



DEPARTMENT OF LAND AND NATURAL RESOURCES

NEIL ABERCROMBIE  
GOVERNOR

WILLIAM J. AILA, JR.  
CHAIRPERSON

FOR IMMEDIATE RELEASE  
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**MAUI PARTIES REACH AGREEMENT IN NA WAI 'EHA  
AMENDED INTERIM INSTREAM FLOW WATER CASE**

HONOLULU -- The Parties in the *Na Wai 'Eha Contested Case* Hearing on Maui (Hui O Na Wai 'Eha and Maui Tomorrow Foundation, the Office of Hawaiian Affairs, Hawaiian Commercial and Sugar Company, Wailuku Water Company, and the County of Maui Department of Water Supply) have reached an agreement with regard to the *Amended Interim Instream Flow Standards for Waihe'e, Waiehu, 'Iao, and Waikapu streams on Maui*.

Under this agreement, more water will be returned to the streams of Na Wai 'Eha, particularly to 'Iao stream.

The Parties addressed six issues the Hawai'i Supreme Court asked the State Commission on Water Resource Management ("Commission") to consider, including the effect of instream flows on traditional and customary practices and alternative management actions. *In Re 'Iao Ground Water Management Area*, Hawai'i Supreme Court (No. SCAP-30603, August 15, 2012).

The Parties reached an agreement and entered a Stipulation with the assistance of a mediator, Mr. Robbie Alm. The Hearing Officer Dr. Larry Miike reviewed the mediated agreement and recommended approval. The Attorney General reviewed and approved the settlement.

Finally, the State Commission on Water Resource Management reviewed and approved the Stipulation which settles the lawsuit.

William J. Aila, Jr., Chairperson of the State Commission on Water Resources Management praised the Parties and their lawyers for creating a solution to this long and extraordinarily difficult conflict through their own efforts. "It was the Parties themselves who chose to reach this agreement. Without their collective will to work out a solution, this would not have happened."

Gov. Neil Abercrombie agreed saying, "After decades of disagreement, this is a huge step forward in the history of water on Maui. There is more to be done, but we look forward to working with all the Parties in the future. The mediator and the Water Commission helped facilitate the conversation, but it was really the people on Maui who made it possible."

A copy of the Commission's Order, the Hearing Officer's Recommendation, and the Parties' Stipulation is attached.

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