
HOUSE CONCURRENT RESOLUTION

URGING THE CITY AND COUNTY OF HONOLULU TO EXEMPT FROM REAL PROPERTY TAX THOSE PROPERTY OWNERS OF RESIDENTIAL UNITS WITHIN ONE-HALF MILE OF AN ACTIVE MUNICIPAL SOLID WASTE LANDFILL OR CONSTRUCTION AND DEMOLITION LANDFILL OR DEEMED TO HAVE BEEN IMPACTED BY AN ACTIVE LANDFILL TO A DEGREE THAT WARRANTS SUCH AN EXEMPTION.

1 WHEREAS, every community in Hawaii deserves a "clean and
2 healthful environment" pursuant to article XI, section 9, of the
3 Hawaii State Constitution; and

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5 WHEREAS, the scientific consensus is that landfills
6 generally -- and construction and demolition landfills
7 specifically -- have negative health impacts for those who live,
8 work, and play in close proximity; and

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10 WHEREAS, studies have shown evidence of significant health
11 impacts for those living even up to two miles away from an
12 active landfill, depending on geography, microclimates, and
13 local mitigation efforts; and

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15 WHEREAS, Act 73, Session Laws of Hawaii 2020, established
16 Hawaii's statewide buffer zone law, which prohibits any waste or
17 disposal facility from being located in a conservation district
18 except in emergency circumstances and prohibits persons,
19 including the State or any county, from constructing, operating,
20 modifying, expanding, or closing a municipal solid waste
21 landfill or construction and demolition landfill without first
22 establishing a buffer zone of no less than one-half mile; and

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24 WHEREAS, the 2008 *Hawaii Environmental Justice Initiative*
25 *Report's* definition of "environmental justice" for Hawaii
26 recognized that "no one segment of the population or geographic
27 area should be disproportionately burdened with environmental



1 and/or health impacts resulting from development, construction,
2 operations and/or use of natural resources"; and

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4 WHEREAS, residents within one-half mile of an active
5 operation of municipal solid waste landfills or construction and
6 demolition landfills are disproportionately burdened generally;
7 and

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9 WHEREAS, for example, according to Centers for Disease
10 Control and Prevention data, residents in the two census tracts
11 abutting PVT Land Company Ltd.'s landfill in Nanakuli, Oahu, a
12 predominantly Native Hawaiian community, live ten years less
13 than the state average of eighty-two years and have the
14 second- and third-lowest life expectancies in the entire State;
15 and

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17 WHEREAS, Act 73, Session Laws of Hawaii 2020, addressed
18 only future operations of waste and disposal facilities and did
19 not address the safety and health of those residents suffering
20 from the active operation of existing facilities; and

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22 WHEREAS, Honolulu residents living near active landfills
23 have experienced a myriad of health problems, including
24 increased risk of reduced lung function, asthma, ataxia,
25 paralysis, and lung cancer, as the air in their homes becomes
26 contaminated with unmitigated dust pollution; and

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28 WHEREAS, these residents have incurred substantial costs as
29 a direct result of living near active landfills, including
30 medical and funeral expenses, home repair and repainting
31 expenses due to the unnatural buildup of dust, and installation
32 and maintenance costs for air filtration systems; and

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34 WHEREAS, those living within one-half mile of an active
35 municipal solid waste landfill or a construction and demolition
36 landfill would benefit from funds made available from a property
37 tax exemption to address their individual safety and health;
38 now, therefore,

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40 BE IT RESOLVED by the House of Representatives of the
41 Thirty-second Legislature of the State of Hawaii, Regular
42 Session of 2023, the Senate concurring, that the City and County



1 of Honolulu is urged to exempt from real property tax those
2 property owners of residential units within one-half mile of an
3 active municipal solid waste landfill or construction and
4 demolition landfill; and

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6 BE IT FURTHER RESOLVED that the City and County of Honolulu
7 is urged to exempt from real property tax those property owners
8 of residential units outside one-half mile of an active landfill
9 but within neighborhoods that are deemed by the City and County
10 of Honolulu to have been impacted by an active municipal solid
11 waste landfill or construction and demolition landfill to a
12 degree that warrants such an exemption; and

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14 BE IT FURTHER RESOLVED that certified copies of this
15 Concurrent Resolution be transmitted to the Governor, Mayor of
16 the City and County of Honolulu, and each member of the Honolulu
17 City Council.

