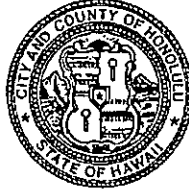


SCR 124

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>

PETER B. CARLISLE
MAYOR



TIMOTHY E. STEINBERGER, P.E.
DIRECTOR

MANUEL S. LANUEVO, P.E., LEED AP
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 11-56

March 29, 2011

The Honorable Josh Green, M.D., Chair
and Members of the Committee on Health
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Government Operations, and Military Affairs
State Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chair Green, Chair Espero and Members:

Subject: Senate Concurrent Resolution (SCR) 124, Urging the
Convening of Task Forces to Develop Community Benefits
Packages for the Neighborhoods Located Nearest to Landfills

The City and County of Honolulu's Department of Environmental Services (ENV) opposes SCR 124, Urging the Convening of Task Forces to Develop Community Benefits Packages for the Neighborhoods Located Nearest to Landfills.

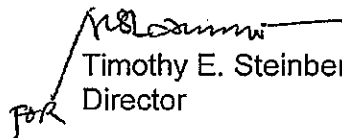
The Resolution focuses on a single activity, landfills, that it suggests adversely and disproportionately affects the residents of nearby neighborhoods and that such residents deserve special consideration in the form of community benefits packages. The resolution further suggests that it is appropriate for the State Department of Health to convene task forces with the counties to develop community benefits packages for such neighborhoods.

The establishment of a community benefit package and determination as to what would comprise such a package are within the purview and authority of the City and County. Therefore, it is not appropriate for the Legislature to infringe on such authority, even through recommendations via resolution. Further, the convening of task forces regarding community benefits packages is outside the authority and expertise of the State Department of Health.

The Honorable Josh Green, M.D., Chair
The Honorable Will Espero, Chair
March 29, 2011
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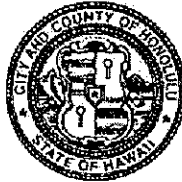
We urge the committee not to pass SCR 124 and to leave such determinations to the City and County of Honolulu and the other counties.

Sincerely,


Timothy E. Steinberger, P.E.
Director

DEPARTMENT OF BUDGET AND FISCAL SERVICES
CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 208 • HONOLULU, HAWAII 96813
PHONE: (808) 768-3900 • FAX: (808) 768-3179 • INTERNET: www.honolulu.gov

PETER B. CARLISLE
MAYOR



MICHAEL R. HANSEN
DIRECTOR

March 29, 2011

The Honorable Josh Green, M.D. Chair
and Members of the Committee on Health
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Government Operations, and Military Affairs
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Green and Espero:

Subject: SCR 124 Urging the Convening of Task Forces to Develop
Community Benefits Packages for the Neighborhoods
Located Nearest to Landfills

The City and County of Honolulu ("the City") is opposed to Senate Concurrent Resolution 124 that resolves to convene task forces in neighborhoods closest to landfills with directions to consider reducing or eliminating property taxes for homeowners nearest to landfills as part of a community benefits package. The City strongly believes that property taxes is a homerule issue that should be managed by the counties rather than being directed by the State.

The City funded its own community benefits package starting from fiscal year 2007 and has budgeted a total of \$12.5 million since then. The community improvements are intended to benefit the entire community and not only specific property owners. The City recognized that the areas neighboring the Waimanalo Gulch landfill were deserving of special attention and has for the past several years, provided for improvements that not only benefited area residents, but those who work and visit the area.

Providing property tax relief is first and foremost, a county issue. The Senate's desire to have tax relief for property owners should be directed to each county's Council and not directed by a non-accountable task force. Additionally, property tax relief does not benefit those who are renting property, but will benefit the property owners who may not reside in the targeted area.

The City is staunchly opposed to SCR 124 and encourages the Senate to work with each county's Council to find the proper means of addressing this issue.

Sincerely,

A handwritten signature in black ink that reads "Michael R. Hansen".

Michael R. Hansen, Director
Budget and Fiscal Services

IRON WORKERS STABILIZATION FUND

Fax No. – 586-6659

March 28, 2011

Hon. Josh Green, M.D., Chair
Committee on Health
Room 222

Hon. Will Espero, Chair
Committee on Public Safety, Government Operations, and Military Affairs
Room 231

SCR 124 – Urging the Convening of Task Forces to Develop Community Benefits
Packages for the Neighborhoods Located Nearest to Landfills

Hearing Date – March 30, 2011 – 3:45pm – CR229

Enclosed please find SCR124, SD1, which we respectfully request be substituted for SCR124 as it was originally introduced. We believe that the version we are requesting more accurately sets forth what is being sought by the resolution.

For all too long, the residents of the west side of Oahu have been overly burdened by a combination of landfills, a power plant, a wastewater treatment plant, H-Power facilities, unexploded ordnance, and the homeless. There are many workers in the construction trades, including ironworkers, living on the west side.

Because of said burden they face daily, we believe the residents of the west side will face certain long-term health effects and issues. For this reason, we do not believe it would be unreasonable for our west side residents to be accorded effective medical treatment to be administered at the Waianae Coast Comprehensive Health Center, and, paid for by all other residents of Oahu.

We respectfully request that you pass SCR124, SD1 as we have proposed.

Ironworkers Union Stabilization Fund
94-497 Ukee Street
Waipahu, HI 96797

Fax No. – 586-6659

Hon. Josh Green, M.D., Chair
Committee on Health
Room 222 – State Capitol
Honolulu, HI 96813

**Re: SCR124 – Urging the Convening of Task Forces to Develop Community
Benefits Packages for the Neighborhoods Located Nearest to Landfills**

March 30, 2011 – 3:45 p.m. – CR229

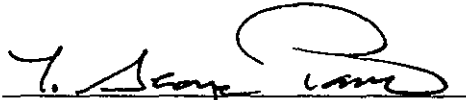
Dear Chair Green and Members:

Thank you for permitting me to provide this testimony.

Although this measure, SCR124 discusses a community benefit package for the residents of the Waianae Coast, including many construction workers, we do not want to leave the impression that we welcome any landfill on the west side. As we have always stated, we wish to rid all landfills from the leeward coast.

However, should landfills still remain on the west side, we seek said community benefit package to address the long-term health issues that our residents will face.

We seek the passage of SCR124 as amended by Proposed SD1 that has been provided to your committee.



T. George Paris
94-497 Ukee Street
Waipahu, HI 96797

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

GOVERNMENT RELATIONS TEAM:
GARY M. SLOVIN
ANNE T. HORIUCHI
MIHOKO E. ITO
CHRISTINA ZAHARA NOH
CHRISTINE OGAWA KARAMATSU

ALII PLACE, SUITE 1800 • 1099 ALAKEA STREET
HONOLULU, HAWAII 96813

MAIL ADDRESS: P.O. BOX 3196
HONOLULU, HAWAII 96801

TELEPHONE (808) 547-5600 • FAX (808) 547-5880
info@goodsill.com • www.goodsill.com

INTERNET:
gslovin@goodsill.com
ahoriuchi@goodsill.com
meito@goodsill.com
cnoh@goodsill.com
ckaramatsu@goodsill.com

TO: Senator Josh Green, M.D.
Chair, Committee on Health
Senator Will Espero
Chair, Committee on Public Safety, Government Operations and Military
Affair

Via Email: HTHTestimony@Capitol.hawaii.gov

FROM: Gary M. Slovin

DATE: March 29, 2011

**RE: SCR 124 - Urging The Convening Of Task Forces To Develop
Community Benefits Packages For The Neighborhoods Located Nearest
To Landfills
Hearing: Wednesday, March 30, 2011 at 3:45 p.m., Room 229**

Dear Chairs Green and Espero and Members of the Committees:

I am Gary Slovin, testifying on behalf of PVT Land Company, the owner and operator of the PVT Construction and Demolition Landfill ("PVT") in Nanakuli. PVT owns and operates Oahu's only landfill for the disposal of construction and demolition debris.

PVT **opposes** SCR 124. An important aspect of PVT's opposition to this resolution concerns the effort by certain parties to add additional language to SCR 124 and a similar House resolution, HCR 281, that make assertions about PVT's operations that are completely false. PVT's primary concern is with the thinly veiled effort, seen in other legislation, to close down its operations for purposes that have nothing to do with the good of the community.

The assertions in SCR 124 are not based upon fact, and misrepresent the state of the landfill facilities in West Oahu. PVT notes that its operations, as the lone construction and demolition landfill on Oahu, is state of the art. PVT is probably the best managed landfill in Hawaii. Assertions made that it is poorly run will be seen to be false by anyone who takes the trouble to visit the PVT landfill.

March 30, 2011

Page 2

The effort to add additional costs to landfilling at PVT will make economic recovery more difficult, as it will add very significant costs to the construction industry. The result of adding such costs would be to hamper the opportunity of laid-off workers to go back to work on construction projects -- these additional costs will make construction more costly and will stop much construction. This does not benefit workers in West Oahu or anywhere else in the State. Therefore, PVT specifically objects to language in SCR 124 that speaks about adding user fees or additional tipping fees for use of landfills. The businesses that employ workers can not afford these additional costs.

PVT understands that communities do not want landfills. However, landfills are a necessity and make employment possible. The assumption that landfills, specifically PVT, harms neighborhoods has not been proven to be the case and that certainly has not been proven to be the case for PVT. All material is carefully buried in well-developed cells, and those cells are located substantial distances from any homes. It is easy to make false assertions. But the facts speak louder. The facts are that PVT's operations are safe and well run.

PVT invites members of the committee to visit the PVT landfill to see what a well run landfill looks like. Such a visit will clearly demonstrate that the claims made that PVT is not well run are completely false and groundless.

Thank you for the opportunity to testify on SCR124. We believe this resolution should be held in committee.

STATE OF HAWAII

HOUSE CONCURRENT RESOLUTION

REQUESTING THE STATE TO SUPPORT A WASTE MANAGEMENT SYSTEM THAT EQUITABLY DISTRIBUTES ITS BENEFITS AND BURDENS ACROSS THE COMMUNITY.

WHEREAS, landfills in the State benefit the entire island or county upon or in which they are located; and

WHEREAS, the State acknowledges that the Leeward coast is burdened as the locale of a major part of the waste management system of the City and County of Honolulu; and

WHEREAS, the State acknowledges that other communities on Oahu must share in the burdens of an effective and fair waste management system; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2011, the Senate concurring, that the State is urged to support a waste management system that equitably distributes its benefits and burdens across the community; and

BE IT FURTHER RESOLVED that the Director of Health is urged to convene task forces with the counties, other than for the County of Kalawao, beginning with the most populous county and proceeding with the other counties in order of population, to review and develop ways to distribute benefits and burdens across the community for the neighborhoods located closest to landfills; and

BE IT FURTHER RESOLVED that the Director of Health and the most populous county are requested to convene their task force for that county expeditiously; and

BE IT FURTHER RESOLVED that the Director of Health and the most populous county are requested to report to the Legislature regarding the recommendations of their task force no later than twenty days prior to the convening of the Regular Session of 2012, at which time the task force for the most populous county shall cease to exist; and

BE IT FURTHER RESOLVED that the Director of Health and the second most populous county are requested to report to the Legislature regarding the recommendations of their task force no later than twenty days prior to the convening of the Regular Session of 2013, at which time the task force for the second most populous county shall cease to exist; and

BE IT FURTHER RESOLVED that the Director of Health and the third most populous county are requested to report to the Legislature regarding the recommendations of their task force no later than twenty days prior to the convening of the Regular Session of 2014, at which time the task force for the third most populous county shall cease to exist; and

BE IT FURTHER RESOLVED that the Director of Health and the fourth most populous county are requested to report to the Legislature regarding the recommendations of the task force no later than twenty days prior to the convening of the Regular Session of 2015, at which time the task force for the fourth most populous county shall cease to exist; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Director of Health and the Mayors of the four most populous counties.

FAX NO. – 586-6659

March 30, 2011

Sen. Josh Green, M.D.
Health

Sen. Will Espero
Public Safety, Government Operations, and Military Affairs

Room 229
State Capitol
Honolulu, Hawai'i 96813

Re: S.C.R. 124, Relating to Landfills

Aloha Chairs Green and Espero & Members of HTH and PGM:

My name is Mel Kahele and I am an active member of the leeward coast community. I support the intent of SCR 124 but I request that the bill be revised to address the situation on the leeward coast. Please see my proposed SCR 123 SD 1 attached for language.

The leeward coast of Oahu is the location of two landfills: the Waimanalo Gulch Sanitary Landfill (WGSL), owned by the City and County, which is the only licensed landfill on Oahu capable of receiving Oahu's total daily output of non-reusable municipal solid waste; and the PVT Landfill, owned by the PVT Landfill Co., Ltd., which is the only licensed landfill on Oahu capable of receiving Oahu's total daily output of non-municipal solid waste.

It is undeniable that if the WGSL and the landfill owned and operated by PVT were to be closed today, we would face a waste management crisis of monumental proportions. We have seen the extreme havoc that occurred in the recent shutdown of WGSL during the month of January, 2011.

It is also clear that every individual on this island benefits from those landfills. Further, it is clear that residents living close those landfills are more adversely affected than the residents living farther away from those landfills. However, what has not been clear is how the burden of landfills has been equitably distributed. This resolution recognized this inequity and urges the City and County of Honolulu to address it.

Without addressing this inequity, the continued operation, and the citing and permitting of future landfills on Oahu will be difficult at best. Thank you for taking a step towards a more equitable and sustainable waste management solution for Oahu.

Mahalo.

Mel Kahele
92-662 Palailai Street
Kapolei HI, 96707