

August 11, 2020

Members of the Board of Supervisors

Subject: Rocci Costa Appeal to the Board of Supervisors Permit PLN-12176-CUP

On behalf of the Warren Creek Community we look forward to voicing our opinions at your upcoming hearing. We greatly appreciated the decision made by Planning Commissioners Newman, Bongio, and Levy that was based on the requirement in the Conditional Use Permit about the neighbors. The exact wording of this provision is "The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity." We felt that we had been heard and that the three commissioners found our concerns credible.

We would like to address three specific issues that Mr. Costa has raised in his appeal. First, in preparing our presentations to the Planning Commission, we sought to only relate incidents that were experienced first-hand with the applicant or with those associated with the property. We used a vetting process to ensure that testimony given was fact driven. However, the hearing was one open to the public. Unfortunately, one unplanned and unsubstantiated verbal accusation was made against Mr. Costa's consultant Ms. Cora Cordoni. While we regret that this occurred, it does not undermine the considerable first-hand evidence of inappropriate and contentious interactions with the applicant and others associated with the property in question. All of our neighbors whose letters passed our vetting process have sent new letters confirming what they put into the record at the March Hearing.

It is important to note that the incidents of harassment span a time frame from 2004 to Sept of 2019. The period of time from 2017-2019 is particularly significant. Mr Costa claims that with his eviction of two tenants living on the property in the summer of 2017 the problems created by his brothers' management of the property ended. This is not true as incidents from 2017, 2018, and 2019 were read into the record at the March Hearing. Mr. Costa has a long term connection to his brother's property as demonstrated by the attached video clip from the September 2019 Planning Commission Hearing wherein Mr. Costa refers to an unpermitted grow on the property stating his neighbors did not complain about the smell. Moreover, the property will be under the same owner under whom the incidents of inappropriate behavior occurred.

Second, that applicant states that the majority of those opposed to the permit do not live on Warren Creek Road. Of the 20 individuals who spoke at the Planning Commission Hearing, 14 have Warren Creek Road addresses and 4 live on feeder roads. The other two speakers live in McKinleyville but are a part of the Weburg family and own a part of the 20 acre parcel adjacent to the Costa property, where they intent to build their family home. The property in question is located at the terminus of Warren Creek Road. Thus, all residents will be affected by increased traffic and the introduction of a commercial agricultural enterprise. There are multiple references in the appeal to "The Blackberry Lane Community," This is rather confusing to the community as only 2 households are located on Blackberry Lane, a short feeder road that provides the only connection with Warren Creek Road. There is no Blackberry Road Community; there is only the Warren Creek Road Community.

Lastly, the objections of the community are presented as a bad faith example of NIMBYism. This is not accurate. We are a community of many different occupations and ages. Yet we all live harmoniously

and look out for each other. The recent coming together of our community to unite in our opposition to the proposed grow was a demonstration of our solidarity and care for each other and our land. We had forty two neighbors sign our opposition petition and twenty who made statements addressing their concerns. The actions of the Costas and their tenants over the years have created an environment of fear, anxiety and uncertainty within our community. The Planning Department and a majority of Planning Commissioners have recognized what a special community we have. It is our strong position that the approval of Mr. Costa's Appeal Application would be a real threat to the health and safety of our community.

Finally, it is a fact that cannabis cultivation is legal in California and that the state and county have developed a rather robust permitting process to regulate it. However, policies to address the multiple problems that arise from the residential/ grow operation interface have not been adequately developed. In addition, follow up enforcement of the existing regulations remains weak and intermittent. Chances are these issues will be addressed sometime in the near future. Neighborhood communities such as ours are hoping they don't have to suffer the negative consequences in the meantime. We strongly urge that the appeal be denied.

Sincerely,

Mike Zeppegno

1740 Warren Creek Rd

Kathleen Lee

1088 Warren Creek Rd

August 11, 2020

Attention: Elizabeth Moreno

RE: Application #PLN-1276-CUP (appeal)

Rocci Costa AP# 516-211-025

I attended the September 5, 2019 hearing on the proposed commercial cannabis operation at the end of Warren Creek Road. At the time my main concern was the private dirt road being too narrow and requiring more upkeep if such an operation was allowed. I submitted a letter with my concerns.

There were several neighbors in attendance at the meeting and our letters were read into the record. I was sitting with Myrna Weburg who also had a letter of objection read. I had never met Rocci and didn't know who he was. After the letters had been read and the meeting was ending Rocci turned around and with an unpleasant look at Myrna, mumbled something. I could not hear what he said specifically other than he would get his way with regards to the road. My neighbor Myrna Weburg is 80 years old and has lived on the road for decades. It was very disturbing to see her treated by Mr Costa in such a threatening manner and Myrna and I were both upset by it. I also felt threatened enough that I did not attend the next meeting.

I've lived on Warren Creek Road for 40 years and love our neighborhood community. I walk down the road every morning with my neighbor and I want nothing more than for us all to be able to feel safe and enjoy it.

Sincerely,

Deborah Stamper

Date: July 16, 2020

To: Elizabeth Moreno, Humboldt County Planning Department

From: Susan Smith

1116 Warren Creek Road, Arcata CA 95521

Re: Rocci Costa Appeal to Board of Supervisors for Marijuana Cultivation,  
APN 516-211-025

On March 5, 2020, many concerned neighbors on Warren Creek Rd attended the Planning Commission meeting regarding Rocci Costa's application for a marijuana cultivation enterprise and 20 read personal letters addressing quality of life, safety concerns, traffic concerns, and degradation of the road both aesthetically and physically. Mr. Costa has recently filed an appeal to the Board of Supervisors against the Planning Commission's recommendation in our favor. The Board will have all our original letters as part of this process, but it seems in order to reiterate our main points. Neighbors will do this, citing their previous letters. A bit of a variation will be taking issue with items in his appeal, but basically the strength of our letters stems from the strength of our community: one that is opposed to having this marijuana cultivation --- so-called small farm -- at the end of our road.

I would like to address three obvious errors in the Costa statement. The first is that 'only a few neighbors' submitted letters. As we learned in school, 'a few' means between three and five. There were 20 letters presented.

The second misstatement was that many neighbors signing the petition in objection to the 'farm' are not from Warren Creek Rd. The reality is that they are ALL neighbors; the addresses on Blackberry and Cedar Hill and Burlwood are short private spur roads off Warren Creek. We all use and assist in the maintenance of this unpaved road. This is one community; we are all neighbors.

A third error in the letter is the statement that our letters and testimony were non-factual and unsubstantiated. This is simply untrue. All letters were factual, based on personal experiences with the Costas or their tenants over the years, and as recently as last year. Mr. Costa's appeal states that the negative behavior happened before he evicted tenants in 2017, but incidents experienced and witnessed here occurred through September 2019. And the ownership of the property remains that of his brother Rodney who would lease the land to Rocci.

Further, with regard to point three about his claim that the testimony was unsubstantiated, our community had a careful vetting process when we began this official objection to Mr. Costa's plans. If someone claimed they had been harassed, we

verified that the individual(s) had be the victim or witness to the event. There were also a couple of people who wrote anonymously and their letters were read at the Planning Commission hearing and identified as being read for someone who wished to remain unknown out of concern for retaliation from the Costas.

Additionally, I would like to reiterate a concern expressed in the the original letter my husband Tom and I submitted in March that a large concern for our community and certainly for us personally is the way this commercial enterprise and its corresponding traffic/customers/suppliers will alter the peacefulness of where we live. Daily there are people walking down the middle of road, with friends, with dogs, by themselves. We all live here and have moved here because we have sought this kind of environment. Yes, of course, we all have cars or trucks and we all drive the road, but we are also watchful and respectful, and pedestrians and animals are always at the forefront when we drive down the road. We have a self-imposed speed limit of 10 mph which we try to maintain. Bringing suppliers and customers for a business, beyond the customary postal department, UPS and Fed Ex deliveries, will be adding to the traffic.

Our house is  $\frac{3}{4}$  mile from the Costa parcel, but all vehicles pass by the front of our property, so we would be subjected to traffic increase from his customers and suppliers. Further, with regard to this road, we strongly object to Mr. Costa's proposed intent to create road turn-outs along private property. This is not only an intrusion on that property, but as in Lyle Schmidt's case, it would necessitate his moving equipment off his own property to accommodate.

In summary, my husband and I take issue with the three misstatements or errors described above and remain opposed to the approval of his application based on neighborhood safety, increase of vehicles and the degradation of the quality of our environment by altering a peaceful unpaved road that feels more like a footpath than a road.

Susan D. Smith

Date: July 17, 2020

To: Elizabeth Moreno, Humboldt County Planning Department

From: Thomas A. Smith, 1116 Warren Creek Rd, Arcata, CA 95521

Re: Rocci Costa Appeal to Board of Supervisors, APN 516-211-025

I am writing in response to Rocci Costa's appeal to overturn the recommendation of the Planning Commission to deny his cultivation application.

His appeal to the Board refers to hearsay and unsubstantiated complaints from neighbors about incidents on his property before 2017, but also indicates that troublesome individuals or conditions were no longer there after that time. As to hearsay, our group of neighbors made sure all letters were written by either victims or witnesses. There is no hearsay.

As to no trouble after 2017, that is also incorrect. At the March 2020 Planning Commission hearing, I read a letter written by a neighbor who wished to remain anonymous for fear of retaliation. This letter describes an incident which occurred in early February 2018, a year after Mr. Costa's assertion that there were no more problems. The letter-writer is the person who was directly involved in the incident. The letter describes this neighbor's concern about a fire she saw on the Costa property near dwellings and forest when she was driving on Warren Creek Road at dusk. Stopping to see if help was needed, the neighbor was approached by a woman holding a shotgun or rifle. At that point the neighbor could see the fire was a brush and trash pile. The neighbor states: "When I asked if she needed any help and if she was okay, she walked toward me brandishing the weapon overhead. At this point, I was afraid for my own safety. I repeated 'my intention was only to help' and she again waved her weapon toward me in a threatening manner. I quickly got back in my vehicle and backed down the road..... When I returned to the main part of the road..... I called 911 and reported the fire and incident....." The letter in its entirety is part of the official record in the information forwarded to the Board of Supervisors from that March 2020 meeting. As you can see, this is not hearsay. This is a first-hand account.

I'm sure other neighbors will address many aspects of Mr. Costa's appeal, but since I was the one to read this neighbor's letter at the Planning Commission meeting in March 2020, I wanted to speak specifically to the misstatement in the appeal about hearsay.

Thomas A. Smith

Board of supervisors

To: Humboldt County Board of Supervisors,

From: David and Robin Kinzer  
180 Blackberry Lane, Warren Creek Road  
Arcata, Ca 95521

Subject: Response to Rocci Costa's Appeal of the Decision of the Planning Commission to deny a Conditional Use Permit to commercially grow cannabis at the terminus of Warren Creek Road.

Date: August 2, 2020

We wish to thank you for taking time out of your busy schedules to review Mr. Rocci Costa's appeal and Warren Creek Road neighbors responses to the appeal of the March 5, 2020 Planning Commission denial of a commercial cannabis permit for Rocci Costa.

We believe that the County Planning commission, did in fact, follow their charge and performed due diligence in listening to, and reviewing our community concerns regarding this proposed Discretionary Permit.

What follows is a detailed rebuttal to the appeal in which "Error of Discretion" is repeatedly cited.

### **Mr. Costa's Appeal**

The appeal's opening statement states; **"there were multiple errors of discretion during the hearing on March 5<sup>th</sup> 2020 which obscured the facts"** and goes on to discuss Rocci Costa's family history. It is unclear how Mr. Costa's family history relates to an abuse of discretion by the planning commission.

On a side note, the appeal states that Rocci Costa's family has lived in their Eureka home for 27 years. However in the March 5<sup>th</sup> 2020 planning commission meeting Rocci emphatically stated "We've lived in Blue Lake all our lives".

Mr. Rocci Cost'a Appeal

- I. **(Page 1; item #2). "Rocci Costa has not had control or responsibility for the Parcel to date".**

The appeal document, submitted on March 19, 2020, on page 10 states;  
**"The applicant and his family pursued and completed the eviction of the squatters at their own expense in 2017."**

While, Mr. Rocci Costa has not had complete control of or responsibility for the negative incidents that have occurred relative to this property, he has acknowledged that he has been associated with activities on the parcel. In a statement to the Planning Commission in 2019 he made reference to an unpermitted grow he supervised on the property.

- II. **(Page 1; item #3). "The majority of the complaints both written and in person were by a few neighbors, most of whom are half a mile to over a mile away from the proposed site. A large number of them do not live on Warren Creek Road."**

This statement is incorrect. Of the 20 individuals who spoke at the Planning Commission Hearing or submitted statements to the Planning Commission, 14 have Warren Creek Road addresses and 4 live on feeder roads, and one plans to build on property adjacent to the Costa Property.

- III. **(Page 2; item # 4, b, i). "Confusion over 'Mr. Costa' has led the commission to attribute Rodney's lack of stewardship with Rocci's fitness to uphold the responsibilities of a permitted farm. This confusion was intentionally cultivated by a vocally opposed minority."**

By his own statement, Mr. Costa became involved with this property in 2017. As can be seen from the letters and oral statements from neighbors a variety of incidents of intimidation and threats have occurred since that date. While Mr. Costa may not be responsible for those incidents, they did occur during the time he was associated with the property. We concur with Commissioner Levi's opinion that the responsibility of the land being "a little bit fuzzy" and find that opinion to be a valid one.



To further clarify, there is no confusion that the incidents did occur and there certainly was not any coercion or joint effort by the neighbors to mislead the Planning Commission or the Board of Supervisors regarding these incidents.

- IV. **(Page 2; item 5, a,). "Neighbor complaints of threats and violence are unsubstantiated and unassociated with the Applicant".**

**Mr. Costa claims that Commissioner Levi made another "error of discretion" when he stated "I don't think this is about cannabis itself.... As it is about bad blood..."**

Those who spoke of negative interactions with individuals associated with the property gave first-hand (Not hearsay) accounts of the incidents that occurred.

- V. **(Page 3; item 6) The appeal claims an "error of discretion" with regards to the statement that "Undefined consequent effects led Commission to consider Historical context" in the decision making process.**

It is our position that taking into account past behavior (historical context) is a valid facet in decision making as it can be a predictor of future behavior. We believe that Mr. Levi is certainly within his discretionary right when taking into account a Historical View of the documented incidents that have occurred with the inhabitants of the proposed grow site. Based on the documented history of this property we feel we are justified with our concerns about the possible continuance of overtly aggressive behaviors on the part of the curators of the proposed cannabis grow.

- VI. **(Page 3; item 6, c). Under item "c", the appeal states that the consequent affects of denial are "status quo", which all parties recognize as actively harmful to the character of the neighborhood."**

**i. "Unmonitored parcel has already drawn squatters, will continue to do so."**

It is the responsibility of property owners to manage their property in a responsible manner that doesn't negatively affect the surrounding community. To place that responsibility on the surrounding community if a permit is denied would appear to confirm and acknowledge poor management of the property in the past.

VII. **(Page 4; item; a. ii.) "The Warren Creek RA, Residential Agriculture area has been described by neighbor's Dave and Robin Kinzer as a 'cul-de-sac'".**

Our statement actually read: "This is a lovely country neighborhood, and we wish to keep it this way. The closeness of the inhabitants of the neighborhood is likened to that of a small cul-de-sac where everybody knows each other and work together to aid and assist each other when help is needed."

The appeal seeks to create new designations of neighborhoods in our community. There has never been any neighborhood described as "The Blackberry Lane Community." Blackberry Lane is a short spur road up a hill to two properties, one of which is ours.

## **Conclusion**

Once again we thank you for taking the time to review this and the many other letters from the residents of Warren Creek Road who oppose granting a permit to commercially grow cannabis in what is predominantly our residential neighborhood. It is our sincere hope that the Board of Supervisors will uphold the decision of the planning commission.

7 August 2020

To: Humboldt County Board of Supervisors

RE: Costa appeal on Warren Creek Road

My name is Linnie Horrigan, I live at 1102 Warren Creek Road. My husband and I are both pro-small business, pro-farmers, especially single family organic farmers. However, we believe the Costa proposal is not a good idea for many reasons, and we ask the Board of Supervisors to honor the Planning Commission's decision and staff recommendation to deny this application.

We do not find that Mr. Costa's appeal offers any good evidence to go against the decision of the Planning Commission. We are a tight knit community who look out for each other and the road. If his track record with the property were different, I might agree with him.

My biggest concern is safety. Although cannabis is often presented as just another crop, considerable evidence shows that it poses a unique challenge to public safety. On July 8, 2019 Behr Extraction, a marijuana processing business down the street from Warren Creek, was robbed by three armed people, despite the well lit fencing, state of the art security system, and 24 hour armed guards.

<https://lostcoastoutpost.com/2019/jul/8/police-searching-leads-after-armed-robbery-arcatas/>

Another robbery on West End in 2005 led to Blue Lake Elementary being locked down while Sheriffs sought the armed robbers.

<http://www.arcataeye.com/2011/11/home-invasion-robbery-on-west-end-road-%E2%80%93-november-4-aa2011/>

<https://www.times-standard.com/2011/11/05/armed-robbery-in-blue-lake-on-friday-school-briefly-placed-on-lockdown/>

If armed robberies can happen in well lit, central areas, right off the freeway, what would happen at the end of our gravel road where response time from the sheriff is long?

Thank you for your time and care in serving our County. The work you do as Supervisors makes the difference. And thank you for taking time to hear our concerns about letting Costa turn the property into a commercial cannabis production site.

All the best,

Linnie M. Horrigan

*Linnie M. Horrigan 1102 Warren Creek Rd, Arcata, Ca. 95521*

*VictorySignsVeterans@gmail.com*

Attn: Board of Supervisors

I originally started tracking this application when I learned it required a conditional use permit and previously when I had inquired about a conditional use permit for a secondary dwelling I was informed that Warren Creek Road was substandard and would require major work to get it up to the proper category. In Mr. Costa's first hearing before the Planning Commission he made the statement that, "the last 0.45 miles of Warren Creek Road was fine." or something similar to that. The Commission rightly told him to have a professional engineer turn in a report. I am a professional engineer(RCE# 19203), the ex county public works director, and associated with Warren Creek Road since about 1948 and a full time resident on the road since 1974. I turned in a road report indicating the numerous problem areas, the approximate average daily traffic, ADT, and waited to see what the applicant's engineer had to say.

The applicant's engineer came forth with a report indicating the private road ADT was 26 and everything would be fine if the applicant would patch one pot hole. Because of the wide disparity of Costa's engineer and my report and the letters from Warren Creek Road residents, Public Works and Planning were dispatched to inspect Warren Creek Road and make their report that basically agreed with my report. I still remember the comment from one planner on the exploratory ride in my vehicle, "My God, I had no idea it was this bad."

Based on all information from the applicant and his consultants I feel a need to describe the neighborhood since they seem to want to mislead decision makers.

Warren Creek Road is a dead end road. The first 0.90 miles is paved and is county maintained. The second 0.90 miles is gravel and is private. The county maintained road has about 35 dwelling units and the private portion has 35 units. There are 4 main feeder roads(Un-named, Burlwood, Cedar Hill, and Blackberry). The county road also serves as the only access to Humboldt Municipal Water District, Park 4. This Park has a disc golf course and a large parking lot that offers river access for fishing and swimming besides disc golf. It is not uncommon to see 40 or more cars at this facility.

There is a rule of thumb for ADT estimates of 8 trips/household/day. That would give the road an ADT at its intersection with West End of 560. My recollection in the 1990's when I was with Public Works that the official ADT was 960 at West End. This is more than the traffic on West End because of Park 4 and other recreation along the road. The applicants house is the 4th house from the dead end of the road, so the ADT just beyond his driveway would be 24.

While my home, almost at the end of the county road, PM 0.85, will not view the parcel I will have to share the road with whomever accesses his parcel. Based on the actions of the Costa family to date, and the ridiculous report turned in by his engineer, I do not trust them to do whatever will be required. When I was with Public Works I would not accept drainage reports from some engineers or geology reports from others because it was outside of their level of expertise. The report turned in on this project would make me suspicious of this engineer's expertise.

While all road items have been centered on Warren Creek Road, West End Road, though it is the proper road category poses an equally bad problem in that it is a major bike route from Arcata to Blue Lake and in the 1 1/2 miles from Arcata City Limits to Warren Creek Road there are no bike lanes and in the wider sections you may find 10 foot lanes, not the standard 12, with no shoulders. It is not uncommon for traffic to stack up behind slower moving bicycles.

One final note, Mr. Costa continually mentions his family history in the area. This should have no bearing on the situation, but if there are those that think it does, my ancestors were here to greet his when they arrived.

John Murray

Carla Giuntoli  
1264 Warren Creek Road  
Arcata CA

To whom it may concern:

I stand by my testimony given at the Commissioners Meeting. Weibergs own an easement through the Costa property. They have generously given neighbors permission to use this river access. We do not feel comfortable using it because those of us who have experienced the intimidation, creepiness, uncontrolled scary dogs, fighting screaming, or the fires have no wish to subject ourselves to these negative interactions. We have a sort of neighborhood PTSD and it can take just one negative interaction to trigger these associations. I like to call it domestic terrorism. It's wrong to subject our neighborhood to it. Said property is at the end of this dead end road, so any problems extend all the way down the road to the end, potentially effecting us all.

I have had property damage, a fence post and a mortally mauled calf. Costa has yet to apologize, after the meeting he told Paul this isn't over yet instead of I'm sorry.

He has shown he can not manage to be a good neighbor even when it would be to

his advantage. Please deny this appeal. Thank you.

## Costa Appeal

August 10, 2020

Application #PLN-1276-CUP (appeal)

Rocci Costa AP# 516-211-025

Members of the Board of Supervisors

During the March hearing with the Planning Department, our Warren Creek neighbor, Tom Smith, read a statement I prepared concerning an incident in which, after noticing a fire on the Costa property, I went there to see if anyone needed help. There I was confronted by a woman brandishing a shotgun or rifle. This is to confirm that, while I wish to remain anonymous (out of concern for my safety), I stand behind every word in that statement.

One additional point I did want to make is that on page 2 Item 5 B-2 of Mr. Costa's Appeal application it states the 911 call made was for a controlled legal burn. The following is taken from my March letter on the 911 call I placed:

When I returned to the main part of Warren Creek Road at a safe distance away, I called "9-1-1" emergency services and reported the fire and incident. There was a terrible echo on the line and it was difficult to talk with or hear the dispatcher. She seemed mostly interested in whether there was immediate threat or danger. The fact that I was in no immediate danger at this point, since I was off the property and the fire was more contained, she indicated the situation was considered non-urgent. I never heard if law enforcement or the fire department followed up.

Anonymous



August 10, 2020

Application #PLN-1276-CUP(appeal)

Rocci Costa AP # 516-211-025

Dear Members of the Board of Supervisors

My name is Kathleen Zeppego and I have lived at 1740 Warren Creek Road for twenty two years. On March 5th, at the hearing, I read a letter which described two separate incidents that occurred on the Costa property the summer of 2016. At the time there was an un-permitted grow on the land. I would like to reiterate that my testimony was valid and I stand by my statements.

The two encounters ; the first, my friends coming to our house for dinner, the second, a college student from HSU who was hired to work at our place on a garden project. In both instances they made the mistake of taking a wrong turn and ended up at the Costa grow site. They were met by angry individuals who lashed out with intimidating threats and racial slurs. The student was so shaken by this experience that he did not feel comfortable returning again for work.

Sincerely,

Kathleen Zeppego

Members of the Board of Supervisors

Application #PLN-1276-CUP (appeal)

Rocci Costa AP# 516-211-025

During the March hearing with the Planning Department, our Warren Creek neighbor, Susan Smith, read a statement I prepared concerning an incident in which, a person who lived on the Costa property came over to my home following his dog and intimidated me making me scared for my life. I also Witnessed The owner of the goats and Robin Costa intimidating my neighbors after their goats had damaged the inside of their home. This is to confirm that, while I wish to remain anonymous (out of concern for my safety), I stand behind every word in that statement. Thank you. Costa / Warren-Creek-Road Cannabis Grow 2020

In spite of sentiment and advocacy, cannabis isn't a birthright, and it isn't the panacea. By now, cannabis is an industrial product no different than lawn mowers and cinder blocks. Its purpose is to make money, not save the world. And there is no moral imperative to place a grow on every vacant lot in the County.

The cannabis processing campus on West End Road at Giuntoli Lane is fine on a well-traveled, well-patrolled industrial road. The Costa property, isolated at the end of a remote, no-outlet road, isn't on the way to anywhere. The police can't have a look on their way by.

Rocci's objections are talking-points, not reasons. He reminds us that he is a third-generation Blue Lake resident, and a relative of founders. That is a topic for a book, and maybe a qualification for membership in a country club. It isn't a qualification to be the owner of a high-volume, high-finance industry that isn't in Blue Lake.

The mess and the irresponsible tenants and unfortunate events can't be considered on a case-by-case basis. They are the systemic result of an absentee landlord who shows no sense of order or responsibility or safety.

Residents of Burlwood, and Cedar Hill, and Blackberry Lane live on blind off-shoots of Warren Creek Road. The residents know each other and help each other –and all are dependent on Warren Creek Road for access. All deserve to be heard.

When Don Weburg wanted to build a timber road on his private Warren Creek Road property, the County sent a biologist to make sure that Don's road didn't interfere too much with the salamanders. You don't need a biologist to tell you what the seven turnouts required by the County to accommodate Rocci's private business enterprise will do to the salamanders, and force local residents to participate in the destruction of habitat.

The County neither patrols or maintains Warren Creek Road, and the County's conflicting policies do not justify taking control of it.

The combination of isolation, remoteness, extreme value, lack of police presence, and absentee owner is a recipe for further irresponsible behavior that will be impossible to prevent; and, on the record, apart from promises and assurances for the future, no agency, not Rocci

and not the County, has shown any ability to manage the Costa property in a safe, responsible, reliable way.

I ask that the Costa grow license be denied.

(3 minutes)

respectfully submitted,

William L. Abler

1200 Warren Creek Road

Arcata CA 95521

(707) 822-8742

[ehlert-abler@sbcglobal.net](mailto:ehlert-abler@sbcglobal.net)

Members of the Board of Supervisors

Application #PLN-1276-CUP (appeal)

Rocci Costa AP# 516-211-025

During the March hearing with the Planning Department, our Warren Creek neighbor, Susan smith , read a statement I prepared concerning an incident in which, the people who lived on the property came over to my home following his dog and intimidated me making me scared for my life. I also Witnessed The owner of the goats and rocky costa intimidating my neighbors after goats of there's had damaged the inside of there home. This is to confirm that, while I wish to remain anonymous (out of concern for my safety), I stand behind every word in that statement. Thank you

We feel, by definition, we are very much a close knit semi-rural neighborhood community.

Thank you for taking the time to look at these pictures.

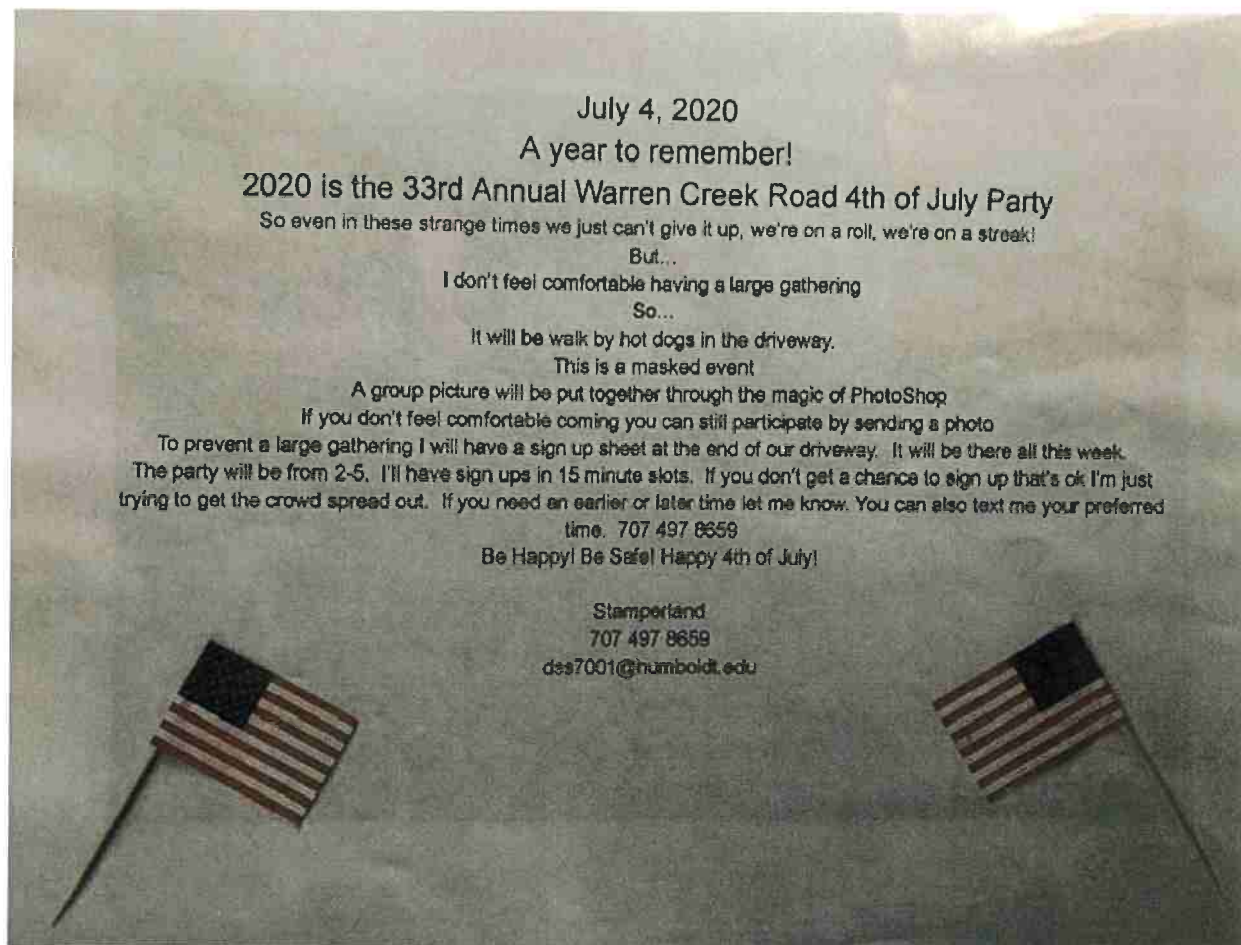
Robin & Dave and Jeff, Kristen and Russell Kinzer.







Every year we do an annual group photo right before the parade.



2019 this photo is taken Near the Costa parcel.



Coming up the narrow part of Lyle Schmidt's Hill. We have spotters at the top of the hill to stop the traffic that might be coming down.



Pumpkin carving at Stamperland. The pumpkins are donated by Warren Creek Farms, Paul and Carla Guintoli. Neighbors come down in the evening to admire all the beautifully lit carvings.







Some years there have been cobb oven neighborhood parties





And over the years the Lee family has hosted the Spring Beltane Bash. A fun time to do a vegetable seed and plant exchange.



Thank you all again for taking your precious time to look at these photos.

The Kinzers

Every year for decades I Stamper's family has hosted an annual holiday Christmas party which includes making gingerbread houses working on a giant jigsaw puzzle, people gathered around the piano playing Christmas songs in the house filled with many neighbors and friends.



Up on the housetop lights are bright  
Come to the Stamper's Party night  
Friends and Neighbors will be there  
Bring some food or drink to share

Ho Ho Ho! Who wouldn't go?  
Ho Ho Ho! Don't be slow!  
Oh, down to the Stamper's let's all go  
Food, Fun and Neighbors Ho Ho Ho

First is the food, and there's lots, Yum! Yum!  
Next is a gingerbread house, What Fun!  
Then there's the puzzle, work 'til it's done  
Yum Yum! Ho Ho! Fun Fun Fun!



Ho Ho Ho! Who wouldn't go?  
Ho Ho Ho! Don't be slow!  
Oh, Down to the Stamper's let's all go  
Food, Fun and Neighbors Ho Ho Ho!

Round the piano we will sing  
Joy to the World and Bells that Ring.  
Tales from years past old and new  
Hopes for the New Year strong and true!

Ho Ho Ho! Who wouldn't go?  
Ho Ho Ho! Don't be slow!  
Oh, Down to the Stamper's let's all go  
Food, Fun and Neighbors Ho Ho Ho!

Sunday, December 15, 2019  
5:00-til it's over  
932 Warren Creek Rd.  
707 822 0805







Making Gingerbread Houses









Sent from my iPhone

Members of the Board of Supervisors

Application #PLN-1276-CUP (appeal)

Rocci Costa AP# 516-211-025

Esteemed Members of the Board,

My name is Marcile Raney (née Weburg). I'm writing in response to Mr Costa's appeal of the denial to the above application.

I wrote a letter (attached) to the planning commission and spoke at the March 5th planning commission meeting. I stand behind everything that I said in writing as well as in person, and my concerns have not changed.

In short, I continue to believe the existence of this proposed cannabis farm would have a serious negative effect on the health, welfare and safety of not only my family, but the entire Warren Creek Community.

Respectfully,

Marcile Raney

Elizabeth,

I am writing on behalf of the Weburg family trust with objections to Costa's proposed cannabis grow at 1734 Warren Creek Road, Arcata . My family owns the properties 1712 Warren Creek Rd and 1800 Warren Creek (at the dead end). These are my main areas of concern:

- 1) Warren Creek Road itself ends at our river property. We have allowed friends and neighbors access through our property to reach the river and hiking trails on our property, and have no intention of limiting that use. My family and our friends have unrestricted use of this road, which is not just a simple right of way, but the end of Warren Creek Road itself. I realize I just repeated myself, but this needs to be clear: Costa's plan to move or obstruct the road is not at all acceptable. My father made this very clear to Costa while he was alive and our stance has not changed. I do not believe it is legal to block or move a private road or easement.
- 2) Traffic on Warren Creek Road will be negatively affected. Industrial traffic at the end of the road would put pedestrians, our pets, and other motorists at risk. Costa seems to have no vested interest in neighborhood or neighbors . Warren Creek road is very narrow with multiple blind corners. The dirt portion of the road is subject to wear and tear. It was graded and all potholes were filled less than 6 months ago, and is already full of potholes. It simply cannot sustain commercial traffic.
- 3) Smell and other pollution. I am highly sensitive to environmental pollution and odors. I in no way want to have to suffer through the nauseating odor of a cannabis grow. It literally makes me ill. There is no way to contain this type of pollution. It would seriously impact our ability to enjoy our property.
- 4) Crime. With cannabis comes crime and the potential for home invasions of neighboring properties. This is a big concern. We are a sparsely populated area with no police protection.
- 5) Property value. As stated earlier, we own the property at the end of the road adjacent to Costa's property. A grow there would make building a house or raising a family on that property out of the question. It would potentially negatively affect our property value and ability to use it as we wish.
- 6) Costa has been attempting to bully and intimidate my 80 year old mother. Other members of my family have been reluctant to get involved for fear of retaliation.
- 7) This is a quiet idyllic area. 3 generations of Weburg's grew up here, 4 generations living and enjoying this area. I can't imagine what it will be like to walk my great nephew and niece past this type of operation.

Thank you for your attention to this matter,

Sincerely,

Marcile (Weburg) Raney  
7075997464

Members of the Board of Supervisors  
Application #PLN-1276-CUP [appeal]  
Rocci Costa AP# 516-211-025

I represent the Weburg Family Trust. We are all apposed to the purposed cannabis grow that would located next to our property. My two daughters, grand-daughter , her husband and I submitted letters and spoke at the February 6, 2020 Planning Commission meeting. We expressed our concerns regarding the negative impact a grow of the type and size described in the the Costa "Cultivation and Operation Plan" submitted January 23, 2020, would have on our health, safety and welfare. As this is a part of the legal public record, we stand behind our written and spoken statements.

The appeal document submitted by Mr. Costa's consultant suggest, although not by name, that the letters written and the appearance at the meeting by my daughters, and my grand-daughter and her husband should be disregarded because they live outside the geographical neighborhood and therefore not members of our Warren Creek Community. My son was mentioned by name and his address. As part of the Weburg Family Trust; their past, present and future ensures that they are part of this community regardless of current postal address.

In what appears to be an attempt to discredit my character, the appeal contains as" Exhibit F", a copy of the e-mail stated to have been sent to me. I would like to add for the record that now that I have seen the e-mail address of the sender I would not have opened it because I would not recognize the sender as someone I know. It is my usual practice to delete without opening, all e-mails from unknown people and sources.

Thank you, Myrna S. Weburg  
1712 Warren Creek Road  
Arcata, CA.95521