



## SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism  
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### MEMORANDUM

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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"

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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 20<sup>th</sup> and July 18<sup>th</sup> 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