

26 MAY 7 PM 3:25 DLNR-CWRM

TY MANAGEMENT CORPORATION

May 7, 2026

HAND DELIVERED

Commission on Water Resource Management
1151 Punchbowl St # 227
Honolulu, Hawaii 96813

Re: Applications for Surface Water Use Permits, Lahaina Aquifer Sector Area Water Management Area, Honokōhau, Honolulu, Kahoma, Kaua`ula, Olowalu, Ukumehame Streams, Maui

Commission Members and Staff:

Pursuant to the above Commission on Water Resource Management (“CWRM”) public notice (“Public Notice”), comments may be filed on or before May 7, 2026, by any person having a property interest in the Lahaina Aquifer Sector Area Water Management Area (“WMA”). TY Management Corporation (“TY”) is the landowner of two golf courses located within the WMA and is directly affected by water used within that hydrologic unit. Respectfully, TY submits its **comments** below on the surface water use applications for new and existing uses identified herein (“Applications”) to assure compliance with the provisions of Chapter 174C HRS.

TY would like to (1) raise the question of how the Commission plans to treat the amounts of water requested in these Applications and (2) request that all the applications be heard together in a public hearing.

1. Amounts of Water Requested in the Applications

The requested amounts of water for the net irrigated acreage in the Applications should be reviewed to follow previously affirmed duty water rates derived from Hawaii Supreme Court cases that were applied to agricultural uses.

It is not clear how the water requested for each Application was calculated or measured. For example, it is unclear in the Applications whether the inflow amount to a taro lo‘i was used without subtracting the amount of water returned back into the stream. We note that the requested amounts of some Applications appear to be disproportionately high when compared to other Applications for the same acreage of land being irrigated.

2. Request for a Public Hearing on All Surface Water Use Permit Applications

Under the Commission rules, a public hearing is required to the extent that there are multiple competing existing users of the same source of water that collectively may exceed the established IIFS. HAR § 13-171-14(c)

Although there is enough water in the stream to meet the IIFS and fulfill the requested amounts of water in the current batch of Applications, depending on how the Commission allocates water to the current batch of Applications, it is possible that there is not enough water to fulfill the amounts requested in the remaining applications and reservations from the Department of Hawaiian Home Lands, the County of Maui, and other existing reasonable-beneficial users. Thus, we believe that all applications should be considered in the same hearing in order for the Commission to balance the needs of all applicants. A consolidated public hearing may be the best way to accomplish this.

This comment letter reserves and does not waive any of TY's rights under Chapter 91 HRS, Chapter 174C HRS, and the CWRM administrative rules.

Thank you for your attention to this matter.

TY MANAGEMENT CORPORATION

By: /s/ Kenji Yui
Kenji Yui
General Manager