



June 6, 2025

District Commander
St. Paul District
Corps of Engineers,
ATTN: Regional Planning and Environment Division North
332 Minnesota Street
Suite E1500
St. Paul, MN 55101

Dear District Commander,

RE: Comments on Draft Decision Document for Lake Ashtabula Water Control Manual Update

The City of Grand Forks (City) has requested that Precision Water Resources Engineering (PWRE) provide comments on behalf of the City to the United States Army Corps of Engineers' May 2025 *Lake Ashtabula and Baldhill Dam Project Water Control Update: Draft Decision Document and Integrated Environmental Assessment* and its related appendices (Draft Decision Document). As a brief introduction, PWRE is a water resources planning and management firm based in Loveland, Colorado with 20+ years of experience in many of the most complex and contentious basins in the western United States. PWRE provides technical support services for water management agencies (local, regional, state, and federal) primarily by developing state-of-the-art water management tools. PWRE has significant experience in supporting reservoir operations and water accounting and is currently engaged in a Water Control Manual revision project for several USACE reservoirs in California.

This letter summarizes four comments PWRE identified on behalf of the City regarding the Draft Decision Document. In addition, Grand Forks' special counsel, Brian Nazarenus, is also filing separate comments on behalf of Grand Forks which the USACE should consider along with this letter.

Comment 1 – Winter Drawdown

The drought operations plan (Appendix G, Attachment 2) includes guidance on when a winter drawdown of 1.0 or 2.0 feet is recommended instead of the standard 3.5 foot winter drawdown based on the SWE and the inflow to Lake Ashtabula the preceding August through November (Table 13). These recommendations are intended to allow additional flexibility to the water manager to respond to droughts but would not restrict the ability to drawdown Lake Ashtabula in response to changing conditions or additional snowfall.

Draft Decision Document, pp. 34

The proposed flexibility of drawdown criteria on Lake Ashtabula to increase the likelihood of refilling the lake will enhance water supply. This represents a benefit to City's interests, and the



City supports the effort undertaken by USACE to introduce this flexibility while maintaining adequate flood protection. The technical work to support this change is reasonably based on (1) antecedent baseflow conditions (i.e., inflow to Lake Ashtabula the preceding August through November) and (2) current SWE conditions. The proposed changes to drawdown operations in Alternative 1 are supported by the underlying analysis summarized by Figure 5-7 of Appendix G Attachment 1 which illustrates the relationship between antecedent baseflow conditions, SWE conditions and years with filling risk.

Comment 2 – Drought Operations Plan: Release Request Approval

Any requests to release water from Lake Ashtabula for water supply purposes must come through the North Dakota Department of Water Resources (DWR). USACE has the final decision on all gate change and releases from Baldhill Dam, and USACE will consider all authorized project purposes when making releases. In the past, when the ND DWR has requested water for water supply, the request has generally been granted.

Draft Decision Document, pp. 34

The Draft Decision Document is ambiguous about whether release requests of Thompson Acker water made by North Dakota Department of Water Resources (ND DWR) for water supply will be approved by USACE. As a Thompson Acker account holder, the City has a State permitted water right to store and access water in Lake Ashtabula. The City considers its Thompson Acker account in Lake Ashtabula a significant supply source to be relied upon in drought. The lack of clarity concerning when or even if release requests will be honored by USACE when the City needs the water most is unreasonable. This level of uncertainty prevents the City from developing a prudent, reliable plan for meeting its water supply needs under the most severe droughts.

Appendix G Attachment 2 provides a detailed summary of the Drought Operations Plan, which defines USACE's protocol for approving releases from Lake Ashtabula under varying levels of drought severity. The Drought Operations Plan summarizes the considerations USACE will make when evaluating a release request, and in this plan, as the level of drought gets more severe, the number of considerations increases. The following provides three examples of the increasing stringency of considerations and resulting follow-up questions:

1. In Drought Phases 3, 4 and 5 summarized in Appendix G Attachment 2, the following consideration is made when evaluating release requests: *"If and to what extent downstream water conservation measures are in place"*. Does this consideration suggest that the amount of water released from Lake Ashtabula will be contingent on downstream conservation programs? Does this imply that justification needs to be provided for these release requests? The City maintains that while it has a solid conservation plan in place, conservation measures should not be a prerequisite for the release of Thompson Acker water from Lake Ashtabula.
2. In Drought Phases 3, 4 and 5 summarized in Appendix G Attachment 2, the following consideration is made when evaluating release requests: *"Current/expected impacts on*



authorized project purposes (water supply, fish and wildlife, and recreation, etc.).” It is the City’s understanding that the primary authorized purposes for Lake Ashtabula are flood control, water supply, and pollution abatement. The City believes any determination that the Corps expects to make relative to secondary/incidental purposes of reservoir storage in drought should be developed and clearly communicated now and should be subordinate to primary purposes (flood control/water supply) of the project. More clarity needs to be provided on how the listed project purposes would be evaluated against one another.

3. In Drought Phases 4 and 5 summarized in Appendix G Attachment 2, the following consideration is made when evaluating release requests: *“Assessment of current water storage available, downstream water demand, long-term forecasts, and likelihood that the reservoir will continue to drop.”* In a severe drought, the City would have analyzed their need for water supply, and this would be reflected in the requested release. This consideration seems to imply that USACE may further restrict a request for release beyond what the City has determined is necessary for their water supply needs. It is the City’s position that USACE should honor a release request in the amount requested by the City, as this rate will represent what the City needs to meet its municipal demand.

Comment 3 – Drought Operations Plan: Release Request Approval

Table 12 of the Draft Decision Document summarizes the anticipated response time for request water supply releases by Drought Phase as follows:

Drought Phase	Lake Ashtabula Pool Elevation	St. Paul District Anticipated Response Time for Requested Water Supply Releases
Phase 1 – Non-Drought Conditions	> 1265.8	2 business days
Phase 2 – Drought Advisory	1265.0- 1265.8	2 business days
Phase 3 – Conservation Phase	1262.0 – 1265.0	2 business days
Phase 4 – Restriction	1256.0 – 1262.0	4 days*
Phase 5 – Critical Reservoir Storage	< 1256	4 days*

*Additional time required for agency coordination.

Table 12 indicates that as the reservoir elevation falls, response times increase. As the drought gets more critical, it becomes more essential for the City to have efficient access to their storage to appropriately time its release given the significant travel times from Baldhill Dam to the City. While it is recognized that these response times have been reduced from previous levels, the City believes the Drought Operations Plan should not include a timeframe for the Corps to evaluate requests for water supply releases. The evaluation of access to Thompson Acker water right holders’ water for release during increasingly acute drought should be made as a part of the Draft Decision Document process to ensure that release requests will be met precisely when the City needs its water.



Comment 4 – Minimum Releases and Pollution Abatement

The Draft Decision Document discusses several reasons for releases from Lake Ashtabula in addition to water supply releases. Two of these releases raise concerns from the City's perspective:

- Minimum Releases - Alternative 1 of the Draft Decision Document recommends a 23 cfs minimum flow when Lake Ashtabula's pool elevation is greater than 1,265.8 feet, and a 13 cfs minimum flow otherwise.
- Pollution Abatement – Regarding Pollution Abatement, Appendix G Attachment 2 states, *"Request to release water for other project purposes such as pollution abatement do not necessarily need to be received through the DWR. This is because pollution abatement is a separately authorized federal project purpose, which is not directly tied with water rights or water allocation in Lake Ashtabula."*

While most of the time these releases would not impact the City's water supply, a question is raised during times of drought: whose water would be released to meet these objectives? It is understood that the USACE has stated that it will not be involved in the accounting of individual Thompson Acker accounts, as that is the role of the State. However, according to the 2013 Water Control Manual for Baldhill Dam, Thompson Acker Accounts represent 63,916 acre-feet of permitted storage in Lake Ashtabula. The conservation elevation in Lake Ashtabula of 1,266 feet corresponds to a storage of 65,567 AF of storage according to the latest bathymetric surveys provided in Appendix G Attachment 1. This results in a total of 1,651 acre-feet of unpermitted storage when the lake is at its conservation elevation. It is anticipated that minimum and pollution abatement releases would be drawn from the unpermitted storage first, but when unpermitted storage is exhausted, these releases would necessarily be drawn from Thompson Acker account storage, impacting the City's water supply during times of drought unless water supply releases were coordinated with pollution abatement objectives. The City requests clarity in the Draft Decision Document for how its Thompson Acker account water would be impacted by the increase in minimum release and pollution abatement release.

Thank you for the opportunity to review the Draft Decision Document and provide comments. We look forward to hearing your responses to our comments.

Sincerely,

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