

KHUM HUMBOLDT REVIEW

September 29th, 2007

Marijuana Grow Houses – October 4, 2007



Last night a fire caused \$20,000 damage to a house just outside Arcata city limits. The home had recently been renovated at a cost of \$30,000, with new floors, paint, roof and more. “It was spotless,” said owner LaVina Collenberg (mother of the late Randy Collenberg of “Cab 10” fame).

It’s not spotless now. A back room in the house caught fire when a fan fell over, burning up and scorching many marijuana plants. But plants growing in several other rooms which had been converted to gardens were unscathed, and according to neighbors, two U-Haul trucks have been to the house since last night, removing the rest of the plants. Beyond the fire damage, the house had been heavily modified to enable large-scale cultivation, with holes cut in the ceiling to allow ventilation ducts, a huge hole cut in the floor, irrigations systems, even a wall added in one area.

The tenant, Cody Nehring, said that the grow was a “cooperative” for five medical marijuana patients. Indeed, five Prop 215 certifications were posted on the living room wall, one with Nehring’s name on it. The Humboldt County Sheriff’s Office reportedly will not charge the occupants with anything, as they were duly covered by Prop 215.

Nehring insists that the marijuana was for medical use. He had no explanation for the case of butane in the corner of the dining room. Butane is commonly used to extract THC-laden resin from marijuana, creating hash oil. “I don’t know about that,” Nehring said. Arcata Fire Chief John McFarland said the cases of butane could have easily killed firefighters, tenants and even neighbors, had the fire reached it. There was another box containing hundreds of spent nitrous oxide cylinders nearby.

Though one room contained children’s toys along with grow equipment, Nehring said the house was not occupied – that it was entirely dedicated to growing. Dr. Ken Miller, who issued Nehring’s 215 Certification, said he regretted the fire. He wouldn’t say what fee he charges for the certifications, only that it was under \$150.



In Arcata, neighbors and police have become increasingly concerned about the proliferation of grow houses. Apart from the danger of fire, there have also been home invasion robberies with violence. In subdivisions where the houses look alike (especially at night) neighbors are concerned about robbers getting houses mixed up. Oh, and that *smell*.

But an entirely new and unanticipated phenomenon has *cropped up*, so to speak: neighborhoods going silent. In some areas of town, homes which used to house students have now been converted to indoor gardens. Humboldt State University has become concerned about the impact on already-limited student housing. Further, controversial new subdivisions have been proposed, some on agricultural land, and the question is how many of the new houses would be for plants to live in.

Another question is how many grow houses there are in Arcata. No one knows. What is known is that such houses are in all sections of town, from upscale Diamond Drive to the new Sorensen Subdivision to Sunny Brae. It's been said more than once that "Arcata is a place where the plants live in the houses and the people live in the streets."

The challenge is to uphold state law, protect the rights of medical marijuana patients and their access to medicine while respecting property rights, but at the same time doing what's legally possible to preserve housing for human beings.

This Wednesday, October 3, the City Council will consider "Policy Issues and Alternative Land Use Regulatory Strategies for 'Grow Houses' and Medical Marijuana Clinics." A staff report recommends that the council:

1. Determine any need to regulate clinics and grow houses.
2. Provide direction to staff regarding residential grows being allowed only as "accessory use" and subject to "specified standards"; establishing those standards; designating Commercial and Central Business Zones as the only locations where medical marijuana clinics are allowed; capping the number of clinics at four; and providing siting criteria for "replacement" clinics.
3. Staff also asks the council to develop standards for the draft Land Use Code which is now being written.

Even some who support the 1996 Compassionate Use Act allowing medical cannabis acknowledge that there are instances in which the 215 certifications are a cover for industrial marijuana cultivation for profit. But how to *weed out* the exploiters and abusers

from the legitimate medical patients for whom marijuana provides the only relief? These include cancer patients, those undergoing chemotherapy and many, many other maladies.

We're looking for guests for the Thursday, October 4 Humboldt review. They might include political decision makers, physicians who prescribe marijuana under Prop 215, patients, landlords who've suffered property damage, police, firefighters, attorneys... and you, with questions.

Details are still emerging; stand by for updates.