



Community Development Department

DATE: January 30, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Recommendations for Inclusion in the United States Coast Guard
Programmatic Agreement Associated with BNSF Rail Bridge

At the regular meeting of the Bismarck Board of City Commissioners on January 28, 2020 the recommendations contained within this memo were presented and approved for consideration of inclusion within the Programmatic Agreement Among the United States Coast Guard, the North Dakota Historic Preservation Office, and the Advisory Council on Historic Preservation, Regarding the Proposed Bridge Replacement at Mile 1315.0 on the Missouri River Near Bismarck and Mandan, North Dakota. The recommendations are a compilation of suggestions from City of Bismarck staff, the City of Bismarck Historic Preservation Commission, and the Bismarck Board of City Commissioners. Following are the subject recommendations for consideration:

- **Stipulation III, Page 4** – Within the matrix of responsible parties and associated actions modify the second bullet under BNSF’s responsibilities to read, “Protect water intake/water plant, underground reservoir, and piping”.
- **Stipulation III, Page 4** – Within the matrix of responsible parties and associated actions add a bullet under BNSF’s responsibilities to read, “Ensure adequate slope stability”.
- **Stipulation IV** – Add BNSF responsibilities identified in Stipulation III, page 4 of the matrix of responsible parties and associated actions, including the preceding recommendations.
- **Page 2** – Confirm if ND Indian Affairs Commission is included as a consulted party and if not recommend their consideration for inclusion.
- **Page 3 (first full paragraph)** – Provide further definition of the terms “feasible” and “reasonable”.
- **Page 3 (first sentence under Stipulations section)** – Change sentence to read, “The USCG shall ensure that the following measures are implemented as a condition of any permit issued:”.
- **Stipulation III, Page 4** – Within the matrix of responsible parties and associated actions add Bismarck Historic Preservation Commission as a responsible party to

FORB and SHPO related to the nomination of the BNSF rail bridge to the National Register of Historic Places.

- **Stipulation IV, B., 3. Photographs** – Photographic documentation should also include color photographs, as well as aerial photographs obtained by drone or similar means.
- **Stipulation IV, B. HAER Documentation: Review and Comment** – Require that a Level 1 HAER (Historic American Engineering Record) Document be performed.
- **Stipulation IV, C. Post Review Discoveries** – Include language that, in addition to SHPO and BNSF, the City of Bismarck through the Historic Preservation Commission will have the opportunity to review findings.
- **Stipulation IV** – BNSF would be responsible to deconstruct the granite piers in a way so the individual pieces or portions thereof can be used for public purposes elsewhere in the community.
- **Stipulation IV** – BNSF would be responsible for a scan of the existing BNSF rail bridge for recreation as a 3-D model.
- **Stipulation IV** – BNSF would be responsible for recording the demolition of existing bridge structure, such as, through the use of video.
- **Stipulations III and IV** – BNSF would be responsible to provide funding to survey this and other historic sites around the communities for possible nomination to the National Register of Historic Places.
- **Stipulations III and IV** – BNSF would be responsible to provide funding for the development of a multi-use trail(s) and associated interpretative displays, as well as, public art preserving the memory of the existing BNSF rail bridge.
- **Stipulations III and IV** – BNSF would be responsible to provide funding to document the history of the bridge and its impact on the region and nation for presentation as a museum exhibit. As part of this effort a qualified historian should be funded to write a comprehensive history of the bridge. This comprehensive history should include the impact of the railroad and bridge on Native Americans and their descendants.
- **Stipulations III and IV** – BNSF in partnership with FORB, SHPO, and the Bismarck Historic Preservation Commission would establish a design review committee to review and provide comment on the design of the new bridge structure.
- **Stipulations III and IV** – BNSF would be responsible for developing and updating a project web-site so interested parties can remain informed of the current status of the project.
- Consider including the City of Bismarck as a “Concurring Party” signatory.

We appreciate the opportunity to participate in this process and provide recommendations for consideration within this document. Please contact me if you have any questions regarding the proposed recommendations at [REDACTED] or [REDACTED].