertheless, we hear your concern and are committed to being a positive force in the Yolo County community, and are actively looking into how we can diminish the intensity of the lights without violating FAA rules or sacrificing the safety of our operations. We will follow up with any updates we have on that front.

In the meantime, please let me know if you have any questions or if you'd like to discuss further.

Best,
Keval

--

Keval M. Patel
General Counsel
Zipline International Inc.
p: +1-925-963-6939
e: keval.patel@flyzipline.com

Exhibit D



1520 E. Covell Blvd.
Suite 5-467
Davis, CA 95616

October 16, 2025

BY EMAIL

Yolo County Board of Supervisors
Yolo County, California
clerkoftheboard@yolocounty.gov

Re: ZF #2025-009 – Appeal of October 9, 2025, Decision

Dear Yolo County Board of Supervisors,

On October 9, 2025, the Yolo County Planning Commission debated for over an hour on whether the Zipline Nest Z Drone Testing Facility (“Project”) could be considered ministerial as a way to evade the requirements of the California Environmental Quality Act. The very act of discussion, by definition, means that the Project is not ministerial, and is a discretionary project that requires compliance with the California Environmental Quality Act (“CEQA”). The Planning Commission’s decision to use “weasel language” to declare that the Zipline Drone Facility qualifies as a “small experimental agricultural seed research facility” as a method of evading the requirements of CEQA is a violation of law. This letter is an appeal of the Planning Commission’s decision.

Yolo County Code Sec. 8-2.215(a) states, “The purpose of the Site Plan Review approval process is to determine compliance between a more complicated development project seeking a building or related permit, not subject to discretionary review, with the provisions of this Code and the Yolo County General Plan.”

YCC Sec. 8-2.215(c) states:

Approval of a Site Plan Review shall be required, at the **discretion** of the Director, in the following instances: [emphasis added]

- (1) For the establishment or change of use of any land, building, or structure, including complex or extensive uses of agriculturally-zoned land, that is allowed “by right,” requires a building permit, and is subject to specific zoning or development standards; and
- (2) For the construction, erection, enlargement, alteration, or moving of large and/or multiple buildings or structures, including farm residences; provided, however, no such approval shall be required for growing field, garden, or tree crops or for general farming operations.”

YCC Sec. 8-2.210 is titled “**Discretionary** review and determining completeness of development applications” and states, “...The Permit Streamlining Act does not apply to ministerial projects such as building permits, or to legislative or quasi-legislative projects such as rezoning requests, and General

Plan Amendments (Government Code section 65928 and related court interpretations).” [emphasis added].

Cal. Code Regs. Tit. 14, § 15268(d) states, “Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.”

Pub. Res. Code § 21080(a) states "Except as otherwise provided in this division, this division shall apply to discretionary projects proposed to be carried out or approved by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits, and the approval of tentative subdivision maps unless the project is exempt from this division."

Cal. Code Regs. Tit. 14, § 15268 - Ministerial Projects states:

(b) In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:

- (1) Issuance of building permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Approval of individual utility service connections and disconnections.

In *Protecting Our Water and Environmental Resources v. County of Stanislaus* (2020) 10 Cal.5th 479, 487, the Court wrote, “Unless exempted, discretionary projects require some level of environmental review; ministerial projects do not. (§ 21080, subds. (a), (b)(1).)” Yolo County directed Zipline to consult with a biologist for this Project. This action constitutes “some level of environmental review”. Therefore, the Project is not ministerial.

The Project is not a building permit, it is not a business license, it is not approval of a final subdivision map, and it is not approval of an individual utility service connection. Site Plan Review is a discretionary action, as per YCC Sec. 8-2.215(c). The Planning Commission discussed “proposed... enactment and amendment of zoning ordinances” which indicates that the Project is subject to the requirements of CEQA, as per Pub. Res. Code § 21080(a). The Project involved some level of environmental review. Therefore, the project is not ministerial and is subject to the requirements of CEQA.

Based on the foregoing, the Zipline Nest Z Drone Testing Facility does not qualify as a ministerial project and the Yolo County Planning Commission vote to declare that the Project qualifies as a “small experimental agricultural and seed research facility” does not exempt the Project from CEQA requirements. Therefore, Mark Baker, as an individual, and the Soft Lights Foundation, as an organization, request that the Yolo County Board of Supervisors **MODIFY** the October 9, 2025, Planning Commission decision and direct Staff to notify Zipline that a CEQA application is required for the Project.

Sincerely,

/s/ Mark Baker
Individual

/s/ Mark Baker
President
Soft Lights Foundation
mbaker@softlights.org

Exhibit E

Examples and Case Law for Ministerial Projects under CEQA

#	Ministerial Project Type	Common Location/Example	Basis for Ministerial Status
1	Issuance of Building Permits	City/County building department	Where a permit strictly meets all objective zoning, building, and safety code standards (e.g., height, setbacks, materials).
2	Issuance of Business Licenses	City/County Treasurer's office	The agency merely checks if the applicant meets basic legal and fee requirements, without judging the location's environmental fitness.
3	Approval of Final Subdivision Maps	County Recorder/Surveyor	Where the preceding Tentative Map was already approved and the Final Map complies exactly with all conditions of the approved Tentative Map and state/local surveying laws.
4	Interior Tenant Improvements	Commercial or Residential building	Simple, non-structural interior remodels (e.g., changes to partitions, electrical, or plumbing) that don't increase square footage or density.
5	Roof Replacements	Residential or Commercial structure	Replacement of an existing roof with similar materials, meeting current building code requirements, but involving no substantial structural change.
6	Minor Lot Line Adjustments	City/County Planning Division	Adjustments between four or fewer existing parcels where no new parcels are created and the resulting parcels comply with zoning size requirements (affirmed in court cases like <i>Sierra Club v. Napa County</i>).
7	Individual Utility Service Connections	Public Works/Utility Department	Connecting a new single-family home or unit (where the dwelling itself was already approved) to existing utility lines (water, sewer, gas, or electric).
8	Issuance of Zoning-Compliant ADUs	City/County Planning Division	Approval of an Accessory Dwelling Unit (ADU) that strictly adheres to the objective development standards of the Government Code and local ordinance (often approved by-right).
9	Installation of On-Premise Signs	City Planning or Code Enforcement	Approval of a sign that conforms strictly to the objective size, height, and location standards of the local sign ordinance.
10	Minor Encroachment Permits	Public Works/Engineering	Permits for minor, short-term work in the public right-of-way, such as sidewalk repairs, temporary storage of equipment, or installation of small street furniture, where objective standards are met.

Case Law

Protecting Our Water and Environmental Resources v. County of Stanislaus (2020) 10

Cal.5th 479, 487 - “Unless exempted, discretionary projects require some level of environmental review; ministerial projects do not. (§ 21080, subs. (a), (b)(1).)”

Mountain Lion Foundation v. Fish & Game Commission (1997) 16 Cal. 4th 105, 117 – “The statutory distinction between discretionary and purely ministerial projects implicitly recognizes that unless a public agency can shape the project in a way that would respond to concerns raised in an EIR, or its functional equivalent, environmental review would be a meaningless exercise.”

Miller v. City of Hermosa Beach (1993) 13 Cal. App. 4th 1118, 1139, “In contrast, a discretionary project is defined as ‘a project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.’”

People v. Department of Housing & Community Development (1975) 45 Cal. App. 3d 185, 192 – “Given a discretionary project, the agency may not grant the permit without first determining in writing whether the proposal has a significant environmental impact.”