



MUCKLESHOOT INDIAN TRIBE
Fisheries Division

39015 - 172nd Avenue SE • Auburn, Washington 98092-9763
Phone: (253) 939-3311 • Fax: (253) 931-0752



March 27, 2017

Andy Williamson, SEPA Responsible Official
City of Black Diamond SEPA Official
24301 Roberts Drive, Black
Diamond WA, 98010



RE: SEPA Mitigated Determination of Non-Significance (MDNS) for Roberts Drive Reconstruction, PLN17-0012

Dear Mr. Williamson:

The Habitat Program staff of the Muckleshoot Indian Tribe Fisheries Division has reviewed the available materials for the above referenced project. The City of Black Diamond Public Works proposes to reconstruct Roberts Drive from the Rock Creek Bridge to the Black Diamond City Hall, covering approximately 1,800 linear feet. The work includes bridge modifications and utility relocations over Rock Creek, which produces salmon for the Tribe's treaty protected fishery in the Green River watershed.

On October 11, 2016, the Muckleshoot Tribe Fisheries Division submitted comments on this project while under file PLN16-0040 (see attached). A primary concern in these comments is that the existing bridge is likely an impediment to juvenile salmon passage. As we recommended, this bridge should be replaced with a bridge that provides full fish passage for salmon. To date, all of our concerns remain outstanding as the City has not modified the project in a manner that will resolve the adverse impacts this project will impose upon the Tribe's treaty-protected fisheries resources. As such, the City needs to address our previous comments fully with a revised project before finalizing the environmental review for this project and the initiation of project permitting to avoid project delays.

We appreciate the opportunity to review this proposal and look forward to the City's written responses to these concerns. If you have any questions or would like to meet to discuss these concerns further, please call me at 253-876-3121.

Sincerely,

Martin Fox, Ph.D.
Fisheries Biologist

Cc: Larry Fisher, WDFW, Region 4
Kaitlyn White, U.S. Army Corps of Engineers, Seattle District
