

Section 106 Consultation
For
Proposed Bridge Replacement on the Missouri River
Near Bismarck/Mandan, North Dakota (ND SHPO
Reference 16-0636)

The following letter [Subject: Section 106 Consulting Parties Meeting for Proposed Bridge Replacement at Mile 1315.00 on the Missouri River near Bismarck/Mandan, North Dakota (ND SHPO Reference 16-0636)], is a representative example of letters that were sent, inviting parties to participate in the Section 106 process. The letter recipients are listed on the pages that follow.



CH2M
9193 South Jamaica Street
Englewood, CO 80112
O +1 303 807 5704
F +1 303 652 0239
www.ch2m.com

Aaron Barth
Executive Director
Fort Abraham Lincoln Foundation
401 West Main St.
Mandan, ND 58554

January 17, 2018

Subject: Section 106 Consulting Parties Meeting for the Proposed Bridge Replacement at Mile 1315.0 on the Missouri River near Bismarck/Mandan, North Dakota (ND SHPO Reference 16-0636)

Dear Ms. Barth,

In compliance with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 306108), as amended (NHPA), the United States Coast Guard (USCG) initiated consultation on the above-referenced project and invited you to participate as a consulting party in correspondence dated November 2, 2017. As noted in that correspondence, the USCG has designated BNSF's consultant, CH2M/Jacobs, to contact parties on their behalf for the purposes of Section 106. In that role, we are contacting you regarding the proposed undertaking and upcoming Consulting Parties meeting.

On November 13, 2017, North Dakota State Historic Preservation Officer (SHPO) concurred with the USCG's determination that the BNSF Bridge 0038-196.6A (Site 32BL801/32MO1459) is eligible for the National Register of Historic Places under criterion A and criterion C. We have enclosed a CD with an electronic copy of the Class III Cultural Resources Inventory Report that supports this finding for your information and review.

Because the proposed undertaking includes removing the NRHP-eligible BNSF Bridge 0038-196.6A (Site 32BL801/32MO1459), the USCG has determined the project to have a finding of Adverse Effect to the historic bridge. Due to the potential for an adverse effect on a historic property, the USCG has invited the North Dakota SHPO to enter into consultation on a Memorandum of Agreement (MOA) to seek ways to avoid, minimize, or mitigate the adverse effect. The USCG has also invited BNSF Railroad to participate as the project proponent, as well as other consulting parties, as appropriate. The USCG has notified the Advisory Council on Historic Preservation of the adverse effect and provided the required documentation per 36 CFR 800.11(e).

As an identified Consulting Party, USCG invites you to attend a face-to-face Section 106 consulting parties meeting on January 31, 2018, at the Ramkota Hotel, Room 2130, 800 S. 3rd Street, Bismarck, ND, from 5:00 pm to 7:00 pm Central Standard Time. The meeting will provide an overview of the Section 106 process, review the proposed project and alternatives considered, and discuss potential mitigation measures. If you plan to attend the meeting, please respond by contacting:

Mr. Ben Roberts, Cultural Resources Planner, CH2M/Jacobs, via telephone:
[REDACTED], or email: [REDACTED]

Your timely response will greatly assist us in planning for the meeting. If you cannot attend in person but would like to attend via teleconference, please indicate that in your response and we will make arrangements to accommodate your request. If you wish to participate in the Section 106 consultation process but cannot attend the January 31 meeting, please let us know and we will ensure that you

receive all materials from the meeting and notices of future meetings. If you do not wish to participate, no response is required and we will no longer send you information on this consultation.

We look forward to your response and to consulting with you on this undertaking. Should you have any questions, please contact Mr. Ben Roberts, CH2M/Jacobs at or Mr. Rob McCaskey, USCG, via email at [REDACTED], or by phone at [REDACTED]

Regards,



Lori Durio Price
Senior Cultural Resources Technologist
CH2M/Jacobs

Cc: Eric Washburn, USCG
Kris Swanson, BNSF

Enclosure:
CD containing Class III Cultural Resources Inventory Report

BNSF Bridge 0038-196.6A List of Section 106 Consulting Parties

(n = 21)

Ms. Susan Quinnell **Confirmed**
FedEx 433206229137 Delivered Mon, 1/22/2018 8:46 am
Review and Compliance Coordinator
State Historic Preservation Office
612 East Blvd Ave.
Bismarck, ND 58505

Toni R. Erhardt **Confirmed (tentative on medical appt. schedule)**
FedEx 433206229160 Delivered Mon, 1/22/2018 8:50 am
Project Manager
USACE, North Dakota Regulatory Office
3319 University Drive
Bismarck, North Dakota 58504

Preservation ND **Confirmed (Mark Sundlov)**
USPS 7006 0100 0004 5984 3588 Avail for Pickup, Sat, January 20, 2018 at 6:52 am
Attn: Emily Sakariassen
PO Box 3096
Bismarck, ND 58502

Aaron Barth **Confirmed 3-4 people**
USPS 7006 0100 0004 5984 7036 Delivered, Mon, January 22, 2018 at 7:09 am
Executive Director
Fort Abraham Lincoln Foundation
401 West Main St.
Mandan, ND 58554

Walt Bailey **Confirmed**
Emailed 1/29
USPS 7006 0100 0004 5984 3571 Delivered Sat, January 20, 2018 at 11:29 am
Executive Director
Bismarck Historical Society
PO Box 47
Bismarck, ND 58502

Donald Smith
USPS 7006 0100 0004 5984 7043 Avail for Pickup, Mon, Jan. 22, 2018 at 6:55 am
Bismarck-Mandan Historical and Genealogical Society
P.O. Box 485
Bismarck, ND 58502-0485

Robert Porter
Emailed 1/29
Reply from Kathye Spilman on 1/30 was tentative pending the MHSoc Board of Directors meeting
FedEx 433206229089 Delivered Fri 1/26/2018 12:42 pm

President
Mandan Historical Society
PO Box 98
3102 37th St NW (open in Summer only)
Mandan, ND 58554

Sharon Hartmann William 'Bill' Engelter is the new President

FedEx 433206229104 Delivered Mon 1/22/2018 9:39 am
Morton County Historical Society
4248 43rd Avenue,
New Salem, ND 58563
waengelter@aol.com

Kitty Henderson **Confirmed (phone in)**
USPS 7006 0100 0004 5984 3618 Delivered, Tuesday, January 23, 2018 at 10:55 am
Executive Director
Historic Bridge Foundation
P.O. BOX 66245
Austin, Texas 78766

Carl D. Hokenstad, AICP **Confirmed**
Replied in the Affirmative via Email on, Wed, January 24, 2018
Director of Community Development
P.O. Box 5503
Bismarck, ND 58506

Natalie Pierce
Emailed 1/29
FedEx 433206229056 Delivered, Mon, 1/22/2018 9:14 am
Director of Planning and Zoning
Morton County
2916 37th St. N.W.
Mandan, ND 58554

Mike Aubol
Emailed 1/29 (I am currently out of the office. If you need immediate assistance, please call 667-3346.) **FedEx 433206229078 Delivered, Mon, 1/22/2018 9:14 am**
County Engineer
Morton County
2916 37th St. N.W.
Mandan, ND 58554

Ray Ziegler
Emailed 1/29
FedEx 433206229159 Delivered: Mon, 1/22/2018 9:13 am
Building Official-Director
Burleigh County Building/Planning/Zoning

221 N 5th St
Bismarck, ND 58501

Rails-to-Trails Conservancy National HQ

Emailed 1/29

FedEx 433206229148 Delivered Mon, 1/22/2018 4:25 pm

The Duke Ellington Building
2121 Ward Court, NW, 5th Floor
Washington, DC 20037

Mayor Tim Helbling **Confirmed** (Jim Neubauer City Administrator)

FedEx 433206229115 Delivered, Mon, 1/22/2018 10:48 am

Mandan City Hall
205 2nd Avenue NW
Mandan, ND 58554

Mayor Mike Seminary

FedEx 4332 0622 9045 Delivered Mon 1/22/2018 9:11 am

221 North 5th Street
PO Box 5503
Bismarck, ND 58506

Elgin Crows Breast, THPO

Emailed 1/29

FedEx 433206229090 Delivered, Mon, 1/22/2018 10:30 am

Mandan, Hidatsa & Arikara Nation
404 Frontage Road
New Town, ND 58763

Dr. Erich Longie, THPO

Emailed 1/29

USPS 7006 0100 0004 5984 7012 Delivered Wed, January 24, 2018 at 1:42 pm

Spirit Lake Sioux Nation
PO Box 76
Fort Totten, ND 58335

Jon Eagle, THPO

Emailed 1/29

USPS 7006 0100 0004 5984 3601 Delivered Mon, January 22, 2018 at 10:05 am

Standing Rock Sioux Tribe
PO Box D
Fort Yates, ND 58538

Elaine Nadeau, THPO

Emailed 1/29

USPS 7006 0100 0004 5984 3595 Delivered Mon, January 22, 2018 at 10:59 am

Turtle Mountain Band of Chippewa

PO Box 900
Belcourt, ND 58316

Dianne Desrosiers, THPO

Emailed 1/29

FedEx 433206229126 Delivered, Mon, 1/22/2018 2:33 pm

Sisseton-Wahpeton Oyate

12554 BIA HWY 711

PO Box 907

Agency Village, SD 57262

Proposed BNSF Bridge Replacement at Mile 1315.0 on the Missouri River near Bismarck/Mandan, North Dakota (mile post 196.6 of the Jamestown Subdivision of BNSF Line Segment 0038)

National Historic Preservation Act Section 106 Consulting Parties Meeting

1/31/2018

Introductions

What is Section 106 and what is the role of a Consulting Party?

What is the Proposed Project and why is it needed?

**Area of Potential Effects (APE) and
Identified Historic Properties in the APE**

Discussion of Alternatives Considered

Anticipated Effects from the Proposed Project

Other cultural concerns?

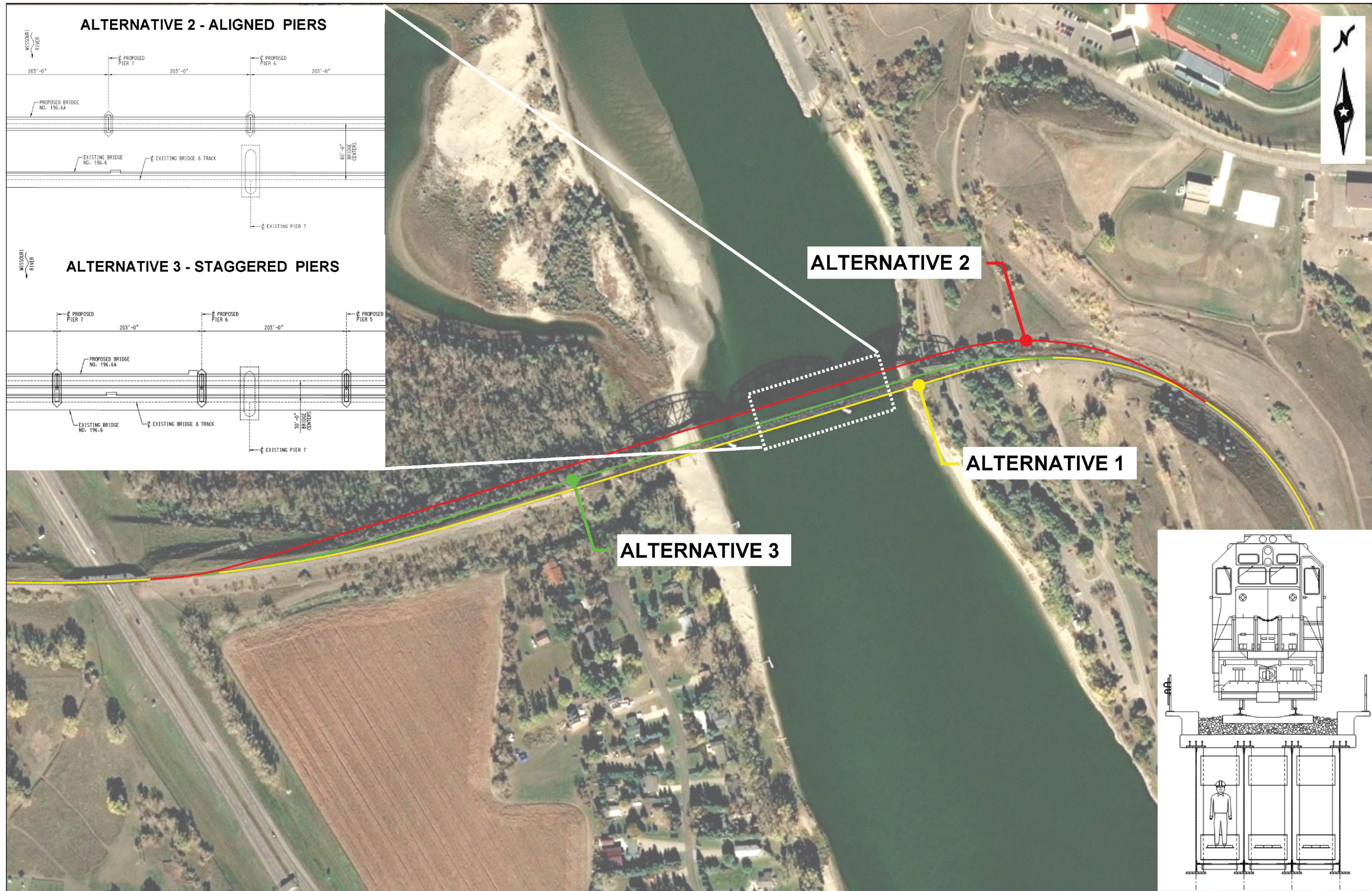
Next Steps

Additional questions and comments

Adjourn



Project Alternatives



Purpose and Need:

- Provide a robust, dependable, and safe railway crossing
- Provide potential for future expansion
- Minimize impacts to river performance and the environment

Project Alternatives:

- **Alternative 1:** Maintain existing structure (No Action)
- **Alternative 2:** New bridge on new alignment 80' north of existing
 - 200' spans with structural members below the track
 - New piers aligned with the existing
 - Existing bridge remains
- **Alternative 3:** New bridge on new alignment 30' north of existing
 - 200' spans with structural members below the track
 - New piers staggered relative to the existing
 - Existing bridge to be removed

Alternatives Analysis:

- Provide a robust, dependable, and safe railway crossing
 - Structural characteristics and maintenance requirements
 - Impacts to railroad operations
 - Construction cost
- Provide potential for future expansion
 - Construction cost
 - Structural characteristics
- Minimize impacts to river performance and the environment
 - Impacts to river hydraulics
 - Impacts to river navigation
 - Risk of ice jams
 - Scope of bridge approach civil works
 - Requirements for right-of-way acquisition

Analysis Outcome:

- **Alternative 3** satisfies the purpose and need with the lowest level of impacts and is therefore the proposer's preferred alternative.

**Proposed Bridge Replacement at Mile 1315.0 on the Missouri River near Bismarck/Mandan,
North Dakota (ND SHPO Reference 16-0636)
Section 106 Consulting Parties Meeting #1**

Minutes

Wednesday, January 31, 2018

Room 2130, Ramkota Hotel, Bismarck, North Dakota

List of Attendees:

Eric Washburn (U.S. Coast Guard)
Rob McCaskey (U.S. Coast Guard)
Kristopher Swanson (BNSF)
Amy McBeth (BNSF)
Lori Price (Jacobs)
Ben Roberts (Jacobs)
Mayor Tim Helbling (City of Mandan)
Kitty Henderson (Historic Bridge Foundation) (via teleconference)
Susan Quinnell (ND SHPO)
Mark Sundlov (Preservation North Dakota)
Carl Hokenstad (City of Bismarck)
Walt Bailey (Bismarck Historical Society)
Aaron Barth (Fort Abraham Lincoln Foundation)
Toni Erhardt (U.S. Army Corps of Engineers)
Erik Sakariassen (Fort Abraham Lincoln Foundation)
Amy Guthrie Sakariassen (National Trust for Historic Preservation)
William 'Bill' Engelter (Morton County Historical Society & North Dakota State Railroad Museum)
Robert Porter (Mandan Historical Society)
Kathleen Spilman (Mandan Historical Society)
Jim Neubauer (Mandan City Administrator)
Grant Sundquist (Fort Abraham Lincoln Foundation)
Jim Kambeitz (Bismarck citizen and bicycle advocate)

Timeline and Proceedings (all quotations are paraphrased)

The meeting began at approximately 5:00 p.m.

- Welcome and Introductions (Eric Washburn, USCG)
- Introduction to the Section 106 process (Lori Price, Jacobs Engineering)
- K. Swanson explained the project's purpose and need. The project is condition based; BNSF requires a long term solution that allows them to safely and reliably serve its customers.
 - Preservation North Dakota representatives asked, "Could you explain the need for the bridge, ie, the bridge is not in danger of falling down?"
 - K. Swanson, "Yes, this is a long-term plan for some of the aging infrastructure (approx. 13,000 bridges in the BNSF system) and is proactive; the existing bridge is still within the current standard of safety"
 - A. Barth, "Has an X-Ray examination been done on this bridge?"
 - K. Swanson, "I am not privy to that information, and any such study would be proprietary"
- L. Price explained the Section 106 Area of Potential Effects (APE) and how it was developed
 - K. Spilman, "What about the existing wooden piers in the river from the previous bridge, were they included in the Class III Inventory?"

- Response: (B. Roberts): “They were not recorded as a cultural resource in the Class III Inventory (prepared by Juniper).”
- (L. Price): “But they were discussed in the report.” (p. 19 Juniper)
- E. Sakariassen, “What about the military installation under the bridge (Camp Fraser)?”
- Response: An archaeological survey was conducted of the APE and no resources from any military installation were found. (L. Price)
- K. Swanson discussed the alternatives considered
 - Explained that, “The existing bridge was not constructed to support current train loads, however, it’s not in danger of failing.”
 - Discussed the various issues with right of way (ROW) for Alternative 2
 - Explained that the location of 80 feet from existing bridge was based on track geometry and getting the proposed piers to align with the existing to minimize impacts to the river hydrology.
 - Explained that because Alternative 3 stays within existing ROW, the new piers would be in conflict with existing piers and are required to be offset. This could cause scour and navigational conflicts if existing bridge remains
 - Explained that Alternative 1 could also impact the existing bridge and require at minimum, partial removal
 - In reference to Alternative 2, explained there are issues that include the additional ROW and the water treatment plant.
 - Question: “Would Alternative 3 include a second track?”
 - Response (K. Swanson) “Yes, potentially in the future BNSF would like to be able to add a second track, as part of a strategic plan; there is no current need or forecast.”
 - K. Spilman asked about hazardous material being transported through the city of Bismarck
 - Question: “The corridor that runs behind the community bowl, near the water reservoir, is there possibility for additional excavation? Would this offset the structural integrity question for the reservoir?”
 - Question: “What about building track in a completely different location?”
 - From a feasibility standpoint, this is not something BNSF would consider (K. Swanson)
 - Question: “For Alternative 2, what about keeping the existing bridge as a siding; the railroad could lower the speeds on this track, and allow for smaller trains and weights?”
 - Response (K. Swanson) – Even though this is true, this alternative results in construction limits beyond BNSF ROW, and impacting the slope, located on the east bank and north of the tracks. At the top of the slope is the City of Bismarck’s water reservoir. This slope has known stability issues, and impacting the slope has risk of impacting the reservoir.
 - K. Swanson explained one of the main reasons BNSF is interested in replacing the existing bridge: “The current design of the through truss (camel’s hump) for the existing bridge is fracture critical (no redundant members); if one member fails, the bridge could not support the loads it needs to.” “All 3 alternatives include a deck-plate girder design [for the new bridge], providing redundancy; if one member fails the bridge would still operate as intended; this design reduces the risk of catastrophic failure.” Also discussed the improvement to safety for BNSF staff who inspect the bridge.
 - Question: “What loading is the existing bridge designed for?”
 - Response (K. Swanson): “The E80 loading ARREMA standard.”
 - Question: “Is there evidence of scour or spalling from erosion, etc. on the existing bridge?”

- Response (K. Swanson): “No, there is nothing to indicate a loss of structural integrity, but there is liability described in the application materials (the hydrology report).”
 - Question: “In moving the bridge to the north, is the second track a 100 percent sure thing? Is the decision of the new bridge based on the potential for a second track?”
 - Response (K. Swanson): “Safety and reliability are the major factors.”
 - G. Sundquist: “Have there been any studies about the underground water storage for the City?”
 - Response (K. Swanson): “Not to my knowledge.”
 - A. Sakariassen: “Are there any proactive approaches that can be taken to anticipate scour and erosion?”
 - Response (K. Swanson): does not have personal knowledge, but with limited knowledge would suggest, “rip rap, which would require a USACE permit.”
 - T. Erhardt (USACE) confirmed in the affirmative
 - E. Sakariassen, “This is a 106 meeting, so in terms of alternatives, which have the least and most adverse effects?”
 - Response (L. Price): We all agree that Alternative 3 is the greatest adverse effect.
 - S. Quinnell asked T. Erhardt (USACE) about, “Where the Corps is on the [NEPA] alternatives?”
 - Response (R. McCaskey): “The USCG is the lead Federal Agency, and the EA is in progress.”
 - T. Erhardt asked about addressing the slip planes below the City Reservoir.
- A. Barth, “G. Morrison sure designed and built a heckuva bridge.”
- A. Barth, “Were the studies done on what the hazardous materials are that are going through the town of Bismarck?”
 - Response (A. McBeth): “Although this is outside the realm of 106, the short answer is that BNSF is a common carrier, and can’t refuse traffic that our customers want to haul.”
 - A. Barth clarified that his question wasn’t directed at suggesting not to move these types of materials.
 - A. McBeth responded that continuing to safely haul all types of goods is the motivation behind BNSF wanting to replace the bridge.
- L. Price, “Let’s go back to the 106 process. The purpose and need is BNSF needs a new bridge, and these are the 3 alternatives they’ve considered. Alternative 1 still has effects, but whether they would be adverse is not yet decided. I think we can all agree that Alternative 3 is the most severe adverse effect.”
 - G. Sundquist: “Were all the alternatives considered designed to maintain the current speed on the railroad at this location?”
 - Response (K. Swanson): “Yes, they were designed for the current standard of 40 mph as the maximum allowable speed.”
 - L. Price, “Are you asking if BNSF would accept a lower speed if that would allow for the bridge to remain?”
 - G. Sundquist: “Yes.”
 - K. Swanson, “If an alternative is found we would consider it, but that is how we came to the three alternatives and the 30 foot and 80 foot geometry.”
 - E. Sakariassen: “The implied question is how to minimize the adverse effect. What about the possibility of keeping the historic bridge in place – an ‘Alternative 4.’ This could minimize the adverse effect. Think about the impact to the community, everyone has a story about the bridge.”

- L. Price: “We have talked about the possibilities of leaving the bridge in place after the comments received at the public meeting. Are there any entities that would be willing and able to take ownership of the bridge?”
- G. Sundquist: “George Morrison’s descendants donated documentation to the Smithsonian.” G. Sundquist has brought a petition with approximately 5,000 signatures. Believes it is important that the bridge remains, even if it doesn’t become a pedestrian bridge.
- L. Price: “Is there anyone from any local governmental agency that is willing to have this discussion?”
 - K. Henderson: “I wanted to let you know there are several examples of public/private partnerships, such as Great Falls, MT (DOT transferred to City, who held the liability).”
- Mayor Helbling stated that the Bridge is outside the corporate limits of the City of Mandan, so they cannot take on the liability. “Is saving the bridge and changing the hydraulics of the River going to affect our fresh water intake, which is our main concern? What are the effects of a second bridge on the water system? If the bridge does come down, we’d like to see mitigation that includes something that benefits the City of Mandan. And I know the township didn’t want it (the existing bridge). They’re worried about parking and where people would go.”
- W. Engelter: “I’m interested in preserving the history for the Railroad Museum. We have a 5-acre tract at our museum.”
- A. Sakariassen, “What is the possibility for further discussions to explore options for further research?”
 - Response (L. Price): “We’ve looked at several re-purposed bridges for examples. There are none where an existing rail line continues to exist with an active rail line right next to it. I don’t want to see people spend heart and energy on something that may not be feasible.”
 - Response (K. Swanson) “We would have to take the consideration of an extended timeline to corporate for approval.”
- J. Kambiete: “I am an avid bicyclist and wasn’t aware that the bridge would actually have to come down. That would be a huge loss to the community. Filmmakers use the bridge as a landmark. Our general consensus is we need time for some dialogue.”
- J. Kambiete: “The State Historic Society of ND (SHSND) should be invited to participate as a consulting party.”
 - Response (B. Roberts): The SHPO office is part of the SHSND, but USCG can send a formal invitation to this organization, separate from SHPO.
- Question: “What are the demolition costs for the bridge?”
 - Response (K. Swanson): “Under \$100M”
 - Question: What about the possibility of getting a grant or raising funds to counter the cost of demolition?
 - K. Swanson: “The issues for BNSF also include the loss of ROW and the indemnification of liability. This is a significant investment; it’s not just about the cost of maintaining the bridge.”
- A. Barth, “Could we have a statement like that for grant applications? That BNSF would support our efforts to find someone to save the bridge? It would make our grant applications much stronger.”
- K. Swanson: “If someone is willing to take all the liability, be responsible for maintenance, and compensate BNSF for the loss of ROW or be willing to lease additional ROW, then we could have that conversation.”
- E. Sakariassen: “To clarify what Aaron is asking for, a letter from BNSF to take to a grant organization in order to start a 501(c)3; some kind of indication of ‘yes’ you would like to talk to us about a proposal to fund it for a study. Before we even spend the time to and dollars and do a study, is BNSF willing to consider having a pedestrian track 80 feet away from existing ROW?”

- Response (K. Swanson): “We will have to ask our higher-up decision makers.”
- S. Quinnell states she’s been having trouble getting information, especially the environmental studies. R. McCaskey reiterated that EA is not yet complete.
- T. Erhardt: “There are big issues with someone taking over the bridge. We need to be clear why we’re going in this direction. Can BNSF accomplish what it needs to do and keep the bridge in place?”
- L. Price: “Thank you for your input tonight. We have a long list of things to take back to people that can make some of these decisions.”
- G. Sundquist: “I think it would go a long way for the relationship with BNSF and the community that these considerations are explored and that BNSF did everything possible to explore all options and didn’t just take an eraser to our history.”
- L. Price: “Next step is we have a list of things we need to address. We will circulate information, and we will have continued consultation and hold additional meetings. We will send out minutes of this meeting and a pdf of the alternatives presentation board that we had here tonight.”
- W. Engelter provided written comments that will be attached to these minutes as an addendum.

The meeting concluded at approximately 7:15 p.m.

BNSF — Amy McBeth
"mitigation"

1. Photo of Bridge for Museum
2. Builders Plates serving for Museum
3. Section of Tracks — 8 ft long
4. Section of Bridge — ^{To} Show
— Steel that lasted 125+ years
5. Historical Summary of Bridge
6. Proposal alternative of New Bridge
7. Video to Show at Museum
8. Pictures, Stories, Blue Prints etc of New Bridge

North Dakota State Railroad Museum

3102 37th St NW
Mandan, North Dakota 58554

Open
Memorial Day
May 28, 2018
to
Labor Day
Sept 3, 2018
each day
from
1pm to 5pm



Phone: (701)663-9322
Email: ndstatermuseum@gmail.com
Website: <http://www.ndsrm.org>

Events
Fathers Day
June 17, 2018
Watermelon Day
July 15, 2018
Railroad Day
August 26, 2018

Bill Engelt
[Redacted]
ND State Railroad
Museum
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