

Point Reyes National Seashore

PORE-INTERIM LEASE-2205

This Interim Lease is made and entered into by and between the United States Department of the Interior, National Park Service, Point Reyes National Seashore ("Lessor or Permitter") and Robert Giacomini, Lynn Giacomini Stray, Diana Giacomini Hagan, and Jill Giacomini Basch ("Lessee or Permittee"). These individuals have been approved by the National Park Service as the Permittees to AGRI-8530-2600-1004.

This Interim Lease incorporates by reference and hereby extends the rents, terms, and conditions of the attached Lease/Permit(s) AGRI-8530-2600-1004. By executing this Interim Lease, Lessee expressly agrees that he is bound by and will comply with the rents, terms and conditions of the attached Lease/Permit(s) as modified by this Interim Lease.

Modified Terms for AGRI-8530-2600-1004:

Exhibit A is revised by replacing it with the Exhibit A (dated June 28, 2022) attached to this Interim Lease and incorporated herein by reference.

The cover sheet is revised to read:

*"is hereby authorized during the period from 12:00 a.m. on September 15, 2022 to 11:59 p.m. on September 14, 2024 to use the following lands or facilities in the above named area: **Approximately 330 acres on Tract 05-137 (E. Gallagher Ranch) within Golden Gate National Recreation Area (the Premises)** (See revised Exhibit A).*

for the purpose(s) of seasonal grazing of beef cattle/dairy heifers at 420 Animal Unit Months (equivalent of 35 animal units per year) ..."

The first sentence of Article 3(a) is replaced with the following sentences to reflect current seasonal operations with dairy heifers:

Permittee intends to use the Premises for seasonal pasturing / grazing of beef cattle and/or dairy heifers. The grazing season shall be established in coordination with the NPS in support of water quality and habitat protection objectives.

A new Article 3(a)1 is added to the Permit to clarify that implementation of Management Activities for ranch operations are included in Appendix F of the General Management Plan Amendment:

Permittee's authorized use of the Premises is subject to Permittee's implementation of Best Management Practices (BMP's) designed to preserve the integrity of park resources. Best Management Practices (i.e., Management Activities) for typical ranch operations are found in Appendix F of the General Management Plan Amendment, dated September 2020 (GMPA).

Article 3(h) is revised to reflect the Biological Opinions and reporting requirements that are now in effect:

Operations under this Permit are subject to the conditions outlined in the U.S. Fish and Wildlife Service (USFWS) Biological Opinion for the General Management Plan Amendment, dated June 4, 2021, and the National Marine Fisheries Service Biological Opinion for the General Management Plan Amendment dated March 18, 2021 and to the related reporting requirements included as sections 3(e)(1) and 3(e)(2). These documents are available upon the Permittee's request.

A new Article 3(h)(1) is added to the Permit:

For the US Fish and Wildlife Service Biological Opinion, Permittee shall report to NPS by November 1 of each year the following:

- a. individual Management Activity projects under GMPA Appendix F conducted over the past calendar year on the Premises;*
- b. pertinent information concerning the success of meeting Avoidance and Minimization Measures for Management Activities taken on the Premises;*
- c. an explanation of failure to meet such measures, if any;*
- d. any incidental take of federally listed species under this biological opinion for that given year; and*
- e. condition of all stock ponds on the Premises.*

A new Article 3(h)(2) is added to the Permit:

For the National Marine Fisheries Service Biological Opinion, Permittee shall report to NPS by November 1 of each year the following:

- a. for fencing: the dates of monitoring and extent of repairs conducted to maintain riparian fencing identified in Exhibit A; linear feet monitored; linear feet of any occurrences of breaching or disrepair; date(s) that breaching or disrepair was discovered; and specific dates actions were taken to repair riparian fencing;*
- b. a brief description of any ranch infrastructure activities (i.e., Management Activities from GMPA Appendix F) implemented on the Premises;*
- c. a summary of vegetation management, required NRCS Conservation Practice Standards, and mitigation measures that apply to any implemented Management Activities; and*
- d. identification of any roads that have signs of persistent erosion.*

Article 12(a) is amended to include a requirement that Permittee provide NPS with copies of documents submitted to the Regional Water Quality Control Board (RWQCB):

Potential sources of nonpoint source pollution associated with this Permit include soil erosion and animal waste. The Permittee shall comply with all Applicable Laws regarding nonpoint source pollution (including the protection of beneficial uses of waters as designated by the State of California). Permittee shall conduct all water quality monitoring and reporting required by the RWQCB and shall submit copies of those reports to NPS within 10 days of their submittal to the RWQCB. Further, Permittee's use and occupancy of the Premises shall be designed to minimize, to the greatest extent feasible, non-point source pollution within National Park Service boundaries and on adjacent lands.

Article 12(b) is revised to reflect current RWQCB requirements for this operation:

The San Francisco RWQCB has identified Waiver of Waste Discharge Requirements for nonpoint source pollution associated with grazing, renewed in 2018 under R2-2018-0046. Permittee shall be responsible for compliance with applicable Waste Discharge Requirements contained therein and as modified in any subsequent renewals.

Article 12(c) is revised as follows to clarify that BMPs are now referred to as Management Activities:

Permittee shall be responsible for implementing water quality related Best Management Practices identified in consultation with NPS to preserve the integrity of park resources. Water quality Best Management Practices (i.e., Management Activities) for typical ranch operations are found in the GMPA Appendix F.

Article 12(d) is deleted because the revised Sections 12(a)-12(c) address Permittee's obligations to meet the RWQCB Requirements.

Article 13(a) is revised to reflect current seasonal operations and to include monthly reporting of stocking by the operator to the NPS:

This Permit authorizes seasonal grazing of dairy heifers or beef cattle not to exceed 420 Animal Unit Months (AUM) annually (equivalent of 35 animal units per year). Permittee shall provide monthly actual stocking information by pasture and class of animal (cow, calf, bull) to the NPS by the 15th of the following month. The monthly reports will identify AU numbers by pasture and operation. Permittee will remove cattle from the Premises for the remainder of the year once the total AUM allocation is met.

Article 14 is amended to include a new Article 14(c) that aligns vegetation-related Management Activities with the mitigation measures adopted in the GMPA Record of Decision:

A new Article 14(c) is added to the Permit:

Permittee shall conduct any vegetation-related Management Activities consistent with the mitigations listed in Appendix F of the GMPA and in consultation with the Park Range Manager.

Article 20(b) is revised to reflect the current payment cycle:

The annual rent under this Permit is payable in advance on a semi-annual basis. Therefore, Permittee hereby agrees to pay fifty percent of the annual rate on or before December with the remaining fifty percent payable on or before June of each year during the Term.

Article 25(a) is revised to read:

Issuance of future leases will be in accordance with the GMPA Record of Decision, dated September 13, 2021.

IN WITNESS WHEREOF, the Superintendent, Point Reyes National Seashore, acting on behalf of the United States, in the exercise of the delegated authority from the Secretary as Lessor, and Lessee have executed this Interim Lease by proper persons thereunto duly authorized.

THE UNITED STATES DEPARTMENT OF
THE INTERIOR, NATIONAL PARK SERVICE

Date September 20, 2022

Signed document on file
Craig Kenkel, Superintendent
"LESSOR or PERMITTER"

Date September 14, 2022

Signed document on file
Robert Giacomini
"LESSEE or PERMITTEE"

Date September 14, 2022

Signed document on file
Lynn Giacomini Stray
"LESSEE or PERMITTEE"

Date September 14, 2022

Signed document on file
Diana Giacomini Hagan
"LESSEE or PERMITTEE"

Date September 14, 2022

Signed document on file
Jill Giacomini Basch
"LESSEE or PERMITTEE"