

STAND. COM. REP. NO.

735

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 701
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian
Affairs, to which was referred S.B. No. 701, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LANDFILLS,"

begs leave to report as follows:

The purpose of this measure is to place a moratorium for any
new landfills or the expansion of any existing private solid waste
landfill unit on the Leeward Coast including Nanakuli, Waianae,
Maili, Makaha, and Makua on or after August 1, 2009.

Testimony in support of this measure was submitted by two
organizations and one public citizen. Three public citizens
provided comments. Testimony in opposition was submitted by one
state agency, one county agency, seven organizations, and fourteen
public citizens. Written testimony presented to your Committee
may be reviewed on the Legislature's website.

Your Committee finds that the Waimanalo Gulch Landfill,
located on the Leeward Coast, is the only existing landfill on
Oahu capable of receiving the total daily output of non-reusable
municipal solid waste.

Your Committee further finds that prior to the establishment
of the municipal solid waste landfill at Waimanalo Gulch eighteen
years ago, there were other municipal solid waste landfills that
operated on the Leeward Coast. The residents of the Leeward Coast
had the burden of all of Oahu's construction and demolition waste,
including asbestos, being deposited into a privately-owned



landfill that is adjacent to and mauka of Nanakuli town. Additionally, there may be other privately-owned landfills planned or proposed.

Besides the obvious health risks the Leeward Coast residents may suffer as a result of these landfills, they are also impacted by certain other environmental concerns: the H-power plant, the abandoned military ordnance, the disproportionately large number of homeless, and horrendous daily traffic conditions. Every day, approximately four hundred trucks, many in the semi-tractor trailer category, travel to and from privately-owned landfills or other business establishments adding significantly to the traffic. Accordingly, your Committee finds that there would be significant gridlock for Leeward Coast residents if another landfill were opened.

Your Committee has amended this measure by:

- (1) Replacing its contents with the contents of the proposed draft of S.B. No. 701, S.D. 2, which was circulated prior to this hearing;
- (2) Deleting references to specific cities on the Leeward Coast and replacing them with a description of the entire area from Kaena point to Waimanalo Gulch;
- (3) Deleting references to "landfill units" and inserting "landfills" instead;
- (4) Clarifying that the moratorium on the construction or operation of new landfills includes municipal solid waste landfills, green waste landfills, and other types of landfills;
- (5) Amending the effective date to July 1, 2050, for the purpose of encouraging further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 701, S.D. 1, as amended herein, and



recommends that it pass Third Reading in the form attached hereto
as S.B. No. 701, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



CLAYTON HEE, Chair



Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

*Only one measure per Record of Votes