

Growers: Pot farming still illegal under federal law

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"Absolutely," he said. "It's no different."

The guidelines, growing and cropping techniques involved in raising marijuana could be applied to grapes, tomatoes or anything else, he said.

Individual producers may not favor pot farming, but the Oregon Department of Agriculture has given its official approval. After voters legalized adult recreational production, possession and use in 2014, then-department Director Katy Coda famously declared, "Welcome to the family." Since then, the department has taken growers in hand to help them through the regulatory network.

"It may not look the same as what we're used to, but it's definitely agriculture," said Sunny Jones, a pesticide expert who was picked as the department's cannabis policy coordinator. "That's definitely been ODA's take on the situation; it's one more crop in the many crops that Oregon grows."

Jones said pot growers demonstrate a work ethic and problem-solving ability that traditional agriculturists would admire.

"When many of us think of farmers, we think of someone creative, someone who can keep the equipment running with baling wire and duct tape," she said. "That is abundant in the cannabis industry."

Most valuable crop?

What's also abundant is the money and economic spin-off that accompanies legalization. Cannabis activists have long maintained pot is Oregon's most valuable crop. While there aren't official farm gate numbers available to back that up, a former Oregon State University professor estimated in 2015 that the state's pot crop was worth \$948 million annually, or more than the combined value of hazelnuts, pears, wine grapes, Christmas trees and blueberries.

The 17 percent tax on recreational pot sales is an open spigot. The Oregon Department of Revenue received \$5.3 million in tax payments in January 2017, and said it has received \$65.4 million in cannabis tax collections since January 2016. After the department's administrative costs are met, 40 percent of the tax revenue goes to the Common School Fund, 20 percent to mental health, alcohol and drug services, and 15 percent to the Oregon State Police. Cities, counties and other services split the remainder.

Advocacy groups say pot legalization creates jobs. New Frontier Data, a Washington, D.C., analytics firm that specializes in cannabis issues, estimated the sector would create more than 280,000 jobs by 2020. Adult cannabis use is now legal in eight states and in D.C., areas with a combined



Vendor Jenny Argie, left, of Brooklyn, rubs pain relieving medical cannabis lotion on Brian Bergmann's hand during the recent Cannabis Collaborative Conference in Portland. The lotion is infused with non-psychoactive CBD oil, or cannabidiol, extracted from pot plants.

population of 69 million, the group said.

Big questions

Producers thinking about growing cannabis, however, should realize major questions have not yet been answered.

Most critically, it is still illegal under federal law. On the books, marijuana is listed as a Schedule I controlled substance. Cannabis activists say the ranking is ludicrous because it puts pot in the same category as heroin and LSD, while methamphetamine and cocaine are Schedule 2 drugs, a notch below.

Current state-level legalization is based on a shoulder-shrug interpretation of the August 2013 "Cole Memorandum," named for James Cole, an assistant U.S. attorney general who wrote it.

In the memo, the Obama administration essentially said it wouldn't interfere, so long as states legalizing cannabis had "strong and effective regulatory and enforcement systems" in place. The administration didn't want pot available to minors, crossing into states that hadn't legalized it and funding the operations of cartels and gangs.

Growers, processors and retailers in Washington, Oregon, California and elsewhere took that as a sign to get busy.

"Why did everyone just start blowing through this risk factor like they couldn't care less?" a lawyer-blogger with Portland's Emerge Law Group wrote. One reason was "the fact that so many people are involved in the industry now that there's a feeling of safety in sheer numbers. 'What are they going to do? Arrest everyone?'"

Probably not, the blogger concluded, but Trump and conservative Attorney General Jeff Sessions could deliver a "big chill" if they decided to change course.

On Feb. 24, Trump press secretary Sean Spicer said the

Justice Department would pursue "greater enforcement" of laws regarding recreational-use marijuana. The offhand remark confused the situation.

"Trump seems insistent on throwing the marijuana market back into the hands of criminals, wiping out tax-paying jobs and eliminating billions of dollars in taxes," said Ethan Nadelmann, executive director of the Drug Policy Alliance. The group is a Washington, D.C.-based lobbying group that favors marijuana and other drug policies "grounded in science, compassion, health and human rights."

New Approach Oregon, the Portland group that backed and works to implement Oregon's 2014 legalization of adult recreational cannabis use, called Spicer's remarks "concerning."

But New Approach Director Anthony Johnson said Trump and Sessions hadn't been heard from.

"Greater enforcement by the Justice Department, if it does occur, could mean that the federal government may just monitor state-regulated businesses more closely," Johnson said in a prepared statement. "Potentially, federal charges could be brought if cannabis businesses violate state law and regulations, such as selling marijuana to minors under the age of 21."

The availability of capital and banking services also are major questions for cannabis producers, processors and retailers, because federally regulated banks aren't supposed to handle money from illegal businesses.

Garrett Rudolph, editor of Marijuana Venture magazine, said banks' relationship to the cannabis industry is "basically a giant gray area."

The federal Financial Crimes Enforcement Network, or FinCen, issued a 2014 guideline that allowed banks to work with state-legal cannabis businesses that were following the Cole Memorandum rules. But FinCen "put the onus of due diligence on the banks," Rudolph said by email, and many financial institutions are unwilling to take that risk.

Economic buzz

Nonetheless, the economic buzz of cannabis legalization escalates.

At the annual Cannabis Collaborative Conference in Portland in February, vendors of all types displayed the technology, products and services that have sprung up in step with legalization.

At one booth, a company called Root Sciences, with an office in Belfair, Wash., showed German-made distillation equipment that produces 99 percent pure cannabinoid oil concentrates for use in medical products or recreational edibles. One model sells for \$159,000, which includes shipping, installation and training.

Down another aisle at the convention, 69-year-old electrical contractor Gregory Fuller showed his mobile growing unit. Fuller, of Federal Way, Wash., retrofitted a shipping container with LED grow lights and insulation. The unit's electrical requirement is small enough that it can operate on 200-amp residential service. Plug and play, as it were.

"This is agriculture," Fuller said. "I can grow 2,000 pounds of lettuce in here a year."

But it's pot growers he's marketing to, and the units sell for \$110,000. Fuller laughs



Under the glow of cannabis grow lights, Uplifted Farm employee Haley Dickerson changes out the nutrients in the Salem company's flowering room.



Veteran marijuana grower Joe Pietri warns new pot producers they must be able to match the efficiency of big nursery operations or "You won't survive in this industry."

as he tells of dealing with old counter-culture types who peel off \$100 bills, but provide little detail about who they are, what they want and what they're doing.

"You have to have the patience of Job to work with these guys," he said.

At another booth, veteran grower Joe Pietri promoted his "Grow Like Joe" methods and his book, "The 15-Ounce Pound," in which he predicts "Big Pharma" will patent cannabis and use the IRS and DEA to control other growers.

He said pot growers need to match the efficiency of commercial nurseries.

"If you can't grow cannabis like they do chrysanthemums, they will wipe you out," Pietri told a couple people who stopped at his booth. "You won't survive in this industry."

Representatives of a Colorado "Hemp Temps" company said they offer growers trained and temporary bud tenders, trimmers and harvesters. The company expects to open an Oregon branch this spring.

Jenny Argie, from Brooklyn, New York, demonstrated products she offers through her company, Baked At Home. Argie is a cancer survivor, and used cannabis as an alternative to pharmaceuticals to manage pain and nausea. She sells legal cookie, cake and brownie mixes that allow buyers to add their own cannabis oil at home. That gives users control over their dosage, Argie said.

Argie joked that she's become the Betty Crocker of cannabis baking.

"The interest and enthusiasm is so big," she said.

Argie also sells lotions infused with CBD, or cannabidiol, which along with THC is one of the primary elements of pot. CBD doesn't get users high, however, and is primarily used for pain relief.

Danny Grimm, the Salem grower who is expanding his business, was at the Portland conference with the blue ribbons he won at the Oregon State Fair.

"It's a pretty big deal," he said.

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TV LISTINGS

THE DAILY ASTORIAN Evening listings TUESDAY

TUESDAY EVENING													MARCH 14	
A	L	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30	
2	KATU	(2) KATU News at 6		Wheel of Fortune	Wheel of Fortune	The Middle (N)	Am. Housewife (N)	Fresh Off-Boat (N)	O'Neals (SF) (N)	People Icons "Heroes and Survivors" (N)	KATU News at 11	(35) Jimmy Kimmel		
3	KOMO	(4) KOMO 4 News		Wheel of Fortune	Jeopardy!	The Middle (N)	Am. Housewife (N)	Fresh Off-Boat (N)	O'Neals (SF) (N)	People Icons "Heroes and Survivors" (N)	KOMO 4 News	(35) Jimmy Kimmel		
5	KING	(5) NBC Nightly News	KING 5 News	KING 5 News	Evening	The Voice "The Blind Auditions" (N)	This Is Us "Moonshadow" (SF) (N)	Trial & Error (P) (N)	Trial & Error (N)	KING 5 News	(35) Tonight Show			
6	KOIN	(6) KOIN Local 6 at 6	CBS Evening News	Extra	Ent. Tonight	NCIS "M.I.A." (N)	NCIS: New Orleans "Slay the Dragon" (N)	Trial & Error (P) (N)	Trial & Error (N)	KOIN 6 News @ 11	(35) S. Colbert			
7	KIRO	(7) KIRO 7 News	CBS Evening News	The Insider	Ent. Tonight	NCIS "M.I.A." (N)	NCIS: New Orleans "Slay the Dragon" (N)	Trial & Error (P) (N)	Trial & Error (N)	KIRO News	(35) S. Colbert			
9	KGW	(9) KGW News at 6:00 p.m.	Last Man Standing	Live at 7	Inside Edition	The Voice "The Blind Auditions" (N)	This Is Us "Moonshadow" (SF) (N)	Trial & Error (P) (N)	Trial & Error (N)	KGW News at 11	(35) Tonight Show			
10	KOPB	(10) Ask-Old House	Business (N)	Modern Family	Modern Family	The Flash "Into the Speed Force" (N)	Legends of Tomorrow "Moonshot" (N)	KGW News at 10	Two and a Half	Met Your Mother	Two and a Half	(35) Tonight Show		
12	KPTV	(12) 6 O'Clock News	Business (N)	PBS NewsHour	Nitty Gritty	Celebrate the band's musical milestones and hits.	American Masters	Patsy Cline" (N)	Rock Rewind '67-'69 (N)					
13	KPDJ	(13) Mike & Molly	Mike & Molly	Big Bang Theory	Big Bang Theory	FOX 12's 8 O'Clock News on PDX-TV	New Girl (N)	The Mick	Bones (N)	10 O'Clock News	11 O'Clock News	2 Broke Girls		
14	KCPX	(14) Modern Family	Modern Family	Big Bang Theory	Big Bang Theory	FOX 12's 9 O'Clock News on PDX-TV	New Girl (N)	The Mick	Bones (N)	Family Guy	Family Guy	American Dad	Cleveland Show	
20	TBS	(20) 2 Broke Girls	2 Broke Girls	Big Bang Theory	Big Bang Theory	Q13 News at 10	The Detour	Big Bang Theory	Big Bang Theory	Q13 News	Q13 News	The Simpsons		
22	KZJL	(22) Two and a Half	Two and a Half	Last Man Standing	Last Man Standing	The Detour	Big Bang Theory	Big Bang Theory	Big Bang Theory	Q13 News at 9	Q13 News	The Simpsons		
29	ESPN	(29) NCAA Basketball NIT Tournament (L)	NCAA Basketball NIT Tournament (L)	SportsCenter	SportsCenter	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Friends Pt. 2 of 2	Friends Pt. 2 of 2	Friends Pt. 2 of 2		
30	ESPN2	(30) NCAA Basketball NIT Tournament (L)	NCAA Basketball NIT Tournament (L)	SportsCenter	SportsCenter	Friends Pt. 2 of 2	Friends Pt. 2 of 2	Friends Pt. 2 of 2	Friends Pt. 2 of 2	Friends Pt. 2 of 2	Friends Pt. 2 of 2	Friends Pt. 2 of 2		
31	NICK	(31) Henry Danger	Henry Danger	The Thundermans	The Thundermans	Jalen & Jacoby	College Basketball	Jalen & Jacoby	College Basketball	Jalen & Jacoby	College Basketball	Jalen & Jacoby	NFL Live	
32	DISN	(32) Bunk'd	Bizaardvark	Tangled	Tangled Before Ever After"	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
34	FAM	(34) (5:30) *** The Twilight Saga: Breaking Dawn Part 2 (12) Robert Pattinson.	(5:30) The Fault in Our Stars (14) Shailene Woodley.	(5:35) The Fault in Our Stars (2014, Drama) Ansel Elgort, Willem Dafoe, Shailene Woodley.	(5:35) The Fault in Our Stars (2014, Drama) Ansel Elgort, Willem Dafoe, Shailene Woodley.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
35	FMC	(35) (5:00) The Fault in Our Stars (14) Shailene Woodley.	(5:35) The Fault in Our Stars (2014, Drama) Ansel Elgort, Willem Dafoe, Shailene Woodley.	(5:35) The Fault in Our Stars (2014, Drama) Ansel Elgort, Willem Dafoe, Shailene Woodley.	(5:35) The Fault in Our Stars (2014, Drama) Ansel Elgort, Willem Dafoe, Shailene Woodley.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
36	LIFE	(36) Little Women: LA "Sail Away"	Little Women: LA "Ballroom Blitz"	Little Women: LA "Tough Crowd" (N)	Little Women "Things Fall Apart" (N)	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
38	ROOT	(38) Snow Motion	Flag Football	MLB Baseball Spring Training Chicago White Sox vs. Seattle Mariners Site: Peoria Stadium -- Peoria, Ariz.	UFC Main Event "Silva vs. Bisping"	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
39	FST	(39) Boxing Premier Champions (L)	Boxing Premier Champions (L)	UFC Main Event "Silva vs. Bisping"	Speak for Yourself	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
43	SPICE	(43) (4:30) The Expendables (10, Act) Jet Li.	*** The Expendables 3 (2014, Action) Jason Statham, Jet Li, Sylvester Stallone.	*** Thor (2011, Action) Anthony Hopkins, Natalie Portman, Chris Hemsworth.	*** Thor (2011, Action) Anthony Hopkins, Natalie Portman, Chris Hemsworth.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
44	COMI	(44) Futurama	Futurama	Futurama	Futurama	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
45	HIST	(45) The Curse of Oak Island	The Curse of Oak Island	The Curse of Oak Island	The Curse of Oak Island	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
46	A&E	(46) The First 48 "Night Shift/ Mobbed"	The First 48 "On Ice/ Overkill"	Juvenile Lifers	Kids Behind Bars "Maximum Security"	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
47	TLC	(47) Say Yes-Dress	Say Yes-Dress	Big Fat Fabulous Li. "I Kissed a Girl"	Big Life "Whitney Calls in Backup" (N)	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
48	DIC	(48) Moonshiners	Moonshiners: Cuts "Intruder Alert" (N)	Minshiner "The Legend of Tim Smith" (N)	Moonshiners "Last Call" (N)	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
49	NGEO	(49) Climbing Redwood Giants	America's National Parks "Olympic"	America's National Parks "Gates of the Arctic"	Water & Power: A California Heist (N)	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
50	TNT	(50) *** Con Air (1997, Action) John Cusack, John Malkovich, Nicolas Cage.	*** Thor (2011, Action) Anthony Hopkins, Natalie Portman, Chris Hemsworth.	*** Thor (2011, Action) Anthony Hopkins, Natalie Portman, Chris Hemsworth.	*** Thor (2011, Action) Anthony Hopkins, Natalie Portman, Chris Hemsworth.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
51	AMT	(51) (4:00) Sherlock Holmes	*** Sherlock Holmes: A Game of Shadows (2011, Action) Jude Law, Jared Harris, Robert Downey Jr.	*** Inception (10, Action) Leonardo DiCaprio, Ellen Page, Joseph Gordon-Levitt.	*** Inception (10, Action) Leonardo DiCaprio, Ellen Page, Joseph Gordon-Levitt.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
52	USA	(52) Chrissy Knows	Chrissy Knows	Chrissy Knows	Chrissy Knows	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
53	FOOD	(53) Chopped "Nopales, No Problem"	Chopped "Count Your Chickens"	Chopped "Chili Cook-Off"	Chopped "Chili Cook-Off"	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
54	HGTV	(54) Fixer Upper	Fixer "Sweet Surprise at the Silos"	Fixer Upper	Fixer Upper	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
56	FX	(56) (5:00) Taken 2 (12, Action) Liam Neeson.	*** Jack Reacher (2012, Action) Rosamund Pike, Richard Jenkins, Tom Cruise.	*** Inception (10, Action) Leonardo DiCaprio, Ellen Page, Joseph Gordon-Levitt.	*** Inception (10, Action) Leonardo DiCaprio, Ellen Page, Joseph Gordon-Levitt.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
57	CNN	(57) Anderson Cooper 360	CNN Tonight With Don Lemon	CNN Tonight With Don Lemon	CNN Tonight With Don Lemon	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
58	FNC	(58) Tucker Carlson Tonight	Hannity	The O'Reilly Factor	Hannity	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
61	CNBC	(61) Shark Tank	The Partner "What's Your Story?" (N)	Shark Tank	The Partner "What's Your Story?" (N)	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
63	BRVA	(63) Beverly Hills "Feeding a Need"	Beverly Hills "Coke Therapy"	Beverly Hills Social (N)	Beverly Hills Social (N)	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
64	TRM	(64) Klute (1971, Suspense) Jane Fonda.	*** The French Connection (71) Roy Scheider, Fernando Rey, Gene Hackman.	*** Night Moves (1975, Mystery) Susan Clark, Melanie Griffith, Gene Hackman.	*** Night Moves (1975, Mystery) Susan Clark, Melanie Griffith, Gene Hackman.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
65	SYFY	(65) (5:10) Jonah Hex (10, Act) Josh Brolin.	*** Zombieland (2009, Action) Jesse Eisenberg, Emma Stone, Woody Harrelson.	Face Off "Odd Couples" (N)	Drive Angry (2011, Action) Amber Heard, William Fichtner, Nicolas Cage.	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	
69	RFD	(69) (5:30) Cattlemen (N) Chasing (N)	Horsemanship "Square Pen Control"	Chris Cox	Rural Eve. News	Full House	Full House	Full House	Full House	Full House	Full House	Friends	Friends	