

A primer for hemp regulation

BY TOM CARSTENS

There's been a lot of interest among Applegaters about the multitude of hemp fields popping up all over the valley. The following information might answer some questions.

Although hemp is a cannabis crop, it was recently decriminalized by the federal government via the 2018 Farm Bill, which removed it from the schedule of federally controlled substances. To keep their legal status, hemp plants can contain no more than 0.3 percent of tetrahydrocannabinol (THC), the hallucinogenic compound found in marijuana. The Oregon Department of Agriculture (ODA) has submitted a regulatory plan to the US Department of Agriculture, administrator of the new program, for approval. A decision is promised by end of this year. A new federal rule will be issued as well.

Though legal, hemp farming is not a completely free market system like alfalfa. Growers and handlers must register with the state, obtain annual licenses, submit to robust lab testing (for THC), conform to specific packaging and marketing rules, and agree to onsite inspections. With some exceptions, hemp can be grown only in



Applegate hemp field with mulchable protective film.
Photo: Maureen Flanagan Battistella.

exclusive farm use (EFU) or forest resource (FR) zones. It can be commercially transported across state lines. You can find state regulations and contacts by going to the ODA website and clicking on "Hemp Program." Or just go directly to ODA. direct/hemp.

It's no surprise that much of Oregon's hemp is grown right here in Jackson and Josephine counties. Although the list of hemp products is long, our crop is grown primarily for its cannabidiol (CBD) content, a medical compound with health and other benefits.

It's a very profitable crop, attracting venture capitalists and large out-of-state corporations, who are leasing large fields. A July 20 article in the *Medford Mail Tribune* ("Cream of the Crops," by Damian Mann) stated that net profits can run as high as \$50,000 per acre. According to the article, Jackson County leads the state in both acres and growers, and is seeing a \$300 million boost in its economy as a result.

Many Applegaters' complaints and queries have centered around three issues: water use, odors, and plastic sheeting. These issues were addressed by a coterie of Jackson and Josephine county officials at a June 27 meeting at Ruch Library. Those officials also wanted to make clear that regulation of hemp farming rests entirely with ODA. Oregon counties will not be empowered with enforcement.

Water use. Industrial hemp grows don't require a lot of water—much less than alfalfa, for example. (Drip irrigation helps.) Be that as it may, there has been some suspicion that not all of the new hemp growers are playing by the rules. Any withdrawal of water requires a water right. Neighbors can do a little investigating on their own by going to the Oregon Water Resources Department (OWRD) website and clicking on "Find Water Rights," where they'll find a handy map. Be aware that some water rights are still unmapped and that anyone can legally draw from

a well to irrigate up to one-half an acre without a permit, as long as it's for a noncommercial purpose. Both the Jackson and Josephine county watermasters will investigate complaints, even anonymous ones. Residents can cultivate up to four cannabis plants (any combination of hemp and marijuana) for private use. For a more complete discussion of hemp and water rights, google "OWRD hemp."

Odors. Yes, the crop stinks, but, according to the Oregon Right to Farm Act, this is regarded as a legitimate farm by-product. There are no density or setback rules.

Plastic. The sheeting we see is used for weed control and moisture retention. It also reduces or eliminates the need for pesticides. Hemp farmers must dispose of thousands of linear miles of this stuff every year. It cannot be recycled so most is destined for landfills. Some farmers are using biodegradable alternatives, but they are expensive and their decomposition rates have not been rigorously tested. One of these bioplastics can be produced from hemp itself. (Check out cannabistech.com.) With more research, solutions should be forthcoming.

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Watermaster Contact Information

- Jackson County: 541-774-6880
- Josephine County: 541-261-2213

Questions can also be directed to OWRD at 503-986-0900.

A LOOK BACK

Copper Store, in the past

BY DIANA COOGLE

Just like the Applegate Store, the Provolt Store, or the Williams Store that serve their respective communities, the Copper Store, located at the south end of what is now the Applegate Lake, used to serve the community of Copper. The highway that ended at the town is now the lower end of a boat ramp. The Copper post office, which opened in 1924, closed in 1932, but it was opened again in 2004, when the Cycle Oregon tour passed the Applegate Lake, just so the cyclists could mail a souvenir postcard with a Copper, Oregon, address.

The Copper Store was located just up the road from Bob Jackson's property on Upper Applegate Road, both properties, of course, now under water. After he bought the property in 1969, Bob moved there from the Bay Area with his wife, Shirley, and two daughters, Jodee (9) and Tammy (12). (His third daughter was already grown.) Until the government bought his land about ten years later, to create



Bob Jackson's house lies under Applegate Lake. Photo: Diana Coogle.

the lake, Bob used to walk to the store frequently.

"It had bread and canned milk and other canned goods," he recalls. "It was a store and a filling station. The gas pumps were the old glass kind, where you can see the gas flowing through. Gas flowed into the car by gravity. There were only two kinds: ethyl and regular."

A Mrs. Crow ran the store, he said. Guy Watkins helped her, then took over when she died. "Mrs. Crow was a character," Bob said. "She wore a black coat down to her knees. Every button was different. She must have sewed them on herself. She was a nice old lady to talk to."

Bob was a horseshoer during his years on the Applegate, driving over the area with his horseshoeing gear, including an anvil and a coal stove,



Copper Store (above) in 1978 and its adjacent gas station (below).

in the back of a pickup. He and his family had their own horses. "I was horse poor!" he declared. "If someone couldn't pay for the shoeing, I'd end up with a horse." He also invented a tool, the Jackson Horseshoe Pad Cutter. "It sold all over the world," he said.

Bob bought the old Harr property in 1969 and only discovered later that he had also purchased the old schoolhouse at the end of the field. The Harrs had donated that land for the school, as well as property for a house for the teacher a quarter mile away, so the land, because it had been given away, reverted to the previous owner, now Bob Jackson, when the school was no longer in operation. The first Bob knew that he owned it was when the government approached him to buy his land for the lake. They wanted to pay him for more acres than he thought he owned, but the government assured him that the schoolhouse land was also his and that they were buying it from him.



The government used the schoolhouse for geological samples for six years before tearing it down, along with the store, post office, teacher's house, and any other buildings in the erstwhile town of Copper, to make way for the lake. All the history of Copper is now under water except for what resides in memories and pictures.

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Note: Photos, courtesy of Bob Jackson, were taken by Rick Aubin, a US Forest Service employee who worked at the Star Ranger Station for 30 years.

Watkins Schoolhouse in 1976. It burned down in spring 1977.

