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Monday, August 19, 2013

Congressman Jared Huffman
1630 Longworth H.O.B.

RE: Support for Proposed PLANT Act (HR 2735)

Dear Representative Huffman,

The undersigned write in support of the proposed Protecting Lands Against Narcotics Trafficking Act (PLANT Act), which you have introduced as H.R. 2735. We represent eight organizations and coalitions that advocate for the protection and restoration of the watersheds, wildlife, fisheries and forests of northwestern California. Together, we represent more than thirty-five thousand members in northwestern California and the United States.

We have become increasingly concerned by significant and often severe environmental harms associated with large-scale marijuana growing operations across northwestern California. We are pleased to note that the proposed PLANT Act focuses on trespass marijuana grows. The most severe environmental harms consistently appear to be associated with operations that trespass on public, resource, and private lands.

In addition to the violations of owners' property rights and the integrity of our public lands, these operations have been associated with wholesale wildlife poisoning, use and dumping of fertilizers and pesticides, illegal water diversions and water pollution, logging and land disturbance. Wildlife poisonings associated with trespass marijuana grows have so seriously affected the largest remaining population of the Pacific fisher that federal authorities are finally moving to list the species under the Endangered Species Act. Evidence is surfacing of similar threats to the iconic Northern Spotted Owl.

It is important to focus public attention and agency resources on trespass grows as a key element of an overall strategy of reducing the environmental harms associated with marijuana cultivation. By raising the profile of the serious environmental harms and increasing the penalties associated with actual damage, the PLANT Act would be a component in a comprehensive approach to prioritizing and combating the environmental degradation associated with these grows.

We very much appreciate your efforts to work with Rep. LaMalfa to introduce a bipartisan measure that can pass in this divided Congress and begin to implement new policy in the near term. We hope that this measure reflects the beginning of a long term effort, on both your and Rep. LaMalfa's parts, to help reshape federal policy to more effectively address the environmental impacts of large-scale marijuana cultivation. We encourage you to raise attention to the failed policies of federal prohibition that are a root cause of trespass marijuana grow operations and indeed, of most if not all of the environmental harms associated with marijuana cultivation.

The PLANT Act's move to increase penalties for environmental crimes needs to be accompanied with increased resources for targeted enforcement. Especially in key wildlife

areas, we would encourage a shift from prosecution to prevention as the key priority for all public agencies.

To secure lasting reductions in these harms, federal policy makers need to understand, acknowledge, and move to correct ways in which attempts to suppress marijuana cultivation have resulted in unintended, but significant and unnecessary environmental harms. This is particularly important in light of the dramatic increase in both trespass and non-trespass marijuana cultivation across the region since the 1996 passage of California's Proposition 215 signaled a public willingness to allow the cultivation of medical marijuana.

Efforts to "drive growers into the wilderness" have indeed driven some of the most destructive operations into the most remote and sensitive areas of our public lands. Other growers have moved indoors, where the energy used to grow marijuana has effectively canceled out progress toward reducing energy-related carbon emissions in some parts of California.

As you have suggested, more rational marijuana policies are almost certainly best left to the states. Thus, it is perhaps most frustrating of all that the US Attorney's selective and indefensible targeting of private individuals, public officials, and the county of Mendocino itself for attempting to create a meaningful framework for licensing the cultivation of marijuana under state law has sent a clear message to local officials and growers alike that it is those who attempt to move toward a regulated, low-impact marijuana industry, not environmental criminals, who are most at risk of federal prosecution.

We thank you for your continued leadership on this important issue.

Sincerely yours,

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