



MARION COUNTY BOARD OF COMMISSIONERS

Work Session Summary Minutes

OREGON

Federal Emergency Management Agency (FEMA) Flood Insurance

September 23, 2025. 1:33 PM

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5232, Commissioners Board Room

ATTENDANCE:

Commissioners: Danielle Bethell, Kevin Cameron, and Colm Willis.

Board's Office: Matt Lawyer, Toni Whitler, Heather Inyama, and Chris Eppley.

Legal Counsel: Cody Waltermann, and Steve Elzinga.

Public Works: Brandon Reich.

Commissioner Danielle Bethell called the meeting to order at 1:33 p.m.

Discussion on FEMA Flood Insurance:

- Focused on implications of FEMA's draft Environmental Impact Statement (EIS) regarding flood insurance and its impact on Marion County.
- Draft EIS presents three alternatives:
 - One to maintain the status quo.
 - Two introduce stricter mitigation requirements:
 - Which the county opposes.
- Ongoing litigation exists with Oregonians for Floodplain Protection:
 - Currently paused as parties discuss resolution options.
 - Joint status report is due October 31.
- County must submit comments on the draft EIS:
 - Deadline of October 6.
- Mitigation requirements for homeowners include:
 - Replace removed vegetation:
 - For every two trees removed, three must be planted.
 - Compensate for filling in floodplain by creating or enhancing fish habitat elsewhere.
 - Address water quality impacts from impervious surfaces by using permeable materials or creating stormwater basins.
- Requirements could significantly increase costs for homeowners:
 - Ranging from hundreds to thousands of dollars per year.
 - Potential increase new home mortgages by about \$500-\$600 a year.
- County is considering joining the ongoing litigation:
 - No immediate urgency due to the current pause.
- Letters drafted for board's signature:
 - From Oregonians for Floodplain Protection to be sent to the governor and state legislators.

- Urges adoption of the least restrictive alternative.
- Home Builders Association is financially supporting the coalition:
 - Marion County's potential contribution is estimated at \$10,000 per year.
- Coalition led by smaller counties such as Tillamook aims to support local jurisdictions in opposing the stricter FEMA requirements.

Other:

- Additional comments were received regarding the impact of the proposed changes on farmland:
 - Will be incorporated into the county's draft letter.
- Relevance of state measures (Measure 49) and their influence on federal mitigation requirements:
 - Ensure residential development remains possible.

Next Steps:

- Review the complaint from Oregonians for Floodplain Protection and decide whether to join the litigation.
- County Counsel develop and submit county's legal comments on the draft EIS:
 - Focus on constitutional and legal arguments, by the October 6 deadline.
- Staff will incorporate additional comments regarding farmland into the draft letter.
- Consider signing coalition letter and making a financial contribution to the coalition's efforts.
- Legal team will finalize arguments and prepare for potential future litigation:
 - It depends on outcome of the EIS process and ongoing discussions.

Adjourned – time: 1:42 p.m.

Minutes by: Mary Vityukova

Reviewed by: Gary L. White