



Clean Water Webinar: Lessons Learned from the Supreme Court's *Maui* Decision

May 28, 2020

Thank you for joining the webinar.

** We will begin shortly. **

Housekeeping

- ▶ If you have problems with the webinar audio, you can join by phone at 1-646-558-8656; Webinar ID: 956 4979 3075
- ▶ All participants will be muted during the webinar.
- ▶ If you have questions during the presentation, please type them into the Q&A box located at the bottom of your screen. Your questions will be visible to the moderator and presenters only.
- ▶ The webinar is being recorded and will be shared shortly after the event.
- ▶ Members of the press may be joining today's webinar.

What is CPR?



- ▶ **Vision:** CPR is a “think-and-do tank” helping to build thriving communities on a resilient planet.
- ▶ **Mission:** CPR pursues a strategic agenda that emphasizes education, advocacy, and community collaboration.
- ▶ CPR operates with a network of 60+ Member Scholars who are leaders in various legal academic fields, and a professional staff of policy analysts, communication experts, and others.
- ▶ We work together on a variety of programs—national and regional—all dedicated to the idea that government safeguards and other regulations are a key to social justice and planetary health.

Presenters



Hannah Bernard,
Co-Founder and
Executive Director,
Hawaii Wildlife Fund



Steph Tai,
Professor,
Univ. of Wisconsin Law
School



Rob Verchick,
Professor,
Loyola University - New
Orleans School of Law



David Henkin,
Staff Attorney,
Earthjustice



Amanda Leiter,
Professor,
American Univ. Washington
College of Law

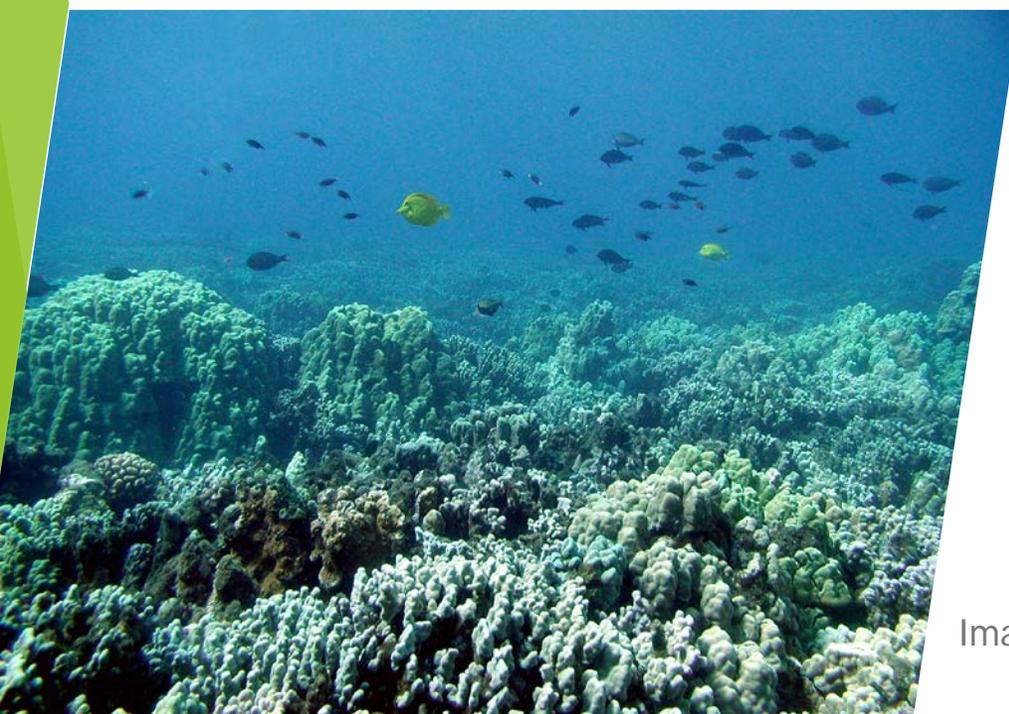


Melissa Lyttle for Earthjustice





Reef at Hā‘enanui
(Kahekili Beach Park)
with (top) and
without (bottom)
injected wastewater

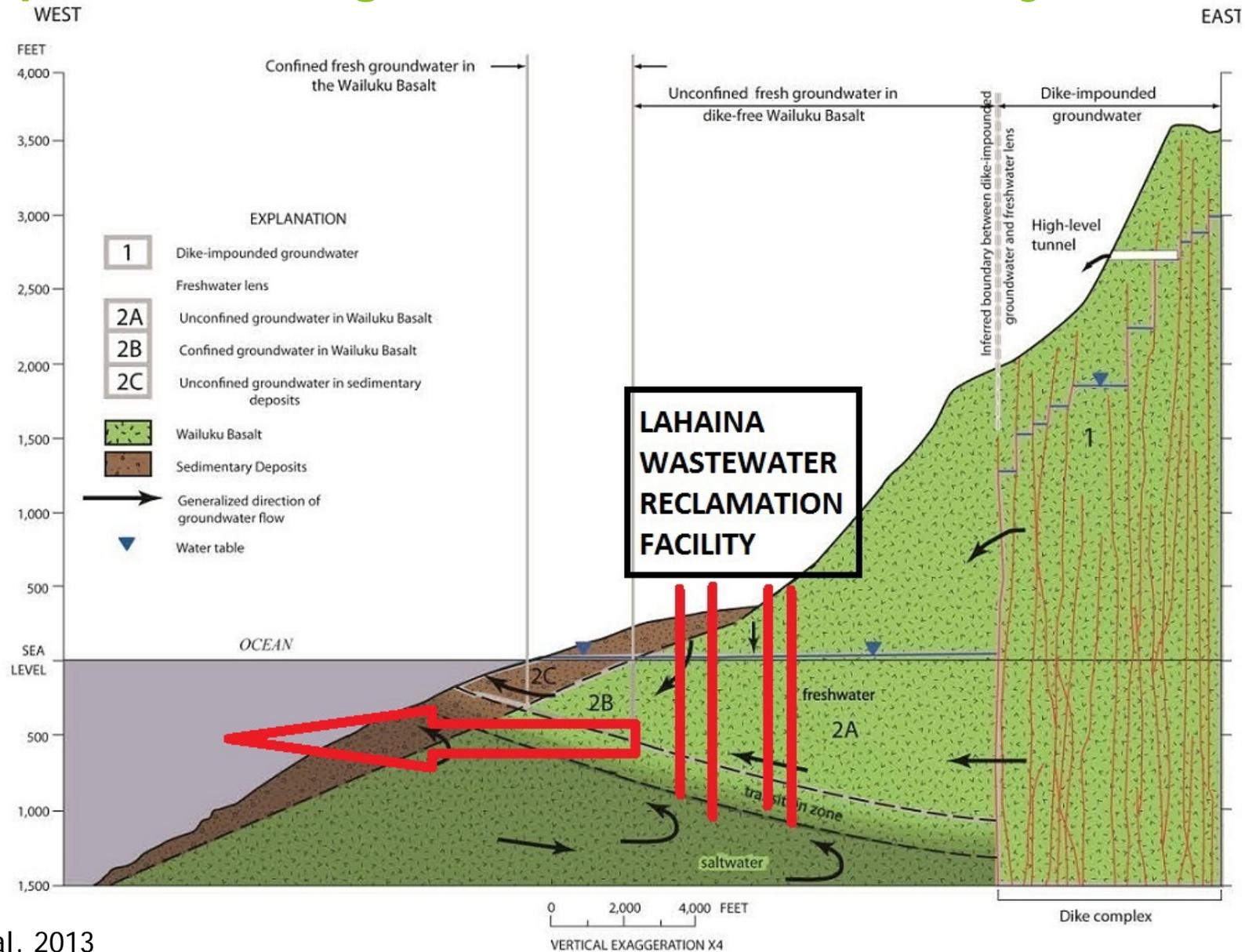


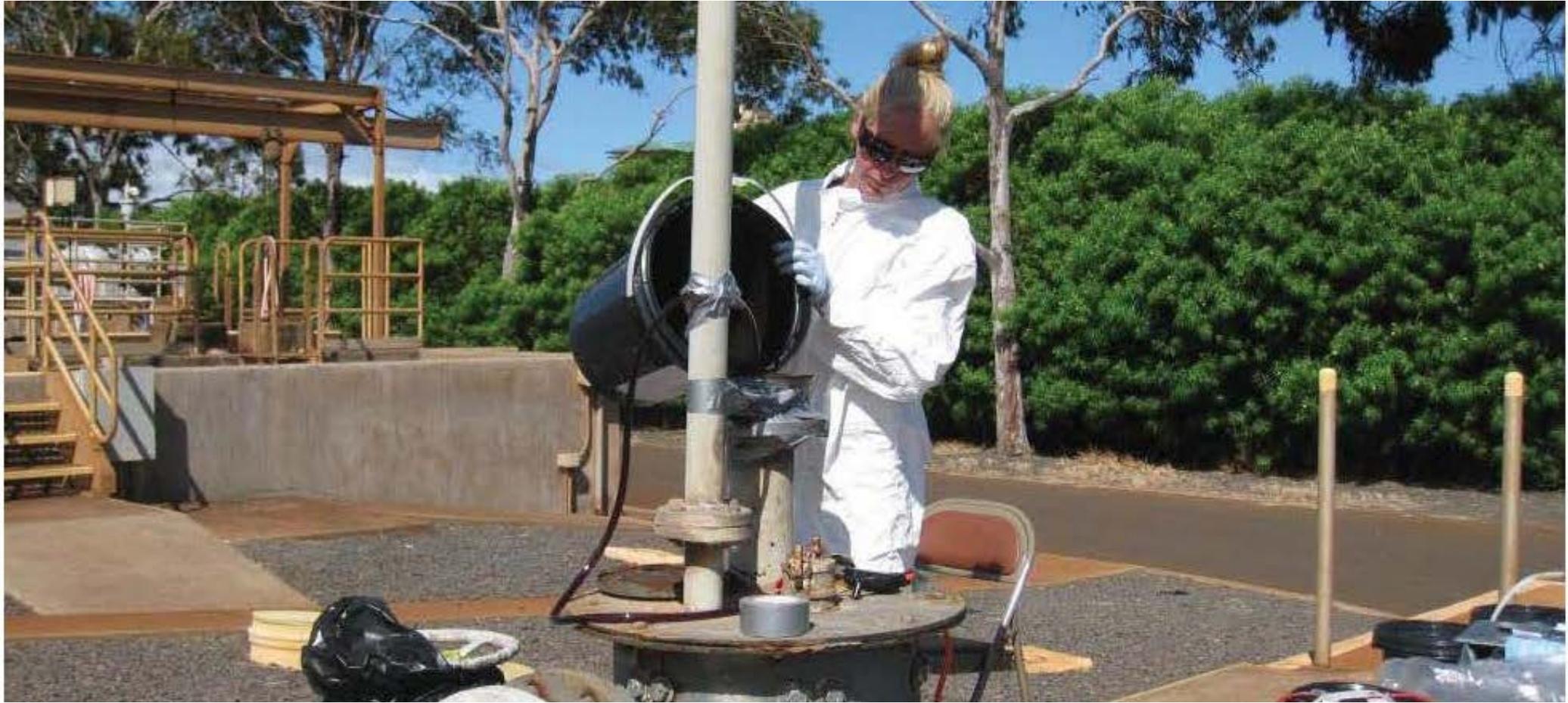
Images courtesy of Jen Smith

Locations of Lahaina injection wells and submarine springs at Hā‘enanui



Conceptual design of Lahaina facility





Glenn, et al. 2013

Tracer Dye Entering Reef at Hā‘enanui

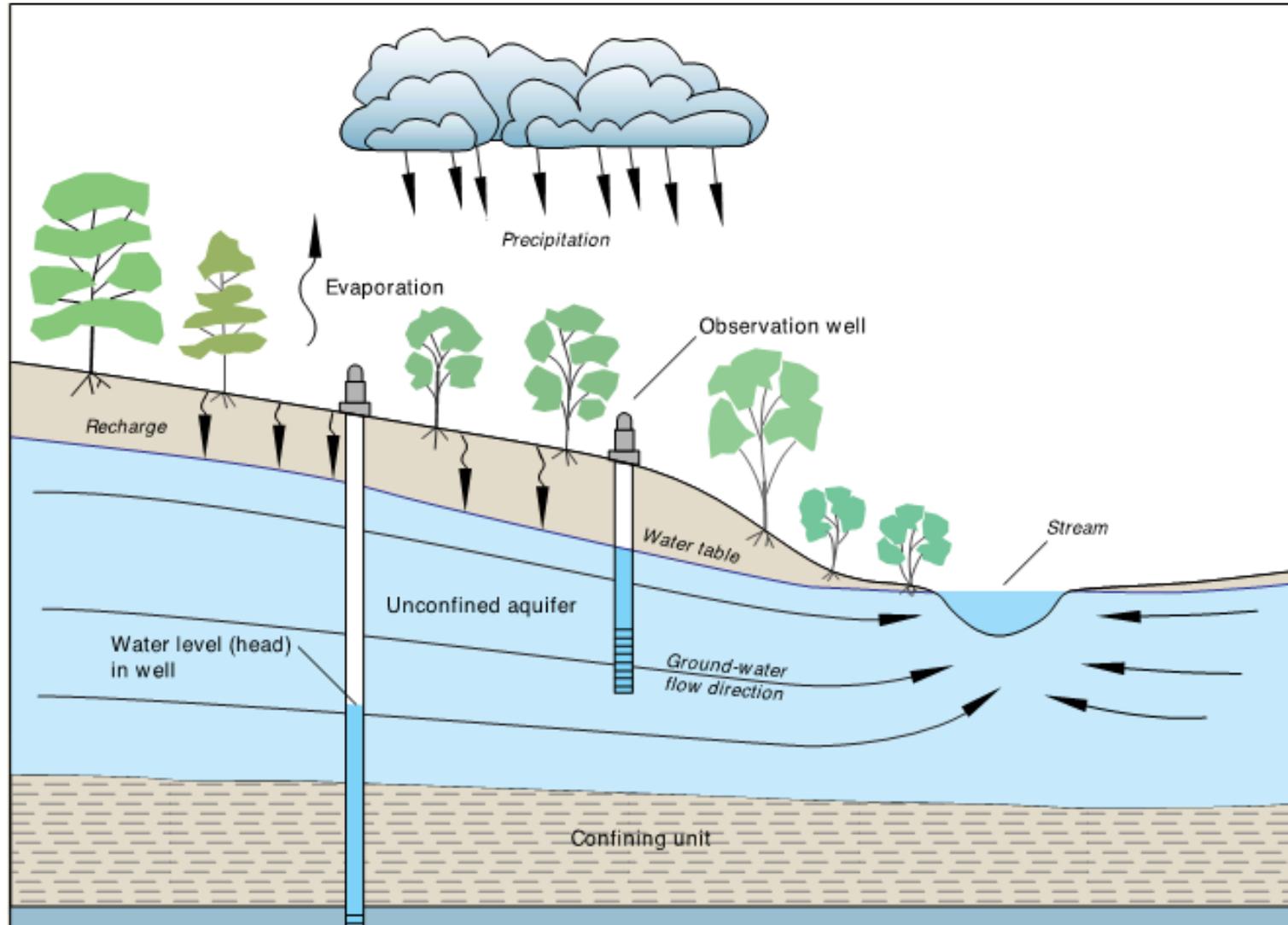


Video
courtesy of
Meghan Dailer

“Functional Equivalent of Direct Discharge”

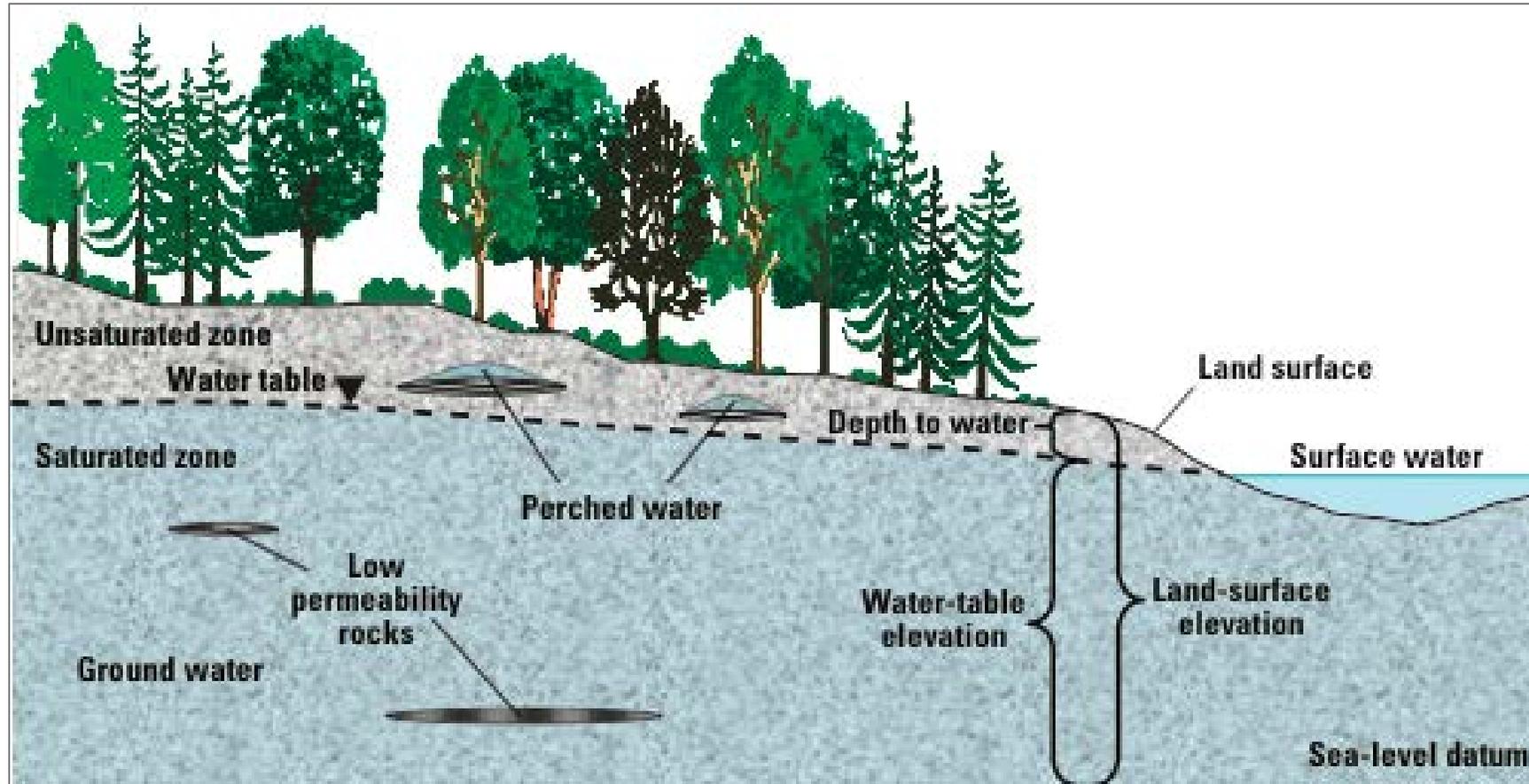
- Transit Time
- Distance Traveled
- Nature of Material Through Which Pollutant Travels
- Extent to Which Pollutant = Diluted/Chemically Changes
- Percent of Pollutant Reaching Navigable Waters
- Manner By Or Area In Which Pollutant Enters Navigable Waters
- Degree to Which Pollution Maintains Its Specific Identity

Cross section of an aquifer system with both unconfined and confined units



Source: Charles J. Taylor & William M. Alley, *Ground-Water-Level Monitoring and the Importance of Long-Term Water-Level Data* 4 fig.A-2 (U.S. Geological Survey Circular 1217, 2001).

Cross section of an aquifer system with both unconfined and perched units



Source: Daniel T. Snyder, *Estimated Depth to Ground Water and Configuration of the Water Table in the Portland, Oregon Area* 4 fig.2 (U.S. Geological Survey Sci. Investigations Report 2008-5059, 2008).

Questions?

Please type your questions in the Q&A box.

Thank you for joining us!

Upcoming CPR webinar: Healthy soils and just transition, June 3, 6-7:30pm ET

Please complete the survey on your screen after exiting!

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