



**STANISLAUS COUNTY CLERK
CEQA FILING COVER SHEET**

Mail to: Del Puerto Water District

Name: Anthea Hansen, General Manager

Address: 17840 Ward Ave. / P.O. Box 1596

City, State, Zip Patterson, CA 95363

50-2025-205

FILED

December 5, 2025
DONNA LINDER
STANISLAUS COUNTY
CLERK-RECORDER

By: [Signature]
Deputy Clerk

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Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

Del Puerto Canyon Reservoir

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
☐ Notice of Exemption (NOE)
☒ Other (Please fill in type):

Partially Recirculated Draft Environmental Impact Report (PRDEIR)

FILED IN THE OFFICE OF THE STANISLAUS	
COUNTY CLERK ON	<u>12-5-25</u>
Posted <u>12-5-25</u>	Removed <u>01-04-2026</u>
Returned to agency on _____	
DEPUTY	<u>[Signature]</u>

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Availability of a Partially
Recirculated Draft Environmental
Impact Report

Del Puerto Canyon Reservoir

Notice is Hereby Given that the Del Puerto Water District (DPWD) has prepared a Partially Recirculated Draft Environmental Impact Report (PRDEIR) to address certain potential environmental effects of the Del Puerto Canyon Reservoir (DPCR) Project, which is jointly proposed by DPWD and the San Joaquin River Exchange Contractors Water Authority (Exchange Contractors) (together, Project Partners). These potential environmental effects would occur on or near Del Puerto Creek downstream (east) of the footprint of the proposed Reservoir, as directed by the California Court of Appeal and the Stanislaus County Superior Court, as explained below.

The PRDEIR will be available for public review beginning December 5, 2025 and ending on January 30, 2026. The PRDEIR, along with the 2020 Final Environmental Impact Report prepared for the DPCR, can be found at the locations listed below or online at the project website:

<https://www.delpuertocanyonreservoir.com/resources#documents>.

Del Puerto Water District	Exchange Contractors
17840 Ward Avenue	541 H Street
Patterson, CA 95363	Los Banos, CA 93635

Comments should be sent by United State Mail to the DPWD at the following address:

Del Puerto Water District
Attn: Anthea Hansen,
General Manager
17840 Ward Avenue/P.O. Box 1596
Patterson, CA 95363

or by email directed at: dpcr-environment@woodardcurran.com. All comments received, including names and addresses, will become part of the official public record.

All documents incorporated by reference in the PRDEIR are available at offices of DPWD and the Exchange Contractors at the addresses shown above during working hours (9:00 a.m. to 5:00 p.m.) during weekdays other than holidays.

Project Description:

The proposed DPCR involves the construction and operation of a reservoir on Del Puerto Creek to provide approximately 82,000 acre-feet of new off-stream storage to the Central Valley Project. Project components are the reservoir (including the main dam, three saddle dams and other facilities), conveyance facilities to transport water to/from the Delta-Mendota Canal (DMC) (including a pipeline and pumping plant), electrical facilities, relocation of Del Puerto Canyon Road, and relocation of existing and proposed utilities that are within the project area.

The proposed project is located in Stanislaus County. Proposed project facilities consist of a reservoir, main dam, and three saddle dams plus the facilities needed to convey water between the DMC and the reservoir. The project also includes relocating existing and proposed utilities that run north-south through the project area and a section of Del Puerto Canyon Road, which runs east-west through the project area. The reservoir would be located in the foothills west of the City of Patterson, California and Interstate-5. The proposed project would provide storage for existing water allocations from the United States Bureau of Reclamation, with whom the Project Partners are contracted. Water would be stored in the reservoir when supply is available from the DMC.

and delivered to farms within service areas of DPWD and the Exchange Contractors in San Joaquin, Stanislaus, Merced, Fresno and Madera Counties.

Background:

On October 21, 2020, DPWD Board of Directors certified the Final Environmental Impact Report (FEIR) for Project and approved the Project. The FEIR consisted of the 2019 Draft EIR, and the 2020 Final EIR.

On November 20, 2020, the Sierra Club, California Native Plant Society, Center for Biological Diversity and Friends of the River (Sierra Club *et al.*) filed a Petition for Writ of Mandate challenging the adequacy of the FEIR.

This PRDEIR has been prepared in response to the January 30, 2025, Opinion of the California Court of Appeal, Fifth District, in *Sierra Club et al. v. Del Puerto Water District* (Case No. F086218), affirming in part, and reversing in part, the January 25, 2022, Judgment of the Superior Court in Stanislaus County Superior Court Case No. CV-20-0055193. This Opinion prompted the Superior Court to issue the Modified Judgment After Appeal Granting Petition for Writ of Mandate (Modified Judgment), signed by the Superior Court on April 8, 2025. The PRDEIR is intended to comply with both the Opinion and the Modified Judgment.

The Court of Appeal Opinion found that the FEIR complied with the California Environmental Quality Act (CEQA) in all respects but one. Specifically, the court found that the FEIR failed to adequately analyze the Project's potential impacts to terrestrial species associated with Del Puerto Creek downstream of the proposed reservoir. In response to the Court's Opinion, only the FEIR's analysis regarding downstream terrestrial species has been revised. No other sections of the FEIR have been revised.

In addressing the subject matter dictated by the Court of Appeal opinion, the PRDEIR did not find any significant environmental effects on terrestrial resources along or near Del Puerto Creek downstream from the proposed Reservoir. Rather, all newly identified environmental effects would be less than significant even in the absence of mitigation.

Because the Court of Appeal required only a very limited amount of new analysis, which has resulted in only a partial recirculation, and not a full recirculation, of the 2020 Final EIR, DPWD requests that public comments be restricted to the newly circulated information contained in the PRDEIR related to biological resources downstream of project facilities. In other words, *the partial recirculation should not be an opportunity to re-submit comments on previously published topics, or to add additional comments on previously published topics.* Readers are therefore requested not to make comments on issues not directly implicated by this PRDEIR. DPWD will not be required to respond to any new comments that are directed to other portions of the previously certified FEIR that are not a part of the PRDEIR.

DPWD has not yet scheduled a meeting of its Board of Directors to take action on a new Final EIR for the DPWR. When it is ready, that document will consist of the following: (i) the 2019 Draft EIR, (ii) the original 2020 Final EIR, (iii) the PRDEIR, (iv) all comments received during the PRDEIR public review period, and (v) the DPWD's written responses to those comments. When the date of a DPWD Board of Directors meeting is determined, it will be subject to all applicable public notice requirements.

For further information contact: Anthea G. Hansen, Del Puerto Water District, 17840 Ward Avenue/P.O. Box 1596, Patterson, CA 95363 email: ahansen@delpuertowd.org.

