

**Statement of Senator Dianne Feinstein**  
*“Marijuana Cultivation on U.S. Public Lands”*  
**December 7, 2011**

We are here today to explore the increasing problem of domestic marijuana cultivation, particularly on U.S. public lands.

Drug production was first detected in the Southern California National Forests in 1995. Today, there is domestic production in 20 states and 67 National Forests.

Since 2006, 13,843,937 marijuana plants have been eradicated nationally and 12,081,168 of these have been in California alone. In 2009, nearly 10 million plants were eradicated from outdoor sites nationwide, representing a 153 percent increase from 2005.

Outdoor marijuana cultivation in California, Hawaii, Oregon and Washington greatly exceeds outdoor cultivation in all other areas of the country combined.

There are a number of emerging trends related to these illegal marijuana grows that are quite troubling:

**First**, weapons are being found at outdoor marijuana cultivation sites with great frequency. According to the California Bureau of Narcotics Enforcement’s Campaign Against Marijuana Planting, there have been 62 weapons discovered at California grow sites in 2011 and 87 were discovered in 2010.

**Second**, violence continues to increase on marijuana grow sites. In 2011, there were 12 homicides related to marijuana cultivation in California. Of those, six were on public lands and six were related to those growing marijuana under the pretext of medicinal uses. The violence grows year after year. There were nine shootings on public lands in California in 2010, compared to only one shooting in both 2008 and 2009.

**Third,** a number of state medical marijuana laws have complicated law enforcement efforts against illicit cannabis cultivation. Currently, 16 states and the District of Columbia have state laws that conflict with the federal Controlled Substances Act.

**And fourth,** in California, large-scale marijuana growers are increasingly moving grows from isolated forests to networks of smaller grows in open backyards and farmland.

This is illustrated by the decreasing number of grows on public lands in Fresno County from 2009 to 2011 and the simultaneous increase of grows on farm land. In 2009, there were 70 grows on public lands in Fresno. This went down to 30 in 2010 and so far there have only been 10 in 2011. But, this year in Fresno County, over 100 multi-acre grows on farm land have been discovered and authorities have only searched approximately one third of Fresno County. One such grow was an astonishing 57 acres. The small size of these gardens, and the fact that many cultivators claim that their crops will be used for strictly medical purposes, makes action by prosecutors and law enforcement officials difficult.

California's Central Valley in particular has become a "hot spot" for marijuana cultivation because of the conditions there — including abundant sunlight, irrigation and fertilizer. Experts believe that much of the marijuana grown in farms and backyards in California is transported as far as Texas, Illinois and Boston.

Also troubling is that the marijuana being consumed today has become more chemically powerful, with levels of the psychoactive ingredient, THC, more than doubling since 1983. According to Tommy Lanier, Director of the National Marijuana Initiative for the National High Intensity Drug Trafficking Area program, this is especially true with marijuana grown on public lands and in organized grows. In the 1970s, the THC content of marijuana averaged 1 to 2 percent. Now, the quantity of THC is up to 18 percent for marijuana grown on public lands and averages 18 to 20 percent on farmlands and in other organized grows.

There are a number of issues I look forward to exploring such as how to ensure California maintains robust eradication operations with the elimination of funding for the California Bureau of Narcotics Enforcement in the state's budget, which funds an important task force in charge of marijuana eradication.

I also continue to be surprised that the total amount of domestically produced marijuana is unknown, and there are no reliable estimates other than using the quantity of cannabis plants eradicated from illegal outdoor grow sites as an indicator.

Finally, there is an information gap as to what organizations are responsible for these grows. In particular, the extent of Mexican drug trafficking organization participation in these grows still remains unclear.

These are all issues that need to be explored.

I now turn to my Co-Chairman, Senator Grassley, for his opening statement.

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