

## TIME LINE

**FEMA's map is almost complete. FEMA could at any time officially adopt the new map.**

**The Corps of Engineers is continuing their study on what we need to do to modify the river in order to bring residents out of FEMA's flood way.**

**The next workshop with the Corps of Engineers will be at the City Building January 8, 2008 at 2:00 p.m.**

**The public is encouraged to be present.**

**Meanwhile, property owners in the affected areas can still get building permits. Please call the City Planning Office for more information. 222-0083.**

**Please feel free to visit the Livingston City web site:**

[www.ci.livingston.mt.us](http://www.ci.livingston.mt.us)

Ed Meece, city manager 222-2005  
Jim Woodhull, city planner 222-0083

---

### **Other helpful web sites& contacts:**

FEMA : [www.fema.gov](http://www.fema.gov)

Montana Division of Disaster & Emergency Services  
1900 Williams Street  
Helena, Montana 59604-4789  
(406) 841-3911  
(406) 444-3965 FAX  
[dma.mt.gov/des/](http://dma.mt.gov/des/)

---

Corps of Engineers: [www.usace.army.mil](http://www.usace.army.mil)

**Project manager: Greg Johnson**

CENWO-PM-AP

106 S. 15th St.

Omaha, NE 68102-1618

**Phone: 402-221-7258**

Fax: 402-221-4890

---

Montana State Dept. of Natural Resources  
and Conservation

<http://dnrc.mt.gov/>

[http://dnrc.mt.gov/wrd/water\\_op/floodplain/default.asp](http://dnrc.mt.gov/wrd/water_op/floodplain/default.asp)

Water operations Bureau Chief,

Laurence Siroky

406-444-6816

[lsiroky@mt.gov](mailto:lsiroky@mt.gov)

# Livingston and the Yellowstone River Flood Way

Livingston is known for its connection to the Yellowstone River. All of the residents here enjoy the closeness of the river, the natural beauty and wildlife that river bestows to us.

Recently our nation has experienced several disasters which has led to the Federal Emergency Management Agency to reevaluate how to best protect and prevent U.S. citizens from the affects of flooding.

FEMA is remapping areas all over the country which are near rivers. Livingston is one of those communities.

So now, a large part of Livingston, the east side known as the Riverside Addition, finds itself needing to ask a lot of questions.

This pamphlet has been designed to address those questions so affected citizens will come to future meetings on the subject with these facts already on hand.

## The roles of Federal, State and Local governments in this issue

### What is FEMA's role in this issue?

FEMA is responsible for evaluating the affects of floods on our nation's cities. It is adopting new flood maps nationwide in order to ready all cities on rivers for the possibility of flooding. When FEMA adopts the new flood way map of Livingston, the affected area will become flood way.

### What is the Corps of Engineers' role in this issue?

The Corps's role is to complete a study, currently underway, (known as the "205 Study") which will tell us what modifications need to be made to the Yellowstone River so that the affected residential area in Livingston will no longer be in the flood way. It may then become the Corps's role to make these modifications.

### What is the city's role in this issue?

The City of Livingston's role in this issue is to work with the Corps of Engineers to complete the 205 Study and get modifications made to the river, in accordance with Corps of Engineers' specifications, so the affected residential areas within Livingston won't be in the flood way.

### What "Flood way" means to us.

### What is the difference between Flood Plain and Flood way?

In the flood plain a property owner may build, but new buildings must be elevated so that any living space is above the flood level. Building in the flood way, however, is not allowed. Renovations to existing

structures are allowed up to a maximum of 50% of the value of the property, provided that the renovations don't involve expanding the structure beyond the existing footprint. Should an existing structure in the flood way be completely destroyed, for example by fire, rebuilding it is not allowed (although the City of Livingston is currently involved in negotiations which may result in special variances to allow property owners to rebuild preexisting houses in the flood way in the case of their complete destruction).

### Why doesn't the city tell FEMA that they won't adopt the Flood way map?

Once FEMA adopts the map, state and local governments are required to adopt the map and enforce FEMA regulations in the affected areas. If state and local governments refuse to adopt the FEMA maps, FEMA will stop issuing flood insurance to homes located in the flood way. Since you need flood insurance to get a mortgage, it is essential for either the state or local government to adopt the FEMA map. The state entity, The Montana Department of Natural Resources and Conservation, has already stated that when FEMA adopts the map, it will also. The City of Livingston will be responsible to enforce the map, in order to maintain local administrative control, rather than ceding control to the state.

### Why doesn't the city give up its federal funding, and refuse to adopt the flood way map?

There is no direct federal funding tied to the City's adoption of the flood way map. However, FEMA will not issue flood insurance in designated flood ways unless state or local authorities are enforcing flood way restrictions in those areas. Nearly all lenders require flood insurance for mortgages on homes in the flood plain or flood way, so it is essential to residents of the area that, if FEMA adopts the flood map, state or local authorities

follow it. FEMA could 'sanction' Livingston, to withhold "pre-disaster" mitigation funds.

### What properties will be in the Flood way should the FEMA map be adopted?

All addresses which will be in the flood way are available at the city building or online at [www.ci.livingston.mt.us](http://www.ci.livingston.mt.us)

### Will the city provide the necessary modifications to the river to negate the Flood way classification should FEMA's map go into effect?

Yes. The City continues to work toward implementing the "205 Study", and its eventual recommendations. Once those measures have been implemented, the city will request a Letter of Map Amendment to FEMA - with the goal of removing the properties from the Floodway.

#### Flood way uses allowed include: without permit:

1. agriculture
2. private and public recreation areas including golf courses, hatcheries, horseback riding, etc...

#### with permit:

1. storage of materials and equipment as long as it is readily removable after flood warning.
2. private and public campgrounds

#### Flood way restrictions include:

1. no new buildings. Shelters, ramps, picnic tables, toilets, etc. will be allowed with a permit.
2. Storage of explosives, toxic waste, and flammables such as pesticides, propane tanks, etc.
3. no mobile homes