



United States
Department of
Agriculture

Forest
Service

Pacific
Southwest
Region

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File Code: 1950

Date: February 6, 2013

Andrew Orahoske
Conservation Director
Environmental Protection Information Center
145 G Street, Suite A
Arcata, CA 95521

Dear Mr. Orahoske:

This letter is in response to your October 11, 2012, letter regarding marijuana cultivation on National Forest lands in California. I share your concerns about the impacts of the illegal cultivation of marijuana. Eradication of marijuana illegally grown on National Forest System lands continues to be a high priority for our law enforcement officers throughout the State. Our law enforcement officers routinely work with local, state, and other federal law enforcement officials to apprehend marijuana growers, destroy marijuana plants, and remove associated cultivation materials.

You are requesting that the Forest Service *initiate analysis of the impacts of marijuana cultivation on national forest lands, and the effects of Forest Service actions and inactions that may be exacerbating or facilitating marijuana cultivation.* The impacts cited in your letter are found at marijuana cultivation sites, but such impacts are caused by the illegal activities of third parties. We disagree with your assertion that the Forest Service is obligated to initiate an environmental analysis on illegal activity undertaken by third parties and not authorized, funded, or carried out by the Forest Service. Marijuana cultivation is not agency action, and therefore does not trigger a NEPA or ESA requirement (40 CFR 1508.18; 50 CFR 402.01, 402.02).

Concerns about the Forest Service activities contributing to marijuana cultivation are best raised and addressed at the project level. Specifically, if you believe there may be indirect effects of Forest Service actions on marijuana cultivation, or conversely, effects of marijuana cultivation on a Forest Service project, we encourage you to make your concerns known as early as possible in the NEPA process for that project. It is at the project level that we can best address your concerns and incorporate them, as appropriate, into Forest Service decision making.

I would like to reiterate that I share your concerns about the impacts associated with marijuana cultivation. The best way to minimize impacts to affected resources is by discouraging this criminal activity through aggressive law enforcement.



We will continue to monitor illegal grow activity and take necessary action to eradicate marijuana cultivation within our Forests. Thank you for your interest in this issue.

Sincerely,

/s/ Bernie T. Gyant (for)
RANDY MOORE
Regional Forester

cc: Sherry Tune
Tyrone Kelley
Patricia A Grantham
Sharon Heywood
Joe Stringer