
SENATE 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

4
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

9
10 WHEREAS, studies have shown evidence of significant
11 negative impacts for those living even up to two miles away from
12 an active landfill depending on geography, micro-climates, and
13 local mitigation efforts; and

14
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

23
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

3

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

8

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 second
14 and third lowest life expectancies in the entire State; and

15

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

20

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

26

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

32

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

38

39 BE IT RESOLVED by the Senate of the Thirty-second
40 Legislature of the State of Hawaii, Regular Session of 2023, the
41 House of Representatives concurring, that the City and County of
42 Honolulu is urged to exempt from real property tax those



1 property owners of residential units within one-half mile of an
2 active municipal solid waste landfill or construction and
3 demolition landfill; and
4

5 BE IT FURTHER RESOLVED that, for property owners of
6 residential units outside of one-half mile of an active
7 municipal solid waste landfill or construction and demolition
8 landfill, the City and County of Honolulu is urged to exempt
9 from real property tax those property owners living in
10 neighborhoods whom, in its discretion, it deems to have also
11 been impacted by an active municipal solid waste landfill or
12 construction and demolition landfill to a degree that would
13 warrant an exemption; and
14

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

