

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**STAFF SUMMARY REPORT: Qi Yan
MEETING DATE: February 11, 2026**

ITEM: 8

CALIFORNIA DEPARTMENT OF TRANSPORTATION – State Route 37/121 (SR 37/121) Intersection and Tolay Creek Bridge Replacement Project in Sonoma County – Issuance of Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification

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STATE ROUTE 37 BACKGROUND

State Route 37 (SR 37) is the northern Bay crossing for vehicle traffic and is a low-lying highway subject to traffic congestion and flooding from climate-change driven sea level rise. The California Department of Transportation (Department) undertook the SR 37 corridor Planning and Environmental Linkages Study to evaluate corridor-wide solutions that address the congestion and flooding between Highway 101 and Interstate 80. The SR 37 corridor projects provide a significant opportunity to use nature-based approaches for climate adaptation that improve the resilience of both critical infrastructure and natural resources. These projects can solve one of the region's most urgent transportation problems while increasing the resilience of tidal wetlands to future climate change impacts, including by supporting the planned restoration of existing and historic marsh in the Sonoma Baylands, upstream of SR 37.

The overall SR 37 traffic improvement and sea level rise adaptation project will address traffic congestion and flooding and will be completed in several phases over multiple years. The State Route 37/121 (SR 37/121) Intersection and Tolay Creek Bridge Replacement Project (Project) in Sonoma County is the first phase the Board will consider over the coming years.

DISCUSSION

The Revised Tentative Order (Appendix A) would issue Waste Discharge Requirements under Water Code section 13263 and the Clean Water Act section 401 water quality certification (Certification) to the Department to implement the Project. The Project will fill waters of the State to widen SR 37 and reconfigure the SR 37/121 intersection. The Project will also remove the existing Tolay Creek Bridge and replace it with a longer and wider bridge, which will improve tidal exchange at the mouth of Tolay Creek to accommodate future watershed restoration efforts. Waters of the State at the Project site include tidal marsh freshwater emergent marsh, forested wetland, and perennial non-tidal wetlands.

The Project's permanent impacts include a total permanent fill of 1.05 acres and degradation of 0.59 acres of waters of the State. Project construction will permanently impact the following quantities of waters of the State: 0.8 acres of tidal marsh; 0.1 acres of freshwater emergent marsh; 0.07 acres of forested wetland; and 0.67 acres of perennial non-tidal wetlands.

The Project is expected to have an overall positive impact on waters of the State. Replacing the Tolay Creek Bridge with a longer bridge will restore 1.13 acres of tidal channel and adjacent wetlands by removing earthen fill below and adjacent to the existing bridge. Replacing the bridge with a longer bridge will also enhance habitat upstream in the Tolay Creek watershed and downstream in San Pablo Bay by improving tidal exchange of water, sediment, and estuarine food web components, and by facilitating marsh restoration projects north of SR 37. The Project will result in a net increase in acres and functions of waters of the State, obviating the need for compensatory mitigation. The Project will temporarily impact 4.76 acres of waters of the State due to temporary creek diversion and dewatering systems and construction access. The Department will restore the temporarily impacted waters to their pre-project or improved conditions immediately following Project construction.

The Project will create or redevelop 6.01 acres of impervious surface associated with roads and associated infrastructure. To address the potential urban runoff impacts from that area, including discharges of automobile-related pollutants, the Project includes biofiltration swales and biofiltration vegetated strips to treat stormwater pollutants discharging from at least 5.35 acres of impervious surface. The Tentative Order would require the Department to provide an alternative compliance plan to control, at an offsite location, urban runoff pollution equivalent to that discharged from the Project's untreated 0.66 acres of impervious surface.

We circulated the tentative order for a 30-day public comment period ending January 5, 2026. No comments were received. Caltrans has been working to finalize the Project's design plans and provided updated impact numbers on February 2, 2026. We assessed the updated impacts and determined that they would not result in changes to the provisions included in the Tentative Order. The Project will provide substantial long-term benefits to beneficial uses and facilitate marsh restoration efforts upstream of SR 37. The Tentative Order was revised to reflect the updated impact numbers, resulting in the Revised Tentative Order. We also added a new finding, Finding 8, to clarify an aspect of the Project's design and renumbered the subsequent findings. In addition, staff made minor, non-substantive edits to the tentative order.

CIWQS Regulatory Measure Number: 462460

APPENDIX A:

Revised Tentative Order

Appendix A

Revised Tentative Order

The attachments to the Revised Tentative Order are available upon request to Qi Yan via email to Qi.Yan@waterboards.ca.gov or at (510) 622-2329.