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February 15, 1995

Trustee Kina'u Boyd Kamali'i
Chair, Land and Sovereignty Committee
Office of Hawaiian Affairs
711 Kapiolani Blvd, Suite 500
Honolulu, Hawaii 96813
Fax Number: 594-1864

Dear Trustee Kamali'i:

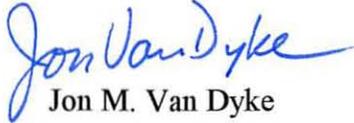
I am writing with regard to the range of activities that the Office of Hawaiian Affairs is interested in regarding the protection of water rights for the Hawaiian community. As you know, this interest has focused on the water in the Waiahole Irrigation Ditch, and the contested case hearing that will be held by the Commission on Water Resource Management. OHA has submitted a request for a reservation of water to support taro and other agriculture on the ceded lands in the Windward region and is supporting the instream flow standards for the Windward streams in order to ensure that Hawaiians can engage in gathering and other traditional cultural activities. OHA's Board of Trustees has approved a budget of \$96,250 to support the legal representation and the various experts needed to support these claims. This budget is sufficient to support an adequate representation of OHA on these matters, and I have indicated in my February 7 letter to you the details of the legal strategy that we are developing.

This letter is written regarding additional water-related matters that OHA is interested in. As you know, OHA has received requests for assistance regarding the water disputes on Molokai. In addition, it would be appropriate and highly useful for OHA to comment on, and challenge, the requests for water now being filed by some of the major economic interests in the state (Dole, Campbell Estate, etc.), which are seeking to retain the water from the Waiahole Ditch to irrigate the Leeward areas, and provide water for planned housing developments. To effectively critique these requests may require using experts on water matters. Requests have also been received to comment on the Hawaiian Water Rights Draft Rules, and other legislative and administrative regulations regarding water.

I need the advice of the Land and Sovereignty Committee and the Board of Trustees regarding how these related matters should be handled. Realistically, to deal with all these related matters will require the expenditure of considerable time and experts may need to be consulted to do a professional job regarding these technical matters. The funds previously authorized cannot

be stretched to enable us to undertake these additional tasks. Therefore, additional funds must be appropriated if these additional matters are to be handled professionally on OHA's behalf. Although these matters have an open-ended quality to them and specific estimates are difficult, it appears that a sum equal to the amount previously authorized would be needed in order to handle all these related water matters during the coming year. Please let me know how you would like to proceed on this matter.

Sincerely yours,



Jon M. Van Dyke