

WSJ Print Edition

Appeals Can Go On for Years

A lengthy appeal can halt a new flood zone from taking effect while it is pending, leaving homes and businesses vulnerable to mounting flood risks while it plays out. But it can also postpone big costs.

In New York City, for instance, officials have said their long-running appeal of a 2015 FEMA proposal to move around 35,500 properties into a high-risk zone is "saving coastal homeowners tens of millions of dollars per year." A new proposed map isn't expected until March 2028—21 years after the existing map took effect—a FEMA representative said.

Hurricanes Helene and Milton last year exposed serious flaws in the flood maps, devastating thousands of homes outside official high-risk zones. But hurricane-prone communities continue to fight efforts to expand the areas.

image



Livingston, Mont., in June 2022. The city fought off a floodway designation years earlier. WILLIAM CAMPBELL/GETTY IMAGES

Cities Roll Dice and Try To Get Off Flood Maps

Being in zone is costly and often unpopular, but removal can be risky in a big storm

By Arian Campo-Flores, Jean Eaglesham and Carl Churchill

LIVINGSTON, Mont.—When a torrential flood struck this town nestled on the banks of the Yellowstone River in 2022, it swamped areas that scientists had long predicted were susceptible to flooding. Those included a historic residential neighborhood and land that housed the local hospital, which had to be evacuated when floodwaters cut off access to it.

Yet some of those very areas had been removed from a high-risk flood zone a decade earlier after the city successfully challenged a proposed map from the Federal Emergency Management Agency. That map would have restricted development and forced some homeowners to buy flood insurance.

“We were relieved” over the appeal’s success, said Mary Beebe, a city commissioner at the time. “But there were also people that were angry...that we were saving the real estate and putting the community at risk.”

Money at stake

Livingston is one of hundreds of communities across the U.S. that have successfully fought FEMA’s proposed maps through an appeals process that researchers say is widely gamed by local officials and property owners. The motive is usually money, since homes moved into high-risk zones typically lose value, and developments in high-risk zones are also usually more expensive, if they are allowed at all.

Despite the rising toll of flooding, exacerbated in part by climate change, thousands of properties are removed from flood zones each year.

The risks were underscored by the devastating flooding that killed 27 people at Camp Mystic in Texas in July. FEMA granted appeals by camp owners years earlier to remove dozens of its buildings from a high-risk flood zone, records show.

“Flood risk shouldn’t be negotiable,” said Jeremy Porter, chief economist at First Street, a climate-modeling firm. “Flood risk should be something we can determine from scientific, empirical data, and it isn’t that under the FEMA mapping process.”

A FEMA representative described the mapping process as a collaborative effort involving private industry experts, states and communities, as well as the government. “Map updates include community input to ensure local knowledge and areas of concern are incorporated,” the representative said.

FEMA flood maps highlight high-risk areas known as the 100-year flood plain, where the chance of flooding is 1% a year, or 26% over the typical 30-year life of a mortgage. Congress has mandated that FEMA review the maps every five years, although in practice updates can take far longer. Communities and homeowners can appeal proposed new flood maps, or ask for properties and zones to be taken out of existing ones.

Expanding a 100-year flood zone can add significant costs for a community. Being in a zone forces homeowners with federally backed mortgages to buy flood insurance and requires new buildings to be at least as high as the base flood elevation, the expected flood height during a 100-year storm.

Thousands of properties are removed from high-risk flood zones every year following appeals, federal data show. More than 6,700 appeals to take properties out of a zone—86% of the total—were approved between October 2024 and late August this year, according to FEMA. Another nearly 2,900 requests—93% of the total—to remove areas elevated by fill, typically in new developments, were also greenlighted over the same period, FEMA said.

Yellowstone gateway

Livingston, with a population of 9,000, has dealt with flooding from the Yellowstone River repeatedly over the years. A gateway to Yellowstone National Park, the city draws a steady stream of tourists.

When Ed Meece arrived in 2006 to take a job as the new city manager, he said residents were anxious about a FEMA plan to update the area’s 1987 flood map. The new version was expected to put hundreds of homes on Livingston’s southeast side, a historic area near the river, in what is known as the floodway, the principal path of floodwaters. That designation involves even more restrictions than the 100-year flood plain.

Residents in the affected area worried their property values would plummet, said Ernie Meador, a longtime real-estate agent in Livingston. Some called the mapping exercise flawed, arguing that their families had owned homes for generations. “Floodway my ass,” went their thinking, Meador said.

Meece proposed that the city hire its own hydrologist to conduct an independent analysis, which city commissioners agreed to do in February 2008. Two months later, the hydrologist told the city commission that a study the Army Corps of Engineers conducted for FEMA had flaws and inaccuracies, city commission records show.

The city sent FEMA the hydrologist's study challenging the agency's map and presenting his own findings that included no homes in the floodway, according to officials and city records. In June 2009, a FEMA contractor backed the study, which would remove more than 200 homes from the flood zone.

Then came the flood of June 2022. Heavy rain combined with enormous snowmelt sent a wall of water surging down the Yellowstone River. Some areas on the east side of the city that had been removed from the floodway were inundated.

Copyright (c)2025 Dow Jones & Company, Inc. All Rights Reserved. 10/20/2025
Powered by TECNAVIA

The following is a digital replica of content from the print newspaper and is intended for the personal use of our members. For commercial reproduction or distribution of Dow Jones printed content, contact: Dow Jones Reprints & Licensing at (800) 843-0008 or visit djreprints.com.
