



Lou Ann Teixeira  
Executive Officer

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November 18, 2015 (Agenda)

November 18, 2015  
Agenda Item 7

Contra Costa Local Agency Formation Commission (LAFCO)  
651 Pine Street, Sixth Floor  
Martinez, CA 94553

**Reclamation Services Municipal Services Review and  
Sphere of Influence Updates (2<sup>nd</sup> Round)**

Dear Members of the Commission:

In October, the Commission received an overview of the Public Review Draft Reclamation Services Municipal Service Review (MSR) (2<sup>nd</sup> Round) covering the Bethel Island Municipal Improvement District (BIMID) and the 13 Reclamation Districts (RDs).

The presentation in October covered MSR requirements, an overview of the agencies reviewed, the MSR process, comparative analysis, significant findings, a summary of comments received in response to the Public Review Draft report, and next steps. The Commission held a public hearing to receive public comments, and Commissioners also provided input.

Based on comments received during the public comment period and at the hearing in October, the MSR consultants made revisions and updates to the report, as reflected in the Final Draft MSR, as previously provided and available on the LAFCO website at [www.contracostalafco.org](http://www.contracostalafco.org).

On November 18, the Commission will be asked to accept the Final MSR report, adopt a resolution containing the required determinations (Attachment 1), and update the SOIs for all districts covered in the MRS including BIMID and RDs 799, 800, 830, 2024, 2025, 2026, 2059, 2065, 2090, 2117, 2121, 2122, and 2137.

**DISCUSSION**

***Municipal Service Review Overview*** - The 2nd round reclamation services MSR covers 14 special districts, and focuses on physical improvements since 2009, changes in fiscal viability, and identifies potential resource sharing and funding opportunities that may assist these districts in maintaining and improving their levee systems. In sum, the MSR includes the following components:

- Overview of the Sacramento/San Joaquin Delta
- Overview of reclamation districts and their challenges
- Discussion of funding opportunities
- Individual description of each of the 14 districts covered in the MSR
- Recommended MSR determinations as required by the CKH ACT
- Governance and SOI recommendations

We learned in the 2009 MSR that the reclamation districts are unique in that they are small, landowner districts with limited resources and a critical job. These districts are responsible for managing and maintaining the levees, and other flood protection structures which safeguard the Delta. Each district is run autonomously by a board, typically composed of landowners and/or landowner representatives. The districts are primarily funded with taxes (assessments) paid by the landowners.

**2015 MSR Findings** - The 2015 MSR acknowledges many of the challenges faced by these districts, including capital/ infrastructure, funding, and governance. And while the districts share an interest to ensure the integrity of the Delta, it is challenging, in many cases, to share levee systems and related infrastructure.

The focus of the 2015 MSR was to spotlight physical/infrastructure improvements since 2009 and changes in fiscal viability. The MSR also provides an update on the status of issues highlighted in the 2009 MSR, and identifies potential resource sharing and funding opportunities that may assist these districts in maintaining and improving their levee systems.

Here's a brief recap of what we learned:

- **Infrastructure** – As reported, most of the districts have performed annual maintenance/improvements on their levees, with the exception of RD 2117, which performed minimal maintenance, and RD 2121, which is essentially inactive. All districts have completed a 5-Year Facilities Plan, with the exception of RD 2121. All of the districts currently meet the 100-year flood standard. RD 2024 reports that all its levees now meet the Hazard Mitigation Plan 200-year standard. All other districts are working toward improving their levees to meet the 200-year standard.
- **Fiscal** – Funding continues to be a challenge for the RDs, many of which operate with minimal funding. Most of these districts are funded by a combination of special assessments, property tax, the sale of warrants, and grants/subventions. Many of the districts rely on grants administered by the California Department of Water Resources (DWR). The challenge most districts have is generating matching funds that are required for many federal and state grants. Most of the small districts utilize short-term borrowing to match annual Levee Subvention Program Grant funding.
- **Overall Assessment Since 2009 MSR** – The MSR concludes that BIMID and RDs 800, 830, 2024, 2025, 2026, and 2137 show improvements since the 2009 MSR, while RDs 799, 2065, 2090, 2121 and 2122 remain status quo. RD 2059's current situation is unknown due to

insufficient information, and RD 2117's overall assessment is lower (pending grant funding for improvements).

- **Resource Sharing** – One of the factors reviewed as part of the MSR is “status of, and opportunities for, shared facilities.” Most of the districts contract for and/or share legal, engineering, accounting, levee maintenance, and related services. Several of the districts share administrative facilities. Below are some examples of district resource sharing:
  - BIMID works with the American Red Cross, the County Office of Emergency Services, and has agreements with various cities, districts and counties to provide emergency support. BIMID also partners with County Public Works and Planning on various projects and programs.
  - RD 799 and BIMID collaborate on various administrative functions.
  - RD 830 has undertaken a number of collaborative and facility sharing opportunities since the 2009, including various agreements/partnerships with Ironhouse Sanitary District, DWR, Westervelt Ecological Services, and various outside vendors.
  - RD 2024 has an agreement with the East Bay Municipal Utility District (EBMUD) for storage.
  - RD 2090 shares an administrative facility, attorney, engineer and auditor with other RDs, and collaborates and shares facilities with Ellis Island Farms for the use of equipment and staff for levee maintenance activities.
  - RD 2117 shares use of equipment/staff with Coney Island Farms.
  
- **Funding Opportunities** - The MSR includes a chapter on funding sources, grant programs and projects, California Department of Fish & Wildlife programs, and other agency grant programs and opportunities.

**MSR Determinations** - In accordance with the MSR, LAFCO must prepare written determinations relating to various factors including the following:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the SOI.
3. Present and planned capacity of public facilities, adequacy of public services, and 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 SOI.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

The determinations are presented in the attached resolution (Attachment 1).

***Sphere of Influence Updates*** - In accordance with the MSR, the Commission will be asked to update the SOIs for each of the 14 districts. The requirement for LAFCOs to conduct MSRs was established by the CKH Act as an acknowledgment of the importance of SOIs, and recognition that periodic updates of SOIs should be conducted on a five-year basis (Gov. Code §56425(g)), with the benefit of better information and data through MSRs (Gov. Code §56430(a)).

SOIs define the logical, long-term service boundary for an agency. SOIs can be the same, larger, or smaller than the existing jurisdictional boundary of a city or special district. Agencies can also receive a “zero” SOI that signals a future “reorganization” (e.g., dissolution, consolidation, etc.).

LAFCOs are required to make written determinations in accordance with Government Code §56425(e) when establishing, amending, or updating an SOI for any local agency that address the following:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any DUS with the existing SOI.

Additionally, when updating the SOIs for districts, LAFCOs are also required to establish the nature, location, and extent of any functions or classes of services provided [Section 56425(i)].

The MSR includes governance and SOI/boundary options and recommendations as summarized on the attached table (Attachment 2). LAFCO staff will review these options with the Commission on November 18<sup>th</sup>, at which time the Commission will also be asked to update the SOIs, by resolution, for all the districts covered in the MSR report (Attachments 3a-3n).

With the exception of two districts, RD 800 and RD 2121, the SOI recommendations from both the MSR consultants and LAFCO staff are to retain the existing SOIs.

**RD 800 (Byron Tract)** – The District, comprising approximately 6,933 acres, includes a majority of the unincorporated community of Discovery Bay, surrounding agricultural lands and public facilities. RD 800 provides flood protection to approximately 3,718 properties, including 3,390 residential parcels and 26 non-taxable parcels. The District maintains 18.9 miles of levees, and its levees currently provide 100-year flood protection.

The MSR includes two SOI options for RD 800: 1) expand the SOI to include the Pantages Bay project site, and 2) retain the existing SOI (non-coterminous). The MSR notes that in December 2013, the County approved the Pantages Bay project which includes 292 homes, 47 acres of man-made bays and coves to provide water access for some of the homes, a public trail, 46 acres

of open space, and the widening of Kellogg Creek immediately east of the project. The County's Project Planner indicates that the Pantages project went back to hearing due to the proposed relocation of several bays. On October 6<sup>th</sup>, the Board of Supervisors approved the reconfiguration. The County Planning Department issued a permit with numerous conditions. The project proponent is currently working on meeting the specified conditions; it is estimated that compliance will take approximately 1-2 years.

As noted in the MSR, RD 800 is cosponsoring the proposed Kellogg Creek widening which will reduce water velocities in that section of Kellogg Creek and improve boater safety. The widening will also reduce bank erosion and sedimentation, and limit the need for dredging. Future SOI amendments and annexations to RD 800 and the Town of Discovery Bay Community Services District (DBCSD) would be needed to provide services to the development project.

The MSR consultants are recommending that LAFCO expand RD 800's SOI to include the Pantages Bay project area (see Attachment 3). However, given the current status of this project, and the challenges associated with some of the conditions (e.g., fire and water services), LAFCO staff believes it is premature to expand the SOI of RD 800 to include the project area. Instead, at the appropriate time, the applicant can apply to LAFCO to expand the SOIs and annex to RD 800 and DBCSD.

**RD 2121 (Bixler Tract)** – The District is a family-run operation (the Bloomfield family) that provides maintenance services to non-project levees and internal drainage facilities. Land uses are primarily agricultural. RD 2121 maintains two miles of levees. The District does not have any employees – maintenance activities are carried out by employees of the Bloomfield family and Bloomfield Vineyards. The District is not functioning as a governmental agency and has not recorded financial transactions for the past six years to the State Controller's Office. The property owners report that some improvements on the levees have been made with rock materials, but no value to the District has been recorded. Unless the District reactivates its activities and financial reporting, it is assumed that no State Levee Subvention or Special Project funding will be available.

The 2009 MSR reached the same conclusion regarding adopting a zero MSR, noting similar issues with RD 2121 - The District is essentially inactive, does not function as a public agency, and is not fulfilling its corporate powers.

Both the MSR consultants and LAFCO staff recommend adoption of a zero SOI for RD 2121, which indicates that the agency should be "reorganized" (e.g., dissolved, consolidated, etc.) at some time in the future.

**Governance Options** – The MSR also includes recommended governance options to enhance operations, efficiency and transparency. Included among these recommendations are the following:

1. All districts should pursue the development and implementation of mutual aid agreements with neighboring RDs to assist each other in times of need and/or emergency situations; and

2. Districts should pursue the implementation of a countywide RD website hosted through the County, LAFCO, or a consortium of RDs to enhance accountability and transparency. Only four (BIMID and RDs 800, 830, and 2059) of the 14 districts reviewed have a website.

## **ENVIRONMENTAL ANALYSIS**

The MSR is a study, intended to serve as an informational tool to help LAFCO, local agencies and the public better understand the public service structure in Contra Costa County. The service review and determinations are a study and are Categorical Exempt under §15306, Class 6 of the California Environmental Quality Act (CEQA) Guidelines. LAFCO actions on SOI updates are exempt under the General Rule exemption §15061(b)(3) of the CEQA Guidelines.

## **RECOMMENDATIONS**

1. Receive the staff report and open the public hearing to consider accepting the Final MSR and adopting the MSR determinations;
2. After receiving public comments close the hearing;
3. Determine that the MSR project is Categorical Exempt pursuant to §15306, Class 6 of the CEQA Guidelines;
4. Accept the Final MSR report;
5. Adopt the MSR determinations by resolution attached hereto;
6. Update the SOIs as recommended for BIMID and RDs 799, 800, 830, 2024, 2025, 2026, 2059, 2065, 2090, 2117, 2121, 2122, and 2137.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

c: Distribution

Attachment 1- Resolution with MSR Determinations

Attachment 2 – Summary Table - Governance and SOI Options & Recommendations

Attachments 3a-3n – Resolutions/Maps Updating SOIs for BIMID and RDs 799, 800, 830, 2024, 2025, 2026, 2059, 2065, 2090, 2117, 2121, 2122, and 2137

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**ADOPTING DETERMINATIONS FOR THE 2015 RECLAMATION SERVICES  
(2<sup>ND</sup> ROUND) MUNICIPAL SERVICE REVIEW**

**WHEREAS**, Government Code §56430 requires LAFCO to conduct municipal service reviews (MSRs) in order to prepare and update spheres of influence (SOIs) pursuant to Government Code §56425; and

**WHEREAS**, the Commission previously authorized the *Reclamation Services (2<sup>nd</sup> Round) MSR* to be prepared; and

**WHEREAS**, this MSR covers services provided by the Bethel Island Municipal Improvement District (BIMID), and Reclamation Districts (RDs) 799, 800, 830, 2024, 2025, 2026, 2059, 2065, 2090, 2117, 2121, 2122, and 2137; and

**WHEREAS**, on October 14, 2015, the Commission held a public hearing to receive an overview of the Public Review Draft MSR, receive public comments, and provide input; and

**WHEREAS**, on October 14, 2015 the Commission directed the MSR project team to prepare the Final MSR and set a public hearing for November 18, 2015 to receive the Final MSR report, make the required determinations, and update SOIs; and

**WHEREAS**, the MSR report and determinations are Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to §15306 Class 6 of the CEQA Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Contra Costa Local Agency Formation Commission does hereby resolve, determine and order as follows:

The Reclamation Services (2<sup>nd</sup> Round) Municipal Service Review determinations attached hereto as Exhibit A and incorporated herein by reference are hereby adopted.

\* \* \* \* \*

PASSED AND ADOPTED THIS 18<sup>h</sup> day of November 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

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Lou Ann Texeira, Executive Officer

**EXHIBIT A**  
**COUNTYWIDE RECLAMATION SERVICES (2<sup>ND</sup> ROUND)**  
**MUNICIPAL SERVICE REVIEW DETERMINATIONS**

***Growth and Population***

**Bethel Island Municipal Improvement District (BIMID)**

- Bethel Island has a population of 2,137, and 1,311 housing units. The population nearly doubles during the summer due to the Island's abundant recreation facilities. The Delta Coves project, at build-out, is expected to bring a total of 561 residential units to the island. If completed, this project could increase the Island's population to approximately 3,400, a significant increase (44 percent) over the current population.

**Reclamation District (RD) 799**

- There are 969 residents within the District's boundary. Planned residential development, if constructed, will result in a population increase to RD 799 within the next 5-10 years.

**RD 800**

- The population of RD 800 is currently 7,656. The portion of Discovery Bay within RD 800 is largely built out, and no significant population growth is anticipated within the next 10-15 years.

**RD 830**

- RD 830's territory is primarily used for agriculture, cattle grazing, and habitat preservation. RD 830 has a population of three persons; no population growth is expected within the next 10-15 years.

**RD 2024**

- RD 2024's current population is approximately 40, the majority being seasonal farmworkers. The District anticipates no population growth or development in the foreseeable future.

**RD 2025**

- RD 2025 has 18 landowners and approximately 27 residents according to recent Census data. Delta Wetlands Properties, the island's largest landowner, owns about 75 percent of the island. The District has not experienced recent growth and no significant population growth is anticipated in the future.

**RD 2026**

- RD 2026 is uninhabited and no population growth is anticipated in the foreseeable future.

**RD 2059**

- RD 2059's population is fewer than 10 full-time residents. No planned or proposed projects are anticipated at this time, and no population growth is expected within the next 10 to 15 years.

**RD 2065**

- RD 2065 reports there are 14 residents within the District, and no significant increase in population is projected in the next 10 to 15 years.

**RD 2090**

- RD 2090's population is one person, with four to five additional persons seasonally. No growth is anticipated in the foreseeable future.



**RD 2117**

- RD 2117 has four residents, and no significant increase in population is projected in the next 10 to 15 years.

**RD 2121**

- RD 2121 has a current population of five residents. The District's land uses are primarily agricultural, and no population is growth is projected in the next 15 to 20 years.

**RD 2122**

- There is no permanent residential population on the island, no anticipated development, and no growth anticipated for the foreseeable future.

**RD 2137**

- RD 2137 reports a population of two, with no anticipated growth in the foreseeable future.

***Location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to the SOI***

**Bethel Island Municipal Improvement District (BIMID)**

- The entirety of Bethel Island qualifies as a DUC. Any future change in BIMID's sphere of influence (SOI) or service territory would require a detailed evaluation of BIMID's capability to adequately serve these communities.

**RD 799**

- There are no DUCs located within RD 799. Bethel Island is a DUC and is contiguous to RD 799. If annexation of territory or an SOI expansion is ever considered by RD 799 to include the Bethel Island area, a detailed analysis will be required to evaluate RD 799's ability to provide service to this area.

**RD 830**

- RD 830 is not a DUC; however, Bethel Island has been identified by the County as a DUC and is contiguous to RD 830. If annexation of territory or an SOI expansion is ever considered by RD 830 to include the Bethel Island area, a detailed analysis would be required to RD 830's ability to provide service to this area.

**All Other Districts**

- There are no DUCs located within, or contiguous to, RDs 800, 2024, 2025, 2026, 2059, 2065, 2090, 2117, 2121, 2122, and 2137.

***Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any DUCs within or contiguous to the SOI***

**Bethel Island Municipal Improvement District (BIMID)**

- BIMID appears adequately prepared to meet the present and future needs of its service area. Several levee upgrade project needs were identified to meet 200-year flood standards. Overall, the levees are reported to be adequately maintained and BIMID has plans for additional improvements. The District indicates that it

has prepared a 5-Year Facilities Plan and has obtained approval of Special Project funding of \$3.5 million. Ongoing maintenance of the BIMID levees is accomplished by use of property taxes, owner assessments, and Levee Subventions Grant Funding. Based on the information provided, the District has the potential to provide services for a 100-year flood and is working toward improving the levees to meet the 200-year flood standard to protect District areas. The entirety of Bethel Island qualifies as a DUC. Any future change in the BIMID's SOI or boundary would require a detailed evaluation of BIMID's capability to adequately serve the areas.

### **RD 799**

- RD 799 appears adequately prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained and the District has plans for additional improvements. RD 799 has prepared a 5-Year Facilities Plan and has applied for Special Project funding. Ongoing maintenance of the District levees is accomplished by use of owner assessments and Levee Subventions Grant Funding. Based on the information provided, the District has improved its facilities to a design measure for a 100-year flood standard in 8 of 11 miles of levees, and is working toward improving the levees to meet the 200-year flood standard to protect District areas. There are no DUCs located within RD 799. Bethel Island is a DUC and is contiguous to RD 799. Any future change in the SOI or service boundary would require a detailed evaluation of the District's capability to adequately serve the areas.

### **RD 800**

- RD 800 is adequately prepared to meet the present and future needs of its service area. No major infrastructure needs were identified. Overall, the levees are reported to be adequately maintained and the District has plans for additional improvements. The District indicates that it has prepared a 5-Year Facilities Plan and has applied for Special Project funding as outlined. Ongoing maintenance of RD 800's levees is accomplished by use of property owner assessments and Levee Subventions Grant Funding. Based on the information provided, the District has the potential to provide services for a 100-year flood and is working toward improving the levees to meet the 200-year flood standard to protect the District areas. The District should adopt a formal levee inspection procedure to inspect all levees at least annually. There are no DUCs located within or contiguous to the District.

### **RD 830**

- RD 830 appears adequately prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained and the District has plans for additional improvements. RD 830 has prepared a 5-Year Facilities Plan and has obtained approval of Special Project funding. Ongoing maintenance of the District levees is accomplished by use of one landowner assessment and Levee Subventions Grant Funding. Based on the information provided, RD 830 has made improvements to upgrade the entire levee system to meet Hazard Mitigation Plan (HMP) height and width standards. Additionally, the District is working toward improving the levees to meet the more stringent PL 84-99 standard. RD 830 is not a DUC. However, Bethel Island, which is contiguous to RD 830, is a DUC. If annexation of territory or an SOI expansion is ever considered by RD 830 to include the Bethel Island area, a detailed analysis would be required to evaluate the ability of RD 830 to provide service to this area.

### **RD 2024**

- RD 2024 appears adequately prepared to meet the present needs of its service area. Overall, the levees are reported to be adequately improved to a 5-Year plan standard for additional improvements. RD 2024 has completed an \$8 million project for levee improvements through the Special Project Grants and reports that all levees now meet the PL 84-99 standard. Ongoing maintenance of the District levees is attained by use of the landowner assessments and Levee Subventions Grant Funding. Based on the information

provided, RD 2024 has been providing a high level of services for maintaining the levees and is able to handle a 100-year flood event and a 200-year flood event for all of its levee system. There are no DUCs located within, or contiguous to, RD 2024.

#### **RD 2025**

- RD 2025 appears adequately prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained and the District has plans for additional improvements. RD 2025 has prepared a 5-Year Facilities Plan and has obtained approval of two Special Project funding grants. Ongoing maintenance of the District levees is accomplished by use of the landowner assessments and Levee Subventions Grant Funding. Based on the information provided, the District has the potential to provide services for a 100-year flood and has improved the levees to meet the 200-year flood standard to protect the District areas. There are no DUCs located within, or contiguous to, RD 2025.

#### **RD 2026**

- RD 2026 appears adequately prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained, and the District has plans for additional improvements. The District has prepared a 5-Year Facilities Plan and has obtained approval of two Special Project funding grants. Ongoing maintenance of the District levees is accomplished by use of the landowner assessments and Levee Subventions Grant Funding. Based on the information provided, the District has the potential to provide services for a 100-year flood and is working toward improving the levees to meet the 200-year flood standard to protect the district areas. There are no DUCs located within, or contiguous to, RD 2026.

#### **RD 2059**

- The District's levee system consists of 7.5 miles of levees, all of which meet HMP height standards. The drainage, pump and discharge system is operating at acceptable levels and no inundation incidents have occurred in the past six years since the prior 2009 MSR.
- RD 2059 appears adequately prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained and the District has plans for additional improvements. The District has prepared a 5-Year Facilities Plan and has obtained approval of a Special Project funding grant of \$7 million. Ongoing maintenance of RD 2059 levees is accomplished by use of the landowner assessments and Levee Subventions Grant Funding. Based on the information provided, the entirety of the Island's 7.5 miles of levees meets the HMP standards. There are no DUCs located within, or contiguous to, RD 2059.

#### **RD 2065**

- RD 2065 appears adequately prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained and the District has plans for additional improvements. RD 2065 has prepared a 5-Year Facilities Plan and has obtained approval of a Special Project funding grant of \$2.2 million. Ongoing maintenance of the District levees is accomplished by use of the landowner assessments and Levee Subventions Grant Funding. Approximately 4.2 miles (84 percent) of existing levees meet the HMP standard. RD 2065 is currently working to leverage State financial assistance to fund a comprehensive rehabilitation project. If the California Department of Water Resources (DWR) funding is secured, the District plans to rehabilitate the entire levee system to meet HMP standards, including all weather road improvements during FY 2015-16. There are no DUCs located within, or contiguous to, RD 2065.

### **RD 2090**

- RD 2090 appears minimally prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained, but the District has prepared a 5-Year Plan for needed additional improvements. RD 2090 has not recently participated in the Special Projects Grant Program due to limited financial resources to match grants. Ongoing maintenance of the District levees is accomplished by use of landowner assessments and Levee Subventions Grant Funding. Based on the information provided, the District has the potential to provide a minimum level of services for maintaining the levees and is able to handle a 100-year flood event but not a 200-year flood event. RD 2090 should prepare a funding approach to implement the 5-Year Plan to design and fund the 200-year flood criteria levee improvements. There are no DUCs located within, or contiguous to, RD 2090.

### **RD 2117**

- RD 2117 appears prepared to meet the present and future needs of its service area. Overall, the levees are reported to be adequately maintained, and the District has prepared a 5-Year Facilities Plan for additional improvements. RD 2117 has participated in the Special Projects Grant Program and received a \$2.22 million authorization. Due to the District's limited financial resources to match grants, however, it is not clear when the project will proceed. Ongoing maintenance of the District levees is accomplished by use of the landowner assessments and Levee Subventions Grant Funding. The District reports that HMP standards have been met for 98 percent of the levee length. Since the 2009 MSR, improvements have been completed to approximately 75 percent of the levee length and now meet PL 84-99 standards. There are no DUCs located within, or contiguous to, RD 2117.

### **RD 2121**

- RD 2121 appears prepared to meet the present needs of its service area. Overall, the levees are reported to be minimally maintained. The District has not prepared a 5-Year Plan for additional improvements. Due to limited financial resources to prepare a 5-Year Plan and to match grants, it is not clear when the District will proceed with a plan of levee improvements. Ongoing maintenance of RD 2121's levees is accomplished by use of the landowner assessments. The District is not a participant in the Levee Subventions Program. Based on the information provided, RD 2121 provides a minimum level of services for maintaining the levees. Currently, the District's two miles of levees do not meet the HMP standards (i.e., one foot above the 100-year flood plain). There are no DUCs located within, or contiguous to, RD 2121.

### **RD 2122**

- RD 2122 appears minimally prepared to meet the present needs of its service area. Overall, the levees are reported to be marginally maintained. The District has prepared a 5-Year Plan for additional improvements. Due to limited financial resources to match grants, it is not clear when RD 2122 will proceed with levee improvements through the Special Project Grant. Ongoing maintenance of the District levees is accomplished by use of the landowner assessments and Levee Subventions Grant Funding. Based on the information provided, RD 2121 provides a minimum level of service for maintaining levees. The District reports that 1.5 miles of levees meet the HMP standard (one foot above the 100-year flood plain), and the remaining 3.5 miles of levees do not meet the HMP standard. There are no DUCs located within, or contiguous to, RD 2122.

### **RD 2137**

- RD 2137 appears prepared to meet the present needs of its service area. Overall, the levees are reported to be adequately maintained and the District has prepared a 5-Year Plan for additional improvements. RD 2137 has received authorization of \$9.4 million for levee improvements through the Special Project Grants

Program. Ongoing maintenance of the District levees is accomplished by use of the landowner assessments and Levee Subventions Grant Funding. Based on the information provided, the District provides a minimum level of services for maintaining the levees and is able to handle a 100-year flood event in 3.0 of the 3.8 miles of levees, but not a 200-year flood event for most of its levee system. There are no DUCs located within, or contiguous to, RD 2137.

### ***Financial Ability of Agencies to Provide Services***

#### **Bethel Island Municipal Improvement District (BIMID)**

- In the past five years, BIMID has been successful in obtaining California Department of Water Resources (DWR) Levee Subvention Funds and Special Project Grants. Two Special Project Grants were obtained - one is currently funding construction for about 50 percent of \$1.6 million in levee improvements. A second grant of \$3.5 million has recently been approved for major improvements to the Horseshoe Bend area of the Bethel Island levee.
- The challenge for BIMID has been to obtain voter approval for an Assessment Fee to help fund ongoing enhanced maintenance and the local matching funds for future grants and special projects to further improve the District's levee system. Approximately \$210,000 will be needed over the next three years for the BIMID's local share of funding for the Horseshoe Bend Project along. A vote occurred between June and August 6, 2015, and the Assessment Fee was approved. With approval of this new funding source, BIMID shows in its assessment district report and analysis that it will have the financial resources to make capital improvements and increase operational maintenance for at least the next 10 years.

#### **RD 799**

- The District collects annual assessments from property owners and participates in the DWR Levee Subventions Program each year. No property tax revenue is received. RD 799 reports it has no long-term debt. RD 799 reports that it conducts general routine maintenance with the exception of being able to complete cleaning and maintenance of all the District's drainage ditches in a single year. "High priority" ditches continue to be routinely cleaned using contract labor, but budget constraints preclude cleaning all of the ditches at one time. Based on the last three years of data, RD 799 has sufficient funds to adequately fund the maintenance and repair of the facilities as needed through landowner assessments and grants.

#### **RD 800**

- The District receives property tax revenues on improved properties and agricultural lands which provides about 45 to 50 percent of overall revenues. RD 800 has assessment fee revenue of approximately 40 to 45 percent. Other services such as land grazing and agriculture leases provide revenues of a nominal amount (approximately four percent). The District also participates annually in the DWR Levee Subvention Program. The District has been able to adequately fund maintenance and capital projects through assessments and tax revenues on a regular basis.

#### **RD 830**

- RD 830 entered into a \$6 million agreement with the DWR to serve as lead agency providing approximately \$5.9 million worth of mitigation credits to all eligible Delta RDs. RD 830 has historically had an operating budget of \$500,000 to \$4 million in expenditures that varies with maintenance and capital improvement needs. The District has been able to fund needed improvements and maintenance over the past several years, and with purchase of the property by the Ironhouse Sanitary District (ISD), the funding levels have improved.

### **RD 2024**

- RD 2024 receives funding from several sources, including: property assessments; the State Delta Levee Subvention and Special Levee Project Programs; and financial assistance from the East Bay Municipal Utility District (EBMUD). Excess funds on hand are deposited with the Contra Costa County Treasurer. The District currently has approximately \$1,000,000 in funds for future project share needs. At the end of FY 2012-13, the District had \$1,007,596 in Unrestricted Assets. Major utility facilities cross the RD 2024's property. Continued participation by those entities and interest by the state and federal agencies have made improvement and maintenance of RD 2024 levees a high priority. The District has been able to collect adequate funds for operations and to establish a capital reserve.

### **RD 2025**

- RD 2025 funds capital facilities and maintenance by collecting annual assessments on the District's 18 property owners. Additional funding has come from the DWR Levee Subventions Program and two Special Project Grants (totaling \$5,719,500). The District participates in the Delta Levee Subventions program and has secured funding fairly regularly based upon need and availability. RD 2025 has considered increasing the property assessments but has not pursued that as yet due to the cost of conducting an assessment Proposition 218 election. The District has been able to collect adequate funding for the past three years and is developing a plan to increase property assessment funding for needed grant funded projects.

### **RD 2026**

- RD 2026 collects assessments on properties annually for maintenance and grant match funding. The District participates annually in the Levee Subvention Program (75 percent grant and 25 percent match). Three Special Project Grants were received since 2010 totaling \$9 million to which the District must match five percent plus up front planning and engineering costs. Of this, \$4,711,616 has been spent as of December 2014. RD 2026 utilizes bank loans in the form of short-term "warrants" to finance the cash flow and District share until the projects are completed. RD 2026 has historically been able to fund needed operations through property owner assessments. In order to make improvements to levees and match available grants, landowners have provided bank warrant funding to match the needed funding, which indicates a willingness to provide needed funding for the District.

### **RD 2059**

- RD 2059 operates on revenues from property owner assessments, levee subvention grants and ferry service fees. Since 2010, the District has been successful in receiving two Special Project Grants totaling a reported \$7.5 million and at a 100 percent grant funding level. RD 2059 operates the ferry service at a financial loss and has been looking at ways to generate more revenues or obtain support funding to keep the ferry in operation for the users of the property and their clients. The District has been able to collect adequate funds to operate and make improvements over the past several years and is studying ways to improve its funding needs.

### **RD 2065**

- RD 2065 funds operations and administration through a combination of property assessments and any grant funding that is available from the State Delta Levee Subventions Program or Special Grants for projects. The District deposits excess funds with the Contra Costa County Treasurer. The balance on June 30, 2014 was \$21,167. The District has outstanding warrants payable on a bank loan in the amount of \$98,000 earning an interest rate of 6.5 percent and outstanding liabilities of \$36,094. RD 2065 property owners have entered into an agreement to provide additional assessment fees to match grant funding in

future years. Historically the property owners have provided adequate assessment revenues upon demand by the District.

#### **RD 2090**

- RD 2090 funds ongoing maintenance and operations through assessments and reimbursement from its landowner as needs are identified. The District has been successful in obtaining Levee Subvention Grant funding with minimal landowner contributions for added maintenance. The single landowner may have to provide increased assessment fees to make necessary improvements to the agency levees.

#### **RD 2117**

- RD 2117 funds operations and administration through a combination of property assessments and any grant funding that is available from the State Delta Levee Subventions Program or Special Grants for projects. The District does not prepare a budget and prioritizes spending funds based on annual needs. The District does complete an annual audit. RD 2117 has been approved for a Special Project Grant of \$2.22 million but will be required to match approximately 11 percent of that amount. The District is in the process of evaluating revenue sources and possible borrowing of funds to reach the required match amount so that the project can proceed. RD 2117 property owners will have to decide if they are willing to provide increased funding for the identified levee improvements. Based upon the past 3-4 years of budget and audit review, minimal funding has been provided by the property owners. Without additional funds, grant funding will not be available.

#### **RD 2121**

- RD 2121 considers itself “inactive.” The District is not functioning as a governmental agency and has not recorded financial transactions for the past six years to the State Controller’s Office. Unless the District reactivates its activities and financial reporting, it is assumed that no State Levee Subvention or Special Project funding will be available. As currently organized and managed, RD 2121 is unable to maintain levee facilities and financial stability. If the District wishes to continue to exist as a public agency, a financing and budget plan should be developed to identify steps to improve operations of the District.

#### **RD 2122**

- RD 2122 is a single owner property with no inhabitants. The District reports that operations and maintenance of levees and flood control facilities are completed on an as needed basis and no regular assessments are collected or budgeted. It is reported that RD 2122 has set aside a reserve fund of \$20,000 in the event of emergency repair needs. The District has submitted for a Special projects Grant and if approved, will have to enter an agreement including a commitment to have the property owner provide additional assessment fee funding. The District has been operating at a minimal funding level for the past four to five years.

#### **RD 2137**

- The District is composed of three landowners, one of whom has 93 percent of the assessed valuation. Landowners pay the expenses of the operations and projects not covered by levee grants from DWR.

### ***Status of, and Opportunities For, Shared Facilities***

#### **Bethel Island Municipal Improvement District (BIMID)**

- BIMID has a Memorandum of Understanding with the American Red Cross. The District also works closely with the Contra Costa County Office of Emergency Services and has mutual aid commitments with various districts, cities and counties to provide support in times of emergency. BIMID also participates in a

maintenance contract with Contra Costa County Public Works to maintain the drainage ditches on Bethel Island, and is currently participating in a project with the Contra Costa County Community Development Block Grant (CDBG) Program which is providing a 75 percent cost share to purchase and install a new power pump to transfer water from the Bethel Island drainage system into the Delta to help prevent island flooding. A FY 2016-17 additional 75% CDBG grant has also been approved for the acquisition and stocking of an Emergency Response Trailer/Mini Command Center.

#### **RD 799**

- The District reports that it shares forms and compares budgets with BIMID. The County and the City of Oakley have approved a master development plan within the District's boundaries ("East Cypress Corridor Specific Plan") which defines land uses and densities.

#### **RD 800**

- RD 800 does not participate in significant facility sharing or cooperative programs with other agencies at this time. Legal, engineering and accounting services are provided by contract.

#### **RD 830**

- RD 830 has undertaken a number of collaborative and facility sharing opportunities since 2009, including: 1) entered into an agreement with ISD and DWR to create up to 100 acres of enhanced habitat in the Western Delta; 2) entered into a partnership with Westervelt Ecological Services, and an agreement with DWR, to secure approximately \$6 million in mitigation credits and serve as the lead agency overseeing a Delta-wide bulk purchase of mitigation credits to benefit all RDs in the Delta; 3) utilizes ISD personnel and equipment for levee and reclamation purposes and reimburses ISD for equipment and personnel costs, and in return, RD 830 is reimbursed up to 75 percent of ISD labor and equipment costs by DWR; and 4) arranged with outside vendors to receive free clean fill material which is used to improve its levee toe-mass placement on a continual basis.

#### **RD 2024**

- There are limited opportunities for significant facility sharing. RD 2024 stores its container of flood fight materials at the EBMUD's Bixler Maintenance Yard. The District contracts out for all major services including legal counsel and engineering services.

#### **RD 2025**

- RD 2025 shares administrative facilities and legal/administrative services with 10 other RDs located in both Contra Costa and San Joaquin counties. RD 2025 also shares engineering services with five RDs, and shares a Board of Trustees with three RDs (RD's 756, 2026 and 2028) that have either single landowners or a small number of landowners.

#### **RD 2026**

- RD 2026 shares administrative facilities and administration services with 10 other RDs located in San Joaquin and Contra Costa counties. RD 2026 also shares engineering services with several RDs and shares a Board of Trustees who serves without compensation. RD 2026 also shares ferry service with RD 2059.

#### **RD 2059**

- None were identified by the District.



### **RD 2065**

- The District has undertaken the following collaborative and facility sharing opportunities: 1) participates in DWR's Special Levee Project and Delta Levee Subvention Programs to leverage District funds and make levee rehabilitation more affordable; 2) has a shared contract arrangement (with several other RDs) for engineering services which has resulted in reduced costs for the District; and 3) contracts for legal services.

### **RD 2090**

- RD 2090 shares an administrative facility, attorney, engineer and auditor with other RDs both in Contra Costa and San Joaquin Counties. Further efficiencies are gained by collaboration and facility sharing efforts with Ellis Island Farms for the use of equipment and staff for levee maintenance activities.

### **RD 2117**

- The District reports that there are limited opportunities for cooperative/shared programs but does participate in the following: 1) DWR's Delta Levee Subvention Programs to leverage District funds and make levee rehabilitation more affordable; 2) shared use of equipment/staff with Coney Island Farms; 3) contracting for levee maintenance, flood control, drainage, access road upkeep, weed abatement, slope protection and rodent/vector control services; 4) direct and/or contract services for levee patrol and flood fighting services; and 5) contracting for legal and engineering services.

### **RD 2121**

- RD 2121 does not participate in any resource/facility sharing activities at this time.

### **RD 2122**

- RD 2122 reports that it is a "self-contained district" and has limited opportunities for cooperative programs and shared facilities with other agencies. The District contracts out for major services, including levee rehabilitation projects, engineering services and legal counsel.

### **RD 2137**

- RD 2137 shares administrative facilities, legal counsel, engineering service and auditors with 10 other RDs in Contra Costa and San Joaquin Counties. The District reports that further efficiencies are achieved through the collaboration and facility sharing efforts with the three landowners – Emerson, Gilbert, and the DWR – in providing equipment and staff for levee maintenance activities.

## ***Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies***

### **Bethel Island Municipal Improvement District (BIMID)**

- BIMID is governed by a five-member board chosen in District-wide elections. BIMID's last contested election was in November 2008. Since the 2008 MSR, BIMID has added a website ([www.bimid.com](http://www.bimid.com)) which provides users with District contacts, history, updates, frequently asked questions, Board meeting dates, agendas and meeting minutes. BIMID recently implemented several additional measures to improve transparency, including: 1) tracking all reimbursable and non-reimbursable District activities; 2) adopting Policy 2050 ("Committee Protocols") to increase public participation in standing committee meetings; 3) adopting Board Resolution 13-05-16A ("In Recognition of Sunshine Week, March 10-16, 2013") which directed that the following be added to the District's website: a) last three years of audits; b) a Financial Reserves Policy; c) a Reimbursement and Compensation Policy; d) Board Members' ethics training

certificates; and e) a link to the State Controller's webpage, which identifies the compensation of Board Members and staff.

- Two governance options were identified in the MSR: 1) develop and implement mutual aid agreements with neighboring RDs to assist nearby districts in times of need; and 2) undertake a joint study with RD 799 to explore the fiscal and operational benefits of consolidation of the two districts.

#### **RD 799**

- The District is governed by a five-member board. Since the 2009 MSR, the District has implemented a website ([www.rd799.com](http://www.rd799.com)) which provides agendas, meeting minutes, contact information, by-laws, funding information, budgets and audits. The Board of Trustees meets monthly on the last Thursday of the month at 2PM. Meetings are held in the District offices.
- Two governance options were identified for RD 799: 1) explore the feasibility of entering into mutual aid agreements with adjacent RDs to formalize a plan for assistance and the use and distribution of resources in times of need and/or emergency situations; and 2) explore a shared website with the other RDs in Contra Costa County (hosted by the County, LAFCO, or a consortium of RDs).

#### **RD 800**

- The District is governed by a five-member board. Board members are elected to staggered four-year terms, with votes based on landowner assessment values. The District maintains a user friendly website ([www.RD800.org](http://www.RD800.org)) which provides the public with current and past Board agendas, updates on levee improvements, District history, and contact information. Budget/audit information is not included on the website at this time.
- Of the governance options identified, the following are recommended: RD 800 should develop and implement mutual aid agreements with neighboring RDs to assist nearby districts in times of need; and the District should explore a shared website with the other RDs in Contra Costa County (hosted by the County, LAFCO, or a consortium of RDs).

#### **RD 830**

- RD 830 is governed by a three-member Board. All board members are employees of ISD, the sole landowner on Jersey Island. The District reported that there have been no contested elections since the 2009 MSR. The District does not maintain a website. Public meetings are held "as needed" and are not scheduled on a regular reoccurring schedule. According to the District, inspection/certification procedures have been formalized by the District and are currently in use.
- Two governance options were identified: 1) develop and implement mutual aid agreements with neighboring RDs including, but not limited to, using RD 830's rip rock, sandbags, dump truck and bulldozer to assist nearby districts in times of need. RD 830 should pursue formalizing this arrangement through implementation of mutual aid agreements with nearby RDs; and 2) explore a shared website with the other RDs in Contra Costa County (hosted by the County, LAFCO, or a consortium of RDs).

#### **RD 2024**

- RD 2024 is governed by a five-member Board. Board members are elected by landowners to staggered four-year terms, with the number of votes determined by the annual assessment paid by each landowner. Currently, only three of the five board seats are filled. The District does not maintain a website.
- Two governance options were identified for RD 2024: 1) pursue the development and implementation of mutual aid agreements with neighboring RDs to assist each other in times of need; and (2) study the

feasibility of implementing a countywide RD website hosted through the County, LAFCO, or a consortium of RDs to enhance accountability and transparency.

### **RD 2025**

- RD 2025 is governed by a three-member Board. For contested elections, board members are elected by landowners to staggered four-year terms, with each voter entitled to cast one vote per acre owned with the District. The District meets on an as-needed basis, with approximately four meetings held each year. RD 2025 does not maintain a website.
- Two governance options were identified for RD 2025: 1) enter into mutual aid agreements with adjacent RDs to formalize a plan for assistance and the use and distribution of resources in times of need and/or emergency situations; and 2) explore development of a shared website with the other RDs in Contra Costa County (hosted by the County, LAFCO, or a consortium of RDs) to enhance agency transparency.

### **RD 2026**

- RD 2026 is governed by a three-member board. For contested elections, board members are elected by landowners to staggered four-year terms, with each voter entitled to cast one vote per acre owned within the District. The Board meets on an “as needed” basis, with approximately four meetings per year. Agendas and notices are posted at the District office. RD 2026 does not have a website.
- Two governance options were identified for RD 2026: 1) pursue the development and implementation of mutual aid agreements with neighboring RDs to assist each other in times of need; and 2) study the feasibility of implementing a countywide RD website hosted through the County, LAFCO, or a consortium of RDs to enhance accountability and transparency.

### **RD 2059**

- RD 2059 is governed by a five member board. For contested elections, board members are elected by landowners to staggered four-year terms. Uncontested vacancies are filled by appointment by the Board of Supervisors. RD 2059 board members serve on a volunteer basis and do not receive compensation. RD 2059 is one of the few RDs that maintains a comprehensive website ([www.bradfordisland.com](http://www.bradfordisland.com)) which has links to meeting agendas and minutes, important documents, forms and permits, board member information, and contact information.
- Three governance options were identified for RD 2059: 1) pursue the development and implementation of mutual aid agreements with neighboring RDs to assist each other in times of need; 2) study the feasibility of implementing a countywide RD website hosted through the County, LAFCO, or a consortium of reclamation districts to enhance accountability and transparency; and 3) consolidate RD 2059 with RD 2026 (Webb Tract) to facilitate potential cost-sharing arrangements to fund ferry services.

### **RD 2065**

- RD 2065 is governed by a three-member Board. Board members must be landowners or legal representatives of a landowner and are elected or appointed by the County Board of Supervisors to staggered four-year terms. RD 2065 generally does not conduct constituent outreach activities but keeps the landowners informed of District activities. Meeting agendas are posted at the District Secretary’s office, and agendas are mailed to each landowner. RD 2065 does not maintain a website. Public meetings are held “as needed” and are not scheduled on a regular reoccurring schedule.
- The 2009 MSR identified two governance options for RD 2065: 1) consolidation with another RD, most likely RD 2024 (Orwood and Palm Tracts) or RD 799 (Hotchkiss Tract); and 2) collaboration with the

Knightsen Town Community Services District. RD 2065 reports that these options were considered but ultimately rejected due to lack of financial benefit and lack of interest from the identified districts.

- Other governance opportunities identified for RD 2065 include: 1) entering into mutual aid agreements with adjacent RDs to formalize a plan for assistance and the use and distribution of resources in times of need and/or emergency situations; and 2) pursuing a shared website with the other RDs in Contra Costa County (hosted by the County, LAFCO, or a consortium of reclamation districts) to enhance agency transparency.

### **RD 2090**

- RD 2090 is governed by a three member board appointed to staggered four-year terms by the County Board of Supervisors. The Board meets on an “as needed” basis. Notices are posted and mailed as required by the Brown Act. The District does not have a website.
- Two governance options were identified for RD 2090: 1) pursue the development and implementation of mutual aid agreements with neighboring RDs to assist each other in times of need; and 2) study the feasibility of implementing a countywide RD website hosted through the County, LAFCO, or a consortium of RDs to enhance accountability and transparency.

### **RD 2117**

- RD 2117 is governed by a three-member Board of which one seat is vacant. Upon request of the District, Board members are appointed to staggered four-year terms by the County Board of Supervisors. The District Board meets at least annually and more frequently if necessary. Board agendas are posted on the District Secretary’s office window. RD 2117 does not have a website.
- There may be opportunities for RD 2117 to enter into mutual aid agreements with adjacent RDs to formalize a plan for assistance and the use and distribution of resources in times of need and/or emergency situations. Additionally, a shared website with the other RDs in Contra Costa County (hosted by the County, LAFCO, or a consortium of reclamation districts) should be explored by RD 2117 to enhance agency transparency.

### **RD 2121**

- RD 2121 is governed by a three-member board consisting of members of the Bloomfield family. Board members are appointed by the landowner, Bixler-Bloomfield Inc., to indeterminate terms. The District does not have a website. District Trustees meet on an “as needed” basis and meet at the residence of the General Manager.
- One governance option was identified: dissolution of RD 2121, with the landowner, the countywide Flood Control and Water Conservation District, or another government agency assuming levee maintenance responsibilities. RD 2121, LAFCO and the County should jointly explore the fiscal and operational feasibility of this alternative.

### **RD 2122**

- RD 2122 is governed by an elected four-member board serving one-year terms. Board members are elected on an annual basis (in September) by the eight partners of Winter Islands Farms, the single property owner within the District. RD 2122 does not maintain a website.
- Two governance options were identified for RD 2122: 1) enter into mutual aid agreements with adjacent RDs to formalize a plan for assistance and the use and distribution of resources in times of need and/or

emergency situations; and 2) explore the implementation of a shared website with the other RDs in Contra Costa County (hosted by the County, LAFCO, or a consortium of RDs) to enhance agency transparency.

### **RD 2137**

- RD 2137 is governed by an elected three-member board serving four year terms. Two Board members are designated representatives of the DWR as the major landowner within the District. The third Trustee is a landowner appointed by the County Board of Supervisors. The District does not have a website. Most of the District's constituent outreach activities are in conjunction with the Dutch Slough Restoration Committee, a multi-agency forum for developing the Dutch Slough Tidal Marsh Restoration Project.
- Five governance options were identified for RD 2137: 1) pursue the development and implementation of mutual aid agreements with neighboring RDs to assist each other in times of need; 2) study the feasibility of implementing a countywide RD website hosted through the County, LAFCO, or a consortium of RDs to enhance accountability and transparency; 3) place all of the Dutch Slough Tidal Marsh Restoration Project area within a single RD, either through dissolution of RD 2137 and annexation to RD 799, or detachment of the portion of the Project area from RD 799 and annexation to RD 2137; 4) establish RD 2137 as a subsidiary district of the City of Oakley with the City Council serving as the Board of Directors; and 5) dissolve RD 2137, shifting responsibility for restoration of the tract as part of the Dutch Slough Tidal Marsh Restoration Project (along with any necessary new levee construction or repair and maintenance of existing levees) to the State of California and/or the City of Oakley as successor agencies.

**RECLAMATION DISTRICT (RD) SPHERE OF INFLUENCE (SOI) AND  
GOVERNANCE OPTIONS AND RECOMMENDATIONS**

<b>Agency</b>	<b>SOI Options</b>	<b>Governance Options</b>	<b>Consultant Recommendation</b>	<b>LAFCO Staff Recommendation</b>
<b>BIMID</b>	<ul style="list-style-type: none"> <li>Retain existing SOI (non-coterminous)</li> </ul>	<ul style="list-style-type: none"> <li>Potential consolidation with an adjacent RD (i.e., 799, 830)</li> </ul>	Retain existing SOI (non-coterminous)	Retain existing SOI (non-coterminous)
<b>RD 799</b> (Hotchkiss Tract)	<ul style="list-style-type: none"> <li>Expand SOI to include Bethel Island</li> <li>Retain existing SOI (non-coterminous)</li> </ul>	<ul style="list-style-type: none"> <li>Detach State-owned land (436 acres) once the Jersey Island Road setback levee has been constructed</li> <li>Share resources with BIMID (e.g., excavator)</li> </ul>	Retain existing SOI (non-coterminous)	Retain existing SOI (non-coterminous)
<b>RD 800</b> (Byron Tract)	<ul style="list-style-type: none"> <li>Expand SOI to include Pantages Bay property</li> <li>Retain existing SOI (non-coterminous)</li> </ul>	<ul style="list-style-type: none"> <li>Annex 80-acre parcel (west of RD 800)</li> <li>Detach a 200-acre parcel (adjacent to Byron Highway and Clifton Court Road)</li> </ul>	Expand SOI to include the Pantages Bay property	Retain existing SOI (non-coterminous)
<b>RD 830</b> (Jersey Island)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	N/A	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2024</b> (Orwood/Palm Tracts)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	N/A	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2025</b> (Holland Tract)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	N/A	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2026</b> (Webb Tract)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	N/A	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2059</b> (Bradford Island)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	<ul style="list-style-type: none"> <li>Consolidate with RD 2016 to facilitate potential cost-sharing arrangement to fund ferry services</li> </ul>	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2065</b> (Veale Tract)	<ul style="list-style-type: none"> <li>Adopt coterminous SOI</li> </ul>	N/A	Adopt coterminous SOI	Adopt coterminous SOI
<b>RD 2090</b> (Quimby Island)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	N/A	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2117</b> (Coney Island)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	N/A	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2121</b> (Bixler Tract)	<ul style="list-style-type: none"> <li>Adopt a zero SOI in anticipation of a future reorganization (i.e., consolidation, dissolution)</li> <li>Retain existing coterminous SOI</li> </ul>	<ul style="list-style-type: none"> <li>Reorganization (i.e., consolidation, dissolution)</li> </ul>	Adopt zero SOI to allow for a future reorganization	Adopt zero SOI to allow for a future reorganization
<b>RD 2122</b> (Winter Island)	<ul style="list-style-type: none"> <li>Retain existing coterminous SOI</li> </ul>	N/A	Retain existing coterminous SOI	Retain existing coterminous SOI
<b>RD 2137</b>	<ul style="list-style-type: none"> <li>Adopt a zero SOI in anticipation of a future reorganization (i.e., dissolution, consolidation, establishment of a subsidiary district to the City of Oakley)</li> <li>Retain existing coterminous SOI</li> </ul>	<ul style="list-style-type: none"> <li>Reorganization (i.e., dissolution, consolidation, establishment of a subsidiary district to the City of Oakley)</li> </ul>	Retain existing coterminous SOI	Retain existing coterminous SOI

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR THE  
BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by the Bethel Island Municipal Improvement District (BIMID) and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and non-coterminous SOI encompass Bethel Island, which is approximately 5.5 square miles (3,500 acres); and

**WHEREAS**, the MSR report included one SOI option for BIMID – retain the existing non-coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing non-coterminous SOI for BIMID as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public meetings held on October 14, and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing non-coterminous boundary and SOI for BIMID as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District land uses are mixed and include primarily agricultural lands and some urban and built-up lands, including single family homes and marina/recreational facilities. There is no Williamson Act contracted land within the District. BIMID is not a land use authority. Contra Costa County

and city plans include land uses and population growth that could impact the District services. The Delta Coves project, approved by Contra Costa County in the 1970s, appears to be moving, and is proposed to have up to 561 homes with private boat docks built around a man-made lagoon. No changes will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – BIMID provides levee and drainage maintenance services. There is potential for growth and development. The Delta Coves project was purchased by SunCal in mid-2012 and is proposed to have up to 561 homes. A developer facilities agreement was approved in March 2015 with the Diablo Water District to allow construction of water facilities to accommodate the project’s water service needs. BIMID is expected to assume responsibility of the most of the levee and pump station infrastructure and operational facilities in the future which will be completely funded by a Community Facilities District set up by Delta Coves with the County. This will assure that no BIMID public taxpayer subsidy will be needed to subsidize this private development. Property tax revenues generated by the project will, over time, help improve BIMID’s overall financial and service capabilities. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – BIMID’s key infrastructure includes 14.5 miles of agricultural and urban levees, a 19.1 mile drainage system, and two pump stations. The District reports that 11.5 miles of the levee system meet Hazard Mitigation Project (HMP) standards, and eight miles meet PL 84-99 standards. BIMID adopted a 5-Year Plan to address future system improvements. The District reports that there have been no levee breaches since the last MSR in 2008. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by BIMID.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – BIMID was formed in 1960 and is financed primarily through property taxes, assessments and special project funding. The social and economic community of interest includes the landowners on the island. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to BIMID.
- e. *Nature, location, extent, functions & classes of services to be provided* – BIMID maintains 14.5 miles of agricultural and urban levees, a 19.1 mile drainage system, and two pump stations. Levees protected by BIMID are located around the perimeter of the island.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

---

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

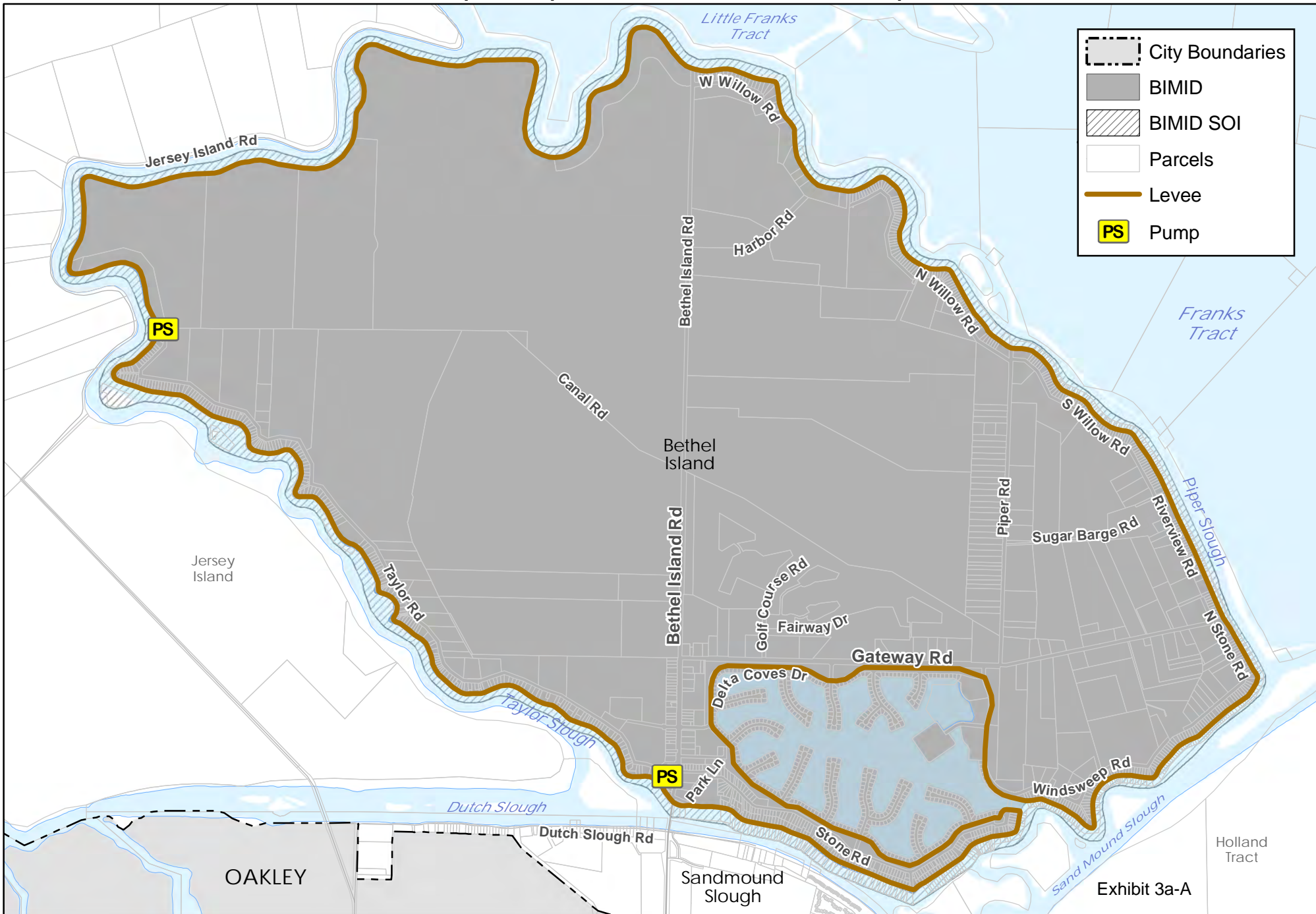
Dated: November 18, 2015

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Lou Ann Texeira, Executive Officer



# Bethel Island Municipal Improvement District and Sphere of Influence

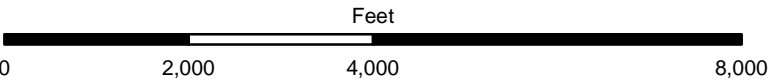


	City Boundaries
	BIMID
	BIMID SOI
	Parcels
	Levee
	Pump

Exhibit 3a-A

Map created 11/02/2015  
 by Contra Costa County Department of  
 Conservation and Development, GIS Group  
 30 Muir Road, Martinez, CA 94553  
 37:59:41.791N 122:07:03.756W

This map or dataset was created by the Contra Costa County Department of Conservation and Development 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.



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION****APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 799 (HOTCHKISS TRACT)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 799 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, RD 799 (Hotchkiss Tract) is one of the eight western Delta islands that the California Department of Water Resources (DRW) has identified as critical to the control of salinity in the Delta, protecting water quality to all water users in the State' and

**WHEREAS**, the Delta levee system has significant maintenance and rehabilitation needs; and

**WHEREAS**, the District's service boundary encompasses approximately 3,100 acres, and includes a portion of the Dutch Slough Tidal Marsh Restoration project area owned by the California Department of Water Resources (DWR); and

**WHEREAS**, the MSR report identified several SOI and governance options for RD 799; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing non-coterminous SOI for RD 799 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing non-coterminous SOI for RD 799 as depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:

a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District bounds include agricultural land for cattle grazing, as well as residential and recreational land uses. There is no Williamson Act contracted land within RD 799. The District has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact the District’s services. Planned residential development and a large ecological restoration project will result in significant land use changes to RD 799 within the next 5-10 years. No changes in land use will result from this SOI update.

b. *The present and probable need for public facilities and services in the area* – There are currently 969 residents within the District’s boundary. The District provides maintenance service to non-project levees and internal drainage facilities. The District bounds and surrounding area has experienced significant recent growth, and anticipates growth to continue in the future. Service demand will increase with build-out of the area pursuant to the East Cypress Corridor Specific Plan. The growth will require new levees/flood control features. No changes in public facilities or services provided by the District will result from this SOI update.

c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The District’s key infrastructure include over 11 miles of earthen levees and four pumping stations. Over three miles of levees meet FEMA flood protection standards, over five miles of levees meet the Hazard Mitigation Plan (HMP) standard, and the remaining three miles of levees do not meet the HMP standard. In May 2012, RD 799 prepared a 5-Year Plan which was funded by DWR. A key goal in the Plan is to improve all non-project levees to meet minimum PL 84-99 height and width standards by 2017. The District indicates that implementation of the Plan’s projects will begin as funding becomes available. Retaining the District’s existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 799.

d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 799 was formed in 1911 and is funded primarily through assessments, intergovernmental revenues and development reimbursement. The social and economic community of interest includes the landowners within the District; the County, the City of Oakley, and developers (Alta California Development, LLC, Spinnaker Cove, Meritage Homes). Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 799.

e. *Nature, location, extent, functions & classes of services to be provided* – RD 799 provides maintenance service to 11 miles of earthen levees and internal drainage facilities (Hotchkiss Tract). Levees protected by RD 799 are located along Dutch Slough, Little Dutch Slough, Rock Slough, the Contra Costa Canal, and around Summer Lakes South.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

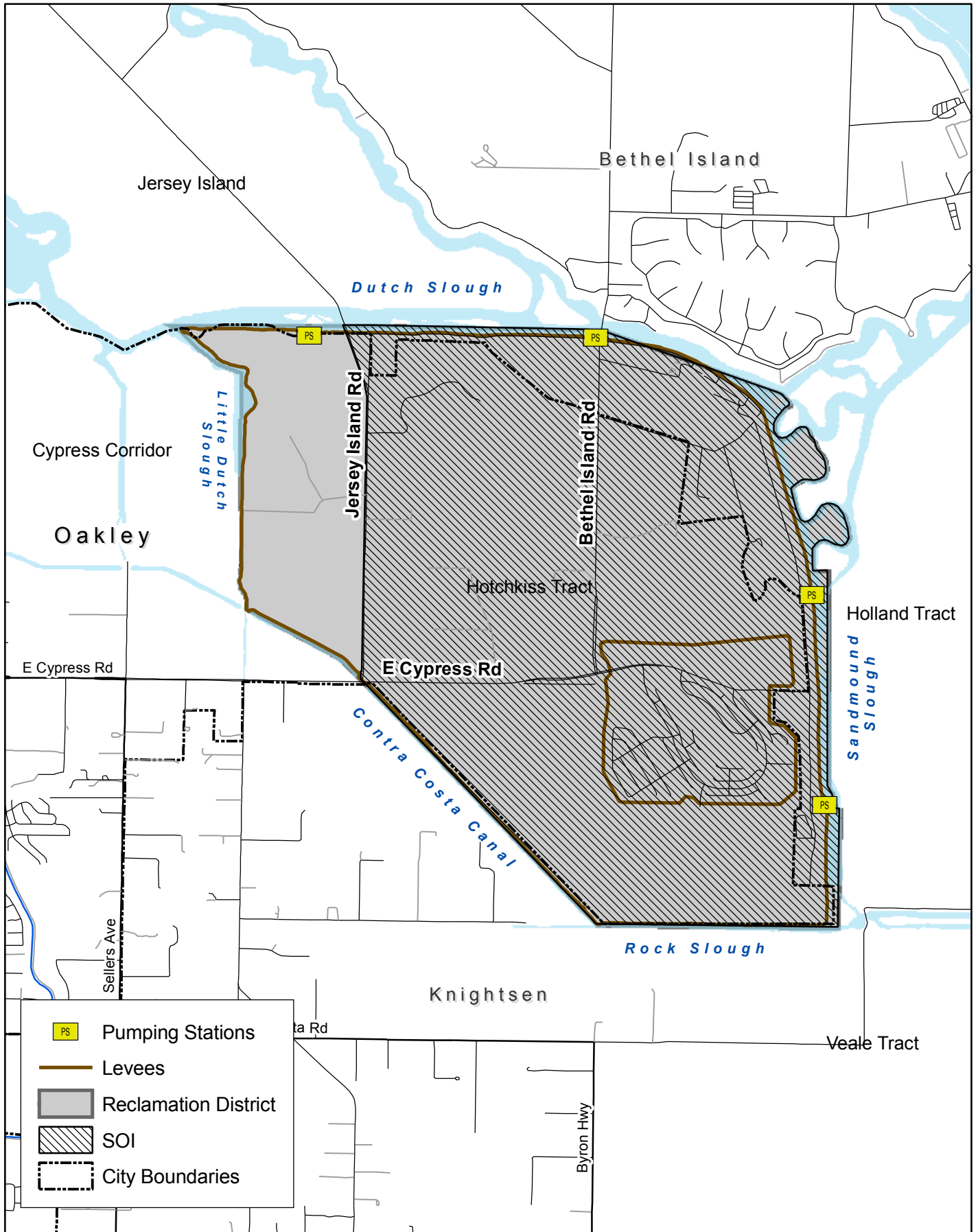
- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

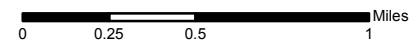
Lou Ann Texeira, Executive Officer



	Pumping Stations
	Levees
	Reclamation District
	SOI
	City Boundaries

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 122:06:35.384W

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**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 800 (BYRON TRACT)**

**WHEREAS**, Government Code §56425 requires Local Agency Formation Commissions (LAFCOs) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 800 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service area encompass approximately 6,933 acres, and consists of the Byron Tract; and

**WHEREAS**, the MSR report identified several SOI and governance options for RD 800; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing non-coterminous SOI for RD 800 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing non-coterminous SOI for RD 800 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District bounds encompass a majority of the unincorporated community of Discovery Bay, surrounding agricultural land (i.e., prime farmland, farmland of statewide importance, farmland of local importance), and public facilities. The District has no land use authority. Contra Costa County and city plans include

land uses and population growth that may impact the District's services. There is no Williamson Act contracted land within RD 800.

- b. *The present and probable need for public facilities and services in the area* – The District provides levee maintenance and flood control, drainage services, siltation dredging and other specialized service on Byron Tract. RD's population is currently 7,656. There is potential for some growth and increased service demand within the District (e.g., Pantages Bays) which will require annexation to the District. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – RD 800 provides service to three types of levees: 1) agricultural non-project levees (9.7 miles); 2) urban levees (6.5 miles); and 3) dry land levees (2.7 miles). In 1990, the District began a comprehensive levee retrofit for the entire 9.7 miles of the agricultural levees to meet the PL 84-99 standard. The District completed the necessary improvements in 2009 and received FEMA accreditation (which remains current).

All of the District's levees currently provide 100-year flood protection; no levee failures or breaches were reported. RD 800 is in the process of re-evaluating its entire levee system. Geotechnical borings have been formed to evaluate levee strength and seismic stability. The District will work to bring its infrastructure up to 200-year flood protection status. Participation in the State levee subvention and special projects programs enhance the District's service capacity and adequacy. The SOI update will not affect the present capacity of public facilities and adequacy of services provided by RD 800.

- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 800 was formed in 1909 and is funded through a variety of sources including property tax, landowner assessments and intergovernmental revenues. The social and economic community of interest includes the unincorporated community of Discovery Bay and major agricultural landowners. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 800.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 800 maintains nearly 19 miles of levees, including agricultural, urban levees, and dry land levees, along with an internal drainage system and two pumping stations. Levees protected by RD 800 are located around the north, east and south sides of the Byron Tract, within and around the Discovery Bay community, and with a dry land levee on the interior.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

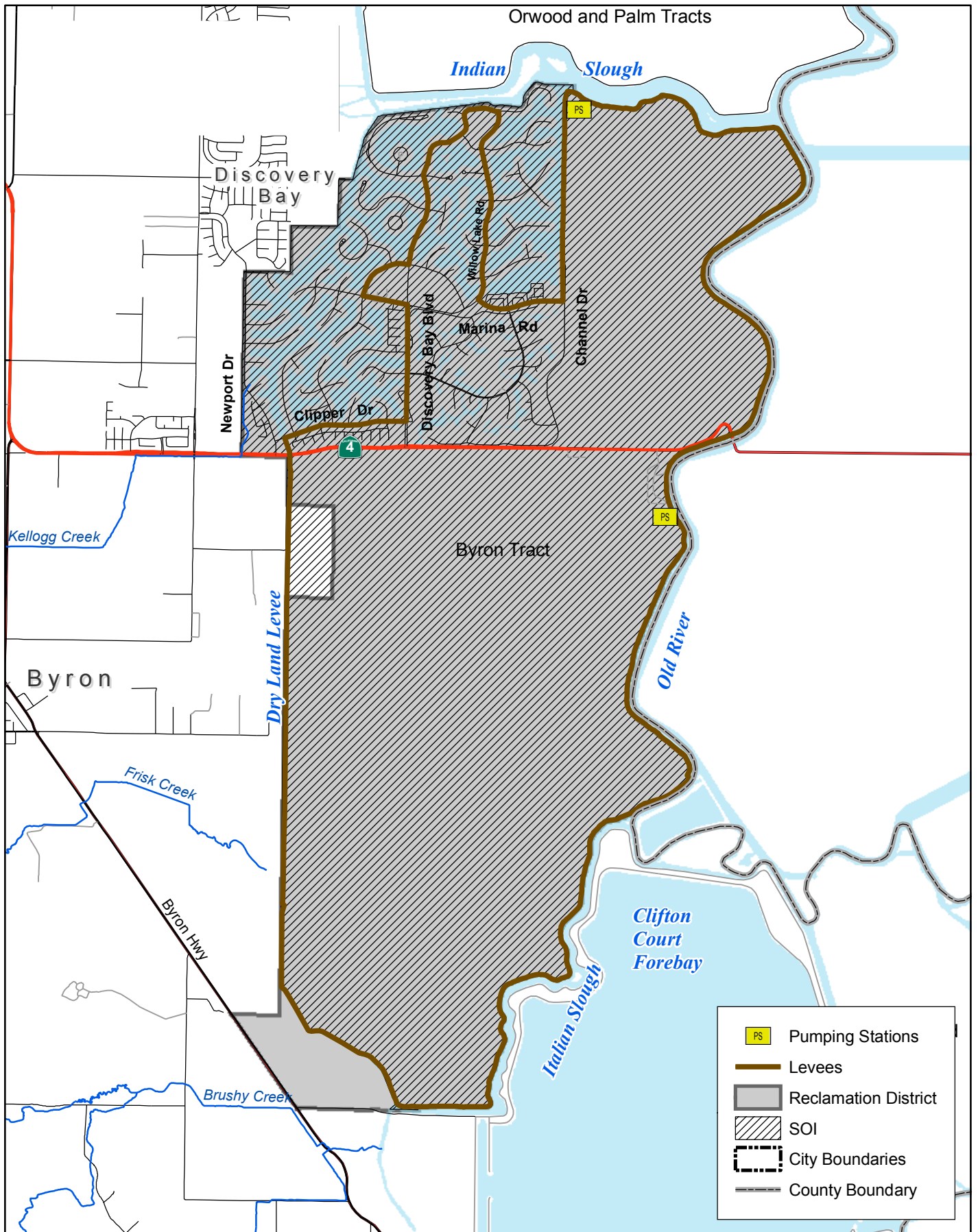
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

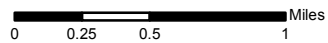
Lou Ann Texeira, Executive Officer

# Reclamation District No. 800 (Byron Tract) and SOI Exhibit 3c-A



Map created 12/18/2009  
 by Contra Costa County Community Development, GIS Group  
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095  
 37:59:48.455N 122:06:35.384W

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**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 830 (JERSEY ISLAND)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 830 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary/SOI encompass approximately 3,561 acres and include all of Jersey Island; and

**WHEREAS**, the MSR report identified one SOI option for RD 830 – retain the existing coterminous boundary and SOI as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public meetings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 830 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District bounds encompass primarily agricultural and cattle grazing lands (i.e., farmland of local importance, prime farmland, farmland of statewide importance, and unique farmland). RD 830's territory is primarily used for agriculture, cattle grazing, and habitat preservation. RD 830 secured an \$8.95 million DWR grant to create 100 acres of enhanced habitat to support all DWR Special Grant and Subvention Programs. The District has no land use authority. Contra Costa County and



city plans include land uses and population growth that may impact the District's services. There is no Williamson Act contracted land within RD 830. No change in land uses are anticipated in the foreseeable future, and no changes will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – RD 830 provides maintenance service to non-project levees and internal drainage facilities. Jersey Island is one of the eight western Delta islands that DRW has identified as critical to the control of salinity in the Delta, protecting water quality to all water users in the State. The Delta levee system has significant maintenance and rehabilitation needs. Although no growth is anticipated with the District given the nature of the land uses, there will be a continued need for levee and drainage maintenance services on the island. No changes in public facilities or services provided by RD 830 will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The Jersey Island levee system consists of 15.5 miles of levees, all of which meet Hazard Mitigation Plan (HMP) height standards, and 14.8 miles meet HMP width standards. Since the 2009 MSR, RD 830 has completed a number of infrastructure improvements to levees, toe berms, and dewatering pipes. The pump and discharge system is operating at acceptable levels and the District reports no recent inundation incidents. Additional fill dirt and rock materials are being stockpiled on the island and used where most needed in cooperation with the levee upgrade and maintenance projects. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 830.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 830 was formed in 1911 and is funded primarily through assessments and intergovernmental revenues. The social and economic community of interest is the Ironhouse Sanitary District, as the primary landowner on Jersey Island. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest that are relevant to RD 830.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 830 provides maintenance service to 15.5 miles of agricultural levees, 15 miles of drainage ditches and one pumping station. Levees protected by RD 830 are located around the perimeter of Jersey Island.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

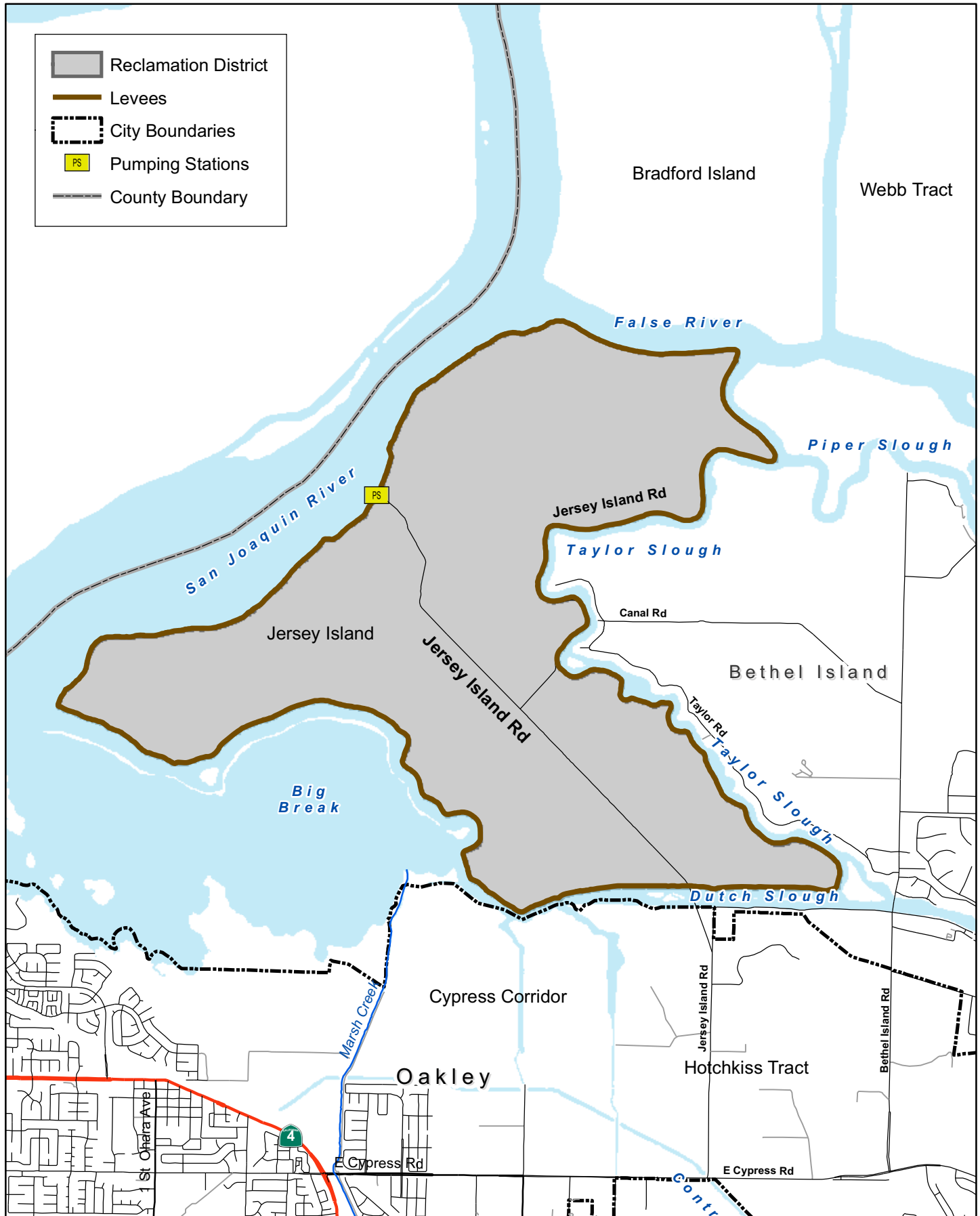
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

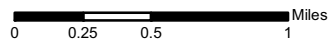
\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# RD 830 Boundary and Coterminous 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 122:06:35.384W

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.



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2024 (ORWOOD/PALM TRACTS)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2024 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 6,574 acres, and include the Orwood and Palm Tracts; and

**WHEREAS**, the MSR report identified one SOI option for RD 2024 - retain the existing coterminous boundary and SOI as shown on the attached map; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2024 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2024 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands – RD 2024's bounds include predominantly agricultural lands (i.e., farmland of state and local importance, prime farmland) and also include land under Williamson Act contracts. Portions of*

RD 2024 are dedicated to wildlife habitat and waterfowl. The District contains limited residential uses – two single family homes and ancillary farmworker and caretaker housing. Contra Costa County and city plans include land uses which could impact the District’s services. The District has no land use authority. No change in land uses are anticipated in the foreseeable future, and no changes will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – RD 2024 provides maintenance service to non-project levees and internal drainage services. There continues to be a present and probable need for levee and drainage maintenance services within the District. There has been no recent growth within the District and limited demand for public services. Given the existing land uses, no population growth or development is anticipated in the foreseeable future. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – RD 2024’s key infrastructure includes 14.6 miles of levees, internal drainage channels, six pump stations, and one flood gate. Since the 2009 MSR, improvements have been made to bring the entire levee system to meet HMP height and width standards. Additionally, all 14.6 miles of levees now meet the PL 84-99 standard. RD 2024 has a 5-Year Plan to meet the District’s adopted levee standard, including a wider crown with corresponding side slopes, for the entire system. To reach this goal, State funding will be required. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2024.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2024 (Orwood Tract) was originally formed in 1918. In 1995, RD 2036 (Palm Tract) was dissolved and the area was annexed to RD 2024. The District is funded primarily through landowner assessments and intergovernmental revenues. The social and economic community of interest includes the landowners, including the agricultural interests and participating utility owners. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2024.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2024 provides maintenance service to 14.6 miles of agricultural levees, an internal drainage system, six pumping stations and one flood gate. Levees protected by RD 2024 are located around the perimeter of Orwood and Palm Tracts.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

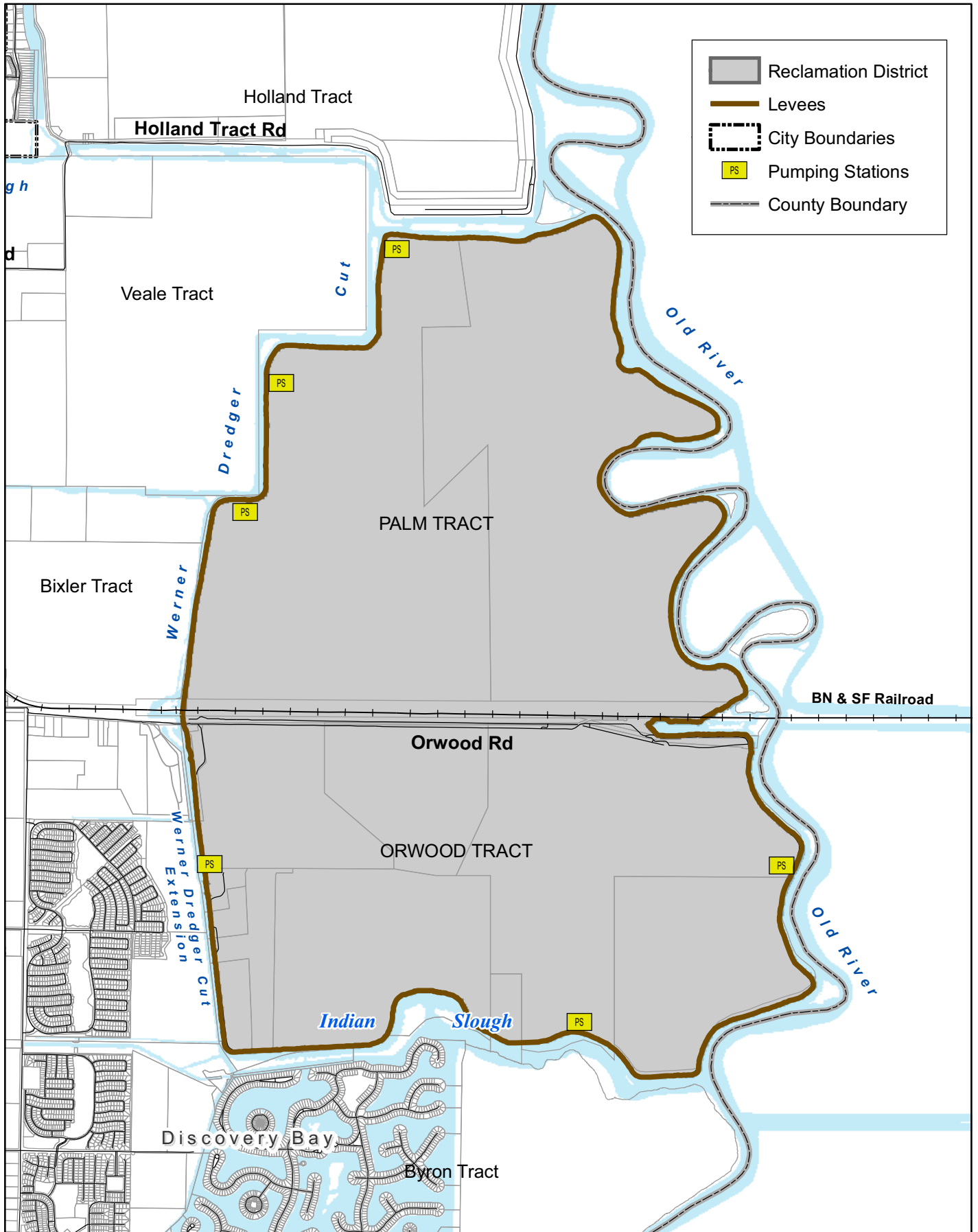
*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

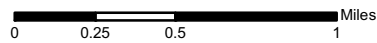
# RD 2024 Boundary and Coterminous SOI

Exhibit 3e - A



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 122:06:35.384W

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.



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2025 (HOLLAND TRACT)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2025 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 6.4 square miles, and include the Holland Tract; and

**WHEREAS**, the District's boundary encompasses approximately 4,090 acres; and

**WHEREAS**, the MSR report identified one SOI option for RD 2025 – retain the existing coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2025 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2025 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District bounds are designated “farmland of local importance” and encompass agricultural

and recreational land uses (i.e., cattle grazing operations, marinas, etc.). There is no Williamson Act contracted land within RD 2025. The District is not a land use agency; County and city plans include land uses which could impact District services. No changes in land use will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – The District provides maintenance service to non-project levees, internal drainage and irrigation facilities. Holland Tract is one of the eight western Delta islands that DRW has identified as critical to the control of salinity in the Delta, protecting water quality to all water users in the State. The Delta levee system has significant maintenance and rehabilitation needs. There has been no recent growth within the District, and minimal growth is anticipated in the future. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The District includes 11 miles of earthen levees, eight miles of irrigation canals, and three pumping stations. Since the 2009 MSR, the District reports that 7.2 miles (65 percent) of the District’s levees have undergone rehabilitation. Currently, all 11 miles of levees meet the PL 84-99 Standard. According to the District, all planned levee rehabilitation is complete. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2025.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2025 was formed in 1918 and is funded primarily through intergovernmental revenues and some landowner assessments. The social and economic community of interest includes the Delta Wetlands Properties, the primary landowner, and other private farming operations on the island. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2025.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2025 provides maintenance service to 11 miles of earthen levees, eight miles of irrigation canals and three pumping stations. Levees protected by RD 2025 are located around the perimeter of the island.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

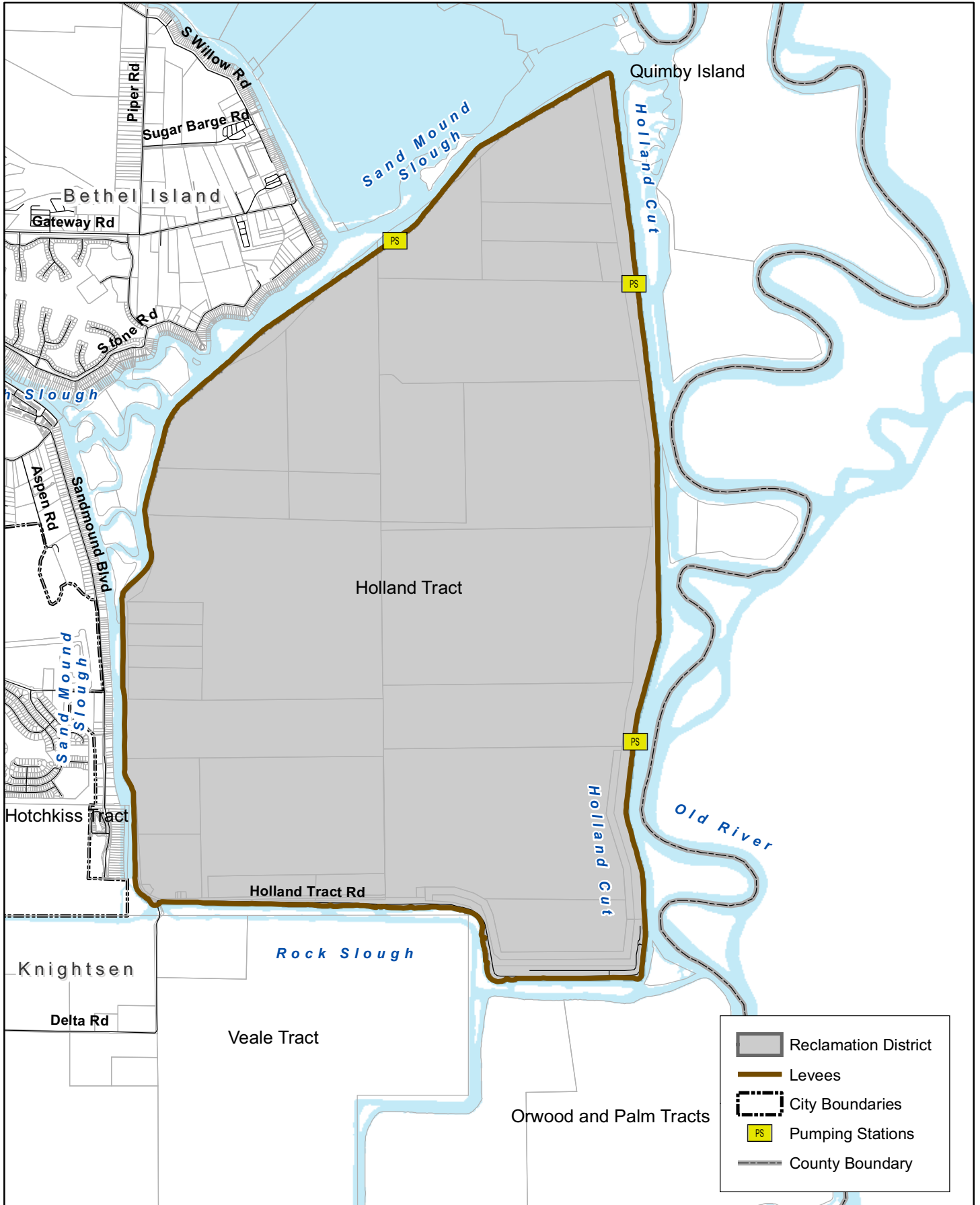
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# RD 2025 Boundary and Coterminous SOI





**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION****APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2026 (WEBB TRACT)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted its 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2026 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 5,500 acres, and include the Webb Tract; and

**WHEREAS**, the MSR report identified one SOI option for RD 2026 – retain the existing coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2026 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2026 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands – RD 2026 is under ownership of a single landowner (Delta Wetlands Properties). The District bounds encompass agricultural land uses (i.e., farmland of local importance, prime farmland,*

farmland of statewide importance) and local business activities related to farming operations. The District includes land under a Williamson Act contract, with non-renewal filed. Contra Costa County and city plans include land uses that could impact the District's services. No changes in land use will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – RD 2026 provides maintenance service to non-project levees, internal drainage and irrigation facilities. Webb Tract is one of the eight western Delta islands that DRW has identified as critical to the control of salinity in the Delta, protecting water quality to all water users in the State. RD 2026 is uninhabited, no growth is anticipated, and future public service needs are limited. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – RD 2026 maintains 12.9 miles of earthen levees, eight miles of irrigation canals, and two pumping stations. Since 2009, the District has rehabilitated approximately 6.25 miles to PL 84-99 standards. RD 2026 has also completed a 5-year capital improvement plan and received \$9 million in grant funding from DWR with a long-term goal of upgrading the entire levee system to PL 84-99 standards. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2026.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2026 was formed in 1918 and is funded primarily through intergovernmental revenues and landowner assessments. The social and economic community of interest includes the Delta Wetlands Properties, the primary landowner, and other private farming operations on the island. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2026.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2026 provides maintenance service to 12.9 miles of earthen levees, eight miles of irrigation canals and two pumping stations. Levees protected by RD 2026 are located around the perimeter of the island.

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PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

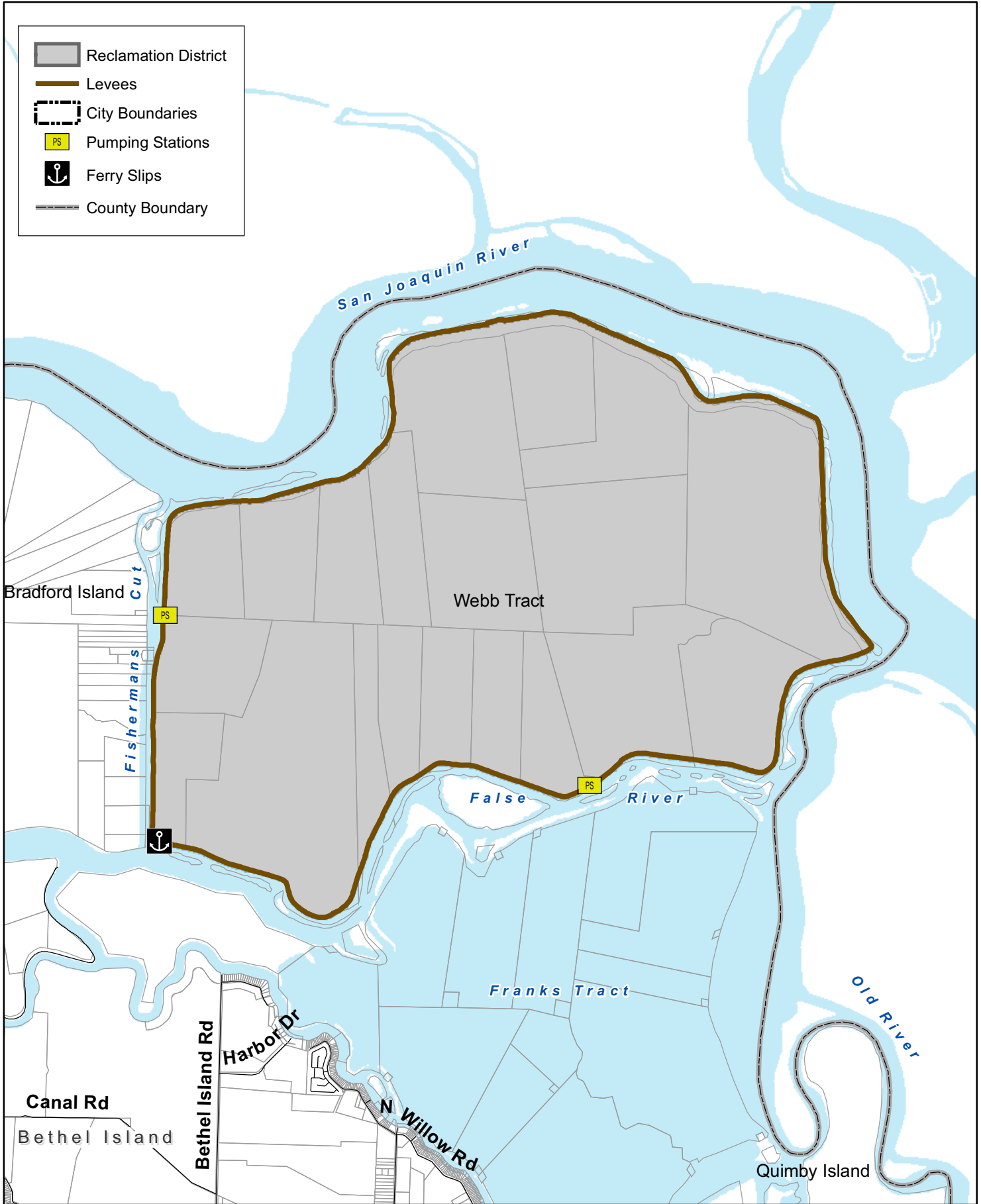
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

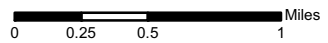
\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# RD 2026 Boundary and Coterminous 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 122:06:35.384W

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.



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION****APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2059 (BRADFORD ISLAND)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2059 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 2,200 acres, and include Bradford Island; and

**WHEREAS**, the MSR report identified one SOI option for RD 2059 – retain the existing coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2059 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2059 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District bounds contain various land uses including commercial, residential, recreational, gas extraction and agricultural land uses (i.e., farmland of local importance, prime farmland,

farmland of statewide importance). The District's territory is primarily used for agriculture, cattle grazing, and habitat preservation. RD 2059's bounds include land under Williamson Act contracts. RD 2059 secured a \$7.5 million DWR grant to maintain the island levees and agricultural uses. Contra Costa County and city plans include land uses that could impact the District's services. No change in land uses are anticipated in the foreseeable future, and no changes will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – RD 2059 provides maintenance service to non-project levees and internal drainage facilities. Bradford Island is one of the eight western Delta islands that DRW has identified as critical to the control of salinity in the Delta, protecting water quality to all water users in the State. The Delta levee system has significant maintenance and rehabilitation needs. There has been no recent growth within the District, minimal growth is anticipated in the future, and future public service needs are limited. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The Bradford Island levee system consists of 7.5 miles of levees, all of which meet Hazard Mitigation Plan (HMP) height standards. The drainage, pump and discharge system is operating at acceptable levels, and the District reports there have been no recent inundation incidents. Additional fill dirt and rock materials are being stockpiled on the island and used where most needed in cooperation with the levee upgrade and maintenance projects. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2059.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2059 was formed in 1921 and is funded primarily through intergovernmental revenues, landowner assessments and ferry toll revenue. The social and economic community of interest includes the landowners on the island. Property owners within the District have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2059.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2059 provides maintenance service to 7.5 miles of earthen levees, over seven miles of drainage ditches and one pumping station. Levees protected by RD 2059 are located around the perimeter of the island.

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PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

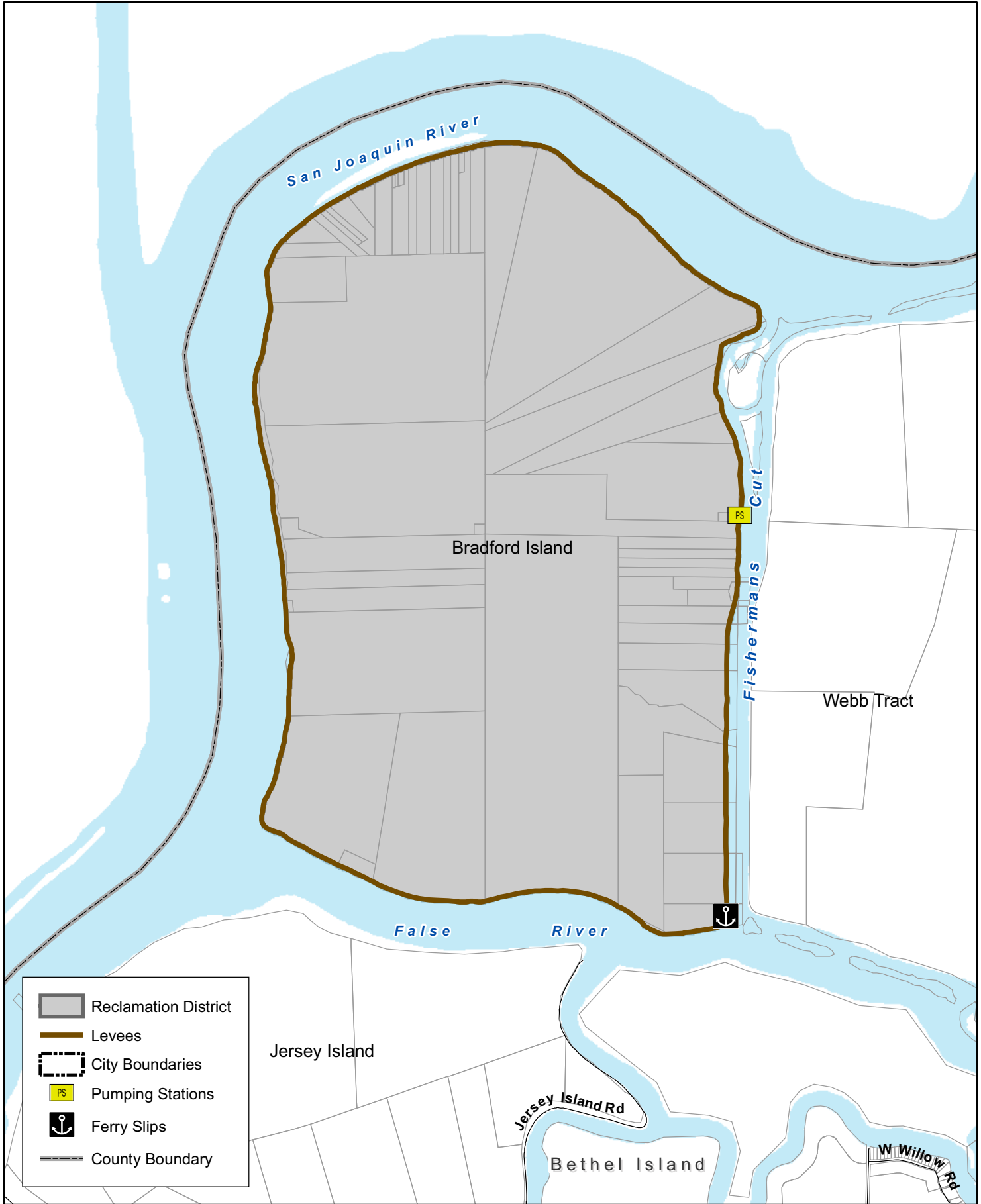
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

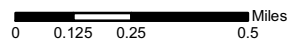
\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# RD 2059 Boundary and Coterminous 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 122:06:35.384W

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**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**ADOPTING A COTERMINOUS SPHERE OF INFLUENCE FOR  
RECLAMATION DISTRICT 2065 (VEALE TRACT)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2065 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and SOI encompass approximately 1,365 acres, and include the Veale Tract; and

**WHEREAS**, in 2009, LAFCO adopted a "provisional" coterminous SOI for RD 2065 to allow the District an opportunity to explore a potential boundary expansion, which the District has determined is not feasible at this time; and

**WHEREAS**, the MSR identified one SOI option for RD 2065 – adopt a coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO adopt a coterminous SOI for RD 2065 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI action was duly considered at public meetings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Adopt a coterminous SOI for RD 2065 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI action is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands –*  
The District bounds encompass primarily agricultural lands (i.e., farmland of local importance,

farmland of statewide importance, unique farmland) with limited rural residential. There is no Williamson Act contracted land within RD 2065. The District has no land use authority. Contra Costa County and city plans include land uses that could impact District services. No change in land uses are anticipated in the foreseeable future. No changes in land use will result from the SOI action.

- b. *The present and probable need for public facilities and services in the area* – RD 2065 provides maintenance service to non-project levees and internal drainage facilities on the Veale Tract. The District has not experienced recent growth, anticipates minimum future growth, and future public service needs are limited. No changes in public facilities or services provided by the District will result from this SOI action.
- c. *The 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 5.1 miles of levees, internal drainage channels and two pump stations. Approximately 4.2 miles (84 percent) of existing levees meet the Hazard Mitigation Plan (HMP) Standard. RD 2065 is currently working to leverage State funding for a comprehensive levee rehabilitation project. In 2014, RD 2065 entered into a Project Funding Agreement with the DWR in which DWR will provide up to 90 percent of the costs of a \$2.2 million dollar levee rehabilitation project. RD 2065 is currently working to secure funding. If the DWR funding is secured, RD 2065 plans to rehabilitate the entire levee to meet HMP Standards, including all weather road improvements. Adoption of a coterminous SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2065.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2065 was formed in 1923 and is funded primarily through landowner assessments and intergovernmental revenues. The social and economic community of interest includes the landowners. Property owners within the District have an economic interest in receiving services from this investment. The SOI action will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2065.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2065 maintains 5.1 miles of earthen levees, 1.5 miles of drainage ditches and two pumping stations. Levees protected by RD 2065 are located on the north, east and south sides of Veale Tract.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

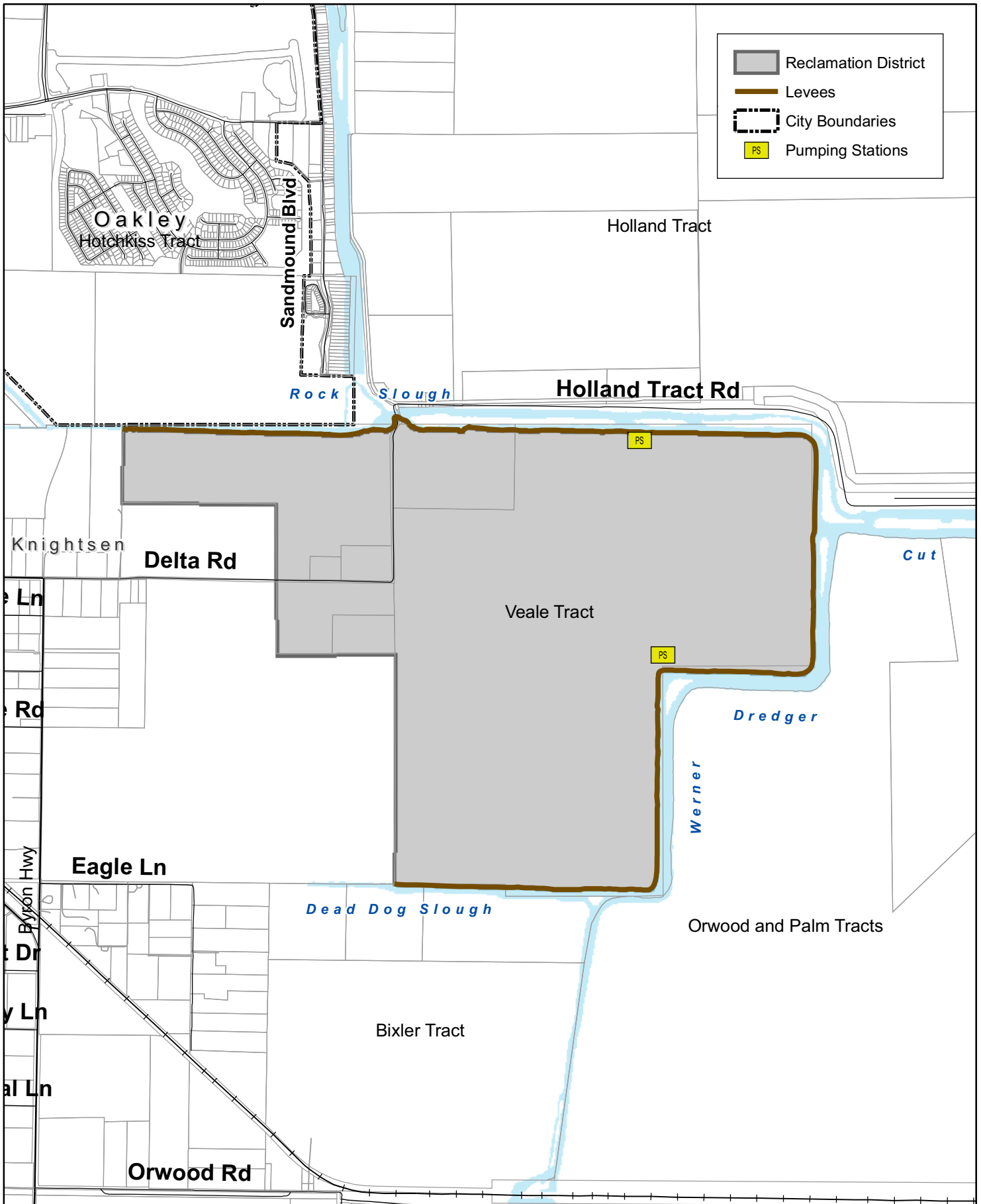
*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

\_\_\_\_\_  
Lou Ann Teixeira, Executive Officer



# RD 2065 Boundary and Coterminous SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR**

**RECLAMATION DISTRICT 2090 (QUIMBY ISLAND)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2090 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 1.2 square miles, and comprise Quimby Island; and

**WHEREAS**, the MSR report identified one SOI option for RD 2090 – retain the existing coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2090 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2090 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands – The District bounds encompass primarily agricultural land (i.e., farmland of local and statewide importance, and prime farmland). All of the land in RD 2090 is under Williamson Act contract.*

The District has no land use authority. Contra Costa County and city plans include land uses that could impact the District's services. No change in land use is anticipated in the foreseeable future, and no change in land use will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – RD 2090 provides maintenance service to non-project levees and internal drainage facilities on Quimby Island. There has been no recent growth within the District, no growth is anticipated in the future, and future public service needs are limited. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – RD 2090 facilities are being maintained on an as needed basis. The District reports that all its levees meet Hazard Mitigation Plan (HMP) standards. Financial resources are limited and do not support costs associated with major maintenance and rehabilitation activities. RD 2090 reports that no improvement projects have been implemented in since the 2009 MSR. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2090.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2090 was formed in 1918 and is funded primarily through landowner assessments with some intergovernmental revenues. The social and economic community of interest includes Ellis Island Farms Inc., the sole landowner on the island. The property owner has an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2090.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2090 maintains seven miles of earthen levees, over five miles of drainage ditches and two pumping stations. Levees protected by RD 2090 are located around the perimeter of the island.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

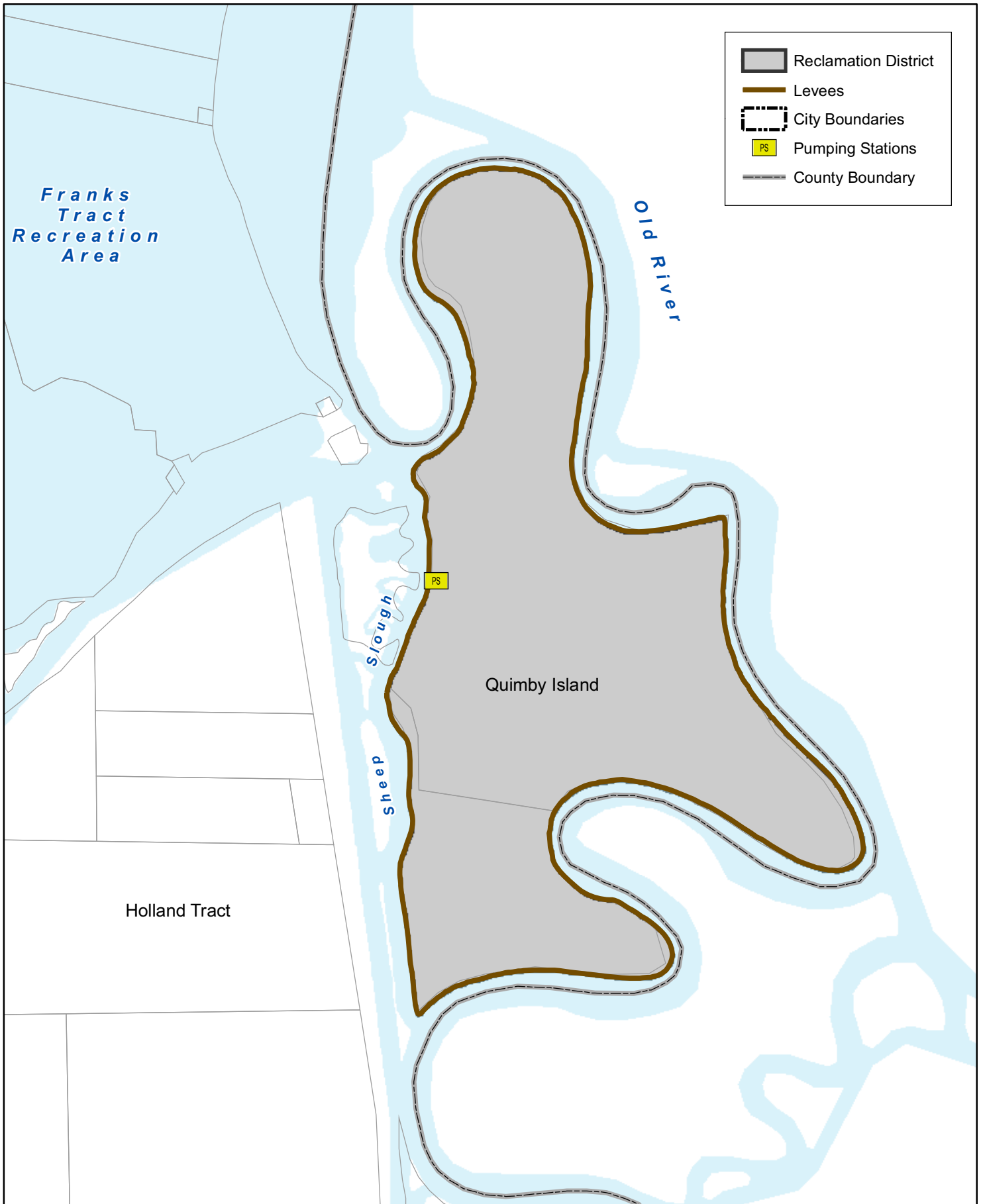
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

\_\_\_\_\_  
Lou Ann Teixeira, Executive Officer

# RD 2090 Boundary and Coterminous SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2117 (CONEY ISLAND)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2117 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 1.5 square miles (935 acres), and comprise Coney Island; and

**WHEREAS**, the MSR report identified one SOI option for RD 2117 – retain existing coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2117 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2117 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands – The District bounds encompass primarily agricultural land (i.e., prime farmland, farmland of statewide importance). All of the land in RD 2117 is under a Williamson Act contract. RD 2117*

has no land use authority. Contra Costa County and city plans include land uses that could impact the District's services. No change in land uses are anticipated in the foreseeable future, and no changes will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – RD 2117 provides maintenance service to non-project levees and internal drainage facilities on Coney Island. There has been no recent growth within the District and no growth is anticipated in the future. No changes in public facilities or services provided by RD 2117 will result from this SOI update.
- c. *The 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 5.48 miles of non-project levees, an internal drainage system, and one pump station. RD 2117 reports that Hazard Mitigation Plan (HMP) standards have been met for 98 percent of levee length. Since the 2009 MSR, improvements have been completed to approximately 75 percent of the levee length and now meet PL 84-99 standards. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2117.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2117 was formed in 1983 and is funded primarily through landowner assessments and intergovernmental revenues. The social and economic community of interest is Coney Island Farms, the sole landowner on the island. The property owner has an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2117.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2117 maintains over five miles of earthen levees, an internal drainage system, and one pumping station. Levees protected by RD 2117 are located around the perimeter of Coney Island.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

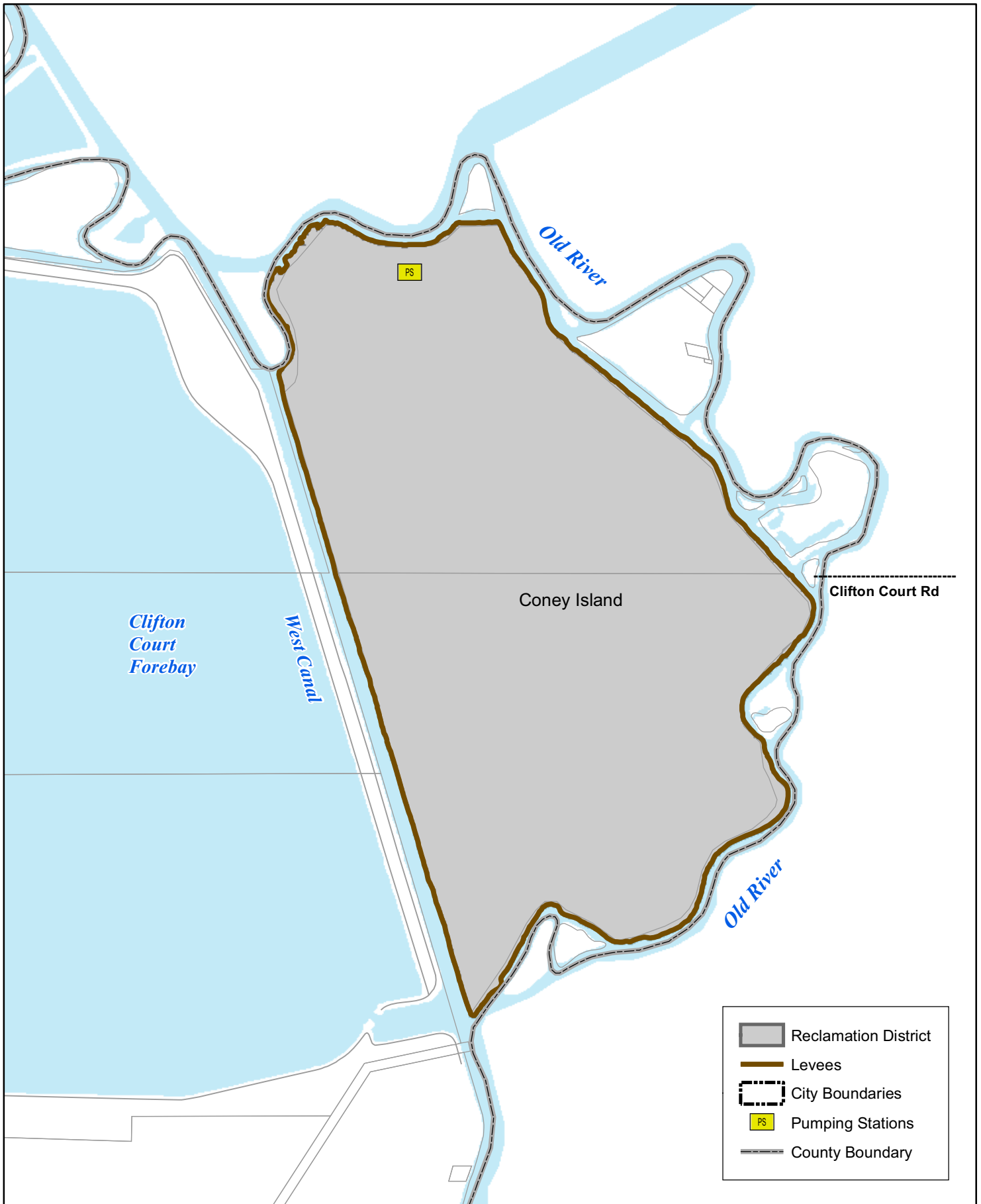
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

\_\_\_\_\_  
Lou Ann Teixeira, Executive Officer

# RD 2117 Boundary and Coterminous SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2121 (BIXLER TRACT)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2121 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 584 acres, and include the Bixler Tract; and

**WHEREAS**, the MSR report identified two SOI options for RD 2121 including adopting a zero SOI to allow for future reorganization of the District; and

**WHEREAS**, RD 2121 does not participate in the State levee subvention program, does not file financial reports with the State Controller, and is essentially inactive. No adjacent RDs are in a position to assume services for RD 2121; and consolidation is not feasible; and

**WHEREAS**, it is hereby proposed that LAFCO adopt a zero SOI for RD 2121 signaling a future change of organization (i.e., dissolution, consolidation); and

**WHEREAS**, no change in regulation, land use or development will occur as a result of adopting a zero SOI for RD 2121; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public meetings held October 14, and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Adopt a zero SOI for RD 2121.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:



- a. *The present and planned land uses in the area, including agricultural and open-space lands* – RD 2121’s bounds encompass agricultural activities and include prime farmland, farmland of local and statewide importance, and unique farmland. A farm headquarters facility exists on site and includes offices, farm worker housing and additional storage structures. There is no Williamson Act contracted land within the District. The District is not a land use agency. Contra Costa County and city plans include land uses that may impact the District’s services. No change in land uses are anticipated in the foreseeable future, and no changes will result from adopting a zero SOI.
  
- a. *The present and probable need for public facilities and services in the area* – RD 2121 provides maintenance service to non-project levees and internal drainage facilities on Bixler Tract. There has been no recent growth within the District, no future growth is anticipated, and future public service needs are limited. No changes in public facilities or services provided by the District will result from adopting a zero SOI.
  
- b. *The 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 two miles of agricultural levees, an internal drainage system, and one pump station. The levees are constructed of earthen material with concrete rubble and some rip-rap on the water side, but do not meet any particular standard. Since the 2009 MSR, the District reports that approximately 6,000 yards of fill was applied to the eastern levee, increasing the levee crown to 11 feet. In the coming years, the District indicates it will complete a similar process for the northern levee to increase the levee crown to 11 feet along the northern levee’s 4,000 foot length. Adoption of a zero SOI update will not affect the present capacity of public facilities and adequacy of services provided by RD 2121.
  
- c. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2121 was formed in 1984 and receives no funding. The social and economic community of interest is the Bloomfield family, the only landowner on Bixler Tract. Adopting a zero SOI will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2121.
  
- d. *Nature, location, extent, functions & classes of services to be provided* – RD 2121 maintains two miles of earthen levees, drainage ditches and one pumping station. Levees protected by RD 2121 are located on the east side of the tract adjacent to Werner Dredge Cut and on the north side adjacent to Dead Dog Slough.

\*\*\*\*\*

PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

AYES:  
 NOES:  
 ABSTENTIONS:  
 ABSENT:

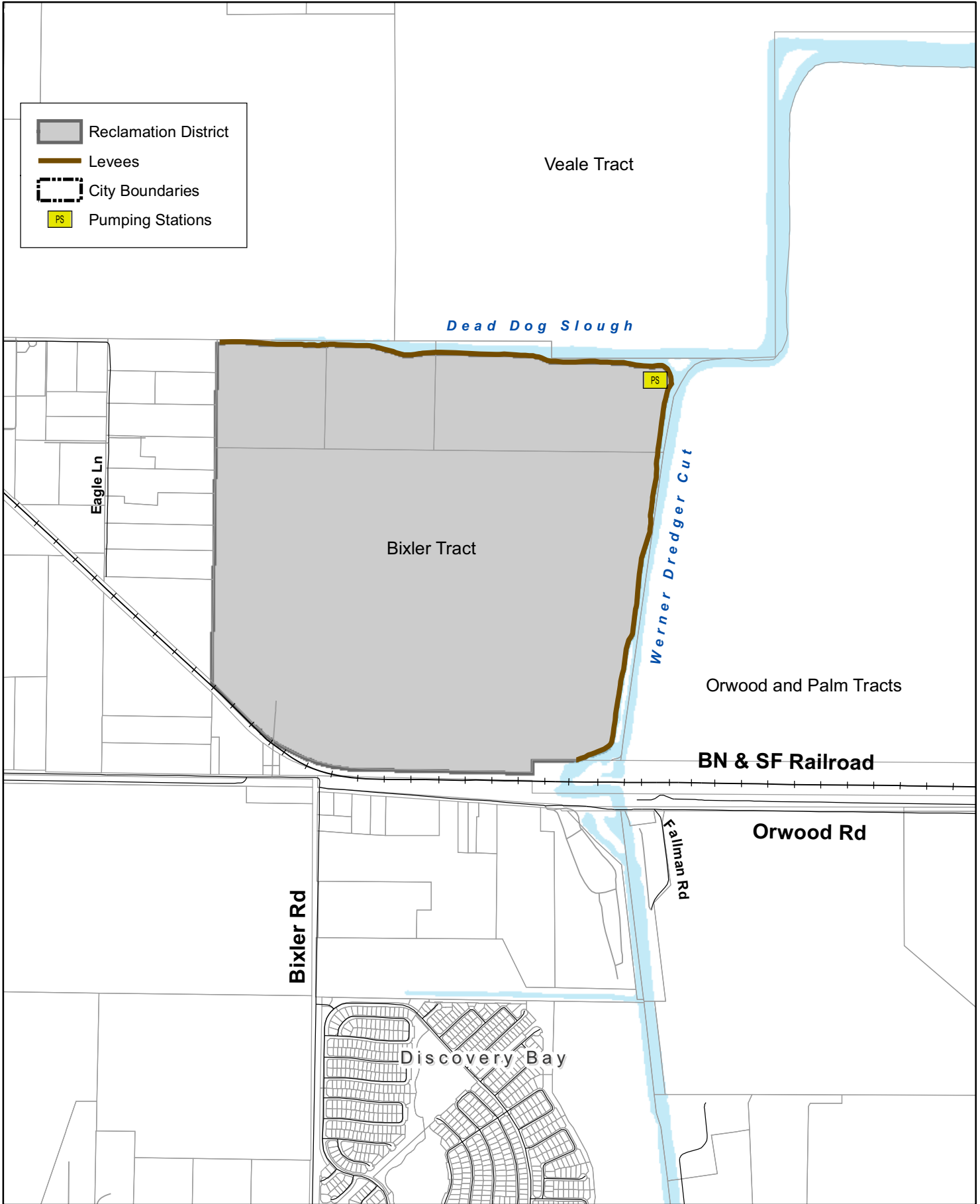
\_\_\_\_\_  
 ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

\_\_\_\_\_  
 Lou Ann Teixeira, Executive Officer

# RD 2121 Boundary and Zero SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2122 (WINTER ISLAND)**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2122 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 453 acres, and comprise Winter Island; and

**WHEREAS**, the MSR report identified one SOI option for RD 2122 – retain the existing coterminous SOI; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2122 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on October 14 and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2122 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands – RD 2122's territory is primarily natural wetlands and is unpopulated. The island is only accessible by boat. The land uses are primarily recreational and natural wetlands. Winters*

Island serves as a wildlife habitat to waterfowl, other birds, and a variety of mammal species. The entire island is classified as marshland by the California Department of Conversation. There is no Williamson Act contracted land within the District. RD 2122 is not a land use agency. Contra Costa County and city plans include land uses that could impact the District services. No change in land uses are anticipated in the foreseeable future, and no change in land uses will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – The District provides maintenance service to non-project levees and flood gates on Winter Island. No population growth is expected in the foreseeable future, and future public service needs are limited. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – RD 2122’s key infrastructure includes 5.0 miles of earthen levees and two tidal gates. The District reports that 1.5 miles of levees meet the Hazard Mitigation Plan (HMP) standard, and the remaining 3.5 miles of levees do not meet these standards, as previously reported in the 2009 MSR. Financial resources are limited and do not support costs associated with major maintenance and rehabilitation activities. Improvements to the levees have been ongoing in the past few years and are expected to continue as funds are allocated by the owner. The District has prepared a Five Year Plan and submitted for a Special Projects Grant that is pending review and approval. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2122.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2122 was formed in 1984 and is funded primarily through intergovernmental revenues. The social and economic community of interest is Winter Island Farms, the sole landowner on the island. The property owner has an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2122.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2122 maintains five miles of earthen levees and two tidal gates. Levees protected by RD 2122 are located around the perimeter of Winter Island.

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PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

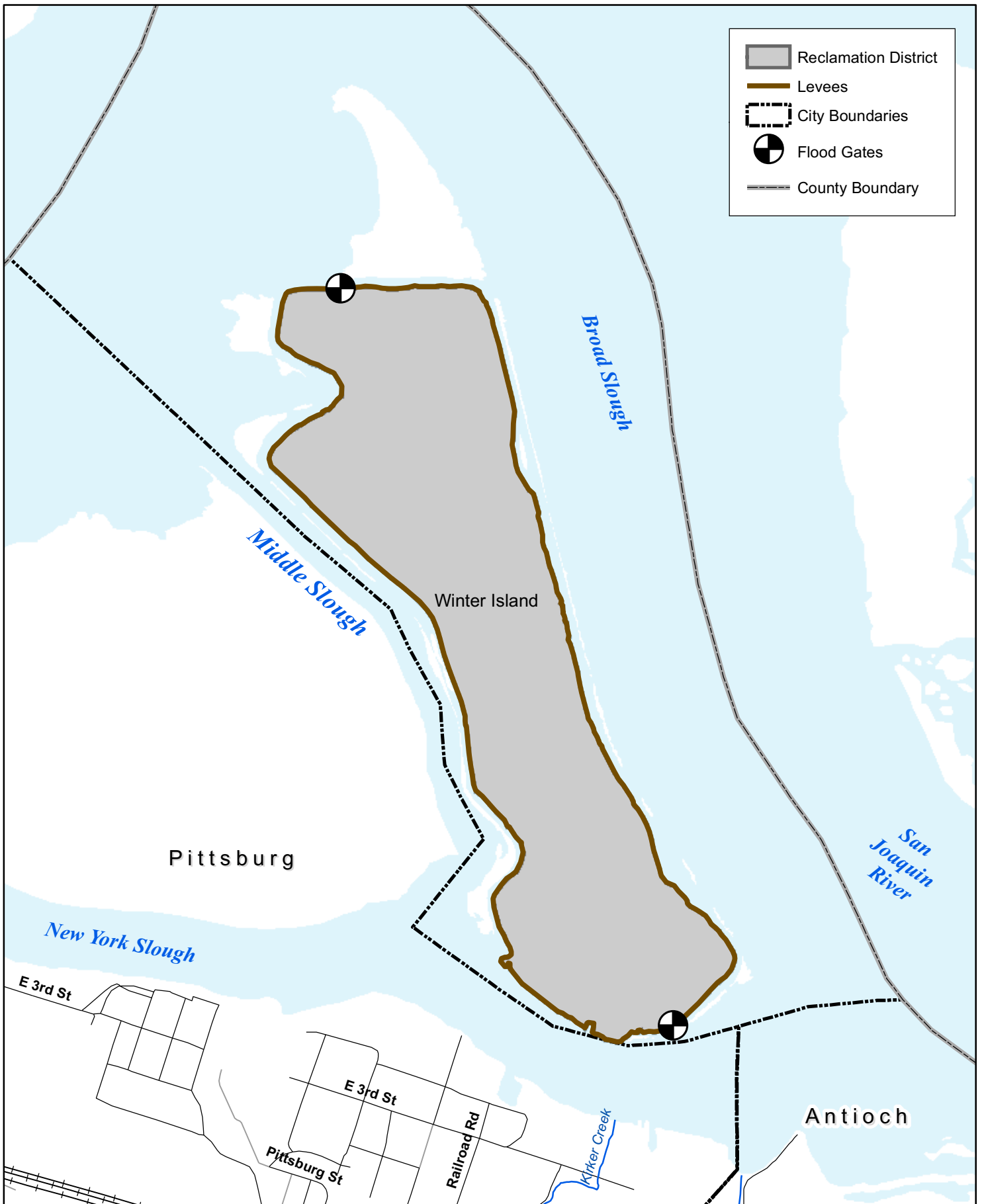
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

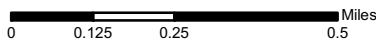
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Lou Ann Teixeira, Executive Officer

# RD 2122 Boundary and Coterminous 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 122:06:35.384W

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.



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR  
RECLAMATION DISTRICT 2137**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal service review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a 2<sup>nd</sup> round countywide review of reclamation services, including those provided by Reclamation District (RD) 2137 and adopted written determinations as required by Government Code §56430 on November 18, 2015; and

**WHEREAS**, the District's service boundary and coterminous SOI encompass approximately 785 acres, primarily within the boundary of the City of Oakley; and

**WHEREAS**, the MSR report included several SOI and governance options for RD 2137; and

**WHEREAS**, it is hereby proposed that LAFCO retain the existing coterminous SOI for RD 2137 as shown on the attached map; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public meetings held on October 14, and November 18, 2015; and

**WHEREAS**, Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said SOI update.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that Contra Costa LAFCO does hereby:

1. Retain the existing coterminous boundary and SOI for RD 2137 as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines, and direct staff to file a Notice of Exemption.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425(e) as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District's land uses are primarily pasture, fallow ground, and open space/habitat area and include prime farmland, farmland of local and statewide importance, and unique farmland. There is no Williamson Act contracted land within the District. RD 2137 lands make up a majority of the Dutch Slough Restoration Project site which was purchased by the DWR in

2003. The District is not a land use authority. Contra Costa County and city plans include land uses and population growth that could impact the District services. No changes will result from this SOI update.

- b. *The present and probable need for public facilities and services in the area* – RD 2137 provides levee maintenance, drainage service, habitat restoration and other services necessary to implement the Dutch Slough Tidal Marsh Restoration Project. There has been no recent growth within the District, no future growth is anticipated in the future, and future public service needs are limited. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The 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 3.8 miles of agricultural levees, an internal drainage system, and two pump stations. The District reports that three miles of the 3.8 mile levee system meet Hazard Mitigation Project (HMP) standards. Since the 2009 MSR, the District has raised the levee crown elevation as part its ongoing maintenance program. RD 2137 has also received a \$9.4 million grant from the DWR to rehabilitate the entire levee system. Retention of the existing SOI will not affect the present capacity of public facilities and adequacy of services provided by RD 2137.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – RD 2137 was formed in 2003 and is financed primarily through assessments. The social and economic community of interest includes the City of Oakley and those members of the general public who will enjoy the various natural features and aspects of the tidal marsh project. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to RD 2137.
- e. *Nature, location, extent, functions & classes of services to be provided* – RD 2137 maintains four miles of earthen levees, drainage ditches, and pump stations. The location of facilities includes levees necessary to implement the Dutch Slough Tidal Marsh Restoration Project.

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PASSED AND ADOPTED THIS 18<sup>TH</sup> day of November 2015, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: November 18, 2015

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# RD 2137 Boundary and Coterminous SOI

