Cannabis Research Center

Environmental Impacts of Cannabis Cultivation Bans

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Licensing and permitting presents opportunities to monitor and regulate environmental impacts of cannabis cultivation. Yet when local jurisdictions ban cultivation, they lose the ability to civilly regulate how cannabis is grown. Research findings indicate that cultivation bans do not stop cultivation or environmental consequences of farming, and may worsen them.

Enforcement practices and concerns

Under Proposition 64:

- Cultivating cannabis became a misdemeanor in California, yet District Attorneys in ban counties increasingly use water and wildlife codes to charge cultivators with felonies.
- While ban counties are ineligible for state enforcement resources, many local law enforcement divisions partner with California Fish and Wildlife and other state agencies to enroll state resources in enforcement efforts.
- Ban counties rarely provide resources for clean-up and environmental remediation, forfeiting that responsibility to landowners who often abandon their properties after raids.
- Penalizations from code violation contribute to further marginalization, and even criminalization, of cultivators with limited resources and communities harmed by the War on Drugs.

Abandoned Cultivation Site

An abandoned cultivation site in San Bernardino County. Facing large fines and fees they cannot afford, many cultivators abandon their land, often leaving trash and debris such as this greenhouse plastic and fencing.

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Debris Left After Raids

A cultivation site in Siskiyou County where Representative Doug LaMalfa (R-CA) bulldozed cannabis greenhouses in July, 2021. Photographed more than a year later, trash and debris had still not been removed. With public resources for law enforcement but rarely remediation, many raided sites pose environmental risks.

How do bans impact the environment?

Bans encourage more intensive and less ecological growing practices, as cultivators try to grow more product more quickly before detection, including:

- Transitioning from outdoor cultivation to indoor and mixed-light (greenhouses and high tunnels) cultivation to reduce risks of visible plant detection, which is more energy intensive.
- Growing more limited genetic stock with a preference for fast-maturing determinant varieties, which can limit the genetic biodiversity of cultivated strains.
- Using more synthetic inputs like pesticides and fertilizers, without regulatory oversight, which can pollute waterways and surrounding habitats.

Enforcement efforts themselves can negatively impact the environment:

- Raids often involve removing plants ("chopping"), the destruction of cultivation infrastructure, bulldozing natural areas, and even spraying harmful pesticides.
- Plastics and other trash left behind from raids can ensnare wildlife, smother native plants, and pollute waterways.
- Fertilizers and pesticides left abandoned and exposed, or punctured by law enforcement, pose high risks of soil and water contamination.

Policy recommendations

- Encourage small-scale, environmentally and socially responsible cultivation through, for example, a state carve-out of local bans through a small-scale cultivator program.
- Refrain from punitive code enforcement that consist of immediate and high fines, no abatement times, and reactive enforcement that provides limited pedagogical opportunities for improvement.
- Require localities that receive any kind of state enforcement assistance to identify matching resources for clean up and remediation of sites after enforcement.
- Work with landlords to remediate properties.
- Consult with environmental agencies and scientists to better evaluate environmental concerns associated with *both* cultivation and enforcement.

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