



Substantial Damage and Section 1206- Best Practices and Resource Coordination Strategies

Greg Wilson, CFM
Project Manager

Oklahoma Floodplain Managers
Association

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Blue Sky Planning for Substantial Damage Activation

- Understanding Preliminary Damage Assessments compared to Substantial Damage Assessments utilizing FEMA Substantial Damage Tool 3.0
- Have a plan! Assess capacity and capabilities for SD assessments in advance.
 - Communication plan
 - Building stock inventory/data
 - Mapping
 - Field inspection team development and deployment
 - Data process
 - Planning for SURGE

[Substantial Damage Quick Guide | FEMA.gov](#)



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Communication plan

- ✓ Develop a phased communication plan to delivery information to your citizens
 - ✓ Social media, Print media, hard copy fliers, mailers, etc.

Building stock inventory/data

- ✓ Pre-populate a building stock inventory in partnership with your Tax Assessor's data
- ✓ Pre-load data into FEMA's SDE Tool 3.0
- ✓ Have a plan to update/maintain building stock inventory/data



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Mapping

- ✓ Consider a grid approach to your corporate limits and SFHA
- ✓ Consider a mapping approach. What data will you use?
 - ✓ PDA assessments
 - ✓ Source of damage (remember SD is ANY origin of damage)
- ✓ Consider identifying areas of development based on construction practices:
 - ✓ Year of construction
 - ✓ Foundation type
 - ✓ Historical designated areas/buildings
 - ✓ Residential, non-residential, manufactured home parks
- ✓ Mapping resources post event may be limited



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Field inspection team development and deployment

- ✓ Utilize your building stock inventory to develop an approach to manage field deployment
 - ✓ How many team(s) do you need?
 - ✓ What MOUs or volunteer groups are available to support field inspections
 - ✓ What is your process to collect data and photos
- ✓ Field health and safety standard operating procedures



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Data process

- ✓ Consider establishing your formula/methodology approach to support SD assessments:
 - ✓ Determine market value
 - ✓ Costs to include when estimate repairs and improvements
 - ✓ Substantial improvement permit history
 - ✓ Existing code compliance requirements associated with a structure
 - ✓ Data maintenance plan

Consider having your data processing plan reviewed by State and/or FEMA



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Planning for SURGE

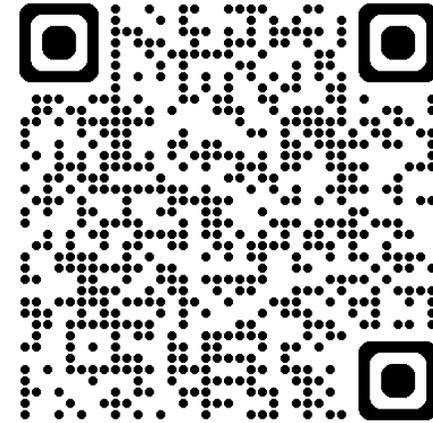
- ✓ Assess your capabilities to support a surge of:
 - Citizen engagement including email, phone call, walk in traffic
 - Surge of building permit applications (in addition to your current workload)
 - Permit intake
 - Plan review
 - Surge of inspections (in addition to your current workload)





Substantial Improvement/ Substantial Damage Desk Reference

FEMA P-758 / May 2010



[Substantial Improvement/Substantial Damage
Desk Reference](#)

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Section 1206, Disaster Recovery Reform Act of 2018 (DRRA)

- Building Code and Floodplain Management Administration and Enforcement. The intent of this policy is to provide communities with the resources needed to effectively administer and enforce state and locally adopted building codes and floodplain management ordinances for a period of no longer than 180 days after the date of the major disaster declaration.
 - ✓ Financial reimbursement for qualifying actions
 - ✓ Plan review/permitting surge staff
 - ✓ Field inspection and code field inspection surge staff
 - ✓ Communication support
 - ✓ Data processing support



FEMA Frequently Asked Questions

Volume 1: Disaster Recovery Reform Act Section 1206 Frequently Asked Questions

Section 1206 of the Disaster Recovery Reform Act of 2018 (DRRA) (2018) authorizes the Federal Emergency Management Agency (FEMA) to provide communities with the resources needed to effectively administer and enforce building code and floodplain management ordinances following a presidential disaster declaration. FEMA is implementing this provision through the Public Assistance Program's Building Code and Floodplain Management Administration and Enforcement Policy (FP 204-079-01). This policy aims to increase the overall speed of recovery and enhance compliance with state and locally adopted building codes and floodplain management ordinances by providing state, local, tribal, and territorial (SLTT) governments additional resources to carry out post-disaster activities.

This Volume 1 Frequently Asked Questions document provides the general public, FEMA staff, and Public Assistance applicants with additional clarity on the application of FEMA Policy 204-079-01, Building Code and Floodplain Management Administration and Enforcement. An additional document, Volume 2 Frequently Asked Questions, has been developed to provide more detailed guidance for FEMA staff and Public Assistance applicants.

Frequently Asked Questions

- 1. What is the Disaster Recovery Reform Act of 2018 (DRRA) Section 1206?**

In response to unprecedented changes in building codes and floodplain management ordinances, SLTT governments authorized under a major disaster declaration are eligible for this type of assistance, consistent with other grants under FEMA's PA Program. SLTT governments must be in good standing with the National Flood Insurance Program (NFIP), as FEMA will not fund activities covered in this policy under the PA Program in a community that is suspended from or has been sanctioned for not participating in the NFIP. Additionally, eligible applicants must be legally responsible to administer and enforce building codes or floodplain management regulation (e.g., if a county is legally responsible to administer and enforce building codes or floodplain management regulation, the county would be the Applicant; if a county has a mutual aid agreement, the county is still the applicant).
- 2. How was DRRA Section 1206 implemented?**

DRRA Section 1206 was implemented through the Building Code and Floodplain Management Administration and Enforcement Policy (FP 204-079-01). The policy is to provide communities with the resources needed to effectively administer and enforce building codes and floodplain management ordinances for a period of no longer than 180 days after the date of the major disaster declaration.
- 3. When did DRRA Section 1206 take effect?**

FEMA's policy implementing DRRA Section 1206 took effect on November 1, 2018.
- 4. Who is eligible for support under DRRA Section 1206?**

SLTT governments authorized for assistance under a major disaster declaration are eligible for this type of assistance, consistent with other grants under FEMA's PA Program. SLTT governments must be in good standing with the National Flood Insurance Program (NFIP), as FEMA will not fund activities covered in this policy under the PA Program in a community that is suspended from or has been sanctioned for not participating in the NFIP. Additionally, eligible applicants must be legally responsible to administer and enforce building codes or floodplain management regulation (e.g., if a county is legally responsible to administer and enforce building codes or floodplain management regulation, the county would be the Applicant; if a county has a mutual aid agreement, the county is still the applicant).
- 5. What type of work and support is included under DRRA Section 1206?**

DRRA Section 1206 authorizes FEMA to provide SLTTs with resources needed to effectively administer and enforce state and locally adopted building codes and floodplain management ordinances for a period of no longer than 180 days after the date of the major disaster declaration. All building code and floodplain management regulation, administration, and enforcement activities (including substantial damage determinations), must relate to the repair, replacement, or retrofit of disaster-damaged structures in the jurisdiction of the applicant. This may include public, private, and residential structures. Sections B and C of the policy outline examples of eligible work. Generally, work that is consistent with work normally done to administer and enforce building codes by the eligible applicant is considered eligible.
- 6. Why is reimbursement limited to 180 days after the date of a major disaster declaration? Are there special circumstances that would allow a longer period of time?**

DRRA Section 1206 specifically defines a period of no longer than 180 days after the date of a major disaster declaration. FEMA does not have authority to support activities occurring more than 180 days after the date of the respective major disaster declaration.
- 7. How do communities apply for DRRA Section 1206 assistance? What documentation is required of communities?**

The process for seeking reimbursement under the PA Program will follow the same procedures and requirements of other PA-funded projects. Communities must submit their request for Public Assistance and all supporting documentation through the [PA Grants Portal](#). To receive funding, applicants must submit to FEMA all supporting documentation necessary to demonstrate work completed and the location of the work. Applicants should also submit all documentation associated with work that was completed through an Emergency Mutual Assistance Compact resource request or intrastate/interlocal mutual aid request. If work was performed by contract labor, the applicant must submit to FEMA all documentation demonstrating federal procurement rules in 2 CFR Part 200 were followed.

 **FEM**

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Applying for Building Code Administration and Enforcement Reimbursement through FEMA's Public Assistance Program
DISASTER RECOVERY REFORM ACT SECTION 1206

Eligible building code activities that occur up to 180 days after a major disaster declaration can be reimbursed through Public Assistance.

WHO CAN APPLY

- **State, Local, Tribal and Territorial governments** authorized for assistance under a major disaster declaration are eligible for this type of assistance.
- **Applicants in good standing with the National Flood Insurance Program**, as FEMA will not fund activities covered in this policy under the Public Assistance Program in a community that is suspended from or has been sanctioned for not participating in the National Flood Insurance Program.
- Additionally, eligible applicants **must be legally responsible to administer and enforce building codes** (e.g., if a county is legally responsible, then the county would be the applicant; if a county has a mutual aid agreement, the county is still the applicant).

ELIGIBLE WORK & COSTS

- Building Code Administration
- Code Enforcement
- Substantial Damage Determinations
- Base and overtime wages for extra hires to facilitate the implementation and enforcement of adopted building codes

For a list of eligible work, please see the reverse side of this flyer.

COST-SHARE

- Eligible costs under this policy will be funded at the Permanent Work cost-share applicable to the disaster.
- All claimed costs must be necessary and reasonable and are subject to program eligibility and other federal requirements, including those related to procurement and contracting.

Scan the QR Code to access FEMA's Public Assistance Program and Policy Guide for details.

ELIGIBLE PERIOD

- Work must be completed within **180 days** after the date of a major disaster declaration.
- Communities must submit their documentation through the [Public Assistance Grants Portal](#). See the Reverse side for more details.
- If you have any questions, please contact your FEMA regional office or state National Flood Insurance Program coordinator.

1. **Building Code Administration:**
 - a. Hire, train, supervise, certify, and license staff, as required to conduct eligible activities to include:
 - i. Permitting
 - ii. Certificates of Occupancy and Compliance
 - iii. Plan Reviews
 - iv. Variances
 - b. Contract for services
 - c. Historic Building Determinations
 - d. Public Outreach on Building Code Requirements
 - e. Building Code/Floodplain Management Ordinance Coordination
2. **Code Enforcement:**
 - a. Construction Inspections
 - b. Identify Building Code Violations
 - c. Condemnation Determinations.
 - d. Unpermitted Construction Violations
3. **Substantial Damage Determinations:** for existing buildings located in areas regulated by the community's floodplain management ordinance or building code, eligible work may include work to:
 - a. Hire, train, supervise, certify and license staff, as required to conduct eligible activities.
 - b. Conduct extent of damage surveys.
 - c. Establish focus areas for building-specific assessments.
 - d. Develop cost information for repairs and pre-disaster market value estimates.
 - e. Collect field data for damage assessments.
 - f. Substantial Damage Estimator or comparable data collection software data entry
 - g. Conduct damage inventory of structures.
 - h. Cumulative substantial damage and repetitive loss tracking
 - i. Compliance inspections for repairs and substantial damage requirements.
 - j. Substantial improvement determinations.
 - k. Historic or eligibility determinations for damaged structures.
 - l. Substantial Damage Determination appeals.

NOTE: Ineligible Work

- Activities associated with non-disaster damaged structures or non-disaster-related development
- Activities to update a community's laws, rules, procedures, or requirements
 - Examples: Updating building codes, adopting new zoning requirements, developing new land use plans

TIP: Plan Ahead for Success!

- Costs associated with 1206-eligible work executed through interstate/interlocal mutual aid agreements, direct contracts, temporary employees, and/or mutual aid may be eligible for Public Assistance reimbursement
- Communities should plan today to meet the 180-day funding limit by establishing these resource mechanisms before the next disaster strikes

Communities interested in DRRA 1206 should contact their local Emergency Management Office

For more information on these DRRA 1206 policy-related requirements, review additional resources [here](#)

Stakeholder Coordination

Successful implementation of the DRRA 1206 policy requires close collaboration between federal, state, tribal, territorial, and local partners. The following section provides a high-level overview of the key personnel involved in the recovery process for post-disaster building code and floodplain management administration and enforcement activities. Local officials interested in applying for Public Assistance grant funds made available through DRRA 1206 should coordinate with their community staff member who typically works directly with the FEMA Program Delivery Manager (PDMG) or State Public Assistance official.

Table 1: Key Personnel Responsible for Supporting Public Assistance Reimbursement of DRRA 1206-Eligible Activities

State and Local Officials		FEMA Officials
Floodplain Administrator	Building Official	Public Assistance Program Delivery Manager (PDMG)
Responsible for administering and enforcing NFIP Floodplain Management requirements and has the land-use jurisdiction and authority for floodplain management.	The officer or other designated authority charged with the administration and enforcement of a community's building codes, or a duly authorized representative.	The PDMG serves as the primary point-of-contact for the state, tribal, territorial, and local governments applying for funding and assists throughout the Public Assistance grant development process.
Other Personnel: <ul style="list-style-type: none"> • State Recovery Partners • Emergency Manager • County Executive Officer or Mayor • Budget or Finance Office • Tax Assessor's Office • State National Flood Insurance Program Coordinator's Office 		Other Personnel: <ul style="list-style-type: none"> • FEMA Regional Building Science point of contact • FEMA Regional Building Code Coordination Specialist • FEMA Floodplain Management & Insurance Branch Staff • FEMA Disaster Field Staff

DRRA 1206 Activities Eligible for PA Reimbursement

The Project Application and DRRA 1206 policy provide a list of sample activities eligible for reimbursement through the PA Program. The following section provides greater clarity around these examples, including key descriptions and potential resources needed, to advance understanding of post-disaster floodplain management and building code administration and enforcement.

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Whats Covered?

- Substantial Damage Determinations
 - Initial field surveys to determine extent of damage
 - Identifying damage trends (Triage) to identify focus of SDE assessments
 - Preparing cost information on repairs and pre-disaster market values
 - Collection of field data
 - Data entry into the FEMA SDE Tool or comparable data collection software
 - Tracking cumulative SI/SD and Repetitive Loss properties
 - Inspections to ensure compliance with SI/SD requirements during repairs
 - Historic designation reviews
 - Adjudication of SI/SD appeals

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Whats Covered?

- Floodplain Management and Substantial Damage Determinations
 - Administer and enforce NFIP and FDPO regulations
 - Review of development proposals
 - Floodplain Development Permits
 - Inspections
 - Code enforcement for unpermitted work or construction activities
 - Work to provide information on Flood Hazards, Floodplain Mapping, Advisory Flood Data, and compliance to residents and property owners

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Whats Covered?

- Building Code Enforcement
 - Permits
 - Certificate of Occupancy
 - Plan reviews
 - Building inspections
 - Code Enforcement (unpermitted work, code violations)
 - Processing variances
 - Coordination of building code and FDPO administration

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Whats Covered?

- Hiring of temporary and surge staff
 - Contractors
 - Mutual Aid Teams
 - Local Hires
- Training, certifying, licensing and supervision of surge staff
- Travel and accommodations for extra hires or contract staff
- OT for permanent staff, regular and OT for surge staff
- Vehicle usage
- Outreach to the public
- Laptops/Tablets/Office Supplies
- Costs associated with legal proceedings to adjudicate any regulations

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Become familiar with your local, state, and FEMA resources.



Greg Wilson, CFM
Project Manager

Tetra Tech Disaster Recovery
Direct +1 (681) 526-7414 | greg.wilson2@tetrattech.com

Tetra Tech | Complex World, Clear Solutions™
West Virginia | tetrattech.com



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