

State of Hawai'i
Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, Hawai'i 96813

Incidental Take License Number: ITL-18
Date of Issue: FEB 10 2014
Valid Until: 10 years from date of issue

INCIDENTAL TAKE LICENSE

To accompany:

“Round-leaved Chaff Flower (*Achyranthes splendens* var. *rotundata*) Habitat Conservation Plan Kenai Industrial Park Project”

The Board of Land and Natural Resources hereby grants permission under the authority of Hawaii Revised Statutes §§ 195D-4(g) and 195D-21 and all other applicable laws to:

CIRI Land Development Company

For take, if such taking is incidental to and not the purpose of the carrying out of an otherwise lawful activity, of the following species:

Common Name	Scientific Name	Requested Authorization	Location
Round-leaved Chaff Flower	<i>Achyranthes splendens</i> var. <i>rotundata</i>	Three individuals and their seed bank within the 0.75-acre project area	TMK 9-1-074:023

I. GENERAL CONDITIONS

1. This license only authorizes incidental take of the covered species by the licensee on the lands owned or otherwise controlled by CIRI Land Development Company identified as TMK 9-1-074:023 on the island of O'ahu, Hawai'i at the time this license is issued pursuant to the “Round-leaved Chaff Flower (*Achyranthes splendens* var. *rotundata*) Habitat Conservation Plan Kenai Industrial Park Project” dated October 2013 (hereinafter “HCP”).

2. This license is valid only if CIRI Land Development Company abides by the terms and conditions of the HCP and ITL for the duration of the permit.
3. This license is valid for species protected by federal law only if accompanied by proper federal authorization.
4. This license shall become valid upon completion of the following:
 - i. A legal representative of CIRI Land Development Company has acknowledged understanding and agreement to abide by its conditions by signing two copies 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, a copy of the license will be returned to the applicant.
5. The Board may suspend or revoke this license if the HCP is suspended or revoked. The Board may also suspend or revoke this license in accordance with applicable laws and regulations in force during the term of the license.

II. SPECIAL CONDITIONS

1. All *Achyranthes splendens* var. *rotundata* seeds visually found on the plants at the project site prior to grading must be preserved and stored for outplanting purposes, in accordance with the approved HCP.
2. An authorized horticulturist/botanist experienced in propagation and growing of Hawaiian plants will supervise the permanent removal of the naturally occurring population of *Achyranthes splendens* var. *rotundata*, in accordance with the approved HCP.
3. There must be (a) recruitment of seedlings that survive through the dry season at the off-site mitigation area, in absence of any supplemental watering, and (b) 25% natural seedling germination from seedlings of the outplanted lineages by Year 5.
4. No fewer than 120 mature plants, which will include plants recruited from the planted lineages, will be established by Year 5.

By: 

Date 2/10/14

 William J. Aila, Jr., Chairperson and Member
Board of Land and Natural Resources

The undersigned has read, understands, and hereby agrees to abide by the General Conditions and the Special Conditions stipulated in this license.

CIRI Land Development Company

By: 

Date January 27, 2014

Dave Pfeifer, President
CIRI Land Development Company

CIRI Land Development Company notarized signature is made a part of this document.

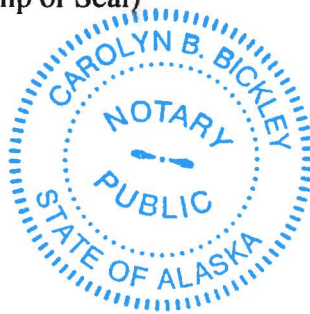
cc: DOFAW
DOCARE
USFWS Pacific Islands Office, Honolulu

STATE OF HAWAII Alaska)
Third Judicial District) SS.
COUNTY OF)

On this 27th day of January, 2014 before me personally appeared

Dave Pfeifer, to me known to be the person described herein, and who, being duly sworn or affirmed, did say that he/she/they is/are the said President named in the foregoing instrument, and that he/she/they executed said instrument as his/her/their own free act and deed.

(Notary Stamp or Seal)



Carolyn B. Bickley
 (Signature)

Carolyn B. Bickley
 (Signature)

Notary Public, State of Hawaii Alaska
 My commission expires: 6.25.14

Doc. Date: _____ # of Pages: _____

Notary Name: _____ Circuit _____

Doc. Description:

Notary Signature

Date

NOTARY CERTIFICATION

(Notary Stamp or Seal)