



SWM FEC Letter Attachment A - Memorandum

DATE: September 29, 2021

TO: Marla Miller, Shoreline School District Deputy Superintendent

FROM: John Featherstone, City of Shoreline Surface Water Utility Manager

CC: Dr. Susana Reyes, Shoreline School District Superintendent
Debbie Tarry, City of Shoreline City Manager
Randy Witt, City of Shoreline Public Works Director
Lance Newkirk, City of Shoreline Utility and Operations Manager

RE: SWM Fee Education Credit: 2021 Program Review

This memorandum documents the SWM Fee Education Credit 2021 Program Review:

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SECTION 1: EXISTING PROGRAM

1.1 HISTORY

Prior to the City of Shoreline's incorporation, the Shoreline School District participated in a SWM Fee School Discount Program offered by King County starting in 1987. From the City's incorporation in 1995 until 2011, the District continued to receive an exemption from SWM Fee billing (administered by King County as a contracted service to the City) although City code did not specifically allow for this exemption. This seemingly inadvertent billing exemption was discovered around 2012 by a State audit of the City's Surface Water Utility. Council discussions of this issue on [April 2, 2012](#), and [June 4, 2012](#), led to Council authorization of Ordinance 642 on [July 9, 2012](#), to allow a surface water fee credit to public schools:

Shoreline Municipal Code Section 3.01.040 Surface Water Management Rate Table Section B. Credits 3 is amended:

A public school district shall be eligible for a discount of up to 100% of its standard rates until July 1, 2015 based on the value of the approved curriculum which benefits surface water utility programs. The curriculum and costs shall be approved annually by the City.

This City's newly codified SWM Fee Education Credit Program was set to end ("sunset") after three years, on July 1, 2015.

The Program was based on similar programs administered by King County and the City of Bremerton: The District would provide an annual certification package to verify the approved curriculum being taught, and that the coursework value was equal to or greater than the District's SWM Fee. Any course that was offered was to be provided to all classes within a grade level. In addition to standard classroom curriculum, credit toward the fee could be awarded for water-focused field trips, hands-on surface water stewardship activities performed by students, and for charity car washes that the School District allowed on the Shorewood High School campus. The waiver could be applied to all District properties so long as the District met the criteria of the Program.

On [November 17, 2014](#), Council discussed Surface Water Utility Rate Policies and [supported](#) a staff recommendation to allow the fee credit to public schools to sunset in 2015 as authorized in Ordinance 642. However, in September 2016, after reviewing the SWM Fee Education Credit program alongside the benefits to the City from the City-District Joint Use Agreement, City staff recommended re-establishing the SWM Fee Education Credit program. On November 21, 2016, the Shoreline City Council authorized Ordinance 758:

Shoreline Municipal Code Section 3.01.400 Surface Water Management Rate Table Section B. Credits, number 3 states:

A public school district shall be eligible for a waiver of up to 100% of its standard rates based on providing curriculum which benefits surface water utility programs. The waiver shall be provided in accordance with the Surface Water Management Educational Fee Waiver procedure. The program will be reviewed by July 1, 2021.

The Program re-established under Ordinance 758 followed the same procedures established by the temporary fee waiver in 2012 under Ordinance 642. Each year, staff sent notice of credit verification requirements and reviewed information submitted by the District to ensure that credit value of the coursework hours submitted equaled or exceeded the SWM Fee amount. It should be noted that the annual process did not include reviewing and updating hard surfaces and did not include a close, critical review of coursework submitted by the District for compliance with allowable topics.

1.2 PROGRAM PURPOSE

The intent of the Program is to encourage the District to administer curriculum and activities that promote community stewardship of the City's surface water resources. District properties, like others with impervious (or hard) surfaces, contribute to surface water problems, but schools through their curriculum are uniquely positioned to help the Utility meet its citizen education goals. The Program benefits the Utility because public schools can both educate students about surface water resources and undertake some of the actual tasks involved in protecting those resources.

1.3. EXISTING SWM FEES FOR DISTRICT PROPERTIES

SWM fee rates vary by the size and type of property and the amount of hard (typically impervious) surfaces they feature. Surfacing types considered to be "hard" surfaces for the purpose of Surface Water Management include pavements of all types, rooftops, gravel, rubberized surfaces (such as playgrounds and athletic tracks), and play fields – artificial or natural – if underdrainage is present.

In 2011, the SWM Fees for District properties were initially assessed based on the current (as of 2011) SWM Billing data available from King County. King County billing data was consulted annually for calculating the District's SWM Fees from 2012 through 2017; since 2017 (through 2021), District SWM Fees have been updated by simply increasing the total fee from the previous year by the percentage of the year-to-year SWM Fee increase.

Until this Program review memorandum, hard surface area data for District properties had not been reviewed or updated since Program inception, even though a number of District properties during the decade-long span of the Program have been expanded and/or redeveloped, most notably: Shorecrest and Shorewood High Schools, Kellogg and Einstein Middle Schools, Parkwood Elementary School, and the Edwin Pratt Early Learning Center (at the Meridian Park site).

Of the twenty-seven (27) District-owned parcels within the City, District parcels assessed for SWM Fees and eligible for education-related discount, waiver, or credit have varied somewhat throughout the Program. Notably, in some earlier years, school site (instructional) properties were exempt from SWM fees, resulting in a SWM fee charge to the District for only the properties with administrative buildings (such as Shoreline Center and the Bus Barn).

Six (6) District-owned parcels are currently in use as City-administered parks (Paramount School Park, a portion of Shoreline Park including the Shoreline Pool, a portion of South Woods Park, and the three parcels comprising Sunset School Park). The City's Spartan Recreation Center and the southern portion of Shoreline Park are located on portions of a seventh District property, the 28-acre parcel encompassing the Shoreline Center. These District parcels used by the City as Parks sites and Recreation facilities have been included among the other District-owned parcels assessed for SWM Fees and eligible for education-related discount, waiver, or credit.

1.4 PROGRAM CURRICULUM

Approved curriculum for the temporary waiver and the program was originally modeled after the King County SWM Fee School Discount Program. Since 2012, the City's approved list of surface water-related topics has not changed.

The courses the District has submitted in its certification letter over the years have also remained relatively consistent. However, some of these courses differ from the example courses provided by the District in 2011 when they requested the establishment of the SWM Fee Educational Credit Program. Several of the courses submitted as example courses in 2011 are notably more closely related to the approved surface water curriculum topics than courses submitted for the fee waiver.

Hourly District costs to deliver curriculum are calculated for SWM Fee credit as follows:

Teacher rate (salary + benefits) x (1 + Federal Unrestricted Cost Rate %)

For the 2019-2020 school year, the given Teacher rate was \$102.67 per hour, with a Federal Unrestricted Cost Rate of 10.12%, resulting in an Hourly Class cost of \$113.06. For the 2020-2021 school year, this rate was \$113.81. The Federal Unrestricted Cost rate comes from (per the District) "the most recent F-196 111 Report", which can be provided by the District by request. Over time, hourly District costs have increased.

1.5 DISTRICT STORMWATER FACILITY REQUIRED MAINTENANCE

The City is a permittee of the Western Washington Phase II Municipal Stormwater Permit (Permit), also sometimes referred to as the National Pollutant Discharge Elimination System (NPDES) Permit established by the Clean Water Act. The Permit is administered by the Washington State Department of Ecology, allowing the City to

discharge stormwater system flows to receiving waters of the State (typically local small streams which discharge to Puget Sound or Lake Washington).

There are many Permit requirements that the City must comply with. One such requirement which also pertains to the District concerns the proper maintenance of stormwater facilities that were previously installed to meet the Permit's stormwater requirements for redevelopment. The City inspects all such stormwater facilities annually, including City-owned facilities and those owned by other parties within the City, to ensure that they are properly maintained. These annual inspections visit numerous facilities owned by the District.

If the City inspector finds any facility requiring maintenance, the owner is notified via letter of the need for maintenance and provided a timeframe to complete the necessary work. The Permit allows for up to one year after inspection for maintenance to be completed before the City itself is out of compliance with the Permit. Failures to comply with the Permit require the City to document and report the failures and take immediate corrective actions. Repeated Permit compliance failures can lead Ecology to audit and/or impose fines upon the City; accordingly, Permit compliance is one of the top priorities of the Surface Water Utility.

On July 16, 2021, the City was required to submit a report to Ecology (see Appendix F) about a failure to comply with the Permit, due to a failure by the District to complete required maintenance at thirteen (13) stormwater facilities within one year of the City's inspection. These thirteen facilities failing to receive timely required maintenance were located at three District sites: Shorewood, Shorecrest, and Meridian Park. Coordination regarding maintenance for these facilities – and numerous others that were completed prior to the deadline but might not have been otherwise – required an intensive staff time from the City's inspection program manager.

There is currently no direct link between the SWM Fee Education Credit Program and Permit-required maintenance for District stormwater facilities. However, based on this recent experience in Permit non-compliance and in the interest of mutual benefit and cooperation, the City is interested in exploring a proposed linkage between these two programs.

SECTION 2: 2021 PROGRAM REVIEW

2.1 REVIEW OVERVIEW

As called for in Ordinance No. 758 adopted in 2016, City staff have reviewed the SWM Fee Educational Credit Program. (The initial review internal to the City was completed by July 1, 2021, with subsequent follow-up coordination occurring internally and with the District.) In the absence of finding any specific guidance on what the review should entail, the Utility staff responsible for the Program (SW Program Specialist, Christie Lovelace, and SW Utility Manager, John Featherstone) authored a draft review consisting of four main components:

- **SWM Fee Calculations:** Staff updated hard surface areas and resulting SWM Fee amounts for all District properties for the first time since Program inception.
- **Curriculum:** Staff conducted a detailed verification of District-submitted coursework for alignment with approved surface water curriculum topics, which was not done during annual Program processes.
- **District Feedback:** The District provided input and feedback on the Program to date, as solicited by staff.
- **Other Jurisdictions:** For reference, staff gathered current information from other regional jurisdictions to assess absence or presence of similar programs, and related details. (Included under Appendix E)

Based on the results of the review, staff developed a variety of options for discussion with City leaders and decision makers. The recommended program changes based on the Program review and subsequent City discussions are presented in Section 3.

2.2 SWM FEE CALCULATIONS

Ensuring that the calculated SWM Fee amount is accurate for all twenty-seven (27) District-owned properties within the City was an important component of the Program review. The twenty-seven District properties include active school sites, administrative sites, and sites of former schools which have other current uses, including some as City Parks or Recreation facilities.

District property hard surface data used to generate SWM Fees had not been updated since the Program inception, even though multiple District properties had redeveloped and seen significant hard surface changes during that time. Surface Water Utility staff (assisted by engineering on-call consultant, Otak) reviewed and updated District property hard surface square footage using a standard methodology previously developed for parcels City-wide to review SWM Fee calculations. This method relies primarily on the most recent available GIS aerial base maps (2017 King County aerials) to identify and

measure site hard surfaces and uses as-built plans and site visits as supplemental info to confirm key dimensions and surface types as needed.

Table 1 below summarizes total District hard surfaces and assessed SWM fees in 2012, 2017, and in 2021 for both the older data and recently verified data. Results of the hard surface review showed that pre-review SWM Fee classifications had generally under-assessed hard surfaces and SWM Fees for District-owned parcels.

Table 1: District SWM Fees Over Time

	SWM Fee Year			
	2013 (Per 2013 Letter of Notification dated 2/1/13)	2017 (Per 2017 Letter of Notification dated 4/17/17)	2021 (Per 2021 Letter of Notification dated 4/7/21)	2021 (Using results of hard surface review)
Total District Hard Surfaces (acres)	117.1	117.2	117.2	145.9
Total District SWM Fees	\$200,604.26	\$294,759.24	\$520,897.74	\$738,191.30

Results of the District SWM Fee calculation review indicate that rather than being assessed with \$520,897.74 of 2021 SWM Fees eligible for education credit (as reported in the 2021 Letter of Notification from the City to District), updated 2021 SWM Fees based on more accurately verified hard surface areas would increase the District’s billing to \$738,191.30. The amount of the increase is \$217,293.56, equivalent to a 41.7% change.

Table 2 below shows pre-review and updated verified hard surface and SWM billing data resulting from the 2021 review for each District property.

For reference: Total 2021 SWM Fees billed City-wide by the City of Shoreline was \$8,028,480. This amount does not include SWM Fees assessed for the District properties, which are zeroed out in the King County billing data due to having received the education credit. If the \$738,191 in updated 2021 SWM Fees for the District were collected in full, it would represent an estimated 9.2% increase in total SWM fee revenue.

TABLE 2: SWM FEE REVIEW SUMMARY FOR ALL DISTRICT PROPERTIES			Hard Surface and Rate Class from 2021 King County SWM Billing Data			Verified Hard Surface and Rate Class from 2021 City Review			Pre- and Post-review SWM Fee Comparison		
Parcel Number	Property Name	Parcel Total Acres	Hard Surface (acres)	Hard Surface %	Rate Class	Actual Hard Surface (acres)	Actual Hard Surface %	Update Rate Class	2021 SWM Fee (actual) based on Existing Rate Class	2021 SWM Fee for Updated Rate Class	Change in SWM Fee from Existing to Updated
2636900086	Aldercrest site	7.91	0.41	5.2%	2	2.75	34.8%	4	\$ 298.33	\$ 11,322.29	\$ 11,023.96
4022900853	Aldercrest Annex site	16.16	6.73	41.6%	4	4.42	27.4%	4	\$ 23,131.26	\$ 23,131.26	\$ -
1199100005	Briarcrest ES	6.49	2.85	43.9%	4	4.17	64.3%	5	\$ 9,289.72	\$ 18,017.28	\$ 8,727.56
826049046	Bus Barn site	3.39	3.39	100.0%	7	2.50	73.6%	6	\$ 15,617.42	\$ 11,923.07	\$ (3,694.35)
426049011	Cedarbrook - main parcel	10.54	1.32	12.5%	3	1.84	17.5%	3	\$ 7,302.85	\$ 7,302.85	\$ -
3972900245	Cedarbrook - parking west	0.30	0.00	0.0%	1	0.09	29.7%	4	\$ 298.33	\$ 1,431.39	\$ 1,133.06
3972900255	Cedarbrook - parking east	0.19	0.00	0.0%	1	0.17	91.1%	7	\$ 298.33	\$ 4,606.91	\$ 4,308.58
8649100005	Echo Lake ES	7.67	2.94	38.3%	4	3.65	47.6%	5	\$ 10,978.76	\$ 21,293.15	\$ 10,314.39
126039050	Einstein MS	10.32	7.02	68.0%	6	5.52	53.5%	5	\$ 36,296.78	\$ 28,649.97	\$ (7,646.81)
1326039052	Highland Terrace ES	8.70	4.08	46.9%	5	3.98	45.7%	5	\$ 24,152.59	\$ 24,152.59	\$ -
1626049005	Kellogg MS	20.54	8.22	40.0%	4	12.08	58.8%	5	\$ 29,400.75	\$ 57,022.33	\$ 27,621.58
3073500050	Meridian Park ES/Pratt ELC	28.63	11.31	39.5%	4	17.46	61.0%	5	\$ 40,980.70	\$ 79,481.46	\$ 38,500.77
526049007	North City site	6.00	4.25	70.8%	6	3.90	65.05%	6	\$ 21,102.78	\$ 21,102.62	\$ (0.16)
526049034	North City - field	2.55	0.27	10.5%	3	0.21	8.3%	2	\$ 692.87	\$ 298.33	\$ (394.54)
6108500070	Paramount School Park	8.57	3.41	39.8%	4	4.99	58.3%	5	\$ 12,266.71	\$ 23,791.10	\$ 11,524.39
1826049062	Parkwood ES	7.21	3.26	45.2%	5	4.30	59.6%	5	\$ 20,016.11	\$ 20,016.11	\$ -

TABLE 2: SWM FEE REVIEW SUMMARY FOR ALL DISTRICT PROPERTIES			Hard Surface and Rate Class from 2021 King County SWM Billing Data			Verified Hard Surface and Rate Class from 2021 City Review			Pre- and Post-review SWM Fee Comparison		
Parcel Number	Property Name	Parcel Total Acres	Hard Surface (acres)	Hard Surface %	Rate Class	Actual Hard Surface (acres)	Actual Hard Surface %	Update Rate Class	2021 SWM Fee (actual) based on Existing Rate Class	2021 SWM Fee for Updated Rate Class	Change in SWM Fee from Existing to Updated
826049052	Ridgecrest ES	10.29	3.60	35.0%	4	6.56	63.8%	5	\$ 14,729.00	\$ 28,566.69	\$ 13,837.68
1626049008	Shorecrest HS	43.88	14.18	32.3%	4	21.73	49.5%	5	\$ 62,809.39	\$ 121,817.90	\$ 59,008.51
2225300500	Shoreline Center - field	2.32	1.21	52.2%	5	0.02	0.6%	2	\$ 2,776.16	\$ 298.33	\$ (2,477.83)
2225300360	Shoreline Center - main parcel	27.68	16.52	59.7%	5	16.95	61.2%	6	\$ 76,844.11	\$ 97,354.16	\$ 20,510.05
2225300340	Shoreline Center (Park)	4.84	1.09	22.5%	4	3.82	79.0%	6	\$ 6,931.40	\$ 17,031.44	\$ 10,100.04
726049134	Shorewood HS	25.47	12.81	50.3%	5	19.04	74.8%	6	\$ 70,708.80	\$ 89,581.30	\$ 18,872.51
1626049104	South Woods Park	3.90	0.00	0.0%	2	0.00	0.0%	2	\$ 298.33	\$ 298.33	\$ -
6190700542	Sunset School Park - field	0.90	N/A	N/A	N/A	0.10	11.3%	3	\$ -	\$ 623.14	\$ 623.14
6190700570	Sunset School Park - main	4.72	2.62	55.5%	5	1.11	23.6%	4	\$ 13,103.46	\$ 6,756.15	\$ (6,347.31)
6190700543	Sunset School Park - parking	0.62	0.51	82.1%	6	0.35	57.1%	5	\$ 2,181.65	\$ 1,722.03	\$ (459.62)
126039400	Syre ES	7.42	5.18	69.8%	6	4.16	56.1%	5	\$ 26,097.10	\$ 20,599.11	\$ (5,498.00)
Total for all District Properties			117.18			145.89			\$ 528,603.71	\$ 738,191.30	\$ 209,587.59

Table 3 below shows pre-review and updated hard surface and SWM billing data resulting from the 2021 review for each of the seven (7) District properties currently in full or partial use as a City Park or Recreation facility. Shown separately on the table from the other six properties is the City’s Spartan Recreation Center and the southern portion of Shoreline Park located on a combined 3.2-acre approximate portion of the District’s 28-acre Shoreline Center site.

District parcels used by the City as Parks sites and Recreation facilities have been included among the other District-owned parcels assessed for SWM Fees and eligible for education-related credit. The \$64,987 calculated SWM billing for these seven locations represents 8.8% of the total updated District SWM billing amount.

TABLE 3: SWM FEE REVIEW SUMMARY FOR DISTRICT PROPERTIES UNDER CITY USE AS PARKS			From 2021 King County SWM Billing Data			From City Review			Pre- and Post-review SWM Fee Comparison		
Parcel Number	Property Name	Parcel Total Acres	Hard Surface (acres)	Hard Surface %	Rate Class	Update Hard Surface (acres)	Update Hard Surface %	Update Rate Class	2021 SWM Fee (actual) based on Existing Rate Class	2021 SWM Fee for Updated Rate Class	Change in SWM Fee following Update
6108500070	Paramount School Park	8.57	3.41	39.8%	4	4.99	58.3%	5	\$ 12,266.71	\$ 23,791.10	\$ 11,524.39
2225300340	Shoreline Park (Pool)	4.84	1.09	22.5%	4	3.82	79.0%	6	\$ 6,931.40	\$ 17,031.44	\$ 10,100.04
1626049104	South Woods Park	3.90	0.00	0.0%	2	0.00	0.0%	2	\$ 298.33	\$ 298.33	\$ -
6190700542	Sunset School Park - field	0.90	N/A	N/A	N/A	0.10	11.3%	3	\$ -	\$ 623.14	\$ 623.14
6190700570	Sunset School Park - main	4.72	2.62	55.5%	5	1.11	23.6%	4	\$ 13,103.46	\$ 6,756.15	\$ (6,347.31)
6190700543	Sunset School Park - parking	0.62	0.51	82.1%	6	0.35	57.1%	5	\$ 2,181.65	\$ 1,722.03	\$ (459.62)
Subtotal without Shoreline Center			7.63			10.39			\$ 34,781.55	\$ 50,222.20	\$ 15,440.64
2225300360	Shoreline Center – Spartan & Shoreline Park areas only	3.21	N/A	N/A	N/A	3.1	97.3%	7	N/A	\$ 14,765.15	\$ 14,765.15
Total for District Properties in use as Parks						13.51				\$ 64,987.34	\$ 30,205.79

2.3 CURRICULUM REVIEW

Annually, the District submits a certification letter identifying the surface water related courses provided to satisfy the program requirements and obtain the credit. The City’s annual review of the District’s certification letter typically included confirming that the requested credit amount was correctly calculated and equaled or exceeded the assessed SWM Fee amount, and that the coursework titles generally appeared to conform to the approved curriculum list.

As part of the 2021 program review, coursework content was audited in detail for the first time in the program’s history to ensure courses submitted for credit were sufficiently related to the approved surface water curriculum topics list. The District provided curriculum material for all courses submitted as part of the 2019-2020 school year certification letter in March 2021; this coursework was very similar to the coursework submitted in previous years. In June 2021, the District provided curriculum material for the 2020-2021 school year. Surface Water Utility staff reviewed the submitted coursework for both 2019-2020 and 2020-2021 school years and categorized the coursework into three categories based on relevance to the approved curriculum. See Appendix A SWM Fee Waiver Program Curriculum Audit for color-coded and detailed City review matrices for District-submitted coursework for both the 2019-2020 and 2020-2021 school years.

Strongly Relevant (color: green): curriculum coursework clearly and unambiguously related to one or more approved surface water topics.

Marginally Relevant (color: yellow): coursework under in this category includes: (1) general topics not directly related to surface water but narrowly foundational to understanding approved surface water curriculum, or (2) coursework which includes some curriculum clearly related to approved surface water curriculum, but also in part apparently off-topic.

Insufficiently Relevant (color: red): curriculum coursework which does not appear to be closely or clearly related to, or directly foundational to, any approved surface water topic.

Table 4. 2019-2020 School Year Curriculum Review			
Curriculum Review Category	Strongly Relevant	Marginally Relevant	Insufficiently Relevant
2019-2020 School Year SWM Fee Education Credit Claimed	\$158,170.21	\$156,670.44	\$170,899.40
Percent of total SWM Fee Credit	32.6%	32.3%	35.2%

Several course content items from both school years stood out as exemplary surface water-focused curriculum under the Strongly Relevant Category, including:

- 4th grade case study on the Oso Landslide with a focus on understanding the hydrologic cycle; land use effects on runoff and surface water; and causes and effects of flooding.
- 5th grade camp with many classes related to wetland wildlife, their habitat requirements, and role in the ecosystem; wetland and native plants, and their benefits; and the effects of urbanization on surface water quality and quantity.
- 6th grade “Hazards on the Homefront” course which is the only course related to the surface water topic “pollution prevention”.

Notably, the Wetlands Guest Speaker curriculum was provided in the curriculum review, however it was not claimed for credit in the 2019-2020 certification letter. This coursework is one of the clearest connections to many surface water topics, including coursework related to watersheds, native plants, water pollution, water pollution prevention, and studies of the watershed or stream basin in which the school is located. This course was not claimed in the 2019-2020 certification letter but was included in the 2020-2021 certification letter.

Portions of coursework in the “Marginally Relevant” category can be considered directly foundational to understanding surface water related topics, and these courses are acceptable for credit under the Program. Courses that contain many topics, with only a portion of the topics related to the approved surface water curriculum should potentially only receive credit for hours spent on an applicable surface water related topics. An example of this are the climate change focused units that include information about the effects of climate change on the hydrologic cycle, but focus primarily on other climate change impacts, such as ocean acidification or water availability. Course content focused on increased intensity of storms or impacts of earlier snowmelt on stream temperatures and freshwater ecosystems, as well associated mitigation strategies are appropriate to receive credit under the Program. Topics of ocean acidification, drinking water availability, and other climate change impacts and associated mitigation strategies are not sufficiently relevant to the approved surface water curriculum topics.

Coursework deemed “Insufficiently Relevant” did not appear to be sufficiently related to any of the approved surface water topics. For instance, a biology unit submitted for credit cited coursework focused on “Interdependent Relationships in Ecosystems: How do organisms interact with the living and non-living environment to obtain matter and energy?” There was no clear connection to the approved surface water curriculum or how this would be directly foundational to any surface water topics. The 2019-2020 certification letter shows that this course was delivered to 27 classrooms that received 38 hours of instruction, amounting to a \$115,999.02 credit. The 2020-2021 certification letter notes a similar credit amount.

In several cases, coursework related to drinking water, water conservation, or water availability was cited for credit. Drinking water and water availability, while related to natural water resources, are not sufficiently related to surface water management issues nor are they related to any of the approved surface water topics.

The 2020-2021 school year curriculum audit showed a larger proportion of classes considered either strongly or marginally related to the approved surface water curriculum, and a decrease in those considered insufficiently relevant. In general, there were more environmental classes reported (although not all surface water related) and many marginally relevant courses still contained coursework hours that were not related to the surface water approved curriculum list. Because COVID-19 required teachers to quickly adapt coursework to remote learning programs, courses were less ubiquitously offered within any given grade level. While the Program requires the District to offer surface water related courses to all classes within a grade level to qualify for the credit, the circumstances surrounding a more varied curriculum within grades this past year is understandable.

Curriculum Review Category	Strongly Relevant	Marginally Relevant	Insufficiently Relevant	Missing Curriculum Information
2020-2021 School Year SWM Fee Education Credit Claimed	\$201,207.32	\$208,490.81	\$130,306.75	\$17,241.46
Percent of total SWM Fee Credit	37.3%	38.6%	24.1%	---

2.4 DISTRICT FEEDBACK

On May 6, 2021, City staff (John Featherstone) sent an email to District Deputy Superintendent Marla Miller to request input from the District for the Program review, specifically looking for feedback from the District on how to improve the Program. Staff suggested that input from the District could range from how the Program is administered, to how the fee credit is calculated, to what options are available to earn fee credits.

On May 28, 2021, the Deputy Superintendent sent an email replying to the City’s request with a letter attached providing Program feedback. The District’s letter is provided as Appendix B School District SWM Educational Fee Waiver Input. The letter expressed support for continuation of the Program, noting that:

Shoreline School District has applied for the waiver each year it has been offered, and approval of the waiver has allowed us to invest the value of the annual fee, currently over \$500,000, in educating young citizens of Shoreline about various ecosystems and the many ways they can protect the environment. We believe this collaborative approach reduces the need for larger, more complex surface water management systems in the

future, and provides a significant benefit to the City of Shoreline and our mutual constituents.

The letter then provides five District recommendations as Program improvements. Table 6 below summarizes each District recommendation and offers a response from Utility staff.

Table 6: District Feedback Letter Recommendations and Utility Responses

District Recommendation	Utility Response
1. Ensure current, accurate hard surface coverage measurements before fees are assessed	Agreed. It is important to have accurate hard surface data to calculate SWM fees.
2. Structure the SWM fee calculation to recognize City requirements and public benefits of school parking lot capacity	Not recommended. Parking requirements and transportation/traffic impact mitigation are generally based on land use activity and are reviewed independently from surface water impacts. From a surface water perspective, parking lots and other driving surfaces are some of the main sources of pollutants in surface water, including the tire particle chemicals recently found to be a major factor in salmon mortality from stormwater runoff, and especially since their hard surfacing conveys polluted water more quickly to our streams and lakes.
3. Revisit the definition of manufactured turf as an impervious surface, to recognize the other benefits of use of the product to reduce stormwater runoff of other pollutants	Not recommended. Artificial turf is classified as a hard surface when it contains an underdrain system for drainage, because the underdrain system routes water to the City's surface water system (and ultimately lakes/streams) instead of letting it fully soak into the soil. Both artificial and natural turf fields are considered pollution-generating surfaces by the Department of Ecology due to the chemicals that can be used to maintain the fields.
4. Add credit for student clubs and related activities focused on resource conservation and the protection of the environment, consistent with the topics included in the list of approved curriculum	Agreed, provided that (1) only hours spent on surface water related topics are included, and (2) only District resources (staff hours, funds, etc.) are credited, and not student generated funds to support club activities.

District Recommendation	Utility Response
<p>5. Credit the construction cost of stormwater connections and detention facilities and recognize the reduction in pollutants realized through school district construction projects</p>	<p>Partly agreed, but recommended only for the portion of a new facility providing stormwater treatment and/or flow control demonstrably <u>above and beyond</u> minimum stormwater requirements for redevelopment; not recommended for construction of any facilities required to meet minimum stormwater requirements for redevelopment, or any collection, conveyance, or connection assets.</p> <p>Regarding the facilities required to meet minimum stormwater requirements for redevelopment: When a property redevelops, stormwater regulations require the property owner to install stormwater facilities to mitigate impacts to surface waters. These regulations stem from the Clean Water Act and are based on reducing the negative impacts from the redevelopment activity, but they don't fully eliminate the impacts of development on surface waters.</p>

At the end of the letter, the District notes that:

There may be a misperception by some that the State will increase funding to school districts to cover increased utility costs. That is not true. The same allocation of resources is used to pay for teachers. Textbooks, paper, equity initiatives, school counselors and other educational priorities, as well as the cost of utilities. If the SWM fee waiver program is eliminated or reduced, the additional cost will be paid from the District's general operating budget and directly reduce funds available to meet the instructional needs of students.

Input from the District, and the Utility responses, are further considered in the Recommendations section below.

SECTION 3: PROGRAM CHANGES

3.1. SUMMARY OF REVIEW RESULTS

Results of the District SWM Fee calculation review determined more accurate hard surface areas that would increase the District's total SWM fee billing to \$738,191.30 using 2021 rates. The amount of the increase is \$217,293.56, equivalent to a 41.7% change. Any potential SWM Fee increase would require that City provides updated hard surface areas to King County SWM Billing as part of the annual billing data updates in October and November, which is then applied to the subsequent year's SWM Fees.

The Curriculum Review found that of the \$485,730 in coursework submitted for SWM Fee Education Credit for the 2019-2020 school year, roughly \$170,890 (or 35%) of that credit amount could be considered "Insufficiently Relevant" to the required stormwater curriculum topics. In the 2020-2021 school year, approximately 24%, representing \$130,306.75 in credit, was considered "Insufficiently Relevant."

When combined, the general results of these two exercises identify an approximate \$350,000 gap between the updated 2021 SWM Fees assessed for the District and the allowable coursework most recently submitted for SWM Fee Education Credit. It is important that the City and District, both as responsible stewards of public funding, engage in collaborative discussions on ways to close this gap, to ensure that the Surface Water Utility receives the full value of the correct SWM Fees assessed on the District's properties.

Feedback provided by the District suggested some means to find new ways to potentially close this gap. The District recommendations which the City agrees with are a good starting point for collaborative discussions.

3.2 PROPOSED PROGRAM CHANGES

Utility staff developed a variety of options to consider for the future of the Program, ranging from making no changes (status quo) to discontinuing the Program. Based on the results of the review and subsequent internal City discussions, the following phased Program changes are proposed by the City, to be rolled out over multiple years:

2021-22 school year:

- No Program changes, to facilitate implementation of upcoming phased changes.

2022-23 school year:

- **Update District SWM Fee:** Submit updates to hard surface data and SWM fee class to KC SWM billing for District properties, expected to lead to a 41.7% increase in total District SWM Fees.
- **City-operated District-owned Site Credit:** Provide a permanent full SWM Fee Credit without any credit requirements for District to fulfill for full and partial portions of District-owned properties in use by City as parks and recreation sites

(expected to amount to roughly 8.8% of the District’s total updated SWM Fees); the City will cover the SWM Fee for these properties in an arrangement internal to the City, like other City Parks properties.

- **Curriculum Improvements:** Update approved Program curriculum to align more closely with key Surface Water topics. See below Section 3.3 Proposed Curriculum Improvements for more information. A City audit of District coursework submitted for SWM Fee credit in 2019-2020 and 2020-2021 has found that the proposed curriculum improvements would be a relatively minor change compared to existing curriculum.
- **Required Stormwater Facility Maintenance:** SWM Fee Credit allowed for each District site will be dependent upon timely completion of all City inspection-required stormwater facility maintenance; failure to complete inspection-required credit prior to deadline will result in loss of SWM Fee Credit for that site for the subsequent billing year.
- **Stormwater Retrofit Credit:** Allow a One-Time SWM Fee Credits for voluntary (not Permit-required) stormwater retrofits, surfacing conversions, or other approved one-time projects in addition to or as an alternative to curriculum-only credits. See below Section 3.4 Proposed Stormwater Retrofit Credit for suggestions on some voluntary actions which may be submitted for one-time credit.

2023-24 school year:

- **Update coursework verification process** to include City pre-approval of specific District coursework, with Program credit award based on verification of relevant coursework, and potential denial of credit for any coursework submitted for credit deemed to be insufficiently relevant to approved topics. In the event of a credit denial, the District would be given an opportunity to explain how the rejected coursework may be related to the approved topics. SWM Fees resulting from rejected coursework would be applied to the subsequent billing year.

2024-2025 school year (and beyond):

- **Further Program changes** may occur based on policy review, discussions, and recommendations under the next Surface Water Master Plan update (starting in 2022 and scheduled to be completed by early 2024) as part of the next SWM Fee rate study. Program reviews may subsequently be aligned to occur under the cyclical Surface Water Master Plan updates, rather than as a standalone Program review independent of surface water master planning.

3.3 PROPOSED CURRICULUM IMPROVEMENTS

The Program review found that roughly a third of 2019-2020 coursework and a quarter of the 2020-2021 coursework submitted by the District appeared to be insufficiently related to the approved curriculum. The review also found that the approved curriculum for some topics was less-than-optimally focused on core surface water education concepts. To develop potential curriculum improvements, Utility staff reviewed the existing approved curriculum list and developed a revised approved curriculum list (see Appendix C SWM

FEC Updated Approved Curriculum (Redline), and Appendix D SWM FEC Updated Approved Curriculum). Goals of the proposed revisions to the approved surface water curriculum include:

- Increase specificity on relevant surface water topics and delineate them from drinking water and other issues;
- Include newer surface water issues, including climate change impacts on storm and surface water and green stormwater infrastructure solutions to surface water management; and
- Eliminate redundancies in topic list.

Using the proposed revised list of approved surface water curriculum topics, the 2019-2021 coursework was again categorized into relevancy categories – see Appendix A SWM Fee Waiver Program Curriculum Audit “Approved Under New Curriculum?” column for both 2019-2020 and 2020-2021 curriculum matrices. Previously submitted coursework is coded in this column as “Yes” (Approved), “No” (Not Approved), or Potentially Approvable. Under the revised list of surface water curriculum topics:

Approved includes:

- All courses that were coded as “strongly relevant” under the current list of approved surface water curriculum topics
- Courses that are narrowly foundational to approved surface water curriculum topics

Not Approved includes:

- All courses that were coded as “insufficiently relevant” under the current list of approved surface water curriculum topics
- Courses that are not directly foundational to any approved surface water curriculum topic

Potentially Approvable include:

- Courses that contain a mixture of related and unrelated approved surface water curriculum topics. To be considered “Approvable”, the District will need to remove hours spent on non-related coursework.

If the District submitted the same course list under the revised approved surface water curriculum topics, “Insufficiently Relevant” coursework SWM Fee credits submitted would total \$179,934.16 for the 2019-2020 school year and \$138,842.13 for the 2020-2021 school year. These credit amounts for “Insufficiently Relevant” coursework represent a 5.3% increase for 2019-2020 and a 6.5% increase for 2020-2021 for the proposed curriculum compared to the existing curriculum. This indicates that relative to the District’s existing surface water-related coursework, the proposed curriculum is not a large change compared to the existing curriculum.

In order to avoid future issues with off-topic coursework submitted for SWM Fee Credit, the District is encouraged to review and update coursework to better align with existing

surface water-related curriculum as well as the proposed surface water-related curriculum.

3.4 PROPOSED STORMWATER RETROFIT CREDIT

The City proposes that, at the District's discretion, a one-time SWM Fee credit could be applied for any voluntary (defined as not required by City permitting processes for redevelopment and site improvements) retrofits with stormwater benefits. The credit amount awarded will be based on the District's documented cost for the work, including cost for design, construction, and staff administration. If the District wishes, documented costs could also include calculation of net present costs, to include life cycle maintenance costs and/or loss of use for alternative land uses. For any proposed stormwater retrofit credit, the District shall present a proposed SWM fee credit estimation and backup calculations to the City for approval in advance of starting any credit-applicable work. For larger retrofits, the one-time credit could be applied to multiple SWM fee years if the sum of retrofit credit and curriculum-based credit exceed the District's total annual SWM fee. Such work could include:

- Converting unused or underused hard surfaces (such as parking areas and/or paved play areas) to landscaped areas. This is the only retrofit/conversion that would potentially qualify a site for a permanent reduction in SWM fees (if significant enough to reduce a site's rate class) in addition to the one-time credit.
- Converting impermeable hard surface to permeable hard surface - such as for a paved play areas, walkways, or parking areas
- Roof downspout disconnection and dispersal or detention/infiltration via rain gardens
- Tree planting within lawn areas, converting lawn areas to native vegetation, or full reforestation of lawn areas. This work could possibly be done with City tree replacement funding (if deemed appropriate)
- Expanding upon any on-site stormwater systems required by City permits for redevelopment above and beyond the minimum size. Examples include sizing a detention vault, water quality treatment facility, infiltration facility, bioretention facility, or permeable pavement installation in excess of the minimum sized facility as required by Ecology. One-time SWM Fee credit amount would be determined based on the estimated cost differential between a minimally-size facility and the enlarged facility.
- Any other voluntary stormwater improvements, retrofits, or site surfacing conversions as approved for credit by City in advance.

The District would submit the SWM Fee credit documentation for stormwater retrofits at the same time as the annual SWM Fee credit verification for curriculum-based credit. The retrofit fee credit is intended to potentially supplement and not supplant curriculum-based credit.

The City offers this alternative means to achieve SWM Fee credit to the District without any expectation of the District choosing or not choosing to make use of this option.