

Contra Costa Countywide Reclamation Services Municipal Service Review

Public Review Draft

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ACRONYMS AND DEFINITIONS

AB:	Assembly Bill
BFE	Base Flood Elevation
BNSF:	Burlington Northern Santa Fe Railroad
CALFED:	California-Federal Bay-Delta Program
CCCFWD:	Contra Costa County Flood Control and Water Conservation District
CDP:	Census Designated Place
CDFW:	California Department of Fish and Wildlife
CESCF:	Cooperative Endangered Species Conservation Fund
CEQA:	California Environmental Quality Act
CKH:	Cortese-Knox-Hertzberg
CSDS:	California State Duck Stamp
CVFPB:	Central Valley Flood Protection Board
CVP:	Central Valley Project
CWA:	California Waterfowl Association
CWC:	California Water Code
DPC:	Delta Protection Commission
DPIIC:	Delta Plan Interagency Implementation Committee
DUC:	Disadvantaged Unincorporated Community
DWR:	Department of Water Resources
EBMUD:	East Bay Municipal Utility District
ERP:	Ecosystem Restoration Program
FEMA:	Federal Emergency Management Agency
FCCE:	Flood Control and Coastal Emergencies
FCP:	Flood Corridor Program
FGC:	Fish and Game Commission
FIRM:	Flood Insurance Rate Map
GHG:	Greenhouse gas
GPM:	gallons per minute
HMP:	Hazard Mitigation Plan
JPA:	Joint Powers Authority
LAFCO:	Local Agency Formation Commission
LMA:	Levee Maintenance Agency
MHI:	Median Household Income
NHA:	National Heritage Area
NFIP:	FEMA's National Flood Insurance Program
NMFS:	National Marine Fisheries Service
PG&E:	Pacific Gas and Electric

PL 84-99:	Public Law 84-99
RD:	Reclamation District
RLA:	Recovery Land Acquisition
SB:	Senate Bill
SFHAs:	Special Flood Hazard Areas
SOI:	Sphere of Influence
SWP:	State Water Project
ULDC:	Urban Levee Design Criteria
ULL:	Urban Limit Line
USFWS:	U.S. Fish and Wildlife Service
USACE:	U.S. Army Corps of Engineers
WAPA:	Western Area Power Administration

PREFACE

Prepared for the Local Agency Formation Commission of Contra Costa (LAFCO), this report is a Municipal Services Review (MSR) / Sphere of Influence Update (3rd Round) covering 12 reclamation districts located in Contra Costa County. An MSR is a state-required comprehensive study of services within a designated geographic area.

CONTEXT

Contra Costa LAFCO is required to prepare this MSR by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000, et seq.), which took effect on January 1, 2001. This Countywide Reclamation District review examines reclamation and levee services provided by 12 special districts in Contra Costa County, whose boundaries and governance are subject to LAFCO.

CREDITS

The authors extend their appreciation to those individuals at the many agencies that provided responses to questionnaires, as well as planning and financial information and documents used in this report.

Policy Consulting Associates conducted this MSR with direction from Contra Costa LAFCO Executive Officer, Lou Ann Texeira. Jennifer Stephenson acted as Project Manager. Melat Assefa was the primary author and analyst.

1. EXECUTIVE SUMMARY

This report is a municipal service review (MSR) covering 12 reclamation districts in Contra Costa County, prepared for the Contra Costa Local Agency Formation Commission (LAFCO). An MSR is a State-required comprehensive study of services that special districts or cities provide. The MSR requirement is codified in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000 et seq.). The most recent MSR for the reclamation districts was adopted in 2015.

OVERVIEW

The Sacramento-San Joaquin Delta encompasses parts of San Joaquin, Sacramento, Yolo, Solano, Alameda, and Contra Costa counties. The Delta plays a significant role in the economy, natural environment, and communities of Contra Costa County and the entire state of California. In addition to being a vital part of a unique estuary ecosystem, the Delta provides a diverse range of goods and services derived from its land, water, and the local population.

WATER RESOURCE

The Delta is a vital link in California's water delivery system. Approximately one-quarter of the state's drinking water originates from the Delta, and two-thirds of Californians rely on it for some or all of their drinking water. The Central Valley Project (CVP) and the State Water Project (SWP) supply this water to numerous cities and communities, including some of California's largest urban areas. Additionally, around three million acres of agricultural land, both within and outside the Delta, are irrigated using its water.

WILDLIFE HABITAT

In addition to agriculture and water supply, the Delta provides habitat and riparian areas for wildlife. Riparian habitats support a diverse range of wildlife, including sensitive invertebrates, amphibians, reptiles, birds, and mammals. An estimated 25 percent of all warm water and anadromous sport fishing species and 80 percent of the state's commercial fishery species

inhabit or migrate through the Delta, and at least half of the Pacific Flyway's migratory water birds rely on the region's wetlands.

Finally, the Delta, including parts of Contra Costa County, has "designated critical habitat" areas. These areas ensure that actions authorized by federal agencies will not destroy or adversely modify critical habitat, thereby protecting areas necessary for the conservation of the species. However, not all federally listed species have designated critical habitats.

RECREATION AND TOURISM

Recreation is an integral part of the Delta, with an estimated 12 million visitor days of use annually, approximately two-thirds of which are boating and fishing-related. The Delta features 290 shoreline recreational areas, 300 marinas, 57,000 navigable waterways, and more than 20 species of sport fish. It is also home to over 750 species of plants and wildlife, including 55 species of fish. According to the updated Economic Sustainability Plan for the Delta, recreation generates more than \$200 million in direct annual spending.

DELTA MANAGEMENT

Three state agencies are responsible for regulating, conserving, and protecting the Sacramento-San Joaquin Delta: the Delta Stewardship Council, the Sacramento-San Joaquin Delta Conservancy, and the Delta Protection Commission.

The Delta Reform Act of 2009 established two primary goals: ensuring water supply reliability and enhancing ecosystem resilience. This framework is designed to protect and improve the Delta as a dynamic region. The Act also created the Delta Stewardship Council and the Delta Conservancy, while instituting a state policy aimed at reducing California's dependence on the Delta for future water supply needs.

These agencies collaborate closely with state, federal, and local partners to achieve these goals. Safeguarding water quality within the Delta and maintaining the existing network of levees and channels are crucial for upholding Delta salinity standards and preventing saltwater intrusion from the San Francisco Bay.

CHALLENGES

The greatest stresses to the levees in the Delta occur when a large storm coincides with high tides. Water levels in Delta channels rise due to high stormwater flows, high tides, and even low air pressures associated with storms. In addition, the levees must withstand erosion from wind-induced waves. Under these circumstances, levees can fail due to overtopping when water levels rise above the levee tops and flow onto the islands. They can also collapse from increased pressure caused by island subsidence, burrowing animals, long-term erosion from high flow events, wind-induced waves, boat wakes, deferred maintenance, and water seepage through sand layers beneath the levee, among other factors not yet well understood.

Several factors will strongly affect future conditions in the Delta, including climate change, changes in land use patterns, shifts in water demand, the continuing subsidence of some islands, seismic activity, and the introduction of new species. These factors will increase the vulnerability of the Delta's levee system, ecosystems, and water supply infrastructure, making long-term planning and adaptation efforts essential.

BOUNDARIES

The 1959 Delta Protection Act¹⁵ established the legal boundary of the Delta, which spans about 738,000 acres in Northern California at the western edge of the Central Valley. The 1992 Johnston-Baker-Andal-Boatwright Delta Protection Act refined the legal boundary of the Delta by designating Primary and Secondary Zones.

The Primary Zone, statutorily defined as comprising "Delta land and water area of primary state concern and statewide significance," comprises approximately 500,000 acres of waterways, levees, and farmed lands in all the Delta counties. The Secondary Zone, which includes the cities of Stockton, Lathrop, Tracy, Oakley, and West Sacramento, is part of the Delta where development can occur. Development projects in the Secondary Zone are primarily subject to local land use decisions.

East Contra Costa County covers a large area within the southwestern Delta. The entire northern border of the County is bound by a waterfront that flows from the Delta to the San Francisco Bay. Contra Costa communities of Bay Point, Bethel Island, Discovery Bay, and

Knightsen are entirely within the Delta. While the cities of Antioch, Brentwood, Oakley, and Pittsburg, as well as the town of Byron, are partially within the Delta.

Land Use

The majority of the Delta is rural, comprised of farms and small towns, while the edges are more urban, with higher-density developments and residents who commute for employment. The primary zone encompasses much of the agriculturally focused land, while the secondary zone is more urban-influenced and includes the Delta's cities and most of the Delta's population.

Population

The majority of Delta residents live in or near the peripheral urban areas, while the population density in the inner Delta is generally very low. As of 2015, the Delta is home to 582,884 people. Of this population, 573,483 resided in the Secondary Zone, while 9,401 lived in the Primary Zone.

Future Growth

Future development and growth in the Delta are significantly affected by Senate Bill (SB) 5, which requires cities and counties with urban and urbanizing areas in the Sacramento-San Joaquin Valley to establish substantial evidence that certain developments and projects are protected from a 200-year flood event, which represents a flood event that has a 0.5-percent probability of occurring in any year, before approval is granted. SB 5 affects only areas of anticipated new development or development in progress in urban and urbanizing areas within the Sacramento-San Joaquin Valley.

Development in the Delta is also constrained by the California Land Conservation Act (commonly known as the Williamson Act) program, in which Contra Costa County is a participant. The Williamson Act aims to preserve agricultural land and open space by discouraging premature and unnecessary conversion to urban uses. Williamson Act contracts are voluntarily established 10-year agreements between a landowner and the County, and the term of the contract is automatically renewed each year unless a notice of non-renewal is filed by the landowner.

Similar to the Williamson Act lands, conservation easements, which are legal agreements between a landowner and a government or nonprofit entity, aim to set aside lands for non-urban uses. Conservation easements typically restrict development and subdivision to the degree necessary to protect a property's significant habitat, open space, or other conservation values. Some conservation easements may allow limited development in areas known as “home sites” or “exclusions,” where small-scale development is allowed, generally in areas of low conservation value (one to two acres in size).

REGULATORY SETTING

Land and water use in the Delta are managed by a complex network of federal and State laws and regulations related to water rights, water quality, endangered species management, and land development. The following federal, state, and local agencies currently play a significant regulatory and levee management role in the Delta.

- Federal Emergency Management Agency (FEMA) — FEMA plays a multitude of flood management roles, including managing the National Flood Insurance Program (NFIP), which includes mapping and classifying flood hazards. FEMA also provides federal disaster recovery assistance in the event of federal emergency or disaster declarations.
- U.S. Army Corps of Engineers (USACE) — At the federal level, the USACE is primarily responsible for planning, designing, and constructing federally authorized flood management facilities, including dams, levees, and other structures. It also develops the operational rules for federally funded flood control reservoirs.
- California Department of Water Resources (DWR) — Primarily acting through the Division of Flood Management, DWR is responsible for State-level flood management, including cooperating with USACE in project planning, design, and funding, cooperating with the National Ocean and Atmospheric Administration in flood and water supply forecasting, operating the Flood Operations Center, providing flood fight assistance, and maintaining portions of the flood management system.

- Central Valley Flood Protection Board (CVFPB) — CVFPB establishes, maintains, and enforces standards for the construction, maintenance, and operation of the flood control system to protect life, property, and habitat in California’s Central Valley.
- Contra Costa County Flood Control and Water Conservation District (CCCFWD) — Established in 1951, the District provides regional flood protection and offers technical information and education to both cities and residents. CCCFWD’s operations are primarily funded by property taxes and developer fees.
- Local levee districts and reclamation districts (RDs) — Known collectively as Levee Maintaining Agencies (LMAs), regularly patrol, maintain, repair, and conduct flood fights as needed on the levees within their jurisdictions.
- Contra Costa County Local Agency Formation Commission (LAFCO) — Oversees the formation, changes of organization, and dissolution of special districts, including RD’s in Contra Costa County.

FLOOD MANAGEMENT SYSTEM

The Contra Costa County Flood Control and Water Conservation District (CCCFWD) manages regional flood control infrastructure, including 79 miles of channels, creeks, and drainage systems, along with 30 detention basins and dams. The County employs structural flood management strategies, such as reservoirs, levees, and drainage systems, as well as non-structural measures, including restricting development in floodplains through conservation easements and regulatory measures, elevating and waterproofing structures, and restoring floodplains to reduce flood risk.

Key flood risk reduction programs in the region include:

- FEMA’s National Flood Insurance Program (NFIP) — Maps flood hazard areas and provides federally backed flood insurance to participating communities.
- Contra Costa County Floodplain Management Program — Requires new or substantially improved structures in Special Flood Hazard Areas (SFHAs) to be elevated above the 100-year Base Flood Elevation (BFE) to reduce flood risk and insurance costs.

- Flood Control Subventions Program — Provides state funding to reimburse local agencies for flood control maintenance, rehabilitation, and disaster response.
- Public Law 84-99 (PL 84-99) — Authorizes the U.S. Army Corps of Engineers to provide emergency response and technical assistance to state and local governments before, during, and after flood events.

LEVEES

The present-day Delta is defined both geographically and hydraulically by levees. Some of these levees are known as project levees, which were constructed by the federal government and later handed over to the State for maintenance as part of the State's flood control plan. Project levees are part of the Federal Flood Control Project and are built to higher standards that meet U.S. Army Corps of Engineers guidelines. However, most levees in the Delta are non-project levees built privately and maintained by local reclamation districts. All of the Contra Costa County reclamation districts reviewed in this MSR maintain non-project levees.

EXISTING LEVEE STANDARDS AND GUIDANCE

Figure 1-1 summarizes the levee standards and guidance applicable to the Delta, including:

- The level of flood protection provided by each standard,
- The types of levees each standard applies to,
- The corresponding freeboard for each standard. Freeboard is the additional amount of height above the Base Flood Elevation used as a factor of safety in determining the level at which a structure's lowest floor must be elevated or floodproofed to be in accordance with state or community floodplain management regulations.¹

¹ FEMA, Glossary.

Figure 1-1: Summary of Levee Standards and Guidance

Standard	Type	Feet	Flood Protection
Hazard Mitigation Plan (HMP)	Minimum geometric template for FEMA assistance eligibility	1	Short-term guideline for flood protection
PL 84-99	Project and eligible non project levees	1.5	Varies based on levee location and purpose
DWR Bulletin 192-82 (Agricultural)	Agricultural levees	1.5	300-year protection
DWR Bulletin 192-82 (Urban)	Urban levees	3	300-year protection
FEMA 100-year Protection	Urban levees	3	100-year protection
FEMA 200-year Protection	Urban (CA law for areas with >10,000 residents)	3	200-year protection

MAINTENANCE OF DELTA LEVEES

Flood control facilities are subjected to natural forces that can reduce their effectiveness over time. Routine maintenance helps preserve the original design and reliability of flood control systems and involves activities including routine inspections of flood control facilities, erosion control, vegetation removal, debris and sediment removal, and control of burrowing animals. Coupled with long-term flood risk reduction projects, routine maintenance strengthens the structural integrity of the levee systems. Maintenance activities are typically performed by Levee Maintaining Agencies (LMA), including reclamation districts, responsible for specified segments of levee systems.

INSPECTIONS

Project levees are subject to USACE certification and inspection. In addition, they are subject to AB 156 inspection and reporting requirements. The project levees are inspected four times a year, including inspections by USACE. Under AB 156, the district must report the condition of its levees to the DWR, which compiles an annual report.

As mentioned, none of the reclamation districts reviewed here maintain project levees and are, therefore, not subject to these reporting requirements. Additionally, according to the Water Code Division 6, section 12989, the DWR must "inspect non-project levees of local agencies for the purpose of monitoring and ascertaining the degree of compliance with, or progress towards meeting, standards such as those set forth in Section 12984." The frequency of such inspections is not specified in the Code.

There are no recent inspection records by DWR for the reclamation districts reviewed. Most districts do not follow a formal levee inspection procedure; instead, they rely on routine, informal inspections conducted by district trustees, staff, or engineers. The inspection practices include regular visual patrols, increased monitoring during severe weather events, and periodic inspections by engineers when specific projects or funding applications are in progress.

RECLAMATION DISTRICTS

Reclamation districts are special districts responsible for reclaiming and/or maintaining land subject to frequent overflow or flooding via systems of levees, dikes, pumps, and ditches in both urban and rural areas. Most reclamation districts were established when local landowners first started agricultural production many decades ago. For the past 130 years, the local reclamation districts have been responsible for maintaining and improving Delta levees.

This MSR will focus on the 12 RDs within Contra Costa County and their capacity to protect approximately 34,802.24± acres from flood events through the maintenance of approximately 116 miles of levee.²

Figure 1-2: Reclamation Districts Reviewed

District	Name	ACREAGE	Miles of levee
799	Hotchkiss Tract	3,100±	14.9±
800	Byron Tract	6,933±	18.9±
830	Jersey Island	3,561±	15.5±
2024	Orwood and Palm Tracts	6,574±	14.3±
2025	Holland Tract	4,090±	10.96±
2026	Webb Tract	5,500±	12.9±

² Adapting to Rising Tides: East Contra Costa County Vulnerability Assessment & Adaptation Project. April 2020. p.103.

2059	Bradford Island	2,200±	7.4±
2065	Veale Tract	1,365±	5.05±
2090	Quimby Island	789±	7.02±
2117	Coney Island	935±	5.48±
2122	Winter Island	441±	0*
2137	Dutch Slough	785±	3.1±
*RD 2122 no longer maintains any levees, as they were breached as part of DWR's Tidal Restoration Project on the island to restore tidal connectivity and enhance wetland habitats.			

LAND USE, POPULATION, AND GROWTH

As shown in Figure 1-3, three of the 12 reviewed reclamation districts (RD 2090, RD 2122, and RD 2137) have no residents, as their land is primarily designated for ecosystem conservation, including marshland, tidal marsh, and wildlife preservation. Six of the districts mainly serve agricultural purposes, with additional uses such as limited residential (RD 2024, RD 2059, RD 2065, RD 2117), commercial activities (RD 2026, RD 2059), recreational spaces (RD 2025), and habitat preservation (RD 830). Many of these districts have minimal populations, ranging from a single resident in RD 2026 to around 12 residents in RD 2059 and RD 2065. While, RD 2024 and RD 2025 have slightly larger populations, with 40 and 30 residents, respectively.

In contrast, RD 799 has an estimated population of 3,335, primarily consisting of residential land uses, along with vacant, commercial, and agricultural uses. RD 800 has the largest population among the RDs reviewed, with approximately 6,900 residents and a mix of agricultural, urban, commercial, and industrial land uses.

While most districts do not anticipate significant development or population growth, RD 799, which currently has three planned residential projects, is expected to add 3,800 homes and 271 units. Once completed, these developments will likely lead to significant population growth within the District. RD 799 encompasses land within both the City of Oakley and unincorporated Contra Costa County.

As the designated land use authorities, both the County and the City are responsible for enforcing the requirements of SB 5, which mandates that substantial evidence be presented demonstrating that new developments and projects are protected from a 200-year flood event.

According to the City of Oakley's current General Plan³ adopted in 2022, no areas within the City or Planning Area are within the 200-year floodplain based on DWR's Best Available Maps (BAM)⁴. Therefore, the City is not currently affected by the SB 5 requirements, including the

³³ City of Oakley, General Plan. Community Health & Safety Element. Adopted January 11, 2022. p.8-4.

⁴ SB 5 authorized DWR to develop the Best Available Maps (BAM) displaying 100- and 200-year floodplains for areas located within the Sacramento-San Joaquin (SAC-SJ) Valley. SB 5 requires that these maps contain the best available information on flood hazards and be provided to cities and counties in the SAC-SJ Valley watershed. This effort was completed by DWR in 2008. DWR has expanded the BAM to cover all counties in the State and to include 500-year floodplains.

General Plan and zoning amendment requirements. Both RD 2137 and RD 799, which encompass land within the City, are within the 100-year flood zone, representing a 1 percent chance of flooding in any given year.

Similarly, Contra Costa County's 2045 General Plan indicates that there are no mapped 200-year flood zones in unincorporated Contra Costa County; however, the County highlights that the areas within the 500-year flood zone, which represents areas with 0.2 percent chance of flooding in any given year, can be used as a proxy in low-lying portions of East County (areas mainly at risk of flooding from the Delta).⁵

Most of the reclamation districts lie entirely within 100-year flood zones. Additionally, Discovery Bay, which is primarily within RD 800, is designated as an area with reduced flood risk due to the existing levee system with planned upgrades to achieve 200-year flood protection.⁶

Furthermore, the County has incorporated policies in the Public Facilities and Services Element as well as the Health and Safety Element of the General Plan outlining various actions to achieve 200-year flood protection in appropriate areas:

- PFS-P5.1— Support public and private efforts to improve protection against flooding, subsidence, and inundation, especially projects that achieve 200-year flood protection or better, factoring in anticipated sea level rise in areas of the county covered by the Central Valley Flood Protection Plan (CVFPP).
- PFS-A5.2 (c)— Coordinate with responsible parties, public and private, to develop a flood risk management plan for the levee systems protecting the unincorporated county that establishes a long-term plan to upgrade the system as necessary to provide at least a 100-year level of flood protection and 200-year level of flood protection where required.
- HS-P5.1— Prohibit urban development in areas designated 100- or 200-year (or 500-year when used as a proxy for the 200-year) floodplain or in areas subject to increased flood hazards due to subsidence or other changes unless appropriate mitigations to reduce

⁵ Contra Costa County, 2045 General Plan – Health and Safety Element. Adopted November 5, 2024. p. 9-14.

⁶ Contra Costa County, 2045 General Plan – Public Facilities and Services Element. Adopted November 5, 2024. p. 8-13.

flood risk to the standards of the Flood Disaster Protection Act of 1973 or above are implemented.

- HS-P5.4— Evaluate development within the Sacramento-San Joaquin Valley for consistency with DWR’s Urban Level of Flood Protection Criteria. Prohibit new single-family residences, density increases, subdivision maps, or development agreements for any property within a 200-year floodplain in an urban or urbanizing area unless an adequate finding can be made pursuant to California Water Code Sections 9600 to 9603.
- HS-P13.1— Except for infill sites, require new development in 100-year or 200-year floodplains to have access to at least two emergency evacuation routes, and encourage the same for existing development.

Figure 1-3: Contra Costa County Reclamation Districts, Land Use and Population

District	Name	land USE	land USE Authority	Current Population
RD 799	Hotchkiss Tract	Primarily residential with commercial, agricultural, and vacant	City of Oakley; Contra Costa County	3,335
RD 800	Byron Tract	Agricultural, urban, commercial, and industrial	Contra Costa County	6,900
RD 830	Jersey Island	Agriculture, cattle grazing, and habitat preservation	Contra Costa County	3
RD 2024	Orwood and Palm Tracts	Primarily agriculture, with limited residential, as well as wildlife habitat and waterfowl	Contra Costa County	40; including seasonal residents
RD 2025	Holland Tract	Primarily agricultural and recreational, including cattle grazing operations and two marinas	Contra Costa County	30
RD 2026	Webb Tract	Primarily agricultural with commercial activities and operation	Contra Costa County	1
RD 2059	Bradford Island	Primarily agricultural, with additional uses including residential and commercial activities	Contra Costa County	12; may increase due to seasonal residents
RD 2065	Veale Tract	Agricultural, with some single-family dwellings, farm worker housing, and outbuildings	Contra Costa County	12-14
RD 2090	Quimby Island	Wildlife conservation with one property used for hunting	Contra Costa County	0

RD 2117	Coney Island	Agricultural, supported by ancillary farm buildings, a primary residence, and a caretaker residence	Contra Costa County	4-6
RD 2122	Winter Island	Primarily marshland, with grassland and open water	Contra Costa County	0
RD 2137	Dutch Slough	Primarily tidal marsh and open space/habitat	City of Oakley	0

DISADVANTAGED UNINCORPORATED COMMUNITIES

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁷ According to the most recent Census Bureau data, the statewide Median Household Income (MHI) for 2019-2023 is \$96,334, and hence, the calculated threshold of \$77,067 defines whether a community is considered disadvantaged.

DWR has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI).

According to the DWR Mapping Tool, there are no disadvantaged communities within ten of the 12 reclamation districts, including the three RDs that have no residents. Meanwhile, a small area in the northwest portion of RD 2065 along Delta Rd and Knightsen is considered a disadvantaged community. In contrast, a large section of RD 799's Sphere of Influence (SOI) specifically, the area bordered by Dutch Slough to the north, E Cypress Rd to the south, Jersey

⁷ Government Code §56033.5 defines a DUC as 1) all or a portion of a "disadvantaged community" as defined by §79505.5 of the Water Code, and as 2) "inhabited territory" (12 or more registered voters), as defined by §56046, or as determined by commission policy.

Island RD to the west, and Sandmound Blvd to the east, is considered a disadvantaged community.

SERVICE CAPACITY

Although twelve RDs are reviewed in this MSR, RD 2122 no longer maintains any levees. The District's levees were breached as part of DWR's Tidal Restoration Project, which aimed to restore tidal connectivity and enhance wetland habitats on the island. As a result, RD 2122 no longer performs any reclamation-related functions.

Figure 1-4 illustrates the services provided by the remaining eleven RDs. Services such as levee maintenance, vegetation management, weed abatement, vector and rodent control, levee road upkeep, and flood control are focused on maintaining and upkeeping levee systems. These services are generally provided by all of the RDs, either directly, through contracted services, or a combination of both. All of the districts also provide drainage and levee patrol services.

A few districts, including RD 830, RD 2024, and RD 799, are engaged in irrigation-related activities. RD 830 manages irrigation using recycled water, while RD 2026 and RD 799 provide irrigation infrastructure, such as floodgates, to support local agricultural operations.

Additionally, RD 2026 and RD 2059 operate the Victory II ferry service through the Delta Ferry Authority (DFA), a Joint Powers Authority (JPA) that facilitates access from Jersey Island to both Webb Tract and Bradford Island.

The configuration of services varies across the districts. Districts such as RD 2024, RD 2026, RD 2059, and RD 2065 primarily provide the majority of services through a mix of in-house staff and contracted support. RD 799, RD 2026, and RD 2059 each employ a District Engineer and a Superintendent on staff. Similarly, RD 2137 also employs a Superintendent, while RD 2024 hires seasonal employees as needed.

Meanwhile, districts such as, RD 800 and RD 2090 are owned by a single landowner and rely on the landowner for equipment and staffing. In contrast, RD 2065 and RD 2117 do not employ dedicated staff for levee maintenance or infrastructure improvements and instead rely entirely on contracted services. Many of the RDs also contract out for legal and accounting support.

The services provided by the reclamation districts also vary depending on available funding, mandatory maintenance standards for the type of levee maintained (project or non-project), location in the Delta (primary or secondary zones), the land use of the protected property, and the value of infrastructure on the protected property. For example, an area that is uninhabited and largely agricultural will necessitate lower maintenance standards than a residential subdivision where loss of life is a concern with levee failure.

STATUS OF, AND OPPORTUNITIES FOR SHARED FACILITIES

RDs in Contra Costa County typically own limited assets and, therefore, rely heavily on various collaborations to fulfill their operational needs.

Several districts with single or a few landowners rely directly on those landowners for operational support. For example, RD 2090 and RD 830 depend on their respective landowners to provide both staffing and equipment. RD 2117 receives similar support from Coney Island Farms, a farming operation located within the District. RD 2024 stores its flood-fighting materials at the Bixler Maintenance Yard, a facility owned by the East Bay Municipal Utility District (EBMUD), whose aqueduct facilities cross the district property. While RD 2137 reports that efficiencies are achieved through collaboration and facility-sharing efforts, including shared equipment and personnel for levee maintenance activities with the two landowners: the City of Oakley and DWR.

Other districts collaborate to reduce costs through shared expenses and strengthen operations. For instance, RD 2025 and RD 2026 share a Board of Trustees with two reclamation districts in San Joaquin County. RD 2025 also collaborates with RD 2090 to provide access to the island, using barges to transport equipment. Furthermore, as mentioned earlier, RD 2026 and RD 2059 jointly operate the Victory II Ferry through the Delta Ferry Authority (DFA), a Joint Powers Authority (JPA). Through the JPA, the Districts share operational costs for ferry services, including repairs, dry dock maintenance, inspections, and administrative and accounting support.

In addition to operational partnerships, several districts collaborate on administrative and professional services. RD 2025, RD 2026, and RD 2137 share administrative facilities, legal

counsel, engineering services, and auditors with other reclamation districts in San Joaquin County. This collaboration significantly reduces costs for all participating districts and improves operational efficiency.

Most RDs have not identified any opportunities for further resource-sharing or collaborative efforts. However, due to the rapid development activities within RD 799, the District plans to establish various cooperative facilities with the City of Oakley, one of the land use authorities, to facilitate the anticipated growth.

Figure 1-4: Reclamation District Service Configuration

District	Name	Levee Maintenance	Drainage	Flood control	Levee Road Upkeep	WEED ABATEMENT	Vector/Rodent Control	Levee Patrol	Flood fighting	Irrigation water	Slope protection	Ferry operation
RD 799	Hotchkiss Tract	O	O	O	O	O	O	O	O	X	O	X
RD 800	Byron Tract	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	X
RD 830	Jersey Island	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	O	Δ	X
RD 2024	Orwood and Palm Tracts	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	X
RD 2025	Holland Tract	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	X	Δ	X
RD 2026	Webb Tract	✓	✓	✓	✓	✓	✓	✓	✓	O	✓	Ø
RD 2059	Bradford Island	✓	✓	Δ	✓	✓	✓	O	✓	X	Δ	Ø
RD 2065	Veale Tract	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	X
RD 2090	Quimby Island	O	✓	✓	O	O	O	O	✓	X	O	X

RD 2117	Coney Island	△	△	△	△	△	△	✓	✓	×	△	×
RD 2137	Dutch Slough	△	△	△	△	△	△	△	✓	×	△	×
△ Service provided by contract ○ Service provided by the District ∅ Service provided through JPA ✓ Service provided by the district and contract ✓ Service not provided												

COMPLIANCE WITH LEVEE STANDARDS

As shown in Figure 1-5, the entire levee system of RD 799, RD 830, and RD 2024 currently meets or exceeds the minimum HMP standards. The remaining eight RDs are also nearing full compliance, with 97 to 99 percent of their levee systems meeting or exceeding the HMP standard.

Most of the districts have also made progress toward complying with the more stringent PL 84-99 and Bulletin 192-82 standards. RD 2024 stands out, with approximately 98 percent of its levee system meeting both PL 84-99 and Bulletin 192-82 standards. In addition, RD 2024 has adopted a District Adopted Template (DAT), which supplements the existing standards to enhance flood protection, improve flood-fighting capacity, and ensure long-term levee system resilience.

RD 2024's commitment to a higher level of protection may reflect the critical infrastructure within the District's boundaries, which includes statewide interests such as the East Bay Municipal Utility District (EBMUD) aqueducts that supply water to 1.3 million people in Contra Costa and Alameda Counties, along with the Burlington Northern Santa Fe Railroad (BNSF), the Kinder Morgan fuel transmission line, PG&E gas transmission lines 57 A, B, and C, and the Western Area Power Administration (WAPA) electrical transmission facilities that the District's levees protect.

In contrast, RD 2059 is the only district with no levee segments currently meeting the PL 84-99 or Bulletin 192-82 standards. However, once the District raises the remaining segments (about 600 feet) that currently fall below the HMP standard, it aims to undertake projects to meet the PL 84-99 standard.

All districts have identified priority levee improvement projects in their respective Five-Year Plans that align with their desired levels of protection. As shown in Figure 1-5, the majority of districts, except for RD 2059, RD 2024, and RD 2137, have selected Bulletin 192-82 as their desired level of protection. These districts have made some progress toward this goal, with current compliance levels ranging from 20 to 66 percent.

Notably, RD 2137 (Dutch Slough) is one of the two districts with a desired level of protection that focuses on the continued maintenance of levees, including vegetation control and periodic slope repairs to prevent erosion or degradation. Following the completion of the Dutch Slough Restoration Project, which involved breaching the 5.2-mile Emerson and Gilbert perimeter levees, RD 2137 now maintains approximately 3.1 miles of levees. This includes a 1.6-mile flood control levee, constructed in 2020 using DWR's Urban Levee Design Criteria, which provides a 200-year level of protection and meets HMP, PL 84-99, and Bulletin 192-82 standards. The remaining 1.5 miles of district-maintained levees include the Marsh Creek West levee and the levee at the southern end of Emerson Slough, which protects City of Oakley property and meets the HMP standard.

Similarly, RD 800 (Byron Tract) plans to continue maintaining the current 100-year level of protection and FEMA accreditation, while also addressing any specific geotechnical seepage or stability issues that may be required.

Figure 1-5: Compliance Status of Reclamation District Levee Systems (by Percentage)

District	Name	HMP	PL 84-99	Bulletin 192-82	Desired Level of Protection
RD 799	Hotchkiss Tract	100%	45%	20%	Bulletin 192-82
RD 800	Byron Tract	51%	100%	48%	Maintain and improve levees to ensure continued 100-year flood protection and FEMA accreditation
RD 830	Jersey Island	100%	N/A	34%	Bulletin 192-82
RD 2024	Orwood and Palm Tracts	100%	98%	98%	District Adopted Template
RD 2025	Holland Tract	100%	85%	66%	Bulletin 192-82
RD 2026	Webb Tract	100%	62%	32%	Bulletin 192-82
RD 2059	Bradford Island	98%	0	0	Ensure the entire system meets HMP; with a long-term goal of meeting the PL 84-99 standard
RD 2065	Veale Tract	99%	27%	27%	Bulletin 192-82
RD 2090	Quimby Island	97%	78%	62%	Bulletin 192-82
RD 2117	Coney Island	99%	75%	54%	Bulletin 192-82
RD 2137	Dutch Slough	100%	51%	51%	Continued maintenance of levees to prevent erosion or degradation

INFRASTRUCTURE NEEDS

As discussed in Figure 1-6, most of the reclamation districts do not have significant infrastructure needs. The main challenges identified by the districts include seepage, erosion, and the need to raise sections of levees that fall below each district's desired level of protection. Due to funding constraints, the districts are primarily focused on routine operations and maintenance while prioritizing projects that address these challenges as emergencies arise. All of the districts except RD 2122, which no longer maintains levees or facilities and has shifted away from its original reclamation functions, have prepared up-to-date Five-Year Plans. These plans outline the current status of facilities (including levees and other flood control structures), infrastructure needs, priority projects, and potential funding sources.

For most districts, the DWR Delta Levees Program, specifically, the Subventions and Special Projects Programs, is the sole identified funding source for addressing these infrastructure needs. Therefore, the districts will prioritize projects that need immediate attention based on funding availability.

Figure 1-6: Infrastructure Needs by Districts

District	Name	Infrastructure Needs
RD 799	Hotchkiss Tract	The levees protecting developed areas need improvements; however, existing encroachments severely limit options for upgrading these levees and performing traditional levee work. Seepage is also a challenge, affecting 30 percent of the District's levee system, while 50 percent requires erosion control measures. The District plans to address these challenges, prioritizing projects based on immediate needs and available funding.
RD 800	Byron Tract	No infrastructure needs have been identified; however, the District plans for continued maintenance of levees, while also addressing any specific geotechnical seepage and/or stability issues that may be required.
RD 830	Jersey Island	The District has not identified any significant infrastructure needs. However, several sections of the District levee, spanning approximately 8,417 feet, are near the minimum HMP criteria for width and elevation. The District will continue to monitor these areas and perform maintenance activities to ensure they remain above the minimum HMP geometry criteria.
RD 2024	Orwood and Palm Tracts	Although there are no significant infrastructure needs, the District is planning improvements to levee infrastructure that focus on key projects aimed at mitigating encroachments, enhancing levee stability, and improving emergency preparedness. These efforts will ensure compliance with the District's Adopted Template (DAT), which, in addition to existing standards such as the Hazard Mitigation Plan (HMP), DWR Bulletin 192-82, and PL 84-99, aims to provide a higher level of protection, enhance flood-fighting capabilities, and ensure the long-term stability and resilience of the levee system.
RD 2025	Holland Tract	The District has not identified any immediate infrastructure needs; however, planned infrastructure improvements include strengthening levee standards, armoring the waterside slope on the east levee with rip rap, and monitoring potential low areas in the southern section of the levee to ensure they continue to meet the minimum HMP elevation.

RD 2026	Webb Tract	The District has not identified any immediate infrastructure needs; however, planned infrastructure improvements include strengthening levee standards, enhancing seepage control, and ongoing monitoring of levee segments that are near the minimum HMP criteria for width and elevation.
RD 2059	Bradford Island	The District's identified infrastructure needs include raising a 600-foot section of levee that sits lower than surrounding areas and controlling significant seepage through sheet piles or French drains. Additionally, the District plans to place riprap for waterside erosion protection, address scour along False River, and continue ongoing levee maintenance and repairs.
RD 2065	Veale Tract	The District continues to maintain levees to meet the minimum HMP standard; however, some areas have only slight overbuilds. Ongoing material addition to the levee crown is necessary to maintain this standard, while maintenance projects are conducted in priority areas to address deficiencies. Overall, no significant improvements are required beyond maintaining the existing drainage system and levees in accordance with federal and state standards.
RD 2090	Quimby Island	The District has not identified any significant infrastructure needs. However, the District plans to prioritize levee maintenance by adding quarry stone riprap above the existing riprap to any waterside slope sections requiring additional rock slope protection.
RD 2117	Coney Island	The District has not identified any significant infrastructure needs. However, the District aims to prevent erosion and reduce future repair needs by enhancing the existing levee's protection to meet the Bulletin 192-82 Standard. This project will involve adding quarry stone riprap where needed on the waterside slope. After completing this Rock Slope Protection project, the District plans to raise portions of the levee, that currently fall below the Bulletin 192-82 Standard, six inches above this standard to prepare the levee for potential future raises that may be necessary due to climate change and rising sea levels.
RD 2122	Winter Island	The District no longer has a reclamation functions and maintains no levees or facilities.

RD 2137	Dutch Slough	No infrastructure needs have been identified; however, the District plans for continued maintenance of levees, including vegetation control and periodic slope repairs, to prevent erosion or degradation.
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FINANCIAL ABILITY TO PROVIDE SERVICES

RDs have several unique funding mechanisms. Operations of Contra Costa County reclamation districts are financed for the most part only by a few funding sources that consist of assessments and property taxes, and State assistance through DWR's Delta Levees Maintenance Subventions Program and Special Projects Program.

As shown in Figure 1-7, for FY 22–23, most districts relied primarily on assessments as their main source of revenue. Notably, RD 2024 (Orwood and Palm Tracts) received 93 percent of its funding from assessments. RD 2065 (Veale Tract) and RD 2026 (Webb Tract) followed, with assessments making up 91 percent and 81 percent of their total revenue, respectively.

RD 800 (Byron Tract) was the only district to collect property taxes, which accounted for 59 percent of its total revenue. RD 2137 (Dutch Slough) was also an outlier, with 97 percent of its revenue generated from state assistance.

As previously discussed, RD 2122 (Winter Island) no longer performs reclamation functions, and the District is solely utilized as a restoration site by DWR, with 100 percent of its funding provided through reimbursement grants from the DWR Real Estate Branch.

Other minor revenue sources across the districts include interest income, miscellaneous reimbursements, and fees for permits or services. Notably, RD 2059 (Bradford Island) reported that other income sources account for roughly 27 percent of its revenue, which includes proceeds from fire insurance. The insurance income was received following a major fire in August 2021 that caused significant damage to levee infrastructure and residential structures. This income is not part of the District's ongoing funding structure.

Figure 1-7: Revenue Sources by District by Percentage, FY 22-23

District	Name	Assessments	State Assistance	Property Taxes	Reimbursement Grants	Other Income Sources
RD 799	Hotchkiss Tract	57%	5%		35%	3.7%
RD 800	Byron Tract	31%	9%	59%	-	0.9%
RD 830	Jersey Island	59%	15%		-	0.2%
RD 2024	Orwood and Palm Tracts	93%	7%		-	0.1%
RD 2025	Holland Tract	79%	17%	-	-	4%
RD 2026	Webb Tract	81%	18%			1%
RD 2059	Bradford Island	53%	20%		-	27.5%
RD 2065	Veale Tract	91%	9%		-	-
RD 2090	Quimby Island	60%	40%			
RD 2117	Coney Island	49%	48%		2%	-
RD 2122	Winter Island	-	-		100%	-
RD 2137	Dutch Slough	2%	97		-	1%

REVENUES

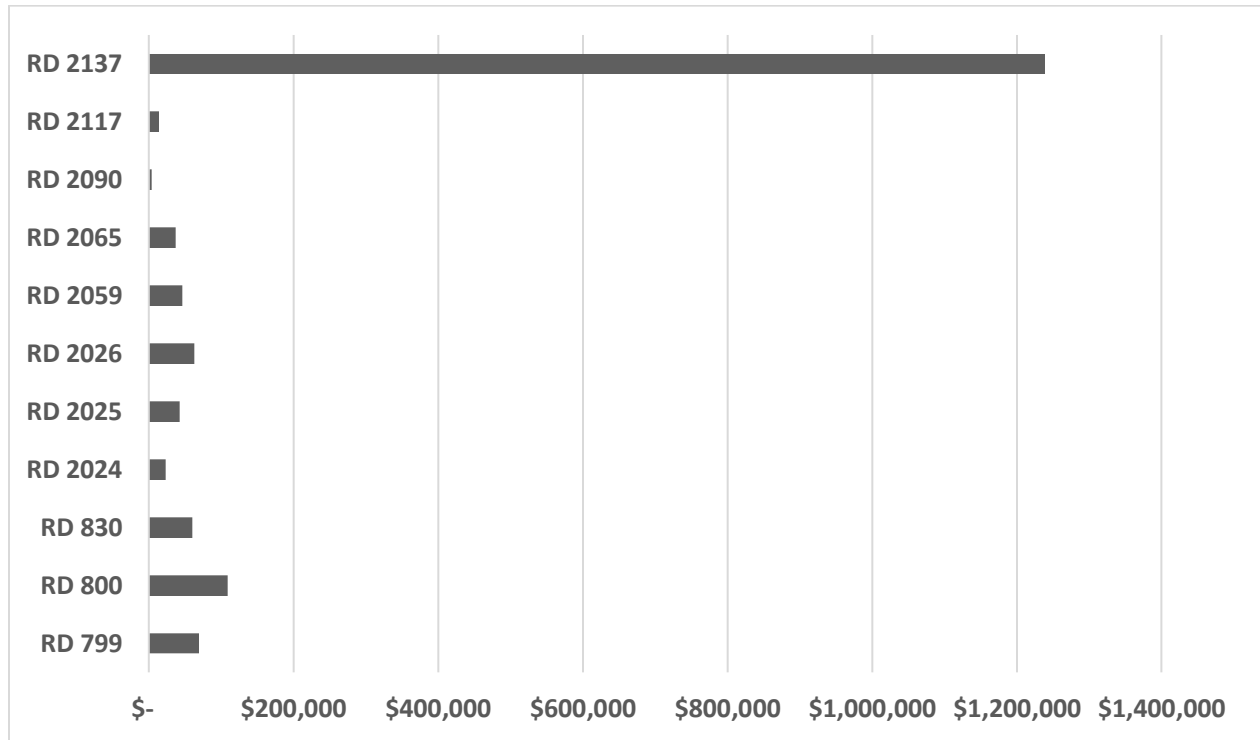
As illustrated in Figure 1-8, the amount of revenue per levee mile varies greatly between the 11 districts. The revenue per levee mile ratio was calculated by dividing each district's total revenue, prior to other financing sources, by the total number of levee miles maintained.

The most notable outlier is RD 2137, which reported over \$1.2 million in revenue per levee mile. As of FY 22-23, the District reported the highest total revenue of \$3,841,461 and the shortest levee mileage (3.1 miles) among all districts reviewed, with funding derived solely from state assistance and assessments. This inflated revenue is due to over 97 percent of the funds coming from project-specific state assistance received through DWR work agreements likely for the Dutch Slough Tidal Marsh Restoration Project. This funding inflates the District's revenue, as it is tied to specific projects rather than ongoing operations. In contrast, RD 2090 collected just \$3,561 per levee mile, reflecting the District's recurring annual budget of \$25,000, which comes from a single-landowner assessment structure and state assistance.

Other districts also show a wide range of revenue per mile. RD 800 (Byron Tract) stands out with \$109,080 per levee mile. While the District maintains the longest levee system at 18.9 miles, this relatively high revenue per mile is likely due to its multiple revenue sources, which include property taxes, assessments, state assistance, and interest income.

RD 799 (\$69,151) and RD 830 (\$59,887) also report relatively high per-mile revenues while maintaining longer levee systems of 14.9 and 15.5 miles, respectively, indicating a more stable and diversified funding structure. In contrast, districts such as RD 2024 (\$23,604), RD 2117 (\$13,966), and RD 2059 (\$46,191) operate with more modest funding per levee mile, reflecting more limited revenue sources.

Figure 1-8: Contra Costa RDs Revenues per Levee Mile, FY 22-23



EXPENSES

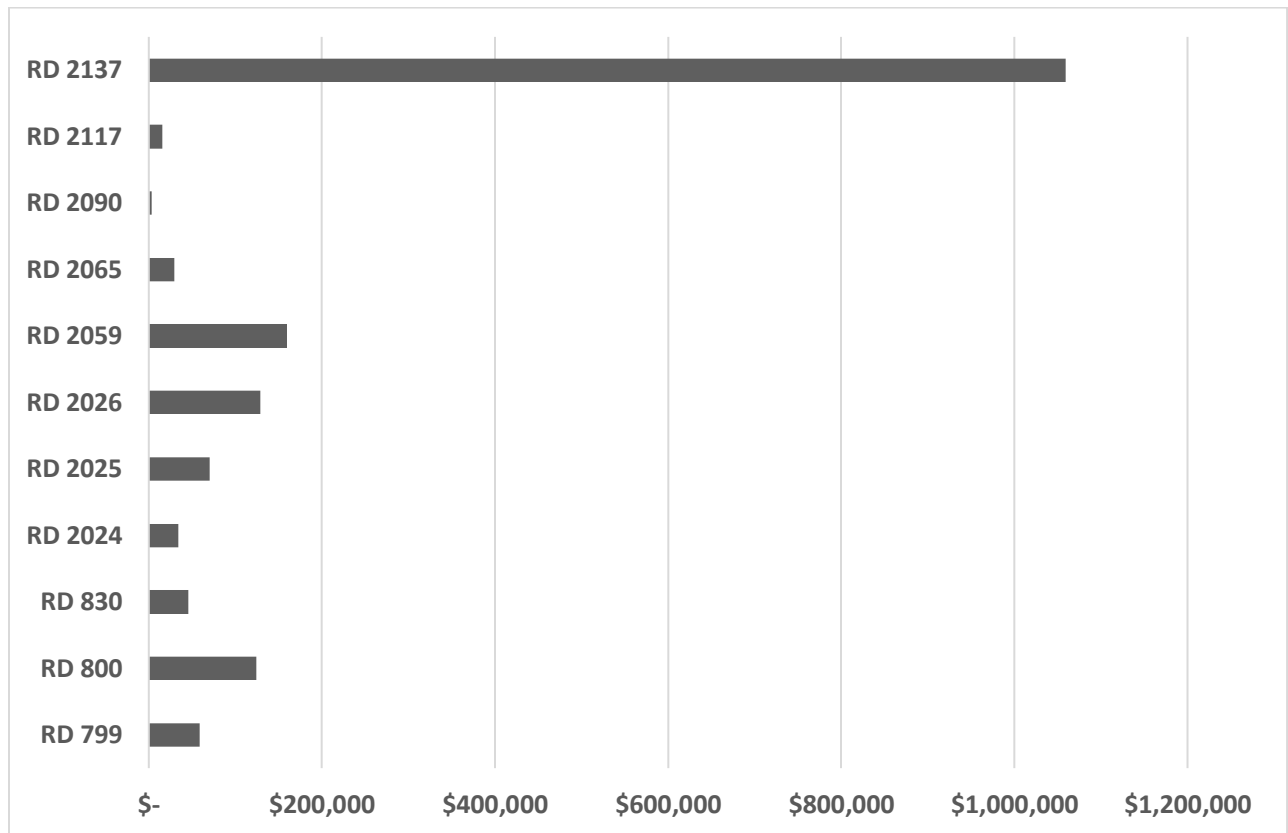
As of FY 22–23, primary expenses across the districts included levee repairs, payroll, engineering, utilities, and administrative services. As shown in Figure 1-8, total expenses per levee mile varied widely among districts.

RD 2137 reported the highest expenses per levee mile, exceeding \$1 million per levee mile. Of the District's total expense of \$3,282,793 during the fiscal year, major categories included levee repairs and maintenance, debt servicing for registered warrants, and engineering costs. Levee repairs and maintenance alone accounted for \$1,633,607 or nearly 50 percent of total expenses. Similar to the revenues, these elevated costs were likely driven by activities associated with the Dutch Slough Tidal Marsh Restoration Project.

In contrast, RD 2090 had the lowest expenses at approximately \$3,561 per mile, consistent with its recurring \$25,000 annual budget. The District's expenses consist of superintendent salary, subcontracted equipment rental, and insurance.

Other districts with higher expenses per levee mile, such as RD 2059 (\$159,354), RD 2026 (\$128,459), and RD 800 (\$123,887), had major expenses in payroll, utilities, and levee repairs. In contrast, RD 2024, RD 2065, and RD 2117 had lower expenses per levee mile (after RD 2090), reflecting more limited budgets, with spending focused primarily on essential services such as utilities, insurance, and maintenance activities.

Figure 1-9: Contra Costa RDs Expenditure per Levee Mile, FY 22-23



FUND BALANCE

The financial ability of the reviewed reclamation districts is marginally adequate based on their capacity to maintain levees to an acceptable standard and generally finance agency operations. However, the majority of the districts are constrained by the limited number of available financing sources.

In FY 22–23, only RD 799, RD 830, RD 2025, RD 2026, and RD 2137 ended the fiscal year with a surplus. RD 2025, RD 2026, and RD 2137 relied on short-term bank loans or registered warrants to support cash flow. Although RD 2137 repaid all outstanding balances in registered warrants at the end of the fiscal year and remained in surplus, RD 2025 and RD 2026 had outstanding balances of \$900,000 and \$450,000, respectively, at the end of the fiscal year.

A key challenge for most districts is that their largest financing source, benefit assessments, is subject to voter approval under Proposition 218 (Prop 218), a process that is often costly and time consuming. Therefore, few districts have pursued this approach. In recent years, only RD 2026 has completed the Prop 218 process to raise sufficient revenue for operations, maintenance, infrastructure improvements, and financial reserves. The District established a new Prop 218-compliant benefit assessment in FY 23-24 to generate approximately \$4.89 million annually to support infrastructure upgrades and build financial reserves. The District reports that the new Levee and Flood Control Facilities Improvement Assessment has been approved by the Board of Trustees and is currently in effect.

While RD 2059 also pursued Prop 218 vote in 2020, following the expiration of a prior assessment, it failed, leading to a significant funding shortfall. To meet operational and maintenance needs and achieve higher levee protection standards, the District plans to pursue a new Prop 218-compliant assessment that would replace the existing assessment roll and ensure long-term fiscal sustainability.

Rural districts, such as RD 2024, RD 2026, RD 2059, and RD 2117, face additional funding challenges due to having few or no residents and being predominantly owned by a single or limited number of landowners, which restricts the assessment revenue generated.

Despite these constraints, most districts maintained positive fund balances by the end of FY 22–23, as shown in Figure 1-10. RD 799 and RD 800 reported the largest fund balances with \$1,424,108 and \$4,769,040, respectively. RD 799’s reserves are sufficient to cover one year and six months of operating costs, while RD 800’s reserve could cover over six years and ten months of operating costs, assuming expenses remain relatively stable.

RD 830, by contrast, utilizes net position reporting instead of fund balances. In FY 22-23, the District reported an ending net position of \$5,080,480, the largest among all the districts reviewed, equivalent to six years and ten months of operating reserves.

It is important to note, however, that while increases and decreases in net position (the amount by which an organization’s total assets exceed its total liabilities) are a useful indicator of financial trends, it is not a direct measure of immediately available resources. Unlike fund balances, a net position may include capital assets, such as infrastructure, and long-term liabilities, which are not immediately accessible.

In contrast, RD 2025, RD 2026, and RD 2122 had both negative beginning and ending fund balances. A recurring negative fund balance indicates that the district lacks sufficient reserves to adequately cover operating costs or address unexpected expenses and revenue shortfalls.

Figure 1-10: Contra Costa County RDs Fund Balance at the End of FY 22-23

District	Name	Fund Balance /Net position*	Fund Balance as % of Revenue	Operating Expense Coverage Period
RD 799	Hotchkiss Tract	\$1,424,108	162%	1 yr 6 month
RD 800	Byron Tract	\$4,769,040	684%	6yr 10 month
RD 830	Jersey Island	\$5,080,480	684%	6yr 10 month
RD 2024	Orwood and Palm Tracts	\$883,488	181%	1 yr 10 month
RD 2025	Holland Tract	\$(85,167)	No Reserve	
RD 2026	Webb Tract	\$(177,658)	No Reserve	
RD 2059	Bradford Island	\$128,583	10%	1 month
RD 2065	Veale Tract	\$30,210	20%	2 month
RD 2090	Quimby Island	-	No Reserve, follows a recurring \$25,000 budget cycle.	
RD 2117	Coney Island	\$42,949	49%	6 month
RD 2122	Winter Island	\$(11,384)	No Reserve	
RD 2137	Dutch Slough	\$431,151	13%	1 month

GOVERNANCE STRUCTURE OPTIONS

Figure 1-11 illustrates the recommended governance structure options and Sphere of Influence (SOI) updates for the 12 reclamation districts reviewed here.

As discussed earlier, RD 2122 (Winter Island) no longer maintains any levees or reclamation functions as the island is solely managed by DWR as a restoration site, with the interior land converted and the levee breached into a tidal marsh in 2019. The District is effectively inactive, without facilities or staff; therefore, the dissolution of RD 2122 and adoption of a zero SOI to reflect anticipated dissolution are recommended. If LAFCO decides on the dissolution of RD 2122, it must identify the effective date of dissolution, designate a successor agency to wind up the affairs of the extinguished agency, and may apply other terms and conditions with its action pursuant to GC §§56885–56890. Since DWR already owns and manages Winter Island for habitat restoration, with operations funded through a reimbursement agreement with its Real Estate Branch, LAFCO could potentially designate DWR as the successor agency. However, it is unclear whether any precedent exists for designating DWR as a successor agency.

An update to the SOI is also recommended for RD 800 to reflect a recent detachment of approximately 29 acres associated with the Pulte Group’s Pantages development project, as approved in LAFCO Resolution 23-06.

For the remaining 10 reclamation districts, it is recommended that the current SOI is reaffirmed, as there are no significant changes in population, land use, service demand, or capacity that would necessitate an update to the districts’ boundaries.

An alternate governance structure option of establishing regional mutual aid is recommended for all districts to formalize capacity and resource-sharing plans during emergencies to address shared challenges in the Delta. This option was also recommended in the previous MSR; however, since then, only RD 799 has implemented a mutual aid agreement with Bethel Island Municipal Improvement District (BIMID). The agreement facilitates prompt emergency response, including mutual assistance with levee and drainage maintenance and repair, as well as reception services for displaced individuals, those forced to evacuate, or those in need of

assistance due to the breakdown of normal services, in the event that either district is affected by or threatened with an emergency. Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks to infrastructure and human life during flood events. It is recommended that the RDs explore this option to address shared challenges in the Delta region and strengthen community resilience.

Alternatively, RDs such as RD 2137, RD 2025, and RD 2026 can further explore their existing resource-sharing efforts with neighboring reclamation districts in Contra Costa and San Joaquin counties to identify new opportunities for collaboration and cost-sharing. RD 2137 can also further build on its current facility-sharing practices with DWR and the City of Oakley to identify new opportunities for collaboration. Similarly, it is recommended that RD 2026 and RD 2059 consider building on their existing partnership for the Delta Ferry operation to formalize plans for capacity and resource-sharing for reclamation services.

Additional governance structure options were identified for RD 2090 and RD 2137. RD 2090 (Quimby Island) is owned by Ellis Island Farms, Inc., an S corporation. In 2015, the corporation donated an 80 percent interest in Ellis Island Farms, Inc., which includes Quimby Island, to the California Waterfowl Association (CWA), a non-profit, for a wetland conservation easement. CWA is a 501(c)(3) organization dedicated to enhancing California's waterfowl populations and wetlands and promoting hunter-conservationist communities. As discussed earlier, the District does not own any assets and instead relies on Ellis Island Farms Inc. for its equipment. Additionally, the district superintendent is also an employee of the corporation.

Due to the overlapping nature of RD 2090, Ellis Farm Inc., and the CWA, it is essential to maintain clear distinctions in accounting, finances, and operations among these entities. Currently, the District does not maintain a website; however, general information specific to the District is available on multiple pages of the California Waterfowl's website, including a page that provides archived agendas and minutes for board meetings that occurred from 2014-2019. It is recommended that a dedicated website for the District that offers relevant information, such as bylaws, policies, planning documents, and important financial reports, is

established to improve transparency regarding the functions and operations of these closely linked entities.

Another option identified is for the CWA to fully assume the RD functions as the 80 percent owner of the island. However, it is important to consider the distinct legislative framework that governs a nonprofit organization, such as the CWA, compared to a reclamation district. For example, reclamation districts can levy assessments on a per-parcel basis depending on each parcel's reclamation needs and charge fees for individual services. In contrast, nonprofits do not have the statutory authority to levy assessments or impose fees.

The previous MSR also identified various governance structure options for RD 2137 that were not implemented by the District for various reasons. First, it was recommended for the District to be established as a subsidiary of the City of Oakley, which is one of the landowners, along with DWR. However, this option is not feasible due to California Government Code §57105, which requires that at least 70 percent of a district's land area and registered voters must be within the city limits for a district to qualify as a subsidiary. In the case of RD 2137, the City of Oakley owns only 55 acres of parkland within the District, which is a small portion compared to the City's total area of 1,241 acres, indicating that it will not meet the required 70 percent threshold.

Another option recommended was the dissolution of RD 2137 and the potential transfer of responsibilities for the restoration of the Dutch Slough Tidal Marsh Restoration Project, including the construction of any necessary new levees or the repair and maintenance of existing levees, to the State of California (DWR) and/or the City of Oakley, designating them as successor agencies. As noted, both the City of Oakley and DWR are landowners within RD 2137. Therefore, any takeover of reclamation duties would require significant coordination.

Additionally, DWR primarily focuses on water supply management, and there are no precedents for DWR fully replacing a reclamation district. Similarly, since the City of Oakley owns only 55 acres of RD 2137, a full takeover of reclamation functions by the City may not be feasible. Additionally, while cities have general municipal powers, they do not have the automatic authority to manage levees, drainage, or reclamation services, as these functions typically fall

under the jurisdiction of special districts (RDs) as defined in California Water Code Sections 50000-53901.

Finally, a governance option was proposed to consolidate all areas within the Dutch Slough Tidal Marsh Restoration Project site under a single reclamation district, either through the dissolution of RD 2137 and annexation to RD 799 or the detachment of the portion of the Project area from RD 799 (the Burroughs parcel) and annexing it to RD 2137. This recommendation was also not been implemented, and neither district has expressed interest in pursuing this option.

Currently, the portion of the Project within the Burroughs parcel, which is within the RD 799 boundaries, is in the planning phase. Additionally, no direct impacts to RD 799 have been observed from Project activities occurring within RD 2137 boundaries on the Emerson and Gilbert parcels. Therefore, no reorganization efforts are recommended at this time

Figure 1-11: Recommended Governance Structure Options and SOI Update, Summary

District	Name	Governance Structure Options	SOI Recommendation
RD 799	Hotchkiss Tract	Regional mutual aid to address shared challenges in the delta through potential shared expenses	Reaffirm SOI
RD 800	Byron Tract	Regional mutual aid to address shared challenges in the delta through potential shared expenses	Amend SOI
RD 830	Jersey Island	Regional mutual aid to address shared challenges in the delta through potential shared expenses	Reaffirm SOI
RD 2024	Orwood and Palm Tracts	Regional mutual aid to address shared challenges in the delta through potential shared expenses	Reaffirm SOI
RD 2025	Holland Tract	<ul style="list-style-type: none"> • Regional mutual aid to address shared challenges in the delta through potential shared expenses. • Identify further opportunities to further collaborate with the Contra Costa and San Joaquin County RDs that it currently share various resources such as, administrative facilities, legal counsel, engineering services, and auditors. 	Reaffirm SOI
RD 2026	Webb Tract	<ul style="list-style-type: none"> • Regional mutual aid to address shared challenges in the delta through potential shared expenses. • Identify further opportunities to further collaborate with the Contra Costa and San Joaquin County RDs that it currently share various resources such as, administrative facilities, legal counsel, engineering services, and auditors. • Build on the existing partnership with RD 2059 for the Delta Ferry and formalize plans for capacity and resource-sharing for reclamation services. 	Reaffirm SOI
RD 2059	Bradford Island		Reaffirm SOI

		<ul style="list-style-type: none"> • Regional mutual aid to address shared challenges in the delta through potential shared expenses. • Build on the existing partnership with RD 2026 for the Delta Ferry and formalize plans for capacity and resource-sharing for reclamation services. 	
RD 2065	Veale Tract	Regional mutual aid to address shared challenges in the delta through potential shared expenses	Reaffirm SOI
RD 2090	Quimby Island	<ul style="list-style-type: none"> • Regional mutual aid to address shared challenges in the delta through potential shared expenses. • Maintain clear distinctions in accounting, finances, and operations among the three overlapping entities (the corporation, CWA, and RD 2090). For example--establish a separate website dedicated to the district's functions. • CWA may take on the RD functions fully as the 80 percent owner of the island. However, must consider the legislative framework and the statutory authority that nonprofits vs reclamation districts operate within. 	Reaffirm SOI
RD 2117	Coney Island	Regional mutual aid to address shared challenges in the delta through potential shared expenses	Reaffirm SOI
RD 2122	Winter Island	The Island is solely managed by the DWR as a restoration site, with the interior land converted/ levee breached into a tidal marsh in 2019. District is effectively inactive—without facilities or staff—the dissolution of RD 2122 is recommended.	Adopt Zero SOI
RD 2137	Dutch Slough	<ul style="list-style-type: none"> • Regional mutual aid to address shared challenges in the delta through potential shared expenses. • Identify further opportunities to further collaborate with the Contra Costa and San Joaquin County RDs that it currently share various resources such 	Reaffirm SOI

		as, administrative facilities, legal counsel, engineering services, and auditors.	
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CONCLUSION AND RECOMMENDATIONS

Overall, the reclamation districts reviewed as part of this MSR demonstrated accountability in their disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

Most of the RDs are governed by a three-member Board of Trustees, while four districts have five-member boards. RD 2024, which has a five-member board, has one vacant seat. The District reports that, due to liability and regulatory concerns, there is a lack of interest among landowners, making it difficult to fill the position. According to Government Code Section 1780, vacancies can be filled by appointment from the remaining Trustees or the County Board of Supervisors.

Seven of the twelve districts reviewed hold board meetings on an as-needed basis. In contrast, RD 799, RD 800, RD 2026, and RD 2059 hold monthly board meetings, while RD 2024 holds approximately four meetings annually. In accordance with the Brown Act (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, local agencies are required to post meeting agendas at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. All of the RDs, with the exception of RD 2122, which no longer performs any reclamation functions, comply with this requirement by posting agendas on their website.

Several districts maintain additional meeting records, such as archives of meeting agendas and minutes, on their websites. RD 800 and RD 2024 provide agenda packets and minutes for meetings dating back to 2021, while RD 2025, RD 2026, and RD 2059 offer archives beginning in 2020. Other districts offer limited records; for example, RD 2137 has maintained agenda packets since 2023, and RD 2117 has an archive of agendas and minutes from 2021-2023. RD 799 also makes agenda packets and minutes available for meetings held since 2022; however, some agendas from 2022 and 2023 are not readily available.

RD 830 and RD 2090 make past meeting records available on their respective landowners' websites, ISD, and California Waterfowl. However, it is recommended that both districts

establish independent websites to clearly distinguish their functions from those of their landowners.

Overall, it is recommended that the RDs ensure that all current and past agenda packets and meeting minutes are available on their websites to further enhance transparency.

With the exception of RD 830 and RD 2090, all of the districts maintain their own websites. Since the 2015 MSR, RD 2024, RD 2137, RD 2117, and RD 2065 have launched websites that make general information, contact details, and other relevant documents available in compliance with Senate Bill 929 (the Special Districts Transparency Act), passed in 2018, which requires every independent special district to maintain an internet website beginning January 1, 2020, unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act outlines the minimum information required to be available on the website.

Furthermore, the previous MSR recommended developing a shared website for Contra Costa County reclamation districts, potentially hosted by the County, LAFCO, or a district consortium, to enhance transparency. Currently, the Contra Costa Special Districts Association website provides general information on each district through its Municipal Improvement and Reclamation Districts page. It is recommended that the website is routinely updated to reflect current information and include direct links to each district's website.

Additional recommendations were identified in this MSR for the RDs to improve financial transparency by ensuring that key documents, such as annual budgets, financial audits, Compensation Reports, and State Controller's Office Financial Transaction Reports, are posted and up to date on their websites. Of the eleven active RDs, ten conduct timely annual audits in accordance with Government Code §26909(a), which mandates that special districts must have an annual audit conducted by a certified public accountant or public accountant and submit the audits to the State Controller, the County Auditor, and LAFCO within 12 months after the end of the fiscal year.

RD 2090 is the only district that has not prepared annual audits in recent years due to accounting staff turnover. According to the District's most recent budget, annual revenue is

under \$150,000, which qualifies under Government Code §26909(c)(1) to opt for a financial review or agreed-upon procedures instead of a full annual audit, provided a unanimous approval is received from both the district's governing board and the County's board of supervisors. In January 2025, the County's Board of Supervisors approved RD 2090's request to submit a five-year audit in lieu of the required annual audits, as permitted under §26909(c)(2), which mandates a full audit at least once every five years. RD 2090 has reported that an audit is currently in progress.

To ensure ongoing compliance, it is recommended that RD 2090 perform annual financial reviews or agreed-upon procedures, with required approvals, if the District continues to opt out of annual audits.

2. BACKGROUND

LAFCO OVERVIEW

LAFCO regulates boundary changes proposed by public agencies or individuals through approval, denial, conditions, and modification. It also regulates the extension of public services by cities and special districts outside their boundaries. LAFCO is empowered to initiate updates to the SOIs and proposals involving the dissolution or consolidation of special districts, mergers, the establishment of subsidiary districts, and any reorganization, including such actions. Otherwise, LAFCO actions must originate as petitions or resolutions from affected voters, landowners, cities, or districts.

MUNICIPAL SERVICES REVIEW LEGISLATION

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCO to review and update SOIs every five years, or as necessary, and to review municipal services before updating SOIs. The requirement for service reviews arises from the identified need for a more coordinated and efficient public service structure to support California's anticipated growth. The service review provides LAFCO with a tool to study existing and future public service conditions comprehensively and to evaluate organizational options for accommodating growth, preventing urban sprawl, and ensuring that critical services are provided efficiently. Government Code §56430 requires LAFCO to conduct a review of municipal services provided in the county by region, sub-region, or other designated geographic area, or by type of service, as appropriate, for the service or services to be reviewed, and prepare a written statement of determination with respect to each of the following topics:

- Growth and population projections for the affected area;
- The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the SOI;
- Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies (including needs or deficiencies related to sewers,

municipal and industrial water, and structural fire protection in any DUCs within or contiguous to the sphere of influence);

- Financial ability of agencies to provide services;
- Status of and opportunities for shared facilities;
- Accountability for community service needs, including governmental structure and operational efficiencies; and
- Any other matter related to effective or efficient service delivery, as required by commission policy.

MUNICIPAL SERVICES REVIEW PROCESS

The MSR process does not require LAFCO to initiate changes in an organization based on service review findings, only that LAFCO identifies potential government structure options. However, LAFCO, other local agencies, and the public may subsequently use the determinations to analyze prospective changes in organization or reorganization or to establish or amend SOIs. Within its legal authorization, LAFCO may act with respect to a recommended change of organization or reorganization on its initiative (e.g., certain types of consolidations) or in response to a proposal (i.e., initiated by resolution or petition by landowners or registered voters). MSRs are exempt from the California Environmental Quality Act (CEQA) pursuant to §15306 (information collection) of the CEQA Guidelines. LAFCO's actions to adopt MSR determinations are not considered "projects" subject to CEQA.

SPHERE OF INFLUENCE UPDATES

The Commission is charged with developing and updating the SOI for each city and special district within the county. SOIs must be updated every five years or as necessary. In determining the SOI, LAFCO is required to complete an MSR and adopt the seven determinations previously discussed.

An SOI is a LAFCO-approved plan that designates an agency's probable future boundary and service area. Spheres are planning tools used to provide guidance for individual boundary change proposals and are intended to encourage the efficient provision of organized

community services and prevent duplication of service delivery. Territory cannot be annexed by LAFCO to a city or a district unless it is within that agency's sphere.

The purposes of the SOI include the following: to ensure the efficient provision of services, discourage urban sprawl and premature conversion of agricultural and open space lands, and prevent overlapping jurisdictions and duplication of services.

LAFCO cannot regulate land use, dictate internal operations or administration of any local agency, or set rates. LAFCO is empowered to enact policies that indirectly affect land use decisions. On a regional level, LAFCO promotes the logical and orderly development of communities as it considers and decides individual proposals. LAFCO has a role in reconciling differences between agency plans so that the most efficient urban service arrangements are created for the benefit of current and future area residents and property owners.

The Cortese-Knox-Hertzberg (CKH) Act requires to develop and determine the SOI of each local governmental agency within the county and review and update the SOI every five years.

LAFCOs are empowered to adopt, update, and amend the SOI. They may do so with or without an application and any interested person may submit an application proposing an SOI amendment.

LAFCO may recommend government reorganizations to particular agencies in the county, using the SOIs as the basis for those recommendations.

In addition, in adopting or amending an SOI, LAFCO must make the following determinations:

- Present and planned land uses in the area, including agricultural and open-space lands;
- Present and probable need for public facilities and services in the area;
- Present capacity of public facilities and adequacy of public service that the agency provides or is authorized to provide;
- Existence of any social or economic communities of interest in the area if the Commission determines these are relevant to the agency; and
- Present and probable need for water, wastewater, and structural fire protection facilities and services of any DUCs within the existing sphere of influence.

By statute, LAFCO must notify affected agencies 21 days before holding the public hearing to consider the SOI and may not update the SOI until after that hearing. The LAFCO Executive Officer must issue a report including recommendations on the SOI amendments and updates under consideration at least five days before the public hearing.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCO is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this service review, including the location and characteristics of any such communities.

The purpose of Senate Bill (SB) 244 (Wolk, 2011) is to begin to address the complex legal, financial, and political barriers that contribute to regional inequity and infrastructure deficits within DUCs. Identifying and including these communities in the long-range planning of a city or a special district is required by SB 244.

The CKH requires LAFCO to make determinations regarding DUCs when considering a change of organization, reorganization, sphere of influence expansion, and when conducting municipal service reviews. For any updates to an SOI of a local agency (city or special district) that provides public facilities or services related to sewer, municipal and industrial water, or structural fire protection, LAFCO shall consider and prepare written determinations regarding the present and planned capacity of public facilities and adequacy of public services, and infrastructure needs or deficiencies for any DUC within or contiguous to the SOI of a city or special district.

CKH prohibits LAFCO from approving an annexation to a city of any territory greater than 10 acres if a DUC is contiguous to the proposed annexation, unless an application to annex the DUC has been filed with LAFCO. An application to annex a contiguous DUC shall not be required if a prior application for annexation of the same DUC has been made in the preceding five years or if the Commission finds, based upon written evidence, that a majority of the registered voters within the affected territory are opposed to annexation.

Government Code (GC) §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

3. OVERVIEW

THE SACRAMENTO/ SAN JOAQUIN DELTA

The Sacramento-San Joaquin Delta is part of the largest estuary on the west coast of North and South America. The Sacramento-San Joaquin Delta is formed by the confluence of the state's two largest rivers: the Sacramento, flowing south from its headwaters near Mount Shasta, and the San Joaquin, flowing north from its origins high in the southern Sierra Nevada. Joining the Sacramento and San Joaquin are the Mokelumne, Cosumnes, and Calaveras rivers. These rivers and their tributaries carry about half of the state's total annual runoff. Freshwater from the rivers mingles with saltwater from the San Francisco Bay and Pacific Ocean's tides, forming the largest estuary on the west coast of North America. The Delta and Suisun Marsh (together, "the Delta")⁸ include more than 1,100 miles of levees and 140 leveed islands and tracts. Suisun Marsh⁹ is where fresh water from the Sacramento-San Joaquin Delta mixes with salt water from San Francisco Bay.

The Delta plays a major role in the economy, natural environment, and human environment of San Joaquin County, as well as the entire State of California. The Delta also provides a portion of the water supply for two-thirds of Californians, 6 million acres of farmland, a variety of industrial purposes, and commercial and recreational fishing and boating businesses. The Delta watershed is home to nearly 100 California Native American tribes that rely upon these waterways, the surrounding lands, and the native fish and fauna for subsistence, cultural, and religious purposes. In addition, the Delta watershed is important to local communities for a variety of purposes, including quality of life, drinking water, subsistence fishing, and recreation.¹⁰

⁸ California Code of Regulations (CCR), Title 23, 5001(k).

⁹ The 116,000-acre marsh is the largest contiguous brackish-water wetland in California and perhaps the entire western coast of North America, providing food and habitat for thousands of migratory birds on the Pacific Flyway and many species of plants, fish, and wildlife.

¹⁰ California Water Boards, Draft Staff Reports in Support of the Sacramento/ Delta Update to the Bay-Delta Water Quality Control Plan.

In 2019, the United States Congress established the Sacramento-San Joaquin Delta National Heritage Area (NHA), which runs from the east side of San Pablo Bay through the Carquinez Strait to the Delta. Recognized as a cohesive, nationally significant landscape arising from patterns of human activity shaped by the Delta's geography, the Delta is California's first National Heritage Area (NHA).

Water Resource

The Delta is the hub of state, federal, and local water systems that provide at least a portion of the water supply needs for two-thirds of all Californians, or about 27 million people. Water diversions directly from the Delta include the State Water Project, the federal Central Valley Project, the Contra Costa Canal, the North Bay Aqueduct, the City of Vallejo, and the Western Delta Industry.

Two primary conduits were constructed in the 20th Century to move water from northern sources in the Sierras to mostly southern areas of urban and agricultural demand. The Central Valley Project (CVP) was constructed by the US Bureau of Reclamation in the 1930s to transport water from Lake Shasta in the north, providing irrigation and drinking water to portions of the Bay Area and the arid southern San Joaquin Valley. The State Water Project (SWP) was constructed in the 1960s and 1970s by the California Department of Water Resources (DWR) to supply drinking and irrigation water, as well as industrial uses, to millions of people and hundreds of thousands of acres in agriculture in the San Francisco Bay Area, San Joaquin Valley, Central Coast, and Southern California. The hub of the whole system converges in the Sacramento-San Joaquin Delta.

Recreation and Tourism

The Sacramento-San Joaquin Delta supports a diversity of recreation experiences generating a total of roughly 12 million visitor days of use annually, of which approximately 8 million were resource-related (e.g., boating and fishing) visitor days of use per year, 2 million urban parks-related (e.g., golf, picnic, and turf sports), and 2 million right-of-way-related (e.g., bicycling and driving for pleasure) recreation visitors per year. According to the updated Economic

Sustainability Plan for the Delta, recreation has a direct economic impact of more than \$200 million dollars in spending per year.

Delta's recreation and tourism supports about 3,800 jobs across all of California, a decline of 28 percent of the estimated 5,300 statewide jobs supported in 2012. The sector contributes about \$280 million in value-added, compared to approximately \$350 million in 2012, a decline of 20 percent.¹¹

The Delta offers 290 shoreline recreational areas, 300 marinas, 57,000 navigable waterways, and more than 20 species of sport fish. The Delta is also home to more than 750 species of plants and wildlife, including 55 species of fish.

Wildlife Habitat

In addition to agriculture and water supply, the Delta provides habitat and riparian areas for wildlife. Riparian systems provide several important functions to both the aquatic and terrestrial ecosystems associated with them. These include, but are not limited to, stream bank stabilization, flow moderation and flood control, sediment control, organic matter necessary to support aquatic communities, water quality improvement by filtration, temperature moderation by shading, and stream structural diversity. Riparian habitats support a great diversity of wildlife, including sensitive invertebrates, amphibians, reptiles, birds, and mammals. An estimated 25 percent of all warm water and anadromous sport fishing species and 80 percent of the State's commercial fishery species live in or migrate through the Delta, and at least half of the Pacific Flyway migratory water birds rely on the region's wetlands.

Finally, the Delta, including parts in Contra Costa County, has designated "critical habitat" areas. This term is defined in the Endangered Species Act and is used by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service to describe areas essential for the conservation and recovery of federally threatened or endangered species that require special management and protection. It may include areas not currently occupied by these species but critical for their recovery. Critical habitats are designated to ensure that actions authorized by

¹¹ Economic Sustainability Plan for the Sacramento-San Joaquin Delta, Recreation and Tourism Chapter. 2020 Update. p.59-60.

federal agencies will not destroy or adversely modify these habitats, thereby protecting areas necessary for the species' conservation. However, not all federally listed species have designated critical habitats.

Delta State Agencies

Three state agencies regulate, conserve, and protect the Sacramento-San Joaquin Delta: Delta Stewardship Council, Sacramento-San Joaquin Delta Conservancy, and Delta Protection Commission.¹² Each agency plays a distinct role in managing the Delta's resources, land use, and long-term sustainability.

- Delta Stewardship Council— The Council is the largest of the three agencies, operating independently as the authority responsible for developing and enforcing the Delta Plan, a long-term, science-based management strategy. The agency facilitates, coordinates, and integrates the activities of numerous local, state, and federal agencies involved in water management, ecosystems, and Delta communities. The Council also established and oversees the Delta Plan Interagency Implementation Committee (DPIIC) to coordinate the efforts of various agencies responsible for carrying out the Delta Plan adopted in 2013. The Council continues to coordinate and oversee these activities as required by the Delta Reform Act.
- Sacramento-San Joaquin Delta Conservancy— The Conservancy leads efforts to preserve, protect, and restore the natural resources, economy, and agriculture of the Delta through internal programs and grant-funded projects.
- Delta Protection Commission— Established under the Delta Protection Act of 1992, the Commission's primary authority is over land use in the Delta's unincorporated areas. The Commission coordinates the Sacramento-San Joaquin Delta National Heritage Area and leads the development of the Great California Delta Trail System. It contributes research, coordination, and expertise to advance Delta-wide goals, including economic sustainability, improving broadband access, and community planning for legacy

¹² Delta Stewardship Council.

communities, and partners with the Delta Leadership Foundation to foster the next generation of leaders in the Delta.

In 2009, the Delta Reform Act established coequal goals of improving water supply reliability and enhancing ecosystem resiliency that should be pursued in a manner that protects and enhances the Delta as an evolving place. The Act also created the Delta Stewardship Council and the Delta Conservancy and established a state policy to reduce reliance on the Delta in meeting California's future water supply needs.

Each of these agencies collaborates with other state, federal, and local agencies to achieve the coequal goals.

Challenges

Today, Delta levees protect farms, cities, schools, and people from flooding and related hazards. It consists of approximately 57 major reclaimed islands surrounded by about 1,100 miles of levees and numerous Channel Islands without levees.

The Delta drains a watershed comprising 40 percent of California's landmass, which means that during storm events, a huge volume of water flows into the Delta. Unlike upstream levees, such as those protecting the City of Sacramento, which are mainly under stress during high water events, levees in the Delta are under constant pressure. Because Delta peat soils are prone to wind erosion and oxidation when exposed to air through plowing and fires, many Delta islands are subject to subsidence.

Drainage of land in the Sacramento-San Joaquin Delta has caused extensive oxidation of peat soils, lowering approximately 386 square miles of land from 10 ft to as much as 29 ft below sea level. Current rates of subsidence (loss of land elevation due to oxidation of peat soils) in the Delta range from 0.2 to more than 0.8, depending on the location and specific conditions of the soil.¹³

¹³ Managing Subsidized Lands in the Sacramento-San Joaquin Delta, Delta Independent Science Board. Final Prospectus. August 4, 2023.

The greatest stresses to the levees in the Delta occur when a large storm coincides with high tides. Water levels in Delta channels are elevated by the high stormwater flows, high tides, and even the low air pressures associated with storms. In addition, the levees must withstand erosion from wind-induced waves. Under these circumstances, levees can fail from overtopping when water levels become higher than the top of the levees and flow over them onto the islands, and from collapse caused by increased pressure due to island subsidence, the burrowing activities of animals, long-term erosion from high flow events, wind-induced waves, boat wakes, deferred maintenance, the seepage of water through sand layers beneath the levee, and other factors not yet well understood.

Over several decades, the competing demands for the Delta to provide both habitat and water supply have impaired its ability to meet either need. These needs particularly clash during dry years when there is simply less water available. Many factors continue to threaten the Delta's health, including pollution from agricultural, industrial, and urban runoff. Invasive, non-native species adversely affect the food chain, leading to declines in native fish and wildlife populations. Gradual changes such as sea-level rise, rising water temperatures due to climate change, and additional invasions of exotic species are also transforming the ecosystem in ways that are difficult to anticipate or manage.¹⁴

Demands on the Delta's resources are expected to increase, driven by climate change, changes in land use patterns, alterations in water demand, and the continuing subsidence of some islands. The combination of sea-level rise and changes in hydrology, which may lead to higher peaks in runoff levels, increases the likelihood of multiple island failures. Such failures extend the time needed to repair levees and increase flooding damage, raising the risk that some islands may become irrecoverable. Over time, the probability of a significant seismic event in the Bay Area or Delta region increases, raising the risk of catastrophic levee failures.

California's Fourth Climate Change Assessment conducted in 2018 indicates that higher sea levels, subsidence, and increased flooding are serious threats to Delta levees, exacerbating risks to native species, ecosystems, and water supply systems. Rising temperatures and salinity

¹⁴ Delta Stewardship Council, Frequently Asked Questions.

threaten habitats and agricultural productivity while triggering a need for more intense water treatments for those using water exported from the Delta. The reduced reliability of the levee system increases the vulnerability of homes, roads, bridges, pipelines, and agricultural fields on Delta islands to flooding risks, especially with a growing population that raises the number of people and properties at risk from levee failures.

Urbanization also degrades the ecosystem by increasing pollutant levels from urban runoff and wastewater discharges, further challenging local agencies to restore habitat, implement flood management strategies, and improve water supply systems. Additionally, levee failures increase maintenance costs, requiring levees to be raised in height and width to avoid being overtopped by rising sea levels and higher spring runoff flows.

BOUNDARIES

The 1959 Delta Protection Act¹⁵ established the legal boundary of the Delta which spans about 738,000 acres in Northern California at the western edge of the Central Valley.

The 1992 Johnston-Baker-Andal-Boatwright Delta Protection Act refined the legal boundary of the Delta by designating Primary and Secondary Zones. The Primary Zone, statutorily defined as comprising “Delta land and water area of primary state concern and statewide significance,” comprises approximately 500,000 acres of waterways, levees, and farmed lands in all the Delta counties. The primary zone is where agriculture, wildlife, and recreation use are permitted, and development is highly restricted.

The Secondary Zone, which includes the cities of Stockton, Lathrop, Tracy, Oakley, and West Sacramento, is part of the Delta where development can occur. Development projects in the Secondary Zone are primarily subject to local land use decisions.

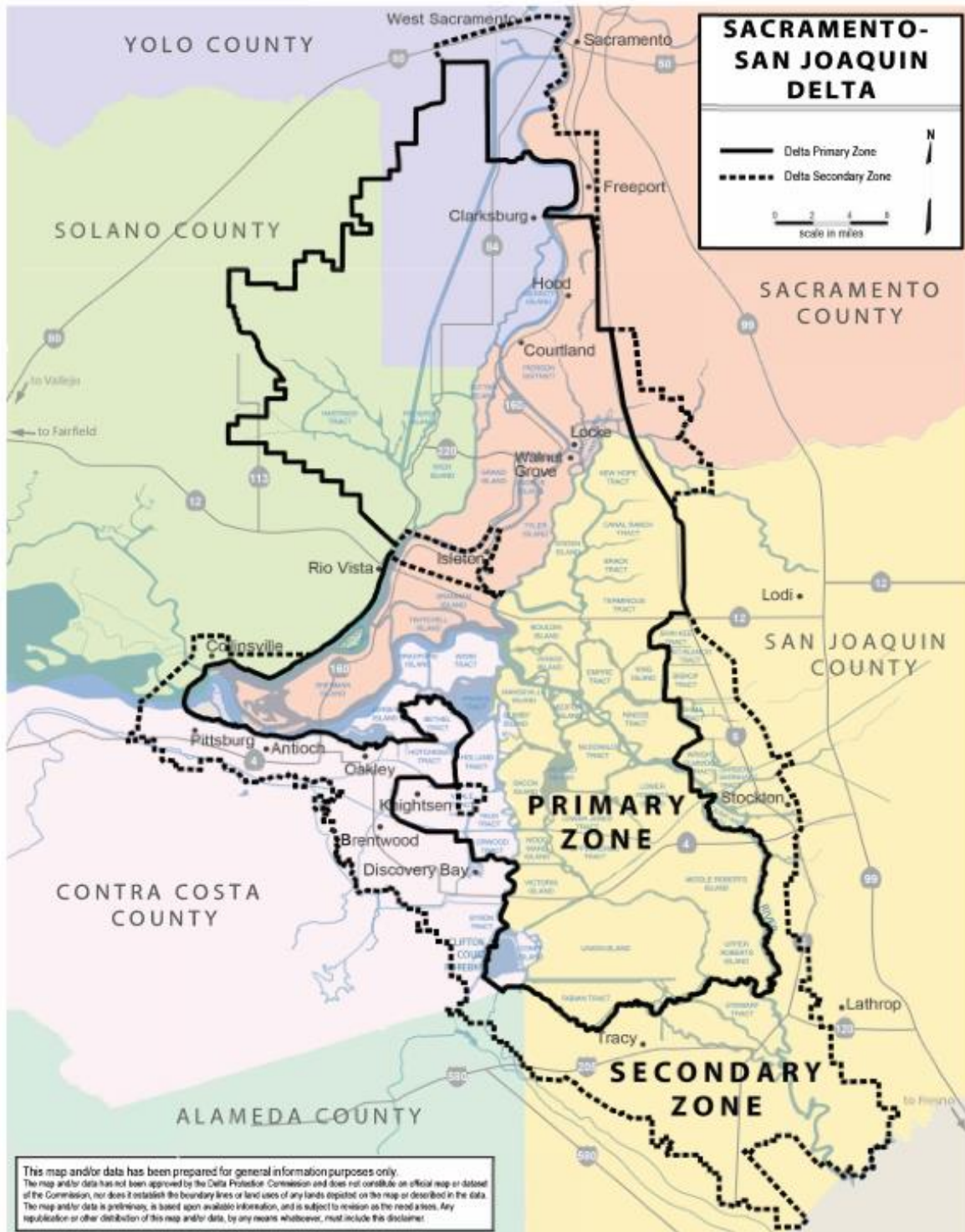
The entire Delta region, including both the Primary Zone and Secondary Zone, is referred to as the Legal Delta.¹⁶

¹⁵ California Water Code §12220.

¹⁶ Economic Sustainability Plan for the Sacramento-San Joaquin Delta, Delta Protection Commission. January 19, 2012. p.13-15.

As shown in Figure 3-1, the Delta, including both the Primary Zone and Secondary Zone, contains significant portions of five counties, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo, and a small rural corner of Alameda County. The Delta also includes parts of several large cities, including Antioch, Pittsburg, Stockton, Sacramento, Tracy, and West Sacramento.

Figure 3-1: Primary and Secondary Zones of the Sacramento-San Joaquin Delta



East Contra Costa County covers a large area within the southwestern Delta. The entire northern border of the County is bound by a waterfront that flows from the Delta to the San Francisco Bay.

Contra Costa communities of Bay Point, Bethel Island, Discovery Bay, and Knightsen are entirely within the Delta. While the cities of Antioch, Brentwood, Oakley, and Pittsburg, as well as the town of Byron, are partially within the Delta.

LAND USE

While the majority of the Delta is rural, comprised of farms and small towns, the edges are more urban, with higher-density developments and residents who commute for employment. The primary zone encompasses much of the agriculturally focused land, while the secondary zone is more urban-influenced and includes the Delta's cities and the majority of Delta's population.

Per the Delta Protection Act of 1992, the Delta Protection Commission (DPC) was established to plan for and guide the conservation and enhancement of the natural resources of the Delta while sustaining areas in the center of the Legal Delta. The Secondary Zone is the area outside the Primary Zone and within the "Legal Delta"; the Secondary Zone is not within the planning area of the DPC.

The Delta Protection Act requires the DPC to prepare, adopt, review, and maintain a comprehensive long-term resource management plan for land uses within the Primary Zone. The plan describes the needs and goals of the Delta and presents a statement of the policies, standards, and elements of the plan. The Land Use and Resource Management Plan for the Primary Zone of the Delta was adopted in 1995 and updated in 2010.¹⁷

In 1993, each of the counties with lands within the Primary Zone supported agriculture, wildlife habitat, and recreation on Primary Zone lands. The unincorporated communities in the Primary Zone each have their own community plans/special area plans. These communities are Clarksburg in Yolo County and Courtland, Locke, and Walnut Grove in Sacramento County. The

¹⁷ Economic Sustainability Plan for the Sacramento-San Joaquin Delta, Delta Protection Commission. January 19, 2012. p.49.

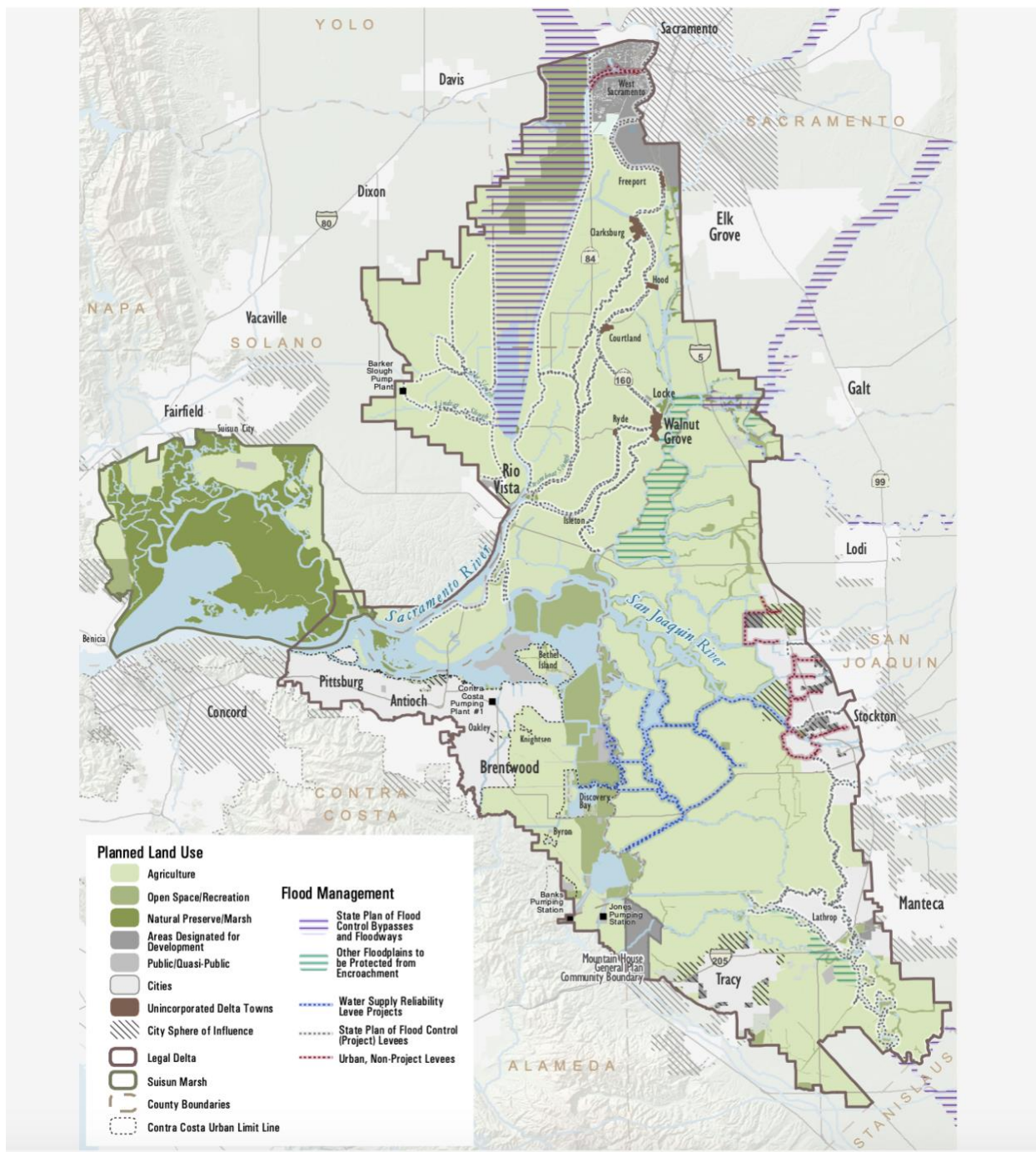
City of Isleton is the only incorporated city in the Primary Zone and has its own general plan. Local government general plans do not apply to state or federal projects.

After the DPC adopted its original Land Use and Resource Management Plan for the Primary Zone of the Delta, each county and city was required to ensure that its general plan was consistent with the DPC's plan. All of the county and city general plans covering the Primary Zone were determined to be consistent with the DPC's plan although each county addresses these land uses and their protection in ways reflecting their community values and local history.

Figure 3-2 illustrates land uses within Delta designated by city and county general plans. Within cities' spheres of influence, the map shows land use designations proposed in city general plans, where available. In cases where cities have not proposed land uses within their spheres of influence, the map shows land uses designated by county general plans.

Figure 3-2: Sacramento-San Joaquin Delta, Land Uses¹⁸

¹⁸ Sources: City of Benicia 2003, Contra Costa County 2008, Contra Costa County 2010, DWR 2011b, DWR 2011c, DWR 2011d, City of Fairfield 2008, Jones & Stokes 2007, City of Lathrop 2012, City of Manteca 2012, Mountain House Community Services District 2008, City of Rio Vista 2001, SACOG 2009, City of Sacramento 2008, Sacramento County 2011, Sacramento County 2012, Sacramento County 2013, San Joaquin County 2008a, San Joaquin County 2008b, Solano County 2008a, Solano County 2008b, South Delta Levee Protection and Channel Maintenance Authority 2011, City of Stockton 2011a, City of Stockton 2011b, City of Suisun City 2011, City of Tracy 2011a, City of Tracy 2011b, City of West Sacramento 2010, Yolo County 2010a, Yolo County 2010b.



Contra Costa County

Contra Costa County has adopted an urban limit line (ULL) that limits urban development to certain areas and helps preserve farmland and open space. While portions of the Secondary Zone within Contra Costa County are within the ULL, the Primary Zone within Contra Costa County is outside the ULL due to flood hazards, soil subsistence, a lack of infrastructure, and a

lack of services. The areas to the north and east are designated Delta Recreation and Resources areas, and portions of the Primary Zone are designated General Agriculture.

Contra Costa County has a Land Preservation Plan Ordinance to maintain a specific ratio between developed land and open space land: 65 percent of the county will be preserved for agriculture, open space, wetlands, parks, and other nonurban uses, while 35 percent may be used for urban development. This ratio was originally adopted by the voters in November 1990 and renewed by voters in November 2006. The Primary Zone is within the area to remain in open space and low-intensity uses.

The Contra Costa General Plan uses various zoning codes to identify and protect the unique Delta land uses and characteristics of the Primary Zone lands in Contra Costa County. Most Delta islands and surrounding tracts are designated as a special Delta Recreation and Resources Zone, recognizing their location within the 100-year floodplain, limited services, and value for agriculture, wildlife habitat, and low-intensity recreation. In these areas, agricultural uses are allowed, and with a use permit, recreational uses such as marinas, hunting clubs, campgrounds, and other outdoor activities are permitted. The minimum parcel size is 20 acres.

Publicly owned parkland and golf courses are designated as Parks and Recreation.

Transportation and utility corridors are classified as Public Facilities. Water-based activities such as, docks, boating, and fishing are allowed in designated water areas. Publicly owned land, wetlands, tidelands, and ecologically significant areas are designated as Open Spaces. The areas west of Veale and Hotchkiss Tracts are designated as Agricultural Land, with existing parcels ranging from 10 to 50 acres. Jersey Island is designated Public/Semi-Public and has been used for treated wastewater disposal.

The County's agricultural core consists of prime soils, considered the best for farming various crops, and is located east, south, and west of Brentwood. Intensive row crops are grown in much of this area, and part of it lies within the 100-year floodplain. The agricultural core designation aims to preserve and protect the county's most productive farmlands, with a higher minimum parcel size to discourage "ranchette" development, which typically includes small rural residential lots. Uses in the agricultural core are similar to those in the Agricultural Land

designation, though wineries and olive oil mills may be allowed with a use permit. Residential density is limited to one unit per 40 acres.¹⁹

The Contra Costa County is currently in the process of updating the General Plan through the Envision Contra Costa 2040 project. Per the draft 2045 General Plan, the Land Use element has the following policies related to Delta.²⁰

- LU-P5.1— Ensure that County projects and decisions on private development and land use activities in the Primary Zone of the Delta are consistent with the Land Use and Resource Management Plan adopted by the Delta Protection Commission. Coordinate with the Delta Stewardship Council on actions impacting the Delta area.
- LU-P5.1— Plan land uses and activities in the vicinity of harbors to optimize their use for commerce and recreation without posing a threat to Bay or Delta resources, including water quality and shoreline and marshland habitats.

Additionally, the Conservation, Open Space, and Working Lands Element in the Draft General Plan has policies geared towards protecting and enhancing the Sacramento-San Joaquin River Delta and shoreline areas. Policies specific to the Delta include:²¹

- COS-P9.1— Advocate for increased freshwater flow into, through, and from the Delta into San Francisco Bay, and support other efforts to protect and improve Delta water quality.
- COS-P9.2— Support continued maintenance and improvement of Delta levees to protect water quality, ecosystems, agricultural land, and at-risk communities.
- COS-P9.3— Oppose all efforts to construct an isolated conveyance (e.g., peripheral canal, tunnel) or any other water diversion system that reduces Delta water flows unless and until it can be conclusively demonstrated that such a system would protect, preserve, and enhance water quality and fisheries of the San Francisco Bay/Delta estuary system.
- COS-P9.4— Plan for land uses along shorelines that do not pose a threat to Bay or Delta resources, including water quality and shoreline and marshland habitats.

¹⁹ Economic Sustainability Plan for the Sacramento-San Joaquin Delta, Delta Protection Commission. January 19, 2012. p.43.

²⁰ Public Review Draft Contra Costa County 2045 General Plan - Land Use Element.

²¹ Public Review Draft Contra Costa County 2045 General Plan - Conservation, Open Space, and Working Lands Element.

- COS-P9.5— Support efforts to expand and enhance public access to the Bay shoreline and Delta.
- COS-P9.6— Prohibit private development on tule islands, sand dunes, and levee remnants.
- COS-P9.7— Evaluate cumulative impacts on boating safety when reviewing applications for new or expanded marinas and docks.
- COS-P9.8— Require design excellence for new development along Bay and Delta waterways to enhance the visual quality of these areas.

DEMOGRAPHIC

The Delta's demographic composition is diverse, featuring small towns and scattered rural residences in the interior and large urban areas on the outskirts. The population density in the inner Delta is generally very low. Most residents live in or near the peripheral urban areas. The highest concentration of people is found in the urban centers of Sacramento to the north, Antioch and Pittsburg to the west, and Stockton and Tracy to the southeast.

As of 2015, the Delta was home to 582,884 people. Of this population, 573,483 resided in the Secondary Zone, while 9,401 lived in the Primary Zone. The age distribution in the Delta during the same period indicated that 32 percent of the population was 24 years old or younger, 44 percent were between 25 and 59, and 25 percent were 60 or older.

The average unemployment rate between 2011 and 2015 was 10.9 percent in the Primary Zone and 12.4 percent in the Secondary Zone, compared to the statewide unemployment rate of 9.9 percent during the same period. The average Median Household Income (MHI) from 2011 to 2015 was \$40,347 in the Primary Zone and \$60,539 in the Secondary Zone, while the statewide MHI was \$61,818.²²

According to the California Department of Finance, the cities and communities in Contra Costa County that are partially or completely within the Delta had a total population of 292,232 in 2010. By 2020, the population had increased by approximately 18 percent to 343,477. In the

²² Delta Protection Commission Socio-Economic Summary. 2019.

same year, Contra Costa County's total population was 1,165,927, indicating that about 29 percent of the County's residents lived in Delta areas.²³

Among these communities, the City of Antioch had the largest population at 115,291, while the community of Byron had the smallest at 1,140 residents.

²³ 2020 Census, State Redistricting Data (Public Law 94-171) Summary File, U.S. Census Bureau, August 2021. Prepared by: California Department of Finance, Demographic Research Unit, 915 L Street, Sacramento, CA. <http://www.dof.ca.gov/Forecasting/Demographics/>.

Figure 3-3: Contra Costa Communities located partially or completely within the Delta

Location	Year		Percentage Change
	2010	2020	
City of Antioch	102,327	115,291	+13%
City of Brentwood	51,481	64,292	+25%
City of Oakley	35,432	43,357	+22%
City of Pittsburg	63,264	76,416	+21%
Bay Point CDP*	21,349	23,896	+12%
Bethel Island CDP	2,137	2,131	-0.3%
Byron CDP	1,277	1,140	-11%
Discover Bay CDP	13,352	15,358	+15%
Knightesen CDP	1,568	1,596	+2%
Total	292,232	343,477	+18%
*CDP: A "Census Designated Place" (CDP) is a statistical counterpart of incorporated places. They are not legally incorporated. The boundaries are defined in cooperation with local officials and generally updated prior to each decennial.			

Projected Growth

Future development and growth in the Delta are significantly affected by Senate Bill (SB) 5, which requires cities and counties with urban and urbanizing areas in the Sacramento-San Joaquin Valley to establish substantial evidence that certain developments and projects are protected from a 200-year flood event, which represents a flood event that has a 0.5-percent probability (1 in 200) of occurring in any year, before approval is granted.

The Urban Levee Design Criteria (ULDC) and the Urban Level of Flood Protection documents developed by DWR outline the requirements for substantial evidence, which also applies to in-fill development. According to GC §65007(i), an urban is defined as a developed area in which there are 10,000 residents or more, while an urbanizing area is defined as a developed area or

an area outside a developed area²⁴ that is planned or anticipated to have 10,000 residents or more within the next ten years under GC §65007(j).

Therefore, since mid-2016, Central Valley cities and counties have been prohibited from entering into development agreements, approving discretionary permits or other discretionary entitlement, or any ministerial permit that would result in the construction of a new residence, a tentative map, or a parcel map for which a tentative map is not required, that would result in construction, and approving subdivision maps in urban or urbanizing areas without a finding of flood-level protection.

The ULDC and Urban Level of Flood Protection requirements, developed pursuant to SB 5, impose extensive “findings” requirements on local land-use authorities. This can make achieving the required level of protection difficult in many developed areas due to the necessary system improvements to meet increased flood protection standards. Compliance with these requirements will likely demand significant financial and staff resources, which are already a challenge in many local agencies.

It should be noted that SB 5 affects only areas of anticipated new development or development in progress. Rural and fully built-out areas generally have no immediate plans to meet the 200-year flood protection requirements. In many rural areas, local agencies focus on maintaining their existing levee systems.

Development in the Delta is also constrained by the California Land Conservation Act (commonly known as the Williamson Act) program, in which Contra Costa County is a participant. The Williamson Act aims to preserve agricultural land and related open space uses by discouraging premature and unnecessary conversion to urban uses. In exchange for agreeing to maintain Williamson Act compatible land uses, landowners receive the benefit of reduced property tax rates from the County. Williamson Act contracts are voluntarily established 10-year agreements between a landowner and the County, and the term of the contract is automatically renewed every year unless a notice of non-renewal is filed by the landowner.

²⁴ A developed area is an urbanized area with infrastructure capable of sustaining residential, commercial, and industrial uses and structures.

A Williamson Act contract restricts a landowner's ability to use or subdivide any parcel of land under an existing contract. Compatible uses under the Williamson Act generally consist of agricultural (such as farming, ranching, grazing, and timber) and related uses such as agriculturally related processing facilities.

Similar to Williamson Act lands, conservation easements aim to set aside lands for non-urban uses. Conservation easements differ from Williamson Act parcels in that agricultural or conservation easements are legal agreements between a landowner and a government or nonprofit entity, such as a land trust, that conserve agricultural, biological habitat, or open space resources by temporarily or permanently limiting future development.

Conservation easements typically restrict development and subdivision to the degree necessary to protect a property's significant habitat, open space, or other conservation values. Some conservation easements include "home sites," or areas known as "exclusions" to the easement terms where limited development is allowed. Generally, home sites or exclusions are small in size (one to two acres) and located in areas low in conservation value.

REGULATORY SETTING

A complex network of federal and state laws and regulations governs land and water use in the Delta, including those related to water rights, water quality, endangered species management, and land development.

Major flood management initiatives in California have historically been undertaken by local, state, and federal agencies in an evolving cooperative relationship. Beginning in the 1850s, levee improvements were initiated as entirely local undertakings, with sporadic efforts to provide State coordination and oversight. Federal participation in flood management in California was first authorized with the Caminetti Act of 1893.

The following federal, state, and local agencies specific to Contra Costa County currently play a significant regulatory and levee management role in the Delta.

- The Federal Emergency Management Agency (FEMA)— FEMA plays a multitude of flood management roles, including managing the National Flood Insurance Program (NFIP)²⁵, which includes mapping and classification of flood hazards. FEMA administers the Disaster Mitigation Act of 2000, which requires that local communities evaluate the natural hazards within their boundaries and develop mitigation plans for those hazards in order to maintain eligibility for its Pre-Disaster Mitigation (PDM) and Hazard Mitigation Grant Programs. FEMA also provides federal disaster recovery assistance in the event of federal emergency declarations or disaster declarations.
- U.S. Army Corps of Engineers (USACE)— At the federal level, USACE is primarily responsible for planning, designing, and constructing federally authorized flood management facilities, including dams, levees, and other structures. It also develops the operational rules for federally funded flood control reservoirs, which include most of the major reservoirs on Central Valley streams. Following the Hurricane Katrina Gulf Coast disaster of 2005, the USACE implemented a National Levee Safety Program, promulgated strict vegetation management guidelines, and strengthened its national levee inspection program.
- California Department of Water Resources (DWR)— DWR primarily acts through the Division of Flood Management and is responsible for State-level flood management, including cooperating with USACE in project planning, design, and funding, cooperating with the National Ocean and Atmospheric Administration in flood and water supply forecasting, operating the Flood Operations Center, providing flood fight assistance, and maintaining portions of the flood management system. DWR's levee maintenance responsibilities include portions of the system designated for State maintenance in the California Water Code and operating Maintenance Areas when local agencies cannot or choose not to meet the maintenance obligations established under the assurances given to the CVFPB and USACE. Under these authorities, the DWR will assume responsibility for levee maintenance.

²⁵ The National Flood Insurance Program (NFIP) is administered primarily under the National Flood Insurance Act of 1968 (1968 Act) and the Flood Disaster Protection Act of 1973 (FDPA).

- Central Valley Flood Protection Board (CVFPB)— CVFPB establishes, maintains, and enforces standards for the construction, maintenance, and operation of the flood control system to protect life, property, and habitat in California’s Central Valley. The Board coordinates State entities, local flood risk control agencies and the federal government to minimize damages from floods in California’s Central Valley and is the non-federal sponsor for federal flood control projects in the State Plan of Flood Control. The Board serves as a public forum for flood risk reduction policy in the Central Valley and is responsible for adopting updates to the Central Valley Flood Protection Plan (CVFPP) every five years.
- Contra Costa County Flood Control and Water Conservation District (CCCFWD)— Established in 1951, the District provides regional flood protection and offers technical information and education to both cities and residents. CCCFWD’s operations are primarily funded by property taxes and developer fees.
- Local levee districts and reclamation districts (RDs)— Known collectively as Levee Maintaining Agencies (LMAs), regularly patrol, maintain, repair, and conduct flood fights as needed on the levees within their jurisdictions.
- Contra Costa County Local Agency Formation Commission (LAFCO)— Oversees the formation, changes of organization, and dissolution of special districts, including RD’s in Contra Costa County. The primary role of LAFCo in reviewing the services of cities and special districts (in the case of this MSR, RD’s) is to determine the level of services currently provided by these agencies and their long-term capability of providing services in the future.

SENATE BILL 5 (SB 5)

As discussed, SB 5 affects future development and growth in the Delta, particularly in areas within the Sacramento-San Joaquin Valley. The burden of enforcement of the SB 5 requirements lies with the land use authorities (cities and counties), not the reclamation districts. In Contra Costa County, only two of the 12 reclamation districts reviewed in this MSR

(RD 799 and RD 2137) encompass land within the City of Oakley, while the remaining districts²⁶ fall entirely under the County's land use authority.

To assist cities and counties in meeting SB 5 requirements, the California Department of Water Resources (DWR) developed the Urban Level of Flood Protection criteria. These guidelines support affected cities and counties in making the necessary findings related to flood protection levels prior to approving certain land use entitlements in accordance with the 2007 California Flood Legislation. The Urban Level of Flood Protection does not require levee improvements to withstand a 200-year flood. However, achieving the Urban Level of Flood Protection can be accomplished through four mechanisms:

- That the flood management systems are in place that protect the property to the urban level of flood protection;
- That conditions imposed by the local community on a property, development project, or subdivision are sufficient to protect the property to the urban level of flood protection;
- That the LFMA has made “Adequate Progress” on the construction of a flood protection system that will provide the necessary urban level of flood protection for the location of the proposed development; or
- That property in an undetermined risk area has met the urban level of flood protection based on substantial evidence in the record.

Municipalities subject to SB 5 had until July 2, 2015, to incorporate its requirements into their General Plan (Government Code §65302.9) and until July 2, 2016, to adjust local zoning regulations (GC §65860.1). Areas that had not achieved compliance with SB 5 requirements as of July 2016 would be prohibited from permitting new development or issuing discretionary permits that would significantly change or intensify the use of existing structures. SB 5 does not specify any state agency for review, approval, or enforcement authority. Instead, it relies on the due diligence of cities and counties to incorporate flood risk considerations into floodplain

²⁶ RD 800, RD 830, RD 2024, RD 2025, RD 2026, RD 2059, RD 2065, RD 2090, RD 2117, RD 2122.

management and planning in compliance with the general plan amendment and corresponding zoning update requirements.

Once the local general plan and zoning amendments to achieve consistency with SB 5 were completed, additional provisions related to urban flood protection became effective. These included the requirement for land use decisions to demonstrate that the development meets urban-level flood protection standards or FEMA's national flood protection standards.

After July 2016, SB 5 significantly restricted urban communities' ability to approve residential development projects unless 200-year flood protection has been provided or the community is making adequate progress toward achieving 200-year flood protection. The City of Oakley and Contra Costa County, as the land use authorities of the reclamation districts reviewed here, must adhere to the General Plan and zoning amendment requirements outlined in SB 5.

The City of Oakley is currently not impacted by SB 5 requirements, as no areas within the City or Planning Area are within the 200-year floodplain, based on DWR's Best Available Maps (BAM)²⁷. BAM was developed by DWR as authorized by SB 5, which initially displayed the 100-year and 200-year floodplains for areas located within the Sacramento-San Joaquin Valley. SB 5 requires that these maps provide the best available information on flood hazards and be provided to cities and counties in the Sacramento-San Joaquin Valley watershed. This effort was completed by DWR in 2008. DWR has since expanded the BAM to cover all counties in the state and to include 500-year floodplains. Both RD 2137 and RD 799, which encompass land within the City, are within the 100-year flood zone, representing a 1 percent chance of flooding in any given year.

Similarly, Contra Costa County's 2045 General Plan indicates that there are no mapped 200-year flood zones in unincorporated Contra Costa County; however, the County highlights that the areas within the 500-year flood zone, which represents a 0.2 percent chance of flooding in any given year, can be used as a proxy in low-lying portions of East County (areas mainly at risk of flooding from the Delta).²⁸

²⁷ City of Oakley, General Plan. Community and Health Safety Element. Adopted January 11, 2022. p. 8-4.

²⁸ Contra Costa County, 2045 General Plan – Health and Safety Element. Adopted November 5, 2024. p. 9-14.

None of the ten reclamation districts reviewed in unincorporated Contra Costa County, where the County serves as the land use authority, fall within the 500-year flood zone. Instead, they lie entirely within 100-year flood zones, which have a 1 percent annual chance of flooding.

Additionally, the unincorporated community of Discovery Bay, which is primarily within RD 800, is designated as an area with reduced flood risk due to the existing levee system. There are also planned upgrades to achieve a 200-year flood protection.

Furthermore, the County has incorporated policies in the Public Facilities and Services Element as well as the Health and Safety Element of the General Plan outlining various actions to achieve 200-year flood protection in appropriate areas:

- PFS-P5.1— Support public and private efforts to improve protection against flooding, subsidence, and inundation, especially projects that achieve 200-year flood protection or better, factoring in anticipated sea level rise in areas of the county covered by the Central Valley Flood Protection Plan (CVFPP).
- PFS-A5.2 (c)— Coordinate with responsible parties, public and private, to develop a flood risk management plan for the levee systems protecting the unincorporated county that establishes a long-term plan to upgrade the system as necessary to provide at least a 100-year level of flood protection and 200-year level of flood protection where required.
- HS-P5.1— Prohibit urban development in areas designated 100-year or 200-year (or 500-year when used as a proxy for the 200-year) floodplain or in areas subject to increased flood hazards due to subsidence or other changes unless appropriate mitigations to reduce flood risk to the standards of the Flood Disaster Protection Act of 1973 or above are implemented.
- HS-P5.4— Evaluate development within the Sacramento-San Joaquin Valley for consistency with DWR’s Urban Level of Flood Protection Criteria. Prohibit new single-family residences, density increases, subdivision maps, or development agreements for any property within a 200-year floodplain in an urban or urbanizing area unless an adequate finding can be made pursuant to California Water Code Sections 9600 to 9603.

- HS-P13.1— Except for infill sites, require new development in High and Very High Fire Hazard Severity Zones, the WUI, and 100-year or 200-year floodplains to have access to at least two emergency evacuation routes, and encourage the same for existing development.

While the land use authority is responsible for enforcing SB 5 requirements, some reclamation districts assist in complying with SB 5. The potential for new growth within each municipality's 200-year floodplain determines whether further progress will be made in complying with SB 5 requirements for proposed developments.

The Urban Level of Flood Protection Criteria document requires, prior to development approval, the presentation of substantial evidence to support a finding of “adequate progress” on the construction of a flood protection system that will result in providing an urban level of flood protection to an urban area. Such a finding by a local agency shall be based, at a minimum, on the following:

1. A report prepared by the local flood management agency demonstrating adequate progress as defined in California Government Code §65007(a).
2. A report prepared by a professional civil engineer registered in California to document the data and analyses for demonstrating the property, development project, or subdivision will have an urban level of flood protection at the time when the flood protection system is completed.
3. A report by an Independent Panel of Experts on the review of the report prepared by the Professional Civil Engineer.
4. A response by the Professional Civil Engineer to the comments from the Independent Panel of Experts.
5. The most recent annual report prepared by the local flood management agency that was submitted to the Central Valley Flood Protection Board documenting the efforts in working toward completion of the flood protection system.
6. Any additional data and information that cities or counties use to make the finding.

California Government Code §65007(a) defines adequate progress as all of the following:

- (1) The total project scope, schedule, and cost of the completed flood protection system have been developed to meet the appropriate standard of protection.
- (2) (A) Revenues that are sufficient to fund each year of the project schedule developed in paragraph (1) have been identified and, in any given year and consistent with that schedule, at least 90 percent of the revenues scheduled to be received by that year have been appropriated and are currently being expended.

(B) Notwithstanding subparagraph (A), for any year in which state funding is not appropriated consistent with an agreement between a state agency and a local flood management agency, the Central Valley Flood Protection Board may find that the local flood management agency is making adequate progress in working toward the completion of the flood protection system.
- (3) Critical features of the flood protection system are under construction, and each critical feature is progressing as indicated by the actual expenditure of the construction budget funds.
- (4) The city or county has not been responsible for a significant delay in the completion of the system.
- (5) The local flood management agency shall provide the Department of Water Resources (DWR) and the Central Valley Flood Protection Board with the information specified in this subdivision sufficient to determine substantial completion of the required flood protection. The local flood management agency shall annually report to the Central Valley Flood Protection Board on the efforts in working toward completion of the flood protection system.

The local flood management agency's initial adequate progress report was due to DWR and the CVFPB by July 1, 2016. Following this initial submission, annual progress reports are required to continue demonstrating compliance with flood management requirements.

FLOOD MANAGEMENT SYSTEM

The Contra Costa County Flood Control and Water Conservation District (CCCFWD) owns property throughout the county to construct and maintain regional flood control facilities, which include approximately 79 miles of channels, creeks, and other drainage, along with 30 detention basins and dams. Contra Costa County employs comprehensive flood management strategies, including reservoirs with active flood control capacity, levees alongside the major flood control channels, and drainage systems that pump interior runoff and seepage from levee-protected areas back into the flood control channels.

Non-structural flood risk management elements include a variety of measures designed to limit the risk of flood damage by avoiding or reducing exposure to damaging floodwaters rather than by confining those floodwaters with larger and stronger hydraulic structures. These elements involve raising and waterproofing structures to ensure they are above anticipated flood levels and limiting development in floodplains through the acquisition of agricultural conservation easements, open space easements, regulatory constraints, and incentive programs.

Restoration of floodplains, where feasible, is often regarded as a non-structural element because it reduces, rather than increases, the confinement of floodwaters in existing channels.

Flood risk reduction programs in the region include:

- FEMA's National Flood Insurance Program (NFIP) maps flood hazard areas nationwide through Flood Insurance Rate Maps (FIRMs). These maps identify areas at risk of flooding and are essential tools for floodplain management and risk mitigation. Any place with a one percent chance or higher chance of experiencing a flood each year is considered to have a high risk of flooding. Under NFIP guidelines, homes and other structures with federally backed mortgages must carry flood insurance if they are in areas with significant flood risk. Figure 3-4 illustrates the flood zone designations.

Contra Costa County, along with cities such as Antioch, Oakley, and Brentwood, participates in the NFIP program²⁹. Participation allows community residents to access

²⁹ The Federal Emergency Management Agency (FEMA), Community Status Book Report. Communities Participating in the National Flood Program.

reduced flood insurance rates, provided the local permitting agencies meet specific requirements. If a community does not participate in the NFIP, residents within that community are not able to purchase flood insurance.

Figure 3-4: FEMA Flood Zone Designation

Risk Level	Zones	Designation
High Risk	A, AE, AH, AO, AR & A99	Due to proximity to a pond, stream, river or protective barrier under construction. In communities that participate in the NFIP, flood insurance is mandatory if mortgages are federally backed.
High Risk Coastal	V & VE	Areas with an additional hazard from storm waves. These areas have a 26% chance of flooding over the life of a 30-year mortgage. In communities that participate in the NFIP, flood insurance is mandatory for federally backed mortgages.
Moderate Risk	B & X (Shaded)	Represent areas with a moderate risk of flooding. These areas may have reduced their risk with mitigation efforts such as levees, or experience shallow flooding, with water usually less than 1 foot deep or covering less than 1 square mile.
Low Risk	C & X (Unshaded)	Areas are at a lower risk of flooding, though not entirely without risk. Flood insurance is recommended.
Undetrmined Risk	D	Area includes areas with possible flood hazards, but because no flood hazard analysis has been conducted to determine probability, the flood risk in these areas is undetermined. Insurance rates are based on the uncertainty of the flood risk.

- The Contra Costa County Floodplain Management Program focuses on unincorporated areas and is managed by the County's Engineering Services Division. In compliance with the NFIP, the County has adopted a Floodplain Management Ordinance requiring that the lowest floor of all new or substantially improved structures in Special Flood Hazard Areas

(SFHAs)³⁰ be elevated one to two feet above the 100-year Base Flood Elevation (BFE). This elevation reduces flood risk and can lower flood insurance premiums for property owners.

- The Flood Control Subventions Program, authorized by California Water Code Sections 12980, et seq., and managed by DWR, is designed to reimburse local agencies for eligible costs associated with the maintenance and rehabilitation of flood control facilities, as well as expenses related to disaster response. Under this program, the Central Valley Flood Protection Board (CVFPB) reviews and approves DWR's funding recommendations and enters into formal reimbursement agreements with local agencies to facilitate the financial assistance process.
- Public Law 84-99 (PL 84-99), Emergency Response to Natural Disasters, is the basic authority given to the Corps of Engineers to provide for emergency activities in support of State and Local governments prior to, during, and after a flood event. The Flood Control and Coastal Emergencies (FCCE) appropriation provides funding for PL 84-99 authorized activities. Under PL 84-99, the Corps can provide both emergency technical and direct assistance in response to flood and coastal storms, such as hurricanes and natural disasters. In addition, the Corps can assist if there is a flood threat from damage caused by earthquakes to flood risk management projects. The assistance must be requested by the State, and it must be supplemental to State and Local actions, including resources and capabilities.

No reclamation districts in Contra Costa County maintain project levees (discussed later in this section); however, reclamation districts with levees that meet PL 84-99 standards can apply to the Corps for participation in the PL 84-99 program.

LEVEES

According to the 2024 Delta Plan review, there are approximately 1,330 miles of project, non-project, and other levees in the Delta and Suisun Marsh. These levees help reduce flood risk for

³⁰ A "Special Flood Hazard Area" has a one percent or greater chance of flooding in any given year, sometimes referred to as the one percent annual chance flood or base flood.

around 740,000 acres of land in the Delta. They define the Delta's physical characteristics, impact the reliability of its water supplies and ecosystem health, and are critical to the Delta's residents, farms, businesses, cities, and legacy communities.

Differences in how levees are classified can influence reports about their length and condition. Approximately 65 percent of the levees (720 miles) in the Delta are owned or maintained by local agencies or private owners and are not part of the flood control projects on the Sacramento or San Joaquin rivers. Most of these are non-project levees maintained by local reclamation districts created and funded by landowners, initially for the purpose of draining ("reclaiming") Delta islands and tracts. The reclamation districts (RDs) continue to maintain levees and other water control facilities today. These non-project levees are defined in Water Code section 12980(e). Generally, these levees are built to an agricultural standard and are typically less stable than project levees.

The State-federal flood control projects on the Sacramento and San Joaquin rivers include approximately one-third, or about 380 miles, of the Delta's levees. Known as "project levees," they begin on the left bank of the Sacramento River at Sherman Island and line most of the riverbanks, as well as the Sacramento River Deep Water Ship Channel and some connecting waterways north to Sacramento and beyond. Project levees are built to higher standards that comply with USACE guidelines and are overseen by CVFPB. CVFPB has adopted regulations to control encroachments on the project and some of the streams that flow into it. It also regulates encroachments within designated floodways, which are the channels of a river or other watercourse and the adjacent land areas that convey floodwaters (California Code of Regulations) CCR), Title 23, Division 1, Chapter 1, Article 2, Section 4).

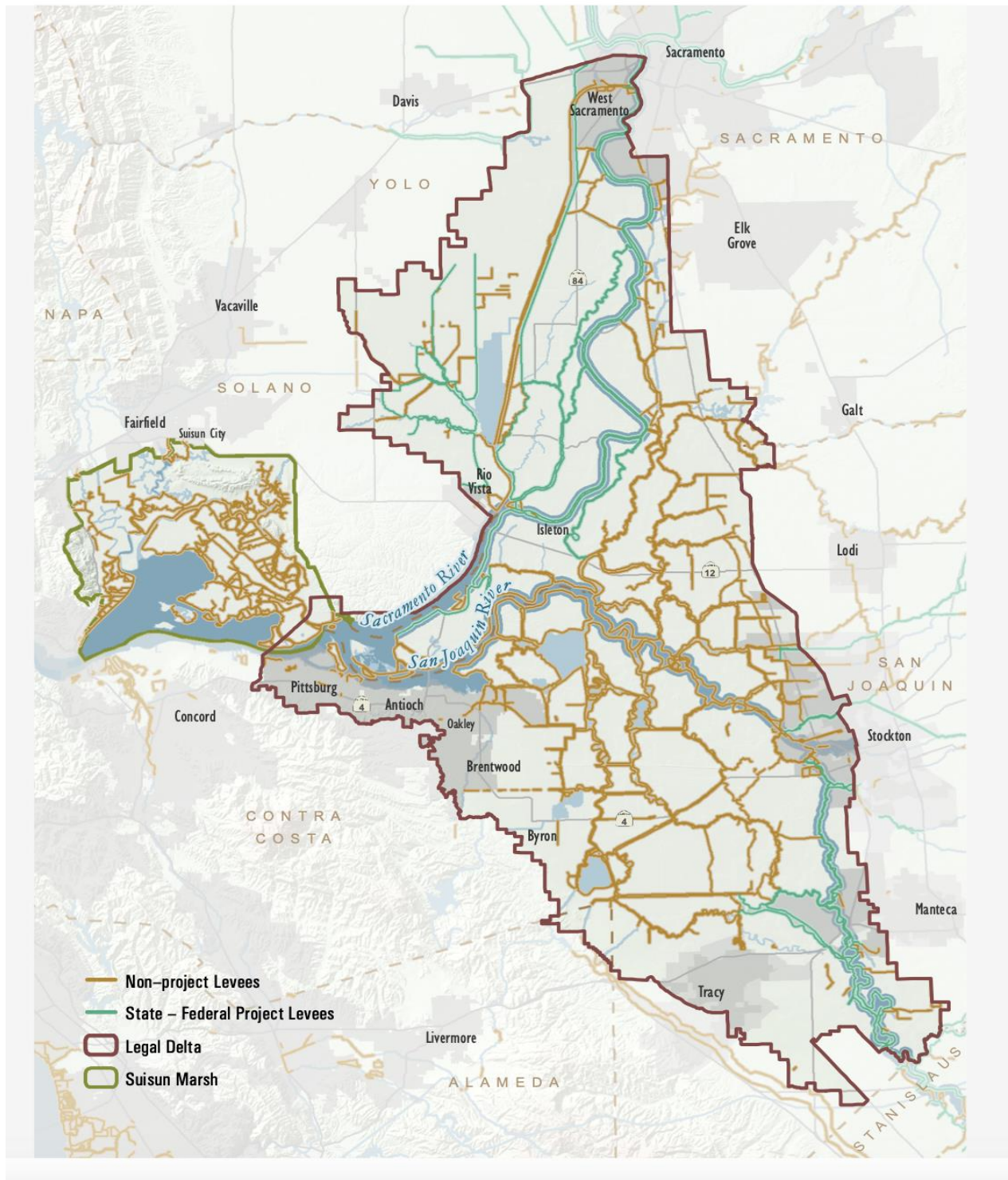
Some levees in the Delta are neither project levees nor non-project levees. These "unattributed levees" include hundreds of miles of levees in the Delta and are not part of any State-financed flood control program. They also include some levees that are no longer maintained along the

perimeter of permanently flooded islands and no longer serve flood control or drainage purposes.³¹

Delta levees are distinguished from river levees in that they are constantly holding back water, making them more comparable to dams. Unlike dams, however, Delta levees were not constructed with strict engineering standards to withstand the constant pressure of water from the daily cycle of tides, wind, and boat wakes.

³¹ Delta Stewardship Council, Chapter 7: Reduce Risk to People, Property, and State Interests in the Delta (as amended in 2024). p.10.

Figure 3-5: Project levees and non-project levees in the Delta



EXISTING LEVEE STANDARDS AND GUIDANCE

Ensuring that Delta levees are properly designed, constructed, and maintained is critical to reducing flood risk while protecting the Delta's unique communities, ecosystem, and infrastructure. Over the past several decades, state and federal agencies have established guidelines and standards to define minimum criteria for levee design and maintenance.

From 1987 until 2014, levee upgrades often sought improvement to meet the FEMA Delta Hazard Mitigation Plan (HMP) standard as an interim step toward compliance with Public Law 84-99 (PL 84-99) or the Bulletin 192-82 standards. Significant progress was made, with more than half of Delta reclamation districts meeting HMP criteria (CALFED Bay-Delta Program 2000; Delta Stewardship Council 2013).

Currently, no state standards establish specific design criteria for flood protection of state and interstate highways that cross the Delta. Federal standards require interstate highways to be protected from 50-year flood events to qualify for Federal Highway Administration funding (23 CFR 650.715). The levee investment priorities outlined in this chapter use this standard to assess flood risks to Delta interstates and state highways, including Highways 160, 4, and 12. However, because most roads in the Delta were constructed before these standards were developed, they do not meet the standards.

The following levee standards and guidance are applicable to the Delta:

HMP Standard

The Hazard Mitigation Plan (HMP) design standard was developed following the 1983 and 1986 floods as a result of negotiations among FEMA, DWR, the State of California Office of Emergency Services (OES), and the Delta Levee Maintaining Agencies (LMAs).

The goal of the HMP is to establish a minimal, short-term, interim standard that would lessen the likelihood of repeat damages to Delta levees and islands to ensure that FEMA disaster assistance would not be requested repetitively for the same islands after minor floods. Initially, FEMA used the HMP standard to determine eligibility for disaster assistance; however, compliance with HMP does not guarantee federal aid today.

The HMP standard provides only a minimal level of flood protection, making it insufficient for agricultural areas with permanent crops and critical habitats vulnerable to flooding. The standard was not designed as a long-term standard and is inadequate for any land use requiring sustained flood prevention

Despite progress, full compliance with the HMP standard has not yet been achieved for all Delta levees.

DWR 200-year Urban Levee Protection

The DWR 200-year Urban Levee Protection standard goes beyond criteria for levee height and geometric design to include requirements for freeboard, slope stability, seepage/under-seepage, erosion, settlement, and seismic stability. It protects against a flood event with a 0.5 percent chance of occurring in any given year (a 200-year level of flood protection). This urban levee standard is the only standard that specifically links land uses to levee criteria.

State law requires that by 2025, flood-prone urban areas with over 10,000 residents must meet this 200-year flood protection standard. Very few levees in the Delta meet this standard because most Delta levees do not protect urban areas. Under existing law, rural levees are not required to meet this standard.

FEMA 100-year Protection

The FEMA 100-year protection is an "insurance" standard, often called the "1 percent annual chance flood" level of protection, which establishes levee criteria that levees must meet to protect against flooding that is the basis for FEMA's flood insurance rate maps (FIRM) (44 Code of Federal Regulations 65.10). This standard is often used alongside the USACE criteria to prescribe requirements for levee freeboard, slope stability, seepage/under seepage, erosion, and settlement.

The FEMA 100-year standard generally does not address seismic stability. In communities where levees provide this level of flood protection, new developments are not required to meet federal floodproofing standards and can obtain federally guaranteed mortgages without

purchasing flood insurance. Few Delta levees outside of cities meet this standard, and some urban levees require improvement to meet it.

Bulletin 192-82

DWR conducted studies of levee design criteria suitable for use in the Delta and published its results in 1983 as DWR Bulletin 192-82. Though similar to the PL84-99 standard, Bulletin 192-82 includes design precepts that enhance the USACE Delta-specific standard. Under the Bulletin 192-82 cross-section recommendations, levees are designed to withstand a water level with a 0.33 percent (1 in 300) annual chance of occurrence. This includes 1.5 feet of freeboard for levees protecting rural areas and 3 feet of freeboard above the 300-year flood elevation for levees protecting urban areas.

The Delta Flood Protection Act of 1988 requires that Delta Levee Subventions projects be compatible with Bulletin 192-82 (Water Code Section 12987). Additionally, Bulletin 192-82 serves as a conceptual framework guiding long-term levee improvements (Water Code Section 12225), distinguishing it from short-term standards such as the HMP.

Public Law 84-99 (PL 84-99)

The PL 84-99 guideline is a minimum requirement established by USACE for levees that participate in its Rehabilitation and Inspection Program (33 United States Code 701n) (69 Stat. 186). This standard for levee geometry outlines a minimum levee height and a slope stability factor of safety; however, does not specify a level of protection (such as a 100-year floodplain) or address seismic stability. Delta islands or tracts that meet the PL 84-99 criteria may be eligible for USACE funding for levee rehabilitation, island restoration after flooding, and emergency assistance, provided that the reclamation district is accepted into the USACE's program and passes a rigorous initial inspection and periodic follow-up inspections.

Eligibility for PL 84-99 was formerly based primarily on levee geometry with minimum freeboard and maximum steepness of slopes. USACE's periodic inspection program incorporates other elements into eligibility, including the presence of structure encroachments, vegetation, rodent control programs, and more. The PL 84-99 cross section is roughly equivalent to that proposed in Bulletin 192-82. The CALFED Record of Decision and the DPC

Economic Sustainability Plan; both has set a goal of improving Delta levees to meet the PL 84-99 criteria; however, funding has been inadequate to attain this objective.

MAINTENANCE OF DELTA LEVEES

As with all working structures, the Delta levees are continually deteriorating and must be regularly maintained, something that costs millions of dollars annually. In some cases, allowing some Delta islands to flood can be helpful as a release valve for excess water. Similarly, farmland set aside for deliberate flooding is also being explored. These flooded spaces can also provide ecosystem benefits.

According to controversial findings from the Delta Risk Management Strategy (commonly known as DRMS), Delta islands may flood more than 200 times in the next century, and there is a chance of as many as 30 levees crumbling simultaneously. Such levee failure would also result in an economic loss of \$35 billion.

Experts also say there is a better than 60 percent chance that an earthquake or major flooding in the Sacramento-San Joaquin Delta will cause multiple levees to fail simultaneously in the next 50 years, especially in the western and central Delta. If such an event occurs, repairs would take years, if at all, given the cost and the fact that there is only one contractor in California currently doing such work. Widespread flooding could force a long-term shutdown of the State Water Project and federal Central Valley Project pumps that supply much of California with water. Delta levees also protect an extensive network of public utilities (pipelines, highways, rail lines), preserve extensive farmland, and facilitate significant recreational opportunities.

Only about a third of the Delta levees (385 miles) are part of a federal flood management project of the Sacramento and San Joaquin River system and, as a result, are eligible for rehabilitation by the USACE. In contrast, the vast majority of the levees—more than 730 miles and all of the Suisun Marsh levees—are local levees. These local levees were constructed and maintained during the past 130 years by local RD's. In general, the levee work has been financed by the landowners within the levees. In the past 30 years or so, the State has provided supplemental financing for levee maintenance and emergency response.

Levee failure (such as a breach) could cause catastrophic flooding, potentially causing injury or loss of life, damaging property and infrastructure, interrupting the water supply, and threatening environmental resources of importance to the entire state. Though levee maintenance and improvements over the past three decades have reduced the frequency of levee failures, until 2024, the State had no comprehensive method to prioritize its investments in operations, maintenance, and improvement projects for levees in the Delta and Suisun Marsh.

Assuming Delta levees remain at current conditions (i.e., no improvement or degradation), by 2050, the following could be exposed to flooding from levee overtopping during a 100-year event.

- 10 percent of the Delta's existing population (including more than 42,000 residents who live in areas with high social vulnerability),
- 33 percent of Delta land, and 148,000 acres of agriculture

This would total more than \$10 billion in exposed agricultural, residential, commercial, and infrastructure assets and nearly \$2 billion in economic activity. These figures double by 2085.

To address these challenges, the Delta Levees Investment Strategy (DLIS) took effect in 2024, fulfilling the legislative mandate for a comprehensive levee investment strategy aimed at ensuring public resources are transparently used for improving and maintaining Delta levees. The Delta Stewardship Council determines the priorities for levee investments, while the DWR and CVFPB allocate the funds. Each year, the DLIS requires DWR to report to the Council on its funding decisions for levee operations, maintenance, repairs, and improvements. If funding decisions differs from DLIS priorities, DWR must illustrate how the projects reduce flood risks in the Delta. This allows for tracking investments over time and adjusting priorities as risks evolve.

State funds are first directed to islands and tracts that pose the greatest risk to state interests, which include people, property, reliable water supply, ecosystem health, and the overall delta. Given the limited financial resources at federal, state, and local levels, the DLIS emphasizes the efficient use of resources by identifying the most urgent risks and evaluating

the benefits and trade-offs of risk reduction alternatives. It combines an analysis of the likelihood of flooding with the consequences, such as loss of life, property damage, and disruption of water supply, to identify the areas of the Delta with the greatest risks.

The risk analysis methodology includes evaluating the probability of levee failure due to hydraulic flooding and seismic hazards. To estimate flood risk for Delta islands and tracts, the Council developed a risk assessment model known as the DLIS Tool. Each island and tract in the Delta is categorized into one of three priorities: Very High Priority, High Priority, or Other Priority.

When risks are reduced through levee improvements or other mitigation measures on very high and high-priority islands, other areas can rise in priority.

MAINTENANCE ACTIVITIES

Flood control facilities are subjected to natural forces that can reduce their effectiveness over time. Routine maintenance helps preserve the original design and reliability of flood control systems and involves activities such as routine inspections, erosion control, vegetation removal, debris and sediment removal, and control of burrowing animals. Coupled with long-term flood risk reduction projects, routine maintenance strengthens the structural integrity of the levee systems. Maintenance activities are typically performed by Levee Maintaining Agencies (LMAs, including RDs, responsible for specified segments of levee systems.

Wave action and high-water events cause erosion on the waterside of levees, thereby altering the levee geometry and reducing a levee's overall effectiveness. RDs work to mitigate these issues by placing a layer of rocks (rip rap) on the waterside of the levee to reduce the erosive forces. To a lesser extent, slope grading/dragging can be done to repair minor rills in the levee slopes.

Burrowing animals also threaten the structural integrity of levees. Burrowing rodents can create extensive networks of tunnels throughout levee systems, creating a path for water to get from the waterside to the landside of the levee. RDs have employed measures such as grouting, baiting, and hunting to remove burrowing animals from their levees.

Additionally, thick vegetation on levees reduces the ability to visually inspect a levee. Therefore, RDs trim, remove trees and shrubs, and mow grass to meet guidelines established by USACE and DWR.

Levee Repairs

DWR maintains levees and access roads through the Levee Repairs Program. DWR evaluates levees and completes required maintenance to meet assurances provided by the federal government. Other levee repair and maintenance tasks DWR performs include:

- Perform thorough periodic inspections and evaluations to determine levee conditions and identify threats.
- Maintain and repair levees to sustain flood system integrity and reduce flood risk.
- Maintain the levees to protect, restore, and enhance environmental resources.
- Respond promptly and appropriately to identified levee problems.
- Support environmentally compatible improvements, which minimizes costs to operate and maintain the flood control system.

Inspections

Project levees are subject to certification and inspection by the USACE. In addition, they are also subject to AB 156 inspection and reporting requirements. Levees are inspected up to four times a year, including inspections by USACE. Under Assembly Bill (AB) 156, Local Maintaining Agencies (LMAs) must report the condition of their levees to the DWR, which compiles this data into an annual report.

AB 156 was introduced during the 2007-08 Legislative Session and was approved by the Governor on October 10, 2007.³² Additions to the California Water Code (CWC) as a result of AB 156 include requirements that, on or before September 30 of each year, a local agency responsible for the operation and maintenance of a project levee (or jurisdictional non-project levee) must prepare and submit a report to DWR. This report contains specified information for inclusion in periodic flood management reports prepared by DWR (CWC §9140). By establishing

³² Chapter 368, Statutes of 2007.

these requirements, AB 156 imposes a state-mandated local program. These additions to the Water Code became effective on July 1, 2008.

DWR is responsible for developing and administering a program to facilitate LMA reporting requirements. LMAs are required to submit their project levee reports by September 30 of each year. DWR consolidates this information into an Annual Report, which is then submitted to the CVFPB by December 31 of each year. The Annual Report provides a summary of the information collected from LMAs responsible for the operation and maintenance of the 1,600 miles of project levees within the State-Federal flood protection system.

DWR's inspection results are categorized into three ratings:

- **Acceptable (A)**— No immediate work is required beyond routine maintenance. The flood protection project is functioning as designed and intended, with a high degree of reliability, and necessary cyclical maintenance is being performed adequately.
- **Minimally Acceptable (M)**— One or more deficient conditions exist that need improvement or correction. The project will essentially function as designed but with a reduced level of reliability compared to its full potential.
- **Unacceptable (U)**— One or more significant deficiencies exist that may prevent the project from functioning as designed or required.

RECLAMATION DISTRICTS

Reclamation districts are special districts responsible for reclaiming and/or maintaining land subject to frequent overflow or flooding via systems of levees, dikes, pumps, and ditches within both urban and rural lands. Most RDs were established when local landowners first started agricultural production many decades ago. Maintenance and improvement of Delta levees have been the responsibility of the local RDs for the last 130 years.

The principal act that governs the districts is the Reclamation District Act. It empowers RDs to (1) construct, maintain, and operate levees, pumping plants, canals, and other diversion and irrigation infrastructure; (2) acquire, maintain, and operate irrigation systems (dams, diversion works, canals, pumps) and supply irrigation water to lands within and contiguous to district

bounds; (3) construct, maintain, and operate transportation (such as roads, bridges, and ferry boats) for access to district facilities and land in the district bounds; and (4) retain an agricultural expert to advise landowners. Districts must apply and obtain LAFCo approval to exercise latent powers, that is, those services authorized by the Reclamation District Act but not provided by a district by the end of 2000.

RDs are charged with preventing flooding of the land in their jurisdiction, which requires maintenance of levee structures and/or other facilities such as pump stations. California RDs tend to operate under their own authority. Typically, RDs are overseen by elected board members and the costs to maintain the levees are covered by property taxes and benefit assessments. The financing abilities of RDs have been limited relative to needs, although some funds have been made available by the State for the last few decades. Under emergency situations, RDs are supported by county, state, and federal agencies but receive their authorization to operate under their own authority through the DWR and the USACE.

There are 12 reclamation districts (RDs) in Contra Costa County, all of which are reviewed in this MSR.

Figure 3-6: Contra Costa County Reclamation Districts by Delta Zone

Primary Delta Zones	Secondary Delta Zones	BOTH DELTA ZONES
RD 830 RD 2024 RD 2025 RD 2026 RD 2059 RD 2090 RD 2117 RD 2122	RD 799 RD 800 RD 2137	RD 2065

4. RECLAMATION DISTRICTS—FUNDING OPPORTUNITIES

RDs are a unique type of special district. Typically, they are formed by landowners to protect their property from flooding by maintaining the levees or natural habitat. RDs have several unique funding mechanisms. Most are funded by a combination of property tax, special assessments, the sale of warrants, and applicable grants. Other RDs have been more creative in seeking funding. Some RDs, for example, receive revenues by charging owners to use the levees as roads.

PROPERTY TAXES

Some districts receive a portion of the property tax collected by the County. These taxes are redistributed based on the percentage share each agency received in 1978³³, with an additional increment based on the change in assessed value from the previous year.

SPECIAL ASSESSMENTS

Most of the RDs receive revenues from special assessments paid by landowners within the districts. In most cases, these assessments are based on the benefit that each parcel receives from the levee system. Special assessments are based on the proportion of benefit received assessments are based on land use, the size and elevation of the parcel, and whether the parcel contains buildings. Special assessments require a vote of the landowners. The vote is weighted by the benefit received and the voting threshold is 50 percent plus one.

WARRANTS

An RD often requires funds for capital improvements. These projects are often front funded by warrants (authorized within the Water Code) drawn from local financial institutions. Board

³³ On June 6, 1978, California voters approved Proposition 13, a property tax limitation initiative that altered the distribution of property tax revenues to counties, cities, schools, and special districts that rely on property taxes as a primary source of funding.

members and/or residents provide the district with funds through the issuance of warrants. In return, they receive improved flood protection and earn interest on the value of the warrant.

GRANT FUNDING SOURCES

The following section outlines grant funding opportunities available through state bond measures, the DWR, the California Department of Fish and Wildlife (CDFW), and the California-Federal Bay-Delta Program (CALFED). State programs primarily derive funding from bond measures approved by California voters, primarily from Proposition 84, Proposition 1E, and Proposition 13.

In 2014, voters approved Proposition 1, which allocated \$239 million for statewide and delta levee projects. All bond funding is specified in the bond measure by function and is often allocated regionally based on need and benefit. Most levee grant programs are administered based on identified needs and benefits as overseen by DWR and the Central Valley Flood Protection Board (CVFPB).

PROPOSITION 84

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) authorizes \$5.388 billion in general obligation bonds to fund safe drinking water, water quality and supply, flood control, waterway and natural resource protection, water pollution and contamination control, state and local park improvements, public access to natural resources, and water conservation efforts.

Proposition 84 allocated a total of \$787,876,055 to 13 flood control programs. Among these are the Levees Subvention Program, the Delta Levees System Integrity Program, and the Flood Control Subventions Program, all of which are directly related to managing flood risks in the Sacramento-San Joaquin Delta and involve various reclamation districts in the region.

PROPOSITION 1E

The “Disaster Preparedness & Flood Protection Bond Act of 2006” (Proposition 1E) makes funding available to improve local flood emergency response. Up to \$5 million in funding is available through this grant and requires no local match. California public agencies with primary responsibility for flood emergency response and coordination are eligible to apply. The grant’s geographic scope includes the legal Delta, including primary and secondary zones.

This program provides funding for projects such as preparing or updating the local flood emergency plan, coordinating flood emergency planning and preparedness, developing processes to effectively communicate and coordinate response to flood emergencies, collecting and exchanging flood information, and purchasing and installing equipment for emergency communications.

PROPOSITION 13

California voters passed Proposition 13, the “Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act,” in March of 2000. This proposition provided funding for nonstructural flood management projects that include wildlife habitat enhancement and/or agricultural land preservation.

This funding was first made available for direct expenditure projects during the fiscal year of 2001- 2002, followed by a competitive solicitation for grant-funded project proposals in fiscal year 2002- 2003. Most of these funds have been expended but the Legislature continues to have a small amount available when identified needs occur.

PROPOSITION 1

In November 2014, California voters passed a \$7.1 billion bond measure for state water supply infrastructure projects, such as public water system improvements, surface and groundwater storage, drinking water protection, water recycling and advanced water treatment technology, water supply management and conveyance, wastewater treatment, drought relief, emergency water supplies, and ecosystem and watershed protection and restoration. Included in the bond measure is \$395 million for flood management. Of that total, \$295 million is designated to

reduce the risk of levee failure and flooding in the Delta. Guidelines for applying for the funding are still in the development stage under the purview of the DWR and CVFPB.

GRANT FUNDING PROGRAMS AND PROJECTS

Many of the districts rely on grants administered by the DWR. Most of these grants come from three main programs: the Delta Levees Program, the Flood Control Subventions Program, and the Flood Protection Corridor Program. There are also grant programs available from the CDFW for some habitat restoration. Grants are available for:

- Non-structural flood damage reduction projects within flood corridors
- Acquisition of real property or easements in a floodplain
- Setting back existing flood control levees or strengthening or modifying existing levees in conjunction with levee setbacks
- Preserving or enhancing flood-compatible agricultural use of the real property
- Preserving or enhancing wildlife values of the real property through restoration of habitat compatible with seasonal flooding
- Repairing breaches in the flood control systems, water diversion facilities, or flood control facilities damaged by a project developed pursuant to Chapter 5, Article 2.5 of the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Act of 2000
- Establishing a trust fund for up to 20 percent of the money paid for acquisition for the purpose of generating interest to maintain the acquired lands
- Paying the costs associated with the administration of the projects

DWR PROGRAMS

Delta Levees Program

This program provides financial assistance to local agencies in the Delta as outlined in Water Code §12200, et seq. for levee maintenance and improvements costs and to provide mitigation and environmental enhancement associated with Delta and Suisun Marsh levee maintenance and improvements.

The Delta Levees Program has several components, each offering a variety of tools to implement projects efficiently and achieve program goals. The two largest components are the Special Flood Control Projects and Delta Levee Subventions. The majority of the Delta Levees Program is used to plan and build levee maintenance, improvement, and habitat-related projects.

These programs receive \$265 million of funding from Proposition 84 and \$320 million of funding from Proposition 1E. Funding sources began awarding grants in FY 07–08.

The Delta Levees Special Flood Control Projects provides financial assistance to local levee-maintaining agencies for the rehabilitation of levees in the Delta. The program was established by the California Legislature under SB 34, SB 1065, and AB 360. Since the inception of the program, more than \$100 million have been provided to local agencies in the Delta for flood control and related habitat projects. The Special Project is authorized in the California Water Code, sections 12300 through 12314. The intent of the Legislature, as stated in the Water Code, is to preserve the Delta as much as it exists at the present time.

The program presently focuses on flood control projects and related habitat projects for eight western Delta islands: Bethel, Bradford, Holland, Hotchkiss, Jersey, Sherman, Twitchell, and Webb Islands, as well as the Towns of Thornton and Walnut Grove.

Delta Levees Maintenance Subventions Program

The Delta Levees Maintenance Subventions Program (Subventions Program) is authorized by the CA Water Code § 12980 through 12995. The Subventions Program has been in effect since the passage of SB 541 (Way Bill) in 1973, which has been modified periodically by Legislation. The CA Water Code § 12981 states the intent of the legislature as "...the physical characteristics of the delta should be preserved essentially in their present form; and that the key to preserving the delta's physical characteristics is the system of levees defining the waterways and producing the adjacent islands..."

The Subventions Program is a cost-share program that provides technical and financial assistance to local agencies in the Delta for the maintenance and rehabilitation of non-project and eligible project levees. DWR manages the Program for the CVFPB, which reviews and

approves DWR's recommendations, adopts guidelines for the maintenance and improvement of levees, and enters into agreements with local levee maintenance agencies to reimburse eligible costs of levee maintenance and rehabilitation.

Levee maintenance agencies (LMAs), RDs, and other government agencies responsible for maintaining levees in the Delta can participate in the Subventions Program. Program participants apply for funding annually to assist with levee work that meets DWR's goals and objectives for the Delta, which are guided by the California Water Action Plan and the Delta Plan. The CVFPB reviews and approves DWR's funding recommendations and enters into agreements with local agencies each year to reimburse eligible costs. The program periodically publishes a List of Active Islands.

The CVFPB adopted a revised 2016 Maintenance Subventions Guidelines in August 2016. These guidelines apply to Subvention funding applications beginning in 2017. Applications for 2016 and prior are guided by the 2011 Guidelines, Procedures, and Criteria. Addendum #1 incorporates the amendments to the California Water Code that became effective on July 1, 2018, which may affect reimbursement to program participants.

The Subventions Program has been dedicated to maintaining and helping to manage the aging levees in the Sacramento-San Joaquin Delta (Delta) for nearly 50 years, investing over \$245 million in flood control and habitat projects carried out by local levee maintenance agencies in the Delta. Since 2006, with the passage of Propositions 1E and 84, the Subventions Program has reimbursed local levee maintenance agencies an average of \$9.5 million each year. The funding has been used to support maintenance and rehabilitation activities of over 700 miles of project and non-project levees annually. The table below summarizes the CVFPB-approved maximum reimbursement and the actual State reimbursement through the Subventions Program.

According to the 2023 staff report, the proposed funding for FY 23-24 is \$12.75 million. Staff received 72 applications totaling approximately \$62.5 million. The eligible amount of

reimbursements is determined by priority, as defined in the 2016 Subventions Guidelines, which outlines:³⁴

- Priority 1— Maintenance up to \$20,000 per levee mile.
- Priority 2.1— Rehabilitation up to \$100,000 per levee mile.
 - Category 1: CVFPB's highest priority
 - Category 2: Fish and wildlife habitat protective measures and easements
 - Category 3: HMP expenditures
 - Category 4: Bulletin 192-82 expenses
- Priority 2.2— Rehabilitation over \$100,000 per levee mile.
- Priority 2.3— Rehabilitation in excess of Bulletin 192-82 (Requires approval by CVFPB)

Of the applications, 11 were from Contra Costa County RDs, requesting \$10.9 million. According to CVFPB's FY 23-24 funding allocation plan, over \$1.8 million of the \$12.75 million in available funding has been allocated for these Contra Costa County projects.

³⁴ Meeting of the Central Valley Flood Protection Board, Department of Water Resources Staff Report. Division of Multi benefit Initiatives. Delta Levees Office. Delta Levees Maintenance Subventions Program. June 23, 2023.

Figure 4-1: FY 23-24 Contra Costa County RDs Subventions Program Application Amounts by Priority

DISTRICT	Eligible levee length	application amount	priority 1 maintenance	priority 2				
			mAX of \$20,000 PER levee mile	priority 2.1			priority 2.2	priority 2.3
				category 2: Fish and Wild	category 3: HMP	category 4: eligible BUL 192-82	over \$100,000 PER levee mile	Over BUL 192- 82
RD 799	8.9	\$890,000	\$169,100	\$70,000	0	\$642,00	0	0
RD 800	9.7	\$2,533,000	\$169,750	\$23,000	0	\$947,000	\$1,369,000	0
RD 830	15.5	\$1,162,000	\$294,500	\$2,000	\$630,000	\$220,000	0	0
RD 2024	13.9	\$1,863,398	\$264,100	\$155,727	0	\$1,234,273	\$195,398	0
RD 2025	10.96	\$465,000	\$209,000	\$6,000	0	\$239,000	0	0
RD 2026	12.9	\$665,000	\$245,100	\$101,000	0	\$306,000	0	0
RD 2059	7.4	\$2,273,000	\$140,600	\$200,000	0	\$540,000	\$1,385,000	0
RD 2065	5.1	\$175,000	\$96,900	\$4,000	0	\$69,000	0	0
RD 2090	7	\$278,500	\$133,000	0	0	\$138,500	0	0
RD 2117	5.4	\$381,000	\$102,600	\$17,500	\$115,000	\$140,500	0	0
RD 2137	5.2	\$300,000	\$98,800	\$5,000	0	\$191,000	0	0

Flood Protection Corridor Program

The Flood Corridor Program (FCP) offers grant funding to proponents of nonstructural flood management projects across the state that focus on enhancing wildlife habitats and/or preserving agricultural land. By conserving agricultural areas, protecting wildlife habitats, acquiring flood flow easements, and restoring floodplain functions, floodwaters can safely spread over, and in some instances, move more quickly through floodplains or be detained for later release. These initiatives can lower peak flows both upstream and downstream. Other benefits include:

- Enhanced wetland development
- Recharged groundwater
- Enhanced wildlife habitat
- Trapped sediment
- Acquired sites that cannot be made safe from future flooding

This program was established in March 2000 when California voters approved Proposition 13, known as the "Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act." Additional funding has been provided by Proposition 84 and Proposition 1E, which were passed in 2006.

Flood Emergency Response Projects

DWR has made additional funding available for the Flood Emergency Response Projects grants. The original amount of \$5 million was increased to \$10 million in early 2013, and another \$5 million was added in mid-2013. \$10 million in funding has been awarded for statewide projects and Delta communications equipment, while the remaining \$5 million has been recommended for projects in the legal Delta. An additional \$5 million was made available for a second round of statewide grants in 2015.

Since 2012, DWR has provided \$50 million through three flood emergency response grant programs: Statewide Grants, Delta Grants, and Delta Emergency Communication Equipment Grants to improve local flood emergency response and contribute to increased public safety.

- **Statewide Grants**— California public agencies whose primary responsibility is flood emergency response and coordination are eligible to apply for this competitive grant. The geographic scope for these grants is statewide, outside of the legal Delta. The first round of funding under this program was awarded in September 2013. Additional funding was made available for a second round, which was awarded in September 2015. The third round of funding was awarded in June 2018, and the fourth round of funding was awarded in September 2024. The total amount awarded by the Statewide Flood Emergency Response Grant Program to date is \$20.1 million.
- **Delta Grants**— California public agencies in the legal Delta whose primary responsibility is flood emergency response and coordination are eligible to apply for these grants. The first round of Delta grants was awarded in June 2014, and the second round in September 2017 through a solicitation process. Additional funding was made available for Directed Funding action under the grant program’s Round 2 guidelines and was awarded in December 2018 and December 2019. The total amount awarded by the Delta Grants Program to date is \$25 million. Two RDs in Contra Costa County, RD 799 and RD 2059, received funding from the final awards of the Delta Flood Emergency Response Grant Program, with allocations of \$305,000 and \$450,000, respectively, in Round 3 of the program.
- **The Flood Emergency Response Projects**— Delta Communications Equipment Grant provided \$5 million to ensure that State and local agencies have a robust regional communication system in the Delta region for effective response to high water and flood emergencies. Funded by Proposition 84, the grant required projects to be consistent with CalOES’ California Statewide Communication Interoperability Plan to improve communication between emergency response agencies on a regional basis.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE PROGRAMS

California State Duck Stamp Project

The California State Duck Stamp (CSDS) was created by legislation in 1971 (Fish and Game Code §3702). The stamp is required when hunting waterfowl and purchased by stamp collectors. All funds generated by the sale of stamps are deposited in the State Duck Stamp Account. The funds can only be used for projects approved by the Fish and Game Commission (FGC) for the purpose of protecting, preserving, restoring, enhancing, and developing migratory waterfowl breeding and wintering habitat, evaluating habitat projects, and conducting waterfowl resource assessments and other waterfowl related research. These funds also may be used to reimburse nonprofit organizations for completed habitat projects.

The goals of the CSDS are to protect, preserve, restore, enhance, and develop migratory waterfowl breeding and wintering habitats, evaluate habitat projects, and conduct waterfowl resource assessments and other waterfowl-related research.

The CDFW awards grants for waterfowl conservation purposes to nonprofit organizations, local government agencies, state departments, and federal agencies. The organizations must have a specific capacity in waterfowl habitat enhancement, restoration, creation, and or research experience.

Wetlands Restoration for Greenhouse Gas Reduction

The CDFW administers the Wetlands Restoration for Greenhouse Gas (GHG) Reduction Program, which restores or enhances wetlands and watershed ecosystems to provide essential services to California's people, wildlife, and fish. Wetlands have high carbon sequestration rates and can sequester carbon for decades.

The program is funded through the Air Resources Board's Cap-and-Trade Program as part of its overall greenhouse gas (GHG) reduction strategy. The program supports projects that reduce GHGs and provide co-benefits such as enhancing fish and wildlife habitat, protecting and improving water quality and quantity, and helping California adapt to climate change. The program is focused on GHG emission reduction through the restoration or enhancement of Delta and coastal wetlands and mountain meadow habitats.

This grant program targets two key areas:

- Sacramento-San Joaquin Delta and Coastal Wetlands— Projects in these regions aim to implement measurable objectives that result in GHG reductions.
- Mountain Meadow Ecosystems— These statewide projects are designed to restore mountain meadows, thereby contributing to GHG reduction and ecosystem health.

To date, the program has supported 22 projects across Coastal Wetlands, Inland Seasonal Wetlands, Sacramento-San Joaquin Delta Wetlands, and Mountain Meadows, with a total investment of \$39.2 million. Collectively, these efforts have restored or enhanced 7,477 acres and are estimated to have sequestered 995,950 metric tons of CO₂ equivalent.

OTHER AGENCY GRANT PROGRAMS

CALFED Water Use Efficiency Grants

The Bureau of Reclamation administers the Bay-Delta Restoration Program, which is a collaborative effort among 25 state and federal agencies that aim to improve California's water supply and the ecological health of the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta).

A key element of the program is water use efficiency, which is addressed through the CALFED Water Use Efficiency Grant Program. This program was established to accelerate the implementation of cost-effective actions that provide state-wide benefits for water conservation. Efficient water use and conservation are critical to addressing existing water challenges within the Delta.

The grant program provides financial support for projects that emphasize water use efficiency and conservation activities, with the broader goals of improving ecosystem health, enhancing water supply reliability, and maintaining water quality. Recent funding opportunities have been announced for fiscal years 2025 and 2026, which include a funding cap of \$500,000 per award.

Endangered Species Recovery Land Acquisition Grant Program

The Endangered Species Recovery Land Acquisition (RLA) Grant Program is one of four grant programs administered by the USFWS through the Cooperative Endangered Species Conservation Fund (CESCF) and authorized through Section 6 of the Endangered Species Act of 1973. The RLA Grant Program is part of what is known as the Nontraditional Section 6 Program and provides funding to States and Territories for the acquisition of threatened and endangered species habitat in support of approved and drafted species recovery plans. The RLA Grant Program is coordinated by the CDFW Wildlife Branch in California.

Ecosystem Restoration Program

The Ecosystem Restoration Program (ERP) is a multi-agency effort aimed at improving and increasing aquatic and terrestrial habitats and ecological function in the Delta and its tributaries. The ERP Focus Area includes the Sacramento-San Joaquin Delta, Suisun Bay, the Sacramento River below Shasta Dam, the San Joaquin River below the confluence with the Merced River, and their major tributary watersheds directly connected to the Bay-Delta system below major dams and reservoirs. Principal participants overseeing the ERP are CDFW, the United States Fish and Wildlife Service (USFWS), and the NOAA's National Marine Fisheries Service (NMFS), collectively known as the ERP Implementing Agencies. The ERP implements restoration projects through grants administered by the ERP Grants Program. The vast majority of these projects focus on fish passage issues, species assessment, ecological processes, environmental water quality, or habitat restoration.

The ERP uses several processes to achieve its goals and ecosystem restoration activities. ERP uses both state and federal funding to accomplish projects and activities. In addition, ERP coordinates and collaborates with other funding entities to accomplish restoration activities. The primary sources of State funding for ERP projects include Proposition 204 (the Safe, Clean, and Reliable Water Supply Act, 1996), Proposition 13, Proposition 50 (the Water Quality, Supply, and Safe Drinking Water Projects Act, 2002), and Proposition 84.

5. RECLAMATION DISTRICT 799 (HOTCHKISS TRACT)

AGENCY OVERVIEW

Reclamation District (RD) 799 (Hotchkiss Tract) was established in 1901 under the Special Act of the California Legislature (Statutes 1911:342, California Water Code §50300 et seq.) to provide services within district boundaries.

RD 799 is responsible for repairing, maintaining, and improving the levees and drainage facilities that protect Hotchkiss Tract. The District is also responsible for flood protection of all its jurisdictional land, including a portion that has been annexed to the City of Oakley. Additionally, during times of high water, the District conducts flood fighting and patrols on district levees.

The Hotchkiss Tract encompasses 571 parcels of land, which include 123 vacant parcels, 37 agricultural parcels, 357 residential parcels, and 54 commercial or other parcels. Additionally, there are public roadways and utility easements. Several electrical transmission lines traverse the District, including the California Oregon Transmission Project operated by the Western Area Power Administration (WAPA), the Pacific Gas and Electric Company (PG&E) Table Mountain Tesla line, the PG&E Vaca-Dixon-Tesla line, and natural gas lines. The total value of the assets on district land is estimated to be approximately \$104 million.³⁵

Furthermore, the area to the west of the District's boundary, which includes the Burroughs Parcel, is part of the Dutch Slough Restoration Project area. The Restoration Project spans approximately 1,178 acres—most of which lies within RD 2137's boundaries—and is restoring these lands to tidal marsh, tidal channels, tidal open water, managed marsh, riparian woodland, and upland grasslands. The portion of the project involving the Burroughs parcel is currently in the planning phase.

³⁵ Five-Year Plan. Reclamation District 799, Hotchkiss tract. March 2022. p.7-19.

According to the Contra Costa County Department of Conservation and Development, the District has a population of 3,335.³⁶ Currently, three residential projects are planned within the physical boundaries of RD 799: the DeNova Homes development at the former Shea Homes Summer Lake North site (which will consist of 400-600 homes), the Grand Cypress Preserve project by ACD-TI Oakley (3,200 homes), and the Estuary Cove LLC development located north of Sandmound Blvd (271 units). Once completed, these projects are anticipated to result in rapid population growth within the District.

All of these development projects have been approved by the City of Oakley and Contra Costa County, the land use authorities in the area. The District reports that construction for the DeNova Homes project is in progress. Construction for the Grand Cypress Preserve project is expected to begin in 2025, with an estimated build-out period of 8 to 10 years. Construction for the Estuary Cove LLC project is also anticipated to start in a few years.³⁷

³⁶ Contra Costa LAFCO. Directory of Local Agencies, County Services Areas. Section 11: Reclamation Districts.

³⁷ RD 799 Request For Information, January 2025.

Figure 5-1: RD 799 General Information

GENERAL information		
Agency	RD 799 (Hotchkiss Tract)	
Address	6325 Bethel Island Rd. Bethel Island, CA 94511	
Principal Act	Special Act of California Legislature, Statutes 1911:342, California Water Code §50300 et seq.	
Date Formed	1901	
Population	3,335	
Last SOI Update	Novemeber 18, 2015	
Services Provided	Maintenance and operations of levees and drainage facilities	
Employees	5; District Manager, District Secretary, Levee Superintendent, Assistant Levee Superintendent, and Levee Assistant	
Contact Person	Dina Holder, District Secretary Email: dholder@rd799.com	
Website	https://rd799.com	
Board		
Members	Length of Term	Term Expiration
Walter Pierce	4-Years	2025
Jim Price	4-Years	2025
Chris Mazotti	4-Years	2027
David Senior	4-Years	2027
Matt Lipary	4-Years	2025

BOUNDARIES

RD 799 covers approximately 3,100 acres or approximately 4.8 square miles. The District is about two miles northeast of the City of Oakley and is bordered by Dutch Slough to the north, Sand Mound Slough to the east, Rock Slough and the Contra Costa Canal to the south and west, and Little Dutch Slough to the northwest.

Most of the District's land lies within the jurisdictional boundaries of the City of Oakley and extends southeast beyond the City limits, primarily within the City's SOI. Additionally, the

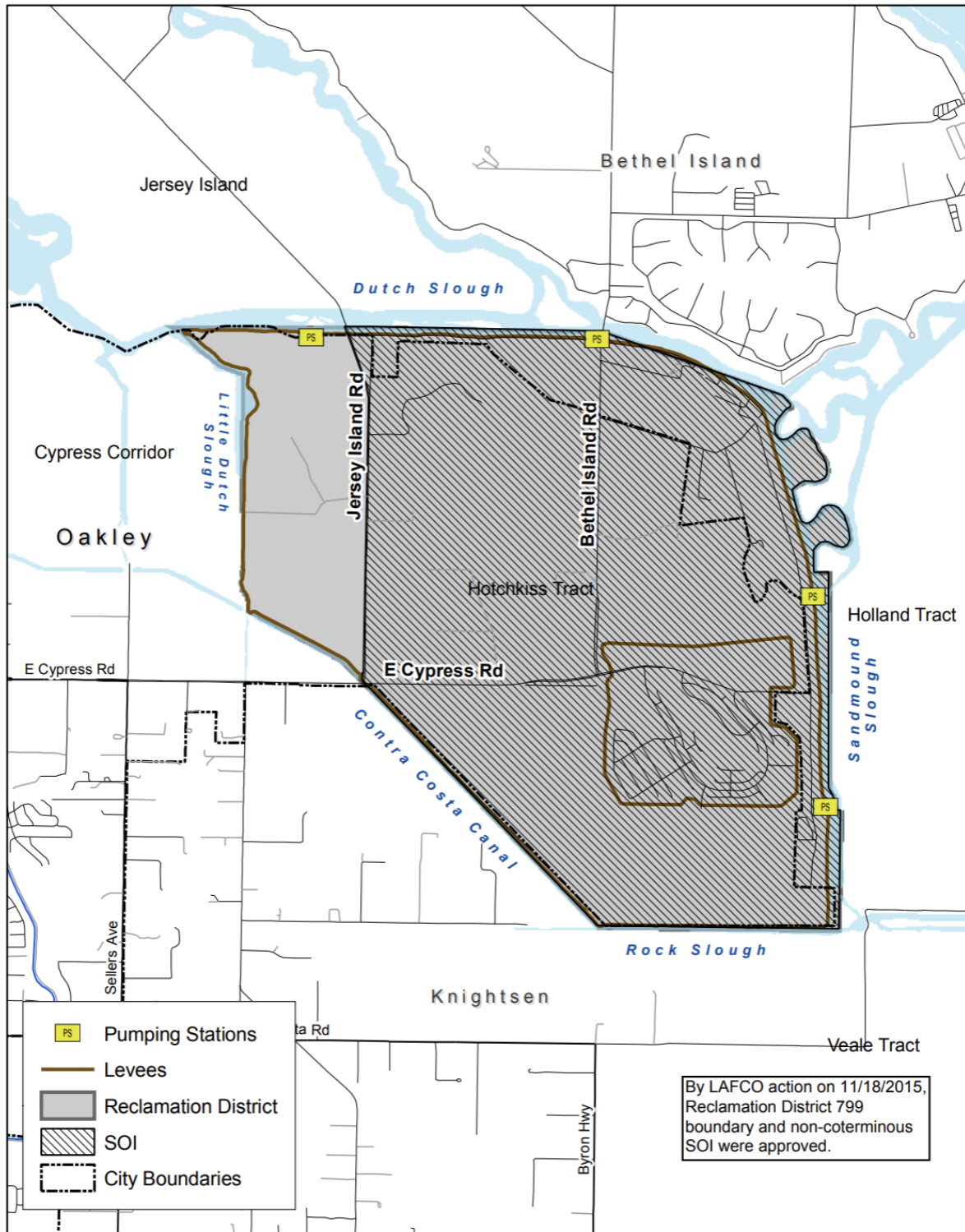
District is within the Secondary Zone of the Sacramento-San Joaquin Delta and the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 799 is smaller than the District's boundaries and excludes the area to the west of the District's boundary, which is bordered by Jersey Island Road to the east and Little Dutch Slough to the west.

The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 5-2: RD 799 Boundaries and SOI



Map created 12/12/2009
by Contra Costa County Community Development, GIS Group
651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
37°59'48.455N 122°05'35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

0 0.25 0.5 1 Miles



ACCOUNTABILITY AND GOVERNANCE

RD 799 is governed by an elected five-member board of trustees, each serving a four-year term. Board members are required to complete various training, including the Brown Act, AB1234 compliance, ethics training, and sexual harassment prevention. Per Article II A of the District's bylaws, each board member must be a local landowner within the boundaries of RD 799.³⁸

The Board meets on the last Thursday of each month at 6:00 p.m. at the District's office located at 6325 Bethel Island Road, Bethel Island, CA 94511. Meeting agendas are posted on the District's website in compliance with the Brown Act³⁹ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

The District makes available agenda packets and minutes for meetings dating back to 2022. However, a few agendas for meetings held in 2022 and 2023 are not readily available on the website.

The District meets the requirements outlined in state laws, including those pertaining to the Brown Act and website transparency under SB 929⁴⁰, and follows best practices to ensure easy access to important documents such as policies, procedures, bylaws, public notices, board member information, and contact details. Additionally, the District provides further resources, including a public records request form, regulations for builders and developers, project application guidelines, permit requirements, updated five-year plan, the latest budget, the FY 21-22 audit, and the District's compensation report.

³⁸ Resolution 2017-8. A resolution of the Board of Trustees of Reclamation District No. 799 Approving and Adopting Revised District Bylaws. August 31, 2017.

³⁹ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

⁴⁰ Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the website.

To further enhance transparency, it is recommended that the District make significant financial reports, including the most recent audits and the State Controller's Office Financial Transaction Report, readily available on the website in an easily accessible location.

RD 799 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁴¹

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the area bordered by Dutch Slough to the north, E Cypress Rd to the south, Jersey Island RD to the west, and Sandmound Blvd to the east, within RD 799, is considered a disadvantaged community.

⁴¹ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District has one type of fund (governmental), which is comprised of three major funds: general fund, state special fund, and Shea Homes fund.

- The general fund— established to account for resources allocated to financing the general services that the District performs. Assessments and other revenue sources used to finance the District's fundamental operations are included in this fund. This fund accounts for all operating costs unless a separate fund is designated for those expenses.
- The state special revenue fund— accounts for the proceeds from specific revenue sources other than special assessments, expendable trusts, or major capital projects that are legally restricted to expenditures for defined purposes. Typically, the resources accounted for in this fund originate from state and federal contribution programs.
- The Shea Homes fund— established to account for proceeds from special assessments that are legally restricted to expenditures for specific purposes, as described in the Summer Lake Development special assessment agreement.

The District also maintains an investment account with the State's Local Agency Investment Fund (LAIF)⁴², which currently contains approximately \$200,000 and is designated for use only in an extreme emergency.

Additionally, the District receives funding from the DeNova Community Facilities District (CFD) and maintains dedicated bank accounts for the DeNova CFD funds, which currently total \$230,000. The DeNova CFD is assessed annually and is used to fund O&M activities for the Summer Lake North levee system.

⁴² Investments in LAIF are invested in accordance with the investment policy of the State Treasurer for LAIF accounts. Included in LAIF's investment portfolio are United States Treasury and federal agency securities, International Bank for Reconstruction and Development, federal agency floating rate debentures, time deposits, bank notes, certificates of deposit, commercial paper, corporate floaters, and bonds, and California.

Figure 5-3: RD 799 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
	Total Governmental Funds		
Revenue	FY 21-22	FY 22-23	% Change
Assessments	\$572,588	\$582,312	2
Reimbursement Grants	\$79,239	\$361,729	357
Subventions	\$50,154	\$48,000	-4
Other income	-	\$28,629	100
Interest	\$1,429	\$9,123	538
Permits	\$900	\$550	-39
Total Revenue	\$704,310	\$1,030,343	46
Expenditure			
Salaries, wages and benefits	\$188,403	\$260,852	38
Engineering	\$106,576	\$124,153	16
Legal and accounting	\$33,896	\$115,746	241
Capital outlay	\$37,651	\$84,686	-125
Utilities	\$43,440	\$77,440	78
Contract services	\$18,351	\$45,294	147
Fuel	\$10,784	\$36,580	239
Equipment maintenance	\$10,832	\$35,761	230
Insurance	\$35,568	\$29,429	-17
Levee repairs and maintenance	\$6,365	\$26,465	316
Office expense	\$10,372	\$13,504	30
Equipment rent	\$500	\$8,273	1555
Rent	\$7,350	\$6,930	-6
Dues and publications	\$4,697	\$5,082	8
Telephone	\$2,784	\$2,934	5
Miscellaneous	\$2,297	\$2,304	0
Total Expenditure	\$520,046	\$875,433	68
Excess (deficiency) of Receipts Over Disbursements	\$184,264	\$154,910	-16
Fund Balance, Beginning of Year	\$1,084,934	\$1,269,198	17
Fund Balance, End of Year	\$1,269,198	\$1,424,108	12

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total revenue of \$704,310 exceeded total expenses of \$520,046 by \$184,264, or 35 percent. Similarly, in FY 22-23, the District's total revenue of \$1,030,343 exceeded total expenses of \$875,433 by \$154,910, or approximately 18 percent.

As shown in Figure 5-3, total revenue increased by 46 percent from \$704,310 in FY 21-22 to \$1,030,343 in FY 22-23. This growth is largely due to a 357 percent increase in reimbursement grants and a 538 percent increase in interest revenue. Similarly, total expenses increased by 68 percent during this period, from \$520,046 to \$875,433, primarily due to significant increases in legal and accounting fees, contract services, fuel, equipment maintenance, and equipment rent.

The District's fund balance at the end of FY 22-23 was \$1,424,108, reflecting a 12 percent increase from the FY 21-22 ending fund balance of \$1,269,198. This ending fund balance represents 162 percent of expenditures in FY 22-23, indicating that the District has sufficient reserves to cover approximately one year and six months of operating costs, assuming expenses remain relatively stable. However, this reserve level is relatively low and may not adequately cover unexpected expenses or revenue shortfalls.

FUNDING OPPORTUNITIES

According to the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 799 (Hotchkiss Tract) is designated as very-high priority. This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

Additionally, special CFD taxes will be established for the new developments in Grand Cypress Preserves and Estuary Cove to fund the operation and maintenance of District-owned facilities constructed as part of these developments.

FACILITY

RD 799 maintains approximately 8.9 miles of exterior perimeter non-project levee. Additionally, the Summer Lake South residential subdivision, located in the southeast corner of RD 799, is protected by approximately three miles of levee. This levee is an internal ring levee constructed by Shea Homes. The new Summer Lake North development recently added roughly three miles of interior levee. The District owns and maintains both levee systems and it collects special assessments for their maintenance.

The District is also responsible for repairing, maintaining, and improving a network of ditches, canals, and four pump stations that evacuate flood and drainage water into local waterways as part of its drainage facilities.

Although there are no records of flooding on the Hotchkiss Tract or within RD 799, the District's long-term plans focus on maintaining and improving levees to reduce flood risks to homes and developed areas. Currently, the entire District's levee system meets the Hazard Mitigation Program (HMP) standard.

The District has no written inspection procedures; however, trained staff perform visual levee patrols to determine the condition of the levee and identify potential and existing issues, such as instabilities, seepage conditions, erosion points, and adequate freeboard.⁴³

PLANNING DOCUMENT

RD 799 has an updated 2022 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

⁴³ Five-Year Plan. Reclamation District 799, Hotchkiss tract. March 2022. p.29.

In the 2012 Five-Year Plan, the District outlined various levee projects and potential studies to be completed within five years. While the District was unable to complete all projects due to insufficient funding, progress was made toward routine maintenance activities and several levee projects.

Between 2012 and 2021, the District spent roughly \$1.6 million on routine levee maintenance. Assessment fees funded 37 percent of the cost, while grants from the Delta Levee Maintenance Subventions Program covered 63 percent of the total cost.

The District also received funds from the Delta Levees Special Flood Control Projects and improved a portion of its levee system to meet HMP levee standards, ensuring the entire levee system complies with this standard. Additionally, the District has utilized funds from the Delta Levees Maintenance Subventions Program to implement some of the minor repair projects, including maintaining all-weather roads on the levee crown, replenishing existing rip raps, and repairing side slopes.

According to the updated Five-Year Plan, the District aims to enhance the levee system to meet the Bulletin 192-82 standard. Currently, only 1.78 miles, or approximately 20 percent of the total 8.9 miles of exterior perimeter levees, meet this standard. The estimated cost for this project is \$15 million, with the Delta Levees Program, specifically the Delta Levee Maintenance Subventions and Special Projects program, identified as the sole funding source.

The District has also recently entered into a work agreement with DWR for a multi-benefit levee rehabilitation project, which will fund initiatives outlined in the Five-Year Plan. DWR is set to reimburse 87 percent (approximately \$515,000) of the estimated total project cost of \$592,000.

The District has the updated Five-Year Plan readily available on its website.

Figure 5-4: RD 799 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Exterior Levee Miles	8.9	Surface Elevation	5 to -5 feet
Summer Lake South	~3		
Summer Lake North	~3		
Percentage of Levees by Standard		Levee Miles by Type	
HMP Standard	100% ¹	Dry Land Levee	0.0
		Urban Levee	~6
PL 84-99 Standard	45% ²	Agricultural Levee	8.9
Bulletin 192-82 Standard	20% ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	4
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	9 feet
Levee Inspection Practices			
RD 799 does not have a formal written levee inspection procedure; however, levee patrols are performed routinely by District staff.			
Levee Segment	Description	Condition	
Dutch Slough	Northern District boundaries	Meets HMP Standard	
Rock Slough	Southern District boundary	Meets HMP Standard	
Contra Costa Canal	Southwest District boundary	Meets HMP Standard	
Little Dutch Slough	Western District boundary	Meets HMP Standard	
Sand Mound Slough	Eastern District boundary	Meets HMP Standard	
Summer Lake South Levee	Interior subdivison ring levee	Meets HMP Standard	

Summer Lake North Levee	Interior subdivison levee	Meets HMP Standard	
Levee Maintenance (since prior 2015 MSR)			
Maintenance Cost per Levee Mile (FY 21-22)	\$715	Maintenance Cost per Levee Mile (FY 22-23)	\$2,973
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles maintained through the Delta Levees program (8.9 miles).			
Infrastructure Needs/Deficiencies			
The planned infrastructure improvements aim to address seepage and erosion control issues while strengthening levee standards.			
1: The District’s entire levee system meets the HMP standard.			
2: 4 miles of the exterior perimeter levee meet the PL 84-99 Levee Standard.			
3: 1.78 percent of the exterior perimeter levee is at or above the Bulletin 192-82 Levee Standard.			

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

The District currently does not engage in any facility and resource-sharing practices. However, due to the rapid development activities within the area, the District plans to establish various cooperative facilities with the City of Oakley to facilitate this growth.

INFRASTRUCTURE NEEDS

According to the updated Five-Year Plan, the levees protecting the developed areas require improvements; however, existing encroachments severely limit the options for upgrading the levees and performing traditional levee work. Consequently, RD 799 plans to examine the possibility of other measures to increase flood protection in these areas, including constructing flood walls and/or installing sheet piles.

Another challenge is seepage, which affects 30 percent of the District's levee system. Mitigating seepage at the toe of the levee and landside areas is an immediate priority for the District, as significant seepage and piping can lead to levee failure. Measures to control or minimize seepage may include constructing new open ditches or widening existing ones, installing monitoring wells, creating new subsurface drainage systems or enhancing existing ones, and

placing additional culverts crossing the roads. This project is estimated to cost a total of \$2.7 million.

Additionally, 50 percent of the levee system requires erosion control work, estimated to cost \$4.5 million. According to the Five-Year Plan, the existing riprap protection does not sufficiently cover the waterside slope to protect the levee from wind-generated waves, which could lead to flooding and make the levee susceptible to failure. When implementing levee improvement measures, the district plans to repair existing ripraps and install new protective materials as necessary around the perimeter of the District.

Furthermore, the District will continue its routine maintenance of the levee system and conduct any necessary repairs.

CHALLENGES

The District reports that overall service delivery is adequate; however, anticipated sea level rise due to climate change necessitates enhancing the District's current levee standards to ensure improved flood protection.⁴⁴

Rapid population growth poses similar challenges, necessitating increased funding and staff. Additionally, due to its location, the district will need to collaborate with land use authorities, including the County and the City of Oakley, to ensure growth does not increase flood risks or compromise existing flood control infrastructure.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended a governance structure option for RD 799 to establish mutual aid agreements with nearby reclamation districts to formalize capacity and resource-sharing plans during emergencies.

Since then, the District has entered into a mutual aid agreement with the neighboring Bethel Island Municipal Improvement District (BIMID), effective January 19, 2017. The agreement facilitates prompt emergency response in the event that either District is affected by or

⁴⁴ RD 799 Request For Information, January 2025.

threatened with an emergency. It enables mutual assistance with levee and drainage maintenance and repair, as well as coordinated emergency response efforts following events such as flooding. The agreement also includes reception services such as emergency lodging, registration, and inquiry support for displaced individuals, forced to evacuate, or in need of assistance due to the breakdown of normal services.⁴⁵

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks to infrastructure and human life during flood events. The District can also explore mutual aid agreements with other Contra Costa County reclamation districts to address shared challenges in the Delta region and strengthen community resilience. Such agreements would equip the District with additional resources to manage flood risks that may be exacerbated by a growing population.

⁴⁵ Emergency Mutual Aid Agreement entered between the Bethel Island Municipal Improvement District (BIMID) and Reclamation District 799 (RD 799). January 19, 2017.

RD 799 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

5-1: According to the Contra Costa County Department of Conservation and Development, RD 799 has a population of 3,335. Currently, three residential projects are planned within the area that are expected to add 3800 homes and 271 units. Once completed, these projects are anticipated to result in rapid population growth within the District.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

5-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged. According to the DWR Mapping Tool, the area bordered by Dutch Slough to the north, E Cypress Rd to the south, Jersey Island Rd to the west, and Sandmound Blvd to the east, within RD 799, is considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

5-3: The District maintains about 8.9 miles of exterior perimeter non-project levee through the Delta Levees Program. The District also owns and maintains approximately six miles of interior levees built by the Summer Lake South and Summer Lake North residential subdivisions. Maintenance funding for these levees is sourced from a special assessment collected by RD 799.

5-4: The District is also responsible for repairing, maintaining, and improving a network of ditches and canals, as well as four pump stations that evacuate flood and drainage water into local waterways, as part of its drainage facilities.

5-5: All 8.9 miles of exterior levees meet the HMP Levee Standard. Currently, the District's desired level of protection is improving the exterior perimeter levee system to meet the Bulletin 192-82 Levee Standard. Currently, 20 percent or 1.78 miles of the exterior perimeter levee system is at or above the Bulletin 192-82 Levee Standard.

5-6: The updated Five-Year Plan indicates that levees protecting developed areas need improvement; however, existing encroachments restrict upgrade options. As a result, RD 799 is considering alternative flood protection measures, such as the construction of flood walls or the installation of sheet piles.

5-7: The planned infrastructure improvements, as identified in the District's Five-Year Plan, will focus on addressing seepage and erosion control in sections of the levee system as funding becomes available. Additionally, the District will continue its routine maintenance of the levee system and conduct repairs as needed.

5-8: The District reports that current service delivery is generally adequate; however, rising climate change and rapid growth necessitate enhancing the District's levee standards to ensure improved flood protection, which will require increased staffing and funding.

Additionally, collaboration among the District and the appropriate land use authorities, including the County and the City of Oakley, is pivotal to ensure that growth does not accelerate flood risks or compromise existing flood control infrastructures.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

5-9: RD 799 operates on revenues from property owner assessments, the Delta levees program, and the Summer Lake Development special assessment (DeNova CFD funds).

5-10: The District also maintains an investment account with the State's Local Agency Investment Fund (LAIF), which currently contains about \$200,000 and is designated solely for use in extreme emergencies.

5-11: In FY 21-22 and FY 22-23, total revenue exceeded total expenses by 35 and 17 percent, respectively. Total revenue increased from \$704,310 in FY 21-22 to \$1,030,343 in FY 22-23, representing a 46 percent increase, largely due to a 357 percent increase in reimbursement grants and a 538 percent increase in interest revenue.

Total expenses also increased by 68 percent during the same period, from \$520,046 to \$875,433, primarily due to significant increases in legal and accounting fees, contract services, fuel, equipment maintenance, and equipment rent.

5-12: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 799 is designated as "very-high priority." This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

5-13: Recently, the District entered into a work agreement with DWR for a Multi-Benefit Levee Rehabilitation Project, for which DWR is set to reimburse 87 percent of the estimated total project cost of \$592,000.

5-14: Additionally, special CFD taxes will be implemented for the new developments in Grand Cypress Preserves and Estuary Cove, which will provide funding for the new District owned facilities.

5-15: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

5-16: The District currently does not engage in any facility and resource-sharing practices. However, due to the rapid development activities within the area, the District plans to establish various cooperative facilities with the City of Oakley to facilitate this growth.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

5-17: RD 799 is governed by a five-member board of trustees, each serving staggered four-year terms.

5-18: The District maintains a website that provides various policy, planning, and financial documents to the public. To further enhance transparency, it is recommended that the District make missing agendas and minutes, as well as significant financial documents, such as the most recent audit and the State Controller's Office Financial Transaction Report, readily available on the website in an easily accessible location.

5-19: The 2015 MSR recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for flood emergencies. Since then, the District has entered into a mutual aid agreement with Bethel Island Municipal Improvement District ("BIMID") to facilitate prompt emergency response. The agreement provides mutual assistance with levee and drainage maintenance and repair, as well as reception services for displaced individuals, those forced to evacuate, or those in need of assistance due to the breakdown of normal services, in the event that either District is affected by or threatened with an emergency.

The District can also further explore mutual aid agreements with other Contra Costa County reclamation districts to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts. Furthermore, such agreements would equip the District with additional resources to manage flood risks that may be exacerbated by a growing population.

RD 799- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 799.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- Of the District's 571 parcels, land use includes 37 agricultural parcels, 357 residential parcels, 123 vacant parcels, and 54 commercial or other parcels. The District also contains public roadways, utility easements, and multiple electrical transmission lines.
- Additionally, the area to the west of the District's boundary, which consists of the Burroughs Parcel, is part of the Dutch Slough Restoration Project area. Covering approximately 1,178 acres—most of which lies within RD 2137's boundaries—the Project is restoring these lands to tidal marsh, tidal channels, tidal open water, managed marsh, riparian woodland, and upland grasslands. The portion of the project involving the Burroughs parcel is currently in the planning phase.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- Due to the various planned developments within and adjacent to the District, rapid growth is anticipated, which could lead to increased demand for public services.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- RD 799's key infrastructure comprises roughly 8.9 miles of exterior perimeter non-project levee, about six miles of internal rig levee built by the Summer Lake South and Summer Lake North residential subdivisions, along with a network of ditches, canals, and four pump stations.
- All 8.9 miles of exterior levees meet the HMP Levee Standard. Currently, the District's desired level of protection is improving the exterior perimeter levee system to meet the

Bulletin 192-82 Levee Standard. Currently, 20 percent or 1.78 miles of the exterior perimeter levee system is at or above the Bulletin 192-82 Levee Standard.

- The infrastructure improvements, as identified in the District's Five-Year Plan, will focus on addressing seepage and erosion control in sections of the levee system as funding becomes available. Additionally, the District will continue its routine maintenance of the levee system and conduct repairs as needed.
- The District reports that service delivery is generally adequate. However, due to climate change and rapid growth, there is a need to enhance the District's levee standards for improved flood protection, which will require increased funding and staffing.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are various planned developments within the District that necessitate collaboration with land use authorities, such as the City of Oakley and Contra Costa County, to ensure the anticipated rapid growth does not accelerate flood risks or compromise existing flood control infrastructure.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- According to the DWR Mapping Tool, the area within RD 799 that is bordered by Dutch Slough to the north, E Cypress Rd to the south, Jersey Island Rd to the west, and Sandmound Blvd to the east is considered a disadvantaged community.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 799.

6. RECLAMATION DISTRICT 800 (BYRON TRACT)

AGENCY OVERVIEW

Reclamation District (RD) 800 (Byron Tract) was established in 1909 to provide levee and drainage maintenance services for land owned by the West-Wilhoit Company. RD 800 operates as an independent special district under Sections 50300 et seq of the California State Water Code, providing services within the District's boundaries.

RD 800 is located approximately 20 miles west of Stockton and 60 miles east of San Francisco. The District's boundary consists of the Byron Tract, which is bisected by State Route 4 (SR4) and includes a majority of the unincorporated community of Discovery Bay.

The District provides flood protection, levee maintenance, drainage, and water circulation services for approximately 7,000 acres of agricultural, urban, commercial, and industrial land. Of this area, approximately 5,500 acres are used for agriculture, primarily growing crops such as alfalfa and corn, while the remaining 1,500 acres are designated for various urban uses within the community of Discovery Bay.

The Town of Discovery Bay is a water recreation-oriented development with residential units, a marina and yacht club, an 18-hole golf course, neighborhood commercial and retail uses, parks, an elementary school, a fire station, and a sheriff's substation. A majority of the Town's community services are provided by the Town of Discovery Bay Community Services District (DBCSD) which has a different boundary than RD 800. The portion of Discovery Bay within RD 800 is largely built out, and no significant population growth is anticipated within the next 10 to 15 years.

According to the Contra Costa County Department of Conservation and Development, RD 800 serves a population of approximately 6,900 residents.⁴⁶

⁴⁶ Contra Costa LAFCO. Directory of Local Agencies, County Services Areas. Section 11: Reclamation Districts.

Figure 6-1: RD 800 General Information

GENERAL information		
Agency	RD 800 (Byron Tract)	
Address	1540 Discovery Bay Blvd, Suite A Discovery Bay, CA 94505	
Principal Act	California Water Code §50300 et seq.	
Date Formed	1909	
Population	6,900	
Last SOI Update	November 18, 2015	
Services Provided	Flood protection; levee maintenance, drainage and water circulation	
Employees	5; District Manager, District Secretary, District Foreman, Two General Maintenance Personnel	
Contact Person	Sonnet Rodrigues, District Manager Email: sonnet@rd800.org	
Website	www.rd800.org	
Board		
Members	Length of Term	Term Expiration
Robert Lyman, President	4-Years	2025
David Harris, Secretary	4-Years	2027
Tim Bubniak	4-Years	2025
Tom Judge	4-Years	2027
Frank Morgan	4-Years	2025

BOUNDARIES

RD 800 encompasses roughly 6,933 acres or approximately 10.78 square miles. Situated entirely within Contra Costa County, the District is bordered by Indian Slough to the north, Old River to the east, Italian Slough to the south, and a dryland levee to the west.

RD 800 lies within the Secondary Zone of the Sacramento-San Joaquin Delta. The portion of the District located north of SR 4 falls within the countywide urban limit line (ULL), whereas the southern portion is outside the ULL.

The most recent boundary change occurred on July 12, 2023, when LAFCO approved the detachment of three parcels totaling 29 acres from RD 800. The detachment was part of the County's tentative map approval for the Pantages development project. The proposed development consists of 277 detached single-family residential housing units, a Sheriff Marine Patrol Substation, a public trail, and associated roadways, pedestrian facilities, and utility infrastructure on an approximately 161-acre site.

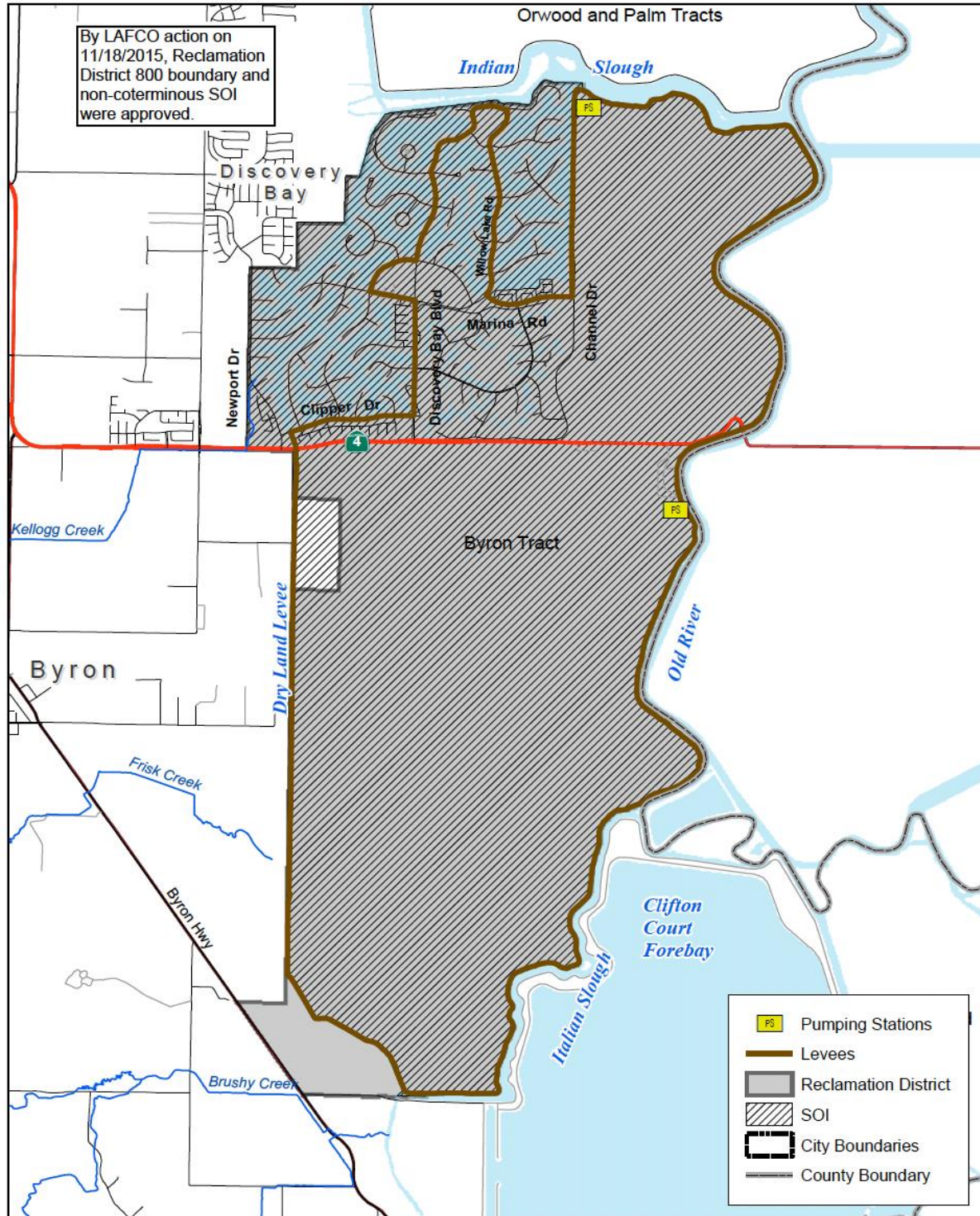
The detached parcels are located south of Point of Timber Road in unincorporated Discovery Bay within the Town of Discovery Bay Community Services District's (DBCSD) service boundary.⁴⁷

SPHERE OF INFLUENCE

The current SOI for RD 800 extends slightly to the west towards Kellogg Creek Rd and excludes the southern edge by the Byron Highway. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

⁴⁷ Contra Costa Local Agency Formation Commission Executive Report. LAFCO 23-06: Detachment from Reclamation District (RD) 800. July 12, 2023.

Figure 6-2: RD 800 Boundaries and SOI



Map created 12/18/2009
by Contra Costa County Community Development, GIS Group
661 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0295
37°55'48.455N 122°26'35.364W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

0 0.25 0.5 1 Miles



ACCOUNTABILITY AND GOVERNANCE

The District's governing body consists of a five-member board of trustees, elected to serve a staggered four-year term, with votes based on landowner assessment values. The Board meets on the first Thursday of each month at 10 a.m. at 540 Discovery Bay Blvd., Suite "A," Discovery Bay, CA 94505. Residents can also participate in the meeting via Zoom.

Meeting agendas are posted on the District's website in compliance with the Brown Act⁴⁸ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. The District also maintains an archive of past meeting agendas and minutes, dating back to 2023.

The District maintains a website in compliance with SB 929⁴⁹ and follows best practices to ensure easy access to relevant information, including contact details, levee improvement updates, and encroachment standards. The District also makes available significant financial reports, including the District's Compensation Report, Enterprise System Catalog, State Controller's Office Financial Transaction Report, and financial audits for FY 19-20, 20-21, 21-22, and 22-23, on the website. To further improve transparency, it is recommended that the District ensure that up-to-date annual budgets are easily accessible on the website.

RD 800 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

⁴⁸ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

⁴⁹ Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the website.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁵⁰

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 800 is not considered a disadvantaged community.

⁵⁰ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District's primary source of revenue is property taxes and assessments collected from the property owners. The County of Contra Costa bills and collects property taxes and property assessments on behalf of the District. Other revenue sources include state assistance through the DWR Levee Subventions Program, reimbursements, homeowners' property tax relief, and interest income.

Figure 6-3: RD 800 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
Revenues	Total Governmental Funds		
	FY 21-22	FY 22-23	% Change
Property Taxes	\$1,121,151	\$1,222,026	9
Property Assessments	\$633,175	\$633,323	0.02
State Assistance—Subventions	\$185,439	\$156,841	-15
State Assistance—Grants	\$14,616	\$30,524	109
Interest	\$8,550	\$13,283	55
Homeowner's Property Tax Relief	\$5,805	\$5,618	-3
Total Revenue	\$1,968,736	\$2,061,615	5
Expenditures			
Payroll Expenses	\$467,106	\$463,071	-1
Utilities	\$330,562	\$408,809	24
Equipment Repairs and Maintenance	\$279,063	\$672,385	141
Engineering	\$168,966	\$123,549	-27
Employee Benefits	\$100,714	\$102,566	2
Levee and Road Repairs and Maintenance	\$98,007	\$102,517	5
Insurance	\$84,782	\$98,029	16
Professional Fees	\$66,777	\$54,449	-18
Willow Lake Maintenance	\$53,434	\$50,182	-6
Water Circulation	\$31,549	\$51,050	62
Rent	\$30,643	\$27,999	-9
Office Expenses	\$28,139	\$24,716	-12
Trust Fees	\$14,500	\$14,750	2
Vegetation Control	\$12,660	\$7,251	-43
Dues and Memberships	\$12,321	\$13,795	12
Navigation	\$10,933	-	-100
Drainage	\$10,868	-	-100
Special Studies	\$9,300	\$12,672	36
Telephone	\$4,618	\$4,423	-4

Fees	\$3,772	\$17,434	362
Rodent Control	\$3,541	-	-100
Communications	\$2,680	\$3,501	31
Miscellaneous	\$1,760	\$1,113	-37
Capital Outlay	\$180,953	\$87,197	-52
Total Expenditures	\$2,007,648	\$2,341,458	17
Excess (deficiency) of Revenues Over Expenditures Prior to Other Financing Sources (Uses)	\$(38,912)	\$(279,843)	-619
Other Financing Sources (Uses)			
Operating Transfers from Other Funds	\$150,000	\$350,000	133
Operating Transfers from Other Funds	\$(150,00)	\$(350,000)	(133)
Total Other Financing Sources (Uses)	\$0	\$0	-
Net Change in Fund Balance (deficit)	\$(38,912)	\$(279,843)	-619
Fund Balance, Beginning of Year	\$5,087,795	\$5,048,883	-1
Fund Balance, End of Year	\$5,048,883	\$4,769,040	-6

The District has one type of fund (governmental), which consists of two major funds: the general fund and the special revenue fund. The general fund is established to account for resources dedicated to financing the general services that the District performs. Property taxes, property assessments, and other sources of revenue used to finance the fundamental operations of the District are included in this fund. This fund accounts for all operating costs for which a separate fund has not been established.

The special revenue fund accounts for the proceeds from specific revenue sources other than special assessments, expendable trusts, or major capital projects that are legally restricted to expenditures for defined purposes. Typically, the resources accounted for in this fund originate from state and federal contribution programs.

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total expenses of \$2,007,648 exceeded total revenue (excluding other financing sources) of \$1,968,736 by \$38,912 or 2 percent. Similarly, in FY 22-23, the District's total expenses of \$2,341,458 exceeded total revenue (excluding other financing sources) of \$2,061,615 by \$279,843, or approximately 13 percent.

As shown in Figure 6-3, total revenue increased slightly by 5 percent from \$1,968,736 in FY 21-22 to \$2,061,615. Similarly, total expenses increased by 17 percent during this period, from \$2,007,648 to \$2,341,458, primarily due to higher costs in equipment repairs and maintenance, utilities, and water circulation.

The District's fund balance at the end of FY 22-23 was \$4,769,040, reflecting a 6 percent decrease from the FY 21-22 ending fund balance of \$5,048,883. This ending fund balance represents 203 percent of expenditures in FY 22-23, indicating that the District has sufficient reserves to cover approximately two years of operating costs, assuming expenses remain relatively stable.

FUNDING OPPORTUNITIES

According to the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 800 (Byron Tract) is designated as very-high priority. This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

FACILITY

The District maintains approximately 19 miles of non-project levees consisting of 9.2 miles of riverine levee surrounding the District, 3.3 miles of interior dryland levee, and another 6.4 miles of levee along the lakes and lagoons of Discovery Bay. Other key infrastructure includes an internal drainage system and two pump stations.

The last recorded levee breach or flooding event in the District occurred in 1907, when the levees failed following a high-water event, resulting in inundation. Since then, there have been no known records of levee breaches or flooding events.

In the last decade, the District has completed several levee improvement projects, including stabilizing a slope failure site with sheet piles, supplementing existing riprap, and performing erosion repairs at various locations. The District also conducts various routine maintenance activities, including erosion repairs, all-weather road repairs, debris removal, minor core trenching, vegetation control, rodent control, ditch cleaning, and pump repair and maintenance.

District staff inspect the levees daily, with more thorough inspections conducted annually via boat. The District Engineer also performs inspections as needed, with increased frequency during high-water or severe weather events.

Currently, the District's 18.9 miles of levees meet or exceed the PL 84-99 levee standard. The levees provide 100-year flood protection⁵¹ and are accredited by FEMA. FEMA accreditation indicate the levee system meets the design, data, and documentation requirements of 44 CFR 65.10, thereby reducing the base flood hazard. This determination is based on submittals compliant with 44 CFR 65.10, certified by a registered professional engineer.⁵²

Additionally, of the total 9.7 miles of urban and dry levees, 100 percent meet the HMP levee standard, while 97 percent meet the Bulletin 192-82 levee standard.

⁵¹ This indicates that the District's levees are designed to withstand a flood event with a 1 percent chance of occurring in any given year.

⁵² FEMA Fact Sheet (How-To Guide for Floodplain Managers and Engineers). Meeting the Criteria for Accrediting Levee Systems on Flood Insurance Rate Maps. May 2021.

PLANNING DOCUMENT

RD 800 has an updated 2023 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

The previous 2009 Five-Year Plan recommended conducting 200-Year Urban Levee Design Criteria (ULDC) analyses to identify necessary construction projects for levee compliance. However, the District has since decided not to pursue these analyses due to the high cost of the likely required construction.

Currently, the district's desired level of protection involves ongoing improvements to the levee system to maintain the current 100-year level of protection and FEMA accreditation, while also addressing any specific geotechnical seepage and stability issues that may be required.

Planned projects include providing supplementary rock slope protection on the waterside slope of the levee to safeguard both the existing levee section and the improved levee after completion. The rock slope protection project is estimated to cost \$253,000.

Additionally, the District also plans to address stability and seepage concerns at three specific locations along Old River, where seepage has historically been an issue during high water events. This project aims to improve these sections to meet the Bulletin 192-82 levee standard and is estimated to cost \$14,005,000.

The plan assumes that funding will be available through the Delta Levees Maintenance Subventions Program and Special Flood Control Projects. The District has participated in the Subventions Program for over 30 years; however, it has not completed any projects with funding through the Special Projects Program.

It is recommended that the District make the updated Five-Year Plan available on its website to further enhance transparency.

Figure 6-4: RD 800 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	18.9	Surface Elevation	-4 to -13 ft
Percentage of Levees by Standard		Levee Miles by Type	
HMP Standard	51% ¹	Dry Land Levee	3.3
		Urban Levee	6.4
PL 84-99 Standard	100% ²	Agricultural Levee	9.2
Bulletin 192-82 Standard	48% ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	2
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	X	Base Flood Elevation	13 ft
Levee Inspection Practices			
The District’s levees are inspected daily by District staff, with more thorough boat-access inspections conducted at least annually. The District Engineer also performs inspections as needed, with increased frequency during high-water or severe-weather events.			
Levee Segment	Description	Condition	
Dry Land Levee	West boundary of District south of Highway 4	Meets HMP and PL84-99 Standard	
Urban Levee	Within Discovery Bay community	Meets HMP and PL84-99 Standard	
Agricultural Levee	Indian Slough, Old River and Italian Slough	Meets the PL84-99 Standard	
Levee Maintenance			
Maintenance Cost per Levee Mile (FY 21-22)	\$5,185	Maintenance Cost per Levee Mile (FY 22-23)	\$5,426
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			

The District has not identified any immediate infrastructure needs; however, planned improvements to the levee system aim to maintain current 100-year flood protection and FEMA accreditation, while also addressing any specific geotechnical seepage and/or stability issues.

1: 9.7 miles of the District's levee system, which includes the dry and urban levees, meet or exceed the HMP levee standard.

2: The entire levee system system is at or above PL 84-99 levee standard.

3: Of the District's total 9.7 miles of dry and urban levees, 9.42 miles meet or exceed the Bulletin 192-82 levee standard.

CONTRACTS FOR SERVICES

RD 800 contracts for legal, engineering, and accounting services.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

The District does not participate in any significant facility-sharing programs and has not identified any potential collaborative opportunities.

INFRASTRUCTURE NEEDS

The District has not identified any significant infrastructure needs.

CHALLENGES

The District has not identified any significant challenges in service delivery.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize capacity and resource-sharing plans during flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended

that the District explore this option to address shared challenges in the Delta region and strengthen community resilience.

RD 800 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

6-1: According to the Contra Costa County Department of Conservation and Development, RD 800 serves a population of approximately 6,900 residents.

The District is primarily agricultural, while urban designated areas within the community of Discovery Bay are largely built out; therefore, no significant population growth is anticipated within the next 10 to 15 years.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

6-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097; hence, the calculated threshold of \$67,277 defines whether a community is identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 800 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

6-3: The District provides flood protection, levee maintenance, drainage, and water circulation services.

6-4: The District conducts various routine maintenance activities, including erosion repairs, all-weather road repairs, debris removal, minor core trenching, vegetation control, rodent control, ditch cleaning, and pump repair and maintenance.

6-5: The District maintains approximately 19 miles of non-project levees consisting of 9.2 miles of riverine levee surrounding the District, 3.3 miles of interior dryland levee, and another 6.4 miles of levee along the lakes and lagoons of Discovery Bay. Other key infrastructure includes an internal drainage system and two pump stations.

6-6: The District's entire levee system meet or exceed PL 84-99 standards and provide FEMA-accredited 100-year flood protection. Additionally, all 9.7 miles of urban and dry levees meet the HMP standard, with 97 percent also meeting the Bulletin 192-82 standard.

6-7: According to the 2023 Five-Year Plan, the District's desired level of protection involves ongoing improvements to the levee system to maintain the current 100-year level of

protection and FEMA accreditation, while also addressing any specific geotechnical seepage and stability issues that may be required.

6-8: Planned projects include providing supplementary rock slope protection to strengthen the waterside levee, estimated to cost \$253,000, and a stability project to address seepage concerns at three specific locations along Old River, estimated at \$14,005,000, to improve these sections to meet the Bulletin 192-82 levee standard.

The plan assumes that funding will be available through the Delta Levees Maintenance Subventions Program and Special Flood Control Projects.

6-9: The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

6-10: RD 800's primary revenue sources are property taxes and assessments. Additional funding sources include state assistance through DWR Levee Subventions Program, reimbursements, homeowners' property tax relief, and interest income.

6-11: In FY 21-22 total expenses slightly exceeded total revenue (excluding other financing sources) by two percent, while in FY 22-23 expenses exceeded revenue by 17 percent.

During this period, total revenue increased from \$1,968,736 in FY 21-22 to \$2,061,615 in FY 22-23, representing a five percent increase. Similarly, total expenses increased by 17 percent, from \$2,007,648 to \$2,341,458, primarily due to higher costs for equipment repairs and maintenance, utilities, and water circulation.

6-12: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 800 is designated as "very-high priority." This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

6-13: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

6-14: RD 800 does not participate in any significant facility-sharing programs and has not identified any potential collaborative opportunities.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

6-15: RD 800 is governed by a five-member board of trustees, each serving staggered four-year terms.

6-16: The District maintains a website that offers various information including contact details, an archive of agenda packets and minutes for meetings held since 2023, as well as key financial reports such as financial audits for FY 19-20, 20-21, 21-22, and 22-23, the District's Compensation Report and the State Controller's Office Financial Transaction Report, and Enterprise System Catalog.

To further enhance transparency, it is recommended that the District ensure that an up-to-date Five-Year Plan and annual budgets are easily accessible on the website.

6-17: The 2015 MSR recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

RD 800- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 800.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- The District covers approximately 7,000 acres of agricultural, urban, commercial, and industrial land. Roughly 5,500 acres are used for agriculture, primarily growing crops such as alfalfa and corn, while the remaining 1,500 acres are designated for various urban uses within the community of Discovery Bay.
- There are no anticipated changes in land use in the foreseeable future.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District anticipates no significant population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- The District maintains approximately 19 miles of non-project levees consisting of 9.2 miles of riverine levee surrounding the District, 3.3 miles of interior dryland levee, and another 6.4 miles of levee along the lakes and lagoons of Discovery Bay. Other key infrastructure includes an internal drainage system and two pump stations.
- The District's entire levee system meet or exceed PL 84-99 standards and provide FEMA-accredited 100-year flood protection. Additionally, all 9.7 miles of urban and dry levees meet the HMP standard, with 97 percent also meeting the Bulletin 192-82 standard.
- According to the 2023 Five-Year Plan, the District's desired level of protection involves ongoing improvements to the levee system to maintain the current 100-year level of protection and FEMA accreditation, while also addressing any specific geotechnical seepage and stability issues, as needed.

- The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 800.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 800 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission adopt an amended SOI for RD 800, which reflects the 2023 detachments of the parcels related to the Pulte Group development project, as approved in LAFCO Resolution 23-06.

7. RECLAMATION DISTRICT 830 (JERSEY ISLAND)

AGENCY OVERVIEW

Reclamation District (RD) 830 (Jersey Island) is an independent special district in Jersey Island, established in March 1911 under the Reclamation District Law of 1868. RD 830 operates under the Special Act of the California Legislature, Statutes 1911:342, and California Water Code §50000 et seq., to provide services within its boundaries.

Jersey Island is owned by a single landowner: Ironhouse Sanitary District (ISD). The District is situated northeast of the City of Oakley, west of Bethel Island, and six miles east of the City of Antioch in the western Sacramento-San Joaquin Delta.

RD 830, which is surrounded by levees on all sides, protects Jersey Island from flooding. The District also holds post-1914 appropriative water right License 1310, which authorizes the diversion and use of surface water on Jersey Island between March 1 and November 1.

Since purchasing the island, ISD has primarily utilized the land for disposing of recycled water. However, beginning in 2017, ISD transitioned to discharging effluent water into the San Joaquin River from the north end of the island. Current land use within the District includes agriculture, cattle grazing, and habitat preservation. ISD also leases the grazing and farming grounds to an external operation. Additionally, from May to September, ISD applies biosolids to a small portion of the farmland.⁵³

Currently, the District has a population of three. There is no anticipated population growth or development within the District.

⁵³ RD 830 Request for Information, February 2025.

Figure 7-1: RD 830 General Information

GENERAL information		
Agency	RD 830 (Jersey Island)	
Address	450 Walnut Meadows Drive, Oakley, CA 94561	
Principal Act	Special Act of California Legislature, Statutes 1911:342, California Water Code §50000 et seq.	
Date Formed	1911	
Population	3	
Last SOI Update	Novemeber 18, 2015	
Services Provided	Maintenance of levees and related drainage facilities	
Employees	0	
Contact Person	Tyson Zimmerman, Treasurer Email: Zimmerman@isd.us.com	
Website	https://www.ironhousesanitarydistrict.com/211/RD-830	
Board		
Members	Length of Term	Term Expiration
Jean-Marc Petit, Chair	4-Years	2027
Domenic Cianfichi, Secretary	4-Years	2027
Tyson Zimmerman, Treasurer	4-Years	2025

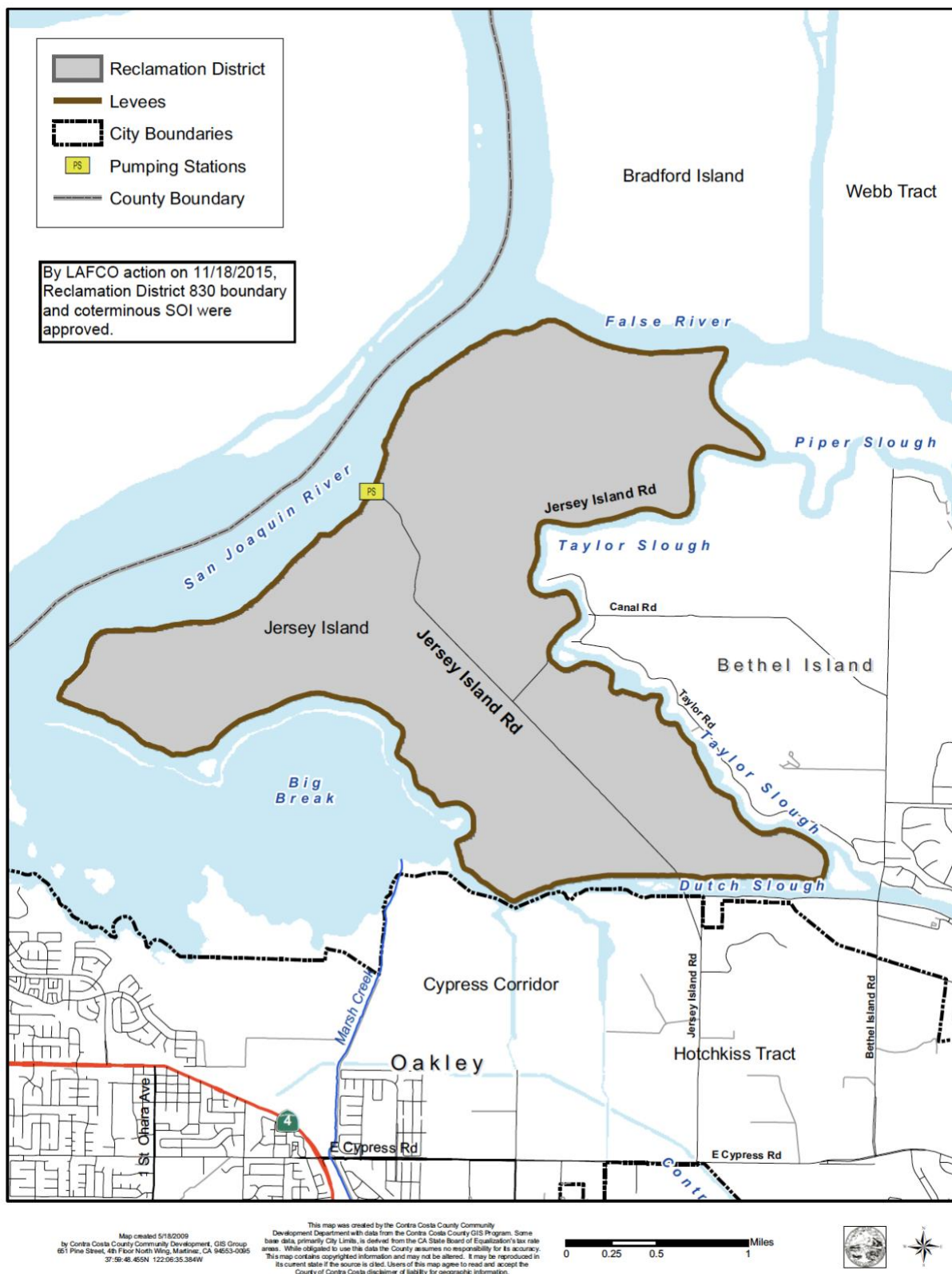
BOUNDARIES

RD 830 covers approximately 3,561 acres or approximately 5.56 square miles. The District is entirely within Contra Costa County and the Primary Zone of the Sacramento-San Joaquin Delta, outside the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 830 was adopted by LAFCO in 1984 and is coterminous with the District boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 7-2: RD 830 Boundaries and SOI



ACCOUNTABILITY AND GOVERNANCE

The District's governing body consists of a three-member board of trustees that serve four-year terms. All board members are employees of ISD, the sole landowner on Jersey Island. Pursuant to Government Code Section 1780, vacancies on the Board of Trustees can be filled by appointment from either the remaining Trustees or the County Board of Supervisors.

The Board meets on an "as-needed" basis at 450 Walnut Meadows Drive, Oakley, CA 94561. Residents can also participate in the meeting via Zoom. Meeting agendas are posted on the ISD's website in compliance with the Brown Act⁵⁴ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Additionally, an archive of past meeting agendas and video recordings is also available on the ISD's website. Furthermore, meeting minutes are accessible for some previous meetings; it is recommended that the District make all past meeting minutes available online to enhance transparency.

Although RD 830 does not have a separate website, the ISD's website has a page offering background information about the District, contact details for the trustees, and general information on levees.

It is recommended that additional District materials are added to the website to ensure compliance with the requirements outlined in State laws regarding website materials per SB 929⁵⁵ and best practices for easy access to relevant documents, including bylaws and planning documents, as well as financial reports, such as annual budgets, financial audits, Compensation Report, and the State Controller's Office Financial Transaction Report.

⁵⁴ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

⁵⁵ Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the website.

In contrast, RD 830 can establish a separate website to illustrate a clear separation of the District's functions and operations from the ISD and enhance transparency.

RD 830 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCO is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁵⁶

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at

⁵⁶ Government Code §56033.5 defines a DUC as 1) all or a portion of a "disadvantaged community" as defined by §79505.5 of the Water Code, and as 2) "inhabited territory" (12 or more registered voters), as defined by §56046, or as determined by commission policy.

\$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 830 is not considered a disadvantaged community.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District levies an annual Operation and Maintenance assessment on Ironhouse and easement holders to fund maintenance of the levee system. Additionally, the District receives state assistance from the DWR to reimburse maintenance costs and fund levee rehabilitation projects.⁵⁷

⁵⁷ 2024 Hazard Mitigation Plan, Contra Costa County, California. Reclamation District No. 830 (Jersey Island) Annex. p.2.

Figure 7-3: RD 830 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
	Total Governmental Funds		
Operating Revenues	FY 21-22	FY 22-23	% Change
Assessments	\$547,314	\$547,314	0
DWR Special Projects	\$15,197	\$7,804	-49
DWR Subventions Program	\$165,968	\$128,512	-23
Other Special Projects	-	\$244,026	100
Other Income	\$1,425	\$600	-58
Total Operating Revenues	\$729,904	\$928,256	27
Operating Expenses			
Levee Maintenance and Repairs	\$184,289	\$198,183	8
Other Special Projects	-	\$244,026	100
Expended Equipment and Repairs	-	\$83	100
Professional Fees	\$24,289	\$24,023	-1
Fuel	\$1,580	\$775	-51
Insurance	\$14,090	\$14,121	0.2
Utilities	\$15,058	\$102,978	584
Depreciation Expense	\$92,586	\$114,430	24
Other Operating Expenses	\$3,323	\$5,253	58
Total Operating Expenses	\$335,215	\$703,872	110
Net Operating Revenues (Expenses)	\$394,689	\$224,384	-43
Non-operating Revenues (Expenses)			
Interest Income	\$1,026	\$38,413	3644
Total Non-operating Revenues (Expenses)	\$1,026	\$38,413	
Increase (Decrease) in Net Position	\$395,715	\$262,797	-34
Net Position, Beginning of Year	\$4,421,968	\$4,817,683	9
Net Position, End of Year	\$4,817,683	\$5,080,480	5

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total operating revenue (excluding non-operating revenue) was \$729,904, exceeding total operating expenses of \$335,215 by \$394,689, or approximately 117 percent. Similarly, in FY 22-23, total operating revenue increased to \$928,256, surpassing total operating expenses of \$703,872 by \$224,384, or about 31 percent.

As shown in Figure 7-3, although revenue from the DWR special projects, DWR subvention program, and other income sources declined from FY 21-22 to FY 22-23, total operating revenue still increased by 27 percent from \$729,904 to \$928,256. This rise was primarily due to an additional \$244,026 in income from other special projects.

During the same period, total operating expenses increased by 110 percent from \$335,215 to \$703,872. The most significant change occurred in utility expenses, which rose from \$15,058 in FY 21-22 to \$102,978 in FY 22-23, representing a 584 percent increase. Additionally, in FY 22-23, expenses related to other special projects, as well as equipment and repair costs, reflected new expenditures that were not present in the previous fiscal year.

The District's net position at the end of FY 22-23 was \$5,080,480, reflecting a five percent increase from the FY 21-22's net position of \$4,817,683. The District's FY 22-23 net position represents 684 percent of operating expenses in the same period, indicating that the District has sufficient reserves to cover approximately six years and ten months of operating costs, assuming expenses remain stable.

It is important to note that while increases and decreases in net position (the amount by which an organization's total assets exceed its total liabilities) are useful indicators of whether the District's financial position is improving or deteriorating, it is not a direct measure of immediately available resources. Unlike fund balances, net position may include capital assets such as infrastructure and long-term liabilities, which are not immediately available.

FUNDING OPPORTUNITIES

Additionally, according to the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 830 (Jersey Island) is designated as very-high priority. This designation applies to

levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

FACILITY

RD 830's levee system consists of approximately 15.5 miles of non-project levee in the Delta primary zone, including 3.4 miles along the left bank of the San Joaquin River, 1.3 miles along False River, 0.7 miles along Piper Slough, 4.9 miles along Taylor Slough, and 5.2 miles along Dutch Slough.

In addition to the levees, the District maintains an internal drainage system, a pump station, and three discharge pipes that were recently replaced and elevated to address subsidence issues.

Since 1909, there have been no recorded breaches or flooding incidents on Jersey Island. However, isolated incidents of overtopping have occurred, the latest being on December 3, 1983, when record-high tides and 60 mph wind-driven waves overtopped the north levee in the Jersey Island headquarters area. The District repaired any damage caused by this overtopping as part of its maintenance activities.

Since the 2015 MSR, the District has undertaken several infrastructure upgrades, including constructing a new pump station, the rehabilitation of levees at various locations, and the addition of a splash berm along the north levee. The District also reports that the pump and discharge system is currently functioning at acceptable levels, with no incidents of inundation occurring since the 2015 MSR.

Currently, the District's entire levee system meets or exceeds the HMP levee standard.

PLANNING DOCUMENT

RD 830 has an updated 2023 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

In 2009, RD 830 developed a Five-Year Plan that outlined five phases of construction projects, each targeting specific sections of the levee to achieve a sustainable HMP levee standard for the entire system. Since then, the District has completed the first two phases and has partially completed the third. The completed work included levee rehabilitation, encroachment removal, and the addition of splash berms in designated areas for enhanced protection. The remaining projects were not completed primarily due to a lack of funding.⁵⁸

The completed rehabilitation projects raised and widened the levee to sustainably meet HMP for an extended period of time. However, areas that were not rehabilitated have very little overbuild above the HMP minimum elevation criteria.

The 2023 Five-Year Plan outlines the District's long-term goal of sustainably meeting or exceeding the Bulletin 192-82 levee standard. Currently, about 5.2 miles (34 percent) of the entire levee system meets this standard. As the District implements the projects to meet the Bulletin 192-82 standard, it is anticipated that the levees will also meet the PL 84 99 levee standard.

The proposed rehabilitation plan consists of six construction phases and a splash berm project on the south levee along Dutch Slough. The first five phases will involve full rehabilitation of the levee, while the final phase will focus on portions that require minimal rehabilitation.⁵⁹

According to the District's Five-Year Plan, the estimated cost for engineering, planning, and construction is \$20 million. The plan assumes that funding will be available through the Delta Levees Special Flood Control Projects, based on the DWR's historical 100 percent cost-sharing. The District has participated in both the Special Projects and Subventions Programs since 2000.

⁵⁸ Reclamation District No. 830, Jersey Island. 2023 Five-Year Plan. February 14, 2023. p.7.

⁵⁹ Reclamation District No. 830, Jersey Island. 2023 Five-Year Plan. February 14, 2023. p.5-10.

Figure 7-4: RD 830 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	15.5	Surface Elevation	-4 to -18 feet
Miles of Levees		Levee Miles by Type	
HMP Standard	15.5 ¹	Dry Land Levee	0.0
		Urban Levee	0.0
	PL 84-99 Standard	N/A ²	Agricultural Levee
Bulletin 192-82 Standard	5.2 ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	1
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	9.4 feet
Levee Inspection Practices			
Informal levee inspections are conducted by ISD employees and keep written inspection logs. During severe weather events, levee inspections are performed daily.			
Levee Segment	Description		Condition
Dutch Slough	Along southern District boundary		Meets HMP Standard
San Joaquin / False River	Along northern District boundary		Meets HMP Standard
Piper Slough/ Taylor Slough	Along eastern District boundary		Meets HMP standard
Levee Maintenance			
Maintenance Cost per Levee Mile (FY 21-22)	\$11,889	Maintenance Cost per Levee Mile (FY 22-23)	\$12,786
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			

Some levee sections are near the minimum HMP criteria for width and elevation, necessitating ongoing monitoring and maintenance. Currently, the District has not identified any other infrastructure needs.

1: 100 percent of the District's levee system is at or above the HMP levee standard.

2: There is no data readily available to determine what portion of the District's levee system meets the PL 84-99 levee standard.

3: 34 percent of the District's levee system meets the Bulletin 192-82 levee standard. This is the District's desired level of protection.

CONTRACTS FOR SERVICES

The District contracts for levee maintenance, flood control, drainage, upkeep of levee access roads, weed abatement, slope protection, vector and rodent control, levee control, and flood protection.

The District also negotiated with external vendors to obtain free clean fill material, which is used to continuously enhance its levee toe-mass placement.⁶⁰

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

The District engages in various resource-sharing activities, including relying on ISD for personnel and equipment related to levee maintenance and reclamation efforts. The District receives reimbursement of up to 75 percent of the costs for the ISD labor and equipment from the DWR through the State's Delta Levees Subventions Program.

The District has not identified any additional resource-sharing options.

INFRASTRUCTURE NEEDS

As previously mentioned, several sections of the levee are near the minimum HMP criteria for width and elevation. These sections span approximately 8,417 feet. According to the 2023 Five-Year Plan, the District will continue to monitor these areas to ensure they remain above the minimum HMP geometry criteria. Maintenance activities, such as adding material to the levee

⁶⁰ RD 830 Request for Information, February 2025.

crown, will occur as necessary to maintain the minimum elevation as the underlying foundation material settles.⁶¹

Additionally, the District addressed seepage at two levee stations near high-voltage transmission towers operated by PG&E and WAPA in the fall of 2020. The system is currently functioning as intended and will continue to be monitored on an ongoing basis.

No additional infrastructure needs have been identified.

CHALLENGES

The District has not identified any significant challenges in service delivery.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. For example, RD 830 has various equipment and materials, including 1,000 tons of rip-rock, sandbags, a small dump truck, and a D-6 bulldozer, which could assist neighboring districts. It is recommended that the District develops such regional partnerships to address shared challenges in the Delta region and strengthen community resilience.

⁶¹ Reclamation District No. 830, Jersey Island. 2023 Five-Year Plan. February 14, 2023. p.17-18.

RD 830 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

7-1: RD 830 has three residents and anticipates no population growth or development in the near future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

7-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 830 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

7-3: The District maintains about 15.5 miles of non-project levee that surrounds the District, one pump station, and an internal drainage system.

7-4: The District contracts for a range of services including levee maintenance, flood control, drainage, upkeep of levee access roads, weed abatement, slope protection, vector and rodent control, levee control, and flood protection.

The District also negotiated with external vendors to obtain free clean fill material, which is used to enhance its levee toe-mass placement.

7-5: The entire District levee system meets or exceeds the HMP Levee Standard. Currently, the District aims to rehabilitate the levee system to meet the Bulletin 192-82 Levee Standard. Currently, 34 percent, or approximately 5.2 miles, of the District's levee system is at or above the Bulletin 192-82 Levee Standard.

7-6: The proposed rehabilitation plan to achieve the Bulletin 192-82 Levee Standard consists of a splash berm project on the south levee along Dutch Slough and six construction phases involving full and minimal rehabilitation. This project is estimated to cost \$20 million and is anticipated to be funded through DWR's Delta Levees Special Flood Control Projects.

7-7: The 2023 Five-Year Plan indicates that some levee sections are near the minimum HMP criteria for width and elevation, necessitating ongoing monitoring and maintenance.

7-8: The District reports that current service delivery is generally adequate, with no significant challenges.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

7-9: The District receives funding from an Operation and Maintenance assessment levied on ISD and easement holders. Additionally, the District receives grants through the DWR State Delta Levee Subvention and Special Levee Project Programs.

7-10: In FY 21-22, the District's total operating revenue (excluding non-operating revenue) was \$729,904, exceeding total operating expenses of \$335,215 by \$394,689, or approximately 117 percent. Similarly, in FY 22-23, total operating revenue increased to \$928,256, surpassing total operating expenses of \$703,872 by \$224,384, or about 31 percent. From FY 21-22 to FY 22-23, total operating revenue still increased by 27 percent.

During the same period, total operating expenses increased by 110 percent, with the most significant change occurring in utility expenses, which rose from \$15,058 in FY 21-22 to \$102,978 in FY 22-23, representing a 584 percent increase. Additionally, in FY 22-23, expenses related to other special projects, as well as equipment and repair costs, reflected new expenditures that were not present in the previous fiscal year.

7-11: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 830 is designated as "very-high priority." This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

7-12: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

7-13: The District participates in resource-sharing efforts including relying on ISD for personnel and equipment related to levee maintenance and reclamation efforts.

7-14: The District has not identified any additional resource-sharing opportunities.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

7-15: RD 830's governing body consists of a three-member board of trustees that serve four-year terms. All board members are employees of Ironhouse Sanitary District (ISD), the sole landowner on Jersey Island.

7-16: The ISD's website provides agenda packets, minutes, and archive recordings of RD 830's board meetings. Additionally, there is a page dedicated to the District's brief history and contact information for the board of trustees.

To further improve transparency, it is recommended that the District ensure that other relevant documents, including bylaws and planning documents, as well as financial reports, such as annual budgets, financial audits, Compensation Report, and the State Controller's Office Financial Transaction Report, are added to the RD 830 page on the ISD website.

Alternatively, RD 830 can establish a separate website dedicated to the District's operations to illustrate a clear separation of the District's functions from the ISD and enhance transparency.

7-17: The 2015 MSR recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for flood emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

RD 830- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 830.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- Current land use within the District includes agriculture, cattle grazing, and habitat preservation. ISD also leases the grazing and farming grounds to an external operation.
- There are no anticipated changes in land use in the foreseeable future.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District has three residents and anticipates no population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- RD 830's key infrastructure includes approximately 15.5 miles of non-project levees that surround the District, one pump station, and an internal drainage system.
- The entire District levee system meets or exceeds the HMP Levee Standard. Currently, the District aims for rehabilitation of the levee system to meet the Bulletin 192-82 Levee Standard. Currently, 34 percent or 5.2 miles of the District levee system is at or above the Bulletin 192-82 Levee Standard.
- The updated 2023 Five-Year Plan indicates that some levee sections are near the minimum HMP criteria for width and elevation, necessitating ongoing monitoring and maintenance.
- The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within and adjacent to RD 830.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 830 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 830.

8. RECLAMATION DISTRICT 2024 (ORWOOD AND PALM TRACTS)

AGENCY OVERVIEW

Reclamation District (RD) 2024 (Orwood/Palm Tracts) was established as an independent special district on April 15, 1918. The District consisted of the Orwood Tract and was formed to provide drainage, irrigation, and comprehensive reclamation of lands within its boundaries. In 1995, RD 2036 (Palm Tract) was dissolved, and the area was annexed to RD 2024. The original three-member Board of Trustees for each District was expanded to the current five-member Board serving both tracts.

RD 2024 operates under Section 50000 of the California State Water Code to provide services within the District boundaries. RD 2024 is responsible for maintaining the levees and drainage systems in the Palm Orwood Tract, which protect agricultural, urban, and commercial land. The District also maintains a floodgate utilized by farmers for irrigation.

According to the Contra Costa County Department of Conservation and Development, the District has 18 landowners.⁶² The total population, including seasonal residents such as farm workers and boat residents at Cruiser Haven, is estimated to be around 40. The District anticipates no population growth or development in the foreseeable future.

The predominant land use (approximately 95 percent of the District territory) within both tracts is agriculture, primarily growing wheat, corn, safflower, almonds, and grapes. Portions of each tract are also dedicated for wildlife habitat and waterfowl conservation. Additionally, there are limited residential uses, including four single-family homes and ancillary farmworker and caretaker housing.

The Orwood and Palm tracts are critical infrastructure islands that protect many statewide interests. The East Bay Municipal Utility District (EBMUD) aqueducts, which deliver water to 1.3 million municipal and industrial water users throughout portions of Contra Costa County and

⁶² Contra Costa LAFCO. Directory of Local Agencies, County Services Areas. Section 11: Reclamation Districts.

Alameda County in the East Bay region of the San Francisco Bay Area, are safeguarded by the RD 2024 levee. Additionally, RD 2024 protects the Burlington Northern Santa Fe Railroad (BNSF), the Kinder Morgan fuel transmission line, Pacific Gas and Electric (PG&E) gas transmission lines 57 A, B, and C, as well as the Western Area Power Administration (WAPA) electrical transmission facilities.⁶³

Figure 8-1: RD 2024 General Information

GENERAL information		
Agency	RD 2024 (Orwood/Palm Tract)	
Address	235 East Weber Avenue Stockton CA 95202 PO Box 1461	
Principal Act	California Water Code §50000 et seq.	
Date Formed	1918, consolidated with RD 2036 in 1995	
Population	40, including seasonal residents	
Last SOI Update	Novemeber 18, 2015	
Services Provided	Maintenance and operations of levees, flood control, drainage, and one floodgate	
Employees	1; A General Manager/ Secretary/ Counsel. The District also hires seasonal employees as needed.	
Contact Person	Dante John Nomellini, Sr., General Manager Email: ngmplcs@pacbell.net	
Website	https://reclamationdistrict.wixsite.com/rd2024	
Board		
Members	Length of Term	Term Expiration
Richard Sellers	4-Years	2027
Frank Savage	4-Years	2025
Don Wagenet	4-Years	2025
John Jackson	4-Years	2027
Vacant	-	-

⁶³ Five Year Plan, Reclamation District 2024, Palm Orwood Tract. March 2023 Revision 1. p.3.

BOUNDARIES

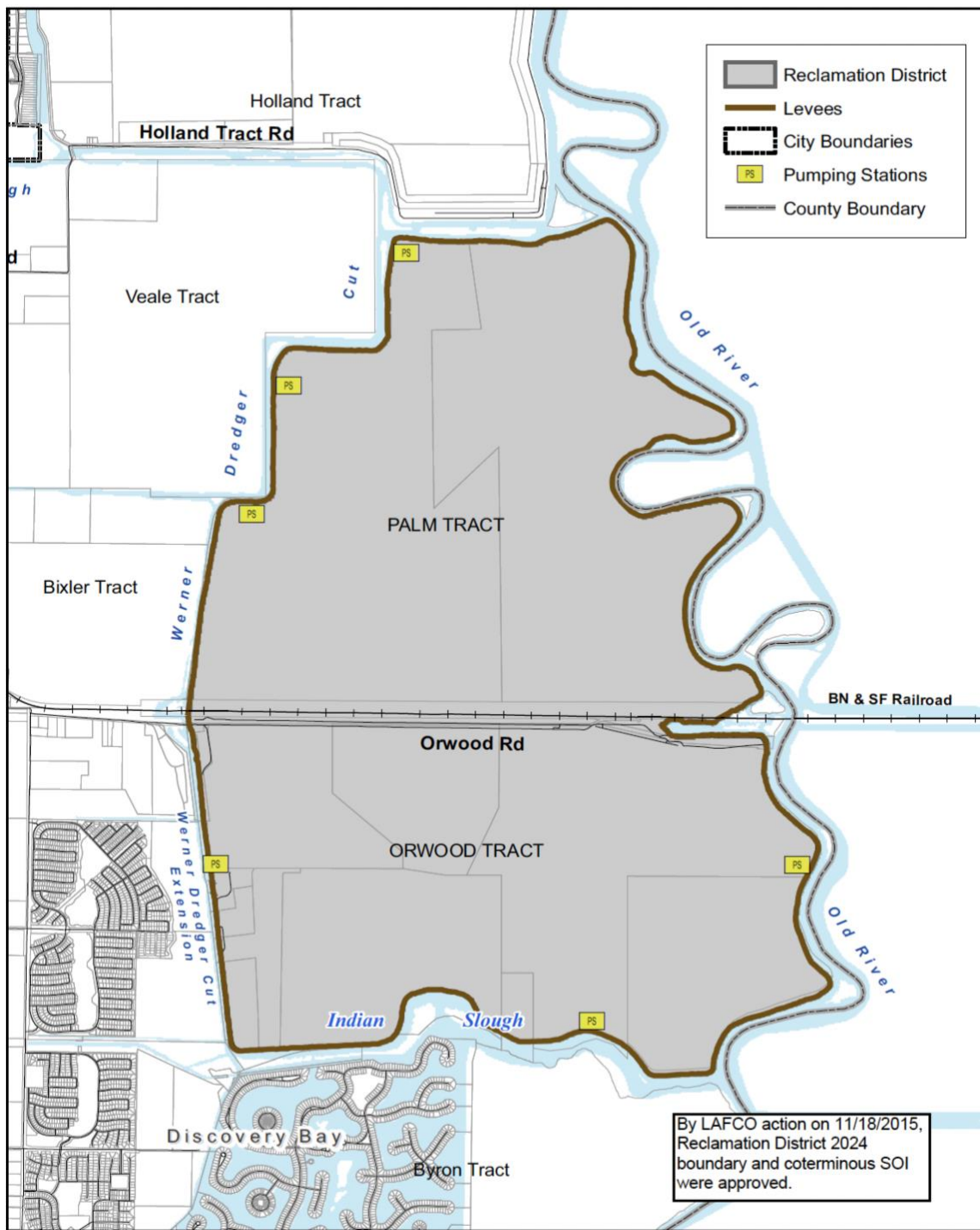
RD 2024 covers approximately 6,574 acres in size (4,800 of which is land area) or approximately 10.27 square miles. RD 2024 is located entirely within Contra Costa County, within the Primary Zone of the Sacramento-San Joaquin Delta, and outside the countywide Urban Limit Line (ULL).

Access to the District is available via Orwood Road from Bixler Road and SR 4 from the south, or through Bixler Road and Chestnut Street in Brentwood from the west. Orwood Road runs along the northern side of Orwood Tract to the west, ending at Old River. Private levee roads provide perimeter access around each tract, while private agricultural service roads offer access to the interior of the tracts.

SPHERE OF INFLUENCE

The current SOI for RD 2024 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 8-2: RD 2024 Boundaries and SOI



Map created 5/18/2009
by Contra Costa County Community Development, GIS Group
651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-2086
37.59:48.459N 122.0635.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geospatial information.

0 0.25 0.5 1 Miles



ACCOUNTABILITY AND GOVERNANCE

RD 2024 is governed by a five-member board of trustees elected at large by landowners for four-year terms. The number of votes is determined by the annual assessment paid by each landowner. Board members must be landowners or legal representatives of landowners within the District. Board members serve on a volunteer basis and do not receive compensation. Currently, one of the board member positions is vacant.

Pursuant to Government Code Section 1780, vacancies on the Board of Trustees can be filled by appointment from either the remaining Trustees or the County Board of Supervisors. In election years, a Notice Calling for Nomination Petitions is published. If no more than one petition per open position is received, the County Board of Supervisors will appoint the nominated party or parties. If no nominations are received, the County Board of Supervisors will usually appoint a qualified person recommended by the Board of Trustees. RD 2024 reports that, due to liability and regulatory concerns, there is a lack of enthusiasm among landowners to serve on the board.

The board meets as needed, typically holding approximately four meetings each year. Meetings are held in the District Secretary's conference room at 235 East Weber Avenue, Stockton, CA 95202. The District also offers residents to participate in meetings via conference call. Meeting agendas are posted on the District's website in compliance with the Brown Act⁶⁴ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. An archive of agenda packets for meetings dating back to 2021, as well as minutes for meetings held from 2021-2023, is available on the District's website.

⁶⁴ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

Since the 2015 MSR, the District has established a website in compliance with SB 929⁶⁵ that provides access to various documents, including the most recent budget, the District's Compensation Report, and the State Controller's Office Financial Transaction Report. The District also makes the FY 21-22 audit available on the website. To further enhance transparency, it is recommended that the District make up-to-date audits, agenda packets, and minutes from meetings held in 2024 available on the website.

RD 2024 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCO is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁶⁶

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract,

⁶⁵ Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the website.

⁶⁶ Government Code §56033.5 defines a DUC as 1) all or a portion of a "disadvantaged community" as defined by §79505.5 of the Water Code, and as 2) "inhabited territory" (12 or more registered voters), as defined by §56046, or as determined by commission policy.

and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 2024 is not considered a disadvantaged community.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District receives funding from various sources, including property assessments levied at the discretion of the Board of Trustees, the State Delta Levee Subvention and Special Levee Project Programs, and financial assistance from the East Bay Municipal Utility District (EBMUD), whose aqueduct facilities cross the District property. Additionally, EBMUD, Kinder Morgan, PG&E, and BNSF are included on the District's assessment roll.

The District reports that EBMUD has previously provided funding beyond its assessment, which, in addition to state special project funding, contributed to the completion of levee improvement work.

Excess funds on hand are deposited with the Contra County Treasurer. Currently, the District has approximately \$110,000 in funds for future project share needs. Additionally, at the end of FY 22-23, the District reported \$737,813 in Unrestricted Assets, which are not subject to external restrictions on their use or function.

Figure 8-3: RD 2024 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
	Total Governmental Funds		
Receipts	FY 21-22	FY 22-23	% Change
Property Assessments	\$320,226	\$315,118	2
State Assistance	\$59,054	\$22,057	-63
Miscellaneous	\$2,056	\$361	-82
Total Receipts	\$381,336	\$337,536	-11
Disbursements			
Utilities	\$90,557	\$147,096	62
Insurance	\$42,004	\$46,509	11
Vegetation and Rodent Control	\$29,197	\$46,341	59
Professional Fees	\$28,024	\$14,087	-50
Levee Repairs and Maintenance	\$27,401	\$17,720	-35
Engineering	\$16,303	\$78,296	380
Payroll Expenses	\$13,348	\$21,185	59
Pump Repairs and Maintenance	\$9,199	\$107,527	1069
Drainage Maintenance	\$8,209	\$460	-94
Contract Services	\$6,000	\$6,000	0
Licenses and Permits	\$1,603	\$1,879	17
Dues and Subscriptions	\$886	\$913	3
Miscellaneous	-	\$135	100
Total Disbursements	\$272,731	\$488,145	79
Excess (deficiency) of Receipts Over Disbursements Prior to Other Financing Sources (Uses)	\$108,605	\$(150,609)	-238
Other Financing Source (Uses)			
Operating Transfers from Other Funds	\$27,201	-	
Operating Transfers to Other Funds	\$(27,201)	-	
Total Other Financing Sources (Uses)	-	-	
Excess (deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Sources (Uses)	\$108,605	\$(150,609)	-238
Fund Balance, Beginning of Year	\$925,492	\$1,034,097	12
Fund Balance, End of Year	\$1,034,097	\$883,488	-15

The District has one type of fund (governmental), which consists of two major funds: the general fund and the special revenue fund. The general fund is established to account for resources allocated to financing the general services that the District performs. Property assessments and other revenue sources used to finance the District's fundamental operations are included in this fund. This fund accounts for all operating costs unless a separate fund is designated for those expenses.

The special revenue fund accounts for the proceeds from specific revenue sources other than special assessments, expendable trusts, or major capital projects that are legally restricted to expenditures for defined purposes. Typically, the resources accounted for in this fund originate from state and federal contribution programs.

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total revenue (excluding other financing sources) of \$381,336 exceeded total expenses of \$272,731 by \$108,605, or 39 percent. In contrast, in FY 22-23, the District's total expenses of \$488,145 exceeded total revenue (excluding other financing sources) of \$337,536 by \$150,609, or approximately 44 percent.

As shown in Figure 8-3, this change is due to an 11 percent decrease in total revenue from FY 21-22 to FY 22-23, primarily driven by a 63 percent decline in state assistance which fell from \$59,054 to \$22,057.

In contrast, total expenses increased by 79 percent, with the most significant increase occurring in pump repairs and maintenance expenses, which increased from \$9,199 in FY 21-22 to \$107,527 in FY 22-23. Engineering expenses reflected the second-highest increase, rising from \$16,303 in FY 21-22 to \$78,296 in FY 22-23.

The District's fund balance at the end of FY 22-23 was \$883,488, reflecting a 15 percent decrease from the FY 21-22 ending fund balance of \$1,034,097. Despite the decline, the FY 22-

23 ending fund balance represents 181 percent of expenditures, indicating that the District has sufficient reserves to cover approximately one year and ten months of operating costs, assuming expenses remain stable.

FUNDING OPPORTUNITIES

The District is in a strategic location within the Delta and levee system, with significant utility and government facilities situated within its territory. As previously noted, significant utility facilities, such as EBMUD aqueducts, the Kinder Morgan pipeline, PG&E gas and electric lines, WAPA electric lines, and the BNSF railroad, cross the District property. The ongoing involvement of these entities, along with interest from state and federal agencies, has prioritized the enhancement and maintenance of RD 2024 levees.

Additionally, according to the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2024 (Palm-Orwood) is designated as high priority. This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region.

Based on this funding prioritization, RD 2024 may be eligible for future levee improvement grants as funds become available. Funding availability will depend on the progress of projects designated at even higher priority levels or as very high priority.

FACILITY

The District maintains about 14.3 miles (6.5 mi Orwood and 7.8 mi Palm) of non-project levee along the Werner Cut, Rock Slough, Old River, and Indian Slough. The District's key infrastructure also includes internal drainage channels, two pump stations, and one floodgate. Levees are constructed out of earthen materials, with rock rip rap on the waterside. The Indian Slough Segment on Orwood Tract has been extensively rocked on the waterside to eliminate water damage from speedboats entering and leaving the Discovery Bay development area.

RD 2024 protects many assets vital to the local economy, such as agriculture, public roads, and a marina. The District's levee protects land situated between -12 and -16 feet below sea level, continuously holding back the river and sloughs.

In the event of a levee breach, the entire island will fill with water until the levee is repaired. There have been no recent levee breaches; however, past incidents, including a major 1980 Palm Tract breach that threatened the EBMUD aqueducts, required significant repairs. Additionally, stress cracks in 1992 and minor erosion in 2006 and 2011 were immediately addressed with emergency measures.

PLANNING DOCUMENT

RD 2024 has an updated 2023 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

The 2012 plan outlined three phases, which were partially completed with funding from the DWR. Significant progress was made in levee slope improvements, seepage/stability berms, and habitat enhancement, with most objectives being met through funding from the Delta Levees program.

The updated five-year plan discusses the District's Adopted Template (DAT), which builds on existing standards such as HMP, DWR Bulletin 192-82, and PL 84-99, to provide enhanced flood protection and flood fighting capabilities, as well as promote the long-term stability and resilience of the levee system. The District's desired level of protection incorporates the DAT and additional maintenance work, including rip rap installation and slope repairs, performed to enhance stability, prevent seepage, and address areas of concern.

Additionally, supplemental multi-benefit projects have been identified to widen levees along the Freshwater Corridors of the Middle and Old Rivers enhance flood protection, develop shaded riverine habitats, and stockpile emergency materials.⁶⁷

⁶⁷ Five Year Plan, Reclamation District 2024, Palm Orwood Tract. March 2023 Revision 1. p.1-17.

Funding for these projects is anticipated to come from cost-sharing support provided by various partners, including DWR through programs such as the Subventions Program, EBMUD, and other potential beneficiaries as available.

Figure 8-4: RD 2024 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	14.3	Surface Elevation	-12 to -16 feet
Miles of Levees		Levee Miles by Type	
District Standard (DAT)	N/A ¹	Dry Land Levee	0.0
HMP Standard	14.3 ²	Urban Levee	0.0
PL 84-99 Standard	~14.1 ³	Agricultural Levee	14.3
Bulletin 192-82 Standard	~14.1 ⁴	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	2
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	8 feet (Orwood); 7 feet (Palm)
Levee Inspection Practices			
RD 2024 does not have a formal levee inspection procedure. Instead, the District Trustees and landowners regularly monitor the levees and conduct continuous inspections during rain, wind, and high-tide events. Additionally, the District Engineer performs periodic inspections.			
Levee Segment	Description	Condition	
Palm Tract	Werner Dredger Cut Segment	Meets HMP and PL 84-99 Standard	
Palm Tract	Old River Segment	Meets HMP and PL 84-99 Standard	
Orwood Tract	Old River Segment	Meets HMP standard while some sections fall below the PL 84-99 Standard	
Orwood Tract	Indian Slough Segment	Meets HMP and PL 84-99 Standard	
Orwood Tract	Werner Dredger Cut Extension Segment	Meets HMP standard while some sections fall below the PL 84-99 Standard	
Levee Maintenance			

Maintenance Cost per Levee Mile (FY 21-22)	\$1,916	Maintenance Cost per Levee Mile (FY 22-23)	\$1,239
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			
The District has not identified any immediate infrastructure needs; however, planned infrastructure improvements aim to enhance levee standards, ensure ongoing routine maintenance of the levees, and improve emergency preparedness to safeguard critical infrastructure.			
<p>1: There is no data readily available to determine what portion of the District's levee system meets the DAT.</p> <p>2: Currently, 100 percent of both Palm and Orwood tract meet the HMP standard.</p> <p>3: 100 percent of Palm Tract levee system is at or above PL 84-99 levee standard. 875 feet of Orwood Tract levee is not at PL 84-99 standard.</p> <p>4: 100 percent of Palm Tract levee and 97 percent of Orwood Tract levee system at or above Bulletin 192-82 levee standard.</p>			

CONTRACTS FOR SERVICES

The District provides essential services such as levee maintenance, flood control, drainage, upkeep of levee access roads, weed management, slope protection, vector and rodent control, levee patrol, and flood fighting, both directly and through contracts.

The District also contracts for legal counsel and engineering support.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

RD 2024 stores its flood-fighting materials container at EBMUD's Bixler Maintenance Yard. The District reports limited opportunities for further facility sharing and has not identified any additional options for resource-sharing.

INFRASTRUCTURE NEEDS

The District has not identified any significant infrastructure needs.

CHALLENGES

The District reports that overall service delivery is adequate; however, more stringent and increasing regulations are expected to raise expenses. Furthermore, the District notes that two landowners are delinquent in paying their assessments.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize capacity and resource-sharing plans during flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience.

RD 2024 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

8-1: RD 2024 has an estimated population of about 40, including seasonal residents such as farm workers and boat residents at Cruiser Haven. The District does not anticipate any population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

8-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 2024 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

8-3: RD 2024 is responsible for maintaining the levees and drainage systems of the Palm Orwood Tract, which protect agricultural, urban, and commercial land. The District also maintains a floodgate used by farmers for irrigation.

8-4: The District provides essential services, including levee maintenance, flood control, drainage, upkeep of levee access roads, weed management, slope protection, vector and rodent control, levee patrol, and flood fighting, both directly and through contracts.

The District also contracts for legal counsel and engineering support.

8-5: The District maintains about 14.3 miles (6.5 mi Orwood and 7.8 mi Palm) of non-project levee along the Werner Cut, Rock Slough, Old River, and Indian Slough. The District has key infrastructure, including internal drainage channels, two pump stations, and one floodgate.

8-6: The Orwood and Palm tracts serve as vital infrastructure islands that protect essential statewide resources, including the EBMUD aqueducts, the BNSF Railroad, the Kinder Morgan fuel transmission line, PG&E gas lines, and WAPA electrical facilities, all safeguarded by the RD 2024 levee. The District also protects agriculture, public roads, and a marina.

8-7: The District's levee system for both the Palm and Orwood tracts has been significantly improved. A total of 7.92 miles were raised to meet the minimum Hazard Mitigation Plan (HMP) Standard, achieving 100 percent compliance for Palm Tract and 97 percent for Orwood Tract.

The entire levee system in the Palm Tract also meets or exceeds the PL 84-99 or Bulletin 192-82 Levee Standard. While less than a mile of the Orwood Tract levee system still does not meet the PL 84-99 or Bulletin 192-82 Levee Standard.

8-8: In addition to existing levee standards, RD 2024 has a District Adopted Template (DAT) for levee construction and maintenance that aims to provide a higher level of protection, enhance flood-fighting capabilities, and ensure the long-term stability and resilience of the levee system.

Furthermore, the District's desired level of protection includes the DAT and additional components addressing stability, seepage, and areas of concern. Funding for the projects identified is anticipated to come from cost-sharing support provided by various partners, including DWR through programs such as the Subventions Program, EBMUD, and other potential beneficiaries as available.

8-9: The District has not identified any significant infrastructure needs.

8-10: The District reports that overall service delivery is adequate; however, more stringent and increasing regulations are expected to raise expenses. Additionally, the District notes that two landowners are delinquent in paying their assessments.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

8-11: The District receives funding from various sources, including property assessments, the State Delta Levee Subvention and Special Levee Project Programs, and financial assistance from EBMUD.

8-12: Any excess funds are held with the Contra Costa County Treasurer. The District reports that approximately \$110,000 is currently set aside for future project needs. Additionally, at the end of FY 2022-23, the District had \$737,813 in unrestricted assets.

8-13: The District's FY 21-22 total revenue of \$381,336 exceeded total expenses of \$272,731 by 39.82 percent. In FY 22-23, however, total expenses increase to \$488,145, exceeding the total revenue of \$337,536 by approximately 44.65 percent. This change was driven by an 11 percent decrease in revenue, primarily due to a 63 percent reduction in state assistance, while total expenses increased by 79 percent, particularly due to pump repairs and maintenance as well as engineering costs.

8-14: Major utility facilities cross the District's property, and the continued engagement of these entities, along with interest from state and federal agencies, has made the

improvement and maintenance of the RD 2024 levees a high priority. Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), the District is positioned for future funding, potentially qualifying for levee improvement grants as they become available, depending upon the progress of projects with even higher priority levels.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

8-15: RD 2024 stores flood-fighting materials at EBMUD's Bixler Maintenance Yard. The District reports limited opportunities for further facility sharing and has not identified any additional options for resource-sharing.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

8-16: RD 2024 is governed by a five-member board elected by landowners for four-year terms. Currently, one position on the board is vacant. Due to concerns about liability and regulations, there is limited interest in filling the role.

8-17: Since the 2015 MSR, RD 2024 has launched a website that provides various documents, including the most recent budget, the District's Compensation Report, and the State Controller's Office Financial Transaction Report. To further improve transparency, it is recommended that the District ensure that an up-to-date Five-Year Plan, audits, agenda packets, and meeting minutes are easily accessible on the website.

8-18: The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for flood emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

RD 2024- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2024.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- The predominant land use within RD 2024 is agriculture, which makes up approximately 95 percent of the district's territory. Some areas of RD 2024 are designated for wildlife habitat and waterfowl. Residential uses are limited, featuring only two single-family homes, as well as additional housing for farmworkers and caretakers.
- There are no anticipated changes in land use in the foreseeable future.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- RD 2024 is predominantly agricultural with no anticipated population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- RD 2024 manages approximately 14.3 miles of levees, along with drainage channels, two pump stations, and a floodgate.
- The District has significantly improved the Palm and Orwood Tract levee systems. Currently, the entire Palm Tract and 97 percent for Orwood Tract levees meet or exceed the HMP standard.

Additionally, the entire Palm Tract levee system now meets or exceeds both PL 84-99 and Bulletin 192-82 standards, while less than a mile of the Orwood Tract levee does not meet these higher criteria.

- In addition to existing levee standards, RD 2024 has a District Adopted Template (DAT) for levee construction and maintenance that aims to provide a higher level of protection, enhance flood-fighting capabilities, and ensure the long-term stability and resilience of the levee system.
- The updated 2023 five-year plan outlines extensive infrastructure improvement projects to meet the District's desired level of protection, which includes the DAT and additional components addressing stability, seepage, and areas of concern.
- The District reports that overall service delivery is adequate; however, more stringent and increasing regulations are expected to raise expenses. Furthermore, the District notes that two landowners are delinquent in paying their assessments.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 2024.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2024 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2024.

9. RECLAMATION DISTRICT 2025 (HOLLAND TRACT)

AGENCY OVERVIEW

Reclamation District (RD) 2025 (Holland Tract) was formed in April 1918 as an independent special district. RD 2025 is situated in the western Delta, south of Franks Tract and Bethel Island, east of Hotchkiss Tract, north of Veale Tract, and west of Bacon Island.

Holland Tract can be accessed via Delta Road, located southwest of the District and to the east of the unincorporated community of Knightsen. At the northern end of Holland Tract Bridge, Delta Road becomes Holland Tract Road. This road runs east to west along the southern border of the District and north to south along the eastern border. Private levee roads provide perimeter access around other areas of the island, while private agricultural service roads allow access to the island's interior.

Holland Tract is one of the eight western Delta islands identified by the California Department of Water Resources (DWR) as critical to controlling salinity and protecting water quality for all users. The population within RD 2025 is estimated to be approximately 30⁶⁸, with no anticipated population growth or development in the foreseeable future. Land use within the District is primarily agricultural and recreational, including cattle grazing operations and two marinas along the Delta waterways beyond the levees.

RD 2025 operates under Section 50000 of the State Water Code to provide services within the District's boundaries. The District is responsible for improving and maintaining levees and the flood control system, which includes pumps and canal ditches.

The District's perimeter levee system protects a diverse range of habitats, including riparian (122.1 acres), marsh (287.5 acres), woody non-native (4.4 acres), herbaceous uplands (660.1 acres), and open water (68.1 acres). Agricultural operations are mainly corn and open pasture used for grazing (2,896.1 acres).

⁶⁸ Contra Costa LAFCO. Directory of Local Agencies, County Services Areas. Section 11: Reclamation Districts.

RD 2025 has 17 landowners, with the Metropolitan Water District of Southern California (MWD) owning approximately 75 percent of the island. MWD is a regional wholesaler that supplies water to 26-member public agencies, serving approximately 19 million residents in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties.

Recognizing the Delta’s crucial link in statewide water infrastructure, Metropolitan purchased several Delta islands in 2016, including two within Contra Costa County—Holland Tract and Webb Tract—to explore ways to improve the Delta’s declining ecosystem and promote water reliability.⁶⁹

MWD’s activities in Holland Tract include leasing portions of the land for agricultural use. In 2024, MWD announced plans for the existing farmer to convert all corn crops to rice over a five-year period, while continuing cattle grazing on a portion of the leased land. Maximizing rice farming on MWD-owned Delta islands is prioritized to mitigate subsidence.⁷⁰

⁶⁹ The Metropolitan Water District of Southern California, Fact Sheet. Multi-benefit Landscape Restoration on Webb Tract. April 2023.

⁷⁰ San Diego County Water Authority, Metropolitan Water District Delegates’ Report, March 27, 2024.

Figure 9-1: RD 2025 General Information

GENERAL information		
Agency	RD 2025 (Holland Tract)	
Address	343 East Main Street, Suite 715 Stockton, CA 95202	
Principal Act	California Water Code §50000 et seq.	
Date Formed	1918	
Population	30	
Last SOI Update	Novemeber 18, 2015	
Services Provided	Improve and maintain levees and flood control system including pumps, canals and ditches	
Employees	3; District Engineer, District Secretary, and Superintendent	
Contact Person	Pamela A. Forbus, District Secretary Email: pamforbus@scglobal.net	
Website	https://hollandtract.org/	
Board		
Members	Length of Term	Term Expiration
Randall D. Neudeck, Chairman	4-Years	2027
David Bradshaw	4-Years	2027
Russell E. Ryan	4-Years	2025

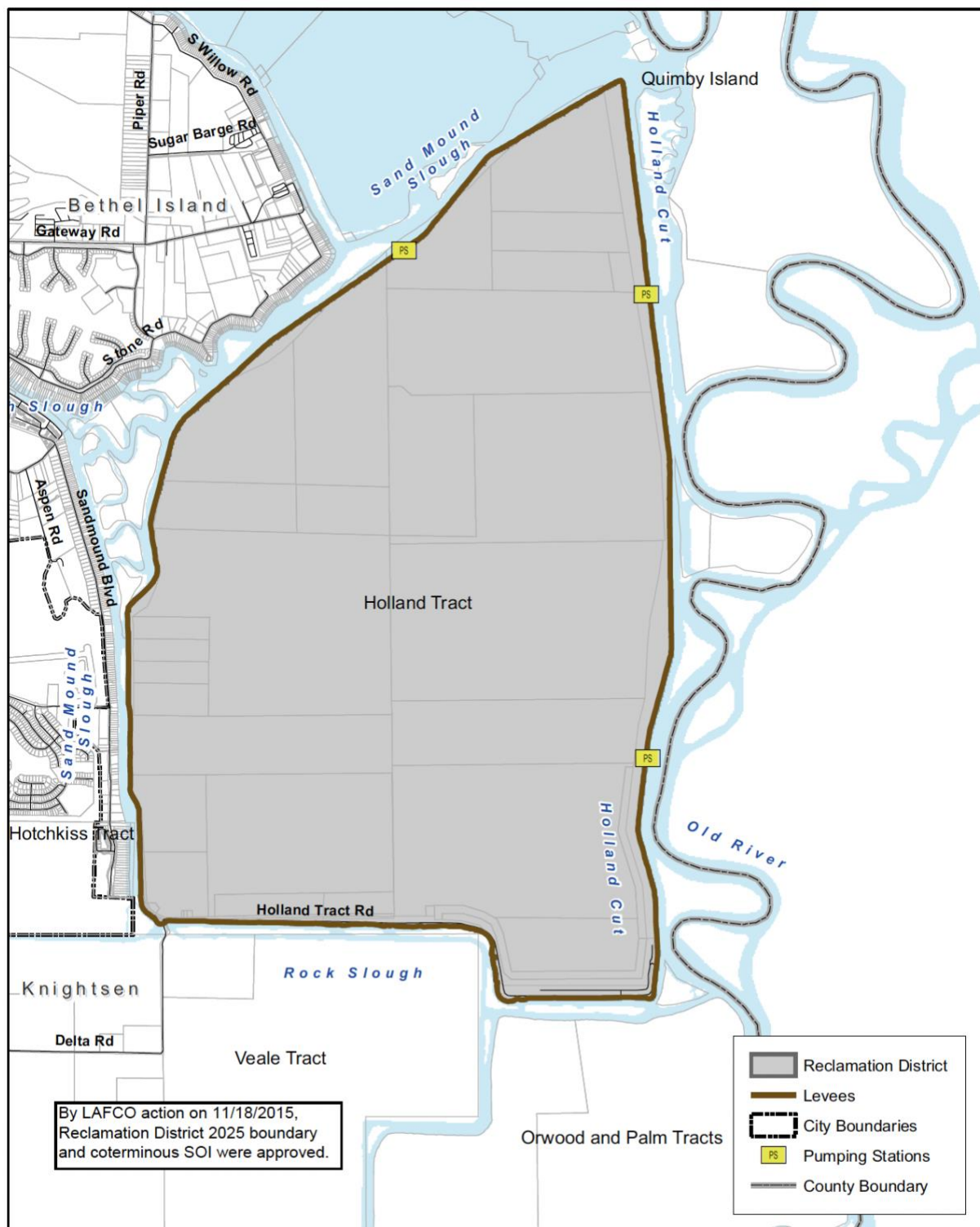
BOUNDARIES

The District encompasses approximately 4,090 acres or about 6.4 square miles. RD 2025 is situated entirely within the Primary Zone of the Sacramento-San Joaquin Delta's primary zone and outside the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 2025 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 9-2: RD 2025 Boundaries and SOI



ACCOUNTABILITY AND GOVERNANCE

RD 2025 is governed by a three-member board of trustees elected by landowners to serve a staggered four-year term, with each voter entitled to cast one vote per acre owned within the District. Uncontested vacancies on the governing body are filled by appointment by the Board of Supervisors.

The Board meets on an as-needed basis at 343 East Main Street, Suite 715, Stockton, CA 95202. Meeting agendas are posted on the District's website in compliance with the Brown Act⁷¹ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. The District also makes agenda packets for meetings dating back to 2020 available on its website. To enhance transparency, it is recommended that the District also make all meeting minutes available to the public.

Since the last MSR, the District has established a website that provides significant information and various documents, including emergency response management resources, public notices, board member information, and contact details. Additionally, significant financial reports, such as the District's Compensation Report, the State Controller's Office Financial Transaction Report, and Enterprise System Catalog, are readily accessible. To further ensure compliance and transparency, it is recommended that the District also add annual budgets and audits on its website.

Overall, constituent outreach is limited due to the small number of landowners. However, the District posts notices at the District office and maintains an email distribution list for landowner notification.

RD 2025 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

⁷¹ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁷²

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCo to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCo's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 2025 is not considered a disadvantaged community.

⁷² Government Code §56033.5 defines a DUC as 1) all or a portion of a "disadvantaged community" as defined by §79505.5 of the Water Code, and as 2) "inhabited territory" (12 or more registered voters), as defined by §56046, or as determined by commission policy.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District funds its operations and administration through property assessments from the two landowners and grant funding from the State Delta Levee Subventions Program or Special Grants for specific projects.

Assessments are levied at the discretion of the Board of Trustees based on the assessment valuation of land or acreage within the District, adjusted for revenues received from the State under the Levee Subvention Program or other grants. Approximately 83 percent of the total assessment valuation land is concentrated with two landowners.

The District utilizes bank loans in the form of short-term “warrants” to finance the cash flow and fund large-scale projects. During FY 21-22 and FY 22-23, the District borrowed funds through registered warrants issued by the Bank of Stockton. At the end of FY 21-22, the District had an outstanding warrant balance of \$825,000 after borrowing an additional \$300,000 during the year and repaying \$425,000 of previously issued warrants.⁷³ During FY 22-23, the District issued another \$375,000 in new warrants and repaid \$300,000, resulting in a net increase in outstanding debt to \$900,000.⁷⁴

The District operates out of a governmental fund that consists of a general fund, which finances the District’s general services. Assessments and other revenue sources that support the District’s primary operations are included in this fund. This fund is charged with all operating costs that do not have a separate fund established.

⁷³ Reclamation District No. 2025. Financial Statements and Independent Auditor’s Report. June 30, 2022. p.19-20.

⁷⁴ Reclamation District No. 2025. Financial Statements and Independent Auditor’s Report. June 30, 2023. p.20.

Figure 9-3: RD 2025 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
Revenues	Total Governmental Funds		
	FY 21-22	FY 22-23	% Change
Assessments	\$346,905	\$369,602	7
State Assistance—Subventions	\$52,830	\$80,473	52
State Assistance— Five-Year Plan	\$1,205	-	-100
Miscellaneous Revenue	\$6,215	-	-100
Penalties and Interest on Assessments	-	\$17,268	100
Total Revenue	\$407,155	\$467,343	15
Expenditures			
Utilities	\$53,747	\$80,031	49
Payroll Expenses	\$74,822	\$75,670	1
Levee Repairs and Maintenance	\$33,449	\$59,645	78
Engineering	\$26,382	\$57,868	119
Legal and Accounting	\$35,415	\$46,589	32
Vegetation Control	\$18,313	\$42,755	133
Insurance	\$15,870	\$19,828	25
Rental Equipment	\$4,167	\$14,037	237
Pump and Drainage Repairs and Maintenance	\$67,619	\$8,638	-87
Mileage	\$5,610	\$6,380	14
Miscellaneous	-	\$5,235	100
Water Rights Fee	\$2,678	\$2,846	6
Dues and Memberships	\$1,972	\$1,879	-5
Office Expense	\$621	\$583	-6
Fuel	\$594	\$545	-8
Storage	\$360	\$360	0
Miscellaneous	\$73	-	-100
Capital Outlay	\$29,455	-	-100
Debt Service			

Principal	\$425,000	\$300,000	-29
Interest	\$69,159	\$44,884	-35
Total Expenditures	\$865,306	\$767,773	-11
Excess (deficiency) of Revenues Over Expenditures Prior to Other Financing Sources (Uses)	\$(458,151)	\$(300,430)	34
Total Other Financing Sources (Uses)	\$300,000	\$375,000	25
Net Change in Fund Balance (deficit)	\$(158,151)	\$74,570	147
Fund Balance, Beginning of Year	\$(1,586)	\$(159,737)	(9,972)
Fund Balance, End of Year	\$(159,737)	\$(85,167)	47

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 22-23, the District's total expenses of \$767,773 exceeded total revenue (excluding other financing sources) of \$467,343 by \$300,430, or approximately 64 percent. Similarly, in FY 21-22, the District's total expenses of \$865,306 exceeded total revenue (excluding other financing sources) of \$407,155 by \$458,151, or 112 percent.

As shown in Figure 9-3, total revenue (excluding other financing sources) increased from \$407,155 in FY 21-22 to \$467,343 in FY 22-23, representing a 15 percent increase. This growth was primarily due to a 52 percent increase in subvention grants.

In contrast, total expenses decreased by 11 percent during this period, from \$865,306 to \$767,773, despite increases in most categories. This is primarily driven by a \$149,275 decrease in debt service, from \$494,159 to \$344,884, and a significant decline in pump and drainage repairs and maintenance, from \$67,619 to \$8,638.

The District's ending fund balance was at a deficit in both FY 21-22 and FY 22-23, improving by 47 percent from \$(159,737) in FY 21-22 to \$(85,167) in FY 22-23. However, the ongoing

negative fund balance indicates that the District lacks sufficient reserves to adequately cover operating costs or address any unexpected expenses and revenue shortfalls.

FUNDING OPPORTUNITIES

According to the Delta Stewardship Council’s Delta Levee Investment Strategy (DLIS), RD 2025 (Holland Tract) is designated as high priority. This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region.

Based on this prioritization, RD 2025 may qualify for future levee improvement grants as funding becomes available. However, funding eligibility will depend on the progress of projects classified as very high priority. This is not an immediate opportunity and depends on the progress of projects that hold even higher priority levels.

FACILITY

The District’s levee system includes approximately 10.96 miles of non-project levee: 3.96 miles along Old River/Holland Cut, 4.60 miles along Sand Mound Slough, and 2.40 miles along Rock Slough. The District also maintains other key infrastructure, including a network of about 24 siphons for irrigation and three pumping stations.

Since 1900, there has been one recorded flooding incident on Holland Tract, which occurred on January 18, 1980, when floodwaters breached a levee and created a blowout pond on the island’s north end. The USACE installed emergency pumps, which operated until April 25, 1980, and the water was fully drawn down by May 5, 1980. No other breaches or flooding events have been recorded since.⁷⁵

The District conducts levee surveys at least once every five years. While RD 2025 does not have a formal inspection procedure, daily inspections are conducted by on-site farmers, with increased frequency during severe weather conditions.

⁷⁵ Reclamation District No. 2025 Holland Tract, 2022 Five-Year Plan. October 13, 2022. p.2-6.

Currently, the District's entire levee system meets or exceeds the Hazard Mitigation Plan (HMP).

PLANNING DOCUMENT

RD 2025 has an updated 2022 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

In 2009, the District's Five-Year Plan proposed five phases of levee improvement projects, including levee rehabilitation, installation of splash berms for added protection, and removal of encroachments, all of which have been completed. These rehabilitation projects have raised and widened various sections of the levee, resulting in over 85 percent (approximately 9.3 miles) of the District's levee now meeting the PL 84-99 standard.

According to the updated 2022 Five-Year Plan, the District's long-term goal is to meet the Bulletin 192-82 levee standard within a five-year period. Currently, approximately 7.3 miles, or 66 percent, of the levee system meets this standard.

The proposed rehabilitation plan consists of three phases, including improving the District's levee to the Bulletin 192-82 standard using onsite fill; armoring the waterside slope of the east levee with riprap; and addressing sections of the south levee with minimal overbuild above the HMP minimum elevation through ongoing monitoring and adding material to the crown as the underlying foundation material consolidates, in order to maintain elevation standards.

The estimated cost to complete all the outlined projects is \$9.3 million. The Five-Year Plan assumes that funding will be available under the Delta Levees Special Flood Control Projects Program as the District implements the rehabilitation projects over the identified five-year period. The District has participated in the Special Projects program since its formation.

It is recommended that the District make the updated Five-Year Plan available on its website to further enhance transparency.

Figure 9-4: RD 2025 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	10.96	Surface Elevation	5 to -22 ft
Miles of Levees		Levee Miles by Type	
HMP Standard	10.96 ¹	Dry Land Levee	0.0
		Urban Levee	0.0
	PL 84-99 Standard	9.3 ²	Agricultural Levee
Bulletin 192-82 Standard	7.3 ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	3
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	7 feet
Levee Inspection Practices			
RD 2025 does not have a formal levee inspection procedure. Instead, daily inspections are performed by on-site farmers. During severe weather events, levee inspections are performed with increased frequency.			
Levee Segment	Description	Condition	
Old River/Holland Cut	Eastern District boundary	Meets HMP and PL84-99 Standard	
Sand Mound Slough	Western District boundary	Meets HMP and PL84-99 Standard	
Rock Slough	Southern District boundary	Meets HMP standard, while some sections fall below PL84-99 Standard	
Levee Maintenance			
Maintenance Cost per Levee Mile (FY 21-22)	\$3,051	Maintenance Cost per Levee Mile (FY 22-23)	\$5,442
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			

The District has not identified any immediate infrastructure needs; however, planned infrastructure improvements include strengthening levee standards, armoring the waterside slope on the east levee with rip rap, and monitoring potential low areas in the southern section of the levee to ensure they continue to meet the minimum HMP elevation.

1: The District's entire levee system meets or exceeds the HMP standard.

2: Roughly 85 percent of the levee system meets or exceeds the PL 84-99 Levee Standard.

3: 66 percent of the District's levee system meets or exceeds the Bulletin 192-82 Levee Standard. This standard is the District's current desired level of protection.

CONTRACT FOR SERVICES

The District contracts out for all major services, including levee maintenance, flood control, drainage, levee access road upkeep, weed abatement, slope protection, vector/rodent control, and levee patrol.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

RD 2025 shares administrative facilities, legal counsel, engineering services, and auditors with other reclamation districts in Contra Costa and San Joaquin counties. Furthermore, the District shares a Board of Trustees with RD 2026 (Webb Tract) and two San Joaquin County reclamation districts, RD 756 and RD 2028.

These collaborative resource-sharing efforts significantly reduce costs for all participating districts and enhance operational efficiency.

INFRASTRUCTURE NEEDS

The District has not reported any significant infrastructure needs.

CHALLENGES

The District has not identified any significant challenges in service delivery.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended a governance structure option for the District to establish mutual aid agreements with nearby reclamation districts to formalize capacity and resource-sharing plans during flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience.

Additionally, the District can further explore its existing resource-sharing efforts with neighboring reclamation districts in Contra Costa and San Joaquin counties to identify new opportunities for collaboration and cost-sharing.

RD 2025 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

9-1: RD 2025 has 17 landowners, with the Metropolitan Water District of Southern California (MWD) owning approximately 75 percent of the island. The District has a population of approximately 30, with no anticipated population growth or development in the foreseeable future

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

9-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097; hence, the calculated threshold of \$67,277 defines whether a community is identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 2025 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

9-3: The District is responsible for improving and maintaining levees and the flood control system, which includes pumps and canal ditches.

9-4: The District contracts out for all major services, including levee maintenance, flood control, drainage, levee access road upkeep, weed abatement, slope protection, vector/rodent control, and levee patrol.

9-5: The District's key infrastructure includes roughly 10.96 miles of non-project levee, a network of about 24 siphons for irrigation, and three pumping stations.

9-6: The entire levee system meets or exceeds the HMP standard, while roughly 85 percent of the levee system meets or exceeds the PL 84-99 levee standard. The District's current desired level of protection is Bulletin 192-82 levee standards, which 66 percent of the District's levee system meets.

9-7: Planned infrastructure improvements, as identified in the District's Five-Year Plan, include strengthening levee standards to meet the Bulletin 192-82 levee standards, armoring the waterside slope on the east levee with rip rap, and monitoring potential low areas in the southern section of the levee to ensure they continue to meet the minimum HMP elevation.

It is anticipated that funding for the rehabilitation projects will be available under the Delta Levees Special Flood Control Projects Program.

9-8: The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

9-9: RD 2025 funds its operations and administration through property assessments from the two landowners and grant funding from the State Delta Levee Subventions Program or Special Grants for specific projects

9-10: The District also utilizes short-term bank loans, referred to as "warrants," to support cash flow and fund large-scale projects. As of FY 22-23, the District has a total outstanding debt of \$900,000 in warrants.

9-11: In FY 21-22 and FY 22-23, total expenses exceeded total revenue (excluding other financing sources) by 112 and 64 percent, respectively. During this period, total revenue rose by 15 percent, from \$407,155 in FY 21-22 to \$467,343 in FY 22-23, primarily due to a 52 percent rise in subvention grants.

In contrast, total expenses decreased by 11 percent during this period, from \$865,306 to \$767,773, despite increases in most categories. This was primarily driven by a \$149,275 decrease in debt service, from \$494,159 to \$344,884, and a significant decline in pump and drainage repairs and maintenance, from \$67,619 to \$8,638.

9-12: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2025 is designated as "high priority." This designation positions the District for future funding and potentially qualifies it for levee improvement grants as they become available. However, this is not an immediate opportunity and depends on the progress of projects with even higher priority levels.

9-13: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

9-14: RD 2025 also engages in resource sharing practices with other reclamation districts in Contra Costa and San Joaquin Counties for administrative facilities, legal counsel, engineering services, and auditing services.

Furthermore, the District shares a Board of Trustees with RD 2026 (Webb Tract) and two San Joaquin County reclamation districts, RD 756 and RD 2028.

These collaborative resource-sharing efforts significantly reduce costs for all participating districts and enhance operational efficiency.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

9-15: RD 2025 is governed by a three-member board of trustees, each serving staggered four-year terms.

9-16: Since the 2015 MSR, the District has launched a website that offers various information, including an archive of agenda packets for meetings held since 2020, public notices, board member information, contact details as well as key financial reports such as, the District's Compensation Report, the State Controller's Office Financial Transaction Report, and Enterprise System Catalog.

To further improve transparency, it is recommended that the District ensure that an up-to-date Five-Year Plan, audits, budgets, and meeting minutes are readily accessible on its website.

9-17: The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

Additionally, the District can further explore its existing resource-sharing efforts with neighboring reclamation districts in Contra Costa and San Joaquin counties to identify new opportunities for collaboration and cost-sharing.

RD 2025- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2025.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- Land use within the District is primarily agricultural and recreational, including cattle grazing operations and two marinas along the Delta waterways beyond the levees.
- There are no anticipated changes in land use in the foreseeable future.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District anticipates no population growth or development in the near future, indicating in a limited demand for public services.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- The District's key infrastructure includes roughly 10.96 miles of non-project levee, a network of about 24 siphons for irrigation, and three pumping stations.
- The entire levee system meets or exceeds the HMP standard, while roughly 85 percent of the levee system meets or exceeds the PL 84-99 levee standard. The District's current desired level of protection is Bulletin 192-82 levee standards, which 66 percent of the District's levee system meets.
- Planned infrastructure improvements, as identified in the District's Five-Year Plan, include strengthening levee standards to meet the Bulletin 192-82 levee standards, armoring the waterside slope on the east levee with rip rap, and monitoring potential low areas in the southern section of the levee to ensure they continue to meet the minimum HMP elevation.

- The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 2025.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2025 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2025.

10. RECLAMATION DISTRICT 2026 (WEBB TRACT)

AGENCY OVERVIEW

Reclamation District (RD) 2026 (Webb Tract) was established in 1918 as an independent special district and operates under Section 50000 of the California State Water Code. Within its boundary area, which encompasses the entire Webb Tract, RD 2026 is responsible for maintaining and improving levees and the flood control system, which includes pumps and canal ditches. The District also facilitates irrigation water delivery to Webb Tract via gravity flow through the District's drainage infrastructure.⁷⁶

Located in the northeastern corner of Contra Costa County, RD 2026 is one of the eight western Delta islands that the Department of Water Resources (DWR) has identified as critical to controlling salinity in the Delta and protecting water quality for all users. The District's location in the western Delta and its proximity to flooded Franks Tract, Old River, and Rock Slough combine to make the District's reliability and sustainability significant to regional interests.

RD 2026 can only be accessed by ferry, personal watercraft, or barge from Jersey Island. The District operates the Victory II ferry service as part of the Delta Ferry Authority, a Joint Powers Authority (JPA) formed with Bradford Island (RD 2059). The ferry provides services from Jersey Island to both Webb Tract and Bradford Island.

According to the District, one resident lives on the island, and no future growth is anticipated. RD 2026 is owned by the Metropolitan Water District of Southern California (MWD). MWD is a regional wholesaler that delivers water to 26 public agencies serving approximately 19 million people in parts of Southern California. In 2016, recognizing the importance of the Delta in

⁷⁶ The Metropolitan Water District of Southern California, Request for Proposals to Lease Farmland in the Sacramento- San Joaquin Bay Delta for Rice Cultivation Purposes. March 10, 2025.

California's water system, MWD purchased several Delta islands, including Webb Tract, to enhance the Delta ecosystem and improve water reliability.⁷⁷

MWD is currently working to transform Webb Tract from conventional agricultural use to wetlands and rice farming. This shift in land use will promote sustainable agriculture, reduce greenhouse gas emissions that contribute to climate change, and restore critical habitats for local species. In 2023, MWD received a \$20.9 million grant from the Delta Conservancy's Nature-Based Solutions: Wetland Restoration Grant Program to fund the project. The grant will facilitate the design and construction of up to 3,500 acres of managed wetlands and 1,500 acres of rice fields.

⁷⁷ The Metropolitan Water District of Southern California, Fact Sheet. Multi-benefit Landscape Restoration on Webb Tract. April 2023.

Figure 10-1: RD 2026 General Information

GENERAL information		
Agency	RD 2026 (Webb Tract)	
Address	343 East Main Street, Suite 715 Stockton, CA 95202	
Principal Act	California Water Code §50000 et seq.	
Date Formed	1918	
Population	1 landowner; 1 resident	
Last SOI Update	November 18, 2015	
Services Provided	Improve and maintain levees and flood control system including pumps, canals and ditches; operate ferry service as part of a Joint Powers Authority	
Employees	3; District Engineer, District Secretary, and Superintendent	
Contact Person	Pamela A. Forbus, District Secretary Email: pamforbus@scglobal.net	
Website	https://webbtract.org/	
Board		
Members	Length of Term	Term Expiration
Randall D. Neudeck, Chairman	4-Years	2027
Russell E. Ryan	4-Years	2027
David Bradshaw	4-Years	2025

BOUNDARIES

RD 2026 covers 5,500 acres or approximately 8.6 square miles. The District is located in the western Delta, north of Franks Tract and Bethel Island, east of Bradford and Sherman Islands, and south of Twitchell and Brannan-Andrus Islands.

The District is within the Primary Zone of the Sacramento-San Joaquin Delta, outside the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 2026 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 10-2: RD 2026 Boundaries and SOI



ACCOUNTABILITY AND GOVERNANCE

RD 2026 is governed by a three-member board of trustees elected by landowners to serve staggered four-year terms. Each voter is entitled to cast one vote per acre owned within the District. Pursuant to Government Code Section 1780, uncontested vacancies on the governing body can be filled by appointment from either the remaining Trustees or the County Board of Supervisors.

The Board meets monthly at 12:00 p.m. at 343 East Main Street, Suite 715, Stockton, CA 95202. Meeting agendas are posted on the District's website in compliance with the Brown Act⁷⁸ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. The District's website also provides agenda packets for meetings dating back to 2020. It is recommended that the District also make all meeting minutes available to the public.

Since the last MSR, the District has established a website that provides comprehensive information and various documents, including emergency response management resources, public notices, board member details, and contact information. Additionally, significant financial reports, such as the District's Compensation Report, the State Controller's Office Financial Transaction Report, and Enterprise System Catalog, are readily accessible. To further ensure compliance and transparency, it is recommended that the District add annual budgets and audits to its website.

RD 2026 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

⁷⁸ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁷⁹

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 2026 is not considered a disadvantaged community.

⁷⁹ Government Code §56033.5 defines a DUC as 1) all or a portion of a "disadvantaged community" as defined by §79505.5 of the Water Code, and as 2) "inhabited territory" (12 or more registered voters), as defined by §56046, or as determined by commission policy.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District funds its operations and administration through assessments, state assistance from the State Delta Levee Subventions Program, or Special Grants for specific projects. Assessments are levied at the discretion of the Board of Trustees based on the assessment valuation of land or acreage within the District.

The District utilizes bank loans in the form of short-term “warrants” to support cash flow and fund large-scale projects. During FY 21-22 and FY 22-23, the District borrowed funds through registered warrants issued by the Bank of Stockton. In FY 21-22, the District borrowed \$150,000 in registered warrants and repaid the full amount by the end of the fiscal year.⁸⁰ In FY 22-23, the District issued \$925,000 in registered warrants and repaid \$475,000, resulting in an outstanding balance of \$450,000 at the end of the fiscal year.⁸¹

The District operates out of a governmental fund that consists of a general fund, which finances the District's general services. Assessments, state assistance, and other revenue sources that support the District's primary operations are included in this fund. This fund is charged with all operating costs that do not have a separate fund established.

⁸⁰ Reclamation District No. 2026. Financial Statements and Independent Auditor's Report. June 30, 2022. p.20.

⁸¹ Reclamation District No. 2026. Financial Statements and Independent Auditor's Report. June 30, 2022. p.21-22.

Figure 10-3: RD 2026 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
Revenues	Total Governmental Funds		
	FY 21-22	FY 22-23	% Change
Assessments	\$564,923	\$662,112	17
State Assistance—Subventions	\$76,700	\$148,640	94
State Assistance— Five-Year Plan	\$3,558	-	
Interest Income	\$701	\$140	-80
Total Revenue	\$645,882	\$810,892	26
Expenditures			
Delta Ferry Operations	\$202,175	\$108,000	-47
Payroll Expenses	\$159,084	\$178,580	12
Equipment Rent	\$130,479	\$118,816	-9
Levee Maintenance	\$109,047	\$215,574	98
Utilities	\$80,627	\$65,196	-19
Pump and Drainage Repairs and Maintenance	\$76,506	\$56,708	-26
Other Maintenance	\$62,727	\$114,370	82
Legal and Accounting	\$37,428	\$48,655	30
Engineering	\$28,174	\$74,364	164
Mileage	\$25,654	\$20,106	-22
Vegetation Control	\$24,653	\$32,353	31
Security Services	\$21,632	\$48,542	124
Insurance	\$18,397	\$29,226	59
Fuel	\$14,693	\$9,961	-32
Water Supply	-	\$26,355	100
Mileage	-	\$20,106	100
Dues and Memberships	\$8,279	\$8,358	1
Office Expense	\$4,823	\$4,268	-12
Professional Fees	-	\$7,847	100
Licenses and Permits	\$4,537	\$3,660	-19

Rodent Control	\$2,447	\$1,960	-20
Small Tools and Supplies	\$1,329		-100
Storage	\$407	\$534	31
Miscellaneous	\$169	\$1,079	538
Debt Service			
Principal	\$150,000	\$475,000	217
Interest	\$1,344	\$7,604	466
Total Expenditures	\$1,164,611	\$1,657,116	42
Excess (deficiency) of Revenues Over Expenditures Prior to Other Financing Sources (Uses)	\$(518,729)	\$(846,224)	-63
Total Other Financing Sources (Uses)	\$150,000	\$925,000	517
Net Change in Fund Balance (deficit)	\$(368,729)	\$78,776	121
Fund Balance, Beginning of Year	\$112,295	\$(256,434)	-328
Fund Balance, End of Year	\$(256,434)	\$(177,658)	31

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total expenses of \$1,164,611 exceeded total revenue (excluding other financing sources) of \$645,882 by \$518,729 or approximately 80 percent. Similarly, in FY 22-23, the District's total expenses of \$1,657,116 exceeded total revenue (excluding other financing sources) of \$810,892 by \$846,224, or approximately 104 percent.

As shown in Figure 10-3, total revenue (excluding other financing sources) increased by 26 percent from \$645,882 in FY 21-22 to \$846,223 in FY 22-23. This growth was primarily driven by a 94 percent increase in subvention grants, which rose from \$76,700 in FY 21-22 to \$148,640 in FY 22-23.

Total expenses also increased by 42 percent during this period, from \$1,164,611 to \$1,657,116, largely due to higher expenses in various categories, including engineering, security services, debt service for registered warrants, and levee maintenance.

The District's ending fund balance remained in deficit in both fiscal years, improving by 31 percent from \$(256,434) in FY 21-22 to \$(177,658) in FY 22-23. However, this improvement is primarily attributable to the issuance of \$925,000 in registered warrants during FY 22–23, of which \$475,000 was repaid by the end of the year. This also shows the District's reliance on registered warrants to support cash flow. The ongoing negative fund balance indicates that the District lacks sufficient reserves to adequately cover operating costs or address any unexpected expenses and revenue shortfalls.

FUNDING OPPORTUNITIES

In 2023, the District Board engaged SCI Consulting Group to prepare an Engineer's Report and assist in forming a new Benefit Assessment, in accordance with Proposition 218 and the 1982 Benefit Assessment Act, to establish a Levee and Flood Control Facilities Improvement Assessment for FY 23-24.

The Engineer's Report emphasized that increasingly strict flood protection standards and the ongoing need to repair and upgrade existing flood control infrastructure to meet all state and federal standards, exceed the District's existing revenue sources. Therefore, the District needs to establish a reliable annual funding source that will generate approximately \$4.89 million in additional revenue each year.

A Levee and Flood Control Facilities Improvement Assessment was originally formed on January 17, 2019, following a Proposition 218-compliant ballot process. However, in both 2020 and 2023, the District identified several critical improvements and emergency response needs that were not addressed in the initial assessment.

In 2020, these needs included an emergency response rock stockpile; equipment such as one excavator, one loader, and one dump truck; and labor comprising three on-call operators shared with RD 756 and RD 2028. The District also proposed establishing a fiscal reserve

equivalent to 50 percent of its annual operating budget, as well as funding for eastern levee rehabilitation and minor capital improvement projects, including pumps and docks. In 2023, the District also identified a major project expected to include the eventual replacement of key infrastructure, such as major pump stations.

To support these expanded needs, the District initiated the formation of a new Levee and Flood Control Facilities Improvement Assessment for FY 23–24 to replace the 2020 assessment.⁸² The District reports that the new assessment has been approved by the Board of Trustees and is currently in effect.

Proposition 218

Gov. Code, § 54710(a)(2) authorizes local agencies providing flood control services to impose a benefit assessment for financing services and improvements associated with flood control. These assessments are levied annually, based on the District's expenditure budget for the fiscal year.

All benefit assessments must also comply with Article XIIC and XIID of the California Constitution, commonly referred to as Proposition 218. Proposition 218 allows for benefit assessments to be levied to fund the costs of services, improvements, and maintenance or operational expenses of public infrastructure that provides a special benefit to the assessed property.

Proposition 218 prohibits assessments “imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel”. Assessments must reflect only the special benefit to the property, meaning benefits that are particular and distinct, over and above any general benefits provided to the public at large. Moreover, such benefit is not based on any one property owner’s specific use of the maintenance, operations, and improvements activities or a property owner’s specific demographic status.⁸³

⁸² Reclamation District 2026, Webb Tract. Levee and Flood Control Facilities Improvement Assessment District. Engineer’s Report, FY 23-24. SCI Consulting Group. March 2023.

⁸³ Reclamation District No. 2059. Levee and Flood Control Facilities Improvement Assessment District. Preliminary Engineer's Report, FY 22-23. p.7-16.

Moreover, every parcel that receives a special benefit from the proposed improvements or services must be assessed, including any parcels owned or used by a public agency, the State of California, or the United States. Assessments must be supported by a detailed engineer's report prepared by a registered professional engineer certified by the State of California, as RD 2026 has done in 2023. The Report details the methodology for levying an assessment upon parcels that receive a special benefit from the District's flood control and levee maintenance service.

A special benefit is a particular and distinct benefit over and above the general benefits conferred on real property located in the district or to the public at large. The total cost of the Services must be apportioned among the properties being assessed, based on the proportionate special benefit the properties will receive. Proposition 218 requires any local agency proposing a new special assessment to "separate the general benefits from the special benefits conferred on a parcel."⁸⁴ The basis for separating special and general benefits is to ensure that certain property owners are not charged for Services provided to the general public or to property outside the assessment district.

Flood control operations, such as the District's, provide only special benefits. Special benefits are benefits that are "peculiar and distinct over and above general benefits located in the district or to the public at large." (Cal. Const. art. XIID § 2(i).) Because flood control infrastructure protects particular identifiable parcels (including residents of the parcel and any appurtenant facilities or improvements) from damage due to inundation or force by rising floodwaters, the benefits are provided directly to those parcels, and to none other.

Proposition 218 imposes a number of important procedural requirements for benefit assessments, including:⁸⁵

- Public Hearing— Hold noticed public hearing.
- Written notice and ballots— must be mailed to property owners at least 45 days prior to protest hearing. Notice must provide:
 - the total amount chargeable to the entire district;

⁸⁴ California Constitution Article. XIID §4.

⁸⁵ California Special District Association. Proposition 218, Guide for Special District. p.23.

- the amount chargeable to the owner's parcel;
 - the duration of the payments;
 - the reason for the assessment and the basis upon which it was calculated;
 - the date, time, location of the public hearing;
 - a ballot;
 - a summary of the procedures for returning and tabulating the ballots;
 - a statement that if a majority protest exists, the assessment will not be imposed.
- A resolution authorizing the special benefit assessment— stating a range of rates or amounts; or providing that rate may be adjusted for inflation pursuant to defined formula.

OTHER FUNDING OPPORTUNITIES

Another future funding opportunity for the District is through the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), which has designated Webb Tract as a very high priority. This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

FACILITY

The District's infrastructure includes 12.9 miles of earthen levees, eight miles of irrigation canals, and two pumping stations.

Since 1900, there have been two recorded flooding incidents on Webb Tract: the first in June 1950 and the second in January 1980; both failures resulted in deep and prolonged flooding. The 1950 levee breach created the northern lake, while the 1980 breach resulted in the blowout pond on the island's east end. Water from the 1980 event was not fully drawn down until February 1981.

Similar to the other Delta islands, Webb Tract has experienced historical subsidence due to peat. However, farming-related subsidence does not appear to be occurring close enough to the levees to pose a stability concern.

The District rehabilitated its levee system to meet the HMP levee criteria in the early 1990s and continues to maintain the levees to ensure compliance with this standard. The District also maintains a well-developed all-weather road around the island.

Levees are inspected periodically by District maintenance staff and engineers, with increased inspection frequency during severe weather events.

PLANNING DOCUMENT

RD 2026 has an updated 2022 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

In 2009, the District's Five-Year Plan proposed five phases of levee improvement projects, including levee rehabilitation, splash berm installation for added protection, and removal of encroachments. Due to funding limitations, only the first two phases, totaling 4.7 miles, were completed by September 2013 along the north levee (adjacent to the San Joaquin River) and the south levee (adjacent to Franks Tract). These projects raised and widened levee segments to sustainably meet the PL 84-99 standard. Currently, about 62 percent (8 miles) of the District's levees meet this standard.

According to the updated 2022 Five-Year Plan, the District's long-term goal is to meet the Bulletin 192-82 levee standard within five years. Approximately 4.1 miles, or 32 percent, of the levee system meets this standard. The proposed work consists of three phases of full levee rehabilitation, followed by a final phase addressing areas requiring only minimal work.

Because Webb Tract is only accessible by boat or ferry, a timely emergency response can be a challenge. Rehabilitating the levees to meet the Bulletin 192-82 standard would enhance the level of protection for the island and potentially reduce the likelihood of emergency events.

The estimated cost to complete all phases and successfully build the District's levee to the Bulletin 192-82 standard is approximately \$21.3 million. The 2022 Plan assumes funding will be available under the Delta Levees Special Flood Control Projects Program.

The Special Projects program has traditionally funded large-scale levee rehabilitation on Webb Tract. The District has participated in the Special Projects Program since its formation and in the Subventions Program since 1988.

Figure 10-4: RD 2026 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	12.9	Surface Elevation	5 to -25 ft
Miles of Levees by Standard		Levee Miles by Type	
HMP Standard	12.9 ¹	Dry Land Levee	0.0
		Urban Levee	0.0
		Agricultural Levee	12.9
PL 84-99 Standard	8.0 ²	Agricultural Levee	12.9
Bulletin 192-82 Standard	4.1 ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	2
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	7 ft
Levee Inspection Practices			
The District levees are inspected periodically by maintenance staff and engineer.			
Levee Segment	Description	Condition	
Fisherman’s Cut	Western District Boundary	Meets HMP Standard	
False River	Southern District Boundary	Meets HMP Standard	
San Joaquin River	Northern District Boundary	Meets HMP Standard	
Old River	Eastern District Boundary	Meets HMP Standard	
Levee Maintenance			
Maintenance Cost per Levee Mile (FY 21-22)	\$8,453	Maintenance Cost per Levee Mile (FY 22-23)	\$16,711
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			
The District has not identified any immediate infrastructure needs; however, planned infrastructure improvements include strengthening levee standards, enhancing seepage control, and ongoing monitoring of levee segments that are near the minimum HMP criteria for width and elevation.			

- 1: The District's entire levee system meets or exceeds the HMP levee standard.
- 2: 62 percent of the District's levee system meets or exceeds the PL84-99 standard.
- 3: 32 percent of the District's levee system meets or exceeds the Bulletin 192-82 levee standard. This standard is the District's desired level of protection.

CONTRACTS FOR SERVICES

The District contracts out for all major services, including routine levee maintenance operations such as encroachment control, erosion repair, gate maintenance, inspections, rodent control, seepage control, surveying and engineering, tree trimming, and vegetation control.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

As mentioned previously, the District participates in the Delta Ferry Authority (DFA), a Joint Powers Authority with Bradford Island (RD 2059), to provide ferry services facilitating access to the island. Under the DFA Joint Powers Agreement, the Districts share operational costs for ferry services, including repairs, dry dock maintenance, inspections, and administrative and accounting support.

Additionally, RD 2026 collaborates with other reclamation districts in Contra Costa and San Joaquin counties by sharing administrative facilities as well as legal, engineering, audit, and other administrative services. Furthermore, the District shares a Board of Trustees with RD 2025 (Holland Tract) and two reclamation districts in San Joaquin County, RD 756 and RD 2028, all of which are owned by a single or limited number of landowners.

These collaborative resource-sharing efforts significantly reduce costs for all participating districts and enhance operational efficiency.

INFRASTRUCTURE NEEDS

The District has not reported any significant infrastructure needs. However, some areas that have not been recently rehabilitated have minimal overbuild above the HMP minimum elevation. As the underlying foundation material continues to consolidate, the District must regularly add material to the levee crown to maintain minimum elevation standards.

Historically, seepage has been observed below the pump station discharge pipes on the south levee. To address this, additional fill material was placed on the toe berm to lengthen the seepage path and support the levee embankment. While seepage has slowed, the area continues to be monitored, and additional rehabilitation may be needed in the future.

CHALLENGES

The District has not identified any significant challenges in service delivery.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended a governance structure option for the District to establish mutual aid agreements with nearby reclamation districts to formalize capacity and resource-sharing plans during flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience.

Alternatively, the District could establish a mutual aid agreement with RD 2026 to build on the existing DFA partnership and formalize plans for capacity and resource-sharing for reclamation services. This could help the District reduce individual costs, avoid significant expenses associated with independently owning or leasing equipment, and support long-term financial stability.

Additionally, the District can further explore its existing resource-sharing efforts with neighboring reclamation districts in Contra Costa and San Joaquin counties to identify new opportunities for collaboration and cost-sharing.

RD 2026 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

10-1: RD 2026 has one landowner: the Metropolitan Water District of Southern California (MWD), a regional wholesaler that delivers water to 26 public agencies serving approximately 19 million people in parts of Southern California.

The District had one permanent resident, with no anticipated population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

10-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097; hence, the calculated threshold of \$67,277 defines whether a community is identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 2026 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

10-3: The District is responsible for maintaining and improving levees and the flood control system, which includes pumps and canal ditches. The District also facilitates irrigation water delivery to Webb Tract via gravity flow through the District's drainage infrastructure.

10-4: The District contracts out for all major services, including routine levee maintenance operations such as encroachment control, erosion repair, gate maintenance, inspections, rodent control, seepage control, surveying and engineering, tree trimming, and vegetation control.

10-5: The District's key infrastructure includes 12.9 miles of earthen levees, eight miles of irrigation canals, and two pumping stations.

10-6: The entire levee system meets or exceeds the HMP standard, while roughly 62 percent of the levee system meets or exceeds the PL 84-99 levee standard. The District's current desired level of protection is Bulletin 192-82 levee standards, which 32 percent of the District's levee system meets.

10-7: Planned infrastructure improvements, as identified in the District’s Five-Year Plan, primarily include strengthening levee standards to meet the Bulletin 192-82 levee standards through full levee rehabilitation of levee projects while addressing areas requiring only minimal work.

It is anticipated that funding for the rehabilitation projects will be available under the Delta Levees Special Flood Control Projects Program.

10-8: No significant infrastructure needs have been reported; however, seepage control and ongoing monitoring of levee segments that are near the minimum HMP criteria for width and elevation are planned.

10-9: The District reports that current service delivery is generally adequate, with no significant challenges.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

10-10: RD 2026 funds its operations and administration through assessments, state assistance from the State Delta Levee Subventions Program, or Special Grants for specific projects.

10-11: The District also utilizes short-term bank loans, referred to as "warrants," to support cash flow and fund large-scale projects. As of FY 22-23, the District has a total outstanding debt of \$450,000 in warrants.

10-12: In FY 21-22 and FY 22-23, total expenses exceeded total revenue (excluding other financing sources) by 80 and 104 percent, respectively. During this period, total revenue increased by 26 percent, from \$645,882 in FY 21-22 to \$846,223 in FY 22-23, primarily due to a 94 percent rise in subvention grants.

Total expenses also increased by 42 percent during this period, from \$1,164,611 to \$1,657,116, largely due to higher expenses in various categories, including engineering, security services, debt service for registered warrants, and levee maintenance.

10-13: The District’s existing revenue sources are insufficient to meet increasingly strict flood protection standards and necessary infrastructure upgrades. In 2023, the District engaged SCI Consulting Group to prepare an Engineer’s Report and assist with forming a new Prop 218-compliant benefit assessment for FY 23–24.

This assessment aims to generate approximately \$4.89 million annually to fund infrastructure improvements and establish financial reserves. The new Levee and Flood Control Facilities Improvement Assessment has been approved by the Board of Trustees and is currently in effect.

10-14: Under the Delta Stewardship Council’s Delta Levee Investment Strategy (DLIS), RD 2026 is designated as “very-high priority.” This designation applies to levees that

significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

10-15: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

10-16: RD 2026 participates in the Delta Ferry Authority (DFA), a Joint Powers Authority with Bradford Island (RD 2059), to provide access to the island to provide ferry services. Operational costs for ferry services are shared equally between the two districts.

The District also engages in resource-sharing practices with other reclamation districts in Contra Costa and San Joaquin Counties for administrative facilities, legal counsel, engineering services, and auditing services.

Furthermore, the District shares a Board of Trustees with RD 2025 (Holland Tract) and two San Joaquin County reclamation districts, RD 756 and RD 2028.

These collaborative resource-sharing efforts significantly reduce costs for all participating districts and enhance operational efficiency.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

10-17: RD 2026 is governed by a three-member board of trustees, each serving staggered four-year terms.

10-18: Since the 2015 MSR, the District has launched a website that offers various information, including an archive of agenda packets for meetings held since 2020, public notices, board member information, contact details as well as key financial reports such as, District's Compensation Report, the State Controller's Office Financial Transaction Report, and Enterprise System Catalog.

To further improve transparency, it is recommended that the District ensure that an up-to-date Five-Year Plan, audits, budgets, and meeting minutes are readily accessible on its website.

10-19: The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional

partnerships could reduce shared expenses and improve operational efficiency across districts.

Alternatively, the District can further explore its existing resource-sharing efforts with neighboring reclamation districts in Contra Costa and San Joaquin counties to identify new opportunities for collaboration and cost-sharing.

The District can also further explore its existing resource-sharing efforts with neighboring reclamation districts in Contra Costa and San Joaquin counties to identify new opportunities for collaboration and cost-sharing.

RD 2026- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2026.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- Metropolitan Water District of Southern California (MWD) is currently working to transform Webb Tract from conventional agriculture to wetlands and rice farming to promote sustainability, reduce greenhouse gas emissions, and restore local habitats. In 2023, MWD received a \$20.9 million grant from the Delta Conservancy's Wetland Restoration Grant Program to design and construct 3,500 acres of managed wetlands and 1,500 acres of rice fields.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District has one resident, with no anticipated population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- The District's key infrastructure includes 12.9 miles of earthen levees, eight miles of irrigation canals, and two pumping stations.
- The entire levee system meets or exceeds the HMP standard, while roughly 62 percent of the levee system meets or exceeds the PL 84-99 levee standard. The District's current desired level of protection is Bulletin 192-82 levee standards, which 32 percent of the District's levee system meets.
- Planned infrastructure improvements, as identified in the District's Five-Year Plan, primarily include strengthening levee standards to meet the Bulletin 192-82 levee standards through full levee rehabilitation of levee projects while addressing areas requiring only minimal work.

- No significant infrastructure needs have been reported; however, seepage control and ongoing monitoring of levee segments that are near the minimum HMP criteria for width and elevation are planned.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 2026.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2026 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2026.

11. RECLAMATION DISTRICT 2059 (BRADFORD ISLAND)

AGENCY OVERVIEW

Reclamation District (RD) 2059 (Bradford Island) is one of eight Delta islands considered critical to the region's water quality by DWR, as it helps prevent saltwater intrusion into the Delta. Freshwater flows into the region from the Sacramento and San Joaquin Rivers, while saltwater enters from the Pacific Ocean through San Francisco Bay. Bradford Island and other Delta islands reduce the flow of this saltwater into the region.

The island's marshes provide feeding grounds for ducks, cranes, swans, and geese, and birds of prey such as Swainson's, Cooper's, and red-tailed hawks have also been seen in the area.

Bradford Island is a reclaimed peat wetland, with most of its land sitting below sea level and protected from flooding by levees. These levees are maintained by Reclamation District No. 2059, which was formed to address flood protection concerns on the island. RD 2059 was established as an independent special district on November 21, 1921, by petition of landowners.

The District was formed under the laws of the State of California and is governed by Division 15 of the California Water Code (commencing with Section 50000). RD 2059 is responsible for the maintenance, operation, and repair of the levee and flood control system on Bradford Island.

Bradford Island is primarily accessible by ferry; however, landowners with private docks can also access the island by personal boat. Small private airstrips have also been used on Bradford Island in the past.

The District operates the Victory II ferry service under the Delta Ferry Authority, a Joint Powers Authority (JPA) formed with Webb Tract (RD 2026). The ferry offers services from Jersey Island to both Webb Tract and Bradford Island.

Land use within RD 2059 is primarily agricultural. Other uses include residential areas, commercial activities such as cattle grazing and commercial operations, as well as gas

extraction from wells located on the island. Additionally, multiple electrical transmission lines run through the District.

According to the Contra Costa County Department of Conservation and Development, there are 36 landowners in the District.⁸⁶ The district has a population of 12; however, the population fluctuates due to seasonal residents. Currently, the District anticipates no population growth or development in the foreseeable future.

Figure 11-1: RD 2059 General Information

GENERAL information		
Agency	RD 2059 (Bradford Island)	
Address	6329 Bethel Island Rd, Suite A Bethel Island, CA	
Principal Act	California Water Code §50300 et seq.	
Date Formed	1921	
Population	12; may increase due to seasonal residents	
Last SOI Update	November 18, 2015	
Services Provided	Improve and maintain levees; maintain and operate flood control system including pumps, canals and ditches; operate ferry service as part of a Joint Powers Authority	
Employees	3; District Manager, Levee Superintendent, and District Engineer	
Contact Person	Angelia Tant, District Manager/Secretary Email: bradford2059@gmail.com	
Website	https://bradfordisland.com	
Board Members	Length of Term	Term Expiration
Rob Davies, President	4-Years	2025
William Hall	4-Years	2025
Charles Louie	4-Years	2025
Kevin Finta	4-Years	2027
Michael Craig	4-Years	2027

⁸⁶ Contra Costa LAFCO. Directory of Local Agencies, County Services Areas. Section 11: Reclamation Districts.

BOUNDARIES

RD 2059 encompasses approximately 2,200 acres or about 3.4 square miles. The District is a Delta Island located in the northeastern corner of Contra Costa County, adjacent to Sacramento County in the north and west. The District is within the Primary Zone of the Sacramento-San Joaquin Delta and is outside the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 2059 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 11-2: RD 2059 Boundaries and SOI



ACCOUNTABILITY AND GOVERNANCE

RD 2059 is governed by a five-member board of trustees, elected by a majority vote during the District's general election for staggered four-year terms, as specified in Article III Section 3.3 of the District's bylaws.⁸⁷ Uncontested vacancies on the governing body are filled by appointment by the Board of Supervisors in accordance with Government Code §1780, as outlined in California Water Code §50604.

RD 2059 board members serve on a volunteer basis and do not receive compensation. The Board meets on the First Tuesday of each month at 10:00 am at the Antioch Fairgrounds Antioch Fair Grounds - 1201 W. 10th Street, Antioch. The District also offers residents the option to participate in meetings via Zoom.

Meeting agendas are posted on the District's website in compliance with the Brown Act⁸⁸ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

The District makes available agenda packets and minutes for meetings dating back to 2020; however, the minutes for the two meetings held in 2024 are not readily available. It is recommended that the District make all meeting minutes available on the website.

The District meets the requirements outlined in state laws, including those pertaining to the Brown Act and website transparency under SB 929⁸⁹, and follows best practices to ensure easy access to important documents such as public records request forms, permits, board member

⁸⁷ Resolution No. 2018-02, A Resolution of the Board of Trustees of Reclamation District No.2059 Amending District Bylaws Following Approval By a Majority of the District Landowners.

⁸⁸ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

⁸⁹ Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the .

information, and contact details. The District also makes significant financial reports, including annual budgets and audits. To further enhance transparency, it is recommended that the District add Compensation Report and the State Controller's Office Financial Transaction Report available on the website in an easily accessible location.

RD 2059 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁹⁰

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 2059 is not considered a disadvantaged community.

⁹⁰ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District operates out of a governmental fund that is comprised of the general and special revenue funds. General fund accounts for resources that finance the general services that the District performs. State assistance, assessments, and other sources of revenue used to finance the fundamental operations of the District are included in this fund.

While special revenue fund accounts for the proceeds of specific revenue sources other than special assessments or expendable trusts. Generally, resources accounted for in this fund originate from state and federal programs.

RD 2059's main sources of revenues are property owner assessments, levee subvention grants, and ferry service fees. Assessments are levied at the discretion of the Board of Trustees. Assessments are based on the assessment valuation of land or acreage within the District. Approximately 73 percent of the total assessment valuation of District land is concentrated with two landowners. The District's initial assessment (CB assessment) was originally adopted as an Operation and Maintenance Assessment, and it does not have an expiration date.

The District also had a second overlay assessment (2015 assessment) which was adopted to make up for a budget shortfall for required maintenance and pump station repairs. The 2015 Assessment expired on June 30, 2020.⁹¹

Additionally, the District has long participated in the Delta Levees Special Projects and Delta Levees Maintenance Subventions Programs for several years. The District has been successful in receiving two Special Project Grants from the State of California's Department of Water Resources (DWR) since 2010, totaling \$7.5 million and at a 100 percent grant funding level.⁹²

The District's portion of ferry service costs is partially funded by the sale of ferry tickets. The District's contribution to DFA for FY 22-23 was \$117,625.

⁹¹ Bradford Island Reclamation District #2059. Newsletter for Proposition 218. May 2020.

⁹² Request for Information, RD 2059. November 2024.

Figure 11-3: RD 2059 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
Receipts	Total Governmental Funds		
	FY 21-22	FY 22-23	% Change
Assessments	\$368,545	\$180,716	-51
State Subventions	\$102,821	\$66,993	-35
Permits and Fees	\$27,712	\$50,799	83
Fire Insurance Income	\$602,372	\$43,302	-93
Total Receipts	\$1,101,450	\$341,810	-69
Disbursements			
General and Administrative			
Dues and Subscriptions	\$4,441	\$1,625	-63
Insurance	\$5,655	\$6,726	19
Legal and Professional Fees	\$25,576	\$50,430	97
Payroll Expenses	\$96,101	\$160,424	67
Other Administrative Costs	\$8,975	\$33,883	278
Total General and Administrative	\$140,748	\$253,088	80
Maintenance and Operations			
Levee Repairs and Maintenance	\$300,081	\$737,542	146
Engineering	\$47,232	\$11,213	-76
Utilities	\$3,946	-	
Ferry Assessment	\$120,750	\$117,625	-3
Rent	\$1,590	\$1,697	7
Fire-related Expense	\$518,376	\$58,055	-89
Ferry Dock Repairs	\$83,000	-	
Total Maintenance and Operations	\$1,074,975	\$926,132	-14
Debt Service			
Interest Expense	\$5	-	
Total Debt Service	\$5	-	
Total Disbursement	\$1,215,728	\$1,179,220	-3

Excess (deficiency) of Receipts Over Disbursements Prior to Other Financing Sources (Uses)	\$(114,278)	\$(837,410)	(632)
Total Other Financing Sources (Uses)	-	\$400,000	
Fund Balance, Beginning of Year	\$680,271	\$565,993	-17
Fund Balance, End of Year	\$565,993	\$128,583	-77

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 22-23, the District's total expenses of \$1,179,220 exceeded total revenues (excluding other financing sources) of \$341,810 by \$837,410, or 244 percent. Similarly, in FY 21-22, the District's total expenses of \$1,215,728 exceeded total revenues (excluding other financing sources) of \$1,101,450 by \$114,278, or approximately 10 percent.

As shown in Figure 11-3, total revenue in FY 22-23 decreased by 69 percent to \$341,810 compared to \$1,101,450 in FY 21-22. This decline was due to a significant reduction in several major income sources.

One of the largest income sources in FY 21-22 was fire insurance proceeds, which fell by 93 percent in FY 22-23 from \$602,372 to \$43,302. These proceeds were related to a major fire in August 2021 that damaged multiple units and surrounding levee structures, requiring immediate and extensive repairs. The District incurred fire-related repair costs of \$518,376 in FY 21-22 and \$58,055 in FY 22-23.

Assessment revenue also decreased by 51 percent in FY 22-23, falling to \$180,716 from \$368,545 in FY 21-22. Assessments are levied after deducting revenues received from the State under the Levee Subvention Program or other income sources, which likely explains the year-to-year fluctuation. Additionally, subvention grants decreased by 35 percent, from \$102,821 in FY 21-22 to \$66,993 in FY 22-23.

In contrast, total expenses for FY 21-22 and FY 22-23 remained relatively consistent, with a slight decrease of approximately three percent, from \$1,215,728 to \$1,179,220.

The District's fund balance at the end of FY 22-23 was \$128,583, reflecting a 77 percent decrease from the FY 21-22 ending fund balance of \$565,993. This ending fund balance represents 10 percent of FY 22-23 expenses, indicating that the District has enough reserves to cover about a month of operating costs, assuming expenses remain relatively stable. However, this reserve level is relatively low and may not adequately cover unexpected expenses or revenue shortfalls.

FUNDING OPPORTUNITIES

Overall, the District's taxes for levee operation and maintenance do not cover all maintenance needs or provide the necessary funding to achieve the desired level of protection of the HMP levee standard or the more stringent standard of PL84-99 or Bulletin 192-82.

While some properties within the District generate revenue, it is insufficient to fund long-term improvements. Similarly, DWR's Special Project Grants have provided critical funding for levee improvements, extending their useful life. However, these grants do not cover ongoing operation and maintenance costs.

As mentioned, the District previously collected an operations and maintenance tax from landowners through Contra Costa County before it expired in 2020. In 2020, the District held a Proposition 218 vote to continue funding operations and maintenance (in addition to the Subventions funding). Additionally, the operation and maintenance of the ferry were also part of the Proposition 218 tax. The vote did not pass, causing a significant budget shortfall for the District.

The District plans to pursue another Proposition 218 maintenance tax in the near future to help fund maintenance activities. The proposed assessment is intended to replace the revenue generated from the expired 2020 assessment and establish revenue necessary for long-term fiscal sustainability.

In FY 22-23, the District prepared a Preliminary Engineer's Report in compliance with California Government Code Sections 53750, 54710 et seq., and Article XIID of the California Constitution. The report was developed to assess and justify the need for the District to form a Levee and Flood Control Facilities Improvement Assessment. The report reviewed the District's operations, existing funding sources, and projected funding needs for the near term. The report estimated that the District would require approximately \$268,716 in additional annual funding to meet its operational, maintenance, and repair goals.

The report supports the establishment of such a revenue source through the formation of a Proposition 218-compliant, balloted Assessment that, if approved by property owners, would replace the existing, expiring assessment roll revenue source.⁹³

Proposition 218

Gov. Code, § 54710(a)(2) authorizes local agencies providing flood control services to impose a benefit assessment for financing services and improvements associated with flood control. These assessments are levied annually, based on the District's expenditure budget for the fiscal year.

All benefit assessments must also comply with Article XIIC and XIID of the California Constitution, commonly referred to as Proposition 218. Proposition 218 allows for benefit assessments to be levied to fund the costs of services, improvements, and maintenance or operational expenses of public infrastructure that provides a special benefit to the assessed property.

Proposition 218 prohibits assessments "imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel". Assessments must reflect only the special benefit to the property, meaning benefits that are particular and distinct, over and above any general benefits provided to the public at large. Moreover, such benefit is not

⁹³ Reclamation District No. 2059. Levee and Flood Control Facilities Improvement Assessment District. Preliminary Engineer's Report, FY 22-23. p.7-10.

based on any one property owner's specific use of the maintenance, operations, and improvement activities or a property owner's specific demographic status.⁹⁴

Furthermore, every parcel that receives a special benefit from the proposed improvements or services must be assessed, including any parcels owned or used by a public agency, the State of California, or the United States. Assessments must be supported by a detailed engineer's report prepared by a registered professional engineer certified by the State of California, which RD 2059 completed in FY 22-23.

A special benefit is a particular and distinct benefit over and above the general benefits conferred on real property located in the district or to the public at large. The total cost of the Services must be apportioned among the properties being assessed based on the proportionate special benefit the properties will receive. Proposition 218 requires any local agency proposing a new special assessment to "separate the general benefits from the special benefits conferred on a parcel."⁹⁵ The basis for separating special and general benefits is to ensure that certain property owners are not charged for Services provided to the general public or to property outside the assessment district.

Flood control operations, such as the District's, provide only special benefits. Special benefits are benefits that are "peculiar and distinct over and above general benefits located in the district or to the public at large." (Cal. Const. art. XIII § 2(i).) Because flood control infrastructure protects particular identifiable parcels (including residents of the parcel and any appurtenant facilities or improvements) from damage due to inundation or force by rising floodwaters, the benefits are provided directly to those parcels, and to none other.

Proposition 218 imposes a number of important procedural requirements for benefit assessments including:⁹⁶

- Public Hearing— Hold noticed public hearing.

⁹⁴ Reclamation District No. 2059. Levee and Flood Control Facilities Improvement Assessment District. Preliminary Engineer's Report, FY 22-23. p.7-16.

⁹⁵ California Constitution Article. XIII §4.

⁹⁶ California Special District Association. Proposition 218, Guide for Special District. p.23.

- Written notice and ballots— must be mailed to property owners at least 45 days prior to the protest hearing. The notice must provide:
 - the total amount chargeable to the entire district;
 - the amount chargeable to the owner’s parcel;
 - the duration of the payments;
 - the reason for the assessment and the basis upon which it was calculated;
 - the date, time, and location of the public hearing;
 - a ballot;
 - a summary of the procedures for returning and tabulating the ballots;
 - a statement that if a majority protest exists, the assessment will not be imposed.
- A resolution authorizing the special benefit assessment— stating a range of rates or amounts; or providing that rate may be adjusted for inflation pursuant to defined formula.

If approved, the proposed assessment will fund essential operational improvements within the District, including the maintenance and operation of flood protection facilities, levee maintenance to HMP standards, and the maintenance of pump stations and internal drainage systems. These efforts will help mitigate flood risks for residents and properties in the area.

OTHER FUNDING OPPORTUNITIES

Another future funding opportunity for the District is through the Delta Stewardship Council’s Delta Levee Investment Strategy (DLIS), which has designated Bradford Island as high priority. High-priority designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands that are vital to the Delta region.

Based on this funding prioritization, RD 2059 may qualify for future levee improvement grants as funds become available. The availability of funding will depend on the progress of projects designated at even higher priority levels or as very high priority.

FACILITY

RD 2059 maintains and operates approximately 7.4 miles of levees, around seven miles of related internal drainage canals, one pump station, and additional flood control infrastructure.

The District has a history of flooding; for instance, during the winter of 1982-83, the western levee along the San Joaquin River failed. A scour hole several hundred feet wide allowed the island to flood. The levee failure was assumed to have been caused by a rodent den. The District also experienced a flood event in 1955. Both flooding events flooded the island, destroying structures and crops. More recently, during the winter of 2017, king tides and high water within the San Joaquin River nearly overtopped two low areas of the District's levee system. Sandbags were placed to prevent water from splashing onto the levee crown and the landside of the levee.⁹⁷

In recent years, flood risks have been minimized through regular maintenance. The District's levee superintendent conducts weekly visual inspections of the levee. If any issues are identified, the District engineer is contacted for further inspection and maintenance work.

PLANNING DOCUMENT

RD 2059 has an updated 2023 Five-Year Plan that outlines the District's progress since the previous five-year plans, the current level of protection, the desired level of protection, and the strategy to achieve it.

In 2009 and 2014, the District raised levees and added splash caps and toe berms around most of the island to meet HMP standards. However, approximately 600 feet of levee on the island's north side were not raised due to land acquisition and utility conflicts. While toe berm construction has occurred in recent years, significant seepage continues at various locations around the island.

Currently, the District aims to enhance the island's flood protection, starting with meeting the Hazard Mitigation Plan (HMP) levee standard and progressing toward compliance with the

⁹⁷ Five Year Plan, Reclamation District 2059, Bradford Island. Updated December 2023. p.4.

PL84-99 standard. Of the District's 7.4 miles of levee, the majority were raised to HMP standards in 2014, with only approximately 600 feet currently below this standard.

It is recommended that the District make the updated Five-Year Plan available on its website to further enhance transparency.

Figure 11-4: RD 2059 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	7.4	Surface Elevation	-5 to -15 feet
Miles of Levees by Standard		Levee Miles by Type	
		Dry Land Levee	0.0
HMP Standard	7.3 ¹	Urban Levee	0.0
PL 84-99 Standard	0 ²	Agricultural Levee	7.4
Bulletin 192-82 Standard	0 ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	1
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	7 feet
Levee Inspection Practices			
The District’s levee superintendent conducts weekly visual inspections of the levee. When issues arise, the District engineer is called in for further inspection and maintenance work.			
Levee Segment	Description	Condition	
San Joaquin River	Northern District Boundary	Two sections totaling 600 feet does not meet HMP Standard	
San Joaquin River	Western District Boundary	Meets HMP Standard	
False River	Southern District Boundary	Meets HMP Standard	
Fisherman’s Cut	Eastern District Boundary	Meets HMP Standard	
Levee Maintenance			
Maintenance Cost per Levee Mile (FY 21-22)	\$41,106	Maintenance Cost per Levee Mile (FY 22-23)	\$99,667
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			

The planned infrastructure improvements focus on strengthening levee standards, seepage remediation, and scour protection. Additionally, the District will continue its routine maintenance of the levee system and conduct necessary repairs, as needed.

1: Most of the entirety of the levee system (98.5 percent) except for two low spots meets or exceeds the HMP levee standard.

2: Once the entire levee system meets the HMP standard, the District has a goal of meeting the PL84-99 standard. A new survey will need to be performed to identify elevations.

3: Currently, it is estimated that none of the miles meet the Bulletin 192-82 levee standard. A survey is planned to be performed in FY 23/24 to confirm.

CONTRACTS FOR SERVICES

The District provides levee maintenance, drainage, upkeep of levee access roads, weed abatement, vector/rodent control, and flood-fighting services directly and through contracts. Additionally, flood controls and slope protection services are fully contracted.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

As mentioned previously, the District participates in the Delta Ferry Authority (DFA), a Joint Powers Authority with Webb Tract (RD 2026), to provide ferry services facilitating access to the island. Under the DFA Joint Powers Agreement, the Districts share operational costs for ferry services, including repairs, dry dock maintenance, inspections, and administrative and accounting support.

The District has not identified any additional resource-sharing options.

INFRASTRUCTURE NEEDS

Bradford Island sits up to 15 feet below sea level, making it vulnerable to levee failures and breaches, which can result in significant flooding. The 2021 fire allowed for better inspection of the landside toe berm, revealing significant seepage that had either been occurring or began after the fire. Therefore, the District's current focus is on controlling seepage and raising the 600 foot section of the levee that is approximately three feet lower than the surrounding levees. Due to the fire, encroachments within the levee on the north side of the island no longer exist, allowing the levee raise to occur.

The 2023 Five-Year Plan proposes installing sheet piles or French drains to redirect seepage to the District’s pump station and placing riprap on the waterside slope to prevent wave erosion. Scour observed during the State’s Drought/Salinity Barrier installation may require additional rock along False River.

The District will also continue routine maintenance of the levee system and perform necessary repairs through the Delta Levees Subventions Program, with an estimated annual cost of \$120,000.

The District estimates funding for these projects will be available through DWR’s Subventions and Special Projects Programs, which the District has been participating in since 2014. As discussed in the finance section, the District also plans to propose a Proposition 218 maintenance tax to ensure the sustainable operation and maintenance of the levees and other infrastructure.

Due to funding constraints, no project schedule has been set, and the District is prioritizing maintenance, operations, and emergency response.

CHALLENGES

The District reports that insurance constraints on contractors, specifically related to ferry transportation across a body of water, create significant challenges during the bidding process for projects. These issues are compounded by limited construction hours dictated by ferry access schedules, as well as strict weight and length limits for equipment that can be transported on the ferry.⁹⁸

GOVERNANCE STRUCTURE OPTIONS

In the previous 2015 MSR, the consolidation of RD 2059 with neighboring RD 2026 (Webb Tract) was recommended due to their existing collaboration for the Delta Ferry service operations. However, the Districts did not pursue this option. Alternatively, the District could establish a mutual aid agreement with RD 2026 to build on the existing partnership and formalize plans for

⁹⁸ Request for Information, RD 2059. November 2024.

capacity and resource-sharing for reclamation services. This could help the District reduce individual costs, avoid significant expenses associated with independently owning or leasing equipment, and support long-term financial stability.

The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize capacity and resource-sharing plans for flood emergencies. However, this recommendation has also not yet been implemented.

It is recommended that the District also explores this option to address shared challenges in the Delta region and strengthen community resilience.

RD 2059 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

11-1: RD 2059 has one landowner and an estimated population of 36 people. The District does not anticipate any population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

11-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 2059 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

11-3: The District is responsible for the maintenance, operation, and capital repair of the levee and flood control system, including internal drainage on Bradford Island.

11-4: RD 2059 provides a range of services, including levee maintenance, drainage, upkeep of levee access roads, weed abatement, vector/rodent control, and flood-fighting services directly and through contracts. Additionally, flood controls and slope protection services are fully contracted.

11-5: The District maintains about 7.4 miles of non-project levees, about seven miles of associated internal drainage canals, one pump station, and other flood control infrastructure.

11-6: Of the District's total 7.4 miles of levees, 600 feet of levee currently fail to meet the minimum HMP Levee Standard, which is the District's desired level of protection. Once all levees meet the HMP levee standard, the District aims to improve the levee system to meet the PL 84-99 Standard.

11-7: The infrastructure improvements, as identified in the District's Five-Year Plan, focus on strengthening levee standards, seepage remediation, and scour protection. Additionally, the District will continue its routine maintenance of the levee system and conduct repairs as needed.

11-8: The District reports that current service delivery is generally adequate; however, financial constraints pose challenges in addressing maintenance needs and achieving the desired level of protection.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

11-9: RD 2059 operates on revenues from property owner assessments, levee subvention grants, and ferry service fees.

11-10: The District historically had two assessments. The initial assessment (CB assessment) was originally adopted as an Operation and Maintenance Assessment, and it does not have an expiration date. The District also had a second overlay assessment (2015 assessment) which was adopted to make up for a budget shortfall for required maintenance and pump station repairs. The 2015 Assessment expired on June 30, 2020.

The District held a Proposition 218 vote of the landowners to continue funding operations and maintenance. The vote failed to pass, resulting a significant budget shortfall.

11-11: The District plans to pursue another Proposition 218-compliant maintenance tax in the near future to help fund essential operational improvements, including the maintenance and operation of flood protection facilities, levee maintenance to HMP standards, and the repairs of pump stations and internal drainage systems.

11-12: In FY 22-23, the District's expenses of \$1,179,220 exceeded revenues of \$341,810 by \$837,410, or a 244 percent deficit. In comparison, during FY 21-22, expenses of \$1,215,728 exceeded revenues of \$1,101,450 by \$114,728, or 10 percent. Key factors for the revenue decline in FY 22-23 include a 93 percent decrease in fire insurance proceeds, a 51 percent drop in assessment revenue, and a 35 percent reduction in subvention grants.

In contrast, expenses remained stable, decreasing slightly by 3 percent in FY 22-23 compared to the previous fiscal year. Notable changes included increased levee repair costs (up 146 percent), reduced fire-related costs (down 89 percent), and lower engineering costs (down 76 percent).

11-13: The District's existing tax revenues are insufficient to meet operational and maintenance needs or achieve higher levee protection standards. After a failed Proposition 218 vote in 2020 and the expiration of a prior assessment, the District faces a significant funding shortfall. To address this, the District plans to pursue a new Proposition 218-compliant assessment that would replace the existing assessment roll and ensure long-term fiscal sustainability.

11-14: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2059 is designated as "high priority." This designation positions the District for future

funding and potentially qualifies it for levee improvement grants as they become available. However, this is not an immediate opportunity and depends on the progress of projects with even higher priority levels.

11-15: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

11-15: The District participates in the Delta Ferry Authority (DFA), a Joint Powers Authority with Webb Tract (RD 2026), to provide access to the island to provide ferry services. Operational costs for ferry services are shared equally between the two districts.

11-16: The District has not identified any additional resource-sharing options.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

11-16: RD 2059 is governed by a five-member board of trustees, each serving staggered four-year terms.

11-17: The District maintains a website that provides agenda packets and meeting minutes for board meetings held since 2020 and follows best practices by making available public records forms, contact information, and key reports such as annual budgets and audits. To enhance transparency, it is recommended that the District ensure that the updated Five-Year Plan, Compensation Report, State Controller's Financial Transaction Report and all meeting minutes are available on the website.

11-18: In the previous 2015 MSR, the consolidation of RD 2059 with the neighboring RD 2026 (Webb Tract) was recommended due to their existing collaboration in ferry service operations. However, the District did not pursue this option. Alternatively, the District could establish a mutual aid agreement with RD 2026 to build on the existing partnership and formalize plans for capacity and resource-sharing for reclamation services. This could help the District reduce individual costs, avoid significant expenses related to independently owning or leasing equipment, and support long-term financial sustainability.

11-19: The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for flood emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

RD 2059- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2059.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- The District's land use is primarily agricultural, with additional uses including residential and commercial activities, such as cattle grazing, small commercial operations, and gas extraction from gas wells on the island. Additionally, multiple electrical transmission lines run through the District.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District anticipates no significant population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- RD 2059's key infrastructure includes approximately 7.4 miles of non-project levee, about seven miles of associated internal drainage canals, one pump station, and other flood control infrastructure.
- Of the District's total 7.4 miles of levees, 600 feet of levee currently fail to meet the minimum HMP Levee Standard, which is the District's desired level of protection. Once all levees meet the HMP levee standard, the District aims to improve the levee system to meet the more stringent PL 84-99 Standard.
- The infrastructure improvements, as identified in the District's Five-Year Plan, focus on strengthening levee standards, seepage remediation, and scour protection. Additionally, the District will continue its routine maintenance of the levee system and conduct repairs as needed.

- The District reports that current service delivery is generally adequate; however, financial constraints pose challenges in addressing all maintenance needs or achieving the District's desired level of protection.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 2059.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2059 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2059.

12. RECLAMATION DISTRICT 2065 (VEALE TRACT)

AGENCY OVERVIEW

Reclamation District (RD) 2065 (Veale Tract) was formed as an independent district on April 2, 1923. RD 2065 operates under Sections 50000 et seq. of the California State Water Code to provide drainage, irrigation, and complete reclamation of lands within the District's boundaries.

The District's territory includes agricultural lands (i.e., row crops, alfalfa, and irrigated pasture), six single-family dwellings, farm worker housing, and outbuildings. Access to the District is available via Delta Road through Knightsen from State Road 4 or from the south through Byron Highway.

The District has four landowners and an approximate population of 12.⁹⁹ There is no anticipated population growth or development within the next five years. However, the District is collaborating with East Contra Costa Parks on the Knightsen Wetland Restoration Project, which involves developing the adjacent property to the west for park and floodplain restoration. This coordination includes providing essential design feedback to support mitigation efforts and prevent potential future impacts of the project on the District and its landowners.

The District operates and maintains non-project levees and internal drainage facilities on Veale Tract. Additionally, the District is responsible for flood fighting and levee patrol during high-water events.¹⁰⁰

⁹⁹ Contra Costa LAFCO. Directory of Local Agencies, County Services Areas. Section 11: Reclamation Districts.

¹⁰⁰ 2024 Hazard Mitigation Plan, Contra Costa County, California. Reclamation District No. 2065 (Veale Tract) Annex. p.1.

Figure 12-1: RD 2065 General Information

GENERAL information			
Agency	RD 2065 (Veale Tract)		
Address	235 E. Weber Avenue Stockton, CA 95202		
Principal Act	California Water Code §50000 et seq.		
Date Formed	1923		
Population	12-14		
Last SOI Update	November 18, 2015		
Services Provided	Maintenance and operations of levees, flood control and drainage		
Employees	0		
Contact Person	Dante J. Nomellini, Jr., Secretary and Counsel Email: dantejr@pacbell.net		
Website	https://reclamationdistrict.wixsite.com/rd2065		
Board Members			
	Length of Term	Term Expiration	
	Coleman Foley	4-Years	2025
	Thomas E. Baldocchi, Sr.	4-Years	2027
	Thomas E. Baldocchi, Jr.	4-Years	2025

BOUNDARIES

RD 2065 encompasses 1,365 acres (approximately 2.1 square miles) and is located entirely within Contra Costa County. The District lies outside the countywide urban limit line (ULL), about two miles east of the community of Knightsen. Positioned on the western edge of the Sacramento-San Joaquin Delta, the majority of the District is within the Secondary Zone of the Delta, while the western portion of the District, along with the community of Knightsen falls within the Primary Zone.

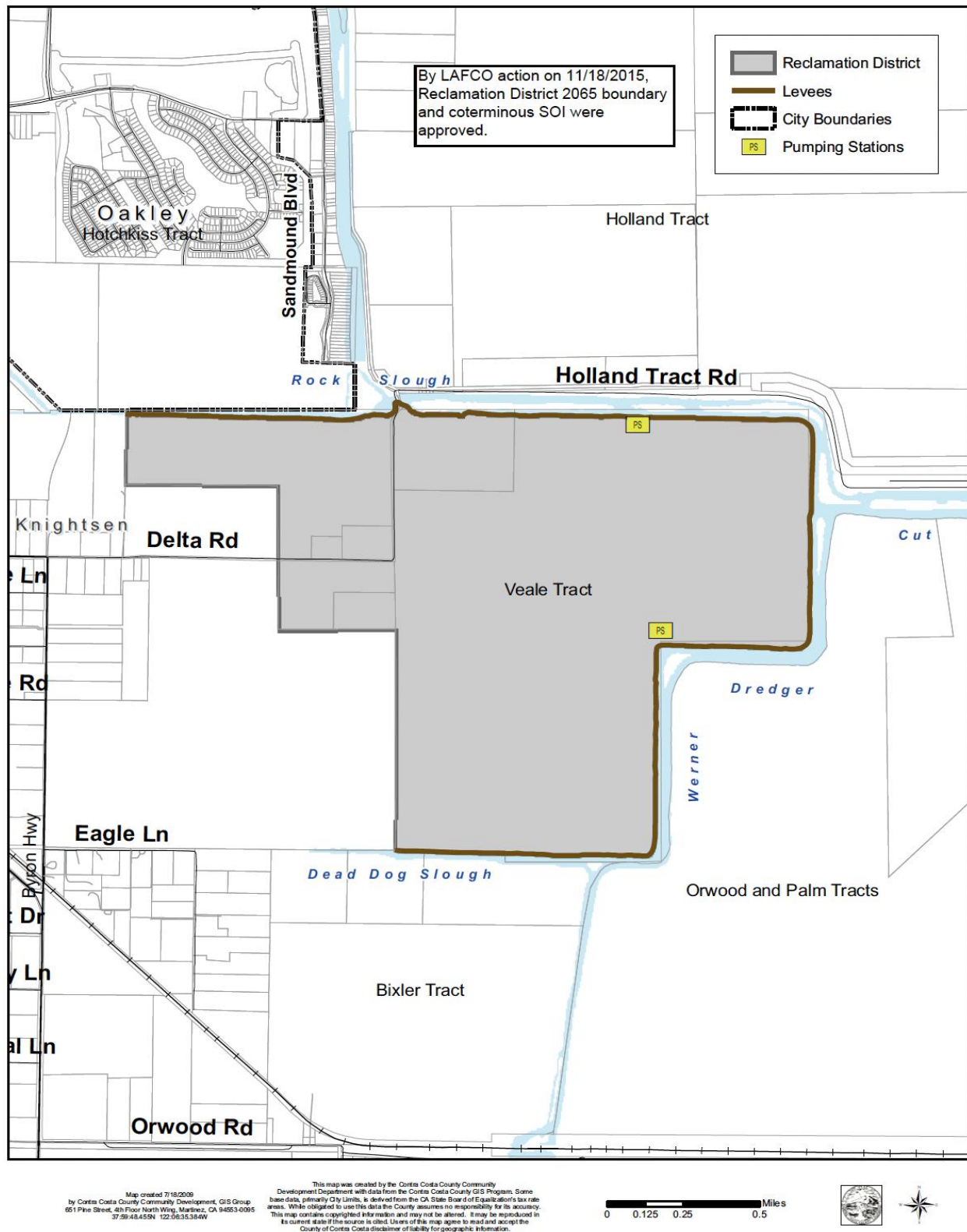
SPHERE OF INFLUENCE

The original SOI for RD 2065 was adopted by LAFCO in 1984. In 2009, Contra Costa LAFCO adopted a “provisional” SOI with a 12-month update requirement based on interest from the

District in the potential annexation of territory west of the boundary and located within the Knightsen Town Community Services District (KTCSD). However, after exploring the option further, neither RD 2065 nor KTCSD supported the annexation. Currently, neither supports such annexation.

The current SOI for RD 2065 is coterminous with the District's boundaries and was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 12-2: RD 2065 Boundaries and SOI



ACCOUNTABILITY AND GOVERNANCE

The District's governing body consists of a three-member board of trustees. Board members are landowners or legal representatives of landowners who are elected or appointed by the County Board of Supervisors to staggered four-year terms.

The District reports that elections are rare as there are only four landowners in the District. Vacancies on the governing Board are typically filled by appointment by the remaining Board members pursuant to Government Code §1780, as outlined in California Water Code §50604. Board members serve on a volunteer basis and do not receive compensation.

The Board meetings are held "as needed" at 235 East Weber Avenue, Stockton, CA 95202. Meeting agendas are posted on the District's website in compliance with the Brown Act¹⁰¹ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Additionally, agendas are posted at the District Secretary's office and are mailed or emailed to each landowner.

Since the 2015 MSR, the District has launched a website in compliance with SB 929¹⁰², which includes contact details and significant financial reports, including annual audits for FY 22-23 and FY 23-24, the District's Compensation Report, and the State Controller's Office Financial Transaction Report. To further enhance transparency, it is recommended that the District also make annual budgets available on its website and maintain an accessible archive of past meeting agendas and minutes.

¹⁰¹ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

¹⁰² Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the website.

RD 2065 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.¹⁰³

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

¹⁰³ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

Per the DWR Mapping Tool, a small area in the northwest portion of RD 2065 along Delta Rd and Knightsen, is considered a disadvantaged community.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District funds its operations and administration through property assessments and grant funding from the State Delta Levee Subventions Program or Special Grants for specific projects.

Assessments are levied at the discretion of the Board of Trustees and are based on the total land or acreage held by the landowners within the District, adjusted for revenues received from the State under the Levee Subvention Program or other grants.

Annual assessments and other revenues are deposited with the Contra Costa County Treasurer and transferred to the District's Bank of Stockton checking account as needed to cover operational expenses. As of June 30, 2024, the balance with the Contra Costa County Treasurer was \$0.00, while the balance in the Bank of Stockton checking account was \$40,981.

For additional funding required for large-scale levee maintenance or rehabilitation projects, the District obtains bank loans as necessary. Currently, the District has no outstanding loans.

The District operates out of a governmental fund that consists of a general fund, which finances the general services that the District performs. State assistance, assessments, and other revenue sources that support the District's primary operations are included in this fund. This fund is charged with all operating costs that do not have a separate fund established.

Figure 12-3: RD 2065 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
	Total Governmental Funds		
Revenues	FY 21-22	FY 22-23	% Change
Assessments	\$85,771	\$170,403	99
State Subventions	\$27,123	\$16,220	-40
Total Revenues	\$112,894	\$186,623	65
Expenditures			
General and Administrative			
Audit Fees	\$4,100	\$4,600	12
Insurance	\$11,636	\$26,299	126
Legal and Professional Fees	-	\$6,804	100
Total General and Administrative	\$15,736	\$37,703	140
Maintenance and Operations			
Levee Maintenance	-	\$12,192	100
Engineering	\$29,184	\$44,696	53
Utilities	\$27,158	\$24,744	-9
Weed Control	\$9,500	\$14,500	53
Total Maintenance and Operations	\$65,842	\$96,132	
Debt Service			
Interest Expense	\$6,994	\$14,336	105
Total Debt Service	\$6,994	\$14,336	105
Total Expenditure	\$88,572	\$148,171	67
Excess (deficiency) of Revenues Over Expenditure Prior to Other Financing Sources (Uses)	\$24,322	\$38,452	58
Other Financing Sources (Uses)			
Principal Payments on Warrants Payable	(\$30,000)	(\$50,00)	67
Total Other Financing Sources	(\$30,000)	(\$50,00)	67
Transfer Out (Return of Excess DWR Advanced Funds)*	-	(\$190,186)	

Net Changes in Fund Balance	(\$5,678)	(\$201,734)	(3,452)
Fund Balance, Beginning of Year	\$237,622	\$231,944	-2
Fund Balance, End of Year	\$231,944	\$30,210	-87
*In FY 22–23, the District returned an unused advanced fund of \$190,186 to DWR, which had been upfronted for a special levee project. This cash outflow reflects the significant decrease in the District’s ending fund balance for FY 22–23.			

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 22-23, the District’s total revenues (excluding other financing sources) of \$186,623 exceeded total expenses of \$148,171 by \$38,452, or approximately 26 percent. Similarly, in FY 21-22, the District’s total revenue of \$112,894 exceeded total expenditure (excluding other financing sources) of \$88,572 by \$24,322, or approximately 27 percent.

As shown in Figure 12-3, total expenditures increased by 67 percent in FY 22-23, rising to \$148,171 from \$88,572 in FY 21-22. This change was primarily due to a 46 percent increase in total maintenance and operations expenses. Total revenues also increased by 65 percent over the same period, up from \$112,894 to \$186,623.

The District’s fund balance at the end of FY 22-23 was \$231,944, reflecting an 87 percent decrease from the FY 21-22 ending fund balance of \$30,210. This ending fund balance represents approximately 20 percent of FY 22-23 expenses, indicating that the District has enough reserves to cover about two months of operating costs, assuming expenses remain relatively stable. However, this reserve level is relatively low and may not adequately cover unexpected expenses or revenue shortfalls.

FUNDING OPPORTUNITIES

According to the Delta Stewardship Council’s Delta Levee Investment Strategy (DLIS), RD 2065 (Veale Tract) is designated as high priority. This designation applies to levees that significantly

reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region.

Based on this prioritization, RD 2065 may qualify for future levee improvement grants as funding becomes available. However, funding eligibility will depend on the progress of projects classified as very-high priority. This is not an immediate opportunity and depends on the progress of projects that hold even higher priority levels.

Additionally, the District has not identified any new potential funding opportunities.

FACILITY

The District's key infrastructure includes over five miles of non-project levees, internal drainage channels, and a drainage pump station. Veale Tract is drained internally by a system of main canals and laterals, leading to a sump equipped with pumps to expel excess water from the District. Irrigation is supplied through a system of siphons through the levee and a pump.

Veale Tract's levee runs along Rock Slough for approximately 2.55 miles on the north side of the District, along Werner Cut for 1.8 miles on the east, and for 0.67 miles along No Name Slough on the south. There is no back levee along the west side of Veale Tract toward Knightsen.

Levees are constructed out of earthen materials with rock rip rap on most sections of the waterside. Ground elevations within the interior of the tract vary between four feet below sea level to two feet above sea level. In the event of a high-water event, the entire area would be covered by five to 11 feet of water. The entire District is currently classified by FEMA to be within the 100-year floodplain.

The District has no recent record of flooding. However, the District's levee system has been subject to periodic high flow and storm events that have caused damage to the levee. A 2006 storm event caused significant erosion damage to the waterside slope of the levee at multiple locations. After the 2006 flooding, rip rap was used to repair the waterside slope in critical locations. There is also recurring rodent and beaver activity that damages the waterside and landside slopes of the levee.

Following the January 1980 storm that breached the levees at Holland and Webb Tracts, the District performed an extensive dredging project to flatten the backslopes and stabilize the levee. This dredging was performed throughout the District, except for the reach along Rock Slough, west of the Holland Tract Bridge. As a result, the Delta Risk Management Strategy (DRMS) study found the levee to have a low probability of failure. In addition, the existing wide base and flat slope tend to reduce the cost of rehabilitation.

Over 99.8 percent of the District's levee meets or exceeds the minimum Hazard Mitigation Plan (HMP) levee standard.

PLANNING DOCUMENT

RD 2065 has an updated 2023 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

In the prior Five-Year Plan, the District aimed to achieve a sustainable HMP Levee standard within five years, utilizing the Delta Levees Special Projects Program funding for all construction phases. The first two phases were combined, enabling the District to rehabilitate HMP levees along a total of 19,100 linear feet across four sites. All construction was completed by November 2019.

The District's current goal is to meet the Bulletin 192-82 levee standard within a five-year period. The District's ability to fully reach a sustainable levee standard during this timeframe will depend on funding availability. The 2023 Five-Year Plan estimates that with a 90 percent cost share from DWR through the Delta Levees Program, the District will be positioned to rehabilitate the entire levee system to meet the 192-82 standard. The District has participated in the Subventions Program since 1996 and in the Special Projects Program in 2009.

The plan is divided into three phases. Phases 1 and 2 focus on rehabilitating the levee to a sustainable 192-82 configuration and addressing waterside erosion. Phase 3, targeted for completion within five years, proposes a multi-objective project that enhances waterside bank protection and creates a low-lying habitat bench. This bench will provide freshwater marsh,

scrub-shrub, riparian forest, and shaded riverine aquatic habitats along the majority of the levee.¹⁰⁴

¹⁰⁴ Reclamation District No. 2065. Veale Tract. 2023 Final Five-Year Plan. March 2023.

Figure 12-4: RD 2065 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	5.05	Surface Elevation	-4 to -2 feet
Miles of Levees by Standard		Levee Miles by Type	
		Dry Land Levee	0.0
HMP Standard	~5.04 ¹	Urban Levee	0.0
PL 84-99 Standard	~1.37 ²	Agricultural Levee	5.05
Bulletin 192-82 Standard	1.34 ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	1
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	7 feet
Levee Inspection Practices			
Levees are inspected regularly by Trustees who are landowners. Inspections are also conducted by the District Engineer when requested.			
Levee Segment	Description	Condition	
Rock Slough (west of Delta Road)	Lower levee at end of Rock Slough	Meets HMP Standard, sections of north of the District near rock slogh also meet the Bulletin 192-82 standard	
Rock Slough (east of Delta Road)	Earthen levee with intermittent rip rap		
		Meets HMP Standard	
		Meets HMP Standard, while a couple of sections near Dredger also meet the Bulletin 192-82 standard	
Werner Dredger Cut	Earthen levee with intermittent rip rap		
		Meets HMP Standard, while some sections also meet the Bulletin 192-82 standard	
Dead Dog Slough	Earthen levee at end of Dead Dog Slough		
Levee Maintenance			

Maintenance Cost per Levee Mile (FY 21-22)	\$0	Maintenance Cost per Levee Mile (FY 22-23)	\$2,390
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			
Due to minimal overbuild above the HMP minimum elevation in many areas, the District must continuously add material to the levee crown to maintain compliance. Maintenance projects are conducted to address any identified deficiencies and ensure adherence to HMP standards. The District has not identified any additional infrastructure needs.			
<p>1: Over 99.8 percent of the District's levee meets or exceeds the minimum HMP levee standard.</p> <p>2: Over 3.68 miles of levee require extensive waterside rehabilitation before those levee sections can be considered compliant with PL 84-99 requirements.</p> <p>3: Currently, it is estimated that 1.34 miles or 26.8 percent of the District's levee meet the Bulletin 192-82 levee standard. This standard is the District's current desired level of protection.</p>			

CONTRACTS FOR SERVICES

The District provides both direct and contracted services for vegetation removal, weed abatement, erosion repair, animal control, and access road upkeep. Additionally, third-party contractors are engaged for levee maintenance, flood control, drainage, slope protection, vector/rodent control, and levee patrol as needed.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

RD 2065 collaborates with other reclamation districts to contract with firms for legal and engineering services, which allows for shared costs and reduced expenses for commonly used services.

The District has not identified any additional resource-sharing options.

INFRASTRUCTURE NEEDS

The District continues to maintain the levees to meet the minimum HMP levee standard; however, many areas have only minimal overbuild above this standard elevation. Ongoing material addition to the levee crown is necessary to maintain this standard. Therefore, as priority areas are identified, the District conducts maintenance projects to address any deficiencies found.

Overall, the District has indicated that no significant improvements are currently required beyond maintaining the existing drainage system and levees in compliance with federal and state standards.

CHALLENGES

The District has not identified any significant challenges in service delivery.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended a governance structure option for the District to establish mutual aid agreements with nearby reclamation districts to formalize capacity and resource-sharing plans during flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience.

RD 2065 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

12-1: RD 2065 has four landowners and an estimated population of 14 people. The District does not anticipate any population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

12-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged. According to the DWR Mapping Tool, a small area within the northwest portion of RD 2065 along Delta Rd and Knightsen is considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

12-3: The District operates and maintains non-project levees and internal drainage facilities on Veale Tract.

12-4: The District offers a range of services, including vegetation removal, weed control, erosion repair, animal control, and maintenance of access roads, which are provided directly and through contracts.

Additionally, third-party contractors are hired for levee maintenance, flood control, drainage, slope protection, vector and rodent control, as well as levee patrol as needed.

12-5: Key infrastructure includes roughly 5.05 miles of non-project levees, internal drainage channels, and one drainage pump station.

12-6: Of the District's total 5.05 miles of levees, 99 percent meet the minimum HMP Levee Standard. Approximately 1.34 miles, or 26.8 percent of the District's levees, meet the Bulletin 192-82 levee standard, which is the District's current desired level of protection. Additionally, over 3.68 miles of the District levee require extensive waterside rehabilitation to be compliant with the PL 84-99 levee standard.

12-7: Due to minimal overbuild above the HMP minimum elevation in many areas, the District must continuously add material to the levee crown to maintain compliance.

Maintenance projects are conducted to address any identified deficiencies and ensure adherence to HMP standards.

12-8: According to the updated 2023 Five-Year Plan, the District plans to rehabilitate the entire levee system to meet the 192-82 standard, with an anticipated 90 percent cost share from DWR.

12-9: The District reports that current service delivery is overall adequate and that no significant improvements are required beyond maintaining the existing drainage system and levees in compliance with federal and state standards.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

12-10: RD 2065 operates on revenues from property assessments and grant funding from the State Delta Levee Subventions Program or Special Grants for specific projects.

12-11: In FY 22-23, the District's total revenues (excluding other financing sources) of \$186,623 exceeded total expenses of \$148,171 by \$38,452, or approximately 26 percent. Similarly, in FY 21-22, the District's total revenue of \$112,894 exceeded total expenditure (excluding other financing sources) of \$88,572 by \$24,322, or approximately 27 percent.

12-12: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2065 is designated as "high priority", which positions the District for future funding, potentially qualifying it for levee improvement grants as they become available. However, this is not an immediate opportunity and depends on the progress of projects with even higher priority levels.

12-13: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

12-14: RD 2065 shares engineering and legal services with other reclamation districts, reducing expenses through cost-sharing for commonly used services.

12-15: The District has not identified any additional resource-sharing options.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

12-16: RD 2065 is governed by a three-member board of trustees, each serving a staggered four-year term.

12-17: In the previous 2015 MSR, establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for emergencies was recommended. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

12-18: Since the previous MSR, the District has launched its own website, which makes contact details and financial reports, including annual audits for FY 22-23 and FY 23-24, District's Compensation Report, and the State Controller's Office Financial Transaction Report available to the public. To further enhance transparency, it is recommended that the District also make annual budgets available on its website and maintain an accessible archive of past meeting agendas and minutes.

RD 2065- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2065.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- The District's land use comprises agricultural lands (i.e., row crops, alfalfa, and irrigated pasture), six single-family dwellings, farmworker housing, and outbuildings.
- There are no anticipated changes in land use in the foreseeable future.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District anticipates no significant population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- RD 2065's key infrastructure includes approximately 5.1 miles of non-project levees, internal drainage channels, and one drainage pump station.
- Of the District's total 5.1 miles of levees, 99 percent meet the minimum HMP levee standard. While approximately 1.34 miles or 26.8 percent of the District's levees meet the Bulletin 192-82 levee standard, which is the District's current desired level of protection. Additionally, over 3.68 miles of the District levee require extensive waterside rehabilitation to be compliant with the PL 84-99 levee standard.
- Due to minimal overbuild above the HMP minimum elevation in many areas, the District must continuously add material to the levee crown to maintain compliance. Maintenance projects are conducted to address any identified deficiencies and ensure that the District's levee system continues to meet the HMP standard.

- According to the updated 2023 Five-Year Plan, the District plans to rehabilitate the entire levee system to meet the 192-82 standard.
- The District reports that current service delivery is overall adequate and that no significant improvements are currently required beyond maintaining the existing drainage system and levees in compliance with federal and state standards.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- The District is collaborating with East Contra Costa Parks on the Knightsen Wetland Restoration Project, which involves developing the adjacent property to the west for park and floodplain restoration. This coordination includes providing essential design feedback to support mitigation efforts to prevent potential future impacts on the District and its landowners.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- According to the DWR Mapping Tool, a small area within the northwest portion of RD 2065 along Delta Rd and Knightsen is considered a disadvantaged community.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2065.

13. RECLAMATION DISTRICT 2090 (QUIMBY ISLAND)

AGENCY OVERVIEW

Reclamation District (RD) 2090 (Quimby Island) is a Delta Island that is accessible only by boat. RD 2090 was formed on March 21, 1918, as an independent special district under Sections 50300 et seq of the California State Water Code to provide levee maintenance and internal drainage services within the District's boundaries.

Ellis Island Farms, Inc., an S corporation¹⁰⁵, is the sole owner of Quimby Island. In 2015, the corporation donated an 80 percent interest in Ellis Island Farms, Inc., which includes primarily the 789-acre unimproved Quimby Island, to the California Waterfowl Association (CWA) for a wetland conservation easement. CWA is a 501(c)(3) organization dedicated to enhancing California's waterfowl populations and wetlands and promoting hunter-conservationist communities. The donation also includes the corporation's other assets, consisting of investment securities and various real properties that support operations, as well as a \$2.2 million quasi-endowment for maintenance costs.

As part of the California Waterfowl's Hunt Program, Quimby Island is a resource for conservation and recreational activities, including organized hunting events. The island was enrolled in a federal wetland conservation easement program in 2012 and was restored to managed wetlands by California Waterfowl staff.

Quimby Island's habitats consist of seasonal and semi-permanent wetlands, riparian areas, and grasslands. The island's fertile peat soils create ideal growing conditions for wetland vegetation, supporting unique plant communities not commonly found elsewhere in the valley, including dense stands of smartweed and watergrass along with extensive willow thickets that attract large numbers of waterfowl.¹⁰⁶

¹⁰⁵ An S corporation elects to be taxed as a pass-through entity. Income, losses, deductions, and credits flow to the shareholders, partners, or members.

¹⁰⁶ Quimby Island Hunter Handbook. 2021-2022 Waterfowl Season. California Waterfowl. p.3.

The island relies on its seven miles of non-project levees for flood protection, which maintains the land's usability for waterfowl habitat, recreational activities, and other purposes. The levees are not within the federal easement and are managed by RD 2090. The District is responsible for improving and maintaining the levees and operating the flood control system, including pumps, canals, and ditches.

Originally farmed for corn, the current land use on the island is wildlife conservation. There is one property in the District that the owner uses for hunting; however, there are no permanent residents. No population growth or planned development is anticipated in the foreseeable future.

Figure 13-1: RD 2090 General Information

GENERAL information		
Agency	RD 2090 (Quimby Island)	
Address	1346 Blue Oaks Blvd. Ste. 100 Roseville, CA 95678	
Principal Act	California Water Code §50300 et seq.	
Date Formed	1918	
Population	0 resident; 1 landowner	
Last SOI Update	November 18, 2015	
Services Provided	Improve and maintain levees; maintain and operate flood control system including pumps, canals and ditches	
Employees	1; Part-time Superintendent	
Contact Person	Jake Messerli, Chairman Email: jmesserli@calwaterfowl.org	
Website	https://calwaterfowl.org/reclamation-district-2090	
Board Members	Length of Term	Term Expiration
Jake Messerli, Chairman	4-Years	2027
Robert Eddings, Secretary	4-Years	2028
Lawrence J. Watty, Trustee	4-Years	2027

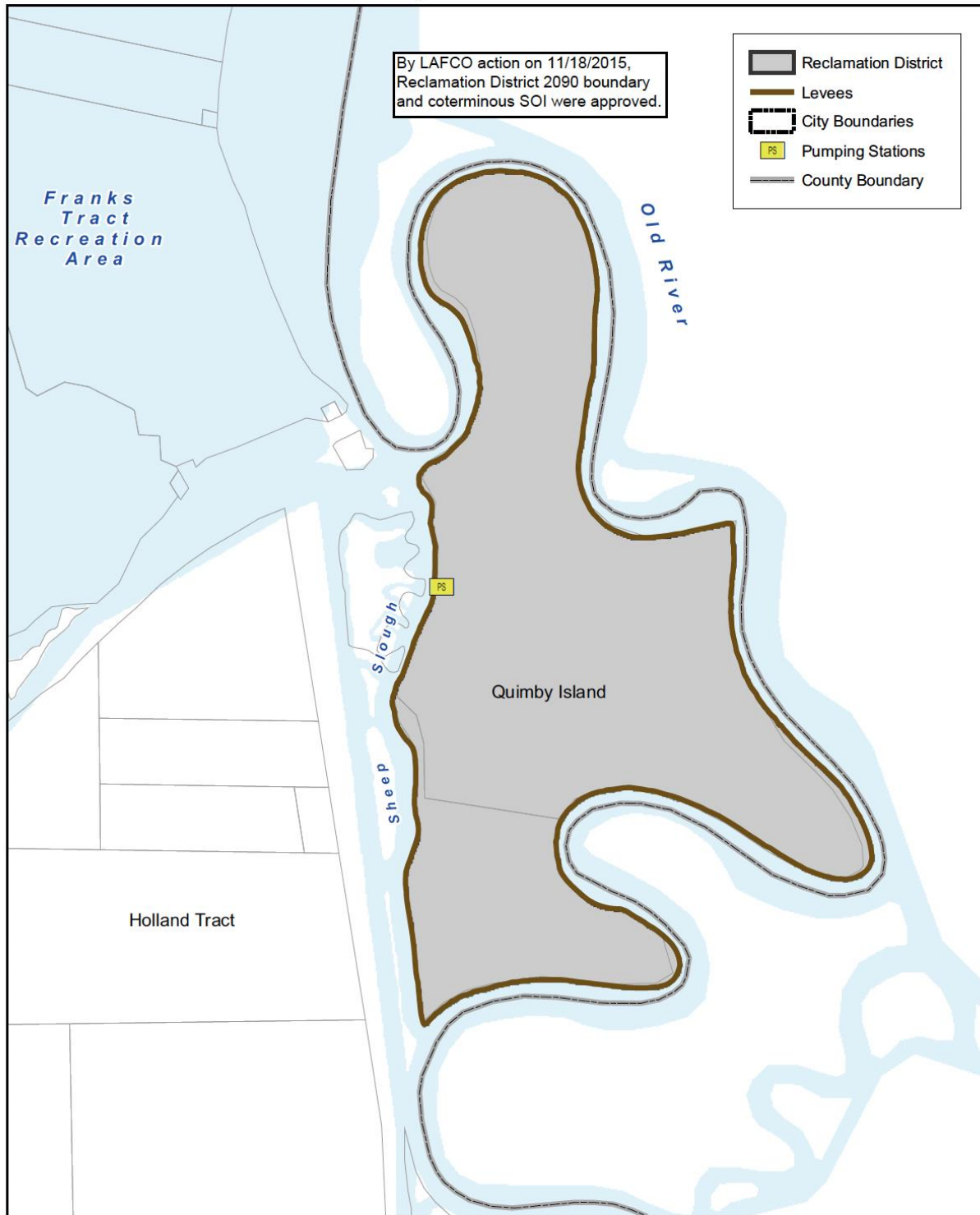
BOUNDARIES

RD 2090 encompasses 789 acres, approximately 1.2 square miles, and is located in the easternmost corner of Contra Costa County between Mandeville Island, Frank's Tract, and Holland Tract in the heart of the California Delta. The District is within the Primary Zone of the Sacramento-San Joaquin Delta and is outside the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 2090 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 13-2: RD 2090 Boundaries and SOI



Map created 5/18/2009
by Contra Costa County Community Development, GIS Group
651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
37.59-48.455N 122.0635-384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



ACCOUNTABILITY AND GOVERNANCE

According to Article I, Sections 1 and 2 of the District's bylaws, RD 2090 is governed by a three-member board of trustees that serve a staggered four-year term. The Board meets on an as-needed basis.¹⁰⁷

All board members are associated with the landowner as shareholders. Two board members are CWA staff, 80 percent shareholders of Ellis Island Farms, LLC, while one is a representative of a trust that owns 20 percent of the corporation. Board members are nominated by the landowner and approved by the Board of Supervisors.

The Brown Act¹⁰⁸ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. The District does not maintain its own website; however, general information, as well as board meeting agendas and minutes from 2014 to 2019, is available on multiple pages of the California Waterfowl's website. To further enhance transparency, it is recommended that the District make up-to-date agendas and meeting minutes available online.

Furthermore, to ensure a clear separation of RD 2090 and the CWA, it is recommended that the District establish a separate website that provides relevant documents such as by-laws, policies, and Five-Year Plans, as well as significant financial reports, including the District's Compensation Report, the State Controller's Office Financial Transaction Report, annual budgets, and audits.

The District has not prepared annual audits in recent years due to accountant turnover. Government Code Section 26909 (a) mandates that all special districts must have an annual audit conducted by a certified public accountant or a public accountant. Furthermore, Government Code §26909 requires special districts to submit annual audits to the State

¹⁰⁷ Bylaws of Quimby Island Reclamation District No. 2090. February 1, 1972.

¹⁰⁸ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

Controller, the County Auditor, and the LAFCO of the county in which the special district is located within 12 months after the end of the fiscal year.

Under California Government Code §26909(c)(1), special districts with annual revenues under \$150,000 may opt for a financial review or agreed-upon procedures instead of a full annual audit, provided they receive unanimous approval from both the district's governing board and the County's board of supervisors. This option is available if all transactions are processed through the county's financial system, and the district must cover any costs incurred by the county auditor for the procedures using unencumbered funds.

However, California Government Code §26909(c)(2) requires special districts to conduct a full audit at least once every five years, even if they use a financial review or other agreed-upon procedures instead of an annual audit.

According to RD 2090's most recent budget, the District's annual revenue is under \$150,000, which allows it to utilize the option outlined in California Government Code §26909(c)(1). In January 2025, the Board of Supervisors approved the District's request to submit a five-year audit in lieu of the required annual audit. The District reports that an audit is currently in progress.

RD 2090 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.¹⁰⁹

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community is identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 2090 is not considered a disadvantaged community.

FINANCIAL ABILITY TO PROVIDE SERVICES

As mentioned, Ellis Island Farms, Inc. is the sole owner of the District property and provides the funding for the District operation through assessment on an as-needed basis. The District also receives funding from the Delta Levee Subvention Program.

¹⁰⁹ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

The District has an annual budget of \$25,000. According to the most recent budget for FY 24-25, the following three expenses account for 89 percent of the District's total budget, as illustrated in Figure 13-3:

- Total gross salary for the sole employee, the Superintendent: \$10,000;
- Outside labor subcontract expenses for equipment rental from Ellis Island Farms, Inc. (based on approved Caltrans annual equipment rental rates and labor surcharges): \$6,250;
- Property and liability insurance costs: \$6,000.

Figure 13-3: RD 2090 FY 24-25 Budget

Annual Budget	
Revenue	FY 24-25
Property Assessments	\$15,000
Reimbursements	\$10,000
Total Revenue	\$25,000
Expense	
Gross Salaries	\$10,000
Outside Labor- Subcontracts	\$6,250
Payroll Taxes	\$1,000
CA P/R Taxes	\$150
Ins. Health & WC	\$450
Insurance – Property & Liability	\$6,000
Property Maintenance	\$500
Fees, Dues & Subscriptions	\$150
Miscellaneous	\$500
Total Disbursements	\$25,000
Net Income (Loss)	\$0

FUNDING OPPORTUNITIES

According to the Delta Stewardship Council’s Delta Levee Investment Strategy (DLIS), RD 2090 (Quimby Island) is designated as other priority. The DWR funds levee projects in very-high priority islands or tracts before approving projects in high-priority or other priority islands or tracts. Therefore, projects in the other priority category, such as those in RD 2090, receive funding once projects designated as very high or high priority have been fully funded.

Based on this funding prioritization, RD 2090 may become eligible for future levee improvement grants as funds become available. However, this is not an immediate funding opportunity.

The District did not identify any additional potential funding opportunities.

FACILITY

RD 2090 maintains approximately 7.02 miles of non-project levees that surround the District, two pump stations, and an internal drainage system. The District performs routine erosion repairs, all-weather road repairs, debris removal, minor core trenching, vegetation control, rodent control, ditch cleaning, and pump repair and maintenance.

In recent years, no significant levee breaches or failures have been recorded within the District. Over the past 30 years, the District has made incremental improvements to the entire levee system to ensure it meets the Hazard Mitigation Plan (HMP) criteria and the PL 84-99 standard. These improvements have included the addition of a stability berm, the flattening of the landside levee slope, and the widening of the levee crown. These enhancements have allowed the foundational peat soils to settle properly, ensuring that the levee's geometry continues to meet the intended standards over time.

A notable levee project undertaken by the District in recent years occurred in 2017, which involved repairs to grant line canal erosion at various sites throughout the District.

Furthermore, the District Superintendent routinely monitors and inspects the levee system for seepage and sluffing. During high-water events or severe weather, the inspection frequency is increased to meet the demand.

PLANNING DOCUMENT

RD 2090 has an updated 2023 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

Three priority projects were identified in the 2009 Five-Year Plan, including achieving compliance with the minimum HMP and PL 84-99 levee standard for the entire levee system, and adding supplementary quarry stone riprap to any portions of the waterside slope of the levee that require additional rock slope protection.

Since then, the District has undertaken numerous smaller maintenance projects to address waterside levee erosion and rock slope protection, as allowed pursuant to California

Department of Fish and Wildlife (CDFW) Routine Maintenance Agreement conditions. The primary funding for this work was through the Delta Levees Maintenance Subventions Program. However, no progress has been made on either the HMP or PL 84-99 levee projects outlined in the 2009 Five-Year Plan, primarily due to insufficient funding.

Currently, roughly 97 percent of the District's levee system meets the HMP levee standard, while 78.1 percent meets the PL 84-99 levee standard. According to the Five-Year Plan, the District's desired level of protection is to meet the Bulletin 192-82 levee standard, which approximately 62 percent of the levee system meets. The District plans to meet this level of protection first by repairing waterside erosion sites by supplementing existing rock slope protection consisting of riprap along the District's levee as necessary to prevent further erosion caused by wind-driven waves, wakes from recreational boat traffic as well as high water flows from floods, tides, and State and Federal water conveyance. The Bulletin 192-82 Levee Project will likely be divided into several phases or projects, depending on the funding available.

The District's current priority is to ensure the maintenance of the existing levee by adding quarry stone riprap above the existing riprap to any portions of the levee's waterside slope that require additional rock slope protection to prevent erosion.

The Delta Levees Program, specifically the Delta Levee Maintenance Subventions and Special Projects program, is the sole funding source currently identified for these projects.¹¹⁰ The District has been a participant in the Delta Levees Program for over 30 years.

¹¹⁰ Reclamation District No. 2090, Quimby Island. Five Year Plan. March 7, 2023. p.18.

Figure 13-4: RD 2090 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	7.02	Surface Elevation	-5 to -11 feet (average elevation of -8 ft.)
Miles of Levees by Standard		Levee Miles by Type	
HMP Standard	6.82 ¹	Dry Land Levee	0.0
		Urban Levee	0.0
PL 84-99 Standard	5.48 ²	Agricultural Levee	7.02
Bulletin 192-82 Standard	4.35 ³	Other	0.0
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	2
Detention Basins(s)	No	Bridges	No
Floodplain			
FIRM Designation	AE	Base Flood Elevation	9.8 feet
Levee Inspection Practices			
The District Superintendent regularly monitors and inspects the levee system. During high-water or severe weather events, the frequency of inspections is increased to meet the demand.			
Levee Segment	Description	Condition	
Old River	Serpentine earthen levee along north, east and south	> 99 percent of the levee segment meet HMP standard	
Sheep Slough	Earthen levee along west side of island	> 99 percent of the levee segment meet HMP standard	
Levee Maintenance			
Maintenance Cost per Levee Mile (FY 24-25)		\$2,314	
The maintenance cost per levee mile is determined by calculating the estimated annual expenses for the gross salaries of the District's Superintendent, who oversees levee inspection and maintenance. This amount also includes rental expenses for weed control and proper drainage maintenance equipment to protect the levee. The total is then divided by the overall number of levee miles.			

Infrastructure Needs/Deficiencies
No infrastructure needs have been identified; however, the District will prioritize levee protection by adding rip rap where needed to protect waterside slope.
1: Most of the District’s levee system (97.2 percent) meets or exceeds the HMP levee standard.
2: 78.1 percent of the levee system meets the minimum PL84-99 standard.
3: Currently, 62 percent of the levee system meets the Bulletin 192-82 levee standard. The District aims to meet this standard if funding becomes available.

CONTRACTS FOR SERVICES

RD 2090 reports that it previously hired an engineer to prepare the District’s Five-Year Plan and conduct annual levee inspections. However, there have been no major projects or emergencies that have required additional contracted services.

Routine activities, such as levee maintenance, levee road upkeep, weed abatement, vector and rodent control, levee patrol, and slope protection, are performed on a small scale by the District’s superintendent.

In the future, the District plans to hire contractors to perform work as needed.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

The District does not own any assets and instead relies on Ellis Island Farms Inc. for its equipment. Additionally, the District Superintendent is an employee of the corporation. To maintain a clear separation of duties and functions between the two entities, the District has its own workers’ compensation policy, and the Superintendent records time separately for work performed for the District.

The District also collaborates with Holland Tract (RD 2025), located southwest of Quimby Island, to access the island, as it uses barges for transporting equipment.

The District has not identified any additional resource-sharing opportunities.

INFRASTRUCTURE NEEDS

The District has not identified any immediate infrastructure needs.

CHALLENGES

The District has not identified any significant challenges in service delivery.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended a governance structure option for the District to establish mutual aid agreements with nearby reclamation districts to formalize capacity and resource-sharing plans during flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience.

Furthermore, due to the overlapping nature of the District, Ellis Farm Inc., and the CWA, it is essential to maintain clear distinctions in accounting, finances, and operations among these entities. As previously noted, establishing a dedicated website for the District that offers relevant information, such as bylaws, policies, planning documents, and important financial reports, can improve transparency regarding the functions and operations of these closely linked entities.

Another option identified is for the CWA to fully assume the RD functions as the 80 percent owner of the island. However, it is important to consider the distinct legislative framework that governs a nonprofit organization, such as the CWA, compared to a reclamation district. For example, reclamation districts can levy assessments on a per-parcel basis depending on the reclamation needs of each parcel, as well as charge fees for individual services. In contrast, nonprofits do not have the statutory authority to levy assessments or impose fees.

RD 2090 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

14-1: RD 2090 has no permanent residents. The District does not anticipate any population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

14-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community is identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 2090 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

14-3: RD 2090 is responsible for improving and maintaining the levees and operating the flood control system, including pumps, canals, and ditches.

Routine activities, such as levee maintenance, levee road upkeep, weed abatement, vector and rodent control, levee patrol, and slope protection, are performed on a small scale by the District's superintendent.

14-4: The District's key infrastructure includes approximately 7.02 miles of non-project levees that surround the District, two pump stations, and an internal drainage system.

14-5: Of the District's total 7.02 miles of levees, 97.2 percent (6.82 miles) meets or exceeds the HMP levee standard, 78.1 percent (5.48 miles) of the levee system meets the minimum PL84-99 standard, and 62 percent (4.35 miles) of the levee system meets the Bulletin 192-82 levee standard.

14-6: The District aims to meet the Bulletin 192-82 Levee Standard by first addressing waterside erosion. This will be achieved by reinforcing existing rock slope protection with additional riprap along the levee as needed. These measures will help prevent further erosion caused by wind-driven waves, recreational boat wakes, high water flows from floods and tides, and State and Federal water conveyance.

The Delta Levees Program, specifically the Delta Levee Maintenance Subventions and Special Projects program, is the sole identified funding source for these projects.

14-7: The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

14-8: The sole landowner (Ellis Island Farms, Inc.) within the District is the primary funder of the District's operations through assessments. The District also receives funding from the Delta Levee Subvention Program.

14-9: According to the District's most recent FY 24-25 budget, gross salaries, outside-labor subcontracts for equipment rental, and property and liability insurance expenses account for 89 percent of the total budget.

14-10: Due to accounting staff turnover, the District has not completed its annual audits as required by Government Code §26909. Recently, the District received approval from the County's Board of Supervisors to conduct an audit covering the last five years, as the District's annual revenues qualify under Government Code §26909(c)(1), being less than \$150,000. The District reports that the audit is currently in progress.

In addition to the full audit every five years, it is recommended that the District perform annual financial reviews to ensure compliance with Government Code §26909(c)(1).

14-11: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2090 is designated as "other priority", meaning the District may be eligible for future funding, depending on the progress of projects with higher priority designations. Therefore, this is not an immediate funding opportunity.

14-12: The District has not identified any potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

14-13: RD 2090 relies on Ellis Island Farms Inc. for its equipment for weed control and proper drainage maintenance. The District Superintendent is also an employee of the corporation.

Additionally, the District collaborates with Holland Tract (RD 2025), which is located southwest of Quimby Island, to access the island, as it uses barges to transport equipment.

14-14: The District has not identified additional resource-sharing options.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

14-15: RD 2090 is governed by a three-member board of trustees, each serving a staggered four-year term.

14-16: In the previous 2015 MSR, establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for emergencies was recommended. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

14-17: Furthermore, due to the overlapping nature of the District, Ellis Farm Inc., and the CWA, it is essential to maintain clear distinctions in accounting, finances, and operations among these entities. For example, launching a dedicated website for the District that includes information specific to RD 2090—such as bylaws, policies, planning documents, and significant financial reports—can enhance transparency in the functions and operations of these closely linked entities.

RD 2090- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2090.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- The current land use on the island is wildlife conservation. There is also one property in the District that the owner uses for hunting.
- There are no anticipated changes in land use in the foreseeable future

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- RD 2090 has no permanent residents and anticipates no population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- RD 2090's key infrastructure includes approximately 7.02 miles of non-project levees that surround the District, two pump stations, and an internal drainage system.
- Of the District's total 7.02 miles of levees— 97.2 percent (6.82 miles) meets or exceeds the HMP Levee Standard, 78.1 percent (5.48 miles) of the levee system meets the minimum PL84-99 standard, and 62 percent (4.35 miles) of the levee system meets the Bulletin 192-82 levee standard.
- The District aims to meet the Bulletin 192-82 Levee Standard by first addressing waterside erosion. This will be achieved by reinforcing existing rock slope protection with additional riprap along the levee as needed. These measures will help prevent further erosion caused by wind-driven waves, recreational boat wakes, high water flows from floods and tides, and State and Federal water conveyance.

- The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 2090.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2090 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2090.

14. RECLAMATION DISTRICT 2117 (CONEY ISLAND)

AGENCY OVERVIEW

Reclamation District (RD) 2117 (Coney Island) was established on August 10, 1983, as an independent special district to improve and maintain levees, drainage, and irrigation systems within the District's boundaries. RD 2117 operates under Section 50000 of the California State Water Code to provide services within the District's boundaries.

RD 2117 is a Delta island in the southeastern part of Contra Costa County. The District has one landowner and approximately four¹¹¹ to six residents. Land use within the District comprises agricultural production supported by ancillary farm buildings, a primary residence, and a caretaker residence. There is no anticipated population growth or development in the foreseeable future.

¹¹¹ Contra Costa LAFCO, County Services Areas, Directory of Local Agencies. Section 11: Reclamation Districts. May 2024.

Figure 14-1: RD 2117 General Information

GENERAL information		
Agency	RD 2117 (Coney Island)	
Address	235 East Weber Avenue Stockton CA 95202	
Principal Act	California Water Code §50000 et seq.	
Date Formed	1983	
Population	4-6	
Last SOI Update	November 18, 2015	
Services Provided	Maintenance and operations of levees, flood control and drainage	
Employees	1; Secretary and Attorney	
Contact Person	Dante J. Nomellini, Sr., General Manager Email: ngmplcs@pacbell.net	
Website	https://reclamationdistrict.wixsite.com/rd2117	
Board Members	Length of Term	Term Expiration
Joyce Speckman	4-Years	2027
Sandra Speckman Kiefer	4-Years	2025
Kent L. Kiefer	4-Years	2027

BOUNDARIES

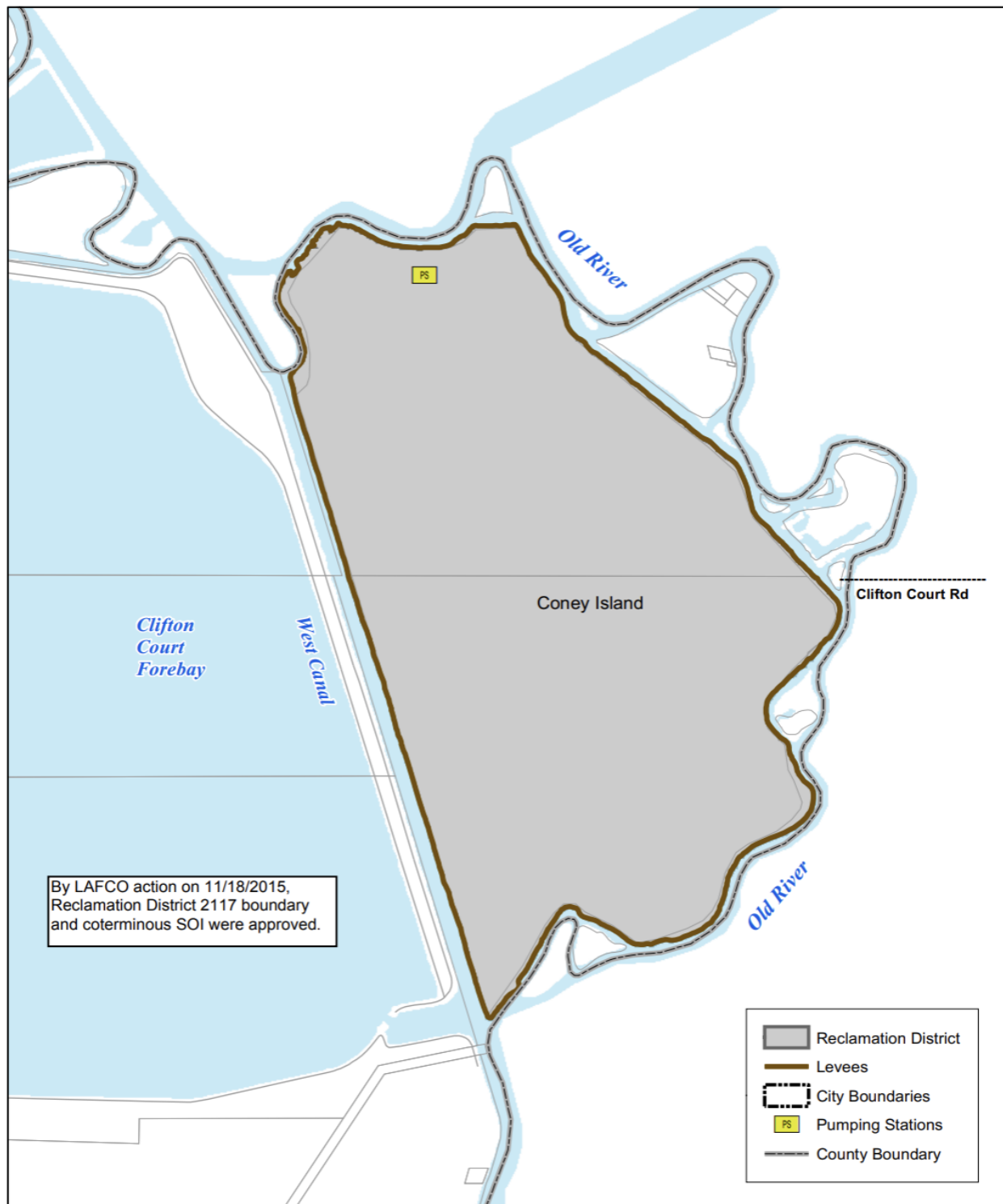
RD 2117 covers 935 acres (approximately 1.5 square miles) and is entirely within Contra Costa County. The District is located approximately midway between the town of Byron and the City of Tracy, bordered by to the north, east, and south and West Canal to the west.

The District lies within the Primary Zone of the Sacramento-San Joaquin Delta and is outside the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 2117 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 14-2: RD 2117 Boundaries and SOI



Map created 5/18/2009
by Contra Costa County Community Development, GIS Group
601 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
37.59-48.452N 122.05-35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

0 0.125 0.25 0.5 Miles



ACCOUNTABILITY AND GOVERNANCE

RD 2117 is governed by a three-member board of trustees, each serving a staggered four-year term. The Board meets at least once a year and schedules additional meetings as needed throughout the year. Meetings are held in the District Secretary's conference room at 235 East Weber Avenue, Stockton, CA 95202. The District also offers residents the option to participate in meetings via conference call.

Meeting agendas are publicly posted on the window of the District Secretary's office and on the District's website, in compliance with the Brown Act¹¹² (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Additionally, agenda packets and minutes for meetings held from 2021-2023 are accessible on the District's website.

Since the 2015 MSR, the District has launched a website in compliance with SB 929¹¹³, that offers access to various documents, including the District's Compensation Report and the State Controller's Office Financial Transaction Report.

To further enhance transparency, it is recommended that the District also provide up-to-date audits, budgets, agenda packets, and minutes on the website.

RD 2117 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

¹¹² California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

¹¹³ Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the website.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCO is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.¹¹⁴

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 2117 is not considered a disadvantaged community.

¹¹⁴ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District operates a governmental fund consisting of a general fund, which accounts for the resources that finance the general services provided by the District. This fund is financed by assessments, state assistance, and other revenue sources. Assessments are levied at the discretion of the Board of Trustees. The District consists of a single landowner whose share represents 100 percent of the total assessed valuation of District land.

State assistance includes participation in the Delta Levee Maintenance Subventions Program. Furthermore, the District entered into a project funding agreement with the Department of Water Resources to prepare its updated Five-Year Plan.

Excess funds on hand are deposited with the Contra County Treasurer. As of FY 22-23, the District reports a cash balance of \$42,949.

Figure 14-3: RD 2117 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
	Total Governmental Funds		
Receipts	FY 21-22	FY 22-23	% Change
State Assistance	\$69,772	\$37,717	-46
Property Assessments	-	\$37,000	100
Reimbursements	-	\$1,815	100
Total Receipts	\$69,772	\$76,532	10
Disbursements			
Levee Repairs and Maintenance	\$14,334	\$45,793	219
Rodent Control	-	\$24,999	100
Engineering	\$16,039	\$7,513	-53
Professional Fees	\$1,539	\$6,086	295
Payroll Expenses	-	\$2,801	100
Insurance	-	\$211	100
Miscellaneous	-	\$18	100
Total Disbursements	\$31,912	\$87,421	174
Excess (deficiency) of Receipts Over Disbursements Prior to Other Financing Sources (Uses)	\$37,860	(\$10,889)	
Net Position, Beginning of Year	\$10,258	\$53,838	425
Prior Year Adjustment	\$5,720	-	
Net Position, End of Year	\$53,838	\$42,949	-11

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total revenue of \$69,772 exceeded total expenses of \$31,912 by \$37,860 or approximately 118.6 percent. In contrast, in FY 22-23, total expenses of \$87,421 exceeded total revenue of \$76,532 by \$10,889, or approximately 14 percent.

As shown in Figure 14-3, total expenses increased by 174 percent, primarily due to the addition of payroll, insurance, miscellaneous, and rodent control expenses that were not incurred in FY

21-22. Professional fees and levee repairs and maintenance also rose significantly during this period, increasing by 295 percent and 219 percent, respectively.

Total revenue in FY 22-23 increased to \$76,532, or by roughly 10 percent, compared to \$69,772 in FY 21-22. This growth was primarily driven by income from property assessments and reimbursements, which were not present in the previous fiscal year.

The District is owned by one landowner, and the costs of funding operations and repairs are assessed to the owner minus revenues received from the State under the Levee Subvention Program or other grants. This funding structure could explain why assessments fluctuate from one fiscal year to another.

The District's net position at the end of FY 22-23 was \$53,838, reflecting an 11 percent decline from the FY 21-22's net position of \$42,949. The District's FY 22-23 net position represents 49 percent of operating expenses in the same period, indicating that the District has sufficient reserves to cover approximately six years and ten months of operating costs, assuming expenses remain relatively stable.

It is important to note that while increases and decreases in net position (the amount by which an organization's total assets exceed its total liabilities) are useful indicators of whether the District's financial position is improving or deteriorating, it is not a direct measure of immediately available resources. Unlike fund balances, net position may include capital assets such as infrastructure and long-term liabilities, which are not immediately available.

FUNDING OPPORTUNITIES

According to the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2117 (Coney Island) is designated as an "other priority." The DWR funds levee projects in very-high priority islands or tracts before approving projects in high-priority or other priority islands or tracts. Therefore, projects in the "other priority" category, such as those in RD 2117, receive funding once projects designated as very high or high priority have been fully funded.

Based on this funding prioritization, RD 2117 may become eligible for future levee improvement grants as funds become available. However, this is not an immediate funding opportunity.

The District did not identify any additional potential funding opportunities.

FACILITY

RD 2117's key infrastructure includes approximately 5.48 miles of non-project levee that surrounds the District, one pump station, and a bridge. Ground elevations within the interior of the island average eight feet below sea level. In the event of a high-water event, the entire area would be covered by up to 16 feet of water.

The District's levee system protects prime farmland, residential and non-residential structures, and an overhead power transmission line owned by the Western Area Power Administration (WAPA), which has seven towers within the District.¹¹⁵

Although there have not been any significant levee breaches or failures in recent history, the District conducts continuous routine maintenance and repair activities on the levee, including erosion repairs, all-weather road repairs, debris removal, minor core trenching, vegetation control, rodent control, ditch cleaning, and pump repair and maintenance. A notable major levee project that the District has undertaken in recent years was in FY 17-18, which included erosion repairs on waterside slope at several locations on the District's levee, widening of landside levee stations, and placement of aggregate base on all-weather roads.

The District does not have a formal inspection procedure or maintain written inspection reports. However, the Board of Trustees conducts levee inspections on an ongoing basis. Additionally, the District engineer performs inspections as part of the levee subvention application process and related projects.

¹¹⁵ Reclamation District No. 2117, Coney Island, Five-Year Plan. March 17, 2023. p.25.

PLANNING DOCUMENT

RD 2117 has an updated 2023 Five-Year Plan that outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

The previous 2009 Five-Year Plan identified three projects, including adding supplementary quarry stone riprap to any portions of the levee's waterside slope requiring additional rock slope protection (Rock Slope Protection Project) and achieving compliance with the PL 84-99 and HMP levee standards.

Since 2009, the District has completed numerous smaller maintenance projects to address waterside levee erosion and rock slope protection. However, no work has occurred with the HMP Levee Project or the PL 84-99 Levee Project, largely due to the lack of affordable funding.

Currently, the District's desired level of protection is to meet the DWR Bulletin 192-82 levee Standard while also addressing any specific geotechnical seepage and/or stability issues as needed.

The District's priority projects include safeguarding the existing levee by adding quarry stone riprap above the current riprap to any portion of the waterside slope requiring additional rock slope protection. This project aims to prevent erosion and reduce future repair needs.

According to the Five-Year Plan, the total cost of this project is \$2,813,000.

Following the completion of the rock slope protection project, the District plans to raise portions of the levee below the Bulletin 192-82 Standard to six inches above that standard. This adjustment is intended to accommodate future levee raises in response to climate change and sea level rise. Based on available funding, the project is expected to be divided into several phases, with the total estimated cost of approximately \$3,884,000.

The Delta Levees Program, in which the District has participated for over 30 years, is currently the only identified funding source for these projects. Specifically, it anticipates utilizing the

Delta Levees Subvention Program for the rock slope protection project and the Delta Levees Special Projects for the Bulletin 192-82 levee project.¹¹⁶

The District's updated 2023 Five-Year Plan is readily available on its website.

¹¹⁶ Reclamation District No. 2117, Coney Island, Five-Year Plan. March 17, 2023. p.17-20.

Figure 14-4: RD 2117 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	5.48	Surface Elevation	~9 feet
Miles of Levees by Standard		Levee Miles by Type	
		Dry Land Levee	0.0
		Urban Levee	0.0
HMP Standard	~5.48 ¹	Agricultural Levee	5.48
PL 84-99 Standard	~4.11 ²	Other	0.0
Bulletin 192-82 Standard	2.97 ³		
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	1
Detention Basins(s)	No	Bridges	1
Floodplain			
FIRM Designation	AE	Base Flood Elevation	8 feet
Levee Inspection Practices			
RD 2117 does not have a formal levee inspection procedure. Instead, the District Trustees regularly monitor the levees. Additionally, the District Engineer performs periodic inspections as part of the levee subvention application process and related projects.			
Levee Segment	Description	Condition	
Old River	Along the north, east, and south side of island	Meets the HMP Standard	
West Canal	Along the west side of island	90 ft does not meet the HMP Standard	
Levee Maintenance			
Maintenance Cost per Levee Mile (FY 21-22)	\$2,615	Maintenance Cost per Levee Mile (FY 22-23)	\$8,356
Maintenance Cost per Levee Mile is equal to the expenditure amount on levee maintenance and repairs in the Fiscal Years divided by the total number of levee miles.			
Infrastructure Needs/Deficiencies			
The District has not identified any immediate infrastructure needs. However, the District aims to achieve the Bulletin 192-82 Levee Standard while also addressing any specific geotechnical seepage and/or stability issues as required.			

1: 0.02 miles or 0.3% of the District's levee system currently does not meet the minimum HMP Levee Standard.

2: Approximately 4.11 miles or 75 percent of the District's levee system meets the PL 84-99.

3: 2.97 miles or 54.2% of the District's levee system meets the Bulletin 192-82 Levee Standard. This is the District's desired level of protection.

CONTRACT FOR SERVICES

RD 2117 contracts for levee maintenance, flood control, drainage, access road upkeep, weed abatement, slope protection, and rodent/vector control services. Additionally, flood fighting and levee patrol services are delivered both directly by the District and through contracts.

Furthermore, the District contracts for legal and engineering services.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

RD 2117 participates in facility and resource-sharing practices with Coney Island Farms, specifically for equipment and staffing support. The District reports that opportunities for additional facility sharing are limited and that no further resource-sharing opportunities have been identified at this time.

The District has not identified any additional resource-sharing opportunities.

INFRASTRUCTURE NEEDS

The District has not identified any immediate infrastructure needs.

CHALLENGES

The District reports that the overall current service delivery is adequate; however, more stringent and increasing regulations are expected to raise expenses.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR recommended a governance structure option for the District to establish mutual aid agreements with nearby reclamation districts to formalize capacity and resource-sharing

plans during flood emergencies. However, this recommendation has not yet been implemented.

Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience.

RD 2117 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

14-1: RD 2117 has one landowner and an estimated population of around 4-6 people. The District does not anticipate any population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

14-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 2117 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

14-3: RD 2117 is responsible for maintaining the levee system and drainage facilities that provide flood protection for primarily agricultural land and infrastructure.

14-4: The District contracts out for all major services, including levee maintenance, flood control, drainage, access road upkeep, weed abatement, slope protection, and rodent/vector control services. Additionally, the District utilizes both direct and contracted services for levee patrol and flood-fighting efforts.

Furthermore, the District contracts for legal and engineering services.

14-5: The District maintains approximately 5.48 miles of non-project levee. Other key infrastructure includes one pump station and a bridge.

14-6: Of the District's total 5.48 miles of levees, 0.02 miles (0.3 percent) currently fail to meet the minimum HMP levee standard. Approximately 4.11 miles (75 percent) comply with the PL 84-99 standard and 2.97 miles (54.2 percent) meet the more stringent Bulletin 192-82, levee standard.

14-7: The District's desired level of protection is to meet the DWR Bulletin 192-82 levee standard while also addressing any specific geotechnical seepage and/or stability issues as needed.

14-8: The District's updated 2023 Five-Year Plan outlines two phases to achieve the desired level of protection: rock slope protection and raising sections of the levee that are below the Bulletin 192-82 Standard to six inches above that standard. The total estimated cost for these projects is \$6,697,000. The District anticipates that the Delta Levees Program will be the sole source of funding available.

14-9: The District reports that the overall current service delivery is adequate; however, more stringent and increasing regulations are expected to raise expenses.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

14-10: The District receives funding from various sources, including assessments, state assistance from participation in the Delta Levee Maintenance Subventions Program, and other revenue sources.

14-11: In FY 21-22, the District's revenue of \$69,772 exceeded expenses of \$31,912 by approximately 118.6 percent. However, in FY 22-23, expenses increased to \$87,421, exceeding revenue of \$76,532 by about 14 percent. This increase in expenses which rose by 174 percent was driven by added costs in payroll, insurance, rodent control, professional fees, and levee maintenance costs compared to the previous fiscal year.

Although revenue increased by 10 percent, primarily from property assessments and reimbursements (which were absent in FY 21-22), state assistance decreased by 46 percent. The District's funding structure, where costs are assessed to the sole landowner minus state funding, could explain fluctuations in assessments across fiscal years.

14-12: Under the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2117 is designated as "other priority", meaning the District may be eligible for future funding, depending on the progress of projects with higher priority designations. Therefore, this is not an immediate funding opportunity.

14-13: The District has not identified any potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

14-14: RD 2117 collaborates with Coney Island Farms for shared equipment and personnel. Overall, there are limited opportunities for facility sharing, and the District has not identified additional resource-sharing options.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

14-15: RD 2117 is governed by a three-member board of trustees, each serving a staggered four-year term.

14-16: Since the 2015 MSR, RD 2117 has established a website that provides access to various documents, including the District's updated 2023 Five-Year Plan and financial reports, such as the District's Compensation Report and the State Controller's Office Financial Transaction Report. To further enhance transparency, it is recommended that the District also make up-to-date audits and budgets available on the website.

14-17: The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

RD 2117- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2117.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- RD 2117 is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- The District's land use includes agricultural production, which is supported by ancillary farm buildings, a primary residence, and a caretaker residence.
- There are no anticipated changes in land use in the foreseeable future.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District is predominantly agricultural and anticipates no significant population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- RD 2117's key infrastructure includes approximately 5.48 miles of non-project levee that surrounds the District, one pump station, and a bridge.
- Of the District's total 5.48 miles of levees, 0.02 miles (0.3 percent) currently fail to meet the minimum HMP levee standard. Approximately 4.11 miles (75 percent) comply with the PL 84-99 standard and 2.97 miles (54.2 percent) meet the more stringent Bulletin 192-82 standard.
- The District's desired level of protection is to meet the Bulletin 192-82 levee standard while also addressing any specific geotechnical seepage and/or stability issues as needed.
- The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 2117.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2117 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2117.

15. RECLAMATION DISTRICT 2122 (WINTER ISLAND)

AGENCY OVERVIEW

Reclamation District No. 2122 (Winter Island) was formed in August 1984 by the Contra Costa County LAFCO as an independent special district to maintain, protect, and repair existing levees and other reclamation works to benefit the District territory.

Historically, Winter Island was operated as a duck hunting club by Winter Island Farms. In 2016, the California Department of Water Resources (DWR) purchased the island with the goal of restoring tidal habitat and enhancing the ecosystem. As part of this effort, DWR implemented the Winter Island Tidal Habitat Restoration Project, which was completed in September 2019. The project restored tidal connectivity to the island's interior, creating aquatic habitats at intertidal and shallow subtidal elevations, as well as high marsh and riparian habitats to support native fish species.

Winters Island is a wildlife habitat that supports at least 13 species of waterfowl and other birds, as well as various mammal species, including the black-tailed jackrabbit, California ground squirrel, pocket gophers, river otter, beaver, muskrat, striped skunk, and raccoon.

Current land uses on the island consist of 17 acres of grassland and 166 acres of open water, with the remaining area classified as marshland.

Figure 15-1: RD 2122 General Information

GENERAL information		
Agency	RD 2122 (Winter Island)	
Address	3500 Industrial Blvd., West Sacramento, CA 95691	
Principal Act	California Water Code §50300 et seq.	
Date Formed	1982	
Population	0	
Last SOI Update	Novemeber 18, 2015	
Services Provided	Converted into a Restoration Site by DWR	
Employees	0	
Contact Person	Katherine Wadsworth, Board President Email: Katherine.wadsworth@water.ca.gov	
Website	N/A	
Board		
Members	Length of Term	Term Expiration
Katherine Wadsworth, President	4-Years	2027
Emma Mendonsa, Trustee	4-Years	2025
Shaun Rohrer, Trustee	4-Years	2027

BOUNDARIES

RD 2122 is 0.69 square miles or approximately 441 acres in size.¹¹⁷ RD 2122 is a Delta island located in Contra Costa County in the western Delta northeast of Browns Island and the City of Pittsburg. The District is within the Primary Zone of the Sacramento-San Joaquin Delta and is outside the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 2122 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

¹¹⁷ Contra Costa LAFCO, County Services Areas, Directory of Local Agencies. Section 11: Reclamation Districts. May 2024.

Figure 15-2: RD 2122 Boundaries and SOI



ACCOUNTABILITY AND GOVERNANCE

RD 2122 is governed by three board members serving four-year terms. The District has no additional staff.

GROWTH AND POPULATION PROJECTIONS

Winter Island has no permanent residents, and no development or growth is anticipated for the foreseeable future.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.¹¹⁸

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCO's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the

¹¹⁸ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

RD 2122 is uninhabited and used as a restoration site. There are no DUCs within the District's boundary.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District operates out of a governmental fund comprising a general fund, which accounts for the resources used to finance its general operations. At present, the District's sole source of revenue is a reimbursement agreement with DWR through its Real Estate Branch.

Figure 15-3: RD 2122 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
Revenue	Total Governmental Funds		
	FY 21-22	FY 22-23	% Change
Total Revenue	14,972	\$7,028	-53
Expenditures			
Legal and Accounting	\$9,570	\$9,310	-3
Insurance	\$1,998	\$1,998	0
Engineering	\$312	\$125	-60
Advertising	\$158	-	-100
Office Expenses	\$83	\$65	-22
Dues and Subscription	\$6	\$6	0
Total Expenditure	\$12,127	\$11,504	-5
Excess (deficiency) of Receipts Over Disbursements Prior to Other Financing Sources (Uses)	\$2,845	\$(4,476)	
Fund Balance, Beginning of Year	\$(9,753)	\$(6,908)	29
Fund Balance, End of Year	\$(6,908)	\$(11,384)	65

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total expense of \$12,127 exceeded total revenue of \$14,972 by \$2,845 or approximately 23 percent. Similarly, in FY 22-23, the District's total expenses of \$11,504 exceeded total revenue of \$7,028 by \$4,476 or approximately 38 percent. As shown in Figure 15-3, the increase in the deficit is due to the 53 percent decrease in the District's sole source of revenue, which fell from \$14,972 in FY 21-22 to \$7,028 in FY 22-23.

The District's fund balance at the end of FY 22-23 also decreased by 65 percent to \$(11,384) from the FY 21-22 ending fund balance of \$(6908). This negative ending fund balance indicates that the District is operating at a deficit.

FUNDING OPPORTUNITIES

The District may be eligible for funding from programs focused on wetland restoration, endangered species protection, and ecosystem health, which aligns with RD 2122's current restoration functions.

The District did not identify any additional potential funding.

FACILITY

Currently, RD 2122 does not operate any facilities on Winter Island. While the District previously provided levee maintenance and reconstruction services, DWR now uses the island solely as a habitat restoration site. In 2019, as part of the Winter Island Tidal Habitat Restoration Project, the five miles of levees that were previously maintained by the District were breached to restore tidal connectivity and enhance wetland habitats.

GOVERNANCE STRUCTURE OPTIONS

As previously mentioned, Winter Island is now exclusively managed by the California Department of Water Resources (DWR) as a restoration site. As part of this project, the levees were breached to transform the interior land into a tidal marsh. This transformation has shifted the island's focus from its original reclamation functions, such as levee maintenance and flood control, to ecological conservation.

Since RD 2122's reclamation functions are no longer necessary and the District is effectively inactive—without facilities, staff, or the infrastructure to carry out its original functions—and is operating with an ongoing negative fund balance, the dissolution of RD 2122 is recommended. Under Government Code §56375, LAFCO has the authority to initiate the dissolution of an inactive district, provided it meets the definition outlined in Government Code §56042, which includes:

- The special district is as defined in Section 56036.
- The special district has had no financial transactions in the previous fiscal year.
- The special district has no assets and liabilities.
- The special district has no outstanding debts, judgments, litigation, contracts, liens, or claims.

If LAFCO determines RD 2122 is inactive, it may proceed with dissolution under a streamlined process outlined in Government Code § 56879, which requires a single public hearing within 90 days of initiating dissolution. Additionally, if LAFCO decides on the dissolution of RD 2122, it must identify the effective date of dissolution, designate a successor agency to wind up the affairs of the extinguished agency, and may apply other terms and conditions with its action pursuant to GC §§56885 – 56890.

Since DWR already owns and manages Winter Island for habitat restoration, with operations funded through a reimbursement agreement with its Real Estate Branch, LAFCO could potentially designate DWR as the successor agency. However, it is unclear whether any precedents exist for designating DWR as a successor agency.

RD 2122 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

15-1: RD 2122 has no residents and does not anticipate any population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

15-2: RD 2122 is uninhabited and is used as a restoration site. There are no DUCs.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

15-3: Currently, RD 2122 does not operate any facilities on Winter Island. While the District previously provided levee maintenance and reconstruction services, DWR now uses the island solely as a habitat restoration site.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

15-4: Currently, the District's sole source of revenue comes from a reimbursement agreement with DWR.

15-5: In FY 21-22, the District's total expense of \$12,127 exceeded total revenue of \$14,972 by \$2,845 or approximately 23 percent. Similarly, in FY 22-23, the District's total expenses of \$11,504 exceeded total revenue of \$7,028 by \$4,476 or approximately 38 percent. This increase in deficit is due to a 53 percent decrease in the District's sole revenue in FY 21-22 from \$14,972 to \$7,028 in FY 22-23.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

15-6: The District did not identify any current or potential opportunities for shared facilities.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

15-7: A dissolution of RD 2122 is recommended due to the shift in the District's functions, which indicates that the District is considered inactive.

RD 2122- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2122.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- The island's land uses include 17 acres of grassland, 166 acres of open water, and the remaining acres classified as marshland.
- There are no anticipated changes in land use in the foreseeable future.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- RD 2122 has shifted from reclamation functions to a restoration site since DWR purchased Winter Island in 2016.
- The District has no residents and does not anticipate any population growth or development in the foreseeable future, indicating that demand for public services will remain unchanged.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- As discussed above, RD 2122 has shifted from reclamation functions to a restoration site. The District no longer maintains any facilities as the levees have been breached, and the interior land was converted into a tidal marsh in 2019.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- RD 2122 is uninhabited, and there are no communities of interest.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2122 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission adopts a Zero SOI in anticipation of the District's dissolution.

16. RECLAMATION DISTRICT 2137 (DUTCH SLOUGH)

AGENCY OVERVIEW

Reclamation District (RD) 2137 (Dutch Slough) was formed on July 9, 2003, by Contra Costa LAFCO as an independent special district. RD 2137 operates under Section 50000 of the California State Water Code to provide services within the District's boundaries.

Current land uses within the District are primarily tidal marsh and open space/habitat area. Dutch Slough is part of DWR's California EcoRestore initiative, which aims to restore 30,000 acres of critical habitat in the Delta to rebuild dwindling populations of native wildlife, including migratory birds and fish. The majority of the District's lands comprise the Dutch Slough Tidal Marsh Restoration Project site, which was acquired by the Department of Water Resources (DWR) in 2003.

The Project area, which comprises three parcels—Emerson, Gilbert, and Burroughs¹¹⁹—covers approximately 1,178 acres and aims to restore these lands to tidal marsh, tidal channels, tidal open water, managed marsh, riparian woodland, and upland grasslands. The construction of the first two parcels (Emerson and Gilbert), which are within RD 2137 boundaries, involved five external levee breaches, two internal levee breaches, levee degradations, levee raises, and the installation of two bridges at major breaches for future use. This first phase of the project was completed in 2022.

The second phase of the project focuses on developing 55 acres in the south-central portion of Dutch Slough, which is owned by the City of Oakley, into a community park. The park development aims to enhance amenities by adding biking and walking trails, as well as providing access to the shoreline and fishing areas. Additionally, interpretive signs will be installed to educate visiting schools and community groups about the history and marsh

¹¹⁹ The Burroughs Parcel is within RD 799 boundaries. There has not been any progress on the restoration project associated with this parcel.

ecology of Dutch Slough.¹²⁰ The District reports that the City of Oakley has yet to provide a timeline for completing this phase of the project.

The District currently has no residents, and no growth or development is anticipated in the foreseeable future.

¹²⁰ California Department of Water Resources (DWR), News Release. DWR Completes First Phase of Dutch Slough Tidal Restoration Project. November 23, 2021.

Figure 16-1: RD 2137 General Information

GENERAL information		
Agency	RD 2137	
Address	343 East Main Street, Suite 715 Stockton, CA 95202	
Principal Act	California Water Code §50000 et seq.	
Date Formed	2003	
Population	0	
Last SOI Update	Novemeber 18, 2015	
Services Provided	Improve and maintain levees and flood control system including pumps, canals and ditches	
Employees	2; District Engineer and District Secretary	
Contact Person	Pamela A. Forbus, District Secretary Email: pamforbus@scglobal.net	
Website	reclamationdist.wixsite.com/rd2137	
Board		
Members	Length of Term	Term Expiration
Kevin Romick	4-Years	2027
Molly Ferrell	4-Years	2025
Emma Mendonsa	4-Years	2027

BOUNDARIES

RD 2137 encompasses 785 acres (approximately 1.2 square miles). The District lies entirely within the boundaries of the City of Oakley, east of Highway 4, north of Cypress Road, and can be accessed via Sellers Avenue.

The District is within the Sacramento-San Joaquin Delta and the countywide urban limit line (ULL).

SPHERE OF INFLUENCE

The current SOI for RD 2137 is coterminous with the District's boundaries. The SOI was last reaffirmed by Contra Costa LAFCO on November 18, 2015.

Figure 16-2: RD 2137 Boundaries and SOI



ACCOUNTABILITY AND GOVERNANCE

The District is governed by an elected three-member board serving four-year terms. Two Board members are designated representatives of the State Department of Water Resources (DWR), the District's major landowner. The third Trustee is a designated representative of the City of Oakley, which is also a landowner within the District.

Meetings are held on an as-needed basis at 455 University Avenue, Suite 100, Sacramento, CA 95825. Agendas are posted on the District's website, in compliance with the Brown Act¹²¹ (Government Code §§ 54954.2 and 54956), as amended by California AB 2257, which requires agencies to make agendas available on their websites and in a publicly accessible physical location at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Additionally, an archive of agenda packets for meetings held since 2023 is available on the website. It is recommended that the District also make meeting minutes available on the website.

Since the 2015 MSR, the District has launched a website in compliance with SB 929¹²² that offers limited information, including contact details and financial documents, such as, the District's Compensation Report and the State Controller's Office Financial Transaction Report. To further enhance transparency, it is recommended that the District also make up-to-date audits and budgets available on the website.

RD 2137 has demonstrated accountability in its disclosure of information and cooperation with LAFCO questionnaires and other requests for information.

¹²¹ California Government Code, Section 54950, commonly known as the "Brown Act" or "Open Meeting Law," establishes requirements and restrictions for meetings of local legislative bodies. The law ensures public access to these meetings, facilitating public participation and promoting transparency in local government decision-making.

¹²² Senate Bill 929 (The Special Districts Transparency Act), passed in 2018, established that beginning January 1, 2020, every independent special district must maintain an internet website unless the governing board adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining a website. The Act also outlines the minimum information required to be available on the website.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. The intent and history of this requirement are outlined in the Background Section of this report.

A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.¹²³

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged community's median household income definition. DWR is not bound by the same law as LAFCo to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities with smaller populations that meet LAFCo's definition cannot be identified at this time.

The DWR Mapping Tool is an interactive map application that allows users to overlay the following three US Census geographies as separate data layers—Census Place, Census Tract, and Census Block Group. The specific dataset used in the tool is the US Census American Community Survey Five-Year Data: 2016 - 2020. Only those census geographies that meet the disadvantaged community (DAC) definition are shown on the map (i.e., only those with an annual median household income (MHI) that is less than 80 percent of the Statewide annual MHI). The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097, and hence, the calculated threshold of \$67,277 defines whether a community was identified as disadvantaged.

Per the DWR Mapping Tool, the entire boundary of RD 2137 is not considered a disadvantaged community.

¹²³ Government Code §56033.5 defines a DUC as 1) all or a portion of a “disadvantaged community” as defined by §79505.5 of the Water Code, and as 2) “inhabited territory” (12 or more registered voters), as defined by §56046, or as determined by commission policy.

FINANCIAL ABILITY TO PROVIDE SERVICES

The District funds its operations and administration through property assessments from the two landowners and grant funding from the State Delta Levee Subventions Program or Special Grants for specific projects.

Assessments are based on the total land or acreage held by the landowners within the District, adjusted for revenues received from the State under the Levee Subvention Program or other grants.

The District utilizes bank loans in the form of short-term “warrants” to support cash flow and fund large-scale projects. During FY 21-22 and FY 22-23, the District borrowed funds through registered warrants issued by the Bank of Stockton. At the beginning of FY 22-23, the District had an outstanding balance of \$400,000 and borrowed an additional \$800,000 during the year. The District repaid the total of \$1,200,000 by the end of the fiscal year, resulting in no outstanding balance in registered warrants.¹²⁴

The District operates out of a governmental fund that consists of a general fund, which finances the general services that the District performs. Assessments and other revenue sources that support the District's primary operations are included in this fund. This fund is charged with all operating costs that do not have a separate fund established.

¹²⁴ Reclamation District No. 2137. Financial Statements and Independent Auditor's Report. June 30, 2023. p.20.

Figure 16-3: RD 2137 Financial Summary, FY 21-22 and FY 22-23

Financial Summary			
Revenues	Total Governmental Funds		
	FY 21-22	FY 22-23	% Change
State Assistance			
Work Agreements	\$5,031,556	\$3,729,670	-26
Subventions	\$23,473	\$4,627	-80
Assessments	\$100,004	\$100,004	0
Interest Income	\$242	\$7,163	2860
Total Revenue	\$5,155,275	\$3,841,461	-25
Expenditures			
Levee Repairs and Maintenance	\$6,554,272	\$1,633,607	-75
Utilities	\$42,702	\$21,460	-50
Legal and Accounting	\$29,159	\$57,692	98
Engineering	\$10,588	\$321,998	2941
Insurance	\$6,213	\$7,367	19
Licenses and Permits	\$5,919	\$2,737	-54
Payroll Expenses	\$485	\$10,088	1980
Payroll Taxes	\$181	\$937	418
Miscellaneous	\$67	\$11,182	16590
Vegetation/ Rodent Control	-	\$4,055	
Supplies	-	\$591	
Dues	\$100	\$142	42
Debt Services			
Principal	-	\$1,200,00	
Interest	-	\$10,938	
Total Expenditures	\$6,649,686	\$3,282,793	-51
Excess (deficiency) of Revenues Over Expenditures Prior to Other Financing Sources (Uses)	\$(1,494,411)	\$558,668	-137
Total Other Financing Sources (Uses)	\$400,000	\$800,000	100

Net Change in Fund Balance (deficit)	\$(1,094,411)	\$1,358,668	-224
Fund Balance, Beginning of Year	\$166,894	\$(927,517)	-656
Fund Balance, End of Year	\$(927,517)	\$431,151	146

BALANCED BUDGET

Recurring operating deficits are a warning sign of fiscal distress. In the short term, reserves can backfill deficits and maintain services. However, ongoing deficits eventually will deplete reserves.

In FY 21-22, the District's total expenses of \$6,649,686 exceeded total revenue (excluding other financing sources) of \$5,155,275 by \$1,494,411, or 29 percent. In contrast, in FY 22-23, total revenue (excluding other financing sources) of \$3,841,461 exceeded total expenses of \$3,282,793 by \$558,668 or approximately 17 percent.

As shown in Figure 10-3, total revenue decreased by 25 percent from \$5,155,275 in FY 21-22 to \$3,841,461 in FY 22-23, primarily due to a 26 percent decline in state assistance. In both fiscal years, DWR work agreements likely tied to the Dutch Slough Tidal Marsh Restoration Project account for over 97 percent of total revenue. These unusually high amounts reflect project-specific funding and are not expected to continue in future years.

Total expenses also decreased by 51 percent during this period, from \$6,649,686 to \$3,282,793, largely due to a significant decline in levee maintenance and repair costs, which fell from \$6,554,272 in FY 21-22 to \$1,633,607 in FY 22-23. These expenses accounted for the majority of total spending in both years and were also likely tied to the Restoration Project.

The District's ending fund balance increased by 146 percent in FY 22-23, shifting from a deficit of \$(927,517) in FY 21-22 to a surplus of \$431,151. This ending fund balance represents 13 percent of FY 22-23 expenditures, indicating that the District has sufficient reserves to cover approximately one month of operating costs, assuming expenses remain stable. However, this reserve level is relatively low and may not adequately cover unexpected expenses or revenue shortfalls. It is also important to note that the District's fund balance includes the \$800,000

registered warrants issued by the Bank of Stockton; therefore, that portion is not fully available as a reliable income source.

FUNDING OPPORTUNITIES

According to the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS), RD 2137 (Dutch Slough) is designated as very-high priority. This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS's funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

FACILITY

The District currently maintains a total of 3.1 miles of levees, including a 1.6-mile flood control levee constructed in 2020 along the southern border of the DWR restoration. This levee was built using the DWR's Urban Levee Design Criteria (ULDC) and provides a 200-year level of flood protection.

The remaining 1.5 miles of levees maintained by the District are now interior levees located within the Restoration Project area. Of these, 0.9 miles consist of the Marsh Creek West levee, which was formerly maintained by the Contra Costa County Flood Control and Water Conservation District and acquired by DWR prior to the implementation of the restoration project. This levee segment was not modified by the Project and the District has agreed to assume maintenance responsibilities on behalf of DWR.

The District also maintains the southern end of the Emerson Slough levee, 0.6 miles segment that protects property owned by the City of Oakley.

In addition to levees, the District is responsible for maintaining two elevated trails totaling 1.4 miles:

- The Emerson drainage divide (0.9 miles) separates open water from the restored tidal marsh on the Emerson parcel. This trail, which was constructed as part of the Restoration Project, provides public access.
- The Gilbert cross (0.5 miles), constructed in 2020, separates managed marsh from the restored tidal marsh on the Gilbert parcel.

By the end of 2021, the Emerson and Gilbert perimeter levees that spanned approximately 5.2 miles were breached as part of the Restoration Project. There are no other records of any recent unplanned levee breaches that resulted in widespread flooding or extended inundation.

Historically, localized flooding has been reported at a house located at the south end of Emerson Slough during high-water events, when the levee would occasionally overtop and flood the basement of the house. This section of the levee was partially rehabilitated by the District in 2007 and fully rehabilitated in 2017 by the District. No flooding incidents have been reported since the rehabilitation.¹²⁵

PLANNING DOCUMENT

RD 2137 has prepared an updated 2023 Five-Year Plan, which outlines the progress made since the previous plan, details the current and desired levels of flood protection, and includes the District's plan for achieving its protection goals.

According to the Plan, by 2017, the District had completed all levee improvement projects proposed in the prior Five-Year Plan adopted in 2009. These projects included levee rehabilitation and the removal of encroachments to ensure that the entire levee system meets the HMP standard.

As previously mentioned, the perimeter levees on the Emerson and Gilbert parcels have since been intentionally breached as part of the Dutch Slough Restoration Project. Of the total 3.1 miles of levee the District currently maintains, 1.5 miles of interior levees meet or exceed the

¹²⁵ Reclamation District No. 2137, 2023 Five-Year Plan. February 27, 2023. p.2-11.

HMP standard. While the recently constructed 1.6-mile flood control levee meets or exceeds the HMP, PL 84-99, and Bulletin 192-82 levee standards.

According to the 2023 Five-Year Plan, the District's desired level of protection is to continue regular maintenance of the levees, including vegetation control and periodic slope repair activities, to prevent erosion and degradation. The estimated annual cost to maintain each levee segment, as well as the elevated trails, is approximately \$25,000 per mile.¹²⁶ However, the cost of maintaining the Emerson drainage divide may vary year to year due to the impact of public access. Pedestrian traffic and the presence of unauthorized encampments in this area may necessitate more frequent maintenance and ongoing monitoring, such as a dedicated staff on site to address issues in a timely manner.

The 2023 Five-Year Plan indicates that with adequate funding from the majority landowner (DWR), the District can continue to maintain the levees associated with the Restoration Project. Additionally, reimbursement from the Delta Levee Maintenance Subventions program for maintenance expenditures of the levee system is also identified as another potential funding source. The District has participated in the Subventions program since 2006.

It is recommended that the District make the updated Five-Year Plan available on its website to further enhance transparency.

¹²⁶ Reclamation District No. 2137, 2023 Five-Year Plan. February 27, 2023. p.11.

Figure 16-4: RD 2137 Service Configuration, Facilities, and Inspections Overview

Overview			
District Overview			
Total Levee Miles	3.1	Surface Elevation	-10 to 10 feet
Miles of Levees by Standard		Levee Miles by Type	
HMP Standard	3.1 ¹	Dry Land Levee	0.0
		Urban Levee	1.6
PL 84-99 Standard	1.6 ²	Agricultural Levee	0.0
Bulletin 192-82 Standard	1.6 ³	Other	1.5
District Facilities			
Internal Drainage System	Yes	Pump Station(s)	No
Detention Basins(s)	No	Bridges	1
Floodplain			
FIRM Designation	AE	Base Flood Elevation	7 feet
Levee Inspection Practices			
RD 2137 does not have a formal levee inspection procedure. Instead, levee patrols are performed through contracts with engineering firms.			
Levee Segment	Description	Condition	
South Levee	Constructed as part of the restoration project	Meets the 200-year Urban Standard, HMP, PL 84-99, and Bulletin 192-82	
Marsh Creek West Levee	Owned by DWR, maintained by RD 2137	Meets HMP Standard	
Emerson Slough	Earthen levee extending to south end of Emerson Slough	Meets HMP Standard	
Levee Maintenance			
According to the 2023 Five-Year Plan, the estimated annual cost per mile to maintain each levee segment is approximately \$25,000.			
Infrastructure Needs/Deficiencies			
No infrastructure needs have been identified; however, the District plans for continued maintenance of levees, including vegetation control and periodic slope repairs, to prevent erosion or degradation.			

- 1: The District's entire levee system meets or exceeds the HMP standard.
- 2: 1.6 miles of the District's levee system or the recently constructed south levee meets the PL 84-99
- 3: 1.6 miles of the District's levee system or the recently constructed south levee meets Bulletin 192-82 Levee Standard.

CONTRACTS FOR SERVICES

The District contracts for a range of services, including levee maintenance, drainage, flood control, levee patrol, upkeep of levee access roads, weed abatement, vector and rodent control, and slope protection. Additionally, flood fighting and levee patrol services are delivered both directly by the District and through contracts.

STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

RD 2137 shares administrative facilities, legal counsel, engineering services, and auditors with other reclamation districts in Contra Costa and San Joaquin Counties. The District reports that further efficiencies are also achieved through collaboration and facility-sharing efforts with the two landowners (the City of Oakley and DWR) through shared equipment and personnel for levee maintenance activities.

INFRASTRUCTURE NEEDS

The District has not reported any significant infrastructure needs.

CHALLENGES

The District has not identified any significant challenges in service delivery.

GOVERNANCE STRUCTURE OPTIONS

The 2015 MSR identified the following governance structure options for RD 2137:

- First, establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for flood emergencies was recommended. This option

has not yet been implemented. Mutual aid agreements can significantly enhance emergency response by providing additional personnel and specialized equipment, reducing risks during flood events. It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. The District can also further explore existing resource-sharing efforts with neighboring reclamation districts in Contra Costa and San Joaquin counties, as well as current facility-sharing practices with DWR and the City of Oakley, to identify new opportunities for collaboration and cost-sharing.

- Second, it was recommended that RD 2137 is established as a subsidiary district of the City of Oakley, with the City Council acting as the Board of Directors. However, this option is not feasible due to California Government Code §57105, which requires that at least 70 percent of the district's land area and registered voters must be within the city limits for a district to qualify as a subsidiary. In the case of RD 2137, the City of Oakley owns only 55 acres of parkland within the District, which is a small portion compared to the City's total area of 1,241 acres, indicating that it will not meet the required 70 percent threshold.
- A third governance option was recommended, involving the dissolution of RD 2137 and the transfer of responsibility restoration of the tract as part of the Dutch Slough Tidal Marsh Restoration Project. This would include the construction of any necessary new levees or the repair and maintenance of existing levees, with the State of California and/or the City of Oakley serving as successor agencies. However, this option has not been implemented.

As previously discussed, both the City of Oakley and DWR are landowners within the District. Consequently, if either agency were to assume the reclamation functions currently performed by the District, significant coordination would be necessary. It is also important to note that reclamation districts have statutory authority to carry out reclamation functions under California Water Code Sections 50000-53901.

In contrast, DWR's primary role, for instance, is to protect, conserve, develop, and manage much of California's water supply. While DWR participates in flood management

and infrastructure projects for Delta islands—such as Dutch Slough—through programs including, the State Water Project (SWP), Delta water conveyance, and habitat restoration, there are no precedents for DWR fully replacing a reclamation district in California.

In the case of City of Oakley, there are examples across California of cities partnering with existing RDs or forming joint agencies to assume reclamation functions and effectively manage water infrastructure needs. For example, the City of West Sacramento is protected from riverine flooding by levees and has a designated reclamation district, RD 900, which is responsible for operating and maintaining the levees and the internal drainage system to reduce flood risk within its boundaries.

In the case of Oakley, only 55 acres of land within RD 2137 is owned by the City, while the rest is owned by DWR and is located in the unincorporated part of Contra Costa County. As a result, the City's full takeover of the reclamation functions for RD 2137 may not be feasible. Additionally, while cities have general municipal powers, they do not have the automatic authority to manage levees, drainage, or reclamation services, as these functions typically fall under the jurisdiction of special districts (RDs) as defined in California Water Code Sections 50000-53901.

- Another governance option proposed was to place all areas within the Dutch Slough Tidal Marsh Restoration Project site under a single reclamation district, either through the dissolution of RD 2137 and annexation to RD 799 or the detachment of the portion of the Project area from RD 799 (the Burroughs parcel) and annexing it to RD 2137. This recommendation has not been implemented, and neither District has expressed interest in pursuing this option.

Currently, the portion of the Project within the Burroughs parcel, which is within the RD 799 boundaries, is in the planning phase. Additionally, no direct impacts to RD 799 have been observed from Project activities occurring within RD 2137 boundaries on the Emerson and Gilbert parcels. Therefore, no reorganization efforts are recommended at this time.

RD 2137 MSR DETERMINATIONS

GROWTH AND POPULATION PROJECTIONS

16-1: RD 2137 has no residents and anticipates no population growth or development in the foreseeable future.

THE LOCATION AND CHARACTERISTICS OF DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AGENCY'S SOI

16-2: The statewide MHI for 2017-2021, according to Census Bureau data, is estimated at \$84,097; hence, the calculated threshold of \$67,277 defines whether a community is identified as disadvantaged. According to the DWR Mapping Tool, the entirety of the RD 2137 area is not considered a disadvantaged community.

PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

16-3: The District provides flood protection and drainage services within its boundaries.

16-4: The District contracts for a range of services, including levee maintenance, drainage, flood control, levee patrol, upkeep of levee access roads, weed abatement, vector and rodent control, and slope protection. Additionally, flood fighting and levee patrol services are delivered both directly by the District and through contracts.

16-5: The District maintains a total of 3.1 miles of levees, which include a 1.6-mile flood control levee that was constructed in 2020 and 1.5 miles of interior levees located within the Dutch Slough Restoration Project area.

16-6: Additionally, the District is responsible for maintaining two elevated trails (the Emerson Drainage divide and the Gilbert cross) totaling 1.4 miles.

16-7: Of the total 3.1 miles of levee the District currently maintains, 1.5 miles of interior levees meet or exceed the HMP standard. While the recently constructed 1.6-mile flood control levee meets or exceeds the HMP, PL 84-99, and Bulletin 192-82 levee standards.

16-8: According to the 2023 Five-Year Plan, the District's desired level of protection is to continue regular maintenance of the levees, including vegetation control and periodic slope repair activities, to prevent erosion and degradation.

16-9: The estimated annual cost to maintain each levee segment, as well as the elevated trails, is approximately \$25,000 per mile. However, the cost of maintaining the Emerson drainage divide may vary year to year due to the impact of public access. Pedestrian traffic and the presence of unauthorized encampments in this area may necessitate more frequent maintenance and ongoing monitoring, such as a dedicated staff on site to address issues in a timely manner.

16-10: The 2023 Five-Year Plan indicates that with adequate funding from the majority landowner (DWR), the District can continue to maintain the levees associated with the Restoration Project. Additionally, reimbursement for levee maintenance expenditures through the Delta Levee Maintenance Subventions program is identified as another potential funding source. The District has participated in the Subventions program since 2006.

16-11: The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

16-12: RD 2137 funds its operations and administration through property assessments from the two landowners and grant funding from the State Delta Levee Subventions Program or Special Grants for specific projects.

16-13: The District also utilizes short-term bank loans, referred to as “warrants,” to support cash flow and fund large-scale projects.

At the beginning of FY 22-23, the District had an outstanding balance of \$400,000 and borrowed an additional \$800,000 throughout the year. By the end of the fiscal year, the District fully repaid the total amount of \$1,200,000, resulting in no outstanding balance in registered warrants.

16-14: In FY 22-23, total revenue (excluding other financing sources) of \$3,841,461 exceeded total expenses of \$3,282,793 by \$558,668, or by 17 percent. In contrast, in FY 21-22, total expenses of \$6,649,686 exceeded total revenue (excluding other financing sources) of \$5,155,275 by \$1,494,411, or 29 percent.

Revenue declined 25 percent, primarily due to a 26 percent decrease in state assistance. Over 97 percent of revenue in both years came from DWR work agreements tied to the Dutch Slough Tidal Marsh Restoration Project. These high, project-specific funds are not expected to remain as a revenue base.

Expenses fell 51 percent, driven by a decrease in levee maintenance costs from \$6,554,272 to \$1,633,607, which accounted for most of the total spending and was likely related to the Restoration Project.

16-15: Under the Delta Stewardship Council’s Delta Levee Investment Strategy (DLIS), RD 2137 is designated as “very-high priority.” This designation applies to levees that significantly reduce flood risks to human life, protect state water supplies from saltwater intrusion, and sustain critical ecosystems or agricultural lands vital to the Delta region in areas most at risk. Based on DLIS’s funding prioritization, islands or tracts with these designations are given priority by DWR for levee project funding.

16-16: The District has not identified additional potential funding opportunities.

STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

16-17: RD 2137 engages in resource sharing practices with other reclamation districts in Contra Costa and San Joaquin Counties for administrative facilities, legal counsel, engineering services, and auditing services.

Additional efficiencies are also achieved through collaboration with the City of Oakley and DWR, sharing equipment and personnel for levee maintenance.

ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES

16-18: RD 2137 is governed by a three-member board of trustees, each serving staggered four-year terms.

16-19: Since the 2015 MSR, the District has launched a website that offers limited information including an archive of agenda packets for meetings held since 2023, as well as key financial reports such as, District’s Compensation Report and the State Controller’s Office Financial Transaction Report. To further improve transparency, it is recommended that the District ensure that an up-to-date Five-Year Plan, audits, budgets, and meeting minutes are easily accessible on the website.

16-20: The 2015 MSR also recommended establishing a regional mutual aid agreement with nearby reclamation districts to formalize resource-sharing plans for emergencies. However, this recommendation has not yet been implemented.

It is recommended that the District explore this option to address shared challenges in the Delta region and strengthen community resilience. Developing such regional partnerships could reduce shared expenses and improve operational efficiency across districts.

16-21: Other recommendations include making RD 2137 a subsidiary of the City of Oakley; however, this is not a feasible option as the City owns only a small portion of the District’s land, which does not meet the 70 percent threshold required under California Government Code §57105.

Transferring RD 2137's responsibilities to the State or the City of Oakley was also recommended; however, it has not been implemented. This option would require extensive coordination and lacks precedent, as DWR has never fully assumed the role of a reclamation district.

Another recommendation proposed consolidating the Dutch Slough Project area, including RD 2137 and RD 799, under a single reclamation district through annexation or detachment; however, this option was also not implemented. The portion of the Project within the Burroughs parcel, which is within the RD 799 boundaries, remains in the planning phase. Additionally, no direct impacts to RD 799 have resulted from Project activities occurring within the RD 2137 boundaries on the Emerson and Gilbert parcels.

Therefore, no reorganization efforts are recommended at this time.

RD 2137- PROPOSED SOI DETERMINATIONS

LAFCO is required to prepare a written statement of determination with respect to the following areas when updating a special district's Sphere of Influence, as specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The following determinations are proposed for Reclamation District 2137.

PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS

- The District is not a land use authority and does not hold primary responsibility for implementing growth strategies.
- Current land uses within the District are primarily tidal marsh and open space/habitat area.
- The majority of the District's lands comprise the Dutch Slough Tidal Marsh Restoration Project site, which involves restoring the area to tidal marsh, tidal channels, tidal open water, managed marsh, riparian woodland, and upland grasslands.
- The project also includes the development of a 55-acre community park in the south-central portion of Dutch Slough, owned by the City of Oakley; however, a timeline for this phase of the project has yet to be established.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA

- The District anticipates no significant population growth or development in the near future, indicating that demand for public services will remain stable.

PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE

- The District maintains a total of 3.1 miles of levees, which include a 1.6-mile flood control levee that was constructed in 2020 and 1.5 miles of interior levees located within the Dutch Slough Restoration Project area.
- The District is also responsible for maintaining two elevated trails (the Emerson Drainage divide and the Gilbert cross) totaling 1.4 miles.

- Of the total 3.1 miles of levee the District currently maintains, 1.5 miles of interior levees meet or exceed the HMP standard. While the recently constructed 1.6-mile flood control levee meets or exceeds the HMP, PL 84-99, and Bulletin 192-82 levee standards.
- According to the 2023 Five-Year Plan, the District's desired level of protection is to continue regular maintenance of the levees, including vegetation control and periodic slope repair activities, to prevent erosion and degradation.
- The District has not reported any significant infrastructure needs, and overall, current service delivery is generally adequate.

EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA

- There are no communities of interest within RD 2137.

PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

- There are no disadvantaged unincorporated communities (DUCs) within or contiguous to the RD 2137 sphere of influence.

RECOMMENDED SPHERE OF INFLUENCE BOUNDARY

It is recommended that the Commission reaffirm the current SOI for RD 2137.

CONTRIBUTORS

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