

State of Hawaii  
 Department of Land & Natural Resources  
 Division of Forestry and Wildlife  
 1151 Punchbowl Street, Room 325  
 Honolulu, Hawaii 96813

Incidental Take License No. ITL-05  
 Date of Issue: MAR 18 2005  
 Valid Until: July 31, 2021

## INCIDENTAL TAKE LICENSE

to accompany:

### Habitat Conservation Plan for *Abutilon menziesii* at Kapolei

The Board of Land and Natural Resources hereby grants permission under the authority of §195D-4(g) Hawaii Revised Statutes and all other applicable laws, to:

State of Hawaii  
 Department of Transportation  
 Aliiimoku Hale  
 869 Punchbowl St.  
 Honolulu, HI 96813

To: take of (if such taking is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity);

The following species:

<u>Common Name</u>	<u>Scientific Name</u>	<u>No. of Specimens</u>	<u>Location</u>
Ko'oloa'ula, or "red ilima"	<i>Abutilon menziesii</i>	All individuals within 1,381-acre project area.	1,381-acre project area covered under the "Habitat Conservation Plan for <i>Abutilon menziesii</i> at Kapolei"

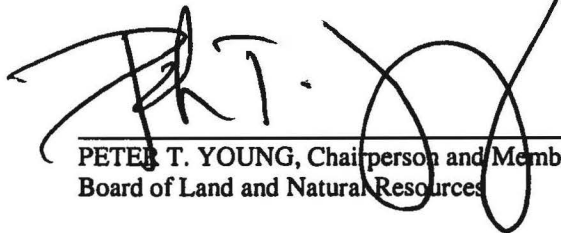
Subject to the following conditions:

#### I. GENERAL CONDITIONS

1. This license only authorizes the permittee to incidental take of *Abutilon menziesii* on the 1,381-acre project area defined in the "Habitat Conservation Plan for *Abutilon menziesii* at Kapolei" and on Attachment 1, which is attached hereto and made part of this license.
2. This license is valid only if the Department of Transportation and other organizations covered under Certificates of Inclusion abide by the terms and conditions of the "Habitat Conservation Plan for *Abutilon menziesii* at Kapolei".
3. This license is valid for species protected by federal law only if accompanied by proper federal permits.
4. This license shall become valid upon completion of the following:
  - i. A legal representative of the Department of Transportation has acknowledged understanding and agreement to abide by its conditions by signing two copies of Attachment 2, which is attached hereto and made a part of this license.
  - ii. Both copies of the signed license must be returned to the Division of Forestry and Wildlife. Upon approval by the Chairperson of the Board of Land and Natural Resources, a copy of the license will be returned to the applicant.
5. The Board may suspend or revoke this license and associated Certificates of Inclusion in accordance with applicable laws and regulations in force during the term of the license.

## II. SPECIAL CONDITIONS

1. All plants greater than 1 year of age must be represented by a minimum of 2 individuals (cuttings) established at the Koko Head Crater Botanical Garden and/or the Dillingham low elevation nursery before they can be taken from the project site.
2. No take or development can occur within the approximately 18-acre area that surrounds the core *Abutilon menziesii* concentration within the area identified as Cluster C3 in the "Habitat Conservation Plan for *Abutilon menziesii* at Kapolei" until such time that one outplanting site has met the short-term success criteria described in the HCP. This area is identified as the "Contingency Reserve Area" on Attachment 1.
3. A professional horticulturist experienced in propagation and growing of Hawaiian plants will supervise the incidental take of the naturally occurring population of *Abutilon menziesii*. Each plant will be transplanted with a root ball size dependent upon the diameter of the plant canopy and will be determined by the horticulturist. The plant will be immediately transplanted into an appropriately sized container or will be handled according to the supervising horticulturist. The plants will be transplanted to one of the outplanting sites or transported to the nursery site before the end of the workday. More detailed information concerning the transport and transplanting of the individual plants can be provided by the supervising horticulturist.
4. DLNR Division of Forestry and Wildlife will be notified within 30 days in advance of any planned land use (e.g. construction, etc.) which the permittee anticipates will result in the incidental take of *Abutilon menziesii*.



PETER T. YOUNG, Chairperson and Member  
Board of Land and Natural Resources

cc: / / DOFAW Oahu Branch  
/ / DOCARE  
/ / USFWS Pacific Islands Office, Honolulu  
/ / Senior Resident Agent, USFWS-Law Enforcement, Honolulu

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9	1	16
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**LEGEND**

	State Lands
	City Lands
	Contingency Reserve Area

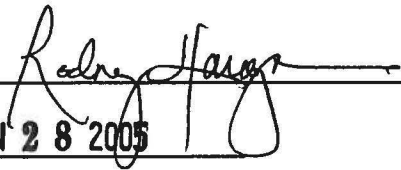
ISLAND OF OAHU

PBR

Attachment No. 2 to INCIDENTAL TAKE LICENSE No. ITL-05

The undersigned has read, understand and hereby agree to abide by General Conditions 1 - 5 and Special Conditions 1 - 4 stipulated on pages 1 and 2 in INCIDENTAL TAKE LICENSE No. ITL-05.

By: \_\_\_\_\_



Date: \_\_\_\_\_

JAN 28 2005