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November 17th, 2025

California Water Commission
715 P Street
Sacramento, CA, 95814

Save Mount Diablo Comment Letter Urging WSIP Funding Eligibility Away from Del Puerto Reservoir

Dear Commissioners,

Save Mount Diablo (SMD) is a nationally accredited land trust founded in 1971 with a mission to preserve Mount Diablo's peaks, surrounding foothills, watersheds, and its sustaining 200-mile Diablo Range. We accomplish this through land conservation and management strategies designed to protect the mountain's natural beauty, biological diversity, and historic and agricultural heritage; enhance our area's quality of life; and provide educational and recreational opportunities consistent with protection of natural resources.

We acquire land, or interests in land, for conservation purposes and often for addition to parks on and around Mount Diablo. We are involved in land use planning, policy and advocacy which might affect protected lands. We build trails, restore habitat, and conduct environmental education. In 1971, there was just one park on Mount Diablo totaling 6,778 acres; today there are almost 50 parks and preserves around Mount Diablo totaling 120,000 acres north of Altamont Pass. In 2025 we reached a milestone of protection of over 1 million acres in the 3.7-million-acre Diablo Range. We include more than 11,000 donors and supporters.

We strongly urge the California Water Commission (CWC) to prioritize funding from the Water Storage Investment Program (WSIP) for well-planned projects that offer significant public benefits and broad community support, and to avoid allocating funds to poorly sited proposals with limited public value and strong local opposition, specifically Del Puerto Reservoir.

What is Del Puerto Canyon?

Del Puerto Canyon is a beautiful, highly biodiverse natural treasure in the north-eastern portion of the Diablo Range. It hosts an abundance of rare wildlife species, such as American badger, California red-legged frog, mountain lion, and tule elk, and is a critical wildlife corridor. The serpentine soil of the canyon also provides ideal habitat for rare and specialized plant species.

The Canyon is a popular recreation area for residents of the bordering City of Patterson as well as the broader Stanislaus County area. Hikers, families, wildlife and off-road enthusiasts all greatly enjoy the recreational opportunities this special place offers. The Del Puerto Reservoir proposal would flood this area, destroying a valuable habitat with rare species, and all recreational activities in an area already limited in its outdoor recreational access.

Save Mount Diablo is opposed to this proposal for these and many other reasons.

Invalid dEIR and Legal Challenges

Del Puerto Canyon Reservoir does not have a legally valid Environmental Impact Report, as the dEIR available on their website was voided by court order in 2022. The significant deficiencies in their previous environmental review make it likely that a revised EIR would be challenged in court when it is released.

Allocating state funding to a project without a valid EIR exposes public agencies to legal and financial risk, as CEQA compliance is a prerequisite for the use of public funds in capital projects. Unlike Del Puerto, several other water infrastructure proposals have completed CEQA review, received formal certification, and are therefore ready for implementation. Directing funds toward those approved and legally sound projects would ensure that state investments can be deployed efficiently and immediately, without the uncertainty of litigation or project suspension.

Funding Should be Allocated to Projects Involving Potable Water

Projects that are designed to directly increase potable water supplies as one of their primary objectives should be prioritized for state funding because they address California's most critical water security challenge: access to safe, reliable drinking water. State investment should focus on projects that enhance drought resilience for households, schools, and communities, particularly in regions that face chronic shortages or depend on contaminated or unreliable groundwater sources. By contrast, projects that primarily supply water for agricultural irrigation or other non-drinking water uses, while valuable in certain contexts, do not directly alleviate the public health and equity issues tied to the state's drinking water crisis.

The Del Puerto Canyon Reservoir proposal is designed to store water for agricultural applications rather than to increase drinking water availability. As such, the project would not meaningfully contribute to closing the gap in safe drinking water access across California, especially in rural and disadvantaged communities that continue to face drinking water shortages.

Given the state's limited funding resources, it is essential that allocation decisions be guided by public benefit and urgency. Projects that directly expand or secure drinking water sources (such as groundwater recharge with treated drinking water, purification facilities, small community system upgrades, or drought-resilient supply diversification) provide greater returns on public investment.

Del Puerto Canyon Park Plans

The Del Puerto Reservoir would flood an area where Patterson's Parks and Recreation Department has in the past proposed creating a public park. Drowning this land would reduce the already limited outdoor recreation opportunities available to residents of Patterson and the broader Central Valley.

California State Park's Park Access Tool reveals that 29% of Patterson residents live more than half a mile away from a park. That's 8% more than the state average, suggesting that open space is more difficult to access for Patterson residents.



Graphic showing the percentage of Patterson residents vs. California state residents who live farther than a half mile away from a park. Source: CA State Parks

Not only would the reservoir inundate the first 5 miles of the canyon, but there is also no opportunity for water-based recreation. A reservoir project would greatly reduce outdoor activity for a community already disadvantaged with outdoor access.

Native American Significance

Several known archaeological sites would be also destroyed, including at least one Native American artifact site that Del Puerto Water District acknowledges in Section 3.6-5 of their voided initial EIR as a “unique cultural resource” that may be “eligible for listing” in the National Register of Historic Places and California Register of Historical Resources.

There Are Better Projects in Need of Funding –Del Puerto Should be Ineligible for Funding

Del Puerto Canyon is beloved by local communities and outdoor enthusiasts alike. State funding would be much better spent on projects that are less environmentally destructive, address drinking water needs, and enhance recreational opportunities for underserved populations.

Given the current funding needs of multiple approved projects that provide greater statewide benefit, including the Chino Basin Program, Kern Fan Groundwater Storage Project, Sites Project, Willow Springs Water Bank, and Harvest Water Program, the CWC should prioritize these projects over the proposed Del Puerto Canyon Reservoir.

We appreciate the opportunity to provide comments.

Sincerely,

Steven dePaschalis
Land Use Advocate

Photos of Del Puerto Canyon



Del Puerto Canyon and its dramatic landscape within the Diablo Range. Photo credit: Steven dePaschalis



Del Puerto Creek runs through the canyon and supports an abundance of wildlife and vegetation. Photo credit: Scott Hien



Del Puerto Canyon has a host of interesting geology, including rock outcroppings and serpentine soils to support rare plant life. Photo credit: Scott Hien



Grey pine and oaks dot the mountainsides of the land within Del Puerto Canyon. Photo credit: Steven dePaschalis