

Exploring the Problem of Domestic Marijuana Cultivation
Statement for the Record
HANK KASHDAN
Legislative Director, National Association of Forest Service Retirees

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The National Association of Forest Service Retirees (NAFSR) respectfully submits this statement for the record concerning the continuing deliberations on domestic marijuana cultivation by the United States Senate Caucus on International Narcotics Control. My name is Hank Kashdan, Legislative Director for NAFSR. I retired from the position of Forest Service Associate Chief, having served in the Forest Service for 37 years. The NAFSR organization is a national, nonprofit organization of former Forest Service employees and associates. Members of the Association possess a unique body of knowledge, expertise and experience in the management of the National Forests, other public lands, forestry research, state and private forestry assistance, agency history, laws and regulations, and international forestry. Members of NAFSR are devoted to contributing to understanding and resolving natural resource issues through periodic review and critiques of agency policies and programs.

CURRENT SITUATION

The many decades of service by NAFSR members has provided the opportunity to observe the ever increasing activities associated with the illegal growing of marijuana on the national forests and other public lands. Although even minimal use of the national forests for illegal drug activity is intolerable, since the mid 1990's, we have seen an alarming and ever increasing influx of drug trafficking organizations that today have been detected in 20 states on 67 national forests and other proximate public lands across the nation. Today's growers are routinely employed by international drug cartels that have the singular interest of successfully harvesting their crop, and which in the pursuit of that interest have no hesitation whatsoever about harming or killing other people who get in the way of such harvest. This violent perspective and disregard for human life applies to all people; law enforcement officers, the recreating public, forest service employees, contractors, and competing illicit growers. The crops being grown on public lands are increasingly more valuable due to refinement in the technology of growing and improvement in the "quality" of the plants being used. The grow sites are becoming larger, thus increasing the value of the crops that correspondingly results in greater incentive to protect these investments "at all costs." As pressure to secure America's borders increases and becomes more successful, there is increased incentive to use the national forests for marijuana growing in order to diversify the risk of the drug cartels' business, thus adding to the threat to human life and damage to natural resources.

The very factors that make the national forests so beneficial to America are the same factors that contribute to the increasing use of these lands for marijuana growing. These include plentiful water, fertile soils, remote but available access, and low population density. Today's growers are making greater use of powerful and dangerous herbicides and pesticides that pollute watersheds, endanger wildlife including notable species facing potential listing under the Endangered Species Act. Sophisticated irrigation systems are being used that result in littering the landscape with miles of plastic pipe. The growers have developed new hybrids that tolerate shorter growing seasons and higher

elevations, thus increasing the number of national forests capable of providing adequate growing sites. Large areas of land are being cleared of vegetation to develop the grow sites. The growers, most of whom are in the United States illegally, work the sites on a 24/7 basis. This results in generating tons of trash. At the end of the growing season, it is common to find grow sites that have affected up to 50 acres, with seasonal rain and snow “flushing” these areas of exposed soil along with trash, chemicals, and human waste.

POTENTIAL APPROACHES TO ADDRESS MARIJUANA GROWING

Although the growing of marijuana on the national forests and other public lands has increased dramatically, NAFSR does not want to imply that the problem is not being addressed. We are grateful for the attention provided by Congress to address this illegal and very dangerous use of America’s public lands. We have seen outstanding examples of successful coordination among the nation’s state, local, and federal law enforcement organizations. We have every reason to expect this quality coordination to continue. We offer the following recommendations:

1. Funding for Enforcement and Investigation – As pressure increases to reduce federal spending, we encourage Congress to consider the importance and effectiveness of current appropriations. The law enforcement funding provided to the Forest Service and Department of the Interior (DOI) land management agencies is being used to directly take action to apprehend growers, and their support organizations, and to improve coordination with state, local and tribal authorities. With state and local budgets being closely scrutinized for reduction, NAFSR urges Congress to “hold the line” on reductions to these important budget line items.
2. Funding for Restoration of Damaged Lands - We strongly encourage Congress to emphasize the importance of restoring national forest lands damaged by illegal growing activities. This restoration is accomplished from appropriated funds provided for management of vegetation, soil, water, and wildlife. These funds are used for a variety of purposes in support of the multiple use mission of the Forest Service. The increasing pressure to reduce federal expenditures should not be executed at the expense of restoring public lands damaged by marijuana cultivation.
3. Increased Support for Research and Development – Greater support for research can assist the Forest Service, other land management agencies, and cooperating law enforcement agencies. Growers continue to employ innovative techniques to develop new heartier hybrids. A greater responsive effort should be employed to improve satellite and aerial imagery for detection and to develop new herbicides that specifically target marijuana without damaging other vegetation.
4. Cooperation Among Law Enforcement Organizations – Law Enforcement organizations have done an exceptional job of coordinating their activities. This has resulted in increased apprehensions of growers, improved intelligence in investigating drug cartels, and continued close coordination with local and state enforcement agencies. NAFSR encourages Congress to support cooperative law enforcement funding and authorities contained in the budgets of various Departments, including USDA, DOI, Department of Homeland Security, Department of Justice, and the Office of National Drug Control Policy.
5. Aggressive Prosecution and Sentencing – The national forests are an exceptional asset for Americans to enjoy and rely upon. The illegal use of the national forests and other public lands for marijuana growing should carry with it serious penalties. Strong consideration should be given to increasing the length of prison terms where the public, contractors, and employees have been impacted by these activities, especially where firearms have been used. Similarly stronger penalties should be considered for damaging national forest lands as a result of the growing activities.

CONCLUSION

The NAFSR organization appreciates the opportunity to submit this statement for the record concerning the serious threat to the national forests and other public lands posed by the illegal growing of marijuana. These illegal activities are a threat to the safety of employees, contractors, and the public. The damage to national forest lands caused by these activities is difficult and expensive to restore. We are grateful to the United States Senate Caucus on International Narcotics Control for their attention to this serious issue.