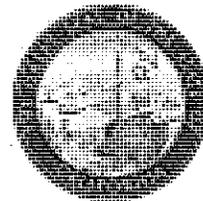




JOHN A. WAGNER
DIRECTOR

State of California-Health and Human Services Agency
DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
P.O. Box 1947, Sacramento, CA 95812-1947
Telephone: (916) 576-7109 | Fax: (916) 263-1406
www.csd.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

August 30, 2012

Jeannie L. Chaffin, Director
Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

SUBJECT: Detailed State Plan Application for Federal Fiscal Year 2013

Dear Director Chaffin:

Enclosed is the State of California's Low-income Home Energy Assistance Program (LIHEAP) Detailed State Plan Application for Federal Fiscal Year 2013 and the LIHEAP Household Report (estimated) for Federal Fiscal Year 2012.

Pursuant to Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended, I certify that the Department of Community Services and Development (CSD) will comply with the 16 federal assurances. A delegation letter from Governor Brown is enclosed.

On August 16, 2012, CSD conducted a public hearing on the proposed LIHEAP Detailed State Plan Application, as required by federal law. The Department did not receive any public testimony or written comments on the LIHEAP Detailed State Plan Application for Federal Fiscal Year 2013.

Sincerely,

JOHN A. WAGNER
Director



OFFICE OF THE GOVERNOR

May 26, 2011

Ms. Yolanda J. Butler, Ph.D.
Acting Director
Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Dear Ms. Butler:

Pursuant to 42 U.S.C. 9908(a)(1) and Title 45, Part 96.10(b) of the Code of Federal Regulations, I hereby delegate signature authority to John A. Wagner, Acting Director of the State of California's Department of Community Services and Development, and his successor, for the purposes of submitting the application and certifying compliance with federal assurances relating to the Community Services Block Grant and Low-Income Home Energy Assistant Program.

Sincerely,

A handwritten signature in black ink that reads "Edmund G. Brown Jr." with a stylized flourish at the end.

Edmund G. Brown Jr.



**State of California
Health and Human Services Agency
Department of Community Services and Development**

**LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
STATE PLAN APPLICATION**

**DETAILED MODEL PLAN
FEDERAL FISCAL YEAR (FFY) 2013
October 1, 2012 – September 30, 2013**

**Submitted to:
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
OFFICE OF COMMUNITY SERVICES**

**EDMUND G. BROWN, JR.
Governor**

**DIANA S. DOOLEY
Secretary, California Health and Human Services Agency**

**JOHN A. WAGNER
Director, Department of Community Services and Development**

ATTACHMENT 3

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2013

GRANTEE: State of California, Department of Community Services and Development

EIN: 68-0283471

ADDRESS: P.O. Box 1947

Sacramento, CA 95812-1947

2389 Gateway Oaks Drive, Suite 100

Sacramento, CA 95833

NAME OF LIHEAP COORDINATOR: Sylmia Britt

EMAIL: Sylmia.Britt@csd.ca.gov

TELEPHONE: 916-576-7130 FAX: 916-263-1406

PLEASE CHECK ONE: TRIBE STATE X INSULAR AREA

**Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447**

**August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Approval No. 0970-0075
Expiration Date: 04/30/2014**

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)

Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Assurances

The Department of Community Services and Development agrees to:

(Grantee Name)

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of—

(i) an amount equal to 150% of the poverty level for such State; or

(ii) an amount equal to 60% of the State median income;

except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110% of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10% of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5% of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory.**

Signature:  John A Wagner
Title: Director
Date: 8/30/12

* **Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

** **If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

*** **HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

Statutory
References

2605(a)

2605(b)(1) → Please check which components you will operate under the LIHEAP program.
(Note: You must provide information for each component designated here as requested elsewhere in this plan.)

	<u>Dates of Operation</u>	
(Use of funds)	<u> X </u> heating assistance	<u> January through December </u>
	<u> X </u> cooling assistance	<u> January through December </u>
	<u> X </u> crisis assistance	<u> January through December </u>
	<u> X </u> weatherization assistance	<u> January through December </u>

2605(c)(1)(C) → Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(Use of funds)	<u> 14.65 </u> % heating assistance
	<u> 14.65 </u> % cooling assistance
	<u> 30.70 </u> % crisis assistance
2605(k)(1)	<u> 15.00 </u> % weatherization assistance*
	<u> 10.00 </u> % carryover to the following fiscal year
2605(b)(9)	<u> 10.00 </u> % administrative and planning costs
2605(b)(16)	<u> 5.00 </u> % services to reduce home energy needs including needs assessment (assurance 16)
	<u> 0.00 </u> % used to develop and implement leveraging activities (limited to the greater of 0.08% or \$35,000 for States, the greater of 2% or \$100 for territories, tribes and tribal organizations).
	<u> 100.00 </u> % TOTAL

*California Government Code § 1637.5 (c) directs CSD to apply for the weatherization waiver annually to ensure CSD receives the maximum allowed weatherization allocation. If the weatherization waiver is awarded, the 10% allocation increase to the weatherization assistance category will come from the carryover category.

Statutory
References

2605(c)(1)(C)

➔The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

(Alternate use
of Crisis Assistance
Funds)

___ heating assistance

___ cooling assistance

___ weatherization assistance

X Other (specify):

CSD maintains a year around crisis program that addresses heating, cooling and weatherization assistance.

➔Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? (This is required by the statute.)

Yes X No ___

2605(b)(2)

2605(c)(1)(A)

➔What are your maximum eligibility limits?

(Please check the components to which they apply.)

Current year guidelines must be used.

(Eligibility)

___ 150% of the poverty guidelines:

heating ___ cooling ___ crisis ___ wx ___

___ 125% of the poverty guidelines:

heating ___ cooling ___ crisis ___ wx ___

___ 110% of the poverty guidelines:

heating ___ cooling ___ crisis ___ wx ___

X 60% of the State's median income:

heating X cooling X crisis X wx X

___ Other (specify for each component)

X Households automatically eligible if one person is receiving

____ TANF, ____ SSI, X Food Stamps, ____ Certain means-tested veterans programs (heating ____ cooling ____ crisis ____ wx ____)

Pursuant to AB 6 (Chapter 501, Statutes of 2011), CSD and the California Department of Social Services (CDSS) were directed to implement a Heat and Eat program in California by January 1, 2013. The goal of such a program is to leverage the federal Supplemental Nutrition Assistance Program (SNAP) and LIHEAP to generate additional resources for vulnerable households, increasing the likelihood that Californians will have access to critical nutrition, maintain affordable housing and sustain heat/cooling within the home. The Heat and Eat program also reinforces outreach efforts as outlined in Section 2605(b)(3) and program coordination in 2605(b)(4) of the LIHEAP Statute.

CDSS administers the SNAP, known as CalFresh in California. CSD will set aside no more than \$500,000 of its annual LIHEAP block grant to fund the Heat and Eat program. Issuing a nominal LIHEAP benefit along with information about the LIHEAP program allows the use of the highest possible heat and utility deductions when determining the client's food assistance and may increase their benefit amount. Under the program, CalFresh households would receive a nominal LIHEAP benefit as dictated by the statute qualifying them to automatically receive the SNAP Standard Utility Allowance (SUA), for the purpose of calculating CalFresh benefits. Making the SUA automatic will result in an estimated average increase to eligible CalFresh households of \$62 per month, while also increasing the number of newly eligible households under CalFresh. An additional benefit is the simplification of the application process for CalFresh applicants as it would not require any additional paperwork or verification on behalf of the applicant. The resulting change in benefit calculations would increase benefits for some households and remove the verification requirements associated with utility costs for all households, thus simplifying the application process and leveraging additional federal nutrition benefits for CalFresh households.

Similar Heat and Eat initiatives across the country have been implemented in an effort to maximize federal nutrition benefits, in order to mitigate the effects of high housing and utility costs. Other states that have implemented a utility assistance or Heat and Eat initiative include Connecticut, Delaware, District of Columbia, Michigan, New Jersey, Pennsylvania, Massachusetts, Vermont, Maine, Washington, New York, Rhode Island, Oregon, and Wisconsin. Though each program varies to some degree according to the unique needs of the SNAP caseload in each state, the basic premise is the same across the country.

Statutory
References2605(c)(1)(A)
2605(b)(2)
(Eligibility)

→Do you have additional eligibility requirements for:
HEATING ASSISTANCE (____ Yes X No)

→Do you use: Yes No

Assets test? _____ X

→Do you give priority in eligibility to:

Elderly? X _____

Disabled? X _____

Young children? X _____

Other: X _____
(If Yes, please describe)

Each Local Service Provider is required to submit a priority plan as part of their contract. The priority plan identifies four categories: Poverty Level, Energy Burden, Vulnerable Population and Agency-Defined. Agency-Defined category is optional. The following five priority categories will serve as the basis for Agency-Defined priorities (examples provided are not all inclusive):

Medically Needy – *Examples:* Needing special medical equipment, high medical expenses relative to income

Frail Elderly – *Examples:* Homebound, 80+, living alone, lack of access to services, poor health

Severe Financial Hardship – *Examples:* Recent loss of income, receiving Unemployment Insurance Benefits (UIB), high risk of homelessness, income eligible for LIHEAP but ineligible for other need-based benefits

Hard to Reach – *Examples:* Geographically/culturally isolated, language barrier(s), significantly underrepresented in clients served vs. local demographics

Priority Offsets – *Examples:* Client receiving other utility, rent or mortgage subsidies; client served in previous year.

NOTE: No application for benefits may be rejected based on previous receipt of benefits, and an alternate-year policy must allow for continuing prioritization of services to the most vulnerable clients. An “alternate-year policy” may be one of the elements in a priority system for determining eligibility for LIHEAP benefits and assistance (see the “Priority Offsets” category above). However, an alternate year policy will not be used to arbitrarily deny benefits or assistance to clients who are genuinely needy, particularly if the result is to grant benefits or assistance to a less needy applicant.

Based on an assessment of each client, Local Service Providers assign points for each of the first three categories and the Agency-Defined categories, if the Local Service Provider elects to use this additional fourth category. Clients with the highest resulting number of points are served first, though priority may be given to households with life-threatening emergencies.

Statutory
References

2605(c)(1)(A)
2605(b)(2)

→Do you have additional eligibility requirements for:
COOLING ASSISTANCE (____ Yes X No)

(Eligibility)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	_____	<u> X </u>
→Do you give priority in eligibility to:		
Elderly?	<u> X </u>	_____
Disabled?	<u> X </u>	_____
Young children?	<u> X </u>	_____
Other:	<u> X </u>	_____

(If Yes, please describe)

Each Local Service Provider is required to submit a priority plan as part of their contract. The priority plan identifies four categories: Poverty Level, Energy Burden, Vulnerable Population and Agency-Defined. Agency-Defined category is optional. The following five priority categories will serve as the basis for Agency-Defined priorities (examples provided are not all inclusive):

Medically Needy – *Examples:* Needing special medical equipment, high medical expenses relative to income

Frail Elderly – *Examples:* Homebound, 80+, living alone, lack of access to services, poor health

Severe Financial Hardship – *Examples:* Recent loss of income, receiving Unemployment Insurance Benefits (UIB), high risk of homelessness, income eligible for LIHEAP but ineligible for other need-based benefits

Hard to Reach – *Examples:* Geographically/culturally isolated, language barrier(s), significantly underrepresented in clients served vs. local demographics

Priority Offsets – *Examples:* Client receiving other utility, rent or mortgage subsidies; client served in previous year.

NOTE: No application for benefits may be rejected based on previous receipt of benefits, and an alternate-year policy must allow for continuing prioritization of services to the most vulnerable clients. An “alternate-year policy” may be one of the elements in a priority system for determining eligibility for LIHEAP benefits and assistance (see the “Priority Offsets” category above). However, an alternate year policy will not be used to arbitrarily deny benefits or assistance to clients who are genuinely needy, particularly if the result is to grant benefits or assistance to a less needy applicant.

Based on an assessment of each client, Local Service Providers assign points for each of the first three categories and the Agency-Defined categories, if the Local Service Provider elects to use this additional fourth category. Clients with the highest resulting number of points are served first, though priority may be given to households with life-threatening emergencies.

Statutory
References

2604(c)
2605(c)(1)(A)

(Eligibility)

→Do you have additional eligibility requirements for:
CRISIS ASSISTANCE (X Yes ___No)

	<u>Yes</u>	<u>No</u>
→Do you use:		
Assets test?	_____	_____ <u>X</u>
Must the household have received a shut-off notice or have an empty tank?	_____	_____ <u>X</u>
Must the household have exhausted regular benefit?	_____	_____ <u>X</u>
Must the household have received a rent eviction notice?	_____	_____ <u>X</u>
Must heating/cooling be medically necessary?	_____	_____ <u>X</u>
Other (Please explain):	_____ <u>X</u>	_____

Additional requirements for utility/fuel crisis assistance include meeting one or more of the following criteria:

- Proof of utility shutoff notice;
- Proof of energy termination;
- Insufficient funds to establish a new energy account;
- Insufficient funds to pay a delinquent utility bill;
- Insufficient funds to pay for essential firewood, oil or propane
- Insufficient funds to pay the cost of repairing or replacing an eligible heating or cooling appliance or for a new heating or cooling appliance; and/or
- Applicant has a medical condition that requires temperature or climate control and the heating/cooling appliance is considered hazardous, nonexistent, or inoperable

➔What constitutes a crisis? (Please describe)

CSD uses the federal definition of a crisis (Low Income Energy Assistance Act § 2603 (3)): “weather-related and supply shortage emergencies and other household energy related emergencies.” Crisis funds may only be used in accordance with the federal definition, including:

1. A natural disaster (whether or not officially declared),
2. A significant home energy supply shortage or disruption,
3. An official declaration of a significant increase in:
 - a. Home energy costs,
 - b. Home energy disconnections,
 - c. Enrollment in public benefit programs, or
 - d. Unemployment and layoffs, or
4. An official emergency declaration by the Secretary of Health and Human Services,

In those situations where there is not an official federal, state, or local declaration of emergency, an emergency may be deemed to exist by CSD where there is imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

Statutory
References

2605(c)(1)(A)

➔Do you have additional eligibility requirements for:
WEATHERIZATION (___ Yes ___ **X** No)

(Eligibility)

➔Do you use: Yes No

Assets test? _____ X _____

Priority groups? (Please list) X _____

Each Local Service Provider is required to submit a priority plan as an attachment to their contract. The priority plans are in narrative format and identify multiple categories used to prioritize services, such as: Poverty Level, Energy Burden, Vulnerable Population, New Applicants, Health & Safety Issues, Proximity to other eligible dwellings and Agency-Defined (Agency-Defined categories are described above). Based on an assessment

of each applicant, some Local Service Providers prioritize by assigning points for each of these categories and serving those with the highest point value first, though priority may be given to households with life-threatening emergencies.

→ Are you using Department of Energy (DOE) Low Income Weatherization Assistance Program (LIWAP) rules to establish eligibility or to establish priority eligibility for households with certain characteristics? _____ X

→ If Yes, are there exceptions? _____
Please list below. _____

Statutory
References

2605(b)(3)
2605(c)(3)(A)

(Outreach)

→ Please check the outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

 X provide intake service through home visits or by telephone for the physically infirm (i.e. elderly or disabled).

 X place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.

 X publish articles in local newspapers or broadcast media announcements.

 X include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.

 X make mass mailing to past recipients of LIHEAP.

 X inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.

X execute interagency agreements with other low-income program offices to perform outreach to target groups.

X other (Please specify):

- Partnerships with utility companies
- Outreach to: legislative offices, community organizations, and attendance at community events
- Referrals to CSD's programs from child care centers
- Pamphlets
- Toll-free phone line
- CSD's website
- Contractors' websites
- Special events
- Canvass neighborhoods and go door to door
- Distributes flyers at schools

Statutory References

2605(b)(4)

→ Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

(Coordination)

CSD and Local Service Providers coordinate activities with similar and related programs administered by the federal, state, and the public and private sector, particularly low-income, energy conservation programs. CSD is working with the California Public Utilities Commission (CPUC) and the state's investor owned utility companies to develop strategies to better leverage and coordinate our mutual resources to benefit low-income households in the state.

Local Service Providers refer potentially eligible applicants, including heating and cooling, and crisis applicants, to the weatherization program, California Alternate Rate for Energy (CARE), Reduced Rate Programs (RRP), and/or to other energy or conservation programs. This referral is accomplished through interagency agreements, communications with pertinent agencies, one-stop centers, utility companies, and public/private partnerships. Local Service Providers provide assistance in coordinating the payment of client's energy/utility bill with the appropriate energy vendor or utility company.

2605(b)(5)
2605(b)(2)

→ The statute requires that there be no difference in the treatment of households eligible because of their income and those eligible

2605(b)(8A) because they receive benefits under TANF, Food Stamps, SSI, or certain means-tested veterans programs ("categorically eligible"). How do you ensure there is no difference when determining eligibility and benefit amounts? This applies to all components unless specifically noted below.

(Benefit Levels)

Participation in the LIHEAP program is based on the household's income meeting the program's income eligibility guidelines and service priority. CSD ensures equal treatment of LIHEAP income eligible households, regardless to their participation in public benefit program. However, it is worthy of mention that CSD structures its utility assistance benefits in accordance with an individual's income level among other factors, to assure that households with the lowest income receive the highest possible benefit established for a county service area.

Statutory References

HEATING COMPONENT

2605(b)(5) → Please check the variables you use to determine your benefit levels (check all that apply):

(Determination of Benefits)

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden
(% of income spent on home energy)
- energy need
- other (describe)

CSD conducts an "Individual Utility Company Rate Survey" each year. In the survey, utility companies report their residential rates, by county, for natural gas and electricity. CSD uses this information to establish average utility costs for each county. These costs are factored into the heating and cooling benefit formula to determine LIHEAP benefit levels.

2605(b)(5)
2605(c)(1)(B) → Describe how you will assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size.

(Benefit Levels)

Please describe benefit levels or attach a copy of your payment matrix.

CSD and its Local Service Providers consider a number of pertinent factors to assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs, based on family size.

Who receives a payment is based on four factors: 1) Poverty Level, 2) Energy Burden, 3) Vulnerable Populations, and 4) Agency Defined Factors (optional).

What level the payment will be is determined by an additional three factors: 1) the number of people in the household, 2) the household's total gross monthly income, and 3) the cost of energy in the region. As described in the response above, the formula for determining the regional cost of energy is revised annually, based on the actual cost of energy in the region.

Taken together, these two formulas for determining who receives benefits and at what level, consider the U.S. Department of Health and Human Services (HHS) Federal Poverty Guidelines and actual, regional energy costs, allowing CSD and its Local Service Providers to establish benefits that are proportionate to need and income level. As a result, we provide the highest possible benefit to those who have the highest energy burden and the lowest incomes.

➔Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

Yes No If Yes, please describe.

Statutory
References

2605(b)(5)
2605(c)(1)(B)

(Determination
of Benefits)

COOLING COMPONENT

➔Please check the variables you use to determine your benefit levels (check all that apply):

income
 family (household) size
 home energy cost or need
 fuel type
 climate/region
 individual bill
 dwelling type

energy burden
 (% of income spent on home energy)
 energy need
 other (describe)

CSD conducts an “Individual Utility Company Rate Survey” each year. In the survey, utility companies report their residential rates, by county, for gas and electricity. CSD uses this information to establish average utility costs for each county. These costs are factored into the heating and cooling benefit formula to determine LIHEAP benefit levels.

2605(b)(5)
2605(c)(1)(B)
(Benefit
Levels)

→ Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe benefit levels or attach a copy of your payment matrix.

CSD and its Local Service Providers consider a number of pertinent factors to assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs, based on family size.

Who receives a payment is based on four factors: 1) Poverty Level, 2) Energy Burden, 3) Vulnerable Populations, and 4) Agency Defined Factors (optional).

What level the payment will be is determined by an additional three factors: 1) the number of people in the household, 2) the household’s total gross monthly income, and 3) the cost of energy in the region. As described in the response above, the formula for determining the regional cost of energy is revised annually, based on the actual cost of energy in the region.

Taken together, these two formulas for determining who receives benefits and at what level, consider the HHS Federal Poverty Guidelines and actual, regional energy costs, allowing CSD and its Local Service Providers to establish benefits that are proportionate to need and income level. As a result, we provide the highest possible benefit to those who have the highest energy burden and the lowest incomes.

→ Do you provide in-kind (e.g. fans) and/or other forms of benefits?

Yes No If Yes, please describe.

Statutory
References2605(b)(5)
2605(c)(1)(B)**CRISIS COMPONENT**(Determination
of Benefits)

➔How do you handle crisis situations?

 separate component other (please explain)

➔If you have a separate component, how do you determine crisis assistance benefits?

 amount to resolve crisis, up to maximum other (please describe)

The Crisis Program is limited to four activities:

1. Fast Track (electric and gas) utility payments
2. Energy Crisis Intervention Program Wood, propane and oil (ECIP WPO) payments
3. Heating and cooling services (HCS)
4. Severe Weather Energy Assistance and Transportation Services (SWEATS)

Fast Track benefits are determined by the Local Service Providers, but payments to the utility companies are processed, centrally, by CSD, where ECIP WPO assistance benefits, HCS and SWEATS activities are provided locally. Local Service Providers have the ability to increase the Fast Track base amount by adding a supplemental benefit. The total benefit amount cannot exceed the total amount of the entire utility bills (to include energy charges, reconnection fees, and other assessed utility fees/surcharges to alleviate the crisis situation) or \$1,000, whichever is less.

ECIP WPO benefits are determined at the local level based on clients inability to pay for essential firewood, oil or propane. The amount of the benefit is based on the cost to resolve the crisis.

HCS services provide payment for energy-related repairs or replacement of non-functioning heating, cooling appliances and water-heating appliances. The benefit amount is based on the cost of the repair or replacement, up to the maximum amount as determined annually.

SWEATS services provide payment to address energy-related emergency needs of low-income households affected by a natural disaster. Typical services include additional utility assistance, temporary housing services, transportation services and temporary heating/cooling devices. The amount of the benefit may vary depending on the benefit offered.

(Benefit
Levels)

➔ Please indicate the maximum benefit for each type of crisis assistance offered.

heating \$ * _____ maximum benefit

cooling \$ * _____ maximum benefit

year-round \$ * _____ maximum benefit (Fast Track)

*Maximum benefit for each type of crisis assistance is indicated above.

➔ Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

___ Yes X No If Yes, please describe.

Statutory
References

2605(b)(5)
2605(c)(1)
(B) & (D)

WEATHERIZATION & OTHER ENERGY RELATED HOME REPAIR AND IMPROVEMENTS

➔ What LIHEAP weatherization services/materials do you provide? (Check all categories that apply.)

(Types of
Assistance)

- X Weatherization needs assessments/audits.
 X Caulking, insulation, storm windows, etc.
 X Furnace/heating system modifications/repairs
 X Furnace replacement
 X Cooling efficiency mods/repairs/replacement
 X Other (Please describe)
- Dwelling Assessment
 - General heat, waste and safety assessment
 - Combustion appliances safety check
 - Blower door test
 - Duct leakage test
 - Post weatherization inspections
 - Health or safety hazard repair/replacement
 - Carbon monoxide alarm

- Smoke alarm
- Electric or Gas cooking appliance repair/replacement
- Electric or Gas water heater repair/replacement
- Attic/floor foundation venting
- Ceiling fans
- Electric water heater timer
- Cover plate gaskets
- Minor envelope repair
- Hot water flow restrictors: low-flow showerheads and facet restrictors
- Window replacement/glass repair/window repair
- Sliding glass door repair/replacement
- Duct and register repair/replacement
- Lead Safe Weatherization
- Exterior pipe wrap
- Kitchen exhaust installation repair and replacement
- Thermostat, programmable
- Vent cover, interior
- Shade screens
- Shutters
- Tinted window film
- Electric base load measures
 - Refrigerator replacement
 - Electric water heater repair/replacement
 - Microwave oven
 - Compact fluorescent lamps
 - Evaporative cooler installation
 - Window/wall air conditioner repair and replacement

(Benefit Levels)

→ Do you have a maximum LIHEAP weatherization benefit/expenditure per household? X Yes No

If Yes, what is the maximum amount? \$ See below

The LIHEAP contract maximum average reimbursement limit per dwelling is \$3,055 for allowable measures and activities. The maximum average reimbursement amount is increased to \$3,514 in the event a State of Emergency or Local Emergency is declared by the Governor under Article 13 and/or 14 of the California Emergency Services Act.

In dwelling units in which the heating unit must be repaired/replaced, no more than a maximum average reimbursement of \$5,100 can be expended per dwelling unit. This limitation includes all weatherization measures installed.

➔Under what rules do you administer LIHEAP weatherization? (Check only one.)

(Types of Rules)

Entirely under LIHEAP (not DOE) rules
 Entirely under DOE LIWAP rules
 Mostly under LIHEAP rules with the following DOE LIWAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply):

Weatherize buildings if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days

Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).

Other (Please describe)

Mostly under DOE LIWAP rules, with the following LIHEAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply.)

Weatherization not subject to DOE LIWAP maximum statewide average cost per dwelling unit.

Other (Please describe.)

2605(b)(6) The state or tribe administers LIHEAP through the following local agencies:

(Agency Designation)

county welfare offices
 community action agencies (weatherization component only)
 community action agencies (heating, cooling or crisis)
 charitable organizations
 not applicable (i.e. state energy office)
 tribal office
 other, describe:

- Community based organizations
- Local government

➔Have you changed local administering agencies from last year?

Yes No

If Yes, please describe how you selected them.

➔What components are affected by the change?

2605(c)(1)(E)

➔Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. **(This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)**

(Targeting of Assistance)

CSD relies on the strength of our network of Local Service Providers and their ability to provide assistance and outreach based on the needs of the local community. Local Service Providers are staffed to address language barriers, issues of cultural diversity, and to target their most needy clients.

Local Service Providers are able to proactively address the energy needs of low-income households by conducting thorough energy needs assessment of each client, providing budget counseling and energy conservation education, and interacting with the client's utility company to establish co-payment or annualized payment plans. Whenever possible, weatherization services are provided which represent a preventative, holistic and long-term solution to energy needs.

Statutory References

2605(b)(7)
(Energy Suppliers)

➔Do you make payments directly to home energy suppliers?

Heating X Yes _____ NoCooling X Yes _____ NoCrisis X Yes _____ NoIf Yes, are there exceptions? X Yes _____ No

If Yes, please describe.

In most cases, direct payments are issued to energy vendors. Occasionally, dual party warrants are issued and are made payable to the client and the energy vendor. On those few occasions when utilities are included in the rent or sub-metered, warrants are issued directly to the client.

For those heating and cooling and crisis clients whose energy source is WPO, Local Service Providers make payment directly to energy vendors.

2605(b)(7)(A)

➔If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

When a WPO payment is made directly to an energy vendor, the Local Service Provider sends the client a letter, advising them of the LIHEAP payment amount and date. Local Service Providers keep the information on file.

When a crisis, and/or heating and cooling payment is made directly to an energy vendor, the vendor does one or both of the following:

1. Shows the amount of credit on the customer's bill, indicating that the payment was made by LIHEAP.
2. Sends a letter advising the client of the LIHEAP payment.

CSD evaluates the notification process of LIHEAP payments during program evaluation visits.

2605(b)(7)
(B) & (C)

➔How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

Local Service Providers require each home energy supplier to sign an agreement to adhere to the requirements of this assurance. Local Service Providers keep this information on file and clients are advised of their right to fair and equal treatment at the time of service. CSD staff ensures compliance with this provision during program evaluation visits.

Before paying energy suppliers for all types of delivered fuels, Local Service Providers verify that the charges for the services and goods provided are reasonable and within fair-market value. The amounts of these charges are reviewed during program evaluation visits made by CSD staff.

For heating and cooling, payment is made directly to an energy vendor, the vendor does one or both of the following:

1. Shows the amount of credit on the customer's bill, indicating that the payment was made by LIHEAP.
2. Sends a letter advising the client of the LIHEAP payment.

CSD evaluates the notification process of LIHEAP payments during program evaluation visits.

A different process is in place for Crisis payments, depending on whether the home energy supplier is a regulated utility or a non-regulated one.

Regulated Utilities are audited by the CPUC to ensure that proper billing procedures are in place and the amount of payments or credits are accurate. No modification of energy rates can occur without a public regulatory process, which is administered by the CPUC.

For Non-Regulated energy vendors:

1. Local Service Providers use a "Confirmation of Payment" form whereby the non-regulated energy vendors records the date and amount credited for each account.
2. Local Service Providers are required to have each home energy supplier sign an assurance agreeing to the requirements of this section. Local Service Providers keep this information on file and clients are advised of their right to fair and equal treatment at the time of service. CSD staff ensures compliance with this provision during program evaluation visits.
3. Local Service Providers verify, before paying energy suppliers for all types of delivered fuels, that the charges for the services and goods provided are reasonable and within fair-market value. The amounts of these charges are reviewed during program evaluation visits made by CSD staff.

Statutory
References

2605(b)(8)(B)

➔ Is there any difference in the way owners and renters are treated? If Yes, please describe.

(Owners
and
Renters)

HEATING ASSISTANCE

_____ Yes X No

COOLING ASSISTANCE

_____ Yes X No

CRISIS ASSISTANCE

_____ Yes X No

WEATHERIZATION

X Yes No

CSD and its Local Service Providers provide weatherization services to eligible households, regardless of whether they rent or own. In fact, Local Service Providers are contractually required to do so. However, in order to protect the rights of renters, some special steps are followed:

Before performing weatherization services in a rental unit, Local Service Providers obtain written permission from the owner (or service agent) of a rental unit in the form of an “Energy Service Agreement for Rental Units.”

This agreement specifies, in part, that the owner will not use the weatherization work as justification for increasing the rent or evicting the tenants for a period of two years. Local Service Providers keep this form on file for two years after weatherization work has been completed.

Tenants receive a copy of this agreement, along with instructions on how to file a complaint should conditions not be met.

Statutory
References

2605(b)(10)

➔How do you ensure good fiscal accounting and tracking of LIHEAP funds? (Please describe. Include a description of how you monitor fiscal activities.)

CSD maintains fiscal controls and accounting practices in accordance with the California Uniform Accounting System. Our financial management system maintains financial data and accounting records supported by source documentation for all federal funds administered. CSD's internal control structure conforms to state and federal procedures. See below for additional information.

(Program,
Fiscal
Monitoring,
and Audit)

➔How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

The following summarizes core program monitoring activities that will be implemented to ensure Subgrantees are compliant federal and state laws and regulations:

- CSD Field Operations unit conduct bi-annual comprehensive on-site field visits to verify compliance with client eligibility, benefit

determinations, dwelling eligibility and measure installation, evaluate operational efficiency, evaluate subcontractor activity and oversight.

- Special monitoring visits are conducted to investigate Whistleblower complaints, evaluate underperformance, and follow-up on significant corrective action requirements.
- Weatherization dwelling inspections are being conducted on at least 5% of completed dwellings at each Agency to ensure quality of workmanship and verification of measure installation.
- Quarterly agency assessments are conducted to actively monitor Subgrantees expenditure levels, households served, and unit production.

➔ How is your LIHEAP program audited?

Under the Single Audit Act? Yes No

If not, please describe:

For States and Territories:

➔ Is there an annual audit of local administering agencies? Yes No

If not, please explain.

Statutory
References

2605(b)(12)

(Timely and
Meaningful
Public
Participation)

➔ How did you get timely and meaningful public participation in the development of the plan? (Please describe.)

Advance notification was emailed to all LIHEAP Local Service Providers advising them of CSD's intent to post on the CSD website on or before August 3, 2012; 1) the draft 2013 Detailed LIHEAP Model Plan Application and, 2) the accompanying cover letter announcing the date, time, and location of the public hearing. Local Service Providers were encouraged to participate in the submittal of the annual LIHEAP state plan, and were given at least 10 days to review and offer comments prior to the submittal of the state plan application to the HHS.

The draft state plan application was posted on the CSD website and was available for download at the local level, and upon request, a copy will be emailed to all individuals requesting a copy of the document. Public notices were published in newspapers in the north, central, and southern parts of the state. Publication of these notices was posted at least 10 days

before the August 16, 2012 public hearing date. The public was given at least 10 days to review and offer comments before the public hearing.

2605(a)(2)

➔Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?

Yes No

(Not required for Tribes and tribal organizations)

(Public
Hearings)

A public hearing was held on August 16, 2012 at the Department of Community Services and Development (CSD), 2389 Gateway Oaks Drive, Sinex Conference Room, Sacramento, CA 95833.

The draft 2013 Detailed State Plan Application was posted on the CSD website August 3, 2012 with an accompanying cover letter announcing the date, time, and location of the public hearing. Public Notices were published in newspapers in the north, central, and southern parts of the state. Publication of these notices was posted at least 10 days prior to August 16, 2012. The public had until 5:00 p.m. on August 16, 2012 to submit written comments.

No written comments were received from the LIHEAP Service Providers. No written comments were received from the public.

Statutory
References

2605(b)(13)

➔Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

(Fair
Hearings)

Local Service Providers provide all interested individuals equal opportunity to apply for LIHEAP programs, and may not discourage any interested individual from submitting an application for LIHEAP assistance. Local Service Providers act upon all applications in writing within 15 working days.

Pursuant to Title 22 of the California Code of Regulations, Section 100805, Local Service Providers are required to establish a written appeals process to enable applicants who are denied benefits or services, or who receive untimely response or unsatisfactory performance, the right to appeal the decision or performance to the Contractor. The process must include, at a minimum, all of the requirements of Section 100805 subdivision (b), plus:

- A. Provisions that ensure that each applicant is notified in writing of the right to appeal a denial of or untimely response to an application, or to appeal unsatisfactory performance, and the process to request such an appeal, at the time that each applicant submits an application. Such notification shall include information about the right to appeal to both the Contractor and to CSD.
- B. Provisions that ensure that Local Service Providers will make a good faith effort to resolve each appeal.
- C. Provisions that ensure that Local Service Providers notify the applicant in writing of the Local Service Provider's final decision within 15 working days after the appeal is requested. If the appeal is denied, the written notification must include instructions on how to appeal the decision to CSD. Whenever Local Service Providers notify an applicant of a denial of an appeal, Local Service Providers simultaneously provide a copy of the final decision CSD.
- D. Provisions to enable Local Service Providers to collect information on denials and appeals in its regular program reporting.

→ Denials

Local Service Providers inform, at the time of intake, all applicants of their right to appeal all claims for assistance that are denied or are not acted upon with reasonable promptness.

- A. Local Service Providers review all claims from applicants who are determined ineligible for benefits or who have submitted written notice that there has been an unreasonable delay in processing their application or receiving their benefits.
- B. Local Service Providers conduct a structured, fair, and impartial meeting within 5 working days of the initial request for appeal and are required to make a good faith effort to resolve the applicant's complaint(s) at the local level. The Local Service Provider, as contractor, makes a written finding which sets forth the case of both parties and the decision of the Local Service Provider.
- C. If the appeal is not resolved at the local level, Local Service Providers inform the applicant that an appeal to the State agency (CSD) may be requested as part of the Fair Hearing process and shall provide the applicant with the appropriate form.

- D. If the applicant decides to appeal to CSD, the applicant submits a written appeal request to be received by CSD within 10 days from the date of the contracted Local Service Provider's final decision. Upon request from CSD, Local Service Providers provide all supportive documentation to be received by the State within 5 working days.
- E. Within 10 working days of receipt of the requested documentation from the contracted Local Service Provider, CSD staff reviews the appeal and supportive documentation, confers with the appellant and the contracted Local Service Provider if necessary, and notifies the appellant and contractor of the decision in writing.

The applicant may withdraw the appeal at any time.

If an applicant decides to withdraw an appeal, he or she may write or call the Local Service Provider or CSD depending on the location of the appeal. Should the applicant call to withdraw the appeal, CSD or the Local Service Provider documents the action and sends a copy of the documentation as letter of verification, to the applicant.

If the applicant submits a written statement of withdrawal, CSD, or the Local Service Provider keeps a written date of receipt and a copy of the statement as part of the closed file.

→ Applications Not Acted On In a Timely Manner

During intake, Local Service Providers inform applicants of their right to appeal all claims for assistance that are denied or are not acted upon with reasonable promptness.

- A. Local Service Providers review all claims from applicants who are determined ineligible for benefits or who have submitted written notice that there has been an unreasonable delay in processing their application or receiving their benefits.
- B. Local Service Providers conduct a structured, fair, and impartial meeting within 5 working days of the initial request for appeal and are required to make a good faith effort to resolve the applicant's complaint(s) at the local level. The Local Service Provider, as contractor, makes a written finding which sets forth the case of both parties and the decision of the Local Service Provider.

- C. If the appeal is not resolved at the local level, Local Service Provider informs the applicant that an appeal to the State agency (CSD) may be requested as part of the Fair Hearing process and shall provide the applicant with the appropriate form.
- D. If the applicant decides to appeal to CSD, the applicant submits a written appeal request to be received by CSD within 10 days from the date of the contracted Local Service Provider's final decision. Upon request from CSD, Local Service Providers provide all supportive documentation to be received by the State within 5 working days.
- E. Within 10 working days of receipt of the requested documentation from the contracted Local Service Provider, CSD staff reviews the appeal and supportive documentation, confers with the appellant and the contracted Local Service Provider if necessary, and notifies the appellant and contractor of the decision in writing.

The applicant may withdraw the appeal at any time.

If an applicant decides to withdraw an appeal, he or she may write or call the Local Service Provider or CSD depending on the location of the appeal. Should the applicant call to withdraw the appeal, CSD or the Local Service Provider must document this action and send a copy as letter of verification, to the applicant.

If the applicant submits a written statement of withdrawal, CSD, or the Local Service Provider keeps a written date of receipt and a copy of the statement as part of the closed file.

Statutory References

2605(b)(15)

For States and Puerto Rico only (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are \$200,000 or less):

→ Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

(Alternate Outreach and Intake)

HEATING ASSISTANCE

_____ Yes X No

If Yes, describe alternate process for outreach and intake:

COOLING ASSISTANCE

_____ Yes X No

If Yes, describe alternate process for outreach and intake:

CRISIS ASSISTANCE

_____ Yes X No

If Yes, describe alternate process for outreach and intake:

Statutory References

2605(b)(16)

➔Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

X Yes _____ No

If Yes, please describe these activities.

Local Service Providers address the energy needs of low-income households by conducting a thorough energy needs assessment of each client, providing budget counseling, energy conservation education, and coordination with utility companies. Whenever possible, weatherization services are also provided to offer a preventive, holistic and long-term solution to energy needs.

Local Service Providers maintain a source document that substantiates that the client was provided these services. The

document is kept on file by the contractor and is reviewed during routine program evaluation visits made by CSD staff.

If Yes, how do you ensure that you don't use more than 5% (statutory ceiling) of your LIHEAP funds for these activities?

Up to 5% of the total block grant is allocated specifically for Assurance 16 activities and distributed by formula to the contractor network. CSD provides a budget form for contractors to account for Assurance 16 activities.

Local Service Providers are contractually required to submit monthly expenditure and activity reports to CSD. These reports are monitored cumulatively to ensure that no more than 5% is spent on Assurance 16 activities. The data is entered into an automated database management system, which calculates and verifies compliance. Status reports are printed regularly for use by CSD staff. Issues needing clarification and areas of concern are more readily identified with the automated system that, in turn, allows for a more timely resolution with contractors.

Local Service Providers are made aware of the 5% cap, and through the local planning process, have the flexibility to submit proposed funding levels up to the 5% cap, for activities specifically targeted for Assurance 16.

Statutory References

2607A
(Leveraging)

➔ Please describe leveraging activities planned for the fiscal year. **(This entry is optional.)*** Complete this entry if you plan to apply for LIHEAP leveraging incentive funds and to include in your leveraging report resources/benefits provided to low income households this fiscal year under criterion (iii) in 45 CFR 96.87(d)(2). Provide the following information for each:

- (1) Identify and described each resource/benefit;
- (2) Identify the source(s) of each resource; and
- (3) Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

HEATING AND COOLING:
CALIFORNIA ALTERNATE RATE FOR ENERGY (CARE),
HOME ENERGY ASSISTANCE PROGRAM (HEAP)

In 1988, the State of California Senate Bill 987 was enacted which required the CPUC to establish a low-income assistance program for electric and gas customers. The resulting program, the California Alternate Rates for Energy or CARE program, is administered by all regulated and non-regulated utilities in the State. This program provides a 15-30% discount on monthly energy costs of eligible low-income customers.

Intake for HEAP is provided at the local level through the use of CSD's LIHEAP contractor network (Local Service Providers), which also provides weatherization services.

The eligibility criteria for both HEAP and CARE is based solely on income eligibility and the guidelines are specific to each program. HEAP and CARE are similar and assistance for either program is limited to eligible low-income households.

The levels of assistance for each program vary according to their respective program. HEAP assistance levels are determined by: the amount of Federal funding; the number of persons in the household; the applicant's geographical location; and the household's income. The CARE program offers a 15-30% reduction off the applicant's monthly gas/electric costs or charges.

Both programs are integrated/coordinated through the written/verbal referral of applicants/customers to the opposite program. Both programs have printed on their applications, or on the literature accompanying the application, the name and telephone number of the other program. In addition, marketing and outreach efforts are undertaken by both programs through the use of flyers, application/bill inserts, posters, and newsletters to promote participation of both programs.

CSD also maintains toll-free "800" telephone lines for use by applicants to inquire about the LIHEAP and utility sponsored low-income discount programs. The rate discount is a non-federal resource which benefits federally qualified low-income households, as described in Section 2605(b)(2) of Public Law 97-35. The discount is both measurable and quantifiable.

CRISIS COMPONENT:

ENERGY CRISIS INTERVENTION PROGRAM (ECIP)

There are a number of leveraging activities occurring within HEAP/ECIP, which is administered through a network of community action agencies and community-based organizations throughout the State.

To ensure that low-income households have year-around access to energy assistance and the greatest number of low-income households receive assistance, Local Service Providers have coordinated the services provided under LIHEAP with local private and public energy assistance programs. The coordination of these programs enables the local agencies to expand emergency services to families who otherwise would not receive assistance through LIHEAP due to insufficient funds.

A number of CSD's LIHEAP Local Service Providers coordinate HEAP/ECIP with the Pacific Gas & Electric Company (PG&E)/Salvation Army REACH Program. The REACH Program is similar to HEAP/ECIP in that it provides utility payments on behalf of eligible low-income households within the PG&E service area and is funded with ratepayers' money. REACH eligibility is similar to HEAP/ECIP.

Several of CSD's LIHEAP Local Service Providers administer HEAP/ECIP in conjunction with REACH by coordinating an HEAP/ECIP payment with a REACH payment for each LIHEAP-eligible household. In most cases, the HEAP/ECIP payment alone is not enough to avoid a utility shut-off, but with the additional REACH payment, shut-off is avoided.

Other LIHEAP Local Service Providers HEAP/ECIP programs work in direct conjunction with REACH by maintaining ongoing communication with the local REACH office to screen potential clients and coordinate benefits. Applicants to both programs are screened to determine if any benefits have already been received by the applicant from either source.

Valley Churches United Missions, Kaiser, United Way, Pacific Gas and Electric, St. Vincent DePaul, Catholic Social Services, Love Inc, St. Phillips & St. Joseph Church, First Presbyterian Church, San Diego Gas and Electric Company, The City of Riverside, United Way, Imperial Irrigation District, Emergency Food and Shelter Program, also provide funds to several of CSD's LIHEAP Local Service Providers for payments to utility providers on behalf of LIHEAP-eligible households and for energy repairs to heating and cooling units.

Discounts on cords of firewood are made to several LIHEAP Local Service Providers. These discounted cords of wood have been coordinated and integrated with the HEAP/ECIP Program. The distribution of discounted wood is determined by the HEAP/ECIP Intake Worker. The wood is allocated to HEAP/ECIP eligible households either to supplement fuel payments made with State LIHEAP funds or to provide fuel to eligible households who are not otherwise assisted due to a lack of LIHEAP funds.

ECIP funds can also be used for furnace repair or replacement. Many of CSD's LIHEAP Local Service Providers receive discounts on furnace purchases which are installed in LIHEAP-eligible homes. Savings from the discounts allow for additional eligible households to receive ECIP assistance.

In addition, one of CSD's LIHEAP Local Service Providers received a discounts for services rendered. Specifically, vendors reduced labor charges for the repair and replacement of HVAC units and stoves.

WEATHERIZATION

There are many countable leveraging activities occurring within the LIHEAP Weatherization Program.

Several of CSD's LIHEAP Local Service Providers are provided funds through contracts with private and municipal utility companies, as well as City and County funded contracts to weatherize LIHEAP-eligible households. Some of the sources of these leveraged cash resources are Pacific Gas and Electric Company, Sacramento Municipal Utility District, Pacific Power Company, Southern California Gas Company, Southern California Edison Company, San Diego Gas and Electric Company, Pacific Power Corporation, City of Anaheim, and Modesto Irrigation District. Because cash resources are administered by the same agencies that provide LIHEAP weatherization services, these funds allow for the weatherization of more LIHEAP eligible households than is possible with LIHEAP funds alone. In addition, utility companies utilize a bid process to identify administering agencies. CSD LIHEAP-funded agencies are successful in the bid process largely due to their experience in providing weatherization services under the LIHEAP Program and because they are a known entity within the low-income community.

Some LIHEAP-eligible households receive repair or replacement of appliances and tune-ups of central air conditioning units by the Pacific Gas and Electric Company, Southern California Edison, Southern California Gas Company and the Southwest Gas Corporation if they also qualify under that utility company's program. This resource is coordinated with LIHEAP because eligible households are identified as needing repairs or replacement of appliances during the time the dwelling is assessed for LIHEAP weatherization services.

Pacific Gas and Electric Company, Southern California Edison Company, City of Anaheim Utility, Bear Valley Electric and City of Lodi provide for the purchase and installation of energy efficient water heaters, evaporative coolers, refrigerators and furnaces which are used in LIHEAP-eligible

dwellings for the purpose of heating or cooling. Additionally, utility companies use a bid process to identify administering agencies. Many CSD LIHEAP Local Service Providers are successful in the bid process due to their technical ability honed through years of experience in performing home weatherization services.

Many of CSD's LIHEAP Local Service Providers receive discounts on bulk purchases of weatherization materials that are installed in LIHEAP-eligible homes. Savings from the discounts allow for additional eligible dwellings to be weatherized.

One of CSD's LIHEAP Local Service Providers manufactures their own windows at a discounted price. Materials manufactured in-house at cost, enabled this agencies to install additional weatherization measures.

Southern California Gas Company, Southern California Edison, Southwest Gas Corporation, and Pacific Gas and Electric Company provide funds to conduct post-inspections of weatherization measures installed by LIHEAP Local Service Providers. These inspections required by the LIHEAP Program to ensure the correct and safe installation of weatherization materials.

Volunteers assist LIHEAP Local Service Providers in the installation of weatherization materials in LIHEAP eligible households.

One LIHEAP Local Service Provider secured property management companies and/or private landlords donate furnaces, hot water heaters, refrigerators, stoves, air conditioning, furnaces and weatherization materials used to provide additional weatherization measures in LIHEAP-eligible households.

One LIHEAP Local Service Providers received utility company rebates for the installation of solar (photovoltaic) systems on homes under CSD's Solar For All California pilot solar program.

CSD includes leveraging funds in the base for calculation of maximum State planning and administration costs, but leveraging incentive funds are not used for the costs of planning and administration, or for transfer to other HHS block grants.

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

Statutory
References

2605(b)

➔ Please describe performance goals and measures planned for the fiscal year. **(This entry is optional.)**

(Performance)
Goals and
Measures)

ADDITIONAL CERTIFICATIONS AND REQUIREMENTS

Attached are additional certifications required as follows:

- * **Lobbying certification**, which must be filed by all States and territories. If applicable, Form LLL, which discloses lobbying payments, must be submitted. **(Tribes and tribal organizations are EXEMPT.)**
- * **Debarment and suspension certification**, which must be filed by all grantees.
- * **Drug-free workplace requirement certification**, which must be filed by all grantees, unless the grantee has filed a statewide certification with the Department of Health and Human Services. **STATES ONLY:** If you have filed a statewide certification for the drug-free workplace requirement, please check here: _____
- * One of the requirements included in the 1994 reauthorization of the statute is that state grantees must include in their annual application for funds a report on the number and income levels of households applying for and receiving LIHEAP assistance, and on the number of recipient households that have members who are elderly, disabled, or young children.

All Tribes and those territories with allotments of less than \$200,000 need only submit data on the number of households served by each component (heating, cooling, weatherization and crisis). The approval for the collection of information contained in the **LIHEAP Household Report** is covered by OMB approval number 0970-0060.
- * Though not a part of this application, the report on funds to be carried over or available for reallocation as required by section 2607(a) for the preceding year must be submitted by August 1 of each year. A grant award for the current fiscal year may not be made until the carryover/reallocation report is received. The approval for the collection of information contained in the **LIHEAP Carryover and Reallocation Report** is covered by OMB approval number 0970-0106.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Signature

Director

Title

State of California, Department of Community Services and Development

Organization

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about --
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was

working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

2389 Gateway Oaks Drive, Suite 100

Sacramento, Sacramento County, CA 95833

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

Attachment One: Public Hearing Comments and Responses

No Public Hearing comments were made.

Attachment Two: Notices of Public Hearing

- ✓ CSD's Website
- ✓ Notice emailed to all LIHEAP Service Providers
- ✓ Public Notice published in the following newspapers:
 - Los Angeles Times
 - The Sacramento Bee
 - Redding Record Searchlight
 - La Opinion

Screen print of CSD's calendar from CSD's website

The screenshot shows the CSD website's calendar page for August 2012. The page includes a navigation menu with links for Home, About Us, Director, Programs, Recovery Act, FAQs, Resources, Español, and Languages. The header identifies the Department of Community Services and Development. Below the header, there are profiles for the Office of Governor Edmund G. Brown Jr. and Director John A. Wagner. The main content area features a calendar for August 2012, with a view set to 'Calendar'. The calendar grid shows dates from 29th to 1st. Two events are listed: 'CSBG Advisory Committee' on August 22 (10:00 AM) and '2013 LIHEAP State Plan Public Hearing' on August 23 (10:00 AM). A sidebar on the left contains sections for PROGRAMS, RESOURCES, and LINKS.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15 10:00 AM CSBG Advisory Committee	16 10:00 AM 2013 LIHEAP State Plan Public Hearing	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

Screen print of CSD's calendar from CSD's website

The screenshot shows a web browser window displaying the CSD website. The browser's address bar shows the URL: <http://www.csd.ca.gov/Lists/Calendar/DispForm.aspx?ID=1298&Source=http%3A%2F%2Fwww%2Eca%2Fgov%2FLists%2F>. The website header features the CSD logo and navigation links: Home, About Us, Director, Programs, Recovery Act, FAQs, Resources, Español, Languages, and Sign In. Below the header, there are portraits of Edmund G. Brown Jr. (Governor) and John A. Wagner (Director). The main content area is titled "Calendar: 2013 LIHEAP State Plan Public Hearing" and contains an "Export Event" button and a table of event details.

TITLE	2013 LIHEAP State Plan Public Hearing
LOCATION	CSD Headquarters
ADDRESS	2389 Gateway Oaks Dr, Sinex Conf Room Sacramento, CA 95833
START TIME	8/16/2012 10:00 AM
END TIME	8/16/2012 11:00 AM
DESCRIPTION	STATE OF CALIFORNIA - DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT NOTICE OF PUBLIC HEARING - DRAFT DETAILED LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) STATE PLAN APPLICATION for FEDERAL FISCAL YEAR (FFY) 2013 A public hearing to receive comments on the Draft Detailed LIHEAP State Plan Application for FFY 2013 is scheduled for Thursday, August 16, 2012 at 10:00 a.m. at the Department of Community Services and Development, Sinex Conference Room, 2389 Gateway Oaks Drive, Sacramento, CA 95833. Persons presenting oral testimony are requested to provide a written statement of their presentation at the conclusion of their testimony. If unable to attend, send written comments to: Department of Community Services and Development, P.O. Box 1947, Sacramento, CA 95812-1947, Attention: Kathy Andry, Senior Manager, Energy and Environmental Services Division. Written comments will be accepted until 5:00 p.m., August 16, 2012. A copy of the Draft Detailed LIHEAP State Plan Application is available by accessing CSD's web site, http://www.csd.ca.gov , under "WHAT'S NEW". NOTICE: Americans with Disabilities Act - individuals who, because of a disability, need special assistance to attend the public hearing, may request assistance by calling Rebecca Smith at (916) 576-7109. Requests should be made at least five working days in advance.
REGISTRATION INFORMATION	
CONTACT	
ALL DAY EVENT	
RECURRENCE	
WORKSPACE	

Created at 8/3/2012 2:08 PM by Eastburn, Jeffrey
Last modified at 8/3/2012 2:12 PM by Eastburn, Jeffrey

Email sent to all LIHEAP Service Providers

FW: Draft LIHEAP Detailed State Plan Application for Federal Fiscal Year 2013 - Message (HTML)

You forwarded this message on 8/23/2012 9:07 AM.

From: Smith, Rebecca@CSD Sent: Fri 8/3/2012 2:58 PM

To: ACCES; ATCAA ED; Berkeley ED; Butte ED; CCES ED; CES ED; CESC-Greater Bay Area; Contra Costa ED; Graham, Joan; CSET ED; CUI ED; CVOC ED; El Dorado ED; Fresno ED; Glenn ED; Glenn ED 2; GNC ED; IMACA ED; Kern ED; Kings ED; LA Dept. of Water & Power; Lassen ED; Long Beach ED; MAAC ED; Madera ED; Maravilla ED; Marin ED; Mariposa ED; Merced ED; McQueen, Linda; Oakland ED; Orange ED; PACE ED; Plumas ED; Project Go ED; Redwood ED; Riverside ED; Sacred Heart ED; San Benito ED; San Bernardino ED; San Francisco (City of) ED; San Francisco ED; San Joaquin ED; San Luis Obispo ED; Santa Barbara ED; SHHIP ED; Spectrum ED; TEACH ED; Ventura ED

Cc: Wimbley, Jason@CSD; Andry, Kathy@CSD; Campanella, Leslie@CSD; Fernandez, Che@CSD; Hart, Kristen@CSD; Rhine, Mary@CSD; Ramirez, Roberto@CSD; Stout, Linné@CSD; Yamada, Lorraine@CSD; **Energy Services Analysts**; ACCES; Alameda PM; ATCAA PM; Berkeley PM; Butte PM; CCES PM; CESC; City of San Francisco PM 2; Contra Costa PM; CRP PM; CRP PM 2; CSET PM; CUI PM; CVOC PM; El Dorado PM; Fresno IT Director; Fresno PM; Glenn PM; Great Northern; IMACA PM; Kern PM; Kings PM; LA Dept. of Water & Power; Long Beach; MAAC PM; Madera PM; Maravilla; Marin PM; Mariposa PM; Mariposa PM; Merced PM; Nevada PM;

Subject: FW: Draft LIHEAP Detailed State Plan Application for Federal Fiscal Year 2013

Message: FFY2013 NOTICE OF PUBLIC Hearing - Newspaper_liheap.pdf (16 KB) Program_Integrity Supplement_FFY2013_Public Comment.pdf (1 MB)
2013 DetailedStatePlan_DRAFT_Public Comment.pdf (257 KB)

Draft LIHEAP Detailed State Plan Application for Federal Fiscal Year 2013

This email is to inform you that the draft Low-Income Home Energy Assistance Program (LIHEAP) Detailed State Plan Application for Federal Fiscal Year 2013 is now available on the Department of Community Services and Development's (CSD) web site at <http://www.csd.ca.gov> (under "WHAT'S NEW"). Under federal LIHEAP guidelines adopted by the U.S. Department of Health and Human Services (HHS), states are to submit a detailed plan every three years. CSD is required to submit a detailed plan for the 2013 Fiscal Year.

A public hearing will be held to accept comments regarding the draft LIHEAP Detailed State Plan Application. The hearing is scheduled for Thursday, August 16, 2012 at 10:00 a.m. and will be conducted at CSD, 2389 Gateway Oaks Drive, Sacramento, Sinex Conference Room. Persons presenting oral testimony are requested to provide a written statement of their presentation at the conclusion of their testimony. If you cannot attend the hearing, but wish to comment, written testimony will be accepted until 5:00 p.m. on August 16, 2012. Please limit your comments to the contents of the Detailed State Plan Application. Written testimony may be submitted to Kathy Andry, Senior Manager, Energy and Environmental Services Division, P.O. Box 1947 Sacramento, CA 95812-1947 or via email kandry@csd.ca.gov.

Copies of the draft LIHEAP Detailed State Plan Application will also be available at the hearing.

Please post the attached Public Notice in a public place in your office until 5:00 p.m. on August 16, 2012.

Proof of Publications

RECORDING/FILING REQUESTED BY AND MAIL TO:
 Dept of Community Services & Development
 2389 Gateway Oaks Dr.
 Ste 100
 Sacramento, CA 95833

PROOF OF PUBLICATION
 (California Code of Civil Procedure 2010, 2015.5)

STATE OF CALIFORNIA
 County of Los Angeles

I am a citizen of the United States and a resident of the aforesaid County. I am over the age of eighteen years (18) years, and not a party to or interested in the above-entitled matter. I am the Principal Clerk of the printer of the **LOS ANGELES TIMES**, a newspaper of general circulation, printed and published DAILY in the City of Los Angeles, County of Los Angeles and which newspaper was adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of April 28, 1952, Case Number 598599. The notice, a true and correct copy of which is annexed, has been published in each regular and entire issue of said newspaper on the following dates, to wit:

FRIDAY; AUGUST 03, 2012.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated at Los Angeles, California,

This 6th day of August, 2012



 Signature

Veronica Chavez

STATE OF CALIFORNIA - DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
 NOTICE OF PUBLIC HEARING - DRAFT DETAILED LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) STATE PLAN APPLICATION for FEDERAL FISCAL YEAR (FFY) 2013

A public hearing to receive comments on the Draft Detailed LIHEAP State Plan Application for FFY 2013 is scheduled for Thursday, August 16, 2012 at 10:00 a.m. at the Department of Community Services and Development, Sinex Conference Room, 2389 Gateway Oaks Drive, Sacramento, CA 95833. Persons presenting oral testimony are requested to provide a written statement of their presentation at the conclusion of their testimony. If unable to attend, send written comments to: Department of Community Services and Development, P.O. Box 1847, Sacramento, CA 95812-1847, Attention: Kathy Andry, Senior Manager, Energy and Environmental Services Division. Written comments will be accepted until 5:00 p.m., August 16, 2012. A copy of the Draft Detailed LIHEAP State Plan Application is available by accessing CSD's web site, <http://www.csd.ca.gov>, under "WHAT'S NEW". NOTICE: Americans with Disabilities Act - Individuals who, because of a disability, need special assistance to attend the public hearing, may request assistance by calling Rebecca Smith at (916) 876-7109. Requests should be made at least five working days in advance.

The Sacramento Bee

P.O. Box 15779 • 2100 Q Street • Sacramento, CA 95852

CA DEPT OF COMMUNITY SRVCS
ATTN: MARY RHINE
2389 GATEWAY OAKS DR #100
SACRAMENTO, CA 95833

DECLARATION OF PUBLICATION
(C.C.P. 2015.5)

COUNTY OF SACRAMENTO
STATE OF CALIFORNIA

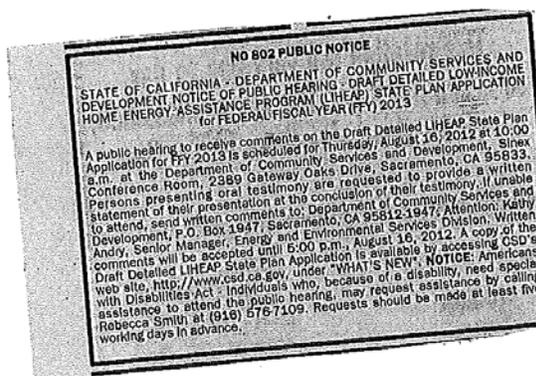
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the printer and principal clerk of the publisher of The Sacramento Bee, printed and published in the City of Sacramento, County of Sacramento, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sacramento, State of California, under the date of September 26, 1994, Action No. 379071; that the notice of which the annexed is a printed copy, has been published in each issue thereof and not in any supplement thereof on the following dates, to wit:

August 3, 2012

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Sacramento, California, on **August 3, 2012**



(Signature)



In the Superior Court of the State of California
in and for the County of Shasta

CERTIFICATE OF PUBLICATION
RECORD SEARCHLIGHT

CALIF DEPT OF ENERGY SERVICES
2389 GATEWAY OAKS DR STE 100
SACRAMENTO CA 95833

REFERENCE: 00610725 MARY RHINE
6767562 STATE OF CALIFORNIA

State of California
County of Shasta

I hereby certify that the Record Searchlight is a newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of Redding, County of Shasta, State of California; that I am the principal clerk of the printer of said newspaper; that the notice of which the annexed clipping is a true printed copy was published in said newspaper on the following dates, to wit;

STATE OF CALIFORNIA - DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
NOTICE OF PUBLIC HEARING - DRAFT DETAILED LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) STATE PLAN APPLICATION for FEDERAL FISCAL YEAR (FFY) 2013
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NOTICE: Americans with Disabilities Act - Individuals who, because of a disability, need special assistance to attend the public hearing, may request assistance by calling Rebecca Smith at (916) 576-7109. Requests should be made at least five working days in advance.
August 9, 2012 6767562

PUBLISHED ON: 08/03

FILED ON: 08/03/12

I certify under penalty of perjury that the foregoing is true and correct, at Redding, California on the above date.


RECORD SEARCHLIGHT
1101 Twin View Blvd, Redding, CA 96003

VIERNES 3 DE AGOSTO DE 2012, La Opinión | **5A**

**STATE OF CALIFORNIA - DEPARTMENT OF
COMMUNITY SERVICES AND DEVELOPMENT**

**NOTICE OF PUBLIC HEARING - DRAFT DETAILED LOW-INCOME HOME
ENERGY ASSISTANCE PROGRAM (LIHEAP) STATE PLAN APPLICATION
for FEDERAL FISCAL YEAR (FFY) 2013**

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**ESTADO DE CALIFORNIA - DEPARTAMENTO DE SERVICIOS
COMUNITARIOS Y DESARROLLO**

**AVISO DE AUDIENCIA PÚBLICA - PROYECTO DETALLADO DEL
PROGRAMA DE ASISTENCIA DE ENERGÍA PARA HOGARES DE
BAJOS INGRESOS (LIHEAP, POR SUS SIGLAS EN INGLÉS) ESTATAL
PLAN DE APLICACIÓN PARA EL AÑO FISCAL FEDERAL
(FFY, POR SUS SIGLAS EN INGLÉS) 2013**

Una audiencia pública para recibir comentarios sobre el Proyecto Detallado LIHEAP Estatal Plan de Aplicación para el FFY 2013 está programada para el jueves 16 de agosto de 2012 a las 10:00 a.m., en el Departamento de Servicios Comunitarios y Desarrollo, Sala de Conferencias Sinex, 2389 Gateway Oaks Drive, Sacramento, CA 95833. Las personas que presenten testimonios orales deberán presentar una declaración escrita de su presentación a la conclusión de su testimonio. Si no puede asistir, envíe sus comentarios por escrito a: Departamento de Servicios Comunitarios y Desarrollo, P.O. Box 1947, Sacramento, CA 95812-1947, Atención: Kathy Andry, Administrador Senior, División de Energía y Servicios Ambientales. Los comentarios escritos serán aceptados hasta las 5:00 p.m. del 16 de agosto de 2012. Una copia del Proyecto Detallado LIHEAP Estatal Plan de Aplicación se encuentra disponible ingresando al sitio en línea de la CSD, <http://www.csd.ca.gov>, bajo "QUE HAY DE NUEVO".

AVISO: Ley de Estadounidenses con Discapacidad - A las personas que, debido a una discapacidad, necesitan asistencia especial para asistir a la audiencia pública, pueden solicitar asistencia llamando a Rebecca Smith al (916) 576-7109. Las solicitudes deben hacerse por lo menos cinco días hábiles antes de la audiencia.

111-1095121

Attachment Three: Hearing Transcript

STATE OF CALIFORNIA
HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT

PUBLIC HEARING
2013 DRAFT LOW-INCOME HOME ENERGY ASSISTANCE
PROGRAM (LIHEAP) DETAILED STATE PLAN APPLICATION

DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
2389 GATEWAY OAKS DRIVE
SINEX CONFERENCE ROOM, 2nd FLOOR
SACRAMENTO, CALIFORNIA

THURSDAY, AUGUST 16, 2012
10:00 A.M.

 ORIGINAL

Reported by Jacqueline Toliver, CSR No. 4808

CALIFORNIA REPORTING, LLC
52 Longwood Drive
San Rafael, CA 94901
(415) 457-4417

APPEARANCES

HEARING OFFICER:

Ms. Mary Rhine

ALSO PRESENT:

Sylmia Britt, LIHEAP Coordinator

Jeff Eastburn, Program Analyst

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PROCEEDINGS

HEARING OFFICER RHINE: Good morning. My name is Mary Rhine of the Department of Community Services and Development. I am the hearing officer for today's public hearing on the 2013 Draft Detailed LIHEAP State Plan Application.

Today is Thursday, August 16th, 2012. The time is 10:00 a.m.

We are assembling at the Department of Community Services and Development, specifically the Sinex Conference Room on the second floor, to conduct a public hearing to receive testimony from interested parties regarding the 2013 Draft Detailed LIHEAP State Plan Application.

The hearing is being recorded by Court Reporter Jacqueline Toliver.

MS. BRITT: My name is Sylvania Britt.

We'd like to point out that CSD is noting the following correction to the Draft Detailed LIHEAP State Plan Application for 23013: Page 23 and 24 of the Detailed LIHEAP State Plan Application Draft will now be replaced with a new page 23. The changes relate to the question mostly under LIHEAP rules with the following DOE LIWAP rule, or LIHEAP and LIWAP rules differ.

We will only select the first checkbox, and the

remaining boxes will remain unchecked. The bullets below will be deleted.

HEARING OFFICER RHINE: Is there anyone who has testimony at this time?

(No response.)

It appears there are no comments.

This public hearing is considered closed.

CSD will receive written testimony until 5:00 p.m. today, August 16, 2012.

The time is now 10:02.

(Public hearing adjourned at 10:02 a.m.)

* * *

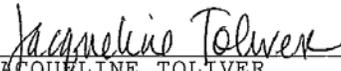
REPORTER'S CERTIFICATE

I, Jacqueline Toliver, a Certified Shorthand Reporter for the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing hearing was reported in shorthand by me, a duly qualified Certified Shorthand Reporter, and thereafter transcribed into typewritten form by means of computer-aided transcription.

I further certify that I am not of counsel or attorney for any of the parties to said hearing or in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of August 2012.



JACQUELINE TOLIVER
Certified Shorthand Reporter
License No. 4808

Attachment Four: LIHEAP Household Report – Federal Fiscal Year 2012 – Long Format

Estimated Household Report completed August 29, 2012