
Appendix D
State Historic Preservation Officer
Concurrence Letter

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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16 August 2010

In reply refer to: FTA030519A

Tom Fitzwater
Manager, Environmental Programs and Resource Management
Santa Clara Valley Transportation Authority
3331 North First Street
San Jose, CA 95134-1927

RE: Section 106 Consultation for Capitol Expressway Light Rail Corridor Project, San Jose, Santa Clara County, CA

Dear Mr. Fitzwater:

Thank you for your 22 June 2010 letter initiating consultation with me on behalf of the FTA for the above referenced project in order to comply with Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800. You are requesting that I concur with the determination of No Historic Properties Effected for the undertaking.

In 2003, the VTA initiated consultation for the Capitol Expressway Light Rail Project (CELR). At the time the project was an 8.2-mile long corridor extending from the terminus of the Capitol Avenue Light Rail Transit (LRT) Line at the existing Alum Rock Station to State Route (SR) 87/Capitol Expressway interchange. Due to the declines in local and state funding sources over the past few years, VTA has reduced the project footprint to a 2.3 mile-long corridor, extending from the Alum Rock Station to Eastridge Transit Center, located just south of Tully Road.

VTA has established the APE to include all areas of potential ground disturbance within the existing and proposed rights-of-way. The APE is described in detail on page 3 of your attached Cultural Resources Report and shown in Figures 4-1 through 4-11 in Appendix B. I find the APE sufficient pursuant to 36 CFR 800(a)(1).

VTA did not identify any historic properties within the APE. Three prehistoric sites were identified in the APE for the original project but all three were no longer in the APE, when the project was reduced. As a result, VTA has determined that no historic properties will be affected by this undertaking. I concur with the determination.

Please be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, you may have future responsibilities for this undertaking under 36 CFR Part 800.

Thank you for considering historic properties as part of your project planning and I look forward to consultation on future projects. Please direct any questions or concerns that

you may have to Amanda Blosser, Project Review Unit architectural historian, at 916-445-7048 or email at ablosser@parks.ca.gov.

Sincerely,

Susan H Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

MWD:ab