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TOP NEWS

Water commission orders restoration of East Maui streams

By Associated Press • June 24, 2018

WAILUKU >> The Hawaii water commission has ordered the full restoration of flows to 10 Maui streams and ordered no or limited diversions for seven streams to restore habitats.

The decision Wednesday by the state Commission on Water Resource Management concludes a nearly two-decade battle over east Maui water rights that pitted Native Hawaiian taro farmers and practitioners against Hawaii land owner Alexander & Baldwin Inc., The Maui News reported.

Na Moku Aupuni O Ko'olau Hui, a group of taro farmers, fishermen, hunters and traditional practitioners, had filed a petition in 2001 to amend the flow standards of more than two dozen streams that A&B has historically diverted for its sugar cane fields. The group claimed diverting the water had negatively impacted stream life, taro farming and other Native Hawaiian practices.

Setting the in-stream flow standard with the full restoration of 10 streams is "unprecedented," said Summer Sylva, staff attorney with the Native Hawaiian Legal Corp., which represented the group.

She described the 90 percent habitat recovery of seven streams as a "huge triumph," saying it "reflects a valuing of the east Maui watershed for the life and traditions it supports — taro farming, fishing, hunting, gathering, recreational use, stewardship and its awe-inspiring beauty."

The commission estimated that its decision meets about 90 percent of the "reasonable irrigation needs" for 23,000 acres (9,307 hectares) of important agricultural lands.

"It's a lengthy decision. We are still reviewing it relative to our goal, which has always been to put the entire former HC&S (Hawaiian Commercial & Sugar Co.) footprint into sustainable, diversified agricultural operations," A&B spokesman Darren Pai said.

TRIAL EXHIBIT AB-27

Civil No. 19-1-0019-01 (JPC)

Defendant A&B/EMI's Exhibit AB-27

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