



RESOLUTION

REQUESTING THAT THE MAYOR SEEK, AND THE UNITED STATES MARITIME ADMINISTRATION GRANT, A WAIVER TO THE CITY FROM THE JONES ACT FOR THE TRANSPORT OF SOLID WASTE.

WHEREAS, Section 27 of the federal Merchant Marine Act of 1920 is commonly known as the Jones Act; and

WHEREAS, the intent of the Jones Act is to promote a healthy commercial U.S.-flagged fleet and protect that fleet from unfair foreign competition; and

WHEREAS, among its other provisions, which provide protections for sailors, seamen, and other maritime workers, the Jones Act establishes American "cabotage" provisions that require passengers and cargo moving between U.S. ports be carried in a vessel that was built in the United States, flagged as a U.S. ship, is owned and operated (at least 75 percent) by American citizens or corporations, and at least three-quarters of whose crew is composed of U.S. citizens or legal aliens; and

WHEREAS, over the years, there have been many circumstances and instances of Jones Act waivers, which are administrative decisions of the Maritime Administration to allow the use of vessels and shipping situations not otherwise permitted under the Jones Act; and

WHEREAS, in the recent past, the Council has appropriated substantial funding to implement out-of-state transport of the city's municipal solid waste; and

WHEREAS, the city is exploring long term solutions to the solid waste issue; and

WHEREAS, in the short term, the implementation of any new technology is likely to take years to implement and the city is severely lacking space in which to landfill municipal solid waste; and

WHEREAS, until a long term solution is implemented, the city must continue to consider shipping the city's solid waste out-of-state to the mainland or overseas; and

WHEREAS, a consequence of the Jones Act may be to increase the cost of shipping solid waste, which would aggravate the already significant costs faced by Oahu residents and taxpayers for solid waste disposal; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it requests that the Mayor seek, and the United States Maritime Administration grant, a



RESOLUTION

waiver to the city from the requirements of the Jones Act for the purpose of transporting solid waste out-of-state; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the United States Maritime Administration, the Secretary of Transportation, the members of Hawaii's congressional delegation, the director of environmental services, and the Mayor.

INTRODUCED BY:

[Handwritten Signature]

OS:OHA 01 03 11 03

RECEIVED
CITY CLERK
FEB 10 2011

DATE OF INTRODUCTION:

FEB 10 2011

Honolulu, Hawaii

Councilmembers

FILED
FEB 10 2012
PURSUANT TO RCW Sec 1-2.5