

Annual Progress Report for the Historic Grant Program (HGP),
“Researching and Documenting the History of the Willow Glen Trestle”

To: April Smith, Grants Administration Staff
Santa Clara County Parks; 298 Garden Hill Drive; Los Gatos, CA 95032

From: Day-to-Day Administrator of Grant/Project, Lawrence Ames;
Grant applicant: San José Parks Foundation for Willow Glen Trestle;
Amount of grant award: \$70,000.

This past year has been most unusual. Regarding the HGP project, “Researching and Documenting the History of the Willow Glen Trestle,” both *everything* and *nothing* happened.

Everything happened to the trestle. Ending a seven year legal battle (which will be prominently featured in our book – the HGP project’s final product), three separate matters:

- The trestle *is* (or at least was) historic, as confirmed by the State Historical Resources Commission in mid-2019 after hearing the matter for a fourth time in order to satisfy a Court order in response to the City of San José suit against the State of California;



- In June, 2020, the Appellate Court ruled against the trestle, saying that the City was free to demolish the trestle even if it is historic, since the City had approved the demolition prior to the trestle being formally listed. The City did need to get new permits from the State Dept. of Fish and Wildlife, but it was decided that they were only allowed to consider “fish” and “wildlife”, and were not allowed to consider other matters such as an official State historic listing; and

- When the City purchased the trestle, it did so using grants from the County and the Open Space Authority (OSA). The County has a Conservation Easement that said, in part, “Whereas, the... County [has] assisted with [the] acquisition of the Property... / and Whereas [a] ‘conservation easement’ ... is to retain land predominantly in its natural, scenic, [or] historical... condition ... / Now therefore... [the City] do hereby grant [the County] a conservation easement in perpetuity over the Property of the nature and character and to the extent set forth herein...”. However, the Court determined that only the County or OSA could enforce the easement,



and furthermore that the easement only restricted the erection of new structures – but had no limitations on the removal of structures.

So, the Willow Glen Trestle was quickly demolished, the site scraped clean, and the new prefab bridge installed – all in about six months.

In regards to “work completed”, we have done *nothing*: we have no expenses to report, nor any debts, liabilities, or obligations. The Covid-19 pandemic threw everyone for a loop and hit us in Santa Clara County pretty hard. We were concerned that the County might need to reclaim the promised grant funds in order to respond to the crisis. Since the HGP reimburses in-arrears and we did not want to be liable for non-reimbursed expenses, we postponed our work until we were recently assured that the funding was intact.

We are prepared to start the process:

- We have preserved the documentation and supporting materials regarding the history of the trestle that were presented to the State Historical Resources Commission, which they then used to find the trestle was worthy of listing on both the State and National registry.
- We have preserved the many legal documents, filings, rulings, affidavits, etc. from our seven-year legal process, which will form the backbone of the narrative documenting the efforts to preserve the trestle.
- We have collected photographs from a number of sources to document the entire demolition and new bridge installation process for inclusion in our final product.

The Covid delay has shifted our originally submitted timeline, but only minimally modified it:

- We have interviewed and selected our researcher/writer/editor, and hope to sign a contract soon and to begin work. Some of the originally planned work for the analyst(s)/interns is now moot, given that the trestle has been demolished.
- July 2021 - Dec. 2021: research, interviews, analysis
- Dec. 2021 - May 2022: draft, write, edit book
- May 2022 - Aug 2022: publish book
- Jan 2020 - Dec 2022: promote book: I’m always telling everyone about this project.

Our goal remains to have the book written and published by the Willow Glen Trestle’s 2022 centennial.

Submitted by Lawrence Ames, Day-to-Day Administrator of Grant/Project.
May 26, 2021. (Revised 6/11/2021)