

The demise of the Willow Glen Trestle

Hi, all,

The battle to save the Willow Glen Trestle is over.
We lost.

The State of California's Historical Resource Commission had repeatedly and unanimously stated that the trestle was historic, but the courts ruled that that didn't invoke the protection of the state environmental laws, as the city had voted for demolition prior to the official recognition.

We challenged that, given that the trestle was a state-listed resource when the city applied for a new "streambed alteration agreement" from State Fish and Wildlife after an initial agreement expired. Last year, the Appellate Court granted us a *supersedeas* injunction to prevent demolition while it considered the matter. However, this spring they ruled that the new agreement was not a new "approval" requiring a new look at the demolition project.

Last week we challenged the demolition based on our recent discovery that the County and Open Space Authority, when giving the city millions of dollars to help acquire the trestle and associated lands, held a "Conservation Easement" that required their review and approval of projects that would alter the trestle property with new structures. We argued that the city had failed to comply with the easement, because the demolition of the trestle would be required to make way for the new bridge, and that the County's review and approval had not yet been sought and would also trigger the state environmental law.

The superior court yesterday denied our request for an injunction. The city's construction crew had jumped-the-gun and already begun demolition last week, and immediately after receiving the ruling the work resumed. The trestle is now irreparably damaged. It likely will be gone by week's end.

We could have had a wonderful, environmentally-sensitive and cost-effective trail connection that also honored the history of the area. There are numerous examples around the country of successful trestle adaptations, some of which are shown in <http://wgtrestle.org/ExampleTrestleTrails.pdf>. The city's own design guidelines recommend "place-making" features and the preservation of historic bridges, but the Willow Glen Trestle became entangled in political and personal egos that wanted it down even after its historic status as a statewide resource was clear.

This is truly a loss for our community! This area seems to take pride in destroying our past! Willow Glen, and all of San José, has become a little less interesting and a little more blandly boring.

I want to personally thank all of you for your years of support!
An extra thank-you to the dozens of you who wrote letters, attended council meetings or court hearings, helped in our counsel, or shared your stories.
And a special "shout-out" to our lawyer, Susan Brandt-Hawley, who tirelessly(!) fought the good fight, both for historic preservation and for cities to follow the rule-of-law.

I had truly thought that we might get a fairy-tale ending, that, just like those folks in New York City who had managed to preserve an unused railroad structure and transform it into a community attraction (now NYC's premier attraction, "The High Line"), that we might somehow be able to preserve and adapt our Willow Glen Trestle into our local icon, our connection of not only of trails but also of our modern-day community to our historic past.

Alas! It is not to be.
Nonetheless, Many thanks, everyone!

~Larry Ames, Friend of the Willow Glen Trestle.