

REQUEST FOR LEGAL SERVICES

Date: October 21, 2025
From: Yuki Lei K. Sugimura, Chair
Budget, Finance, and Economic Development Committee

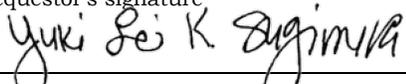
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Kristina C. Toshikiyo, Esq.

Subject: RESOLUTIONS 25-193 AND 25-194, DESIGNATION OF ENTERPRISE ZONES ON THE ISLAND OF MAUI (BFED-11)

Background Data: Please see Resolutions 25-193, CD1, and 25-194, CD1. Please submit your response to bfed.committee@mauicounty.us with a reference to BFED-11.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Yuki Lei K. Sugimura, Chair	Contact Person <u>Kirsten Szabo or Peter Hanano</u> (Telephone Extension: <u>7662 or 8007, respectively</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): October 22, 2025, before 11:00 a.m.
REASON: For public notice for a required public meeting on November 7, 2025, Council meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____ (Rev. 7/03)

bfed:ltr:011acc01:kes

Attachments

Resolution

No. 25-193, CD1

AUTHORIZING THE MAYOR TO REQUEST THE GOVERNOR DESIGNATE THE NĀPILI ENTERPRISE ZONE ON THE ISLAND OF MAUI FOR A 20-YEAR PERIOD UNDER CHAPTER 209E, HAWAI‘I REVISED STATUTES, CHAPTER 6 OF TITLE 15, HAWAI‘I ADMINISTRATIVE RULES, AND CHAPTER 3.80, MAUI COUNTY CODE

WHEREAS, the State of Hawai‘i previously designated the West Maui Enterprise Zone under Chapter 209E, Hawai‘i Revised Statutes, and Chapter 6 of Title 15, Hawai‘i Administrative Rules, for a 20-year period; and

WHEREAS, the designated West Maui Enterprise Zone’s 20-year period will expire on April 30, 2026; and

WHEREAS, the census tract for the proposed Nāpili Enterprise Zone is currently part of the West Maui Enterprise Zone and is the only tract within the West Maui Enterprise Zone eligible to qualify for redesignation; and

WHEREAS, a description of the proposed Nāpili Enterprise Zone along with various maps depicting relevant land and census tracts is attached as Exhibit “1”; and

WHEREAS, the criteria for designating the Nāpili Enterprise Zone remains applicable and such designation has proven to stimulate economic development on the Island of Maui and the County; and

WHEREAS, the County desires to continue to encourage sound economic development and generate employment by providing tax incentives to qualified businesses by having the Nāpili Enterprise Zone designated for a 20-year period; and

WHEREAS, Section 3.80.030, Maui County Code, provides that nomination for designation as an enterprise zone requires approval by the Council by resolution; now, therefore,

Resolution No. 25-193, CD1

BE IT RESOLVED by the Council of the County of Maui:

1. That it authorizes the Mayor to request the Governor designate the Nāpili Enterprise Zone on the Island of Maui for a 20-year period under Chapter 209E, Hawai'i Revised Statutes, Chapter 6 of Title 15, Hawai'i Administrative Rules, and Chapter 3.80, Maui County Code; and
2. That certified copies of this Resolution be transmitted to the Mayor and the Economic Development Director.

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel
County of Maui

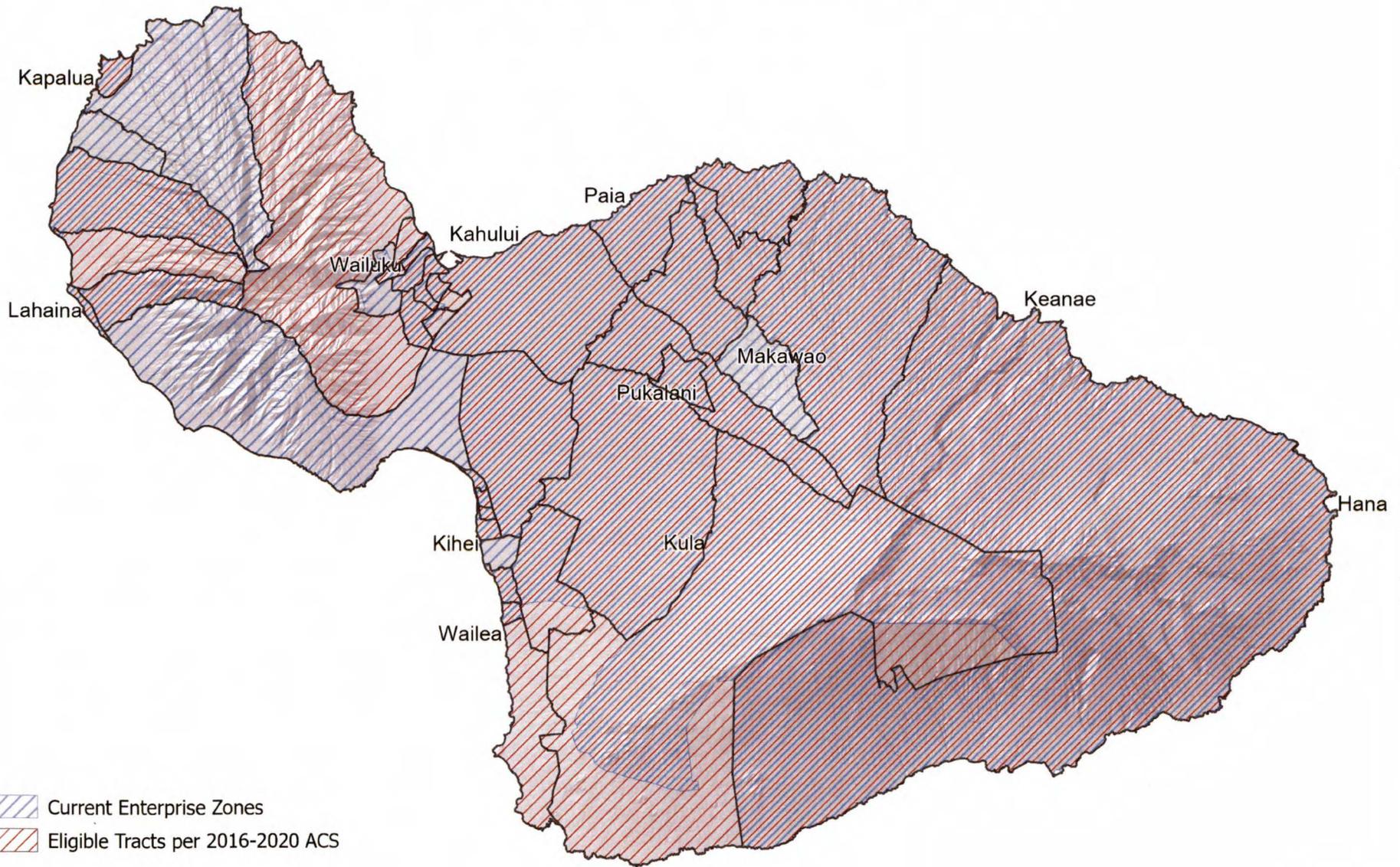
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EXHIBIT "1"

Napili Enterprise Zone

The Napili Enterprise Zone (EZ) consists of the entire 2020 Maui Island Census Tract number 315.01. Beginning at the intersection of Honoapiilani Highway and Napilihau Street at the southwest edge of Census Tract 315.01, the Napili EZ follows Napilihau Street in a northwesterly direction until it intersects with Lower Honoapiilani Rd, where it continues along the road in a northeasterly direction until it intersects with Papaua Place, where it continues along the road in a northwesterly direction until it meets the coastline. The Napili EZ continues to follow the coastline in a clockwise direction until it reaches the western boundary of Census Tract 315.04, which it follows in a southerly direction until it reaches Honoapiilani Highway. It continues to follow Honoapiilani Highway in a clockwise direction until it reaches the starting point, at the intersection of Honoapiilani Highway and Napilihau Street. *Note: All census tracts cited refer to the 2020 US Census tracts.*

Eligible 2020 Census Tracts Using 2016-2020 ACS Data

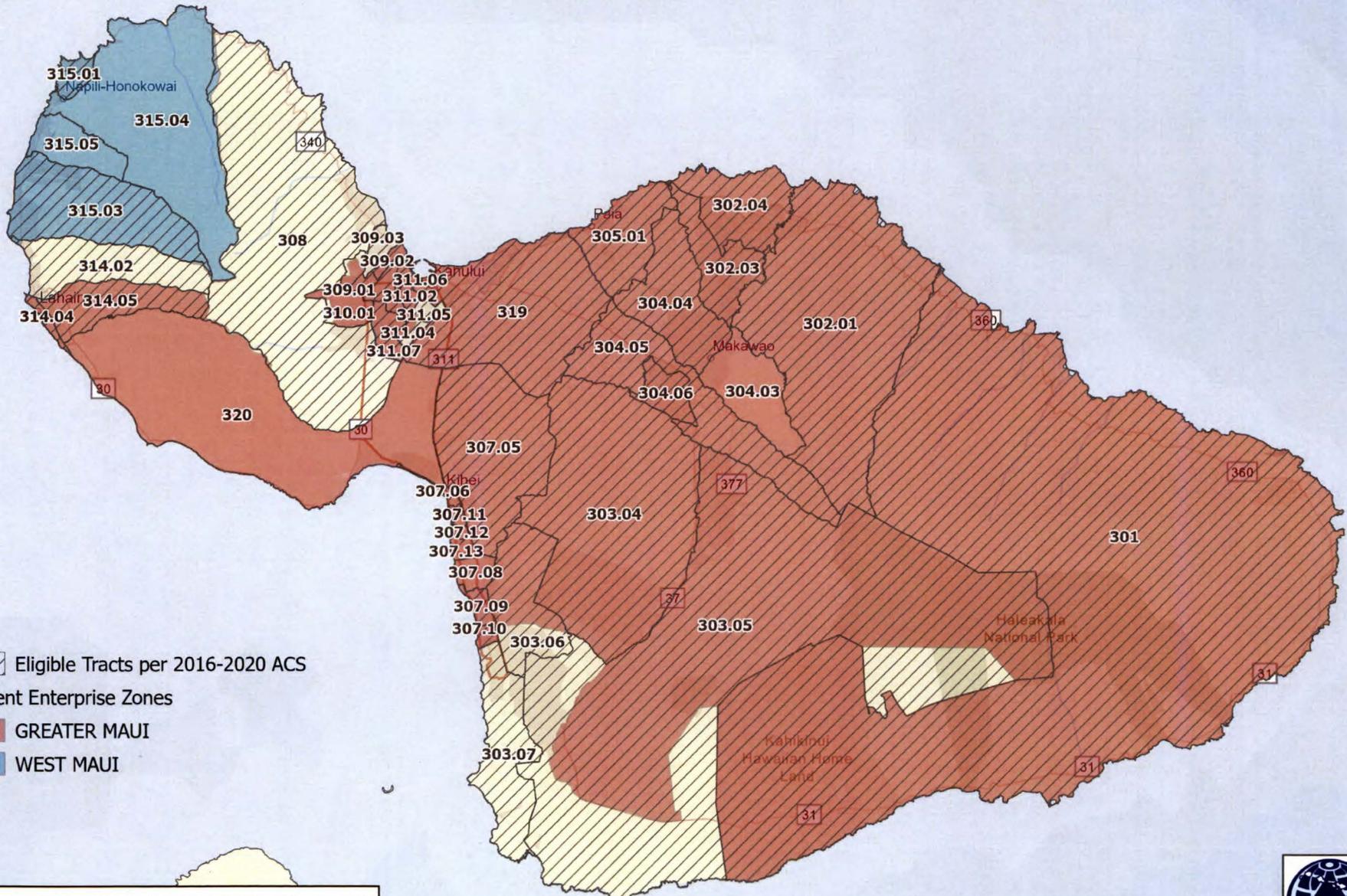


-  Current Enterprise Zones
-  Eligible Tracts per 2016-2020 ACS

This map was produced by the Office of Planning & Sustainable Development, Hawai'i Statewide GIS Program for planning purposes only. It should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data. Information regarding compilation dates and accuracy of the data presented can be obtained from OPSD.
Sources: Enterprise Zones: DBEDT/BDSD; Eligible Tracts: US Census Bureau/Statewide GIS Program.
Map No: 20250809-JDS01; Map Date: 8/6/2025



Eligible Maui Island 2020 Census Tracts



-  Eligible Tracts per 2016-2020 ACS
- Current Enterprise Zones**
-  GREATER MAUI
-  WEST MAUI

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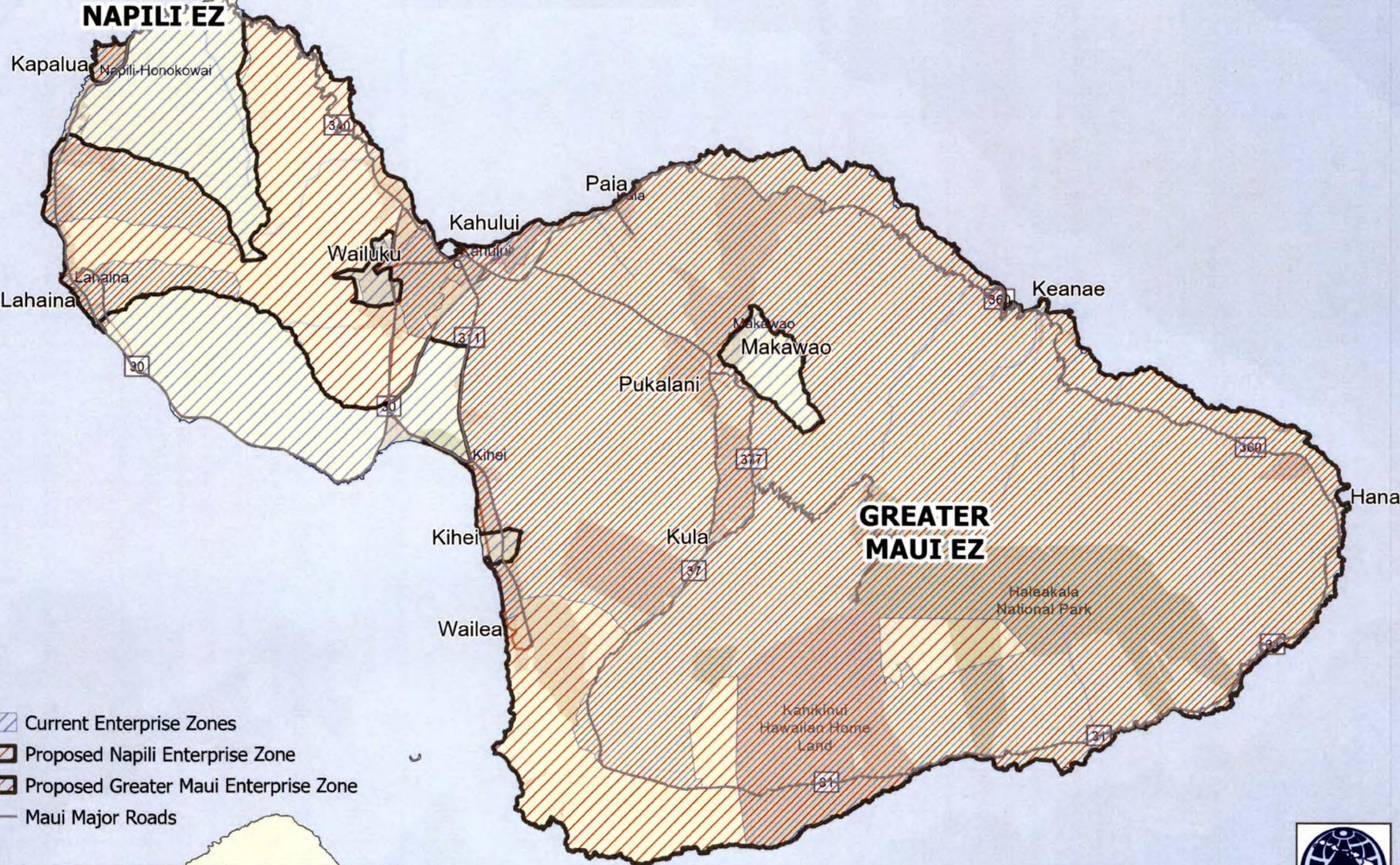
Sources: Enterprise Zones: DBEDT/BDSD; Eligible Tracts: US Census Bureau/Statewide GIS Program.

Map No: 20250809 - JDS 02; Map Date: 8/6/2025



Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, USFWS

Proposed Maui County Enterprise Zones



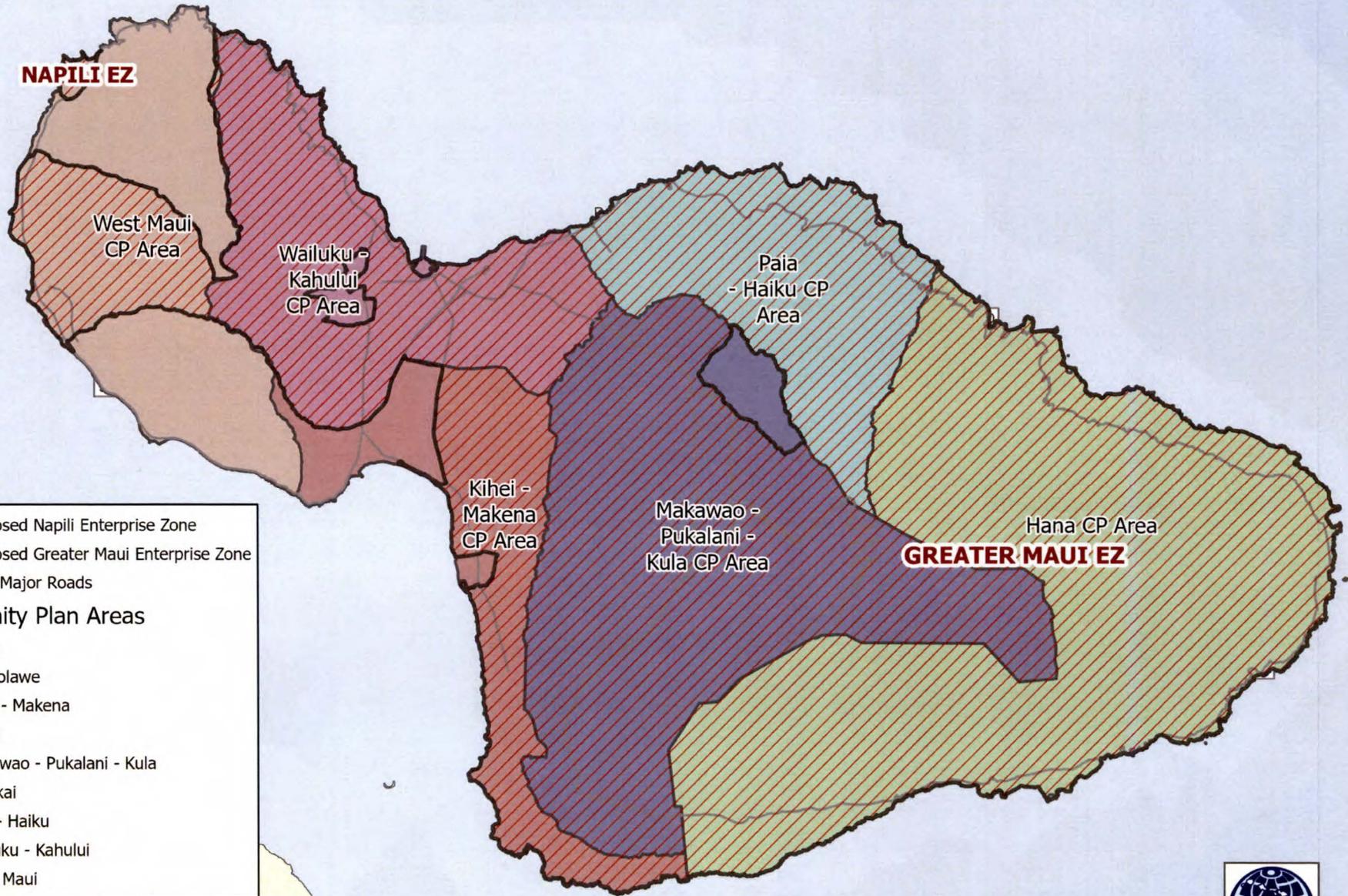
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Sources: Enterprise Zones: DBEDT/BDSD; Proposed Enterprise Zones: Statewide GIS Program; Roads: Maui County

Map No: 20250809-JDS03, Map Date: 8/6/2025



Proposed Maui County Enterprise Zones with Community Plan Areas



 Proposed Napili Enterprise Zone
 Proposed Greater Maui Enterprise Zone
 Maui Major Roads

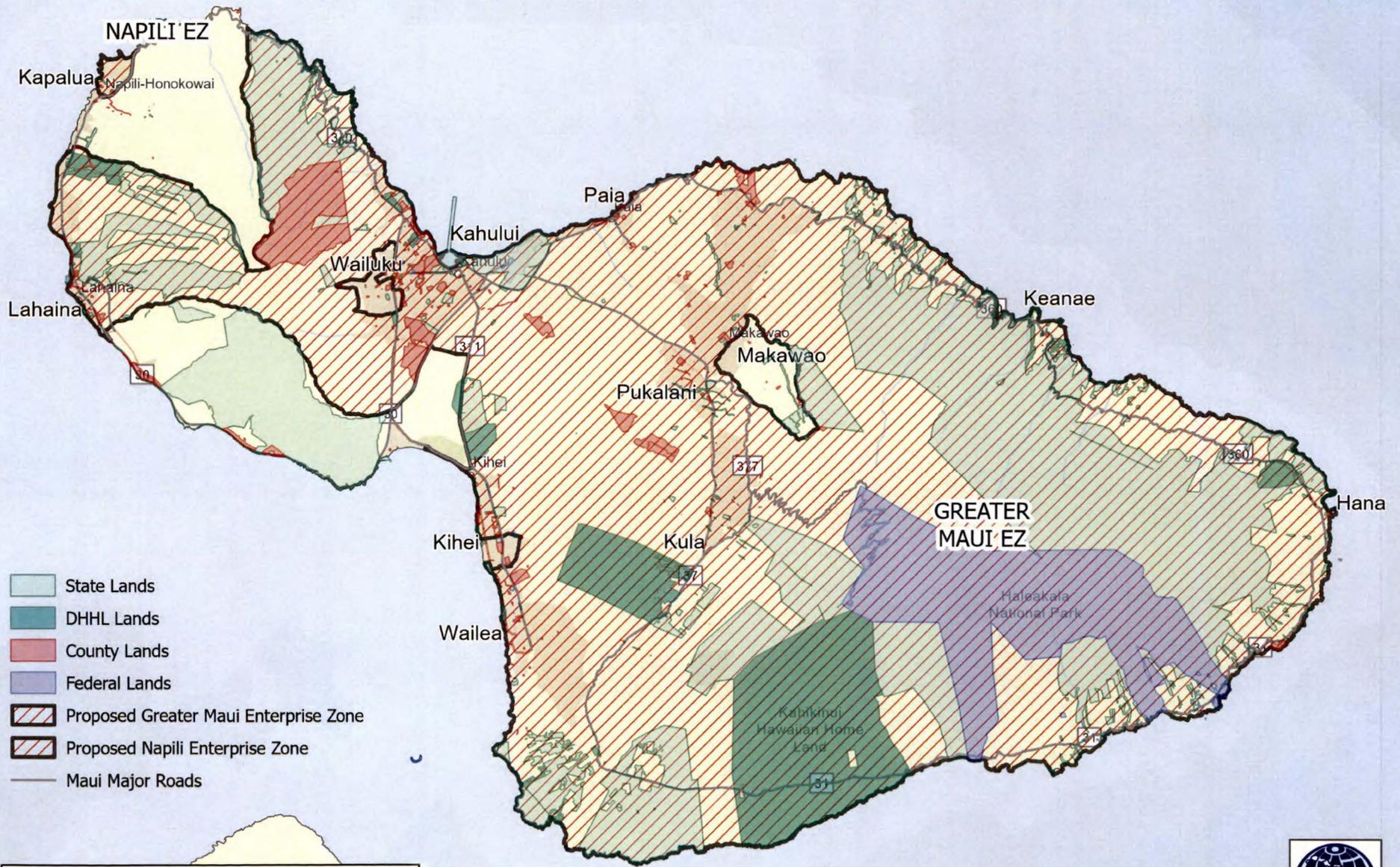
Community Plan Areas

-  Hana
-  Kahoolawe
-  Kihei - Makena
-  Lanai
-  Makawao - Pukalani - Kula
-  Molokai
-  Paia - Haiku
-  Wailuku - Kahului
-  West Maui

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 Sources: Proposed Enterprise Zones: Statewide GIS Program; Community Plan Areas, Roads: Maui County
 Map No: 20250809-JDS04; Map Date: 8/6/2025



Proposed Maui County Enterprise Zones with Government Lands



- State Lands
- DHHL Lands
- County Lands
- Federal Lands
- Proposed Greater Maui Enterprise Zone
- Proposed Napili Enterprise Zone
- Maui Major Roads

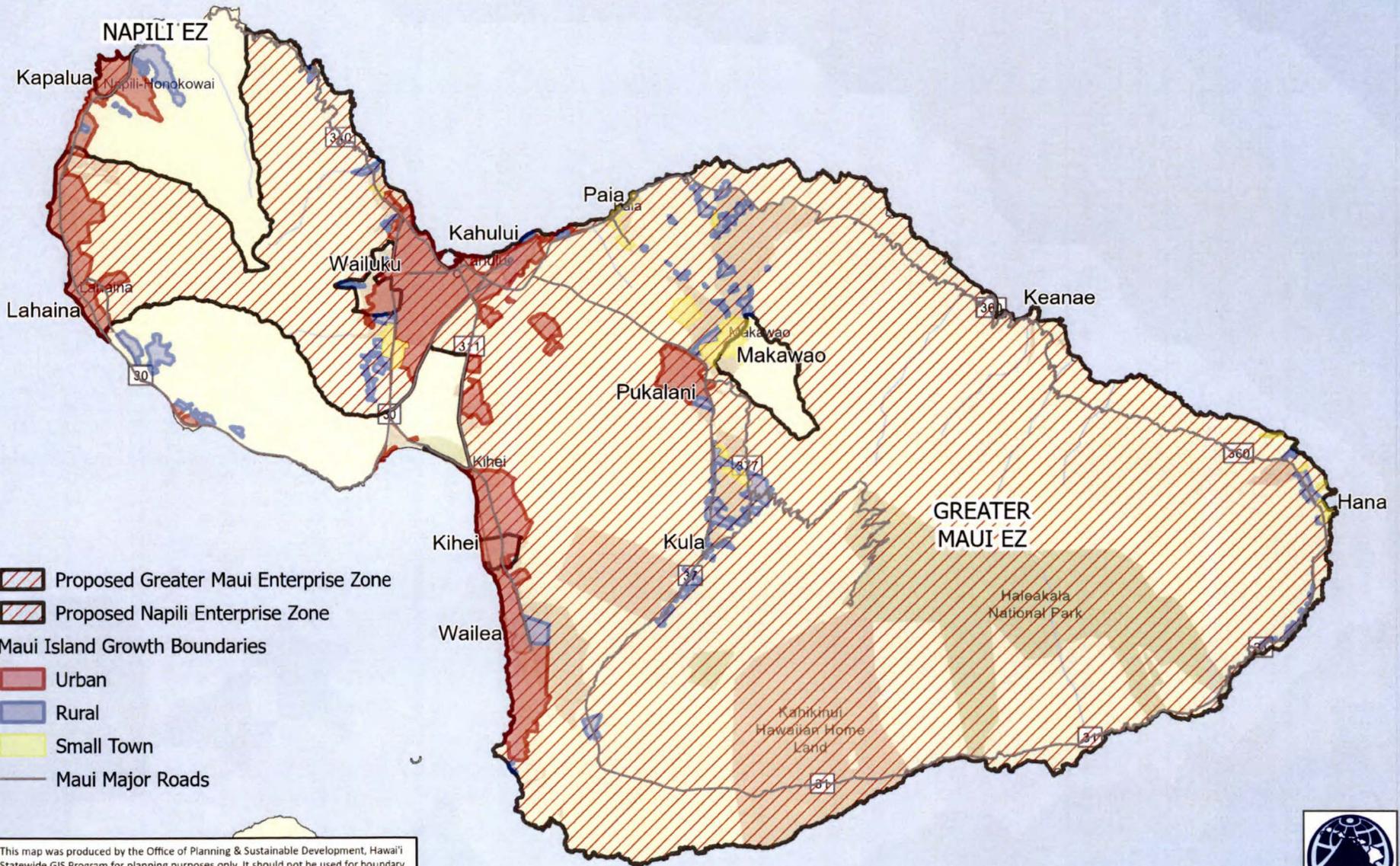
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Sources: Government Lands: Maui County/Statewide GIS Program; Proposed Enterprise Zones: Statewide GIS Program; Roads: Maui County

Map No: 20250809-JDS05; Map Date: 8/6/2025



Proposed Maui County Enterprise Zones with Maui Island Growth Boundaries



-  Proposed Greater Maui Enterprise Zone
-  Proposed Napili Enterprise Zone
- Maui Island Growth Boundaries**
-  Urban
-  Rural
-  Small Town
-  Maui Major Roads

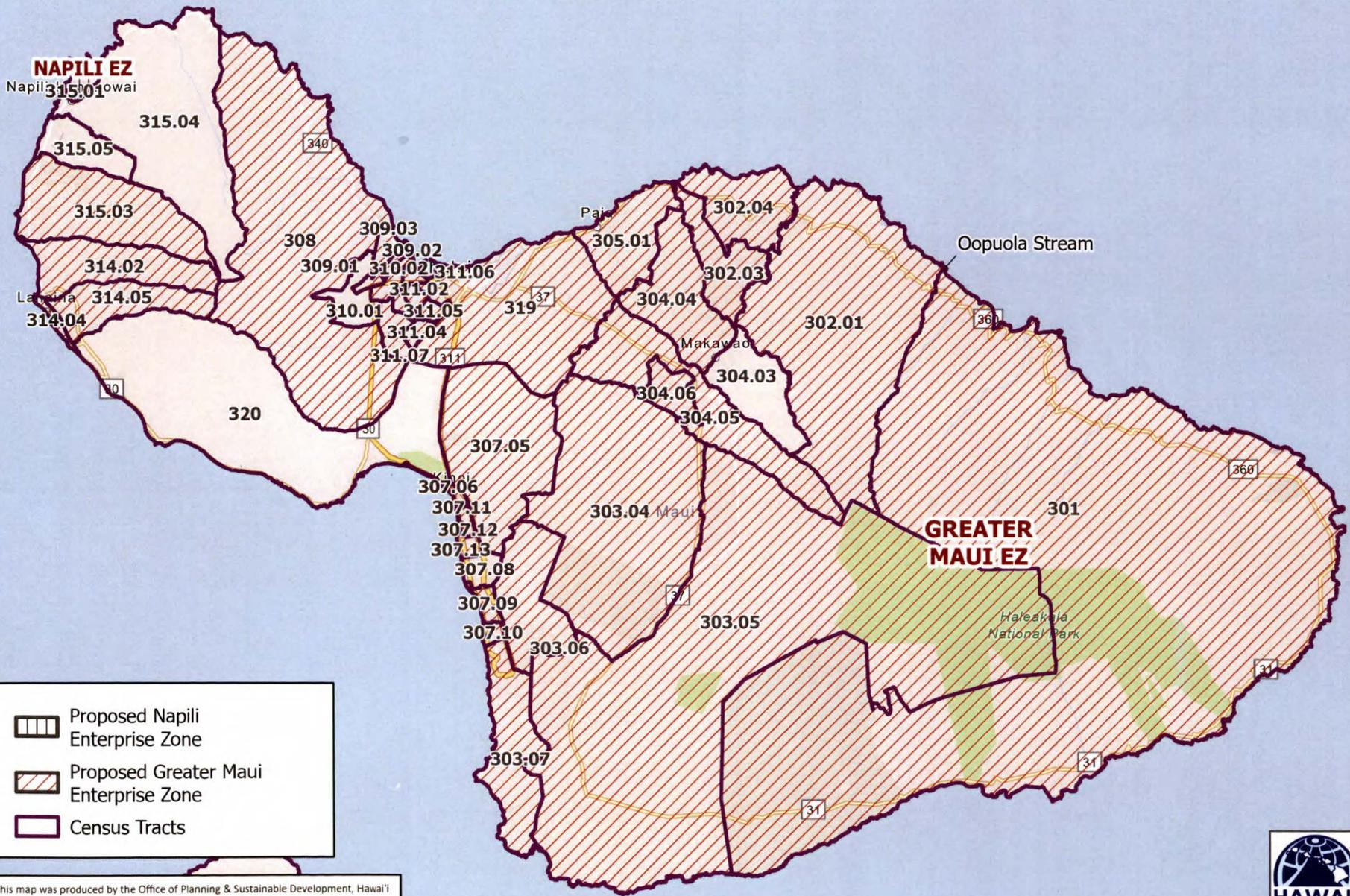
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Sources: Maui Island Growth Boundaries: Maui County; Proposed Enterprise Zones: Statewide GIS Program; Roads: Maui County

Map No: 20250809-JDS06; Map Date: 8/9/2025



Proposed Maui County Enterprise Zones with Description



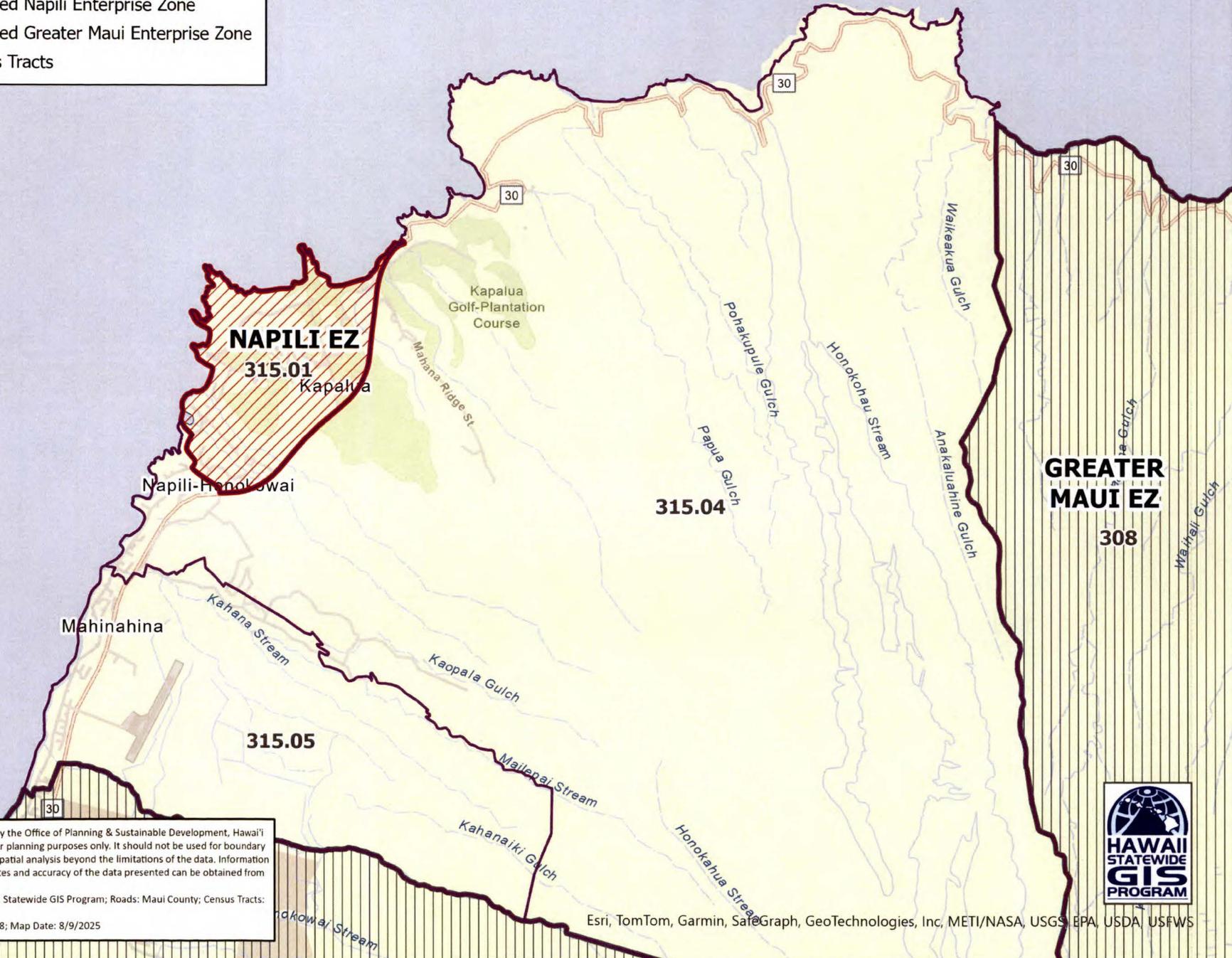
 Proposed Napili Enterprise Zone
 Proposed Greater Maui Enterprise Zone
 Census Tracts

This map was produced by the Office of Planning & Sustainable Development, Hawai'i Statewide GIS Program for planning purposes only. It should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data. Information regarding compilation dates and accuracy of the data presented can be obtained from OPSD.
 Sources: Census Tracts: US Census Bureau; Proposed Enterprise Zones: Statewide GIS Program
 Map No: 20250809-JDS08; Map Date: 8/9/2025



Proposed Napili Enterprise Zone with Description

-  Proposed Napili Enterprise Zone
-  Proposed Greater Maui Enterprise Zone
-  Census Tracts



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 Sources: Proposed Zones: Statewide GIS Program; Roads: Maui County; Census Tracts: US Census Bureau
 Map No: 20250809-JDS 08; Map Date: 8/9/2025



Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, USDA, USFWS

Resolution

No. 25-194, CD1

AUTHORIZING THE MAYOR TO REQUEST THE GOVERNOR REDESIGNATE THE GREATER MAUI ENTERPRISE ZONE ON THE ISLAND OF MAUI, WITH PROPOSED ADJUSTMENTS, FOR A 20-YEAR PERIOD UNDER CHAPTER 209E, HAWAI'I REVISED STATUTES, CHAPTER 6 OF TITLE 15, HAWAI'I ADMINISTRATIVE RULES, AND CHAPTER 3.80, MAUI COUNTY CODE

WHEREAS, the State of Hawai'i previously designated the Greater Maui Enterprise Zone under Chapter 209E, Hawai'i Revised Statutes, and Chapter 6 of Title 15, Hawai'i Administrative Rules, for a 20-year period; and

WHEREAS, the designated Greater Maui Enterprise Zone's 20-year period will expire on April 30, 2026; and

WHEREAS, a description of the proposed Greater Maui Enterprise Zone along with various maps depicting relevant land and census tracts is attached as Exhibit "1"; and

WHEREAS, the criteria for redesignating the Greater Maui Enterprise Zone, with proposed adjustments, remains applicable and such designation has proven to stimulate economic development on the Island of Maui and the County; and

WHEREAS, the County desires to continue to encourage sound economic development and generate employment by providing tax incentives to qualified businesses by having the Greater Maui Enterprise Zone, with proposed adjustments, redesignated for a 20-year period; and

WHEREAS, Section 3.80.030, Maui County Code, provides that nomination for designation as an enterprise zone requires approval by the Council by resolution; now, therefore,

Resolution No. 25-194, CD1

BE IT RESOLVED by the Council of the County of Maui:

1. That it authorizes the Mayor to request the Governor redesignate the Greater Maui Enterprise Zone on the Island of Maui for a 20-year period under Chapter 209E, Hawai'i Revised Statutes, Chapter 6 of Title 15, Hawai'i Administrative Rules, and Chapter 3.80, Maui County Code; and
2. That certified copies of this Resolution be transmitted to the Mayor and the Economic Development Director.

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel
County of Maui

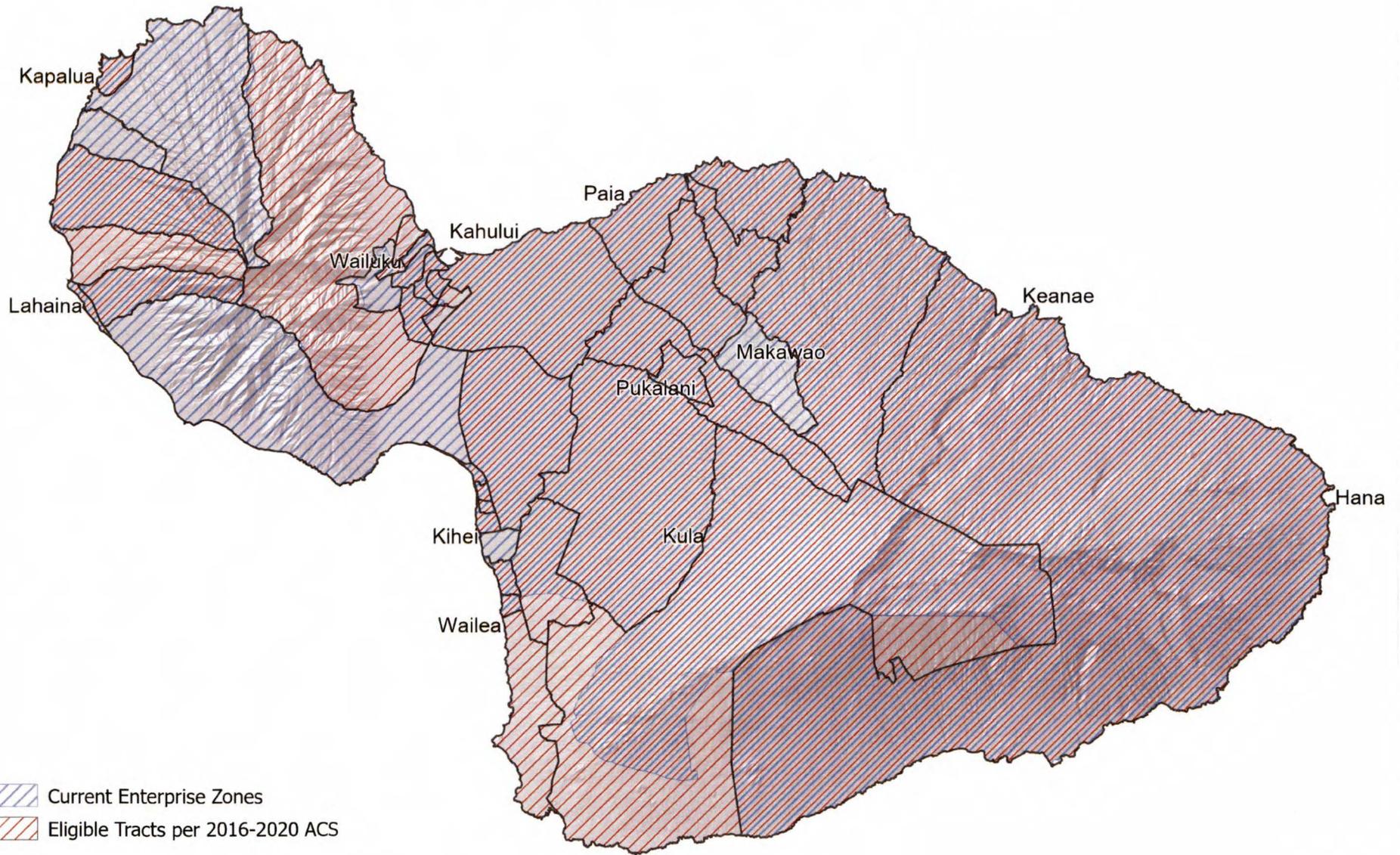
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EXHIBIT "1"

Proposed Greater Maui Enterprise Zone

Beginning at the western boundary of 2020 Maui Island Census Tract 301, at Oopuola Stream, the Greater Maui Enterprise Zone (EZ) follows the coastline in a clockwise direction until it reaches the boundary between Census Tracts 307.08 and 307.09, at Waimahaihai St. Tract 307.08 is excluded. The Greater Maui EZ continues to follow the coastline again, beginning at the boundary between Census Tract 307.08 and 307.13 near W. Lipoa Street, where it follows the coastline in a clockwise direction until it reaches the boundary between Census Tracts 307.06 and 320, near the Kealia Pond National Wildlife Refuge. Tract 320 is excluded. The Greater Maui EZ begins again at the boundary between Census Tract 320 and 314.04 near the southern portion of Pualei Drive, where it continues to follow the coastline in a clockwise direction until it reaches the boundary of Census Tracts 315.03 and 315.05. Tracts 315.04 and 315.05 are excluded. Census Tract 315.01 is in the Napili EZ. After the 315.01, 315.04 and 315.05 Census Tract exclusions, the Greater Maui EZ picks up again at the boundary of Census Tracts 315.04 and 308, where it continues along the coastline in a clockwise direction until it meets the starting point, at the western boundary of CT 301, at Oopuola Stream. Interior Census Tracts 310.01 and 304.03 are excluded. *Note: All census tracts cited refer to the 2020 US Census tracts.*

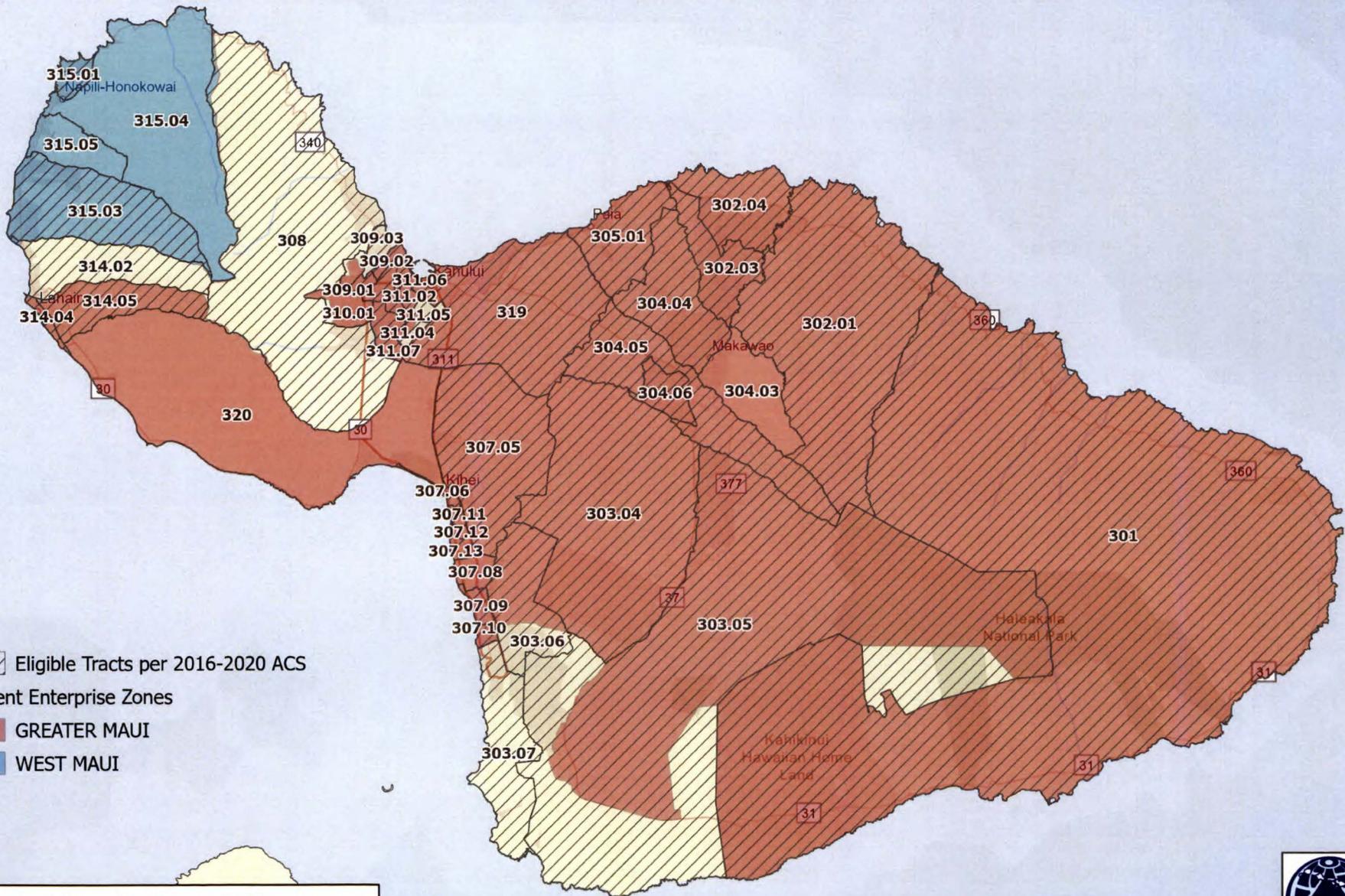
Eligible 2020 Census Tracts Using 2016-2020 ACS Data



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Sources: Enterprise Zones: DBEDT/BDSD; Eligible Tracts: US Census Bureau/Statewide GIS Program.
Map No: 20250809-JDS01; Map Date: 8/6/2025



Eligible Maui Island 2020 Census Tracts

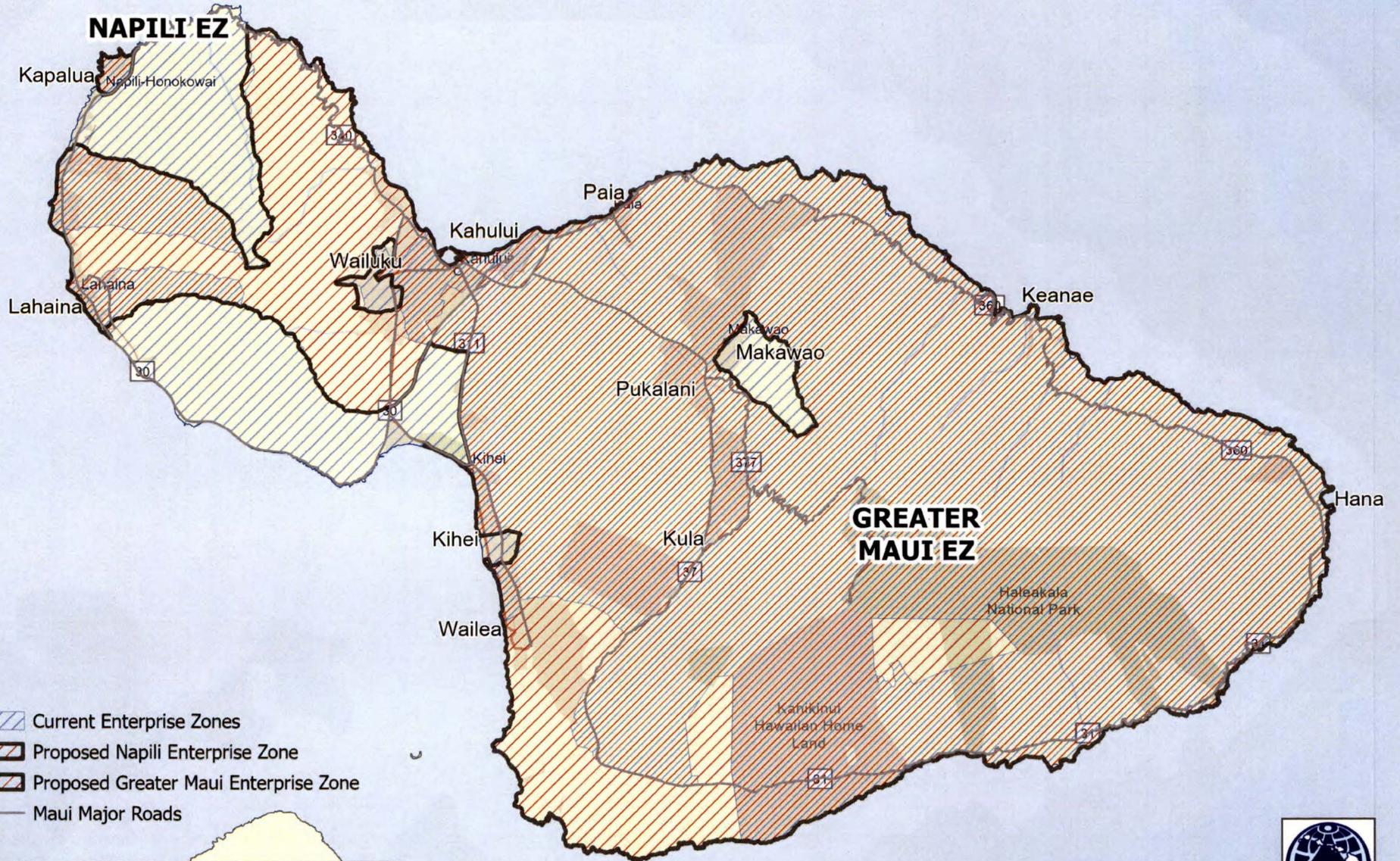


-  Eligible Tracts per 2016-2020 ACS
- Current Enterprise Zones**
-  GREATER MAUI
-  WEST MAUI

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 Sources: Enterprise Zones: DBEDT/BDSD; Eligible Tracts: US Census Bureau/Statewide GIS Program.
 Map No: 20250809 - JDS 02; Map Date: 8/6/2025



Proposed Maui County Enterprise Zones

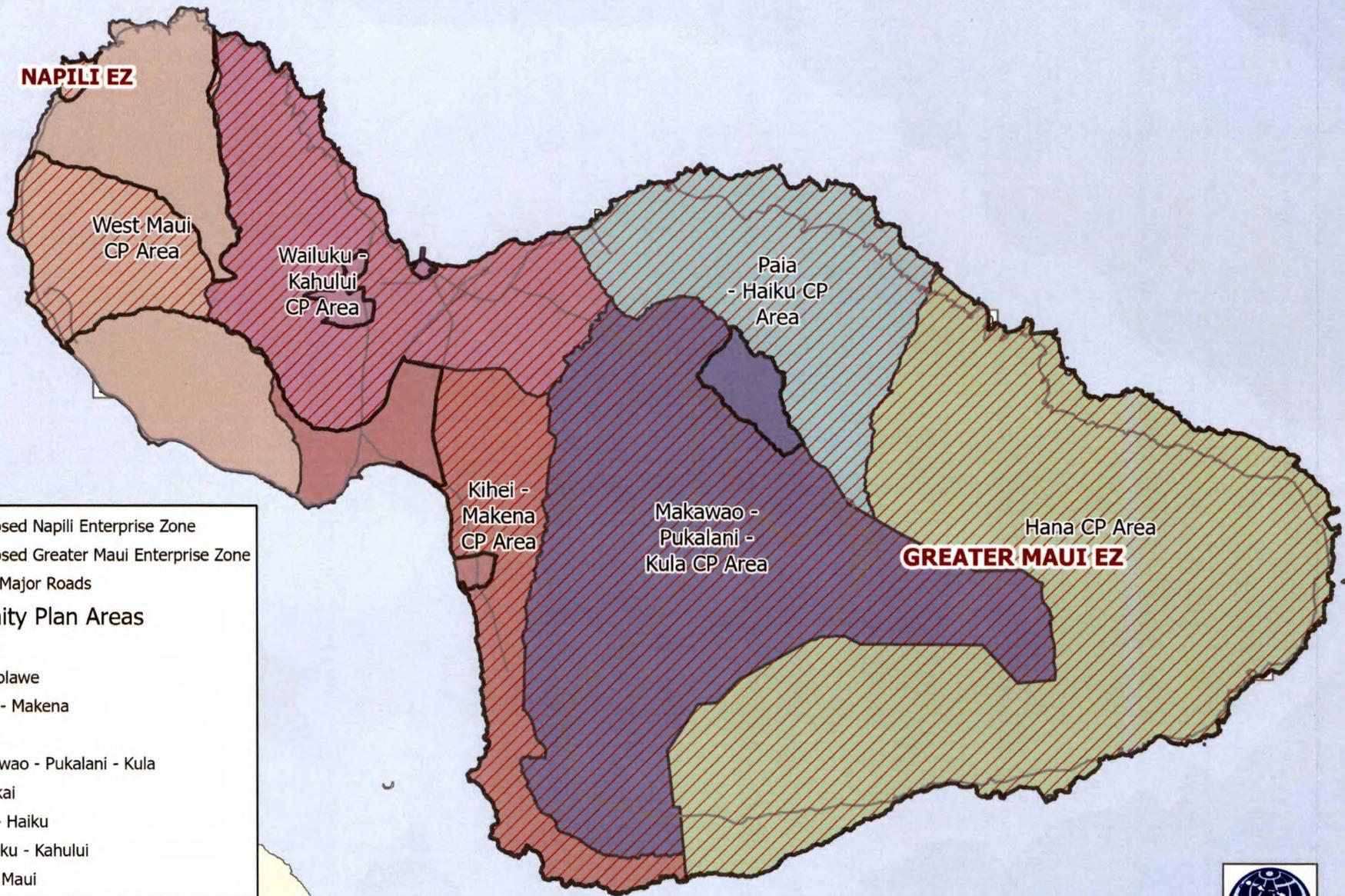


-  Current Enterprise Zones
-  Proposed Napili Enterprise Zone
-  Proposed Greater Maui Enterprise Zone
-  Maui Major Roads

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 Sources: Enterprise Zones: DBEDT/BDSD; Proposed Enterprise Zones: Statewide GIS Program; Roads: Maui County
 Map No: 20250809-JDS03, Map Date: 8/6/2025



Proposed Maui County Enterprise Zones with Community Plan Areas



 Proposed Napili Enterprise Zone
 Proposed Greater Maui Enterprise Zone
 Maui Major Roads

Community Plan Areas

-  Hana
-  Kahoolawe
-  Kihei - Makena
-  Lanai
-  Makawao - Pukalani - Kula
-  Molokai
-  Paia - Haiku
-  Wailuku - Kahului
-  West Maui

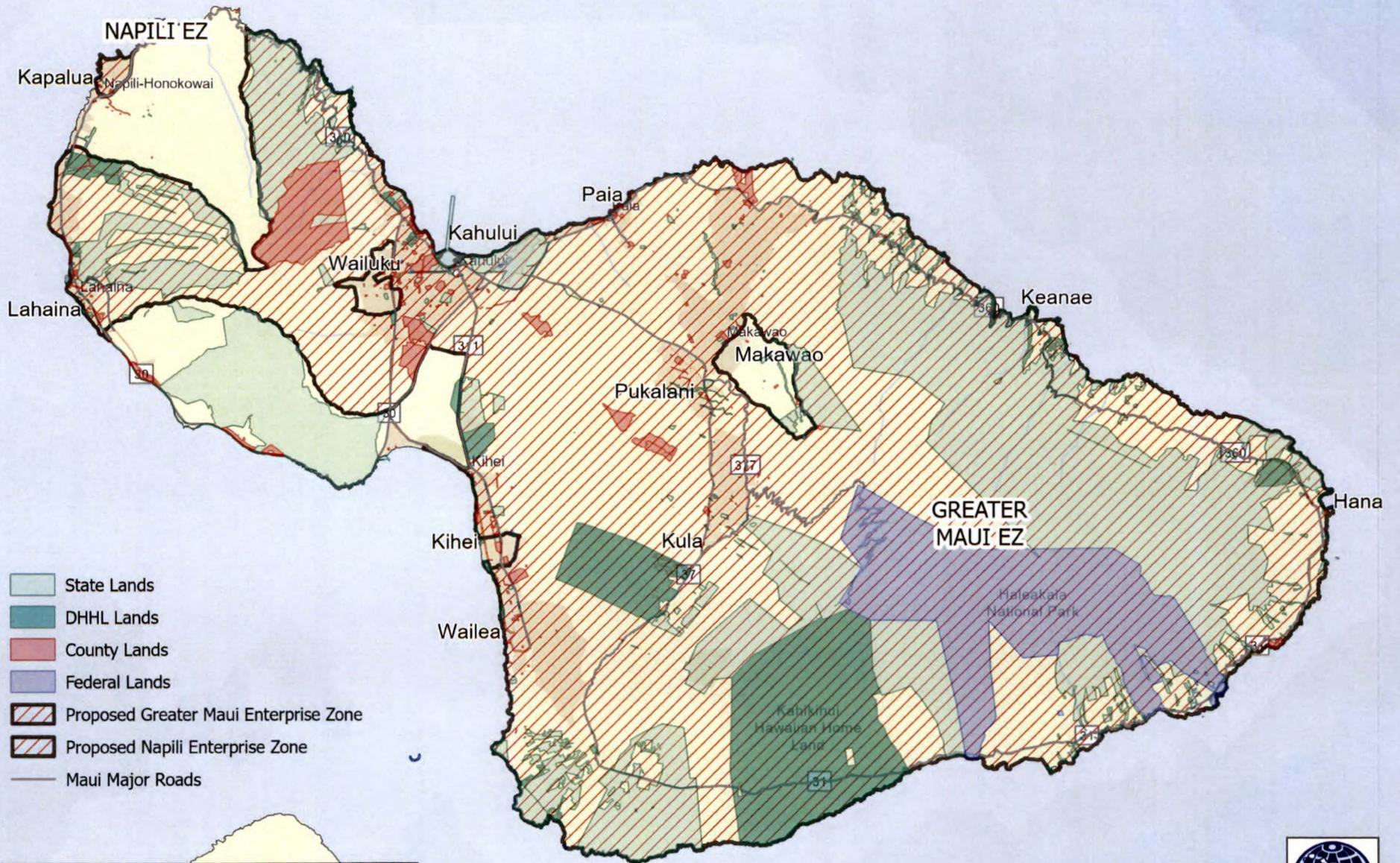
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Sources: Proposed Enterprise Zones: Statewide GIS Program; Community Plan Areas, Roads: Maui County

Map No: 20250809-JDS04; Map Date: 8/6/2025



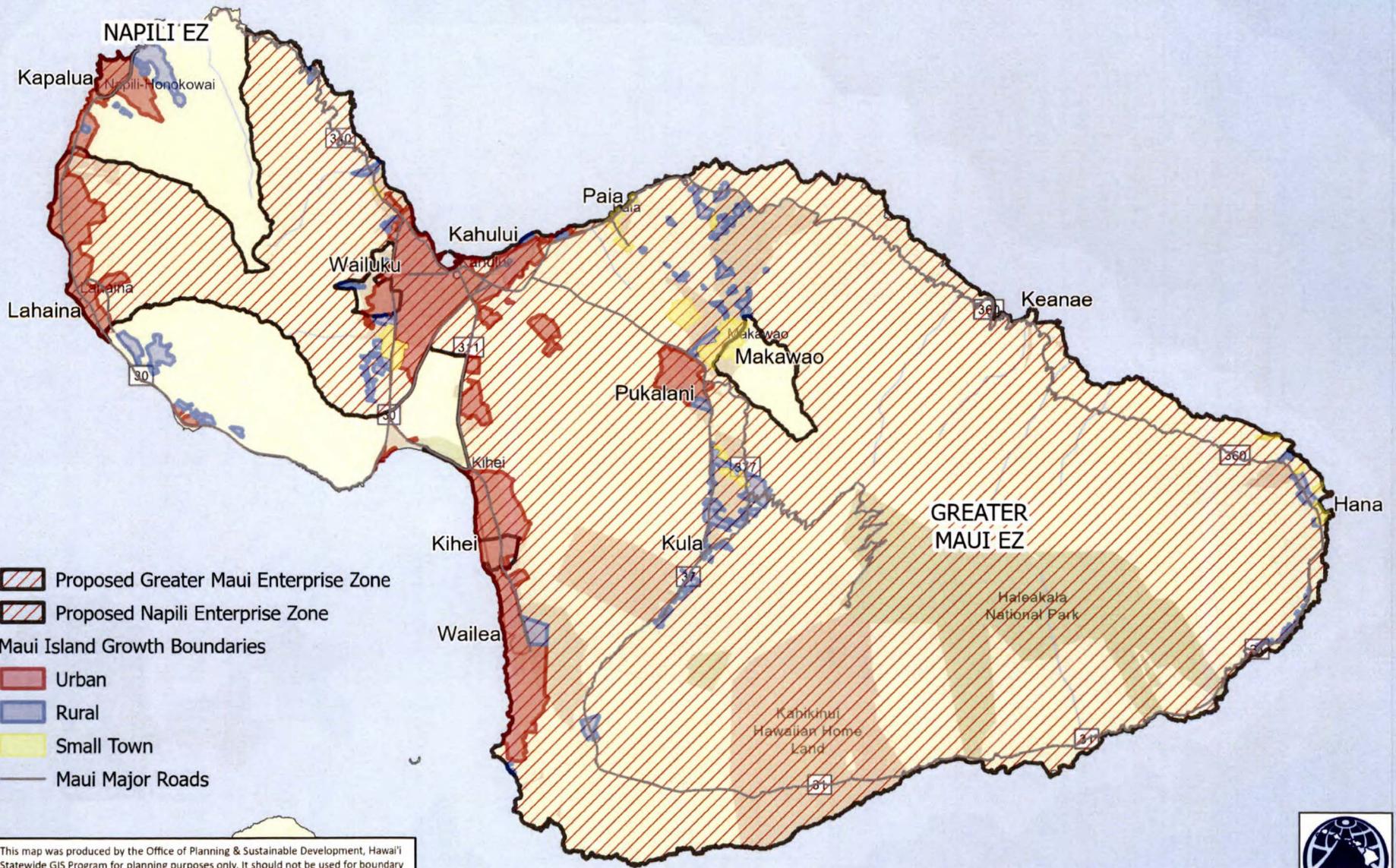
Proposed Maui County Enterprise Zones with Government Lands



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 Sources: Government Lands: Maui County/Statewide GIS Program; Proposed Enterprise Zones: Statewide GIS Program; Roads: Maui County
 Map No: 20250809-JDS05; Map Date: 8/6/2025



Proposed Maui County Enterprise Zones with Maui Island Growth Boundaries

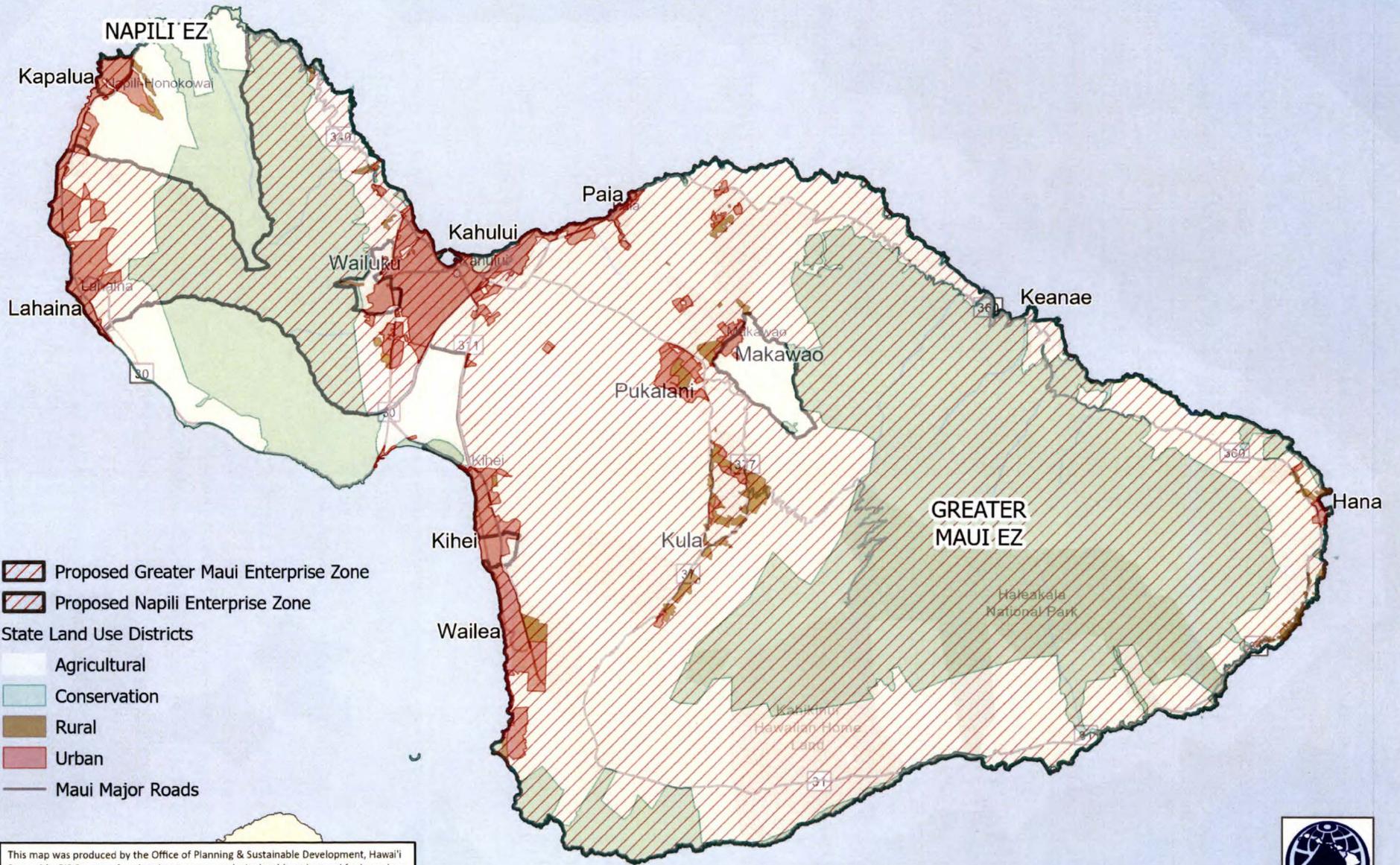


-  Proposed Greater Maui Enterprise Zone
-  Proposed Napili Enterprise Zone
- Maui Island Growth Boundaries**
-  Urban
-  Rural
-  Small Town
-  Maui Major Roads

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 Sources: Maui Island Growth Boundaries: Maui County; Proposed Enterprise Zones: Statewide GIS Program; Roads: Maui County
 Map No: 20250809-JDS06; Map Date: 8/9/2025



Proposed Maui County Enterprise Zones with State Land Use Districts



-  Proposed Greater Maui Enterprise Zone
-  Proposed Napili Enterprise Zone
- State Land Use Districts**
-  Agricultural
-  Conservation
-  Rural
-  Urban
-  Maui Major Roads

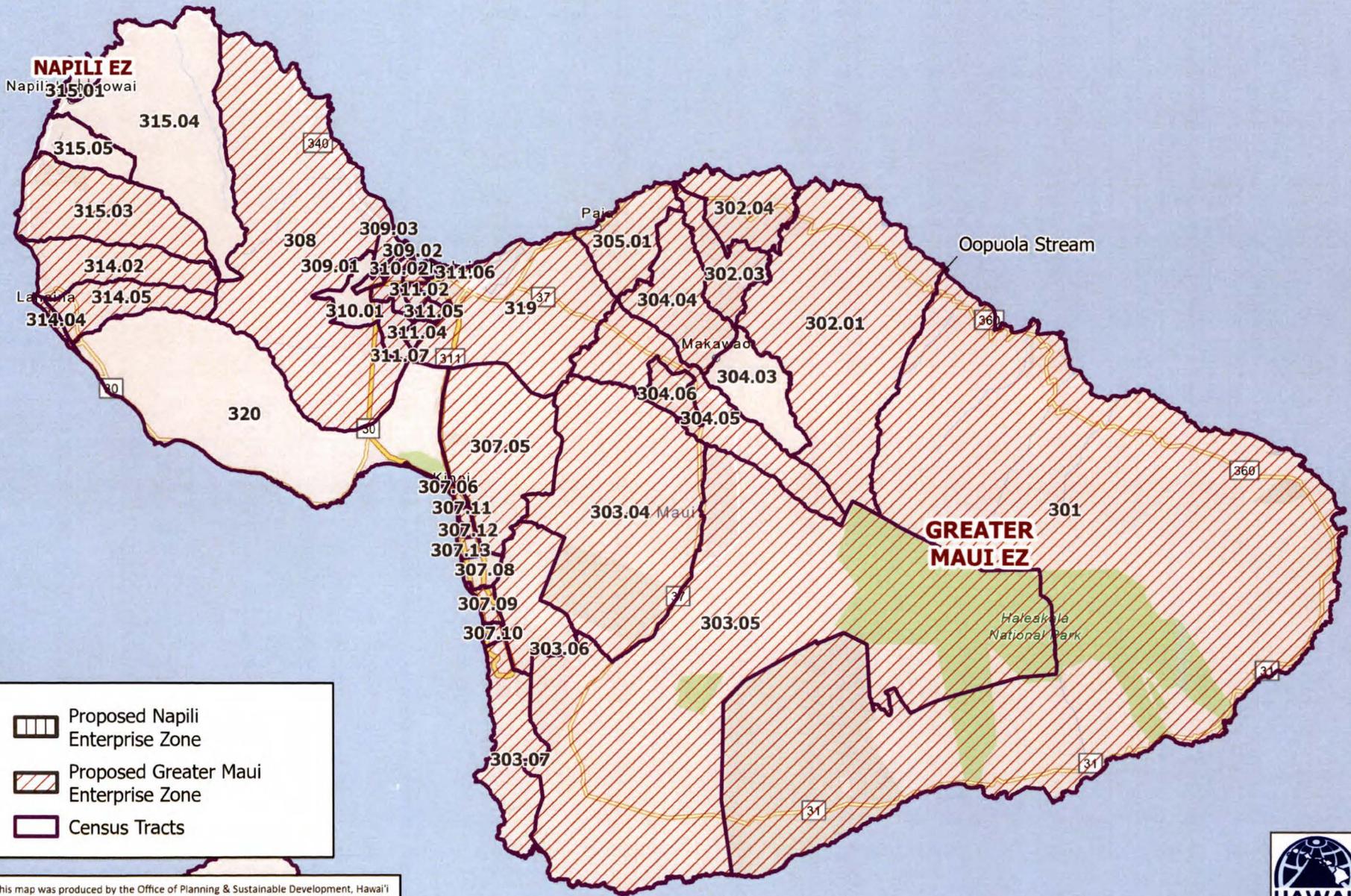
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Sources: State Land Use Districts: Land Use Commission/Statewide GIS Program; Proposed Enterprise Zones: Statewide GIS Program; Roads: Maui County

Map No: 20250809-JDS07; Map Date: 8/9/2025



Proposed Maui County Enterprise Zones with Description

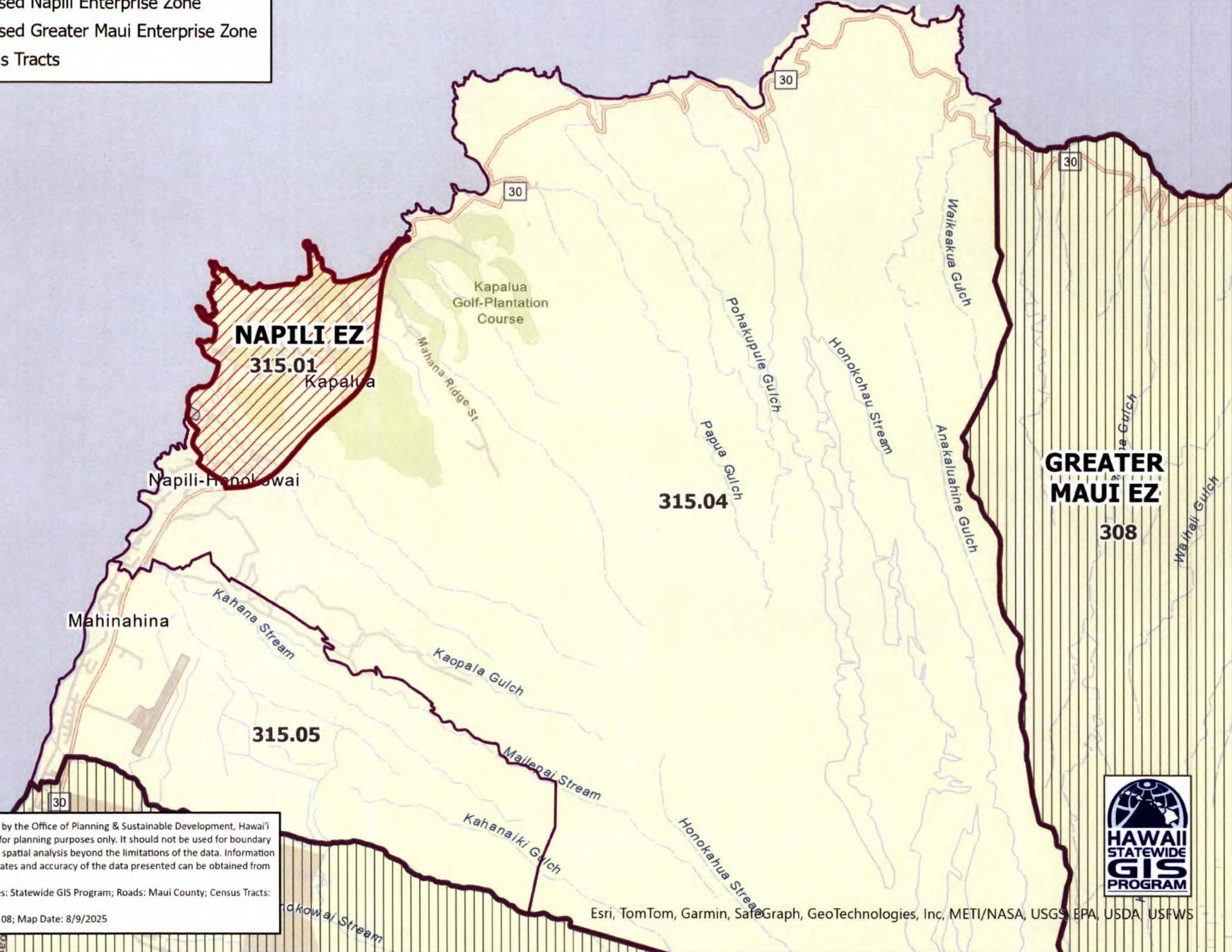


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Sources: Census Tracts: US Census Bureau; Proposed Enterprise Zones: Statewide GIS Program
Map No: 20250809-JDS08; Map Date: 8/9/2025



Proposed Napili Enterprise Zone with Description

-  Proposed Napili Enterprise Zone
-  Proposed Greater Maui Enterprise Zone
-  Census Tracts



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 Sources: Proposed Zones: Statewide GIS Program; Roads: Maui County; Census Tracts: US Census Bureau
 Map No: 20250809-JDS 08; Map Date: 8/9/2025



Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, USDA, USFWS

BFED Committee

From: BFED Committee
Sent: Tuesday, October 21, 2025 6:12 PM
To: 'CorpCounselRFLS@co.maui.hi.us'
Cc: Kristina Toshikiyo
Subject: RESOLUTIONS 25-193 AND 25-194, DESIGNATION OF ENTERPRISE ZONES ON THE ISLAND OF MAUI (BFED-11)
Attachments: Correspondence to Corporation Counsel 10-21-2025.pdf