

## **Tribal Hemp Programs: Opportunities and Challenges**

### **Hemp Regulation**

In 1937 Congress passed the Marijuana Tax Act, and this legally separated hemp from marijuana as a crop. At first, the production of hemp was encouraged during the 1940s as part of a World War II agricultural effort. However, in 1970, as part of the Controlled Substance Act, hemp was criminalized as an abusable drug. Regulation around hemp did not change again until the 2014 Farm Bill, and later the 2018 Farm Bill, which removed hemp from the list of controlled substances and permitted growing industrial hemp. Under the bill, hemp cultivation was permitted under a state, tribal, or federal plan with the stipulation that the hemp plant could contain no more than 0.3% of THC. The plant must be tested within 30 days of harvest to ensure the THC level is within the legal limit. The bill authorized the broad production of hemp and expanded economic opportunities for farmers interested in this industry.

Hemp has a long-established history with Indigenous groups and was used in tribal agricultural practices for years. It was woven into baskets, ropes, textiles, and fishing nets, and incorporated into animal and human food and medicines. Since the 2018 Farm Bill, many tribes have taken the opportunity to reintroduce the hemp crop into their land. Not only are there economic benefits, but many see this as an occasion to reclaim cultural heritage.

### **Environmental Benefits of Hemp**

From an environmental standpoint, hemp is a sustainable, relatively low-maintenance crop that can help mitigate the effects of climate change and provide other benefits. Hemp requires less water and pesticides than many other crops. This reduces the stress on water sources and decreases chemical runoff to surrounding lands and waterways. The deep root structure of the hemp plant provides notable benefits as well. With roots upwards of 9 feet deep, it improves the soil



Image from the Pennsylvania Hemp Industry Counc

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# Tribal Hemp Programs (continued)

structure and reduces erosion. The hemp plant has a quick growth cycle, thrives in various climates, and has a high leaf turnover. The fallen leaves provide essential nutrients to the soil, bolstering the positive effects the deep root system has on the soil. An additional benefit provided to the soil is the ability of the hemp plant to remove heavy metals from the ground through phytoremediation. Altogether, these factors result in less resources being expended and better soil health.



Hemp also plays a unique role in reducing carbon dioxide, providing additional environmental benefits. The hemp plant can grow up to 16 feet tall and with their deep root system, they have the ability to store a significant amount of carbon dioxide through photosynthesis. In fact, hemp plants can absorb more carbon dioxide per acre than trees. Not only can hemp play an instrumental role in reducing carbon, but it is a zero-waste crop. All parts of the hemp plant serve a purpose. For example, hemp seeds are used in food, fibers are used for textiles, hurds (the woody inner portion of the hemp stalk) are used in construction, and leaves and stalks are composted and used for fertilizer.

Photo by Christa and Michael Richert on Freeimages.com

#### **Barriers to Hemp Farming**

With the passing of the 2018 Farm Bill, it explicitly acknowledged tribal sovereignty and their authority to regulate hemp production within their territories. Despite this definitive language, barriers still existed for tribes. One issue was regulatory delays after tribes submitted their plans to the United States Department of Agriculture (USDA). The long delays for approval resulted in some tribal farmers losing out on the opportunity to start cultivating on their desired timeline, and some even lost seasons. Another challenge centers around knowledge and skills gaps. Many tribal communities do not have experience in commercial hemp production and do not know where or how to grow and harvest hemp. This gap increases their susceptibility to unethical promoters and one-sided contracts. Another area that tribes must navigate is overlapping tribal laws, federal laws, state laws, and land status. This complex web creates uncertainty.

Barriers also exist around access to land and equipment needed. For example, some tribes have limited land available for new crops, and startup costs can be steep. There is also risk involved in crop failure due to the THC limits legally permitted. Many tribal farms have smaller operations, and this risk can impose

disproportionate harm if their crops must be destroyed because THC limits exceed the legal threshold. Another area of concern is infrastructure constraints. For tribal hemp farmers, creating a full supply chain can be difficult if there are infrastructure deficits. This may lead to production not being economically viable.

#### **Success Stories**

Despite the barriers that exist, given the sustainability and low maintenance of the hemp plant, tribes that can leverage hemp farming and the hemp-based industry have an opportunity for economic gains and sovereignty. One example of



Image from the Lower Sioux Hemp Program & Housing Project

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this is with the Lower Sioux Indian Community and their approach to using hemp to address the housing shortage for their citizens. They opened a facility that processes hemp into a construction material used for insulation, commonly referred to as "hempcrete." Their results from the first few homes built using hempcrete suggest a 20% cost savings when compared to conventional builds. This approach is not only a more environmentally friendly way to build as it avoids carbon-based products, but it creates additional job opportunities and opens up a new revenue stream. At this point, the Lower Sioux community has the ability to process up to 2,500 acres of hemp, but they only have 500 acres of their own. While they cannot fulfill the housing needs of their community based on 500 acres, their hope is that more local farmers will pursue hemp farming.



Image from Anishinaabe Agriculture Institute

Another example comes from White Earth Reservation, where Winona's Hemp (industrial hemp farm) and the Anishinaabe Agriculture Institute work together. They focus on textile applications of hemp. They spent time upfront researching the best approach to processing hemp into canvas, and they had support from Patagonia and the Lift Economy to pursue their research. In 2023, a hemp bag was made using hemp from Winona's Hemp and the Anishinaabe Agriculture Institute. This bag is on the market today and is known as the hemp tool bag for Patagonia. While the hemp was grown on the White Earth Nation, it required a multi-state effort to complete, suggesting the long road for processing and

challenges that exist in a textile industry that is not as robust as it once was.

### Weblinks:

https://lowersioux.com/hemp-program-and-housing-project/

https://www.anishinaabeagriculture.org/our-hemp-work

https://nativeamericanhemp.us/

https://ihcfc.org/

## **TPPC Fall Meeting Recap**

This year's TPPC Fall Meeting was hosted by the Ak-Chin Indian Community, with the in-person component at the Ak-Chin Environmental Protection Department headquarters near Maricopa, AZ, and an online component via Zoom. Ak-Chin Chairman Gabriel Lopez welcomed the group with a traditional blessing and information about the community, its history, and current activities. The meeting extended over two and a half days and included presentations by EPA staff, TPPC members, and other groups that work with pesticides, as well as discussions and work sessions on topics of interest to the group. Following the conclusion of the meeting mid-day Thursday, and a delicious meal for in-person attendees cooked by Ak-Chin's Manny Gomez, an optional field trip was provided to visit the Maricopa Agricultural Center to learn about some of the research they are working on, and the Ak-Chin community's Him-Dak Eco-Museum. Thanks to everyone who helped make this a great meeting! See below for some pictures from the event.

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The Executive Committee consists of TPPC Members elected by their peers to represent their regions on the Council. When fully staffed the Executive Committee includes the Chair and Vice-Chair, representatives from each of the ten EPA regions as well as one from Alaska, and four At-Large positions. Executive Committee members are responsible for ensuring that their region's tribes are represented at TPPC meetings in order to determine and raise issues of importance to these tribes, and relay information back to them. Executive Committee members are encouraged to communicate with their Regional Tribal Operations Committee (RTOCs) and EPA Regional Offices prior to TPPC meetings in order to identify pesticide program needs and issues.

The TPPC is currently seeking regional representatives to fill several vacancies on the Executive Committee and represent their Tribes' and/or Tribal Organizations interests' related to pesticides and environmental concerns. Representatives must be nominated by a TPPC member from their region or may nominate themselves, and the representative must have an authorization letter on file. If you are interested in representing your region or have questions about participating in the Executive Committee, please contact TPPC Coordinator Mark Daniels at <a href="mark.daniels@nau.edu">mark.daniels@nau.edu</a> or (928) 523-8897. Current vacancies include: Region 1, Region 3, Region 4, Region 7, Region 8, and Alaska.

# **Updates and Announcements**

## **Conferences and Meetings:**

#### **SFIREG Winter Meeting**

The State FIFRA Issues Research and Evaluation Group (SFIREG) will hold the Winter meeting December 8-9 in Alexandria, VA. For more information visit the SFIREG website here.

### **AAPCO Spring Meeting**

The Association of American Pesticide Control Officials (AAPCO) will hold their Spring meeting March 1-4, 2026 in Alexandria, VA. For more information click <u>here</u>.

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## **TPPC Executive Committee Members**

**Jasmine Courville** 

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(Vacant)

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Region 7 Representative

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(Vacant)

At-Large Representative

The TPPC is a member-based organization with more than 95 members from 59 Tribes and tribal organizations as of April 2025, whose activities are funded by a cooperative agreement with the EPA. The Council serves as a tribal technical resource, and provides a forum for dialogue between Tribes and the EPA on program and policy development relating to pesticides issues and concerns. Assistance provided to Tribes includes support in building tribal pesticide programs and conducting pesticide education and training, and the preparation of resources for Tribes interested in specialized issues such as Integrated Pest Management and pollinators. Through its interaction with the EPA, the TPPC keeps Tribes informed of developments in the regulation of pesticides and pesticide use, and provides feedback to the EPA on such matters from a tribal perspective (though it is important to note that communication between the EPA and the TPPC does not substitute for direct government-to-government consultation).

For information about how to join the TPPC, contact Mark Daniels at mark.daniels@nau.edu or (928) 523-8897.



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