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## **Testimony Before the Joint Committee on Implementing Measure 91**

February 23, 2015

Steve Pedery, Conservation Director, Oregon Wild

My experience with issues related to marijuana cultivation and pesticide issues relates primarily to the growing problem of illegal grow operations on public Forest Service and Bureau of Land Management Lands in Southwest Oregon, and in other parts of the country.

As Oregon moves forward with legalization, and we develop rules and regulations to govern the cultivation of marijuana, the problems that have arisen from illegal public lands grows should be examined carefully, and used to inform the regulatory environment we establish here.

The harmful environmental effects of illegal grows are well known.

- Pesticides – it is common practice for illegal grow operations on public lands to use a variety of toxic pesticides and herbicides, often in excessive amounts or in ways that are a violation of their intended use. This puts clean water, salmon, and wildlife at risk.
- Rodenticides and poisons – the use of poisons to kill animals on illegal grow sites has been well documented in recent years, particularly in Northern California. These poisons don't just kill mice and other rodents, they also affect the animals that feed on them, from endangered Pacific Fisher to northern spotted owls.
- Excessive water use – marijuana can be a very water intensive crop, which has led illegal grows on public lands to create illegal water diversions and impoundments. This can have serious negative consequences on wilds salmon and steelhead, and on other legitimate water users.
- Garbage dumping and other illegal behavior – the culture of illegal activities around grow sites on public lands is not limited to the cultivation itself. There is also a well-documented link to garbage dumping, destruction of public property, and threats and intimidation of the legitimate forest-using public.

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Considering the numerous environmental issues that have arisen with illegal grow operations on public lands, I think it is very important to consider how to encourage responsible behavior in a post-legalization environment, and ensure that legal grows do not follow a similar pattern.

- Chemical use – like any commercial crop, there will be pressure on legal marijuana grow operations to maximize yields through the use pesticides, herbicides, and fertilizers. To the maximum extent practical, I would encourage you to look at ways to minimize this behavior. In particular, buffers to protect streams, wetlands, and private property are needed, and Oregon's current regulations in regards to pesticide applications may need to be updated.
- Water use – because marijuana is a water intensive plant, it is likely that legal grow operations will be seeking additional water resources. This could put additional pressure on salmon, other wildlife, and other human water users. It is very important that a regulatory environment exists that recognizes these potential problems, and puts resources in place to address them.
- Monitoring and enforcement – one way to address these resource needs is by allocating some of the tax revenues from legalization to natural resource agencies, specifically the Oregon Department of Fish and Wildlife. ODFW field biologists are already responsible for tracking stream flows and helping to ensure new water diversion do not harm Oregon's valuable salmon and steelhead runs. It makes sense that some Measure 91 funding be used to expand these programs and assist with implementation.
- Transparency – we hope that legalization reduces the pressure for illegal grow operations on federal public lands, with all of the myriad environmental problems they create. One way to do that is ensure transparency for the people who purchase the end product, so that they can see it originated from an environmentally responsible source. I would encourage you to consider ways to facilitate this transparency and discourage illegal grows.

Thank you for the opportunity to testify before you today.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Pedery', with a stylized, cursive script.

Steve Pedery, Conservation Director, Oregon Wild