

November 19, 2018

Sherilyn Tran  
Santa Clara Valley Water District  
Community Benefits Program  
5750 Almaden Expressway  
San Jose, CA 95118

SUBJECT: Three Creeks Trail – Trestle and Interim Improvements

Dear Ms. Tran:

The City of San José would like to request an extension for the Three Creeks Trail – Trestle and Interim Improvements project due to unforeseen circumstances which have led to schedule delays beyond our control.

Over the past several years, the City has struggled to move the project forward as the structure has been recognized by our Historic Landmarks Commission and by the State's Historic Landmarks Commission. The issue has been addressed by the County Superior Court, and the City is able to proceed with demolition of the structure. Unfortunately, the construction season for being in the channel is only from June 15 to October 15 of each year. A permit from the California Department of Fish and Game was secured in October, but we faced delays in securing work window extensions from the US Army Corps of Engineers and the Regional Water Quality Control Board which would have allowed us to begin construction this season. At this time, we have scheduled to start demolition of the trestle on June 15, 2019. Removal of the structure is expected to take no more than 30 days. Construction of footings and related work would support installation of a pedestrian bridge by October 15, 2019. The bridge has been constructed and is currently stored off site. Related trail work would continue at the approaches to the bridge and may extend into 2020. We would move quickly to report all allowable expenses, and submit a final reimbursement packet to you by March 30, 2020. That invoice would represent tasks related to removal of the trestle and work contributed to installation of the bridge structure to support future trail usage.

We initiated the project in 2004 and documented that the trestle structure was of a common form and did not possess the quality, character, or relationships needed for historical designation. This conclusion was supported by Consulting Architectural Historian Ward Hill on May 19, 2014 and by Milford Wayne Donaldson, the State Historic Preservation Officer, on September 10, 2004. We master planned the project in 2014 and engaged the community through multiple workshops

and outreach events to stakeholder groups over a two-year period. A claim by an advocacy group, Friends of the Three Creeks Trestle, was heard by the Superior Court of the County of Santa Clara. Per that court decision, the City proceeded to prepare a \$500,000 Environmental Impact Report to assess environmental impacts. Our project team included Stephen Mikesel, an expert on historic trestle structures, author, and former staff for the California Landmarks Commission.

Since the State Landmarks Commission designation, the Federal Government's Historic Landmarks Commission declined to consider the trestle's status.

Throughout this process, we have accomplished the following:

- Hired and sustained a contract over four years with Gordon Ball Construction;
- Construction and acquisition of the steel bridge structure which has been customized to meet the site's conditions;
- Secured successful ruling from County of Santa Clara Superior Court regarding City's right to proceed; and
- Re-secured regulatory permits to proceed with construction extending the permit termination dates to 2022 for both the California Department of Fish and Wildlife and the US Army Corps of Engineers.

By early June 2019, we plan to issue a Notice to Proceed to Gordon Ball Construction to proceed with work.

We have made every effort to expedite the project and respectfully request that the Santa Clara Valley Water District accept our request to extend the grant term date to March 30, 2020.

Sincerely,



Yves Zsutty  
Trail Manager