

GET Committee

From: Maui_County Council_mailbox
Sent: Friday, August 23, 2019 8:37 AM
To: GET Committee
Cc: Traci N. T. Fujita; David M. Raatz
Subject: FW: Please Settle the Lahaina Injection Wells Lawsuit

From: Caleb Merendino <caleb.j.merendino@gmail.com>
Sent: Thursday, August 22, 2019 6:17 PM
To: environmental.mgmt@mauicounty.gov
Cc: mayors.office@mauicounty.gov; Maui_County Council_mailbox <county.council@mauicounty.us>
Subject: Please Settle the Lahaina Injection Wells Lawsuit

Maui County Leadership,

As supporters of the Surfrider Foundation's mission to protect and enjoy our ocean, waves and beaches, we the undersigned, beseech you to settle the Lahaina Injection Wells Lawsuit and instead seek community solutions for protecting Hawaii's reefs and valuable water resources.

The continued use of underground injection wells to dispose of wastewater from the Lahaina Wastewater Reclamation Facility in Maui County puts public health at risk at nearby Kahekili Beach Park and harms coral reefs in the Hawaiian Islands Humpback Whale National Sanctuary. We believe there are better alternatives for treating and reusing this effluent, such as using it to meet irrigation needs for golf courses, commercial landscaping and agriculture. These alternatives would be good for Maui's reefs and beaches that drive the island's massive tourism industry and would help protect critical sources of fresh water for the local community.

We urge you to accept the lower courts' rulings and drop the County's appeal to the U.S. Supreme Court. This case has ramifications beyond the Lahaina Facility as it has attracted the attention and support of large corporate polluters like the American Petroleum Institute and the National Mining Association. These companies are using this case to sabotage the Clean Water Act and possibly reduce liability for environmental disasters like cyanide drainage from mines and leaking oil pipelines.

Please don't help these corporate polluters undermine the Clean Water Act. The American people rely on this landmark legislation to ensure that the water we swim and fish in is clean and will not put our health at risk.

We strongly encourage the current leadership of Maui County to work together with the Surfrider Foundation and the community to resolve this issue together and protect Maui's reefs and beaches for future generations. Working together for common sense solutions, we can help ensure continued protections under the Clean Water Act for all Americans.

Respectfully,

Caleb Merendino

GET Committee

From: County Clerk
Sent: Friday, August 23, 2019 2:35 PM
To: GET Committee
Subject: FW: It is PAST TIME to settle the Lahaina Injections Wells case

-----Original Message-----

From: rita.ryan@everyactioncustom.com <rita.ryan@everyactioncustom.com>
Sent: Thursday, August 22, 2019 4:36 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: It is PAST TIME to settle the Lahaina Injections Wells case

Dear Maui County Clerk Maui County Council,

I support the County seeking to settle the Lahaina Injection Well case (HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, RELATING TO THE CLEAN WATER ACT) as per CC 19-225,

The County of Maui should not be spending money attempting to gut the Clean Water Act. Instead, the money should be spent ensuring no pollutants reach the ocean from our wastewater facilities.

IT IS A DERELICTION OF PUBLIC RESPONSIBILITY AND TAXPAYER'S TRUST IF THIS LAWSUIT CONTINUES!!!

Sincerely,
Rita RYan
1154 Aala Pl Makawao, HI 96768-9604
rita.ryan@climaterealityhawaii.org

GET Committee

From: County Clerk
Sent: Friday, August 23, 2019 2:35 PM
To: GET Committee
Subject: FW: Please settle the Lahaina Injections Wells case. Do You like Living in a TOXIC DUMP ???

-----Original Message-----

From: weskaggs.wes@everyactioncustom.com <weskaggs.wes@everyactioncustom.com>
Sent: Thursday, August 22, 2019 5:29 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Please settle the Lahaina Injections Wells case. Do You like Living in a TOXIC DUMP ???

Dear Maui County Clerk Maui County Council,

I support the County seeking to settle the Lahaina Injection Well case (HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, RELATING TO THE CLEAN WATER ACT) as per CC 19-225,

The County of Maui should not be spending money attempting to gut the Clean Water Act. Instead, the money should be spent ensuring no pollutants reach the ocean from our wastewater facilities.

Stop this horrible sewage water from entering Hawaii beautiful coast water NOW !!!

Sincerely,
William Skaggs
656 Martin Rd Grafton, WV 26354-7497
weskaggs.wes@gmail.com

GET Committee

From: County Clerk
Sent: Friday, August 23, 2019 2:35 PM
To: GET Committee
Subject: FW: Please settle the Lahaina Injections Wells case

-----Original Message-----

From: kalon@everyactioncustom.com <kalon@everyactioncustom.com>
Sent: Thursday, August 22, 2019 5:33 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Please settle the Lahaina Injections Wells case

Dear Maui County Clerk Maui County Council,

To whom it may concern,

I support the County seeking to settle the Lahaina Injection Well case (HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, RELATING TO THE CLEAN WATER ACT) as per CC 19-225,

The County of Maui should not be spending money attempting to gut the Clean Water Act. Instead, the money should be spent ensuring no pollutants reach the ocean from our wastewater facilities.

Our ocean is one of our most precious resources. Our children swim in it. We all deserve clean, healthy water. Enough already.
Please act on behalf of the people and not for profit or corporations.

Sincerely,
Kalon Prensky

Sincerely,
Kalon Prensky
1215 S Kihei Rd Ste # O Kihei, HI 96753-5225 kalon@discoverlasers.com

GET Committee

From: County Clerk
Sent: Friday, August 23, 2019 2:40 PM
To: GET Committee
Subject: FW: Please Settle the Lahaina Injection Wells Lawsuit

From: Caleb Merendino <caleb.j.merendino@gmail.com>
Sent: Thursday, August 22, 2019 6:17 PM
To: environmental.mgmt@mauicounty.gov
Cc: mayors.office@mauicounty.gov; Maui_County_Council_mailbox <county.council@mauicounty.us>
Subject: Please Settle the Lahaina Injection Wells Lawsuit

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Respectfully,

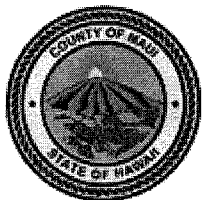
Caleb Merendino

GET Committee

From: County Clerk
Sent: Friday, August 23, 2019 2:37 PM
To: GET Committee
Subject: FW: Please Settle the Lahaina Injection Wells Lawsuit

From: Kelly King <Kelly.King@mauicounty.us>
Sent: Friday, August 23, 2019 2:16 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: FW: Please Settle the Lahaina Injection Wells Lawsuit

With Aloha,



Office of Council Chair Kelly T. King

South Maui Residency
Office: 808.270.7108
200 South High Street, 7th Fl
Wailuku HI 96793
mauicounty.us

From: Caleb Merendino <caleb.i.merendino@gmail.com>
Sent: Thursday, August 22, 2019 6:17 PM
To: environmental.mgmt@mauicounty.gov
Cc: mayors.office@mauicounty.gov; Maui_County Council_mailbox <county.council@mauicounty.us>
Subject: Please Settle the Lahaina Injection Wells Lawsuit

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Respectfully,

Caleb Merendino

GET Committee

From: County Clerk
Sent: Friday, August 23, 2019 2:40 PM
To: GET Committee
Subject: FW: Testimony in support of CC 19-337 Hiring Special Counsel to hold B of A accountable
Attachments: Aug 23 council hearing bullet points.docx

From: Brandon Makaawaawa <bird.bran07@gmail.com>
Sent: Thursday, August 22, 2019 7:55 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Testimony in support of CC 19-337 Hiring Special Counsel to hold B of A accountable

Aloha Maui County Council Chair King and Council Members:

My name is Brandon Makaawaawa. I live in the Waimanalo homesteads and I am a DHHL beneficiary. I am also the Vice-President of Na Po'e Kokua (NPK).

I am submitting testimony in support of item # CC 19-337 "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO INVESTIGATE AND LITIGATE ACTIONABLE CLAIMS AGAINST BANK OF AMERICA AND THE BANKING AND MORTGAGE INDUSTRY".

This past Tuesday on August 20, 2019, the Honolulu City Council Executive And Legal Affairs Committee unanimously passed with no objections **Resolution 19-196, RELATING TO LOAN COMMITMENT FOR NATIVE HAWAIIANS ON HAWAIIAN HOME LANDS** Supporting the Governor's Efforts to Intervene between Na Poe Kokua, the Hawaii Fair Lending Coalition, and the Bank of America to Reach a Settlement Agreement Relating to a \$150 Million Loan Commitment for Native Hawaiians on Hawaiian Home Lands.

Like the resolutions passed by the Hawaii State Senate and Big Island and Kauai county Councils, Honolulu's Reso was very similar to the one initiated and passed by the Maui County Council last fall. Two additions to Honolulu's Reso read as follows:

WHEREAS, in April 2012, the State of Hawaii Attorney General, along with 48 other state attorneys general forced BofA into the \$25 billion national mortgage settlement to resolve the robo-signing scandal involving false evidence of legal standing to foreclose that was filed in foreclosures throughout the State of Hawaii and other judicial foreclosure states, including the State of Florida; and

WHEREAS, pursuant to the terms of the \$25 billion national mortgage settlement, the State of Hawaii received \$7,911,883;...

Testifiers in support of the Resolution included half a dozen Maui and Oahu residents, some of whom reported to the Honolulu Council that Maui County would be hearing today's Resolution. There was no testimony against the Honolulu City Council Resolution.

Before the hearing. we met with Council Chair Ikaika Anderson regarding next steps after the resolution passes final reading – which is expected to happen in the next month or so. One of the topics discussed related to the avenues for all four counties to work together to pro-actively pursue a settlement.

We also discussed efforts by Bank of America lobbyists such as Ivan Lui-Kwan to undermine our work to achieve the fair and final settlement Gov. Ige has called for which our state senate and all four counties now support. Chair Anderson stated during the hearing and directly us that given the fact that the Governor's position supporting a settlement as outlined in his April 18, 2018 letter to Bank of America's Cathy Bessant still stands. Chair Anderson said he is committed to advancing actions to support a BofA settlement.

As the Maui County Council knows, Jobie Masagatani testified before the Maui County Council GET Committee meeting on August 6, 2019 supporting the Governor's letter and confirming the 2012 Hawaiian Homes Commission position that the \$150 Million Commitment has not been met.

On August 12, 2019, I sent an email to Deputy Attorney General Ryan Kanaka`ole about the email that Mr. Kanaka`ole sent to Maui County's Corporation Counsel. I copied the Maui Council GET Committee, Attorney General Clare Connors, the Office of the Governor, and other relevant parties. In addition to questions regarding the impetus for the Deputy AG's email, I specifically asked if Kanaka`ole's email represented an official position of the Attorney General.

I followed up with an email on August 19th, which was also copied to the GET committee, specifically requesting a response prior to the Honolulu City Council hearing. I have not yet receive any response.

Given the fact that as of this date, the Attorney General has not reviewed NPK's twenty years of documents regarding this issue and has yet to take a pro-active stance in support of applying the rule of law on behalf of Native Hawaiians – and that Bank of America has actively worked to combat legislation to hire a special counsel – and in particular demonstrated that it does not want Maui County to retain attorney Bruce Jacobs, who has already been working to support the efforts of Native Hawaiians – I strongly support the County of Maui hiring special counsel as outlined in today's Reso, Item # CC 19-337.

Aloha,
Brandon Makaawaawa
Vice-President Na Po'e Kokua

[00]