

Summary of the Perrinville Creek Blockage and Salmon Passage Issue

Background and Current Situation

Perrinville Creek, historically a natural salmon-bearing stream flowing to Puget Sound, has been heavily modified over the past 40 years by both private property owners and the City of Edmonds. These modifications culminated in 2021 when the City, without the required state permits or environmental review, installed a complete flow diversion structure. This structure rerouted the last several hundred feet of the creek through a pipe, rendering it impassable to salmon and cutting off access to critical spawning and rearing habitat^{[1][2]}.

Since then, the City has maintained this diversion, citing flood control for adjacent properties as the primary reason. The City's actions have led to the effective eradication of salmon passage and contributed to the loss of a nearshore estuary vital for salmon recovery^{[1][2]}.

Legal and Regulatory Context

- **State Law (RCW 77.15.320):** Washington law requires that fish passage be maintained in state waters, making it unlawful to block fish passage without approval from the Washington Department of Fish and Wildlife (WDFW)^[3].
- **City of Edmonds Critical Areas Code:** The City code prohibits any net loss of function and value in critical areas, including streams that provide salmon habitat^[4].

City Actions and Environmental Concerns

- The City has acknowledged that the current condition is not "fish friendly," admitting in legal filings that the diversion structure blocks salmon passage^[1].
- Despite commitments made to WDFW and the Tulalip Tribe in 2021 to reopen the stream channel, and even issuing a contract in 2022 for restoration, no corrective work was performed in either 2022 or 2023 when conditions were optimal^[1].
- In 2024, the City sought a new Hydraulic Project Approval (HPA) permit from WDFW to maintain the diversion structure for another three years, arguing that continued maintenance does not constitute a new adverse impact since it maintains the "baseline condition"^[1].
- Environmental advocates, including the Edmonds Environmental Council (EEC) and Edmonds Stream Team, have filed complaints and appeals, asserting that the City is violating both state law

and local code by failing to restore fish passage and by allowing further degradation of critical habitat^[1].

Impact on Salmon Restoration Efforts

- Community and WDFW-led salmon restoration projects have released juvenile coho salmon into upper Perrinville Creek in recent years, with the expectation that adults would return to spawn. However, the existing barrier prevents these fish from completing their life cycle, undermining restoration investments and efforts^{[5][1]}.
- The City’s continued delay is preventing the return migration of adult salmon, as required by law, and is jeopardizing the long-term viability of salmon in the watershed^{[5][1]}.

Key Points of Contention

Issue	City of Edmonds Position	Environmental Advocates’ Position
Flood Control vs. Fish Passage	Flooding risk justifies diversion	Restoration and removal of barriers is essential
Legal Compliance	Maintenance is not a new impact	Structure was installed without permits; violates RCW 77.15.320 and City Code
Environmental Review (SEPA)	Determination of Non-Significance issued	Review was inadequate; adverse impacts ignored
Restoration Commitments	Working with stakeholders, but delayed	City has stalled, missed optimal restoration windows, and failed to act on commitments

Current Status and Next Steps

- A legal appeal regarding the City’s SEPA review and its application for a new HPA permit is pending, with environmental groups prepared to further challenge any permit that allows continued blockage^[1].
- The EEC is seeking immediate enforcement action to require the City (and potentially private property owners) to restore fish passage before the fall 2025 salmon migration, arguing that this is the only way to comply with state law and support ongoing salmon recovery efforts^{[5][1]}.

Conclusion

The City of Edmonds’ diversion of Perrinville Creek has created an impassable barrier for salmon, in violation of both state and local regulations. Despite acknowledgment of the problem and prior

commitments to restoration, the City has not taken corrective action, leading to legal challenges and urgent calls from environmental advocates for enforcement and immediate restoration of the creek's natural fishway^{[5][1][2]}. The outcome of the current legal proceedings and regulatory reviews will determine whether the City is compelled to act in time for the 2025 salmon return.

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1. <https://www.heraldnet.com/news/examiner-to-decide-route-of-perrinville-creek/>
2. <https://myedmondsnews.com/2025/02/the-state-of-edmonds-waters-part-2-edmonds-streams/>
3. <https://app.leg.wa.gov/rcw/default.aspx?cite=77.15&full=true>
4. <https://www.cityofvancouver.us/wp-content/uploads/2024/06/Attachment-D-Clean-20.740.pdf>
5. <https://myedmondsnews.com/2024/04/salmon-fry-released-into-upper-perrinville-creek/>