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Meeting Minutes

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Subject	**MOA Consulting Parties Meeting #2**
Project	BNSF Bismarck Bridge Replacement Project
Prepared by	Abby Korte, Aimee Angel, Lori Price
Location	GoTo Remote Meeting
Date/Time	March 24, 2021 2:00 pm CDT

Participants

Abby Korte, Jacobs
Aimee Angel, Jacobs
Alexis Clark, ACHP
Amy McBeth, BNSF
Amy Sakariassen, NTHP
Ben Hutchins
Ben Ehreth, City of Bismarck
Brian Dunn, USCG,
Danette Walsh, Captain's Landing
Chris Wilson, ACHP
Cole Higlin, Mandan Parks
David Mayer – Bismarck Parks and Rec
Elizabeth Merritt, NTHP
Erik Sakariassen, FALF
Fern Swensen, SHPO
Jim Neubauer, City of Mandan
Kathy Duttenhefner
Kim Lee, City of Bismarck
Kitty Henderson, Historic Bridge Foundation
Lori Price, Jacobs
Lorna Meidinger, ND SHPO
Mandy Persson, FORB
Mark Armstrong, Burleigh County Commission
Mary Baker, THPO
Matt Robertson, USCG
Mike Herzog, BNSF
Nick Bradbury, FORB
Rob McCaskey, USCG
Susan Wefald, FORB
Shelly Sugarman, USCG
Signe Snortland, FORB
Steve Bakken, City of Bismarck
Will Hutchings, City of Bismarck
[redacted]

**Attendance list may be incomplete.*

Notes

Rob McCaskey - Opened up the meeting with introductions and ground rules. Please don't interrupt and please use your mute function appropriately. For each mitigation measure, there will be 5 minutes for presentation and 5 minutes for discussion/Q&A.

Brian Dunn – There was a good discussion last time. USCG has requested additional information on mitigation measures #1-10 and would like to have that additional information by Friday March 26, 2021. Same request will be made for this batch. The next steps following this consulting parties meeting will be for the USCG once they have enough details, to organize mitigation by the responsible party and see if they are amenable. Mitigation measures that have an interested responsible party will be included in the draft MOA which will be circulated for review. If there is mitigation that is not fully developed, it can still be included in the MOA to allow for further development.

Mitigation Measure #11 - Create, develop content for, and host an interpretive website on the history of the Project area. The content of this interpretive website will be structured to appeal to the general public and to be useful for educational purposes (e.g., it may include interactive components and activities suitable for K-12 students and educators). By means of keyword indexing, solicited links from other sites, and similar techniques, this material will be formatted to be readily found by educators and students using search engines. Continue to host the website throughout the Project construction period. Once Project

construction is completed, the website will be archived at [To Be Determined]. Website will also include periodic updates based on milestones [insert milestones] throughout the Project construction period.

Presentation: Ben Ehreth– Have not received any direction from the Bismarck Historic Preservation Commission or the Bismarck City Commissionon how to proceed. There is no additional information for any of the City of Bismarck mitigation measures (#11, #14, #15) and the responsible party for all three is BNSF.

Discussion: Mary Baker– can we see content for the potential website? The area is on our ancestral lands and we would like to have representation.

Rob McCaskey– Yes, we will provide that content as it is developed. Let's do the City's Mitigation Measures first.

Mitigation Measure #1 4 - Provide funding of $(amount) to survey historic resources around the Bismarck and Mandan communities for possible nomination to the NRHP.

Presentation: Ben Ehreth– Have not received any direction from the Bismarck Historic Preservation Commission or the Bismarck City Commission on how to proceed. There is no additional information for any of the City of Bismarck mitigation measures (#11, #14, #15) and the responsible party for all three is BNSF.

Discussion: Mike Herzog – How does this pertain to the bridge replacement project?

Ben Ehreth– With the loss of a historic bridge, there is a void. Recognizing other properties may help fill the void from loss of the bridge.

Amy Sakariassen– This is standard practice.

Mitigation Measure #1 5 - Deconstruct the granite piers of the Bismarck Bridge in a way so the individual pieces or portions thereof can be used and displayed for public purposes elsewhere in the community.

Presentation: Ben Ehreth– Have not received any direction from the Bismarck Historic Preservation Commission or the Bismarck City Commission on how to proceed. There is no additional information for any of the City of Bismarck mitigation measures (#11, #14, #15) and the responsible party for all three is BNSF.

Discussion: Mark Armstrong – can the granite piers stay in the river?

Ben Ehreth– that was not part of the recommended mitigation from the City.

Lorna Meidinger – points out that the super structur e is also historic.

Chris Wilson– Just so everyone knows, other ideas for mitigation coming out of these consultation meetings can be added as mitigation measures. This is the whole point of

consultation. Gives an example of a Main Street grants program.Will send a 2-page "Success Story" so everyone can see what he's referring to.

Betsy Merritt – That was for the Milton Madison Bridge in Madison, Indiana. They incorporated old pieces of the bridge into the new bridge.

Rob McCaskey – That was my project. Iworked on that one.

Danette Walsh – What about keeping the first span on the east side as a walkout or look-out, instead of keeping the whole bridge?

Mike Herzog – The truss or the approach?

Danette Walsh – The truss. Keep the first pier in the water.

Mike Herzog – That would affect the base flood elevation.

Signe Snortland – Did BNSF analyze floodplain rise leaving one pier in the water?

Mike Herzog – No we did not.

Mark Armstrong – What did the modeling show with two piers in the water?

Mike Herzog – We didn't model that.

Brian Dunn – If we want to discuss leaving part of the bridge in the water, let's do that later as details are unknown at this time. We can add that to the list. We haven't looked at it yet so we don't have any details.

Mike Herzog – Just as a reminder, if we left part of the bridge in the water, someone would still need to own it.

Mitigation Measure #1 2 - Develop and implement "The Bridge Project: An International Site of Conscience," an interpretative program to foster truth and reconciliation in the American story over dislocation and subjugation of indigenous peoples with participating Tribes, SHPO, National Trust for Historic Preservation, and Preservation North Dakota.

Presentation: Erik Sakariassen – (see attached presentation) As a Site of Consciousness, the bridge will foster dialogue and understanding.

What? A pocket park with interpretive kiosk and appropriate site amenities.

Who? Bismarck Parks & Recreation in collaboration with NPNHA, SHSND and THPOs.

Where?East side riverfront trail near the historic bridge site.

When? Installation would begin after new bridge construction staging area is vacated.

Interpretive content? Developed by contract historian under direction of collaborative partners.

Estimated cost? $80,000 to $100,000.

Responsible for cost? Funding would be the responsibility of BNSF Railway as mitigation for adverse effect to the historic resource.

Discussion: Chris Wilson– Thanks for the context. I worked on a decommissioning (BRAC)of Fort Monroe. This can happen and other parties may be inclined to participate.

Mitigation Measure #13 - Ensure that the site of Camp Frazier, a World War I era military camp located on the flatland immediately south of the east end of the Bismarck Bridge and established to protect the bridge from possible sabotage, receives an archeological survey and study to determine the site's NRHP eligibility.

Presentation: No one from the Bismarck Historical Society waspresent. No discussion.

Mitigation Measure #16 - Establish an endowment of $(amount) to assist Preservation North Dakota—North Dakota's only statewide non-profit organization dedicated to Historic Preservation —in its general operations, giving the organization's board of directors authority to use the interest earnings from the fund in administering the existing Grass Roots Grant program that supports hands-on bricks-and-mortar preservation projects across the state; enhance its education, outreach, and advocacy programming to advance the public's understanding of history, heritage, and the importance of place; and promote the preservation crafts and professions in this state.

Presentation: Eric Sakariassen presents for Emily Sakariassen who is traveling and unable to attend (See attached presentation). Loss of bridge would diminish credibility of PND. Funding request of no less than $25k for an endowment would provide for a $1k distribution annually.

What - Establishment of an Endowment Fund for Preservation North Dakota.

When - Suggest establishment of an Endowment Fund for Preservation North Dakota within 30 days of proposed bridge demolition

Who – BNSF

How much - A typical annual distribution from the earnings of an Endowment fund is 4%. To support and enhance PND's programming, PND suggests the mitigative amount be no less than $25,000 in order to generate a $1,000 annual distribution.

Discussion: None

Mitigation Measure #17 - Endow a Chair of History at $(amount) at a local public educational institution, such as Bismarck State College or United Tribes Technical College, to further promote the study and understanding of local historic themes the rail bridge embodies, such as the history of the railroad and its effect on the development of this area and the American West, a layered history of the Missouri River Valley as a hub of transportation and commerce, and the subjugation and displacement of Native indigenous people.

Presentation: Signe Snortland – (See attached presentation) Endow a chair at a local institute of higher learning. Only applicable if proposed action is chosen.

When - Endow history chair after ROD if USCG selects BNSF's preferred alternative and historic bridge would be demolished

Who - BNSF works with local educational institution to create an endowed history professorship

USCG ensures completion

What - Choose one of three academic institutions: United Tribes Technical College, Bismarck State College, or University of Mary

UTTC offers associate degrees; BSC offers associate degrees and BA in History with University of Mary; U of M is a private Catholic college with a BA in History

Who Pays and Cost - (2018 -2019 annual salary averages)

UTTC- $52,807 (instructor); BSC - $67,685 (professor); U of M – $93,020 (professor)

Endowment of a chair averages from $300,000 to $500,000 in the US

BNSF would fund the endowment to mitigate adverse effects of historic property demolition

Discussion: None.

Mitigation Measure #18 – Sponsor an annual event at $(amount) during the construction period of the new bridge promoting FORB's mission of history, education, and recreation that engages people in both the Bismarck and Mandan communities.

Presentation: Mandy Persson/FORB notes this item rated very low. Would like to withdraw this mitigation measure. No objection. Measure withdrawn.

Discussion: None.

Additional Mitigation Discussion (1) – If the existing bridge does have to be removed, require the replacement bridge to have architectural significance. Whether that means the bridge should have

elements that reflect the old bridge or something new. The bridge should replace the visual contributions the existing bridge provided to the landscape.

Presentation: David Mayer – This is just a thought I had. I have been employed as a landscape architect at firms in both MN and ND. Would be nice to incorporate architecturally relevant elements into the new bridge.

Discussion: Amy Sakariassen – Explained the Bridge Advisory Committee and requested David's involvement.

David Mayer – I would be glad to help.

Amy Sakariassen to contact David Mayer after the meeting.

Additional Discussion (2) – Endowment to the City of Bismarck and City of Mandan, in the amount of one million for each city, earmarked for preservation improvements of buildings eligible for the National Register of Historic Places.

Presentation: Susan Weald – (See attached presentation – not able to show presentation during meeting). City administrators in both Bismarck and Mandan would be responsible for administrating paperwork and managing endowment. Bismarck already has an Advisory Committee for Historic Preservation; Mandan could set one up. Committees would decide on percentage to be spent and disbursement of funds. BNSF to send $1M to each city for endowment – Total is 2 million dollars. Endowment would support preservation improvements of buildings eligible for NRHP. Should start before the old bridge is demolished. Take about 4 months.

Discussion: Chris Wilson – Stipulations in the PA and MOA are legally binding. This type of an endowment has been done before. Similar to the Main Street project he discussed earlier.

Betsy Merritt – Will look up the financial amount for that one.

Susan Weald – I will send presentation to the USCG.

Additional Discussion (3) – Provide funding of $250,000 -300,000 to research the social history and architecture of the Bismarck Bridge that can be utilized to develop a variety of educational and interpretive opportunities. Included here would be the development of a 50 -minute video based on the research (estimate $75,000 for the video, $180,000 for research by a historian and cultural anthropologist).

Presentation: Fern Swenson/SHPO – Requesting $200k - $300k for research and development of a 50 -minute video. The research product or paper could inform many different interpretative products and produce information that could be used for many of the public information projects previously discussed. Can build on the Ann Murphy article. Should be an emphasis on Native American, workers, communities, etc. – the experiences of ordinary people. How is the bridge portrayed in various media? Focus on aspects of research not yet fully developed, such as the social and economic impacts on Native Americans and ordinary people before and after bridge construction. This may include oral histories of some of the local

tribal elders. Willing to withdraw the measure because they can do this internally. Or maybe combine it with other ideas.

Discussion: Susan Wefald – Can we retain it, for now?

Mike Herzog – I think that this is more in line with typical bridge mitigation and I'm ok with keeping it.

Eric Sakariassen – Lakotah Consulting wants to include oral histories.

Rob McCaskey – Sounds like we have consensus to keep it.

Closing – Signe Snortland for the next meeting we would like to request the two following topics:

1. An explanation of the BNSF developed cost premiums. Would like a presentation to explain how they arrived at these numbers.

2. FORB has several amendments to the PA that they would like to suggest.

Brian Dunn – Yes we can set up another meeting to discuss, separate from the MOA meeting.

Signe Snortland – Is the draft EIS on schedule?

Brian Dunn – yes, DEIS schedule has not changed. Thank you for your consideration and participation in this call.

Call concluded at 3:18 pm CDT.