

FEMA IMPLEMENTATION OF THE OREGON BIOLOGICAL OPINION

- Presented By:
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National Flood Hazard Layer FIRMette



123°53'42"W 45°31'44"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, ASD
		With BFE or Depth Zone AE, AO, AV, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levees. See Notes. Zone X
		Area with Flood Risk due to Levees Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levees, Dikes, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.2 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/25/2024 at 12:23 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

National Flood Hazard Layer FIRMette



123°53'22"W 45°31'1"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	<ul style="list-style-type: none"> Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AV, VE, AR Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	<ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levees. See Notes. Zone X Area with Flood Risk due to Levees Zone D
OTHER AREAS	<ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES	<ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	<ul style="list-style-type: none"> Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
MAP PANELS	<ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped <p>The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.</p>

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National Flood Hazard Layer FIRMette



123°53'32"W 45°31'25"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, AE
		With BFE or Depth Zone AE, AO, AV, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levees. See Notes. Zone X
		Area with Flood Risk due to Levees Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
	Hydrographic Feature	
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

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National Flood Hazard Layer FIRMette



123°53'12"W 45°31'18"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AV, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levees. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		26.2 17.8 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/25/2024 at 12:19 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023



HOW TO FIND YOUR PROPERTY ON FEMA'S WEBSITE



Map Service Center ↗

National Flood Hazard Layer



FEMA

- <https://www.fema.gov/flood-maps>
- Click on “National Flood Hazard Layer”
- Click on “NFHL Viewer”
- <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>
- Type address or “Bay City Oregon” in “Find address or place” box
- Click on the “search” symbol or hit “enter” on keyboard
- Map will zoom in on location.





Find address or place



NFHL Print Tool

Input Output

To print NFHL FIRMette or Full FIRM:
1) Click the pin tool, and click on the map to place the pin.
2) Choose to create a print-size FIRMette or full-size FIRM.
3) Press "Execute" - The process may take up to 1 minute.*

Size*
FIRMETTE

File Format*



+
-
Home
Refresh



bay city oregon

Show search results for bay city oregon

NFHL Print Tool

Input Output

To print NFHL FIRMette or Full FIRM:
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2) Choose to create a print-size FIRMette or full-size FIRM.
3) Press "Execute" - The process may take up to 1 minute.*

Size*

FIRMETTE

File Format*

41057C0392F
eff. 9/28/2018

41057C0392F
eff. 9/28/2018

41057C0394F
eff. 9/28/2018

Search result

Bay City, OR, USA

[Show more results](#)

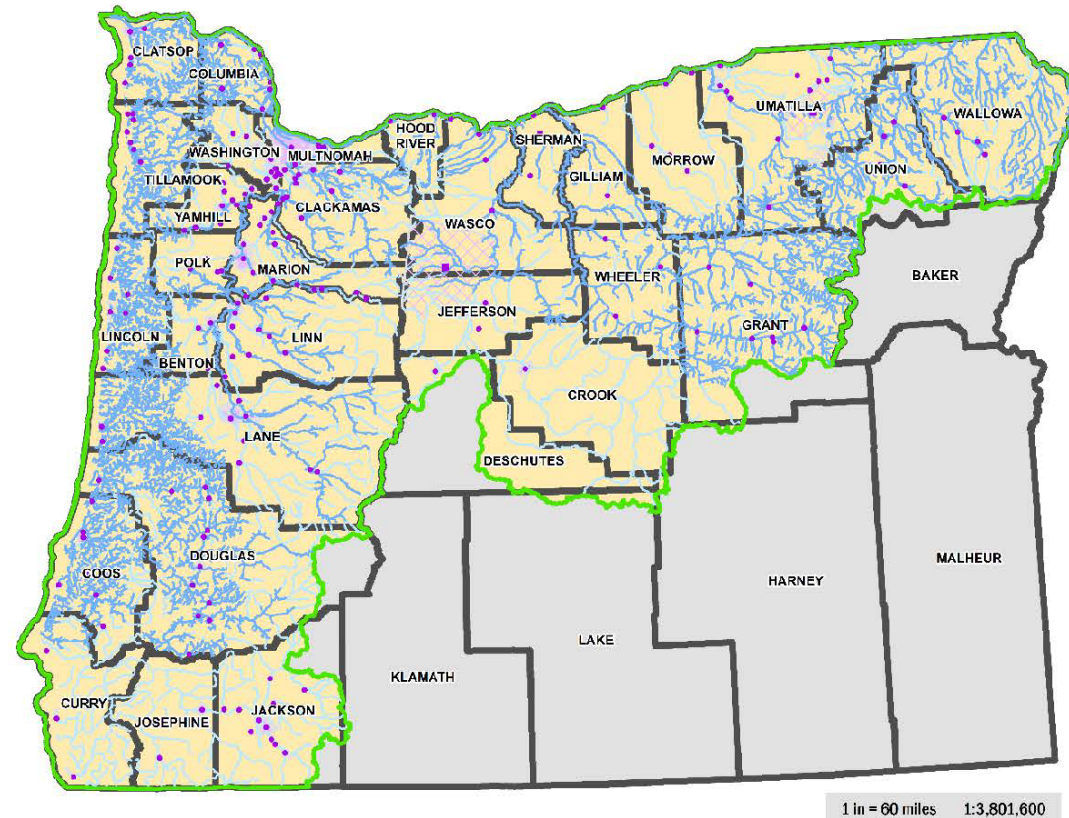
[Zoom to](#)

BACKGROUND

-
- In 2009, FEMA was sued by the Portland Audubon Society and several environmental groups in Oregon
 - In 2010, FEMA settled; agreed to consult regarding the effects of the NFIP in Oregon on T&E species and designated critical habitat
 - In April 2016, NMFS issued the Oregon NFIP Biological Opinion (BiOp)
 - The BiOp concluded FEMA's implementation of the NFIP in Oregon jeopardizes the continued existence of T&E species and adversely modifies designated critical habitat

Areas subject to Oregon NFIP BiOp

- Applies within 30 of Oregon's 36 counties
- Applies to more than 250 NFIP-participating communities (cities, counties and towns)



OREGON NFIP BIOP ACTION AREA

2021.09.28

LEGEND

- | | |
|---------------------------------------|--------------------------------|
| OREGON NFIP ACTION AREA | COUNTIES |
| CRITICAL HABITATS (SALMON/STEELHEAD)* | NFIP PARTICIPATING TRIBES |
| MAJOR STREAMS | NFIP PARTICIPATING COMMUNITIES |

*Critical habitats are via NOAA Fisheries: <https://www.fisheries.ncaa.gov/resource/map/critical-habitat-salmon-and-steelhead-all-west-coast>

ABOUT

This map displays the Oregon NFIP BIOP Action Area where critical habitats for salmon and steelhead (and areas upstream of those habitats) are displayed in relation to NFIP participating tribes and jurisdictions. Most NFIP-participating communities within Oregon have all or a portion of land within the BIOP Action Area, with the exception of Baker, Harney, Klamath, Lake, and Malheur Counties.

COMMUNITIES AFFECTED

Neahkahnie, Nehalem, Mohler, Wheeler, Rockaway Beach,
Barview/Twin Rocks/Watseco, Garibaldi, Bay City, Idaville,
Tillamook, Cape Meares, Netarts, Beaver, Hebo, Cloverdale, Tierra
Del Mar, Pacific City/Woods & Neskowin

18 Communities & Cities in Tillamook County

Manzanita, Oceanside, Idaville & Siskeyville

Not affected or minimally affected

ENTITIES & AGENCIES IMPACTED

SPECIAL DISTRICTS

PORTS

WATER & SEWER
DISTRICTS

TILLAMOOK COUNTY
PUBLIC WORKS &
PARKS DEPT.

ODOT, ODAV, OPRD,
DEQ, DSL, ODFW

AGRICULTURE
AQUACULTURE
INDUSTRIAL
TIMBER

LOCAL BUSINESSES
WATERSHED &
RESTORATION
ENTITIES

BIOLOGICAL OPINION BACKGROUND

- BiOp includes a six element “Reasonable and Prudent Alternative” (RPA)
 - RPA = NMFS’s roadmap to FEMA about how to change its implementation of the NFIP to avoid violating the ESA
- BiOp is fish-recovery focused; attributes current state of endangered fish species to FEMA’s NFIP
- 2018 Lawsuit; dismissed because FEMA had not yet taken action to implement the BiOp or RPA
- Congress, through Representative DeFazio, extended implementation period three years
- In 2021, FEMA completed Draft Implementation Plan and in 2023, FEMA began NEPA review
- Tillamook County is a Cooperating Agency in NEPA review process

FEMA'S DRAFT IMPLEMENTATION PLAN

- In October 2021, FEMA issued its Draft Implementation Plan
- Draft Plan varies from RPA and focuses on preserving and restoring three main floodplain functions:
 - Flood storage => limit new fill or require compensatory flood storage to offset any new fill
 - Water Quality => limit new impervious surface and heightened stormwater requirements (LID and non-structural approaches)
 - Riparian Vegetation => restrict removal within 170-feet of a water feature
- Draft Plan includes direction to avoid new non-water dependent development in the floodplain
 - Restricts future land divisions in floodplain
 - Allowance for one unit per existing parcel to avoid takings claims *provided* preserve three floodplain functions

KEY CONCERNS

Consultation between FEMA and NMFS – but resulting requirements imposed on state and local governments

No regulatory basis for the proposed requirements; FEMA has declined to go through rulemaking

FEMA eager to shift the burden to local governments irrespective of whether the new standards work with existing Oregon policies and laws

Unclear whether NMFS will accept FEMA's Implementation Plan

**Communities who decline to adopt the new standards will be removed from the NFIP.
Results:**

Flood insurance will no longer be available in Oregon causing property owners to default on their mortgages

Communities will not qualify for federal disaster assistance

FEMA LETTER RECEIVED JULY 15, 2024

- In response to pressure from lawsuit filed by Northwest Environmental Defense Center and the Center for Biological Diversity, FEMA has **abandoned** its prior commitment to complete EIS ***before*** implementing any changes.
- NFIP participating communities in Oregon must select a PICM option by **Dec. 1, 2024**. These options include:
 - **Adopting a model ordinance** that considers impacts to species and their habitat and requires mitigation to a no net loss standard,
 - Choosing to require a **habitat assessment and mitigation plan** for floodplain development on a **permit-by-permit basis**, or
 - **Prohibiting** floodplain **development** in the Special Flood Hazard Area.
- *Communities must report to FEMA on their implementation of interim measures beginning on Jan. 31, 2025.*



KEY CONCERNS WITH PICM OPTIONS



MORATORIUM



PERMIT BY PERMIT REVIEW
WITH HABITAT ASSESSMENT



ADOPTION OF
MODEL
ORDINANCE

MULTI-
PRONG
APPROACH

ACTION UNDERWAY



**FEMA MEETINGS UNDERSTANDING
PICMs & NEW NFIP MANDATES**



STATE REPS & FEDERAL DELEGATION



COUNTY/CITY COORDINATION



COMMUNITY OUTREACH



**OREGONIANS FOR FLOODPLAIN
PROTECTION**



QUESTIONS & COMMENTS

- Sarah Absher, CFM, Director
- Tillamook County Department of Community Development
- Email: Sarah.absher@tillamookcounty.gov
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