

From: [Chris Quock](#)
To: [California Water Commission](#)
Subject: Hello, public comment for the July 17th, 2024 CWC meeting
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To the California Water Commission,

Regarding WSIP-funded projects (Item 10) and potential projects for grant funding (Item 12), please do not consider Del Puerto Reservoir as a candidate for further support and future funding. Supporting it would not be a very efficient way of handling the state's water issues, and I feel using state funds to support it would set a bad precedent considering some of the tactics they and their supporters have used against those who have questioned aspects of Del Puerto Reservoir's planning and development process.

First, its 82,000 acre feet maximum capacity is small compared to other larger reservoirs like Sites Reservoir and Lake Oroville. Taking rough estimates for their maximum capacities, it seems like Del Puerto Reservoir would just store roughly 5.4-5.6% of Site's total acre feet and 2.34% of Lake Oroville's capacity. While DPR's potential storage stats compare relatively better with some other smaller projects in the CWC's purview, like the Los Vaqueros and Pacheco Reservoir expansion projects (<https://www.ccwater.com/1060/Los-Vaqueros-Reservoir-Expansion-Project>, <https://www.valleywater.org/project-updates/a1-pacheco-reservoir-expansion-project>), it still appears to fall on the small side. Taking Del Puerto Reservoir's maximum potential capacity, it would be just under 30% of Los Vaqueros' 275,000 acre foot capacity once it is raised and just under 60% of Pacheco Reservoir's projected maximum capacity after it's raised. Additionally, according to DPWD's project website (<https://delpuertocanyonreservoir.com/>), they say they may operate it at lower amounts closer to 60,000 acre feet.

It is well known among natural history education circles that several areas in the lower parts of Del Puerto Canyon are used by many groups for educational and recreational purposes. An independent 2023 survey out of UC Davis found almost 30 colleges, universities, and other groups use or have used the canyon for such purposes (<https://epm.ucdavis.edu/blog/working-friends-river-save-del-puerto-canyon>). From Del Puerto Water District's now voided initial EIR briefly mentioning a few bicycling and birding groups, it appears they did not extensively explore the full extent of this use or how the required relocation of the public roadway would impact this. While public activities along the roadway were not a main concern in the 2022 court ruling, general deficiencies for the proposed replacement county roadway was the reason why Judge Mayne voided the EIR late in 2022 (https://www.biologicaldiversity.org/programs/urban/pdfs/Del-Puerto-Canyon-Reservoir-Ruling.pdf?_gl=1*8cmedt*_gcl_au*MTU3NTM4ODc1MS4xNzIxMDc3Mzkx). When project opponents began highlighting the importance of this public use of the roadside right-of-ways, some project officials and supporters engaged in communications questioning the legality of such activities. This includes a section in the defunct EIR questioning the validity of geologists claims that the first dinosaur fossils identified from California were found within the footprint of the project (<https://www.delpuertocanyonreservoir.com/assets/pdf/reports/Del-Puerto-Canyon-Reservoir-Final-EIR-Vol-III-Responses-to-Comments.pdf>, 9-34), as well as statements in a "myths and facts" section saying that the lands that would be inundated are all private and not open to public recreation (<https://delpuertocanyonreservoir.com/assets/pdf/Myths-and-Facts->

[DPCR_Oct2020.pdf](#)). They have also combined such statements with assertions suggesting they know enough about the diverse range of public activities and natural resources there to refute the claims of other subject-level experts.

In 2015 and 2016, agriculture-centric groups in Wyoming backed a series of laws impacting data collection and many citizen science activities along open land (<https://www.nrdc.org/stories/wyomings-anti-science-laws-get-second-look>). Like rural areas in many other states that are undeveloped but not included in formal park systems, open areas and roadside right-of-ways are important for allowing members of the general public, including natural history educators and citizen scientists, to access California's natural and cultural resources. Allowing industry groups with development-centric objectives to attempt to drive off such activities from areas that may be technically open to the public in order to acquire and convert those lands for business and infrastructure use is antithetical to the educational, environmental, and open space equity values of many Californians. In light of these circumstances, I feel allowing state funds to be contributed to this project might set a bad precedent for other developers who might want to limit roadside recreation; the ability of people to enjoy, observe, and document natural and cultural resources they encounter, and the ability of the general public to prioritize areas for future open space conservation.

Thank you.