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PLANNING COMMISSION
County of Kaua'i, State of Hawai'i

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Michael A. Dahilig
Clerk of the Commission

Job No. 02-06
Appendix M
Zoning Permits

RECEIVED

OCT 11 2018

Clyde Kodani
Kodani & Associates Engineers, LLC
3126 Akahi St,
Lihue, HI 96766

Subject: **Class IV Zoning Permit Z-IV-2019-2**
Use Permit U-2019-1
Special Permit SP-2019-2
Tax Map Keys: (4) 5-1-005:131
Kilauea, Kaua'i
County of Kauai Department of Water, Applicant.

This letter memorializes the action taken by the Kaua'i Planning Commission effective SEPTEMBER 25, 2018 concerning approval to demolish and replace the existing 100,000 gallon water tank with a new 1.0 million gallon water tank with associated site improvements. The approval, per your consent, is subject to the following conditions:

1. The proposed facility shall be constructed as represented. Any changes to said structures and/or facilities shall be reviewed by the Planning Department to determine whether Planning Commission review and approval is warranted.
2. In order to further ensure that the project is compatible with its surroundings and to minimize the visual impact of the structure, the external color of the tank shall be of a moderate to dark earth-tone color. The proposed color scheme shall be submitted to the Planning Department for review and acceptance prior to building permit application.
3. In order to minimize adverse impacts on the Federally Listed Threatened Species, Newell's Shearwater and other seabirds, all external lighting shall be only of the following type: *downward-facing shielded lights*. Any spotlights aimed upward or spotlighting of structures, landscaping, or the ocean shall be prohibited.
4. The Applicant shall develop and utilize Best Management Practices (BMP's) to insure that the operation of this facility does not generate impacts that may affect the health,

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safety, and welfare of those in the surrounding area of the proposal.

5. The Applicant shall resolve and comply with all agency requirements as recommended in the permit application review, including but not limited to the permit requirement for the County DPW Engineering Division, water requirements for the County Dept. of Water, and regulations involving environmental concerns as administered by the State Department of Health.
6. The Applicant is advised that prior to construction and/or use, additional government agency conditions may be imposed. It shall be the Applicant's responsibility to resolve those conditions with the respective agency(ies).
7. The Applicant is advised the should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division (SHPD) and the Planning Department to determine mitigation measures.
8. The Planning Commission reserves the right to add or delete conditions of approval in order to address or mitigate unforeseen impacts this project may create, or revoke the permits through the proper procedures should conditions of approval be violated or adverse impacts be created that cannot be properly addressed.

If you have further questions regarding this matter, please contact Chance Bukoski of my staff at (808) 241-4050.

Sincerely,



MICHAEL A. DAHILIG
Clerk, Kaua'i Planning Commission

Cc: County- Public Works, Fire, Water, Housing, Transportation
State- Health, Historic Preservation Division
File Z-IV-2019-2