

San Francisco Bay Conservation and Development Commission

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Agenda Item #8

April 22, 2026

Application Summary

State Route 37 Sears Point to Mare Island Interim Improvement Project: Phase 1 - SR37/SR121 Intersection and Tolay Creek Bridge Replacement

BCDC Permit Application Number: 2025.003.00

Applicant(s): California Department of Transportation

Project Description: Conduct interim improvements to State Route 37, including replacement of a small bridge over Tolay Creek with a longer and wider bridge, widening of a section of the highway, and removal of fill from Tolay Creek and Lagoon

Location: In the Tolay Creek Certain Waterway Jurisdiction on State Route 37 and State Route 121 in Napa, Sonoma, and Solano Counties, between post miles (PMs): 04-SON-SR 37 (PM 2.9/6.2); 04-SOL-SR 37 (PM 0.0/R7.4). 04-SON-121 (PM 0.0/0.2)

Application Filed Complete: March 3, 2026

Deadline for Commission Action: June 1, 2026

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Project Overview

Project Description

The purpose of the Interim Project Phase 1 is to widen the SR37 highway to increase automobile capacity along an approximately one-mile segment of the road, and to lengthen the Tolay Creek Bridge to improve tidal connectivity and habitat conditions at Tolay Creek. Improvements to the SR37/SR121 interchange are also included in the project, but those improvements occur outside of BCDC jurisdiction. The project is within BCDC Certain Waterways Jurisdiction, which extends to the northerly line of Sears Point Road (including SR37 and the Tolay Creek Bridge). As much of the area south of SR37 on Tubbs Island is tidal marsh, that tidal marsh is included in the Certain Waterway.



By lengthening the bridge from 60 feet to 375 feet and removing fill in the historic Tolay Creek watershed adjacent to the existing bridge, the area of Tolay Creek waters under and adjacent to the newly lengthened bridge will increase by 0.51 acres in BCDC's Certain Waterways Jurisdiction, and by 0.63 acres north of the bridge, outside of BCDC jurisdiction. Fill will be placed in tidal marshes of the Certain Waterway to build retaining walls and embankments, and widen a section of SR37 by an average of 12 feet, resulting in 0.79 acres of solid fill in the Certain Waterway. The new bridge will also result in 0.07 acres of cantilevered fill in the Certain Waterway.

The interim project is divided into three phases, of which this authorized project is the first phase. The second and third phases will be processed together under one permit application, will include the widening of the remaining section of 2-lane highway between Tubbs Island and Vallejo, and is planned for completion by 2032. The bridge and road constructed and modified by the interim project are planned to be superseded by a raised causeway by 2050 (Long-Term SR37 Adaptation Project), after which the highway will be removed.

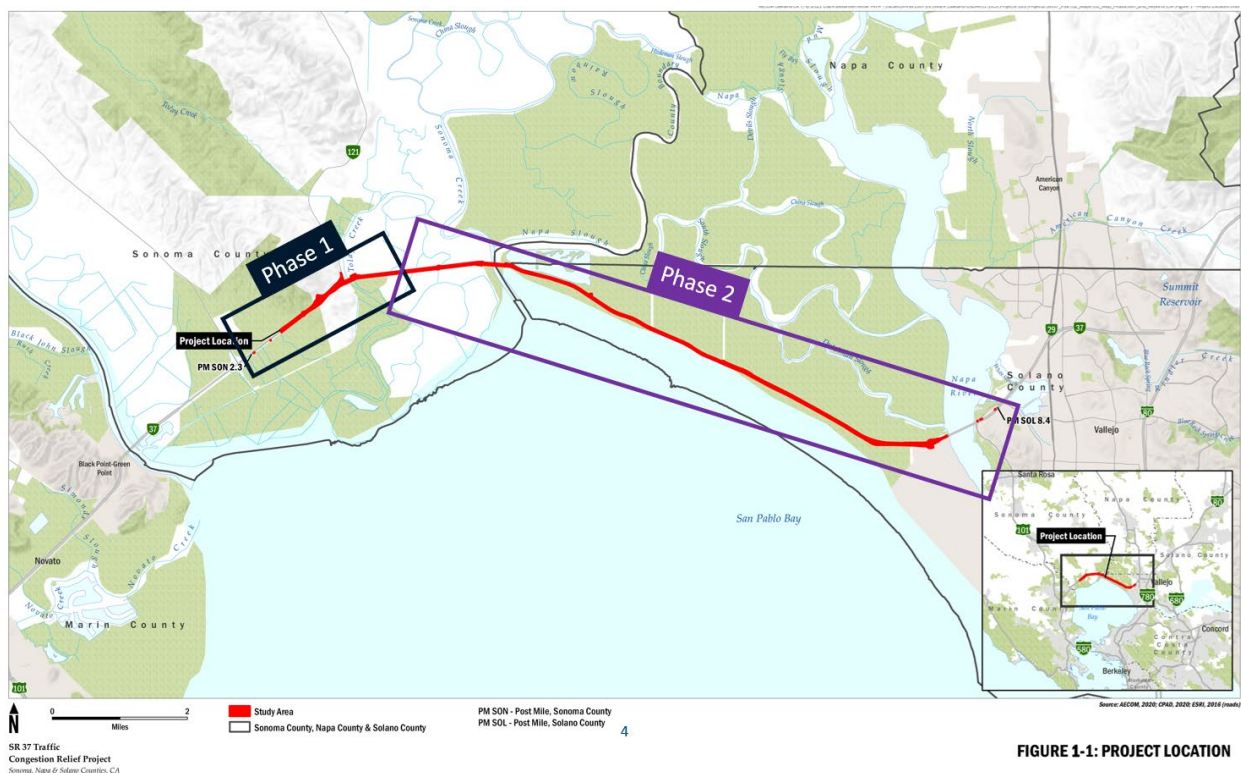


FIGURE 1-1: PROJECT LOCATION

Figure 1. Vicinity Map of Project. Note, the current project only includes Phase 1



Bay Fill

This proposed project involves 0.86 acres of permanent new fill. The proposed project will also involve the removal of fill that was placed in Tolay Creek prior to BCDC's existence, thus resulting in 0.51 acres of new open water in certain waterways Jurisdiction and 0.63 acres of new open waters of Tolay Creek north of the bridge, and thus outside of BCDC jurisdiction.

Therefore, the project will result in a net increase of fill in BCDC jurisdiction. The fill required for the replacement bridge qualifies as a water-oriented use, and therefore is consistent with Section 66605(a).

The Bay Plan Transportation finding E states:

"While the McAteer-Petris Act identifies bridges as water-oriented uses, roads are not water-oriented uses because roads do not need to be located in the water to function properly and do not take advantage of some unique feature of water."

Therefore, the road widening aspect of the project would not satisfy Government Code section 66605(a) of the McAteer-Petris Act, which provides that further filling of the Bay may be authorized by the Commission only if the fill is for a water-oriented uses, or minor fill for improving shoreline appearance or public access. The road widening is not minor fill, and is not intended to improve shoreline appearance or public access. However, Government Code section 66632(f) provides an alternate basis for approval that fill may be authorized if that fill is necessary for the health, safety, and welfare of the public in the entire Bay Area.

The permittee argues that the project is consistent with Government Code section 66632(f) because it is the first phase of a project that will deliver critically needed infrastructure improvements to ensure efficient traffic operations, economic development, and emergency access for residents of the North Bay. By accommodating an estimated 40,000 vehicles daily, SR37 is essential to the San Francisco Bay region—particularly to the counties of Marin, Sonoma, Napa, and Solano. SR37 is a vital commute corridor, connecting the residents of more affordable Solano County to jobs in Sonoma and Marin counties. It is the northernmost east-west freight link in the region and is an important evacuation route in the case of wildfires or a catastrophic earthquake.

The existing condition of SR37 is undersized for the volume of vehicles using the road, resulting in congestion every day where the highway narrows to one lane in each direction between Sears Point and Mare Island. On typical weekdays, the maximum westbound (WB) delay in the morning peak period is about 50 minutes, and the maximum eastbound (EB) delay in the afternoon peak period is about 68 minutes from U.S.101 to SR29. The EB SR37 bottleneck is located east of the SR 121 intersection at the lane drop just before the at-grade railroad crossing. Approximately 1,250 vehicles per hour are impacted by this bottleneck, and back-up from this bottleneck extends for about 4.7 miles. The widening of the entire stretch of road between Sears Point and Mare Island to increase lanes to match the capacity of the adjacent sections of road will eliminate the bottleneck, thereby alleviating daily congestion and helping regular SR37 commuters save up to 118 minutes each day.

The traffic during peak travel times along this section of SR37 also lengthens emergency response times. Due to the constrained roadway a single accident can wholly impede access along the road, further exacerbating travel delays and emergency access to resolve incidents.

Furthermore, this section of SR37 is an essential route for cars evacuating from natural disasters. For example, SR37 is designated as the evacuation route for the Black Point community of approximately 1,619 residents in Novato to evacuate in an emergency such as a wildfire. SR 37 is also the designated evacuation route in any emergencies that render the Richmond-San Rafael Bridge inoperable. The only other parallel East-West connection in the San Pablo Bay area would be SR 116/SR 12, which are both rural highways with limited capacity: only one lane in each direction for the majority of the segment between US101 and SR121. Therefore, widening SR37 to two lanes in each direction to increase the capacity and speed for evacuation and enhance emergency vehicles' accessibility would improve public safety in the region.

Improving SR37's capacity and operations will also improve economic welfare of the region. The overall Interim Project is anticipated to save 9.6 million hours in traffic each year and result in a value of \$79 million in annual travel time savings with \$1.5 billion in lifecycle benefit to the Bay Area. The benefits analysis is consistent with Caltrans' California Life-Cycle Benefit Cost Analysis: the value of time is estimated at \$16.45 per hour (in 2022 dollars) for auto users, which represents 50% of the statewide average hourly wage. Value of time is higher for truck users, estimated at \$37.55 per hour. Travel time savings accounted for most of the overall benefits. Other benefits also include improvements in safety, reduction in greenhouse gas emissions, and vehicle operating costs.

Although these travel and economic benefits will not be fully realized until all phases of the overall project are permitted and completed, the Interim Project Phase 1 to improve the SR 37/121 intersection and replace and upgrade the Tolay Creek Bridge is a critical first step to capture and retain available funding for the complete project and achieve the anticipated outcomes outlined above.

For all the reasons above, the Commission finds this project is necessary for the health, safety and welfare of North Bay residents specifically and, by extension, the entire Bay Region.

Public Access

The permittee is required to contribute in-lieu public access by conveying a total of \$693,160 to the City of Vallejo to enhance an existing section of Bay Trail at the River Park. River Park and the Bay Trail path are currently required public access of the Greater Vallejo Recreation District (permit M1983.002.00), and this in-lieu fee will be used to resurface the trail, install signage, manage invasive plants, install native plants, and for other various park improvements. Once the funds are conveyed, the City of Vallejo will be responsible for implementing and maintaining the project.

Cyclists currently use the highway shoulders, and the widened highway will feature 8-foot shoulders in each direction.

Therefore, the project is consistent with the Bay Plan Public Access Policies.



Schedule and Cost

Construction would begin as early as 2027, and is expected to be completed in 2032. The total cost of the project is \$92.8 million.

Issues Raised

The staff believes the primary issues raised by the proposed project are:

- (1) Whether the fill for the road widening is consistent with Government Code section 66632(f): that fill is necessary for the health, safety, and welfare of the public in the entire Bay Area.
- (2) Whether the proposed public access contribution is adequate to provide maximum feasible public access consistent with the project.

Staff Notes

The staff notes the following considerations for the Commission:

- **Review Boards.** The proposed project was reviewed by the Engineering Criteria Review Board, who found the project to adequately address all Safety of Fills concerns.

Applicable Laws and Policies

The following laws and policies are applicable in the Commission's review of the proposed project:

- McAteer-Petris Act: Sections 66602 (Water-Oriented Land Uses and Public Access), 66605 (Allowable Bay Fill), 66632 (Powers and Duties of the Commission)
- San Francisco Bay Plan policies on: Fish, Other Aquatic Organisms, and Wildlife; Water Quality; Water Surface Area and Volume; Subtidal Areas; Fills in Accord with the Bay Plan; Safety of Fills, Environmental Justice and Social Equity, Climate Change, Public Access, Transportation, Mitigation