

**COUNCIL OF THE COUNTY OF MAUI**  
**COMMITTEE OF THE WHOLE**

December 2, 2016

**Committee  
Report No.** \_\_\_\_\_

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on November 18, 2016, makes reference to County Communication 15-6, from Councilmember Mike White, relating to litigation matters.

By correspondence dated December 3, 2015, the Department of the Corporation Counsel requested consideration of a proposed resolution entitled "AUTHORIZING THE SETTLEMENT OF PLAINTIFFS' CLAIM FOR ATTORNEYS FEES AND COSTS RELATED TO HAWAII WILDLIFE FUND, ET AL. V. COUNTY OF MAUI, CIVIL NO. 12-00198 SOM BMK."

The purpose of the proposed resolution is to authorize settlement of Plaintiffs' claim for attorneys' fees and costs related to Hawaii Wildlife Fund, et al. v. County of Maui, Civil 12-00198 SOM-BMK. The case involves allegations of violations under the Federal Water Pollution Control Act, also known as the Clean Water Act, and other laws, arising out of the County's operation of injection wells at the Lahaina Wastewater Reclamation Facility.

A Deputy Corporation Counsel noted the case is currently pending before the Ninth Circuit Court of Appeals. The Deputy noted no action is currently needed on the proposed resolution.

Your Committee voted 7-0 to recommend filing of the correspondence. Committee Chair Guzman, Vice-Chair Crivello, and members Carroll, Cochran, Hokama, Victorino, and White voted "aye." Committee members Baisa and Couch were excused.

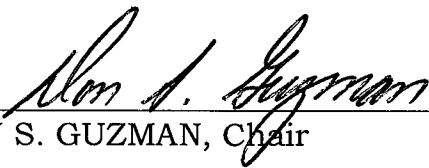
Your Committee of the Whole **RECOMMENDS** that the correspondence dated December 3, 2015, be FILED.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
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DON S. GUZMAN, Chair

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