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July 27, 2026

VIA ELECTRONIC MAIL ONLY (newtonj@saccounty.gov)

File Ref.: SCH #2026061183

Sacramento County, Planning & Environmental Review
Julie Newton
827 7th Street, RM 25
Sacramento, CA 95814-2406

**Subject: Mitigated Negative Declaration for the Rippey Private Floating Dock,
Sacramento County**

Dear Julie Newton,

The California State Lands Commission (Commission) staff has reviewed the Mitigated Negative Declaration (MND) for the Rippey Private Floating Dock (Project), which is being prepared by the County of Sacramento. The County of Sacramento is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The Commission is a trustee agency for projects that could directly or indirectly affect State sovereign lands and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on State sovereign land under the Commission's jurisdiction, the Commission will act as a responsible agency.

Commission Jurisdiction and Public Trust Lands

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; and 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust Doctrine.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the state for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation,

habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court.

Georgiana Slough at this location is natural, navigable, and tidal. Based on the information provided, several Project activities will be located on sovereign land, and therefore, a lease application for the Rippey Private Floating Dock project is required.

If you have questions specific to jurisdiction, lease provisions, or the application process, please contact Public Land Management Specialist Madison Waldo (contact information below). Additionally, an application may be submitted to the Commission through the online application portal ([OSCAR.slc.ca.gov](https://oscar.slc.ca.gov)).

Project Description

Mr. Tyson Rippey proposes to construct a private floating dock within Georgiana Slough, with a gangway from the dock to the top of the levee. Construction activities will include the use of a barge-mounted pile driver, and piles will be installed in Georgiana Slough and on the levee slope above the ordinary highwater mark to support the gangway. Finally, a concrete pad will be installed on the levee crown to anchor the gangway.

From the Project Description, Commission staff understands that the Project would include the following components that have potential to affect State sovereign land:

- Project Component 1. Installation of a private floating dock anchored to the bed of Georgiana Slough by four 8-inch steel piles using a barge-mounted pile driver.
- Project Component 2. Installation of a 76-foot-long aluminum gangway extending from the levee crown, crossing over approximately 29-feet of State land (beginning at the ordinary high-water mark) and connecting to the floating dock.

Environmental Review

Commission staff requests that the County of Sacramento consider the following comments in the Project's MND to ensure that impacts to State sovereign land are adequately analyzed for the Commission's use of the MND when considering a future lease application for the Project.

General Comments

1. Public Agency Approvals: Please identify the Commission as a public agency with jurisdiction and discretionary approval over the Project. Page 6 of the MND omits the Commission in a list of public agencies whose approval is required. A General Lease – Recreational Use will be required for the installation of the floating dock and gangway, which extends onto State Sovereign land within Georgiana Slough.

Biological Resources

2. Inadvertent Introduction of Invasive Species: The MND does not include a discussion of the inadvertent introduction of aquatic invasive species, such as the Golden Mussel. Please include how invasive species could be introduced into the project area and to what extent they may directly or indirectly impact native and special status species as well as local infrastructure, such as freshwater intake pipes. Please ensure that the Final MND identifies the port location from where work vessels and in-water pile driving equipment will be deployed. If the port location is outside of the Delta region, then the MND should include the post-construction measures that will be implemented to ensure that work vessels and in-water equipment will be cleaned and decontaminated to avoid potential transport of Golden mussels to waterways outside of the Delta region.

Climate Change

3. Sea Level Rise: State-owned lands and resources under the Commission's jurisdiction will be impacted by rising sea levels. With this in mind, the County of Sacramento should consider discussing in the MND if and how various project components might be affected by sea level rise and whether "resilient" designs have been incorporated. Georgiana Slough and its surroundings are generally in a low-lying, flood-prone area that will be affected by rising sea levels. Additionally, because of their nature and location, these lands and resources are already vulnerable to a range of natural events, such as storms and extreme high tides. As individual projects are designed and evaluated, attention should be given to sea level rise projections to ensure the structures' designs are sufficient to ensure function, safety, and protection of the environment over the expected life of the structure. Governor Brown issued Executive Order B-30-15 in April 2015, which directs state government to fully implement the Safeguarding Plan and factor in climate change preparedness in planning and decision making.

Please note that when considering lease applications, Commission staff will (1) request information from applicants concerning the potential effects of sea level rise and other relevant climate change impacts on their proposed projects; (2) if applicable, require applicants to indicate how they plan to respond to sea level rise and other relevant climate change impacts during the projected life of their projects; and (3) where appropriate, recommend project modifications that would eliminate or reduce potentially adverse impacts from climate change, including adverse impacts on public access. The [California Climate Adaptation Strategy](#) (2024) calls for state agencies and local and regional partners to implement actions to reduce climate risks and increase resiliency to climate change impacts.

Tribal Cultural Resources

4. Tribal Outreach: Commission staff recognizes the efforts Sacramento County has made toward tribal consultation as set forth under Public Resources Code section 21074. The County notified tribes that had previously requested Project notifications, and page 84 of the MND then concludes "Because no recommendations were received from AB 52 registered consulting partners, there are no tribal cultural resources of significance that have been reported to Sacramento County." While the County may have fulfilled the minimal procedural requirements under CEQA, it is reasonably foreseeable that other tribes could have information on tribal cultural resources in the Project area. Some, if not all, of these tribes provide contact information and confidential notifications to the Native American Heritage Commission (NAHC), and reaching out to the NAHC should be part of an agency's due diligence in obtaining reasonably available information to disclose potential CEQA impacts. Therefore, even if no Tribe has submitted a consultation notification request for the Project area, the MND should address:

- The results (positive/negative) of a Sacred Lands Search Request (SLSR) to the NAHC and any associated next steps that the County took in response
- The County's outreach to tribes who are identified as interested contacts, pursuant to the list provided by the NAHC, and which accompanies SLSR results
- Identification of potential impacts and requested avoidance and/or mitigation from Tribes

Commission staff recommends the above consultation with NAHC to determine the existence of any known Tribal Cultural Resources in the area and evaluate

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potential impacts the Project may have on interested Tribes. Commission staff also recommends an amendment to Mitigation Measure TCR-1 to include for the presence of a Tribal Monitor during any ground disturbing activities for the Project, if so requested by a potentially affected Tribe.

Thank you for the opportunity to comment on the MND for the Project. As a responsible and trustee agency, the Commission will rely on the MND when issuing a new lease.

Please note that federal and state laws require all government entities to improve accessibility of information technology and content by complying with established accessibility requirements. (29 U.S.C. § 794d; 36 C.F.R. § 1194.1 et seq.; Gov. Code, § 7405.) California State law prohibits State agencies from publishing on their websites content that does not comply with accessibility requirements. (Gov. Code, § 115467.) Therefore, any documents submitted to Commission staff during the processing of a lease or permit that will be posted online, including relevant CEQA documentation, must meet accessibility requirements for Commission staff to place the application on the Commission agenda.

Refer questions concerning environmental review to Christopher Hall, Environmental Scientist, at Christopher.Hall@slc.ca.gov or (916) 574-1845. For questions concerning Commission leasing jurisdiction, please contact Madison Waldo, Public Land Management Specialist, at Madison.Waldo@slc.ca.gov or (916) 562-0038.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Dobroski".

Nicole Dobroski, Chief

Division of Environmental Science,
Planning, and Management

cc: Office of Planning and Research
C. Hall, Commission
M. Waldo, Commission