



Washington Department of
FISH & WILDLIFE

HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish and Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issue Date: 11/14/2025
Project End Date: 01/13/2026

Permit Type: HPA - Expedited
Permit Number: 2025-4-654+01
Application ID: 0045828

PERMITTEE	AUTHORIZED AGENT
ATTENTION City of Edmonds Patrick Johnson 121 5th Ave N Edmonds, Washington 98020-3145	

Project Name: Expedited HPA for Perrinville Diversion Structure Sediment Removal (2)

Project Description: This expedited HPA application project will encompass the imminent danger of flooding of the Perrinville Diversion Structure within the City of Edmonds by the Street/Stormwater Maintenance Departments. This work conducted will allow greater Perrinville Creek flows into the structure and prevent flooding due to the upcoming winter by allowing crews to use hand tools to clear organic debris, silt and rock from the diversion structures. This watercourse has recently threatened the neighboring properties of 8229 and 8235 during the last week in October, and will again if left unattended.

PROVISIONS

PROJECT APPROVALS



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1. This 60-day Expedited Hydraulic Project Approval (HPA) is issued for: The clearing of sediment, debris (small branches, leaves, etc.), and garbage from on or within the Sediment Trap/Overflow Structure (WDFW site ID: 605443) and upstream within the City's right of way with the use of hand-held tools within Perrinville Creek, a regulated watercourse within the City of Edmonds. No maintenance of the existing Sediment Trap/Overflow Structure, bypass pipe, and stream banks is authorized.
 - A. Approved activities include:
 - i) The clearing of sediment, debris (small branches, leaves, etc.), and garbage from on or within the Sediment Trap/Overflow Structure (WDFW site ID: 605443) and upstream within the City's right of way with the use of hand-held tools (i.e. shovels and rakes). The cleared debris is not approved for removal and must be flushed downstream into the bay.
 - ii) The relocation of large wooden material is approved and must be saved (wholly) for future placement at a WDFW-approved location (e.g. Brackett's Landing).
 - B. Mitigation requirements and timelines to be confirmed:
 - i) Mitigation will be confirmed in the 60-day and 90-day meeting requirements.
 - ii) Placement of all LWM removed at the approved location: Brackets Landing North - Sunset Beach
 - iii) An additional standard HPA will be required to fulfill mitigation requirements.
 - C. This HPA does NOT authorize any maintenance, alteration, structural repair, or replacement of the structure, modification or repair of the bypass, or any bank work.

NOTE: This project occurs on Perrinville Creek, which is known to support Coho, Steelhead, SR Cutthroat, and Resident Trout.

NOTE: This permit is being issued as an expedited HPA due to imminent danger (defined as a threat by weather, water flow, or other natural conditions that are likely to occur within sixty days of a request for permit application). Imminent danger, in this case, is the high likelihood of flooding that will negatively affect the surrounding infrastructure.

Expedited rationale: The structure is obstructed by debris from recent rain events, restricting flow and preventing the creek from draining into the diversion structure as intended. These recurring blockages create an imminent flood risk to nearby properties at **8229, 8235, and 8307 Talbot Road** during heavy rainfall if not promptly cleared by Public Works crews.
2. Work must be accomplished per the plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, entitled "[Project Site Markup](#)", dated November 4, 2025 and "[4 \(11.3.25\) \(markup\)](#)", uploaded November 4, 2025, and "emails.pdf", uploaded November 14, 2025, except as modified by this Hydraulic Project Approval. You must have a copy of these plans available on site during all phases of the project construction.

EXPEDITED

3. Expedited work is authorized to begin immediately and must be completed by January 13, 2026
4. This permit authorizes only the work necessary to address the expedited condition, which includes: The clearing of sediment, debris (small branches, leaves, etc.), and garbage from on or within the Sediment Trap/Overflow Structure (WDFW site ID: 605443) and upstream within the City's right of way with the use of hand-held tools (i.e. shovels and rakes). The cleared debris is not approved to be removed or placed on the sediment plug but must be flushed downstream into the bay. The city is not authorized to remove or haul any material from the creek or its banks; the intent is to allow the creek's natural flow to mobilize the sediment and push it out into the bay.
5. Within 60 days, the applicant must arrange an onsite meeting with the WDFW Habitat Biologist to determine if mitigative actions are needed including but not limited to the removal of expedited response measures.
6. In compliance with WAC 220-660-050(7)(d), within 90 days of completion of work, all remaining impacts must be mitigated or a mitigation plan must be submitted to the Department for approval.
7. Expedited response measures installed that do not meet current WAC standards must be removed and the site restored within 90 days unless an alternative mitigation plan is approved by the Department. Note: Removal and restoration must be done in compliance with WAC and a separate HPA for work must be obtained.
8. The local WDFW Habitat Biologist and HPAapplications@dfw.wa.gov must be notified when work authorized under this permit has been completed.

INVASIVE SPECIES CONTROL



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9. Follow Method 1 for low-risk locations (i.e., clean/drain/rinse/dry). Thoroughly remove visible dirt and debris from all equipment and gear—including vessels, boots, waders, drive mechanisms, wheels, tires, tracks, buckets, and undercarriage—before arriving at and leaving the job site to prevent the transport and introduction of aquatic invasive species. For contaminated or high-risk sites, refer to the Method 2 Decontamination protocol. Clean, rinse, and dry all decontamination equipment used and properly dispose of any water and chemicals used for cleaning. For additional decontamination details, including specific protocols for freshwater, marine, and estuarine environments, refer to the Washington Department of Fish and Wildlife Invasive Species Management Protocols, available online at <https://wdfw.wa.gov/species-habitats/invasive/prevention/clean-drain-dry#decontamination>

NOTIFICATION REQUIREMENTS

10. FISH KILL/WATER QUALITY PROBLEM NOTIFICATION: If a fish kill occurs or fish are observed in distress at the job site, immediately stop all activities causing harm. Immediately notify the Washington Department of Fish and Wildlife of the problem. If the likely cause of the fish kill or fish distress is related to water quality, also notify the Washington Military Department Emergency Management Division at 1-800-258-5990. Activities related to the fish kill or fish distress must not resume until the Washington Department of Fish and Wildlife gives approval. The Washington Department of Fish and Wildlife may require additional measures to mitigate impacts.

REPORTING REQUIREMENTS

11. Pre and Post-construction, you, your agent, or your contractor must contact the Washington Department of Fish and Wildlife by e-mail at HPAapplications@dfw.wa.gov; mail to Post Office Box 43234, Olympia, Washington 98504-3234; or fax to (360) 902-2946 before starting work, and again within seven days after completing the work. The notification must include the permittee's
12. PHOTOGRAPHS: You, your agent, or contractor must take photographs of the job site before the work begins and after the work is completed. You must upload the photographs to the post-permit requirement page in the Aquatic Protection Permitting System (APPS) or mail them to Washington Department of Fish and Wildlife at Post Office Box 43234, Olympia, Washington 98504-3234 within 30-days after the work is completed. Photos should include before and after images of the project area, as well as a before and after overview photo of the bypass pipe outlet into Browns Bay.
13. Post-construction report must be uploaded as a post-permit requirement in the Aquatic Protection Permitting System (APPS) in unlocked Microsoft Excel (*.xlsx) format by the 90-day meeting requirement. The report must be provided in an Excel file and must include:
1. General Information: Include the HPA permit number, permittee name, contact person, address, telephone number, date of report, and the reporting time period.
 2. Describe each event where work was performed under this HPA, date(s) of work, duration, a summary of activities completed, and an estimate of the amount of CY of material sent down bypass.
 3. Problems Encountered: Document any issues that occurred, including the specific permit provision(s) affected, notifications made, corrective actions taken, and any observed impacts to fish life or water quality.
 4. Photographs - Before and after photos of the work location and the outlet of the bypass pipe.
 5. Recommendations: If applicable, provide recommendations for improving Best Management Practices (BMPs) based on observations during the work period.

STAGING, JOB SITE ACCESS, AND EQUIPMENT

14. Use of hand tools only is allowed for this work. Keep the operation of this equipment within the wetted perimeter of the stream when in use.
15. Clearly mark boundaries to establish the limit of work associated with site access and construction.
16. Confine work to specific access and work corridor shown in the approved plans.
17. Use existing roadways or travel paths.
18. Heavy equipment is not approved under this HPA
19. Limit the use of equipment waterward of the ordinary high water line to hand tools only.



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20. Establish staging areas (used for equipment storage, vehicle storage, fueling, servicing, and hazardous material storage) in a location and manner that will prevent contaminants such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.

SEDIMENT, EROSION, AND POLLUTION CONTAINMENT

- 21. Protect all disturbed areas from erosion. Maintain erosion and sediment control until all work and cleanup of the job site is complete.
- 22. Straw used for erosion and sediment control, must be certified free of noxious weeds and their seeds.
- 23. No work shall be conducted on, nor shall any sediment be placed upon, the existing sediment plug and no work on the sediment plug or streambanks is authorized.
- 24. Place the spoils generated from the work back into the structure, allowing them to be naturally transported downstream into Puget Sound (Browns Bay).
- 25. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.

CONSTRUCTION MATERIALS

26. When repositioning or removing large woody material is approved, fill and smooth over any depressions created in the bed with material that has the same composition as native material.

PROJECT IMPLEMENTATION

- 27. LWM is approved to be removed and placed at the designated mitigation location within 3 years.
- 28. If logs or other large woody material block water flow into the structure, relocate them within the ordinary high water line or at a designated approved location.
- 29. When repositioning or removing large woody material, minimize releasing bedload, logs, or debris downstream.

DEMOBILIZATION AND CLEANUP

30. Prior to high water, backfill all trenches, depressions, or holes created during construction waterward of the ordinary high water line.

PROJECT LOCATION(S)

Location		
Perrinville Creek Diversion Structure (605443)		
Latitude	Longitude	County
47.842140000000000	-122.345320000000000	Snohomish
WRIA	Waterbody	Tributary to
WRIA	Other	Other

APPLIES TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval (HPA) pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW. Additional authorization from other public agencies may be necessary for



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this project. The person(s) to whom this HPA is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state, and/or federal) that may be necessary for this project.

This Hydraulic Project Approval (HPA) shall be available on the job site at all times and all its provisions followed by the person(s) to whom this HPA is issued and operator(s) performing the work.

This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval (HPA) is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this HPA.

Failure to comply with the provisions of this Hydraulic Project Approval could result in a civil action against you, including, but not limited to, a stop work order or notice to comply, and/or a gross misdemeanor criminal charge, possibly punishable by a fine and/or imprisonment.

All Hydraulic Project Approvals (HPA) issued under RCW 77.55.021 are subject to additional restrictions, conditions, or revocation if the Washington Department of Fish and Wildlife determines that changed conditions require such action. The person(s) to whom this HPA is issued has the right to appeal those decisions. Procedures for filing appeals are listed below.

MINOR MODIFICATIONS TO THIS HYDRAULIC PROJECT APPROVAL (HPA): You may request approval of minor modifications to the required work timing or the plans and specifications approved in this HPA unless this is a General HPA. If this is a General HPA you must use the Major Modification process described below. Any approved minor modification will require the issuance of a letter documenting the approval. A minor modification to the required work timing means any change to the work start or end dates of the current work season to enable project or work phase completion. Minor modifications will be approved only if spawning or incubating fish are not present within the vicinity of the project. You may request subsequent minor modifications to the required work timing. A minor modification of the plans and specifications means any changes in the materials, characteristics, or construction of your project that do not alter the project's impact to fish life or habitat and do not require a change in the provisions of the HPA to mitigate the impacts of the modification. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a minor modification through APPS. A link to APPS is at <https://hpa.wdfw.wa.gov/s>. If you did not use APPS you must submit a written request for a minor modification to an existing HPA. Written requests must include the name of the permittee, the name of the authorized agent if applicable, the APP ID or HPA number, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send your written request by email to HPAapplications@dfw.wa.gov, or by mail to Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You should allow up to 45 days for the Department to process your request.

MAJOR MODIFICATIONS TO THIS HYDRUALIC PROJECT APPROVAL (HPA): You may request approval of major modifications to any aspect of your HPA. Any approved change other than a minor modification to your HPA will require the issuance of a new HPA. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a major modification through APPS. A link to APPS is at <https://hpa.wdfw.wa.gov/s>. If you did not use APPS you must submit a written request for a major modification to an existing HPA. Written requests must include the name of the permittee, the name of the authorized agent if applicable, the APP ID or HPA number, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send your written request by email to HPAapplications@dfw.wa.gov or by mail to Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You should allow up to 45 days for the Department to process your request.



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APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), the Washington Department of Fish and Wildlife (WDFW) recommends that you first contact the WDFW employee who issued, denied, or conditioned the HPA to discuss your concerns. Such a discussion may resolve your concerns without the need for further appeal action. If you proceed with an appeal, you may request an informal or formal appeal. WDFW encourages you to take advantage of the informal appeal process before initiating a formal appeal. The informal appeal process includes a review by WDFW management of the HPA or denial and often resolves issues faster and with less legal complexity than the formal appeal process. If the informal appeal process does not resolve your concerns, you may advance your appeal to the formal process.

- A. **INFORMAL APPEALS:** WAC 220-660-460 is the rule describing how to request an informal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule:

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the WDFW Habitat Program, Natural Resources Building, 1111 Washington St SE, Olympia, Washington 98501. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee may conduct an informal hearing or review and recommend a decision to the Habitat Program Director or designee. If you are not satisfied with the results of the informal appeal, you may file a request for a formal appeal.

- B. **FORMAL APPEALS:** WAC 220-660-470 is the rule describing how to request a formal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete formal appeal procedures. The following information summarizes that rule:

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request a formal appeal of that action. You must send your request for a formal appeal to the clerk of the Pollution Control Hearings Boards and serve a copy on WDFW within 30 days from the date you receive notice of the decision. You may serve WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Habitat Program, Natural Resources Building, 1111 Washington St SE, Olympia, Washington 98501. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Habitat Program Director's or designee's written decision in response to the informal appeal.

- C. **FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS:** If there is no timely request for an appeal, the WDFW action shall be final and unappealable.



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Jesse Dykstra
Regional Habitat Biologist
(564) 200-3689
jesse.dykstra@dfw.wa.gov

A handwritten signature in black ink that reads "Jesse Dykstra".

For Director
DFW