

Updates on Current ISGP Litigation

Washington Public Ports Association
2026 Spring Meeting - Legal Committee

Sara B. Frase

May 19, 2026

The 2025 ISGP

- Issued on December 2, 2024
- Key Changes



Appeals of the Permit

- Six separate appeals filed
 - *Puget Soundkeeper Alliance, et al. v. State of Washington, Department of Ecology* (PCHB No. 24-088c)
- Issues on Appeal
 - Fifty-Eight Combined Preliminary Issues

PCHB

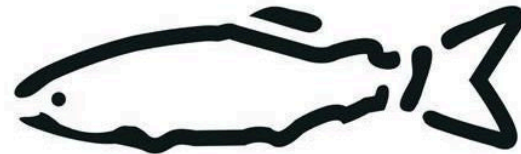
- Hearing concluded in February.
- No ruling yet.

1 **POLLUTION CONTROL HEARINGS BOARD**
2 **STATE OF WASHINGTON**
3 PUGET SOUNDKEEPER ALLIANCE et.
4 al., Appellants, PCHB No. 24-088c
5 v. PREHEARING ORDER
6 STATE OF WASHINGTON,
7 DEPARTMENT OF ECOLOGY,
8 Respondent.

Partial Settlements

- Two Agreements between Ecology and the Permittee-Appellants.
- Ecology taking steps towards reissuance
 - Draft in February 2028
 - Final in August 2028

NO DUMPING



DRAINS TO WATERWAY

More Appeals

- Challenging the Partial Stay of the ISGP by Ecology.
- Hearing is scheduled to begin on July 15, 2026.

1	POLLUTION CONTROL HEARINGS BOARD	
2	STATE OF WASHINGTON	
3	PUGET SOUNDKEEPER ALLIANCE and SPOKANE RIVERKEEPER,	
4	Appellants,	PCHB No. 26-010
5	v.	FIRST AMENDED PREHEARING ORDER
6	STATE OF WASHINGTON,	
7	DEPARTMENT OF ECOLOGY,	
8	Respondent,	
9	NORTHWEST SEAPORT ALLIANCE; PORT OF SEATTLE; PORT OF TACOMA; 10 BNSF RAILWAY COMPANY; SSA 11 TERMINALS, LLC; and WASHINGTON TRUCKING ASSOCIATION,	
12	Respondent-Intervenors.	
13		

CSD | ATTORNEYS
AT LAW