PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 01, 2020
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Posted: February 03, 2020
Tracking No. 1k4-9erp-u3c4
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0005
Mass Mail Campaign 1: Comment Submitted by Howard Klug, Total as of 2/26/2020: 26

Submitter Information

Name: Howard Klug

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 04, 2020
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Posted: February 04, 2020
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Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0006
Comment Submitted by Serena Carlson

Submitter Information

Name: Serena Carlson

General Comment

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.

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.

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

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.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 10, 2020
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Tracking No. 1k4-9ey4-c85v
Comments Due: February 24, 2020
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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0007
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

This is one of North Dakota's most iconic landmarks. Losing the bridge would be a tragedy.

PUBLIC SUBMISSION

As of: March 12, 2020
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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0008
Comment Submitted by Nickie Bradbury

Submitter Information

Name: Nickie Bradbury
Address: United States,
Email: [redacted]

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 11, 2020
Status: Posted
Posted: February 12, 2020
Tracking No. 1k4-9eyp-e9a8
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0009
Comment Submitted by Killian Knapp

Submitter Information

Name: Killian Knapp
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 11, 2020
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Posted: February 12, 2020
Tracking No. 1k4-9eyq-a9va
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0010
Comment Submitted by Kathy Poppke

Submitter Information

Name: Kathy Poppke
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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. Thank you

PUBLIC SUBMISSION

As of: March 12, 2020
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Posted: February 12, 2020
Tracking No. 1k4-9eyr-ifa1
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0011
Comment Submitted by Ice Man

Submitter Information

Name: Ice Man

General Comment

Most of ND save for the Badlands is mundane landscape and buildings. The long span bridge & 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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9ez2-r0pd
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0012
Comment Submitted by Renae Grimes

Submitter Information

Name: Renae Grimes
Address:
[redacted]
Phone: [redacted]

General Comment

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

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 11, 2020
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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0013
Comment Submitted by Joel Bismarck

Submitter Information

Name: Joel Land
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

Hello,

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.

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.

I have attached a picture of my family on the Walnut Street Pedestrian Bridge in Chattanooga, TN from 2018. My parents (Tom & 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: https://en.wikipedia.org/wiki/Walnut_Street_Bridge_(Chattanooga)

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.

Bismarck has amazing things to offer. We can't afford to tear them down.

Thank you for reading,
Sincerely,
Joel Land

Attachments

Comment Submitted by Joel Bismarck

The attachment is restricted to restrict all because it contains personally identifiable information data

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9ez7-mscw
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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0014
Comment Submitted by Joe Burgum

Submitter Information

Name: Joe Burgum
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

PUBLIC SUBMISSION

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Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0015
Comment Submitted by Nicholas Bradbury

Submitter Information

Name: Nicholas Bradbury
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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.

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.

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 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.

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.

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. 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.

Attachments

Northern Pacific Bridge in Winter

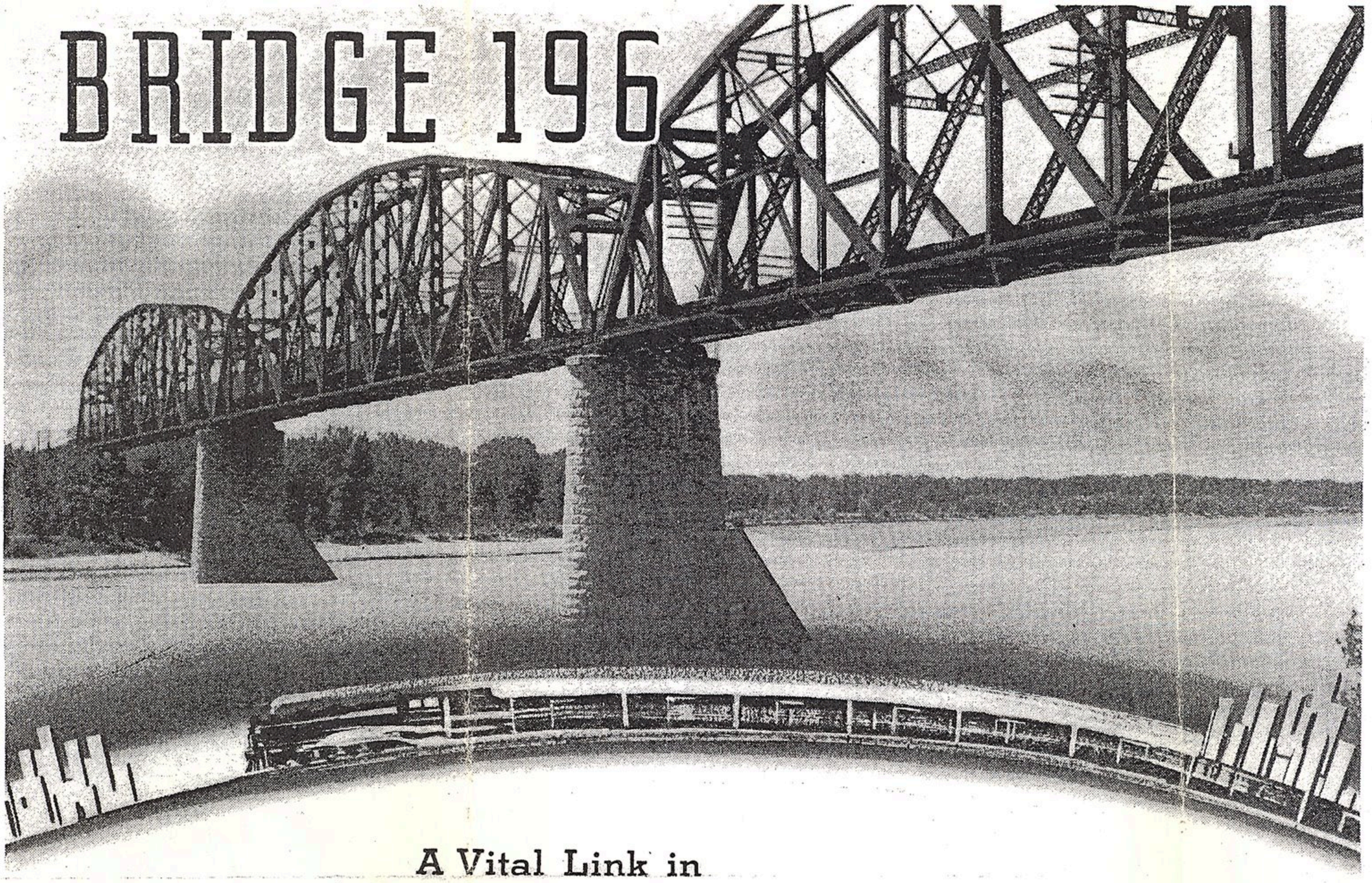
Rail Bridge Fall

Family With Bridge

The attachment is restricted to restrict all because it contains personally identifiable information data

Bridge Ad Northern Pacific

BRIDGE 196



A Vital Link in Transcontinental Railway Service

Almost equivalent to scaling and tunnelling great mountain ranges to construct the "First of the Northern Transcontinentals" was the bridging of the mighty Missouri, greatest river barrier in the Northwest.

In the office files of the Northern Pacific engineering department the 1,514-foot structure between Bismarck and Mandan, North Dakota is indexed simply as "Bridge No. 196" but it is a vital link in transportation across the Northwest. Into its steel girders and granite piers is woven the ever-continuous story of Northwest and World trade. Across its steel trusses flow grain and wool, livestock and lumber, gold dust and mineral ores, fruit and salmon.

Until 1882 Indians and frontiersmen looked at the tumultuous "Big Muddy" and swore no man could tame it. But the undaunted railroad builders watched the migrating buffalo and confidently located the vital structure where the great herds swam the stream.

As heavier locomotives and cars take the place of the old and as train schedules tighten, Bridge No. 196 "carries on" to serve North Pacific shippers with dependable transportation. It is one of the historic links between East and West, one of the ranking "firsts" in national railroad service.

NORTHERN PACIFIC

YELLOWSTONE PARK LINE

NORTHERN PACIFIC RY.

Route of the Air-Conditioned NORTH COAST LIMITED

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 12, 2020
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Posted: February 14, 2020
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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0016
Comment Submitted by

Submitter Information

Name: Dominic Fischer

General Comment

Dear United States Coast Guard,

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.

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.

Dear United States Coast Guard,

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.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0017
Comment Submitted by

Submitter Information

Name: Bryan Leininger
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

Greetings,

I am writing in support of the preservation of the BNSF Railway Bridge.

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.

Built in the same decade has New York City's Brooklyn Bridge, it is deserving of similar preservation and treatment for future generations to marvel at and enjoy.

Bryan Leininger, Professional Landscape Architect
Fargo, ND

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 12, 2020
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Posted: February 14, 2020
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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0018
Comment Submitted by

Submitter Information

Name: Jeannie Soule
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

There are many many people that have very speciual memories of the bridge that was torn down and want this bridge left as part off the wonderful historical structure that it is. What is left? I our Carnegie library is gone, the memorial bridge is gone ,Please keep this bridge .

PUBLIC SUBMISSION

As of: March 12, 2020
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Status: Posted
Posted: February 14, 2020
Tracking No. 1k4-9ezi-313k
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0019
Comment Submitted by

Submitter Information

Name: Rose Laning
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Posted: February 14, 2020
Tracking No. 1k4-9ezr-im8g
Comments Due: February 24, 2020
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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0020
Comment Submitted by

Submitter Information

Name: Martha Willand
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9ezv-8138
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0021
Comment Submitted by Cole Bernhardt

Submitter Information

Name: Cole Bernhardt
Address: United States,
Email: [redacted]

General Comment

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.
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.

Thank you,
Cole E. Bernhardt
Bismarck ND - lifelong resident

Attachments

Cole Bernhardt

PUBLIC SUBMISSION

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Status: Posted
Posted: February 14, 2020
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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0022
Comment Submitted by Anonymouc

Submitter Information

Name: Anonymous Anonymous

General Comment

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.

Thank you-

https://www.youtube.com/watch?v=FO_-qTF_DoM

PUBLIC SUBMISSION

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Posted: February 14, 2020
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Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0023
Comment Submitted by Austin Schmidt

Submitter Information

Name: Austin Schmidt
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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.

The residents of both Bismark-Mandan are pleading with you, PLEASE do the right thing and save the bridge.

Attachments

Austin Schmidt

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.

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 has been proven feasible by study, as well as provide both communities a better way of life. Trails more specifically rail to trails have been proven to increase happiness and healthiness within local communities.

The residents of both Bismark-Mandan are pleading with you, PLEASE do the right thing and save the bridge.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 14, 2020
Status: Posted
Posted: February 14, 2020
Tracking No. 1k4-9f0f-hwc1
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0024
Comment Submitted by Cheryl Schmidt

Submitter Information

Name: cheryl schmidt

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 14, 2020
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Posted: February 14, 2020
Tracking No. 1k4-9f0g-u71l
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0025
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 14, 2020
Status: Posted
Posted: February 14, 2020
Tracking No. 1k4-9f0h-7vqk
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0026
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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

PUBLIC SUBMISSION

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Received: February 18, 2020
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Posted: February 18, 2020
Tracking No. 1k4-9f37-ju8n
Comments Due: February 24, 2020
Submission Type: API

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0027
Comment Submitted by Susan Wefald, Friends of the Rail Bridge

Submitter Information

Name: Susan Wefald
Address:
[redacted]
Email: [redacted]
Phone: [redacted]
Submitter's Representative: Susan Wefald
Organization: Friends of the Rail Bridge

General Comment

See attached file(s)

Attachments

Friends of the Rail Bridge

February 16, 2020

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

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 preparation of an environmental impact statement (EIS) in compliance with the National Environmental Policy Act.

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.

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.

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.
>
> 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.
>
> 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.
>
> 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."

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.

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.

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 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)).

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.

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.

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.

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?

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.

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.

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.

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).

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."

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.

Sincerely,

Mark Zimmerman
President
Friends of the Rail Bridge

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 18, 2020
Status: Posted
Posted: February 18, 2020
Tracking No. 1k4-9f37-4yya
Comments Due: February 24, 2020
Submission Type: API

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0028
Duplicate Comment Submitted by Susan Wefald, Friends of the Rail Bridge (0027)

Submitter Information

Name: Susan Wefald
Address:
[redacted]
Email: [redacted]
Phone: [redacted]
Submitter's Representative: Susan Wefald
Organization: Friends of the Rail Bridge

General Comment

See attached file(s)

Attachments

Friends of the Rail Bridge

February 16, 2020

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

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 preparation of an environmental impact statement (EIS) in compliance with the National Environmental Policy Act.

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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.

Sincerely,

Mark Zimmerman
President
Friends of the Rail Bridge

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 14, 2020
Status: Posted
Posted: February 18, 2020
Tracking No. 1k4-9f0k-ft32
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0029
Comment Submitted by Mike [Last Name Unknown]

Submitter Information

Name: Mike Anonymous

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 14, 2020
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Posted: February 18, 2020
Tracking No. 1k4-9f0m-wfqb
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0030
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 14, 2020
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Posted: February 18, 2020
Tracking No. 1k4-9f0p-g7or
Comments Due: February 24, 2020
Submission Type: API

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0031
Comment Submitted by Jeffrey Olson

Submitter Information

Name: Jeffrey Olson
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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. Thank You, Jeffrey Olson

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Attachments

Jeffrey Olson

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 16, 2020
Status: Posted
Posted: February 18, 2020
Tracking No. 1k4-9f1i-tfrb
Comments Due: February 24, 2020
Submission Type: API

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0032
Comment Submitted by Christopher Anderson

Submitter Information

Name: Christopher Anderson
Address:
[redacted]
Email: [redacted]
Phone: [redacted]
Submitter's Representative: Rob Quick
Organization: Bobcat

General Comment

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 importamt to us.

PUBLIC SUBMISSION

As of: March 12, 2020
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Posted: February 18, 2020
Tracking No. 1k4-9f2n-ex15
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0033
Comment Submitted by Paul Klebe

Submitter Information

Name: Paul Klebe
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

PUBLIC SUBMISSION

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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0034
Comment Submitted by Fintan Dooley

Submitter Information

Name: Fintan Dooley
Address:
[redacted]
Email: [redacted]

General Comment

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.

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.

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.

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.

I asked the sheriff what happened . He said , " Nothing. "I asked him why. He said , " It was a problem solved."

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0035
Comment Submitted by Ryan Allen

Submitter Information

Name: Ryan Allen

General Comment

See attached file(s)

Attachments

Ryan Allen

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0036
Comment Submitted by D. Engel

Submitter Information

Name: D Engel
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0037
Comment Submitted by Karen Meter

Submitter Information

Name: Karen Meter
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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?

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0038
Comment Submitted by Lillian Crook

Submitter Information

Name: Lillian Crook
Address:
[redacted]

General Comment

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 & 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.

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.

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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0039
Comment Submitted by Justin Cremer

Submitter Information

Name: Justin Cremer
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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 to 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 poesses 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.

Thank you

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0040
Comment Submitted by Megan Antonio

Submitter Information

Name: Megan Antonio

General Comment

Save the bridge!

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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0041
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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.

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. Thank you.

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0042
Comment Submitted by Ann Richardson

Submitter Information

Name: Ann Richardson

General Comment

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.

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0043
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.
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. 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.

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!

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0044
Comment Submitted by Todd Knispel

Submitter Information

Name: Todd Knispel

General Comment

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.
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.

Choose one of the other options for building a new bridge and keeping the historic BNSF Bridge.

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0045
Comment Submitted by Duke Rosendahl

Submitter Information

Name: Duke Rosendahl
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0046
Comment Submitted by Gabriel Elhardt

Submitter Information

Name: Gabriel Elhardt

General Comment

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.

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0047
Comment Submitted by James Schwartz

Submitter Information

Name: James Schwartz
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0048
Comment Submitted by D. Warner

Submitter Information

Name: D Warner
Address:
[redacted]
Phone: [redacted]

General Comment

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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0049
Comment Submitted by Matt Hubner, US Environmental Protection Agency, Region 8

Submitter Information

Name: Matt Hubner
Organization: US Environmental Protection Agency Region 8
Government Agency Type: Federal
Government Agency: EPA

General Comment

Attached is a scanned copy of EPA's scoping comments for the BNSF Railway Bridge Crossing the Missouri River at Bismarck, ND Project. We appreciate the opportunity to provide scoping comments for this project and hope they will be useful as you move forward with development of the EIS. Please don't hesitate to reach out if you have any questions regarding our comments or if we can assist you further.

Sincerely,

Matt Hubner
NEPA Branch
U.S. EPA, Region 8, 8ORA-N
1595 Wynkoop Street
Denver, CO 80202-1129
p: (303) 312-6500 / f: (303) 312-7203

See attached file(s)

Attachments

US Environmental Protection Agency Region 8

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

February 21, 2020

Ref: 8ORA-N

Eighth Coast Guard District (dwb)
1222 Spruce Street
Suite 2.102D
St. Louis, Missouri 63103-2832
Attn: Rob McCaskey

Dear Mr. McCaskey:

The U.S. Environmental Protection Agency Region 8 has reviewed the United States Coast Guard's (USCG) January 8, 2020, notice of intent (NOI) for the EIS that is being prepared for the BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota. The following comments were prepared in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and in anticipation of our review of the EIS under Section 309 of the Clean Air Act.

We recommend USCG include the following topics in the scope of analysis in the Draft EIS:

- Ensuring the EIS includes the analysis necessary to support CWA Section 404 permitting;
- Impacts to Waters of the U.S. (WOTUS), including wetlands and Section 404 permits under the Clean Water Act;
- Impacts water resources, including water quality, riparian habitat, stream morphology and surface water and groundwater movement, as well as any National Pollutant Discharge Elimination System (NPDES) permits needed (Section 402 of the Clean Water Act);
- Impacts to air quality; and
- Impacts to environmental justice communities;

Consistency with NEPA and Clean Water Act Permit Requirements

Purpose and Need

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.

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.

Range of Alternatives

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 permittable, 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.

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.

WOTUS and Water Quality

Analysis/Resource Considerations

Affected Environment and Baseline Conditions

Please consider the following when defining baseline conditions:

- Verify that any historical data (e.g., data 5 years or older) are representative of current conditions.
- 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.
- 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.

Direct, Indirect and Cumulative Effects

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.

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.

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 hydrologic 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.

Waters of the U.S.

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:

- Description of impacts under individual or nationwide permits authorizing the discharge of fill or dredge materials to waters of the U.S.;
- Maps, including wetland delineation and regional water features;
- Wetland delineation and descriptions, including wetlands function analysis if it is expected that the project will cause impacts;
- 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.
- Consideration of minimization measures that could reduce adverse effects associated with alternatives; and
- A description of mitigation measures for any unavoidable adverse impacts to waters of the U.S.

Compliance with Executive Order 11990 Protection of Wetlands

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.

Riparian Habitat, Stream Morphology and Surface Water and Groundwater Movement

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.

Clean Water Act § 401 Certifications

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 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.

Air Quality

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.

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.

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.

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.

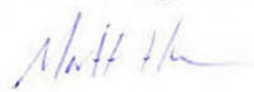
Environmental Justice and Community Impacts Concerns

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.

Closing

We appreciate your consideration of our comments at this early stage of the process. These comments are intended to help ensure a thorough assessment of the project's environmental impacts, adequate public disclosure, and an informed decision-making process. If further explanation of our comments is desired, please contact me at (303) 312-6500 hubner.matt@epa.gov or my supervisor Philip Strobel at 303) 312-6704 strobel.philip@epa.gov.

Sincerely,



Matt Hubner
NEPA Branch

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0050
Comment Submitted by Ashley De La Vina

Submitter Information

Name: Ashley De La Vina

General Comment

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.
Thank you

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0051
Comment Submitted by Patrick Ward

Submitter Information

Name: Patrick Ward

General Comment

I support saving this bridge and converting it to a park for use by pedestrians and others in Bismarck area.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0052
Comment Submitted by [First Name Unknown] Hopfauf

Submitter Information

Name: Anonymous Hopfauf

General Comment

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 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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0053
Comment Submitted by Alexi Murphy

Submitter Information

Name: Alexi Murphy
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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 withe 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.

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NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0054
Comment Submitted by Sherry Kulish

Submitter Information

Name: Sherry Kulish

General Comment

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!

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0055
Comment Submitted by Patricia Mann Grantier

Submitter Information

Name: Patricia Mann Grantier
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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.

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.

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NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0056
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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?

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NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0057
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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 your 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.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0058
Comment Submitted by Lynnell Strothman

Submitter Information

Name: Lynnell Strothman
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0059
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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!

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NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0060
Comment Submitted by John Nelson

Submitter Information

Name: John Nelson

General Comment

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.

Thanks for listening,

John Nelson

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NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0061
Comment Submitted by Mark Zimmerman

Submitter Information

Name: Mark Zimmerman

General Comment

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.

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.

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.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0062
Comment Submitted by Margie Zalk Enerson

Submitter Information

Name: Margie Zalk Enerson
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

The Coast Guard should follow the EIS process and not rush it due to BNSF's pleas.

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.

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.

Please have the EIS address these issues:
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 the proposed project impact our cultural heritage?
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?

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?

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NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0063
Comment Submitted by Mike Metcalf

Submitter Information

Name: Mike Metcalf
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

As a frequent visitor to Bismarck & 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 embelemizes 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.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0064
Comment Submitted by Amy Sakariassen

Submitter Information

Name: Amy Sakariassen
Address:
[redacted]
Phone: [redacted]

General Comment

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. Ltes 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.

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0065
Comment Submitted by Kay Luthin

Submitter Information

Name: Kay Luthin

General Comment

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.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0066
Comment Submitted by John [Last Name Unknown]

Submitter Information

Name: John Anonymous

General Comment

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.

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.

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.

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.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0067
Comment Submitted by Herb Luthin

Submitter Information

Name: Herb Luthin
Address:
[redacted]

General Comment

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.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0068
Comment Submitted by John Burke

Submitter Information

Name: John Burke
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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!

Thank you

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
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Posted: February 25, 2020
Tracking No. 1k4-9f6t-ng79
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0069
Comment Submitted by Mandy Persson

Submitter Information

Name: Mandy Persson

General Comment

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.

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.

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.

PUBLIC SUBMISSION

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NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0070
Comment Submitted by Lyle Witham,

Submitter Information

Name: Lyle Witham
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

Please consider the attached comments relating to the appropriate issues for the analysis relating to the Environmental Impact Statement (EIS) to evaluate the potential environmental consequences of replacing the existing BNSF bridge across the Missouri River at Bismarck, ND, or constructing a bridge adjacent to the existing bridge.

Thank you for the opportunity to comment on these issues.

Lyle Witham

Attachments

Final Comments on EIS Scoping Alternatives for new BNSF bridge at Missouri River Crossing

Murphy Article northern-pacific-railway-bridge

The attachment is restricted to restrict all because it contains copyrighted data

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

Docket Number **USCG-2019-0882**

85 Fed. Reg. 930 (January 8, 2020)

Re: BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Comments on EIS scoping request regarding:

The appropriate issues for the analysis relating to the Environmental Impact Statement (EIS) to evaluate the potential environmental consequences of replacing the existing BNSF bridge across the Missouri River at Bismarck, ND, or constructing a bridge adjacent to the existing bridge.

Comments submitted to:

Docket number USCG-2019-0882 using the Federal eRulemaking Portal at https://www.regulations.gov/

February 23, 2020

Comments submitted by:

Lyle G. Witham

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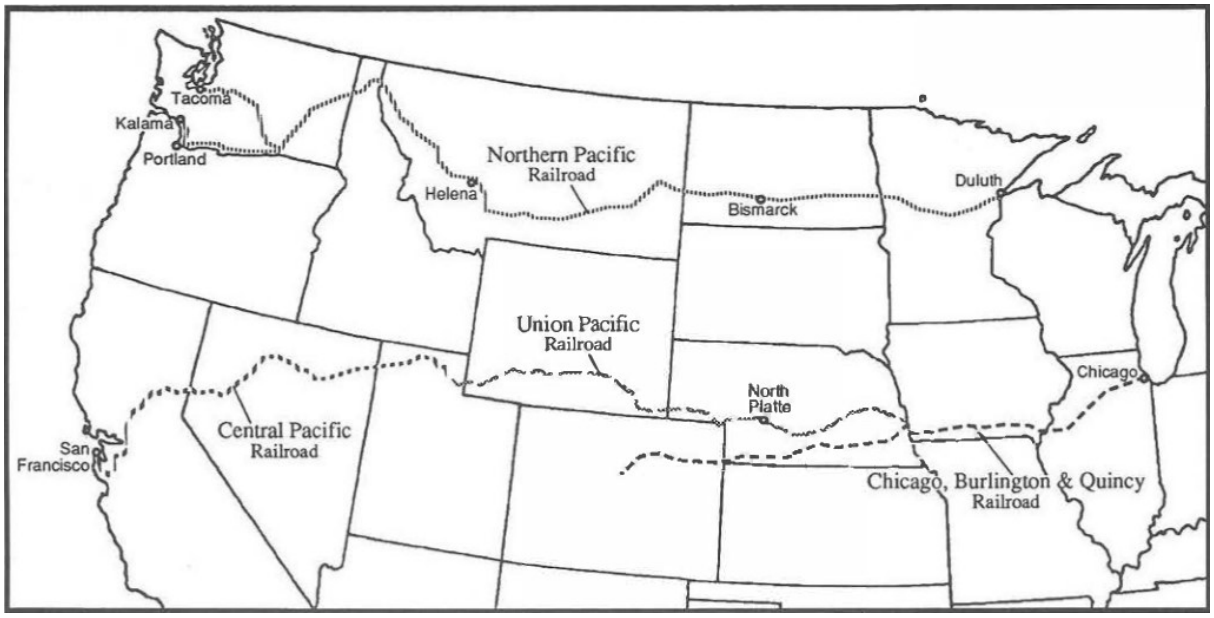
Erie, CO 80516

(701) 989-4925

1.0 Introduction and Background

Constructed between September 1, 1881 and October 18, 1882,[1] the historic Bismarck/Mandan Northern Pacific Railway Bridge[2] (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).



The routes of the northern and central transcontinental railways. On May 10, 1869, the westbound Union Pacific Railway met the eastbound tracks of the Central Pacific to complete the first transcontinental railway at Promontory Point, Utah. The northern route would not be completed by the Northern Pacific Railway until 1883 near Gold Creek, Montana. The central route took six years to construct, while the northern route took twelve years. Map by Brian R. Austin.[3]

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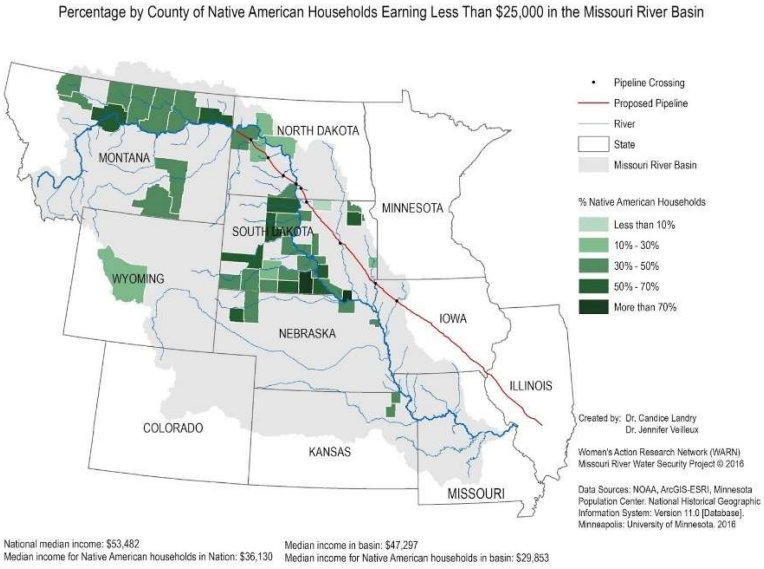
[1] Edward C. Murphy, "The Northern Pacific Railway Bridge at Bismarck," Journal of the Northern Plains, Vol. 62, No. 2 (Spring 1995) at pp. 6, 10. Link: https://www.history.nd.gov/publications/northern-pacific-railway-bridge.pdf. A copy of now North Dakota State Geologist Edward C. Murphy's 1995 article is attached to these comments.

[2] The bridge is called in these comments the "NP Railway Bridge" rather than the inapposite "BNSF Railway Bridge" used in the EIS scoping notice. "NP Railway Bridge" captures and refers both to the bridge's historical significance as a public resource and instrument of commerce for the past 137 years, and to its importance as an historical and architectural landmark for the Bismarck/Mandan community, the State of North Dakota, and the nation as a whole. "BNSF Railway Bridge" does not capture the bridge's history or its importance and connection to the development and commerce of the region and the nation.

[3] Map and note from Murphy, "The Northern Pacific Railway Bridge at Bismarck," supra, at p. 3.

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.[4] 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.



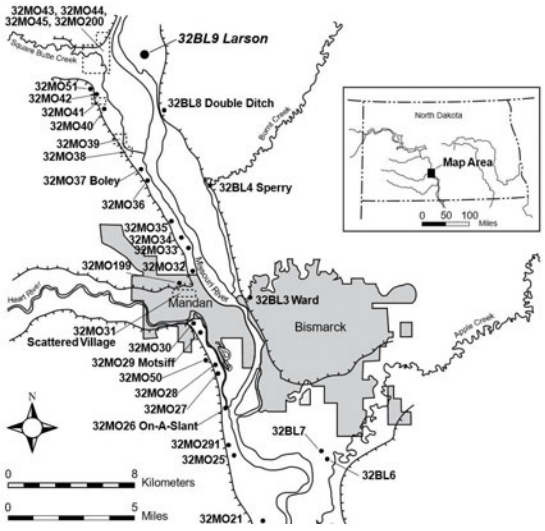
[4] *See*, "Missouri River" on Wikipedia at https://en.wikipedia.org/wiki/Missouri_River (retrieved February 15, 2020). For basic facts about various issues that the Coast Guard should consider as part of defining the scope of this EIS, these comments will refer to Wikipedia as the most convenient source of that information. For more technical issues, and in doing the technical reviews that the EIS will require, books and peer reviewed literature should be consulted.

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).[5] 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.[6] 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 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.

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).[7] Bismarck is the former capitol of Dakota Territory (1883-89), and is the current State Capitol of

[5] "List of rivers by length," https://en.wikipedia.org/wiki/List_of_rivers_by_length (retrieved February18, 2020).
[6] Mississippi River System, https://en.wikipedia.org/wiki/Mississippi_River_System (retrieved February 18, 2020).
[7] Bismarck, North Dakota, https://en.wikipedia.org/wiki/Bismarck,_North_Dakota (retrieved February 18, 2020).

North Dakota.[8] North Dakota is at the center of North America,[9] 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.[10] 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.[11] 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.[12] The following map shows the location of some key archeological areas related to native peoples who lived here for centuries. [13]



[8] Bismarck, North Dakota, https://en.wikipedia.org/wiki/Bismarck,_North_Dakota (retrieved February 18, 2020).
[9] https://www.smithsonianmag.com/smart-news/new-calculations-reposition-geographical-center-north-america-1-180961932/
[10] North Dakota, https://en.wikipedia.org/wiki/North_Dakota#Economy (retrieved February 18, 2020).
[11] Lynch Quarry Site, https://en.wikipedia.org/wiki/Lynch_Quarry_Site (retrieved February 19, 2020).
[12] Johnson, Craig M., "A Chronology of Middle Missouri Plains Village Sites," with contribution by Stanley A. Ahler, Craig M. Johnson, Herbert Haas, and Georges Bonani, Smithsonian Contributions to Anthropology, Number 47, (2007), Table 1, p. 15, Ahler Taxonomy.
[13] Figure 1.1 from "Archaeological and Geophysical Investigations During 2007 at Larson Village, Burleigh County, North Dakota," edited by Mark D. Mitchell, https://paleocultural.org/wp-content/uploads/2019/01/PCRG-RC81-Larson-Village-Web-Version.pdf (retrieved February 18, 2020).

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"[14] 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:

> "(i) the environmental impact of the proposed action,
>
> "(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,
>
> "(iii) alternatives to the proposed action,
>
> "(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
>
> "(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented."[15]

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:

> **"(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;
> **"(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;
> **"(3)** administer federally owned, administered, or controlled historic property in a spirit of stewardship for the inspiration and benefit of present and future generations;
> **"(4)** contribute to the preservation of nonfederally owned historic property and give maximum encouragement to organizations and individuals undertaking preservation by private means;

[14] *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 350 (1989).
[15] *Robertson*, 490 U.S. at 348-49; NEPA §102(C), 42 U.S.C. § 4332(C).

> **"(5)** encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and
> **"(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."[16]

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 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."[17] 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.

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

[16] 54 U.S.C.A. § 300101.
[17] 23 U.S.C. § 138.

returns that is governed by the short-term financial interests of the railroad's owners.

In summary, of the four "alternatives considered to date"[18] 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.

2.0 Interest and Standing

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

[18] 85 Fed. Reg. 930, 931 (January 8, 2020).

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.

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 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.

3.0 Summary and discussion of appropriate issues for the EIS analysis to evaluate.

The public notice for this EIS scoping lists four alternatives:

- "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)
- "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)

- "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)
- "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).

"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."[19]

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.[20] 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. [21]

Berkshire Hathaway, Inc., is a multinational conglomerate holding company which wholly owns GEICO, Duracell, Dairy Queen, BNSF, Lubrizol, Fruit of the

[19] 85 Fed. Reg. at 931.
[20] See, e.g., BNSF Railway, https://en.wikipedia.org/wiki/BNSF_Railway
[21] See, e.g., https://en.wikipedia.org/wiki/BNSF_Railway (retrieved February 23, 2020).

Loom, Helzberg Diamonds, Long & 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.[22] In addition, Berkshire Hathaway owns and controls such "smaller" holdings as Berkshire Hathaway Energy,[23] 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,[24] 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.[25]

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.[26] 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 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

[22] Berkshire Hathaway, https://en.wikipedia.org/wiki/Berkshire_Hathaway (retrieved February 23, 2020).
[23] Berkshire Hathaway Energy, https://www.brkenergy.com/our-businesses/pacificorp (retrieved February 23, 2020).
[24] https://www.brkenergy.com/assets/pdf/facts_pacificorp.pdf (retrieved February 23, 2020).
[25] https://www.brkenergy.com/energy/wind (retrieved February 23, 2020).
[26] See, e.g., Pacific Century, https://en.wikipedia.org/wiki/Pacific_Century (retrieved February 23, 2020); Rosenberg, Matt, "Pacific Rim and Economic Tigers." ThoughtCo, Feb. 11, 2020, https://www.thoughtco.com/pacific-rim-and-economic-tigers-1435777 (retrieved February 23, 2020).

bridge over its possible 50-100 year lifespan.[27] 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).

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.[28]

> "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."[29]

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

[27] The current NP Railroad Bridge has been in operation for 137 years, so for a bridge designed and built to stand up to and meet likely future markets and commerce could potentially last that long. The proposed alternatives (and especially BNSF's preferred alternative) are not the type of bridges that will satisfy those long-term interests and needs of the Bismarck-Mandan community, North Dakota, or the mid-continent region that it will serve.
[28] See, e.g., Edward C. Murphy, supra footnote 1, "The Northern Pacific Railway Bridge at Bismarck,"at p.1; William Cronin, *Nature's Metropolis: Chicago and the Great West* (W.W. Norton & Company, 1991) Ch. 7, pp. 310-340.
[29] Cronin, *Nature's Metropolis,* supra at p. 340.

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,[30] as well as a world class research center, the Energy & Environmental Research Center,[31] 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,"[32] and "H_2 [hydrogen] production technology is rapidly advancing,"[33] with a current cost range of "$2.58 - $51.02/kg H_2" and projected production cost range under future studies of "$3.82 - $5.65/kg H_2."[34] SMR has potential application to North Dakota's coal and methane (CH_4) 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 aquafers 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.

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[30] Great Plains Synfuels Plant, NETL website, https://www.netl.doe.gov/research/Coal/energy-systems/gasification/gasifipedia/great-plains (retrieved February 23, 2020).
[31] https://undeerc.org/ (retrieved February 23, 2020).
[32] Fan Tong, Jeremy Michalek, and Inês L. Azevedo, "A review of hydrogen production pathways, cost and decarbonization potential," Carnegie Institution for Science, www.usaee.org/usaee2017/submissions/ExtendedAbs/Tong%20et%20al.%20Hydrogen%20Pathway%20Review.pdf (retrieved February 23, 2020).
[33] Brian D. James, Daniel A. DeSantis, Genevieve Saur, "Final Report: Hydrogen Production Pathways Cost Analysis (2013 – 2016), (30 September 2016) DOE-StrategicAnalysis-6231-1, https://www.osti.gov/servlets/purl/1346418/ at p. 9.
[34] *Id., at p. 10.*

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 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 <u>not</u> 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:

- What are the projected short-term and long-term uses of the replacement bridge over the projected useful life of the bridge?
- 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?
- Which alternatives best protect the existing NP Railroad Bridge pursuant to the factors federal law require be considered, including:
    - 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;
    - contribution to the preservation of nonfederally owned historic property and give maximum encouragement to organizations and individuals undertaking preservation by private means;

    - encouragement of the public and private preservation and utilization of all usable elements of the Nation's historic built environment;
    - assistance of State and local governments, Indian tribes and … the National Trust to expand and accelerate their historic preservation programs and activities;
- the environmental impact of the proposed action and alternatives;
- any adverse environmental effects which cannot be avoided should the proposal be implemented;
- alternatives to the proposed action;
- the relationship between local short-term uses of the environment at issue and the maintenance and enhancement of long-term productivity;
- any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented;
- whether there are feasible and prudent alternatives to destruction of the existing NP Railroad Bridge; and
- has the project used and considered all possible planning to minimize harm to such ... historic site resulting from the proposed project?[35]

3.1 Additional relevant factors about the proposed crossing when considering the alternatives.

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:

- The design that will allow trains not have to slow down and brake as they take the turn on and off the bridge;
- The geology and long-term problems with the eastern bank of the crossing location; and
- the use that will provide the most flexibility for recreational use, roads and potential development of the riverfront over the next few decades.

The following photograph shows the sharp angle in the track on the eastern end of the NP Railroad Bridge:

[35] See citations to federal statutory and case law and analysis in section 1.0 above.

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 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).[36] 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.

[36] See Edward C. Murphy, supra, "The Northern Pacific Railway Bridge at Bismarck," attached to these comments.

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.

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:

> "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 four 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."[37]

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.[38] 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.

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 Oahe Reservoir begins when near capacity is one of the most important and interesting geological, historical, and ecological areas along the Missouri River.[39] 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.[40] Similar development of riverfront areas

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[37] Edward C. Murphy, supra, "The Northern Pacific Railway Bridge at Bismarck," at pp. 10-11.

[38] See Bismarck tribune, Andy Field, "Part of River Road blocked due to landslide" (December 22, 2019) https://bismarcktribune.com/news/local/part-of-river-road-blocked-due-to-landslide/article_0ed73862-00b4-55e5-8e3e-2ff6fe93cfc7.html (retrieved February 23, 2020).

[39] See, e.g., John W. Hoganson, Edward C. Murphy, *Geology of the Lewis & Clark Trail in North Dakota* (Mountain Press Pub., 2003); John Bluemle, "How The Missouri River Formed," published online May 23, 2015 at http://johnbluemle.com/9-the-missouri-river/ (retrieved February 23, 2020).

[40] Mississippi National River and Recreation Area, https://en.wikipedia.org/wiki/Mississippi_National_River_and_Recreation_Area (retrieved February 23, 2020).

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.

The Northern Pacific Railway Bridge at Bismarck

by Edward C. Murphy

In 1864 President Abraham Lincoln signed into law a bill granting forty alternate sections of public land per mile in the Dakota, Montana, Idaho, and Washington Territories and twenty alternate sections per mile in Minnesota and Oregon along the northern route of the transcontinental railway as a means of supporting its construction. A few years later, the Northern Pacific Railway Company purchased the charter, and provisions were made that allowed the land holdings along the route of the railroad to be extended up to fifty miles in the territories and thirty miles in the states.[1] The Northern Pacific Railway Company began laying track eastward from Kalama, Washington, in March 1871 and westward from near Duluth, Minnesota, in July 1871. The eastern segment of track reached Bismarck (then a small village named Edwinton) in June 1873.[2]

The financial panic of 1873 caused economic depression across the country. The panic was brought about by many factors, the chief one being the large investment that business houses in both the United States and Europe had made in railroads which showed no promise of immediate returns. Many businesses declared bankruptcy, including the Northern Pacific, which halted construction of the eastern segment at Bismarck with 1,500 miles remaining to be completed. It would be six years before construction would begin again in earnest west of Bismarck.[3] During that hiatus, the Northern Pacific reorganized and began a renewed campaign to advertise the West as a means of increasing passenger and freight travel and stimulating sales of their land holdings to raise capital to pay for the resumed construction of the transcontinental railway.[4]

From its beginning, the Northern Pacific suffered a shortage of capital to finance the $85 to $120 million estimated cost to complete construction of the northern route.[5] Congress had mandated both a starting and a completion date for construction on the line, neither of which would be met by the Northern Pacific. After the Northern Pacific missed the July 4, 1879, completion date, they operated under the constant threat that their charter might be revoked by Congress. Proponents of the Northern Pacific and proponents of the Union Pacific, which had completed the central portion of the transcontinental railroad from Chicago to San Francisco in 1869, deadlocked in Congress. Northern Pacific supporters were attempting to get the deadline extended, and Union Pacific supporters were attempting to get the charter revoked.[6] These conditions prompted Northern Pacific to determine that they could no longer afford to delay and had to expend the significant amount of money it would take to cross the Missouri River near Bismarck.

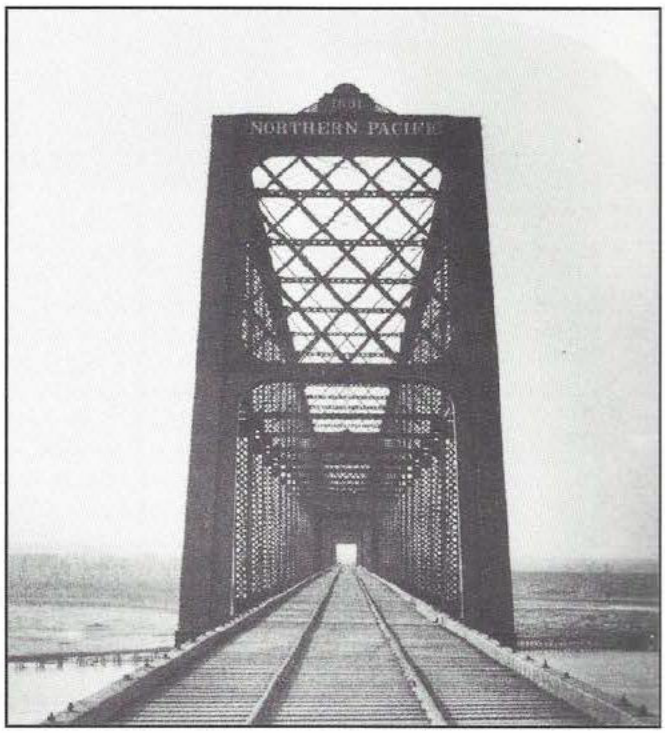
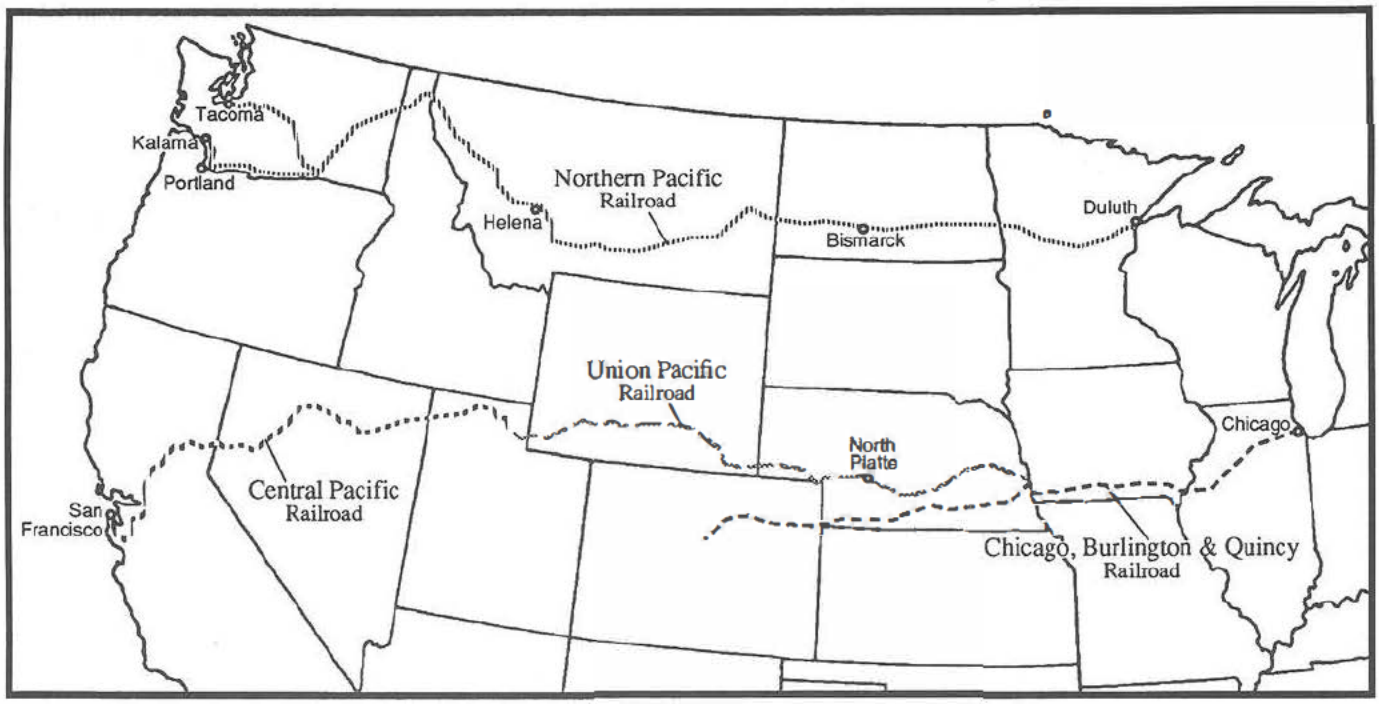


Photo of recently completed Northern Pacific Railway bridge, looking west through the east end of the bridge. This photo likely taken by F. Jay Haynes in 1882 or 1883.

The Missouri River was a major obstacle to the transportation of railroad construction materials west. Boxcars loaded with equipment and supplies had to be



The routes of the northern and central transcontinental railways. On May 10, 1869, the westbound Union Pacific Railway met the eastbound tracks of the Central Pacific to complete the first transcontinental railway at Promontory Point, Utah. The northern route would not be completed by the Northern Pacific Railway until 1883 near Gold Creek, Montana. The central route took six years to construct, while the northern route took twelve years. Map by Brian R. Austin.

ferried across the river on transfer steamers, causing delays of many hours, if not days.[7] At times, high water and ice prevented the transfer steamers from operating altogether, and construction materials piled up on the east bank until conditions improved. A temporary solution was achieved when workers laid railroad tracks on the frozen Missouri River during the coldest months in 1878, 1879, and 1880.[8] The railroad had to find a permanent means of crossing the Missouri River that would meet the immediate need of allowing trains and supplies to move freely as well as meet its projected needs when the transcontinental railway was completed. The railroad considered tunneling under the Missouri River but decided to build a bridge instead, due to the great expense of a tunnel, the problem of smoke accumulation in a declining-grade tunnel, and the potential for flooding during high spring melt.[9]

It is ironic that the transfer steamers at Bismarck did a brisk business transporting men and materials to build the railroad, which hastened the demise of steamboat travel on the upper Missouri River. The completed bridge signaled the end of a ten-year partnership between the Northern Pacific and the steamships hauling supplies to settlements in Montana. The decline in steamboat traffic was, of course, inevitable in that the relatively short boating season of seven months on the Upper Missouri would eventually not be enough to provide the materials needed by the ever-increasing

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1. Charles R. Wood, *The Northern Pacific, Main Street of the Northwest* (Seattle: Superior Publishing Company, 1968), p. 19.

2. Edward R. Nolan, *Northern Pacific Views, The Railroad Photography of F. Jay Haynes, 1876-1905* (Helena: Montana Historical Society Press, 1983), pp. 31 38; G.F. Bird and E.J. Taylor, *History of the city of Bismarck, North Dakota—the first 100 years* (Bismarck: Bismarck Centennial Association, 1972).

3. Wood, p. 23.

4. Nolan, pp. 33-38. In 1876 the Northern Pacific signed a contract with photographer Frank J. Haynes that enabled them to use his photos in promotions to attract settlers and tourists to the West. This agreement would last for thirty years. Haynes operated a studio in Moorhead, 1876 1879, and in Fargo, 1879 1889, before moving to St. Paul. Haynes's photos provide the best documentation of NP railroad construction in North Dakota, especially of the Bismarck bridge, which was said to have intrigued him.

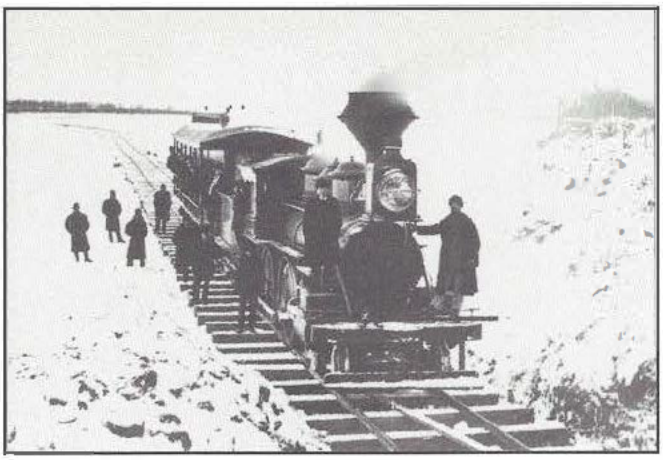
5. Eugene V. Smalley, *History of the Northern Pacific Railroad* (New York: Arno Press, 1975) p. 155; Wood, p. 15.

6. Wood, pp. 23 24.

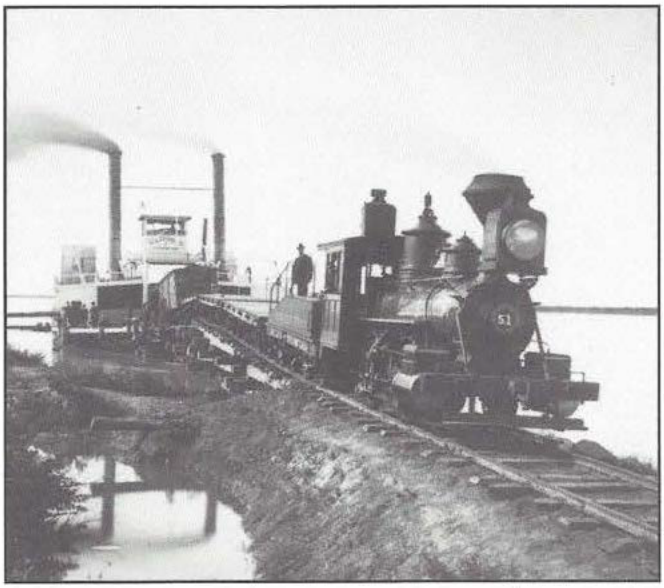
7. *Bismarck Tribune*, December 3, 1880, p. 1. On November 20, 1880, the NP steamer transferred twenty four loaded boxcars in what was noted as a remarkably good time of one hour and eighteen minutes. The steamer carried six boxcars at a time. *Bismarck Tribune*, July 16, 1880, p. 8. It was reported that 75 to 150 boxcars of supplies were arriving in Bismarck daily for shipment west. *Bismarck Tribune*, October 22, 1880, p. 8. By this date, track had been laid 155 miles west of Bismarck, and two construction trains were heading west from Bismarck daily.

8. Nolan, pp. 36 37.

9. *Ibid.*, p. 43.



Above: A temporary solution to winter deliveries across the Missouri River was provided by Northern Pacific Division Chief Engineer Thomas L. Rosser. Tracks were placed over the ice near the present site of the bridge the first time this had been attempted in the United States. During January and February in the years 1879-1881, trains hauled supplies over the frozen Missouri on the "bridge of ice." Photo by F. Jay Haynes taken in 1879. Below: The Northern Pacific transfer steamer was used to ferry railcars across the Missouri River at Bismarck when it was free of ice. Slow and inefficient, this method was at the mercy of the unpredictable Missouri. Photo by F. Jay Haynes taken in 1880. Both photos are courtesy of Haynes Foundation Collection, Montana Historical Society, Helena, Montana.



population in the territories.[10]

In the spring of 1880, with almost ninety miles of track laid west of Bismarck, the Northern Pacific Railway requested George Shattuck Morison, a selfmade civil engineer, to investigate the area and to recommend the most advisable method by which the river could be crossed near Bismarck.[11] Morison determined the only practical solution to this dilemma was a permanent bridge, and he surveyed for potential localities along a ten-mile stretch of the Missouri River north of Fort Abraham Lincoln. Three sites were chosen: the Fort Lincoln site, a site near the present location of the Memorial Bridge on U.S. Highway 10, and the present site of the railroad bridge. Morison believed the Fort Lincoln site offered the best location for bridge construction because the river channel in this area was only a thousand feet wide. He advised against it, however, because it required laying seven to eight additional miles of track. The Memorial Bridge site was not chosen because borings indicated that the depth to bedrock was too great, requiring deep foundations or footings beneath the piers. Morison settled on the present location of the bridge, just north of the upper steamboat warehouses on the Bismarck side, because it provided the shortest route between the existing tracks on both sides of the river. He also determined the bedrock cliffs near the east bank of the river at this site would resist river erosion and offer a high approach for the tracks, negating the need for an east trestle. The main disadvantage to this site was the width of the river, three times the width of the river at the Fort Lincoln site, and which he decided would have to be narrowed by engineering methods.[12]

The Northern Pacific Railway Company immediately followed the recommendations made by Morison in his report of July 1880, and in September the company began construction on a dike to narrow the river at the future site of the bridge. William H. Fuller supervised the initial construction, and Major Thomas J. Mitchell, of Mandan, was awarded the contract to supply the brush matting for the dike.[13] The impact that the Northern Pacific's decision would have on Bismarck was not lost on the *Bismarck Tribune* which wrote,

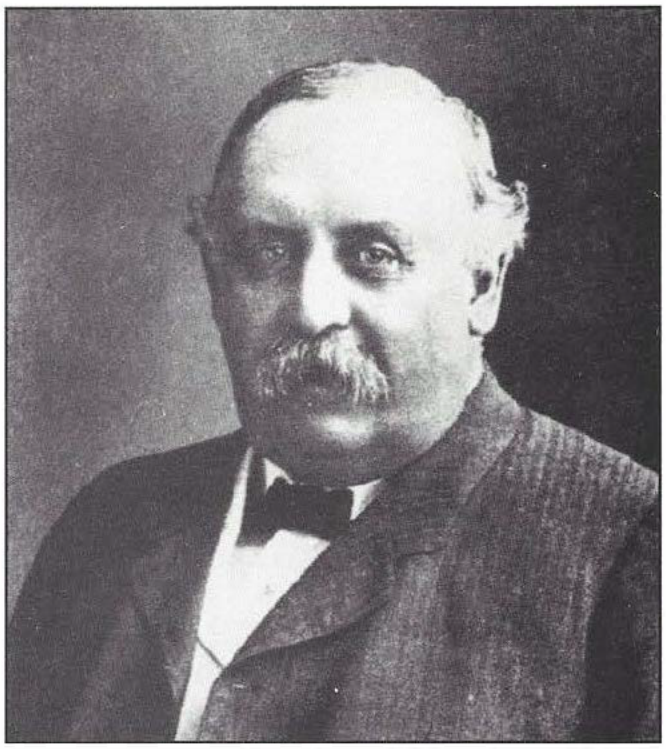
> Many have been deterred from making Bismarck their residence on account of the uncertainty of this crossing, arguing that wherever the road crossed the river, there would be the coming city. Many business men have been restrained from constructing substantial brick buildings on account of this same uncertainty. The final settlement upon the crossing at Bismarck will lend a fresh impulse to thousands of capital [from people] waiting the decision of this question before investment, and establishes thorough confidence in the future of Bismarck.[14]

On December 16, 1880, the board of directors of the Northern Pacific Railway appointed George Morison engineer and superintendent of the Bismarck bridge with the instructions that the work was to be carried forward with all possible speed. Morison was uniquely qualified for this position, although this is not readily apparent from a review of his formal education. He earned a law degree from Harvard and practiced law in New York for a year before abandoning that practice in

1867 and entering the field of civil engineering, a profession for which he had no formal education. His initial training came during construction of a large bridge over the Missouri River at Kansas City. He so impressed the chief engineer of that project, Octave Chanute, that Chanute appointed Morison his principal assistant when he became chief engineer for the Erie Railroad. Both of these endeavors provided him with valuable experience in railroad bridge design that he put to use in later projects. In 1875 Morison organized the bridge contracting firm of Morison, Field, and Company of New York. In 1880 he withdrew from the firm and devoted his time to consulting. Morison lived in New York, except for the period 1887-1898 when he lived in Chicago.

The Missouri River was regarded by many as the most treacherous river in the country to bridge and the Northern Pacific showed great confidence in Morison when they chose him to design and supervise the building of the first bridge to span the upper Missouri River. Following completion of the Bismarck bridge, Morison designed and supervised the building of a number of great railroad bridges in rapid succession over the Missouri River at Sioux City, Blair, Omaha, Rulo, Nebraska City, Atchison, and Leavenworth, and over the Mississippi River at Winona, Burlington, Alton, St. Louis, and Memphis, as well as numerous other bridges across the country. Morison sat on a number of boards and commissions, including the Isthmian Canal Commission from 1899 to 1901, and his powerful argument for the Panama route, backed by a detailed study, was a determining factor in the decision on the location of the Panama Canal. Morison was held in high regard by his peers as demonstrated by his selection to give the presidential address at the annual meeting of the American Society of Civil Engineers in 1895. At the time of his death on July 1, 1903, at the age of sixty-one, Morison was regarded by many to be the leading bridge engineer in America, if not the entire world.[15]

The Northern Pacific awarded contracts for the construction of the bridge during the early months of 1881. There were few firms in Dakota Territory or the surrounding area that had workers trained in the required skills of major construction, so most of the contracts went to eastern firms. The proposals for both the piers and the bridge spans were opened in New York. Northern Pacific officials awarded the contract for the pier work to Saulpaugh and Company of Rock Island, Illinois, and the contract for the superstructure work to Detroit Bridge and Iron Works. Saulpaugh and Company subcontracted the construction and sinking of the caissons to Rust and Coolidge of Chicago. The construction of the timber trestle for the west approach went to Winston Brothers of Minneapolis. A local firm, Bellows, Fogarty, and Company of Mandan, was granted the contract for grading the east and west approaches. Charles W. Thompson of Bismarck was responsible for providing the riprap stone that was used in the project.[16] Carpenters quickly went to work at the boat landing south of the bridge constructing an office for Morison and his assistants and a boardinghouse for some of the 500 workers who were anticipated to be working on the bridge that spring.[17]



George Shattuck Morison (1842-1903), one of the country's greatest and most respected engineers, designed and supervised the construction of the Northern Pacific Railway Bridge at Bismarck.

10. Wood, pp. 37-38. *Bismarck Tribune*, November 19, 1880, p. 1. The boating season on the upper Missouri River in 1880 began on April 15 and ended on November 16, during which time 35 million pounds of freight was transported. Lewis F. Crawford, *History of North Dakota* (Chicago: The American Historical Society, 1931), pp. 208-209. By 1887 the extension of the railroad into Helena, Montana, had practically put an end to steamboating on the upper Missouri River. By 1931 only one boat was running between Bismarck and Fort Benton.

11. George S. Morison, *Bismarck Bridge*, a report to A. Anderson Engineer in Chief Northern Pacific Railroad, 1884, p. 1. North Dakota State Archives; *Bismarck Tribune*, June 11, 1880, p. 1.

12. Morison, p. 1.

13. *Bismarck Tribune*, September 24, 1880, p. 1.

14. *Ibid.*

15. Dumis Malone, ed., George Shattuck Morison in *Dictionary of American Biography* (New York: Charles Scribner's Sons, Vol. 13, 1934) pp. 191-192.

16. Morison, p. 1.

17. *Bismarck Tribune*, January 28, 1881, p. 1.

The Dike

The major drawbacks for the bridge site were the great width of the channel (approximately 3,000 feet), the tendency for rapid development of sandbars, and the unpredictable migration of the main river channel across this wide expanse. Morison believed that by constricting the width of the channel to 1,000 feet, he would increase the flow of the river in this area, thereby encouraging scouring and discouraging the development of sandbars beneath the bridge. To achieve this goal, Morison recommended the construction of a 2,000-foot-long, east-west trending dike approximately 500 feet north of the bridge site on the west side of the river. The dike had a dual role, to reduce the width of the river and to constrain the river against its east bank beneath the future site of the bridge. Morison designed the dike low so that the initial spring floods would flow over it, rather than through it, and deposit silt behind it, eventually depositing a permanent sandbar between the dike and the west end of the bridge.

Construction of the dike was itself a monumental undertaking and was beset with numerous problems. The dike consisted of bundles of brush collected from the bottomland that were wired together, weighted down with logs, and reinforced with sandbags. Approximately 33,000 tons of stone—boulders collected from the prairies surrounding Bismarck and Mandan—were placed along the top and sides of the dike in an attempt to keep it from washing away. This effort was only partially successful. As the dike progressed eastward, track was laid on top of it to enable transport by rail of materials to build the dike. A barge was also used to transport dike materials.

One of the more serious problems arose during initial construction of the dike and was addressed without the benefit of Morison's supervision. Morison's report, completed in July 1880, recommended that construction of the dike begin on the west bank and proceed eastward. By the time work began that fall, a large sandbar had developed at the bridge site in the middle of the Missouri that split the river into two channels. The workers decided to take advantage of the dry land afforded by the sandbar, and they built the middle portion of the dike first. This work aggravated the situation by encouraging the river to shift to the west bank rather than the east. As a result, when Morison took over supervision of the dike in early January, the river was in the opposite position he wanted, and there was no water flowing beneath the site where the bridge would stand. It took two years of work on the dike to get the river stabilized in the desired position.[18]

Bridge Construction

Morison designed the bridge with four piers spaced approximately 400 feet apart. The eastern and westernmost bridge piers were located on dry land. During the spring thaw, Morison noted the tremendous size and power of ice jams that formed in the Missouri River near Bismarck. Some of these ice jams were reportedly twenty feet thick. Morison decided against designing a cheaper, low draw bridge due to the potential damage to the bridge spans from ice jams. To further address these concerns, Morison designed two of the bridge piers with metal-coated edges on the upstream side so that they could, in effect, serve as plows, breaking through ice jams and discouraging their development.[19]

Construction on the piers began September 1, 1881, and was completed June 3, 1882. The eastern pier (pier 1) was placed on a twenty-foot-thick concrete foundation which bottomed in bedrock claystones at a depth of forty feet below the surface. The depth to bedrock was too great at the westernmost pier (pier 4), so it was placed on 161 timber piles, which had been driven 25 to 30 feet into the sand by a steam hammer, thus transferring the load to a greater depth in the sand.[20] The two middle piers (pier 2 and pier 3) were located in the river and, therefore, posed a more difficult construction problem. The excavations for these two piers were made possible by the use of pneumatic caissons, much like giant diving bells, which enabled the men to work below the water line. Although caissons had been used widely in Europe, they were relatively new to this country. Caissons were first used in the United States in 1869 during construction of the Eads Bridge at St. Louis and the Brooklyn Bridge.[21]

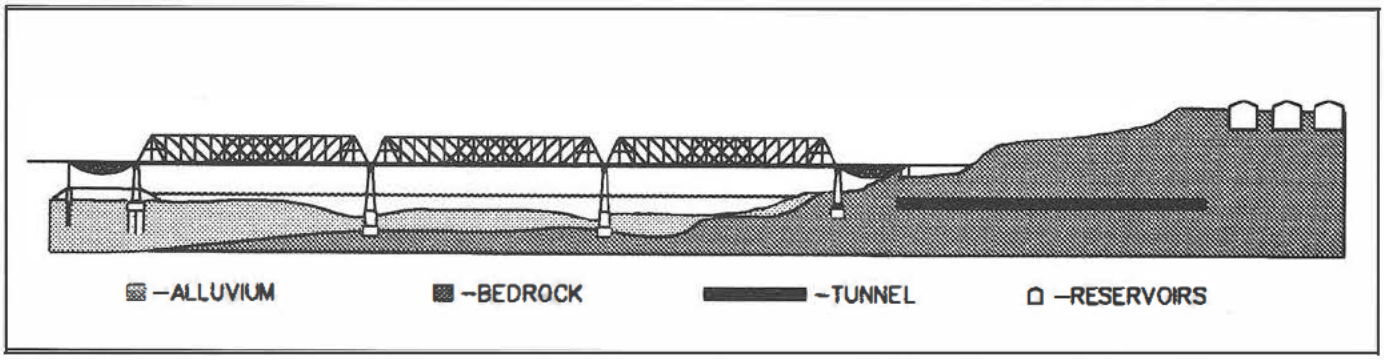
The Bismarck bridge caissons were constructed of two to three layers of wood plank and braced with timbers that were bolted together with wrought iron. The caissons measured 74 feet in length, 25 feet in width, and 17 feet in height. A wrought-iron cutting edge was attached to the base of the caissons to make it

18. Morison, pp. 4-6; *Bismarck Tribune*, May 6, 1881, p. 8. No mention is made in either the *Tribune* article or in Morison's final report of obtaining permission from any agency concerning the construction of the dike. It appears that little, if any, paperwork was required to obtain permission, if indeed permission was sought. No mention of the dike, the bridge, or the respanning of the bridge is contained in the 1879 1882 or 1905 1906 Annual Reports to Congress of the Chief of the Engineers of the U.S. Army Corps of Engineers. A similar venture today would require a permit from both the U.S. Army Corps of Engineers and the North Dakota State Water Commission.

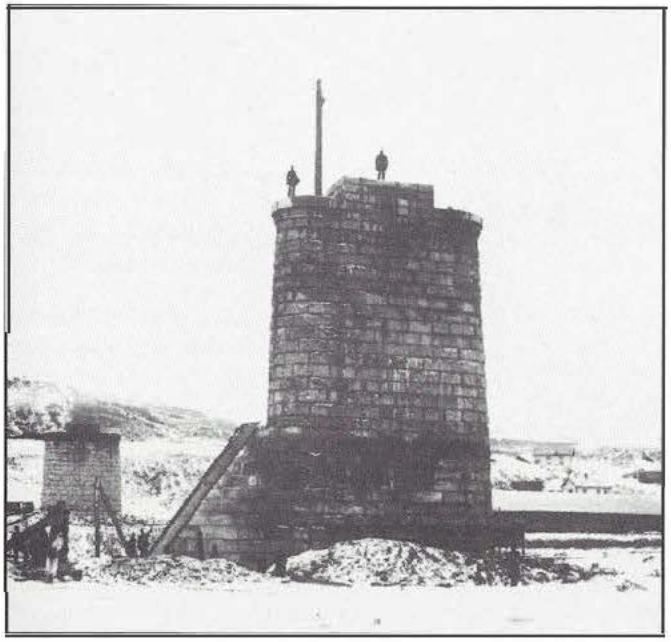
19. Morison, p. 2. Railroad drawbridges were later built over the Missouri River west of Trenton and over the Yellowstone River west of Cartwright.

20. *Ibid.*, p. 11. Morison noted that they experienced a slight delay when the locomotive that was supplying steam for the pile hammer was disabled by the burning of the roundhouse at Bismarck on December 20, 1881.

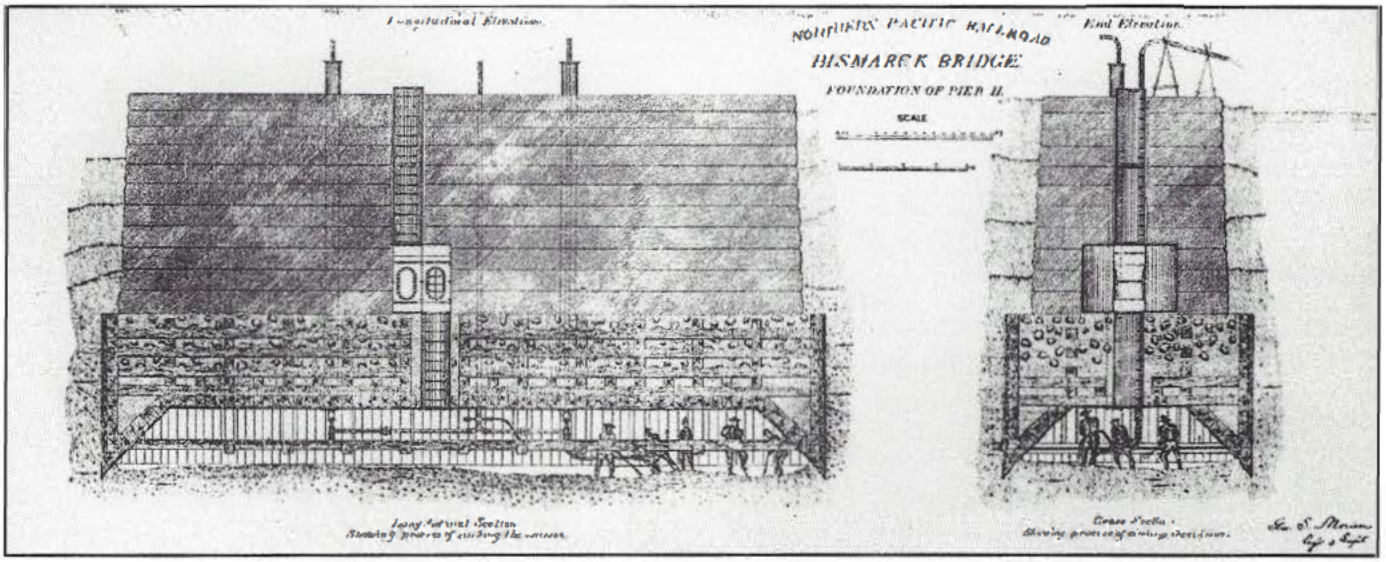
21. Archibald Black, *The Story of Bridges* (New York: Whittlesey House, 1936), p. 82.



Above: Morison sank more than forty borings around the bridge and excavated two deep pits to accurately define the geology beneath the site so he could determine the appropriate design for his piers. The westernmost pier (pier 4, far left) was placed on piles or footings because the bedrock was too deep there; the other pier foundations were placed in bedrock. Despite his intensive study, Morison did not anticipate that the east slopes of the river might become unstable, a situation that later caused many problems for the bridge. Morison's drawing was modified by the author. Right: Initial construction of the Northern Pacific Bridge at Bismarck. Masonry is being laid on the pier 2 caisson as it is excavated into the river substratum. A derrick boat and machinery barge are moored west of the pier. In the right foreground is the partially completed pier 1. In the background, the pier 3 caisson awaits transport to its proper position. Morison's dike is visible northwest of the pier 3 caisson. Photo by F. Jay Haynes in October 1881. Courtesy of Haynes Foundation Collection, Montana Historical Society, Helena, Montana.



Left: Workers add the finishing touches on pier 2 by attaching the steel nosing plate; a completed pier 1 (furthest east) stands in the background. The base of the pier 2 caisson is approximately forty-six feet below the surface. Photo by F. Jay Haynes in February 1882. Courtesy of Haynes Foundation Collection, Montana Historical Society, Helena, Montana.



Morison's drawings of the front and side view of the base of pier 2 and its underlying caisson. Men are shown removing sand from the base of the caisson floor with pumps which sucked the soft Missouri River sand from beneath the caisson and expelled it at the surface, thus enabling the caisson to sink under its own weight. The intake and outtake lines as well as the air-lock chamber are depicted on the drawings. Morison's drawings depict pier 2 at approximately one-fourth of its final height.

easier to sink them into position. The caissons, fitted with false floors, were towed into their proper position by a steamer and sunk. With the caisson in position, concrete was pumped into the upper half of the structure for ballast, and the false floor was removed. Air compressors, mounted on an adjacent barge, supplied air to the working chambers located at the base of the caisson, and a three-foot-square shaft and air-lock system kept the working area pressurized to prevent water from seeping in. The air-lock consisted of two six-foot diameter chambers that sat on top of the caisson. As the men entered or left the caisson, they would close the door leading into that air-lock chamber before opening the outer door of the other chamber, thereby preventing air from escaping the caisson.

The air compressors also drove sand pumps that were connected to hoses and used by the men in the caissons to suck the loose sand from the caisson floor. Later, when claystone was encountered below the sand, it had to be pick-and-shoveled into bags and hauled to the surface through the air-lock, a strenuous and time-consuming endeavor. As the men in the base of the caisson removed the sediment and lowered the structure, men on the surface laid the masonry for the pier on the top of the caisson. The caulking used to seal the interior of the caissons was extremely flammable, and fire was of major concern for the men working in these dark confines, lit only by lanterns and torches. In one recorded instance, fire broke out in the pier 2 caisson but was put out by flooding the interior, with little damage to the structure. The caisson for pier 2 was bottomed forty-six feet below the base of the river; the caisson for pier 3 was sunk thirty-nine feet.[22]

There was another risk for workers in the caissons.

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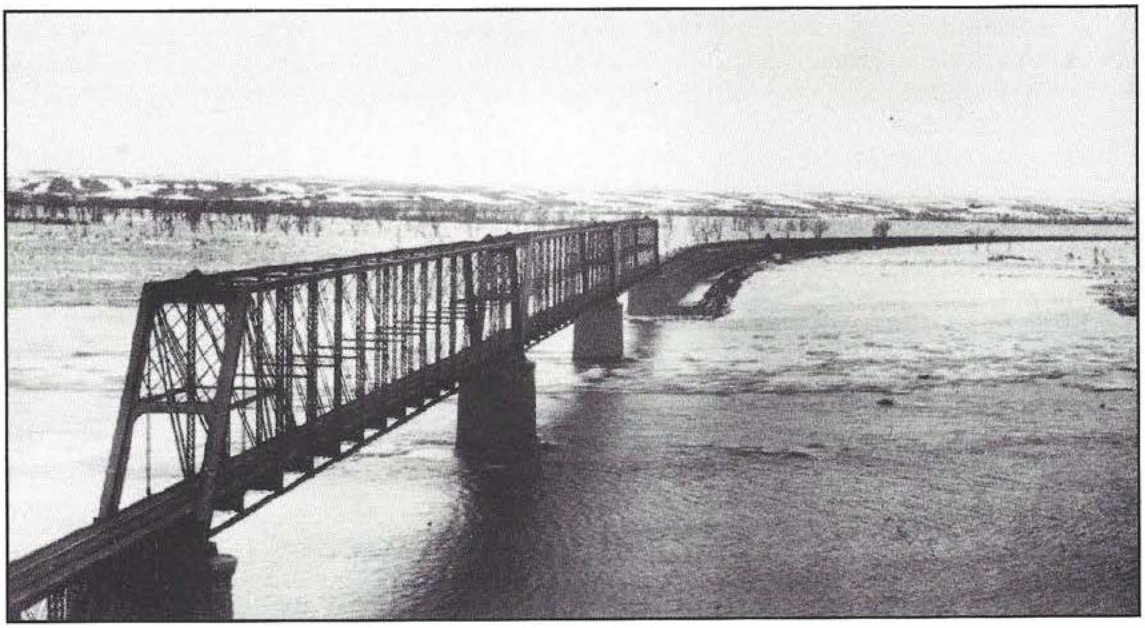
22. Morison, pp. 8-11.
23. Black, pp. 167-168.
24. *Ibid.*, p. 168; Mary J. Shapiro, *A Picture History of the Brooklyn Bridge* (New York: Dover Publications, 1983), pp. 22-31.
25. Morison, p. 8; *Bismarck Tribune*, June 24, 1881, p. 8. It was reported that the pressure on the men working in the caissons was estimated to be twenty-five pounds per square inch. David McCullough, *The Great Bridge* (New York: Simon and Schuster, 1972), pp. 174, 186, 209, and 564. Normal atmospheric pressure is 14.7 pounds per square inch. The pressure in the Eads Bridge caissons was estimated at thirty three pounds per square inch and twenty three pounds per square inch in the Brooklyn caisson. The Eads caissons extended to depths greater than seventy feet. During construction of the Brooklyn Bridge, the Brooklyn caisson extended to forty-four and a half feet and the New York caisson to a depth of seventy-eight and a half feet. The chamber between the doors in the access tunnel was designed large enough to hold all the men working on the caisson at any one time in case of accident.
26. *Bismarck Tribune*, November 19, 1880, p. 1. It was reported that Fred Starr, one of the pile driving crew for the dike approaches, was killed on November 12 when he was crushed between a boat and a pile. The body was never recovered from the river. The fact that Morison did not note this fatality raises the question that he may have chosen to ignore fatalities and injuries in his final report. On the other hand, this fatality occurred before Morison took charge of construction, and in his final report, he does not include the costs for this period of construction because it was not done under his supervision.
27. *Daily Pioneer* (Mandan), October 21, 1882.
28. Morison, p. 22.
29. *Ibid.*, pp. 9-11.

Sudden movement from an area of compressed air into an area under atmospheric conditions results in the formation of nitrogen gas bubbles in the bloodstream which adversely affects muscles or joints and can be fatal. This decompression sickness was alternately called "caisson disease" or "the bends" because of its effects on the worker's limbs. Doctors often did not immediately diagnose this disease because the symptoms did not generally occur until sometime after the worker left the pressurized environment.[23] As a result, a number of workers died or suffered permanent injuries from caisson disease while constructing both the Eads and Brooklyn Bridges.[24]

Despite the fact that workers in the Bismarck caissons toiled fifty to sixty feet below the surface of the Missouri River, Morison makes no mention of illness due to caisson disease. This does not necessarily mean there was none. He does note in his report that the weight of the caissons and masonry were often not enough to sink the caisson into the underlying substratum without relieving the air pressure inside the working chamber. To remedy this situation, the air pressure was decreased until the caisson settled approximately two feet and then was increased again. This process reportedly lasted about five minutes and, to save time, was performed while the men remained inside the working chamber.[25] If any fatalities or injuries occurred during the construction of the Bismarck bridge, they were not noted in Morison's final report.[26]

The laying of masonry on a sinking caisson provided a special problem to the masons who could not follow their normal routine of leveling the stones to keep the pier straight. As a result, the workers had to devise special methods to insure the stones were level.[27] The granite slabs or stones are approximately twenty-eight inches thick. The specifications for the piers required every third face-stone—that is, a stone which has an edge that faces the outside of the pier—measure at least five feet in length. The face-stones within the ice-breaker intervals of piers 2 and 3 were pinned into the underlying and overlying layers with iron bar to further strengthen the pier against the forces exerted by ice jams.[28] When the caissons reached the appropriate depths, the air-lock systems were dismantled and the working chamber and exit ways were filled with concrete. Masonry work then continued until the desired height of the pier was reached. As a result, the piers are solid granite except for that portion of the pier that was constructed while the caisson was in use which, therefore, contains the concrete-filled, six-foot-diameter, working chamber. The caisson excavation took place from September 1881 to January 1882. It took workers almost three months to excavate caisson 2 to the proper depth and two months for caisson 3. The masonry for pier 2 was completed a week after the caisson was filled with concrete; the masonry for pier 3 was not completed until the following spring due to delays from ice jams.[29]

Morison could find no nearby source of masonry stone for the piers, the closest being two quarries (Watab and Rock Island) near Sauk Rapids, Minnesota. Initially, both gray and red granite from the Watab Quarry were used for the bases of piers 1, 2, and 4. Morison discontinued using Watab stone after he discovered that it broke easily while being worked, making clean cuts difficult. As a result, the upper portions of piers 1, 2, and 4, and all of pier 3 were faced with blue-gray granite from the Rock Island Quarry. The red granite is highly visible on the ice breaker portion of pier 2 and forms a checkerboard pattern with the gray granite. In his final report, Morison noted that a single Watab stone was also visible at ground level on the east side of pier 1.[30] Today, the ground surface is four to five feet higher around pier 1, and the Watab stone is no



Morison designed the tracks of the bridge to stand fifty feet above his predicted high water level for the Missouri. When the river flooded much of this area in the spring of 1884, the embankment north of the bridge successfully protected the west trestle, and the bridge did not sustain any damage. A portion of the trestle was filled with clay in 1889, and, in 1895, the remaining portion was filled in.

longer visible. Slabs and pieces of both Watab and Rock Island granite litter the area below pier 1. A number of slabs are also present on the hillside above the water treatment plant and mark the area used by Morison to unload the construction material as it arrived by rail.

The superstructure of the bridge was constructed primarily of steel and wrought iron. At this point in history, most railroad bridges were being built solely with wrought iron; Morison was a pioneer in the use of steel. Morison designed the bridge spans after carefully calculating the stresses that would occur due to the weight of the rolling trains. He attempted to predict the future weights of locomotives and railcars and designed the bridge to handle these increases. The original spans were trapezoidal and remained in existence until 1905.

The difficulty in finding good workers was another problem for Morison. He noted that ordinary laborers were paid, on average, $2.00 a day, and that

> the labor in this country was of an inferior character, and very difficult to control, the men generally being indifferent as to whether they worked or not, and entirely ready to be discharged. It frequently happened that gangs of men sent out from St. Paul to work on the bridge disappeared almost as soon as they arrived.[31]

This may best be illustrated by the recollections of James Melarvie, a local pioneer who worked for four days on the bridge caissons as a cement mixer:

> I was wheeling cement on a wheel-barrow out to the mixer about seventy-five or one hundred feet. The wind was blowing a gale up the river and the planks we were wheeling over had so much spring they would go up and down. That was too much for me as it made me dizzy. I saw if I tried to keep on I would be taking a bath in the river so I let go of the wheel-barrow and over it went into the water. I walked back to shore and went to the boarding house and gave the man my time sheet and quit. That was the last I heard of it. I didn't go back after my pay for fear they would ask me what I did with that wheel-barrow load of cement.[32]

Workers completed major construction of the bridge on October 18, 1882, ten months before the northern route of the transcontinental railway was finished.[33] On October 21, a committee of engineers tested the soundness of the bridge by slowly transferring eight locomotives onto each of the three spans and measuring the deflection of each span under the accumulated weight. The Northern Pacific provided free transportation from Bismarck and Mandan to view the event, and the crowd reportedly numbered in the thousands. Upon the successful completion of the one-and-a-half-hour test, all eight locomotives blew their whistles and were joined by the whistles of the steamboats below the bridge, much to the delight of the spectators. Participants and special guests who had come from throughout the country were guests at a large luncheon at the Inter-Ocean Hotel in Mandan and later that evening at a banquet at the Sheridan House in Bismarck, reported to be the most notable ever held in Dakota Territory.[34] It is interesting to note that the Mandan newspapers at that time referred to the bridge as the Mandan Bridge while the Bismarck newspapers called it the Bismarck Bridge. Although major construction was now completed, and trains could use the bridge unimpeded, finishing touches, such as painting, were left. As a result, the bridge was not officially turned over to the operating department of the Northern Pacific Railway Company until August 1, 1883. Morison placed the total cost of the bridge at $1,079,000. This amount included the cost for construction of the dike after January 1, 1881, when he took over as engineer and superintendent.[35]

Slide Activity

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

30. *Ibid.*, pp. 11-12.

31. *Ibid.*, p. 19; *Bismarck Tribune*, May 13, 1881, p. 1. What labor was available in this area was likely employed in one of the 2,000 jobs available for laying track to the west. *Bismarck Tribune*, May 20, 1881, p. 8. Bellows, Fogarty, and Company paid $1.75 a day for shovelers and $4.00 a day for a man and team of horses. The *Tribune* noted that, at the exorbitant rates being charged for boarding of stock such as $1.50 for a bushel of oats, the shoveler got the better deal.

32. James Melarvie, reminiscences, n. d., p. 7, General Information File. North Dakota State Archives.

33. Nolan, p. 63. The last spike was driven on August 2, 1883. The grand opening ceremony took place on September 8, 1883, near Gold Creek, Montana.

34. *Bismarck Tribune*, October 27, 1882, p. 2; *Daily Pioneer* (Mandan), October 21, 1882, p. 1; October, 27, 1882, p. 1.

35. Morison, p. 20.

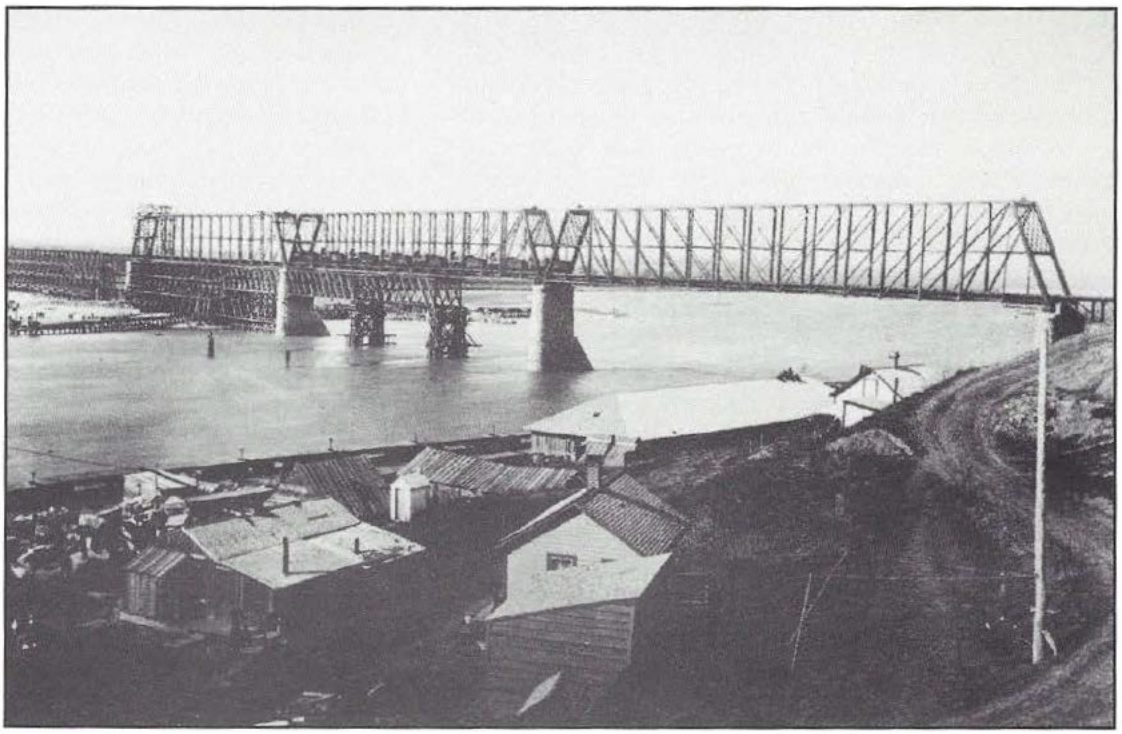
36. Office of Bridge Engineer, Bismarck Slide-General Summation, (St. Paul: Northern Pacific Railway, July 15, 1948), p. 7, North Dakota State Archives.

37. Ben L. Crosby was listed as assistant engineer to Morison in Morison's final report. In 1904 railroad documents list Crosby as principal assistant engineer in Tacoma, Washington.

38. Office of Bridge Engineer, pp. 8-10.

39. *Ibid.*, pp. 10-15.

40. A.N. Marquis, ed., *Who's Who in America* (Chicago: A.N. Marquis Co., 1931), p. 1518. Edwin Harrison McHenry held several positions with the Northern Pacific 1883-1901 in St. Paul and later worked for the Canadian Pacific and other railroads.



Official testing of the Northern Pacific Bridge by a committee of engineers on October 21, 1882. The crib work was to be removed shortly after this photo was taken but much of the base filled in with sand and could not be removed. It was subsequently swept away from the bridge during the next spring breakup of ice. An area of the river was left open between two of the piers during construction to allow steamships to navigate. The wooden trestle on the west approach (left) was eventually filled in with dirt.

1883 to 1887.[36] Morison 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.[37] Crosby attributed movement to one of four 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 Water Company's reservoirs or pipeline which had recently located in this area.[38]

In October 1888 Morison was once again summoned to the site, where he arranged for several additional measures to take the pressure off the pier. These measures included: the excavation of a large pit to the northeast of pier 1 to isolate the pier from the slide; the depositing of the sediment from the pit on the west side of the pier to prevent it from moving in this direction; and the attachment of two large concrete slabs, called keys or dowels, at the base of the slide to bind the sediments above and below the slide together thus slowing or halting the slide. Morison returned to the bridge in September 1890 and felt that the previous corrective measures had been successful and that there would be no further problems with pier 1.[39]

In 1897 Chief Engineer E. H. McHenry sent Morison a plan which called for attaching an eight-foot thick vertical slab or column of concrete to pier 1 and deepening the foundation below the sliding zone.[40] Morison objected, likely basing part of his disagreement on the effect such a plan would have on the aesthetics of the bridge. Morison proposed instead that the pier be dismantled and reassembled in its proper location. After several letters, Morison agreed to McHenry's proposal to slide the pier back into position. It took nearly eight months of careful preparations, including the excavation of a large pit around the pier, to ready the pier for relocation. Steel rails were embedded in the base of the pier and the top of the new foundation, and a bed of two-inch steel rollers was situated between the rails to enable the pier to be slid back into its original position. Huge screws attached to large wooden levers run through capstan heads were to supply power to the pier. Finally, on May 29, 1898, the pier was moved back into position onto an enlarged and deepened foundation. During the first ten minutes that power was applied to the pier, it moved an inch. The gradual movement of the pier caused a large crack to develop on the west edge of the excavated pit. Workers in the pit scrambled up the side as it became evident that the slope was going to fail. In short order, a landslide developed in this area sending a mass of earth crashing into the west side of the pier. Onlookers and workers scurried for their lives as the landslide quickly pushed the pier back into its proper position. The relocation of the pier without dismantling it was a significant engineering feat.[41] By 1902, however, pier 1 had moved four inches since its relocation, and leakage from the adjacent water reservoirs was being blamed by many of the railroad engineers as the culprit.[42]

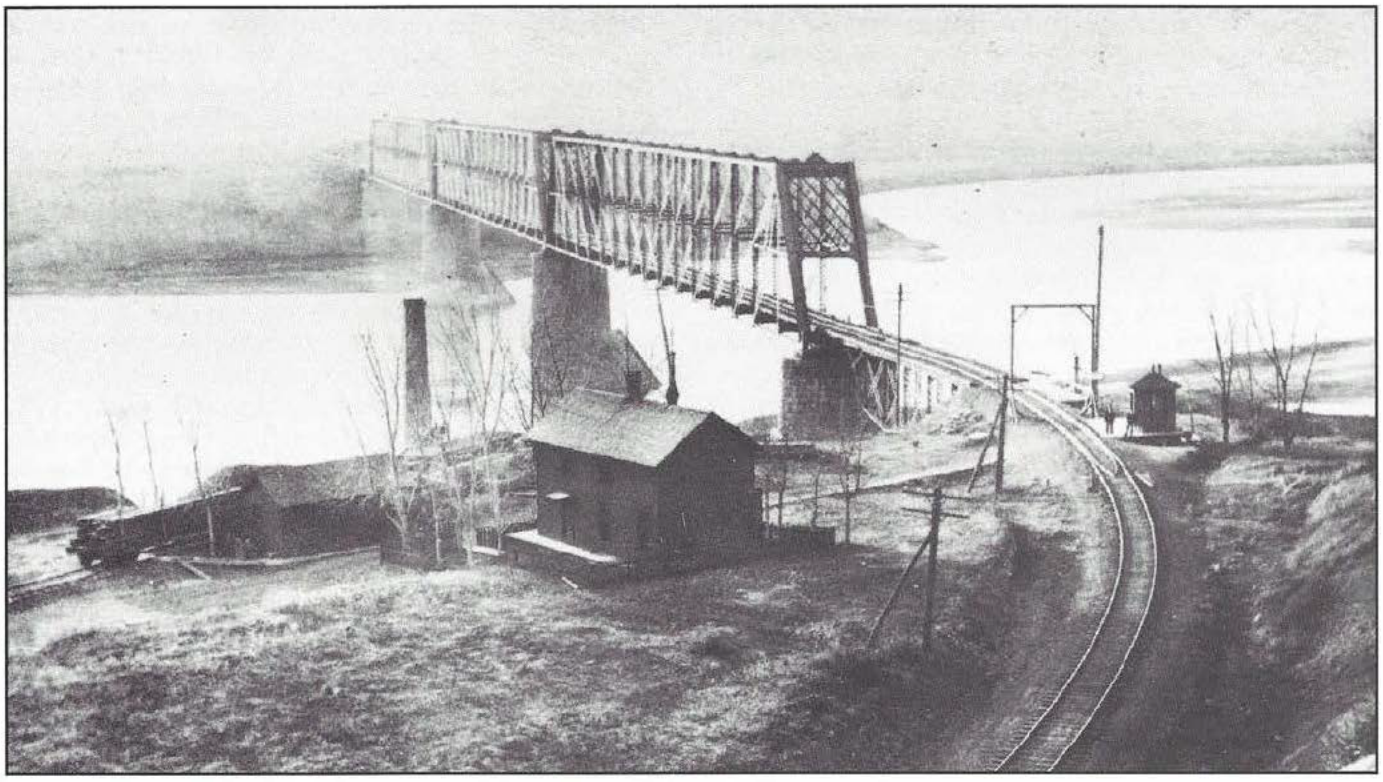
City Reservoirs

The pipe and pump house for the Bismarck Water Company were located just south of the bridge and went into service just as the bridge was being completed. The ten-inch main crossed under the tracks near pier 1 and ran up the hill 300 feet north. The pipe was reported to be leaking immediately after it was installed, but it was not known whether slope failure had caused the pipe to leak or if the leaking pipe had contributed to the initial movement of the slope.[43] Whatever the case, the pipeline crossed the area of slope failure, and leakage from the pipeline undoubtedly added instability to an already unstable area.

In 1886 the Bismarck Water Company constructed three one-million-gallon reservoirs on the top of a hill approximately 750 feet northeast of pier 1. In May 1894 Chief Engineer E. H. McHenry warned that the Bismarck Water Company's pumping station, leaking pipeline, and reservoir were greatly endangering the bridge.[44] Speculation was that the reservoirs were leaking 50,000 to 60,000 gallons of water daily. Since the water company had not completed purchase of the land from the railroad, it was directed to remove its intake and pipe to a new location and to repair the reservoir. By November of that year, McHenry noted that the reservoirs had been repaired.[45]

Ben Crosby's 1888 report on possible causes for the movement of pier 1 did not mention the reservoirs as a possible contributor to slope instability in this area. This was a curious omission because many of the engineers and geologists employed by the railroad were pointing their fingers at the water company. As Morison's assistant, Crosby no doubt consulted with Morison before he sent out his report. In 1898 Morison admitted to having a financial interest in the Bismarck Water Company, noting he had recently sold it. It was later reported that Morison and Mr. Corthel (or Corthill) oversaw construction of the waterworks.[46] Morison's financial stake in the Bismarck Water Company certainly would explain his reluctance to blame the reservoirs and pipeline for the slope stability problems. This is unfortunate, because early action by the water company might have increased slope stability in this area and saved the Northern Pacific a considerable amount of money.

In 1899 a frustrated Chief Engineer McHenry urged legal action against the water company. A railroad report states that efforts to take care of the leakage from the reservoirs met with the usual promises, evasions, and postponements from the Bismarck Water Company. Therefore, in the fall of 1902, the engineering department of the Northern Pacific took it upon them-



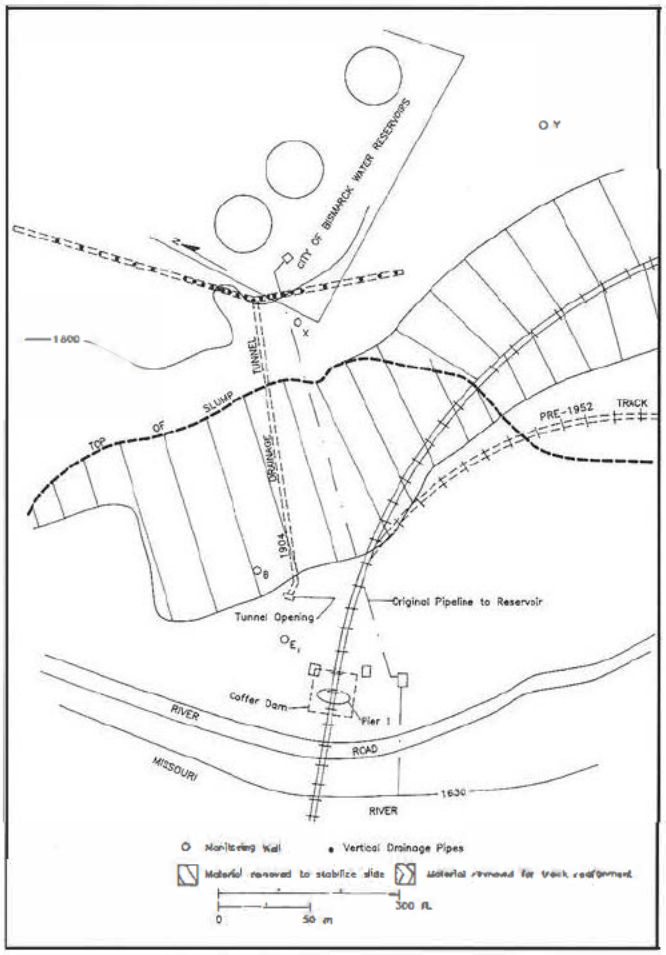
The Northern Pacific Railway Company posted a watchman at the east end of the bridge from its completion in 1883 until the replacement of its spans in 1905. The watchman's shack is on the right side of the track and his house is on the left side. Below the house are a toolshed and the pumphouse for the Bismarck Water Company. As designed by Morison, the tracks took a sharp turn before entering the east side of the bridge. In 1951 the Northern Pacific reduced the curvature in this area by making a deep cut into the hillside east of the bridge and rerouting the tracks. This reportedly made it much easier for large locomotives to negotiate this curve. Photo ca. 1890s.

selves to look for possible relocation sites for the reservoirs. The railroad found what they thought would be an acceptable location northeast of the existing site and estimated the cost of relocation at $46,500.[47]

By this time, Alexander McKenzie, also known as the Boss of North Dakota, Alexander the Great, and the Bismarck Boomer, had become the principal owner in the water company. The story of how McKenzie and a few close friends acquired title to the Bismarck Water Company is surrounded by mystery and intrigue. It reportedly involved the mysterious disappearance of an official record book from the office of the Burleigh County Register of Deeds and the return of the title with names other than the originals.[48] It is generally believed that the Bismarck Water Company had little or no available capital, despite the fact that McKenzie was regarded as one of the wealthiest men in the Dakotas. In 1903 a test was made at McKenzie's request that demonstrated the reservoirs were leaking approximately 18,000 gallons a day. Six months later, McKenzie discounted or ignored these findings and was once again insisting that the reservoirs were not leaking.[49] The following year, Chief Engineer E. J. Pearson noted that the walls of the reservoirs were severely cracked down to a depth of eight and perhaps ten feet as a result of ice damage.[50]

The reluctance of the railroad to take the Bismarck Water Company to court may have resulted from the close ties between McKenzie and the heads of the Northern Pacific Railway Company and the railroad's possible dependence upon him to supply water for its steam locomotives. It was reported that McKenzie did provide free water to "his old cronies at the Northern Pacific Railway."[51] But even more importantly, McKenzie had been an agent for the Northern Pacific and was an important political ally for the railroad, often serving as their "special" representative in matters involving federal, state, and local governments.[52]

McKenzie died in 1922. One year later, following a



In 1904 a drainage tunnel, which branched in two directions below the reservoirs, was constructed to stabilize the area by intercepting water leaking from the Bismarck Water Company reservoirs. Construction of the tunnel began in January and was completed late in the summer. Little water was accumulated in the tunnel so numerous boreholes were drilled down from the surface into the tunnel to assist with the drainage. This map was modified from Peck's report.

41. *Bismarck Tribune*, May 30, 1898, p. 3. The *Tribune* reported that a landslide was responsible for moving the pier out of its proper location, and a landslide was responsible for moving it back.

42. Office of Bridge Engineer, pp. 18 20.

43. George E. Burgess, N.P.R.R. Topographical Map of East Bank of Missouri River at Bismarck Bridge (St. Paul: Office of Chief Engineer, May 31, 1894), plate 1, North Dakota State Archives.

44. Office of Bridge Engineer, p. 15.

45. *Ibid.*, p. 15.

46. *Ibid.*, p. 11; J.M. Edgerley, Letter to Alexander McKenzie, May 10, 1888.

47. Office of Bridge Engineer, pp. 15 21.

48. David B. Baglien, *The McKenzie Era, A Political History of North Dakota From 1880 to 1920* (Fargo, North Dakota: unpublished master's thesis, North Dakota Agricultural College, 1955), p. 13. Joseph A. Jackson, *Bismarck Boomer: The Amazing Career of Alexander McKenzie* (unpublished manuscript, North Dakota State Archives, 1954), pp. 105 and 280. Jackson states that on May 27, 1886, the Bismarck Water Company was organized by McKenzie, Eber H. Bly, Richard B. Mellon, Alexander Hughes, Daniel B. Decker, and James H. Marshall. J.M. Edgerley (Joe), letter to Alexander McKenzie, May 10, 1888, (McKenzie Collection, State Historical Society of North Dakota), pp. 61 and 62. According to this document, the certificates of stock for the Water Company were originally issued to a Colonel Monroe and assigned by him to Morison and Corthill. They apparently gave the certificates to Captain Hughes and asked him to have the stock transferred on the company's books and new certificates issued in their names. Hughes, in turn, gave the certificates to Eber Bly who held the stock, claiming Morison and Corthill had not fulfilled their contract in the construction of the waterworks and therefore were not entitled to the stock. This may be the incident that Jackson refers to in his manuscript. On the other hand, a book which contains at least two transactions involving the Bismarck Water Company is missing from the Burleigh County Register of Deeds Office. It may be that Jackson is partly correct; that is, that the document was stolen but that it was never returned. Additional documents in the Burleigh

long and bitter litigated battle between the city and the Bismarck Water Company, the city purchased the water system.[53] The city assumed responsibility for the reservoirs, and records seem to indicate the Northern Pacific's engineers enjoyed a better relationship with city officials than they had with the Bismarck Water Company; however, leakage from the reservoirs continued. In 1951 a study determined that the reservoirs were leaking at a rate of 6,050 gallons per day.[54] In 1960 the city relined the base of the east and west reservoirs with cement; all three are operating today with no reported leakage.

Alexander McKenzie, 1886

The Tunnel

That the waterworks were involved in the deterioration of the east bank was the opinion of at least one turn-of-the-century engineer who recommended two different approaches to alleviate the problem. In 1903 Robert Moore, a consulting engineer from St. Louis, concluded that all of the previous efforts to stop the slide on the east bank had been fruitless, and the Northern Pacific should turn its efforts to removing the cause. Moore strongly believed that the only permanent solution was removal of the waterworks to a hill approximately 1,500 feet east of the present location, at a cost of $60,000. He also recommended the immediate construction of a tunnel into the hill beneath the reservoirs to intercept and draw out all groundwater on the east side of the bridge.[55]

The Northern Pacific opted for his second recommendation, and crews, consisting of two miners, one or two laborers, and a carpenter, hand dug a four-foot by six-foot, timber-lagged mine tunnel, using a horse to haul out the rock. The crews generally worked two shifts and averaged four feet a day. The workers had to alternately contend with poorly cemented rock that caved in and areas of well cemented rock that had to be blasted. The tunnel entrance was north of pier 1 and extended at a slight upward grade for 483 feet in the direction of the reservoirs, ending approximately 65 feet from the side of the nearest reservoir. Two lateral tunnels were extended at the end of this tunnel, one extending north and the other southeast.[56]

Very little water was initially picked up by the tunnel so eighteen perforated pipes were driven down from the surface into the lateral tunnels at forty-foot spacings. Later eleven pipes were added. What little water seepage there was from the tunnel roof and walls ceased upon completion of the additional drains, and the general consensus at this time was that the project was successful. At one time, the drainage system carried 7,000 to 14,000 gallons of water a day from the area. Although, in general, the tunnel was poorly maintained over the years, many of the framing timbers were replaced in 1911 and again in 1937 due to decay and damage from shifting within the tunnel caused by slope failure. Records indicate that outflow from the tunnel was seasonal. The water that was collected by the drainage pipes was carried from the tunnel through a wooden drain box under the floor. An inspection in 1929 found that a significant amount of water was leaking out of this drain box and no flow was observed exiting the tunnel.[57] By 1950 flow from the tunnel had been reduced to 1,800 to 2,700 gallons a day. The reduced flow was believed to result primarily from the clogging of the perforated pipes which were driven without any surrounding filler material.[58]

The contribution of the tunnel to slope stability seems to have received a mixed review from the engineers involved in this active landslide. In 1929 Howard E. Stevens, a Northern Pacific Railway engineer from St. Paul, expressed the general feeling:

> It occurs to me that we are continuing to maintain this tunnel because no one cares to take the responsibility of saying nothing would

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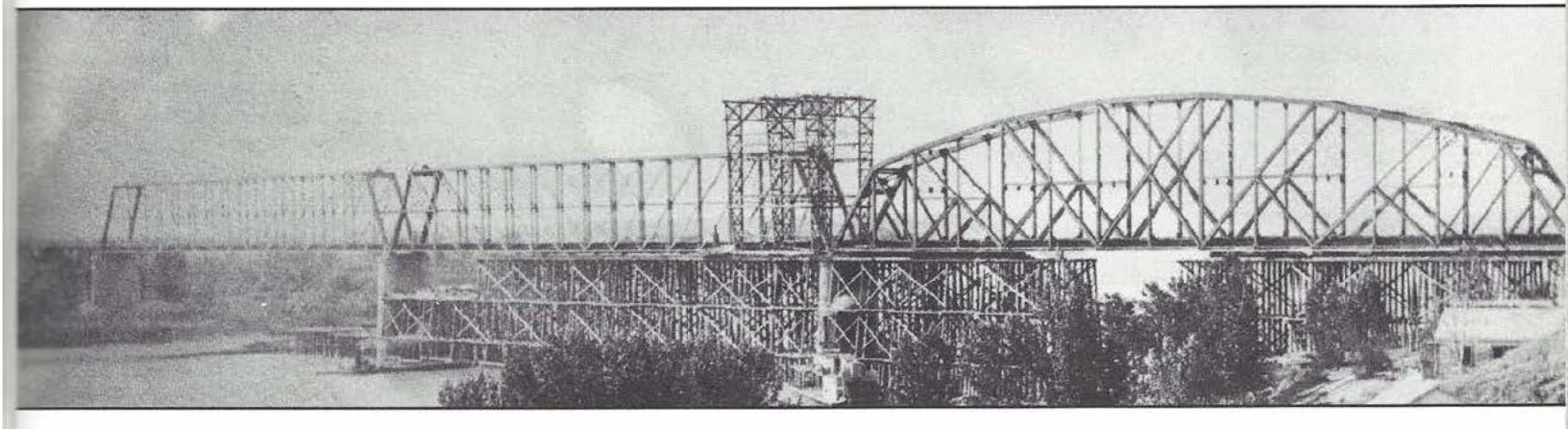
County Register of Deed's office indicate that the Bismarck Water Company authorized the issuance of bonds through the Central Trust Company of New York on June 14, 1887. At this time, Eber H. Bly was listed as president of the Bismarck Water Company and Alexander Hughes as secretary. On May 23, 1896, a judgment was made in District Court requiring the Bismarck Water Company and Central Trust Company of New York to sell the waterworks to the highest bidder. The plaintiffs in this case were Alexander McKenzie, George



Above: The bridge spans were replaced April-December 1905. Here, the east span had been replaced and work was just beginning on replacement of the middle span. Sufficient room was left between the cribbing for steamships to pass beneath the bridge during construction. In the fall, however, shifting sandbars plugged the opening under the east side of the bridge, and the railroad had to remove the cribbing from another area to enable navigation to continue. Below: Workers driving spikes while laying track on the newly replaced east end approach span of the Northern Pacific Bridge. The base of the new east truss (replaced in September 1905) is visible in the background. The small track to the left was built to guide the construction derrick. Photo taken between November 22, 1905, and January 15, 1906. Courtesy of the Northern Pacific Railway Company Records, Minnesota Historical Society, St. Paul, Minnesota.

> happen if it was abandoned. There has always been considerable question in my mind if the tunnel served any useful purpose. . . . on account of the clay nature of this soil I doubt if we catch water from any considerable distance on either side of the tunnel bore.[59]

In fact, the tunnel was a favorite place for local boys to play and explore until it was abandoned in 1951.[60]

Replacement of Bridge Superstructure

By 1904, despite Morison's initial attempt at predicting the future weights of trains, it had become clear that the original spans were no longer adequate for the

A. Hughes, and Eber H. Bly. According to an article in the April 23, 1896 issue of the *Bismarck Tribune* the suit was brought to determine the priority of lien, whether local creditors (such as McKenzie et al) should be reimbursed before the Central Trust Company was reimbursed. On December 10, 1897, Ernest N. Morison (presumed to be George Morison's nephew), John S.T. Waters, and Miles White, Jr. purchased the works for $37,000. On February 9, 1898, Morison, Waters, and White sold the waterworks to the Bismarck Water Supply Company for $57,250.

49. Office of Bridge Engineer, p. 21.

50. E.J. Pearson, Letter to General Manager H.J. Horn, Chief Engineer, Northern Pacific Railway Co., May 9, 1904, p. 4, North Dakota State Archives.

51. *Bismarck Tribune*, Farwest Supplement, December 17, 1977, pp. 12 14.

52. Jackson, pp. 137, 141-142. One example of his value to the railroad was his attempt in 1893 to get Burleigh County to forgive $32,000 in back taxes owed by the Northern Pacific.

53. *Bismarck Tribune*, December 17, 1977, pp. 12 13.

54. Ralph B. Peck, *Report on stability of slope; east bank of Missouri River, Bridge 196, Northern Pacific Railway Co., Bismarck, North Dakota* (Urbana: Department of Civil Engineering, University of Illinois, 1951), p. 48, North Dakota State Archives.

55. Office of Bridge Engineer, pp. 22-23.

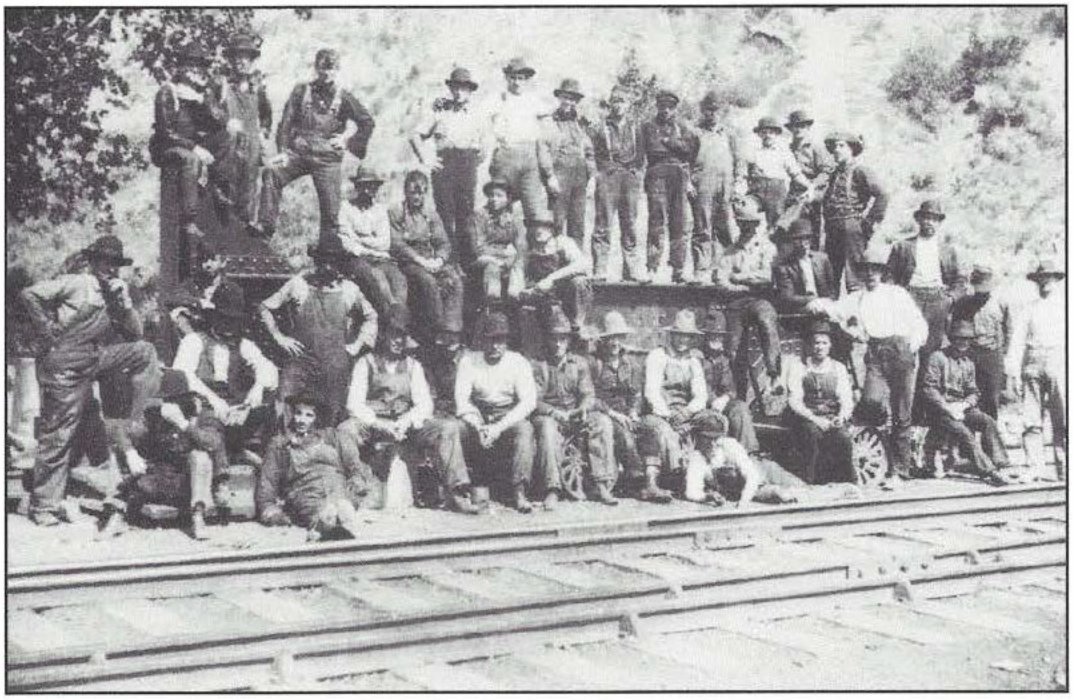
56. W.C. Smith, Series of letters to Acting Chief Engineer E.J. Pearson, Division Engineer (St. Paul: Northern Pacific Railway Co., January 20 - April 27, 1904), North Dakota State Archives.

57. Office of Bridge Engineer, p. 34; H.F. Brown, Letter to Bernard Blum, District Engineer, St. Paul, Minn., March 27, 1930, pp. 1 3; H.F. Brown, Memo, District Engineer, St. Paul, Minn., March 22, 1937, p. 1, North Dakota State Archives.

58. Office of Bridge Engineer, p. 6.

59. *Ibid.*, p. 35.

60. Interviews with Chester Perry and Robert Olgeirson, Bismarck, North Dakota. They recall playing in the tunnel as boys in the 1920s and 1930s. In an interview with Rodney Feldman, a professor of geology at Kent State University, he reported playing in the tunnel in 1945-1950 and said it was a great place to catch garter snakes.



Thirtyeight members of the crew respanning the Northern Pacific Bridge posed on one of the trusses loaded on a car ready to be rolled onto the bridge and placed in position. It was reported that in July 1905 twelve men arrived at the bridge claiming to be experienced bridge erectors. It quickly became apparent that they were not what they claimed so bridge foreman N. P. Togerson was sent to Chicago where he enlisted the services of thirty-six good bridge workers. Photo taken between September 20 and October 20, 1905. Courtesy of the Northern Pacific Railway Company Records, Minnesota Historical Society, St. Paul, Minnesota.

heavier locomotives, and a decision had to be made regarding the Bismarck bridge. The railroad engineers reviewed the whole question of slope and bank stabilization and bridge relocation. They explored several options, including the construction of a new, heavier bridge in another location, increasing the width of the river beneath the bridge and adding an additional bridge span, and replacing or reinforcing the existing bridge spans. The railroad dismissed expansion of both the river and the bridge because their engineers felt it would increase the danger of ice jams forming beneath the bridge. Instead, the railroad decided to replace the spans on the existing bridge, and Ralph Modjeski, a consulting engineer from Chicago, was hired to design the new spans.

The Northern Pacific could not afford to have the bridge closed to traffic during the eight months it would take to replace the spans. Therefore, railroad engineers designed wooden cribbing or falseworks which not only supported each span as it was replaced but was also able to support the weight of passing trains. This resulted in the unprecedented feat of allowing trains to continue running with little or no delay while the bridge was under construction. One of the main concerns for the engineers at this time was to keep an area under the bridge open for navigation, a task made more difficult by the shifting sandbars.[61] The new trusses were bowstrings, in contrast to their trapezoidal predecessors, enabling old photos of the bridge to be readily identified as pre- or post-1905. The new trusses were entirely made of steel, unlike the previous ones which contained both steel and iron pieces. The bridge spans were replaced at a cost variously calculated from $274,000 to $500,000, depending on the source. The new bridge was reported to be designed to carry twice the weight of the old bridge which enabled it to support the anticipated increases in railcar weight long into the future.[62] Judging from the fact that the bridge has remained relatively unchanged for the last ninety years, the engineers certainly met or exceeded their goal.

Few local men applied for the available jobs during the respanning of the bridge, and most of the workforce came from Duluth, Minneapolis, Chicago, St. Louis, and Omaha. No serious accidents were reported during this time. One worker did fall from the bridge into the river but returned to work within a week.[63]

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61. *Bismarck Weekly Tribune*, March 9, 1906, p. 1; Resident Engineer Nickerson, final report to Consulting Engineer Ralph Modjeski, (Bismarck: Northern Pacific Railway Co.], January 24, 1906, p. 17.

62. *Bismarck Weekly Tribune*, March 9, 1906, p. 1. The *Tribune* estimated cost of respan at $500,000; Nickerson, pp. 14-18. Most of the old bridge was salvaged for repair parts in other bridges throughout the country. The timber from the cribbings was also salvaged. Timber piles were cut off at the water line and the remnants can be seen today on or below the east and west ends of the bridge.

63. Nickerson, p. 21.

64. Nelson Handsaker, Report on Inspection of Cofferdam, Bridge 196, Bismarck (St. Paul: Office of Bridge Engineer, Northern Pacific Railway Co., August 10, 1948], p. 2.

65. Ralph B. Peck, Letter to E.C. Murphy, Civil Engineer: Geotechnics, Albuquerque, New Mexico, May 12, 1994, pp. 1-2.

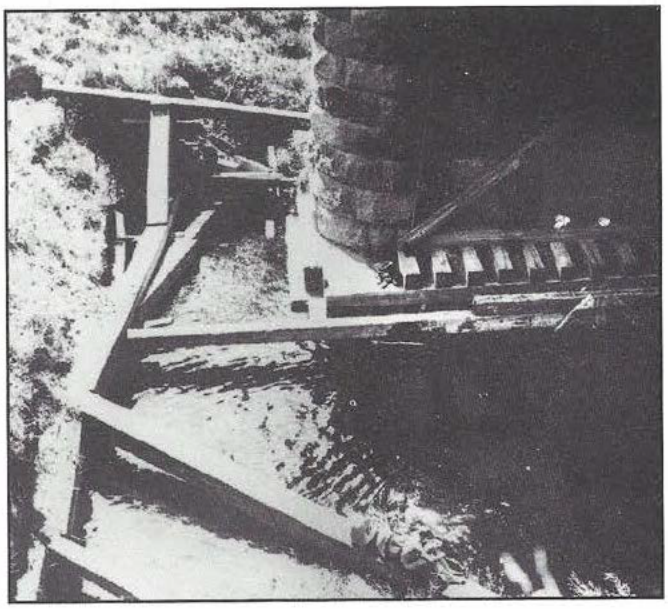
66. Ralph B. Peck and H.O. Ireland, *Investigation of Stability*

The Final Solution

During the years, the east slope continued to move, undergoing an accelerated period of movement from 1947 to 1950. For some time, the Northern Pacific had contemplated realigning the tracks on the east side of the bridge. In 1951 they decided it would be a good time to reassess the slide, especially in light of the advances that had been made in understanding slope movement.[64] During this same time, the Association of American Railroads had a contract with the University of Illinois to investigate stability problems at the request of the various railroads in the United States and Canada. As a result of this contract, Dr. Ralph B. Peck, a widely respected engineering professor at the University of Illinois, investigated the slide to determine a solution to eliminate or greatly reduce the slope failure in this area, thus retarding the movement on pier 1. Coincidentally, Dr. Peck's parents homesteaded in the Dakota Territory near Mitchell, South Dakota, and one of his father's first assignments as a railroad bridge engineer was to design the steel tail-span on the east end of the Bismarck bridge in 1907.[65] In 1991 the east tail-span was replaced with three sets of steel piles.

Dr. Peck evaluated the seventy years of information and hypotheses from the site and concluded that Morison's alteration of the river channel and trimming of the hillside were the main causes for failure of this slope. From his study of the area, Peck surmised that the slopes along the east side of the bridge were likely unstable prior to bridge construction. Therefore, the slope would not require much disturbance during bridge construction to start it moving. Peck determined that the only way to obtain stability at this site was to remove a substantial amount of the hillside above the bridge and to recontour the base of the slope. The Northern Pacific concurred with Peck's recommendations, and dirt work began in the fall of 1951 and was completed the following year.[66] Even after these efforts, the slide continued to move, albeit at a much reduced rate. In 1963, the year the railroad discontinued keeping records on the site, the slide was moving at a rate of approximately one-third of an inch a year.

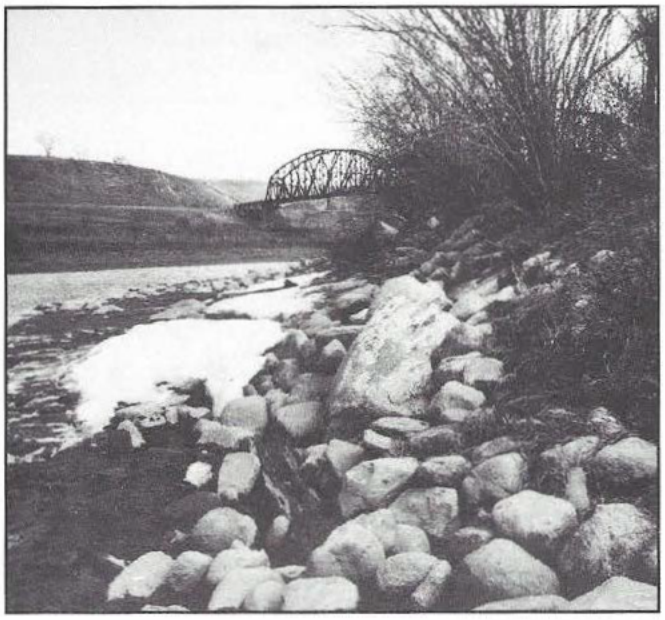
The Bismarck bridge was originally built for a cost of $1.1 million. In 1905 the original spans were replaced at a cost of $274,000-$500,000. No estimates are available of the cost to the Northern Pacific to repair and maintain pier 1 and the slopes adjacent to the east end of the bridge from 1883 to 1952, but it likely involved hundreds of thousands of dollars. What impact, if any, the relocation of the water reservoirs might have had on the stability of the east end of the bridge will never be known. As Dr. Peck pointed out in his report, the hillside began moving at least two or three years prior to completion of the reservoirs, so they could not be blamed for initiating the movement, although they may have added to it later. Morison's involvement with the Bismarck Water Company likely resulted from his recognition of a dire need of the citizens of Bismarck for water and his ability to draw on his engineering experience to help fill that need.[67] Railroad documents suggest that Morison kept his involvement with the Bismarck Water Company a secret until after he sold his interest in it. It is not known how much the mounting opposition against the reservoirs by the railroad engineers influenced his decision to sell. What is known is



In 1918 a cofferdam, consisting of a large pit, braced with thick timbers, and excavated down to the base of the foundation, was placed around pier 1 to protect it from the sliding hillside. The cofferdam succeeded in slowing movement on the pier but had to undergo major repairs in 1923 and again in 1940 due to damage caused by pressures placed on it by the landslide. The cofferdam periodically filled with water and was a favorite swimming hole for area youth.

Problems, (Proceedings of the American Railway Engineering Association, 1953), Vol. 54, pp. 1125-1127; and Elmer W. Brooker and Ralph B. Peck, *Rational Design Treatment of Slides in Over Consolidated Clays and Clay Shales* (Canadian Geotechnical Journal, September, 1993), Vol. 30, pp. 533-534.

67. *Bismarck Tribune*, January 28, 1881, p. 1, and February 4, 1881, p. 1. The need for a Bismarck waterworks was front page news when Morison arrived in Bismarck to supervise construction of the bridge. The *Tribune* pledged to keep the issue in the paper until a decision was made. Merchants concerned about fire danger argued that their insurance premiums would be cut by nearly one half if a water system was built. The city commission set up a committee comprised of Carland, Halloran, and Meserve to look into the matter. There was some disagreement among the citizens as to whether the source of the water should be groundwater or the river.



the frustration of some of these same engineers, who were convinced that the reservoirs were harming the bridge but were unable to get Alexander McKenzie to act or to prompt Northern Pacific officers into forcing McKenzie into action.[68]

For nearly forty years, the Northern Pacific Bridge stood as the only crossing over the Missouri River in this area. With its dark spans, tall masonry piers, and sleek ice breakers, the Bismarck railroad bridge is arguably the most majestic of the four bridges that now span the Missouri River at Bismarck. The bridge stands today as a testament to George Morison and the men who built it, especially those brave souls who toiled in the dimly lit caissons. Perhaps Morison himself summoned up their accomplishment best when he said, "Peace hath her victories, no less renowned than war."[69] ND

Acknowledgments

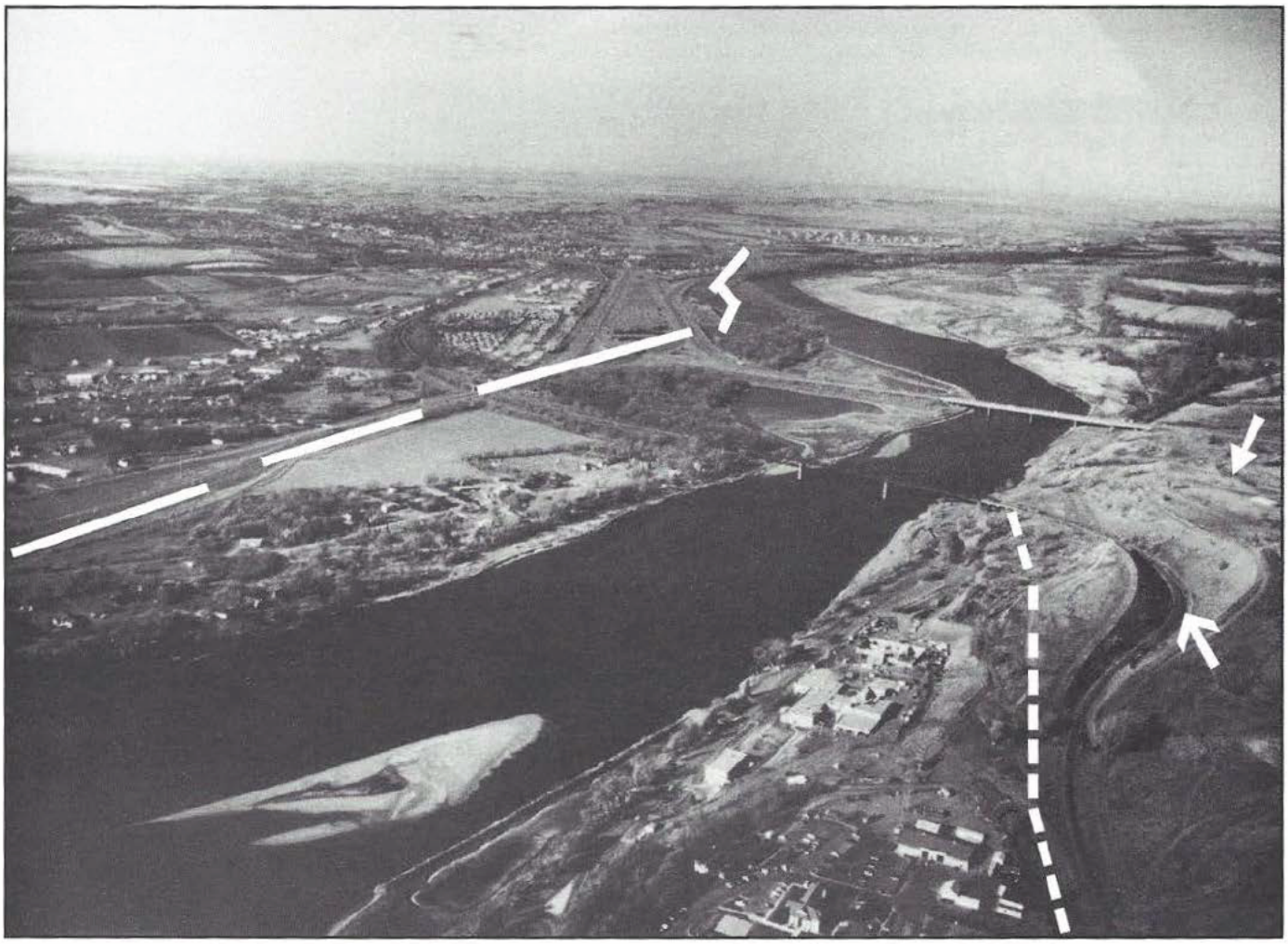
The author would like to thank Dr. Ralph Peck, Professor Emeritus, University of Illinois; Todd Strand and Jim Davis, State Historical Society of North Dakota; Mel Bullinger and Brad Wright, Engineering Department, City of Bismarck; Steve Nielsen, Minnesota Historical Society; Laurie Morrow, Montana Historical Society; Trent Heinemeyer, Bismarck, and Gerald Knudson, Mandan, for providing material for this article.

About the Author

Edward C. Murphy is a geologist with the North Dakota Geological Survey. A native of Bismarck, he earned an associate of arts degree from Bismarck State College, and bachelor's and master's degrees in geology from the University of North Dakota. This article resulted from an ongoing investigation of slope stability in the Bismarck-Mandan area.

68. J.M. Edgerley, letter to Alexander McKenzie, Alexander McKenzie Papers, May 18, 1888, p. 69, North Dakota State Archives. An interesting and perhaps insightful example of how McKenzie and the Bismarck Water Company operated is provided by Edgerley's letter which describes an incident in which the Bismarck Water Company almost turned off the water to the territorial governor. The governor had previously complained that his water bill was too high and was delinquent in his payments. One of McKenzie's associates with the Water Company, Eber H. Bly (of the Sheridan House), gave orders for the water to be shut off at the governor's residence but Edgerley intervened and resolved the matter before the water was turned off. It was reported that Bly was trying to get even with the governor for a bill concerning committee room rent that "went into the wastebasket" during the last legislative session. Following the incident Bly reportedly went around Bismarck sarcastically remarking the Governor "is a hell of a nice man, too mean to pay his water bill."

69. *Bismarck Tribune*, October 27, 1882, p. 2; Nolan, p. 36. Morison concluded his remarks at the banquet given the evening of the successful testing of the bridge with those words. The phrase was apparently borrowed from a Northern Pacific advertisement brochure written in 1871 by Jay Cooke of the NP Land Grant and Immigration Department.



Opposite page, top: Classification of sediment cuttings obtained from boreholes during a geotechnical investigation of slope stability at the east pier. Pictured second from the left is Ralph Peck, a member of the investigative team from the University of Illinois. Photo taken July 1951, courtesy of Ralph B. Peck.
Opposite page, bottom: Boulders eroding out of Morison's dike along the west bank of the Missouri River. The east end of the bridge is visible in the background. The specifications for the dike required that all of the stones weigh at least fifty pounds and at least one-half had to exceed five hundred pounds. Photo taken April 1994, courtesy of the North Dakota Geological Survey.
Above: Recent photo looking north along the Missouri River to the Bismarck Railroad Bridge, with the Grant Marsh Bridge on I 94 in the background. The line of long dashes outlines the approximate position of the west bank of the Missouri River prior to Morison's dike. The open arrow (lower right) points to the 1951 cut and track realignment; short dashes trace the old track alignment; the solid arrow (center right) points to the city of Bismarck water reservoirs. The line change and landslide work required removing 760,000 cubic yards of soil from this area. Courtesy of the North Dakota Geological Survey.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0071
Comment Submitted by Robert Hanna

Submitter Information

Name: Robert Hanna

General Comment

I'm writing as an interested person in support of keeping the existing bridge or, at the very least, its original 1882 piers.

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.

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."

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.

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.

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.

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.

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Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0072
Comment Submitted by Scot Harmstead

Submitter Information

Name: Scott Harmstead
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

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 human environment that the project may impact that are aesthetic, historic, cultural, economic, (or) social.

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.

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BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0073
Comment Submitted by Ryan Aasheim

Submitter Information

Name: Ryan Aasheim

General Comment

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.

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.

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.

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BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0074
Comment Submitted by Emily Sakariassen

Submitter Information

Name: Emily Sakariassen

General Comment

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:

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 it be avoided or minimized? How?

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?

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?

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 see these included. I also expect to see all potential impacts analyzed for all proposed actions and alternatives.

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.

I appreciate the opportunity to comment and look forward to the draft EIS.

Emily Sakariassen
President, Preservation North Dakota

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BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0075
Comment Submitted by James Kambeitz

Submitter Information

Name: James Kambeitz

General Comment

Dear United States Coast Guard,

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.

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.

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.

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.

Thank you,
James Kambeitz
Bismarck, ND

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BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0076
Comment Submitted by Courtney Schaff

Submitter Information

Name: Courtney Schaff

General Comment

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!

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: Posted
Posted: February 25, 2020
Tracking No. 1k4-9f74-mu5j
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0077
Comment Submitted by Lori Hopfauf

Submitter Information

Name: Lori Hopfauf

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9f74-laf0
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0078
Comment Submitted by David Clemmons

Submitter Information

Name: David Clemmons

General Comment

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.

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.

But, I think that the old bridge should be kept for all citizens.

Dont miss this opportunity to preserve the old bridge!

Thanks,
David Clemmons

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: Posted
Posted: February 26, 2020
Tracking No. 1k4-9f75-pilu
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0079
Comment Submitted by Ann Jenks

Submitter Information

Name: Ann Jenks
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

The NPRR 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.
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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
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Tracking No. 1k4-9f75-ouke
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0080
Comment Submitted by Anita Casey- Reed

Submitter Information

Name: Anita Casey-Reed
Address:
[redacted]
Email: [redacted]

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9f76-jytd
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0081
Comment Submitted by Keenan Hauff

Submitter Information

Name: Keenan Hauff

General Comment

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.

https://www.visittheusa.com/destination/bismarck

https://money.cnn.com/magazines/moneymag/best-places/2012/snapshots/PL3807200.html

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
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Posted: February 26, 2020
Tracking No. 1k4-9f76-91hq
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0082
Comment Submitted by Karen Wolfer

Submitter Information

Name: Karen Wolfer
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
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Tracking No. 1k4-9f77-5cef
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0083
Comment Submitted by Mary C Ward

Submitter Information

Name: Mary C Ward

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9f77-szy0
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0084
Comment Submitted by Kristy Rose

Submitter Information

Name: Kristy Rose

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0085
Comment Submitted by Nicholas Bradbury

Submitter Information

Name: Nicholas Bradbury

General Comment

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.

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.

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 wothstood the test of time and its hand-carved stone pillars remain sturdy today.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9f77-xjtk
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Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0086
Comment Submitted by David Terry

Submitter Information

Name: David Terry

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9f77-tzjx
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0087
Comment Submitted by Justin Pearson

Submitter Information

Name: Justin Pearson

General Comment

To Whom it May Concern:

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.

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.

Again, We respectively 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.

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.

Sincerely,

Community Development Department,
Big Sky Economic Development
Billings, MT

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
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Posted: February 26, 2020
Tracking No. 1k4-9f77-23vb
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0088
Comment Submitted by David Wolfer

Submitter Information

Name: David Wolfer
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

I propose it be turned into a 'simple' pedestrian path. Less money than tearing it down and a historical land mark.

PUBLIC SUBMISSION

As of: March 12, 2020
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Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0089
Comment Submitted by Nickie Clark

Submitter Information

Name: NICKIE CLARK
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9f79-fjwu
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0090
Comment Submitted by Terrence McCann

Submitter Information

Name: Terrence McCann
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0091
Comment Submitted by John Marvig

Submitter Information

Name: John Marvig

General Comment

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.

PUBLIC SUBMISSION

As of: March 12, 2020
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Posted: February 26, 2020
Tracking No. 1k4-9f79-b1ba
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0092
Comment Submitted by Debra Brych

Submitter Information

Name: Debra Brych

General Comment

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!!

PUBLIC SUBMISSION

As of: March 12, 2020
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Tracking No. 1k4-9f79-zyge
Comments Due: February 24, 2020
Submission Type: API

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0093
Comment Submitted by Tayo Basquiat

Submitter Information

Name: Tayo Basquiat
Address:
[redacted]

General Comment

Dear United States Coast Guard,

I am writing to ask that you preserve the historic railroad bridge that crosses the Missouri River at Bismarck-Mandan.

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.

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.

Sincerely,

PUBLIC SUBMISSION

As of: March 12, 2020
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Submission Type: API

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0094
Comment Submitted by Adrian Jacobs, Bravehearts Enterprises, LLC

Submitter Information

Name: Adrian Jacobs
Address:
[redacted]
Email: [redacted]
Phone: [redacted]
Organization: Bravehearts Enterprises LLC

General Comment

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.

PUBLIC SUBMISSION

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Comments Due: February 24, 2020
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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0095
Comment Submitted by Ryan Warner

Submitter Information

Name: Ryan Warner
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

Hi:

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.

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.

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.

PUBLIC SUBMISSION

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Tracking No. 1k4-9f7c-zm01
Comments Due: February 24, 2020
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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0096
Comment Submitted by Hunter Andes

Submitter Information

Name: Hunter Andes

General Comment

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.

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0097
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

Keep it for a walking path, build a restaurant in the middle over looking the river, build shops on it

PUBLIC SUBMISSION

As of: March 12, 2020
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Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0098
Comment Submitted by Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

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.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: Posted
Posted: February 26, 2020
Tracking No. 1k4-9f7e-e8ee
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0099
Comment Submitted by Mark Thueson

Submitter Information

Name: Mark Thueson

General Comment

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.

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0100
Comment Submitted by Michelle Harmstead

Submitter Information

Name: Michelle Harmstead
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

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 https://www.bbc.com/news/world-47952725). 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".

PUBLIC SUBMISSION

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Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-0101
Comment Submitted by JJ England

Submitter Information

Name: JJ England
Address:
[redacted]
Email: [redacted]
Phone: [redacted]

General Comment

Please see the attached comments of JJ England.

Attachments

JJ England

FOIA Appeal

The attachment is restricted to restrict all because it contains personally identifiable information data

JJ England
*****[redacted]

February 24, 2020

Electronically Submitted via Regulations.gov

Mr. Brian L. Dunn
Chief, Office of Bridge Programs
U.S. Coast Guard Headquarters
2703 Martin Luther King Jr. Ave, SE
Washington, DC 20593-7418
[redacted]

Re: EIS Scoping Comments of JJ England

Docket Number USCG–2019–0882
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Dear United States Coast Guard:

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.

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.

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.

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:

> 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.*
>
> 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.*
>
> .
>
> 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.*
>
> 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.*

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.

I. USCG is not correct that it has already held a NEPA scoping meeting.

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:

> 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.

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 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.

II. The Statement of Purpose and Need is Unlawfully Narrow and Results in the Improper Exclusion of Refurbishing the Existing Bridge as a Reasonable Alternative.

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.

"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).

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:

> Piers accept a future second track - Why?
>
> BNSF Approach to Bridge Construction: Where we can potentially foresee the need for future added capacity, we construct piers to accommodate an added track.
>
> 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.

Docket USCG-2019-0882, "BNSF Br. 196.6 Replacement Design Concepts Considered."

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.

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.

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.

The end result of drafting the statement of purpose and need to require width sufficient for a two-track bridge 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 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)"). *Simmons v. U.S. Army Corps of Engineers*, 120 F.3d 664, 666 (7th Cir. 1997).

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.

III. Refurbishment of the Existing Rail Bridge for Rail Purposes Must be Included in the EIS as a Reasonable Alternative.

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.

IV. USCG's Public Notice Contains Factual Statements that Appear Pre-Determined and are Not Supported by the Existing Record.

USCG's public notice states the following:

> 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.

85 Fed. Reg 930.

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., Davis v. Mineta*, 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.

V. USCG Must Include, and Meaningfully Review, a No Action Alternative.

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.

VI. 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.

On June 13, 2018, I submitted a Freedom of Information Act Request ("FOIA") to USCG. I requested the following three items:

1. BNSF's application(s) to obtain permit(s) from USCG for the Bridge Project;

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

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.

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.

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.

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.

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.

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: https://www.dco.uscg.mil/Portals/9/DCO%20Documents/5pw/Office%20of%20Bridge%20Programs/BPAG%20COMDTPUB%20P16591%203D_Sequential%20Clearance%20Final(July2016).pdf 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.

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.

VII. Comments Regarding UCSG's Proposal to Use a Programmatic Agreement to Comply with Section 106 of the National Historic Preservation Act

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.

VIII. 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.

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.

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 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:

https://www.houstoneng.com/what-we-do/Transportation/Rail/ [1]

https://www.houstoneng.com/bnsftrackraiseandembankmentwidening/ [2]

https://www.houstoneng.com/bnsfwinterdroneflights/[3]

https://www.houstoneng.com/2ndstreetcsah7railroadbridgereplacement/[4]

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.

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[1] Archived version: http://web.archive.org/web/20200225024902/https://www.houstoneng.com/what-we-do/Transportation/Rail/

[2] Archive version: http://web.archive.org/web/20200225025002/https://www.houstoneng.com/bnsftrackraiseandembankmentwidening

[3] Archive version: http://web.archive.org/web/20200225025017/https://www.houstoneng.com/bnsfwinterdroneflights/

[4] Archive version: http://web.archive.org/web/20200225025025/https://www.houstoneng.com/2ndstreetcsah7railroadbridgereplacement/

IX. Environmental Impacts that Must be Considered in the Scope of the EIS

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:

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 Criterions 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.

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.

3. Construction and Demolition Impacts Must be Considered

The environmental impacts of construction and demolition for each alternative must be considered in detail.

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.

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.

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 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.

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.

5. The Safety of Each Alternative Must be Evaluated

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.

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 tough BNSF and USCG have indicated that this is a primary reason that this project is being considered in the first place.

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.

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 double-stacked rail cars on the newly-constructed bridge, and whether these double-stacked cars have an increased derailment risk.

6. Impacts from Increased Weight Limits and Train Frequency Must be Evaluated

A. Train Locomotive and Rail Car Noise.

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.

B. Train Horn Noise and Potential Impacts on Bismarck's Rail Quiet Zone

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.

X. Conclusion

Thank you again for the opportunity to provide these comments. I request that you add me to any future public notice lists for this project, if such a list exists. I will look forward to providing feedback on the Draft Environmental Impact Statement and Programmatic Agreement.

Respectfully submitted,

/S/ JJ England

JJ England

Enclosures: Exhibit A – FOIA Appeal and Appended Documents

BRAATEN
Law Firm

December 5, 2018

Privacy Office
Attn: FOIA Appeals
U.S. Department of Homeland Security
245 Murray Lane, SW
Mail Stop 0655
Washington, D.C. 20528-0655

Re: Freedom of Information Act Appeal of Request No. 2018-CGFO-01957

Dear FOIA Appeals Officer:

Pursuant to 5 U.S.C. § 552, and 6 C.F.R. §5.8, I am writing on behalf of Mr. JJ England to appeal his Freedom of Information Act ("FOIA) Request No. 2018-CGFO-01957, which Mr. England sent via email to the United States Coast Guard ("USGS"). See Attachment A, FOIA Request Letter, dated June 13, 2018. Mr. England sent the FOIA request on June 13, 2018, and has yet to receive any satisfactory response regarding his request. Therefore, pursuant to 6 C.F.R. § 5.8, the response he received was incomplete, did not address any aspect of his request, and is ripe for appeal.

I. Factual Background

The USCG acknowledged confirmation of Mr. England's June 13, 2018 request on June 27, 2018. See Attachment B, Email from USGG to Mr. England, dated June 27, 2018. According to FOIA, 5 U.S.C. § 552 (a)(6)(A)(i), and regulations at 6 C.F.R. §5.6 (c), the agency ordinarily "shall have twenty (20) working days from when a request is received to determine whether to grant or deny the request unless there are unusual or exceptional circumstances." 6 C.F.R. §5.6 (c). Further, 6 C.F.R. §5.6 (c) requires the agency to "notify the requester in writing," and "inform the requester of any fees charged under § 5.11 and shall disclose the requested records to the requester promptly upon payment of any applicable fees USCG." Thus, Mr. England should have received a response to his request twenty working days from June 27, 2018, which would have been July 26th, 2018. Mr. England received no response, and on August 16th, sent a follow-up email requesting information about the status of his response. See Attachment C, Email to USCG from Mr. England dated August 16, 2018. Mr. England received no response to that email. On August 21, 2018, Mr. England again wrote the USCG to request an update on the status of his request, further indicating the time-sensitive nature of the request and indicating that an appeal would be filed if no response was received. See Attachment D, Email to USCG from Mr. England dated August 21, 2018.

Mr. England received no response to his two emails until Monday, September 10, which was a total of fifty-one (51) working days from the receipt of his request. At that point, he was directed to contact a member of the USCG staff. See Attachment E, Email from Jonathan Griffie to Mr. England dated September 10, 2018. Mr. England and USCG staff then exchanged a number of voicemails, all of which gave no substantive response whatsoever to his request. On September 14, 2018, a representative from USCG contacted Mr. England to let him know that it was going through the National Historic Preservation Act Section 106 process and "working on a draft environmental document," and that those documents would be forthcoming via public notice. Attachment F, Email from Eric Washburn, September 14, 2018. On 27, 2018, an email from a USCG representative attempted to "confirm that the information [his supervisor] provided…is satisfactory…at this time." Attachment G, Email from Rob McCaskey to Mr. England dated September 27, 2018.

On October 2, 2018, because he had been unable to successfully reach anyone to follow up on the USCG's apparent attempt to respond to his FOIA request, which was neither responsive nor satisfactory, Mr. England sent another email to a representative of USCG indicating that he had still not received the information he had requested. Attachment H, Email from Mr. England to Rob McCaskey dated October 2, 2018. He further clarified that the time-sensitive nature of the request to facilitate his ability to engage in a public commenting process; he re-attached the FOIA request; and he re-iterated in simple terms what he is seeking. Id. He provided his cell phone number and clarified that the attempts by USCG to respond were unresponsive to his request, and was "not a substitute for responding to the FOIA." Id.

Finally, on October 22, 2018, Mr. England received a letter purporting to be "response" to Mr. England's FOIA request for the BNSF Bismarck Railroad Bridge Permit file and associated documents. The letter responded by stating that "[t]he USCG is currently working on a Draft Environmental Assessment with other Federal agencies and will be releasing the document, via a Public Notice, for future comment, upon its completion." The letter went on to state that it was "not a denial of [Mr. England's] request for information, but an acknowledgment that the information is still being processed and assessed." See Attachment I, USCG letter to Mr. JJ England.

Thus, after a total of almost six months after the initial FOIA request was sent to USCG by Mr. England, Mr. England has still received no satisfactory response to his request. 5 U.S.C. § 552 (a)(6)(C)(i) provides that "if the agency fails to comply with the applicable time limit provisions" the requestor "shall be deemed to have exhausted his administrative remedies with respect to such request." He is therefore filing this appeal in order to obtain the documents he has requested from USCG to be able to fully participate in the ongoing NEPA review process pertaining to the BNSF bridge.

II. USCG's response to Mr. England's request was incomplete and did not address any aspect of his request.

USCG's letter to Mr. England regarding his FOIA request was a legally inadequate response and did not provide information regarding the status of his request, attempts to locate materials related thereto, reasons for withholding the permit file or permit application he requested. All the letter did was inform Mr. England that the NEPA process is underway, and that it planned to comply with applicable public notice and commenting requirements.

Under 6 C.F.R. §5.6 (c), Mr. England should have received, more than three months before the October letter, a notification "in writing" either "disclos[ing] the requested records to [Mr. England] promptly upon payment of any applicable fees USCG," or if USCG was having difficulty locating records, or did not have any responsive records, it should have "notif[ied] the requester of that determination in writing." 6 C.F.R. §5.6(d). Specifically, USCG's "adverse determination" should have explained whether the "record is exempt, in whole or in part;" whether "the request does not reasonably describe the records sought;" whether "the information requested is not a record subject to the FOIA;" whether "the requested record does not exist, cannot be located, or has been destroyed;" or whether "the requested record is not readily reproducible in the form or format sought by the requester." Id. Furthermore, if USCG had discovered that the records were unavailable for any reason, 6 C.F.R. §5.6 (e) requires a "brief statement of the reasons for the denial, including any FOIA exemption applied by the component in denying the request" and an "estimate of the volume of any records or information withheld," among other things.

USCG did nothing of what was required of it under its governing regulations under FOIA. It failed to respond by providing Mr. England with records, or informing him that the records were exempt, or unavailable, and why. Mr. England therefore takes issue with the "adequacy of the [USCG's] search for responsive records," he "believes the [USCG] either misinterpreted the request or did not address all aspects of the request (i.e., it issued an incomplete response)." 6 C.F.R. §5.8 (a)(1). More plainly, he asserts that the request was completely inadequate, and failed to respond in any way to his request.

III. USCG must provide him with the documents he has requested, or a clear statement of why those documents are unavailable.

As indicated above, the regulations pertaining to USCG's obligations under FOIA clearly state that the USCG must respond to Mr. England's request and either provide him with the documents he has requested, or explain in detail how it sought them, why they can't be provided. 6 C.F.R. §5.6. United States Courts have consistently held that this is the case as applied to all agencies subject to FOIA, the USCG included. For example, in Valencia-Lucena v. U.S. Coast Guard, 180 F.3d 321 (D.C. Cir. 1999), the D.C. Circuit Court of Appeals stated: "The fundamental principle animating FOIA is public access to government documents.

Accordingly, this court has required agencies to make more than perfunctory searches and, indeed, to follow through on obvious leads to discover requested documents. An agency fulfills its obligations under FOIA if it can demonstrate beyond material doubt that its search was 'reasonably calculated to uncover all relevant documents.' '[T]he agency must show that it made a good faith effort to conduct a search for the requested records, using methods which can be reasonably expected to produce the information requested.'" Valencia-Lucena v. U.S. Coast Guard, 180 F.3d 321, 325–26 (D.C. Cir. 1999) (emphasis added). Thus, USCG cannot simply fail to respond in any substantive way to any of Mr. England's requests, nor can it simply state that the records will, at some point, be forthcoming. Not only does this imply that there are records that fit the description of the records Mr. England requests, but it also implies that the USCG is intentionally withholding those documents until it is required to publicize them as part of the NEPA review process.

Mr. England has requested a permit application to the USCG for a permit related to a project currently being contemplated in the Missouri River in North Dakota. He has also requested any application materials submitted in support of that application, and any correspondence between the USCG and U.S. Fish and Wildlife relating to the permitting process. Thus, his request relates to an ongoing permitting process—a point Mr. England reiterated multiple times in his correspondence with USCG. The requested materials do not require searching through any historical records, and can likely be accessed all via relatively quick and simple electronic searches. Further, via its letter responding to the request, USCG seems to suggest that it is in the process of reviewing the records Mr. England has requested, but is simply refusing to provide them. Notwithstanding its statement in the letter to Mr. England that this does not constitute a "denial," of his request, it does not comply with the requirements of FOIA whatsoever.

IV. Conclusion

USCG is legally obligated to provide Mr. England with the records he requested in a timely fashion. Mr. England therefore requests a sufficient response to his June 13, 2018 FOIA request.

Please do not hesitate to contact me with any follow-up questions you may have regarding this request. I look forward to a decision regarding this appeal within twenty (20) days of receiving this request. 6 C.F.R. §5.8 (d).

Sincerely,

Kyra Hill

Enclosures: Attachments A-I

cc: EFOIA@uscg.mil

Gmail **JJ England** [redacted]

Freedom of Information Act Request

JJ England <[redacted]> Wed, Jun 13, 2018 at 5:16 PM
To: EFOIA@uscg.mil

Good evening,

Attached please find a Freedom of Information Act request submitted by JJ England of Bismarck, North Dakota. If you have any questions, please do not hesitate to contact me. I would appreciate a reply to this e-mail so that I know you received this FOIA.

Thank you,

JJ England
[redacted]

Freedom of Information Act Request.pdf
520K

Attachment A

JJ England
[redacted]

June 13, 2018

VIA EMAIL ONLY

COMMANDANT (CG-611)
ATTN FOIA OFFICER
2703 MARTIN LUTHER KING JR AVE SE
US COAST GUARD STOP 7710
WASHINGTON DC 20593-7710
EFOIA@uscg.mil

Re: Freedom of Information Act Request

Dear FOIA Officer:

I am writing to request records from the United States Coast Guard ("USCG") pursuant to the Freedom of Information Act, 5 U.S.C. § 552. This records request relates to BNSF Railway Company's ("BNSF") plans to remove, reconstruct, and/or replace its current rail bridge across the Missouri River in Bismarck and Mandan, North Dakota (the "Bridge Project").

I. Background about the Requesting Individual

I am requesting these records on my own behalf and not on behalf of any organization or entity. I am requesting these records specifically because I am a resident of the Bismarck community and I would like to fully participate in commenting on the USCG's eventual environmental assessment and draft decision for the Bridge Project, and to do so, it would help me to have the documents that I am requesting below. None of the records requested in this FOIA are for commercial use. Rather, I solely plan to use these documents to help me understand any eventual decision that USCG may make on the Bridge Project. I therefore request that USCG classify me as a non-commercial, "other" requester. *See* 6 C.F.R. 5.11(d)(4) and 6 C.F.R. 5.11(k)(6). You have my authorization to bill up to $150 to fulfill this records request.

II. Description of records I am requesting in this FOIA

I specifically request the following records **created on or after January 1, 2012**:

1. BNSF's application(s) to obtain permit(s) from the USCG for the Bridge Project;

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;

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 and/or USCG of the Bridge Project.

III. Location of records and individuals who are likely to be of assistance in locating records

The records requested above are likely to be held at the United States Coast Guard's Eighth District office in St. Louis, Missouri. Mr. Eric Wasbhurn [redacted] and Mr. Rob McCaskey [redacted] are the two United States Coast Guard Officers who are likely to be the most knowledgeable about the Bridge Project and the records sought in this FOIA request.

IV. Format of responsive records

To the extent feasible, I would appreciate it if you could provide responsive records in electronic format. To mail or e-mail any materials responsive to this FOIA request, you may use the following contact information:

JJ England
[redacted]

If you have any questions about this request, please do not hesitate to contact me.

Thank you,

JJ England

Gmail **JJ England** [redacted]

RE: Your Freedom of Information Act (FOIA)/Privacy Act (PA) 2018-CGFO-01957

efoia@uscg.mil <efoia@uscg.mil> Wed, Jun 27, 2018 at 10:21 AM
To: [redacted]

Dear JJ England,

This acknowledges receipt of your June 13, 2018, Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG). Your request was received on June 27, 2018 and has been assigned FOIA[PA] number 2018-CGFO-01957.

We have queried the appropriate component of the USCG for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

You may check the status of your request by entering FOIA[PA] request number 2018-CGFO-01957 into the following site: http://www.dhs.gov/foia-status. Request status is updated and refreshed on a nightly basis electronically.

You may contact this office via telephone at 202-475-3522 or via email at EFOIA@uscg.mil if you have any further questions.

Sincerely,

U.S. Coast Guard
FOIA/PA Office

FOIA JJ England1.msg
569K

Attachment B

Gmail

JJ England [redacted]

RE: Your Freedom of Information Act (FOIA)/Privacy Act (PA) 2018-CGFO-01957

JJ England [redacted] Thu, Aug 16, 2018 at 1:26 PM
To: efoia@uscg.mil

Hello,

I am writing to check on the status of this FOIA request. I understand that typically FOIAs are supposed to be responded to in 20 days. Do you need any additional information from me, and do you have an ETA?

Thank you,
JJ

On Wed, Jun 27, 2018 at 10:21 AM, <efoia@uscg.mil> wrote:

> Dear JJ England,
>
> This acknowledges receipt of your June 13, 2018, Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG). Your request was received on June 27, 2018 and has been assigned FOIA[PA] number 2018-CGFO-01957.
>
> We have queried the appropriate component of the USCG for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.
>
> You may check the status of your request by entering FOIA[PA] request number 2018-CGFO-01957 into the following site: http://www.dhs.gov/foia-status. Request status is updated and refreshed on a nightly basis electronically.
>
> You may contact this office via telephone at 202-475-3522 or via email at EFOIA@uscg.mil if you have any further questions.
>
> Sincerely,
>
> U.S. Coast Guard
> FOIA/PA Office

Attachment C

Gmail JJ England [redacted]

RE: Your Freedom of Information Act (FOIA)/Privacy Act (PA) 2018-CGFO-01957

JJ England [redacted] Tue, Aug 21, 2018 at 2:10 PM
To: efoia@uscg.mil

Hello:

I am writing to follow-up on the status of this FOIA request again. The information I have requested relates to an on-going permit process. It is therefore time-sensitive that I receive these documents. Under the circumstances, if I have not received these documents by the end of this month, I will file an appeal at that time. If you have any questions or need additional information from me to complete this request, please do not hesitate to contact me. I appreciate your assistance.

Sincerely,
JJ England

On Thu, Aug 16, 2018 at 1:26 PM, JJ England [redacted] wrote:

> Hello,
>
> I am writing to check on the status of this FOIA request. I understand that typically FOIAs are supposed to be responded to in 20 days. Do you need any additional information from me, and do you have an ETA?
>
> Thank you,
> JJ
>
> On Wed, Jun 27, 2018 at 10:21 AM, <efoia@uscg.mil> wrote:
>
> > Dear JJ England,
> >
> > This acknowledges receipt of your June 13, 2018, Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG). Your request was received on June 27, 2018 and has been assigned FOIA[PA] number 2018-CGFO-01957.
> >
> > We have queried the appropriate component of the USCG for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.
> >
> > You may check the status of your request by entering FOIA[PA] request number 2018-CGFO-01957 into the following site: http://www.dhs.gov/foia-status. Request status is updated and refreshed on a nightly basis electronically.
> >
> > You may contact this office via telephone at 202-475-3522 or via email at EFOIA@uscg.mil if you have any further questions.
> >
> > Sincerely,
> >
> > U.S. Coast Guard
> > FOIA/PA Office

Attachment D

Gmail JJ England [redacted]

RE: Your Freedom of Information Act (FOIA)/Privacy Act (PA) 2018-CGFO-01957

Griffie, Jonathan A CTR <[redacted]> Mon, Sep 10, 2018 at 11:27 AM
To: JJ England <[redacted]>

Good Morning,

For information regarding this request please contact Douglas Blakemore, he can be reached at [redacted]

From: JJ England [redacted]>
Sent: Thursday, August 16, 2018 2:27 PM
To: HQS-SMB-FOIA <EFOIA@uscg.mil>
Subject: [Non-DoD Source] Re: Your Freedom of Information Act (FOIA)/Privacy Act (PA) 2018-CGFO-01957

Hello,

I am writing to check on the status of this FOIA request. I understand that typically FOIAs are supposed to be responded to in 20 days. Do you need any additional information from me, and do you have an ETA?

Thank you,

JJ

On Wed, Jun 27, 2018 at 10:21 AM, <efoia@uscg.mil> wrote:

> Dear JJ England,
>
> This acknowledges receipt of your June 13, 2018, Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG). Your request was received on June 27, 2018 and has been assigned FOIA[PA] number 2018-CGFO-01957.
>
> We have queried the appropriate component of the USCG for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.
>
> You may check the status of your request by entering FOIA[PA] request number 2018-CGFO-01957 into the following site: http://www.dhs.gov/foia-status. Request status is updated and refreshed on a nightly basis electronically.
>
> You may contact this office via telephone at 202-475-3522 or via email at EFOIA@uscg.mil if you have any further questions.

Attachment E

Sincerely,

U.S. Coast Guard
FOIA/PA Office

Gmail JJ England <[redacted]>

BISMARCK...FOIA

Washburn, Eric CIV <[redacted] Fri, Sep 14, 2018 at 10:23 AM
To: "jj.w.englan[redacted]

Good morning Mr. England. I am writing in response to your previous FOIA request to the USCG.

Currently, we are going thru the Section 106 process under the National Historic Preservation Act. We are also working on a draft environmental document. Once we get to a conclusion on the Section 106 process, we will issue a public notice requesting comments on the entire draft environmental document. I have spoken w/the project officer and he has added you to our mailing list to ensure you receive a copy.

I'm checking w/CG Legal now to see if I can send you responses from US F & W, etc now. I will provide a more official response next week but wanted to give you a heads up.

Please feel free to give me a call to discuss. Thanks.

Respectfully,

Eric Washburn
CG Bridge Administrator, Western Rivers
[redacted]

[redacted]

Attachment F

Gmail

JJ England <[redacted]>

Reponse to FOIA request

McCaskey, Rob E <[redacted]> Thu, Sep 27, 2018 at 8:44 AM
To: "jj.w.englan[redacted]

Mr. England
My supervisor, Eric Washburn, asked me to contact you and confirm that the information he provided you in your previous conversation regarding the above request is satisfactory to you at this time. Please advise.

Very Respectfully
Rob McCaskey
Bridge Management Specialist
Western Rivers
8th District Bridge Branch
[redacted]

Attachment G

Gmail JJ England <[redacted]>

Reponse to FOIA request

JJ England <[redacted]> Tue, Oct 2, 2018 at 2:28 PM
To: Rob.E.McCaskey[redacted]
Cc: Eric.Washburn[redacted]

Mr. McCaskey:

Thank you for your message. I tried calling you last Friday, but I believe you may have been away from your desk or out of the office.

I have not received any information from USCG in response to the FOIA I sent. I have also not had a previous conversation with Mr. Washburn (he did send an email to me that generally discussed the commenting and 106 process). As my FOIA explained, I am asking for the information requested in the FOIA specifically so that I have that information available to me to review to better prepare for and participate in any forthcoming commenting process. For your reference, I am re-attaching the FOIA that I submitted on June 13 to make sure that you have a copy. In general, that FOIA simply asks for a copy of BNSF's permit application, all written materials sent by BNSF in support of its application, and materials sent between the Coast Guard and U.S. Fish and Wildlife in relation to this permitting process. To answer your question,while I appreciate Mr. Washburn reaching out to me, his email did not address the documents I am looking for, nor is it a substitute for responding to the FOIA.

If you need more information from me, please don't hesitate to call me on my cell phone at [redacted]. I also left Mr. Washburn a voicemail today providing him with my cell phone number as well.

Thank you,
JJ

On Thu, Sep 27, 2018 at 8:44 AM McCaskey, Rob E <Rob.E.McCaskey[redacted]wrote:

> Mr. England
> My supervisor, Eric Washburn, asked me to contact you and confirm that the information he provided you in your previous conversation regarding the above request is satisfactory to you at this time. Please advise.
>
> Very Respectfully
> Rob McCaskey
> Bridge Management Specialist
> Western Rivers
> 8th District Bridge Branch
> [redacted]

Freedom of Information Act Request.pdf
520K

Attachment H

U.S. Department of Homeland Security
United States Coast Guard

Commandant
United States Coast Guard

1222 Spruce Street, Room 2.102D
St. Louis, MO 63103
Staff Symbol: (dwb)
Phone: [redacted]
Fax: 314-269-2737
Email: [redacted]

5720/2018-CGFO-01957
October 22, 2018

Mr. JJ England
[redacted]

SUBJ: FOIA REQUEST #2018-CGFO-01957; BNSF BISMARCK RAILROAD BRIDGE, MILE 1315.0, MISSOURI RIVER

Dear Mr. England:

This is in response to your June 13, 2018, Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG) for the BNSF Bismarck Railroad Bridge permit file. This office received your request in an email from Coast Guard Headquarters on September 10, 2018.

You requested BNSF's application to obtain a permit and all written materials that BNSF has provided to the USCG in support of BNSF's application to obtain a permit from the USCG for the Bridge Project. In addition, you also requested all written emails, letters and memoranda sent between the USCG and the US Fish and Wildlife Service discussing or related to the Bridge project.

The USCG is currently working on a Draft Environmental Assessment with other Federal agencies and will be releasing the document, via a Public Notice, for future comment, upon its completion. As the Lead Federal Agency, the Coast Guard is responsible to ensure full compliance with all NEPA regulations.

Upon the release of this document to the public, if you feel that you need additional information, you may submit a new FOIA request for those items.

Please note that this is not a denial of your request for information, but an acknowledgement that the information is still being processed and assessed.

If you need to contact us about this request, please refer to **FOIA #2018-CGFO-01957**. *You may contact Mr. Rob McCaskey at* [redacted] with questions or comments.

Sincerely,

ERIC A. WASHBURN
Bridge Administrator, Western Rivers
By direction of the District Commander

Attachment I

PUBLIC SUBMISSION

As of: March 12, 2020
Received: January 31, 2020
Status: DoNotPost
Tracking No. 1k4-9erd-5ybp
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0004
MM1 Comment Submitted by Anonymous

Submitter Information

Name: First Name

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 01, 2020
Status: DoNotPost
Tracking No. 1k4-9erw-g19i
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0006
MM1 Comment Submitted by Courtney Wallace

Submitter Information

Name: Courtney Wallace

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 06, 2020
Status: DoNotPost
Tracking No. 1k4-9ev4-gwhq
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0008
MM1 Comment Submitted by Mike Herzog

Submitter Information

Name: Mike Herzog

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 07, 2020
Status: DoNotPost
Tracking No. 1k4-9evy-3n5n
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0009
MM1 Comment Submitted by Russ Alexander

Submitter Information

Name: Russ Alexander

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 12, 2020
Status: DoNotPost
Tracking No. 1k4-9ez7-cxct
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0018
MM1 Comment Submitted by Tim Mathern

Submitter Information

Name: Tim Mathern

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 12, 2020
Status: DoNotPost
Tracking No. 1k4-9ez8-avoy
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0020
MM1 Comment Submitted by Sara Schafer

Submitter Information

Name: Sara Schafer

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-xnvg
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0078
MM1 Comment Submitted by Joe West

Submitter Information

Name: Joe West

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-vffd
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0080
MM1 Comment Submitted by James Ludlum

Submitter Information

Name: James Ludlum

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-kcym
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0081
MM1 Comment Submitted by Robert Gutman

Submitter Information

Name: Robert Gutman

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-xv1u
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0082
MM1 Comment Submitted by Gordon Hauge

Submitter Information

Name: Gordon Hauge

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-oyva
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0084
MM1 Comment Submitted by Ray Luv

Submitter Information

Name: Ray Luv

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-qx3z
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0085
MM1 Comment Submitted by Lucy Weigel

Submitter Information

Name: Lucy Weigel

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-ez6s
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0086
MM1 Comment Submitted by Walt Gerenz

Submitter Information

Name: Walt gerenz

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f73-ots9
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0087
MM1 Comment Submitted by Todd Davis

Submitter Information

Name: Todd Davis

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f74-fo4o
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0090
MM1 Comment Submitted by James Ludlum

Submitter Information

Name: James Ludlum

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f74-f7pa
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0091
MM1 Comment Submitted by Marla Ludlum

Submitter Information

Name: Marla Ludlum

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f76-h45k
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0097
MM1 Comment Submitted by Stephen Mays

Submitter Information

Name: Stephen Mays

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f77-b352
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0102
MM1 Comment Submitted by Boral LLC

Submitter Information

Name: Boral LLC

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f77-s7c5
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0103
MM1 Comment Submitted by Tom Wollin

Submitter Information

Name: Tom Wollin

General Comment

As an organization and 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.

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 to potential export markets around the world.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f77-t3xh
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0106
MM1 Comment Submitted by Jason Duerre

Submitter Information

Name: Jason Duerre

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f77-3c1m
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0108
MM1 Comment Submitted by Lisa Miest

Submitter Information

Name: Lisa Miest

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f77-x9zq
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0109
MM1 Comment Submitted by Tom Giovinazzi

Submitter Information

Name: tom giovinazzi

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f78-b63o
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0110
MM1 Comment Submitted by John Barclay

Submitter Information

Name: John Barclay

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f78-kudc
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0111
MM1 Comment Submitted by Denice Haag

Submitter Information

Name: Denice Haag

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f78-s77x
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0112
MM1 Comment Submitted by Thomas Stromme

Submitter Information

Name: Thomas Stromme

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.

PUBLIC SUBMISSION

As of: March 12, 2020
Received: February 24, 2020
Status: DoNotPost
Tracking No. 1k4-9f7d-xl3z
Comments Due: February 24, 2020
Submission Type: Web

Docket: USCG-2019-0882
NEPA document for Environmental Impact Statement project. The project is for construction of a railway bridge across the Missouri River between Bismarck & Mandan, North Dakota

Comment On: USCG-2019-0882-0001
BNSF Railway Bridge Across the Missouri River at Bismarck, North Dakota; Preparation of Environmental Impact Statement

Document: USCG-2019-0882-DRAFT-0123
MM! Comment Submitted by Shay Jones

Submitter Information

Name: Shay Jones

General Comment

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.

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.

Keeping the existing bridge in place could create flooding issues, increase costs significantly, and add delays to construction.

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.