

# Maui moves to restore diverted stream water

County sets aside funds for possible purchase of watershed lands

By Sterling Kini Wong  
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In June, the Maui Council set aside \$7.2 million for the appraisal and possible acquisition of roughly 13,000 acres of watershed land in Central Maui, where county lawmakers plan to restore water to area streams to ensure that there is enough water to support domestic uses, native stream life and traditional Hawaiian practices.

The appropriation, which was included in the council's new budget, would allow the county to acquire, by condemnation if necessary, portions of the century-old plantation irrigation ditch system and related lands owned by Wailuku Water Company, formerly Wailuku Agribusiness. The goal is to restore water to three of the four famed streams of Central Maui, traditionally called Nā Wai 'Ehā, or the Four Great Waters.

The council's budget appropriation was the next step in a plan to help resolve what some are calling Maui's "water crisis." In December 2005, Maui Mayor Alan Arakawa

agreed to work towards acquiring the ditch system to restore water to the streams of 'Īao, Waihe'e and Waiehu. In return, OHA and two Maui groups withdrew their legal challenges against the county's permit applications for water from 'Īao Aquifer, Maui's primary source of drinking water.

OHA Chair Haunani Apoliona said that the county's budget allocation will help to heal "environmental and cultural wounds" suffered from over a century of devastating stream diversions.

"When water was diverted from streams and lo'i kalo for sugar beginning in the 1850s, economic growth came at the expense of Native Hawaiian culture and practices and the ecosystems of Central Maui, on which all residents depend," she said. "By working together with us, the council and mayor have taken a progressive step to reshape Maui's future. Now our culture, our streams and ocean, and our economy can thrive for the benefit of all."

On a normal day, long stretch-



John and Rose Marie Duey are kalo farmers in 'Īao Valley who are affected by the massive water diversions from Central Maui streams.

- Photo: Sterling Kini Wong

es of Nā Wai 'Ehā streams are left dry, as water is diverted into the extensive ditch system. The shortage of water hinders the ability of farmers to grow kalo and has a disastrous impact on native stream life, such as o'opu (gobies), hīhīwai (limpet) and 'ōpae (crustaceans). Moreover, environmentalists question why half of the 60 million gallons of water produced by Nā Wai 'Ehā streams per day still continues to be diverted when the sugar industry has been dramatically scaled back on Maui.

The current dispute started in 2003, when the state water commission took control of the 'Īao Aquifer because it said the county was mismanaging it. As a result,

the county and all other users were required to apply for permits with the state for water from the aquifer, and OHA and the two Maui groups subsequently challenged the county's applications.

In November, Arakawa sent a letter to Avery Chumbley, president of Wailuku Agribusiness, requesting that the company voluntarily restore water to the 'Īao and Waihe'e streams so that they flow continuously from mauka to makai, which is crucial for the survival of the native aquatic life in the streams.

Chumbley, now president of the Wailuku Water Company, declined to comment for this story.

Meanwhile, efforts are under

way to establish the state's guidelines for the minimum amount of water that would have to run in Nā Wai 'Ehā streams to support domestic uses, native stream life and Hawaiian practices. OHA, Maui County, Hawai'i Commercial & Sugar Company, Wailuku Water Company and the environmental law firm Earthjustice are currently involved in a contested case hearing to work out those "instream flow standards."

If the council does acquire Wailuku Water Company's watershed and ditch systems, it would have to restore water to the streams in accordance with the instream flow standards, once they are adopted.

## Federal Office of Hawaiian Relations to hold meetings

The new federal Office of Native Hawaiian Relations will conduct a series of meetings throughout the state in August to inform people about the mission of the office and to gather public input on the creation of a notification list that will be used by federal agencies to consult with Native Hawaiian organizations.

Congress created the office, which falls under the jurisdiction of the U.S. Department of the Interior, in 2004 and funded it with \$100,000. At the time of its establishment, Sen. Daniel Akaka called the office "an integral element in the ongoing reconciliation process between Native Hawaiians and the federal government that we initiated under the 1993 Apology Resolution." The office is tasked with coordinating the federal

government's special trust relationship with Hawaiians.

The office is currently generating a notification list of Native Hawaiian organizations that will be used by federal agencies to carry out their legal obligations to consult with Hawaiians in accordance with certain federal laws, like the Native American Graves Protection and Repatriation Act.

While the majority of the criteria for inclusion on the notification list are governed by federal laws and can only be changed by Congress, the public can provide constructive input on some aspects of the notification list, said the office's director, Ka'ī'ini Kimo Kaloi.

An individual or organization, which includes families, may provide both oral and written testimony at the public

gatherings, or comments may be sent to the office in Washington, D.C. Because of limited resources, a written copy of oral comments is appreciated, but not required. Written comments must be received by Oct. 17 to be considered. Send comments to: U.S. Department of the Interior, Office of Hawaiian Relations (OS/PHI), 1849 C St., NW, Mail Stop-3530, Washington, D.C. 20240.

The schedule of the meetings, all of which will be held from 6 p.m. to 9 p.m., is:

- Aug. 14 – Pu'uhonua o Hōnaunau, Hawai'i island,
- Aug. 15 – Hawai'i Volcanoes National Park
- Aug. 16 – Maui Community College
- Aug. 17 – UH Mānoa Center for Hawaiian Studies, O'ahu.

## KAKA'AKO

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Hawai'i Cancer Research Center.

Of OHA's proposed headquarters and culture center, HCDA Executive Director Daniel Dinell told the *Honolulu Star-Bulletin*: "It's good to have a use that's compatible with the public use of the park. Now OHA is taking the lead in the providing that cultural amenity."

OHA currently leases office space at the Pacific Park Plaza building at 711 Kapi'olani Blvd. in Kaka'ako for approximately \$1 million per year – and has been at that location since 1991.