

Project: Public-Private Partnership for
Bismarck-Mandan Rail Bridge
Preservation and Conversion
Proponent: Friends of the Rail Bridge

EXECUTIVE SUMMARY

Friends of the Rail Bridge (FORB) is a local non-profit organization formed in 2018 to advocate, promote, and develop a preservation alternative to the demolition of the Bismarck-Mandan Rail Bridge (Rail Bridge) proposed by Burlington Northern Santa Fe Railway Company (BNSF). In January 2021, FORB signed a Programmatic Agreement (PA) with BNSF, local governments, and state and federal agencies to develop a conditional Public-Private Partnership or other governance body that could accept ownership of the Rail Bridge and other responsibilities associated with its preservation, conversion to a pedestrian trail, and maintenance. Immediate responsibilities of the Partnership are to establish a vehicle for fund raising and draft implementation and financial management plans. Actual implementation of the preservation alternative beyond concept development is strictly contingent upon the United States Coast Guard's (USCG) decision regarding BNSF's permit application. That decision, which will be based on the results of the ongoing National Historic Preservation Act (NHPA) and National Environmental Policy Act (NEPA) processes, is scheduled to be issued April 9, 2022.

In 2019, North Dakota State University completed a preliminary study which indicated that the conversion of the Rail Bridge to a pedestrian/bicycle pathway has precedent, is economically, culturally, and environmentally feasible, and would be best served by forming a Public-Private Partnership with local and state entities.

FORB is soliciting Public Partners to assist in concept development and commit, conditionally, to specific roles required by the PA.

ABOUT THE PROJECT

A. PROJECT BACKGROUND

The historic Northern Pacific Rail Bridge, completed in 1883 and owned by BNSF, is an iconic landmark. It is a ubiquitous symbol of our community, appearing in everything from corporate advertising to family portraits.

In early 2017, BNSF released plans for the proposed replacement of the historic Rail Bridge. Their project affects the Missouri River and requires a federal permit from the US Coast Guard (USCG) and constitutes a Federal undertaking that must comply with the National Historic Preservation Act (NHPA) which requires federal agencies to consider effects on historic properties.

BNSF's proposed demolition is an adverse effect to a historic property under the NHPA. The USCG must explore alternatives to the proposed undertaking that avoid, minimize, or mitigate the adverse effect. The federal Advisory Council on Historic Preservation, state and local governments, tribes, special interest groups, and members of the public

have been involved in project consultation since 2018. FORB, along with several other organizations, has been promoting a preservation alternative that allows BNSF to build a new crossing, but also preserves the Rail Bridge and converts it to use as a pedestrian/bicycle pathway.

On January 15, 2021, all parties signed a PA that recognizes the potential of that preservation alternative. FORB has been tasked with identifying public partners to develop the concept for preserving and converting the Rail Bridge as an alternative to demolition.

Pursuant to the PA, the preservation alternative must be further developed and included as a proposed alternative in the draft Environmental Impact Statement (EIS) which will be issued in June 2021. The draft EIS is being developed in the parallel processes under NEPA. The USCG will consider results of consultation processes, issuing a Record of Decision and Permit Decision on BNSF's application on April 9, 2022.

B. PROJECT OBJECTIVE

FORB's objective is to (1) create a partnership coalition of private and public entities to develop a workable, conditional preservation alternative as outlined in the PA and, in doing so, (2) facilitate plans for ownership, governance, private sector fundraising, conversion to a pedestrian trail, trail connectivity, historical and cultural interpretation, community programming, and on-going maintenance.

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C. RATIONALE FOR THE PROJECT

Preserving and repurposing the Rail Bridge is an opportunity to utilize and elevate an existing asset to benefit our community.

The Missouri River is our area's greatest recreational asset. Because much of the riverfront property in Bismarck is owned by private citizens, it is increasingly important to optimize enjoyment of what is available to the public. The Rail Bridge's bicycle and pedestrian pathway will be integrated into and provide a link between existing trail systems on both sides of the river.

Tourism is the state's third largest industry. The Missouri River Valley is well-situated on a transportation corridor and has natural, historic, and cultural resources that draw tourists from the region, and throughout the nation. The Rail Bridge has the potential to be the focal point of heritage tourism.

Preserving the Rail Bridge will produce numerous benefits beyond recreation and tourism, including fostering civic pride, increasing historical awareness, and stimulating economic development along the river. Based on the 2019 *Historic Bridge Repurposing Feasibility Study* conducted by NDSU, this project is economically feasible and helps meet market demand for trail connections and development.

FORB's proposed preservation alternative meets the following goals and objectives of a number of state agencies and local governments:

Potential Partner	Existing Goals
ND State Parks	Cultivating Partnerships Across the Landscape;

and Recreation	Connecting Generations through Experiences; and Embracing Opportunities and Sustaining Resources.
State Historical Society of North Dakota	Expanding Educational Opportunities Related to Historic Preservation; Promoting programs to identify, record, evaluate and preserve significant cultural properties; Increasing the Effectiveness of the state’s preservation network; and Increasing appropriate treatment of historic properties.
Morton County	Rural Character and Scenic Beauty Continue to be Defining Features of the Morton County Landscape; and Opportunities for Outdoor Recreation Contribute Significantly to the Quality of Life for Morton County Residents.
City of Bismarck	Riverfront development; Outdoor recreation and interconnectedness of paved and off-road trail systems; Interactive learning; Increasing amenities to college students; Promote heritage tourism; and Enhance community pride.
Bismarck Parks & Recreation District	Act as a conduit for trail grants from the state and federal government Be a part of the planning process of the trails prior to and when the bridge is saved

Other communities have preserved bridges as recreational assets, event venues, and tourist attractions. For example, the Fairview Lift Bridge across the Yellowstone River on ND’s western boundary, was converted to a walking/biking bridge in 2001. That project was a partnership between Eastern Plains Resource Conservation and Development who identified the project as a way to support local tourism and infrastructure, and Friends of the Fairview Bridge, a local non-profit formed to take ownership raise funds for the conversion and maintenance of their rail bridge. BNSF made a financial donation to assist the project and, as it is a publicly accessible site, liability is covered by the ND Century Code which provides blanket coverage for public sites and outdoor recreation sites.

PROJECT REQUIREMENTS

Implementation of the preservation alternative we are proposing to develop within the PA is strictly conditional. FORB recognizes that preserving the historic Rail Bridge will require both local and state partners from private sector and the public sector and is prepared to play a long-term role.

A. SCOPE OF PRIVATE SECTOR INVOLVEMENT

Friends of the Rail Bridge is a non-profit organization, incorporated in North Dakota. The corporation is organized exclusively for the charitable and educational purposes within

the meaning of 501(c)(3) of the Internal Revenue Code, and more specifically including the preservation and adaptive re-purposing of the historic Rail Bridge. Founded in May 2018, the Mission of FORB is “Bridging Community Through History, Education, and Recreation.” At the present time, the North Dakota Community Foundation is our fiscal sponsor. FORB has the ability to be involved in the Rail Bridge conversion and maintenance for the duration of the Rail Bridge’s lifetime and is also able to do much of the administrative and coordination work to physically save the Rail Bridge, convert it, and maintain it. The Northern Plains National Heritage Area has agreed to serve as an additional private sector partner able to share resources and help fund certain aspects of the project. However, a government entity will need to serve as its owner to sustain the project for the long term.

B. SCOPE OF THE PUBLIC SECTOR INVOLVEMENT

The specialized skills, knowledge, and resources of different Public agencies, when applied together, will form a stronger, more successful outcome for planning and implementation of a preservation alternative than any single entity could on its own. This proposal envisions a coalition with shared responsibilities and benefits as we develop a preservation alternative within the PA.

The following table indicates which partners to-date are willing to fill anticipated roles.

Partner	Role
FORB	Undertake fundraising campaign for development of the resource as a recreational trail
	Establish an endowment to fund ongoing maintenance and expenses
	Coordinate fundraising and programming activities
Northern Plains National Heritage Area	Research and develop interpretive exhibits for placement at bridge site
	Fund for up to 2 seasonal staff to fill Historical and Cultural Interpreter positions to engage public and implement educational programming
	Coordinate regional heritage tourism opportunities
Center for Heritage Renewal, authorized by ND State Board of Higher Education	Conduct applied research and public service in matters of historic preservation and heritage tourism
	Develop and submit National Register of Historic Places nomination
	Develop and submit National Historic Landmark nomination
	Accept a transfer of ownership of the Rail Bridge from BNSF
	Develop promotional opportunities
	Design and develop connectivity to Bismarck trail system on east side of Rail Bridge
	Serve as sponsoring agency for Recreational Trails Program grants from ND Parks and Recreation Department
	Serve as sponsoring agency for ND Outdoor Heritage Fund grants
	Design and develop connectivity to Morton/Mandan trail system on the west side of Rail Bridge
	Design and develop connectivity to trails in the Missouri River

	Natural Area
	Act as Fiscal Agent to invest restricted endowment funds and to hold temporarily restricted accounts for specific project goals,
Burleigh County Commission	Serve as conduit for access to the North Dakota Insurance Reserve Fund

C. PROJECT DEVELOPMENT SCHEDULE

The following table depicts important dates by which FORB and the Public-Private Partnership should reach certain milestones in developing the project, as defined in the PA. It is important to note that as an Invited Signatory, **FORB has the ability to request reasonable amendments to this schedule.**

Milestone	Party Responsible	Date of Achievement
Identify Public Private Partnership	FORB	February 28, 2021
Submit detailed fundraising plan	Public Private Partnership	July 28, 2021
Submit financial management plan for Rail Bridge retention and conversion	Public Private Partnership	July 28, 2021
Draft Contract or Lease Agreement with BNSF	Public Private Partnership	May 9, 2022
Approvals/Permits, Design Documents, and Proof of Funding for Flood Rise Mitigation to USCG	Public Private Partnership	March 9, 2022

CONCLUSION

Friends of the Rail Bridge is proud to have reached a milestone in January 2021, with the signing of a Programmatic Agreement with BNSF, local, state, and federal entities. We are encouraged now, more than ever, to pursue a preservation alternative that preserves the historically significant, regionally iconic, and locally beloved 1883 Rail Bridge and converts it to new, public use. Through a Public-Private Partnership, we are certain that we can build a workable concept for the USCG's consideration. We appreciate your willingness to work with us to attain this goal and fulfill the terms of the Programmatic Agreement.