



April 8, 2021

Senator Lee Beyer, Chair
Senate Energy & Environment Committee
Oregon Senate
Salem, Oregon

Dear Chair Beyer and members of the committee,

On behalf of the Oregon Wine Council, which represents over fifty percent of the Oregon wine grapes grown, produced and sold, I'm writing to express concerns with the -9 amendment to SB 582. While we appreciate the recent efforts made by DEQ to engage with producers, we do not feel that the concerns we voiced were heard and reflected in the latest amendment.

The COVID-19 pandemic and devastating wildfires have greatly impacted our industry. Mandated shutdowns, albeit to prioritize public safety, have led to an estimated 80% decrease in tasting room sales. Our members have been forced to adapt business operations, and like many other industries, we're looking at a long recovery trajectory. Resources are scarce, and we've expressed our concern with the wine industry's simultaneous participation in both the EPR Program and the discussion around Oregon's Bottle Bill as set by SB 847. The -9 amendment to SB 582 does not support, in earnest, a discussion around the benefits and drawbacks of participating in the private recycling system created by the Bottle Bill. Rather, our members would be required to participate in rulemaking for the EPR program should SB 582 and the -9-amendment pass, while also participating in the conversation around possible inclusion of wine bottles in the Bottle Bill. This is neither sustainable, nor does it honor the spirit of objectivity outlined in SB 847.

Furthermore, the -9 amendment does not address our concerns around onerous program fees and the authority of DEQ and the Environmental Quality Commission (EQC) to expand the program without legislative approval. For these reasons, the Oregon Wine Council has joined a large coalition of organizations and businesses who would be impacted by the EPR program and supports concepts that will be brought forward to address these concerns in a forthcoming amendment.

This consensus amendment brought forward by the producers clarifies that DEQ and EQC cannot add covered products or expand the responsibilities of a PRO without legislative approval. Transparency and shared responsibility are stated objectives of this program and this change supports both. Additionally, the producer's amendment helps to reduce program costs by removing programs and studies that aren't directly related to addressing contamination issues and improving recycling rates in Oregon. Reducing the overall program costs will help create efficiencies as the state's recycling system is drastically changed under this new legislation.

As long-time leaders in sustainable farming, wine making, and environmental stewardship we feel that the recovery rate and post-consumer recycled content targets outlined in the producer's amendment help incentivize improvements to the system. Should these targets be achieved, our members would be

excluded from this program. This helps allow our members to reallocate these resources to modernize equipment, operational practices or support community initiatives that support our shared goals around environmental stewardship.

In a challenging virtual session, we have appreciated opportunities to discuss this issue. However, an overhaul of this magnitude to our recycling system deserves additional time and consideration of solutions that would make this more workable for all stakeholders involved. For these reasons, we ask that the committee support the producers' amendment and find meaningful ways to engage industry stakeholders in creating a policy and system we can all support.

Thank you for your consideration and attention to this important issue impacting Oregon's broad, prized wine industry.

Sincerely,

Elin Miller
President, Oregon Wine Council