

# Marine Stormwater Utility FAQ

These frequently asked questions (FAQs) help explain the Port of Seattle's (Port's) Marine Stormwater Utility (Utility) services and drainage fees. For more information, you can access the Utility charter and resolution from the Port Commission's website:

[https://meetings.portseattle.org/portmeetings/attachments/2014/2014\\_11\\_25\\_RM\\_6d\\_at\\_tach.pdf](https://meetings.portseattle.org/portmeetings/attachments/2014/2014_11_25_RM_6d_at_tach.pdf)

[https://meetings.portseattle.org/portmeetings/attachments/2014/2014\\_11\\_25\\_RM\\_6d\\_re\\_so.pdf](https://meetings.portseattle.org/portmeetings/attachments/2014/2014_11_25_RM_6d_re_so.pdf)

## The What, When & How of the Stormwater Utility

### 1. What is the Port Marine Stormwater Utility and what are the benefits?

The Utility was formed in November 2014 to "...provide stormwater services to facilities, systems, and programs, including pollution prevention, control and treatment of stormwater discharges." The Utility is responsible for collecting and administering drainage fees related to the stormwater system on Port Maritime properties, including those managed by The Northwest Seaport Alliance (NWSA). The revenue collected from Port and NWSA managed properties, and from tenants, is utilized to fund the assessing, cleaning, repairing, and upgrading the Port's aging stormwater infrastructure, which includes stormwater pipes, treatment systems, catch-basins, manholes, and other structures that convey stormwater from Port properties into receiving waters such as Salmon and Elliott Bays, the Duwamish Waterway, and Puget Sound.

With the formation of the Port's Utility, we are able to increase investments to maintain and manage stormwater infrastructure on Port properties. This in turn will help the Port achieve its environmental goals and support property managers and tenants in compliance with stormwater permit conditions, including the Phase I Permit, Industrial Stormwater General Permit (ISGP), Boatyard Permit, and other federal, state, and local stormwater regulations.

### 2. What properties does the Utility affect?

All Maritime Port properties (there are 40) totaling nearly 1,000 acres of drainage. This includes all Port properties managed by the NWSA. An additional 500 acres of submerged lands are owned by the Port but not assessed stormwater fees.

### 3. When did the Port start collecting Utility drainage fees?

Drainage fees were collected by the Port starting in 2015. For prior years, fees were paid to the City of Seattle (City), which maintained and managed stormwater programs throughout the City but not specific

to Port properties. Under an agreement with the City, 2015 fees were paid to them. Fees collected in 2016 and thereafter are directly used by the Port towards the Utility program.

## Understanding Utility Drainage Billing

### 4. What are the rate categories and how are they determined?

The drainage fee rate was determined by analyzing aerial photography and identifying the applicable stormwater rate category for each property. Most Port properties are categorized as “very heavy” (86-100% impervious coverage), such as container terminals, with fewer properties in the “undeveloped” (0-15% impervious coverage), such as parks.

### 5. How are drainage fees determined?

In the 2014 Utility Charter, the Port Commission approved rates for 2015-2017. The Utility adopted these rates and applies them to all Maritime properties. Fees are paid by tenants, NWSA and Port business units based on type of impervious surface within the leased area. Rate changes since 2017 have been subject to Port Commission approval on an annual basis. In November 2023, the Port Commission approved a rate increase of 8.0%, effective January 1, 2024. Future rates beyond 2024 have not yet been determined and will be subject to approval by the Port Commission. Rate updates are posted on the Port’s website, here: <https://www.portseattle.org/page/marine-stormwater-utility>

The current fee structure is shown in Table 1, including approved rates for 2024.

**Table 1 - Stormwater Drainage Rates**

| Stormwater Rate Category                   | 2023     | 2024     |
|--|----------|----------|
| Undeveloped (0 – 15% Impervious Coverage)  |          |          |
| Regular                                    | \$43.13  | \$46.58  |
| Low Impact                                 | \$25.25  | \$27.27  |
| Light (16 - 35% Impervious Coverage)       |          |          |
| Regular                                    | \$66.69  | \$72.03  |
| Low Impact                                 | \$52.46  | \$56.65  |
| Medium (36 – 65% Impervious Coverage)      |          |          |
| Regular                                    | \$96.87  | \$104.61 |
| Low Impact                                 | \$77.92  | \$84.15  |
| Heavy (66 – 85% Impervious Coverage)       | \$129.97 | \$140.37 |
| Very Heavy (86 – 100% Impervious Coverage) | \$153.73 | \$166.03 |

Note: Annual rates charged per 1,000 square feet of billable area

### 6. Where can I find my drainage bill?

The drainage bill is invoiced to the same contact who receives the leasing invoice.

### 7. Who pays drainage fees?

All Port properties pay drainage fees to the Utility since all properties contribute to runoff and benefit from flood control and water quality improvements provided by the Utility. Leased property fees are paid by the tenant, and non-leased property fees are paid by the Port or NWSA.

## 8. Are there exemptions?

Submerged land is exempt from payment of drainage fees.

## 9. Are there credits available?

A credit of up to 10% may be received by using a rainwater harvesting system that meets specific criteria. See the Utility Charter (linked above) section 5.1.6 for details and email [maritime-stormwater@portseattle.org](mailto:maritime-stormwater@portseattle.org) if interested in pursuing this credit.

## 10. Is there an adjustment process if I disagree with my bill?

To be considered for an adjustment, one or more of the following criteria must be met:

- The parcel or premise does not fall within the Utility's service area.
- The parcel or premise qualifies as an exempt property.
- The chargeable area of the parcel or premise is incorrect.
- The actual percent of impervious surface places the parcel or premise in a different rate category than that assigned by the Utility.
- The Utility has miscalculated or misapplied a reduction or offset allowable under the applicable rate category.

## 11. How can I request an adjustment?

An adjustment can be requested by providing the name and address of the customer, a copy of the bill in question, and explanation of the dispute and any other supporting material to the Utility within 60 days of the challenged billing. A response shall be made within 60 days by the Utility.

## Regulatory Requirements

### 12. How does stormwater impact water quality?

Stormwater that runs across roads and other impervious surfaces can carry contaminants, such as debris, petroleum, and tire dust into streams, rivers, bays, and Puget Sound. These contaminants may harm aquatic life including salmon and Orca and have wide reaching detrimental impacts to regional ecology.

### 13. Who regulates the Port's stormwater compliance?

The Port maritime properties are covered by a Phase I municipal stormwater permit, and some portions of Port properties are also covered by stormwater permits such as industrial or boatyard. These permits are issued by Washington Department of Ecology under state regulations, and regulatory obligations include the federal Clean Water Act, and King County and City of Seattle stormwater codes and manuals. Port properties managed by the Port, tenants, or the NWSA are subject to regulatory inspections by Ecology and City of Seattle inspectors.

### 14. Why do stormwater permits matter to the Port (and the Puget Sound region)?

In addition to being a responsible steward of our maritime properties, the Port has the goal of being the greenest Port in North America, and we strive to meet or exceed stormwater regulations. To ensure we reach beyond regulatory compliance, the Port participates in Green Marine, Salmon-Safe, and Clean Marina programs that support sustainable environmental goals.

### 15. What can I do to help?

There are best management practices, or BMPs, for a wide variety of Port and tenant operations and activities, and these BMPs are included in Stormwater Pollution Prevention Plans (SWPPPs) developed to comply with stormwater permits. BMPs and good housekeeping practices help prevent pollution at the source to reduce contamination in stormwater that leaves Port properties. Spill prevention, such as storing liquids in secondary containment and ensuring spill kits are easily accessible, is an example of BMPs. Port stormwater staff are available to provide detailed information on appropriate BMPs for operations on Port properties – we can help you learn!

In addition to relevant BMPs for your operations, SWPPPs include schedules of implementation and inspection requirements. Depending on your operations, you may need a separate SWPPP or can be included in Phase 1 municipal stormwater permit that the Utility manages. The Utility has SWPPP templates to help tenants develop plans. Utility staff can help advise on the SWPPP and BMPs, and direct tenants to other resources that can help improve stormwater quality from Port properties.

If at any time you have questions about stormwater or the Utility, please reach out to us at [maritime-stormwater@portseattle.org](mailto:maritime-stormwater@portseattle.org).

## In Case You Asked

### **16. Will drainage fees be used to offset costs associated with Industrial Stormwater General Permit (ISGP) or other stormwater permits held by tenants?**

No. All tenants must pay drainage fees, including tenants covered under an ISGP or other type of stormwater permit. Tenants with an ISGP or other stormwater permits are responsible for maintaining their stormwater infrastructure according to specific permit requirements and their lease language. An improved stormwater system may help to facilitate compliance with the ISGP and other stormwater permits and reduce the burden on treatment systems installed to meet water quality requirements.

The Utility completed a full system assessment of approximately 70 miles of stormwater lines at the end of 2019 and determines priorities for infrastructure upgrades and repairs. The priorities are communicated to property managers and tenants to coordinate work and minimize interference with operations. In addition to drainage fees, tenants are responsible for stormwater infrastructure repairs caused by misuse or illicit use due to operations or practices.

### **17. What do drainage fees collected by the Utility fund?**

The Utility fees directly fund stormwater infrastructure assessments, cleaning, repair, and upgrades of including pipes, catch basins, manholes, outfalls, and other conveyance structures. Funding will also be provided to support SWPPP activities in common areas, such as sweeping and catch basin inspections, which have been conducted by the Port for years as part of municipal stormwater requirements.

There is no direct link between fees collected from an individual property and stormwater improvements on that property. Drainage fee revenue is intended to recover costs incurred by the Port on the whole stormwater system, not individual properties, and to be reinvested into the overall stormwater system as priorities and need dictate.

### **18. What is happening today and in the future?**

In 2016, we began assessing stormwater infrastructure, completing all 70+ miles of stormwater pipes at

the end of 2019. The collected data, and reassessment and tracking of assets, guides our future rehabilitation and reassessment program. Ultimately, the Utility revenue will support rehabilitation of 75% of stormwater infrastructure by 2035, fund compliance with stormwater regulations, and support the Port's goal of being the "...greenest and most energy efficient Port in North America."

The Utility completed its first Strategic Plan in 2021 covering work priorities through 2025. It focused on system upgrades and additions including green stormwater infrastructure and sustainability; habitat collaboration to provide shared spaced benefitting people and the environment; equity to address the needs of historically marginalized and underfunded communities; and system resilience for climate change adaptation to ensure our infrastructure is built to last. The full plan can be found on Port's [website](#).

**19. How do I get more information or ask a question?**

Stormwater Utility staff can be reached at: [maritime-stormwater@portseattle.org](mailto:maritime-stormwater@portseattle.org). Additional information can be accessed at our website at: [www.portseattle.org/page/maritime-stormwater-tenant-information](http://www.portseattle.org/page/maritime-stormwater-tenant-information) or <https://www.portseattle.org/page/marine-stormwater-utility>.