

Bradford Reclamation District No. 2059

PRESERVING THE PAST, PROTECTING THE FUTURE:

BRADFORD ISLAND LEVEE NEWS

Bradford Island is located in the Sacramento-San Joaquin River Delta and is comprised of approximately 2,200 acres of predominately agriculture and recreational land, with a few residences and some natural gas extraction. Bradford Island enjoys the natural isolation and protection with its primary access to the by ferry, and for landowners with docks, it can be accessed by private boat.

Bradford Island is essentially a reclaimed peat wetland, with most of the land below sea level and protected by levees from flooding. Reclamation District No. 2059 ("RD 2059" or the "District") was formed in 1921 to maintain the levees on Bradford Island and to provide internal drainage. These levees, as well as a pump station and internal drainage canals, are operated, maintained, repaired, rehabilitated and administered by the District. In plain language, the critical mission of the District is to protect life and property on Bradford Island.

Bradford Island is one of eight Delta islands considered critical to the region's water quality by the State of California Department of Water Resources. Bradford Island (along with the 7 other islands) prevents saltwater intrusion into the Delta. Freshwater flows into the region from the Sacramento and San Joaquin rivers, as does saltwater from the Pacific Ocean through San Francisco Bay. Islands in the Delta, such as Bradford, reduce the flow of this saltwater.

Ducks, cranes, swans and geese feed in the marshes of Bradford Island; Swainson's hawks, Cooper's hawks and red-tailed hawks have also been seen over the island, along with turkey, deer, otters, coyotes, and other animals.



HISTORIAL PERSPECTIVES

RD 2059 is responsible for the maintenance, operation, capital repair of the levee and flood control system on Bradford Island. It maintains and operates about 7.5 miles of levees, one pump station and about 5 miles of associated internal drainage canals and other flood control infrastructure. Bradford Island is considered a water quality island, preventing salinity from moving further inland to the “Water Project Pumps” near the city of Tracy. Thus, The District is vital to the State of California.

As an independent special district, the District must comply with statutory requirements for local agencies, including those found in California Water Code, Government Code, the California Constitution (including Proposition 218), and any other controlling local, state, or federal laws, as well as the District’s own Bylaws. RD 2059 is governed by a Board of Trustees (“Board”) which consists of five elected property-owner Trustees. The District employs a part-time District Manager, part-time Levee Superintendent, part-time District Engineer, and contracts for support services with a District Legal Counsel, contractors and other support.

DISTRICT FINANCIAL RESPONSIBILITIES

The levee system, interior drainage and pump station are all financial responsibilities of the District. In addition, the District is part of the Delta Ferry Authority which provides the ferry services to both Bradford and nearby Webb Tract, with costs divided relatively evenly between the two islands.

Simply put, the costs associated with providing flood protection on Bradford Island exceed the District revenue sources. As a result, the District has authorized the preparation of an Operations and Maintenance Assessment Engineer’s Report as the first step in increasing revenue to support vital flood protection. This Report will establish the assessment for each landowner to help cover the costs to maintain Bradford Island. If the District’s Board approves Engineer’s Report, a Proposition 218 balloting will be conducted, consistent with the strict requirements of Proposition 218 in the Fall of 2025.



WAYS TO GET INVOLVED

RD No. 2059 is served by landowner volunteers on the Board of Trustees (“Board”), which takes public input from all Bradford Island landowners. Bradford Island can only continue to flourish with landowner involvement and a united commitment to protecting the island. Here are some opportunities for you to get involved:

- Attend and provide input at District Board meetings,
- Attend Delta Stewardship Council, DWR, Department of Fish and Wildlife, and other Delta related public meetings
- Volunteer to serve on a District committee (as established by the Board), or
- Run for a trustee seat. Elections are held bi-annually each November in the odd years as mandated by Cal. Wat. Code § 50730.

DISTRICT REVENUE

The District has received several sources of revenue in the past (most reclamation districts fund their district's through these sources): CB Assessment (aka "Ad Valorem"), Subventions Program (from the State of California), Special Projects/Grants (from the State of California), Ferry Ticket sales, and several historic Operation and Maintenance Assessments (consistent with Proposition 218). Each of these are described below.

The "CB Assessment" (also sometimes called the "Ad Valorem Assessment")

This CB Assessment was originally adopted as an Operation and Maintenance Assessment, and it does not have an expiration date, nor a cost-of-living mechanism. The CB assessment is set at a rate which generates \$158,257.80 per year. While this CB Assessment was initially adopted for Operations and Maintenance services, the District has historically used this revenue to fund the District's portion of the ferry operations. See more on the ferry costs below.

Subventions Program

This program provides funding on a cost-share basis to the District for the rehabilitation and maintenance of levees on Bradford Island. The program is authorized by the California Water Code and works closely with the State of California Department of Water Resources (DWR) Delta Levees Special Flood Control Projects Program. The District is typically eligible for reimbursement of approximately \$148,000 per year. The amount varies from year to year and is dependent on the work performed by the District and/or the State's funding ability. The Subventions Program only cost-shares for levee maintenance, not the internal drainage or pump station. The District pays up front for maintenance, and the DWR can take up to 2 years to reimburse for this maintenance.

Special Projects/Grants

This program focuses on funding projects that safeguard public benefits, including urbanized areas, water quality, and fish and wildlife from flood hazards through DWR. It works in conjunction with the Delta Levees Maintenance Subventions Program to ensure comprehensive flood management and habitat improvement. The District has to apply for these funds and meet the criteria of each Project/Grant Program. At times, the District must compete against other districts in the delta for these funds.



West False River emergency drought barrier project

Ferry Tickets

To access Bradford Island, most landowners, contractors, utility companies, and others use the ferry to cross the False River. Currently, ferry riders are charged a fee to access Bradford Island. These fees bring in approximately \$30,000 a year to offset the cost of the ferry.

Operations and Maintenance Assessment (Proposition 218)

The District has had several Operations and Maintenance Assessments over the years. These assessments have generated much of the revenue for the District, but there is currently no assessment in place being collected. As stated previously, the District is considering proposing a new assessment to be implemented, consistent with Proposition 218.

Key provisions of Prop. 218 include:

1. **Voter Approval for Taxes:** Requiring local governments to obtain approval from a majority of property owner-voters before imposing or increasing general taxes, special taxes, or certain assessments.
2. **Assessment and Fee Limitations:** Prop. 218 limits the ability of local governments to impose assessments or fees on property owners without their consent. Assessments must be proportional to the special benefit received by the property, and property owners must be given the opportunity to protest such assessments.
3. **Property Owner Consent:** Before imposing or increasing a fee or charge for a property-related service, local governments must obtain the consent of affected property owners through a vote or a protest process.
4. The District has the authority to collect up to 100 percent of the approved assessment. If the District were to receive funding from other sources, the District could choose to collect a portion or none of the assessment for any given year.



Map of levees maintained by Reclamation District 2059

The following assessments have been collected annually since 2010:

2010: \$303,513.42 (5-yr sunset, optional cost-of-living mechanism, approved by property owners)

2015: \$232,406.90 (5-yr sunset, optional cost-of-living mechanism, approved by property owners)

2020: \$207,000.00 (2-yr sunset, optional cost-of-living mechanism, approved by property owners)

2022: \$268,000.00 (no sunset, optional cost-of-living mechanism, not approved by property owners)

Since the failure of the 2022 assessment, the District's annual revenue has decreased by about 50%, to a level which is not sustainable to the future.

Both the CB and Operation and Maintenance assessments are collected from landowners twice each year by Contra Costa County ("County") through property taxes. The County then reimburses the District through a program called the Teeter Plan. The County issues funds to the District regardless of whether the landowner pays their taxes to the County. The County does charge the District for this Plan.

DISTRICT EXPENDITURES

The District's expenditure includes Operations, Maintenance Repair and Rehabilitation, Ferry Operations, Administration and Staffing, Engineering and Consulting, and Finance Costs. Each of these are described below.

Operations, Maintenance Repair and Rehabilitation

To maximize reimbursement from DWR's Subvention program, the District spends an estimated \$150,000 maintaining the levees which include, grading and adding aggregate base to the roadway,

adding rock slope protection on the water side of the levee, rodent control, and the removal of vegetation on the levee slopes.

Ferry Operations

The District shares the cost of running the ferry with Webb Tract, with each District paying 50% of the cost. The normal yearly expenses for the ferry include fuel, labor, accounting, and minor repair. This is approximately \$135,000. There have been years the ferry expenses have exceeded \$200,000 due to major repairs.

Administration and Staffing

The general District expenses include but are not limited to audits, equipment repair, dues and subscriptions, liability and workers compensation insurance, office supplies, payroll taxes, telephone, utilities, ditch cleaning, pump repair, storage and meeting rent, PG&E, etc. Yearly expenses can exceed \$150,000. The District has three part-time employees with expenditures of approximately \$60,000 per year.

Engineering and Consulting

The District pays legal fees, certain engineering fees, website maintenance fees, and other consulting fees that are necessary. The estimated per year fee is \$60,000.

Bank Loan

The District has taken out several bank loans to help rebuild the pump station (twice) and the levee slopes after two significant fires. The amount of the bank loan plus interest is \$860,000 and is being paid off over time.

Expenses Exceed Revenue:

Revenue: \$185,000 (No Assessment, Subventions and Special Projects/Grants funding)

Expenditure: -\$555,000 (excluding annual payback payment for the bank loan)

Underfunded: **-\$370,000**

Hence, in order to protect life and property on Bradford Island, the District proposes that property owners consider a new Operations and Maintenance Assessment to continue to operate and maintain the island's critical flood protection infrastructure.

Special Notes # 1: If the proposed Operations and Maintenance Assessment is not approved:

If the proposed Operations and Maintenance Assessment is not approved, the District will only receive revenue from the CB assessment and ferry tickets, which amounts to approximately \$185,000. This amount only supports cost of the ferry service with very little revenue for operations and maintenance.

Note that revenue from the Subventions Program will eventually be exhausted. The District is required to provide initial funding for all levee maintenance, with reimbursement from DWR occurring



Bradford Island breach along the western side, San Joaquin River. Dec. 1983

up to two years later. However, with most available funds allocated to the ferry service, insufficient resources remain from maintenance activities – resulting in no work being performed and, consequently, no reimbursement from DWR.

The District has the option to propose DWR take over maintenance of the levees which it has done a limited number of times in other areas. On August 6, 2024, the District invited DWR to a Board meeting to discuss the impacts of DWR taking over a levee operations and maintenance. DWR staff strongly recommended against this for many reasons, as listed below:

1. DWR has *exclusive authority* to decide maintenance levels without landowner approval or input and charge landowners for all costs. It is anticipated that the yearly maintenance costs would be substantially more than the District's proposed Assessment.
2. DWR *is not eligible* for the Subventions Program. (RD 2059 property owners would have to pay.)
3. DWR *is not eligible* for Special Projects or Grants. (RD 2059 property owners would have to pay.)
4. The District would have to fund a study for DWR to determine the conditions of the levees.
5. DWR will not pay for the ferry; DWR will pay for their crews/contractors to use the ferry but will not be part of the Delta Ferry Authority.
6. DWR does not have a maintenance yard near Bradford Island - All work would be executed by contracted professionals, with prevailing wages paid as required by law.
7. DWR *will not* maintain the interior drainage or pump station.
8. DWR *will* impose assessments on landowners based on operations and maintenance costs and is not required to hold Prop. 218 ballot measures.

Please Note: The District retains the meeting minutes, recording/transcript, and presentation from its meeting with DWR, and can provide this information to landowners upon request.

Special Notes # 2: Clarification of nearby Sherman Island Funding

Many people believe that the Department of Water Resources (DWR) is responsible for the operations and maintenance of the Sherman Island levees. In reality, Reclamation District 341 serves as the operating and maintenance authority for Sherman Island. While the State owns a significant portion of land on Sherman Island, granting it voting rights on Proposition 218 measures as a landowner, it was the landowners within Reclamation District 341 who recently voted on a Proposition 218 assessment, which was approved.

Final Notes

The District encourages all landowners to become engaged and fully understand the District's financial responsibilities. The Board members, District Engineer, and the District's consultant welcome questions and comments from landowners. Given the District's current financial challenges, it is critical that each property owner carefully consider the importance of the proposed Operations and Maintenance Assessment in support of long-term protection of life and property on Bradford Island.

Landowners will be kept informed about upcoming Board meetings and public outreach events related to this proposed Assessment. The proposed assessment for each parcel will be made available at the next Board meeting.

If you have any questions or would like to discuss the above information, please feel free to call Michael Craig, Board Member, 510-367-4799 or Blake Johnson, District Engineer, 916-204-6869. Once the Engineers Report is made available, you may contact the District's consultant for clarifications.