



UTILITIES HELPING UTILITIES:

AN ACTION PLAN FOR MUTUAL AID AND ASSISTANCE NETWORKS FOR WATER AND WASTEWATER UTILITIES

By Kevin Morley, American Water Works Association and Ray Riordan, California Utilities Emergency Association

An ounce of prevention is worth a pound of cure.
- Benjamin Franklin



**American Water Works
Association**

The Authoritative Resource on Safe Water SM

Advocacy
Communications
Conferences
Education and Training
Science and Technology
Sections

Contents

- Preface..... ii
- Joint Policy Statement on Mutual Aid and Assistance Networks..... iii**
- Overview 1
- Checklist of Actions to Start a Mutual Aid and Assistance Network..... 3**
- Development of an Intrastate Network 5**
 - Steering Committee 5
 - Pre-Event Support..... 6
 - Protocols 6
 - Mutual Aid and Assistance Agreement 7
 - Facilitation Tools 8
 - Maintenance of the Program..... 8
- Mutual Aid and Assistance Requests and Response..... 9**
- Interstate Mutual Aid and Assistance 10**
- Appendices**
 - 1 Establishing a Steering Committee and Agreement 11
 - 2 Signatories of the Joint Policy Statement on Mutual Aid and Assistance Networks..... 18
 - 3 Sample Mutual Aid and Assistance Agreement 19
 - 4 National Incident Management System Mutual Aid Agreement Requirements..... 31
 - 5 Sample Water/Wastewater Agency Response Network Information Flyer..... 33
 - 6 Existing Water and Wastewater Agency Response Network Contacts 35

Preface

With the development of the enclosed Joint Policy Statement on Mutual Aid and Assistance Networks for water and wastewater utilities (p. iii), this white paper provides guidance on creating and implementing a mutual aid and assistance program within any of the states and territories that have not yet created such a program. With special thanks to the existing Water and Wastewater Agency Response Networks (WARN) for leading the effort, the following material was developed by reviewing the key elements of the existing networks.

The existing mutual aid and assistance programs mentioned in this paper include:

- California Water/Wastewater Agency Response Network (CalWARN), established in 1992, www.calwarn.org.
- Florida Water/Wastewater Agency Response Network (FlaWARN), established in 2001, www.flawarn.org.
- Texas Water/Wastewater Agency Response Network (TxWARN), established in 2005, www.txwarn.org.
- Louisiana Water/Wastewater Agency Response Network (LaWARN), established in 2006, www.lawarn.org (site to be developed).
- Washington Association of Sewer & Water Districts Mutual Aid Program, established in 1994, www.waswd.org.

The American Water Works Association acknowledges the following reviewers for their input and contribution:

Chairs and Representatives for the existing WARN programs:

California WARN
Florida WARN

Louisiana WARN

Texas WARN

Martin Falarski, Chair
Scott Kelly, Chair
Gary Williams, Vice-Chair
Don Broussard, Co-Chair
Patrick Credeur, Co-Chair
Mike Howe, Committee Member

US Environmental Protection Agency

Debbie Newberry, Chief, Security Assistance Branch, Water Security Division
John Whitley, Threat Specialist, Security Assistance Branch, Water Security Division

Association of State Drinking Water Administrators

Bridget O'Grady, Program Manager

Information from the following documents was integrated into portions of this paper with permission from the source:

- EPA 625R-05-002, *Security Information Collaborative: A Guide for Water Utilities*, 2004.
- Riordan, Raymond A., Mutual Aid and Emergency Response for Water Utilities, *Jour. AWWA*, May 1995.



Utilities Helping Utilities

Joint Policy Statement on Mutual Aid & Assistance Networks

The water sector is committed to a “Utilities Helping Utilities” concept and is taking steps to encourage utilities and local/state governments to establish intrastate mutual aid and assistance networks. The purpose of these networks is to provide a method whereby water/wastewater utilities that have sustained damages from natural or man-made events could obtain emergency assistance in the form of personnel, equipment, materials, and other associated services as necessary, from other water/wastewater utilities. The objective is to provide rapid, short-term deployment of emergency services to restore the critical operations of the affected water/wastewater utility.

A pre-established agreement among a network of utilities can complement and enhance local capabilities to prepare for and respond to a broad range of threats, both natural and man-made. The establishment of such intrastate mutual aid and assistance networks is a core principle of the National Preparedness Goal developed by the Department of Homeland Security.

Formalizing the existing capability to provide mutual aid and assistance provides the water/wastewater sector with a degree of resiliency against natural or man-made disaster to ensure continuity of service to our sector’s customers.

It is essential that all partners in the water and wastewater community work together to support this concept. We encourage our members to discuss this concept with peers and take the steps necessary to establish an intrastate mutual aid and assistance network.



Overview

Events such as 9/11, the 1994 Northridge earthquake, the 1997 Red River flood, and more recently Hurricane Katrina in 2005 identified a need for water and wastewater utilities to create intrastate mutual aid and assistance programs because:

- Utilities require specialized resources to sustain operations;
- Government response agencies and other critical infrastructure rely on water supplies;
- Utilities must provide their own support until state and federal resources are available;
- Large events impact regional areas, making response from nearby utilities impractical;
- Disasters impact utility employees and their families, creating greater need for relief;
- Agreements must be established pre-event for federal reimbursement; and
- Promoting mutual aid/assistance meets FY06 Department of Homeland Security requirements.

The need for establishing such a capability is driven by the threat of both natural and human-caused events. The establishment of intrastate mutual aid and assistance networks within each state

across the nation can help reduce the impact of such events and expedite recovery efforts of water and wastewater utilities, a national critical infrastructure as identified by the Homeland Security Presidential Directive (HSPD) 7.

The “Utilities Helping Utilities” concept is about creating an opportunity to enhance water and wastewater utility resiliency in response to disasters during the response and recovery phases. A mutual aid and assistance network is designed to provide a mechanism whereby water and wastewater utilities that face threatened or specific damages from a natural or human-caused event could quickly obtain emergency assistance in the form of personnel, equipment, materials, and other associated services, as necessary, from other water/wastewater utilities using a master or omnibus mutual aid and assistance agreement signed by member utilities. The primary objective is to facilitate rapid, short-term deployment of emergency support to restore critical operations at the affected water/wastewater utility.

A utilities helping utilities, or peer-to-peer, approach to incident response and recovery is the most effective and efficient way to help a utility bring its systems back to normal operations within the shortest time frame possible. Although there is variability in the technical operations from one

utility to another, the basic concepts, language, standards, regulations, personnel skills, and certification are relatively consistent, especially within a given state. Accessing the technical skills of utility field crews and operators from like utilities can allow employees affected by the events to manage their families' needs during a difficult time. The key ingredient for putting a utility back in operation is quickly inserting skilled, certified, technical utility crews into the field to address the emergency. The bottom line for the mutual aid and assistance networks described in this report is how to organize and marshal the technical skills unique to the water and wastewater sector to provide a rapid response and recovery capability at the local and state levels.

A signed mutual aid and assistance agreement does not obligate a utility to provide or receive aid but provides a tool for use should events dictate a need. Having an agreement in place prior to an emergency can also enhance planning and prioritization by agencies responding to requests for help. Among many basic benefits of having or participating in a mutual aid and assistance network, key benefits include:

- ***Increased planning and coordination.*** Agreements facilitate and complement local and regional joint planning for incident response, and such agreements meet federal grant requirements. The networking prior to an emergency helps utilities identify the people involved.
- ***Enhanced access to specialized resources.*** The basic function of the agreement is to quickly bring specialized

utility resources to bear when and where they are needed. Agreements ensure the timely arrival of vital water and wastewater equipment and personnel with the support of the appropriate authorities.

- ***Expedited arrival of aid.*** The federal and state government resources cannot address utility needs immediately. Mutual aid agreements streamline procedural steps so that resources can be easily requested and arrive in a timely manner.
- ***Reduced administrative conflict.*** Agreements clarify liability, reimbursement, and other administrative matters that could impede response in the absence of an agreement.
- ***Increased hope.*** As noted in past after-action reports from many disasters, after suffering loss of all critical infrastructures, the restoration of water and wastewater service provides a sense of comfort and hope that a "return to normal" is not far away.

Emergencies transcend political jurisdictional boundaries, and intergovernmental coordination is essential for protecting lives and property and for facilitating the efficient use of available assets, both public and private. As noted in the Joint Policy Statement, the national water and wastewater associations are committed to the "Utilities Helping Utilities" concept and encourage utilities and local/state governments to establish intrastate mutual aid and assistance networks.

Checklist of Actions to Start a Mutual Aid and Assistance Network

1. Identify Interest in Starting a Program

- Identify water and wastewater utility partners who are known industry leaders and discuss need for initiating a mutual aid and assistance program and potential benefits.
- Conduct phone conference/informal meeting to discuss strategy to start up the program.
- Establish an Initial Leadership Team.
- Contact authors and contributors to this paper or existing WARN programs for suggestions.

2. Form an Initial Leadership Team

- Contact various additional utilities, associations, or agencies that may play a role in the effort.
- Facilitate meetings with a core group to:
 - o Identify purpose of the program (see appendix 1 for ideas).
 - o Set a date, time, and location for an initial brainstorming session with this small group.
 - o At the meeting, review common goals for the program and identify interest of this smaller group to lead an effort to educate fellow utilities and gather membership.
- Identify possible leadership team membership criteria:
 - o Public vs. private.
 - o Large and small utility, any that will help get the “ball rolling.”
 - o Contractors that provide delivery and treatment services.
 - o Wholesale utility, distribution utilities, etc.
- Identify upcoming association or training programs that offer a chance to educate utilities on the new program and invite attendees to meetings.
- Identify primacy agency involvement.
- Identify which state or local emergency preparedness and response agencies to include.

3. Prepare a Kickoff Session

- The Initial Leadership Team may consider including the primacy agency, federal and state partners, and appropriate associations in the planning of the Kickoff Session, as they may be able to provide logistical and organizational support.
- Plan a regional or larger meeting of those utilities, associations, and response agencies that are targets for membership:
 - o Prepare basic agenda materials:
 - Provide education about the intent and purpose of mutual aid and assistance.
 - Provide lessons learned from successful programs.
 - Invite potential speakers on a variety of topics that facilitate mutual aid.
 - o Send out an announcement to targeted members with a date, time, and location identified (consider inviting upper management of the target utilities).
 - o Request a reply to identify a potential number of attendees.
 - o Identify a central location, with enough space to support the number expected (to save costs, consider a large meeting room available to public agency gatherings).
- In managing the meeting, allow for questions and answers, as the strength of the program will depend on the types of questions asked and the interest in responses.
- Manage a post meeting review to identify next steps.

4. Establish a Steering Committee

- Identify committee membership (be willing to modify membership as system evolves). Consider:
 - o Representatives from each state region (as appropriate).
 - o Utility owner/operators (which may overlap with state association representative).
 - o Professional association representation that can provide field response support (American Water Works Association, National Rural Water Association, Water Environment Federation, sanitation association, etc.).
 - o State water and wastewater primacy agency (state health, environmental protection, etc.).
 - o State emergency preparedness and response and/or homeland security agency.
 - o US Environmental Protection Agency region representation.
- Confirm the mutual aid and assistance membership criteria established by the Initial Leadership Team. Who are the target members in the program, e.g., water and wastewater utility, professional association, contractors, primacy agency, etc.?

- Identify a leader, e.g., by vote or consensus.
- Identify the Governance of the program and basic operational activities. For example:
 - What role does the steering committee take before, during, and after a disaster? How is the program organized throughout the state? Who acts as the official voice? If representatives are elected, how is this accomplished?
- Identify frequency of steering committee meetings to focus on goals.

5. Identify a Mission for the Program and Steering Committee Goals

- Clarify a purpose, mission, and goals for your intrastate mutual aid and assistance program.
- Identify the program as more than a response program—it supports pre-event preparedness.
- Prepare materials for upper management support:
 - Develop educational materials like brochures on the WARN program (see appendix 5).
 - Develop presentation materials on how the program will help the utility.
- Identify Short-Term Goals to accomplish within one year.

6. Review Use of State Regions

- Determine need to organize the program into regions of the state.
- Invite the state primacy agency and state agency responsible for overall disaster and emergency response in the state to attend discussions:
 - Are state regions a useful tool to organize? If so, does the system use the public health regions, emergency response regions, etc.?
 - Identify how representation at the state Emergency Operations Center is accomplished.
 - Identify support that can be provided by the regions.
 - Discuss the complications of participating in state operations at the region and state levels.

7. Identify Mutual Aid and Assistance Activation Criteria

- Can only those who signed the agreement use the program to request assistance?
- What constitutes an emergency, and how does a member activate the program? When a utility is in need, who do they call? Can they call any member utility directly? Do they contact a facilitator?
- How do you prevent abuse of the program?
- What is the practical method of using the resources of the member utilities?
- Are there forms or procedures that must be used to request assistance?
- Coordinate with state emergency preparedness and response agency regarding Gubernatorial declared emergencies.

8. Draft an Agreement

- Identify parameters for the agreement:
 - Must a member sign the agreement to participate in the program.
 - Identify appropriate legal authorities to establish an agreement.
 - Identify articles of the draft agreement (Appendix 3) that create reactions to possible member utilities.
- Draft an agreement and determine need for legal review.

9. Create Facilitation Tools

- Develop facilitation tools and training and deliver routine workshops on subjects, such as:
 - Protocols to defining damage and resource needs.
 - Linkages with local emergency management authorities.
 - Communication systems.
 - Web-based systems.

10. Maintain the Program

- Identify frequency of regional meetings and annual meetings for the general membership.
- Establish methods for routine communication in between formal meetings to show vitality of the program.
- Identify possible funding to develop or improve communication tools such as Web sites.
- Document successes of the program in action.
- Share lessons learned with other state and interstate mutual aid and assistance programs.

Development of an Intrastate Network

The purpose of this report is to provide the basic building blocks for developing a successful intrastate mutual aid and assistance network. The key elements described here are common to several existing and successful state-level networks that have been established to address the need for water and wastewater mutual aid and assistance. The key elements include:

- Steering Committee
- Pre-Event Support
- Response Protocols
- Mutual Aid and Assistance Agreement
- Facilitation Tools
- Maintenance

Steering Committee

An intrastate (within a state) utility-to-utility program requires the utilities to initiate the development of the mutual aid program. Although there could be hundreds of utilities within a state, a leadership team needs to be assembled to bring together ideas from the potential members, to give focus to how the program develops and unfolds, and to initiate the program. The purpose of a steering committee, comprising the utility members, professional and technical associations, and primacy agencies, is to:

- Identify a clear leadership for the program;
- Focus the direction of how to develop the program;
- Garner support among the utility members;
- Facilitate coordination with and identify specific communication linkages to the existing emergency management structure within the state;
- Provide an identity for the program by specifying membership criteria; and
- Ensure the program meets the needs of its members (the utilities).

In the existing utility mutual aid and assistance programs, the initial leadership teams created re-

gional committees that supported an overarching state committee. The programs organized themselves according to the “regions” of either the primacy agency support regions or the response regions of the state emergency management organization. Each region elected or identified leaders who participate in the state committee, bringing the issues of the regional members to the state leadership.

The state steering committee should attempt to balance representation from large and small, public and private utilities to capture the different roles each plays in responding to an incident. For example, technical service providers can offer rapid local condition assessments; utility response teams can provide equipment, field crews, lab services, or shop services. To support this effort, representatives of the professional organizations, such as AWWA sections, state rural water associations, state Water Environment Federation associations, and others, as appropriate, should be considered to provide a balanced input to the decisions of the committee.

It is important that key response agencies are included in the planning and development of the program. Partnerships with these other key response agencies are a critical element of any mutual aid and assistance network. For this reason, in the existing programs, the state primacy agency and state emergency management and/or homeland security authorities sit on the state steering committee to provide advice and input. This helps ensure that the mutual aid and assistance network can effectively address *all hazards* and facilitate coordination with the responding agencies.

For the mutual aid and assistance network to operate effectively, some level of governance must be established. The governance needs to be simple and address how it operates before, during, and after an emergency. From the state steering committee, a single person must be identified as the lead agent or chair for the program. Additionally, someone must administer the program and agreement. The tasks could be managed by one leader

or shared among several to balance the load. Finally, the linkage of the governance to the emergency management organization needs to include how the mutual aid program maintains communications with network members and the emergency management agency, before, during, and after an incident.

More information on how to form an effective steering committee is presented in appendix 1.

Pre-Event Support

Mutual aid and assistance is not a means to fill a void caused by lack of planning and preparedness. Mutual aid and assistance is intended to support a utility that is near or has exhausted its own resources responding to an event, prior to requesting aid. Efficient mutual aid and assistance response requires pre-event action and support, including each utility preparing plans to effectively use its own available resources, regular communication with the members, training workshops and sessions for its members, and a means for members to network with the city, county, and state response agencies. By providing the opportunity for education and training, the mutual aid and assistance program becomes part of a greater emergency response system by design and helps integrate the utilities and local responders to ensure the utilities meet the requirements for federal grants and reimbursements. For example, understanding and applying the fundamentals of the Incident Command System (ICS) will improve any response as identified by the National Incident Management System (NIMS), the National Response Plan (NRP), and other activities that support HSPD 5 on National Preparedness. Applying the methods and concepts of the Incident Command System is now a federal requirement adopted by all 50 states in 2006.

Participating in training, practicing, and responding to incidents alongside law, fire, and other first responders adds legitimacy for the mutual aid and assistance program. Understanding the fundamentals of ICS will improve any response by establishing clearly defined roles and responsibilities for various personnel during an incident. To create such a cooperative effort takes outreach to the emergency response and management community

and integration at the city, county, and state levels. Support for the effort is possible through regular contact and involvement of the primacy agencies that have contact with emergency response organizations.

Protocols

All emergencies are “local” and require immediate response from those affected by the event. The responding mutual aid and assistance resources from outside the impact zone need to work with a common set of principles when responding to an event while assisting the utility/ies affected by the event. To facilitate an effective response, certain procedures and protocols should be considered and adopted by the member water and wastewater utilities. The protocols would include how to communicate the need for mutual aid, who to communicate with, and how to provide information to the local emergency management authorities. Activating the mutual aid and assistance agreement must be outlined and referenced (not in detail, but generally) in the agreement. Additionally, accessing a current contact list of member utilities and key resources available in the state from other utilities would be critical. These pre-event activities will improve communications and ideally limit the chaos factor related to an incident since roles and responsibilities are defined pre-event.

In most utility mutual aid and assistance agreements, a declaration of a local emergency by the city, county, or the state is *not* necessary to activate the agreement, yet it is critical to identify how and what emergency data to communicate with the local emergency management groups. To meet this need, member utilities accept the responsibility to conduct a rapid damage assessment of the utility and identify the types of resources and personnel that a responding utility or agency should consider prior to deployment. The process of collecting this information and relaying it to the local and state emergency management groups may be necessary to be eligible for Federal Emergency Management Agency reimbursement. This is likely one of the most critical elements in the response, because the information directly impacts the efficient allocation and coordination of resources to those in need.

Protocols on how to provide information to the local and state emergency management agencies and that identify who receives the information complete a vital linkage. For coordination purposes, the mutual aid and assistance program needs to identify a specific point of contact at the local and state level, especially during incident response. In each of the existing systems, a specific group has been identified at the State Operations Center to help facilitate priorities for allocating resources, coordinating of information and flow of resources to the impact area, and coordinating response with other response organizations. For example, contact at the State Operations Center with law enforcement could help in allowing crews to reach a destination without having to stop at weigh stations, thereby reducing response time and getting to an area of need sooner.

The protocols can also account for the type of information that can be shared with the member utilities before, during, and after an emergency. If the information could allow for the exchange of national security information, the protocols and agreement should identify limitations or directions on how and when the information is shared.

Mutual Aid and Assistance Agreement

Several states have instituted statewide mutual aid legislation that authorizes the state and its political subdivisions to provide emergency aid and assistance for all disciplines (fire, law, medical, etc.) in the event of a threatened or actual major disaster. In most cases, a declaration of an emergency by the local government body or the governor triggers the activation of mutual aid resources. Note that the provisions of these laws do not typically preclude utility participation in a sector-specific mutual aid network. In the case of the water/wastewater network discussed in this report, a request for assistance during an incident does *not* have to be triggered by an emergency declaration by the local elected body, the governor, or the President. Gubernatorial declarations may allow access to additional aid for public utilities, while the utility mutual and assistance program may remain independent. As the steering committee is form this latter point will require discussion and coordination with the state emergency preparedness and response agency.

The ultimate goal for the mutual aid and assistance network program is to create a single intrastate agreement from which all utilities operate and to eliminate multiple agreements. Trying to determine which agreement to use if multiple agreements are considered could add confusion during a time of critical need and response. Creating a single omnibus Mutual Aid/Assistance Agreement (MAA) relies on the progression of each of the above elements to put in writing how the program works. The MAA provides the essential framework for how assistance will be provided, outlines response procedures, and addresses issues of insurance and liability. The focus of this report is on building a state-level mutual aid and assistance capability in which utilities are able to request assistance from peers in the absence of a local, state, or national emergency declaration.

The details of an intrastate utility MAA must be developed by the member utilities, using the appropriate state law references, and the agreement must address *all hazards* (natural and human caused). According to the Department of Homeland Security, to meet federal grant requirements, MAAs need to account for:

- Definitions of key terms;
- Roles and responsibilities of individual parties;
- Procedures for requesting and providing aid;
- Reimbursement and allocation of costs;
- Notification procedures;
- Protocols for interoperable communications;
- Relationships with other jurisdictions;
- Workers' compensation;
- Liability and immunity;
- Recognition of qualifications and certifications; and
- Sharing agreements.

The bottom line is that an agreement must be in place prior to an incident to:

- Help ensure an effective response and recovery;

- Adequately provide the specialized resources and employee skills that a utility needs for response/recovery; and
- Following a presidential-declared emergency, obtain federal reimbursement as identified in the Stafford Act.

Finally, the MAA must include a provision on how it will be updated. Changes to state law, federal regulations, and reimbursement issues may necessitate the need to evaluate and modify the agreement. Keeping the agreement “alive” requires an ability to revise the agreement.

Based on a review of the existing MAAs in use on a statewide basis, a sample agreement is provided in Appendix 3.

Facilitation Tools

Developing tools for communicating information with members will enhance the program. The tools can take the shape of forms and request procedures that help facilitate the flow of information to the utilities that can provide aid and to the emergency management authorities. In the end, the tools need to be designed to assist in the flow of resources to the utilities in need.

Today, the most popular tool is a Web site. While a Web site is not critical at the outset, it can sup-

port the need to share information, post critical data, and facilitate action. To build a useful Web site, each of the previously identified steps needs to take shape.

Maintenance of the Program

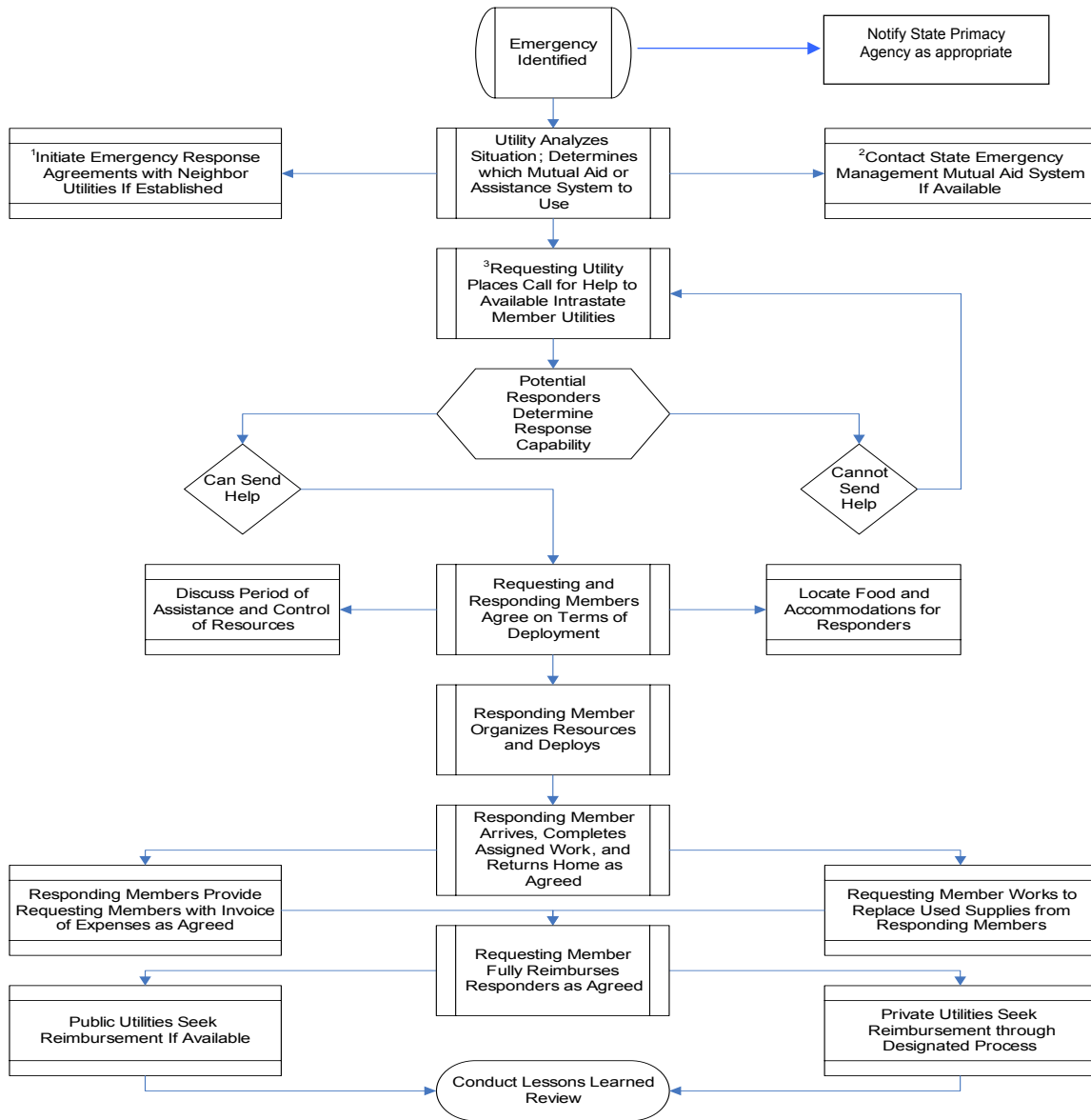
Establishing programs for training and ongoing maintenance of the agreement and program propel the mutual aid and assistance program into a “living and breathing” element of the local and state emergency preparedness and management programs. A regular schedule of meetings between the state and regional committees (perhaps quarterly), an annual (at least) general meeting of the members, and training will help keep the purpose of the program and awareness of how to use the agreement “alive.” These regular meetings and trainings can be “paired up” with the annual professional meetings and workshops developed by AWWA or National Rural Water Association, for example, or other regularly scheduled programs.

Annual review of the agreement for updates in laws, programs, and procedures keeps the members aware of the agreement and helps remind the members to update their plans, contact lists, and other emergency management efforts.

Mutual Aid and Assistance Requests and Response

During an emergency, a utility needs to analyze the situation and determine the best alternatives to address its needs. This could include three possible mutual aid or assistance response scenarios (see flowchart below). First, the utility may call upon neighboring utilities with whom they have pre-written and established agreements. Second,

public utilities have an option to “tap into” the public agency statewide mutual aid and assistance programs if state law and operations allow for such a program. Third, the utility can access the water/wastewater mutual aid and assistance program described in this document.



1,2,3 - Utility may have as many as three options for obtaining assistance via local one to one agreements , access through a statewide mutual aid program for public agency responder, and the intrastate utilities agreement.

Interstate Mutual Aid and Assistance

The Emergency Management Assistance Compact (EMAC) is the primary tool to exchange resources across state lines. It is a national governor-to-governor interstate mutual aid compact implemented by an act of the US Congress. EMAC facilitates the sharing of resources, personnel, and equipment across state lines during times of disaster and emergency. At this time, all 50 states, the District of Columbia, and two US territories participate in EMAC. The adoption of the EMAC agreement in each state required passage of a bill through each state or territorial legislative body, followed by the governor's signature. The mission of EMAC is to efficiently and effectively share resources between the members (states and territories) during times of disaster or emergency.

The National Emergency Management Association (NEMA) administers the EMAC, following the declaration by the governor of the affected state or territory. Use of EMAC does not require a

presidential declaration. The intent is to allow for the use of state employees to respond to emergency conditions. Some states have provisions in their intrastate mutual aid agreements that allow the state to designate local government employees as agents of the state for purposes of mutual aid, while others do not. For those without such provisions, a vehicle was needed to allow the state to designate local government employees as state assets, thereby facilitating the employment of personnel, ensuring the applicability of EMAC liability and workers' compensation provisions, and simplifying the reimbursement process. Contact your state agency responsible for emergency management for more details.

While practical, the use of EMAC does not require the use of resources from neighboring states before accessing resources and personnel from other states that are part of the EMAC agreement.

Appendix 1

Establishing a Steering Committee and Agreement

A successful program often begins with one person who has the vision and drive to bring together different groups for a common purpose. While the common goal may appear evident, especially because more than one utility provides drinking water and wastewater services to a state, in the end, all utilities have one purpose: serving the customer. Establishing a leadership team and identifying resources to sustain the effort are vital to initiating it, shaping it, and maintaining it. For these reasons, this appendix is designed to outline some of the considerations in establishing a vibrant and sustainable program. The *10 steps* to establishing and maintaining a steering committee and agreement are based on the successful existing mutual aid and assistance programs for water and wastewater utilities.

1. Evaluate need, purpose, value, and intent of a mutual aid and assistance program.

Vision beyond an agreement. The mutual aid and assistance program is more than an agreement. It is a way of sharing information before, during, and after an event; it provides a method to plan and train together; it promotes the concepts and use of mutual aid and assistance today and into the future; it links the utility industry into the existing emergency management programs in the state; it promotes an opportunity to share lessons learned in emergency planning, response, and recovery; and it helps share the emergency planning and training requirements needed to obtain grants and reimbursements.

Promote preparedness. A mutual aid and assistance program promotes the development of a team of utility responders ready to help each other, especially since many water utilities share the same water sources. To reach the goal of building a team of like responding utilities, the intent of the program can assist in answering the following questions:

- What do you know about the neighboring utilities?
- What is known about neighboring utilities' vulnerabilities?
- Do neighboring utilities share the same vulnerabilities from the same natural disaster?
- Do the utilities have emergency response plans and practice using them?
- Have the neighboring utilities conducted exercises? What lessons are learned?
- Are neighboring systems similar and reliant upon the same resources in an emergency?
- What systems in other regions share the same need for resources, or could provide the resources needed in an emergency?
- Do neighbor utilities know how to request help from each other or other utilities in the state?
- Are opportunities for regular interactions with member utilities already available? If so, how can utilities leverage the opportunity to learn about each other's emergency response plan and assist each other?
- If neighboring utilities are affected by the same event, how does a damaged utility reach out to unaffected utilities to get assistance?
- What resources among multiple utilities can be shared to assist those in greatest need?
- Do opportunities exist to regularly share the above sources of information with other utilities that they might be able to rely on during an emergency?
- Do you know whom to contact in case of an emergency?
- If a utility serves more than one jurisdiction, who is the contact in each jurisdiction?
- If a utility serves more than one jurisdiction, is it clear who will respond if an emergency arises?

- Are utilities familiar with any response guidelines issued by your local police or fire department?
- Are the police, firefighters, and other emergency personnel familiar with the intentions, response capabilities, priorities, and critical facilities of a utility?
- Are the utilities in need ready to accept mutual aid?

2. Define potential membership and initial leadership team.

Common goals. Mutual aid and assistance programs work best when the members share mutual goals or values. Organizations to include in this new venture will depend on the purpose and intent of the program. The program could focus on one or all of the phases of emergency management: preparedness, training, response, and recovery. For example, if utilities need to know the emergency response plans and resources of other utilities in a region, the membership should focus on a utility membership. If response activities are the focus, public health and emergency management groups need to be included at some level. Regardless of the type of program, it is important to identify the agencies and organizations that share common concerns and can bring additional information, knowledge, and resources to the members.

3. Establish an initial leadership team.

As noted, the program may begin due to the vision and drive of one person to bring different utilities together for a common cause. From this leader, an initial leadership team may evolve. Over time, the leadership team will evolve and even look different from the start. The initial leadership team required to start the program will come from contacts at other utilities that seem to share a common vision and sense of direction. To give credibility to the development of the program, members of the initial leadership team must have the authority to make key decisions for their utility. That authority either can already be a part of that person's position in the utility or may be delegated to him or her by senior management. Before beginning, be sure the initial leadership team includes individuals who possess the skills and drive to bring the program together and the support to continue the journey.

Upper management support. Upper management support is critical to the formation and maintenance of a mutual aid and assistance program. Initially, the financial support to create the program is often in the form of in-kind services by the initial leadership team, and members must take time from other duties and responsibilities to attend meetings and create a strong foundation from which the rest of the program develops. Upper management support for these activities not only ensures that necessary resources are available but also validates the effort and promotes the acceptance of the agreement that is vital to the success of the program.

4. Prepare and conduct a “kickoff” session.

Training and awareness. Calling together the potential membership for the mutual aid and assistance program is an excellent time to explore the benefits of working together and to understand what each member can contribute. This may be the first time that the utilities have heard about mutual aid and assistance, which may require presentations and training on what mutual aid and assistance is about. It should also include representatives of existing and successful programs. (A list of these organizations is included in appendix 6.)

Initial call. At this first general meeting, it is important to identify the areas of common concern and, perhaps, develop a mission statement or set of goals for the program. In selecting who to invite, the initial leadership team may consider inviting utility representatives who are in the “right positions” in their organizations to make decisions for the utility and who are also able to work cooperatively with

others. When reaching out to the utilities, contacting upper management first may be necessary, while clearly stating that participating members should be the persons who work to support the goals of the mutual aid and assistance program.

Meeting preparation. In preparing for the initial meeting, the initial program needs to outline the basic idea behind the movement, the successes of other programs, and the benefit of the program; it should allow for sharing ideas and questions. Questions and comments presented by the utilities present at the session may reveal different philosophies, terminology, concerns, approaches to events, and personal lessons learned. Group dynamics and individual personalities affect the strength of a mutual aid and assistance program and could significantly impact the meeting's outcome.

Forming a unified membership. Allowing the initial meeting to progress through the "group formation" is critical and well documented in management journals. The four stages of group formation or normalization are: form, storm, norm, and perform. Multiple representatives are brought together (form). The group members each express personal views, state positions, identify expectations, and describe future intentions (storm). While perhaps not achieved initially, the group "normalizes" as a direction for the group is presented and agreed upon as long as it includes value in working together (norm). In succession, the group takes actions (perform) based on perceived value, vision for improvement beyond current conditions, and identified goals.

Post meeting notes and action. Following the initial meeting is the time to capture who the likely candidates would be for expanding the leadership team; identifying key players; specifying resources available at this time; documenting additional members to include; and immediate actions to take to show progress. Follow up the meeting with acknowledgment to those who came and invitations to those to include in the leadership of the program.

5. Establish a state steering committee.

Membership. A successful steering committee can help ensure development of a mutual aid program today and over the long term. The steering committee structure should consider including some level of representation from the following:

- Representatives from each region (as appropriate)
- Utility owner/operators (which may overlap with state association representative)
- Professional association representation (American Water Works Association, National Rural Water Association, Water Environment Federation, sanitation association, etc.)
- State water and wastewater primacy agency (state health, environmental protection, etc.)
- State emergency management and/or homeland security agency
- US Environmental Protection Agency region representation

Representation on the state steering committee would be mentioned in the formal agreement.

Size and participation. The level of participation by individual members tends to be directly related to the stake their organizations have in the collaboration. Although ex-officio-type members may be appropriate, for the most part, each member should feel he or she has an equal stake in the collaboration. The state steering committee needs to be large enough and include enough people to do its work, yet it should not be so big that committee meetings become unproductive. Experience shows that committees of 8 to 12 persons work very well.

Identified leader. A chair or leader of the state steering committee should be elected by the membership of the committee. Nominees for the chair could be based on the leadership shown in developing the program, knowledge base in how the mutual aid and assistance program operates, understanding of the relationship between the various member utilities and the emergency response organizations, etc. The process of deciding the chair would be mentioned in the agreement.

Governance. A method of how the program would be governed needs to be considered. Although there is a chair or leader, does it make sense to have a vice-chair, an administrator, or other distinctive leaders? Will decisions be made via a majority vote, input from the general members, or others? Mutual aid and assistance networks are voluntary organizations, so consensus may be necessary for the committees to act as a group. Answers to questions such as those noted would be mentioned in the agreement.

6. Set a mission for the program and steering committee goals.

Clarify a purpose, mission, and goals. Now that the interest is clear, take the time to articulate a clear purpose, mission, and goals for your intrastate mutual aid and assistance program. Be clear that the program is more than a response program. The intent of a mutual aid and assistance program is to support pre-event preparedness and educate the members about how to use the program, the correct protocols, and the process for ensuring proper documentation.

Prepare materials. Take the time to create legible, readable, and specific materials to ensure upper management support. Develop education materials like brochures on the WARN program (see appendix 5). Develop presentation materials on how the program will help the utility.

Meeting frequency. The successful mutual aid and assistance networks meet regularly. Face-to-face meetings are best, especially at the beginning of the process. Initially, monthly meetings of the steering committee may be necessary followed by quarterly sessions as activities are completed. The meetings should be set on regular days such as the third Wednesday of the month for a specific time. Location of the meetings can vary. Rotating the meeting locations means each organization contributes to the cost of meeting rooms and refreshments (if provided) and helps each member feel that his or her organization is a full member of the group.

Short- and long-term goals. The state steering committee (and regional committees if established) would ensure success and completion of critical tasks. The committee should establish some short-term and long-term goals and, perhaps, identify some projects that will benefit the members. Doing so will ensure that the work of the committee evolves with the changing nature of emergency preparedness, management, response, and recovery.

Examples of Short-Term Goals:

- Clarify membership criteria
- Identify key professional or technical associations
- Identify primacy agency and emergency management agency involvement
- Establish governance
- Identify regions as needed
- Prepare draft agreement

7. Identify need for regional support.

Managing a large number of utilities. Identifying a need for regional support relies on how the individual state is organized by the state health and/or emergency management departments. For some states—such as California, with more than 12,000 water utilities alone—to handle all member needs through one committee would be impractical; however, only about 200 of these utilities provide over 90% of the services in the state. Focusing on these 200 utilities provided the most significant aid to the customers. Likewise, Florida has more than 8,000 utilities. Having one leadership group to manage the statewide program with such a large number of utilities would require enormous resources. With input from the appropriate emergency response and primacy organizations, the initial leadership team may need to determine how to best organize the regions (i.e., which counties or parishes are part of which regions). This determination will include the optimal way to establish communication with local emergency response agencies, so they too can understand, learn, and develop support for the developing mutual aid and assistance program for the water and wastewater utilities.

Regional committees. As appropriate, regional committees that support and provide representation on the state steering committee may be required. The membership of the regional committees may mimic what is done at the state level or simply establish a means of representation by the member utilities. A chair or leader of the region should be a representative from a member utility elected by a majority of the utility members to represent the regional interests.

8. Draft an agreement.

Based on input from the steering committee, take the time to craft an agreement that meets the needs of the legal staff at the utilities that make up the steering committee. To facilitate results, a draft agreement is provided in appendix 3 of this document. The key elements of the agreement as identified in the overview section of this paper are included in the draft agreement. As the first draft is circulated for comment, be aware that an agreement can (and has in existing programs) be modified based on changes made at the utilities by state legislation or federal requirements.

9. Create facilitation tools (long-term goals).

The life of the program will depend on the future development of the program and the engagement of the member utilities in understanding the changes and engaging in the updated changes and systems. As the system grows and matures, new issues will evolve, especially after responding to a disaster or emergency event. The future of the program development may focus around:

- Database management of emergency contacts
- Protocols on defining damage and resource needs
- Linkages with local emergency management authorities
- Communication systems
- Web-based systems
- Obtaining grant funds for developing the program
- Document successes of the program in action
- Share lessons learned with other state and interstate mutual aid and assistance programs.

Each of the above listed items will take resources and efforts to develop and maintain.

10. Maintain the committee and program.

Committee meetings. Not every mutual aid and assistance network holds regular committee meetings. The frequency depends on its requirements, the workload of its participants outside the group, and its current circumstances. Once the steering committee has been established, it may reduce its meeting schedule to every other month or even every quarter, or it may decide to meet more often as circumstances dictate.

Keep current. The answers to the questions listed in step 1 might be different today than they would have been years ago and they may be different 3 or 4 years from now. The lessons learned about responding to human-caused or natural disasters evolve, as do the potential responses because of technology, education, and new programs. Personnel in each member organization, and the responsibilities associated with them, may change. The individuals who fill positions today may retire or move on to other opportunities. Keeping current on key contacts is critical to ensure the network works during response to an event.

Annual general meeting. Without regular contact with neighboring utilities, police and fire departments, and the public health community, challenges to a unified and coordinated response develop. The greatest benefit of the program is to maintain a regular, at least annual, contact with the membership through training and information sharing. The goal of the steering committee is to “pump life” into the mutual aid and assistance network over the long run. As circumstances change, the network of utilities must be made aware, educated, and trained on what to do. Annual general membership meetings are a great vehicle for making sure there is at least one meeting a year. For those in hurricane country, a meeting in May could prepare and remind member utilities on what to do and how to access mutual aid and assistance and on the methods to follow to be sure help can arrive during the hurricane season of June 1 to October 15.

Establish an agenda for each meeting. An agenda focuses and manages the discussion. The participants know what to expect and are prepared. The chair of the committee typically prepares an agenda for each meeting, but members may contribute additional topics for discussion.

Communicate between regular meetings. E-mail is an effective way for the members to relay information and stay in touch between meetings. Regular telephone calls, list servers, and one-on-one meetings also help members maintain contact, especially when groups meet less often than once a month. Assist in notifying senior managers about activities and interest in the program. After all, senior management must support the process by giving staff the resources, time, and authority to participate fully in the networks.

Commit staff time to emergency preparedness. In the post-9/11 and Hurricane Katrina world, preparedness is an integral part of providing safe drinking water. The state steering and regional committees need to lead and cheer other utilities on while making preparedness a reality in all utilities. With the sole purpose of providing safe drinking water, utilities should have staff members whose responsibilities include emergency preparedness and security and who can take the lead when working with emergency responders, including other utilities or public health officials.

Make the best use of your resources. Most network activities will be carried out by the people who belong to the group. The primary activity will likely be the regular periodic meetings, whose costs will be borne by the member organizations. The network may also decide to sponsor other activities or programs. The individual organizations involved may pay for some of these programs as part of their regular operations. The approach each state steering committee takes will depend on local circumstances, including the financial resources of the participating organizations.

Financing the program. All four of the existing programs began without funding. The collaboration of those utilities interested in the mutual aid and assistance network provided in-kind services to the program (employee time and salaries, minor expense costs, etc.). The use of existing resources was leveraged to provide the necessary support. While most of the programs used in-kind funds to support the development of facilitation and communication tools, some programs were successful in applying for and obtaining grants to develop future facilitation tools such as Web sites or other communication tools.

Appendix 2

Signatories of the Joint Policy Statement on Mutual Aid and Assistance Networks

[American Water Works Association \(AWWA\)](#)

AWWA represents water systems of all sizes and ownership types. Its more than 57,000 members represent the full spectrum of the drinking water community, including treatment plant operators and managers, scientists, environmentalists, manufacturers, academicians, engineers, and regulators. Membership includes 4,000 utilities that supply water to approximately 180 million North Americans.

[Association of Metropolitan Water Agencies \(AMWA\)](#)

AMWA is an organization of the largest publicly owned drinking water systems in the United States. AMWA's membership serves more than 120 million Americans from Alaska to Puerto Rico with drinking water.

[Association of State Drinking Water Administrators \(ASDWA\)](#)

ASDWA is the professional association serving state drinking water programs and representing them before Congress, the US Environmental Protection Agency (USEPA), and other professional organizations. Membership includes administrators from the 50 states, territories, and the District of Columbia.

[Association of State and Interstate Water Pollution Control Administrators \(ASIWPCA\)](#)

ASIWPCA members are the state, interstate, and territorial officials who are responsible for the implementation of surface water protection programs throughout the nation. Membership includes officials from the 50 states, territories, and the District of Columbia.

[National Association of Clean Water Agencies \(NACWA\)](#)

NACWA represents the interests of more than 300 public agencies and organizations that serve the majority of the sewered population in the United States. Members collectively treat and reclaim more than 18 billion gallons of wastewater daily.

[National Association of Water Companies \(NAWC\)](#)

NAWC represents the private and investor-owned water utility industry. Its members provide drinking water to 22 million people across the United States.

[National Rural Water Association \(NRWA\)](#)

NRWA represents small and medium-sized water systems. NRWA's mission is to provide support services to state associations that have more than 24,550 water and wastewater systems as members.

[Water Environment Federation \(WEF\)](#)

WEF is composed of individual members and member associations representing engineers, public and private plant operators and managers, students, laboratory technicians, wastewater consultants, retired wastewater professionals, and public officials.

Appendix 3

D R A F T

Sample Mutual Aid and Assistance Agreement

This Model Agreement contains procedures and standards for a water and wastewater utility Mutual Aid and Assistance Program. The Model is based on existing water and wastewater utility Mutual Aid and Assistance agreements implemented in California, Florida, Texas, and Washington. While the Model shares some similarities with each of the four agreements, it is a unique document in and of itself.

Creating an agreement for Mutual Aid and Assistance involves a number of policy decisions. The Model Agreement proposes specific approaches to Mutual Aid and Assistance Program issues; however, reasonable minds will differ as to whether the approaches presented in the model are the best. Accordingly, notes are included for each provision of the Model Agreement. These notes highlight significant issues that arise in the drafting of a mutual aid and assistance Program and how the Model Agreement approaches those issues. The notes also explain why certain provisions are included in the Model Agreement.

Representatives of the water and wastewater industry can use this Model Agreement as a tool to facilitate discussion on drafting an Intrastate Mutual Aid and Assistance agreement that best illustrates their needs. However, while each intrastate steering committee may revise portions of this Agreement, it is important to note that this Model Agreement allows for inclusion and eventual connection with a national interstate mutual aid and assistance agreement. Because mutual aid and assistance programs require standardized operational procedures, consistency between the intrastate agreements is critical. Thus, major modifications to this Agreement would preclude using it for connection with an interstate program for mutual aid and assistance program.

AGREEMENT

This Agreement is made and entered into by public and private Water and Wastewater Utilities that have, by executing this Agreement, manifested their intent to participate in an Intrastate Program for Mutual Aid and Assistance.

Statutory Authority (cite authorizing state statute, if any) This Agreement is authorized under Section XXX of the (state revised statutes on mutual aid), which provides that Water and Wastewater Utilities may contract with each other to provide services.

Note

Water and wastewater utilities may need statutory authority to enter into agreements for Mutual Aid and Assistance. If there is no statutory authority, a legal question arises as to whether such authority is necessary for a water and wastewater Mutual Aid and Assistance agreement. Both the California and Washington Agreements reference statutory authority. The Florida and Texas Agreements do not.

ARTICLE I. **PURPOSE**

Recognizing that emergencies may require assistance in the form of personnel, equipment, and supplies from outside the area of impact, the signatory utilities established an Intrastate Program for Mutual Aid and Assistance. Through the Mutual Aid and Assistance Program, Members coordinate response activities and share resources during emergencies. This Agreement sets forth the procedures and standards for the administration of the Intrastate Mutual Aid and Assistance Program.

Note on Article I

Article I briefly describes why water and wastewater utilities established a Program for Mutual Aid and Assistance and the purpose of the Agreement. Inclusion of this Article recognizes the spirit and intent of the Mutual Aid and Assistance Program.

ARTICLE II. **DEFINITIONS**

A. Emergency—A natural or manmade event that is, or is likely to be, beyond the control of the services, personnel, equipment, and facilities of a Mutual Aid and Assistance Program Member.

B. Member—Any public or private Water or Wastewater Utility that manifests intent to participate in the Mutual Aid and Assistance Program by executing this Agreement.

C. Authorized Official—An employee of a Member that is authorized by the Member's governing board or management to request assistance or offer assistance under this Agreement.

D. Requesting Member—A Member who requests assistance under the Mutual Aid and Assistance Program.

E. Responding Member—A Member that responds to a request for assistance under the Mutual Aid and Assistance Program.

F. Period of Assistance—A specified period of time when a Responding Member assists a Requesting Member. The period commences when personnel, equipment, or supplies depart from a Responding Member's facility and ends when the resources return to their facility (portal to portal). All protections identified in the agreement apply during this period. The specified Period of Assistance may occur during response to or recovery from an emergency, as previously defined.

G. National Incident Management System (NIMS)—A national, standardized approach to incident management and response that sets uniform processes and procedures for emergency response operations.

Note on Article II

These terms and corresponding definitions are drawn from the four existing water and wastewater agreements for Mutual Aid and Assistance. Only the definition for emergency is noteworthy. The Model Agreement specifies a definition of an emergency that includes disasters that are "likely to be" beyond the control of the participating utility. As explained in the Note for Article V, this

permits a participating utility to request assistance prior to the onset of a disaster. The request for aid does NOT require a declaration of an emergency by the local or state agencies, and the aid may be provided during the emergency response or recovery phases. This approach is consistent with the California and Washington Agreements but differs from the Florida and Texas Agreements, which limit requests for Mutual Aid and Assistance to post-disaster periods.

ARTICLE III. ADMINISTRATION

The Mutual Aid and Assistance Program shall be administered through Regional Committees, as needed, and a Statewide Committee. The purpose of a Regional Committee is to provide local coordination of the Mutual Aid and Assistance Program before, during, and after an emergency. The designated regions are consistent with the existing public health or emergency management regions of the state and include (list the regions, for example, one for the Southern Region Members, one for the Northern Region Members, one for the Western Region Members, and one for the Eastern Region Members). Each Region Committee, under the leadership of an elected Chairperson, shall meet annually to address Mutual Aid and Assistance Program issues. Each Regional Committee shall also meet annually to review emergency preparedness and response procedures. The Chairperson of each Regional Committee represents their Regional Committee's interests on the Statewide Committee. In addition to representing the interests of the Members, the Statewide Committee includes representatives from (list other organizations that may have a role to play in the Mutual Aid and Assistance Program, e.g., public health, emergency management, Rural Water Association, American Water Works Association, etc.). Under the leadership of the Chair, the Statewide Committee members shall plan and coordinate emergency planning and response activities for the Mutual Aid and Assistance Program.

Note on Article III

The Model Agreement conceptualizes a Mutual Aid and Assistance Program administered through regional committees and a statewide committee. Article III formalizes this approach. The concept is drawn from a provision in California's Agreement that establishes a committee system for program administration. The Model Agreement outlines administering the program through regional or "local" committees that could promote coordination and help resolve program issues. However, the sample agreement recognizes that a committee system for Program administration may be too elaborate for some states. There are other, less formal ways to ensure efficient operation of a Mutual Aid and Assistance Program. For example, the Mutual Aid and Assistance agreement could require participating utilities to develop operational and planning procedures. The main objective is to have a well-developed system for Mutual Aid and Assistance whether through establishment of a committee system or a less formal approach. The more organized the utilities are, the less apt emergency response agencies are to step in.

ARTICLE IV. PROCEDURES

In coordination with the Regional Committees, emergency management, and the public health system of the state, the Statewide Committee shall develop operational and planning procedures for the Mutual Aid and Assistance Program. These procedures shall be updated at least annually.

Note on Article IV

Article IV recognizes that an agreement by itself may be insufficient to cover the range of issues that arise in Mutual Aid and Assistance Programs. To have an efficient Program, participating utilities may need to supplement the Mutual Aid and Assistance agreement with a Program guidance document that includes detailed operational and planning procedures. This is the approach taken by the Washington Mutual Aid and Assistance Program. That Program has a Mutual Aid and Assistance agreement that sets forth general procedures and standards. To supplement the agreement, participating utilities developed a Mutual Aid and Assistance Program Manual and a Mutual Aid and Assistance Handbook.

ARTICLE V. REQUESTS FOR ASSISTANCE

Member Responsibility: Members shall identify an Authorized Official and alternates; provide contact information including 24-hour access; and maintain resource information made available by the utility for mutual aid and assistance response.

In the event of an Emergency, a Member's Authorized Official may request mutual aid and assistance from a participating Member. Requests for assistance can be made orally or in writing. When made orally, the request for personnel, equipment, and supplies shall be prepared in writing as soon as practicable. Requests for assistance shall be directed to the Authorized Official of the participating Member. Specific protocols for requesting aid shall be provided in the required procedures (Article IV).

Response to a Request for Assistance: After a Member receives a request for assistance, the Authorized Official evaluates whether resources are available to respond to the request for assistance. Following the evaluation, the Authorized Representative shall inform, as soon as possible, the Requesting Member whether it has the resources to respond. If the Member is willing and able to provide assistance, the Member shall inform the Requesting Member about the type of available resources and the approximate arrival time of such assistance.

Discretion of Responding Member's Authorized Official: Execution of this Agreement does not create any duty to respond to a request for assistance. When a Member receives a request for assistance, the Authorized Official shall have absolute discretion as to the availability of resources. An Authorized Member's decisions on the availability of resources shall be final.

Notes on Article V

1. The Model Agreement sets a low threshold for when Members can request mutual aid and assistance. Article V permits requests for mutual aid and assistance in the event of an "Emergency." An "Emergency" under Article II is defined as "an event that is, or is likely to be, beyond the control of the services, personnel, equipment, and facilities of a Mutual Aid and Assistance Program Member." This definition has two noteworthy characteristics. First, the use of the word "event," rather than "disaster," broadens the situations in which Members can request mutual aid and assistance. Second, an Emergency includes events that are "likely to be" beyond the control of the participating utility. By including the "is likely to be" language, participating utilities can request mutual aid and assistance before an event overwhelms their resources. This approach envisions situations where pre-event response would be necessary to protect human health and property. The Florida and Texas Agreements do not allow for pre-event assistance requests.

2. Article V permits oral and written requests for assistance; however, when made orally, the requesting member must put the request in writing as soon as practicable. This approach balances the need to make a quick and prompt request with the need for accuracy.

3. The Model Agreement does not provide specific details on the type of information that must be provided when a participating utility requests assistance. This can be provided in the protocols that support the agreement. This approach is in contrast to the Florida and Texas Agreements that do list the information that must be provided when a member makes a request for assistance. Those agreements also require a responding member to provide certain information to the requesting member. Again, the Model Agreement adopted a different approach. Article V only requires responding members to indicate what resources will be provided and when the resources will arrive at the requesting member's facility.

4. The Model Agreement provides participating utilities with absolute discretion when deciding whether to respond to a request for assistance. This is consistent with all four existing water and wastewater Mutual Aid and Assistance agreements.

ARTICLE VI.

RESPONDING MEMBER PERSONNEL

National Incident Management System: When providing assistance under this Agreement, the Requesting Utility and Responding Utility shall be organized and shall function under the National Incident Management System.

Control: Responding Member personnel shall remain under the direction and control of the Responding Member. The Requesting Member's Authorized Official shall coordinate response activities with the designated supervisor(s) of the Responding Member(s). Whenever practical, Responding Member personnel must be self sufficient for up to 72 hours.

Food and Shelter: The Requesting Member shall supply reasonable food and shelter for Responding Member personnel. If the Requesting Member fails to provide food and shelter for Responding personnel, the Responding Member's designated supervisor is authorized to secure the resources necessary to meet the needs of its personnel. The cost for such resources must not exceed the State per diem rates for that area. The Requesting Member remains responsible for reimbursing the Responding Member for all costs associated with providing food and shelter, if such resources are not provided.

Communication: The Requesting Member shall provide Responding Member personnel with radio equipment as available, or radio frequency information to program existing radio, in order to facilitate communications with local responders and utility personnel.

Status: Unless otherwise provided by law, the Responding Member's officers and employees retain the same privileges, immunities, rights, duties, and benefits as provided in their respective jurisdictions.

Licenses and Permits: To the extent permitted by law, Responding Member personnel who hold licenses, certificates, or permits evidencing professional, mechanical, or other skills shall be allowed to carry out activities and tasks relevant and related to their respective credentials during the specified Period of Assistance.

Right to Withdraw: The Responding Member's Authorized Official retains the right to withdraw some or all of its resources at any time. Notice of intention to withdraw must be communicated to the Requesting Member's Authorized Official as soon as possible.

Notes on Article VI

1. The National Incident Management System (NIMS) provides a consistent nationwide approach that allows federal, state, local, and tribal governments as well as private sector and nongovernmental organizations to work together to manage incidents and disasters of all kinds. To be eligible for federal emergency management assistance, water and wastewater mutual aid and assistance programs must meet NIMS standards for emergency preparedness and response.
2. The Model Agreement promotes "home" supervisory control over personnel. This approach recognizes that personnel will likely work better with their regular supervisors. To ensure an efficient response, Article VI requires responding member supervisors to coordinate with the requesting member's authorized official.
3. Article VI requires the requesting member to supply food and shelter to responding member personnel. This may be too onerous given that the requesting member will be faced with an emergency when it makes a request for Mutual Aid and Assistance. Accordingly, Article VI permits the requesting member to reimburse the responding member for food and shelter costs rather than securing such provisions.
4. Article VI includes a provision that allows the responding member to withdraw some or all of its resources at any time. This approach limits the commitment of the responding member. If a situation arose in the responding member's facility, resources could be withdrawn as appropriate. The Model Agreement promotes assistance because participating utilities would be less likely to withhold resources out of concern that they could not respond to needs at their own facilities.
5. Licensing and permitting authority will most likely not be an issue for intrastate mutual aid. However, this Agreement is drafted to permit assistance under the Interstate Emergency Management Assistance Compact and an Interstate Mutual Aid and Assistance Program for water and wastewater utilities, if such a program were established (see Article XIX). Because state-issued licensing and permitting credentials vary, it is important to clarify what actions and tasks responding member personnel can take when participating in interstate mutual aid and assistance. The licensing and permitting provision allows the maximum utilization of the professional skills held by responding member personnel. However, it does provide responding member personnel with authority to conduct activities or tasks that may only be completed by those holding locally issued professional credentials.

ARTICLE VII. **COST REIMBURSEMENT**

Unless otherwise mutually agreed in whole or in part, the Requesting Member shall reimburse the Responding Member for each of the following categories of costs incurred while providing aid and assistance during the specified Period of Assistance.

Personnel: Responding Member personnel are to be paid for work completed during a specified Period of Assistance according to the terms provided in their employment contracts or other conditions of employment. The Responding Member designated supervisor(s) must keep accurate records of work performed by personnel during the specified Period of Assistance. Requesting Member reimbursement to the Responding Member must consider all personnel costs, including salaries or hourly wages, costs for fringe benefits, and indirect costs.

Equipment: The Requesting Member shall reimburse the Responding Member for the use of equipment during a specified Period of Assistance. As a minimum, rates for equipment use must be based on the Federal Emergency Management Agency's (FEMA) Schedule of Equipment Rates. If a Responding Member uses rates different from those in the FEMA Schedule of Equipment Rates, the Responding Member must provide such rates in writing to the Requesting Member prior to supplying resources. Mutual agreement on which rates are used must be reached in writing prior to dispatch of the equipment. Reimbursement for equipment not referenced on the FEMA Schedule of Equipment Rates must be developed based on actual recovery of costs.

Materials and Supplies: The Requesting Member must reimburse the Responding Member in kind or at actual replacement cost, plus handling charges, for use of expendable or non-returnable supplies. The Responding Member must not charge direct fees or rental charges to the Requesting Member for other supplies and reusable items that are returned to the Responding Member in a clean, damage-free condition. Reusable supplies that are returned to the Responding Member with damage must be treated as expendable supplies for purposes of cost reimbursement.

Payment Period: The Responding Member must provide an itemized bill to the Requesting Member for all expenses it incurred as a result of providing assistance under this Agreement. The Requesting Member must send the itemized bill not later than ninety (90) days following the end of the Period of Assistance. The Requesting Member must pay the bill in full on or before the forty-fifth (45th) day following the billing date. Unpaid bills become delinquent upon the forty-sixth (46th) day following the billing date, and, once delinquent, the bill accrues interest at the rate of prime, as reported by the *Wall Street Journal*, plus two percent (2%) per annum.

Notes on Article VII

1. Mutual Aid programs established in the 1950s did not have cost reimbursement procedures. Rather, program members would provide assistance at no charge, with the understanding that assistance would be provided to them when they were in need. For those utilities that wish to abide by that principle, the initial statement of Article VII allows the requesting and responding member to determine which resources could be exchanged without cost. Because public resources cannot normally be provided to private organizations, this process is appropriate only when the assistance is exchanged between private utilities.
2. For those utilities that seek reimbursement for services, Article VII reflects the cost reimbursement procedures set forth in the four existing water and wastewater agreements for Mutual Aid and Assistance. To qualify for FEMA cost reimbursement, this Article must be included in a mutual aid agreement.
3. In general, private organizations cannot receive public funds. This rule prevents gifts of private funds to private organizations. However, public funds can be used to reimburse private organizations for costs incurred as a result of providing assistance to a public entity as long as the costs are identified. Accordingly, Article VII requires an itemized bill for all expenses incurred during a Period of Assistance.
4. The Model Agreement suggests that procedures include a penalty provision for unpaid bills. Providing a penalty provision will promote timely reimbursement to the requesting member.

ARTICLE VIII. DISPUTES

Any controversy or claim arising out of, or relating to, this Agreement, including, but not limited to, alleged breach of the Agreement, shall be settled by arbitration in accordance with the Rules of the American Arbitration Association. Any court of competent jurisdiction may enter the judgment rendered by the arbitrators as final judgment that is binding on the parties.

Note on Article VIII

Article VIII sets forth a two-tiered process for handling disputes. First, members must try negotiation. If unsuccessful, then the matter must be resolved through arbitration. Arbitration is much faster and less expensive than traditional civil litigation. The Rules of the American Arbitration Association are widely recognized and often cited in arbitration clauses. However, a dispute resolution provision could include specific procedures for arbitration rather than require use of procedures developed by the American Arbitration Association. The Florida and Texas Agreements take this approach.

ARTICLE IX. REQUESTING MEMBER'S DUTY TO INDEMNIFY

The Requesting Member shall assume the defense of, fully indemnify and hold harmless, the Responding Member, its officers and employees, from all claims, loss, damage, injury, and liability of every kind, nature, and description, directly or indirectly arising from Responding Member's work during a specified Period of Assistance. The scope of the Requesting Member's duty to indemnify includes, but is not limited to, suits arising from, or related to, negligent or wrongful use of equipment or supplies on loan to the Requesting Member, or faulty workmanship or other negligent acts, errors, or omissions by Requesting Member or the Responding Member personnel.

The Requesting Member's duty to indemnify is subject to, and shall be applied consistent with, the conditions set forth in Article X.

Notes on Article IX

1. Article IX sets forth a comprehensive indemnity provision. The provision requires the requesting member to indemnify responding members and their officers and employees. This requirement protects responding members from the costs associated with civil suits that arise from, or are related to, providing Mutual Aid and Assistance. The Model Agreement allows an indemnity provision that would encourage participating utilities to provide assistance in the event of an emergency.

2. However, it is important to recognize that Article IX places an added burden on members that request assistance. The duty to indemnify, along with other requesting member obligations set forth in the Model Agreement, may deter participating utilities from utilizing the Mutual Aid and Assistance Program. An alternative approach is provided in the Florida and Texas Agreements. Those agreements require each member to bear the risks associated with participating in the Mutual Aid and Assistance Program. This includes the risk of facing civil liability that arises from, or is related to, providing Mutual Aid and Assistance. This approach reduces the burdens on members that request assistance under the Mutual Aid and Assistance Program.

ARTICLE X.
SIGNATORY INDEMNIFICATION

In the event of a liability, claim, demand, action, or proceeding of whatever kind or nature arising out of a specified Period of Assistance, the Members who receive and provide assistance shall indemnify and hold harmless those Members whose involvement in the transaction or occurrence that is the subject of such claim, action, demand, or other proceeding is limited to execution of this Agreement.

Note on Article X

A lawsuit or similar action that arises from or is related to a Mutual Aid and Assistance response may name all participating utilities as defendants regardless of their involvement in the transaction or occurrence that gave rise to the suit. Article X protects non-responding members from costs associated with lawsuits or similar actions. This protection would encourage participation in the Mutual Aid and Assistance Program. Water and wastewater utilities would not incur additional liability by participating in the Mutual Aid and Assistance Program.

ARTICLE XI.
WORKER'S COMPENSATION CLAIMS

The Responding Member is responsible for providing worker's compensation benefits and administering worker's compensation. The Requesting Member shall reimburse the Responding Member for all costs, benefits, and expenses associated with worker's compensation and other claims that arise from or are related to providing assistance under this Agreement. Reimbursement shall be made on a quarterly basis, or on other terms mutually agreed upon by the Requesting Member and Responding Member.

Note on Article XI

Responding member personnel will effectively be working for the requesting member during a period of assistance. Accordingly, Article XI provides that the requesting member is responsible for worker's compensation claims filed by responding member personnel if such claims arise from or are related to providing assistance to the requesting member under the Mutual Aid and Assistance Program.

ARTICLE XII.
NOTICE

A Member who becomes aware of a claim or suit that in any way, directly or indirectly, contingently or otherwise, affects or might affect other Members of this Agreement shall provide prompt and timely notice to the Members who may be affected by the suit or claim. Each Member reserves the right to participate in the defense of such claims or suits as necessary to protect its own interests.

Note on Article XII

Article XII recognizes that Members of the Agreement need to know about claims or suits that affect, or might affect, them. The Article also preserves the right of a Member to defend itself in any claim or suit that affects its interests.

ARTICLE XIII. **INSURANCE**

Members of this Agreement shall maintain an insurance policy that covers activities that it may undertake by virtue of membership in the Mutual Aid and Assistance Program. The scope of the policy must include, at a minimum, coverage for employee faulty workmanship and other negligent acts, errors, or omissions and coverage for meeting the indemnity conditions provided in Articles IX and X.

Notes on Article XIII

1. Article XIII requires members to carry insurance to protect against risks associated with participation in the Mutual Aid and Assistance Program. This provision provides a secure means of covering risks associated with participation in the Mutual Aid and Assistance Program.
2. A requirement to carry insurance could be alternative to the indemnity provisions provided in Articles IX and X. That is, rather than place the burden on the requesting member to indemnify the responding member, the mutual aid and assistance agreement could provide that all members bear the risks of their own actions. The Florida and Texas Agreements take this approach; however, these agreements do not require participating utilities to obtain insurance.

ARTICLE XIV. **EFFECTIVE DATE**

This Agreement shall be effective after the Water and Wastewater Utility's authorized representative executes the Agreement and the applicable Regional Committee Chair receives the Agreement. The Regional Committee Chair shall maintain a list of all Members in the respective region. The Statewide Committee Chair shall maintain a master list of all members of the Mutual Aid and Assistance Program.

Note on Article XIV

Article XIV provides a standard approach on the process for participation in the Mutual Aid and Assistance Program. In contrast, the Washington Agreement requires a utility to adopt or authorize the program agreement by resolution. The utility must then execute the agreement and send it to the Washington Association of Sewer and Water Districts.

ARTICLE XV. **WITHDRAWAL**

A Member may withdraw from this Agreement by providing written notice of its intent to withdraw to the applicable Regional Committee Chair and the Statewide Chair. Withdrawal takes effect 60 days after the appropriate officials receive notice.

Note on Article XV

Article XV recognizes that a Member may decide to withdraw from a Mutual Aid and Assistance Program.

ARTICLE XVI. MODIFICATION

No provision of this Agreement may be modified, altered, or rescinded by individual parties to the Agreement. Modifications to this Agreement may be due to programmatic operational changes to support the agreement. Modifications require a simple majority vote of Members within each region and a unanimous agreement between the regions. The Statewide Committee Chair must provide written notice to all Members of approved modifications to this Agreement. Approved modifications take effect 60 days after the date upon which notice is sent to the Members.

Note on Article XVI

Article XVI recognizes that members may want to modify the Program agreement. There may also be circumstances that require modification of the Program agreement. For example, creation of an interstate water and wastewater utility Mutual Aid and Assistance Program may require agreement modifications.

ARTICLE XVII. PRIOR AGREEMENTS

This Agreement supersedes all prior Agreements between Members to the extent that such prior Agreements are inconsistent with this Agreement.

Note on Article XVII

Members of the Mutual Aid and Assistance Program may already have assistance agreements in place with utilities. Article XVII ensures that existing assistance agreements do not interfere with the operation of the intrastate Mutual Aid and Assistance Program.

ARTICLE XVIII. PROHIBITION ON THIRD PARTIES AND ASSIGNMENT OF RIGHTS/DUTIES

This Agreement is for the sole benefit of the Members and no person or entity must have any rights under this Agreement as a third-party beneficiary. Assignments of benefits and delegations of duties created by this Agreement are prohibited and must be without effect.

Note on Article XVIII

Article XVIII covers issues of contract law that may interfere with the operation of the Mutual Aid and Assistance Program. The prohibition on third-party beneficiaries limits all rights and benefits under the agreement to participating utilities. Thus, a local government could not assert rights under this agreement as a third-party beneficiary. Article XVIII also prohibits the assignment of benefits created by the agreement to third parties. In other words, a participating utility could not assign its ability to request mutual aid and assistance to a non-participating utility. Prohibiting the delegation of duties ensures that only the participating utilities are involved in the Mutual Aid and Assistance Program.

ARTICLE XIX.
INTRASTATE AND INTERSTATE MUTUAL AID AND ASSISTANCE PROGRAMS

To the extent practicable, Members of this Agreement shall participate in Mutual Aid and Assistance activities conducted under the State of XXX Intrastate Mutual Aid and Assistance Program and the Interstate Emergency Management Assistance Compact (EMAC). Members may voluntarily agree to participate in an interstate Mutual Aid and Assistance Program for water and wastewater utilities through this Agreement if such a Program were established.

Note on Article XIX

At least 13 states have an overarching statewide mutual aid program. Article XIX requires coordination with the statewide mutual aid program, if one exists. Additionally, Article XIX permits participation in an interstate water and wastewater mutual aid program if one were established.

Now, therefore, in consideration of the covenants and obligations set forth in this Agreement, the Water and Wastewater Utility listed here manifests its intent to be a Member of the Intrastate Mutual Aid and Assistance Program for Water and Wastewater Utilities by executing this Agreement on this _____ day of _____ 2006.

Water/Wastewater Utility: _____

By: _____

By: _____

Title: _____

Title _____

Please Print Name

Please Print Name

Appendix 4

National Incident Management System Mutual Aid Agreement Requirements

No.	NIMS Requirements	Model Agreement 7 pages w/o notes	CalWARN 4 pages www.calwarn.org	FlaWARN 6 pages www.flawarn.org	TxWARN 5 pages www.txwarn.org	WA 2 pages
1	Provide definitions of key terms used in the agreement	Article II defines 8 key terms that are used in the agreement	Article III defines emergency; definitions are found throughout	Article II defines 8 terms	Article IV defines 9 terms, including use of NIMS	Article II defines an emergency
2	Specify roles and responsibilities of individual parties	Article II defines member role; Article III outlines committee responsibilities; Article V defines requester role; Article VI defines resource control	Article II defines committee role; Articles VI, VII, and VIII define lender and borrower roles	Article III defines the role and responsibility of damaged utility and assisting utility	Article III defines member role; Article V defines damaged utility and assisting utility role and use of NIMS	Does not address
3	Procedures for requesting and providing assistance	Article V provides for this	Article IV defines the procedure	Article III defines the procedure	Article V defines the procedure	Article I addresses this
4	Procedures, authorities, and rules for payment; reimbursement and allocation of costs	Article VII defines this	Articles VI, VII, VIII, and IX define the procedures	Article IV defines the procedures	Article VI defines the procedure	Article VIII addresses this
5	Notification procedures	Article V defines this	Article IV defines the procedure	Article III defines the procedure	Article V defines the procedure	Does not address
6	Protocols for interoperable communications	Articles III and VI address personnel reporting relationship; Article VI addresses technology	Article IV addresses contacting coordination groups; technical issues are not addressed	Article III describes what to communicate; technical issues are not addressed	Article V describes what to communicate; technical issues are not addressed	Does not address
7	Relationships with other agreements among jurisdictions	Article XVII covers existing agreements for mutual aid	Article XVI recognizes other agreements; Article IV defines coordination with other organizations	Does not address; this is only an agreement; participants do not have to sign it	Does not address; allows modification of agreement through Article VIII	Does not address
8	Workers' compensation	Article XI covers the requirement	Article XII addresses this	Does not address	Does not address	Does not address
9	Treatment of liability and immunity	Articles IX and X provide for this	Article X addresses liability; Article XI addresses indemnification; no discussion on insurance	Article V addresses insurance; each utility bears own risk	Article VIII addresses insurance; each utility bears own risk	Article VI addresses indemnification; Article VII addresses insurance
10	Recognition of qualifications and certifications	Article VI provides for this	Does not address	Does not address	Does not address	Does not address
11	Sharing agreements, as required	Article II states all public or private utilities are included; Article XVIII does not allow third party	Article I includes all utilities; Article XIV does not allow transfer	Does not address	Does not address	Article XII does not allow third party

Pertinent Non-NIMS Requirements						
No.	NIMS Requirements	Model Agreement	CalWARN	FlaWARN	TxWARN	WA
12	Provision of insurance	Article XIII provides for this	Does not address	Article V addresses this	Article VII addresses this	Article VII addresses this
13	Term of the agreement	Article XIV provides for this	Article XV provides for this	Does not address	Article IX addresses this	Article X addresses this
14	Arbitration	Article VIII provides for this	Article XVIII addresses this	Article VI addresses this	Article X addresses this	Does not address
15	Termination	Article XV provides for this	Article XIV addresses this	Does not address	Article X addresses this	Article XI addresses this
16	Coordination link with jurisdictions	Article IV addresses development of procedures that would include linkage to response system	Article IV addresses this	Does not address	Does not address	Does not address
17	Administration or governance	Article III addresses this	Article II addresses this	Does not address	Does not address	Does not address
18	Use of NIMS	Articles II and VI address this	Articles II and VI address this	Does not address	Article V addresses this	Does not address
19	Duty to respond to request	Article V addresses this	Article V addresses this	Article III addresses this	Article V addresses this	Article III addresses this
20	Control of resources	Article VI addresses this	Article VIII addresses this—under control of requester	Article III addresses under responder control	Article V addresses this—under responder control	Article IV addresses this—under responder control
21	Allowance and process for agreement modifications	Article XVI addresses this	Article XIII addresses this	Does not address	Does not address	Does not address

Appendix 5

Sample Water/Wastewater Agency Response Network (WARN) Information Flyer

WHAT IS A WARN?

A Water Agency Response Network (WARN) is a network of utilities helping utilities to:

- Prepare for the next natural or human caused emergency
- Organize response according to established requirements
- Share personnel and other resources statewide by agreement

Past disaster response and lessons learned tell us that:

- Utility operations are specialized
- Utilities must be self-sufficient and fill the gap between disaster onset and arrival of other government aid
- Customers can live with power and phone interruptions, not without water
- Water restoration provides hope

WHAT CAN A WARN DO FOR YOU?

In order to be eligible for federal grants and reimbursements before, during and after an emergency, by the end of Fiscal Year 2006, all local, state and tribal governments, associations and non-governmental and private organizations are to:

- Adopt the National Incident Management System (NIMS)
- Support the development of interstate mutual aid programs
- Integrate response at the field, local and state levels of government

A WARN program will help facilitate meeting these requirements.

MISSION

The mission of a WARN network is to support and promote statewide emergency preparedness, disaster response, and mutual assistance matters for public and private water and wastewater utilities for natural and human caused events.

PURPOSE

The WARN network provides water and wastewater utilities with:

- A mutual assistance agreement and process for sharing emergency resources among water and wastewater agencies statewide.
- A mutual assistance program consistent with other statewide mutual aid and assistance programs and the National Incident Management System.
- The resources to respond and recover more quickly from a natural or human caused disaster.
- A forum for developing and maintaining emergency contacts and relationships.

PARTICIPATION

The WARN Omnibus Mutual Assistance Agreement is available to all public and private water and wastewater utilities in the state.

AGREEMENT

All actions, recommendations, etc. are made in accordance with the articles of the WARN Mutual Aid and Assistance Agreement.



WHAT'S INVOLVED?

The seven steps to a successful WARN program include:

1. Identify your WARN program purpose
2. Identify your WARN membership
 - General Membership
 - Steering Committee
3. Identify pre-event support needs
4. Develop response protocols
 - Define how to activate and use the WARN system
5. Create a mutual aid and assistance agreement
 - Draft sample is available
6. Develop facilitation tools
7. Program maintenance

SUPPORT

To support the effort to create WARN programs in your state, eight national associations met and agreed to support a WARN program in every state in the nation.

The Joint Policy Statement of Mutual Aid and Assistance Networks included:

- National Rural Water Association
- American Water Works Association
- Association of Metropolitan Water Agencies
- Water Environmental Federation
- National Association of Clean Water Agencies
- Association of State Drinking Water Authorities
- Association of State and Interstate Water Pollution Control Administrators
- National Association of Water Companies

WARN BENEFITS

- No Cost to participate.
- Increased planning and coordination
- Enhances access to specialized resources
- A single agreement provides access to all member utilities statewide.
- Provides insurance for access to resources during an emergency without pre-contractual limitations or retainer fees.
- Expedites arrival of aid
- Signators have a pre-established relationship under which they are able to share resources during an emergency at the discretion of each participating agency.
- Is consistent with National Incident Management System (NIMS).
- Provides a list of emergency contacts and phone numbers.
- Reduces administrative conflict
- Agreement contains indemnification and workers' compensation provisions to protect participating utilities, and provides for reimbursement of costs, as needed.
- Avoid federal bureaucracy
- Increases hope that recovery comes quickly

WHO DO YOU INVOLVE?

- Utility Owner/Operators
- Professional Association Representation (AWWA, NRWA, WEF, Sanitation Association, etc)
- State Water and Wastewater Primacy Agency (State Health, Environmental Protection, etc.)
- State Emergency Management and/or Homeland Security Agency
- US EPA Region representation

Water/Wastewater

Agency

Response

Network

Utilities Helping Utilities

Appendix 6

Existing Water and Wastewater Agency Response Network Contacts

The following contacts are provided to allow potential intrastate mutual aid and assistance program leaders to contact others involved with the development of the current and successful Water/Wastewater Agency Response Networks (WARN) across the nation.

The contacts are listed alphabetically by network affiliation based on those networks in place before March 2006.

California Water/Wastewater Agency Response Network (CalWARN)

Martin Falarski, Chair
Construction Manager
East Bay Municipal Utility District
375 Eleventh Street
Oakland, CA 94583
falarski@ebmud.com
510.287.1233

Raymond Riordan, State Committee Member
Certified Emergency Manager
California Utilities Emergency Association
2662 Marsh Drive
San Ramon, CA 94583
rayriordan@comcast.net
925.830.9180

Florida Water/Wastewater Agency Response Network (FlaWARN)

Scott Kelly, Chair
Water and Wastewater Services Director
JEA
102 N Kernan Blvd.
Jacksonville, FL 32225
KellSD@jea.com
904.665.4642

Gary Williams, Vice-Chair
Executive Director
Florida Rural Water Association
2970 Wellington Circle W, Suite 101
Tallahassee, FL 32309-6885
Gary.Williams@frwa.net
850.668.2746

Louisiana Water/Wastewater Agency Response Network (LaWARN)

Don Broussard, Co-Chair
Water Operations Manager
Lafayette Utility Systems
P.O. Box 4017-C
Lafayette, LA 70502
aitch2oh@lus.org
337.291.5901

Patrick Credeur, Co-Chair
Executive Director
Louisiana Rural Water Association
P.O. Box 180
Kinder, LA 70648
pclrwa@centurytel.net
800.256.2591

Texas Water/Wastewater Agency Response Network (TxWARN)

Mike Howe, State Committee Member
Texas AWWA, Executive Director
P.O. Box 80150
Austin, TX 78708
mikehowe@tawwa.org
512.238.9292

Washington Association of Sewer & Water Districts

Hal Schломann, Executive Director
2800 South 192nd Street, Suite 104
SeaTac, WA 98188-5164
halsclomann@waswd.org
206-246-1299

Headquarters Office

6666 West Quincy Avenue
Denver, CO 80235
PH 303.794.7711
FX: 303.794.1140

<http://www.awwa.org>

Government Affairs Office

1401 New York Avenue, NW, Suite 640
Washington, DC 20005
PH: 202.628.8303
FX: 202.628.2846