

**RE: Wyoming Valley Flood Risk Management Project  
Luzerne County Flood Protection Authority  
2016 Levee Fee**

The Wyoming Valley Flood Risk Management Project (WVFRMP) is federally authorized and is operated and maintained by the Luzerne County Flood Protection Authority. The Authority's sole source of revenue to fund these activities is through an annual levee fee. Northeast Revenue Service, LLC has been retained by the Authority to perform current 2016 levee fee collections. Portnoff Law Associates, Ltd. has been retained by the Authority to perform delinquent levee fee collections. This 2016 levee fee explanation letter will provide information regarding some of the more frequently asked questions.

**Can the Authority charge a fee?**

The Pennsylvania Municipal Authorities Act provides the ability "to fix, alter, charge and collect rates and other charges in the area served by its facilities at reasonable and uniform rates to be determined exclusively by it for the purpose of providing payment of the expenses of the authority, the construction, improvement, repair, maintenance and operation of its facilities and properties."

**Who pays the fee?**

The fee is imposed on all improved residential, commercial, industrial and tax-exempt (CIT) properties that are located within the Susquehanna River floodplain as defined by the 1972 Tropical Storm Agnes flood event. It is these properties that directly receive our flood protection services. Within days after the event, field surveyors delineated the limits of the Agnes flood inundation area. This 1972 flood map indicates all properties that were impacted by the Agnes flood event. Vacant land, which does not contain an insurable improvement, is not subject to the fee.

**What do the fees pay for?**

The WVFRMP is a large, dynamic and complex civil engineering system that includes 16-miles of levees and floodwalls, 78 drainage structures, 123 relief wells, 20 closure structures, 13 pump stations with 39 deep well pumps, and an electrical distribution system that consists of 8 substations, 27 transformers and 9 miles of underground and aerial transmission lines. The system also contains the Toby Creek Impoundment Basin which is a 28' high, 4,506' long earthen dam, and the 16'-6" diameter by 1.2 mile long Toby Creek underground pressure conduit. The fee covers the annual operation and maintenance expenses of the WVFRMP (payroll, benefits, utilities, insurance, materials & supplies, tools, fuel, equipment maintenance and replacement, professional services, capital improvement projects, etc.). No fees are applied to the public recreational amenities that are indirectly provided by the flood risk management project.

**What are the benefits of the Project?**

The flood protection system in the Wyoming Valley started as a response to the Susquehanna River flooding of March 1936. The Wyoming Valley Levee Raising Project, which occurred from the mid-1990's to the early 2000's, raised the level of protection 3 to 5 feet and was undertaken to prevent a recurrence of an Agnes-level flood event. In September 2011, the Tropical Storm Lee flood event resulted in the historic peak river crest of 42.66 feet, or 1.75 feet above the Agnes flood crest. Despite the system being subjected to a flood event greater than what it was designed for, the project performed as designed and flood damages to the protected areas were minimal. It is estimated that, since 1968, over \$7.5 billion in flood damages have been prevented due to the operation of the WVFRMP.

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### How much are the fees?

The annual fees are based on six (6) property categories as follows:

Category	Description	Amount
R1	Residential properties with improvement assessments less than \$100,000.	\$46.85
R2	Residential properties with improvement assessments equal to or greater than \$100,000.	\$93.70
CIT0	CIT properties with improvement assessments less than \$100,000.	\$93.70
CIT1	CIT properties with improvement assessments equal to or greater than \$100,000 but less than \$250,000.	\$225.48
CIT2	CIT properties with improvement assessments equal to or greater than \$250,000 but less than \$750,000.	\$450.96
CIT3	CIT properties with improvement assessments equal to or greater than \$750,000.	\$676.44

The bills are typically issued to property owners by October 1 of each calendar year. The above rates have remained unchanged since the adoption of the annual levee fee in 2009. However, in support of the 2017 levee fee, the fee categories and respective rates will be evaluated with respect to a rate increase. It is now 20 years since segments of the Wyoming Valley Levee Raising Project have been completed and turned over to the Authority. In order to maintain the integrity of the system in accordance with United States Army Corps of Engineers standards, capital improvement investments are being strategically planned. In order for the Authority to adopt a responsible and sustainable budget, anticipated revenue from the levee fee must be balanced against forecasted expenditures.

### I am not required to have flood insurance so why am I subject to the levee fee?

Federal Emergency Management Agency (FEMA) flood insurance requirements are based on a flood event with a 1% chance of occurrence in any year (100-Year Flood). The Agnes flood plain was a larger flood event (approximately 300-Year Flood) that impacted a larger area than the FEMA flood plain.

### I no longer own the property, the property is vacant, errors on the bill and other issues.

Please notify the Authority in writing to, P.O. Box 1909, Kingston, PA 18704, and state the specific complaint. The Authority will work with our professional consultants to investigate the condition and update the property records as necessary. However, it is the ultimate responsibility of the property owner, not the Authority, to inform all applicable government agencies of any change to property records and mailing addresses.

### Levee Fee Appeal.

If you feel that your property was not within the floodplain of the 1972 Agnes Flood event, you may complete a Levee Fee Appeal Form and submit this document to the Authority. Your claim will be investigated by the Authority and you will receive a written response. A copy of this document, including additional information on the levee fee, may be located on the Authority webpage, on the Luzerne County website [www.luzernecounty.org](http://www.luzernecounty.org).

Sincerely;

Christopher J. Belleman, P.E., CFM  
Executive Director  
Luzerne County Flood Protection Authority