

## Mutual Aid Resources in North Carolina

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When a local government experiences a disaster or other incident that overwhelms its capacity to respond, it may seek assistance from other local governments, knowing that it will, in turn, contribute its personnel and resources when disaster strikes elsewhere. North Carolina local governments have a long history of willingly participating in such mutual aid. Despite the benevolent intent and cooperative spirit underlying these arrangements, issues can arise when mutual aid is sought or received. How will logistics be managed? How will equipment and personnel be deployed? How will necessary costs be reimbursed? If something goes wrong, who will be liable?

In the past, different categories of local government professionals in North Carolina developed their own mutual aid agreements in an attempt to address these issues without undermining their capacity to provide mutual support. Over time, some issues with this approach became apparent. A single jurisdiction might find that it was attached to multiple and varying mutual aid agreements. Of particular concern, some of the mutual aid agreements local governments were using did not satisfy standards that are necessary to manage financial arrangements between the local governments giving and receiving aid.

To address these issues, the North Carolina Division of Emergency Management created the North Carolina Mutual Aid System, which provides a standard mutual aid agreement for local governments to use to request or provide mutual aid during an emergency such as a natural disaster. Another North Carolina mutual aid and assistance system that is specific to water and wastewater utilities is NC Water WARN, a non-governmental organization. NC Water WARN works with the state Division of Emergency Management when there is a declared disaster, but utilities associated with the network may activate it themselves when drinking water service is interrupted or compromised in the absence of a declared disaster, if the assistance of other utilities is needed to repair and recover from the incident.

This document describes the North Carolina Mutual Aid System and NC Water WARN. Each of these entities' mutual aid agreements is provided separately in the toolkit.

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### North Carolina Mutual Aid System

The North Carolina Mutual Aid System was created to address issues that may arise when local governments provide assistance to each other, including logistics, deployment of personnel, compensation of employees, reimbursement for expenses, and liability. The System provides the North Carolina Mutual Aid Agreement, which was developed by the North Carolina League of Municipalities and the North Carolina Association of County Commissioners following Hurricane Fran in 1996. The North Carolina Division of Emergency Management maintains the agreement and makes it available to local emergency management coordinators in the file library of the WebEOC, the Division's online incident management program. The System is triggered by a local, state, or federal state of emergency declaration. Once a declaration is issued, participating local governments can request assistance directly from each other or through the Division of Emergency Management. Requests for assistance at the local level are coordinated through the county or city emergency management coordinator.

An express purpose of the North Carolina Mutual Aid Agreement is to promote the efficient use of resources by providing local governments with access to emergency response equipment, personnel, and other resources that would not be cost-effective for each local government to maintain on its own. The agreement also addresses how the costs and liability risks associated with the provision of aid will be borne by the participating local governments, and provides methods for obtaining reimbursement for costs that are consistent with the requirements that apply when federal reimbursement is sought through FEMA. Because the agreement specifically deems all assistance rendered through mutual aid to be governmental function, the protections from liability provided under the State Emergency Management Act are automatically triggered when local governments operate under the System.

A local government that signs the agreement may receive or provide assistance to another local government in accordance with the procedures and terms set out by the North Carolina Mutual Aid System. The most common way that local governments receive assistance is by directly contacting one or more other local governments to request assistance, but there are times when the North Carolina Division of Emergency Management may become involved to coordinate aid among counties, such as after a major hurricane or other natural disaster. The Division of Emergency Management's website includes information about how signatories to the Mutual Aid Agreement may request assistance.

The agreement is intended for use by counties, municipalities, and Indian tribes in North Carolina. While government agencies such as public utilities cannot sign on to the agreement directly, they can request resources through their local emergency management coordinator. Participation in the agreement is voluntary and signing the

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agreement does not obligate a local government to provide resources and assistance when requested if it must retain its resources to assist its own community. Most of North Carolina's local governments participate in the agreement: all 100 counties and about three-fourths of the state's municipalities have signed on. The Eastern Band of Cherokee Indians also participates in the agreement.

The agreement includes an attachment for identifying the local officials or personnel who are authorized to request mutual aid, or agree to provide mutual aid to another locality. The agreement lasts for one year and is automatically renewed for subsequent years, unless a local government gives 60 days' notice of its decision to terminate its agreement.

## Mutual Aid for Utilities: NC Water WARN

The North Carolina Water/Wastewater Agency Response Network, or NC Water WARN, is a voluntary mutual aid network for water and wastewater utilities in the state. According to the United States Environmental Protection Agency (EPA), NC Water WARN is one of 49 state-based WARNs in the United States. There is also a WARN for the national capital region.

The purpose of a WARN is to provide a means for utilities to receive or provide aid when a natural or human-caused incident affects drinking water or wastewater services. Through mutual aid agreements, WARNs allow their members to share personnel, equipment, and other necessary resources. Utilities that participate may obtain assistance from, or provide assistance to, other participating utilities when an incident interrupts or compromises water service.

NC Water WARN works with the state Division of Emergency Management when there is a declared disaster, but utilities that are associated with the network may activate it themselves in the absence of a declared disaster. This recognizes that, when drinking water service is interrupted or compromised, it is a compelling and urgent issue locally, regardless of whether the incident qualifies for an emergency or disaster declaration.

Any drinking water or wastewater organization may participate in NC Water WARN, regardless of whether the organization is publicly or privately owned and regardless of size. Members enter a Mutual Aid and Assistance Agreement. Assistance between utilities is governed by an Operational Plan. Together these documents address issues that arise when equipment or employees are deployed to assist. The documents also address coordination with other mutual aid agreements, such as the NC Mutual Aid System.

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NC Water WARN works within the structure of the National Incident Management System (NIMS). NIMS is discussed further in the pre-incident planning section of this toolkit, under the section on local training.

NC Water WARN was developed by the North Carolina section of the American Water Works Association, with support from the North Carolina Rural Water Association, the North Carolina Water Treatment Operators Association, and the North Carolina League of Municipalities. It is independent from, but maintains associations with, governmental agencies including the North Carolina Department of Environmental Quality.

## Sources

N.C. Department of Public Safety, Division of Emergency Management, Mutual Aid in North Carolina, at <https://www.ncdps.gov/emergency-management/em-community/mutual-aid> (accessed June 2019).

NC Water WARN, <http://www.ncwaterwarn.org> (accessed June 2019).

U.S. Environmental Protection Agency, Mutual Aid and Assistance for Drinking Water and Wastewater Utilities, at <https://www.epa.gov/waterutilityresponse/mutual-aid-and-assistance-drinking-water-and-wastewater-utilities> (accessed June 2019).