

PRESS CONFERENCE
U.S. Attorney Ed Kubo
U.S. v. Edward Holland, et al.
Cultivation of Marijuana on Public Lands
September 4, 2007

Over the last ten years, large illegal marijuana growing operations have appeared in our National Parks and on public lands in the United States.

Marijuana growing operations, and those who guard and protect such sites, clearly pose a safety risk to innocent hikers and visitors to those areas, as well as to law enforcement personnel, whose duty it is to eradicate those illegal plants from the areas.

Recently, it was reported by the Office of National Drug Control Policy (ONDCP) that 57 percent of all marijuana produced on public land nationwide is grown in California. In 2006, close to 2.8 million outdoor marijuana plants were eradicated in California, of which 1.7 million plants came from federal and state lands. The estimated street value of those plants were \$6.7 billion.

Thus, clearly marijuana cultivation on public lands in the U.S. has become a multi-billion dollar business. So much so, that in November, 2005, the House Subcommittee on National Parks held hearings on this growing concern and urged federal action in addressing this issue.

Nationally, law enforcement has not only seen growing marijuana on public lands more common, but also those involved seemed to have become more organized, in their methods of cultivation, their harvesting and in the sale and distribution of the marijuana to others in and outside the state.

It is this setting which brings us to this investigation. On November 4, 2006, a Kauai Police Department Officer was conducting routine aerial surveillance from a helicopter in the mountainous terrain of the Blue Hole area, which is located at the foot of Mt. Waialeale on Kauai.

It was during this time that he observed a large number of marijuana plants being grown in between the trees and other vegetation and near the mountain's stream. This isolated and remote area of Mt. Waialeale is on state land.

In furthering this investigation, known as "Operation Green Stream," Officers hiked to this ridge area and found thousands of marijuana plants being grown, hundreds of growbags containing dirt, and remnants of marijuana plants which had been harvested of their buds and matured leaves. The Officers also found gardening tools which were being used to cultivate and nurture the plants, along with potting soil.

Over the course of this year, law enforcement watched the growing site from another ridge on the other side of the valley in order to identify who was cultivating the marijuana plants. In the process, investigators identified the following individuals:

Edward Holland

Mark Steven Darling

Robert Jason Bihm (Holland's son)

Melissa Ann Bihm (Robert's wife)

Ryan Edward Bihm (Holland's son)

These individuals were seen by police visiting the grow site on several occasions, --- and spending hours caring for and inspecting the plants, adding more dirt to the plastic growbags containing the plants, and disbursing fertilizer to the plants. At one point, Officers saw several of the Defendants even smoking their harvested marijuana during their breaks from their labors.

Defendant Holland also has a prior federal felony drug conviction. In 1991, he was convicted of possessing with intent to distribute approximately 97 pounds of marijuana, and for using the U.S. mail to facilitate the distribution of approximately 2,242 grams of marijuana. He served approximately 4 years in federal prison for these crimes.

This past Friday, the Defendants were arrested by investigators for the federal offense of cultivating more than 1,000 marijuana plants. If convicted for this offense, each Defendant will be sentenced to mandatory 10 years to life in federal prison. However, with respect to Defendant Holland, because of his prior federal conviction, he will be sentenced to a mandatory 20 years to life in prison.

Their initial appearance is currently scheduled for 3:30 p.m. today, in the Courtroom of Magistrate Judge Leslie E. Kobayashi.

Additionally, investigators have been at the grow site this past weekend. They have reported that about 6,000 marijuana plants were pulled and recovered from the scene of the crime. It is my understanding that this amount makes this the largest outdoor marijuana growing operation ever prosecuted in the State of Hawaii.

The street value of the marijuana plants in this case is estimated to be \$5.9 million dollars, with each plant conservatively yielding approximately \$1,000 worth of processed marijuana.

This case was investigated by the Kauai Police Department and DEA. They were assisted by:

- Hawaii Department of Land and Natural Resources (DLNR);
- Hawaii County Police Department; and
- Hawaii National Guard Counter Drug Unit;

However, other agencies were also involved in the arrests of the Defendants, and the recovery of the marijuana and other evidence. They were:

Honolulu Police Department;

Maui Police Department;

Immigration and Customs Enforcement (ICE);

IRS

FBI

ATF

Hawaii Department of Public Safety - Sheriff's Department;

U.S. Coast Guard;

Hawaii HIDTA; and

the Federal Protective Services

I would like to thank all of these agencies for a job well done and for your teamwork and hard work in this case.

The large amount of drugs involved in this investigation shows that the operation was organized, and conducted by this group for profit.

Additionally, their illegal activities on our public lands un-necessarily raised the risks of confrontation with any unwitting visitors or hikers who would have happened upon them while venturing into this remote area.

Thus, this type of blatant illegal activity demands federal attention, and it is our desire to keep them where they are right now --- in our Federal Detention Center, until they are convicted and given their prison sentences in this case.

I have assigned AUSA Mike Kawahara to prosecute this case. In the future, he will make himself available to you to answer questions you may have about the status of this case.