

A quick summary, since this may be new to some of you:

- In the mid '70's: the County established "The Los Gatos Crk Streamside Park Cmte" to help coordinate the trail design
- 1984: Zoe Lofgren appointed me to the Cmte. The Cmte then walked the alignment, I saw the trestle for the first time, and we began working w/ City to incorporate trestle into trail network
- 2000: SJ GreenPrint identified old Western Pacific alignment as future trail (the Three Crks Trail)
- When the trains stopped running in 2001, the city began the decade-long process of buying the ROW. The community helped the city get approx \$6M in grants by advocating with the County, OSA, water district, and State.
- By 2012: City owned trestle, had the needed permits, and had detailed restoration plans.

Four years ago, the City rushed to spend money before some grant expired: it bought a prefab bridge which it abruptly decided to use here.

We suggested alternative sites (like on Coyote Crk); we tried to get City to do a public review; and finally the Friends had to sue under CEQA just to request an EIR.

Friends won at Superior Court; City appealed and the Appellate Court directed a rehearing using different criteria; Superior Court heard the remand case in April and we're now awaiting ruling.

The Appellate Court ruled: "The City's actions in approving the project before preparing and adopting the MND violated CEQA." It went on to add, "This CEQA violation was not raised by Friends ..." – we are not trying to get anyone trouble; we're just trying to save a part of our local history.

And the trestle is historic. As the State Historical Resources Cmsn found, Western Pacific built this trestle in 1922 to break a decades-long monopoly held by the Southern Pacific "robber-barons". It also shaped the residential character of Willow Glen, with WP's land-holding company building quite a number nearby homes. And it spurred the industrial development in western SJ, serving canning, concrete, lumber, machine shops, and more.

The City has done the EIR. It finds the trestle is readily adaptable for trail use. Model calculations and the recent rains both show that it doesn't impede floodwater.

Regarding creosote, the EIR finds that "leaving the pilings of the Three Creeks Bridge in place will not pose a risk to terrestrial or aquatic receptors. Conversely, if removal is contemplated, this same knowledge clearly indicates that pile removal projects must deploy best management practices...". And note that lots of contaminates wash off the many treated telephone poles across town after every rain.

The official historic designation not only impedes attempts to remove or replace the trestle, it also opens up new grant funding opportunities. We've been keeping the County and State informed on the project, and we'd be glad to help advocate for more funding.

But City Staff – the Parks Dept, Public Works, City Manager, everyone – are all still marching forward under the direction of the Council action from four years ago.

I hope you will now vote to revisit that direction in light of all that's happened since then.