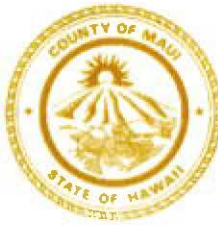


**RICHARD T. BISSEN, JR.**  
Mayor

**RICHARD E. MITCHELL, ESQ.**  
Director

**SAUMALU MATA'AFU**  
Deputy Director



**DEPARTMENT OF HOUSING**  
COUNTY OF MAUI  
2065 MAIN STREET, SUITE 108  
WAILUKU, MAUI, HAWAI'I 96793  
PHONE: (808) 270-7351  
FAX: (808) 270-6284

March 12, 2025

Honorable Richard T. Bissen, Jr.  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawai'i 96793

**APPROVED FOR TRANSMITTAL**

*Richard T. Bissen, Jr.* 3-13-25  
Mayor Date

For Transmittal to:

Honorable Tom Cook, Chair  
Water and Infrastructure Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawai'i 96793

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

Dear Chair Cook,

The Department of Housing (Department) is in receipt of your letter dated February 28, 2025, requesting a response to questions relating to Section 18.20.140, Maui County Code. The Department's responses are as follows:

- 1. Will the mandatory undergrounding of utility lines increase development cost for workforce housing projects? If so, are there any anticipated mitigation strategies or financial assistance programs to offset these costs?**

Requiring utility lines to be built underground will likely increase the development costs for workforce housing projects. Workforce

housing developers are responsible for covering the costs, including upgrades and in obtaining the necessary permits and approvals. The Department defers to the Maui Emergency Management Agency to discuss tools and funding that help defray hazard mitigation costs for underground utility installation.

- 2. If approved, how might Bill 90 affect the approval process for developers who are working within budget constraints to provide affordable housing?**

Affordable housing developers will be required to follow all permit approval processes relating to installing utility lines underground.

- 3. What is the Department's plan to have discussions with public utility companies regarding the feasibility of implementing underground requirements in a timely and cost-effective manner, specifically in existing and planned workforce housing developments?**

The Department defers to the Department of Public Works to discuss the feasibility of requiring utility lines to be installed underground.

- 4. Please provide a list of exemptions or alternatives for workforce housing projects in cases where the undergrounding of utility lines may not be feasible due to financial or infrastructural constraints.**

Chapter 2.97, Maui County Code, and Chapter 201H-38, Hawaii Revised Statutes, provide affordable housing developers with a process to request exemptions from State and County laws.

Should you have further questions, please contact me or the Department at (808) 270-7110 or email at [director.housing@co.maui.hi.us](mailto:director.housing@co.maui.hi.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Mitchell', with a large circular flourish on the left and a horizontal line extending to the right.

RICHARD E. MITCHELL, ESQ.  
Director of Housing

## WAI Committee

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**From:** Michelle L. Santos <Michelle.Santos@co.maui.hi.us>  
**Sent:** Friday, March 14, 2025 10:44 AM  
**To:** WAI Committee  
**Cc:** Cynthia E. Sasada; Erin A. Wade; Josiah K. Nishita; Kelii P. Nahooikaika; Amanda M. Martin; Richard E. Mitchell; Saumalu Mataafa  
**Subject:** MT#11006 Bill 90  
**Attachments:** MT#11006-WAI Committee.pdf