

RICHARD T. BISSEN, JR.
Mayor

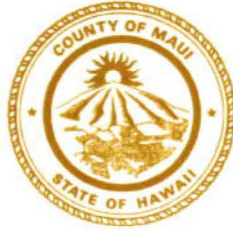
SHAYNE R. AGAWA, P.E.
Director

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

March 11, 2025

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

APPROVED FOR TRANSMITTAL

3/11/25
Mayor **Date**

For Transmittal to:

Honorable Tamara Paltin, Chair
Disaster Recovery, International Affairs, and Planning Committee
200 South High Street
Wailuku, HI 96793

Dear Councilmember Paltin:

SUBJECT: BILL 103 (2024), AMENDING CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO DENSITY WITHIN RESIDENTIAL DISTRICTS (DRIP-2)

In response to your March 10, 2025, request regarding Bill 103 and density within residential districts the Department of Environmental Management (DEM) provides the following response:

- 1. How could Bill 103's provisions apply to residential lots that contain cesspools, such as Waihikuli? What would be the limitations? Please explain.***

Cesspool use is regulated by the State Department of Health, and they should be consulted for actual regulations.

Legislation has mandated that cesspools are no longer allowed to be constructed as a means of wastewater disposal and existing cesspools must be eliminated as required by the current 2050 deadline (ACT 125). Therefore, an alternative treatment/disposal system or systems would need to be approved by the Department of Health before additional dwellings could be constructed on a lot.

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2. ***How could Bill 103's provisions apply to residential lots that contain septic systems? What would be the limitations? Would a septic tank's size determine the number and type of units the lot can support? Please explain.***

Septic systems are regulated by the State Department of Health, and they should be consulted for actual regulations.

Septic systems and associated leach fields can use a significant amount of land and could/will limit the density on any given lot. The size of systems is determined by an engineer considering the estimated waste loading, soil type/conditions, percolation rates and other factors. These systems limit the effective developable area and thus the density.

Setbacks should allow vehicle/equipment access to septic systems for maintenance, pumping and potential future replacement. Eaves overhanging setbacks can be problematic and hinder access for equipment commonly used in these installations.

3. ***If a residential lot is connected to a sewer system, what factors would limit the number and type of units the lot can support?***

Sewer lateral size – Laterals connected to the County wastewater system should be 6-inch diameter. Some older laterals are four inches (4) and should be replaced when additional units are added. A cleanout is required within two feet of the property line for residential lots. Lots with flows over 1,500 gpd are required to have a service manhole in lieu of a cleanout. These additional costs could limit density.

Sewer line size, pump station capacity and Wastewater Reclamation Facility capacity – Higher densities increase the flow volume in the County collector and trunk lines. The effects of a single lot are normally negligible, the cumulative effect of many lots needs to be monitored with actions taken to increase capacity or prohibit new construction when capacity is reached.

Easements for sewer lines are often parallel to side and rear lot lines. Encroachment of buildings (including eaves) is not allowed in order to permit vehicle/equipment access. Easement area limits the available area for buildings and should be considered. Setbacks need to include provisions to maintain easements.

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

Sincerely,



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: 2025.03.11 12:52:20 -10'00'

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

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

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Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 10, 2025

Mr. Shayne Agawa, Director
Department of Environmental Management
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Agawa:

SUBJECT: BILL 103 (2024), AMENDING CHAPTER 19.08, MAUI COUNTY CODE, RELATING TO DENSITY WITHIN RESIDENTIAL DISTRICTS (DRIP-2)

At its meeting of March 19, 2025, the Council's Disaster Recovery, International Affairs, and Planning Committee intends to discuss Bill 103.

In preparation for the meeting, may I please request your response to the following:

1. How could Bill 103's provisions apply to residential lots that contain cesspools, such as Wahikuli? What would be the limitations? Please explain.
2. How could Bill 103's provisions apply to residential lots that contain septic systems? What would be the limitations? Would a septic tank's size determine the number and type of units the lot can support? Please explain.
3. If a residential lot is connected to a sewer system, what factors would limit the number and type of units the lot can support?

Please be prepared to verbalize your comments at the Committee's meeting of March 19, 2025. May I further request you transmit your response to drip.committee@mauicounty.us by **March 19, 2025**. To ensure efficient processing, please include DRIP-2 in the subject line.

Mr. Shayne Agawa
March 10, 2025
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Should you have any questions, please contact me or the Committee staff (Jarret Pascual at ext. 7141, or Yvette Bouthillier at ext. 7758).

Sincerely,



TAMARA PALTIN, Chair
Disaster Recovery, International Affairs,
and Planning Committee

drip:ltr:002aem02:jpp

cc: Mayor Richard T. Bissen, Jr.
Deputy Director of Environmental Management

DRIP Committee

From: Michelle L. Santos <Michelle.Santos@co.maui.hi.us>
Sent: Wednesday, March 12, 2025 7:59 AM
To: DRIP Committee
Cc: Cynthia E. Sasada; Erin A. Wade; Josiah K. Nishita; Keli P. Nahooikaika; Nadine C. Orikasa; Robert V. Schmidt; Shayne R. Agawa
Subject: MT#10997 Bill 103
Attachments: MT#10997-DRIP Committee.pdf