

SUPPLEMENTAL INFORMATION #1

For Planning Commission Agenda of:

March 5, 2020

- | | | |
|-------------------------------------|------------------------|----------------|
| <input checked="" type="checkbox"/> | Consent Agenda Item | |
| <input type="checkbox"/> | Continued Hearing Item | |
| <input type="checkbox"/> | Public Hearing Item | No. E-6 |
| <input type="checkbox"/> | Department Report | |
| <input type="checkbox"/> | Old Business | |

Re: Rocci Costa Conditional Use Permit

Record Number: PLN-12176-CUP

Application Number: 12176

Assessor Parcel Number: 516-211-025

1734 Warren Creek Road, Blue Lake Area

Attached for the Planning Commission's record and review is the following supplementary information items:

1. Letter of support from Thomas Edrington, dated February 4, 2020.
2. Additional information from the applicant's agent, Cara Cordodni dated February 4, 2020.
3. Petition opposing the project from residents on Warrant Creek Road, dated March 4, 2020.
4. Letter opposing the project from Jeffrey Kinzer dated March 4, 2020.



**Thomas Edrington,
Strategic Consultant**

3318 Harrison Ave. Unit B
Eureka, CA 95503
humboldtnomad@gmail.com

February 4th, 2020

Humboldt County Planning Commission
Humboldt County Courthouse
825 5th Street
Eureka CA, 95501

Commissioners,

I am writing this letter in support of Rocci and Laura Costa's application for a conditional use permit to cultivate cannabis. I am a cannabis business strategist, freelance cannabis compliance officer, and general Humboldt cannabis policy wonk. I have been involved in cannabis activism my entire adult life, and was deeply involved in the movement toward regulation in Humboldt County.

It was during my service in that capacity performing neighborhood meetings and community rallies that I first met the Costas, who were interested in being able to operate legitimately but concerned that regulations would favor large industrial grows over family farms. They were not alone in this concern. I've been working since then to support small family farms like the Costas. Making these farms the backbone of Humboldt's cannabis industry is broadly recognized as the most sustainable economic and environmental strategy, and is the stated goal of the Board of Supervisors.

After continuing to get to know the Costas, I have had the opportunity to witness the depth of their commitment to this community. I have seen their values in action, and been given a window into the history of cannabis activism in California through Laura Costa's deep roots in the movement. They give time, energy, resources, and make personal sacrifices for causes that are important to them, including extensive work with veterans. They have a deep love of family, both blood and found, and a respect for the land they inhabit. They actively work to improve the lives of the people around them without expectation of favor or reward. I believe them to be

exactly the sort of farmers Humboldt county's officials had in mind as the CMMLUOs were being crafted.

I've reviewed all available documentation, and I see no flaws in the Costas' plan. Dry farming provides the least possible impact to nearby watersheds. Solar power not only limits the carbon footprint of the site, but increases the emergency preparedness and resilience of the area. The farm's cultivation schedule and layout will minimize odor, and they've even taken into account prevailing wind conditions. The state of the road is of concern, but the County's recommendations in place to improve it will benefit the entire neighborhood.

I've also reviewed the community concerns regarding the parcel. None of them are unique. These are the exact complaints we expected when we were campaigning for regulations, and the CMMLUO ordinances were written to make sure that the process of compliance naturally improves conditions in the surrounding community. A regulated cannabis farm in a neighborhood provides resources for road associations (or other less official neighborhood agreements) to improve outdated infrastructure. A permitted farm's security plan guarantees the site doesn't fall prey to squatters or trespass grows that will antagonize residents. Regular environmental scrutiny, more intense than any other agricultural product, ends the incentive to resort to practices that damage the land and threaten watersheds. Simply put, since the intent of the regulatory process is that nuisance elements of pre-regulation cultivation will end on permitted farms, the most effective way to address these concerns is to approve the Costas' permit.

Humboldt County has, up to this point, not fulfilled its promise to prioritize and support small family cannabis farms in the permitting process. This arises from a host of factors outside the control of the County or the Planning Commission, including financial and social barriers to entry, shifting state processes, and the slow pace of building trust with cannabis farmers. But the Costas have, at great cost to themselves, surmounted all these obstacles so that they can openly practice their craft and support their community. They are exactly the sort of cannabis farmer that the County has hoped to bring out of the shadows. It would be a shame to fail to support this small family farm after so much work by everyone involved.

I stand in support of the Costas. Granting their permit will improve Humboldt County. Thank you for your consideration.

Best regards,

A handwritten signature in black ink, appearing to read 'Thomas Edrington', written in a cursive style.

Thomas Edrington

February 4, 2020

From: Cara Cordoni on behalf of Rocci Costa and Roc Squatch Farms

APN 516-211-025

APP#PLN-12176-CUP

To Elizabeth Moreno, the Planning Department, and the Board of Supervisors,

We are thrilled that the Planning Department is recommending approval of the Applicant's permit pending the following conditions and addressing the concerns of the neighbors.

To that end, regarding the **Recommended Conditions of Approval** on pages 14-15, the applicant agrees to the conditions of approval and has the following updates:

1. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

Response: The Applicant agrees.

2. Applicant shall install the eight turns-outs and the signage on Warren Creek Road prior to any commencement of operations, as detailed in the map provided Green Road Consultants dated January 2020. In addition, the applicant shall restrict from the use of wider than a regular pickup to off peak hours, being 9:00 AM to 4:00 PM. The operation must strictly follow the Traffic Management Plan, prepared by Green Road Consultants dated January 2020. The applicant shall submit evidence of a road maintenance association was form or evidence of an attempt to form a road maintenance association.

Response: The Applicant agrees to install the turn-outs and restrict the use of wider than regular pickups to off peak hours. In addition, the Applicant has contacted the neighbors per the formation of a road association as evidenced below:

From: Cara Cordoni <cara@asherahconsulting.com>

Date: Mon, Feb 3, 2020 at 12:29 PM

Subject: Warren Creek Road Neighborhood Road Association

To: <kinzers5@gmail.com>, <billayton@suddenlink.net>, <zpainter@suddenlink.net>, <myrna325@aol.com>, <jellis.murray@gmail.com>, <debbie.stamper@humboldt.edu>, <ron@bettendorfftrucking.com>, <katmlee@suddenlink.net>, <BBronkall@co.humboldt.ca.us>, <cataubin@hotmail.com>,

<CJohnson@co.humboldt.ca.us>, <zkayaker1@gmail.com>, <susansmith116@gmail.com>, <marcile525@gmail.com>, <janaashbrook@gmail.com>
Cc: Laura Costa <minervacirca2013@gmail.com>, Moreno, Elizabeth <EMoreno@co.humboldt.ca.us>

Good Afternoon,

I am writing on behalf of Rocci Costa and Roc Squatch Farms which, as you know, is pursuing a cannabis permit at the end of Warren Creek Road.

As requested by the Planning Department, we are reaching out regarding joining or forming a road association for the maintenance and improvement of the road.

We understand that there are a couple of informal maintenance agreements between neighbors and have contributed through Robin Costa, Rocci's brother, on more than one occasion.

While Rodney Costa has owned the property for 20 years, he has not lived on site or participated extensively in the local community. Rocci and his family look forward to improving the conditions of the property and road, as well as getting to know each of the neighbors.

We look forward to hearing back from you as to how we can work together to form a road association or join an existing association.

Thank you,
Cara Cordoni

3. Before initiating in cannabis cultivation onsite, the applicant shall submit grading plans prepared by a qualified engineer for the relocation of the road and record an easement to ensure that the people who currently have access will continue to have access.

Response: The Applicant will hire a qualified engineer to create a grading plan. The Applicant will record an easement to ensure that the people who currently have access will continue to have access.

4. The applicant will conduct a R-2 soils Report and complete the Engineering Geology Report Checklist prior to any ground disturbance.

Response: The Applicant agrees.

5. No lights, generators or fans are permitted by this permit until a scoping report for Northern Spotted Owl and Marbled Murrelet habitat is prepared by a biologist or forester with experience in the life history of the species and approved by the Planning Director. If habitat is present within the project vicinity, a light and noise attenuation plan shall be developed in consultation with the Planning Department and California Department of Fish and Wildlife prior to the use of any lights, generators or fans. Conformance will be evaluated using auditory disturbance guidance prepared by the United States Fish and Wildlife Service and any other relevant published literature. No generators are permitted.

Response: The Applicant agrees to all points.

6. The applicant shall provide the Planning Department of copy of the Site Management Plan developed for the parcel pursuant to Tier 1 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Notice of Applicability and the Site Management Plan. The applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.

Response: The Applicant was enrolled with the State Water Resources Control Board (SWRCB) for over 2 years during the permitting process. The Applicant agrees to re-enroll and have an appropriate Site Management Plan created by a professional. The Applicant agrees to adhere to the Board, Order, Notice and Site Management Plan.

7. The applicant is to submit a Notification of Lake or Streambed Alteration with the California Department of Fish and Wildlife and submit a copy to the Planning Department.

Response: The Applicant agrees and has submitted an updated LSA and is actively working with Fish and Wildlife to complete it.

Current Applications							Archived Applications	
ID	Status	Stage	Project Name	Opportunities	Region	Deadline		
04147	Editing	Final Application	Construct greenhouses for growing cannabis on an existing parcel served by a licensed domestic well. No streams or drainages will be impacted.	01434 - Self-Certification for Cannabis Cultivation	Region 1	Deadline Not Applicable		
04100	Editing	Final Application	Cannabis cultivation on existing parcel served by licensed domestic well	01440 - General Agreement for Cannabis Cultivation	Region 1	Deadline Not Applicable		
04255-R1	Submitted	Final Application	Construction of greenhouses for production of cannabis. Water service from a permitted domestic well. No streams or watercourse affected	01446 - Standard Agreement	Region 1	Deadline Not Applicable		
00262	Editing	Pre-Application	Roc Squash Farms	00655 - Cannabis Cultivation LSA Notification	Region 1	08/10/2018		

8. A metering device shall be installed and maintained at or near the outlet of all water storage for the nursery. The applicant shall maintain a weekly record of all water used in the nursery. A copy of these records shall be stored and maintained at the cultivation site and kept separately or differentiated from any record of water use for domestic, fire protection, or other irrigation purposes. PLN-12176-CUP Rocci Costa February 6, 2020 Page 14 Irrigation records shall be reported to the County on an annual basis, at least thirty (30) days prior to the date of each annual permit inspection. Records shall also be made available for review during site inspections by local and state officials

Response: The Applicant agrees to all points.

9. The applicant shall submit a comprehensive Light Pollution Prevention Plan for the project including all measures necessary to adhere to International Dark Sky Association standards, demonstrating that the proposed project would not deliver or have the potential to deliver light pollution, during the hours of sunset to sunrise, affecting fish and/or wildlife directly or from a distance. The plan shall include information about any outdoor lighting utilized and measures to down-shield this lighting. The plan shall be submitted to the satisfaction of the Planning Division within six months of the effective date of this permit, or prior to use of lighting, whichever occurs first.

Response: In the time since initiating the permit process, the Applicant revised their Cultivation and Operations Plan and will not be using greenhouses, except one for a 1000 sq ft Nursery Greenhouse. As outlined in the plan page 10, 2.3 Watershed and Wildlife Habitat Protection and page 11 Light Pollution and Spillage, any lighting will comply with "International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1."

The Applicant agrees to submit a comprehensive Light Pollution Prevention Plan within six months of receiving approval for this permit or prior to the use of lighting.

10. No processing can be approved until an acceptable site suitability report can establish potential for onsite waste treatment system for a processing building. An invoice, or equivalent documentation, is to be provided to the Department of Environmental Health and the Planning Department to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

Response: The Applicant agrees that no processing will take place on site and agrees to provide the requested invoice/documentation confirming the continual use of portable toilets.

11. No employees shall live onsite, unless proper employee housing has been approved.

Response: The Applicant agrees.

12. The applicant is to construct a fire turn-around and pull-out area for emergency vehicles and management of trees and vegetation around structures to maintain the required 100-foot

defensible space, in addition to installation of a dedicated 2,500-gallon tank with SRA riser and hydrant if required by CAL FIRE. The applicant shall submit a revised Map showing the turn-around and pull-out area for emergency vehicles.

Response: The Applicant agrees and will create and submit an updated Site Map.

13. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all of the requirements as set forth by other regulatory agencies.

Response: The Applicant agrees.

14. If applicable, the applicant shall secure permits from the North Coast Unified Air Quality Management District. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.

Response: This is not applicable to the Applicant's project. As no generators will be used, there is no reason to register or obtain a permit from the North Coast Unified Air Quality Management District.

15. The property owner shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

Response: The Applicant agrees..

16. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

Response: The Applicant agrees.

In addition, the applicant commits to remove the existing mobile home.

The Applicant has made attempts to have abandoned cars removed from the property and has enlisted the assistance of the sheriff's office.

Neighbors

Regarding the many concerns of the neighbors, the Applicant first wishes to note that the Applicant clearly missed the opportunity to educate them regarding the Rocci Costa's family

long and good standing in the local community, as well as their intentions with their permitted cultivation, for which they apologize.

At the request of the Planning Department Planner, Elizabeth Moreno, Laura Costa, Rocci's wife, did reach out to Myrna Weburg in the email below. Elizabeth provided Laura with the email address:

From: Laura Costa <minervacirca2013@gmail.com>
Subject: Costa Permit
Date: October 30, 2019 at 2:38:09 PM PDT
To: myrna325@aol.com
Cc: "Moreno, Elizabeth" <emoreno@co.humboldt.ca.us>

Myrna S. Weburg
1712 Warren Creek Rd
October 30, 2019

Dear Neighbor,

I'm writing on behalf of the Costa family, of which I am a member. We have been pursuing a single 10,000 square foot permit since December 2016. Since our initial filing we have determined to dry farm instead of building raised irrigated beds, otherwise nothing has changed.

We are working with Green Road Engineering to assess the county road as required by the planning dept.

We understand you may have questions or concerns and we would like to address them directly. Do you have any unanswered questions about our plans or property? We are happy to reply to written questions or to schedule a call or meeting. We would hope to have good relations with all our neighbors if possible.

If we are not able to obtain a cannabis permit, we will still qualify for 3,000 square feet to grow 99 medical plants for patients.* We will move the access road either way as it is so detrimentally positioned for farming, running through the flat and so far from the property line. We will also plant a food forest of fruit trees and vegetables to provide for our families and possibly a small farmer's market supply.

We look forward to hearing from you and coming to an amicable understanding of each other's concerns and working together to find solutions.

Please reach out directly, or through Elizabeth, perhaps it is all much a do about nothing?

Thank You

Laura Costa
[707 496 4612](tel:7074964612)

*This statement is not accurate.

No response was forthcoming.

There are some outrageous claims, and also many valid ones in the letters, which are addressed specifically below. To better acquaint the neighbors and the Planning Commission with the Applicant, many members of the community have written letters of support which have

been sent to the Planning Department via Planner Elizabeth Moreno and some of which are included on the following pages:

Support Letter 1

From: Nancy Cavanaugh <ncavana@gmail.com>
Date: Tue, Feb 4, 2020 at 12:15 PM
Subject: Costa Conditional Use Permit
To: <EMoreno@co.humboldt.ca.us>

Ms. Moreno,

I have had the pleasure of knowing Laura and Rocci Costa since moving to Eureka in 2006. We first became acquainted over "Babe Ruth Baseball" at Redwood Acres. Their son played, my son coached, Laura and I did fund raising and worked in the snack bar.

They have always impressed me as good consciousness neighbors, aware of their surroundings and keeping their neighborhood safe for their own family and families around them. When I met "Grandma Nita", who lived with them, I was surprised to learn that "Grandma" was actually the lady next door, not a blood relative, but family just the same, elderly, widowed, and unable to live alone. She lived in the Costa home as family until she required more nursing care and supervision. Today she lives at a local retirement home, the Costa's cover her expenses.

Over the years, Laura, Rocci and I have supported numerous not-for-profit organizations in Humboldt, Miranda's Rescue, Humboldt Botanical Gardens, Raven House and Sisters of Perpetual Indulgence to name a few.

These are people who care for the community in which they live. They are life long residents, not opportunists arriving to make a fast dollar. They respect the land, the people and they respect the law.

I highly endorse the Costa's in their Permit Process.

N.J. Cavanaugh

Support Letter 2

From: Wayne Justmann <waynejustmann@mac.com>

Subject: Re: references

To: <EMoreno@co.humboldt.ca.us>

To whom it may concern,

It is with deep respect that I write a letter of support for the Costa family, Rocky, Laura and son Rocky. I have had the pleasure of visiting them in their home in Eureka, and was impressed with their family unit, that extended to visitors like myself.

I have been a leader in the medical cannabis community, and continue to be active, on the federal, state, and local level at this time. I played an important role in the development of California state proposition 215 in 1996 that allowed for the possession and cultivation of cannabis for individuals with a doctor's recommendation.

In addition, my advocacy for medical cannabis allowed me to be the first individual in the United States to be recognized to use medical cannabis by a governmental agency (San Francisco Department of Public Health).

In my almost 30 years of advocacy for the medical use of cannabis, it has been imperative to associate with responsible and transparent growers that have provided cannabis to sick and dying individuals. It has been the Costas who have stepped forward during difficult times to share their compassion for those in need. In my almost 10 years of sharing a friendship with this warm and generous family, I have found them to be of tremendous character and high principles. They continue to demonstrate a desire to reach out for any need they might satisfy.

Their honesty and transparency allow for a complete dialogue relating to any business in which they may participate. Their reputation in the cannabis community is one of highest respect and regards, and their leadership is strong and necessary. Your community will continue to be properly served by allowing the permitting process to proceed to a successful conclusion of unanimous support.

Respectfully yours,

Wayne Justmann
655 Hyde Street. Apt.7
San Francisco, California
94109

Support Letter 3

From: **Jeff Peron** <jeffperon58@gmail.com>

Date: Mon, Feb 3, 2020 at 8:47 PM

Subject: Reference Letter for the Costa Family

To: Elizabeth Moreno <EMoreno@co.humboldt.ca.us>, Laura Costa <minervacirca2013@gmail.com>, Cara Cordoni <cara@asherahconsulting.com>

To: Elizabeth Moreno

I would like to introduce myself: I am Jeffrey Peron, brother of Dennis Peron, the author of the Compassionate Use Act, Proposition 215. I am also the father of a twenty-two-year-old son with Autism.

My brother Dennis introduced me to Laura Costa some time ago. My family and their family have come to be good friends. Laura was very helpful to our family in the twilight of my brother's life. She helped him stay active and engaged in the cannabis community traveling with him often when he needed assistance. The entire Costa family was there for us; they are some of the kindest and most compassionate people I know with good family values. My wife, Jill, and I have been to their lovely and welcoming Victorian home in Eureka, California. Laura invited Jill for a respite. Jill was brought to the Costa family reunion, Sunday family brunches, had tea parties with Thalia (Laura and Rocci's then 2-year old granddaughter) and was even permitted to cuddle with Bella (a "hot dog" dog) on the couch at night!

My family, led by my brother Dennis, spent decades fighting for cannabis rights and supporting small family farmers including the Costas. Research is showing that cannabis products can help many conditions. It is true that cannabis products will not work in all cases, but neither do the traditional pharmaceuticals currently being used. Modern medicine has an arsenal of drugs. Most traditional pharmaceuticals can be safe and therapeutic when used correctly. Even so when misused and in some cases, dispensed correctly, they can trigger medical emergencies. The chance of any cannabis product triggering a medical emergency is low.

The enactment of AUMA brings us to the dawn of a new era. Stereotypically, cannabis users are said to be lazy and unmotivated. But the truth is we are doctors, engineers, businesspeople, your neighbors and your friends. Many cannabis users choose to stay in the closet about their cannabis use for fear of having the stereotype stamp on them. But now we have corporate players and big money investors entering the cannabis industry. These corporations are not always known for being good neighbors and tend to squeeze out mom and pop farms like the Costas and small business.

We can choose to support corporate America with their alcohol, tobacco and opioids or we can choose to enact some social change now.

Please feel free to contact me if you have any questions.

Sincerely, Jeffrey Peron

Jeffperon58@gmail.com

415 779-2686

Support Letter 4



To Whom It May Concern:

I have known the Costa's for well over 15 years. Their constant support to Miranda's Rescue makes it possible for us to continue our work in caring for animals. As life-long residents of Humboldt County, they truly encompass a love and respect for the community. I would not hesitate to recommend their application for a Conditional Use Permit.

Thank you,
Shannon Miranda

Support Letter 5

From: mary engle <missmare1@yahoo.com>

Date: February 4, 2020 at 1:30:59 PM PST

To: "EMoreno@co.humboldt.ca.us" <EMoreno@co.humboldt.ca.us>

Subject: Re: Conditional Land Permit

February 4, 2020

To whom it may concern:

My name is Mary Engle, and I am writing this in reference to a conditional land permit for Rocci and Laura Costa.

I have known the Costas for approximately 10 years. In that time I would describe their character, individually and as a couple as people that are here to serve their community and the residents of Humboldt.

Through their generous actions, I have witnessed their selflessness for elderly, helping house veterans that are down on their luck and also the care for their grandchildren.

They truly are champions of all their causes, and should be given the assistance required to continue their excellent work.

Thank You,

Mary Engle

Support Letter 6

Date: Tue, Feb 4, 2020 at 3:07 PM
Subject: Permit recommendation
From: <terry-byrd@sbcglobal.net>
To: EMoreno@co.humboldt.ca.us
Cc: cara Cordoni <caracordoni@gmail.com>

Katy Bird
Fortuna CA

Dear Ms. Moreno and the Planning Commission,

I am a lifelong resident of Humboldt County and a retired educator. I taught elementary school for 40 years in Northern Humboldt.

I have known Laura Costa since she was four years old and she was a quintessential child of the sixties. I saw her as a shy teenager, and later a young adult traveling the world. I was at her wedding to Rocci and I've seen them build a wonderful family.

The Costa Family are solid and dependable, they are kind and compassionate in their actions. I advise that the Planning Commission approve their request for a conditional use permit for their farm.

Thank You

Support Letter 7
(next page)



BOISE STATE UNIVERSITY

COLLEGE OF HEALTH SCIENCES

Center for Health Policy

February 3, 2020

To whom it may concern:

I write this letter today to recommend Rocci Costa in his application for a Cannabis Conditional Use Permit (Application Number: 12176). I have had the privilege to build a relationship with Rocci over the past 15 years. In these many years, he has served as a mentor and adult figure in my life, an educator, and more importantly, a genuine friend of mine. Rocci has been exceedingly supportive in my efforts to obtain my master's degree and become not only a Research Associate but also an Adjunct Professor at Boise State University. Through his continuous support, I have successfully achieved both of those goals of mine. As a first-generation college student, it was incredibly important that I had support around me as I navigated academics blindly without experience. I feel very indebted to Rocci for being an integral part of that support system, and for being a champion in my pursuit of a higher education.

An irrefutable characteristic of Rocci is his sincere passion around medical marijuana and helping those who will benefit from its use. It is infrequent to meet an individual who has pure and true passion. People go their entire lives seeking out their passion in life and what they want to do with their lives. Rocci embodies his passion and his deep desire to help others, and to make a difference in the lives of those around him. We need more people who truly want to make an impact and a difference on the world as Rocci does. We are desperate for people who want to make a difference in the lives of those around them and in their community.

As a Research Associate for Boise State University's Center for Health Policy, holding a Master of Health Science degree, and being an adjunct professor in the Department of Psychological Science, I am well informed about the research around medical marijuana. I am also aware of the significant medical benefits of cannabis. As well, as the potential down sides. While I, personally, do not use cannabis, I am certainly an advocate for its medical uses. The undeniably promising research along with the anecdotal evidence of its medical benefits excites me as a researcher and as a health professional.

When I think about Rocci, I think about him as an endearing husband, a selfless father, an incomparable grandparent to a young granddaughter he and his wife, Laura, adopted, and as a devoted friend. I strongly advocate for the acceptance of Rocci's application for a Cannabis Conditional Use Permit in Humboldt County, CA because I undoubtedly know the benefit he will have on both a macro-level and a micro-level with his passion for medical marijuana and the endeavors of helping those in need.

Sincerely,

Tyrin Stevenson, MEIS
Research Associate/Adjunct Professor
Center for Health Policy/Department of Psychological Sciences

Specific Neighbor Letter Responses

Below the Applicant addresses concerns raised in specific letters:

Per Page 65, from An Anonymous Warren Creek Resident

The following history of the property will help clear up some of the valid concerns expressed.

- 1) The property is owned by the Applicant's brother and the Applicant agrees that his brother has not been a good steward of the property. In the past, there were unsavory tenants and eventually squatters on the property. The Applicant and his family pursued and completed the eviction of the squatters at their own expense in 2017. The Applicant had 2 dumpster loads of refuse removed from the property after the eviction. There is additional clean up of the land required, which the Applicant will also complete. A legal permitted farm with regulatory oversight would prevent a repetition of the issues of the past. The Applicant looks forward to continuing to be a positive influence on the property and community.
- 2) The Applicant and his family will farm on this property, either as a permitted cannabis farm or, barring that, as an organic vegetable farm. One way or the other, the Applicant and his family will be cultivating on this property.

Page 66, Thomas and Susan Smith

Page 67, Bill and Gaye Aylon

- 1) Regarding the road and the Green Road Consulting Road assessment: The Applicant agrees that the road is a concern that needs to be addressed and that the Green Road Consulting Report is flawed. The Applicant understands the neighborhood concern regarding the timing of the vehicle count. In an effort to comply with the County request to provide a road assessment, the Applicant engaged Green Road Consulting at the end of the year. The timing was not nefarious on the part of Green Road Consulting or the Applicant, merely an effort to comply prior to this hearing.
- 2) The Applicant has approached Green Road Consulting regarding the concerns per placement of the road counters, and the misrepresentation of the number of potholes. However, the Department of Public Works has reviewed the Green Road report and made their own updated amendments, by which the Applicant is ready to comply.
- 3) The Applicant has offered to join and/or participate in a road association, and to cover the cost of the road improvements should the neighbors not wish to contribute. As noted on page 80, Robin Costa, the Applicant's other brother, has contributed to road maintenance. The Applicant looks forward to making Warren Creek road safer for everyone in the neighborhood and community.
- 4) Regarding the concerns over the smell of cannabis from the cultivation site, the following information is meant to assuage any fears by the neighbors as it confirms that they are upwind during the flowering season and downwind off season:

<https://weatherspark.com/y/370/Average-Weather-in-Blue-Lake-California-United-States-Year-Round>

Wind

This section discusses the wide-area hourly average wind vector (speed and direction) at 10 meters above the ground. The wind experienced at any given location is highly dependent on local topography and other factors, and instantaneous wind speed and direction vary more widely than hourly averages.

The average hourly wind speed in Blue Lake experiences mild seasonal variation over the course of the year.

The windier part of the year lasts for 4.9 months, from November 16 to April 12, with average wind speeds of more than 6.7 miles per hour. The windiest day of the year is December 12, with an average hourly wind speed of 7.6 miles per hour.

The calmer time of year lasts for 7.1 months, from April 12 to November 16. The calmest day of the year is September 24, with an average hourly wind speed of 5.9 miles per hour.

The predominant average hourly wind direction in Blue Lake varies throughout the year.

The wind is most often from the north for 7.7 months, from March 15 to November 7, with a peak percentage of 71% on June 23. The wind is most often from the south for 4.3 months, from November 7 to March 15, with a peak percentage of 39% on January 1.

As noted, the neighbors are North of the property and they will only be downwind of the cultivation site in the off season of November to March.

Page 68-69 From Dave and Robin Kinzer

- 1) The Kinzers are outside of the 600 ft smell setback for residential areas. It is worth noting that the smell abatement refers to residential areas, and those surrounding this property are specifically Residential Ag. In addition, based on the prevailing wind patterns, the Kinzers are upwind and unlikely to ever smell the cultivation site.
- 2) The Applicant will ensure that the moved easement is available to all those who have had access to it to date, as detailed above.
- 3) The Applicant looks forward to participating in the traditional 4th of July Warren Creek parade with his wife, son, daughter and granddaughter. There will not be any smell as the plants will be very small and not in flower.
- 4) As the Applicant will only be legally cultivating cannabis (not processing, distributing or dispensing), there will be no increase in 'transient traffic.'
- 5) The Applicant looks forward to becoming a productive member of what is described as an idyllic rural community, contributing their share of aid and assistance.

Page 70-73 From Dave and Robin Kinzer

- 1) There is confusion regarding Green Road Consulting mentioning 2 cannabis related applicants on Warren Creek Road. The Applicant is only associated with APN 516-211-025 and is not associated with the nursery referenced associated with APN 516-241-024.
- 2) As Warren Creek and West End Roads are County designated hiking and bicycle trails, the road improvements recommended will increase the safety of these individuals.
- 3) Per the concerns about 3 culverts which are failing on Warren Creek Road, the Applicant is willing to contribute time/labor and money to the road association along with the relevant neighbors to address these road concerns.

Page 82 From Kathleen Zeppegno

- 1) The Zeppegnos are outside of the 600 ft setback for smell. Based on the prevailing wind patterns for the area, the Zeppegnos are upwind of the property and unlikely to smell the cultivation site at any time.
- 2) Per the Applicant's updated Cultivation and Operations plan, there will not be any fans, or generators used on the property or in association with the cultivation. Lighting will be limited to the Nursery and will comply with "International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1," Such that no light will be visible to neighbors or wildlife.

Page 98 From Marcile Raney

- 1) As mentioned earlier, the Applicant intends to move the road and honor the easement, such that the road is open to all those to whom the Weburgs have given access.
- 2) Based on the prevailing wind patterns, the Weburgs' property is upwind of the cultivation site, therefore the Weburgs are unlikely to smell the site at any point.
- 3) The Applicant is very concerned with Security and has outlined a Security Plan in the updated Cultivation and Operations Plan.

Thank you,
Cara Cordoni

Asherah Consulting
415-699-4286



March 4, 2020

Elizabeth Moreno
Cannabis Planner
Humboldt County Planning Department
3015 H Street
Eureka, CA











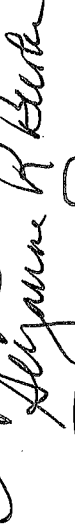






Subject Rocci Costa Grow Permit

Elizabeth the following is a signed petition opposing the Costa permit. The letter was signed by forty one residents living on the unpaved section of Warren Creek Road and the feeder roads Blackberry Lane and Cedar Hill. We would like our petition added to the packet for the Planning Commissioners.

Thank you,


Mike Zeppegno











The following signatures are of neighbors on the unpaved portion of Warren Creek Road, Cedar Hill Lane and Blackberry Lane opposing the application of Rocci Costa for a commercial marijuana cultivation operation. Application Number: PLN-12176-CUP, on property known as 1734 Warren Creek Road.

Printed name	Signature	Address
Kathleen Lee		1088 Warren Creek Road
Chakya Lee		"
Susan Smith		1116 Warren Creek Rd
Thomas Smith		1116 Warren Creek Rd
ROBIN KINZER		180 Blackberry Lane
David Kinzer		180 Blackberry Lane
horetta McQuetan		640 Cedar Hill Lane
JAMES C McURTAIN		" " "
MICHAEL FIELDS		" " "
LYNNIE HERRIGAN		1102 WARREN CREEK ROAD
Suzanne R. Burke		1102 WARREN CREEK ROAD
Russell R. Burke		545 Cedar Hill Ln.
FOR BORGES		545 Cedar Hill Ln.
Mark Dysel		1143 WARREN CREEK
Ed MZA		280 Cedar Hill Ln
JOAN LIMM		535 Cedar Hill Ln Arcata
		535 Cedar Hill Ln Arcata




The following signatures are of neighbors on the unpaved portion of Warren Creek Road, Cedar Hill Lane and Blackberry Lane opposing the application of Rocci Costa for a commercial marijuana cultivation operation. Application Number: PLN-12176-CUP, on property known as 1734 Warren Creek Road.

Printed name	Signature	Address
William L. Abler	<i>William L. Abler</i>	1200 Warren Creek Road
Patricia Ehlert-Abler	<i>Patricia Ehlert-Abler</i>	1200 Warren Creek Road
LYLE Schmidt	<i>Lyle Schmidt</i>	1236 Warren Creek Road
Jason Simas	<i>Jason Simas</i>	320 Cedar Hill Lane
GAYE ASTON	<i>Gaye Aston</i>	1746 Warren Creek Rd.
WM B. AXTON	<i>Wm B. Axton</i>	1746 Warren Creek Rd
Rick Steele	<i>Rick Steele</i>	160 Blackberry Lane
Marcile Ranney	<i>Marcile Ranney</i>	1712 Warren Creek Rd
Megana S. Webber	<i>Megana S. Webber</i>	1712 Warren Creek Road
Donald H Webber	<i>Donald H Webber</i>	1342 0715 Axton Wickhamville (WEBBER TRUST)

The following signatures are of neighbors on the unpaved portion of Warren Creek Road, Cedar Hill Lane and Blackberry Lane opposing the application of Rocci Costa for a commercial marijuana cultivation operation. Application Number: PLN-12176-CUP, on property known as 1734 Warren Creek Road.

Printed name	Signature	Address
Frank Loid		890 Warren Creek Rd. Arcata CA 95521
Terry Wingenbach		915 Warren Creek Rd Arcata CA 95521
Suzanne Collins		1002 Warren Creek Rd Arcata CA 95521
Quincy Collins		" "
Forrest Stampel		932 Warren Creek Rd Arcata CA 95521
Debbie Stampel		932 Warren Creek Rd 505 Cedar Hill Ln Arcata
Claudia Lima		1002 Warren Creek Rd Arcata
Vic Aubin		1740 Warren Creek Rd, Arcata
Mike Zeppegn		1740 WARREN CREEK RD Arcata
Kathleen Zeppegn		

The following signatures are of neighbors on the unpaved portion of Warren Creek Road, Cedar Hill Lane and Blackberry Lane opposing the application of Rocci Costa for a commercial marijuana cultivation operation. Application Number: PLN-12176-CUP, on property known as 1734 Warren Creek Road.

Printed name	Signature	Address
Breck S. Davis		536 Warren Creek Rd.
Marcia Davis	MARCIA DAVIS	536 Warren Creek Rd.
Mike Zappagnone		1740 Warren Creek Rd
Julie Dussel		280 Cedar Hill Ln.

signed
on page
1

To whom it concerns,

I am writing this to express my opposition to the proposed cannabis cultivation site owned by the Costa family located on Warren Creek Road.

My parents live on this road at the house where I was raised from the age of 5. I no longer live there but I love to visit with my son who is 7 now, and am always pleased at how little the neighborhood has changed in over 30 years. My memories from childhood are of a beautiful, idyllic dirt road with friendly neighbors and very little traffic. As a 12 year old I could walk home from the bus stop alone with no fear of any danger, even from a passing car. Such a peaceful rural neighborhood is a very rare occurrence, even for Humboldt County.

I also remember accessing the river bar by walking or driving through the Weburg property, which they graciously allowed us to do. I am told the Costas would like to eliminate this river access, denying the entire neighborhood a unique privilege that I and my siblings cherished in our youth. Trouble began once the Costas purchased the property adjacent to the Weburgs'. Over the years there have been many nuisances that I have heard of. They allowed people to squat on the land which in turn brought a criminal element, potential hard drug use, and two incidences where buildings exploded and then caught fire. I'm also told that my brother was threatened with a baseball bat while trying to access the river bar via the Weburg property.

In addition to the aforementioned, I am concerned with the impact a cannabis farm will have on the neighborhood regarding the use of the road itself. I work in the cannabis industry and can say from personal experience that it is unlike other types of farming. Warren Creek Farm, though quite large in physical size, has never had any negative impact on the road because they require few employees and do not produce heavy vehicle traffic. This is typical of a traditional vegetable farm. In my experience with cannabis farming, there are significantly more supplies brought to the location on a regular basis, more workers who all drive to the farm, and more visitors in general who are not familiar with the navigation of the road. I can also tell you from experience that many in the cannabis industry drive large trucks at excessive speed with little to no regard for the community they are impacting.

I do not need to delve too deeply into the negative impact that the required changes to the road would have on various property owners but I can say that any major modifications will be harmful to the nature of the neighborhood that was a very influential part of my upbringing. I am also aware that there have been some serious fabrications and inaccurate information presented by the engineers hired on behalf of the Costas.

Based on these observations, and the general consensus between myself and all I have spoken to on this subject, I highly recommend against the approval of this project. I am not against cannabis cultivation, but they have chosen the wrong location. Time and money would be better spent elsewhere and not in a place that would be harmed so much by the existence of this farm.

Thank you for your time.

Jeffrey Kinzer
jdkinzer@gmail.com


PLN-12176-CUP Rocci Costa

