



**COUNTY OF KAUA'I  
DEPARTMENT OF PLANNING**

**SPECIAL MANAGEMENT AREA (SMA)  
PERMIT ASSESSMENT**

**I. Part A**

| APPLICANT INFORMATION                           |   |
|---|---|
| Applicant: _____                                |   |
| Address: _____ Phone: _____                     |   |
| Applicant's Status: (Check one)                 |   |
| <input type="checkbox"/> Owner of the Property  | (Holder of at least 75% of the equitable and legal title)   |
| <input type="checkbox"/> Lessee of the Property | Lessee must have an <b>unexpired and recorded</b> lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization. |
| <input type="checkbox"/> Authorized Agent       | Attach Letter of Authorization  |
| Contact Person: _____                           | Address: _____  |
| Phone: _____                                    | _____   |
| Email: _____                                    | _____   |

| PROJECT INFORMATION<br>(attach additional sheets if necessary) |                      |
|--|----------------------|
| Site Address: _____  | Tax Map Key: _____   |
| _____  | Lot Area: _____      |
| State Land Use District: _____                                 | County Zoning: _____ |
| General Plan Designation: _____                                |                      |
| Nature of Development: _____                                   |                      |
| _____  |                      |
| _____  |                      |
| _____  |                      |

\* **NOTE:** An Environmental Assessment in accordance with HRS Chapter 343 is required for actions requiring a Shoreline Setback Variance (SSV). Please contact the Planning Department for further information.

Valuation of Development: \_\_\_\_\_  
(Estimate Attached)

Date of Application: \_\_\_\_\_

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**II. Part B**

The petitioner shall be responsible for filing the following required information with the department before an application is considered complete:

1. A **written** description of the proposed project, location and a statement of reasons/justification for project.
2. If property abuts a shoreline, a certified shoreline survey conducted by a registered land surveyor within 6 months of an application shall be submitted, when required by the Planning Agency.
3. A plot plan of the property, drawn to scale, with all proposed and existing structures and other pertinent information. Also, preliminary building sketch plans are to be submitted.
4. Any other plans or information requirements by the Director.

Note: An Environmental Assessment or Environmental Impact Statement that has been declared adequate under the National Environmental Policy Act (NEPA) or under Chapter 343, HRS, may constitute a valid filing under this section.

5. Project Assessment:
  - a. Description of the area and environment involved including flora and fauna, and other features;
  - b. Description of the existing land uses of the project site and surrounding areas;
  - c. Description of how the proposed project will affect the area involved and surrounding areas. Specifically the assessment should evaluate if the proposal:

|  |                          |                          |
|--|--------------------------|--------------------------|
|  | YES                      | NO                       |
| i. Involves an irrevocable commitment to loss or destruction of any natural or cultural resources, including but not limited to, historic sites, Special Treatment Districts as established by the County of Kauai Comprehensive Zoning ordinance, view planes or scenic corridors as outlined in the Community Development Plans, and recreation areas and resources; | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

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- ii. Curtails the range of beneficial uses of the environment; YES  NO   
Discussion:

- iii. Conflicts with the County's or the State's long-term environmental policies or goals; YES  NO   
Discussion:

- iv. Substantially affects the economics or social welfare and activities or the community, County or State; YES  NO   
Discussion:

- v. In itself has no significant adverse effect but cumulatively has considerable effect upon the environment or involves a commitment for larger actions; YES  NO   
Discussion:

- vi. Substantially affect a rare threatened, or endangered species of animal or plant, or its habitat; YES  NO   
Discussion:

- vii. Detrimently affects air or water quality or ambient noise levels; or YES  NO   
Discussion:

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- viii. Affects an environmentally sensitive area, such as flood plain, shoreline, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh water or coastal water; YES  NO

Discussion:

- ix. May have a major effect on the quality of the environment or affect the economic or social welfare of the area; and YES  NO

Discussion:

- x. Would possibly be contrary to the policies and guidelines of the Rules and Regulations, the County's General Plan, Development Plans, and Zoning and Subdivision Ordinances. YES  NO

Discussion:

- d. Evaluation of the proposed development relative to the objective and policies as contained in Chapter 205A, HRS; and Section 3.0 of the Special Management Area (SMA) Rules and Regulations: (complete following questionnaire)

|                                |  |
|--------------------------------|--|
| <b>RECREATIONAL RESOURCES:</b> | <u>Objective</u><br>Provide coastal recreation opportunities accessible to the public. |
|--------------------------------|--|

Check either "Yes" or "No" for each of the following questions. If your answer below is "**Yes**" or "**No**" it is necessary to elaborate by providing comments in the "Discussion" section below the question.

1. Will the proposed development adversely affect coastal resources uniquely suited for recreational activities that cannot be provided in other areas? YES  NO

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2. Will the project require replacement of coastal resources having significant recreational value, including but not limited to surfing sites, sandy beaches and fishing areas, when such resources will be unavoidably damaged by the proposed development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable? YES  NO

Discussion:

3. Is the project site near a State or County Park? YES  NO

Discussion:

4. Will the proposed development affect an existing public access to or along the shoreline? YES  NO

Discussion:

5. Will the proposed development provide public access to and/or along the shoreline? YES  NO

Discussion:

6. Will the proposed development encourage expanded recreational use of County, State, or federally owned or controlled shoreline lands and waters having recreational value? YES  NO

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7. Will the development generate point or non-point sources of pollution that will affect recreation value of coastal area? YES  NO

Discussion:

|                              |  |
|------------------------------|--|
| <b>HISTORICAL RESOURCES:</b> | <u>Objective</u><br>Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the Special Management Area that are significant in Hawaiian and American history and culture. |
|------------------------------|--|

Check either “Yes” or “No” for each of the following questions. If your answer below is “Yes” or “No” it is necessary to elaborate by providing comments in the “Discussion” section below the question.

1. Is the project site within a Federal, State and/or County designated historical/cultural district? YES  NO

Discussion:

2. Is the project site listed on or nominated to the Hawaii or National Register of Historic Places? YES  NO

Discussion:

3. Does the project site include land(s) which have not been previously surveyed by an archaeologist? YES  NO

Discussion:

4. If an archeological survey has been conducted for the project site, has the survey been submitted to the State Historic Preservation Office for review and recommendations? YES  NO

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Discussion:

5. Has any site survey revealed any information on historic or archaeological resources? (Please provide a copy or reference of survey) YES  NO

Discussion:

6. Is the project site within or near a Hawaiian fishpond? YES  NO

Discussion:

7. Is the project located within or near a historic settlement area? (Cemeteries, burials, heiaus, etc.) YES  NO

Discussion:

|   |  |
|---|--|
| <b>SCENIC &amp; OPEN SPACE RESOURCES:</b> | <u>Objective</u><br>Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources. |
|---|--|

Check either “Yes” or “No” for each of the following questions. If your answer below is “Yes” or “No” it is necessary to elaborate by providing comments in the “Discussion” section below the question.

1. Does the project site abut or affect a valued scenic resources or landmark within the SMA? YES  NO

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2. Does the proposed development affect existing shoreline open space and scenic resources? YES  NO

Discussion:

3. Does the proposed development involve alteration to natural landforms and existing public views to and along the shoreline? YES  NO

Discussion:

4. Is the project compatible with the visual environment? YES  NO

Discussion:

5. Does the proposed action involve the construction of structures visible between the nearest coastal roadway and the shoreline? YES  NO

Discussion:

6. Is the project site within the Shoreline Setback Area (20 or 40 feet inland from the shoreline)? YES  NO

Discussion:

|                            |   |
|----------------------------|---|
| <b>COASTAL ECOSYSTEMS:</b> | <u>Objective</u><br>Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems. |
|----------------------------|---|

Check either "Yes" or "No" for each of the following questions. If your answer below is "Yes" or "No" it is necessary to elaborate by providing comments in the "Discussion" section below the question.



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1. Is the project site a habitat for endangered species of flora and fauna? YES  NO   
Discussion:
2. Will the proposed development adversely affect valuable coastal ecosystems of significant biological or economic importance? YES  NO   
Discussion:
3. Will the proposed involve disruption or degradation of coastal water ecosystems through stream diversions, channelization, and similar land and water uses? YES  NO   
Discussion:
4. Will the proposed development include the construction of special waste treatment facilities, such as injection wells, discharge pipes, septic tank systems or cesspools? YES  NO   
Discussion:
5. Is there a wetland on the project site? YES  NO   
Discussion:
6. Is the project site situated in or abutting a Natural Area Reserve or Wildlife Refuge or Sanctuary? YES  NO   
Discussion:

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|                       |   |
|-----------------------|---|
| <b>ECONOMIC USES:</b> | <u>Objective</u><br>Provide public or private facilities and improvements important to the State’s economy in suitable locations. |
|-----------------------|---|

Check either “Yes” or “No” for each of the following questions. If your answer below is “**Yes**” or “**No**” it is necessary to elaborate by providing comments in the “Discussion” section below the question.

- |    |  |                                 |                                |
|----|--|---------------------------------|--------------------------------|
| 1. | Does the project involve a harbor or port?   | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
|    | Discussion:  |                                 |                                |
| 2. | Is the proposed development related to or near to an existing major hotel, multi-family, or condominium project? | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
|    | Discussion:  |                                 |                                |
| 3. | Does the project site include agricultural lands designated for such use?  | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
|    | Discussion:  |                                 |                                |
| 4. | Does the proposed development relate to commercial fishing or seafood production?                                | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
|    | Discussion:  |                                 |                                |

|                         |   |
|-------------------------|---|
| <b>COASTAL HAZARDS:</b> | <u>Objective</u><br>Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, and subsidence. |
|-------------------------|---|

Check either “Yes” or “No” for each of the following questions. If your answer below is “**Yes**” or “**No**” it is necessary to elaborate by providing comments in the “Discussion” section below the question.

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1. Is the project site within a potential tsunami inundated area as depicted on the National Flood Insurance Rate maps (FIRM)? YES  NO

Discussion:

2. Is the project site within a potential flood inundation area according to a FIRM? YES  NO

Discussion:

3. Does the project comply with the requirements of the Federal Flood Insurance Program? YES  NO

Discussion:

4. Has the project site or nearby shoreline areas experienced shoreline erosion? YES  NO

Discussion:

5. Have any seawalls/revetments/etc. been constructed or exist in the immediate vicinity? YES  NO

Discussion:

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|                            |  |
|----------------------------|--|
| <b>PROJECT ASSESSMENT:</b> |  |
|----------------------------|--|

- e. Evaluation of the impacts which cannot be avoided and mitigating measures proposed to minimize that impact:

Discussion:

- f. Evaluation of the proposed development relative to Section 4.0 of the SMA Rules and Regulations in accordance with the following aspects:

- i. Substantial adverse environmental or ecological effects;

Discussion:

- ii. Consistency or compliance of the proposed development relative to the goals and objectives of Chapter 205A, HRS; and Section 3.0 of the SMA Rules and Regulations; and

Discussion:

- iii. Consistency or compliance of the proposed development relative to the County General Plan, Development Plan, and Zoning Ordinances.

Discussion:

\_\_\_\_\_  
[name], [title]

\_\_\_\_\_  
Date