

# **State Route 37 Sears Point to Mare Island Improvement Project**

State Route 37 from State Route 121 to Mare Island  
Napa, Sonoma, and Solano Counties, California  
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)  
EA – 04-1Q761; EFIS – 0419000255

## **Tolay Creek Bridge Replacement Addendum to the 2023 Final Environmental Impact Report/ Environmental Assessment with Finding of No Significant Impact**

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated May 27, 2022, and executed by FHWA and Caltrans.



June 2024

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## List of Acronyms and Abbreviations

APE	Area of Potential Effects
BAAQMD	Bay Area Air Quality Management District
BMPs	best management practices
BSA	Biological Study Area
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CIDH	Cast in drilled hole
CIP	Cast in place
CO <sub>2</sub>	Carbon dioxide
CO <sub>2e</sub>	CO <sub>2</sub> equivalents
dBA	decibel A weighted
DPS	Distinct Population Segment
DTSC	Department of Toxic Substances Control
EA	Environmental Assessment
EIR	Environmental Impact Report/Environmental Assessment
ESU	Evolutionarily Significant Unit
FESA	Federal Endangered Species Act
FIGR	Federated Indians Graton Rancheria
GHG	Greenhouse gas
HOV	High occupancy vehicle
IS	Initial Study
KV	Key view
MMBTU	million British Thermal Units
msl	mean sea level
MTC	Metropolitan Transportation Commission
NAHC	Native American Heritage Commission
NES	Natural Environment Study
NMFS	National Marine Fisheries Service
NMFS	National Marine Fisheries Service
NO <sub>x</sub>	nitrogen oxides
NO <sub>x</sub>	nitrogen oxides
PG&E	Pacific Gas & Electric Company
SMART	Sonoma-Marin Area Rail Transit
SR	State Route
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCBR	Tolay Creek Bridge Replacement
TCE	Temporary Construction Easement
TCP	Traditional Cultural Properties
TCR	Tribal Cultural Resources
USFWS	US Fish and Wildlife Service
VMT	vehicle miles traveled

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# 1. Introduction

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The California Department of Transportation (Caltrans)—in cooperation with the Metropolitan Transportation Commission (MTC) and the north San Francisco Bay Area partner agencies of Sonoma County Transportation Authority, Solano Transportation Authority, and Napa Valley Transportation Authority—has proposed improvements to the existing single-lane portion of State Route (SR) 37. The project and alternatives considered were presented in the SR 37 Sears Point to Mare Island Improvement Project (referred to hereafter as project) 2023 Final Environmental Impact Report (EIR) / Environmental Assessment (EA) with Finding of No Significant Impact (three volumes). The EIR/EA was certified, and a Notice of Determination was filed in February 2023 (State Clearinghouse Number 2020070226). It is referred to throughout this addendum as the 2023 EIR/EA.

Caltrans and its partner agencies have prepared this EIR addendum to update project changes to include the replacement of the SR 37 Tolay Creek Bridge. Caltrans is the lead agency for the project under the California Environmental Quality Act (CEQA) and has prepared this EIR addendum in accordance with CEQA Guidelines Section 15164. Caltrans has determined that the changes to the project description and clarification to existing minimization measures are minor and necessary to make the previous EIR adequately applicable to the project with the proposed changes.

## 1.1 California Environmental Quality Act Context

As provided in Section 15164(b) of the CEQA Guidelines, “An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.” The conditions specified in Section 15162(a) that would preclude preparation of an addendum to the 2023 EIR/EA are as follows:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
- The project will have one or more significant effects not discussed in the previous EIR or negative declaration.

Section 15164(b) of the CEQA Guidelines states that “An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.”

## 1.2 Conclusion

The project changes to include the replacement of the Tolay Creek Bridge would not result in any new significant impacts beyond those identified in the 2023 EIR/EA for the SR 37 Sears Point to Mare Island Improvement Project. The replacement bridge, including its construction, would be subject to all applicable mitigation measures and environmental commitments provided in the 2023 EIR/EA. None of the conditions in Section 15162 and 15163 of the CEQA Guidelines would occur as a result of the modified project. This addendum has been prepared pursuant to Section 15164 of the CEQA Guidelines. No further environmental review beyond this Addendum is required.

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## 2. Project Description Changes

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This EIR addendum considers only updates to the project description to include replacement of the SR 37 Tolay Creek Bridge.

### 2.1 Location

The existing SR 37 Tolay Creek Bridge is in Sonoma County at Post Mile 4.04 and crosses the Tolay Creek channel at the mouth of the Tolay Lagoon (Figure A-1 and Figure A-2). Both the existing and proposed replacement bridges (and associated soil excavation) are within the Caltrans right-of-way, the project limits, and environmental study areas previously considered in the EIR.

### 2.2 Background

The project's preferred build alternative (Alternative 3B) included widening the existing Tolay Creek Bridge in place to accommodate the creation of a new eastbound auxiliary lane and two new high-occupancy vehicle (HOV) lanes (one in each direction; Figure A-3). During the Draft EIR public comment period, regional stakeholder organizations (Bay Trail, Sierra Club, and San Francisco Baykeeper); environmental agencies (the Regional Water Quality Control Board and the San Francisco Bay Conservation and Development Commission); and organizations that are involved in planning large-scale regional watershed restoration projects (Sonoma Land Trust and Ducks Unlimited) requested that Caltrans reconsider retaining the existing Tolay Creek bridge and instead replace it with a longer bridge and remove existing road fill in the historic Tolay Creek channel. Bridge replacement and fill removal were identified by these stakeholders as critical components to create opportunities that would support the long-term watershed restoration goals of improving aquatic function and increasing tidal capacity. Replacing the existing bridge with a longer bridge, rather than simply widening it, is anticipated to meet both watershed restoration objectives; furthermore, it would create new waters, special-status species habitat, and improve wildlife habitat connectivity through an essential corridor that would minimize overall project impacts. Bridge replacement and fill removal also are intended to increase tidal prism potential at the crossing to the maximum extent feasible, and to support watershed restoration goals planned by others as separate future projects. The project would limit work in the streambed to areas within the Caltrans right of way.

Watershed restoration goals with the Tolay Creek watershed are being planned as separate efforts by the Sonoma Land Trust and the San Francisco Estuary Institute, with support from local, state, and federal partners. Initial planning efforts are summarized in the Sonoma Creek Baylands Strategy (Sonoma Land Trust 2020), available online at <https://www.sfei.org/documents/sonoma-creek-baylands-strategy>. Caltrans, MTC, and their project partners continue to coordinate closely with the organizations leading the Sonoma Creek Baylands Strategy.

#### 2.2.1 Existing Structure

The existing Tolay Creek Bridge (Bridge No. 20-0090) is an approximately 40-foot-wide and 60-foot-long single-span concrete bridge supported by concrete abutments over an approximately 50-foot-wide tidal channel at Tolay Creek (Figure A-2). The existing bridge supports two lanes of traffic with one lane in each direction, has no median barrier, and 8-foot shoulders and bridge railing barriers on each side. The SR 37 shoulders are accessible to temporarily disabled vehicles, California Highway Patrol enforcement, bicycles, and pedestrians.

## **2.2.2 Site Context**

Tolay Creek was historically part of a series of tidal sloughs that surrounded marsh islands and received freshwater input from Tolay Lake and runoff from the Sonoma mountains (USFWS 2011). The creek has been channelized over time, and the areas outside of the Caltrans right-of-way are managed by the California Department of Fish and Wildlife. The 10.5-mile-long creek enters San Pablo Bay via the Tolay Lagoon, an artificial lagoon that is brackish and fully tidal, and consists primarily of mudflats and submerged Baylands. Water features of the Tolay Creek channel within the project limits include tidal marsh, brackish marsh, open waters, and tidal mudflat. Tolay Creek is tidally influenced at the crossing, and the mean high-water tidal elevation extends to just upstream of the existing bridge. Tolay Creek upstream from SR 37 primarily consists of vegetated salt marsh habitat.

Tolay Creek Bridge crosses the Tolay Creek channel at its mouth, where it drains into the Tolay Lagoon. Caltrans replaced the original Tolay Creek bridge in 1972 with what is now the existing structure and earthen fill was permanently placed between the eastern bank of Tolay Creek and the existing bridge during construction. This fill reconfigured the historic creek channel at the crossing and constrains hydraulic function.

## **2.2.3 Bridge Replacement Design Considerations**

### **2.2.3.1 Bridge Types**

The following paragraphs present a discussion of the site-specific design constraints that determined the bridge type considered in this analysis.

### **2.2.3.2 Design Constraints**

The Tolay Creek Bridge location has substantial physical environment constraints that limit the bridge design geometry, top deck elevation, and bottom of deck (i.e., soffit) elevation. These constraints limit the bridge type that is feasibly constructable at this location. This section summarizes the site's existing constraints that influence the proposed type of bridge.

### **2.2.3.3 Water Surface Elevations, Sea-Level Rise, 50-Year and 100-Year Storm Flows**

State and federal standards require bridges over waterways on the State Highway System to meet and accommodate peak discharges. The general criteria for setting the bridge soffit elevation are to pass the greater of (1) the Design Flood 50-year storm plus 2 feet of freeboard, or (2) the 100-year storm without freeboard. The two above-mentioned criteria also assumed appropriate sea-level rise values in the calculations.

### **2.2.3.4 SMART Rail Line and Existing Roadway Conformance**

The existing Sonoma-Marin Area Rail Transit (SMART) railroad line's at-grade-crossing, just west of the Tolay Creek Bridge, provides a hard elevation constraint to which the proposed bridge replacement profile must conform. This also limits the feasibility of raising the elevation of the proposed bridge.

### **2.2.3.5 Tolay Creek East Existing Side Levee**

Tolay Creek north of SR 37 has an existing levee that runs north-south, is perpendicular to SR 37, and is approximately 320 feet east of the existing Tolay Creek Bridge. The existing levee provides a horizontal constraint to the potential Tolay Creek floodplain at the project site. This limits the extent the new bridge structure can be made on the east end. The proposed bridge replacement eastern abutment would conform to the eastern levee; the proposed bridge abutment aligns with the levee bank, as the upstream levee already constrains the channel.



### **2.2.3.6 Existing West Side Private Properties**

There are six private properties directly south of SR 37 between the SMART Rail Line and Tolay Creek as the creek outlets to the Tolay Lagoon. The private properties provide a horizontal constraint which the proposed bridge replacement western abutment would conform; placement of the west abutment any further west would risk diverting the channel into those properties and is avoided in the design. This limits the extent of the lengthening of the new bridge structure that can be made on the west end.

### **2.2.3.7 Consideration of Bridge Types**

Two general bridge types were conceptually considered. A design supported below the riding deck (e.g., beam, slab, girder, and arch bridges), which is the most common design constructed on roadways, and a design with a superstructure that provides support above the riding deck (e.g., through truss, tied arch, and cable stayed bridges).

Based on the length and width of the Tolay Creek Bridge Replacement (TCBR) span, minimal reduction in bridge structural depth would be gained by a more expensive and difficult staging required for a bridge supported by an above deck superstructure. Construction staging that allows for continuous peak hour travel along SR 37 was an important consideration, and bridge designs that require more superstructure above the deck, such as for a clear span design, are more difficult to construct without full roadway closures. Caltrans also considered whether a clear span structure was feasible to avoid and minimize the number of piers in the water for completed project as-built conditions. However, a clear span bridge was not determined feasible due to site constraints. This is because a long clear span bridge design would require a supporting structure below the deck that would reduce available bridge clearance over the creek, would require a larger workspace (greater impact area) to assemble the bridge and put it in place, and would extend the construction schedule.

For the reasons discussed above, a bridge supported from below the riding deck is the bridge type proposed for the TCBR.

### **2.2.3.8 Selected Bridge Replacement Type**

Due to the geometry, constructability, and design constraints, a multiple-span bridge structure supported below the riding deck is the only practicable bridge type. The proposed project would construct a 375-foot-long, 90-ft-wide, cast-in-place, post-tensioned slab bridge, comprising up to six spans and supported by concrete piers, to replace the existing Tolay Creek Bridge (Figure A-4). Use of post-tensioning would allow for the reduced bridge depth required to meet soffit elevations and conform with the existing roadway.

## **2.2.4 Proposed Bridge Replacement**

The proposed project would remove the existing bridge in the historic Tolay Creek channel between the Tolay Lagoon and the Tolay Creek channel east of the existing bridge. The existing bridge would be replaced with an approximately 90-foot-wide and 375-foot-long concrete bridge supported by abutments at each end, and up to five concrete bents. Figure A-5 provides an elevation view comparison of the existing and replacement bridges. Concrete bents would be constructed from the top down in upland roadway and shoulder east of the existing bridge. After bents and bridge deck are cast in place, the earth material below the bridge deck and around the bents would be excavated to adjacent creek bed elevation. The concrete bents built in uplands during construction would be within the restored active creek channel at completion.

The proposed replacement bridge travel lanes remain consistent with what was approved in the Final EIR for the selected Alternative 3B. The bridge would carry five traffic lanes, three lanes in the eastbound direction and two lanes in the westbound direction (lanes are 12 feet wide at the bridge), a median barrier (2 feet wide), inside shoulders (eastbound is 2 feet wide, westbound is 2 to 8 feet wide), outside shoulders (eastbound is 8 feet wide, westbound is 12 feet wide), and outside barriers on each side (approximately 2 feet wide each). Figure A-4 illustrates the proposed lane configuration. The design of the westbound direction consists of one HOV lane and one general-purpose lane. The eastbound direction consists of one HOV lane (added approximately 0.6 mile west of the SR 121 intersection) and two general-purpose lanes.

The second, outside general purpose-lane would drop and merge with the other general-purpose lane approximately 0.3 mile west of the SR 121 intersection. This second outside eastbound transition lane is an important traffic operational improvement to meet the project's purpose and need of reducing traffic congestion. This transition lane allows through traffic on SR 37 to avoid the backup at the eastbound SR 37 to northbound SR 121 left turn, where traffic queues in the PM peak hour result in substantial backups at this intersection signal.

## **2.2.5 Roadway Work and Fill Removal**

The project would remove the existing earthen fill from the Tolay Creek channel below and adjacent to the existing bridge and roadway east of the bridge as part of bridge replacement. In-channel work and excavation would be limited to the bridge replacement areas within the Caltrans right of way and the bank-width of the Tolay Creek channel directly upstream from the SR 37. The proposed project would not change roadway configurations east of the bridge approach from what was considered in the original EIR (two lanes eastbound and westbound). The project would slightly raise roadway elevation at the east side bridge approach as part of bridge replacement. The new bridge would not prohibit future public access enhancements.

The limits of the proposed channel modification are shown in Figure A-4. The area of "restored Tolay Creek channel" represents the area where the channel would be widened. Tolay Creek currently empties into the Bay via Tolay Lagoon and is fully tidal at the existing SR 37 crossing. The project's channel widening is intended to increase tidal prism (volume of water that that moves between mean low tide and mean high tide) within the SR 37 project limits to accommodate future watershed restoration efforts planned by others.

## **2.2.6 Construction Means and Methods**

Caltrans would develop staged construction plans to maintain current vehicle traffic flow conditions during construction (at least one lane open to traffic use during peak periods in each direction). Caltrans has identified construction approaches that include two to three stages to build the east and west bound lanes sequentially, though other approaches may be developed. Staged construction is proposed to maintain continuous traffic flows during bridge replacement. The construction stages would allow the project to build new lanes while closing some existing lanes for removal and replacement, or use new constructed lanes for access. Traffic would shift to the new lanes as work proceeds, freeing the remaining existing lanes to be dismantled and replaced. Stage construction approaches could use a temporary access road supported on imported soil and a pile supported trestle that would span the existing channel to divert traffic during construction. A temporary diversion at Tolay Creek would be placed adjacent to the existing roadway to maintain operational traffic and improve construction access. The temporary diversion, if used, would be completely removed at construction completion.

The staging approach at Tolay Creek would be further defined during final design.

The project construction area footprint, representing the estimated maximum extent of construction activity evaluated for environmental impacts (both temporary construction and permanent changes) is shown in Figure A-6. Figure A-7 shows the project layout, including the proposed changes and features presented in the project description.

### **2.2.6.1 Construction Methods**

The existing Tolay Creek Bridge and supporting abutments would be removed in stages during construction. A temporary dewatering system would be installed during construction of the TCBR. Dewatering system design would be determined by the construction contractor after final design.

Short cast-in-place (CIP) abutments are proposed and are expected to be constructed using a top-down construction method. The abutments would be supported on piles comprised of a series of reinforced cast-in-drilled hole (CIDH) piles. Approach slabs would be constructed at both ends of the bridge.

To construct support bents for the deck of the new Tolay Creek Bridge, pile installation would be required in areas that are currently uplands. Piles would be installed using cast-in-drilled-hole methods but vibratory or impact methods may also be used where required (e.g., if a cast in steel shell method is required). The size and depth of these piles would be determined during the final design phase based on geotechnical and other design requirements. Pile installation would be done from the existing ground level using top-down construction methods.

The project would remove an estimated 16,000 cubic yards of earth fill over an approximately 1.3-acre area to restore the channel bed where the new bridge is proposed. Earth moving would be performed using excavators and other earth-moving equipment. Excavated material may be beneficially re-used within the Project area or would be hauled off site via trucks. It is anticipated that an estimated 1,115 truck trips would be required to remove the excavated material. Existing roadway fill would be removed during bridge construction. Grade elevations below the new bridge in the restored Tolay Creek channel would be lowered from the existing elevation to the elevation of the adjacent marsh plane.

Local private parcel access will be maintained, including a private road access that will be realigned to accommodate the channel widening and excavation.

Bridge approach sections would require concrete retaining walls at the landings on the east end of the bridge to support an increase in design elevations for the bridge deck. Stormwater runoff from the bridge will be determined during the final design phase.

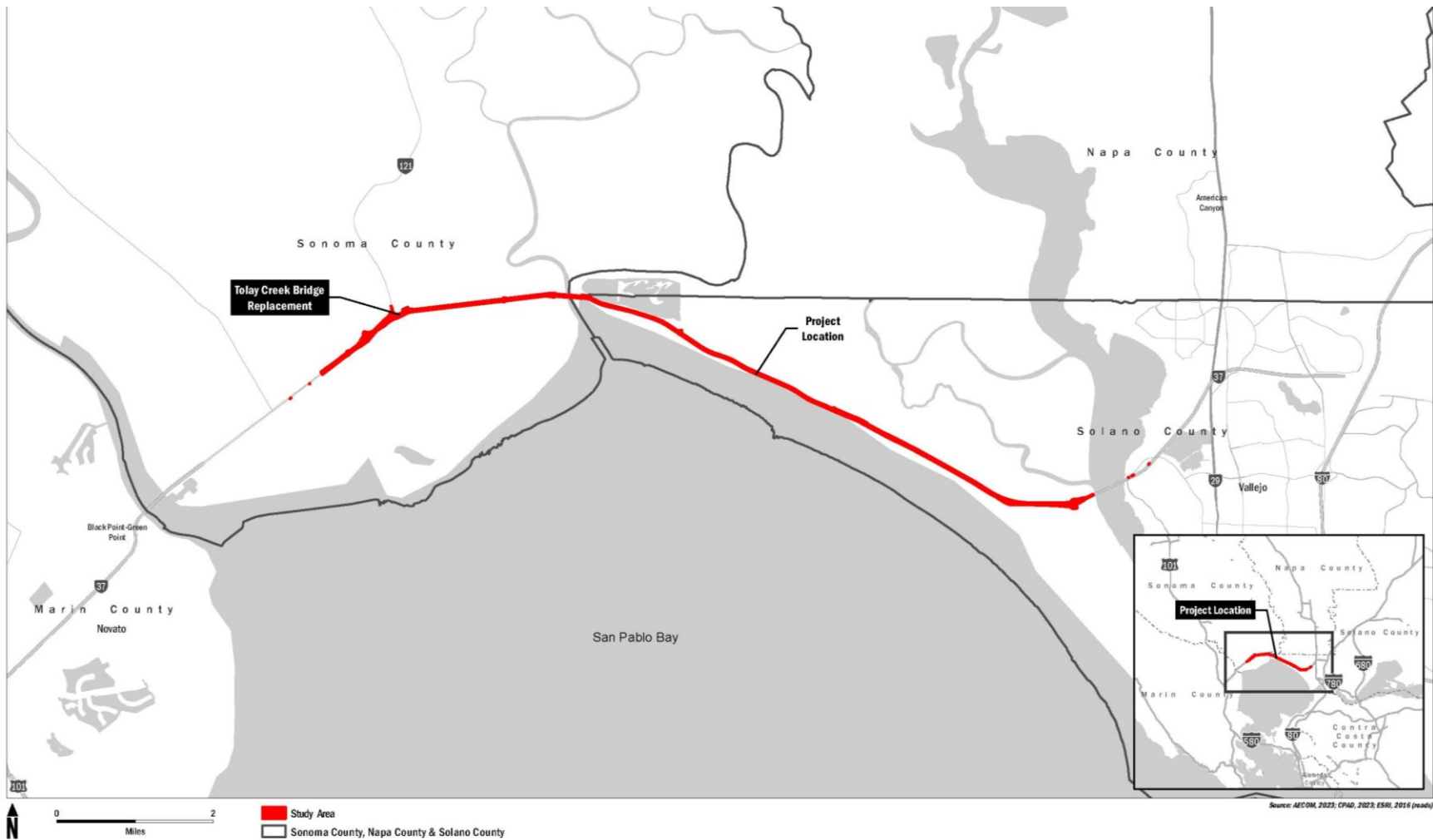
Caltrans would install standard erosion control measures during construction to stabilize disturbed soil in upland areas. The area being converted from upland fill to creek channel is anticipated to become tidally influenced waters at project completion. The area is anticipated to convert to tidal waters, similar to existing conditions in the adjacent Tolay Lagoon, and natural recruitment of tidal marsh vegetation is anticipated where conditions support establishment.

Caltrans will incorporate post-construction operations and maintenance at the new Tolay Creek Bridge into the corridor maintenance.

## **2.2.7 Equipment**

Equipment used during construction would include:

- excavators;
- haul trucks;
- pile driving equipment (augers [vibratory and impact hammers if required]);
- cranes;
- skid steer;
- pavers;
- asphalt millers;
- graders;
- compaction equipment;
- concrete delivery trucks; and
- vibratory or oscillating rigs to install steel casing for cast-in-drilled-hole pile construction.



**FIGURE A-1: PROJECT LOCATION**

**Figure A-1. Project Location**



Source: AECOM, 2024; ESRI 2024; ESRI, 2016 (maps)

**FIGURE A-2: EXISTING TOLAY CREEK BRIDGE**

SR 37 Sears Point to Mare  
 Island Improvement Project  
 EA - 04-1Q761; EFIS - 0419000255  
 Sonoma, Napa & Solano Counties, CA

**Figure A-2. Existing Tolay Creek Bridge**



Source: AECOM, 2024; ESRI 2024; ESRI, 2016/mabj



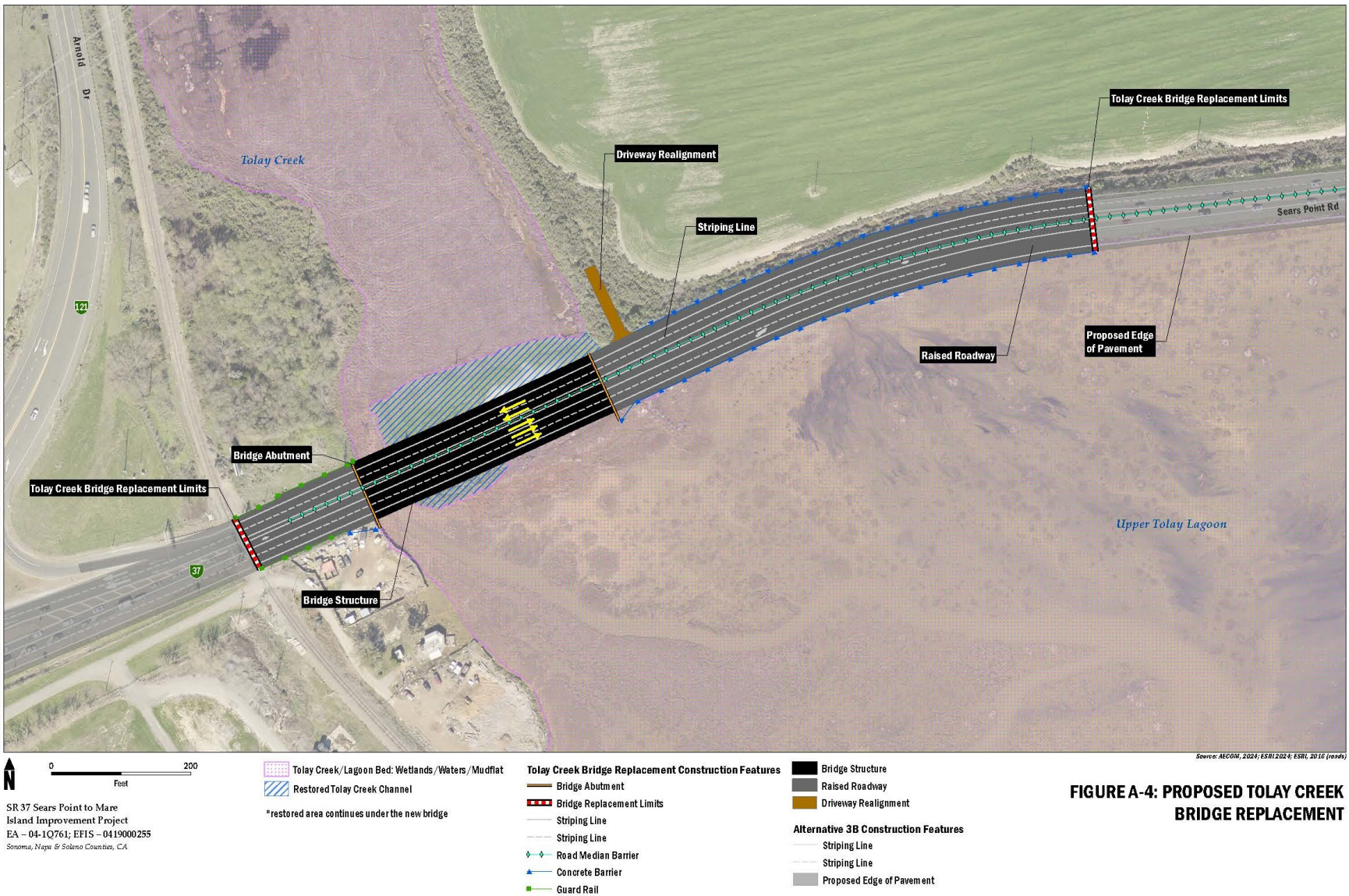
SR 37 Sears Point to Mare  
Island Improvement Project  
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Tolay Creek/Lagoon Bed: Wetlands/Waters/Mudflat

- Alternative 3B Construction Features**
- Striping Line
  - - - Striping Line
  - Bridge Widening
  - Bridge Abutment
  - ◆◆ Road Median Barrier
  - Proposed Edge of Pavement

**FIGURE A-3: ALTERNATIVE 3B - WIDEN EXISTING BRIDGE**

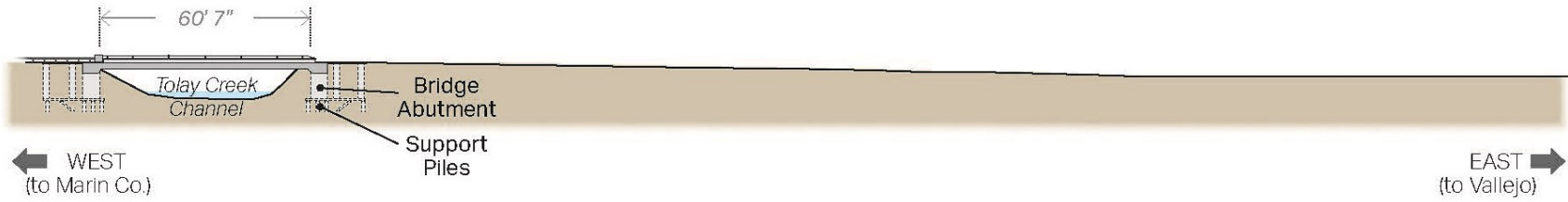
**Figure A-3. Alternative 3B—Widen Existing Bridge**



**FIGURE A-4: PROPOSED TOLAY CREEK BRIDGE REPLACEMENT**

**Figure A-4. Proposed Tolay Creek Bridge Replacement**

### Existing Tolay Creek Bridge



### Proposed Bridge

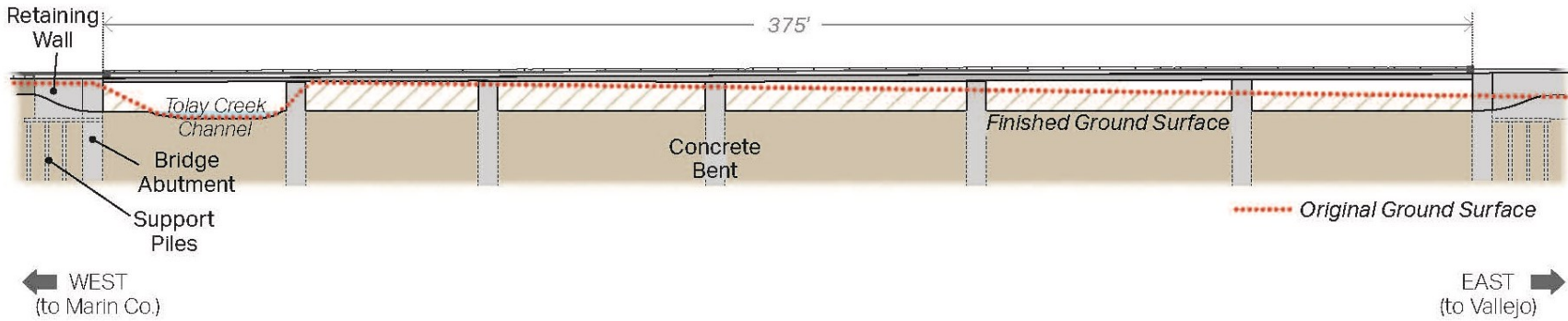


Figure A-5. Tolay Creek Bridge Existing and Proposed Replacement – Elevation View

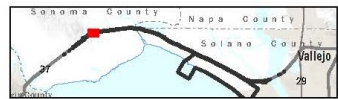




Source: AECOM, 2024; ESRI 2024; ESRI, 2016 (ms4)

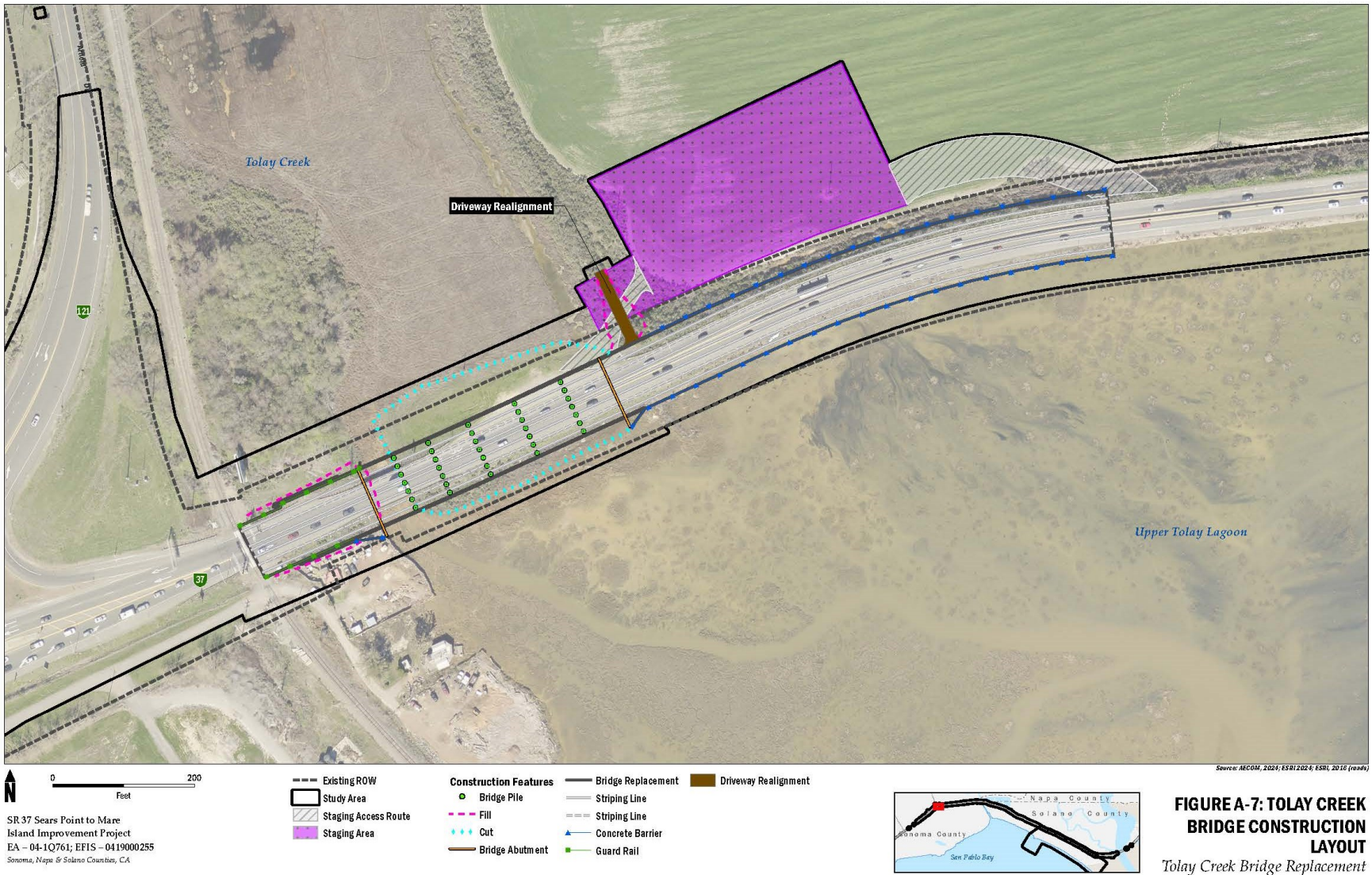


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**FIGURE A-6: PROJECT FOOTPRINT AND STUDY AREA**  
 Tolay Creek Bridge Replacement

**Figure A-6. Project Footprint and Study Area**



**Figure A-7. Tolay Creek Bridge Construction Layout**

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## 3. Modified Project Evaluation

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This section describes the evaluation of the addition of the TCBR to the SR 37 Sears Point to Mare Island Improvement Project that was evaluated in the 2023 EIR/EA. The analysis addresses whether any new significant impact could result due to changes to the project, changes in circumstances, or new information. All of the avoidance, minimization, and minimization measure (AMMs) included in the 2023 EIR/EA will be implemented as part of the TCBR. These AMMs are provided in the Environmental Commitments Record (ECR) in Appendix A of this addendum.

### 3.1 Aesthetics

#### 3.1.1 Summary of Prior Aesthetics Analysis

The 2023 EIR/EA determined that no light and glare impact would result. The 2023 EIR/EA also concluded that the impact on scenic vistas, scenic resources, and the visual character in the project vicinity would be less than significant with respect to the proposed new built elements, including a higher median barrier and outside barrier, along a highway that is potentially eligible for scenic highway status.

#### 3.1.2 Tolay Creek Bridge Replacement Impact Analysis

A Visual Impact Assessment (VIA) Memorandum was prepared for the TCBR Project (AECOM 2024f). The change in the project would not have a substantial adverse effect on a scenic vista, would not substantially damage scenic resources, and would not create a new source of substantial light or glare. The changes in the visual setting associated with the proposed TCBR would not change the findings from the 2023 EIR/EA. SR 37 within the project area is eligible for State Scenic Highway designation. However, no scenic resources were identified within the area of visual effect, and the project would not adversely affect views from the highway, as explained below.

Within the area evaluated for the TCBR, the visual character of the key view (KV) would change when comparing Figure A-8 [existing] and Figure A-9 [proposed]). The new bridge would be a more dominant feature and the TCBR would add some new median lighting to the highway beginning at the curve to the east of Tolay Creek Bridge (as seen in the distance of Figure A-9). The proposed median lighting would add to the built features along the corridor visible to motorists but would not block views. However, the changes with the TCBR would not be a substantial source of new glare. The visual quality of the KV 1 view would remain largely the same with the proposed project. Intactness would be slightly improved by refreshing the older highway infrastructure that is currently present in the view. Additionally, the proposed bridge's wider appearance would serve to reduce the intrusive appearance of the existing built features in the view. Unity and vividness may slightly improve, as the proposed bridge and associated infrastructure could constitute aesthetically consistent features to the highway. Therefore, the project is anticipated to slightly improve visual quality and would not degrade the existing visual character or quality of public views of the site and its surroundings. As with the 2023 project, the same AMM would be implemented. Therefore, no substantial adverse changes to the existing visual environment would result from implementation of the TCBR Project, and the impact would be less than significant.



**Figure A-8. KV 1 (Eastbound SR 37 Looking East) Existing Conditions**



**Figure A-9. KV 1 (Eastbound SR 37 Looking East) Proposed Conditions**

## **3.2 Agriculture and Forestry Resources**

### **3.2.1 Summary of Prior Agriculture and Forestry Resources Analysis**

The 2023 EIR/EA concluded that no direct or indirect conversion or loss of existing farmland or forestry resources would occur.

### **3.2.2 Tolay Creek Bridge Replacement Project Impact Analysis**

Similar to the original project, the TCBR would be located in proximity to Farmland of Local Importance and Grazing Land. Consistent with the original project, the TCBR would not convert Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. The TCBR would not require additional temporary construction easements (TCEs) but would expand one of the already proposed TCEs for the bridge replacement. The larger TCE would not affect the continued use of the property for agricultural use. There would be no permanent property acquisitions or permanent acquisition of Williamson Act properties. The project would not modify, nullify, or require changes to the Williamson Act contracts on the properties. The project would not involve changes that could result in the conversion of farmland and forest land, and would not result in any new agriculture and forestry resources impacts beyond those identified in the 2023 EIR/EA. There would be no impact associated with the TCBR.

## **3.3 Air Quality**

### **3.3.1 Summary of Prior Air Quality Analysis**

The 2023 analysis identified that during project construction there would be temporary increases in criteria pollutants, but impacts would be less than significant because of the limited duration of construction and the incorporation of best management practices (BMPs) for dust and exhaust. One criteria pollutant, nitrogen dioxide (NO<sub>x</sub>) was identified as having the potential to exceed the Bay Area Air Quality Management District (BAAQMD) significance threshold. That estimate was based on worst-case estimates for off-road engine emissions with no or limited controls, using default air quality modeling factors for construction equipment assumptions. Actual construction equipment emissions would be less, and conditions were required of project construction to use Tier 4 equipment emission controls and other best management practices to maintain emissions below BAAQMD criteria.

The 2023 analysis also discussed that traffic vehicle emissions would have similar emissions to No-Build conditions as a result of the proposed project improving traffic congestion, and thereby reducing travel time and vehicle idling. As such, impacts related to the increase of criteria pollutants would be less than significant. There would be no impact related to the proposed project conflicting with or obstruct implementation of applicable air quality plans, exposing sensitive receptors to pollutant concentrations or introducing odors.

### **3.3.2 Tolay Creek Bridge Replacement Impact Analysis**

Air quality emissions were evaluated in an addendum to the original air quality analysis (Illingworth & Rodkin 2024b). Emissions associated with vehicle traffic would be the same as that reported in the 2023 EIR. This is because the bridge replacement would not add any new through lanes or alter the traffic volume projections that were determined in 2023.

The construction of the TCBR would require a higher construction effort and longer construction duration of the overall project compared to the 2023 project, associated with replacement of the bridge and removal of fill underneath the proposed longer bridge span. Criteria pollutant and GHG emissions from

construction are anticipated to increase between 34 and 41 percent primarily due to increasing the duration of the bridge construction. NOx emissions would increase due to the extended or more intensive use of construction equipment, but the same Tier 4 emission controls required in the 2023 EIR/EA would be applied to minimize these emissions. These impacts would also be temporary and short-term during construction activities.

The proposed bridge replacement would have less than significant impacts related to air quality emissions consistent with the findings for the original project. There would be no new significant air quality impacts beyond those identified in the 2023 EIR/EA.

## **3.4 Biological Resources**

### **3.4.1 Summary of Prior Biological Resources Analysis**

A Natural Environment Study (NES) was prepared to update the original 2022 NES prepared for the project (AECOM 2024a). The 2023 EIR/EA summarized the original NES findings and identified Tolay Creek as supporting jurisdictional waters and wetland features, and potential habitat for several species listed as threatened or endangered under the Federal Endangered Species Act (FESA). Species regulated under FESA by U.S. Fish and Wildlife Service (USFWS) include California Ridgway's rail, salt marsh harvest mouse, and soft bird's beak. FESA-listed species regulated by the National Marine Fisheries Service (NMFS) include Chinook Salmon Central Valley spring-run Evolutionarily Significant Unit (ESU), Chinook Salmon Sacramento River winter-run ESU, delta smelt, steelhead Central California Coast Distinct Population Segment (DPS), steelhead Central Valley DPS, and North American Green Sturgeon southern DPS. The California red-legged frog has low potential to occur in the Tolay Creek channel, but suitable upland dispersal habitat occurs nearby, west of Tolay Creek and SR 121 interchange.

Six species that have potential to occur at the Tolay Creek Bridge location that are regulated under FESA are also California Endangered Species Act (CESA)-listed species. These include Delta Smelt, California Ridgway's rail, salt marsh harvest mouse, Chinook Salmon Sacramento River Winter-run ESU, Chinook Salmon Central Valley Spring-run ESU, and soft bird's beak. Three species with potential to occur are CESA-listed only. These include California black rail, Swainson's Hawk, and Longfin Smelt. The California Department of Fish and Wildlife (CDFW) also regulates six Species of Special Concern with potential to occur in the BSA around Tolay Creek Bridge, including the pallid bat, saltmarsh common yellowthroat, San Pablo song sparrow, Sacramento Splittail, and Suisun shrew. Two California Rare Plant Ranked (CRPR) species, San Joaquin spearscale and saline clover, were also identified as having a potential to occur in the Biological Study Area (BSA) around Tolay Creek Bridge.

The 2023 EIR/EA evaluation found that without mitigation the proposed project would have a potentially significant indirect and direct impacts to candidate, sensitive or status species, riparian habitat, sensitive natural communities, and wetlands in the study area. The EIR/EA discussed that the proposed project would have permanent impacts from placement of permanent fill for road widening, retaining walls, sheet piles, rock slope protection, and placement of guard rails. Additional permanent impacts to wetlands and waters would be from bridge widening work at Sonoma Creek and would permanently shade additional areas below the widened bridge. Temporary impacts would be associated with construction access, staging areas, and temporary dewatering activities. Avoidance and minimization measures (AMMs) and Mitigation Measures would be incorporated to bring these impacts down to a less than significant impact.

### **3.4.2 Modified Project Impact Analysis**

The proposed project changes at Tolay Creek Bridge would expand the project's footprint (i.e., the work area and area where new permanent structures will be placed at project completion) within the original BSA for the project. Figure A-1 and Figure A-2 outline the project location and footprint, including the area where the TCBR would occur.

The bridge replacement at Tolay Creek would be conducted using construction activities already considered for the overall project in the 2022 NES and would be within the same BSA defined in the 2022 NES. The avoidance and minimization measures provided in the 2022 NES and 2023 EIR/EA would sufficiently address potential impacts with the project change. No changes or new mitigation measures are proposed or required since approval of the 2023 EIR/EA. The project would create approximately 1.09 acres of new tidal waters and associated habitat from existing uplands in the BSA at the Tolay Creek channel. The creation of new waters is expected to minimize the overall project's permanent impacts on special status species that use channelized tidal mudflats and waters, and minimize permanent fill impacts in jurisdictional waters.

The original NES considered potential impacts from the overall project on these resources. Table 1 provides a summary of the project change effects on protected resources.

**Table 1. Summary of Change in Impact by Resource for Tolay Creek Bridge Replacement**

Resource	Potential to Occur at SR 37 Tolay Creek	Change in impact	New avoidance, minimization, or mitigation required?
Wetlands, Open Waters, and Riparian Habitats	Known to Occur	Net gain of new waters; net reduction in permanent loss of waters; marginal increase in temporary impacts during construction.	No
soft bird's-beak ( <i>Chloropyron molle</i> ssp. <i>molle</i> )	Moderate	No change in adverse impacts; anticipated improvements in habitat conditions	No
San Joaquin spearscale ( <i>Extriplex joaquinana</i> )	Moderate	No change, no new impacts	No
saline clover ( <i>Trifolium hydrophilum</i> )	Moderate	No change, no new impacts	No
California Ridgway's rail ( <i>Rallus obsoletus</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
California red-legged frog ( <i>Rana draytonii</i> )	Moderate	No change, no new impacts	No
Chinook salmon, Sacramento River winter-run Evolutionarily Significant Unit (ESU) and Chinook salmon, central valley spring-run ESU ( <i>Oncorhynchus tshawytscha</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
Delta smelt ( <i>Hypomesus transpacificus</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
steelhead, California central valley DPS ( <i>Oncorhynchus mykiss irideus</i> pop. 11) and steelhead – central California coast DPS ( <i>Oncorhynchus mykiss irideus</i> pop. 8)	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No

Resource	Potential to Occur at SR 37 Tolay Creek	Change in impact	New avoidance, minimization, or mitigation required?
North American green sturgeon, Southern DPS ( <i>Acipenser medirostris</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
salt marsh harvest mouse ( <i>Reithrodontomys raviventris</i> )	Moderate	Net gain in habitat connectivity; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
California black rail ( <i>Laterallus jamaicensis coturniculus</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
longfin smelt ( <i>Spirinchus thaleichthys</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
pallid bat ( <i>Antrozous pallidus</i> )	Moderate	No change, no new impacts	No
saltmarsh common yellowthroat ( <i>Geothlypis trichas sinuosa</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
San Pablo song sparrow ( <i>Melospiza melodia samuelis</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
Sacramento splittail ( <i>Pogonichthys macrolepidotus</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
Suisun shrew ( <i>Sorex ornatus sinuosus</i> )	Moderate	Net gain in new permanent potential forage habitat; net reduction in permanent adverse effects; and increase in temporary impact area during construction.	No
Swainson's Hawk ( <i>Buteo swainsoni</i> )	Moderate	No change, no new impacts	No
Western Burrowing Owl ( <i>Athene cunicularia</i> )	Moderate	No change, no new impacts	No
Pallid Bat ( <i>Antrozous pallidus</i> )	Moderate	No change, no new impacts	No

Notes:

DPS = Distinct Population Segment

ESU = Evolutionarily Significant Unit

SR = state route



Through the proposed replacement of Tolay Creek Bridge, the long-term impacts of this change are anticipated to be beneficial to biological resources in the project area from the removal of fill and restoration of open water habitat. The change would create approximately 1.09 acres of area of new waters from existing uplands, provide ecosystem benefits, and allow for greater watershed restoration opportunities upstream from the SR 37 crossing. The project change would cause some increase in temporary impacts during construction to create a new structure, temporary access, and remove earth fill from the historic Tolay Creek Channel. The same AMMs would be implemented as the 2023 project.

## **3.5 Cultural Resources**

### **3.5.1 Summary of Prior Cultural Resources Analysis**

The 2023 EIR/EA evaluation concluded that there would be no impacts to cultural resources. The implementation of AMMs CUL-01: Discovery of Human Remains and CUL-02: Discovery of Archaeology Materials would minimize impacts to unanticipated discovery of archeological resources and human remains during construction and excavation activities. The proposed project was also found not to affect any historical resources in the Area of Potential Effect (APE).

### **3.5.2 Tolay Creek Bridge Replacement Impact Analysis**

Evaluation of the TCBR was evaluated by Caltrans in an addendum summary memo (Caltrans 2024). The proposed project with the TCBR would have the same impacts as what was analyzed in the 2023 EIR/EA. The footprint for the replacement of Tolay Creek Bridge is within the APE established for the 2023 project. No additional temporary construction easements or right of way acquisition will be needed. As with the 2023 project, implementation of CUL-01 and CUL-02 would minimize impacts to archeological resources and human remains during construction and excavation activities. Therefore, no impacts to cultural resources are expected.

## **3.6 Energy**

### **3.6.1 Summary of Prior Energy Analysis**

The 2023 EIR/EA identified an increase in energy consumption that would occur temporarily during project construction and maintenance. Energy consumption during construction would be conserved and minimized to the maximum extent feasible. During project operation, energy consumption would be reduced due to a reduction in stop-and-go traffic conditions. The project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Furthermore, the project would not conflict with any state or regional Energy Conservation Plans. Therefore, there would be no impact.

### **3.6.2 Tolay Creek Bridge Impact Analysis**

The TCBR would result in an estimated 45,518.89 million British Thermal Units (MMBTU) consumed during construction activities and use of materials to replace and lengthen the TCBR (AECOM 2024d). This represents an increase of 13,308.99 MMBTU compared to the original project where the Tolay Creek bridge would not have been replaced. However, this increase in energy use would be temporary, since this change would not alter vehicle capacity, traffic forecasts or speed profiles, there would be no change to operational energy consumption. Consistent with the 2023 EIR/EA findings, the TCBR would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. The project would not conflict with any state or regional Energy Conservation Plans. Therefore, there would be no impact.

## 3.7 Geology, Soils, and Paleontology

### 3.7.1 Summary of Prior Analysis

As discussed in the 2023 EIR/EA, while the proposed project is in a seismically active area, it is not in a Alquist-Priolo Earthquake Fault Zone and would not exacerbate the potential for seismic shaking nor expose the public to increased risks associated with seismic events. Caltrans' design and construction guidelines incorporate engineering standards that address seismic risks, including ground failure related to liquefaction, landslides, and lateral spreading. Caltrans also requires additional geotechnical subsurface and design investigations to be performed during the final project design and engineering phase. Since the project study area is generally flat and there are no adjacent hillsides or steep areas, exclusive of the bridge approach embankment, there is a low potential for landslides and soil erosion. For steeper areas such as the bridge approach embankment, BMPs such as stabilization by rock slope protection and other erosion control measures would be implemented to reduce erosional impacts during construction activities. The 2023 EIR/EA found that there would be no significant impacts.

The March 5, 2024 “*State Route 37 Sears Point to Mare Island Improvement Project – Addendum Memorandum to the Paleontological Identification Report/ Paleontological Evaluation Report (October 2020)*” by AECOM corroborated the conclusions and identified recommendations in the 2020 PIR/PER, which found replacement of the Tolay Creek Bridge would not result in any new significant impacts to paleontological resources. No new mitigation measures for paleontological resource impacts would be needed.

### 3.7.2 Tolay Creek Bridge Replacement Impact Analysis

The TCBR would occur in the same area studied in the 2023 EIR/EA. Thus, seismic risks, including ground failure related to liquefaction, landslides, and lateral spreading would be the same as those described in the section above. The TCBR would be designed to address seismic risks and those risks related to subsidence, settlement and expansive soils. There would be no impacts related to seismic and geologic related hazards and risks.

The replacement of Tolay Creek Bridge and excavation associated with its replacement would occur within the same paleontological study area that was previously considered in the 2023 EIR/EA. For the bridge replacement, the depth of excavation is anticipated to be approximately 25 feet deep at the bridge abutments and in the range of 50 to 100 feet deep at the bridge piles. Despite the change in pile installation depth, the bridge replacement would still occur in the same area which has a low potential to contain paleontological resources. Therefore, there would be less than significant impacts to paleontological resources consistent with the findings of the 2023 EIR/EA and the March 5, 2024 updated paleontological evaluation by AECOM “*State Route 37 Sears Point to Mare Island Improvement Project – Addendum Memorandum to the Paleontological Identification Report/ Paleontological Evaluation Report (October 2020)*” which found replacement of the Tolay Creek Bridge would not result in any new significant impacts to paleontological resources. No new mitigation measures for paleontological resource impacts would be needed.

No new impacts are identified and no new mitigation measures are needed to address geology, soils, or paleontological resources associated with adding the TCBR to the project.

## 3.8 Greenhouse Gas Emissions

### 3.8.1 Summary of Prior GHG Analysis

As discussed in the 2023 EIR/EA, the proposed project would result in increases of GHG emissions during construction activities related to equipment exhaust and worker and vendor vehicle trips. The

carbon dioxide equivalent<sup>1</sup> (CO<sub>2</sub>e) emissions associated with the project for each construction activity was estimated to be 3,373 metric tons. However, emissions reduction measures would be implemented that require contractors to comply with all California Air Resources Board (CARB) emission reduction regulations and other regulations that deal with air pollution. Therefore, construction impacts were found to be less than significant. Long-term operational emissions were also found to have a less than significant impact, as the proposed project would result in a reduction of GHG emissions compared to the existing conditions and No Build conditions. This is because the proposed project would encourage ridesharing, carpooling, and mass transit use; and thereby reduce trips during AM and PM peak hours, which would help reduce GHG emissions from vehicle exhaust. The proposed project was found to have a less than significant impact with respect to not conflicting with GHG plans and regulations, as it would comply with local, state, and federal regulations, ordinances, and statutes that apply to GHG emissions.

### **3.8.2 Modified Project Impact Analysis**

GHG emissions during the operation of the proposed project would be the same as those evaluated in the 2023 EIR (Illingworth & Rodkin 2024b). This is because the bridge replacement would not alter the traffic volume projections that were determined in 2023.

The replacement of the bridge would result in a higher construction effort and longer construction duration of the overall project compared to what was evaluated in the 2023 EIR/EA. Overall, criteria pollutant and GHG emissions from construction are anticipated to increase between 34 and 41 percent, due primarily to increasing the duration and intensity of bridge construction activities and construction materials. However, these impacts would be temporary and short-term during construction activities. Therefore, the proposed bridge replacement would have less than significant impacts related to air quality emissions consistent with the original project evaluation. The modified project would not result in any new significant GHG impacts beyond those identified in the 2023 EIR/EA, or result in a substantial increase in the severity of any previously identified significant impact.

## **3.9 Hazards and Hazardous Materials**

### **3.9.1 Summary of Prior Hazards and Hazardous Materials Analysis**

As discussed in the 2023 EIR/EA, adherence to federal and state regulations during project construction and maintenance reduces the risk of exposure to hazardous materials and accidental hazardous materials releases. As compliance with existing regulations is mandatory, project construction is not expected to create a hazard to construction workers, the public, or the environment. Further, the implementation of project features for hazardous materials (summarized in Table 4-1 in the 2023 EIR/EA) would avoid and/or minimize impacts associated with hazardous materials, and impacts would be less than significant. There are also no existing schools or proposed schools within 0.25 mile of the project limits.

While the project area is not in a contaminated site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962, the California Department of Toxic Substances Control (DTSC)'s EnviroStor database identified 15 potential contaminated sites and/or investigated sites within a 0.5-mile radius of the project limits. However, thirteen of these sites are listed as closed cases, which indicates that hazardous materials have been addressed to the satisfaction of the applicable regulatory authority, and a formal closure decision document has been issued. Implementation of project features for hazardous materials (summarized in Table 4-1 in the 2023 EIR/EA) would avoid and/or minimize impacts associated with hazardous materials, and impacts would be less than significant.

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<sup>1</sup> CO<sub>2</sub>e means the number of metric tons of CO<sub>2</sub> emissions with the same global warming potential as one metric ton of another greenhouse gas.

## **3.9.2 Tolay Creek Bridge Replacement Project Impact Analysis**

Similar to the original project, the TCBR project would continue to be within the permanent Caltrans right-of-way, the project limits, and environmental study areas previously considered in the 2023 EIR/EA. The project changes are similar in type to the activities considered in the 2023 EIR/EA as it relates to potential findings regarding hazardous materials (AECOM 2024b). The TCBR would not affect the records review, historical review, or environmental setting, as the project changes would still occur within the environmental study areas originally considered in the 2023 EIR/EA. The TCBR is also consistent with the project's proposed lane additions and maintenance of shoulders which will support emergency vehicle response and evacuation access along SR 37. The modified project would not result in any new hazard impacts or risks beyond those identified in the 2023 EIR/EA, or result in a substantial increase in the severity of any previously identified impact.

## **3.10 Hydrology and Water Quality**

### **3.10.1 Summary of Prior Hydrology and Water Quality Analysis**

The 2023 EIR/EA discussed impacts to water quality and groundwater supplies would be less than significant during project construction and operation. Construction site BMPs for erosion and sediment control and material management would be specified in the Storm Water Pollution Prevention Plan (SWPPP) and implemented and monitored during construction. Permanent impacts to water quality and groundwater supplies could result from the addition of impervious area, which can prevent runoff from naturally dispersing and infiltrating into the ground and recharging groundwater. However, the project would require 401 Water Quality Certification and permanent stormwater treatment measures that would allow for stormwater infiltration to minimize impacts from runoff and to groundwater supplies. Additionally, since some of the project location is within a Moderate to high Trash Generation Rating area (Caltrans District 4 Regional Board 2 Trash Generation Map; Caltrans, no date), adequate full trash capture systems will be installed to collect or contain trash. Drainage and flooding impacts were evaluated to be less than significant. However, mitigation would be incorporated to address the project area's limited onsite stormwater treatment capacity. The proposed project was found to have no impacts related to conflicting with a water quality control plan or sustainable groundwater management plan.

### **3.10.2 Tolay Creek Bridge Replacement Impact Analysis**

The impacts of the proposed project with the replacement of Tolay Creek Bridge would be similar to the 2023 EIR/EA findings. Impacts related to water quality, groundwater, flooding and drainage would be less than significant during project construction and operation. The same BMPs and mitigation measures would be implemented for the TCBR. However, due to the replacement of the bridge, the proposed BMP locations have been revised. Furthermore, the new Tolay Creek Bridge design would increase the amount of permanent stormwater treatment measures that will be needed for the overall project as it would create additional impervious area. The replacement of the bridge would have insignificant effects on the floodplain storage volume. The lengthening the bridge and excavation and removal of fill to the channel would be consistent with future upstream and downstream watershed restoration efforts for the Tolay Creek Baylands, as it would improve circulation of tidal flows upstream and downstream of the bridge crossing. With the 2023 project this benefit would have not been realized since the bridge widening and fill removal was not proposed. Therefore, the TCBR would improve conditions related to tidal flows in comparison to the 2023 project.

The TCBR would not result in any new significant hydrology and water quality impact beyond those identified in the 2023 EIR/EA, or result in a substantial increase in the severity of any previously identified impact. However, as discussed above it would result in beneficial impacts related to improve tidal flows through the bridge.

## 3.11 Land Use

### 3.11.1 Summary of Prior Land Use Analysis

The 2023 EIR/EA concluded that the project would be constructed in and along Caltrans' right-of-way and would not physically divide an established community. Therefore, there would be no impact. The Build Alternative (Alternative 3A) was determined to be generally consistent with the general plans, regional plans, and transportation plans.

No permanent property acquisition was required within the TCBR replacement construction area. Temporary construction easements (TCEs), which were assessed in the original 2021 Community Impact Assessment and 2023 EIR/EA, would continue to be required for equipment access and staging.

### 3.11.2 Tolay Creek Bridge Replacement Project Impact Analysis

The TCBR would continue to be within the permanent State right-of-way, providing additional traffic capacity consistent with the approved 2023 EIR/EA (two through lanes and one transition or merging lane). As discussed above, the proposed replacement bridge would maintain existing bicycle and pedestrian access along the shoulders in both travel directions on SR 37. The overall highway project construction schedule was identified as approximately 2 years in the 2023 EIR/EA, but would ultimately be defined during final design and by the construction contractor. The duration of construction of the TCBR would be within that overall original schedule and is not anticipated to extend the overall construction timeline and would not further affect existing or planned land uses. As stated in the 2023 EIR/EA, local residents and businesses could experience temporary access impacts from the construction closures. However, property access would continue to be maintained throughout project construction. No full closures of SR 37 or SR 121 are anticipated. Implementation of a Transportation Management Plan (TMP), which is part of standard Caltrans practice, would include outreach to inform the agencies and the public of the times and locations of upcoming construction, construction signs in and approaching the project area, and incident management for traffic control in the vicinity of construction activities. Therefore, implementation of the TMP would minimize the potential for short-term construction impacts.

No additional parcels would be affected beyond those identified in the 2023 EIR/EA, although one already identified affected parcel near the TCBR would require additional TCE area (at parcel 068-170-002, 29730 Tolay Creek Road). This expanded area is necessary for a motor vehicle pullout area for installation of a proposed sign structure, and the sign structure is necessary for motorist information and/or direction information. The necessary TCE parcel expansion would not affect the existing land use of the rest of the properties or preclude the use or development of the parcel.

The modified project would not result in any new land use impacts beyond those identified in the 2023 EIR/EA or result in a substantial increase in the severity of any previously identified impact.

## 3.12 Noise

### 3.12.1 Summary of Prior Noise Analysis

The 2023 EIR/EA determined that the proposed project would have no impact related to ambient noise, as the project would not increase ambient noise levels by more than 2 decibels, A weighted (dBA)<sup>2</sup>. Noise related to construction would be similar to existing highway conditions, or a bit higher during pile driving but would be short-term and intermittent. Vibration impacts were determined to be less than significant due to pile driving during construction, and the analysis of pile driving determined it would not exceed

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<sup>2</sup>"A" weighting is a decibel scale that is considered most representative of human response at lower sound levels.

Caltrans standards for vibration. There is no airport within the project vicinity and hence no project-related impact of exposure of people residing or working near an airport.

### 3.12.2 Modified Project Impact Analysis

Traffic operational impacts with the TCBR would be the same as those discussed in the 2023 EIR, as there would be no changes to traffic patterns and volumes or any new introductions of noise sensitive receptors (Illingworth & Rodkin 2024a). Noise impacts involving construction of the bridge are expected to result in slightly higher levels and a longer duration of these impacts. Average construction noise levels are expected to change by -2 to +3 dBA between the 2023 project and with the TCBR as part of the project. Even with this change, construction noise levels would not be expected to exceed the quantitative noise limits established by Caltrans, with the exception of short periods of pile driving. Pile driving was considered as a worst-case noise analysis method, but the project expects to predominantly use cast in drill hole (CIDH) construction at TCBR, which would minimize construction noise levels. Vibration levels would not be higher than already evaluated. The TCBR would not result in any new significant noise impacts beyond those identified in the 2023 EIR/EA, or result in a substantial increase in the severity of any previously identified significant impact.

## 3.13 Transportation

### 3.13.1 Summary of Prior Transportation Analysis

The 2023 analysis determined less than significant impacts related to the proposed project conflicting with a program, plan, ordinance or policy related to transportation. The project would improve traffic conditions along SR 37 by adding HOV lanes, which would improve the person-carrying capacity of the corridor, as well as the traffic flow and travel times in the peak direction. Bicycle access will still be allowed along the highway shoulders.

The 2023 analysis found that the proposed project could have potentially significant impacts related to increasing vehicle miles traveled (VMT) compared to the No Build Alternative if tolling was not implemented (tolling and HOV lanes are part of the proposed project). In addition, **Mitigation Measure VMT-1: Bus Service, Ride Sharing** would be implemented to further reduce the potential for an increase in VMT. Finally, the 2023 analysis found that the proposed project would have no impact related to hazards due to a geometric design feature, and the project would maintain emergency vehicle access along the roadway shoulders.

### 3.13.2 Tolay Creek Bridge Replacement Project Impact Analysis

Traffic operations as proposed in the 2023 EIR/EA will not change with the TCBR. While the bridge replacement would result in a longer bridge compared to the 2023 project, it would not result in changes to the number of lanes, HOV lanes or general geometric design features of the bridge or corridor. Bicyclists would continue to be able to use the highway shoulders. Therefore, impacts related to traffic circulation, VMT and transportation hazards would be the same as the original project.

The use of staged construction would keep the traffic operational where traffic would be shifted around construction zones. If a temporary lane closure is necessary, every effort would be made to conduct that task at night or non-peak periods to minimize traffic delays. Consistent with what was presented in the 2023 EIR/EA, a TMP would be prepared to define the staging and lane transitions during construction. Thus, the duration change in work at Tolay Creek would only occur temporarily during construction activities, and is not considered a new impact because construction delays were already identified in the original EIR/EA associated with construction activities and adding the new lanes in each direction. The TCBR would not result in any new transportation impacts beyond those identified in the 2023 EIR/EA, or result in a substantial increase in the severity of any previously identified significant impact.

## 3.14 Tribal Cultural Resources

### 3.14.1 Summary of Prior Tribal Cultural Resources Analysis

As a result of consultation with the Native American Heritage Commission (NAHC) and local Native American tribes for the 2023 project, it was found that no tribal cultural resources were identified in or near the APE. Therefore, it was found that there would be no impact. However, the Federated Indians Graton Rancheria (FIGR) on January 2, 2020 asked to be consulted moving forward with the project. Consultation also involved the Mishewal-Wappo Tribe of Alexander Valley and Yocha Dehe Wintun Nation.

Two Project Features (PF) were included in the project requirements. CULT-01: Discovery of Human Remains and CULT-02: Discovery of Archaeology Materials would minimize impacts to archeological resources and human remains during construction and excavation activities (Caltrans 2024).

### 3.14.2 Tolay Creek Bridge Replacement Impact Analysis

Impacts from the TCBR to Tribal Cultural Resources would be similar to what was evaluated in the 2023 EIR/EA. The footprint for the replacement of Tolay Creek Bridge is within the APE established for the 2023 project. No additional temporary construction easements or right of way acquisition will be needed. As with the 2023 project, implementation of Project Features (PF) **CULT-01: Discovery of Human Remains** and **CULT-02: Discovery of Archaeology Materials** would minimize impacts to archeological resources and human remains during construction and excavation activities. As a result of continued consultation with FIGR and the tribes, the project footprint was identified as sensitive for Tribal Cultural Resources. Caltrans had Tribal monitors and representation present during geotechnical drilling operations at Tolay Creek Bridge in January 2024, and during the supplemental archaeological survey of the bridge project area in March 2024. As a result of continued consultation, it is determined that there is the potential for a California Native American tribal resource to be discovered during construction. The implementation of **CULT-01: Discovery of Human Remains** and **CULT-02: Discovery of Archaeology Materials** would reduce potential impacts by stopping work and requiring consultation with a cultural or tribal resources specialist upon discovery of a new potential resource. With these project features, the impact would be less than significant.

Additional minimization measures were added to further reduce impacts. They include the following:

**Measure (TCR)-1 Post-Review Discovery and Tribal Monitoring Plan:** Prior to the start of construction, Caltrans will work with the tribes to develop and implement a Post-Review Discovery and Tribal Monitoring Plan for potential resources in the project construction area. The plan may include, but is not limited to, the following:

1. Archaeological awareness and Tribal Cultural Resources Sensitivity training of construction staff, with information about possibility of encountering cultural resources (including Tribal Cultural Resources) and the appearance and types of resources that could be encountered during the project construction.
2. Native American and archaeological monitoring during ground disturbing activities, as determined through consultation among Caltrans and tribes prior to construction.
3. Temporary work stoppage and tribal consultation protocols in the event that previously unidentified tribal or archaeological are discovered, in addition to those specified in CULT-1.
4. Recommendations for treatment and disposition of finds could include, but are not limited to, the collection, recordation, and analysis of any significant cultural material, in consultation with the Tribe, or the turning over of Tribal Cultural Resources to tribal representatives for appropriate treatment.

**Measure (TCR)-2 Cultural Sensitivity/Awareness Training:** Prior to the initiation of construction for the project, an agency-approved archaeologist and Tribal representatives from the involved tribes will conduct an education program for all construction personnel with a focus on cultural, tribal, and archaeological resources. At minimum the training will include discussion of archaeological and tribal resources which may be encountered (including the traditional importance of resources such as cultural landscapes, significant waterways, and ethnobotanical plants), the procedures when working within Archaeological Monitoring Areas or near Environmentally Sensitive Areas, if applicable, and summary of state and federal regulations pertaining to cultural resources, as well as the importance of compliance with Caltrans' conditions.

**Measure (TCR)-3 Tribal Monitoring Area:** Caltrans would establish and implement tribal monitoring areas on the Project. Caltrans would work with the tribes to develop and implement a construction training monitoring and discovery plan for potential tribal cultural resources in the Project construction area. Also, a tribal representative would monitor job site activities within the tribal monitoring areas to reduce the Project's impacts to the resources within the Project limits. No work would be conducted within the tribal monitoring areas unless the tribal monitor is present or otherwise given explicit authorization from Caltrans' Office of Cultural Resource Studies.

## 3.15 Utilities and Service Systems

### 3.15.1 Summary of Prior Analysis

The 2023 EIR/EA identified that impacts would be less than significant related to relocation of utilities, including as a result of relocation of some PG&E overhead electrical distribution lines. There would be no impact related to insufficient water supplies, impacts to wastewater flows or wastewater treatment, or solid waste.

### 3.15.2 Tolay Creek Bridge Replacement Project Impact Analysis

Similar to the original project, final verification of utilities would be performed during the project's detailed design phase, and any needed relocations would be coordinated with the affected utility owner to minimize potential interruptions of service, resulting in a less than significant impact. The TCBR would require the relocation of utility poles near the bridge that serve Pacific Gas & Electric Company (PG&E) and AT&T. These utility lines are overhead, on wood poles, and would be relocated in coordination with the utility service providers to allow for construction of the TCBR. These utility poles and lines are within the study and impact area evaluated for the project and TCBR and are covered by the evaluations performed for this project.

The TCBR would not include new development or uses that would require water supplies, generate new wastewater flows or affect public utilities for wastewater treatment, or generate solid waste, other than during construction. During construction, the project would not generate or require solid waste disposal that exceeds local standards or exceeds the capacity of local infrastructure. Construction waste that could not be recycled would be disposed of at a certified facility based on the waste type and is not anticipated to affect landfill capacity. The project would also comply with all federal, state, and local statutes and regulations related to solid waste. As a result, there would be no impact. The TCBR Project would not result in any new utilities and service systems impact beyond those identified in the 2023 EIR/EA, or result in a substantial increase in the severity of any previously identified impact.



## **3.16 Wildfire**

### **3.16.1 Summary of Prior Analysis**

The 2023 EIR/EA documented that the project would not impair implementation of an emergency response or emergency evacuation plan, such as during a wildfire, as no potential evacuation routes would be impeded or disrupted during project construction and operation. A TMP would be implemented to maintain access on SR 37. Highway traffic could also be redirected to alternative routes in the event of a major north Bay wildfire affecting SR 37. The project would not change fire risk conditions and it would not change the overall alignment of SR 37. Project features for minimizing fire risks would be incorporated, such as clearing vegetation from the work area; prohibiting the use of highly flammable chemicals; following locally changing meteorological conditions; and maintaining awareness of the possibility of increased fire danger during the time work is in progress, as documented in Table 4-4 in the 2023 EIR/EA. Further, all project construction would follow state and federal fire regulations during relocation of some PG&E overhead electrical distribution lines. These measures are incorporated into the project design as a matter of Caltrans practice and are not mitigation. The 2023 EIR/EA concluded that the project would not exacerbate wildfire risks and there would be no impact.

### **3.16.2 Tolay Creek Bridge Replacement Project Impact Analysis**

As with the original project, the TCBR would not change the alignment of SR 37 or require closing of traffic lanes that would impair or interfere with emergency response and evacuation plans. All standard Caltrans practices and project features for minimizing fire risk would continue to be implemented. Thus, no new significant impact would result from implementation of the TCBR.

## **3.17 Cumulative Impacts**

The 2023 EIR/EA concluded that the proposed project would have a potentially significant impact on the quality of the environment, however it would not substantially reduce habitat or wildlife at an overall population level. Moreover, the majority of potential adverse impacts would be limited to the temporary duration of construction activities. The 2023 EIR/EA concluded that with implementation AMMs and Mitigation Measures applicable to the anticipated effects on air quality, biological resources, cultural resources, hydrology and water quality, GHG's, noise, transportation (VMT) and tribal cultural resources, the resulting impact would be less than significant. The proposed project with the TCBR would have similar impacts as what was analyzed in the 2023 EIR/EA. As with the 2023 project, the TCBR would implement the same AMMs and Mitigation Measures, which would maintain any potentially significant impacts to a less than significant level. The TCBR is expected to have beneficial impacts related to tidal flow upstream and downstream of the bridge, which would support future watershed restoration efforts related to other projects (potential watershed improvement projects upstream of SR 37). Therefore, it was identified that the projects contribution to cumulative projects would be less than cumulatively significant in the 2023 EIR/EA, and the changes associated with the TCBR do not change that determination.

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## 4. References

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# Appendix A Environmental Commitments Record

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This appendix contains the Environmental Commitments Record from the 2023 EIR/EA.

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# Appendix B USFWS and NMFS Species Lists

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This appendix contains the updated US Fish and Wildlife and National Marine Fisheries Service species lists.