



## *County of Maui v. Hawai'i Wildlife Fund*

### **Abstract:**

On April 23rd, 2020, the United States Supreme Court issued a decision in a decades-old environmental issue, solidifying the power of the Clean Water Act. Since the 1980s, a wastewater treatment facility in Maui had been discharging daily millions of gallons of treated sewage into groundwater that eventually reached waters off a popular beach.

In 2012, Earthjustice sued the county of Maui on behalf of the Hawai'i Wildlife Fund and other environmental organizations for violation of the Clean Water Act's requirement to obtain a permit before directly discharging into navigable waters of the United States. The county argued that because the sewage reached groundwater before the ocean, the discharge was not direct, and therefore the county did not need a permit.

After years of legal battle and settlement attempts, the case made its way to the U.S. Supreme Court, where the justices held in a 6-3 decision that discharging into groundwater that led into the ocean was a direct discharge into navigable waters, and that the county was in violation of the Clean Water Act.

Join us as David Henkin, the attorney who argued in front of the Supreme Court on behalf of the

environmental organizations, discusses in detail the facts and law of the case, and what the decision means for the future of Clean Water Act litigation.



Featuring

**David Henkin**  
Staff Attorney  
Earthjustice, Mid-  
Pacific Office

**3:00 p.m. Friday, October 9<sup>th</sup>, 2020**

**Remote Session via Zoom**

<https://fiu.zoom.us/j/95135104846>

This event is free and open to the public