

Date	Comment text
2/3/2020	<p>As someone who is concerned about public safety and the economy, I urge you to approve the permit for BNSF Railway to build a new railroad bridge over the Missouri River in Bismarck and Mandan, North Dakota.</p> <p>The bridge is more than 100 years old and BNSF says it soon needs to build a new one to continue safely hauling North Dakota's grain and other commodities.</p> <p>Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.</p> <p>I urge you to approve the permit so that a new bridge can be built soon and the railroad can safely ship goods that our economy relies on.</p>
2/4/2020	<p>Freight railroads privately fund maintenance and replacement of their infrastructure, with BNSF Railway typically spending about half their capital expenditures each year on maintenance activities. Constant renewal of infrastructure is important to operating safely across rail networks.</p> <p>The railroad bridge over the Missouri River between Bismarck and Mandan, N.D. is private transportation infrastructure that's critical to the state's economy. More than 100 years old, the bridge is approaching the time when it won't be able to safely carry train loads of North Dakota's grain, coal, crude oil, and other industrial products.</p> <p>As someone who is concerned about public safety and the economy, I urge you to approve the permit for BNSF Railway to build a new railroad bridge over the Missouri River in Bismarck and Mandan, North Dakota.</p> <p>The bridge is more than 100 years old and BNSF needs to build a new one to continue safely hauling North Dakota's grain and other commodities.</p> <p>Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.</p> <p>The best course is simple: build a new bridge and remove the old one. Keeping the existing bridge in place is problematic. Building a new one next to it could create flooding impacts for private property, and impact Bismarck's water reservoir and a dedicated nature preserve. BNSF's project costs would increase \$10 - \$75 million and take one to four years longer to construct if forced to keep the old bridge in place.</p> <p>Action is needed now. For two years, BNSF has been in the permit process. No credible plan has emerged for funding or ownership of the current bridge. BNSF needs to build its planned bridge project without further delay so they can help keep ND's economy on track.</p> <p>I urge you to approve the permit so that a new bridge can be built soon and the railroad can safely ship the goods upon which our economy relies.</p>
2/12/2020	<p>This is one of North Dakota's most iconic landmarks. Losing the bridge would be a tragedy.</p>
2/12/2020	<p>The rail bridge is a cultural anchor in our community. It serves as the icon of our place on the northern plains. People use the image of the bridge to commemorate birthdays weddings family gatherings and other events. Businesses use the bridge in advertising locally and in representing North Dakota to the national business community. It has been the most important piece if architecture in our community for over 100 year since before we became a state. Please make every effort to keep it standing as the symbol of our history.</p>
2/12/2020	<p>ND doesn't have mountains or forests, and as pretty and the Badlands are, a lot of our visual appeal is based on our historic and interesting architecture. It would be a shame to not preserve and find a new use for this bridge. A walking and/or bike path would be amazing.</p>
2/12/2020	<p>I love this Bridge and hope it can be saved. Perhaps repurpose to a bike and walking trail with gardens and plantings. The new Gateway to Science museum is being constructed on the river bluff on the east side. I believe funds , big funds can be raised to preserve and refurbish as needed. Resident born in 1953 in Bismarck.</p>
2/12/2020	<p>Most of ND save for the Badlands is mundane landscape and buildings. The long span bridge &amp; granite peers is an example of old school craftsmanship. If preserved the new bridge would also have to be long span. So the new bridge would also be more astetic.</p>

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2/12/2020	<p>The bridge is a landmark in our community. The concept of it being a walking path is perfect. We already blew up a icon bridge 8 years back it I don't care how safe the project is, our river still get impacted from destruction like this. Even if the bridge isn't a walking path it's still a important icon to us bismarck residents</p>
2/14/2020	<p>My name is Joel Land and I am a Bismarckian born and raised. After graduating HS, I went to college in Tennessee in 2007, got married [REDACTED] and have lived in Chattanooga, TN until last year. I moved my southern wife and our young family back to Bismarck because we believe it is the best place for us to raise our family.</p> <p>Chattanooga is not dissimilar to Bismarck. It is a city built around a river. It has a growing and thriving downtown. There is a large population of people living there who love outdoor recreation. This city also has a number of bridges that cross the TN river near downtown.</p> <p>I have attached a picture of my family on the Walnut Street Pedestrian Bridge in Chattanooga, TN from 2018. My parents (Tom &amp; Carol Land) came to visit from Bismarck, ND and we were proud to take them to this gorgeous city attraction. What if we could do the same in our city? Hundreds and thousands of people walk across this bridge every day. It is a hub for locals and tourists alike. *Read more here: <a href="https://en.wikipedia.org/wiki/Walnut_Street_Bridge_(Chattanooga)">https://en.wikipedia.org/wiki/Walnut_Street_Bridge_(Chattanooga)</a></p> <p>Imagine the positive impact on our community and the way it would "bridge" the gap between Bismarck/Mandan. I have seen many positive changes in Bismarck since I moved back, and I strongly desire to see this landmark preserved and put to good use.</p> <p>Bismarck has amazing things to offer. We can't afford to tear them down.</p>
2/14/2020	<p>I'd love to see this bridge saved and turned into a pedestrian and biking path. There are not many pieces of historic architecture in the northern plains of this scale. It would be wonderful to preserve it and elevate its significance. Roadway and transit access is a critical baseline for commerce and workforce, but most people do not move or open a business in a community because of a new bridge. The opportunity at hand to preserve a significant bridge and turn it into a community amenity is something that people look for when moving to a new city. Outdoor recreation is a top-three factor for workforce retention and attraction.</p>
2/14/2020	<p>There is large opportunity for leaders to take positive action in preserving the Railroad's, North Dakota's and our Nation's history by honoring and preserving the existing Historic Bridge where it stands across the Missouri River.</p> <p>With the 1864 land grant, the Northern Pacific Railway took one of the largest transfers of public land (over 50 million acres) to a private corporation in the history of democratic government. The Northern Pacific Railway has played a key role in westward expansion of the United States in the 19th and 20th Centuries. This includes large-scale infrastructure projects and countless scores of employees and homesteaders. Since the market crash of 1873, the Northern Pacific has capitalized on the government's largess to a grand degree, even spinning off entire new industrial corporations taking advantage of the forest lands of the Pacific Northwest. The legacy of the Land Grant has had indelible impacts on large swaths of the NW United States.</p> <p>The arrangement has worked out very strongly in the railroad's (and Warren Buffett's) favor of late. With record quarterly profits recently, the railroad is reaping billions and billions of dollars in profit annually from the arrangement established with the government back in 1864, now 156 years ago. A key feature in the development of the railroad was the arrival of the first trains in Bismarck, North Dakota, in 1873, followed 3 months later by a global financial collapse spawned by the bankruptcy of the Northern Pacific Railroad. For nearly 10 years, westward progress was halted at Bismarck, North Dakota, with the Mighty Missouri River blocking the way. During those 10 years, the US Army remained at this site, with George Armstrong Custer even working in the Railroad's employ performing survey work during this time.</p> <p>Incredibly, the river presented such a daunting challenge that a tunnel underneath the river was considered more likely for nearly a year prior to settling on the Bismarck-Mandan Rail Bridge as the solution to the problem. This allowed Bismarck to grow large enough to be designated as the Territorial Capital and later to become the state capital. Pressure toward westward expansion was so strong that the first trains across the river were carried by barge and even, in a first-ever action in</p>

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	<p>world history, a never-before-seen act of bravery and hardiness, in 1879 the first trains crossed the Missouri River under their own power on tracks laid directly upon the ice! Crossing the Missouri River by rail remains a monumental accomplishment to this day.</p> <p>The bridge was built at a very high-profile site in Northern Plains history, the exact site where bison crossed the river on their annual migrations, where Native American tribes had gathered for centuries to hunt the bison, and a major cultural crossroads on the plains. The site was known as "The Crossing", where Native Americans had retreated to cross the Missouri River ahead of General Sibley 20 years earlier after being chased out of Minnesota. Amazingly, the bridge has handsomely withstood the test of time and its hand-carved stone pillars remain a sturdy testament to this history today.</p> <p>The bridge at this location represents far more than simply one of the most impressive engineering feats of the American Frontier, engineered by George Shattuck Morrison. Construction used methods similar to those used to construct the Brooklyn Bridge in New York, completed the same year as the Brooklyn Bridge. It tells the story of the Northern Pacific Railway better than any other surviving feature of the Road. It is a National Treasure. The parties deciding the fate of this bridge must introduce more of this consideration into the rhetoric surrounding the new construction project.</p> <p>There is large opportunity here for BNSF, the Coast Guard, North Dakota leadership, and local leadership to take positive action in preserving their own and our Nation's history by honoring and preserving the existing Historic Bridge. I am grateful for this opportunity to express my feelings in this instance, as the bridge is THE ICON of the Northern Plains and an anchoring cultural touchpoint in the local community and the state of North Dakota and deserves respect as such.</p>
2/14/2020	<p>The Historic Railway Bridge Across the Missouri River is an integral piece of North Dakota's heritage. In a young state, without a large population density, the urgency of keeping what we have is vital. The state strives to keep its population health and a good place to raise families, the bridge can be a part of that system.</p> <p>As a third-generation North Dakotan, my family and I are in 100% support of preserving our heritage by saving this bridge structure for future generations to see and experience.</p>
2/14/2020	<p>I am writing in support of the preservation of the BNSF Railway Bridge.</p> <p>Built by the Northern Pacific Railroad Company from 1880-1883, the rail bridge represents the unprecedented industrial expansion of its era. As the first bridge to span the upper Missouri River, it contributed significantly to the growth of the rail roads, now known to be one of the greatest infrastructure projects in American history.</p> <p>Built in the same decade as New York City's Brooklyn Bridge, it is deserving of similar preservation and treatment for future generations to marvel at and enjoy.</p>
2/14/2020	<p>There are many many people that have very special memories of the bridge that was torn down and want this bridge left as part of the wonderful historical structure that it is. What is left? Our Carnegie library is gone, the memorial bridge is gone, Please keep this bridge.</p>
2/14/2020	<p>Using the rail bridge would be a wonderful way for the people of Bismarck and Mandan to enjoy a unique walking/biking trail experience. It would be a fun way to exercise as they take in the immense beauty of the Missouri River.</p> <p>Signage showing the history and construction of the bridge would be educational and great for school children field trips. They would be able to walk the bridge above the Missouri River which would be so awesome as it is a stunning view. Many people would walk the route just for the experience.</p> <p>It would also be a fantastic addition to the Northern Plains Heritage Area as they highlight and promote the historical aspects of life along our Missouri River. Please let us keep the bridge. Thank you.</p>
2/14/2020	<p>The bridge is an iconic symbol for the city, and could be a valuable recreational asset as well. It would connect the Missouri River Nature Area to the Bismarck trail system in a beautiful and safe pedestrian-friendly manner. This is a huge opportunity for preservation and recreation. I, personally, would use it all the time. But I could see this being a financial asset to the community too as it could invite additional opportunities for running and trail racing.</p>

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2/14/2020	<p>Please give strong consideration in helping our community save and preserve this historic bridge for future generations to enjoy. This bridge is emblematic of our community. Its image appears in the vast majority of advertisements and branding for both private industry of the region and the city in general. Its historical significance is a centerpiece for the region and the western expansion of the nation.</p> <p>On a personal note, I can say that myself as well as countless others in the community would be heartbroken to see this bridge fall into the river. Please help us retain this amazing structure and priceless piece of history.</p>
2/14/2020	<p>The bridge should be saved. It's historic, it's iconic, state of the art technology was used when constructing it. Workers would get decompression sickness if not for the airlocks. Seattle and the the West wouldn't of been accessible without this bridge. I heard it would cost an additional 30-50 million dollars to keep. That is nothing to the multi billionaire - Oracle of Omaha, Warren Buffett. Bismarck-Mandan is up and coming, we need more river front walking paths and things to do on our community. Please take 11 minutes of your time to watch the attached video.</p> <p>Thank you-</p> <p><a href="https://www.youtube.com/watch?v=FO_-qTF_DoM">https://www.youtube.com/watch?v=FO_-qTF_DoM</a></p>
2/14/2020	<p>The Bismarck-Mandan Rail Bridge deserves to remain an icon in the community because it holds a piece of regional history. The bridge was a gateway staple in the Railroads expansion westward and would not have been possible without the bridge over the MO River. Aside from Indigenous people in the region beforehand, the cities of Bismarck and Mandan would not have been. Recognized as a site of conscience due to its impacts in white settlement and Native American communities, the bridge has become more than a piece of regional history but US history.</p> <p>Being built in 1883, the bridge predates the Brooklyn Bridge in NYC/Brooklyn, making it one of the oldest historical figures in the Midwest. As the bridge connects Bismarck-Mandan through rail line; converting the bridge has a pedestrian trail that has been proven feasible by study, as well as providing both communities a better way of life. Trails more specifically rail to trails have been proven to increase happiness and healthiness within local communities.</p> <p>The residents of both Bismarck-Mandan are pleading with you, PLEASE do the right thing and save the bridge.</p>
2/14/2020	<p>I think the bridge that is used by Burlington Northern crossing over from Mandan to Bismarck should be left. If the railroad does not want to continue the use of it, then another use should be looked at. This bridge is a link between the communities along with a historical appearance. History artifacts seem to get replaced too often and beauty is lost.</p>
2/14/2020	<p>The Bismarck-Mandan Rail Bridge is a monument to upper the Midwest and is an iconic figure in architecture to this state I call home. It would be a tragedy to witness this unique space destroyed while there is so much opportunity for it. Professionals, yes even in the state of North Dakota, study and design for spaces just like this. A monument re-purposed is the exact architecture we need. This site gives hope to the people and therefore not only connects two cities together, it can connect people to the space and experience this bridge deserves. Please, let us young design professionals experience something innovating to design in our state.</p>
2/14/2020	<p>This bridge is an important part of our local history as well as the country's. Conversion to a trail system would be excellent and greatly benefit the Bismarck-Mandan area</p>
2/18/2020	<p>Friends of the Rail Bridge Comments on BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement, Notice of Intent (NOI) Docket Number USCG-2019-0882, Document Number 2020-00053</p> <p>Friends of the Rail Bridge (FORB) is a non-profit organization dedicated to preservation of the BNSF Rail Bridge between Bismarck and Mandan and to repurposing the bridge as a pedestrian and bicycle pathway. We appreciate the opportunity to comment on this Notice of Intent to prepare an EIS and look forward to participating fully in both the process of preparing a programmatic agreement in compliance with the National Historic Preservation Act and in participating as an interested party in</p>

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	<p>preparation of an environmental impact statement (EIS) in compliance with the National Environmental Policy Act.</p> <p>NOI page 2, Section I, Background and Purpose, first paragraph – the word “will” is used four times in describing a new, proposed rail bridge across the Missouri River between Bismarck and Mandan. The NOI also states “Operationally the new structure will carry the mainline track and the current structure will be taken down.” This statement and the use of the word “will” convey that a decision has been made by the U.S. Coast Guard (USCG) to build a new bridge and to not give full consideration to the No Action Alternative; e.g., preservation and use of the existing bridge or the other action alternatives preserving the bridge. The word “would” should be used instead when more than one alternative remains under consideration to avoid being pre-decisional.</p> <p>NOI page 2, Section I, Background and Purpose, second paragraph – the NOI says the bridge is only eligible for listing on the National Register of Historic Places for “its association with broad patterns of railroad, commercial and military history of the United States” referring to Criterion A. In fact, the bridge is also eligible under Criterion B for its association with engineer George Shattuck Morison, and under Criterion C for design and construction.</p> <p>The significance of this bridge as stated in its Most Endangered Historic Places nomination is as follows:  “the second transcontinental railroad was an audacious undertaking. It nearly bankrupted the country, triggering the Panic of 1873, and war on the Northern Plains. Congress appropriated some 40 million acres in government land grants to fund its construction and open the West. A flamboyant Civil War hero, George A. Custer, arrived at Fort Abraham Lincoln, Dakota Territory, to protect Northern Pacific survey crews from “hostile parties.” Much of that land was sewn up in treaty, yet westward expansion would begin to alter forever the lives of indigenous people who called this place home. Within the decade, Theodore Roosevelt would make his famous ride west across the Missouri River to the Dakota Badlands aboard the NP to shoot what was, by then, one of the last remaining buffalo on the Plains.</p> <p>The bridge between Bismarck and Mandan was the linchpin in the railroad’s completion. A monumental engineering achievement, it holds profound historical significance in the American landscape. Symbolically, it remains a sobering reminder of our Nation’s contentious past.</p> <p>A 2017 Class III Cultural Resource Inventory, conducted by Juniper, LLC, recommended the bridge eligible for the NRHP under criteria A, B, and C. It was the first bridge to cross the upper Missouri. George Shattuck Morison designed and oversaw its construction between 1880 and 1883. The project employed advanced construction methods, including pneumatic caissons such as those used to build its contemporary, the Brooklyn Bridge. Arguably, it is the most historically significant structure on the Northern Plains.</p> <p>Today, the bridge, owned by BNSF, is an iconic landmark for the community and state. Its image is ubiquitous, appearing in everything from corporate advertising to family portraits.”</p> <p>As of May 2019, the BNSF Bridge 0038-196.6 has been recognized by the National Trust for Historic Preservation as one of the country’s 11 Most Endangered Historic Places.</p> <p>NOI page 2, Section I, Background and Purpose, third paragraph – Given that the USCG’s primary responsibility is navigation and ensuring the structure does not unreasonably obstruct navigation, No Action should be the federal agency’s preferred alternative.</p> <p>NOI page 3, Section I, Background and Purpose, fourth bulleted paragraph - USCG lists four action alternatives under consideration but fails to consider a No Action Alternative, which would be operation, maintenance, and use of the existing historic bridge. Section 1502.14(d) requires the</p>

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	<p>alternatives analysis in the EIS to "include the alternative of no action." No Action is a reasonable alternative that must be analyzed and compared to the action alternatives (NEPA Regulations Section 1502.14(c)).</p> <p>Regarding the four action alternatives, based upon previous meetings with USCG, BNSF, FORB, and other interested parties, FORB fears that BNSF has already considered but eliminated all alternatives but the BNSF Preferred Design. FORB requests that USCG establish a Bridge Design Review Committee to evaluate how design of the new bridge could be visually compatible with the existing bridge, landscape, setting and viewshed and cause no net rise on the floodplain. This new action alternative should be given due consideration in the EIS rather than those already rejected by BNSF.</p> <p>In addition, FORB requests Bismarck Missouri River Bridge Historic Bridge Repurposing Feasibility Study prepared by North Dakota State University's Department of Architecture and Landscape Architecture in 2019 be considered in developing that alternative. This study documents the feasibility of repurposing the existing historic bridge into a pedestrian and bicycle path alongside BNSF's new, proposed bridge. Both USCG and BNSF have copies of this study.</p> <p>NOI page 3, Section I, Background and Purpose, fifth paragraph – Given that BNSF's Purpose and Need for the Project says the bridge will have a single track but "have the capability to carry a second track in the future when and if volumes necessitate that addition," the EIS must include analysis of impacts associated with increased railroad traffic, impacts to traffic waiting at rail crossings in town and in rural areas more frequently due to increased rail traffic, and effects to other transportation carriers like trucking companies.</p> <p>To avoid piecemealing or segmentation, this EIS should evaluate the effects on the natural and human environment of doubling the capacity of the rail bridge to accommodate more rail traffic. Given that a single rail line leads to and from the bridge, does BNSF have plans to lay more track through Bismarck and Mandan and across North Dakota? When will this expansion happen and what are the environmental effects of this increased rail traffic?</p> <p>NOI page 4, Section I, Background and Purpose, fourth paragraph – Reference to One Federal Decision does not mention issuance of a Draft EIS to be distributed for public comment, although this is required. In the interest of full transparency, FORB requests a copy of the Public Involvement Plan developed for this EIS, as required by USCG's Environmental Planning Implementing Procedures, page 3-40, be released to the public.</p> <p>NOI page 4, Section II, Scoping Process, first paragraph – Please see FORB's comments above regarding issues to be analyzed. In addition, a recent court decision, NPCA vs. Semonite, clarifies the meaning of "direct effect." An effect is direct if comes from the undertaking at the same time and place regardless of the specific type (e.g., visual, physical, auditory, etc.). This means the visual effects of the proposed project on surrounding historic properties (earthlodge villages) are direct, not indirect and should be included in the Area of Potential Effects. Furthermore, as specified in NEPA and NHPA, A Handbook for Integrating NEPA and Section 106 issued by the Council on Environmental Quality Executive Office of the President and Advisory Council on Historic Preservation in 2013, the lead federal agency should include information from Section 106 in the draft EIS sections on affected environment and impacts.</p> <p>NOI page 5, Section V, Public Meeting - FORB strongly objects to the USCG's refusal to hold scoping meetings saying that the pre-NOI meeting on December 14, 2017, was the scoping meeting for this EIS even though there are now four action alternatives under consideration rather than two.</p> <p>USCG and BNSF held a public meeting on December 14, 2017, in compliance with the National Historic Preservation Act and to "also be used to explain the National Environmental Policy Act (NEPA) process for this project" (see meeting minutes). Three alternatives were presented – 1) No Action (keeping the existing bridge), 2) building a new bridge 80' north of the existing bridge and keeping the existing bridge, and 3) building a new bridge 30' north of the existing bridge and demolishing the new bridge. The NEPA process was described in the meeting as an environmental assessment, not an EIS, and "since that time, it has been determined that there might be a significant impact associated with the potential removal of the existing historic bridge" (NOI, page 3, paragraph 2).</p>

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	<p>According to CEQ's NEPA's Forty Most Asked Questions Concerning National Environmental Act Regulations (40 CFR 1500-1508) #13 Use of Scoping Before Notice of Intent to Prepare EIS, CEQ states, "However, scoping that is done before the assessment, and in aid of its preparation, cannot substitute for the normal scoping process after publication of the NOI, unless the earlier public notice stated clearly that this possibility was under consideration, and the NOI expressly provides that written comments on the scope of alternatives and impacts will still be considered." As stated in NEPA regulations, "As soon as practicable after its decision to prepare an environmental impact statement and before the scoping process the lead agency shall publish a notice of intent..." (Section 1501.7). Therefore, FORB recommends USCG conduct several scoping meetings for this EIS. One meeting should be in Bismarck or Mandan, North Dakota, and the other in Newtown, North Dakota, to allow members of the Mandan Hidatsa Arikara Nation to comment on the effects on this proposed project on their ancestral sites and the significance of the existing bridge to them. Additional meetings should include the Lakota, Dakota, and other Sioux Nations for whom this bridge has cultural significance as it embodies the history of their displacement. As stated in USCG Environmental Planning Implementing Procedures, Scoping, 4.a, page 3-34, "When seeking input to EISs from Indian tribes, Proponents must remember that the United States has a unique relationship with Indian tribal governments and recognizes them as having inherent sovereign powers over their members and territory. Proponents must conduct coordination and consultation with tribes on a government-to-government basis that may require more formal consultation measures."</p> <p>We look forward to continued discussion of a programmatic agreement and to reviewing a robust draft EIS that gives due consideration to preservation of this highly significant historic bridge.</p>
2/18/2020	<p>I watched a scuba diver a few years back do a inspection of the base Of the railroad bridge. I know that there was some issues. Does anyone know what they are. I know that the city told me that I would have to get a hold of the railroad. How many years are left.? I know that the bridge is older than the state.</p>
2/18/2020	<p>I'm not in favor of keeping the bridge. I have yet to see a solid financial plan from the group that is spearheading the effort to save it. Who will own it? Who will pay to make it into a walkable structure? Who will maintain it? Friends of the Rail Bridge isn't even a 501(c)(3) organization yet, and if they have to raise millions in private money to preserve this bridge, I don't see that happening in this community. We've had many major nonprofit campaigns in this area over the last few years, with no end in sight. I don't doubt that the bridge has historical significance, but that alone does not make it worth the financial burden of saving it. We should record it's history through oral history interviews and research of first hand sources, and then let it go.</p>
2/18/2020	<p>History. It's who we are and who we will become. The historical railroad bridge that crosses the Missouri River at Bismarck is one of those pieces of history that we should maintain to remind us of who we are and where we have been. It is a reminder for those of us who have been around for six or more decades and it's a teaching tool for us as we share history with new generations. If there are issues with the integrity of the bridge, if there are safety issues fix them AND keep the "visual integrity" of the structure. Will that be more expensive? It will be worth it and people will thank you in the long run. Please respect the history of the bridge and the people who know it as part of the landscape and can help pass it along to others.</p>
2/18/2020	<p>Im 35 years old amd I have grown up on the Missouri River in Bismarck/Mandan. This bridge is a part of my city. Please let it be. It is a landmark of our city. Please. We are hard working taxpayers. Use our money for something important to us.</p>
2/18/2020	<p>This is an iconic structure for Bismarck. This bridge is the reason this town was started and grew here. It is a reminder of the struggles our ancestors went through to survive on the Northern Prairies. This bridge may be owned by BNSF, but its heritage belongs to the people of Bismarck, Mandan, and all of North Dakota. It should not just live only as a memory, it can become a focal point of the beauty that lays hidden here in plain sight.</p>

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2/18/2020	<p>Culturally historically and visually the bridge has become an organic piece of our lives. Can iron be organic? It has become so , a connection to the pre industrial upper Missouri people and the world they knew.</p> <p>It is a remnant of the Port of Bismarck . Its stone piers have iron rings on the downriver sides that were used to tie off Mountain Trade steam boats.</p> <p>Joseph Henry Taylor was an chronicler of the river men and women of all races. I recall one of his bridge stories from his book, Frontier Tales and Kaleidoscopic Lives . During the dedication of the bridge this distinguished writer was an honored guest paired with Lady Red Blanket who told the story of the Burn Boat. She was a girl when Montana gold miners enroute to St Louis shot and killed an elder who warned them to take another channel or be run aground in the shallows. Red Blanket's people had fled the White Stone Massacre , had come to the river's edge bereft of all but the clothes on their back just up river from the bridge where upon she , a distinguished guest was paired with our region's most distinguished chronicler.</p> <p>This from a son of a Prohibition Era Sheriff : Mandan's local booze mob , the Wetstein's won a gun battle on the west end of the bridge. Chicago's Al Capone ,challenged and lost the Wetstein Boys. The Wetstein ploy was to feign control of the west end of the Memorial Bridge . It worked. The Chicago Boys drove across the railroad bridge into a trap. I practiced law with the son of the Wetstein's trigger man . He and his companions climbed up into the girders and shot down into the heavy metal cars full of Italians and their Ydish allies. they dump the shot up Chicago boys's cars bodies and all into the river.</p> <p>I asked the sheriff what happened . He said , " Nothing. "I asked him why. He said , " It was a problem solved."</p>
2/18/2020	<p>This bridge defines North Dakota's brand, while inspiring our Nation's development. It signifies progress, innovation and technological solutions in a harsh and often-times unyielding environment. The bridge's design ensured its enduring presence in our collective and continued history, as people still gravitate to this space. On the local level, the iconic bridge gives a focus for the blending of Mandan and Bismarck into one community, literally bridged by this steel structure and everything it represents: overcoming challenges, pushing the boundaries into unknown territories, making sure our communities across the state are connected.</p> <p>Now, as the lifespan of the bridge's service as a railroad is coming to an end, it can transition in it's retirement to a walking path and serve generations more to come. It tells our story, it shares our history. Do not let that indelible marker of our nation's development and our state's innovation slip into obscurity. We have overcome so much and made cutting-edge, inspired innovations our mantra in North Dakota. We can overcome the challenges of another structure spanning the water - it is what we are known for: progressive development while retaining our history.</p>
2/19/2020	<p>The rail bridge is one of the remaining structures of historical relevance in the Bismarck/Mandan area. There has always been a need for a good hiking/horse trail with a path over the Missouri River. Many of our national parks are endangered due to aggressive mining/drilling. Can we not save this gem of architectural interest so that our children can look to the care we took to preserve the past?</p>
2/19/2020	<p>I'm writing to request that a way be found to preserve this iconic landmark, the iron BNSF bridge, so very important in the history of North Dakota as well as the nation. If it is not used by trains, it would make an outstanding recreational asset to the trails on each side of the river, in a location that is lacking said pedestrian linkage, including to the nearby boat ramp for the Lewis &amp; Clark Riverboat. Even if not developed for other uses, it would stand in powerful testimony to our heritage. There are many examples worldwide of communities and countries that have met similar challenges and proudly display innovative approaches to preserving the past and embracing the future simultaneously.</p> <p>Should a new bridge be built, I urge you to design it in such a way as to minimize the environmental impact to the area as well as to downstream areas.</p> <p>The Missouri River is one of North Dakota's, as well the nation's finest assets and I, for one, feel privileged to live on its banks.</p>

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2/20/2020	<p>This railroad bridge between Bismarck and Mandan is worth saving. Not only is it historical but it is an icon of this area. Please allow this icon to be preserved. The bridge is simply too valuable to be destroyed and could be used as a walking bridge or other recreational uses which would bolster the areas recreation activities and help tourism. The amount of history this bridge possesses is great. Let it stand in honor of mans great achievement to tame the west, expansion of the United States and of mans engineering marvels. This isnt just any bridge, this bridge is such a proud monument not only to the people here but to the railroads and our country.</p>
2/21/2020	<p>Save the bridge!</p> <p>Since I moved to Bismarck, the bridge has been a central focus of my time here. Our family loves to enjoy walking near the bridge and seeing and hearing the trains. I imagine myself sharing this experience with all the other people who have lived here and enjoyed the bridge for the past 140 years--the bridge ties us together this way, connecting me and my family to the past and to this place. The bridge is worth saving. It is beautiful and has great history which needs to be shared.</p>
2/21/2020	<p>The rail bridge between Bismarck and Mandan is a national treasure and should be preserved in place where it stands. All alternatives in which the Historic Bridge would be torn down, are insufficient to honor its place in world history.</p> <p>I understand that the railroad approached local government leaders about donating the bridge approximately 5 years ago. Clearly there is a path forward that would allow for the preservation of this bridge, which is a National Treasure, with a new bridge alongside. It seems simply to be a matter of engineering. Has this engineering been performed? The railroad has skilled, experienced resources to accomplish this. The bridge is as much a part of the railroad's heritage and history as it is North Dakota's, the Northern Plains', and the United States' and Northern Europe's, they stand to earn great public good will by preserving the bridge and promoting it as a very well-preserved example of the tremendous efforts made by our ancestors to tame the Missouri River and settle the Northwest. Further, the Missouri River belongs to every American citizen. Just as none of us have any given "right" to build whatever we want in the river, the railroad ought to be held to a high standard of reverence that building bridges across our rivers is a privilege that they ought to remain respectful of. The historic bridge deserves that consideration and respect. Please make every effort to preserve the bridge where it ought to be, spanning the Mighty Missouri River.</p>
2/21/2020	<p>This bridge is not only historically significant, it is stunning. I hope we can work together to preserve it for future generations to appreciate, feel connected to, and enjoy as a functional feature of our community.</p>
2/21/2020	<p>I am writing in support of preserving the historic BNSF Railway Bridge across the Missouri River at Bismarck, ND. As an archaeologist familiar with EIS studies, I want to emphasize the cultural and historical value of this structure. It is and has been for many decades iconic of Bismarck-Mandan and the region's heritage. I speak about this from personal experience having grown up near the bridge and spent many days on the hills overlooking the Missouri River and this fascinating construction. Being on the edge of Bismarck as a youth, this played an important role in my understanding of the history of the capital city of Bismarck and spurred my appreciation of history in general, local history in particular, and the value of the tangible remnants of the past, as I'm sure it likewise has spurred others. My father, also born and raised in Bismarck, used this icon to instruct our family about the role of the railroad not only in the settlement and firm establishment of Bismarck as a central hub in the Euroamerican settlement of Bismarck and Mandan, but also the of the broader region (northern Plains). As an engineer, my father also used the bridge to teach us in a very relatable and visual manner about engineering, physics, and engineering history. It was also through discussions of the railroad bridge construction history and stabilization that I learned about the history of the municipal waterworks of Bismarck. The two are intimately intertwined and a fascinating story that otherwise is overlooked because remnants of the historic waterworks are gone or less visible. More personally, my father's lifetime remembrances of the railroad in Bismarck, and more particularly of the bridge, led to the understanding of our more recent family history. In sum, this single structure documents and conveys in multiple ways many different levels of history of North Dakota (as well as of the United States), the cities of Bismarck and Mandan, and of local families.</p>

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	<p>The heritage value of the BNSF bridge has been accentuated since the removal of the other historic (Liberty Memorial) bridge that once spanned the Missouri River between Bismarck and Mandan. Both once served as visual reminders of different aspects of the region's history. Now, all that remains is the BNSF railway bridge.</p> <p>Should the existing railroad bridge be removed or dramatically transformed, the public will be less likely to understand the key role of the railroad in Bismarck-Mandan and regional transportation, economic, military, and cultural history. As many studies show, tangible remains of the past are key to how humans learn about the past and are able to grasp the depth of time and significance of the many historical and cultural processes that have led to who we are today.</p> <p>As required for EIS studies, I hope the cultural and historical role of the BNSF Railway bridge across the Missouri River at Bismarck will be thoroughly documented and incorporated into the assessment of this significant feature of the local and broader regional heritage!</p>
2/25/2020	<p>I support keeping or preserving the historic BNSF railway bridge across the Missouri River at Bismarck. Adaptive reuse of this historic structure has the potential to benefit both Bismarck and Mandan. Historic bridges can provide a sense of pride to the town they inhabit like the Bell St. Bridge over the Yellowstone in Glendive, MT. The Bridges of Madison County in Iowa. The Marsh Arch (Rainbow Bridge) near Baxter Springs, KS on historic Route 66.</p> <p>Saving historic structures and buildings tend to be more of a benefit than a burden. As National Trust points out Historic structures have intrinsic value, are reminders of culture and human ingenuity, and the regret of losing history seems to outweigh the regret of keeping historical structures.</p> <p>Choose one of the other options for building a new bridge and keeping the historic BNSF Bridge.</p>
2/25/2020	<p>For current and future Bismarck -Mandan residents -- it does little good for us if the bridge were destroyed. \$6.9 million is a small price to pay over the years when the historic and scenic and health related positives are considered. Fund the walking bridge and move toward the future. BNSF should be a proud donor to the bridge rehabilitation considering all that North Dakota has provided to the companies wealth.</p>
2/25/2020	<p>Please find someway to keep the bridge up. I have very little reason why besides having grown up in Bismarck and always loving seeing that bridge. I and many other people do not want to live in a world of concrete and chrome for the rest of our lives.</p>
2/25/2020	<p>If the railroad needs to build a new bridge and can do so by constructing it adjacent to this bridge, there is no point in tearing it down. The railroad should surrender their interests and hand the bridge over to either the state, counties, cities or whatever party wishes to move forward, and walk away. This mistake was made with the Main Ave Bridge. Image if that bridge were still standing and the new (current) bridge was built adjacent to it to the south. The cities of Bismarck and Mandan, and Burleigh and Morton Counties would have been able to start a regional recreational trail system connecting the two cities and counties separated by the river. Dramatic lighting and art work could have been installed, etc. It could have been used as a marketing tool for the regional to attract new residents. Structures like these need to be preserved to maintain and improve 'sense of place' and investing in the quality of life that will attract and retain the next generation of North Dakotans. You can't demolish your way into the future.</p>
2/25/2020	<p>The National Trust for Historic Preservation last year named the railroad bridge crossing the Missouri River as one of "America's 11 Most Endangered Historic Places." The history surrounding this bridge is significant. It joined the western and eastern sections of our country and played a significant role in the evolution of our country's history. It is located in a beautiful picturesque area along one of the last free-flowing stretches of the Missouri River. It is one of the most significant tourism areas, not only for the City of Bismarck and State of North Dakota, but also for the Great Northern Plains of North America, as well as the United States. To destroy this historical landmark would be a tragedy indeed. This bridge is over 100 years old and is in excellent condition. Please do whatever you can to ensure this historical monument will live on in perpetuity.</p>

Date	Comment text
2/25/2020	<p><u>Purpose and Need</u></p> <p>For purposes of complying with both the Clean Water Act (CWA) and National Environmental Policy Act (NEPA), the EPA recommends that the purpose and need statement remain broad enough to encompass an appropriate range of both "reasonable" and "practicable" alternatives to meet the basic (i.e., underlying) project purpose, including the proposed action and other transportation methods available. We recommend defining a purpose and need statement broad enough to allow for analysis of a range of alternatives without eliminating less environmentally damaging alternatives that may still be considered practicable under the CWA Section 404 implementing regulations. Developing an agency-coordinated purpose and need statement is critical prior to establishing subsequent screening criteria or identification of alternatives.</p> <p>Conversely, the use of a narrow project purpose to determine the scope of studies has the potential to result in the need to prepare additional NEPA documentation to meet NEPA and CWA Section 404 requirements. The Corps of Engineers and EPA both have roles in Section 404, and consistent with the E.O. 13807 we recommend USCG coordinate to ensure this EIS is sufficient for related federal permit decisions.</p> <p><u>Range of Alternatives</u></p> <p>The EPA recommends that the NEPA document evaluate a range of reasonable and practicable alternatives, including multiple alignments. Under CWA Section 404 regulations, the U.S. Army Corps of Engineers (Corps) can only issue a permit for a discharge of fill material into waters of the U.S. if it can be demonstrated that the project is the least environmentally damaging practicable alternative (LEDPA). Practicable alternatives depend on cost, technical and logistical factors and must be capable of achieving the basic project purpose. For an alternative to be practicable, it must be reasonably available or obtainable and may include consideration of options beyond the authority of the lead agency. To assure that the project is permissible, it is essential that the NEPA document includes a full range of alternatives with the goal of avoiding and minimizing the impacts to waters of the U.S. while meeting the purpose of the action.</p> <p>It is important that the NEPA document summarizes criteria used to screen reasonable alternatives, including the CWA regulatory criteria used to develop practicable alternatives, and consideration be given to environmental, logistical, technological and cost criteria. Providing details of the reasoning used to eliminate alternatives is helpful in understanding the decision process. As required by regulation, the rationale must be consistent with the practicability definition and criteria outlined in the preamble language of the CWA 404(b)(1) Guidelines (40 CFR § 230.10). The lead agency should ensure that any selected or preferred alternative is consistent with these criteria and demonstrate that such alternative is the least environmentally damaging practicable alternative. EPA and the Corps have experience to assist STB in ensuring consistency with the 404(b)(1) Guidelines.</p> <p><u>WOTUS and Water Quality</u></p> <p><i>Affected Environment and Baseline Conditions</i></p> <p>Please consider the following when defining baseline conditions:</p> <ul style="list-style-type: none"> <li>• Verify that any historical data ( e.g., data 5 years or older) are representative of current conditions.</li> <li>• Include resources directly impacted by the project footprint within the geographic scope of analysis, as well as the resources indirectly ( or secondarily) impacted by the project. These indirectly impacted areas may include adjacent or downstream waters, and any other resource areas which may be affected by project construction or operation.</li> <li>• We recommend that the existing environmental baseline be used as the basis for comparison of impacts across all alternatives, including the no-action alternative. In the EPA's experience, comparison of the action alternatives to existing conditions is an important frame of reference to quantify and/or characterize the magnitude of effects and understand each alternative's impacts.</li> </ul> <p><i>Direct, Indirect and Cumulative Effects</i></p> <p>Because NEPA and CWA Section 404 have slightly different definitions for indirect (secondary) and cumulative impacts, identify in the document which statute is being employed to evaluate the impacts and how the analysis would differ under the other statute's definition.</p>

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	<p>We suggest analyzing impacts according to airsheds and watersheds rather than political boundaries. It is important that the NEPA document examine the direct, indirect, and cumulative impacts to the environmental, cultural, and recreational resource characteristics of the project area. This may include impacts to threatened, endangered and/or sensitive species and their habitat; fish and invertebrate assemblages; water quality, and other resources within the geographic scope of analysis. Cumulative impacts related to the project that could affect the aquatic resources are important to evaluate.</p> <p>In determining whether a project may have a significant effect on the environment, we recommend analyzing the direct and indirect effects of all alternatives, in combination with past, present, and reasonably foreseeable future activities. For the cumulative effects analysis, consider the effects of reasonably foreseeable growth in the area of the alternatives and its effects on the hydro logic and aquatic resources. Finally, the project may not affect the location of the expected growth, but it may affect the timing and amount of growth. Therefore, an analysis of the indirect impacts of development is recommended.</p> <p><i>Waters of the US.</i></p> <p>To illustrate effects to waters of the U.S., including wetlands, in the area we recommend that the NEPA document include the following analyses or descriptions:</p> <ul style="list-style-type: none"> <li>• Description of impacts under individual or nationwide permits authorizing the discharge of fill or dredge materials to waters of the U.S.;</li> <li>• Maps, including wetland delineation and regional water features;</li> <li>• Wetland delineation and descriptions, including wetlands function analysis if it is expected that the project will cause impacts;</li> <li>• Analysis of the direct, indirect, and cumulative impacts to all streams and wetlands in the geographic scope, including impacts from changes in hydrology even if these wetlands are spatially removed from the construction footprint.</li> <li>• Consideration of minimization measures that could reduce adverse effects associated with alternatives; and</li> <li>• A description of mitigation measures for any unavoidable adverse impacts to waters of the U.S.</li> </ul> <p><i>Compliance with Executive Order 11990 Protection of Wetlands</i></p> <p>The EPA recommends that the NEPA document demonstrates that all wetlands, including both jurisdictional and those found to be non-jurisdictional, are being protected on any federal lands that lie within in the project area as outlined in EO 11990. It is the lead agency's responsibility to comply with EO 11990. We recommend mapping aquatic resources within the project site, including wetlands and springs, and assuring all avoidance measures are incorporated into the project. If impacts to non-jurisdictional wetlands on federal lands are unavoidable, we recommend offsetting mitigation efforts be incorporated by the lead agency.</p> <p><i>Riparian Habitat, Stream Morphology and Surface Water and Groundwater Movement</i></p> <p>Railroad beds can act as dams changing surface water and shallow groundwater flow pathways which can affect wetlands and riparian habitat. In areas of shallow groundwater, less groundwater may reach downgradient creeks, wetlands and gullies and surface water flow can become more concentrated discharging only through culverts and bridges constructed for the railroad. Similarly, the riparian habitat can be separated from upland habitat by the railroad bed. We recommend assessing and disclosing these impacts as site-specifically as possible for the alternatives to assist in assessing the least environmentally damaging practicable alternative.</p> <p><i>Clean Water Act § 401 Certifications</i></p> <p>It is likely that the proposed project will need to obtain NPDES stormwater construction permits from the State of North Dakota under Section 402 of the Clean Water Act. Regardless of which alternative is selected, it is likely the applicant may need to obtain a Clean Water Act Section 401 water quality certification for any federal permits that may result in a discharge to a WOTUS, including both Section 402 permits and Section 404 permits. Section 401 certifications are issued by states when the discharge originates in an area of state jurisdiction. We recommend that the applicant coordinate</p>

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	<p>with the State early in the NEPA process and throughout the §402 and §404 permitting processes to ensure the EIS includes the information required for the 401 certification process.</p> <p><u>Air Quality</u></p> <p>We have several recommendations outlined below to assist the USCG identify whether any alternative could have the potential to have less impact on air quality. These recommendations will assist USCG in identifying which equipment or activities may emit the most pollutants and assist in focusing any practices to minimize emissions from those sources.</p> <p>We recommend the description of the alternatives include detailed information on the equipment and operating schedule needed to complete each alternative. Based on the equipment roster and operating schedules and durations for use, we recommend an emission inventory be prepared for construction and any demolition. Additionally, manufacturer specifications or EPA engine tier emission factors may be used. When generating an emission inventory, we recommend that assumptions used in the inventory, such as engine age and tier be reasonably conservative. If newer, lower emitting, engines are assumed in the inventory those assumptions should be carried forward in implementation of the alternative by the applicant. Further, we recommend the analysis evaluate the air quality impacts of explosives used for demolition purposes. Based on this information we recommend the EIS identify whether there are any significant differences to air quality impacts between the alternatives. If any activity or equipment contributes greatly to the emission totals, we recommend the EIS identify any opportunity to reduce those emissions especially if the activity will occur near residences or sensitive population centers. Since the bridge is adjacent to residences, businesses and a university, we recommend that all opportunities are explored to minimize emissions including but not limited to Tier 4 diesel equipment, minimizing emissions from explosives if used, and using a fugitive dust control plan.</p> <p>If the new bridge would accommodate or facilitate a second track, we recommend that the EIS disclose the potential range of additional trains that would be accommodated by a second line across the Missouri River, and the length that the additional line would cover. Based on the current level of transit on the line, we recommend relating the potential additional impact to the current level of transit ( e.g. the number of trains traveling from point A to point B would likely double, triple, etc.). This information would assist the USCG in determining if there will be additional air quality and other resource impacts to the nearby community (as expressed below) due to increased rail traffic.</p> <p>Lastly, it is unclear in the documents provided whether the Surface Transportation Board has been consulted regarding alternatives proposing creation of new surface rail alignments or the addition of a second line to the existing line and their authority, where applicable. If not, we recommend that they be consulted for their resource expertise relating to analyses of not only air quality impacts to surrounding communities, but other resource impacts that may result from new alignments or the addition of a second rail line along the existing alignment.</p> <p><u>Environmental Justice and Community Impacts Concerns</u></p> <p>Proposed alternatives and any changes to the existing line (i.e. construction of a second line) could potentially adversely affect Environmental Justice communities in the project area. For all communities, including Environmental Justice communities, impacts from noise, vibration, dust and other air emissions during demolition, construction and operation should be considered. Similarly, there may be impacts from increased rail traffic, emergency response times, neighborhood connectivity, etc. that could warrant analysis in the EIS.</p>
2/25/2020	I am an North Dakota native and currently reside in Mandan. The bridge is one of the few architectural landmarks of the city and I fully support the Friends of the Railroad Bridge's proposal to convert it into a pedestrian bridge.
2/25/2020	I support saving this bridge and converting it to a park for use by pedestrians and others in Bismarck area.
2/25/2020	This bridge is iconic. I grew up in Bismarck boating on the Missouri River every summer, and the BNSF rail bridge is a landmark of the river. The trail and park system along the river is the most memorable part of Bismarck. Adding this iconic bridge to the existing trail infrastructure would only improve this unique feature of the city. Bismarck and Mandan celebrate being on the Missouri river. The bridge

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	<p>would be well loved for its new use- it will be the newest spot for senior and prom photos, bikers will fly across it, older generations can bring their children and tell stories of how they remember Bismarck and the old Memorial Bridge that was imploded, and people from outside of North Dakota may come just to experience this new development. The rail road and this rail bridge are a major part of Bismarck's history, and we need to save it before one more part of history goes up in smoke.</p>
2/25/2020	<p>It would bring alot of attractiveness to the communities in Bismarck Mandan to have a joining walkway connecting parks, bars, and/or restaurants. It would bring tourism and make people more connected and satisfied with the recreational opportunities of our communities. The river is a tremendous and beautiful asset to our community that could be more incorporated as a connection between our communities rather than a division.</p>
2/25/2020	<p>The bridge needs to be saved due to its historic value and what can be positive economic outcome for ND state Capitol Bismarck and it's sister city Mandan never before has a time existed where people from all over the world seek history knowledge and travel to places where such history exists the value to the local community of trails and parks is a known factor for any community it is POSITIVE and makes our communities better Please save the bridge, make funds available to enable historic site preservation!</p>
2/25/2020	<p>For Western North Dakota, the BNSF Railway Bridge across the Missouri is iconic. It represents the push to enjoy freedom in a new land for scores of hardworking people fleeing oppression in their home countries. My Great-grandfather, W.H. Mann, was an early ND railroad commissioner who shipped his dairy's products from New Salem, ND to Montana and beyond. Another set of great-grandparents established a merchandise business in Hebron, ND and depended upon rail shipments. When I was a child in Dickinson, ND where my father and grandfather established businesses, our evening entertainment was going to the depot to see what or who arrived or was departing. It was a community meeting center.</p> <p>I think the rail bridge converted to walking bridge between Mandan and Bismarck could further the community spirit of the two communities. It could be a venue for free family concerts and farmers markets during the summer months. Maybe with picnic facilities on both sides of the river. It would be a "fitness center" for walking and riding bikes, too. Most people in this area do not have the financial means to afford boats with which to enjoy the river scene. The walking bridge would be an outdoor public asset shared by the two communities.</p> <p>Environmentally, the walking bridge would be petrol-use free. The air, birds, plants and people around it would benefit from fewer vehicles emitting noxious effluent. The walking bridge would definitely be a community social resource enhancing the "livability" quotient as well as an environmental asset. It would also be a living memorial to those pioneer ancestors and the railroad's importance to Western North Dakota.</p>
2/25/2020	<p>Tearing down the historic rail bridge would be a terrible decision. It is the focal point of activity in Bismarck today, just like it was back when steamboats picked up passengers from the trains way back when. It's such an important story, it would be needless to tear the bridge down just for convenience. Please find way to properly value and preserve the bridge so it can continue to serve its purpose as a symbol of our history and our community. I can't imagine being one of the workers on the job of tearing down a perfectly good bridge that was built with the labor Bismarck's first residents. Why doesn't the railroad recognize the bridge for how important it is and has been to their own history and success?</p>
2/25/2020	<p>I seen a picture of the bridge that BNSF plan to build here in Bismarck, what a joke! They ought to be ashamed after all the bridge has done so much for them and so many of our ancestors who came here on the railroad. It doesn't fit with our history the bridge is too important to just tear it down. And by the way have you ever rid in a boat in the river by it? That's a memory you won't ever forget. The bridge is like the guard that watches over the river and our town. People in this area live and die in the shadow of the rail bridge, like we've done since my grandfather's grandfather lived here. People should care more about this. Please keep the good ole bridge and don't ruin what makes Bismarck so special.</p>

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2/25/2020	It seems we are always tearing down our history. Many homes from the 1800's in the area have been destroyed, along with them were buried the histories and names of the people who helped build the Bismarck/Mandan area. Please don't let this happen to our beloved bridge. Without this bridge, Bismarck/Mandan would never have grown into the cities they are today. Besides history, it is a beautiful landmark. I cannot even imagine the river with this bridge no longer there. It would be a wonderful walking bridge, viewing area, photography place, etc. Please allow it to remain standing.
2/25/2020	So grateful that people are taking the time to get this decision right! I have followed the process of this project since the Dec. 2017 meeting at the hotel. This Environmental Impact Statement should have been done a long time ago. Glad it's finally getting done. Hopefully you actually evaluate multiple feasible alternatives, it seems the railroad "railroaded" their preferred plan through before anyone even knew what was happening. This project could potential destroy the single most iconic piece of architecture in the Northern Plains, and possibly the entire Great Plains (except the arch in St. Louis maybe). This can't be taken lightly, and frankly if the bridge is structurally sound, it should not come down. Please make every effort to ensure the bridge stays standing where it is as an important symbol of the enormous progress that civilization has made, and also the costs of that progress to the many groups of Americans negatively impacted. We only get 1 chance to get this right!
2/25/2020	I writing in support of preserving the existing rail bridge and adding it to the National historical register. The bridge is a living piece of history which marked a crucial point in settling the west. In addition it is a landmark within the community and the state which can be easily seen as it is frequently used for marketing material and as a symbol for the area. This bridge defines a sense of place for this community and I don't think we should so lightly look at demolishing something with such rich history and connection to the residents.
2/25/2020	<p>This bridge has been called "The Eiffel Tower" of the Northern Plains. Built in 1883 it has stood for well over a hundred years dutifully serving the people and commerce of our country.</p> <p>However, this rail bridge across the Missouri River at Bismarck-Mandan is more than just a structure to transport goods across our country. It is an integral part of the Bismarck-Mandan communities, North Dakota and indeed the entire country. It is a part of our everyday lives. This iconic image is featured in courthouse artwork, highlighted in numerous commercial locations and even featured as the backdrop of local television news broadcasts. It serves to remind all of us of our heritage and can serve as a bridge between communities and cultures for years to come.</p> <p>I do not oppose construction of a new bridge across the Missouri--in fact I wholeheartedly support that effort. However, I urge the United States Coast Guard, in the EIS process and Section 106 permitting process, to work with the railroad and all interested parties in formulating a feasible alternative that will retain the existing bridge and establish a path forward for the preservation and operation of the bridge for all manner of uses. Yes, it will require some hard work and difficult decisions. Yes, it may take more time than originally planned. However, I am hopeful all involved parties will make that effort.</p>
2/25/2020	<p>The Coast Guard should follow the EIS process and not rush it due to BNSF's pleas.</p> <p>The historic 1883 rail bridge, owned by BNSF Railway, is an iconic landmark for the community and state. Its image is ubiquitous, appearing in everything from corporate advertising to family portraits. It was the first bridge to cross the upper Missouri. George Shattuck Morison designed and oversaw its construction between 1880 and 1883. The project employed advanced construction methods, including pneumatic caissons such as those used to build its contemporary, the Brooklyn Bridge. Arguably, it is the most historically significant structure on the Northern Plains.</p> <p>If BNSF is serious about getting the new permit, they should be forthcoming and provide viable alternatives that would accommodate a second track while keeping the historic bridge.</p> <p>Please have the EIS address these issues:</p> <p>Impacts to Cultural Heritage - The proposed undertaking would adversely affect historical and cultural sites that are of national significance and that are significant to area residents, including indigenous peoples. The existing railroad bridge was built in 1883 and is eligible for the National Register of Historic Places. The structure is iconic and, because the cities of Bismarck and Mandan evolved solely because of this bridge, it embodies the history, culture, and identity of this community. How would</p>

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	<p>the proposed project impact our cultural heritage?</p> <p>Impacts to Outdoor Recreation and Tourism - The proposed project is at the hub of social and economic activity in Bismarck-Mandan. Continued outdoor recreation and tourism on the Missouri River and in surrounding parks is important to our community. How would the proposed project impact these elements of local life and the tourist economy?</p> <p>Impacts to Viewshed - The proposed project would alter current views on the Missouri River. The existing bridge is highly-visible structure, and has emerged over the past 130 years as the picture-postcard image of Bismarck-Mandan. It is admired for its aesthetic value and is used prolifically as a backdrop to family photos and in local and regional advertising. How would the proposed project impact the aesthetic qualities of the Missouri River in its viewshed?</p>
2/25/2020	<p>As a frequent visitor to Bismarck &amp; Mandan this iconic bridge is what I think most symbolizes the vitality of both communities. Not only is it a National Register eligible property, it emblematizes the essence of what brings people to live in or visit the area. Demolition of the bridge would be a gross disservice to the communities, severing the symbolic tie between East and West River.</p>
2/25/2020	<p>It is unthinkable that BNSF would think so little about the history and the future of their railroad that they would needlessly sacrifice such a significant resource. By so doing they blacken their relationship with the communities they serve, and both disrespect the sentiments of the majority of the citizens in the area, and the disregard the memory of what this country gave to the builders of the railroad in terms of 47 million acres of land grants. Lets get some engineers working on a plan that will make everyone happy and make BNSF look like good guys and not like a corporate bully. If reasonable can be considered, I would suggest that one day of BNSF's yearly profit of 5.5 billion dollars could be used to insure a nationally significant cultural resource be saved and repurposed as a thank-you to this nation.</p>
2/25/2020	<p>I foresee this bridge becoming a real moneymaker, touristwise, for the area, as an open-space, beautiful, site of historic significance. Its historical significance cannot be replaced.</p>
2/25/2020	<p>Cities are defined by their landmarks, and the Bismarck-Mandan Rail Bridge is a cultural landmark of architectural, engineering, and historical significance. The bridge is, without question, an esthetic and cultural icon of the Bismarck and Mandan communities.</p> <p>The bridge stands as a monument to engineering achievement and progress. It also stands as a somber reminder of our troubled past and the suffering inflicted upon Indigenous Peoples.</p> <p>BNSF needs a new, robust, and dependable bridge to bear the cargo of the modern era. I applaud BNSF for the essential service they provide to our communities. However, the preservation of the historic bridge and the construction of a new one need not be mutually exclusive. There are reasonable solutions that will satisfy BNSF's need for a new bridge while preserving the historic bridge.</p> <p>As a Bismarck resident, I strongly urge the US Coast Guard to act in accordance with the National Historic Preservation Act and keep the bridge. By preserving the bridge and converting it into a bicycle and pedestrian pathway, the bridge can stand as a recreational asset to our communities for generations to come.</p>
2/25/2020	<p>Please count me as opposing the destruction of the historic Bismarck-Mandan rail bridge. That bridge has so many layers of meaning, not just for the cities themselves, but for the opening up of the American West, that it must be preserved. These pieces of our heritage are irreplaceable.</p>
2/25/2020	<p>Please save the railway bridge across the Missouri River at Bismarck. It's been there over 100 years, and is an important landmark, part of the lives of all of us who grew up there. Generations of kindergartners, including me in 1950, rode the train across that bridge to Mandan and back, with a stop to see the roundhouse in Mandan and some other historic sites. We 5 year-olds were awestruck at crossing the bridge on the train.</p> <p>The bridge can be made into a lovely walking structure, which would greatly add to the riverfront experience for Bismarck and Mandan. Tearing it down would be a terrible waste. Save the expense of doing so and leave it for future generations to enjoy!</p>

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2/25/2020	<p>As the EIS progresses, I advocate for consideration of effects to visual interest and cultural heritage. Although I love living in the Northern Plains area, we have precious little topographical interest in Bismarck/Mandan. A number of paved multi use paths and off road singletrack trails skirt above and below the bridge, offering a fabulous way to view the sunset as it dips behind the horizon and creates a brilliant glowing backdrop behind the silhouetted rail bridge.</p> <p>Up until recently, this was my main connection to bridge. For nearly thirty years I essentially saw it as a decoration between our two cities of Bismarck and Mandan. Judging by previously submitted comments and the host of rail bridge photos, murals, and memorabilia, many others feel similarly. The bridge is an icon in our community. At the time of its construction, it was a technological marvel. It stood as a symbol of expansion, economic prosperity, and progress. However, I never considered that it wasn't a symbol of prosperity for everyone. Since the rail bridge has been such a prominent topic in our local news over the past year or two, I have learned more about its history. I now see the bridge as a visual aide to explore our nation's history and learn about the land that I call home. I see the rail bridge as an opportunity to facilitate conversations and invite people to tell the stories of their family history and how the bridge changed their lives--for the better or for the worse.</p> <p>As this project moves ahead, I think it's important to recognize that history is not only for books and Wikipedia articles. Tangible, living history--especially when left in place--has a powerful impact (especially when we consider that over 50% of the population are visual learners!) History tells exciting tales and teaches valuable lessons that we take forward into the future. Preserving history is a part of moving a healthy society forward. I urge the Coast Guard to ensure that the EIS fully explores the cultural impacts the Bismarck Mandan rail bridge.</p>
2/25/2020	<p><u>Introduction and Background</u></p> <p>Constructed between September 1, 1881 and October 18, 1882,<sup>1</sup> the historic Bismarck/Mandan Northern Pacific Railway Bridge (NP Railway Bridge) remains the most important link in continuous operation on the northern route of the transcontinental railway that joins its easternmost terminus (the port at Duluth, Minnesota, which is the westernmost port connected to the Atlantic Ocean) with its westernmost terminuses (the Pacific Ocean/Columbia River Ports at Kalama Washington and Portland Oregon, and the Pacific Ocean/Puget Sound port at Tacoma Washington).</p> <p>The NP Railway Bridge crosses the Missouri River between Bismarck, North Dakota, on its eastern bank and Mandan, North Dakota, on its western bank. The Missouri River is the longest river in North America. The Missouri River's recognized starting point is the confluence of the Jefferson and Madison rivers in Missouri River Headwaters State Park near Three Forks, Montana, where it is joined by the Gallatin river a mile downstream. From there, the Missouri River flows east and south for 2,341 miles before entering the Mississippi river north of St. Louis, Missouri. The Missouri River's watershed consists of approximately 500,000 square miles, which is approximately one-sixth of the 2,959,064 square miles that constitute the lower 48 states of the continental United States. The Missouri River watershed includes parts of ten U.S. states and two Canadian provinces, as well as dozens of Native American reservations and communities— which makes regulation and management of the river's flow, its various and diverse climate, land mass, ecosystems, and its diverse mostly rural population, particularly complex and challenging. The following map from a recent Missouri River crossing case shows the Missouri River Basin watershed as well as the median incomes of the average household and the average Native American household incomes within the Missouri River Basin compared to the rest of the United States in 2016.</p> <p>The combined Red Rocks-Jefferson-Missouri-Mississippi river system—from its headwaters near Mount Jefferson in Montana to the mouth of the Mississippi river in the Gulf of Mexico—is approximately 3,900 miles long, making it the fourth longest river system in the world (only slightly shorter than the Nile, Amazon, and Yangtze river systems).<sup>5</sup> The management of the Missouri River dam system in 2019 demonstrates how the combined river system likely will be managed as a whole in the decades to come – to mitigate extreme weather events such as the 2019 flooding downstream on both the Missouri and Mississippi Rivers and to regulate all the various and intertwined uses of the river system as a whole affected by such events. And as it did in 2019, future management of the river system will affect various uses of the river at and near the NP Railway Bridge, as well as Garrison Dam</p>

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	<p>and Lake Sakakawea upstream from Bismarck. In sum, future superintendence of the river system as a whole by the U.S. Corps of Engineers will affect the river in Bismarck on a continuous operational basis, hour-by-hour and season-by-season, depending on varying conditions up and down the combined Missouri/Mississippi River system.</p> <p>The Bismarck/Mandan metropolitan area is located near the mouths of the Heart river to the west and Apple Creek to the east and has a population of approximately 132,000 (Bismarck ~ 73,000, Mandan ~ 22,000).<sup>7</sup> Bismarck is the former capitol of Dakota Territory (1883-89), and is the current State Capitol of North Dakota. North Dakota is at the center of North America, and its economy and the economy of the upper Missouri River Basin are primarily based on the production and shipment (by railroad, highway, pipeline, and electrical transmission lines) of agricultural and fossil fuel products to the rest of the United States and the world. For the past 137 years, the NP Railway Bridge has been a lynchpin in connecting North Dakota's mid-continent, commodity-based economy to the growing global economy through the railroad. The replacement bridge at the Missouri River crossing at Bismarck will continue to be a primary link to the national and world markets for North Dakota's ever-changing commodity-based economy. This is nothing new. Knife River flint has been traded as a commodity throughout North America for thousands of years. Carbon dating shows that Mandan and other tribal nations occupied the Heart River, Apple Creek, Painted Woods parts of the Bismarck/Mandan metropolitan area from approximately 1200 AD; the city of Mandan directly west of the NP Railway Bridge is built on top of Scattered Village, which was occupied by the Mandan peoples since approximately 1450 AD. The following map shows the location of some key archeological areas related to native peoples who lived here for centuries.</p> <p>The Department of Homeland Security and the Coast Guard must fully examine the proposed alternatives and other reasonable alternatives raised in this comment period, take a "hard look" under the National Environmental Policy Act (NEPA) at the alternatives and impacts, and "to the fullest extent possible ... shall" prepare "a detailed statement" that considers:</p> <ul style="list-style-type: none"> <li>"(i) the environmental impact of the proposed action,</li> <li>"(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,</li> <li>"(iii) alternatives to the proposed action,</li> <li>"(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and</li> <li>"(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented."</li> </ul> <p>Under the National Historic Preservation Act as reenacted in 2014, the following policies must be considered and implemented for properties of national historical significance such as the NP Railway Bridge:</p> <ul style="list-style-type: none"> <li>"(1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our historic property can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;</li> <li>"(2) provide leadership in the preservation of the historic property of the United States and of the international community of nations and in the administration of the national preservation program;</li> <li>"(3) administer federally owned, administered, or controlled historic property in a spirit of stewardship for the inspiration and benefit of present and future generations;</li> <li>"(4) contribute to the preservation of nonfederally owned historic property and give maximum encouragement to organizations and individuals undertaking preservation by private means;</li> <li>"(5) encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and</li> <li>"(6) assist State and local governments, Indian tribes and Native Hawaiian organizations, and the National Trust to expand and accelerate their historic preservation programs and activities."</li> </ul> <p>For transportation projects subject to the jurisdiction of the Secretary of Transportation (such as highways), federal policy is well established that damage to properties of historical significance such</p>

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	<p>as the NP Railway Bridge must be avoided unless “(1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such ... historic site resulting from such use.” Although this project does not involve a federal highway, the same underlying policy applies: 1) damage and destruction of the NP Railway Bridge should be avoided because there are feasible and prudent alternatives, and 2) the alternatives that should be considered and implemented should be the ones that both minimize harm to the NP Railway Bridge that result from construction and use of the new railway bridge to the north, and also build the new bridge that best serves the community and region for the many future decades that should be its reasonable useful life.</p> <p>Saving the NP Railway Bridge is a “both/and” not an “either/or” choice. For reasons discussed below, the best outcome includes both 1) saving the NP Railway Bridge for various multiple purposes and uses that will continue to make it a centerpiece of the community where it has been an original and central link to the rest of the world for fourteen decades, and 2) building a new bridge that will best match the coming changes to railway transportation and the commerce of the nation and region over the next few decades (not years). Because this is an infrastructure choice with decadal consequences, the alternatives should be considered and weighed in a way that serves and enhances both the short-term and long-term interests and needs of the community, region, and nation. The “both/and” alternatives are potential win-win outcomes that will benefit regional and national historic, cultural, recreational, and economic resources, and improve trade, growth and prosperity in the region, including the railroad over the long term. The alternatives should not be weighed as a zero-sum game of diminishing returns that is governed by the short-term financial interests of the railroad’s owners. In summary, of the four “alternatives considered to date” in this scoping stage, the only alternatives that will pass legal muster are alternatives that both 1) preserve the NP Railway Bridge in its present location and 2) construct a new railway bridge north of the historical NP Railway Bridge’s present location in a way, and with the durability and foresight, that will serve the essential commerce and transportation needs of the community, the region, and the nation over the next several decades in the same way that that the NP Railway Bridge has served those interests over the past 137 years. The discussion below will set forth in more detail the reasons why that is so, and suggest appropriate issues for the analysis relating to the EIS to evaluate the potential environmental, historical, and lost-opportunity costs and consequences of destroying or preserving the landmark historical bridge, and constructing a bridge adjacent to the existing bridge in a way that preserves and maximizes the best outcome for the people and communities that will be permanently affected by this proposed project.</p> <p><u>Interest and Standing</u></p> <p>The author of these comments is a former assistant attorney general who worked as a lawyer in the Natural Resources and Indian Affairs Division of the North Dakota Office of Attorney General from January 1992 through November 2007. During that time, I represented various North Dakota state agencies and divisions, including the environmental section of the North Dakota Department of Health (now Department of Environmental Quality), Parks and Recreation, Geological Survey, Lignite Research Council, Agriculture, and many others. I also represented the state of North Dakota in various cases and enforcement actions (such as cleanup of the diesel contamination under the railyard and downtown Mandan), similar cases involving air quality, water quality, and the extent of state and federal jurisdiction over various resources (such as the Missouri River and interstate air pollution), and various cases involving state and federal constitutional and statutory law and interpretation. These comments are my own, however, and do not represent the position of any North Dakota agency or governmental body. I have not represented any state agency since November of 2007. Since then, I have worked for generation and transmission cooperatives in North Dakota and Colorado addressing environmental permitting, compliance, and related policy issues for those entities. These comments are solely my own, are unrelated to any work I have done for past or present clients or employers, and do not represent any legal or policy position of any past or present employer, former client, or other person or entity other than myself.</p> <p>I lived and worked in Bismarck for more than 24 years from early 1992 through April 2016. During most of those years I lived in a neighborhood close to the NP Railway Bridge and, literally thousands</p>

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	<p>of times, I ran, walked, and biked the trails through the bluffs and along both sides of the Missouri from Pioneer Park to the University of Mary, and from Fort Lincoln State Park to the Mandan trails that run north of the NP Railway Bridge under Interstate 94. I know and love this area and its landscape and history better than any other place. Older than the Eifel Tower, the NP Railway Bridge represents the region’s history and culture better than any other existing historical structure and offers a unique opportunity to tie together the riverfronts of Bismarck and Mandan. If preserved and developed to take advantage of its beauty and history, it can provide a destination for recreation, learning, gathering, and enjoyment for another century or more. Yearly, legions of weddings and high school and college graduates use the NP Railway Bridge in photographs as the iconic backdrop that represents their community. And it is true. But for the bridge, their communities would not be where they are. I continue to have children and grandchildren who live in Bismarck and we enjoy it together every visit. These photos, taken on a walk after the 2019 Thanksgiving snowstorm, show the NP Railway Bridge and the crossing north of the Bridge that the EIS alternatives analysis will address.</p> <p><u>Summary and discussion of appropriate issues for the EIS analysis to evaluate</u></p> <p>The public notice for this EIS scoping lists four alternatives:</p> <ul style="list-style-type: none"> <li>• “Building a new bridge with 200 foot spans and piers 92.5 [FN1] feet upstream of the existing bridge (alternative considered keeping the existing bridge and removing the existing bridge)</li> <li>• “Building a new bridge with 400 foot spans and piers 92.5 [FN1] feet upstream of the existing bridge (alternative considered keeping the existing bridge and removing the existing bridge) 10</li> <li>• “Building a new bridge with 200 foot spans and piers 42.5 feet upstream of the existing bridge (alternative considered keeping the existing bridge and removing the existing bridge)</li> <li>• “Building a new bridge with 200 foot spans and piers 20 feet upstream of the existing bridge and removing the existing bridge (BNSF Preferred Design)..</li> </ul> <p>“The alternatives were developed to meet the purpose and need of the project, which is to provide BNSF Railway with a new bridge that can accommodate two tracks at a future date should a second track become needed.”</p> <p>These alternatives give too much weight to the short-term interests of BNSF Railway, a wholly owned subsidiary of parent company Burlington Northern Santa Fe, LLC, which is a wholly owned subsidiary of Berkshire Hathaway, Inc. BNSF owns all three transcontinental routes that provide rail connections between the western and eastern United States, as well as 32,500 miles of track in 28 states, and more than 8,000 locomotives.</p> <p>Berkshire Hathaway, Inc., is a multinational conglomerate holding company which wholly owns GEICO, Duracell, Dairy Queen, BNSF, Lubrizol, Fruit of the Loom, Helzberg Diamonds, Long &amp; Foster, FlightSafety International, Pampered Chef, Forest River and NetJets; Berkshire Hathaway also owns significant minority holdings in American Express, Wells Fargo , the Coca-Cola Company, Bank of America, and Apple; and since 2016, Berkshire Hathaway has acquired large holdings in the major US airline carriers, including being the largest shareholder in United Airlines and Delta Air Lines and a top three shareholder in Southwest Airlines and American Airlines. In addition, Berkshire Hathaway owns and controls such “smaller” holdings as Berkshire Hathaway Energy, which through PacifiCorp and Rocky Mountain owns 10,880 megawatts of generation capacity and serves 1.9 million customers across 141,000 square miles in six western states, as well as MidAmerican Energy Company, NV Energy, and BHE Renewables, which collectively own a significant amount of the renewable generation in the Midwest, Texas, and western parts of the United States, which through the availability of tax credits and other state and federal incentives have been built at low capital expense to their ultimate holding company owner.</p> <p>In the 21st Century, the Pacific Rim will replace the traditional historic Eurocentric/Atlantic economic and cultural dominance of world markets that characterized the 19th and 20th Centuries. Berkshire Hathaway and BNSF Railway have dominance over the railroad pathways in the United States from the Pacific Rim ports to the East Coast markets and waterways. With their ever-growing renewable energy capacity, Berkshire Hathaway is positioned to take advantage of the electrification of the railways in a carbon-taxed or otherwise constrained world. Electrification of the railways is happening in Europe and other parts of the world (impacting both greenhouse gas emissions and creating a more</p>

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	<p>modern railway system). This is a possible, and probable, development during the useful life of the proposed new railway bridge. The alternatives should take into consideration this possible/likely future for the new bridge over the next couple decades in determining the alternative that best matches the future use of the bridge over its possible 50-100 year lifespan. Berkshire Hathaway and BNSF's best economic interests, however, are not likely to line up perfectly with the interests of the Bismarck-Mandan community, nor the State of North Dakota, nor the North-Central region of the United States whose economic future in a carbon emission-constrained world will depend on access to national and world markets through the railways owned and controlled by BNSF that run through this "most continental" part of North America (see BNSF map above).</p> <p>As noted in section 1.0 above, North Dakota's economy has historically been an agricultural- and energy-based commodity dependent economy subject to the boom-bust cycles of all commodity-based national and global markets. It has been highly dependent on the railroads to get those commodities to those markets, and thus also subject to the bottlenecks and transportation restraints, with the capacity and costs imposed by railway transport from this region. The most recent example of this is exemplified by the problems of railway transport of crude oil from the Bakken starting when the most recent "boom" began in 2008- 09. But that is only the most recent example in a repeating pattern. Historically, railroads were the principle way that communities started along railway lines, and railroads were essential as the means that allowed homesteading to occur in North Dakota, the mid-West, and the upper Great Plains.</p> <p style="padding-left: 40px;">"The geography of capital produced a landscape of obscured connections. The more concentrated the city's markets became, and the more extensive its hinterland, the easier it was to forget the ultimate origins of the things it bought and sold. The ecological place of production grew ever more remote from the economic point of consumption, making it harder and harder to keep track of the true costs and consequences of any particular product."</p> <p>In considering the costs and benefits of various alternatives identified through this scoping exercise, the analysis should not concentrate solely on the lowest short-term economic cost for BNSF (BNSF's preferred alternative), but rather consider the options that that best serve the long-term interests of the Bismarck-Mandan community, the state of North Dakota, and the upper Great Plains region. North Dakota is uniquely positioned to take advantage of the likely carbon emission-constrained national and global economy and markets that are likely to develop over the next few decades. North Dakota has large saline aquifers and the potential for extending the life of the Bakken field for decades through use of carbon capture and storage and enhanced oil and gas recovery. North Dakota already has one of the world's most successful carbon capture and use projects at the Great Plains facility located near Beulah, North Dakota, as well as a world class research center, the Energy &amp; Environmental Research Center, located at the University of North Dakota. For example, "natural gas steam methane reforming (SMR) with carbon capture and sequestration (CCS), coal gasification CCS, and biomass gasification CCS, can achieve low carbon emissions at a cost of \$2-4/kg, or in an energy equivalent measure, \$2-4 per gallon of gasoline," and "H2 [hydrogen] production technology is rapidly advancing," with a current cost range of "\$2.58 - \$51.02/kg H2" and projected production cost range under future studies of "\$3.82 - \$5.65/kg H2."<sup>34</sup> SMR has potential application to North Dakota's coal and methane (CH4) production, because hydrogen can in part use existing infrastructure such as natural gas pipelines and generation and may also be used in fuel cells. Also, North Dakota has adequate storage and use opportunities with its saline aquifers for CCS and enhanced oil and gas recovery (EOR) potential if SMR becomes widely employed in North Dakota if it remains the lowest cost alternative for hydrogen production. But such a future that reserves a place for low-cost, low emission fossil fuel use is much different than the path that Berkshire Hathaway and BNSF is taking as described above – although they are not necessarily opposed under a least-cost "all of the above" approach to energy and transportation resource development over the next few decades. How is this relevant to the EIS alternatives' analysis that the Coast Guard in cooperation with other federal agencies must conduct in analyzing the various alternatives? The new replacement bridge should be designed and built to meet the purpose and needs of the local and regional economy as well as the likely changes to the uses of the railway where it crosses the Missouri River based on</p>

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	<p>Pacific Rim trade and growth, and the role the railroad will play in transporting local, regional, and global trade items across the present and future BNSF railway system. Hydrogen, liquified natural gas, ammonia, and other low- or no-GHG emission fuels are examples of commodities that are likely to be transported not only by truck and pipeline, but also (and perhaps primarily) by railways. The development of these types of products and commodities in the local and regional economy of North Dakota over the next couple decades will be highly dependent on developing pipeline and transportation infrastructure to take such commodities and products to national and global markets. The alternatives analysis for the EIS should not be determined by picking the lowest cost short-term option for BNSF (which is essentially a pre-determined outcome using BNSF), but should instead consider the following questions which will help determine the best alternative over the long-term:</p> <ul style="list-style-type: none"> <li>• What are the projected short-term and long-term uses of the replacement bridge over the projected useful life of the bridge?</li> <li>• What are the local and regional purposes and needs of the local and regional communities and economy over the lifetime of the bridge, including railyards and other infrastructure to support the agriculture and fossil-fuel-based commodities and options that are likely to be the bridge's primary local and regional benefit over its projected useful life?</li> <li>• Which alternatives best protect the existing NP Railroad Bridge pursuant to the factors federal law require be considered, including: <ul style="list-style-type: none"> <li>o use of measures, including financial and technical assistance, to foster conditions under which our modern society and our historic property can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;</li> <li>o contribution to the preservation of nonfederally owned historic property and give maximum encouragement to organizations and individuals undertaking preservation by private means;</li> <li>o encouragement of the public and private preservation and utilization of all usable elements of the Nation's historic built environment;</li> <li>o assistance of State and local governments, Indian tribes and ... the National Trust to expand and accelerate their historic preservation programs and activities;</li> </ul> </li> <li>• the environmental impact of the proposed action and alternatives;</li> <li>• any adverse environmental effects which cannot be avoided should the proposal be implemented;</li> <li>• alternatives to the proposed action;</li> <li>• the relationship between local short-term uses of the environment at issue and the maintenance and enhancement of long-term productivity;</li> <li>• any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented;</li> <li>• whether there are feasible and prudent alternatives to destruction of the existing NP Railroad Bridge; and</li> <li>• has the project used and considered all possible planning to minimize harm to such ... historic site resulting from the proposed project?</li> </ul> <p><u>Additional relevant factors about the proposed crossing when considering the alternatives.</u></p> <p>There are several geological and design constraints that should be weighed in considering alternatives that reflect the purpose and need for the proposed project. These include:</p> <ul style="list-style-type: none"> <li>• The design that will allow trains not have to slow down and brake as they take the turn on and off the bridge;</li> <li>• The geology and long-term problems with the eastern bank of the crossing location; and</li> <li>• the use that will provide the most flexibility for recreational use, roads and potential development of the riverfront over the next few decades.</li> </ul> <p>The following photograph shows the sharp angle in the track on the eastern end of the NP Railroad Bridge:</p> <p>In the 24 years I watched and heard the screeching brakes of coal trains from the upper Powder River Basin as they slowed to make this turn—which I heard both when using the trail underneath the</p>

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	<p>bridge and when awakened from my sleep in the Highland Acres neighborhood when we slept with our windows open in the summertime—it was apparent that this sharp turn was an unfortunate artifact of the smaller slower trains that used the track when located on the other side of the ridge on the left side of the photograph when the bridge was first built (before the current ravine was cut through the bluff as shown in the center of the photograph).<sup>36</sup> The first two alternatives that are at least “92.5 feet upstream of the existing bridge” would help cut down the sharpness of this angle and allow the train to make the crossing with less braking and less nuisance noise that is loud enough to wake people sleeping a mile away on a calm summer night.</p> <p>Further, the alternative should be identified that will allow two tracks to cross the bridge to accommodate railroad traffic going both ways. The steep earthen bank on the western end of the NP Railroad Bridge (as shown on the far side of the river in the photograph above) was originally built by men with shovels using oxen in the 19th century. It is not wide enough, and perhaps not structurally sound enough, to safely accommodate the long, fast mid-twentieth century trains that most likely will be crossing the river here in the decades to come. There is not a good reason to try and salvage the use of this earthen bank for the new bridge. The new bridge should be built to accommodate at least two tracks to avoid having to replace the bridge again, and a new earthen bank or trellis should be built to the north of the present earthen bank that accommodates use of one track only on the western end of the NP Railway Bridge. The cost of widening and strengthening the current earthen bank compared to a new structure is one factor that should be considered in comparing these alternatives.</p> <p>In addition, the area in the photograph just north of the old earthen bank is owned by the North Dakota Department of Transportation and is managed by Parks and Recreation as a difficult to access piece of land and riverfront after DOT acquired this property for construction of Interstate I-94. State ownership of this property should allow for compromises and transfers of easements that will allow the best design of a crossing even farther north from the proposed 92.5 feet from the existing NP Railway Bridge, if analysis shows that is the best long-term alternative, while also staying sufficiently distant from the I-94 bridge crossing. Second, long-term problems with the eastern bank of the crossing location for the NP Railroad Bridge are well documented. As Ed Murphy discussed in his history of the NP Railway Bridge, this issue arose almost as soon as the bridge was completed in 1882:</p> <p>“The hill slope east of the bridge began failing shortly after the bridge was completed, and pier 1 (the easternmost pier) began moving west towards the river. The pier moved an average of 3 to 3.6 inches per year from 1883 to 1887. Morison [the bridge’s famous architect and designer] had not expressed concern for slope stability in his final report, and it is assumed that the failure of the east slope caught him by surprise. He returned to Bismarck from his New York headquarters in July 1885 to examine firsthand the condition of pier 1. By August 24, 1888, pier 1 had moved an additional 7.9 inches, and a crack developed in the structure. In September 1888 it was reported by Morison's assistant, Ben Crosby, that the pier was moving approximately one inch per week. Crosby attributed movement to one of our events: weighting of the hillside with earth wasted from the railroad cut; Morison's diversion of the river to the east bank; vibrations from passing trains; and cracks opened by this movement allowing more water to infiltrate and lubricate the slide. Absent from Crosby's conclusions was any discussion of the possible contributions from the Bismarck Waler Company's reservoirs or pipeline which had recently located in this area.”</p> <p>This issue has been addressed, or at least much improved, for the eastern pier (pier 1), but as recently as a few years ago the river road a hundred yards or so north of the bridge began to crack and slide toward the river, in part from snow piled by the city from clearing the streets, a factor similar 110 years later to the possible causes and factors discussed by Ed Murphy above. A similar problem happened further up the river road just a couple of months ago. Designing the bridge in a way that sets the piers away from the slope is an additional factor that should be considered in evaluating alternatives.</p> <p>Finally, considering alternatives that save the existing NP Railway Bridge and building the replacement bridge to the north should consider the various uses and ecological factors that will be impacted by this decision. The unflooded river valley from Garrison Reservoir to just south of Bismarck where the</p>

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	<p>Oahe Reservoir begins when near capacity is one of the most important and interesting geological, historical, and ecological areas along the Missouri River. The alternatives should consider how future possible uses of the Missouri River change if the NP Railway Bridge is destroyed. For example, many recreational activities such as fishing, boating, or canoeing from the dam to Bismarck end at or near the NP Railway Bridge. Such opportunities will be enhanced if the NP Railway bridge is preserved. For example, saving the historic Stone Arch railway bridge in downtown Minneapolis, Minnesota, for pedestrian and bicycle use has made that riverfront thrive; it is also part of a larger “partnership park” that stretches through the Twin Cities area. Similar development of riverfront areas in cities such as Chicago, Illinois, and San Antonio, Texas, have greatly improved the wealth and quality of life in those cities. Development of the area near the NP Railway Bridge would of course be much different than these examples, and how that area is developed must be decided by the people in the Bismarck/Mandan community as well as the people and communities in impacted areas along the river to the north and south. But once the NP Railroad bridge is destroyed, that opportunity is lost.</p>
2/25/2020	<p>I'm writing as an interested person in support of keeping the existing bridge or, at the very least, its original 1882 piers.</p> <p>Much has been said and written in many forums about the historical significance of the bridge and its "association with broad patterns of railroad, commercial and military history of the United States." Having worked as a historical interpreter or public historian for several different non-profits and agencies in North Dakota over the last decade, my concern is that its association with broad patterns of settlement has been understated.</p> <p>While the Republican Party controlled both Congress and the Presidency during the Civil War, it took the opportunity to enact its platform of westward expansionism and "free soil" through passage of the Homestead Act and creation of two transcontinental railroads--the first mechanized travel routes east and west across the United States. The second of these railroads was called the Northern Pacific (NPRR). It was supposed to spur the settlement of the region stretching west from Minnesota to the Pacific Ocean. Until about the 1960s, newspapers, advertisements, and doubtless day-to-day conversation referred to this area as its own region of the United States, "the Northwest."</p> <p>The Northern Pacific Railroad was such a massive infrastructure project that the bankruptcy of its creditor, the Jay Cooke Bank, in 1873 caused an international economic depression that affected both the United States and Europe.</p> <p>It took years for NPRR construction to get back underway, but when it completed its final and, arguably, most challenging segments, the Bismarck-Mandan Rail Bridge in 1882 and the Rocky Mountain segment in 1883, it was as if a switch had been flipped.</p> <p>The first two building seasons after its completion, 1883 and 1884, saw dozens of towns spring up, some of the earliest stylized buildings built (many of which are historic sites today), colleges like UND and several other civic institutions founded. Dakota Territory moved its capital from Yankton to Bismarck to be along the rail route. Theodore Roosevelt and the Marquis de Mores came to the region. Within eight years of the bridge's completion and seven years of the railroad's, five states making up "the Northwest," had been admitted to the Union, namely North and South Dakota, Montana, Idaho, and Washington.</p> <p>If the Bakken oil boom had been made possible by the completion of a single infrastructure project, and the corresponding population boom had led to the founding of multiple states, that might illustrate the difference that the Northern Pacific Railroad and its bridge over the Missouri River made. Those piers are a tangible link to developments that deeply shaped America as we know it. It's my hope that a way can be found to save them.</p>
2/25/2020	<p>The EIS needs to provide full analysis and any corresponding mitigation associated with impacts to the human environment as detailed in 40 CFR 1508.14. The historic rail bridge over the Missouri River is a critical part of Bismarck and Mandan's human environment. The bridge's iconic presence is a critical element that defines both communities. Moreover, the bridge itself and the history it represents is intrinsic to the region's tourism and recreation economy.</p> <p>Full analysis and any corresponding mitigation needs to cover the proposal's effects as defined in 40 CFR 1508.8, specifically effects on the quality of the human environment, including changes in the</p>

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	<p>human environment that the project may impact that are aesthetic, historic, cultural, economic, (or) social.</p> <p>Of concern is the impact the proposal might have to the historic rail bridge and the bridge's connection to the region's cultural heritage, aesthetics, history and economy. The community of Bismarck, including the City, the Park District, commercial businesses, and various nonprofit organizations have invested in recreational, commercial, and historical-related improvements afforded by access to the Missouri River and its historical context. A critical element to the historical context is the rail bridge. Improvements along the river and near the rail bridge have included a shared use path, interpretive historical displays, a riverboat business, a boat ramp, and a riverboat event center that is under construction. These improvements and the associated historic, cultural, and aesthetic setting of the river and rail bridge are a key part of the region's tourism and recreation economy.</p>
2/25/2020	<p>As an organization who is concerned about public safety and the economy, the Greater Fargo Moorhead Economic Development Corporation (GFMEDC) urges you to approve the permit for BNSF Railway to build a new railroad bridge over the Missouri River in Bismarck and Mandan, North Dakota. The bridge is more than 100 years old and BNSF says it soon needs to build a new one to continue safely hauling North Dakota's grain and other commodities.</p> <p>The GFMEDC represents Cass County, North Dakota and Clay County, MN. In 2018, exports out of our metropolitan area represented \$553 million to our regional economy. Many of our exporters are dependent on reliable and affordable rail infrastructure to get their goods to distant markets. Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.</p> <p>We urge you to approve the permit so that a new bridge can be built soon and the railroad can safely ship goods that our economy relies on.</p>
2/25/2020	<p>Given the history of this resource, the public's assertion of the values they ascribe to it, its NRHP-eligible status, the interest of indigenous peoples in bringing forward its lesser-known cultural symbolism, and the interest by local groups to offer alternative uses should it be preserved, I cannot help but think that if the existing Bridge were spared from demolition, it could stand to bridge cultures, to connect past and present, to help shape a more just and humane future for generations to come. I advocate for a preservation solution and, in preparing the EIS, I hope to see an exhaustive examination of several important potential impacts to this community. They are as follows:</p> <p>1) Impacts to Cultural Heritage - The proposed undertaking would adversely affect historical and cultural sites that are of national significance and that are significant to area residents, including indigenous peoples. The existing railroad bridge was built in 1883 and is eligible for the National Register of Historic Places. The structure is iconic and, because the cities of Bismarck and Mandan evolved solely because of this bridge, it embodies the history, culture, and identity of this community. How and to what degree would the proposed project impact our cultural heritage? Can impacts be avoided or minimized? How?</p> <p>2) Impacts to Outdoor Recreation and Tourism - The proposed project is at the hub of social and economic activity in Bismarck-Mandan. Continued outdoor recreation and tourism on the Missouri River and in surrounding parks is important to our community. How and to what degree would the proposed project impact these elements of local life and the tourist economy? Can impacts be avoided or minimized? How?</p> <p>3) Impacts to Viewshed - The proposed project would alter current views on the Missouri River. The existing bridge is highly-visible structure, and has emerged over the past 130 years as the picture-postcard image of Bismarck-Mandan. It is admired for its aesthetic value and is used prolifically as a backdrop to family photos and in local and regional advertising. How and to what degree would the proposed project impact the aesthetic qualities of the Missouri River in its viewshed? Can impacts be avoided or minimized? How?</p> <p>There are many other potential impacts the EIS is sure to explore, including impacts to threatened or endangered species, air and water quality, socio-economic impacts, aesthetics, and noise. I expect to</p>

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	<p>see these included. I also expect to see all potential impacts analyzed for all proposed actions and alternatives.</p> <p>I urge the USCG to consider the severity of these and other environmental impacts, and select an alternative that keeps the bridge in place. It is a tangible link to our heritage and vital to the social and economic character of Bismarck and Mandan.</p>
2/25/2020	<p>As life-long citizen of Bismarck and working professional, I am writing to ask that you preserve the historic railroad bridge that crosses the Missouri River at Bismarck-Mandan for a multitude of reasons.</p> <p>As a professional photographer and filmmaker, I know that there is nothing more iconic than that rail bridge here in our community. Nearly every family in our community has a picture taken with that bridge in the background. In our modern world we have been suffering from a loss of local identity, and this bridge is a historic marker of our community's identity and sense of place. When people of North Dakota see the image of this bridge we immediately where we are. It has both value to me as a citizen, as well as value as a filmmaker and photographer, who constantly gets requests to record video and take photos with that bridge in the background. It can help set period-sensitive films from historic moments in time as well as give a rustic, gritty, prairie and industrial message.</p> <p>As an avid biker and father of kids who love to bike the trails along the river, I can see nothing that would be more useful, practical and add value to our community members' outdoor experiences and enjoyment of the river than to preserve that bridge and turn it into a pedestrian and bike-friendly bridge to connect Bismarck and Mandan.</p> <p>I was at the first few public meetings to discuss this bridge's future with BNSF and the Coast Guard. I have seen many public hearings, yet it is rare to see one where democrats and republicans along with all other types of groups unanimously agree and support something as strongly we see them coming together in support of preserving this bridge. There are countless reasons offered for their support, and the opposition comes from BNSF, yet their opposition is not based on safety, as they would like to convince people. In those meetings BNSF clearly stated the bridge is not an immediate threat and is structurally sound. As we pressed them with further questions, it became clear that their desire is to have a bridge that can support a second track - as well as one that can carry railcars that are stacked double-high - and this bridge has a height limit. They had no testing or proof that the structural integrity of the bridge is in any way lacking. So, what they really need is to build a second bridge beside this bridge and not to demolish this important piece of history and bridge to a healthy community structure for the future generations to enjoy. We do not have enough structures or venues to enjoy our river like we should. Please, I urge you not to let them destroy this bridge. There is an organized group here in our community that will raise the money to preserve and transform this bridge- and insodoing, better our community.</p>
2/25/2020	<p>Growing up in Bismarck, summer days were spent along the shores of the Missouri River. The iconic BNSF bridge is a beautiful backdrop to many fond memories. This bridge, as a re-purposed all-year-round green-way masterpiece, has so much potential to serve both the communities of Bismarck and Mandan, invigorating activity along the banks of the river and providing increased opportunities for outdoor fun - which we North Dakotan's love! I hope people have been able to communicate how much the past, present, and future of this bridge means to our community. Thank you for your consideration!</p>
2/25/2020	<p>The bridge is one of the most iconic things in Bismarck. How many ads and commercials use that as a backdrop? How many senior pictures have it in the back ground? This bridge is a piece of history and should be preserved.</p>

Date	Comment text
2/26/2020	<p>As someone who is concerned about public safety and the economy, I urge you to approve the permit for BNSF Railway to build a new railroad bridge over the Missouri River in Bismarck and Mandan, North Dakota.</p> <p>The bridge is more than 100 years old and BNSF says it soon needs to build a new one to continue safely hauling North Dakota's grain and other commodities.</p> <p>But, I think that the old bridge should be kept for all citizens.</p> <p>Dont miss this opportunity to preserve the old bridge!</p>
2/26/2020	<p>The NPSRR Bridge over the Missouri River between Bismarck and Mandan is historically significant, not just to the two communities it connects, but to the settlement of the American West, the impact on Native American tribes, and the movement of people and goods, which around here includes wheat, coal, and oil. The bridge is part of the landscape, portrayed in thousands of photographs from the 1880s forward including the steamboat era, the WWI training facility at Camp Frazier at the foot of the the bridge on the Bismarck side, to the present. We have lost too much historic architecture and this is the opportunity to retain a bridge that is a unique signature for these communities so they are not just another town with the same fast food restaurants, gas stations, hotels and chain retail stores as every other town in America.</p> <p>Saving the bridge will also provide outdoor recreation for residents and visitors alike, always a plus for attracting both to the communities. BNSF has been a community partner for many years and I can't imagine it would be a great hardship for a successful corporation of its size to construct a bridge replacement a little farther along the river and transfer ownership of the existing bridge to the community.</p>
2/26/2020	<p>Hello - I think the Railway Bridge should be kept, and if possibly repurposed. It seems a shame to demolish something with such great history for the region, and that can be given a new lease on life to continue serving the community for decades to come.</p>
2/26/2020	<p>The Bismarck Rail bridge is one of North Dakota's most iconic landmarks. The bridge needs to be preserved and turned into a pedestrian walking bridge. Many national websites show this bridge as the first image when talking of Bismarck.</p> <p><a href="https://www.visittheusa.com/destination/bismarck">https://www.visittheusa.com/destination/bismarck</a>  <a href="https://money.cnn.com/magazines/moneymag/best-places/2012/snapshots/PL3807200.html">https://money.cnn.com/magazines/moneymag/best-places/2012/snapshots/PL3807200.html</a></p> <p>Tearing this bridge down would be a shame and an embarrassment. There have been countless examples of cities preserving these bridges and turning them into pedestrian walkways.</p>
2/26/2020	<p>I think removing the Railway Bridge is removing history@ It is such a beautiful feature of Bismarck~ you are taking away history~ many many other cities have kept these landmarks and even used them as attractions~ you need to think"outside the box" and not be so quick to tear down</p>
2/26/2020	<p>Please save the Railroad Bridge that stands along the Missouri River in Bismarck, ND. It is a local historical reference point for many, and adds beauty and interest to our riverfront. It would be a fantastic component of a biking or walking trail, as many cities have done with decommissioned bridges.</p>
2/26/2020	<p>Leave the beautiful, historical bridge in tact. It can be repurposed into something great for the community. And we need to stop destroying history in the name of progress.</p>

Date	Comment text
2/26/2020	<p>Since taking one of the largest transfers of public land (over 50 million acres) to a private corporation in the history of democratic government, via the 1864 Land Grant, The Northern Pacific Railway has played a key role in westward expansion of the United States in the 19th and 20th Centuries. This includes large-scale infrastructure projects and countless scores of employees. Since the market crash of 1873, the Northern Pacific has capitalized on the government's largess to a grand degree, even spinning off entire new industrial corporations taking advantage of the forest lands of the Pacific Northwest. The legacy of the Land Grant has had indelible impacts on large swaths of the NW United States.</p> <p>The arrangement has worked out very strongly in the railroad's (and Warren Buffett's) favor of late. With record quarterly profits recently, the railroad is reaping billions and billions of dollars in profit annually from the arrangement established with the government back in 1864, now 156 years ago. A key feature in the development of the railroad was the arrival of the first trains in Bismarck, North Dakota, in 1873, followed 3 months later by a global financial collapse spawned by the bankruptcy of the over-extended Northern Pacific Railroad. For nearly 10 years, westward progress was halted at Bismarck, North Dakota, with the Mighty Missouri River blocking the way. Incredibly, the river presented such a daunting challenge that a tunnel underneath the river was considered more likely for nearly a year prior to settling on the Bismarck-Mandan Rail Bridge as the solution to the problem. This allowed Bismarck to grow large enough to be designated as the Territorial Capital and later to become the state capital.</p> <p>The bridge was built at a very high-profile site, the exact site where bison crossed the river on their annual migrations, where Native American tribes had gathered for centuries to hunt the bison, and a major cultural crossroads on the plains. The site was known as "The Crossing", where Native Americans had retreated ahead of General Sibley 20 years earlier after being chased out of Minnesota. Amazing, the bridge has withstood the test of time and its hand-carved stone pillars remain sturdy today.</p> <p>The bridge at this location represents for more than simply one of the most impressive engineering feats of the American Frontier. It tells the story of the Northern Pacific Railway better than any other surviving feature of the road. It is a National Treasure. I hope the parties deciding the fate of this bridge can introduce more of this consideration into the rhetoric surrounding the new construction project. There is large opportunity here for BNSF to take positive action in preserving their own and our Nation's history by honoring the existing Historic Bridge. I am grateful for this opportunity to express my feelings in this instance, as the bridge is an anchoring cultural touchpoint in the local community and the state of North Dakota and deserves respect as such.</p>
2/26/2020	<p>I am a new member of the Bismarck Community, moving here only two months ago, but as the new professor of history at Bismarck State College I want to make a simple plea for the preservation of a very historic structure. Communal identity is forged from constructions of past communal experiences, and monuments and structures are obviously very important in marking these experiences. Here we have an iconic structure that in so many ways stands for the city, its history, its legacy, its foundation, and, possibly, its future. We have here an opportunity to create a tangible past that everyone can enjoy, that could actually benefit the community in terms of communal connectivity and public health, foster an appreciation for the city's heritage, and serve to attract young families and professionals to our community. I am reminded of the High Line in New York City, a similar elevated rail line slated for demolition but preserved and converted into a pedestrian park. Unlike statues and memorials, which can draw controversy and divide communities, who doesn't like a park? When considering the environmental impact, please consider the morale and spirit of our community.</p>

Date	Comment text
2/26/2020	<p>As an entity tasked to sustain and grow our region's economy and quality of life, Big Sky Economic Development understands public safety as a fundamental part of economic development and future growth. We ask you to approve the permit for BNSF Railway to build a new railroad bridge over the Missouri River in Bismarck and Mandan, North Dakota.</p> <p>The bridge is more than 100 years old and BNSF says it soon needs to build a new one to continue safely hauling North Dakota's grain and other commodities.</p> <p>Again, We respectfully request you approve the permit so that a new bridge can be built soon and the railroad can safely ship goods that our economy relies on.</p> <p>We appreciate the opportunity to provide our support for the permit to BSNF and continued economic successes hauling commodities by rail which undoubtedly cross multiple commerce jurisdictions.</p>
2/26/2020	<p>I propose it be turned into a 'simple' pedestrian path. Less money than tearing it down and a historical land mark.</p>
2/26/2020	<p>MY COOMENT ABOUT THE BRIDGE I THINK IT A GREAT IDEA TO GET A NEW BRIDGE SINCE THE OLD ONE BEEN THERE FOR A LONG TIME IT ABOUT TIME FOR THIS TO HAPPEN IT WOULD MAKE IT LOOK NICE FOR WHAT EVER IT GOING TO BE USED FOR I CAN'T WAIT FOR THIS TO HAPPEN IF IT DOES HAPPEN IF NOT THAT OK TOO IF IT DOES GO THROUGH HOW ARE THEY GOING TO GET RID OF THE OLD BRIDGE?WOULD IT BE LIVE ON TV FOR EVERYONE TO SEE IF IT DOES HAPPEN OR CAN A PERSON COME OUT TO SEE IT LIVE ON HOWEVER IT GOING TO BE TAKEN DOWN. WILL YOU KEEP EVERYONE INFORM ON THE BRIDGE?OTHERWISE THAT IT FOR ME.THANK YOU VERY MUCH FOR YOUR TIME AND COOPERATION ALSO I HOPE EVERYTHING MAKE SENSE HERE ON WHAT I WROTE. HAVE A GREAT DAY.</p>
2/26/2020	<p>I think the bridge should be retired and demolished. The city of Bismarck has no desire to purchase the bridge for use as a pedestrian walking path, nor do they wish to allocate funds for annual maintenance. The bridge is well over one hundred years old and as it further ages, I believe the cost to maintain it to safe standards for pedestrian use is only going to increase. There are already two pedestrian walkways connecting Bismarck to Mandan, and an additional walkway is unnecessary. There has been no plan submitted by the group spearheading the effort to save the bridge, regarding the cost to purchase and maintain the structure. The walkway use plan benefits only a select group of recreational users. My main objection is the financial burden will have to be born by all the taxpayers to satisfy the wants and desires of a few.</p>
2/26/2020	<p>This bridge is one of only a few remaining railroad trusses in North Dakota, and likely the largest of such. The structure is a key piece of history for both Bismarck and Mandan. If the public would like to see the bridge reused, it should happen. A trail bridge across the Missouri River would also help connect the two towns, and be one of those unique spots in towns like this.</p>
2/26/2020	<p>Please save the railroad bridge crossing the Missouri River at Bismarck Mandan ND.It has many useful purposes and us a landmark around here. Please do Not tear it down!!</p>
2/26/2020	<p>I am writing to ask that you preserve the historic railroad bridge that crosses the Missouri River at Bismarck-Mandan.</p> <p>From an environmental perspective, demolishing the bridge means the waterway will absorb all that rubble and debris. If the structure is useful, even though not as a train bridge, why not keep it intact and let it be used by the public? As an outdoor enthusiast that loves the ecosystem of the river and the great hiking and biking opportunities on both sides of the river, turning the bridge into a pedestrian-only and bicycle-only route will add value to our community members lives. From the minutes of prior public meetings on this bridge, BNSF assured the public that the bridge is structurally sound. If it is feasible to build a second bridge and leave this one in place, preserving both an important piece of our local and national history as well as increasing enjoyment of the Missouri River's recreational opportunities, we have much to lose here in its demolition.</p> <p>Please, I urge you not to let them destroy this bridge. There is an organized group here in our community that will raise the money to preserve and re-purpose this bridge for the enjoyment of generations to come.</p>

Date	Comment text
2/26/2020	<p>I am working with the cities of Bismarck and Mandan on a project called The Great Missouri RiverFest. It is a festival that celebrates the great history of the Missouri river and its importance over centuries. A part of the celebration is a Parade of Lights which presently will use the Memorial Bridge to assemble veterans and youth on the evening of the parade. The city of Bismarck presently requires us to apply for permission to close the bridge in order to host a parade for the veterans before the riverboat leads the parade up the river. If we were able to preserve the existing railway bridge, it would be a dream come true to celebrate both the veteran's parade and the parade of lights (which is hosted by the American Cancer Society and a pediatric cancer charity, Bravehearts for Kids.) Please consider the request to preserve this iconic bridge. Having a bridge like this will greatly improve our walking path system in Bismarck and Mandan and also make the celebration of the Missouri river into a major attraction.</p>
2/26/2020	<p>We live in an area with relatively few old buildings or structures. While we are still connected to our ancestors and our heritage, connection occurs mostly through pictures, stories, and the elderly. The BNSF Railway Bridge across the Missouri River at Bismarck is perhaps the only old structure left that serves to connect us to the early American settlers to this area. As such, it plays a vital role in our community as one of our only historic landmarks.</p> <p>Beyond the historic connotations, the BNSF Railway Bridge also serves as an iconic backdrop to the mighty Missouri River, and is a go-to photography spot for graduation photos and wedding pictures in our community. In fact, my wife and I had our engagement photos taken on the banks of the Missouri directly in front of the BSNF Railway Bridge.</p> <p>Given it's prominence in our history and our conception of the most beautiful spots in the city, I believe it makes a lot of sense to preserve this bridge and give it an ongoing role in the vibrance of the community. One of the best ideas I have heard is to make it a walking bridge, and connecting point between Bismarck and Mandan. With the continued economic development of the waterfront property on both sides of the river, such a bridge could be a hub of commercial and cultural activity.</p>
2/26/2020	<p>This bridge is one of the most historic structures in the state of North Dakota. Every year, less and less remains of our past, and to lose this bridge would be one of the biggest blows in terms of teaching our children and grandchildren our state's history. The eastern side of this country preserves history all the time; let's remember, the east coast has much more of it than North Dakota as they are much older. Other than churches and township schools, and court-houses, there isn't much in North Dakota that tells us about our past. I ask you to remember this when making the decision. This isn't the Brooklyn bridge by any means, but it is to the people of this state. It would encourage children to get off their devices and go outside for a walk across the bridge, and it would be a huge tourism attraction. Very little remains of 19th Century Dakota history much of it is under Lake Sakakawea. Please do not destroy one of the only things we have left from early statehood.</p>
2/26/2020	<p>Keep it for a walking path, build a restaurant in the middle over looking the river, build shops on it</p>
2/26/2020	<p>Being a long time resident and spending many hours navigating the Missouri River near Bismarck, I find it hard to believe that it would even be under consideration to add to another set of bridge piers less than 100 feet from the current rail bridge. Besides the concerns with navigating around multiple sets of piers, I would be very concerned with ice jams forming in this area. I believe there would need to be study completed that assures the residents of Bismarck that this additional structure wouldn't increase our chances of ice jams and flooding up stream.</p> <p>The owner of the bridge has clearly stated that the 130 year old bridge has reached it's useful life. I don't understand any plan that involves keeping a bridge above the river that has reached it's useful life and is no longer safe. If the bridge owner is not allowed to remove the bridge as they requested, the USCG should be held responsible for damages caused by the bridge including ice jams and subsequent flooding.</p>
2/26/2020	<p>I would love to see the bridge repurposed for pedestrian traffic to connect Bismarck and Mandan another way. This will also help to preserve history. My understanding is also that a replacement train bridge must be built along the existing structure anyway so this would be a no-brained so save the existing structure. Thank you for your consideration.</p>

Date	Comment text
2/26/2020	<p>Having grown up in Bismarck and moved away briefly for further education and work experience, I've returned to raise my family in North Dakota to instill the ethics of hard work and integrity. Studying and considering the historical loss if the current bridge were to be removed is vital to the scope of the EIS. Furthermore, to bypass any portion or process associated with the EIS in order to expedite a project or appease any business or organization diminishes the values upon which this country was founded. Historical preservation, wildlife, and the integrity of the people who live in the Bismarck-Mandan area deserve a complete study of impacts associated with all alternatives to BNSF's proposal. It is imperative that the Human Environment, as stated in 40 CFR 1508.14, be considered in detail as the current BNSF bridge is vital to the Bismarck-Mandan area's defining history and current identity. We live in a time of disposal - and with even if the EIS includes mitigation efforts addressing aesthetics, nothing built into a new bridge can replace the history and beauty that exists with one built prior to the Eiffel Tower. I recently read an article on how people throughout the world experience grief from the loss of buildings -Notre Dame, Brazil National Museum, Dresden buildings, Haiti Presidential Palace - to name a few (see <a href="https://www.bbc.com/news/world-47952725">https://www.bbc.com/news/world-47952725</a>). Most of the examples given were due to natural disasters, yet in all cases the grief associated with losing a cultural attraction is real, and it will happen if this bridge is removed. The bridge predates our statehood and is a defining part of our legacy; at some point the cost associated with intentional destruction of historical structures needs to be unreservedly analyzed and considered. If it is, I believe one will find it is worth much more than merely a "structure approaching the end of its useful service life".</p>
2/28/2020	<p>Thank you for the opportunity to comment on the scope of the environmental review for the above-described project. As an initial matter, I want to thank the Coast Guard ("USCG") for determining that an Environmental Impact Statement ("EIS") is required for this project. Given the significance of the historical, aesthetic, and environmental impacts of this project, I am grateful that the USCG will be completing a detailed review of the impacts of BNSF's proposed project. Although I currently live in Minneapolis, Minnesota, from 2014 through 2019 I lived in Bismarck, North Dakota. At the present, I continue to work with a Bismarck, North Dakota-based firm full-time, and I return to Bismarck approximately every three weeks. I intend to continue returning to Bismarck indefinitely. The BNSF Bridge and the Missouri River in the vicinity of the Bridge is deeply meaningful to me because it enriches my personal experience in Bismarck. This is both because of the iconic aesthetics of this Bridge as well as the fact that the Bridge is a constant historical reminder that helps contextualize my existence in Bismarck.</p> <p>As background, when I first arrived in Bismarck in 2014, my first lasting memory was seeing the BNSF Rail Bridge at issue in this docket while walking along the east bank of the Missouri River. I have always been drawn to the water, so upon arriving in Bismarck, I was immediately drawn to the Missouri River. I regularly go for walks, runs, bike rides, as well as drives along the Bismarck Missouri River Trail and River Road in the immediate vicinity of the Rail Bridge as well as the natural trail along the Mandan side of the Missouri River. I find joy in the natural beauty, the fish and wildlife, and the natural and built environments that exist in this unique and iconic place. As I became familiar with the history of Bismarck, North Dakota and the tribes who made their home in the Dakota Territory, I came to understand that not only is the BNSF Rail bridge a visually stunning bridge worthy of preservation, but that it is also a cornerstone of the history of North Dakota and, indeed, is a central component in the history of the United States as well as numerous tribes.</p> <p>I understand that a number of residents in Bismarck and Mandan have dedicated significant time and resources to the development of an alternative to preserve the Bridge and to turn it into a bicycle and pedestrian crossing over the Missouri River. As somebody who already enjoys walking, running, hiking, and biking along the Missouri River and as somebody who plans to continue with these activities in the future, I support these efforts and would both use and enjoy these facilities if they existed. I believe that such a project could make a lasting, positive difference for the communities of Bismarck and Mandan. I therefore greatly appreciate that the USCG plans to consider the environmental impacts of these reasonable alternatives in the EIS.</p>

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	<p>Turning to USCG’s public notice, I understand that the stated purpose and need for this project is “to provide BNSF Railway with a new bridge that can accommodate two tracks at a future date should a second track become needed.” 85 Fed. Reg. 931. I understand that USCG intends to analyze the following alternatives as much ways to meet this stated purpose and need:</p> <p>Alternative 1: “Building a new bridge with 200 foot spans and piers 92.5 1 feet upstream of the existing bridge (alternative considered keeping the existing bridge and removing the existing bridge).” Id.</p> <p>Alternative 2: “Building a new bridge with 400 foot spans and piers 92.5 1 feet upstream of the existing bridge (alternative considered keeping the existing bridge and removing the existing bridge).” Id.</p> <p>Alternative 3: “Building a new bridge with 200 foot spans and piers 42.5 feet upstream of the existing bridge (alternative considered keeping the existing bridge and removing the existing bridge).” Id.</p> <p>Alternative 4: “Building a new bridge with 200 foot spans and piers 20 feet upstream of the existing bridge and removing the existing bridge (BNSF Preferred Design).” Id.</p> <p>With this background in mind, I have broken the remainder of these comments into the following sections, which generally deal with the following: (1) A scoping meeting has not been held; (2) the statement of purpose and need is unlawfully narrow; (3) a bridge refurbishment alternative must be added and carefully analyzed; (4) USCG’s public notice contains factual statements that appear to be improperly pre-determined; (5) a no-action alternative must be carefully analyzed; (6) I submitted a FOIA which would have informed me and allowed me to better provide meaningful comments, but USCG troublingly provided no response to the FOIA; (7) Comments on USCG’s proposal to utilize a programmatic agreement to comply with the National Historic Preservation Act; (8) BNSF must not be allowed to prepare the Draft EIS because BNSF has exhibited clear bias toward its preferred alternative; (9) NEPA scoping comments regarding issues that must be analyzed in the EIS, including changed aesthetics, historic preservation, fish and wildlife impacts, bike and pedestrian connectivity in Bismarck and Mandan, analysis of ice dam likelihood, analysis of bridge scouring likelihood, and impacts from increased weight limits and frequency of trains, including impacts on Bismarck’s quiet rail zone.</p> <p><u>USCG is not correct that it has already held a NEPA scoping meeting.</u></p> <p>USCG’s public notice states that “[o]ur scoping meeting for NEPA and the NHPA was held on December 14, 2017, at the commencement of the Coast Guard bridge permitting process.” 85 Fed. Reg. 932. This is not correct. USCG’s own notice seems to confirm that this December 14, 2017 meeting was not, in fact, a NEPA scoping meeting. To the contrary, USCG describes this meeting in the following way:</p> <p>On December 14, 2017, the Coast Guard held a public meeting and open house in Bismarck, ND, to identify impacts of the bridge alteration or replacement and to provide an opportunity for the public to offer comments relating to the bridge project. The meeting was held in compliance with Section 106 of the NHPA, 36 CFR 800.2(d). In addition, the meeting was also used to explain the NEPA process for this project. At the meeting, the Coast Guard accepted input from the public on the potential impacts associated with the project that should be addressed while developing the Environmental Assessment. Since that time, it has been determined that there might be a significant impact associated with the potential removal of the existing historic bridge. Therefore, the Coast Guard has decided to proceed with the development of an EIS.</p> <p>85 Fed. Reg 931 (emphasis added). In other words, at this meeting, USCG simply “explain[ed] the NEPA process.” Id. After holding this meeting, USCG then determined that BNSF’s proposal warranted an EIS rather than an EA. At the time of this meeting, USCG had not yet determined if it was going to prepare an EIS. Under the circumstances, there is no question that a NEPA scoping public meeting has not been held. CEQ’s NEPA implementing regulations require an “early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.” 40 C.F.R. § 1501.7. Because, no NEPA scoping meeting has been held, I request that</p>

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	<p>one be held so that I and other people who are interested in commenting on the scope of impacts can do so verbally. 40 C.F.R. § 1501.7.</p> <p><u>The Statement of Purpose and Need is Unlawfully Narrow and Results in the Improper Exclusion of Refurbishing the Existing Bridge as a Reasonable Alternative.</u></p> <p>As already noted above, USCG has defined the purpose and need for this project as follows: “to provide BNSF Railway with a new bridge that can accommodate two tracks at a future date should a second track become needed.” 85 Fed. Reg. 931.</p> <p>“The Purpose and Need Statement is critical as it dictates the reasonable range of alternatives the agency will consider.” Coalition for Advancement of Reg'l Transp. v. Federal Highway Admin., 959 F. Supp. 2d 982, 1001 (W.D. Ky. 2013), aff'd, 576 Fed. Appx. 477 (6th Cir. 2014). The Sixth Circuit has cautioned that “[o]ne obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing ‘reasonable alternatives’ out of consideration (and even out of existence)”. Simmons v. U.S. Army Corps of Engineers, 120 F.3d 664, 666 (7th Cir. 1997). For a project proposed by a company (as opposed the government) seeking government permission to construct a project, it is particularly important to consider the actual needs of the applicant when developing the statement of purpose and need. See, e.g., Citizens Against Burlington, Inc. v. Busey, No. 90-1373, 1991 WL 100655 (D.C. Cir. June 14, 1991).</p> <p>I have been unable to find any information suggesting that BNSF actually intends to use two tracks across the Missouri River. To the contrary, the only document from BNSF in the docket states the following:</p> <p style="padding-left: 40px;">Piers accept a future second track - Why?</p> <p style="padding-left: 40px;">BNSF Approach to Bridge Construction: Where we can potentially foresee the need for future added capacity, we construct piers to accommodate an added track.</p> <p style="padding-left: 40px;">Reason: Minimizes the impacts on the environment and public by constructing one pier for two tracks, instead of constructing a second pier in the future.</p> <p>Docket USCG-2019-0882, “BNSF Br. 196.6 Replacement Design Concepts Considered.”</p> <p>These statements are not sufficient for BNSF to explain the purpose and need of its project. Further, these statements are factually suspect for at least three reasons. First, BNSF does not explain why it “potentially foresee[s] the need for future capacity.” Id. Rather, this statement is provided in conclusory form with no supporting information at all.</p> <p>Second, BNSF’s purported reason for desiring a bridge that will accommodate two tracks is to “[m]inimize the impacts on the environment and the public by constructing” now rather than later. This reason is logically flawed because it ignores the environmental and public benefits that would accrue from designing only the bridge that BNSF actually needs. Presumably, a smaller bridge will have a smaller impact aesthetic impact, environmental impact, and impact on the history of the existing BNSF Bridge when compared to a larger bridge. At the absolute minimum, a smaller bridge will use less raw materials and will have a smaller footprint.</p> <p>Third, and perhaps most importantly, I am personally aware that BNSF lacks double-track across nearly the entire railway from Fargo, North Dakota in the east to Beach, North Dakota, in the west. Bismarck is no different. The track that lies just to the east of the Rail Bridge goes through the heart of Bismarck’s downtown, and that track is single-track. An extraordinary effort would be required on the part of BNSF before a double-track bridge over the Missouri River would be useful compared to a single-track bridge because, for such a bridge to be useful, BNSF would also have to build double-track across a much wider area (presumably across most or all of North Dakota). The fact that I am unaware of any existing plans, designs, permit applications, public notices, or even rumors suggesting such a plan from BNSF calls into substantial doubt whether BNSF truly intends to ever use the added width to conduct rail operations on a second track over the Missouri River. Once again, BNSF simply has not come close to meeting its burden to explain the purpose and need of the project for which it is the applicant and sponsor.</p> <p>The end result of drafting the statement of purpose and need to require width sufficient for a two-track bridge cannot be understated. The existing BNSF Bridge has only one track. By framing the purpose and need to require two tracks, the existing bridge can be completely excluded from the</p>

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	<p>consideration of reasonable alternatives. This is precisely the type of situation that the Seventh Circuit warned about when it explained that “[o]ne obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing ‘reasonable alternatives’ out of consideration (and even out of existence)”. <i>Simmons v. U.S. Army Corps of Engineers</i>, 120 F.3d 664, 666 (7th Cir. 1997).</p> <p>In sum, by requiring a two-track bridge instead of a one-track bridge, the statement of purpose and need is unlawfully narrow and does not comply with NEPA’s mandate to consider “alternatives to the proposed action.” 42 U.S.C. § 4332(C)(iii). The statement of purpose and need must be revised by removing all language referring to the need for two tracks unless BNSF can clearly support its need for such a bridge based upon existing plans.</p> <p><u>Refurbishment of the Existing Rail Bridge for Rail Purposes Must be Included in the EIS as a Reasonable Alternative.</u></p> <p>Assuming that USCG concurs with the above comment, then refurbishment of the existing bridge is reasonable alternative that must be considered because this alternative would meet the remaining portion of the statement of purpose and need. Thus, in addition to revision of the statement of purpose and need, I request that the reasonable alternative of refurbishing the existing rail bridge be analyzed in the EIS.</p> <p><u>USCG’s Public Notice Contains Factual Statements that Appear Pre-Determined and are Not Supported by the Existing Record.</u></p> <p>USCG’s public notice states the following:</p> <p style="padding-left: 40px;">BNSF Railway Company owns and operates the existing bridge that crosses the Missouri River between the cities of Mandan, and Bismarck, North Dakota. With components over 130 years old, the in-place structure is approaching the end of its useful service life. The structure has a history of exposure to ice jams and its substructure configuration renders it potentially susceptible to scour events. Although currently stable, the structure has experienced structural issues at both approaches in the past, resulting in unanticipated substructure movements. Since constructing the original bridge in 1882, the east hill slope began to move and resulted in the slope moving the pier west towards the river inches per year. Multiple remediation efforts to correct the pier damage/location and slope movement took place from the early 1800s to the mid 1950s.</p> <p>The above statements contain factual information that is not supported in the existing publicly-available docket. Further, these statements appear to be facts that USCG has pre-determined. Courts have consistently held that such predeterminations are improper under NEPA. See, e.g., <i>Davis v. Mineta</i>, 302 F.3d 1104, 1112 (10th Cir. 2002). Fortunately, at this stage of the process, these pre-determinations can be corrected. I believe these pre-determinations can be corrected through detailed analysis of a no action alternative, which I discuss in the next section.</p> <p><u>USCG Must Include, and Meaningfully Review, a No Action Alternative.</u></p> <p>USCG’s public notice describes four alternatives in its public notice. 85 Fed. Reg. 931. However, none of these alternatives include a no-action alternative. CEQ’s implementing regulations for NEPA require that the alternatives considered in an EIS “[i]nclude the alternative of no action.” 40 CFR § 1502.14(d). Here, it is particularly important that the no-action alternative be meaningfully and carefully reviewed in the EIS. This is because BNSF has suggested that the existing bridge is flawed in some way, and that these flaws will persist and worsen over time. In other words, BNSF has suggested that if no action is taken, the existing bridge may become structurally unsound. The EIS must carefully and meaningfully investigate these claims in the no-action alternative. BNSF’s statements may not be taken as pre-ordained fact. Additionally, to the extent that USCG finds any structural issues with the existing bridge in the EIS, USCG must incorporate this analysis into the bridge refurbishment alternative that I discuss in Section III above to meaningfully develop an alternative to mitigate these impacts.</p> <p><u>USCG’s Lack of Response to the June, 2018 FOIA I Submitted is Concerning and Makes it Difficult for Me to Provide Meaningful Comments in Response to USCG’s Public Notice.</u></p> <p>On June 13, 2018, I submitted a Freedom of Information Act Request (“FOIA”) to USCG. I requested the following three items:</p> <ol style="list-style-type: none"> <li>1. BNSF’s application(s) to obtain permit(s) from USCG for the Bridge Project;</li> </ol>

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	<p>2. All written materials that BNSF and its representatives/contractors have provided to the USCG in support of BNSF's application(s) to obtain permit(s) from the USCG for the Bridge Project; and</p> <p>3. All written e-mails, letters, and memoranda sent between the USCG and the United States Fish and Wildlife Service in USCG's possession discussing or related to the Bridge Project.</p> <p>I received no response to this FOIA request. Specifically, I received neither records responsive to this FOIA nor a "no responsive records" determination letter. I understand that USCG received this FOIA because I emailed with USCG on several occasions about this FOIA request.</p> <p>Eventually, an attorney in my firm submitted a FOIA appeal to the Department of Homeland Security on my behalf. I never received a response to that FOIA appeal either.</p> <p>So that the record on this matter is complete, I am attaching the FOIA appeal as an exhibit to this comment letter. The FOIA appeal includes correspondence between myself and USCG regarding the FOIA, as well as the original FOIA that I submitted.</p> <p>Approximately two weeks ago, I once again reached out to USCG and indicated that I had not received a response to this FOIA request, and that the lack of any response would make it difficult for me to provide meaningful NEPA scoping comments. I spoke with a USCG official on the phone, who indicated that there is not yet an application pending for this project. This, however, explains neither the lack of a "no responsive records" letter or the fact that this NEPA scoping EIS process only exists because USCG is considering granting a permit to BNSF. As I explained on the phone, I have to assume that the permitting process was started by some type of a document, which I would reasonably called an application in the FOIA. Regrettably, my inability to view the document(s) submitted by BNFS that imitated this process has hobbled my ability to comment. Alternatively, if no such document exists, then I do not understand why how this process could have begun in the first place.</p> <p>Today, while preparing these comments, I discovered USCG's Bridge Permit Application Guide, which is referenced in USCG's public notice and is available here:  <a href="https://www.dco.uscg.mil/Portals/9/DCO%20Documents/5pw/Office%20of%20Bridge%20Programs/BPAG%20COMDTPUB%20P16591%203D_Sequential%20Clearance%20Final(July2016).pdf">https://www.dco.uscg.mil/Portals/9/DCO%20Documents/5pw/Office%20of%20Bridge%20Programs/BPAG%20COMDTPUB%20P16591%203D_Sequential%20Clearance%20Final(July2016).pdf</a> That Guide clearly states that such a document should exist and is called a "Bridge Project Initiation Request." The language in the Guide describes this document in the same way that I would describe an application. Indeed, the Guide notes that this is the first document that the "applicant submits." Id. at p. 1.</p> <p>Once again, I request that this document be provided to me in response to the FOIA submitted. I further request that this NEPA scoping comment period be re-opened after this document has been provided so that I can provide updated comments based upon the information contained in that document.</p> <p><u>Comments Regarding UCSG's Proposal to Use a Programmatic Agreement to Comply with Section 106 of the National Historic Preservation Act</u></p> <p>There is almost no information at all in the public notice regarding USCG's plans to use a programmatic agreement to comply with Section 106 of the NHPA, other than the brief mention that USCG plans on preparing a programmatic agreement that it will allow the public to comment upon along with a Draft Environmental Impact Statement. I do not have sufficient information to comment on this plan, but I note for the record that I am in favor of any programmatic agreement that preserves the existing Rail Bridge.</p> <p><u>Houston Engineering has a Conflict of Interest and May not Prepare the Draft Environmental Impact Statement for this Project Due to Extensive Work it Performs for BNSF.</u></p> <p>During the December 14, 2017 meeting, Mr. Aanenson, who works for Houston Engineering, explained that "The project sponsor is BNSF Railway Company. They are ultimately responsible for much of the work throughout the NEPA process." (emphasis added). My understanding based on these statements and others contained within this document is that Houston Engineering is providing NEPA consulting services to BNSF, and that it is Houston Engineering's opinion that BNSF will preparing a sizeable portion of the environmental analysis.</p> <p>First, I note that Houston Engineering has a conflict of interest if it is preparing any EIS documents directly for the Coast Guard. See 40 C.F.R. § 1506.5(c). This conflict of interest exists due to Houston</p>

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	<p>Engineering’s long-term business relationship with BNSF. A brief Google Search reveals numerous engineering and construction projects that Houston Engineering has completed on behalf of BNSF, such as:</p> <p><a href="https://www.houstoneng.com/what-we-do/Transportation/Rail/1">https://www.houstoneng.com/what-we-do/Transportation/Rail/1</a>  <a href="https://www.houstoneng.com/bnsftrackraiseandembankmentwidening/2">https://www.houstoneng.com/bnsftrackraiseandembankmentwidening/2</a>  <a href="https://www.houstoneng.com/bnsfwinterdroneflights/3">https://www.houstoneng.com/bnsfwinterdroneflights/3</a>  <a href="https://www.houstoneng.com/2ndstreetcsah7railroadbridgereplacement/4">https://www.houstoneng.com/2ndstreetcsah7railroadbridgereplacement/4</a></p> <p>I trust that USCG does not intend to allow Houston Engineering or BNSF to prepare the draft environmental impact statement, or any portion of the draft environmental impact statement, and that USCG will undertake a rigorous, meaningful, and unbiased review of the project’s environmental impacts as required by NEPA.</p> <p><u>Environmental Impacts that Must be Considered in the Scope of the EIS</u></p> <p>Thank you again for the opportunity to provide comments on this important issue. I believe that the following environmental impacts are the highest priority and should be carefully considered in the EIS:</p> <ol style="list-style-type: none"> <li>1. Impacts to the historically significant existing BNSF Bridged  The Rail Bridge is historically significant and eligible for listing on the National Register of Historic Places pursuant to Criteria A, B, and C. Indeed, the bridge was recently named to the list of Most Endangered Historic Places due to BNSF’s proposal to tear down the bridge. Moreover, because the bridge is such an iconic structure, it has permeated the every-day lives of the people who have lived and work in its vicinity of this bridge ever since it was built. I count myself among the people impacted by the history of this bridge. Tearing this bridge down would be to tear down an extraordinary and irreplaceable piece of history, and sobering as some of that history is, it nonetheless is our history and deserves to be protected for future generations so that they may better understand their place in the world, just as this bridge has done for me and continues to do for me.</li> <li>2. Aesthetic Impacts Must be Carefully Considered  Of course, it almost goes without saying that aesthetic impacts must be carefully considered for all project alternatives. Indeed, I believe that the aesthetic significance of this bridge is so substantial that nearly every visitor guide for the Bismarck-Mandan area includes this bridge, likely on the cover.</li> <li>3. Construction and Demolition Impacts Must be Considered  The environmental impacts of construction and demolition for each alternative must be considered in detail. <ol style="list-style-type: none"> <li>A. Impacts of Construction and Demolition on Navigation  The impacts of in-water construction and demolition activities on navigation must be analyzed for each of the proposed alternatives. Mitigation measures to improve river navigation while construction and demolition takes place should be analyzed and included in the EIS to minimize environmental impacts.</li> <li>B. Impacts of Construction and Demolition on Recreation and Health  Bridge construction and demolition can be particularly burdensome on people recreating near the location of this construction. This is due to noise, dust, and sedimentation that can be caused by construction and demolition work. The Missouri River (especially in the area adjacent to the Rail Bridge) is heavily used for recreation purposes. These recreation purposes including boating, swimming, walking, running, fishing, and simply enjoying the scenery. Both direct and indirect impacts to recreation that would be caused by the construction and/or demolition that would take place for each project alternative must be analyzed.</li> <li>C. Impacts of Construction and Demolition on Fish and Wildlife  The in-water work involved with bridge demolition and pile driving for construction of the proposed new bridge’s piers will cause concussive impacts that are well-known to cause mortality of fish and disruption of fish migration and reproduction. For example, the EIS completed for the Columbia River Crossing in Oregon (to which USCG was a cooperating</li> </ol> </li> </ol>

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	<p>agency) noted that noise shockwaves caused by underwater bridge pile-driving can extend great distances through the water, leading to fish mortality. In-water work may also likely lead to siltation of the Missouri River adjacent to and downstream from demolition and construction activities. The scope of the NEPA analysis must include analysis of these in-water construction and demolition impacts to all potential species that may be present. First, construction and demolition methods must be described in detail for all alternatives, with particular attention placed on noise-producing and siltation-producing activities. second, potential species must be described within the radius of effects of this in-water work. Notably, pallid sturgeon have been documented by government agencies as present in these waters and are known by local fishermen to exist in the waters directly adjacent to the existing bridge. This species is a listed endangered species and must be specifically studied in the DEIS. Finally, for each species, impacts of construction and demolition must be analyzed, including injury, mortality, and change in reproduction of these species. Mitigation measures (such as noise-reducing construction methods, time-limited in-water work windows, and siltation barriers) should be described in the DEIS to minimize these effects, including for endangered and sensitive species such as pallid sturgeon. Due to the potential to disrupt Pallid Sturgeon, I request that USCG consult with the U.S. Fish and Wildlife Service on this project.</p> <p>4. The Benefits of Bike and Pedestrian Connectivity Must be Considered for Those Alternatives that Include Construction of a New Bridge and Keeping the Existing Bridge I applaud the proposal prepared by Friends of the Rail Bridge to preserve the existing Rail Bridge and to convert it to pedestrian and bicycle use. The benefits of this project must be carefully considered. I note, for example, that there is existing bicycle and walking/running/hiking infrastructure on both sides of the existing Rail Bridge, but that the networks on both sides of the bridge are not connected. The analysis should determine the environmental impacts (including positive impacts), in detail, of this proposal.</p> <p>5. The Safety of Each Alternative Must be Evaluated</p> <p>A. Structural Analysis of the Existing Bridge As previously described in these comments, I believe it is critical that the no-action alternative carefully determine whether there are any structural issues with the current bridge and, if yes, the extent of these issues. To date, I have not seen any analysis of this issue, even though BNSF and USCG have indicated that this is a primary reason that this project is being considered in the first place.</p> <p>B. Analysis of Scouring Risk Similarly, I also believe it is critical that scouring risk be analyzed for each of the project alternatives. To date, I have not seen an analysis of this issue, even though BNSF and USCG have indicated that this is a primary reason that this project is being considered in the first place.</p> <p>C. Ice Damn Risk I also believe it is critical that ice dam risk be analyzed for each of the project alternatives. To date, I have not seen an analysis of this issue, even though BNSF and USCG have indicated that this is a primary reason that this project is being considered in the first place.</p> <p>D. Derailment Risk Derailment risk should be analyzed and reviewed for each of the project alternatives. To the extent that hazardous materials are carried over these bridges, this is a particularly important consideration. I also request that this analysis specifically consider BNSF's request for doublestacked rail cars on the newly-constructed bridge, and whether these double-stacked cars have an increased derailment risk.</p> <p>6. Impacts from Increased Weight Limits and Train Frequency Must be Evaluated</p> <p>A. Train Locomotive and Rail Car Noise.</p>

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	<p>It appears that BNSF desires to construct this new bridge to increase the number of rail cars that it can transport over the Missouri River. Specifically, it has asked for a bridge that supports two tracks and double-stacked rail cars. With this increased freight haulage will come significantly increased noise. I request that the noise impacts of this increased freight capacity be considered in the EIS, including on both humans recreating in close proximity to the bridge as well as wildlife in close proximity to the bridge.</p> <p>B. Train Horn Noise and Potential Impacts on Bismarck's Rail Quiet Zone</p> <p>I request that the EIS specifically consider whether increased rail capacity on the BNSF rail bridge, including the use of double-stacked rail cars, will impact Bismarck's Rail Quiet Zone. To the extent that the Federal Rail Agency is a cooperating agency, I specifically request that the Federal Rail Agency provide input on this question. The Quiet Rail rules are located at 49 CFR § 222.35.</p>