



Avenue South, which had been approved by the City of Great Falls over the past 25 years, caused flooding on substantial portions of their farmland. A Great Falls jury found that stormwater from the residential developments north of Gibson Flats affected just 35 acres of L. Johnson, Inc's farmland, justifying a \$105,000.00 condemnation award. The stormwater source referred to in this lawsuit is the Smith Coulee Ponds that is owned and operated by the City of Great Falls. However, this stormwater discharge also affects the adjacent properties in Gibson Flats.

More recent floods, including flash events in July of 2025, have kept the issue alive. National Weather Service warnings for Gibson Flats highlight ongoing vulnerabilities.

Why are the residents of Gibson Flats so vulnerable now? The City of Great Falls is not managing their stormwater collection systems; their detention ponds are leaking and/or were never engineered to "hold" water as in the case to the Smith Ponds/Smith Coulee. Photographic and video evidence shows a large breach in the southeastern portion of the Russell Pond Dam and water boiling to the surface along the Russell Pond pipeline.

The 2021 Wildfire: Destruction and Rebuilding Roadblocks

Compounding the stormwater woes, a wind-driven arson fire ravaged Gibson Flats on December 1, 2021, destroying at least 11 homes, seven garages, and numerous outbuildings across 112 acres. Three suspects were arrested and charged, facing up to \$2 million in restitution. The fire of December, 2021 was one of the most destructive fires in Great Falls recent memory. Cascade County Commissioners made public statements vowing to assist the community in rebuilding.

However, post-fire, residents faced new hurdles. The County warned of heightened flood risks due to scorched soil reducing absorption. Rebuilding required floodplain permits under FEMA rules, mandating structures elevated two feet above base flood elevation. Many homeowners in Gibson Flats, sought variances to rebuild what was lost on the original footprints but encountered delays and denials.

In 2022, County Commissioners approved variances for some, waiving local fees to ease the burden. However, insurance disputes and regulatory red tape frustrated recovery, with some residents pleading for leniency. One year later, scars remained visible, and much of the rebuilding denied.

Floodplain Designation: Science or Scapegoat?

Gibson Flats' floodplain status is contentious. Residents are aware that the area suffers from "negative drainage," meaning water collects but lacks effective outflow, especially as infrastructure continues to fail. It can be proven from numerous historic photos, Google Earth images from the 1990's and engineering studies that most of the flooding in the Gibson Flats area stems from mismanaged urban stormwater discharge, not natural flood risk.

Residents also contend that they have been the victims of spot zoning. After the fire of 2021, the Cascade County Planning Department began enforcing criteria based on a 'VE Flood Zone' designation for residents of Gibson's Flats, where it had been classified as an 'AE Flood Zone' prior. No official records of this designation change have been found by those pursuing the question, "Why?" Current the Federal Emergency Management Agency (FEMA) flood zone maps of Gibson Flats area continue to show an 'AE Flood Zone' designation, contrary to a 'VE Flood Zone' designation, which is defined as areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Phone calls, in-person meetings and email conversations with FEMA officials (including regional officials in Colorado and Montana officials in Helena), provide documented communications that Gibson Flats is designated as an 'AE Flood Zone'.

What is a VE Flood Zone?

A VE Flood Zone is a Special Flood Zone Hazard Area with a 1% annual chance of experiencing a flood. The VE Flood Zone designation applies to coastal hazard areas that are affected by storm induced waves or tidal waves. A VE Flood zone designation implies that homeowners are also vulnerable to additional hazards from fast-moving, storm-induced waves on top of base flood elevations. It is important to recognize that the criteria which applies to a VE Flood Zone does not apply to land-locked areas not affected by storm induced waves or tidal waves. A map of the United States clearly shows that Montana is not affected by tidal waves or storm surges from the ocean, Atlantic or Pacific.

The false designation of Gibson Flats as a 'VE Flood Zone' has caused extremely burdensome building code regulations which require homeowners to build their homes or additions (if they were permitted) several feet above the requirements of an 'AE Flood Zone'.

One resident who lost their home in the fire of December 2021 was required to rebuild their home nearly 8 feet above the footprint of the former structure. These 'VE Flood Zone' requirements cost the homeowner tens of thousands of dollars more than it would have to rebuild on his old building footprint, as well as the duress and strain of being subjected to harassment by County officials. His home is now rebuilt to withstand tidal waves and oceanic storm surges in Montana. I guess there really is ocean front property in Montana.

Another example of harassment through an unverified FEMA zone designation is just as egregious. An elderly resident who lost their garage in the fire was required by the Cascade County Planning Department to consult an engineering firm to conduct a buoyancy study which would cost thousands of dollars, to pour a concrete pad to replace a storage shed that was burned in the same fire. The shed was to be anchored to the concrete pad using a stainless-steel anchoring system; again, at the expense of hundreds of additional dollars. All of this to

prevent the shed from being swept away by a tidal storm surge in north-central Montana.

In summary, post-2021 fire, some residents were told they couldn't rebuild in the floodplain, while others disputed the Cascade County Planning Department requirements because they are not based on the current FEMA maps' flood zone designation.

To the date of this writing, County officials contend the FEMA flood zone designation was based on historical data, including chinook-driven floods and intense summer storms caused by nature. The truth is, flooding in the Gibson Flats area has, and is, caused, primarily, by decades of negligent engineering and planning as well as almost non-existent maintenance of water retention ponds, a leaking pipeline and a drainage ditch filled with cattails and silt.

Seeking Higher Ground: Appeals to State and Federal Agencies

Property owners of Gibson Flats have escalated appeals to the Montana Department of Environmental Quality (DEQ), Department of Natural Resources and Conservation (DNRC), floodplain administrators, and the U.S. Environmental Protection Agency (EPA). They also seek an audit to force maintenance compliance. While no specific EPA audit on Gibson Flats appears in public records, broader stormwater oversight exists, including a 2020 EPA settlement with Great Falls over wastewater discharges.

A 2025 EPA report on unawarded grants highlights funding gaps for stormwater projects nationwide. Cascade County has received EPA funds for unrelated remediation, but stormwater-specific action lags.

The Natural Resources Conservation Service (NRCS) offers conservation assistance in the County, but targeted flood mitigation for Gibson Flats remains limited.

Toward Resolution: Challenges and Hope

As of September 2025, Gibson Flats endures. Recent incidents, like a 2025 home invasion amid ongoing vulnerabilities, underscore the area's fragility. The most current Great Falls' stormwater master plan fails to provide confidence and reassurance, leaving Gibson Flats residents to fear more of the same negligent engineering that has plagued the community for decades.

This decades-long saga reveals systemic flaws; divided governance, underfunded infrastructure, and climate-amplified risks. For Gibson Flats, true relief demands collaboration - maintenance audits, equitable funding, and perhaps revised floodplain maps.

Until then, the community remains at the mercy of the next storm, a testament to the costs of neglect in America's Rural Heartland. ☀