



AMENDMENT TO THE LUZERNE COUNTY FLOOD PROTECTION AUTHORITY ARTICLES OF INCORPORATION

Objective: The Luzerne County Flood Protection Authority (LCFPA) is requesting County Council's approval to change LCFPA Articles of Incorporation to support actions necessary in assisting Duryea Borough with the Duryea Levee Rehabilitation Project.

Levee Background

- Protects against Lackawanna River flooding and the backwater effects of Susquehanna River flooding.
- The system was designed by PA Department of Environmental Protection and is a non-federal authorized flood protection system. The Duryea Levee is currently not a part of the Wyoming Valley Levee System which is maintained and operated by the LCFPA.
- Currently, Duryea Borough completes all operation and maintenance (O&M) responsibilities.
- 1,221 protected people.
- 597 residential and commercial protected structures.

Need for Rehabilitation

- The Duryea levee system has many deficiencies, which mainly include deficient levee drainage structures, earthen channel deficiencies and lack of available freeboard. The system is currently non-accredited by Federal Emergency Management Agency (FEMA) for flood insurance purposes.
- If nothing is done, flood insurance rates for property owners will increase by a factor of 5 to 10 when the new FEMA Flood Insurance Rate Maps (FIRM) for Luzerne County become effective in late 2022.
 - For example: If nothing is done, an owner in a protected by levee Flood Zone X (meaning protected by an accredited levee) may pay an annual \$500 flood insurance premium. If thrown into an "unidentified risk" Zone D (meaning protected by an unaccredited levee), their new annual flood insurance premium may be \$5,000.
- Protects the community from loss of lives, property, and infrastructure.

Plan of Action

- Duryea has agreed to enter the United States Army Corps of Engineers (USACE) System Wide Improvement Framework program to remain temporarily eligible for USACE assistance. This program provides non-Federal Sponsors the opportunity to transition their levees over time to USACE standards.
- Duryea Borough officials reached out to LCFPA officials for assistance in rehabilitating the Duryea Levee. The LCFPA has agreed to help. Step one of the levee rehabilitation plan is to design an accredited levee system addressing all deficiencies.
- This initial phase of the Duryea levee rehabilitation will be administered and managed by the LCFPA through the funding provided by the Wyoming Valley Levee Raising Project Mitigation Program.
- Award a contract for professional engineering, surveying services and the development of construction documents for the "*Duryea Levee Rehabilitation Project*". The project will be designed in accordance with USACE standards and to meet FEMA accreditation.
- The short-term goal is to have a shovel ready project so Duryea can pursue grants to help program the necessary funds required for construction.
- The long-term goal is to rehabilitate the system and bring it into compliance with USACE standards and achieve FEMA accreditation reducing risk and flood insurance premiums.

- Once Duryea is federally accredited by FEMA, the system will be annually inspected and be operated in accordance with all applicable federal and state requirements. Duryea Borough has requested to partner with the LCFPA in discussing the future O&M of the accredited system as the LCFPA is experienced and knowledgeable in these requirements and responsibilities.
- Duryea Borough Council has voted on and agreed to negotiating an Intergovernmental Cooperation Agreement.
- If the LCFPA chooses to accept O&M responsibilities, all costs associated with the levee system will be assumed by Duryea Borough and a fee paid to the LCFPA.
- The LCFPA is requesting an amendment of Section 5 of Ordinance No. 6596 to modify the purposes and projects of the LCFPA Articles of Incorporation which will authorize them to provide actions in regard to the Duryea Levee Rehabilitation Project.

Flood Insurance Rate Map for Duryea Levee System

Effective Map Date: 11/2/2012

