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# HOUSE 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  
28 and/or health impacts resulting from development, construction,  
29 operations and/or use of natural resources"; and



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

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

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

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

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

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

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37 BE IT RESOLVED by the House of Representatives of the  
38 Thirty-second Legislature of the State of Hawaii, Regular  
39 Session of 2023, that the City and County of Honolulu is urged  
40 to exempt from real property tax those property owners of  
41 residential units within one-half mile of an active municipal



1 solid waste landfill or construction and demolition landfill;  
2 and

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

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

