

## GET Committee

---

**From:** Mike J. Molina  
**Sent:** Monday, July 22, 2019 9:30 AM  
**To:** GET Committee  
**Cc:** Gary Saldana; Ian Chan Hodges  
**Subject:** Hawaii Wildlife Fund vs. County GET - 26  
**Attachments:** LCH Maui Co v Wildlife-Star-Advertiser\_20190714\_F01\_.pdf

Please transmit attached document to GET item 26.

Thanks,  
Mike

**From:** Ian Chan Hodges <ingenuity@mac.com>  
**Sent:** Sunday, July 21, 2019 8:28 PM  
**To:** Mike J. Molina <Mike.Molina@mauicounty.us>  
**Cc:** Gary Saldana <g.saldana@mauicounty.us>  
**Subject:** My son Liam's op/ed

Hi Mike,

Good talking with you in Kula.

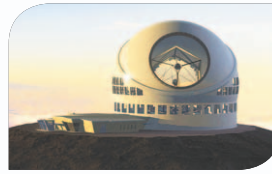
Here's a PDF of my son Liam' Op/Ed which was published this past Sunday in the Honolulu Star-Advertiser. As I mentioned, he went to college in Pennsylvania and is very aware of the political importance of fracking to Trump's chances of winning that state which could turn out to determine the outcome of the general election.

Aloha,  
Ian

# insight

*U.S. Clean Water Act is playing a major role in water pollution cases on Kauai and Maui*

# BROWN WATER BATTLES



## IT'S TIME FOR TMT

Editorial: With security preps in place and calls for calm, let's go on Thirty Meter Telescope >> **F2**

LETTERS TO THE EDITOR >> **F2**  
NEW YORK TIMES SPENDING WELL >> **F5**

## State agribusiness agency must improve water actions on Kauai

By **Kylie Wager Cruz**

A new ruling by a federal judge means the state's Agribusiness Development Corporation (ADC) will no longer be able to use a century-old ditch system as an open sewer to dump millions of gallons of untreated, polluted water into the Pacific Ocean off West Kauai every day. Now, to stop violating the U.S. Clean Water Act, the agency must take actions to protect the people who use and enjoy the beaches and swim in the waters of West Kauai.

The judge ruled against ADC last week in a lawsuit Earthjustice brought on behalf of Na Kia'i Kai, Surfrider Foundation and Pesticide Action Network. The ruling means that, to comply with the act, the state agency will have to get a permit for any pollution discharges from the Mana Plain ditch

Please see **KAUAI, F4**

### ISLAND VOICES



*Kylie Wager Cruz is an attorney with Earthjustice's Mid-Pacific regional office in Honolulu.*

## Maui County should clean up, not fight, wastewater issues

By **Liam Chan Hodges**

The other day I was walking to the D.C. Metro rail in 95 degrees of soul-crushing humidity and I was asked what I miss most about Maui. I let my mind wander home, to Big Beach where the summer swell should be in full swing, to the bays of the North Shore which should be glassy and perfect for diving, and to Twin Falls, Iao Valley and every other hidden stream and pond promising a refreshing respite from the heat of summer.

"The water," for me, the answer to that question is always the same, "I miss the water."

Water defines Maui, as an island, as a tourist hotspot, as a destination for watermen, waterwomen and outdoor enthusiasts, and as an oasis that for centuries has sustained life and culture through both its fresh

Please see **MAUI, F4**

### ISLAND VOICES



*Liam Chan Hodges, of Maui, graduated in May with a bachelor's degree in political science and now works in Washington, D.C.*

obtain NPDES permits if their discharges go directly to surface waters.

Source: U.S. Environmental Protection Agency

monial purposes, surf and swim. Children play in and

ADC had a permit until

protect waterways ... "

steps to follow the law.

# MAUI

Continued from F1

and salt water resources.

And yet, despite this, despite the history, importance and significance of water, of wai and of kai, to our island home, the County of Maui has been compromising our most valuable resource through the daily injection of 4 million gallons of treated wastewater into wells, 90% of which ends up in the ocean.

But that's not all. Maui County is also poised to undermine the Clean Water Act (CWA), which will not only damage America's priceless waterways, but may also strengthen Donald Trump's reelection bid in the process.

The purpose of the CWA is to prevent entities from discharging pollut-

ants into major waterways. In 2012 the Hawaii Wildlife Fund sued the County of Maui for discharging treated sewage into groundwater, and ultimately into the Pacific, without CWA permits.

County of Maui, Hawaii v. Hawaii Wildlife Fund has drawn national attention as it calls into question whether the CWA requires a permit when pollutants originate from a single source, such as an injection well, but still end up in major waterways via groundwater.

Maui County has actively engaged in collusion with Trump's administration in the hopes of swaying the U.S. Supreme Court, going so far as to give up one-third of its argument time to Trump's solicitor general when oral arguments are presented Nov. 6.

If Maui County's efforts

are successful, contamination from mines, oil spills, animal byproducts, toxic waste, sewage, and most notably pollution from fracking, could all be legally disposed of via injection wells. Thus a ruling in Maui's favor could help Trump win key states like Pennsylvania and Ohio where large amounts of income are generated from fracking.

MAUI COUNTY could make this issue go away, if it does the right thing and settles the case, and instead uses the money being spent on legal fees, \$4.3 million through the appeal, to find environmentally healthy solutions that would be good for both our oceans and our nation.

If Maui County refuses to settle this case and ends up gutting the CWA, it will be nothing short of

shameful. For me, being from Maui has always been a point of pride. I have always been extremely grateful to have been born on Maui and to have experienced Maui's uniqueness, diversity and open-mindedness. I always feel a sense of camaraderie whenever I run into someone else from the island when I'm away from home, someone else who understands what Maui truly means, and I'm always, always overwhelmed with pride when another young person from our community succeeds.

However, if next fall, Maui is known as a willing accomplice in environmental degradation, pollution and the prioritization of corporate greed over the health of our planet, then I will for the first time in my life be embarrassed to call Maui home.

