

Staff Report 54

LESSEE/ASSIGNOR:

Add T. Kennon, Jr. and Betty A. Kennon, Trustees of the Add T. Kennon, Jr. and Betty A. Kennon Family Trust u/d dtd October 24, 2011

APPLICANT/ASSIGNEE:

Frank Remlinger and Haihang Guo

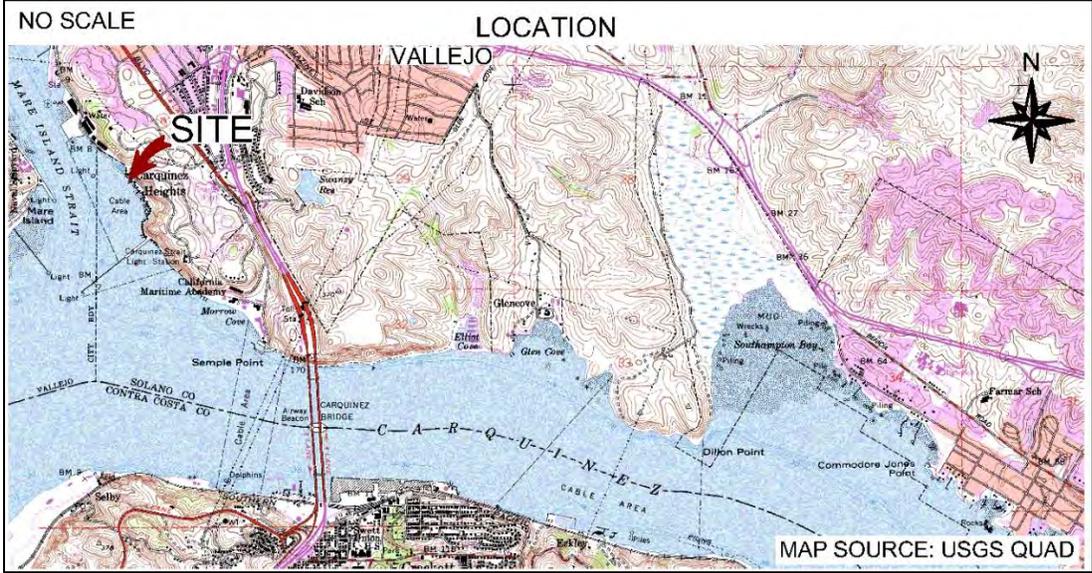
PROPOSED ACTION:

Revision of Rent and Assignment of a General Lease – Recreational and Residential Use.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Mare Island Strait, adjacent to 6 Sandy Beach Road, Vallejo, Solano County (as shown in Figure 1).

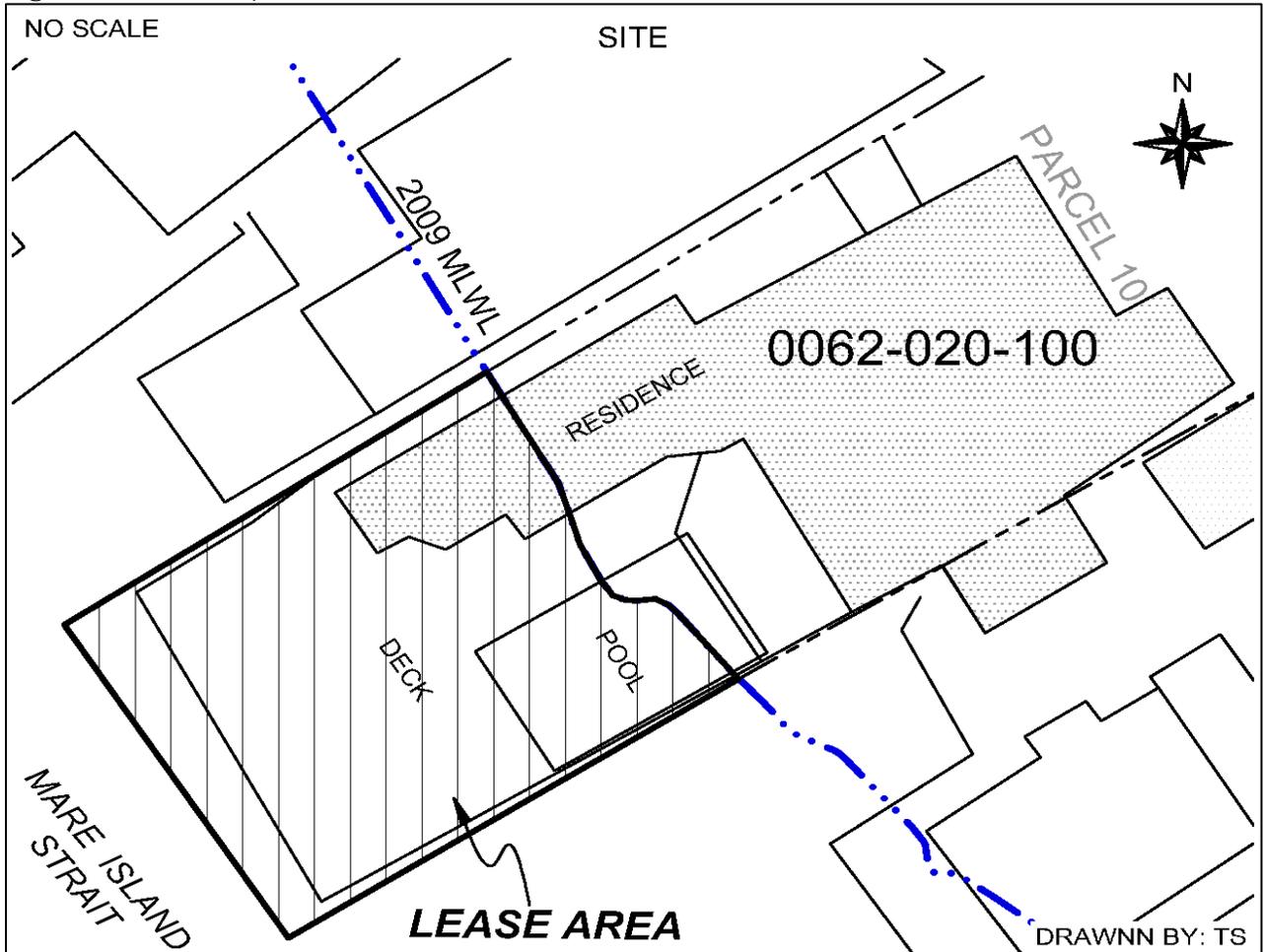
Figure 1. Location



AUTHORIZED USE:

Use and maintenance of a portion of an existing residence, pool, deck, and appurtenant facilities (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

30 years; beginning February 9, 2016.

CONSIDERATION:

The lease provides for periodic rent reviews. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that the rent be revised from \$1,944 per year to \$4,617 per year, effective February 9, 2026.

SPECIFIC LEASE PROVISIONS:

- Liability insurance in an amount no less than \$1,000,000 per occurrence.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, 6503.5, and 6505.5; California Code of Regulations, title 2, section 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On February 9, 2016, the Commission authorized the issuance of a General Lease – Recreational and Residential Use to Add T. Kennon, Jr. and Betty A. Kennon, Trustees of the Add T. Kennon, Jr. and Betty A. Kennon Family Trust u/d dtd October 24, 2011, for the use and maintenance of a portion of an existing residence, pool, deck, and appurtenant facilities ([Item 23, February 9, 2016](#)). The lease expires on February 8, 2046.

On March 1, 2024, the Lessee deeded the upland property to Frank Remlinger. Staff was not made aware of this transfer. On December 2, 2024, Frank Remlinger deeded the upland property to himself and Haihang Guo. The Applicant is now applying for an Assignment of Lease, effective March 1, 2024, to coincide with the transfer of the upland property. Staff recommends assignment of the lease effective March 1, 2024, as the upland property has been owned by the same individual since the initial sale.

The Applicant is qualified to hold the lease, and staff has not discovered any information that would provide a basis for withholding the assignment. Thus, staff believes that assigning the lease is in the state's best interest to ensure that a capable lessee is committed to managing the improvements and fulfilling the lease obligations. The proposed assignment does not alienate the State's fee simple interest or permanently impair public rights.

CLIMATE CHANGE:

INTRODUCTION:

The climate crisis and rising sea levels are impacting coastal California now. As underscored in the [State of California Sea Level Rise Guidance](#) (Ocean Protection

Council, 2024), the combination of extreme weather events and the persistent and accelerating rise in sea levels will lead to increased coastal hazards, such as wave runup, storm surges, flooding, and erosion. Shorelines will move inland due to rising seas, exposing more of the natural and human-built environment to coastal hazards. The resulting damage will occur repeatedly and incrementally over years and, in extreme cases, over the span of a few large winter storms. These impacts may affect the existing partial residence, deck, and pool subject to the proposed lease, located on Mare Island Strait near Vallejo, Solano County.

DATA & PROJECTIONS:

Sea levels along most of the California coast rose four to eight inches during the last century, and this trend will accelerate throughout this century. The current rate of sea level rise is triple the rate during the last century. There is growing confidence that by 2050 sea levels will be approximately ten inches higher than they were in 2000. The severity of sea level rise beyond 2050 is contingent on future levels of greenhouse gas emissions. The California Ocean Protection Council updated the State of California Sea Level Rise Guidance in 2024 to provide a synthesis of the best available science on sea level rise projections and rates for multiple emissions scenarios. To apply a precautionary approach, Commission staff evaluated the “intermediate-high” and “high” scenarios due to the vulnerability and exposure of the lease location and the continued global reliance on fossil fuels. The San Francisco tide gauge was used for the projected sea level rise scenario for the lease area, as listed in Table 1.

Table 1. Projected Sea Level Rise for San Francisco

Year	Intermediate-High (feet)	High (feet)
2040	0.7	0.8
2050	1.0	1.3
2070	2.2	2.9
2100	4.8	6.5

Source: Table 6, State of California Sea Level Rise Guidance: 2024 Update

Note: Projections are with respect to a 2000 baseline.

The lease is a 30-year General Lease – Residential and Recreational Use that began on February 9, 2016, and may be subject to the climate change effects and projected sea level rise scenarios provided above. Regular maintenance, as referenced in the lease, may reduce the likelihood of severe structural degradation and dislodgement. Further climate change impact analyses on the leased facilities

would be assessed if a new lease is considered in 2046, and would be based on projected climate change and sea level rise scenarios at that time.

CONCLUSION:

For all the reasons above, staff believes approval of this lease assignment will not substantially interfere with Public Trust needs at this location, at this time, and for the remaining term of the lease; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application and of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility **as trustee of the State's Public Trust lands as authorized by law**. If the Commission denies the application, the lease would not be assigned. The assignee has no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism" and "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.
3. Approving the assignment of lease and revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed assignment of the lease will not substantially interfere with Public Trust needs and values at this location, at this time, and for the remaining term of the lease; and is in the best interests of the State.

AUTHORIZATION:

1. Approve the revision of rent for Lease Number 2619 from \$1,944 per year to \$4,617 per year, effective February 9, 2026.
2. Authorize the assignment of Lease Number 2619, a General Lease – Recreational and Residential Use, of sovereign land from Add T. Kennon, Jr. and Betty A. Kennon, Trustees of the Add T. Kennon, Jr. and Betty A. Kennon Family Trust u/d dtd October 24, 2011, to Frank Remlinger and Haihang Guo; effective March 1, 2024, to coincide with the transfer of the littoral upland property.