

RICHARD T. BISSEN, JR.
Mayor

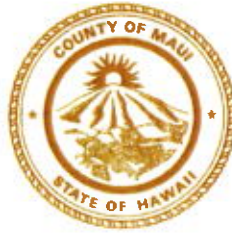
SHAYNE R. AGAWA, P.E.
Director

ROBERT SCHMIDT
Deputy Director

MICHAEL KEHANO, P.E.
Solid Waste Division

ERIC A. NAKAGAWA, P.E.
Wastewater Reclamation Division

Environmental Protection &
Sustainability Division



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

November 3, 2023

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, HI 96793

APPROVED FOR TRANSMITTAL

[Signature] 11/7/23

Mayor Date

For Transmittal to:

Honorable Tom Cook, Chair
Water and Infrastructure Committee
200 South High Street,
Wailuku, HI 96793

Dear Councilmember Cook:

**SUBJECT: BILL 90 (2023), RELATING TO UTILITY LINES AND FACILITIES
(WAI-12)**

In response to your correspondence dated October 23, 2023 requesting comments or suggested revisions regarding Bill 90 (2023), the Department of Environmental Management has no comments.

Thank you for the opportunity to provide you with information on this matter. Should you have any questions or concerns, please feel free to forward them to the Department of Environmental Management via transmittal through the Office of the Mayor.

Sincerely,

[Signature]

Digitally signed by Shayne R. Agawa, P.E.
DN: cn=Shayne R. Agawa, P.E., o=County of
Maui, ou=Director of Environmental
Management,
email=shayne.agawa@co.maui.hi.us, c=US
Date: 2023.11.03 12:37:17 -1000

SHAYNE R. AGAWA, P.E.
Director of Environmental Management

ORDINANCE NO. _____

BILL NO. 90 (2023)

A BILL FOR AN ORDINANCE AMENDING SECTION 18.20.140, MAUI COUNTY
CODE, RELATING TO UTILITY LINES AND FACILITIES

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. This Ordinance's purpose is to implement the General Plan's directives to require the undergrounding of more utility lines.

SECTION 2. Section 18.20.140, Maui County Code, is amended by amending subsection (B) to read as follows:

"B. Utility lines, including [but not limited to] those required for electric, telephone, street lighting, cable television services, and internet services, and other related facilities[, shall] must be installed underground in all subdivisions [laid out within the industrial, business, hotel, apartment and duplex areas in accordance with] under the applicable standards and methods employed for [such] underground installation by the public utility companies, [involved; provided, however,] except where a subdivision consists of three or fewer lots [or less], the subdivider may, upon the director's approval, [of the director,] arrange to have [such] utility lines and related facilities installed overhead [in accordance with] under the standards and methods employed for [such] overhead installation by the public utility companies. [The director may require the installation of underground utilities serving the subdivision in other urban areas in order to assure compatibility with neighboring developments.] The subdivider [shall be responsible for making] must make the necessary arrangements with government agencies and the public utility companies [concerned] for the installation of [such] utility lines and related facilities [in accordance with the requirements of this chapter.] consistent with this chapter's requirements. Utility lines and related facilities installed under this section must not interfere with other underground utilities or proposed locations of other underground utilities."

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

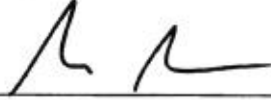
SECTION 4. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Michael J. Hopper

MICHAEL J. HOPPER
Deputy Corporation Counsel
Department of the Corporation Counsel
County of Maui
LF2023-1537
PAF 23-268 2023-09-26 Ord Amd Ch 18.20
paf:ebm:23-268a

INTRODUCED BY:



GABE JOHNSON

WAI Committee

From: Michelle Santos <Michelle.Santos@co.maui.hi.us>
Sent: Tuesday, November 7, 2023 10:24 AM
To: WAI Committee
Cc: Cynthia Sasada; Josiah Nishita; Kekuhaupio Akana; Leo Caires; Louise Batoon; Nadine Orikasa; Pili Nahooikaika; Robert Schmidt; Shayne Agawa
Subject: MT#10357 Bill 90, Relating to Utility Lines and Facilities
Attachments: MT#10357-WAI Committee.pdf

NOTE: PLEASE DO NOT FORWARD MY EMAIL TO ANYONE OUTSIDE OF THE COUNTY OF MAUI. YOU MAY CLICK ON THE ATTACHMENT ITSELF AND CREATE YOUR OWN EMAIL TO FORWARD THE DOCUMENT TO ANOTHER PERSON OUTSIDE OF THE COUNTY.

Michelle L. Santos

Office Operations Assistant

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