



SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism
No. 1 Capitol District Bldg., 250 South Hotel St. 5th Fl., Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Tel 808 586-2594
Fax 808 586-2548

MEMORANDUM

Linda Lingle
Governor

Theodore E. Liu
Director, DBEDT

Mark K. Anderson
Deputy Director, DBEDT

Members

Lynne Woods
Chairperson
Maui

Sharon L. Pang
Vice Chairperson
Oahu

Michael Yee
2nd Vice Chairperson
Oahu

Dorvin Leis
Maui

Donald Dymond
Oahu

Michael Yee
Oahu

Charles Au
Oahu

Bruce Bucky
Oahu

Peter Yukimura
Kauai

TO: Daniel Dinell, Executive Director
Hawaii Community Development Authority

FROM: Lynne Woods, Chairperson *Lynne Woods*
Small Business Regulatory Review Board

DATE: July 19, 2007

SUBJECT: HAR Chapter 15-211, 15-212, 15-213, and 15-214, "Relating to Rules for Kewalo Basin"

This memorandum is in response to the Hawaii Community Development Authority's (HCDA's) proposed rule amendments to HAR Chapter 15-211, 15-212, 15-213, and 15-214, "Relating to Rules for Kewalo Basin."

The Small Business Regulatory Review Board (Review Board) provides recommendations to agencies on proposed rules and proposed rule amendments, pursuant to the Small Business Regulatory Flexibility Act, codified as Chapter 201M, HRS, and the Governor's Administrative Directive No. 99-02.

As you are aware, the Review Board reviewed the proposed rule amendments at its June 20th and July 18th board meetings and heard testimony from several small business owners impacted by the changes to these rules. The Review Board is particularly concerned with the proposed fee to be charged for the two-tiered mooring system and the lack of grandfathering in those businesses with existing permits. After much discussion, it was recommended that the rule changes proceed to public hearing so that the impacted businesses will be heard with the hope that an agreeable resolution to the remaining issues may occur.

Thank you for keeping the Board apprised of the regulatory activity in your Agency.

cc: The Honorable Linda Lingle
Richard Kuitunen, Asset Manager, HCDA