

Owning property in a FLOODWAY

Flood Insurance Rate Map updates for Bozeman Creek and its tributary streams have been recently completed by the Federal Emergency Management Agency (FEMA). A Floodway is the area within a 100-Year Floodplain that must be kept free from new development so that the 100-Year Flood (1% Annual Chance Flood) can be carried without increases in flood heights. The Floodway is denoted and mapped as a 'Regulated Floodway' on a FEMA Flood Insurance Rate Map.

DEVELOPMENT REGULATIONS

The City of Bozeman strictly regulates development in Floodways to protect human life and property by ensuring that there are no increases in flood elevations.

The [City's Floodplain Regulations](#) reflect the state law requirement prohibiting new building construction from occurring in the Floodway. Improvements to existing buildings are allowed in a Floodway if a City Floodplain Permit is issued prior to construction. Subject to City zoning regulations, substantial improvements to an existing building require the entire building to be elevated 2 feet above the 100-Year Flood elevation.

FEMA and City Floodplain Regulations allow for limited construction activities and improvements to occur within the Floodway that are not otherwise prohibited. A project that proposes work to occur within the floodway must obtain a City Floodplain Permit and be designed and certified by a qualified Professional Engineer to cause "no-rise" in the 100-Year Floodplain elevation.

It is important to discuss the City Floodplain Regulations with the City Floodplain Administrator to understand the impacts of Flood Insurance Rate Map updates on proposed construction projects in a mapped floodplain, especially if a portion of the project site is located in a Floodway.

Construction of new buildings is prohibited by state law within the Floodway.

INSURANCE REQUIREMENT

If you own a building in an area that will be newly mapped into a Floodway, contact your lender as early as possible to start the discussion about flood insurance.

A lender must by federal law require flood insurance when a building carrying a federally backed loan is located in a mapped Floodway.

Periodically lenders will review their loans to reassess flood risk based on the best available data. Flood Insurance Rate Map updates trigger lenders to review their loans to determine if a financed building is located in the Floodway and thus require flood insurance under federal law. Some property owners may not see any insurance changes with this mapping update if they were already located in a mapped Floodway.

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Please contact us directly for more information.

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