

Pot states fight smuggling war

Oregon, others clamp down on border exports

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ASSOCIATED PRESS

PORTLAND - Well before Oregon legalized marijuana, its verdant, wet forests made it an ideal place for growing the drug, which often ended up being funneled out of the state for big money. Now, officials suspect pot grown legally in Oregon and other states also is being smuggled out, and the trafficking is putting America's multibillion-dollar marijuana industry at risk.

In response, pot-legal states are trying to clamp down on "diversion" even as U.S. Attorney General Jeff Sessions presses for enforcement of federal laws against marijuana.

Tracking legal weed from the fields and greenhouses where it's grown to the shops where it's sold under names like Blueberry Kush and Chernobyl is so far their main protective measure.

In Oregon, Gov. Kate Brown recently signed into law a requirement that state regulators track from seed to store all marijuana grown for sale in Oregon's legal market. So far, only recreational marijuana has been comprehensively tracked. Tina Kotek, speaker of the Oregon House, said lawmakers wanted to ensure "we're protecting the new industry that we're supporting here."

"There was a real recognition that things could be changing in D.C.," she said.

The Washington State Liquor and Cannabis Board says it's replacing its current tracking Nov. 1 with a "highly secure, reliable, scalable and flexible system."

California voters approved using a tracking system run by Lakeland, Florida-based Franwell for its recreational pot market. Sales become legal Jan. 1.

Franwell also tracks marijuana, using bar-code and radio frequency identification labels on packaging and plants, in Colorado, Oregon, Maryland, Alaska and Michigan.

"The tracking system is the most important tool a state has," said Adam Crabtree, who runs Denver-based Nationwide Compliance Specialists Inc., which helps tax collectors track elusive, cash-heavy industries like the marijuana business.

But the systems aren't fool-proof. They rely on the users' honesty, he said. "We have seen numerous examples of people 'forgetting' to tag plants," Crabtree said. Colorado's tracking also doesn't apply to home-grown plants and many noncommercial marijuana caregivers.

In California, implementing a "fully operational, legal market" could take years, said state Sen. Mike McGuire, who represents the "Emerald Triangle"



ANDREW SELSKY/AP FILE

Todd Golden displays a sample tag that can be scanned by radio-frequency identification devices on an artificial marijuana plant at the Oregon Liquor Commission offices in Portland last year.

region that's estimated to produce 60 percent of America's marijuana. But he's confident tracking will help.

"In the first 24 months, we're going to have a good idea who is in the regulated market and who is in black market," McGuire said.

Oregon was the first state to decriminalize personal possession, in 1973. It legalized medical marijuana in 1998, and recreational use in 2014.

Before that, Anthony Taylor hid his large cannabis crop from aerial surveillance under a forest canopy east of Portland, and tended it when there was barely enough light to see.

"In those days, marijuana was REALLY illegal," said Taylor, now a licensed marijuana processor and lobbyist. "If you got caught growing the amounts we were growing, you were going to go to prison for a number of years."

Taylor believes it's easier to grow illegally now because authorities lack the resources to sniff out every operation. And growers who sell outside the state can earn thousands of dollars per pound, he said.

Still, it's hard to say if pot smuggling has gotten worse in Oregon, or how much of the marijuana leaving the state filters out from the legal side.

On a recent morning, Billy Williams,

the U.S. attorney in Oregon, sat at his desk in his office overlooking downtown Portland, a draft Oregon State Police report in front of him.

Oregon produces between 132 tons and 900 tons more marijuana than what Oregonians can conceivably consume, the report said, using statistics from the legal industry and estimates of illicit grows.

It identified Oregon as an "epicenter of cannabis production" and quoted an academic as saying three to five times the amount of pot that's consumed in Oregon leaves the state.

Sessions himself cited the report in a July 24 letter to Oregon's governor. In it, Sessions asked Brown to explain how Oregon would address the report's "serious findings."

Pete Gendron, a licensed marijuana grower who advised state regulators on compliance and enforcement, said the reports' numbers are guesswork, and furthermore are outdated because they don't take into account the marijuana now being sold in Oregon's legal recreational market.

A U.S. Justice Department task force recently said the Cole Memorandum, which restricts federal marijuana law enforcement in states where pot is legal, should be re-evaluated to see if it should

be changed.

The governors of Oregon, Colorado, Washington and Alaska — where both medical and recreational marijuana are legal — wrote to Sessions and Treasury Secretary Steve Mnuchin in April, warning altering the memorandum "would divert existing marijuana product into the black market and increase dangerous activity in both our states and our neighboring states."

But less than a month later, Sessions wrote to congressional leaders criticizing the federal government's hands-off approach to medical marijuana, and citing a Colorado case in which a medical marijuana licensee shipped pot out of state.

In his letter, Sessions opposed an amendment by Oregon Democratic Rep. Earl Blumenauer and California Republican Rep. Dana Rohrabacher that prevents the Justice Department from interfering with states' medical marijuana. Congress is weighing renewing the amendment for the next fiscal year.

"Marijuana has left Oregon for decades," Blumenauer said. "What's different is that now we have better mechanisms to try to control it."

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Wildfire in Detroit area expected to grow

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A small wildfire burning about one mile from Detroit is expected to grow.

The French Fire, ignited by a lightning strike last week, is only 2 acres as of Sunday afternoon, but is burning in steep and inaccessible terrain and could spread as the weather turns hot, dry and possibly windy.

It's just one of three fires burning in the Detroit area, along with the 30-acre Little Devil and 7,599-acre Whitewater Fire.

There was no imminent threat to Detroit and no evacuations were planned, officials said Aug. 17.

There are around 30 small and large fires burning in Western Oregon's Willamette National Forest alone, leading to closures of over 400,000 acres in the Mount Jefferson, Three Sisters and Fall Creek areas.

In Oregon, there are 12 fires and complexes, including in the Crater Lake National Park, North Umpqua and Southern Oregon areas.

"Current and expected weather will result in drying of fuels, with the potential of increased fire spread and smoke from the fires," a report assessing overall fire concerns said.

Air quality in Detroit was rated "unhealthy" Aug. 17 due to smoke from area fires and even seeing Detroit Lake was a challenge at times, residents said.

As of Aug. 17, fire teams were attacking containment lines around the fire so they could reach it directly. No helicopters dropped water on the blaze, officials said, because of fear it could knock the fire downhill and spread fire activity closer to town.

"The problem with this fire is that it's real long and skinny, in really nasty terrain that makes it very tough to attack directly without compromising firefighter safety," incident spokesman Ryan Berlin said. "As the



PHOTO COURTESY OF WILLAMETTE NATIONAL FOREST

Smoke from wildfires obscure the sky in the Detroit area on Aug. 11.

moisture dries up — and the trees and brush dry out — we're expecting some increased growth and fire activity."

The smoke cleared Friday afternoon, leaving a perfect blue sky and fueling optimism for unimpeded eclipse views.

Whitewater Fire

There has been little change on the highest-profile fire in the Detroit area, as the Whitewater Fire remained was 7,599 acres as of Sunday afternoon.

Fire teams have been building containment lines on the western and northern edges of the blaze. With a continued drying trend, tactical burning operations may be implemented to eliminate unburned fuel between the fire perimeter and control lines. These operations may produce visible smoke.

A 117,000-acre closure is in place for the northern half of the Mount Jefferson Wilderness, that includes popular spots such as Jefferson Park and Pamela Lake.

Little Devil Fire

The Little Devil Fire is burning about 3 miles from the Breitenbush community on Devil's Ridge.

Officials haven't updated its size in a few days, but say it's likely still close to 30 acres. Helicopters have been dropping water on it.

Three Sisters area fire

This bustling Western-theme town was expecting thousands of visitors for Monday's solar eclipse given its location on the edge of the path of totality.

But the Milli Fire has put a hold on that. The fire, named for a hiking trail near where it started, has shut down nearby highways, prompted evacuations of 600 people from their homes and put a damper on eclipse celebrations.

"A lot of people worked hard to get prepared for the eclipse and a few days ago there was excitement in the air," said Sisters resident Kristan Collins, watching the fire from the edge of town. "But now that's turned to a little bit of soberness."

"It's fire season and we're used to it, but this one really has our attention now."

The fire had reached 8,014 acres Sunday — doubling in size since last Thursday — and remains zero percent contained. But officials said they made enough progress fighting the fire that it's unlikely they will order more evacuations.

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