

Sugar, Water Companies Settle Maui Water Dispute

AUDREY McAVOY, Associated Press

HONOLULU (AP) — Native Hawaiian and environmental groups have settled a decade long dispute with Hawaiian Commercial & Sugar and Wailuku Water Co. over the diversion of water from four Maui streams, officials said Monday.

The settlement will restore water flow to all four Na Wai Eha streams in central Maui — Waihee, Waiehu, Iao and Waikapu — said Isaac Moriwake, an attorney for Earthjustice who represented the groups Hui o Na Wai Eha and the Maui Tomorrow Foundation in the case.

Sugar plantations have been irrigating their fields with water diverted from the streams for more than a century. This practice has supported a major state industry and Maui employer, but it has also deprived communities downstream of water, including Native Hawaiians who need water to grow taro.

The plaintiffs filed a complaint with the state water commission in 2004 to enable taro farming and the restoration of habitat for native species.

"After 10 years of this case, and a hundred-plus years of these streams being diverted dry, finally all four of the Na Wai Eha streams are going to be flowing," Moriwake said.

Alexander & Baldwin Inc., the parent company of Hawaiian Commercial & Sugar, said the settlement represents a compromise on the part of all parties involved.

"We respect and appreciate the good faith exhibited by all who were involved in the mediation, and the time and effort everyone invested in the process," the company said in a statement.

The company thanked William Aila, chairman of the Board of Land and Natural Resources, for raising the possibility of a mediated resolution. It also thanked the mediator, Robbie Alm.

A phone message seeking comment from Wailuku Water Co. was not immediately returned.

HC&S, the state's last remaining sugar plantation, uses the central Maui stream water to irrigate about 5,300 of its 35,000 acres of sugarcane fields. HC&S irrigates the rest of its fields with groundwater and water diverted from east Maui streams.

Wailuku Water is an offshoot of the former sugar plantation Wailuku Sugar Co., which sold its land and no longer grows sugar. Wailuku Water takes water once

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diverted for Wailuku Sugar and sells it to housing subdivisions, Maui County, cattle ranchers, golf courses, HC&S and others.

Moriwake said the settlement establishes how much water should be flowing in the streams, or the in-stream flow standard, for the streams. It doesn't establish how much the companies will be allowed to divert.

Entities that want to continue diverting water from the streams — like HC&S and Wailuku Water — will need to seek permits from the state water commission, Moriwake said. The commission will determine how much water they may take from the streams.

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