



February 20, 2019

Senator Dembrow and Honorable Members of the Senate Committee on Environment Natural Resources:

Re: SB 90 – Oppose Preemption Amendments -8 (and previous)

Surfrider Foundation appreciates the opportunity to provide the committee members with comment on the -8 amendments and previous amendments which completely undermine the actual intent of the bill. These amendments clearly do more to insure plastic straws have a strong marketplace in Oregon and further undermine meaningful strategies to reduce plastic pollution. Surfrider Foundation has previously expressed our support for SB 90, however we cannot support a preemption clause amendment for such a young policy. For several critical reasons to both our efforts to combat plastic pollution and just simply supporting thoughtful policy, we cannot support preemption of local policy. Please consider the following as you deliberate the amendments and/or simply whether or not this is a policy that's ready to move at all. For Surfrider Foundation and our partners, at this time we would prefer a policy not move forward on straws rather than one with preemption.

Why Preemption is Premature for Straw Policy?

- This is a very infant policy – it's never been implemented anywhere in the state of Oregon, thus prescribing the statewide solution, *definitively with preemption*, is poor policy before we've implemented on the ground in at least one city. We are already learning challenges from CA implementation, which doesn't include preemption.
- Cities are beginning to address single-use plastics with comprehensive policies that go well beyond the straw. Preemption on SB 90 would handcuff cities and require any city putting a comprehensive single use plastic policy together to carve out a special exception for straws.
- Preemption is a national strategy of the plastic industry to prevent any city, municipality or otherwise from seeking more aggressive plastic reduction strategies. Preemption in SB 90 provides this industry assurance and may do more to ensure plastic straws have a marketplace than actually reducing them. At this point in our novel understanding of implementing straw policy, disallowing home rule for other solutions at the local level is premature. Furthermore it hampers local innovation, often the incubator and driver for future statewide strategies.