

Station 1: What is the history of the railroad corridor?

BASED ON RICK VANZEE'S BOOK **RAILS THROUGH THE GRASS: THE MILWAUKEE'S BRANCH TO PLATTE**

One of the primary reasons the Milwaukee Road's branch railroad to Platte (off the Sioux City, IA to Aberdeen, SD main line) was built in 1900 was to provide a more convenient and profitable way for farmers to transport grain and livestock to markets. Farmers in Bon Homme and Charles Mix counties were previously using horse-drawn wagons to haul grain and hogs to faraway railroads.

Out of 125 applications received to build grain elevators along the branch line, 19 were approved. Smaller settlements moved to these locations along the railroad, and towns such as Platte, Geddes, and Wagner were born. According to Rick VanZee's book *Rails Through the Grass: The Milwaukee's Branch to Platte*:

Earth moving and grading for the new line was done with horse-powered scrapers and involved a large number of men. Many local farmers rented out their team of horses and went to work for the railroad, helping move the dirt for the new extension. It is incredible to think that 83 miles of rail were graded and installed, all in less than a year. Even with modern dozers and dirt-moving equipment this would be a monumental task!

After grading, the track-laying crews put down ties onto the dirt, followed by brand new rail weighing 60 pounds per yard, a common weight rail used by the Milwaukee on its branch lines. The ruling grade was one percent...

Daily passenger service on the line was popular in the early years of the railroad, with special excursion trains in its first decade to places like Sioux City, IA, Okoboji, IA, and Eureka, SD.



Hauling hogs to market in 1910 in Platte.
Credit: Rick VanZee



A section crew in Avon in the late 1940's: Earl Starr, Foreman Casper Janssen, Andy Weddel, Bill Dunsmore.
Credit: Craig Boese



A passenger excursion train in Tyndall in 1907.
Credit: Maxine Schuurmans

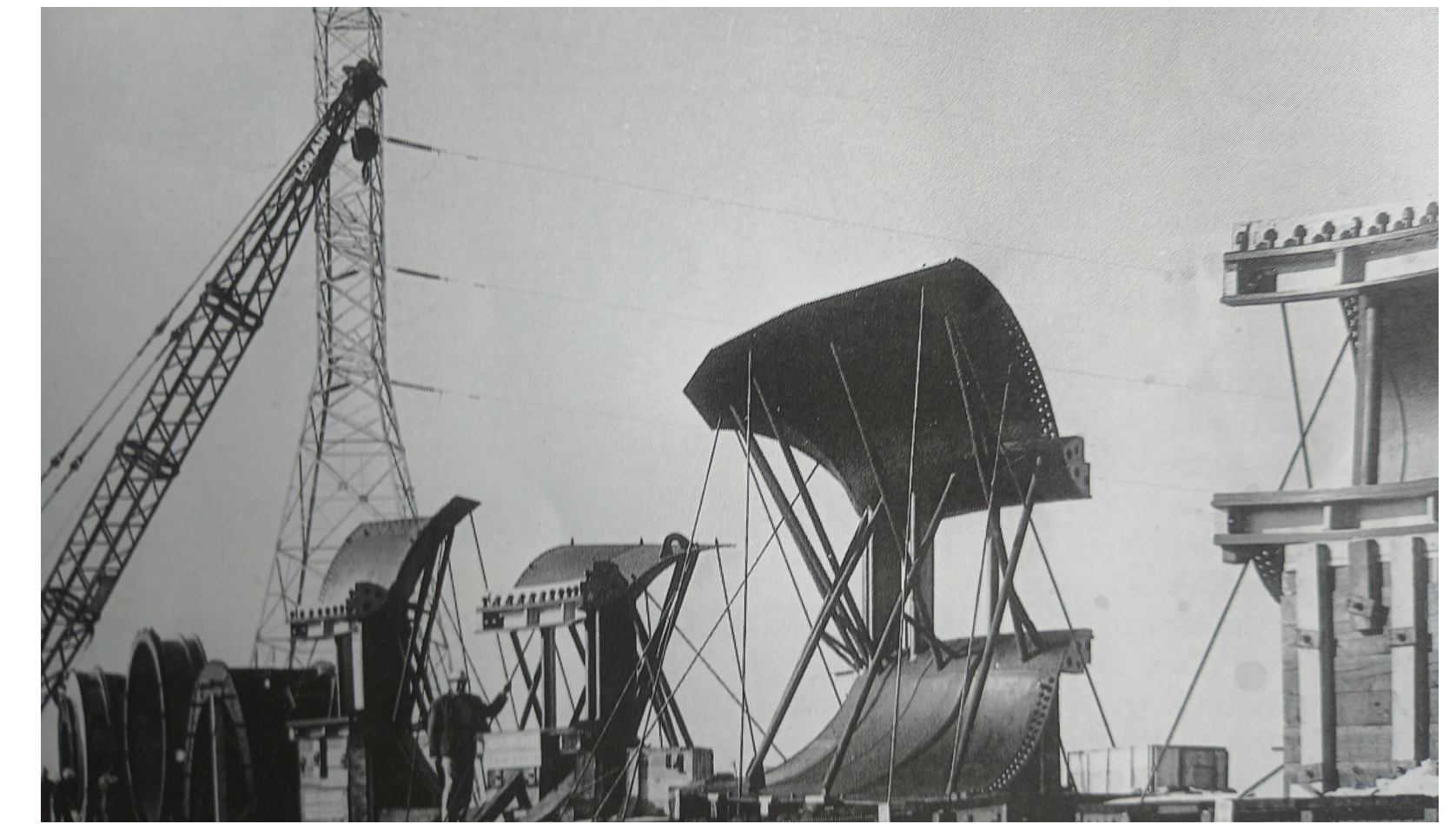
Passenger service ended in 1951 due to ever improving highways. Livestock shipments also ended by the late 1950's, with stock pens abandoned or torn down.

Between 1947 and 1955, the Platte line played a major role in hauling materials to build the Fort Randall Dam on the nearby Missouri River. A 6.5-mile rail spur was built southward just east of Lake Andes (along current U.S. Highway 18) to transport steel, rock, and cement. The federal government removed the rails in the early 1960's. Adjacent property owners bought the land back they had been forced to sell in 1947.

Regular ballast (i.e., rock) was not placed under the rails, so vegetation grew between the crossties and sod grew and even held the ties together. Vegetation posed problems for the trains, being crushed by the steel wheels onto the rails, creating slimy streaks and reducing traction. In response, grass was regularly maintained by spraying oil and herbicides and using mowers.

All bridges were rebuilt in the mid-1950's and crossties were replaced. The speed limit was 25 mph, although trains often operated up to 40 mph.

In the 1970's grain-related traffic decreased on the railroad and the Milwaukee Road reduced maintenance, following a trend across the country. The company declared bankruptcy in 1977. The last Milwaukee train ran down the line in March 1980. In 1981, the State of South Dakota acquired the corridor and leased it to Dakota Southern, which ran trains between 1985 and 1989. The federal government invested \$220,000 to raise the track through Red Lake in 1986 due to high water. Dakota Southern continues to hold a lease on the corridor between Tyndall and Tabor.



Steel for Fort Randall Dam on railcars is unloaded in 1953, after traveling along the Platte line.
Credit: U.S. Army Corps of Engineers



The recently mowed rail line outside Platte in 1978.
Credit: George A. LaPray



A train crosses the Emanuel Creek trestle west of Tyndall in December 1988.
Credit: Rick VanZee

The history of railbanking on the Tabor to Platte rail corridor

Station 2: What is railbanking?

Trails began being recognized as a national asset that needed to be protected and supported by the federal government with the passage of the National Trails System Act in 1968. The National Trails System Act called for the establishment of trails in both urban and rural areas for the enjoyment of people of all ages, interests, skills, and physical abilities.

In 1980 Congress enacted the Staggers Rail Act as an attempt to re-invigorate freight railroads by reducing restrictive regulations to be more competitive with trucking. This included allowing carriers to discontinue unprofitable routes.

In 1983, recognizing that abandoned transportation corridors could be lost completely, Congress amended the National Trails System Act by allowing rail corridors that would otherwise be abandoned to be preserved, or “**banked**,” for future transportation needs and interim trail use. The amendment established the process of “**railbanking**.”

Railbanking is defined as a voluntary agreement between the owner of the railroad and a trail sponsor to use a discontinued rail corridor as a trail. The trail is considered an interim use, meaning it could revert to a railroad in the future.

When service on a rail corridor is discontinued and the corridor is **railbanked** instead of abandoned, the corridor stays intact instead of reverting to the owners of the underlying or adjacent land. **Railbanking** preserves the railroad owner’s right to transfer all forms of ownership, including easements.

The US Supreme Court upheld the constitutionality of the National Trails System Act including the amendment that allows for **railbanking** in 1990 in its decision on *Presault vs. the United States*. In this case, which concerned a Vermont railroad that held an easement along the corridor, the Supreme Court also ruled that adjacent landowners must be compensated under the 5th Amendment of the US Constitution.

In general terms, if the railroad right of way was originally acquired by easement (such that the underlying parcel is still owned privately) and eminent domain was used, then the underlying property owner is owed compensation due to the United States taking away their potential reversionary right to the easement area. If the right of way was purchased outright, the adjacent landowner has no claim.

Due to this Supreme Court case, legal actions involving rail-trails are routine. Adjacent property owners seeking compensation must file a claim for compensation in the US Court of Federal Claims in Washington, D.C. Lawsuits are filed against only the federal government and not against the owner of the railroad, trail sponsor, or any other party. The funds for compensation come from the “Judgment Fund” at the US Department of Treasury, which is appropriated every year by Congress to pay the liabilities of the United States.

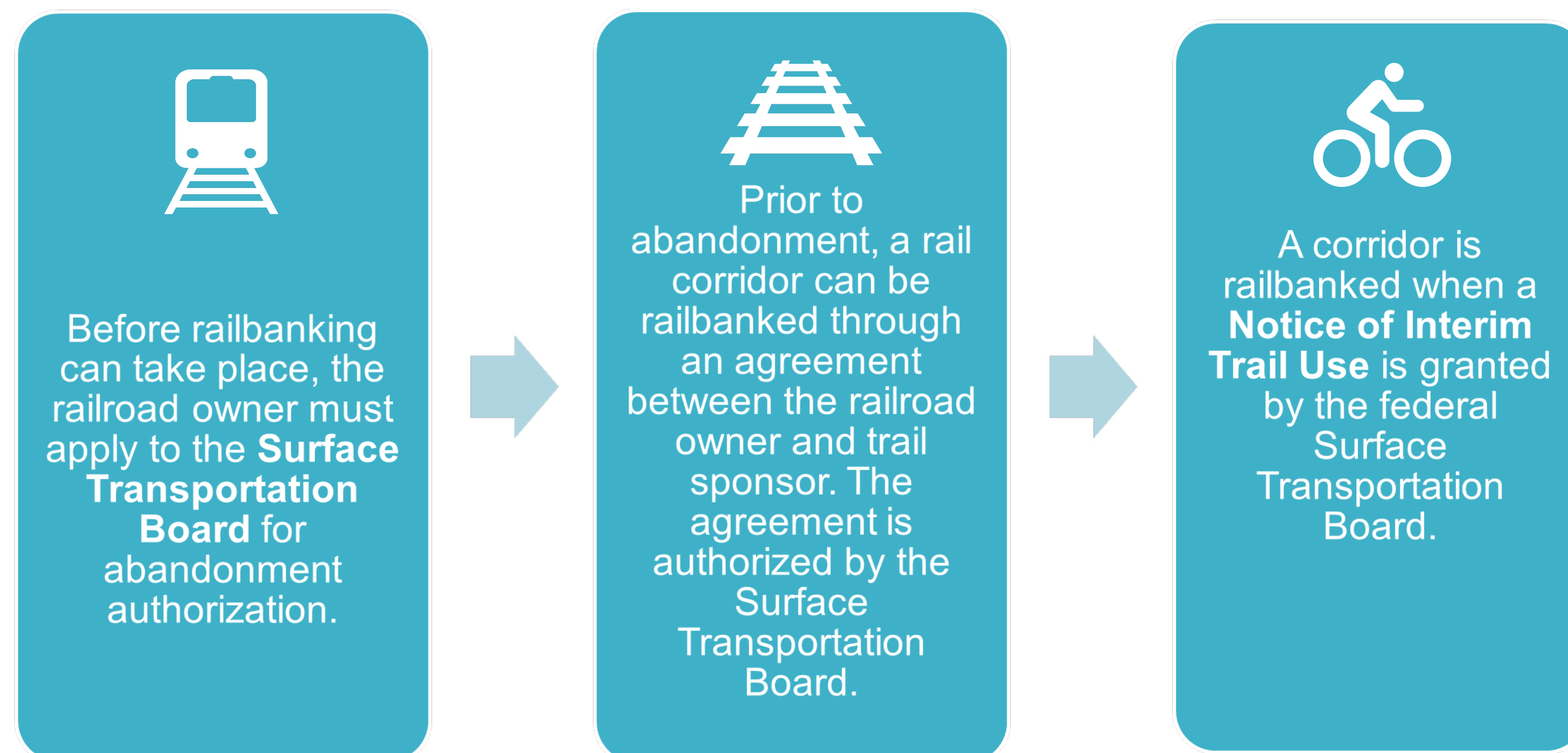
As a result, the current legal action spearheaded by the law firm Flint Cooper concerns adjacent landowner compensation and not whether the trail should be built. The outcome of this legal action will determine compensation for landowners affected by the **railbanking**, but will have no direct effect on the railbanked status of the corridor nor the efforts to plan and construct the trail.

2007: The South Dakota Department of Transportation (SDDOT) filed a notice of intent to terminate rail service on the corridor between Platte and Ravinia. Simultaneously, the South Dakota Railroad Board (SDRB) filed a request for issuance of a Notice of Interim Trail Use (NITU) from milepost 54.5 in Ravinia to milepost 83.3 in Platte. The Surface Transportation Board (STB) issued a NITU, thereby **railbanking** this section.

2021/2022: The SDRB filed a request to vacate the NITU at the end of the line between milepost 80.8 and 83.3, related to a parcel that had been sold. Therefore, this section became “**un-railbanked**.” The Surface Transportation Board issued a replacement NITU from milepost 54.5 in Ravinia to milepost 80.8 in Platte.

2022: The National Association of Reversionary Property Owners (NARPO) requested a termination of the existing NITU since it was not connected to the national rail network, and that no NITU had been issued for the segment between milepost 0.0 and 54.5 (i.e., Napa Junction to Ravinia). SDRB replied that Dakota Southern held a certificate to operate on that segment. The STB denied NARPO’s request to revoke the NITU, meaning it remained **railbanked**.

2023: The Surface Transportation Board granted the State of South Dakota’s request to issue a NITU for the Tyndall to Ravinia segment. This action meant the entire section between Tyndall and two miles southeast of Platte was **railbanked**.



The South Dakota Railroad Board (SDRB) is a political subdivision of the State and is administered within SDDOT. The SDRB also serves as the South Dakota Railroad Authority and is responsible for planning, developing, constructing, and protecting railroads and railroad facilities. SDRB owns the railroad corridor between Tabor and Platte.

The Surface Transportation Board (STB) is a regulatory agency established by Congress in 1995 that has jurisdiction over rail abandonments and railbanking. The STB is the successor to the Interstate Commerce Commission (ICC), which was established in 1887. A railbanked corridor remains under the jurisdiction of the STB including when it has an interim trail use.

Station 3: Why is a trail feasibility study being completed?



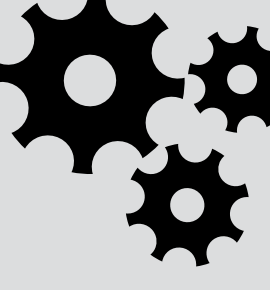
In 2021, a group of area residents organized the **Friends of the Tabor to Platte Rail to Trail** as a 501 (c) 3 non-profit organization. The group held two public meetings in October 2021 and worked with **Planning & Development District III**, a voluntary organization of cities, counties, and tribes, to create a concept plan for a rail-to-trail project. This plan contained the following components:

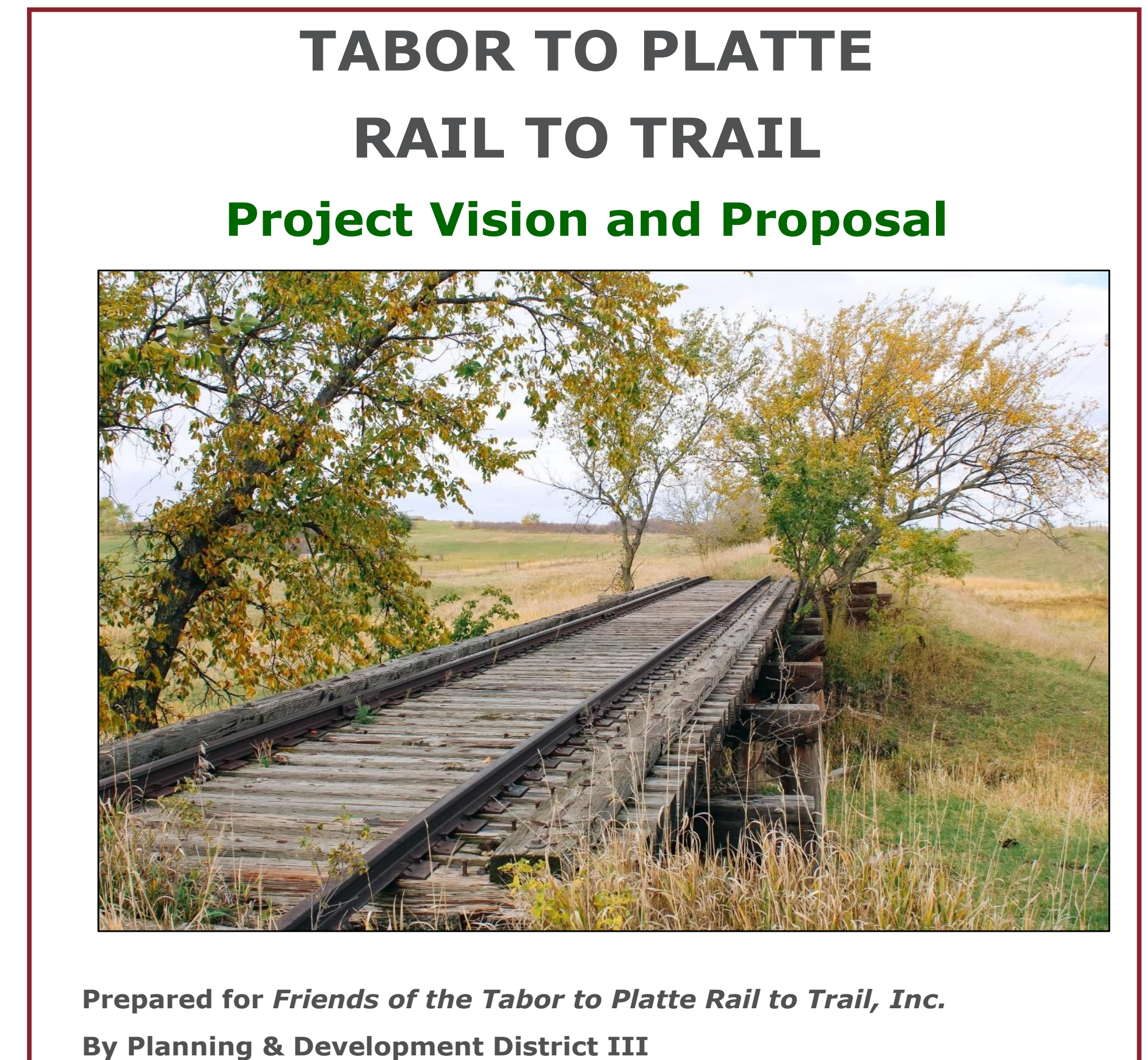
- Descriptions of the benefits of trails
- Proposed operating rules and design principles for a trail along the railroad corridor
- A wider network of bicycling facilities along roads in the region
- Cost estimates for rail-to-trail construction and maintenance
- A proposal to have the Friends of the Tabor to Platte Rail to Trail serve as the trail's sponsor, with an initial demonstration project between Lake Andes and Ravinia

The **South Dakota Railroad Board**, the owner of the corridor, heard from members of the public about this concept plan at its regular November and December 2021 meetings. At the December 2021 meeting, the Friends group announced their decision to withdraw their request to pursue a demonstration project. In its place, the Friends group announced their intention to complete a feasibility study to address the concerns of individuals opposed to the trail.

In 2023, the Friends group received a federal grant to complete a feasibility study. The grant is administered by the **South Dakota Department of Transportation (SDDOT)** as part of the federal Transportation Alternatives (TA) Program. The TA Program funds planning, design, and construction of walking and bicycling facilities.

In 2024, SDDOT issued a request for proposals to complete a feasibility study, with the consulting team of Toole Design and Snyder, Inc. selected. The feasibility study aims to look at three types of feasibility:

-  Financial – what is the construction and maintenance cost of a trail, and where would funding come from?
-  Support – where is there more or less public support for a trail, and what agencies may serve as partners?
-  Technical – what improvements would be needed to construct a trail along the corridor, including bridges, road crossings, surfacing, and parking?



A trail concept plan for the rail corridor was written in 2021.

The feasibility study will also include analysis of the economic impact of a trail, including estimates for trail use based on similar rural rail-to-trail facilities.

The project is being guided by a Study Advisory Team, made up of representatives from Bon Homme County, Charles Mix County, City of Platte, City of Tyndall, the Federal Highway Administration, the Friends of the Tabor to Platte Rail to Trail, Goose Lake Township, Lone Tree Township, SDDOT, and the Yankton Sioux Tribe.

The study is estimated to be complete by August 2025. Determinations of feasibility for various segments of the trail will ultimately be made by the South Dakota Railroad Board.

Station 4: How could a trail be funded?

Trails are typically eligible for a variety of funding programs. In South Dakota, funding for trail projects often comes from the federal **Transportation Alternatives (TA) Program**. Like roads, airports, and railroads, each state receives an annual allocation from the federal government intended for alternative (non-motorized) transportation and is given the authority to decide how those monies are spent, under certain rules.

The South Dakota DOT awarded approximately \$7.5 million in TA funds for 17 projects in 2023. Each project is required to include a minimum 18.05% local match. \$3.5 million in local matches were committed for projects including trails and sidewalks throughout the state. Local matches can come from cities, counties, donations, and the State of South Dakota. Federal tribal grants can also be considered as a local match. These grants currently require paved trail surfaces.

This funding stream is generally suited to short trail projects, or a series of short trail projects over subsequent years. For example, \$600,000 plus an associated typical local match of 20% would set a total project cost of \$750,000. It is not unusual for a new trail on new alignment in an urban area (including paving and bridges) to cost that much or even more per mile. For a rail to trail project, that amount would be typical for about 3 to 4 miles of trail paving.



One mile of rail trail was constructed in Lake Andes in 1997.

As such, long trail projects typically take a number of years to be completed, particularly if they are dependent on typical state competitive funding streams. However, the last Transportation Bill (aka Bipartisan Infrastructure Law) included a number of discretionary grant opportunities that leverage much larger funding amounts that are suitable for large, multi-jurisdictional projects, including trails. Once considered a replacement for “earmark” projects, discretionary grant programs offer grant streams with substantial funds available. Competition for these funds is national rather than statewide.

Funding similar to earmarks is also a possibility as some spending bills allow congressional representatives to include specific projects for funding consideration. Earmarks and discretionary funding opportunities offer the one-time funding suitable to compress the timeline of constructing a 70-mile rail to trail project.

The feasibility study will include cost estimates to assist project partners in assessing the financial feasibility of various town-to-town segments of a rail-to-trail conversion.



The east end of the Lake Andes rail trail is located at Park Street.

Station 5: How is a trail constructed within a railroad corridor?

The Tabor to Platte Study Corridor is unique since a majority of the length has been railbanked, but the rails and ties are still present. This provides an opportunity to survey and preserve the centerline of the railroad, which is the basis on which the right of way is defined. Where normal property corners are identified by pins or other monumentation, railroad right of way is based upon the centerline of the tracks. Re-establishment of the right of way after the rails are removed is possible but is a time-consuming effort. Noting the position of the centerline while it still exists is a significant advantage for the corridor. If new fencing of the right of way is desired from a livestock standpoint, this survey aids in the location and installation of the new fence.

Trail Preparation and Construction

Rail-trail construction is a linear process. Access to the construction is typically from the public road crossings or adjacent parallel road rights of way only. After the centerline of the rails is surveyed and recorded, the rails and ties are cleared of vegetation and removed from the project site. Clearing is typically specified to be 10 feet each way from centerline and minimum 10 feet clear vertically.

Any remaining organic material on the top of the grade is typically bladed to the sides to reveal the subgrade. For most railroads, there would be ballast rock present that the ties used to rest within. For this rail line, ballast was not used throughout, so it is expected that ballast, or gravel may only be found in areas where the grade was found to be soft or yielding to the rail traffic.

The subgrade material is then scarified approximately 12" deep and recompact to create a uniform base for paving. The resulting grade is then "proof rolled" (by a loaded dump truck) to check for stability. Any rutting or yielding areas are typically treated with additional crushed stone aggregate to create a soil-aggregate subbase once recompact.

Prior to paving operations, the subgrade is often "trimmed" to a smooth profile. This creates small windrows of loose material to either side that is useful for shoulder backfill once the pavement is placed.

Paving operations commence with either slip form concrete, or hot mix asphalt. Slip form concrete is laid a full depth in one operation, then a following operation saws transverse "joints" to control cracking. Hot mix asphalt is placed in layers, so the paving operation goes over the alignment multiple times to reach the final pavement thickness. Both materials are typically placed at 6" thickness for a long-lasting pavement.

Alternatively, the surfacing can consist of compacted crushed stone as a granular trail surface. The aggregate mixture is typically finer (smaller rocks or chips) than typical roadway gravel.

Bridges

The Platte to Tabor Study Area contains 41 bridges ranging in length from 17 feet to 303 feet. All the bridges except one are timber trestles. Bridge #27 spans Wagner Lake and is a timber trestle that includes one through-deck plate girder span. Bridge #23 over Choteau Creek was severely damaged by flooding and would need to be replaced. All other bridges appear to be in repairable condition, pending further detailed inspections.

Converting former railroad bridges to trail use is relatively straightforward. Damaged, rotting, or missing treated timbers are replaced. The timber "curbs" on top of the ties to either side are removed. Corrugated, galvanized steel plates with steel side angles are installed for use as a deck form. A concrete deck is then poured and finished within this form to create the trail surface. Railings are added, typically in the form of a black vinyl-coated chain link fence. The fence is mounted to the angle steel on the sides of the deck using brackets. The fences flare in approach to the bridge on either end on independent footings.



A rail trail with a granular surface.



A former railroad bridge undergoing repair and conversion for trail use.

Agricultural Crossings and Driveways

The 6" trail paving is typically robust enough to handle crossing traffic loads, however agricultural field crossings and driveways are often paved at an 8" depth wider than the trail so the location of the intended crossing point is clear. Where the trail is 10 feet wide, a farm crossing would typically be 15 feet wide in comparison, and probably 20 feet long as a single driveway or 24 feet as a two-lane driveway. If the driveway has granular surfacing and regular traffic, the paving can extend well beyond either side of the trail perhaps 20 feet to keep the loose rock outside the through trail width.

Road Crossings

Often railroads and roadways cross at a skew, and sometimes that skew is severe. Upon conversion to a trail, the trail in approach to the roadway can be designed with added curves to make the crossing more perpendicular within the confines of the intersection of the two rights of way. For paved roads, the trail paving ends at the edge of the roadway paving. For granular road crossings, typically 50' long of the gravel road is paved to an 8" thickness, centered on the trail.

All intersections are evaluated for sight distance and appropriate signage for the intersection is installed. In rural areas, and particularly high-speed roadways, advance warning signs are installed.

Station 6: Who would maintain a trail?

Maintenance is ultimately the responsibility of the owner of the rail-to-trail corridor, although this responsibility is often passed along to a trail sponsor or their designee. For example, a 1-mile portion of the railroad corridor in Lake Andes was converted to a trail in the 1990's. While the South Dakota Railroad Board (SDRB) retains ownership of the corridor, the South Dakota DOT (SDDOT) has an agreement with the City of Lake Andes and the Yankton Sioux Tribe to provide maintenance. This maintenance includes the asphalt surface, lighting, and vegetation adjacent to the trail.

Maintenance responsibility typically goes to the entity that requests the construction of a trail. For example, if the City of Avon decided to request the construction of a trail within its city limits, that entity would likely enter into a maintenance agreement with SDRB/SDDOT.

Segments between towns are typically not maintained by towns. Possible maintenance entities in rural areas include counties, the Friends of the Tabor to Platte Rail to Trail, the State of South Dakota (i.e., SDDOT or the South Dakota Department of Game, Fish, and Wildlife), townships, and the Yankton Sioux Tribe.

Alternatively, if one or more non-town entities requested to develop the trail through towns, they may be responsible for maintenance.

Typical maintenance activities include:



Adding and compacting crushed stone.
Credit: [Montour Trail Council](#)



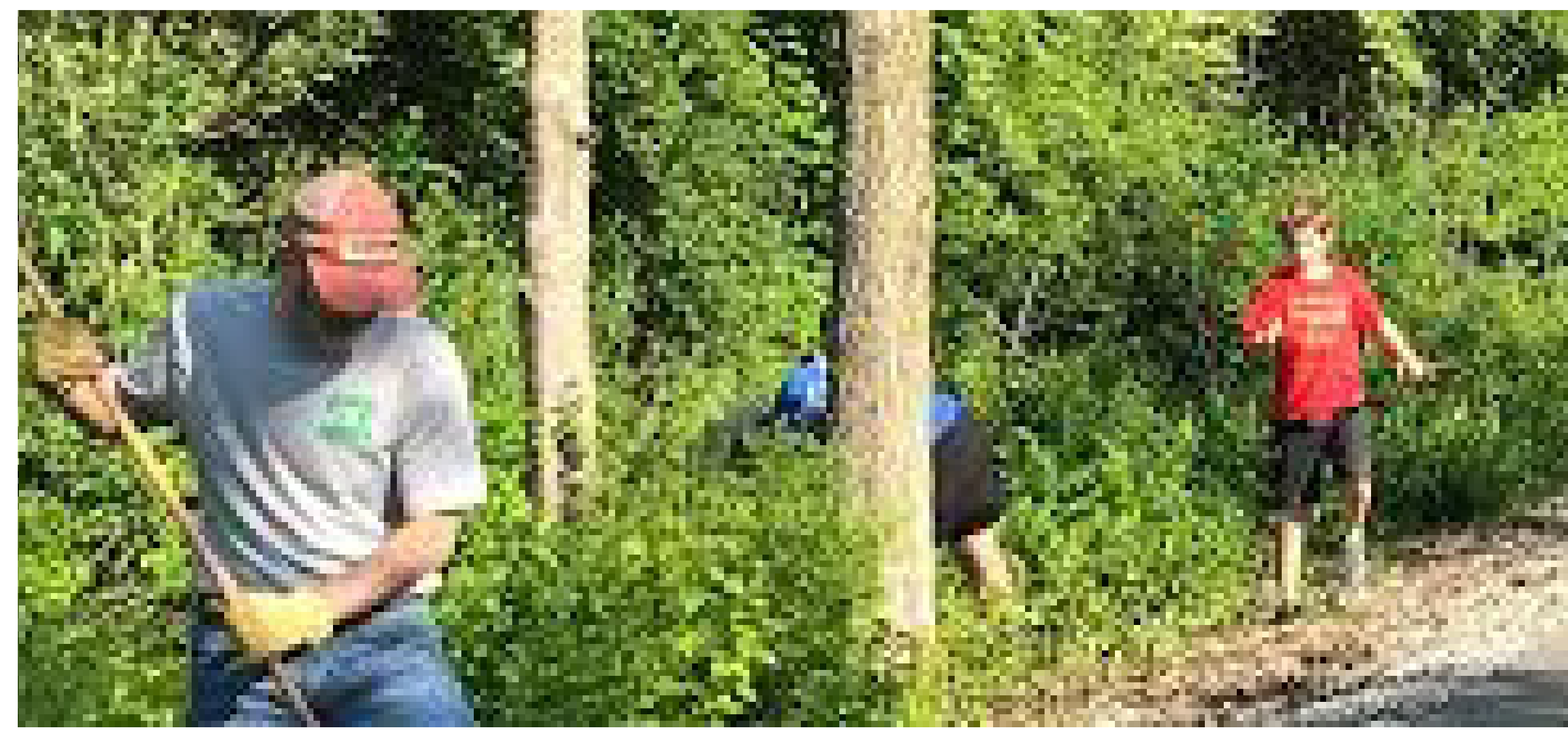
Maintaining pavement markings and signs at road crossings.



Crack/fog sealing or microsurfacing asphalt trails to extend life span.



Clearing snow in winter (usually in town only).



Controlling vegetation adjacent to trails.
Credit: [Cardinal Greenways](#)

Station 7: What does the law say about landowner protection against liability lawsuits?

South Dakota state law addresses the possibility of lawsuits from trail users accessing adjacent land without permission through its “Liability for Torts” chapter. The law states:

20-9-13. Landowner not obligated to keep land safe for outdoor recreational activity—Exception.

Except as provided in § 20-9-16, an owner of land owes no duty of care to keep the land safe for entry on or use by any participant for outdoor recreational activity, or to give any warning of a dangerous condition, use, structure, or activity on the owner’s land to any participant entering on or using the land for outdoor recreational activity.

Several words are defined to clarify this law:

Owner – the possessor of a fee interest, a tenant, lessee, occupant, or person in control of the land.

Land – land, trails, water, watercourses, private ways, and structures, and machinery or equipment if attached to the realty.

Participant – an individual who, for purposes of outdoor recreational activity, enters on or uses the land of another but does not include an owner of the land or an agent, employee, or contractor of an owner of the land.

Outdoor Recreational Activity – includes any of the following activities, or any combination thereof: hunting, fishing, swimming other than in a swimming pool, boating, canoeing, camping, picnicking, hiking, biking, off-road driving, aviation activity, nature study, water skiing, winter sports, snowmobiling, or viewing or enjoying historical, archaeological, scenic, or scientific sites, or an agritourism activity.

The exception to this law regards injuries resulting after a price or fee has been charged or other laws have been violated:

20-9-16. Landowner liability for gross negligence or injury suffered where consideration charged or law violated.

Nothing in §§ 20-9-12 to 20-9-18, inclusive, limits in any way any liability which otherwise exists:

- (1) For gross negligence or willful or wanton misconduct of the owner;*
- (2) For injury suffered in any case where the owner of land charges any participant, except as provided in § 20-9-16.1 or except in the case of land leased to the state or a political subdivision of the state, any consideration received by the owner for the lease may not be deemed a charge within the meaning of this section nor may any incentive payment paid to the owner by the state or federal government to promote public access for outdoor recreational activities be considered a charge; or*
- (3) For injury suffered in any case where the owner has violated a county or municipal ordinance or state law which violation is a proximate cause of the injury.*

A charge is defined as:

Charge – the admission price or fee asked in return for an invitation or permission to enter on or use the land. Any nonmonetary gift to an owner that is less than one hundred dollars in value may not be construed to be a charge.

Station 8: Where are there other rural, agricultural Midwest trails built within railroad corridors?



The closest and longest example of a rail-to-trail project is the **Cowboy Trail in northern Nebraska**. This 195-mile trail was purchased by the Rails-to-Trails Conservancy in 1993 and donated to the State of Nebraska. This trail is operated by the Nebraska Game and Parks Commission. Horseback riding is allowed along the trail, although riders must stay on the right-of-way and stay off the prepared surface.

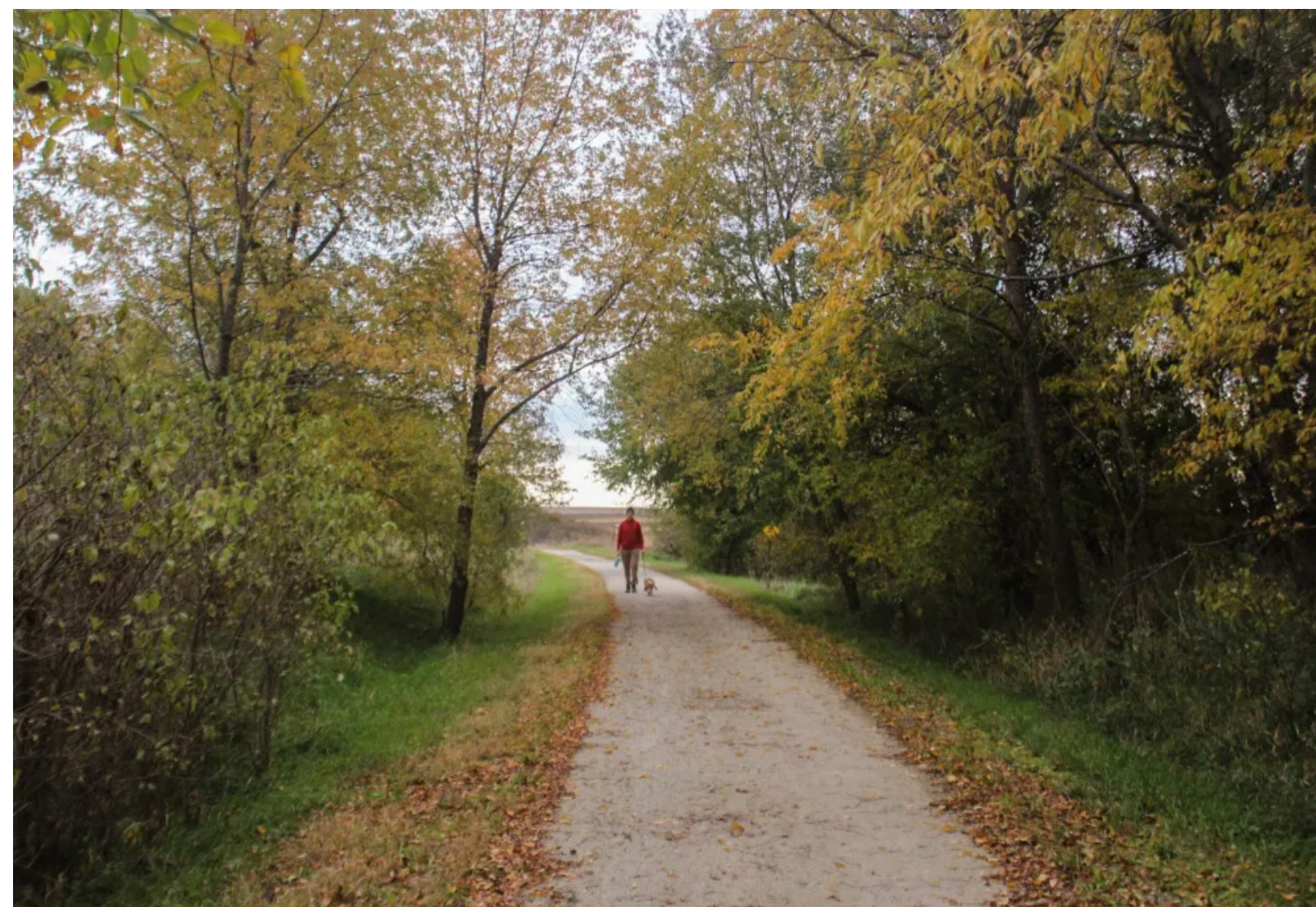
Credit: [Flatwater Free Press](#)

The 110-mile **Mickelson Trail in western South Dakota** is operated by the Department of Game, Fish, and Parks. The trail is crushed rock and a fee is charged to use the trail. While most of the trail goes through public spaces, a southern 20-mile segment goes through privately owned agricultural land.



The 240-mile **Katy Trail in central Missouri** was purchased by the Missouri Department of Natural Resources with a donation from two individuals. It is the longest rail-trail in the country. Horses are allowed on two shorter segments of the trail.

Credit: [Magnificent Missouri](#)



Credit: [Saving Time in a Bottle](#)

The 62-mile **Wabash Trace Nature Trail is in southwest Iowa**. The trail is crushed stone except for 4 miles of concrete surfacing through towns. The trail is owned by the Iowa Natural Heritage Foundation, a non-profit conservation organization. It is maintained by the Southwest Iowa Nature Trails Project, also a 501 (c)(3) non-profit organization. A fee is charged to use the trail. Equestrians are allowed but may not use the trail surface.

The 100-mile **Great River/La Crosse/Elroy-Sparta/400 State Trail in southwest Wisconsin** began development in the 1960's. The corridor is owned and operated by the Wisconsin Department of Natural Resources. Snowmobiles are allowed on the trail in the winter. A state park trail pass is required for users.



Credit: [Travel Wisconsin](#)



Credit: [Watchable Wildlife](#)

The 32-mile **Three Rivers Trail in northern Iowa** was developed in the early 1990's. It is owned and maintained by Pocahontas County, Humboldt County, and Wright County. The crushed stone trail allows horseback riding and snowmobiling.