

June 9, 2016

Stephanie Toothman
Keeper of the National Register of Historic Places
National Park Service
National Register of Historic Places
1201 Eye Street, NW (2280)
Washington, DC 20005

**Re: National Register Nomination of the Willow Glen Trestle over Los Gatos Creek
(16000422)**

Dear Ms. Toothman:

The City of San José hereby petitions the Keeper of the Register to decline the nomination of the “Willow Glen Trestle over Los Gatos Creek” (hereinafter “the trestle”) for listing on the National Register of Historic Places [36 CFR 60.6(t)]. The trestle is located on the former Western Pacific Railroad alignment, approximately one quarter mile north of the intersection of Coe Avenue and Leona Court in San José, California. The City objects to the proposed listing of the trestle for the following reasons:

- 1) The National Register has historically listed trestle and other types of bridges based on both Criterion A and Criterion C. To list a railroad trestle under Criterion A alone would be precedent-setting and is not warranted for this modest structure. The nomination does not propose to list this trestle under Criterion C because it does not meet the significance for Criterion C.
- 2) The nomination does not justify significance under Criterion A because the trestle is not associated with the patterns of events listed in the nomination in any important way.

As part of the City’s due diligence in evaluating the trestle, the City has sought the advice and expertise of Stephen Mikesell, a noted expert in historical evaluation of bridges and trestles. Mr. Mikesell has more than 30 years of experience in the historic preservation field. He served as the State of California’s Deputy State Historic Preservation Officer for ten years. He is the author of the book Historic Highway Bridges of California, published in 1990, and has just completed a book on the Sierra Railway, published in February of this year. He recently completed a National Register nomination for the I Street Bridge, a Southern Pacific Railroad bridge in Sacramento, and is completing a National Historic Landmark nomination for Railtown 1897 for California State Parks. Mr. Mikesell assisted with preparation of this petition. Attached as Exhibit A is a copy of Mr. Mikesell’s curriculum vitae.

History of Applying Criteria A and C to Trestles and Other Bridges

Bridge studies have nearly exclusively evaluated the structures for its engineering attributes under Criterion C alone. When a bridge structure is evaluated under Criterion A, this evaluation has always been paired with eligibility under Criterion C. One need go no further than the many state highway studies to understand the logic of this approach. A bridge is inherently useful in carrying a highway or railroad line over an impediment (usually a waterway). Every bridge fulfills that useful function. To appreciate *significance* in a bridge is to appreciate why one bridge is important where others are not.

A bridge's significance under Criterion A must be more than the bridge's mere connection to a highway or railroad line. Criterion A significance requires that the bridge makes an especially important contribution to the highway or railway, above and beyond that of other bridges. For example, the Golden Gate Bridge can be distinguished from other bridges along U.S. 101 because it represents a significant piece of engineering meeting both Criteria A and C.

Railroad Trestles Currently Listed in the National Register

- Delta Trestle, Maryland

This 1875 trestle was listed in 1995 under Criteria A and C. The Criterion A argument related to it being the only remnant of the pioneering Peach Bottom Railway. The Criterion C argument had to do with its early trestle design.

- Blackduck Trestle, Minnesota

This very long timber trestle was listed under Criterion C for its design.

- Bridge A 249, New Mexico

This 1899 trestle in rural New Mexico was listed under Criterion A, for its association with a "railroad of curves" line that reached into the New Mexico Mountains with a series of switchbacks. It is also listed under Criterion C for its engineering, having to do with its curved configuration. The nomination form also notes another trestle on this line, Mexican Canyon Trestle, which was listed in the National Register in 1979. The nomination form for this trestle does not mention Criteria but suggests A for its association with the Alamogordo and Sacramento Mountain Railway and C for its engineering.

- San Luis Southern Railway (Rattlesnake) Trestle, Colorado

This 1910 trestle was listed as part of a Multiple Property listing for bridges in Colorado. It was listed under Criteria A and C. Criterion A has to do with the rarity of remnants from the San Luis Southern Railway.

- Denver & Rio Grande Trestle, Colorado

This 1975 nomination form does not mention criteria but suggests C for the engineering and A as a rare example of this pioneering short line.

- Doe Run Trestle, Kentucky

This massive trestle is listed under Criterion C for its daring engineering.

- Union Street Bridge and Trestle, Oregon

This Waddell & Herrington design structure is a major steel bridge with attached trestle. It is listed under Criteria A and C, mostly for the large metal bridge, not the trestle.

- Southern Pacific Ogden Cut-Off, Utah

This is a massive 12-mile trestle across the Great Salt Lake. The 1975 nomination form does not list criteria but discusses engineering and transportation improvements in a way to support Criteria A and C significance.

We were unable to identify a single example of a railroad trestle listed in the National Register based on Criterion A alone. When Criterion A was part of the basis, the trestle either played an extraordinary transportation role, such as the 12 mile trestle across the Great Salt Lake; or the trestle was listed as a rare remnant of a line that was a pioneering transportation link, such as the Denver and Rio Grande, the New Mexico line, and the Peach Bottom line in Maryland. These pioneer bridges tend to be very old, typically from the 19th century. In every instance to date, Criterion A association has joined with Criterion C design significance because significance in transportation has required a significant achievement in engineering.

In comparison, the trestle did not play an extraordinary transportation role and is not a rare remnant of a pioneering line. As analyzed in the attached Historical Evaluation of the Los Gatos Creek Trestle, the timber trestle is the most common type of railroad bridge, with an estimated 700,000 existing nationwide as of 1917¹, and 19,520 timber bridges in use nationwide by Class I railroads as of 2007.² Designating a common timber trestle bridge in the National Register under Criterion A alone sets a precedent that could result in thousands of comparable commonplace bridges being similarly designated due to their mere connection with a railroad line or highway.

The Trestle has not Been Nominated under Criterion C:

It is clear that the trestle is not significant under Criterion C. The proponents of its nomination do not suggest that nor has the State of California made that recommendation. The City, therefore, does not address this Criterion.

¹ Wilcott C. Foster, "A Treatise on Wooden Trestle Bridges According to the Present Practice on American Railroads", 1917 Edition.

² U.S. Government Accountability Office, "Railroad Bridges and Tunnels: Federal Role in Providing Safety Oversight and Freight Infrastructure Investment Could Be Better Targeted," GAO 07-770, 2007, 6

The Trestle is not Significant under Criterion A

The nomination form summarizes the significance of the trestle as follows:

The Willow Glen Trestle is eligible for inclusion on the National Register of Historic Places at the local level of significance under Criterion A in the areas of transportation and commerce, for its association with the commercial and industrial development of West San Jose and for the controlled residential development of the Willow Glen community. The Period of Significance for the Willow Glen Trestle spans from 1922, the date construction of the Western Pacific Railroad's beltline to San José was completed, to 1965, the date when commerce served by the Willow Glen Trestle declined substantially.

This summary statement argues for association with two types of events: "the commercial and industrial development of West San Jose" and "the controlled residential development of the Willow Glen community." The nomination does not support the significance of these associations to warrant National Register listing, as set forth below.

The trestle is not associated with the Commercial and Industrial Development of West San Jose in any important way.

Few would dispute the notion that the packing industry was a key economic force in Santa Clara County from the 1870s through the 1940s. The nomination form for the trestle argues that the coming of the Western Pacific in 1922 broke the monopoly that the Southern Pacific (and its many affiliates) enjoyed in Santa Clara County. It further notes that the Western Pacific adopted a Less-Than-Carload policy (allowing a packer to send a railroad car that was less than full) to serve the smaller canners. The nomination, however, fails to make the case that this trestle in particular affected the industrial development of San José.

The area of San José called "West San Jose" is a pocket just west of the original commercial core of the city. It was historically the location of many of the city's packing plants for fruit and vegetables and industries that supported fruit packing such as fruit label printing and a cannery machinery manufacturing. The packing industry was well-established by the time the Western Pacific Railroad built the San José Branch into the area in the 1920s.³ The Calpak No. 3 plant, the largest canning building in the valley, was a substantial operation in West San Jose well before 1922 and was served by the Southern Pacific Railroad.⁴

³ The 1915 Sanborn Fire Insurance Company map shows seven packing houses, a fruit drying yard, a fruit jar production company, and a fruit label printing company located in the western section of San Jose.

⁴ A detailed history of fruit packing in the region, oriented toward extant resources, can be found online in two places: "Cannery Life: Del Monte in the Santa Clara Valley."

Shipping tonnage confirms that construction of the Western Pacific San Jose Branch was not a major development in the packing industry in San José. Neither the Western Pacific nor the Southern Pacific Annual Reports break down shipping by point of origin. Dried fruit was selected as a good indicator of activity in San José because of the dominance of Santa Clara County in the production of dried apricots and prunes. If we compare tonnage of dried fruit shipped by the Western Pacific and Southern Pacific between 1922 and 1930s, it is clear the Western Pacific barely made a dent in that market. In 1921 the Southern Pacific shipped 515,584 tons of dried fruit, compared with 7,626 tons for Western Pacific. In 1922 the Southern Pacific figure was 568,501, compared with 24,360 for the Western Pacific. Similar figures were maintained throughout the 1920s.⁵ In this key measure, the Southern Pacific between 1921 and 1930 shipped between 10 and 20 times as much dried fruit as the Western Pacific. The Western Pacific never captured more than about 5 percent of the business, which hardly amounts to a major contribution. Regardless, whether this trestle made a significant contribution to that industry is an entirely different question.

According to the National Register Bulletin 15, “Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history.”

Drying and canning fruit was an industry that required a long chain of participants, from the growers who provided the produce to the wagons, trains, and trucks that carried the finished product to market. At the heart of the industry, however, were the physical plants where the canning and drying took place. The historical record indicates that there were dozens of such plants in the county, with the biggest collection being in San José. Those plants were importantly associated with this industry, several of which are extant. Some of the extant plants are designed as local historical landmarks due to their association with this industry.

It is difficult to conclude that the trestle is related to the Santa Clara County canning industry in any important way. The trestle's association with the development of the canning industry in San José is simply too attenuated. The trestle served the Western Pacific San Jose Branch, as did every trestle, rail, tie, switching signal, and all other parts of the infrastructure. It is one piece of dozens of transportation networks that served that industry, which was established in West San Jose long before the trestle was built. The association of the trestle with the fruit packing industry, and thereby the commercial and industrial development of West San Jose, is so secondary that it does not meet the National Register Criterion A guidelines.

<http://onlineexhibits.historysanjose.org/cannerylife/index.html>; and the text for a tour of cannery sites in San Jose, prepared for the Society for Industrial Archaeology, May-June 2008.

<http://www.knightsia.org/sia2008/Tour%204.pdf>

⁵ Southern Pacific Company, Annual Reports, 1921-1930. On file at the California Railroad Museum Library. Western Pacific tonnage in Annual Report, available on-line at WPlives.com.

The trestle is not associated with Residential Development in Willow Glen in any important way

The summary statement of significance argues that the trestle is importantly associated with the “controlled residential development of the Willow Glen community.” However, the information provided in the nomination does not support the significance of this association to warrant National Register listing.

The nomination form argues that T.S. Montgomery was a key player in both the Western Pacific Railroad and in the development of Willow Glen. Montgomery was a wealthy San José real estate developer who helped influence the growth of the city. Most histories of the city emphasize Montgomery’s role in developing the downtown, where his Montgomery Hotel was a landmark for decades.

The nomination form notes that Montgomery promised the people of Willow Glen that the community would remain residential, even after the Western Pacific Railroad was built through the area. The nomination cites no sources for this contention. To support the assertion that Montgomery promised to keep Willow Glen residential, the nomination form includes a portion of a statement by Montgomery made the day after a failed 1917 attempt to incorporate Willow Glen as an independent city. But they omit key language to understand the context of this quote. The full statement published in the San Jose Evening News is as follows:

“What I said before the election goes now” said Montgomery. “The Willows will be benefited far more than hurt by the W.P. Our track will only be a spur to reach the industrials out that way. It will never cross the Alameda. It has been said we would reach San Francisco over this track. If we had thoughts of going to San Francisco it wouldn’t be this roundabout way. No, this will only be a spur track, and hardly a train a day will pass over it. And besides we will improve the Willows wherever we have property. The crossings will be as fine as can be built and I am sure the Willows will be helped.”

The full context suggests that the residents of Willow Glen were primarily concerned with minimizing the volume and frequency of train traffic on the spur, not expanding potential industrial uses in their community.

The nomination states that Montgomery was the sole real estate agent for sale of any surplus Western Pacific Railroad land in Willow Glen but cites no source for this contention. Further, the nomination argues that Montgomery “largely controlled the development of West San Jose and Willow Glen through land purchases and his connections to big business.” This statement is conjecture. While the nomination correctly states that the Western Pacific and Standard Realty owned land adjacent to the Western Pacific right-of-way, the Santa Clara County block and lot books from 1924 show that there are also large plots of undivided land nearby the trestle that

were not owned by Western Pacific or Standard Realty, negating the contention that Montgomery somehow had the ability to control all development in Willow Glen.

In any case, there is no connection between Montgomery's work as a real estate agent and the trestle, other than the fact that the trestle is located in the Willow Glen neighborhood and Montgomery sold land in that neighborhood. As the nomination notes, Willow Glen was already established as an exclusive residential community before construction of the trestle. Other than Montgomery's alleged promise by that he would "keep Willow Glen residential," the nomination provides no evidence of planned industrial development in Willow Glen. There is no important association between the trestle and the development of Willow Glen as a residential community.

Criterion A Conclusion

Bulletin 15 makes it clear that the association with an event or pattern of events must be significant. In understanding Criterion A, one must:

- Identify the historic context with which it is associated, and
- Evaluate the property's history to determine whether it is associated with the historic context in any important way.

Elsewhere the Bulletin notes, "Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history."

The nomination does not support that the trestle is "associated with the historic context in any important way," nor does it demonstrate a significant association between this trestle and the industrial and residential history of San José. Rather, the Western Pacific Railroad was a minor player in the fruit packing industry in San José. The Western Pacific San Jose Branch was constructed to reach the already-developed industrial area in West San Jose. No causal link has been established between the construction of this trestle and the continued residential development of Willow Glen. Any association between the trestle and these events are so minor/remote as to not justify the Keeper making a precedent-setting decision to list a commonplace trestle under Criterion A alone.

Conclusion

The trestle is not significant under Criterion C; the preparers of the nomination have conceded that point by not making it. In an attempt to establish significance under Criterion A, the authors of the nomination have reached out for associations that are either insignificant or non-existent.

The pattern of listing trestles in the National Register has been first, to list under Criterion C alone, and second, to list under Criteria A and C. We found not a single example of a railroad trestle listed under Criterion A alone.

The City of San José requests that the Keeper of the National Register not list the trestle solely based on Criterion A, as listing the trestle would establish an unwarranted new precedent.

Sincerely,



Norberto Dueñas
City Manager
City of San José

Attachment A: CV for Stephen Mikesell

Attachment B: Historical Evaluation of the Los Gatos Creek Trestle, San Jose, CA prepared for the City of San José by Stephen Mikesell