

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

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March 6, 2015

Jon Davidson  
Department of Planning, Building, and Code Enforcement  
200 E. Santa Clara Street  
San Jose, CA 95113

Dear Mr. Davidson,

**RE: THREE CREEKS TRAIL PEDESTRIAN BRIDGE PROJECT DRAFT  
ENVIRONMENTAL IMPACT REPORT**

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the proposed Three Creeks Trail Pedestrian Bridge Project (proposed project). Pursuant to the National Historic Preservation Act and the California Public Resources Code, the State Historic Preservation Officer (SHPO) and the OHP have broad responsibility for the implementation of federal and state historic preservation programs in California. We have a long history working with the City of San Jose (Lead Agency) through our Certified Local Government Program. Our comments are offered with the intent of protecting historic and cultural resources, while allowing the City of San Jose to meet its program needs. The following comments are based on the information included in the Draft Environmental Impact Report for the Three Creeks Trail Pedestrian Bridge Project (DEIR).

The proposed project would replace the existing Los Gatos Creek Trestle (trestle) with a new single span bridge. The new bridge would be constructed in the same location as the existing trestle. The project objectives are: 1) to provide safe bicycle and pedestrian access across Los Gatos Creek, connecting the Los Gatos Creek Trail with the Three Creeks Trail; and 2) to accomplish the previous objective in a cost effective manner. The DEIR considers two project alternatives, a Retrofit alternative and No Project alternative. The analysis concludes that the proposed project is environmentally superior to both the alternatives considered in the DEIR.

The trestle proposed for replacement was constructed in 1922 by the Western Pacific Railroad. The structure was originally part of the San Jose Branch Line network, which formally served the agricultural industry throughout the Santa Clara Valley, including the fruit packing industry. In the second half of the 20<sup>th</sup> Century, the rail transportation system was largely replaced by automobile transportation, and much of the rail network in the valley was abandoned and/or destroyed by later development. The trestle is supported by two timber pile abutments and thirteen timber pile bents. The rail lines have been removed, but otherwise the structure retains most of its original features.

The environmental impact analysis of the proposed project generates alternatives based on the environmental impacts pursuant with CEQA Guidelines § 15126.6(a), and focuses much of the analysis on biological resources. In considering historical resources, the DEIR concludes the trestle does not appear eligible for listing on the California Register of Historical Resources (state) and National Register of Historic Places (national), and “[that]...strongly suggests that the trestle is also not eligible for designation under the City’s historic landmarks program.” The discussion of historical resources is based on the information included in Appendix F of the DEIR. Appendix F evaluates the trestle for listing on the state and national registers, and juxtaposes those criteria to the City of San Jose Landmark Program criteria. Appendix F correctly states, “The [City of San Jose] landmark commission is responsible for making a finding that the property in question meets the city criteria for landmark designation.” We understand the landmark commission’s recommendation process is currently underway and no final determination has yet been made by the commission or city council as is required by San Jose’s municipal code.

The DIER assumes the resource is not eligible for listing as a local landmark, based on the determination that the resource is not eligible for state or national register listing. Thereby, the analysis declines to consider demolition of the trestle as a significant environmental impact. Rightly, if no historical resources are present, the alternatives discussion need not focus on avoiding potential impacts to historical resources. However, since the DEIR was completed prior to a determination by the landmarks commission it could never have properly considered whether the trestle was a historic resource to the local community. That determination is up to the landmarks commission and the city council, as stated correctly in Appendix F; therefore, the landmark commission should have been consulted prior to the DEIR’s conclusion that no historical resources are present.

San Jose’s landmark commission, in its unique discretion, is responsible for determining if the trestle is historically significant to the community of Willow Glenn, and the citizens of City San Jose. The CEQA Guidelines provide an opportunity for the Lead Agency to determine what is historically significant and what is not on a case-by-case basis (CEQA Guidelines § 15064.5(a)(4)). San Jose’s municipal code delegates discretion to the city’s landmark commission, who in turn makes a recommendation to city council. Many local communities route all projects involving demolition of buildings or structures over a certain age to preservation staff, and/or the landmarks commission for a determination of local register eligibility. In the future, we encourage the city of San Jose to implement a similar project routing scheme in order to capture resources that may be locally significant, in advance of determining what environmental document to prepare pursuant to CEQA. This sort of policy will allow the landmarks commission an opportunity to review and comment on the eligibility criteria, prior to production of the environmental analysis. This sort of public process will also help foster greater public participation in determining what historic resources are significant to your local community.

If you have questions, please contact Sean de Courcy of the Local Government and Environmental Compliance Unit, at (916) 445-7042 or at [Sean.deCourcy@parks.ca.gov](mailto:Sean.deCourcy@parks.ca.gov).

Jon Davidson  
March 6, 2015  
Page 3 of 3

Sincerely,

A handwritten signature in black ink that reads "Carol Roland-Nawi, Ph.D." The signature is written in a cursive style with a large initial 'C' and 'R'.

Carol Roland-Nawi, Ph.D.  
State Historic Preservation Officer