

Public comments on SEPA Checklist and DNS for PLN2024-0020 (lower Perrinville Creek)

The SEPA Checklist for this activity is deficient and responses are misleading thus negating a Determination of Non-Significance. This activity has had and will have significant adverse impacts that are not addressed in the responses in the SEPA Checklist.

The Checklist responses need to be corrected on the 'known' effects of the maintenance work and diversion structures on salmon and salmon spawning habitat. The DNS should be retracted until complete and accurate information is provided in the SEPA Checklist so that a 'proper' SEPA determination can be made.

Specifically, the following items in the Checklist need revision:

A.7 says "No" when it should say "Yes" and describe the future plans to restore lower Perrinville Creek including eliminating the diversion structure and necessary maintenance of it. Further, the description should include that this maintenance work in past resulted in an illegal blockage of adult salmon passage as well as the adverse impacts to salmon of diverting "attraction" water (via this proposed maintenance) into a 'dead end' concrete structure that will harm migrating salmon.

A.8 says "None" when it should describe the environmental information (and numerous internal and contractor reports) on how this maintenance work in past was not able to keep-up with sediment/gravel/cobble deposition resulting in residential flooding and the past use of the maintenance material to illegally block adult salmon access to the creek.

A.9 says "No" when it should describe applications and planned restoration approach to again allow fish passage (illegally blocked by the City of Edmonds) and avoid residential flooding.

B.3.a.1 – does not mention Puget Sound as a water body affected by the maintenance removal of sediment that otherwise contributes to the natural processes along the beach.

B.3.a.4 – should clarify that the purpose of the maintenance is to ensure diversion of ALL of the creek flow into an impassable structure for salmon.

B.3.a.5 – need to confirm the validity of this response.

B.3.c.1 – the 'excess' stormwater source is Lynnwood and Seaview and that should be mentioned along with what is being done (or not done) to actually reduce that flow that is causing significant erosion and collapse of streambanks.

B.3.c.3 – says "No" when in fact the maintenance does/will affect drainage patterns by putting all flow into concrete diversion structures that adversely impact salmon

B.3.c.4 – the City needs to explain here why it is doing nothing (inadequate rain gardens included) to control or plan to control the excessive stormwater flows in Perrinville Creek and that the maintenance work would NOT BE NECESSARY if actual flow controls were applied in the upper watershed (i.e., at the Perrinville Post Office outlet into the creek).

B.4.e – this is what I call a “lazy” answer – all it takes is to look at the site to answer this question. This “attitude” is prevalent throughout the checklist responses.

B.5.a – has NO RESPONSE - this is unacceptable as it diminishes the impacts of this proposal. There is data documenting the presence of SALMON, cutthroat trout, sculpins, great blue herons, mallards, river otters and racoons. In spite of the adult salmon blockage, there are juvenile salmon migrating out of the watershed every year and the effects of this project on them must be addressed and mitigated!

B.5.d – the City must respond to what the City intends to do – the City’s PLAN should include what they might be required to do by WDFW. If the City doesn’t know, they should find out and describe it in this Checklist so that the compensatory mitigation of the adverse effects of this proposed work can be assessed in order for City to make a “significance” determination.

B.7.a – had NO response and must be completed.

B.7.1 – must include the fact that carcinogenic PAHs and 6PPD are present at the site and describe if/how the disturbance of sediments (to which toxins attach) during the maintenance work will affect the release of the toxins into open water where they can affect wildlife.

B.8.a – the response needs to address that the PURPOSE of the maintenance is to prevent flooding effects on residences. The lack of such information in this response suggests very poor performance in actually (and factually) responding to the questions in this checklist.

B.8.g – this response is incorrect – see ECDC 24.20

B.8.h – this response should have a big YES and mention this is a Fish and Wildlife Habitat Conservation Area (and achieving critical area priorities and protections should be a priority for any instream work).

B.8.i – the City DOES HAVE a land use plan that applies to this site – the Shoreline Master Plan. The response should be changed to reflect this.

B.12.a – response needs to acknowledge recreational fishing, wildlife viewing, and other Shoreline Mgmt. Act uses.

B.12.b – response needs to acknowledge that sediment deprivation in adjacent beach area affects saltwater vegetation which affects baitfish which affects recreational fishing on species that forage on that baitfish and wildlife viewing of birds that feed on the baitfish.

C. – the statement that the “above answers are true and complete” is invalid as set forth in these comments.