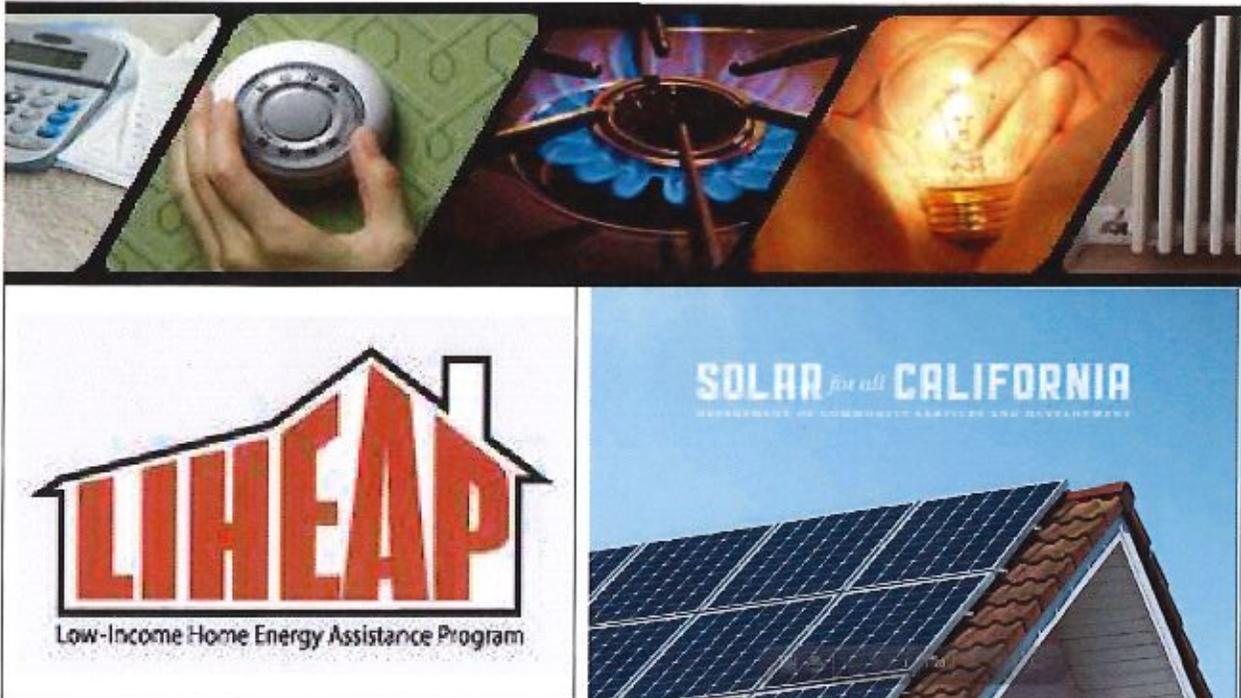




CALIFORNIA LOW INCOME HOME ENERGY ASSISTANCE PROGRAM STATE PLAN



Edmund G. Brown Jr.
GOVERNOR

Diana S. Dooley
SECRETARY

Linné K. Stout
DIRECTOR

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
Federal Fiscal Year 2017

State of California
Health and Human Services Agency

Department of Community Services and Development

*U.S. Department of Health and Human Services
Administration for Children and Families
Office of Community Services*

DETAILED MODEL PLAN (LIHEAP)

Mandatory Grant Application SF-424

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

* 1.a. Type of Submission: <input checked="" type="radio"/> Plan	* 1.b. Frequency: <input checked="" type="radio"/> Annual	* 1.c. Consolidated Application/Plan/Funding Request? Explanation:	* 1.d. Version: <input checked="" type="radio"/> Initial <input type="radio"/> Resubmission <input type="radio"/> Revision <input type="radio"/> Update
		2. Date Received:	State Use Only:
		3. Applicant Identifier:	
		4a. Federal Entity Identifier:	5. Date Received By State:
		4b. Federal Award Identifier:	6. State Application Identifier:

7. APPLICANT INFORMATION

* a. Legal Name: State of California			
* b. Employer/Taxpayer Identification Number (EIN/TIN): 68-0283471		* c. Organizational DUNS: 929578268	
* d. Address:			
* Street 1:	2389 GATEWAY OAKS DR., STE. 100	Street 2:	
* City:	SACRAMENTO	County:	
* State:	CA	Province:	
* Country:	United States	* Zip / Postal Code:	95833 -

e. Organizational Unit:

Department Name: Department of Community Services and Development	Division Name: Energy and Environmental Services
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f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	* First Name: Kathy	Middle Name:	* Last Name: Andry
Suffix:	Title: LIHEAP Director	Organizational Affiliation: N/A	
* Telephone Number: 916-576-7154	Fax Number: 916-263-1406	* Email: kathy.andry@csd.ca.gov	

* 8a. TYPE OF APPLICANT:

A: State Government

b. Additional Description:

* 9. Name of Federal Agency:

	Catalog of Federal Domestic Assistance Number:	CFDA Title:
10. CFDA Numbers and Titles	93568	Low-Income Home Energy Assistance

11. Descriptive Title of Applicant's Project
LIHEAP provides assistance to eligible low-income households to manage and meet their immediate home heating and/or cooling needs.

12. Areas Affected by Funding:
State of California

13. CONGRESSIONAL DISTRICTS OF:

* a. Applicant 5	b. Program/Project: CA
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Attach an additional list of Program/Project Congressional Districts if needed.

14. FUNDING PERIOD:		15. ESTIMATED FUNDING:	
a. Start Date: 10/01/2016	b. End Date: 09/30/2017	[^] a. Federal (\$): 50	b. Match (\$): 50
* 16. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS?			
a. This submission was made available to the State under the Executive Order 12372			
Process for Review on :			
b. Program is subject to E.O. 12372 but has not been selected by State for review.			
c. Program is not covered by E.O. 12372.			
* 17. Is The Applicant Delinquent On Any Federal Debt?			
<input type="radio"/> YES <input checked="" type="radio"/> NO			
Explanation:			
18. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)			
**I Agree <input checked="" type="checkbox"/>			
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.			
18a. Typed or Printed Name and Title of Authorized Certifying Official Linne K. Stout		18c. Telephone (area code, number and extension) (916) 576-7119	
		18d. Email Address l.inne.stout@csd.ca.gov	
18b. Signature of Authorized Certifying Official 		18e. Date Report Submitted (Month, Day, Year) 08/30/2016	
Attach supporting documents as specified in agency instructions.			

Section 1 - Program Components

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

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: 02/28/2005

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.

Section 1 Program Components

Program Components, 2605(a), 2605(b)(1) - Assurance 1, 2605(c)(1)(C)

1.1 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.)		Dates of Operation	
		Start Date	End Date
<input checked="" type="checkbox"/>	Heating assistance	10/01/2016	12/31/2017
<input type="checkbox"/>	Cooling assistance		
<input checked="" type="checkbox"/>	Crisis assistance	10/01/2016	09/30/2017
<input checked="" type="checkbox"/>	Weatherization assistance	10/01/2016	12/31/2017

Provide further explanation for the dates of operation, if necessary

CSD maintains a 15 month contract with our network of service providers which runs from 10/1/2016 through 12/31/2017. The intent of the 15 month contract term is to ensure there is no disruption of services if Federal funds are not released by 10/1/2016.

Services provided from October 1, 2016 - December 31, 2017 CSD will be billed under FFY 2017 funds.

Estimated Funding Allocation, 2604(C), 2605(k)(1), 2605(b)(9), 2605(b)(16) - Assurances 9 and 16

1.2 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%.	Percentage (%)
Heating assistance	27.20%
Cooling assistance	0.00%
Crisis assistance	32.80%
Weatherization assistance	15.00%
Carryover to the following federal fiscal year	10.00%
Administrative and planning costs	10.00%
Services to reduce home energy needs including needs assessment (Assurance 16)	5.00%
Used to develop and implement leveraging activities	0.00%
TOTAL	100.00%

Alternate Use of Crisis Assistance Funds, 2605(c)(1)(C)

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

<input type="checkbox"/>	Heating assistance	<input type="checkbox"/>	Cooling assistance
<input type="checkbox"/>	Weatherization assistance	<input checked="" type="checkbox"/>	Other (specify): CSD maintains a year round program from 10/1/2016 through 12/31/2017

Categorical Eligibility, 2605(b)(2)(A) - Assurance 2, 2605(c)(1)(A), 2605(b)(8A) - Assurance 8

1.4 Do you consider households categorically eligible if one household member receives one of the following categories of benefits in the left column below? Yes No

If you answered "Yes" to question 1.4, you must complete the table below and answer questions 1.5 and 1.6.

	Heating	Cooling	Crisis	Weatherization
TANF	<input type="radio"/> Yes <input type="radio"/> No			
SSI	<input type="radio"/> Yes <input type="radio"/> No			
SNAP	<input type="radio"/> Yes <input type="radio"/> No			
Means-tested Veterans Programs	<input type="radio"/> Yes <input type="radio"/> No			

	Program Name	Heating	Cooling	Crisis	Weatherization
Other(Specify) 1		<input type="radio"/> Yes <input type="radio"/> No			

1.5 Do you automatically enroll households without a direct annual application? Yes No

If Yes, explain:

1.6 How do you ensure there is no difference in the treatment of categorically eligible households from those not receiving other public assistance when determining eligibility and benefit amounts?

SNAP Nominal Payments

1.7a Do you allocate LIHEAP funds toward a nominal payment for SNAP households? Yes No

If you answered "Yes" to question 1.7a, you must provide a response to questions 1.7b, 1.7c, and 1.7d.

1.7b Amount of Nominal Assistance: \$0.00

1.7c Frequency of Assistance

- Once Per Year
- Once every five years
- Other - Describe:

1.7d How do you confirm that the household receiving a nominal payment has an energy cost or need?

Determination of Eligibility - Countable Income

1.8. In determining a household's income eligibility for LIHEAP, do you use gross income or net income ?

- Gross Income
- Net Income

1.9. Select all the applicable forms of countable income used to determine a household's income eligibility for LIHEAP

- Wages
- Self - Employment Income
- Contract Income
- Payments from mortgage or Sales Contracts
- Unemployment insurance

<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Strike Pay		
<input checked="" type="checkbox"/>	Social Security Administration (SSA) benefits		
<input type="checkbox"/>	Including Medicare deduction	<input checked="" type="checkbox"/>	Excluding Medicare deduction
<input checked="" type="checkbox"/>	Supplemental Security Income (SSI)		
<input checked="" type="checkbox"/>	Retirement / pension benefits		
<input checked="" type="checkbox"/>	General Assistance benefits		
<input checked="" type="checkbox"/>	Temporary Assistance for Needy Families (TANF) benefits		
<input type="checkbox"/>	Supplemental Nutrition Assistance Program (SNAP) benefits		
<input type="checkbox"/>	Women, Infants, and Children Supplemental Nutrition Program (WIC) benefits		
<input type="checkbox"/>	Loans that need to be repaid		
<input type="checkbox"/>	Cash gifts		
<input type="checkbox"/>	Savings account balance		
<input type="checkbox"/>	One-time lump-sum payments, such as rebates/credits, winnings from lotteries, refund deposits, etc.		
<input checked="" type="checkbox"/>	Jury duty compensation		
<input checked="" type="checkbox"/>	Rental income		
<input type="checkbox"/>	Income from employment through Workforce Investment Act (WIA)		
<input type="checkbox"/>	Income from work study programs		
<input checked="" type="checkbox"/>	Alimony		
<input checked="" type="checkbox"/>	Child support		
<input checked="" type="checkbox"/>	Interest, dividends, or royalties		
<input checked="" type="checkbox"/>	Commissions		
<input type="checkbox"/>	Legal settlements		
<input checked="" type="checkbox"/>	Insurance payments made directly to the insured		
<input type="checkbox"/>	Insurance payments made specifically for the repayment of a bill, debt, or estimate		
<input checked="" type="checkbox"/>	Veterans Administration (VA) benefits		
<input type="checkbox"/>	Earned income of a child under the age of 18		
<input type="checkbox"/>	Balance of retirement, pension, or annuity accounts where funds cannot be withdrawn without a penalty.		
<input type="checkbox"/>	Income tax refunds		

<input type="checkbox"/>	Stipends from senior companion programs, such as VISTA
<input type="checkbox"/>	Funds received by household for the care of a foster child
<input type="checkbox"/>	Ameri-Corp Program payments for living allowances, earnings, and in-kind aid
<input type="checkbox"/>	Reimbursements (for mileage, gas, lodging, meals, etc.)
<input checked="" type="checkbox"/>	Other TANF

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 2 - HEATING ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Section 2 - Heating Assistance

Eligibility, 2605(b)(2) - Assurance 2

2.1 Designate the income eligibility threshold used for the heating component:

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

2.2 Do you have additional eligibility requirements for HEATING ASSISTANCE? Yes No

2.3 Check the appropriate boxes below and describe the policies for each.

Do you require an Assets test ? Yes No

Do you have additional/differing eligibility policies for:

Renters? Yes No

Renters Living in subsidized housing ? Yes No

Renters with utilities included in the rent ? Yes No

Do you give priority in eligibility to:

Elderly? Yes No

Disabled? Yes No

Young children? Yes No

Households with high energy burdens ? Yes No

Other? See explanation below Yes No

Explanations of policies for each "yes" checked above:

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.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.4 Describe how you prioritize the provision of heating assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

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.

2.5 Check the variables you use to determine your benefit levels. (Check all that apply):

<input checked="" type="checkbox"/> Income
<input checked="" type="checkbox"/> Family (household) size
<input checked="" type="checkbox"/> Home energy cost or need:
<input type="checkbox"/> Fuel type
<input checked="" type="checkbox"/> Climate/region
<input type="checkbox"/> Individual bill
<input type="checkbox"/> Dwelling type
<input type="checkbox"/> Energy burden (% of income spent on home energy)
<input checked="" type="checkbox"/> Energy need
<input checked="" type="checkbox"/> Other - Describe:

CSD conducted an "Individual Utility Company Rate Survey" in 2015. 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.

In 2016 CSD conducted an informal rate survey with the larger utility companies. Based on information gathered, rates will remain stable. Therefore, CSD will continue to use benefit levels calculated from the 2015 rate survey.

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.6 Describe estimated benefit levels for FY 2016:

Minimum Benefit	\$124	Maximum Benefit	\$1,000
-----------------	-------	-----------------	---------

2.7 Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits? Yes No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 3 - COOLING ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 3 - Cooling Assistance

Eligibility, 2605(c)(1)(A), 2605 (b)(2) - Assurance 2

3.1 Designate The income eligibility threshold used for the Cooling component:

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

3.2 Do you have additional eligibility requirements for COOLING ASSISTANCE? Yes No

3.3 Check the appropriate boxes below and describe the policies for each.

Do you require an Assets test ? Yes No

Do you have additional/differing eligibility policies for:

Renters? Yes No

Renters Living in subsidized housing ? Yes No

Renters with utilities included in the rent ? Yes No

Do you give priority in eligibility to:

Elderly? Yes No

Disabled? Yes No

Young children? Yes No

Households with high energy burdens ? Yes No

Other? See explanations below Yes No

Explanations of policies for each "yes" checked above:

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.

3.4 Describe how you prioritize the provision of cooling assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

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.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.5 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 conducted an "Individual Utility Company Rate Survey" in 2015. 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.

In 2016, CSD conducted an informal rate survey with the larger utility companies. Based on information gathered, rates will remain stable. Therefore, CSD will continue to use benefit levels calculated from the 2015 rate survey.

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.6 Describe estimated benefit levels for FY 2016:

Minimum Benefit	\$124	Maximum Benefit	\$1,000
-----------------	-------	-----------------	---------

3.7 Do you provide in-kind (e.g., fans, air conditioners) and/or other forms of benefits? Yes No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 4 - CRISIS ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 4: CRISIS ASSISTANCE

Eligibility - 2604(c), 2605(c)(1)(A)

4.1 Designate the income eligibility threshold used for the crisis component

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

4.2 Provide your LIHEAP program's definition for determining a crisis.

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:
 4. - Home energy costs,
 5. - Home energy disconnections,
 6. - Enrollment in public benefit programs, or
 7. - Unemployment and layoffs, or
8. 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.

4.3 What constitutes a life-threatening crisis?

Life-Threatening: Applicant is without heating, cooling or utility service during extreme weather conditions, as determined by the local administrative agency. This may include energy-related situations that pose a threat to the health and safety of one or more members of the household.

Crisis Requirement, 2604(c)

4.4 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households? 48Hours

4.5 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households in life-threatening situations? 18Hours

Crisis Eligibility, 2605(c)(1)(A)

4.6 Do you have additional eligibility requirements for CRISIS ASSISTANCE? Yes No

4.7 Check the appropriate boxes below and describe the policies for each

Do you require an Assets test ? Yes No

Do you give priority in eligibility to :

Elderly?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Disabled?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Young Children?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Households with high energy burdens?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Other? See explanation below	<input checked="" type="radio"/> Yes <input type="radio"/> No

In Order to receive crisis assistance:

Must the household have received a shut-off notice or have a near empty tank? Yes No

Must the household have been shut off or have an empty tank? Yes No

Must the household have exhausted their regular heating benefit? Yes No

Must renters with heating costs included in their rent have received an eviction notice?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Must heating/cooling be medically necessary?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Must the household have non-working heating or cooling equipment?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Other? 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	<input checked="" type="radio"/> Yes <input type="radio"/> No
Do you have additional / differing eligibility policies for:	
Renters?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Renters living in subsidized housing?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Renters with utilities included in the rent?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Explanations of policies for each "yes" checked above:	
<p>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.</p>	
Determination of Benefits	
4.8 How do you handle crisis situations?	
<input checked="" type="checkbox"/>	Separate component
<input checked="" type="checkbox"/>	Fast Track
<input checked="" type="checkbox"/>	<p>Other - Describe:</p> <p>The Crisis Program is limited to four activities:</p> <ol style="list-style-type: none"> 1. Fast Track (electric and gas) utility payments 2. Energy Crisis Intervention Program Wood, propane and oil (ECIP WPO) payments 3. Emergency heating and cooling services (EHCS) 4. Severe Weather Energy Assistance and Transportation Services (SWEATS) <p><i>Fast Track</i> benefits are determined by the Local Service Providers, but payments to the utility companies are processed, centrally, by CSD, where ECIP WPO assistance, EHCS and SWEATS benefits 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.</p> <p><i>ECIP WPO</i> 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.</p> <p><i>EHCS</i> 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.</p> <p><i>SWEATS</i> 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.</p>
4.9 If you have a separate component, how do you determine crisis assistance benefits?	
<input checked="" type="checkbox"/>	Amount to resolve the crisis.
<input checked="" type="checkbox"/>	<p>Other - Describe:</p> <p><i>Fast Track</i> benefits are determined by the Local Service Providers, but payments to the utility companies are processed, centrally, by CSD, where ECIP WPO assistance, EHCS and SWEATS benefits 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.</p>
Crisis Requirements, 2604(c)	

4.10 Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served?

Yes No Explain.

Large service territories typically have satellite offices or other non-profit agencies which accept applications.

4.11 Do you provide individuals who are physically disabled the means to:

Submit applications for crisis benefits without leaving their homes?

Yes No If No, explain.

Travel to the sites at which applications for crisis assistance are accepted?

Yes No If No, explain.

If you answered "No" to both options in question 4.11, please explain alternative means of intake to those who are homebound or physically disabled?

Benefit Levels, 2605(c)(1)(B)

4.12 Indicate the maximum benefit for each type of crisis assistance offered.

Winter Crisis \$0.00 maximum benefit

Summer Crisis \$0.00 maximum benefit

Year-round Crisis \$1,000.00 maximum benefit

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

Yes No If yes, Describe

The SWEATS program provides these benefits given a specific emergency.

4.14 Do you provide for equipment repair or replacement using crisis funds?

Yes No

If you answered "Yes" to question 4.14, you must complete question 4.15.

4.15 Check appropriate boxes below to indicate type(s) of assistance provided.

	Winter Crisis	Summer Crisis	Year-round Crisis
Heating system repair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heating system replacement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cooling system repair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cooling system replacement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wood stove purchase	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pellet stove purchase	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solar panel(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utility poles / gas line hook-ups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify): Water Heater	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.16 Do any of the utility vendors you work with enforce a moratorium on shut offs?

Yes No

If you responded "Yes" to question 4.16, you must respond to question 4.17.

4.17 Describe the terms of the moratorium and any special dispensation received by LIHEAP clients during or after the moratorium period.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 5 - WEATHERIZATION ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 5: WEATHERIZATION ASSISTANCE

Eligibility, 2605(c)(1)(A), 2605(b)(2) - Assurance 2

5.1 Designate the income eligibility threshold used for the Weatherization component

Add	Household Size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	State Median Income	60.00%

5.2 Do you enter into an interagency agreement to have another government agency administer a WEATHERIZATION component? Yes No

5.3 If yes, name the agency.

5.4 Is there a separate monitoring protocol for weatherization? Yes No

WEATHERIZATION - Types of Rules

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

- Entirely under LIHEAP (not DOE) rules
- Entirely under DOE WAP (not LIHEAP) rules
- Mostly under LIHEAP rules with the following DOE WAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):
 - Income Threshold
 - Weatherization of entire multi-family housing structure is permitted 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 - Describe:
- Mostly under DOE WAP rules, with the following LIHEAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):
 - Income Threshold
 - Weatherization not subject to DOE WAP maximum statewide average cost per dwelling unit.
 - Weatherization measures are not subject to DOE Savings to Investment Ratio (SIR) standards.
 - Other - Describe:

Eligibility, 2605(b)(5) - Assurance 5

5.6 Do you require an assets test? Yes No

5.7 Do you have additional/differing eligibility policies for :

- Renters Yes No
- Renters living in subsidized housing? Yes No

5.8 Do you give priority in eligibility to:

- Elderly? Yes No
- Disabled? Yes No
- Young Children? Yes No
- House holds with high energy burdens? Yes No
- Other? See explanation below Yes No

If you selected "Yes" for any of the options in questions 5.6, 5.7, or 5.8, you must provide further explanation of these policies in the text field below.

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.

Benefit Levels

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

5.10 If yes, what is the maximum? \$7,105

Types of Assistance, 2605(c)(1), (B) & (D)

5.11 What LIHEAP weatherization measures do you provide? (Check all categories that apply.)

<input checked="" type="checkbox"/> Weatherization needs assessments/audits	<input type="checkbox"/> Energy related roof repair
<input checked="" type="checkbox"/> Caulking and insulation	<input checked="" type="checkbox"/> Major appliance Repairs
<input checked="" type="checkbox"/> Storm windows	<input checked="" type="checkbox"/> Major appliance replacement
<input checked="" type="checkbox"/> Furnace/heating system modifications/ repairs	<input checked="" type="checkbox"/> Windows/sliding glass doors
<input checked="" type="checkbox"/> Furnace replacement	<input checked="" type="checkbox"/> Doors
<input checked="" type="checkbox"/> Cooling system modifications/ repairs	<input checked="" type="checkbox"/> Water Heater
<input checked="" type="checkbox"/> Water conservation measures	<input checked="" type="checkbox"/> Cooling system replacement
<input checked="" type="checkbox"/> Compact florescent light bulbs	<input checked="" type="checkbox"/> Other - Describe: Please see attachment

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Question 5.11

Other – Describe:

- Dwelling assessments
- Dwelling diagnostics
 - Combustion appliance safety checks
 - Shell leakage tests
 - Duct leakage tests
- Quality control inspections
- Health & safety measures
 - Alarms - CO and smoke
 - Cooking appliance repair/replacement
 - Cooling appliance repair/replacement
 - CVA venting
 - Heating appliance repair/replacement
 - Lead-safe weatherization
 - Water heater repair/replacement
- Weatherization measures
 - Attic ventilation
 - Caulking
 - Ceiling fan
 - Ceiling insulation
 - Compact fluorescent lamp
 - Cover plate gasket
 - Duct insulation
 - Duct repair/replacement
 - Electric water heater timer
 - Exterior door repair/replacement
 - Exterior pipe wrap
 - Filter replacement, heating/cooling
 - Floor foundation venting
 - Floor insulation
 - Fluorescent torchiere lamp replacement
 - Glass replacement
 - Hot water flow restrictor – aerator, low-flow showerhead, thermostatic valve & showerhead
 - Kitchen exhaust installation/repair/replacement
 - Kneewall insulation
 - LED night lights
 - LED replacement bulbs

- Limited home repair (in support of weatherization measures)
- Low flow toilet
- Mechanical ventilation
- Microwave oven
- Minor envelope repair
- Power strips
- Refrigerator replacement
- Shade screens
- Shutters
- Sliding glass door repair/replacement
- Storm windows
- Thermostat, manual
- Thermostat, programmable
- Tinted window film
- Vacancy sensor switch
- Vent cover, interior
- Wall insulation
- Water heater blanket
- Water heater pipe wrap
- Weatherstripping
- Window repair/replacement
- Energy Efficiency Upgrades (requires energy audit)
 - Energy audit
 - Cooling appliance replacement
 - Heating appliance replacement
 - Window replacement

Section 6 - Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY

Section 6: Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

6.1 Select all outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

- Place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.
- Publish articles in local newspapers or broadcast media announcements.
- Include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.
- Mass mailing(s) to prior-year LIHEAP recipients.
- Inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.
- Execute interagency agreements with other low-income program offices to perform outreach to target groups.
- Other (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

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 7 - Coordination, 2605(b)(4) - Assurance 4

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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August 1987, revised 05/92,02/95,03/96,12/98,11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
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 SF - 424 - MANDATORY**

Section 7: Coordination, 2605(b)(4) - Assurance 4

7.1 Describe how you will ensure that the LIHEAP program is coordinated with other programs available to low-income households (TANF, SSI, WAP, etc.).

<input type="checkbox"/>	Joint application for multiple programs
<input checked="" type="checkbox"/>	Intake referrals to/from other programs
<input checked="" type="checkbox"/>	One - stop intake centers
<input checked="" type="checkbox"/>	Other - Describe:

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.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 8 - Agency Designation,, 2605(b)(6) - Assurance 6

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
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SF - 424 - MANDATORY**

Section 8: Agency Designation, 2605(b)(6) - Assurance 6 (Required for state grantees and the Commonwealth of Puerto Rico)

8.1 How would you categorize the primary responsibility of your State agency?

<input checked="" type="checkbox"/>	Administration Agency
<input type="checkbox"/>	Commerce Agency
<input type="checkbox"/>	Community Services Agency
<input type="checkbox"/>	Energy / Environment Agency
<input type="checkbox"/>	Housing Agency
<input type="checkbox"/>	Welfare Agency
<input type="checkbox"/>	Other - Describe:

Alternate Outreach and Intake, 2605(b)(15) - Assurance 15

If you selected "Welfare Agency" in question 8.1, you must complete questions 8.2, 8.3, and 8.4, as applicable.

8.2 How do you provide alternate outreach and intake for HEATING ASSISTANCE?

N/A

8.3 How do you provide alternate outreach and intake for COOLING ASSISTANCE?

N/A

8.4 How do you provide alternate outreach and intake for CRISIS ASSISTANCE?

N/A

8.5 LIHEAP Component Administration.	Heating	Cooling	Crisis	Weatherization
8.5a Who determines client eligibility?	Community Action Agencies	Community Action Agencies	Community Action Agencies	Community Action Agencies
8.5b Who processes benefit payments to gas and electric vendors?	State Administration Agency	State Administration Agency	State Administration Agency	
8.5c who processes benefit payments to bulk fuel vendors?	Community Action Agencies	Community Action Agencies	Community Action Agencies	
8.5d Who performs installation of weatherization measures?				Community Action Agencies

If any of your LIHEAP components are not centrally-administered by a state agency, you must complete questions 8.6, 8.7, 8.8, and, if applicable, 8.9.

8.6 What is your process for selecting local administering agencies?

In accordance with California Government Code section 16367.5, LIHEAP Local Service Providers (LSP) were grandfathered in as the designated provider for their respective service territory. The LSP network is comprised of more than 40 Local Service Providers (LSPs), which include private, non-profit and local government service providers. These LSPs have strong ties to their local communities and have many years of experience providing public assistance programs to the low-income customer in their respective service territory.

8.7 How many local administering agencies do you use? 42

8.8 Have you changed any local administering agencies in the last year?

- Yes
 No

8.9 If so, why?

<input type="checkbox"/>	Agency was in noncompliance with grantee requirements for LIHEAP -
<input type="checkbox"/>	Agency is under criminal investigation
<input type="checkbox"/>	Added agency
<input type="checkbox"/>	Agency closed
<input type="checkbox"/>	Other - describe

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 9 - Energy Suppliers,, 2605(b)(7) - Assurance 7

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
 ADMINISTRATION FOR CHILDREN AND FAMILIES

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

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
 MODEL PLAN**

Section 9: Energy Suppliers, 2605(b)(7) - Assurance 7

9.1 Do you make payments directly to home energy suppliers?

Heating Yes No

Cooling Yes No

Crisis Yes No

Are there exceptions? Yes No

If yes, 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.

9.2 How do you notify the client of the amount of assistance paid?

1. 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.
2. When a crisis, and/or heating and cooling payment is made to an applicant with utilities included in rent, submetered utilities or utilities with non-participating utility companies, CSD will provide a letter to the client once State Controller's Office notifies CSD payment will be released, indicating the amount of the payment.
3. When a crisis, and/or heating and cooling payment is made directly to an energy vendor, the vendor shows the amount of the credit on the customer's bill, indicating that the payment was made to LIHEAP. The Local Service Provider provides the client with a letter indicating the amount of the benefit and the utility company to be paid. CSD will provide a letter to the client when the benefit is released to the utility company which will indicate the utility company being paid, the account number, as well as the amount of the payment.

9.3 How do you 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?

When a crisis, and/or heating and cooling payment is made directly to an energy vendor, the vendor shows the amount of the credit on the customer's bill, indicating that the payment was made by LIHEAP. The Local Service Provider provides the client with a letter indicating the amount of the benefit and the utility company to be paid. CSD will provide a letter to the client when the benefit is released to the utility company which will indicate the utility company being paid, the account number, as well as the amount of the 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 California Public Utilities Commission (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.

9.4 How do you assure that no household receiving assistance under this title will be treated adversely because of their receipt of LIHEAP assistance?

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.

9.5. Do you make payments contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households?

Yes No

If so, describe the measures unregulated vendors may take.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 10 - Program, Fiscal Monitoring, and Audit, 2605(b)(10) - Assurance 10

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 10: Program, Fiscal Monitoring, and Audit, 2605(b)(10)

10.1. How do you ensure good fiscal accounting and tracking of LIHEAP funds?

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.

Audit Process

10.2. Is your LIHEAP program audited annually under the Single Audit Act and OMB Circular A - 133?

Yes No

10.3. Describe any audit findings rising to the level of material weakness or reportable condition cited in the A-133 audits, Grantee monitoring assessments, Inspector general reviews, or other government agency reviews of the LIHEAP agency from the most recently audited fiscal year.

No Findings

Finding	Type	Brief Summary	Resolved?	Action Taken
1	other	California Bureau of State Audits conducted an A-133 audit of CSD. It was found CSD's internal controls must be enhanced to ensure that it meets earmarking requirements. Specifically, CSD did not segregate administrative expenditures claimed by subrecipients for a Federal Fiscal Year.	No	procedure/policy changes
2	other	California Bureau of State Audits conducted an A-133 audit of CSD. Pursuant to the "Terms and Conditions Addendum: Additional Financial Requirements" CSD appears to be outside of the two-year funding period (or the obligation period) which is from the first day of the FFY. Any Federal funds not obligated by the end of the obligation period will be recouped by HHS.	No	procedure/policy changes

10.4. Audits of Local Administering Agencies

What types of annual audit requirements do you have in place for local administering agencies/district offices?

Select all that apply.

Local agencies/district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133

Local agencies/district offices are required to have an annual audit (other than A-133)

Local agencies/district offices' A-133 or other independent audits are reviewed by Grantee as part of compliance process.

Grantee conducts fiscal and program monitoring of local agencies/district offices

Compliance Monitoring

10.5. Describe the Grantee's strategies for monitoring compliance with the Grantee's and Federal LIHEAP policies and procedures: Select all that apply

Grantee employees:

<input checked="" type="checkbox"/> Internal program review
<input checked="" type="checkbox"/> Departmental oversight
<input checked="" type="checkbox"/> Secondary review of invoices and payments
<input type="checkbox"/> Other program review mechanisms are in place. Describe:
Local Administering Agencies / District Offices:
<input checked="" type="checkbox"/> On - site evaluation
<input type="checkbox"/> Annual program review
<input checked="" type="checkbox"/> Monitoring through central database
<input checked="" type="checkbox"/> Desk reviews
<input checked="" type="checkbox"/> Client File Testing / Sampling
<input checked="" type="checkbox"/> Other program review mechanisms are in place. Describe:
<ul style="list-style-type: none"> • CSD Field Operations unit conducts on-site monitoring visits every other program year to verify compliance. • 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.
10.6 Explain, or attach a copy of your local agency monitoring schedule and protocol.
<p>CSD Field Operations Unit conducts on-site monitoring visits every other program year to verify compliance. CSD conducted an on-site review under the 2016 LIHEAP program; therefore, CSD will conduct an onsite monitoring under the 2018 LIHEAP contract.</p> <p>In general, CSD's monitoring schedule runs from March 1 - October 31</p>
10.7. Describe how you select local agencies for monitoring reviews.
<p>Site Visits:</p> <p>All LIHEAP agencies have on-site monitoring reviews at least every other program year.</p>
<p>Desk Reviews:</p> <p>All LIHEAP agencies receive a quarterly desk review</p>
10.8. How often is each local agency monitored ?
Every other program year at minimum
10.9. What is the combined error rate for eligibility determinations? OPTIONAL
10.10. What is the combined error rate for benefit determinations? OPTIONAL
10.11. How many local agencies are currently on corrective action plans for eligibility and/or benefit determination issues? 11
10.12. How many local agencies are currently on corrective action plans for financial accounting or administrative issues? 5
If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

10.3 Description of “Action Taken”

Finding 1: In accordance with the BSA’s recommendations, CSD will conduct the necessary trainings to ensure compliance with the earmarking requirements. Current processes will be evaluated and redesigned as necessary, and internal controls implemented that ensure CSD’s ongoing compliance with the earmarking requirements on a federal fiscal year basis. Furthermore, since there was a misunderstanding or misinterpretation of the LIHEAP earmarking regulations, CSD is working with OCS to obtain clarification on this requirement.

Finding 2: In accordance with the BSA’s recommendations, CSD will conduct the necessary trainings to ensure compliance with the period of performance requirement. Current processes will be evaluated and redesigned as necessary, and internal controls implemented that ensure CSD’s ongoing compliance with the two-year obligation period. In addition, CSD is working with OCS to obtain information on the final resolution of this finding.

STATE OF CALIFORNIA
Department
of
Community Services and Development



MONITORING SCOPE

Energy & Environmental Services Division

Field Operations Unit

Rev. 2/2/2016

Serving Low-Income Families Through Community Partners

INTRODUCTION

The Department of Community Services & Development (CSD), as the recipient of the Federal and State funding, is responsible for oversight of the operations of the Department of Energy Weatherization (DOE WAP), Low-Income Home Energy Assistance Program (LIHEAP), Low-Income Weatherization Program (LIWP), and other programs as developed within CSD's Energy and Environmental Services Division. As such, CSD is required to monitor the activities of its Contractors (also referred to as 'agency' or 'subrecipient') and this is accomplished by conducting In-House Reviews and Onsite Reviews. The purpose of the 'Reviews' is to ensure the Contractor meets the Administrative Requirements, Financial Requirements, Programmatic Requirements, Compliance Requirements, Certification and Assurances Requirements, and other applicable requirements as prescribed in the contract and referenced therein (OMB Supercircular §200.328; DOE WAP and LIHEAP Part II Subpart Article 10.3 A-E; and LIWP Part II Subpart D Article 11.3 A-E).

In-House Reviews are conducted at CSD on a monthly or quarterly basis and also prior to the onsite review. The information analyzed during the In House Reviews are used to help determine the health of the agency and will be utilized to address issues identified prior to the Onsite Review to ensure immediate resolution. This will also assist the CSD Field Representatives in strategizing the scope for the Onsite Review.

Onsite Reviews are conducted at the Contractor's location (also referred to as 'monitoring visit' or 'onsite monitoring'). The Onsite Review predominantly consists of verification of processes and activities such as, but not limited to, fiscal reconciliation, client file verification, etc. Depending upon the outcome of the review, CSD Field Representatives may expand the sampling size to determine whether the issue is isolated or systemic. Lastly, the Field Representatives will also verify that all previous In-House and Onsite Review issues have been resolved during the Monitoring Visit.

Specific documents are requested in advance in an effort to reduce the amount of time spent onsite and/or to allow CSD Field Representatives the opportunity to identify any deficiencies and prepare for Training and Technical Assistance (T&TA) opportunities while onsite. Financial supporting documents for the fiscal line item reconciliation will be identified and requested of the agency five (5) business days prior to CSD's Monitoring Visit. For streamlining purposes, the client files will be randomly selected during the onsite visit after CSD Field Representatives verify that the client files are maintained in a secure and confidential manner.

In an effort to provide transparency, Field Representatives will be identifying "POTENTIAL" Findings, Observations, and/or Recommendations throughout the Monitoring Visit and during the onsite Exit Conference. However, the ultimate determination will be made during the Exit Teleconference and will be reflected in the final Monitoring Report. Although the basic premise is to "standardize" the Monitoring process, the uniqueness of each agency and circumstances at the time of the visit will impact the ultimate outcome of the final Monitoring Report.

MONITORING SCOPE

I. ADMINISTRATIVE REQUIREMENTS

- A. Board Roster, By Laws, Resolution, and Minutes
- B. Internal Controls Requirements
- C. Record Maintenance Requirements
- D. Insurance and Fidelity Bond
- E. Travel and per diem
- F. Codes of Conduct
- G. Conflict of Interest
- H. Procurement
- I. Subcontracts
- J. Complaint Management Policies and Procedures
- K. Fair Hearing Process for Applications for Denial of Benefits by Contractor
- L. Fraud, Waste and Abuse

II. FINANCIAL REQUIREMENTS

A. ADMINISTRATIVE AND PROGRAM EXPENDITURES REQUIREMENTS

- 1. Working Capital Advance and Major Purchase Advances: Interest on Advances
- 2. Program Income
- 3. Wood, Propane and Oil Returned Payments
- 4. Allowable Costs
- 5. Reimbursement Guidelines

B. REPORTING POLICIES AND PROCEDURES

- 1. Reporting Requirements

III. PROGRAMMATIC REQUIREMENTS

A. PROGRAM POLICIES AND PROCEDURES

B. PROGRAM IMPLEMENTATION

C. TRAINING, LICENSING AND CERTIFICATIONS

IV. COMPLIANCE REQUIREMENTS

- A. Expenditure and Production Performance Requirements

V. CERTIFICATIONS AND ASSURANCES: FEDERAL AND STATE POLICY PROVISIONS

- A. Affirmative Action Compliance
- B. Specific Assurances

MONITORING SCOPE OVERVIEW

The general scope for CSD Energy & Environmental Services Division's monitoring includes, but not limited to, the following areas:

I. ADMINISTRATIVE REQUIREMENTS

A. Board Roster, By Laws, Resolution and Minutes

LIHEAP 4.1, DOE WAP 4.1, LIWP 5.1

The purpose of the review is to ensure that the agencies are in compliance with their Bylaws and that the Board is regularly updated with any impactful Energy Program issues.

1. ***In-House Review (Quarterly)***: CSD Field Representatives will review the Board Bylaws, Quarterly Reports and Board Minutes to verify that Board Meetings are being held in accordance with the Board Bylaws, Board Meeting Minutes are being submitted to CSD, and whether Energy Programs are being discussed during meetings.
2. ***Onsite Review***: If the CSD Field Representative has not been receiving Board Meeting Minutes or there is a concern as to whether the Board is being kept apprised of Energy Program contracts, then the CSD Representative will follow up with the appropriate parties during the onsite Monitoring Visit.

B. Internal Controls Requirements

LIHEAP 4.2, DOE WAP 4.2, LIWP 5.2

The purpose of this review is to ensure that the agency has an appropriate separation of duties for staff; no individual should be performing tasks which may impact the agency's ability to safeguard their assets.

1. ***In-House Review (Pre-Monitoring)***: CSD Field Representatives will review the agency's responses provided in the Pre-Monitoring Questionnaire (including the matrices with staff and duties), the agency's Procurement Policy, Billing Procedures and Inventory Procedures.
2. ***Onsite Review***: If after completing the desk review the CSD Field Representative has questions regarding whether a proper separation of duties exists (i.e. inventory, procurement, all financial aspects including EARS certification and finalization, and weatherization assessment, work performed and final inspections), the CSD Field Representative will follow up while onsite through agency staff interviews.

C. Record Maintenance Requirements

LIHEAP 4.3, DOE WAP 4.3, LIWP 5.3

The purpose of this review is to ensure that the agency is meeting contract requirements with respect to keeping records for at least three (3) years after the close-out of the contracts, or any audits or legal proceedings, and that those records are maintained in a secure and confidential manner.

1. ***In-House Review (Pre-Monitoring):*** CSD Field Representatives will review the agency's responses provided in the Pre-Monitoring Questionnaire along with their Record Retention policy to determine how long files are being kept, the frequency of electronic back-ups if applicable, and when files were last purged.
2. ***Onsite Review:*** CSD Field Representatives will complete a visual inspection of where files are stored including, but not limited to, eligible, not eligible or denied clients.

D. Insurance and Fidelity Bond

LIHEAP 4.4, DOE WAP 4.4, LIWP 5.4

The purpose of this review is to verify whether the agency has insurance coverage in accordance with the contract requirements including, but not limited to, CSD as a named insured and vehicle insurance coverage for any personal vehicles utilized by agency staff to conduct business related activities.

1. ***In-House Review (Quarterly):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire, Quarterly Reviews and the agency's Certificate of Insurance. CSD Field Representatives will also review the agency's vehicle policy with regards to employee owned vehicles.
2. ***Onsite Review:*** If issues were identified during the In-House Review, CSD Field Representatives will follow up while onsite.

E. Travel and Per Diem

LIHEAP 4.6, DOE WAP 4.6, LIWP 5.6

The purpose of this review is to verify whether the agency has a written travel policy or if the agency is abiding by the California Code of Regulation's in compliance with the contract requirements.

1. ***In-House Review (Quarterly and Pre-Monitoring):*** CSD Field Representatives will utilize the EARS database to verify if the agency had any out-of-state travel expenses within their budget, if any costs have been incurred, and will review the working file to determine if any CSD 536's (Out-of-State Travel Form) have been submitted. CSD Field

Representative will also review the agency's responses to the Pre-Monitoring Questionnaire pertaining to travel and per diem.

2. **Onsite Review:** CSD Field Representatives may conduct a fiscal reconciliation for any travel, in-state or out-of-state, to ensure costs reported are in conformance with the agency's policy.

F. Codes of Conduct

LIHEAP 4.7, DOE WAP 4.7, LIWP 5.7

The purpose of this review is to ensure that the agency is knowledgeable of the 'Codes of Conduct' Contract provisions and that the agency's written Codes of Conduct comports with the contract.

1. **In-House Review (Pre-Monitoring):** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire, and their Codes of Conduct Policy and Procedure to confirm contract compliance.
2. **Onsite Review:** If issues were identified during the In-House Review, CSD Representatives will follow up while onsite.

G. Conflict of Interest

LIHEAP 4.8, DOE WAP 4.8, LIWP 5.8

The purpose of this review is to ensure that agencies electing to provide CSD services to employees, officers, board members, and/or friends and family have a process in place that prevents the appearance of preferential treatment. Moreover, the agency is adhering to the approval procedure as prescribed in the contract.

1. **In-House Review (Pre-Monitoring):** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire and their Conflict of Interest Policy and Procedure to confirm contract compliance.
2. **Onsite Review:** CSD Field Representatives will verify if any services have been provided to employees, relatives of employees, board members and officers. If such services are provided, CSD Field Representatives may review those files to ensure preferential treatment was avoided.

H. Procurement

LIHEAP 4.9, DOE WAP 4.9, LIWP 5.9

The purpose of this review is to verify whether the agency's Procurement Policy and Procedures are in compliance with the new OMB Uniform Guidance including, but not limited to, open and free competition including a cost analysis.

1. ***In-House Review (Quarterly and Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire, the agency's Procurement Policy and Procedure. On a quarterly basis, CSD Field Representations will review, if any, submitted CSD 558 Request for Pre-Approval of Purchase/Lease forms to follow up on obtaining proof of purchase.
2. ***Onsite Review:*** If CSD Field Representatives have any questions on the procurement of materials, equipment or subcontractors, agency staff may be interviewed for further clarification.

I. Subcontracts

LIHEAP 4.10, DOE WAP 4.10, LIWP 5.10

The purpose of this review is to ensure that the agency's Subcontractor Agreements are in compliance with all contract requirements, proper procurement was conducted, adequate oversight is in place, and that CSD was notified timely of any new agreements.

1. ***In-House Review (Quarterly and Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire, the agency's Subcontractor Oversight Policy and all energy Subcontractor Agreements including the original solicitation and procurement process.
2. ***Onsite Review:*** CSD Field Representatives will review weatherization client files to verify proper documentation is within the file, that reimbursement rates are being adhered to, and that there is proper oversight of the subcontractors.

J. Complaint Management Policies and Procedures

LIHEAP 4.11, DOE WAP 4.11, LIWP 5.11

The purpose of this review is to ensure the agency has established policies and procedures for handling complaints, applicants are afforded an opportunity to register a complaint, that the agency offers a reasonable remedy within the contract timeframes and formal complaints are documented.

1. ***In-House Review (Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire, the

agency's Complaint Management Policy and Procedure and the agency's formal complaint tracking log.

2. **Onsite Review:** If issues were identified during the In-House Review, CSD Representatives will follow up while onsite.

K. Fair Hearing Process for Applications for Denial of Benefits by Contractor

LIHEAP 4.12; DOE WAP 4.12; and LIWP 5.12

The purpose of this section is to determine whether the agency has an established 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.

1. **In-House Review (Pre-Monitoring):** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire regarding the verbal notification of appeal rights and the agency's Appeals Process.
2. **Onsite Review:** If issues were identified during the In-House Review, CSD Representatives will follow up while onsite.

L. Fraud, Waste and Abuse

LIHEAP 4.13

The purpose of this review is to verify that the agency has a system in place to ensure CSD is notified of incidents and activities, including suspected incidents and activities, involving fraud, waste and abuse of Energy Program funding.

1. **In-House Review (Pre-Monitoring):** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire and CSD's working file to determine if CSD was notified of any fraud, waste, and/or abuse.
2. **Onsite Review:** While onsite, CSD Field Representatives will verify the agency has provided necessary information to their employees, subcontractors, clients and other parties regarding contact information to report actual or suspected fraud, waste, and abuse.

II. FINANCIAL REQUIREMENTS

A. Administrative and Program Expenditures Requirements

1. Working Capital Advance and Major Purchase Advances

LIHEAP 5.3, DOE WAP 5.2, LIWP 6.2

The purpose of this review is to verify that agencies requesting Working Capital Advances (WCA) are placing the funds in an interest-bearing account.

- i. ***In-House Review (Pre-Monitoring):*** CSD Field Representatives will review CSD's Financial Services Unit's Payment Tracking Log to determine if the agency has requested any WCA's.
- ii. ***Onsite Review:*** If WCA's were requested by the agency, then CSD Field Representatives will request a copy of the interest bearing account bank statement.

2. Program Income

LIHEAP 5.4; DOE WAP 5.3; LIWP 6.3

The purpose of this review is to determine whether the Contractor maintains record of the receipt and disposition of all "program income" as defined in 22 CCR § 100855(c).

- i. ***In-House Review:*** CSD Field Representatives will not be conducting an in-house review for this aspect.
- ii. ***Onsite Review:*** CSD Field Representative will review the expenditure to ensure Program income must be expended in accordance with the requirements for expenditure of regular LIHEAP funds, for allowable program purposes.

3. Wood, Propane and Oil Returned Payments

LIHEAP 5.5

The purpose of this review is to determine if the agency has a system in place for tracking returned Wood, Propane and Oil (WPO) payments in accordance with contract requirements.

- i. ***In-House Review (Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire and their submitted WPO Tracking Log.
- ii. ***Onsite Review:*** If CSD Field Representatives did not receive the WPO Tracking Log or has questions on information submitted by

the agency, then CSD Field Representatives will follow up while onsite.

4. Allowable Costs

LIHEAP 5.6 and 5.8, DOE WAP 5.4, LIWP 6.4

The purpose of this review is to determine whether the agency is claiming reimbursements for actual, allowable, and allocable direct and indirect costs.

- i. ***In-House Review (Pre-Monitoring):*** CSD Field Representatives will review the responses to the Pre-Monitoring Questionnaire, the Cost Allocation Plan and reimbursement claims submitted to CSD.
- ii. ***Onsite Review:*** CSD Field Representatives will complete a financial line item reconciliation of reported costs for months which are identified five (5) working business days prior to CSD's onsite Monitoring Visit. Line item reconciliation will include reviewing the agency's supporting documentations including, but not limited to, cost allocation methodology, general ledger, invoices, expenditure reports, client files, aged accounts payable, and etc.

5. Reimbursement Guidelines

LIHEAP 5.8.D; DOE WAP 5.6; LIWP 6.5

The purpose of this review is to determine whether the Contractor is (1) reporting measures within the allowable maximums, (2) the average cost per dwelling is within the contract limits, (3) dwellings are reported after it has been fully inspected, and (3) the client file contains the required applicable documentation(s) as specified in this section.

- i. ***In-House Review (Quarterly):*** CSD Field Representative will review the reported Weatherization and EHCS measures that have an established maximum rate, the reimbursement amount shall be equal to the actual labor costs of Weatherization or EHCS crew members and the actual cost of the materials, subcontracted services not to exceed the maximum reimbursement allowable.
- ii. ***Onsite Review:*** CSD Field Representative will review client files to ensure that the dwelling was post inspected prior to billing to CSD and the file contains the applicable required documentation(s).

B. Reporting Policies and Procedures

1. Reporting Requirements

LIHEAP 6.1, DOE WAP 6.1, LIWP 7.1

The purpose of this review is to determine if the agency is submitting expenditures by the 15th of the month following the reporting month and the expenditures reported is accompanied by the submission of the weatherization detailed information in the Weatherization Database. Moreover, Contractors participating in the Solar Water Heater Projects are reporting warranty work and/or maintenance are reported to CSD as prescribed in LIHEAP 6.1. C. 1-4.

- i. ***In-House Review (Quarterly):*** CSD Field Representatives will review CSD's database to determine if expenditures are being submitted according to contract requirements and if any warranty/and or repairs were reported for Solar Water Heater systems.
- ii. ***Onsite Review:*** If the agency has not been submitting expenditures in compliance with the contract requirements, CSD Field Representatives will provide T&TA on the subject.

III. PROGRAMMATIC REQUIREMENTS

A. Program Policies and Procedures

LIHEAP 7.2-7.8, DOE WAP 7.1-7.6, LIWP 8.1-8.7

The purpose of this review is to confirm the agency is adhering to the Program Standards and Regulatory Requirements, is conducting a Prioritization of Services, is adhering to the Outreach and Intake Activity Guidelines and Assurance 16 Guidelines, is documenting Leveraging Activities, and is maintaining records in accordance to the Record Keeping Responsibilities stated within the contracts.

1. ***In-House Review (Quarterly and Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire regarding the outreach activities, applicant written notification of benefits and the ECIP Home Energy Supplier Assurance form. On a quarterly basis, CSD Field Representatives will review the agency's intake process, in regards to application availability.
2. ***Onsite Review:*** CSD Field Representatives will review client files, utilizing the Client File Checklist to confirm that the appropriate program policies and procedures are followed and confirm all files contain the applicable documentation as stated within the Program Policies and Procedures section of the contracts. CSD Field Representatives will also verify the agency's process for applicant written notification of benefits.

B. Program Implementation

LIHEAP 8.1-8.5, DOE WAP 8.1-8.2, LIWP 9.1-9.5

The purpose of this review is to confirm that the agency's ECIP, HEAP and Weatherization activities are done in accordance with the contract terms and the agency's Local Plan and Priority Plan Narrative.

1. ***In-House Review (Pre-Monitoring):*** For agencies with DOE WAP contract, CSD Field Representatives will review the agency's response to the Pre-Monitoring Questionnaire in regards to the *Weatherization Quality Control Plan for Subcontractors*.
2. ***Onsite Review:*** CSD Field Representatives will review client files to confirm that clients were prioritized in accordance with the agency's prioritization plans. The client files will be tested to ensure that proper prioritization occurred during the processing of the client file.

C. Training, Licensing and Certifications

LIHEAP 9.1-9.4, DOE WAP 9.1-9.5, LIWP 10.1

The purpose of this review is to confirm that the agency's staff, including subcontractors and/or subrecipients, has received the appropriate training for their job duties as outlined in the contract and are in compliance with the contract licensing requirements.

- 1. *In-House Review (Quarterly and Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire regarding to staff training. On a quarterly basis, CSD staff will verify whether the agency, and its subcontractors, possesses the appropriate license(s) through the Contractors State Licensing Board website.
- 2. *Onsite Review:*** CSD Field Representatives will review client files to confirm that the agency staff and subcontractors who are completing assessments, installations and post-inspections have received the appropriate training.

IV. COMPLIANCE REQUIREMENTS

A. Expenditure and Production Performance Requirements

LIHEAP 10.5, DOE WAP 10.5

The purpose of this review is to verify whether the agency is meeting their expenditure and unit production goals and that expenditures are in compliance with the contract requirements.

1. ***In-House Review (Quarterly):*** CSD Field Representatives will review the agency's expenditure claims and compare the results to the agency's Performance and Expenditure Benchmarks (CSD 622).
2. ***Onsite Review:*** If the agency is not meeting their expenditure and production goals, then CSD Field Representatives will address the issue while onsite with the agency and provide T&TA.

V. CERTIFICATIONS AND ASSURANCES

A. Affirmative Action Compliance

LIHEAP 11.4, DOE WAP 11.4, LIWP 12.4

The purpose of this review is to verify whether the agency is in compliance with the Affirmative Action stipulation within the contracts.

1. ***In-House Review (Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire and submitted written Affirmative Action Compliance Program, if applicable.
2. ***Onsite Review:*** CSD Field Representatives will follow up onsite if the pre-monitoring questionnaire did not contain a response to this section.

B. Specific Assurances

LIHEAP 11.7, DOE WAP 11.7, LIWP 12.7

The purpose of this review is to verify whether the agency is adhering to the American-Made Equipment/Products provision and the Federal and State Occupational Safety and Health Statutes, as stated within the 'Specific Assurances' portion of the contracts.

1. ***In-House Review (Pre-Monitoring):*** CSD Field Representatives will review the agency's responses to the Pre-Monitoring Questionnaire.
2. ***Onsite Review:*** CSD Field Representatives will follow up onsite if the pre-monitoring questionnaire did not contain a response to this section.

Section 11 - Timely and Meaningful Public Participation, , 2605(b)(12) - Assurance 12, 2605(c)(2)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY

Section 11: Timely and Meaningful Public Participation, 2605(b)(12), 2605(C)(2)

11.1 How did you obtain input from the public in the development of your LIHEAP plan?
Select all that apply.

- Tribal Council meeting(s)
- Public Hearing(s)
- Draft Plan posted to website and available for comment
- Hard copy of plan is available for public view and comment
- Comments from applicants are recorded
- Request for comments on draft Plan is advertised
- Stakeholder consultation meeting(s)
- Comments are solicited during outreach activities
- Other - Describe:

11.2 What changes did you make to your LIHEAP plan as a result of this participation?

Please see attached

Public Hearings, 2605(a)(2) - For States and the Commonwealth of Puerto Rico Only

11.3 List the date and location(s) that you held public hearing(s) on the proposed use and distribution of your LIHEAP funds?

	Date	Event Description
1	08/15/2016	Public Hearing at Department of Community Services and Development, 2389 Gateway Oaks Dr., Sacramento, CA 95833

11.4. How many parties commented on your plan at the hearing(s)? 1

11.5 Summarize the comments you received at the hearing(s).

Please see attached

11.6 What changes did you make to your LIHEAP plan as a result of the comments received at the public hearing(s)?

Please see attached

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Commenter	Comment Received	CSD Response
Gordon Piper	Document provided citing concerns with Discrimination by Federal, State, and Local Agencies and by Other Recipients and Sub Recipients of Federal and State of California Assistance. Programs impacted include: Single-Family & Small Multifamily Weatherization; Single-Family Solar PV; CSD Guidelines for Low Income Weatherization Program (LIWP); LIHEAP; WAP; LIWP FINAL Large Multi-Family Program and its Guidelines violate Title VI and VII requirements of the Civil Rights Act of 1964, State Civil Rights Laws and the Equal Protection clauses in the State of California and U.S. Constitutions.	The Department of Community Services and Development (CSD) ensures that the Low Income Home Energy Assistance (LIHEAP) program is administered throughout the State of California through a network of Local Service Providers. LIHEAP doesn't have any restrictions based on census tracts or disadvantaged communities. LIHEAP has federal eligibility requirements, which is based on 60% of the State Median Income. Since CSD doesn't receive enough funding to provide services to every eligible low-income client in California, the LSP's prioritize services to the "neediest of the needy." Prioritization is done using the following criteria: Vulnerable Population (Elderly 60+, Disabled or Children 5 years or younger); Medically Needy; Frail Elderly; Severe Financial Hardship; and/or Hard to Reach.
Val Martinez	Section 1: Program Components: Request that CSD work with the Local Service Providers (LSP's) to adjust contract related production benchmarks and expenditure requirements in accordance with any delayed funding release. Section 4: Crisis Assistance: Appreciate CSD's policy to allow LSP's to establish the Wood, Propane and Oil payment amounts for their community. Section 5: Weatherization Assistance: 5.5: Request that CSD remove its proposed requirement which mirrors the DOE program that prohibits the application of certain measures on LIHEAP-funded homes if 100% of the units are not enrolled in the program.	Duly Noted. The application of 66% rule applies when LIHEAP weatherization services are being used to provide whole-building weatherization services to multi-family dwellings. This rule does not have any impact when providing LIHEAP weatherization services to individual units within a multi-family dwelling.
	5.10: Requesting clarification on whether or not CSD plans to continue to establish a maximum per unit reimbursement of \$7,105 as noted in the DRAFT State Plan?	CSD is adopting the Department of Energy maximum unit average of \$7,105 for units assessed using an energy audit. Units that are not assessed using an energy audit will have a maximum unit average of \$4,055.

<p>5.11: Recommend the elimination of the reference to the Priority List (by savings-to-investment ration) that is contained in the Other-Describe catalog of LIHEAP measures.</p>	<p>Agreed. LIHEAP measures have been updated.</p>
<p>Section 8: Agency Designation-Assurances: Recommend that the LIHEAP Administering Agencies listed in the State Plan be referred to as Local Service Providers (LSP).</p>	<p>CSD is not able to make this change because LIHEAP Service Providers (LSP) is not an option in the drop down menu provided by HHS.</p>
<p>Section 14: Leveraging: Request that CSD provide more information to LSP's pertaining to the program and how to apply for these funds.</p>	<p>There hasn't been an opportunity for the leveraging funding recently; however, CSD provides a contingency response in the State Plan in case leveraging funding becomes available during the contract term.</p>

TO: California Department of Community Services and Development; California Governor Jerry Brown; U.S. Attorney General Loretta Lynch; U.S. Department of Justice, Civil Rights Division Director Vanita Gupta; Federal Coordination and Compliance Section Director Christine Stoneman; California Department of Justice; California Attorney General Kamala Harris; U.S. Department of Health and Human Services; U.S. Department of Energy; U.S. Department of Energy Office of Civil Rights Director Ann Augustyn; U.S. Equal Employment Opportunity Commission; California Department of Fair Employment and Housing; California Air Resources Board

FROM: Gordon Piper, 33 Hiller Drive, Oakland, CA 94618 Phone #510-843-3828; Email: rgpiper33@gmail.com

SUBJECTS: Comments, State of California Department of Community Services and Development Draft 2017 Low Income Home Energy Assistance Program State Plan; Discrimination by Federal, State, Local Agencies and by Other Recipients and Sub Recipients of Federal and State of California Assistance

DATE: August 14, 2016

I am writing to share comments in relation to the Public Hearing being held on August 15, 2016 in relation to the proposed discriminatory State of California Department of Community Services and Development (CSD) posted "Draft 2017 State Plan Application for the U.S. Department of Health and Human Services Low Income Energy Assistance Program (LIHEAP)" and also to share further comments regarding:

*The State of California Department of Community Services and Development Draft request for a Weatherization Waiver from the U.S. Department of Health and Human Services Low-income Home Energy Assistance Program (LIHEAP), which would also aid and result in continuing discrimination against large numbers of California residents in CSD programs receiving State of California and Federal assistance in violation of State of California laws as well as Federal laws and Equal Protection clauses in the State of California and United States Constitution;

*The State of California laws and Constitutional provision that I believe are being violated by CSD and other recipients of LIHEAP funds and other State of California funds/assistance and other Federal funds/assistance such as:

-The Unruh Civil Rights Act contained in Civil Code Section 51 enacted in 1959 that bars arbitrary discrimination in the provision of services, privileges, advantages, and that each person be entitled to equal services, privileges and advantages in the State of California;

- The California Constitutional prohibition against preferential-treatment-based considerations of race, color, national origin or ancestry in public contracting and public employment;

-The California Constitution requirement for Equal Protection contained in Article 1, Section 7 that mandates that no person may be denied equal protection of the laws;

-California Government Code Section 11135 (a) which states that no person is denied the right to participate in or the benefits of a program receiving State assistance;

-California Resources Code Section 71110, which was enacted to ensure fair treatment of all races and incomes in the implementation of environmental legislation, programs and policies in the State of California; and

- The California Fair Employment and Housing Act enacted in 1959 and Government Code Section 12990 that to ensure nondiscrimination in employment practices related to employment, the provision of jobs or training.

The Federal laws, Executive Orders and Constitutional provisions that I believe are being violated and/or not effectively enforced in relation to the provision of LIHEAP funding and benefits, and related Federal program funding and assistance being provided for CSD programs and staffing related to home energy assistance, weatherization, or to the administration of Federally assisted programs, such as:

- Title VI and VII of the Civil Rights Act of 1964;
- The Civil Rights Restoration Act of 1987 that mandates that a recipient of Federal assistance ensure nondiscrimination in their "total operations" and all programs and activities of the recipient or sub recipients and not just in the specific program or Federal contract or block grant that provided the Federal assistance;
- Title VI Regulations of Federal agencies involved such as the U.S. Department of Health and Human Services and the U.S. Department of Energy;
- Executive Orders 12612 and 13132, the Federalism Executive Orders issued by both President Reagan and President Clinton; these orders were issued and intended to ensure that the actions or regulations of Federal agencies did not violate the principles of Federalism and to require executive departments and agencies to avoid any Federal action that would limit the policymaking discretion of the States, and to carefully assess the necessity for such actions;
- Executive Order 12250 that requires the U.S. Department of Justice to ensure the consistent and effective implementation of various laws prohibiting discriminatory practices on the basis of race, color, national origin in programs and activities receiving federal financial assistance;
- The language in Section 2.2 of Executive Order 12898 that clarified that "Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under such program, policies and activities because of their race, color, or national origin.

By way of background I worked for 31 years for the State of California civil rights agency, the California Department of Fair Employment and Housing, in different capacities ranging from an investigator or Consultant, to Senior Consultant, District office Administrator, and Special Assistant to the Deputy Director. I had responsibilities for processing and investigating discrimination complaints and helping to enforce both State and Federal civil rights laws. I also helped to conduct investigations of discrimination complaints involving major public and private employers.

I have conducted research in the last two years regarding what I believe and have found to be discrimination involving the actions of Federal, State of California, regional and local government agencies and private sector recipients of government funding here in California, including the California Department of Community Services and Development and the California Air Resources Board that were involved in actions that have resulted in violations I believe of long standing State and Federal civil rights laws and Federal and State of California regulations for ensuring nondiscrimination. The actions I have resulted in rapidly growing systemic discrimination in programs involving public contracting and employment.

I also previously shared information I found in my research regarding the funding from several federal agencies including the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Energy (DOE) to the State of California CSD and many sub recipients for such programs and activities as:

- the Single-Family and Small Multi-Family Weatherization;
- Single-Family Solar PV;
- the CSD Guidelines for this Low Income Weatherization Program (LIWP);
- LIHEAP;
- WAP;
- the latest Low-Income Weatherization Program (LIWP) FINAL Large Multi-Family Program and its Guidelines.

I previously advised CSD in my two sets of written comments regarding its proposed guidelines for these programs that I felt these programs violated Title VI and VII requirements of the Civil Rights Act of 1964, the above cited State civil rights laws, and the Equal Protection clauses in the State of California and U.S. Constitutions. Yet, CSD went ahead with adopting discriminatory program guidelines for these programs and making use of leveraged federal agency funding from HHS block-grant funding and HHS Home Energy Assistance Program and LIHEAP Weatherization program funding and staffing assistance from HHS and DOE, and also leveraged weatherization Low Income Weatherization Program funding from DOE, that I found are in violation of:

- * State of California civil rights laws and the California Constitution cited above;
- * the Federal civil rights laws and Title VI and VII regulations nondiscrimination requirements in multiple Federal Executive Orders cited above, Title VI and VII, and to the Civil Rights Restoration Act of 1987 in regard to CSD and many of the sub recipients of HHS and DOE funding.

CSD's actions in relation to both the Low-Income Home Energy Assistance Program and the Low-Income Weatherization Programs (LIWP) I believe clearly violate the Civil Rights Restoration Act of 1987 requirements for ensuring nondiscrimination in a recipient's "total operations" based on consideration of race, color, national origin and ancestry in all of the programs and activities of many of these recipients and sub recipients of Federal assistance. I found in my research that CSD in the implementation of the multiple LIWP's and in the design and implementation of LIHEAP programs for the Home Energy Assistance Program and LIHEAP Weatherization appeared to be restricting the opportunity to participate or received some of the important benefits in the Federally assisted programs by intentionally restricting benefits just to less than 2000 California census tracts targeting LIWP program benefits in a discriminatory manner targeting low-income minority communities of color, where nearly 84% of the residents were ethnic minorities, while excluding potentially eligible low-income residents many of whom were not ethnic minorities located in nearly 6000 California census tracts and half of California's 58 counties. CSD I believe also has involved many local agency providers or sub recipients of Federal funds from the DOE and/or HHS, including both government agencies and nonprofits, in the discriminatory restriction of access to some benefits by actions such as using community action agencies that were LIHEAP providers to separately target benefits in a restricted and discriminatory manner that disparately treated and disparately impacted many potentially eligible low-income non minorities in the LIWP programs funded by DOE and the State of California, located in 6000 California census tracts and half of California counties including most rural counties in northern and eastern California.

I found in my research regarding the Federal government's implementation of multiple Federal Executive Orders including the Federalism Executive Orders, Executive Order 12250, and Executive Order 12898 that Federal agencies in the last 22 years since EO 12898 was issued have violated provisions of the Federalism Executive Orders by failing to consider the impacts on state and local government agencies and their implementation of state civil rights laws in implementing so-called "environmental justice" programs targeting many important benefits for "minority populations" or "low income communities where minorities were the vast majority. This has actively encouraged and resulted in discriminatory actions by state and agencies such as here in California by CSD and the local government agencies and nonprofit providers its funds that are engaging in preferential treatment for minorities, which violates Congress' intent in enacting Title VI of the Civil Rights Act of 1964 "to ensure the permanence of the nondiscrimination policy" in any program or activity receiving Federal assistance". This also undercut the State of California's Constitutional prohibition against preferential treatment in public contracting and public employment related to race, color, national origin and ancestry, and the prohibition in the California Unruh Civil Act against public agencies discriminating in the provision of services, privileges and advantages on a broad range of covered bases. I found in reviewing online regarding the CSD's discriminatory implementation of the LIWP and LIHEAP programs that Federal agencies were informed of CSD's intention to restrict benefits to so-called "disadvantaged communities" in the LIWP and in leveraging the LIHEAP program and its funding of the use of LIHEAP funding for Weatherization Program benefits, which would result in discrimination and differential treatment of many non-minority low-income Californians not included in the so-called "disadvantaged communities" and have a disparate impact, if this proposed discriminatory Draft 2017 LIHEAP State Plan is not rescinded and substantial changes made to ensure

nondiscrimination by all of the recipients in the CSD's LIHEAP and LIWP programs and to ensure nondiscrimination in the "total operations" of CSD programs as required by Title VI and VII of the Civil Rights Act of 1964 and by the Civil Rights Restoration Act of 1987, which amended Title VI.

The U.S. Supreme Court in 1995 a landmark decision in "Adarand v. Peña" involving a major Federal agency ruled that all governmental action based on race should be subject to detailed judicial scrutiny to ensure that the personal right to equal protection has not been infringed. In order to not violate the Constitution, there must be a compelling government interest. The actions of CSD, the State of California, and the California Air Resources Board that adopted several sets of discriminatory guidelines for agencies implementing State of California energy and weatherization programs such as CSD's LIWP and LIHEAP result in intentional discrimination, disparate treatment and disparate impact against a large number of non-minority low-income Californians in half of California's 58 counties and approximately 6007 California census tracts, and violates their civil rights under State and Federal civil rights laws and the Equal Protection Clauses in the California and U.S. Constitution.

Scrutiny of the CSD's online "Fact Sheets" regarding the Low-Income Weatherization Program (LIWP) and the LIHEAP Weatherization program found online recently reveal the extent of the discrimination that is now being engaged in and that would be perpetuated if the DRAFT 2017 LIHEAP State Plan and also the proposed Low-Income Persons 2016 State Plan and Application to the U.S. Department of Energy if the Plans as written and proposed are finalized and funded, and rescinded or substantially revised, which could result in violation of the various State and Federal civil rights laws, constitutional requirements, and the Civil Rights Restoration Act of 1987 requirement that recipients and sub recipients of Federal assistance like the CSD and other LIHEAP and LIWP sub recipients not discriminate in their the "total operations" and all of their programs and activities.

The CSD "Fact Sheet" for the State and Federally assisted Low-Income Weatherization Program showed the State in its 2014-15 State budget provided \$75 million in funding for the LIWP and then allocated 100% of this funding (along with Federal funds for administration and staffing) just to low-income household located in so-called "disadvantaged communities located in 25% of California census tracts and half of California counties. The "Fact Sheet" noted that an estimated 17,700 households would receive benefits from the LIWP program, which targets benefits primarily to populations that I learned where 84% of the residents were ethnic minorities. The CSD information regarding the LIHEAP Weatherization program for Program Year 2014 noted that it had weatherized with millions of dollars in Federal LIHEAP Weatherization Program funds 17,659 homes. The proposed waiver requested by CSD in a May 6, 2016 letter of HHS Office of Community Service Director Jeannie Chaffin proposed a waiver to use 25% of the estimated total LIHEAP funds for 2017 (of over \$170 million, or roughly \$43 million for residential weatherization utilizing DOE weatherization installation and installation standard that were apparently utilized in the LIHEAP Weatherization Program installations done by CSD.

What I find in my research is that CSD and its sub recipients of Federal funding from HHS and DOE have been doing in using Federal funds in the last two years has targeted the majority of benefits in a discriminatory manner that has preferentially treated "low-income minority communities of color" located in just 25% of California census tracts and half of California

counties in a manner that violates Title VI and VII of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and the Equal Protections Clauses in the California Constitution and United States Constitution. My research both online and attending a June 2 "stakeholders" meeting held by CSD in Sacramento for its LIWP program revealed that CSD has been involving sub recipients of the Federal funds it receives for some of its Weatherization programs receiving Federal assistance in actions that violate the assurances of compliance with the nondiscrimination requirements Title VI and the Title VI regulations of DOE and presumably HHS (as they apply under the Civil Rights Act of 1987 to Title VI of the Civil Rights Act of 1964 to the "total operations" of CSD and sub recipients doing weatherization program work funded by multiple Federal agencies. These actions also violate the requirements of the State civil rights laws and constitutional requirements cited earlier in my comments.

I filed a formal Title VI complaints with the U.S. Department of Housing and Human Services and also the U.S. Department of Energy on April 16, 2015 and a separate Title VI complaint with the U.S. Department of Justice and found in reviewing documents obtained from a Freedom of Information Request that the CSD and its Deputy Director Kathy Andry in a May 20, 2016 letter to US DOE Office of Civil Rights Attorney Sharon Wyatt appeared to provide misleading or false information about:

- The use of state funds "only" in the implementation of the LIWP;
- The program "may in some instances be "leveraged" with DOE and U.S. Department of health and Human Services energy program that benefit qualifying low-income residents of California";
- "The relevant determination do not fall within the scope of Title VI of the Civil Rights Act of 1964";
- "LIWP policies and procedures fully comply with Title VI Civil Rights Act of 1964, as well as other applicable civil rights statutes, regulations and Constitutional protections, which prohibition discrimination on the basis of race, color, or national origin."

I found in my research both online, in telephone and direct conversations with CSD staff, in reviewing documents developed by CSD and included in presentations to stakeholders of the LIWP, and reviewing applicable State and Federal civil rights laws, regulations, and Constitutional protections that CSD as a recipient of federal assistance and at least some of its sub recipients of Federal assistance involved in implementing the LIWP and LIHEAP program appeared to be violating requirements of the above cited State of California and Federal civil rights laws, Title VI Regulations, the Civil Rights Restoration Act of 1964, and provisions in the California and U.S. Constitutions cited above. I submitted substantial information to State of California and CSD representatives along with Federal civil rights agency representatives documenting the intent of some minority community coalition sponsors of some of the recently enacted State of California environmental laws and regulations to target benefits to low-income minority communities of color to maximize benefits in just 25% of California's 8000 census tracts and half of its 58 counties such as program benefits and jobs and training, which revealed a discriminatory intent and actions that disparately treated and also disparately impacted many California residents in 6000 census where more non-minority residents resided. I believe misleading or false information was provided by CSD to DOE and its Office of Civil Rights staff in their review of my three Title VI complaints to DOE, HHS, and the U.S. Department of Justice that impeded an effective and thorough investigation by Federal agencies of the violations of Title VI and VII of the Civil Rights Act of

1964, the Civil Rights Act of 1987, and of the provisions of both State and Federal civil rights laws and constitutional requirements for equal protection.

I further found that the CSD for many years has been a recipient of Federal assistance for a series of programs in its "total operations" which were subject to Title VI and VII of the Civil Rights Act of 1964 and also the Civil Rights Restoration Act of 1987 that required that CSD as a "recipient" of Federal assistance and its provider/sub recipients of Federal assistance involved in the several LIWP programs and several LIHEAP programs, that were subject to Title VI Regulations of DOE and HHS, and that CSD was violating its assurance of compliance with Title VI of the Civil Rights Act of 1964 (as amended and covered by the Civil Rights Restoration Act of 1987, which required that all of the programs and activities of CSD which are part of CSD's "total operations" not discriminate and comply with the detailed Title VI Regulations of the Federal agencies.

I found in reviewing information online provided by CSD that it received substantial Federal funds supporting its administration of programs and its work with sub recipients of Federal assistance such as the many providers of LIWP and LIHEAP Weatherization program benefits. I saw one report indicating in a recent State Plan that CSD indicated 72 of its employees were supported by Federal funds.

I also found both online in my research and in attending the June 2, 2016 "stakeholders" meeting in Sacramento that CSD convened that CSD appeared to be promoting through its implementation of the several LIWP programs its providers of LIWP program benefits to target job and training benefits in a discriminatory manner that would violate Title VI and VII of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 largely to provide job and training "co-benefits" in just 25% of California's 8000 census tracts and half of California counties rather than in ensuring the availability of the jobs and training opportunities to all Californians, or all census tract and counties in California, as mandated by the requirements of Title VII of the Civil Rights Act of 1964 and the provisions of the California Fair Employment and Housing and the California Unruh Civil Rights Act.

I attended the CSD Stakeholder meeting on Sacramento on June 2 regarding the discriminatory LIWP programs and also sent an email on May 31 to CSD's Director Linne Stout, General Counsel Ronn Kaiser, and Deputy Director Kathy Andry in which I summarized the continuing and growing violations involved of State of California and Federal civil rights laws, Title VI regulations and Title VII requirements, California's Government Code section 11135 (a) which mandates nondiscrimination in programs that receive State assistance, and of the Equal Protection requirements in the California Constitution. I also had an opportunity when I attended the June 2 Stakeholders meeting to ask questions of CSD administrators, gather further evidence regarding these cited violations, and to speak to many of the CSD top administrators and some other sub recipients of State and Federal funds for the discriminatory LIWP programs such as local government agency representatives and non-profit agency representatives about both the violations in the existing LIWP programs and the proposed Phase 2 LIWP programs that were outlined in a slide presentation at this meeting.

I believe the CSD was recording the June 2 webinar presentations, and also the comments and questions from participants and these should be available if you wish to review them directly and to consider them in relation to

gathering evidence and documenting the past and continuing violations of Title VI and VII requirements and the plans for expanding these Title VI violations in the future using a combination of State of California and Federal block grant funding. There was direct and admission evidence of Title VI violations I believe that came out in this June 2 meeting, which in reviewing DOE's Title VI Regulations found in 10CFR 1040.1 violates most of the provisions of the "Discrimination prohibited" items set forth in 10 CFR 1040.13-Discrimination prohibited section (such as items b (1-6) and (c), which I pointed out to representatives of DOE that were supposed to be conducting *investigation* at the request of the U.S. Department of Justice in response to my multiple Title VI complaints made in 2015 regarding the discriminatory weatherization program of CSD and some sub recipients receiving funding from DOE and/or HHS.

While CSD Director Linne Stout this year and the last 2 years certified compliance with Title VI requirements that would include DOE's Title VI Regulations, it was made clear in power point slides, maps and presentations at the June 2 meeting that CSD was not abiding by the long list of discriminatory actions prohibited in DOE's Title VI Regulations such as:

(b) (1) Denying services of benefits provided under its LIWP program that combines State funds leveraged with Federal funds to qualified low-income applicants that are located in 75% of California census tracts (a total of 6007 census tracts) and half of California counties including Del Norte, Siskiyou, Modoc, Lassen, Shasta, Trinity, Humboldt, Mendocino, Plumas, Sierra, Lake, Glenn, Sutter, Colusa, Nevada, Placer, El Dorado, Alpine, Amador, Calaveras, Tuolumne, Mono, Mariposa, Inyo, San Luis Obispo, Sonoma, Napa, and Marin, while targeting benefits primarily targeting those primarily minority communities of color in 1,993 census tracts with high concentrations of ethnic minorities;

(b) (2) Providing a service and benefits in the LIWP program that combines State funds leveraged with Federal funds that was different and to those qualified low-income residents in relation to single family energy efficiency and solar PV in 6007 California census tracts than was afforded to the 1,993 census tracts based on considerations of race, color and national origin that maximized benefits to primarily serve minority communities of color;

(b) (3) Segregating or separately treating individuals in 6007 California census tracts or 75% of California census tracts in relation to services and benefits available under the LIWP program that combines State funds leveraged with Federal funds;

(b) (4) Restricting otherwise qualified low-income residents in 6007 California census tracts from the enjoyment of advantages or privileges under the LIWP program enjoyed by similarly-situated low-income residents in 1,993 census tracts based on considerations of race, color and national origin that maximized benefits to primarily serve minority communities of color;

(b) (5) Treating individuals in 6007 California census tracts differently from others in determining whether such individuals satisfy any eligibility requirement or condition for the LIWP program benefits by maximizing benefits to primarily serve low-income residents in minority communities of color in 1,993 census tracts;

(b) (6) Denying an individual an opportunity to participate in the LIWP program through the provision of services or otherwise affording an opportunity to do so which is different from that afforded others under the

program (including the opportunity to participate in the program as an employee) or to obtain co-benefits such as jobs or training restricted to just qualified-low income applicants or employees in 1,993 census tracts targeted to maximize benefits to primarily serve minority communities of color while excluding otherwise qualified low-income applicants from 6007 census tracts.

□ (c) The CSD and sub recipients directly or through contractual arrangements utilizing criteria and methods of administration that have the effect of subjecting individuals to discrimination because of their race, color, national origin or ancestry and having the effect of defeating or substantially impairing accomplishment of the objectives of the LIWP program by targeting the maximizing of benefits to serve primarily minority communities of color in 1,993 census tracts while excluding otherwise qualified low-income applicants from 6007 census tracts, which adversely impacts a class of non-Hispanic Caucasians.

I sent a memorandum by email on May 31 to the CSD Director Stout and Assistant Director Andry and CSD General Country Kaiser that noted the CSD's past actions in restricting 100% of the benefits of CSD's two LIWP programs benefits to just serve qualified low-income residents in 25% of California census tracts (1,993 census tracts) and only about half of California counties targeting to the maximum extent possible benefits to serve minority communities of color based on considerations of race, color, national origin and ancestry resulted in violations of:

(1) The California Unruh Civil Rights Act or Civil Code Section 51 that bars arbitrary discrimination by public agencies in relation to privileges, services and advantaged and program benefits;

(2) The California Fair Employment and Housing Act, in relation to promotion preferential treatment in hiring in just 25% of California's 8000 census tracts, targeting minority communities of color;

(3) California Government Code Section 11135 (a) that mandates no person is to be denied the right to participate in or the benefits of a program receiving State assistance;

(4) The California Constitution prohibition against affirmative action and discrimination in state contracting related to considerations of race, color, national origin and ancestry that were approved by California voters;

(5) The language in Article 1 of the California Constitution Declaration of Rights that indicates that the State cannot deny any person the equal protection of laws;

(6) Title VI of the Civil Rights Act of 1964 ~~as amended by the Civil Rights Act of 1964~~ as amended by the Civil Rights Act of 1987 and as supplemented by the Title VI Regulations of the US Department of Energy and enforcement guidance from the US Department of Justice relative to Title VI obligations for block grant recipients that similarly mandates that no person shall be denied access to or the benefits of any program receiving Federal assistance, such as the various programs CSD administers that in part are supported by any Federal assistance;

CSD in approximately the last 18 months has in its total operations I believe has been discriminating based on considerations of race, color, national origin and ancestry, and engaging in discriminatory practices and actions with other sub recipients of Federal funds that I believe violate blatantly requirements of Title VI and VII of the Civil Rights Act of 1964, as amended by the Civil Right Restoration Act of 1987. I believe these discriminatory actions have been encouraged by State of California top officials up to and including the Governor's Office and the California Air Resources Board in its discriminatory guidelines for agencies administering so-called California Climate Investments with a mix of State of California and Federal funds, which are subject to the requirements of Title VI and VII of the Civil Rights Act.

I believe there is systemic discrimination involving State of California agencies as well as many actions of Federal agencies that are continuing to provide Federal assistance to a series of jointly funded programs that appear to allow the State of California and recipients of Federal assistance such as CSD and some local government agency providers or recipients of Federal funding to discriminate in violation of the above cited State and Federal civil rights laws, regulations, and Constitutional requirements for Equal Protection.

I am requesting the following in relation to ending the systemic discrimination by involved State of California and Federal agencies with respect to the utilization of Federal funds described above and involved in the discriminatory implementation of the multiple federally assisted programs of the State of California and local government agencies such as the LIHEAP, LIHEAP Weatherization, and LIWP:

1) The Draft 2017 LIHEAP State Plan should be rescinded by CSD and the State of California along with the CSD's Final Guidelines for the discriminatory Low Income Weatherization Program for Low-Income Weatherization Program (LIWP) for Single- and Small Multi-Family Weatherization and Small-Family Solar PV Program and the Large Multi-Program Guidelines, and revised to eliminate all discriminatory provisions that violate State and Federal civil rights laws, including discrimination in employment and training, and provisions of the California Constitution prohibiting preferential treatment in public employment and contracting and mandating Equal Protection, along with the U.S. Constitution requirement for Equal Protection; any revised plan should ensure that energy and weatherization program benefits and access to program benefits is available on a nondiscriminatory basis to all qualified low-income residents in all 8000 California census tracts and all 58 California counties;

2) The California 2016-2017 CSCBG State Plan and Application should be rescinded and revised to ensure full compliance with the requirements of State and Federal civil rights laws and to ensure the benefits of State and Federal assisted programs for energy and weatherization are made available in all 8000 California census tracts and counties, consistent with the requirements of State and Federal laws;

3) The discriminatory guidelines issued by the California Air Resources Board for State agencies administering California Climate Investments, should be promptly rescinded and replaced with guidelines fully consistent with ensuring compliance with the legal requirements outlined above in regarding to State of California and Federal laws, regulations, and Constitutional

requirements mandating nondiscrimination and equal protection under the laws, and be rescinded which have been fully vetted with the California Department of Justice, the California Department of Fair Employment and Housing, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Justice and its Civil Rights Division, and a State or Federal court that will oversee compliance with a consent decree to ensure nondiscrimination in programs receiving funding under new guidelines developed.

4) At least 250-300 million dollars in funding should be set aside and allocated in a nondiscriminatory manner in the next three years by the State of California, CSD, and the Federal government for victims of discrimination among the low-income population in the over 6000 California census tracts and 58 California counties whose rights to participate in or the benefits of the LIWP and/or LIHEAP programs during the period from 2014 to 2016, including provisions for making program benefits and co-benefits available in a compensatory manner in relation to employment and training that were previously targeted in a restricted manner limited primarily to low-income residents in just 2000 California census tracts and half of California's 58 counties in a discriminatory manner that focused on preferential treatment for low-income minority communities of color;

5) Have the State of California and CSD subjected to compliance reviews by the California Department of Fair Employment and Housing, the U.S. Equal Employment Opportunity Commission, the California Department of Justice and the U.S. Department of Justice to ensure that the CSD complies fully in its total operations and programs/activities with the nondiscrimination requirements contained in State and Federal civil rights laws and regulations, the Civil Rights Act of 1987, and the requirements in the California Constitution prohibiting preferential treatment in public employment and contracting, and in the California and United States Constitutions for ensuring Equal Protection under the applicable laws referenced above.

6) Require the State of California, CSD staff and administrators, and all recipients of Federal assistance that have receive Federal assistance under the LIWP and the LIHEAP programs, including CSD providers in the LIWP and LIHEAP programs now and in the next 5 years receive comprehensive training regarding the nondiscrimination requirements of State and Federal civil rights laws, including applicable State and Federal regulations including the detailed Title VI Regulations of involved Federal agencies such as DOE, HHS, and HUD to help in ensuring compliance with the nondiscrimination requirements and an end to discrimination in relation to program benefits or co-benefits such as employment and training; the training should emphasize among other topics that recipients of State and Federal funds or assistance are required not to discriminate and to comply with applicable laws and the Equal Protection requirements in the California and United States constitution.

7) Require the State of California to provide similar and appropriate training to the staff involved in State agencies with civil rights responsibilities including legal staff members regarding the requirements of State and Federal civil rights laws, the Unruh Civil Rights Act, California Government Code Section 11135 (a), the Civil Rights Act of 1987, the prohibition against preferential treatment in the California Constitution related to public employment and public contracting related to race, color, national origin, and ancestry; the State of California's codified definition of "environmental justice" contained in California Government Code Section

65040.12 that states "environmental justice means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies. The training should emphasize among other topics that government is not supposed to discriminate and must ensure Equal Protection as required by the California and United States Constitution.

8) Require information and training be provided by the State of California to California legislators regarding the nondiscrimination requirements of State and Federal civil rights laws and the California and United State Constitution requirements for Equal Protection, the codified definition of "environmental justice" contained in California Government Code Section 65040.12 and the identified violations of both State and Federal civil rights laws, Title VI and VII regulations, the Unruh Civil Rights Act, and Constitutional requirements for equal protection.

9) Require a review by State, Federal and local officials and Civil Rights Division administrators and attorneys in the Justice Department at the State and Federal level and by California Department of Fair Employment and Housing administrators and attorneys of the constitutionality and discriminatory features of State of California environmental laws enacted in the last eight years that appear to conflict with the nondiscrimination requirements of long standing State of California laws such as the Unruh Civil Rights Act and the California Fair Employment and Housing Act, California Government Code Section 11135 (a), as well as the requirements in Title VI and VII of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, the Equal Protection requirements of the California Constitution and U.S. Constitution, and California Resource Code Section 71110, and the codified definition of "environmental justice" in California Government Code Section 65040.12. Government agencies are not supposed to discriminate, and State legislators are not supposed to be enacting laws that conflict with requirements for nondiscrimination in California civil rights laws and/or Federal civil rights laws and Title VI and VII regulations. The review should lead to action to address unconstitutional provisions in State of California laws such as SB535, and more recently proposed AB 1550 that would further perpetuate violations of State and Federal civil rights and Constitutional requirements for equal protection and prohibiting preferential treatment in State contracting and employment.

10) A comprehensive review be conducted of the discriminatory implementation of State of California and Federal programs, activities, and actions in implementing and promoting so-called "environmental justice" programs that appear to violate the codified definition of "environmental justice" of the State of California and the U.S. Environmental Protection Agency and which have resulted from violations of the Federalism Executive Orders involving multiple Federal agencies that have a

significant impact on state and local agencies, undercutting the enforcement of State and Federal civil rights laws, Title VI Regulations of Federal agencies and their proper enforcement, as well as the constitutional rights to Equal Protection of many residents in California and other states around the country. Some of the discriminatory programs and actions I have are not fair to all races, cultures, and incomes and have resulted in growing, systemic discriminatory implementation of so-called "environmental justice" programs in California with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies. I documented in my research and multiple filed Title VI complaints and an Unruh Civil Rights Act complaint filed in the last few years a series of actions by a number of major public interest laws firms working with minority coalition partners that appeared to manipulate the passage of discriminatory California environmental laws and regulations promoting and maximizing benefits for low-income minority communities of color, which denied access to important benefits to millions of non-minority residents located in 75% of California census tracts in violation of requirements of State and Federal civil rights laws and regulations and the Equal Protection clauses in the California and United States Constitution. These actions are promoting systemic discrimination and "environmental racism" and not "environmental justice" as codified in California law. Government agencies at all levels, here in California and around the country, need to get back to ensuring their programs, activities, and actions do not violate the Federalism executive order requirements and the civil rights and constitutional rights of many millions of Americans across the country. Congress intended in passing Title VI "to ensure the permanence of the nondiscrimination policy" and that Federal programs and dollars were not used to subsidize, entrench or promote discrimination in Federal, state or local programs or actions of recipients or those of public and private sub recipients receiving Federal funding and assistance.



Slipson-Vance House 1892

Redwood Community Action Agency

ADMINISTRATION
Information & Referral
(707) 269-2001

August 12, 2016

COMMUNITY PROGRAMS
(707) 269-2052
AFACTR AMERICORPS
(707) 269-2020
TOOTH PROGRAM
(707) 269-2051

Ms. Kathy Andry, Deputy Director of the Energy and Environmental Programs
Community Services and Development Department
2389 Gateway Oaks, Suite 100
Sacramento, CA 95833

ENERGY AND ENVIRONMENTAL SERVICES

(707) 444-3831

Weatherization, Ext. 204

Lead Based Paint Hazard

Reduction & Inspection, Ext. 204

Home Energy Assistance Program

(HEAP) Info (707) 444-3834

FAMILY SERVICES

Multiple Assistance Center

Family Shelter Program

(707) 269-9590 Ext. 201

Regarding the California Low-Income Home Energy Assistance Program DRAFT State Plan

Dear Ms. Andry *Kathy*

I am submitting the following comments and recommendations on behalf of Redwood Community Action Agency. We would like to begin this letter by thanking you for the opportunity to offer comments and recommendations on the California Low-Income Home Energy Assistance Program DRAFT State Plan. We appreciate the Community Services and Development Department's (CSD) sharing of the information and desire to seek input during the development process.

NATURAL RESOURCES SERVICES

(707) 269-2066

Landscape Contractor

License # 518874

Section 1 Program Components

We applaud CSD's desire to ensure that there is no interruption of services if the release of federal funds is delayed for the 2016/2017 federal fiscal cycle. We request that CSD work with the Local Service Providers (LSPs) to adjust contract related production benchmarks and expenditure requirements in accordance with the release of these funds to prevent potential problems.

PROPERTY MANAGEMENT

Affordable Rentals (707) 269-2014

YOUTH SERVICE BUREAU

24-Hour Youth & Family Hotline

(707) 444-CARE

YSB Administration

Launch Pad TLP

Our House Emergency Shelter

(707) 443-8322

Raven Street Outreach Program

(707) 443-7099

Discussions during a recent LIHEAP Working Group noted that the release of federal funds for the LIHEAP program based upon approval of the weatherization waiver may require CSD to rethink its April benchmark requirement because of a lack of available funding. As noted during the discussion, CSD cannot apply for the Waiver until April first and it is anticipated that the release of the funds will be delayed at the federal level as it has been in years past.

ZURETTI GOOSBY

Board President

VAL MARTINEZ

Executive Director

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Redwood Community Action Agency

Section 4 Crisis Assistance

We appreciate CSD's continued policy of allowing Local Service Providers to establish the Wood/Propane/Oil (WPO) payment amounts for their community based upon community needs and related fuels costs.

Section 5 Weatherization Assistance

5.5. We appreciate CSD supporting local service delivery by adopting the 66% rule for weatherizing multi-family dwellings and the 50% rule for 2-4 units. We do, however, request that CSD remove its proposed requirement which mirrors the DOE program that prohibits the application of certain measures on LIHEAP-funded homes if 100% of the units are not enrolled in the program.

5.10 We are requesting clarification as to whether or not CSD plans to continue to establish a maximum per unit reimbursement of \$7,105 as noted in the DRAFT State Plan. During recent discussions with members of the Network, CSD staff stated that it was considering eliminating the maximum and we would like to know what CSD intends to do.

5.11 We strongly recommend the elimination of the reference to the **Priority List (by savings-to-investment ratio)** that is contained in the **Other- Describe** catalog of LIHEAP measures. CSD Management has agreed to forego this strategy in the 2017 contract in favor of implementing a Data Collection Initiative. Therefore, it no longer applies and should be eliminated.

Further, we would like clarification as to whether these measures are intended to be mandatory measures or simply a list of measures.

Section 8 Agency Designation – Assurances

8.5 We recommend that the **LIHEAP Administering Agencies** listed in the State Plan be referred to as Local Service Providers (LSP) and not Community Action Agencies. It is important to recognize that not every service provider in California is a CAA. This recommendation is further supported by the following section 8.6 which refers to LSPs rather than CAAs.



Redwood Community Action Agency

Section 14 Leveraging

We were unaware that California was still participating in the Leveraging Fund program and request that CSD provide more information to LSPs pertaining to the program and how to apply for these funds.

In closing, we would like to again thank CSD for the opportunity to provide comments and recommendations on the California Low-Income Home Energy Assistance Program DRAFT State Plan.

If you have any questions, please feel free to contact me.

Yours truly,

Val Martinez
Executive Director

Cc: Ms. Linne Stout, Director of the State of California Community Services and Development Department
Mr. Jason Wimbley, Chief Deputy Director of the State of California Community Services and Development Department
Ms. Arleen Novotney, Executive Director of ACCES
Mr. Brian Angus, President of CalCAPA Board of Directors
Ms. Lynda Timbers, President of the LIHEAP Service Providers Committee
Mr. John Heath, Executive Director of CalCAPA

Section 12 - Fair Hearings,2605(b)(13) - Assurance 13

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY

Section 12: Fair Hearings, 2605(b)(13) - Assurance 13

12.1 How many fair hearings did the grantee have in the prior Federal fiscal year? 1

12.2 How many of those fair hearings resulted in the initial decision being reversed? 0

12.3 Describe any policy and/or procedural changes made in the last Federal fiscal year as a result of fair hearings?

There were no changes

12.4 Describe your fair hearing procedures for households whose applications are denied.

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:

1. 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.
2. Provisions that ensure that Local Service Providers will make a good faith effort to resolve each appeal.
3. 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.
4. Provisions to enable Local Service Providers to collect information on denials and appeals in its regular program reporting.

12.5 When and how are applicants informed of these rights?

Applicants are informed, in writing, regarding the appeal process which is located on the CSD 43 Energy Intake Form. Applicants sign and date acknowledgement that they have read and understand their rights to appeal. Additionally, applicants will be able to view their rights to appeal on CSD's public website.

12.6 Describe your fair hearing procedures for households whose applications are 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.

1. 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.
2. Local Service Providers conduct a fair, and impartial appeals review 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.
3. 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.
4. 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 via email or postmarked within 5 working days.
5. Within 10 working days of receipt of the requested documentation from the contracted Local Service Provider, the CSD Fair Hearing Officer reviews the appeal and supportive documentation, confers with the appellant and the contracted Local Service Provider if necessary, and notifies parties of the hearing. Within 30 days from the date of the hearing, the parties are notified of the Fair Hearing Officer's decision in writing.

12.7 When and how are applicants informed of these rights?

Applicants are informed, in writing, regarding the appeal process which is located on the CSD 43 Energy Intake Form. Applicants sign and date acknowledgment that they've read and understand their rights to appeal. Additionally, applicants will be able to view their rights to appeal on CSD's public website.

If any of the above questions require further explanation or clarification that could not be made in the fields provided,

attach a document with said explanation here.

Section 13 - Reduction of home energy needs,2605(b)(16) - Assurance 16

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 06/30/2017

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 13: Reduction of home energy needs, 2605(b)(16) - Assurance 16

13.1 Describe how 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?

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 solutions 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.

13.2 How do you ensure that you don't use more than 5% 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.

13.3 Describe the impact of such activities on the number of households served in the previous Federal fiscal year.

The impacts of the budget and energy education are that clients are more aware of their energy and household costs, which may result in overall household savings.

13.4 Describe the level of direct benefits provided to those households in the previous Federal fiscal year.

N/A

13.5 How many households applied for these services? N/A. CSD does not track the number of applications submitted for LIHEAP assistance.

13.6 How many households received these services? 223,028

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 14 - Leveraging Incentive Program ,2607A

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 14:Leveraging Incentive Program, 2607(A)

14.1 Do you plan to submit an application for the leveraging incentive program?

Yes No

14.2 Describe instructions to any third parties and/or local agencies for submitting LIHEAP leveraging resource information and retaining records.

Local Agencies participating in the Leveraging Incentive Program are required to submit a leveraging report to CSD. Agencies are required to retain all support documentation for period of three (3) years.

14.3 For each type of resource and/or benefit to be leveraged in the upcoming year that will meet the requirements of 45 C.F.R. Â§ 96.87(d)(2)(iii), describe the following:

Resource	What is the type of resource or benefit ?	What is the source(s) of the resource ?	How will the resource be integrated and coordinated with LIHEAP?
1	Discount/waiver	Utility Companies	Local agencies and CSD coordinate the services provided under LIHEAP with existing reduced rate programs at California's larger investor-owned utilities, as well as, many smaller municipal utilities. The coordination of these programs enables the agencies to expand services to families who otherwise would not receive assistance due to lack of information about the programs. This coordination occurs through prearranged agreements between the local CSD/LIHEAP contractors and the utility companies. The LIHEAP contractors work in direct conjunction with the utility companies by maintaining ongoing communication to screen and refer potential clients and coordinate benefits. In order to maximize the impact and effectiveness of both programs, applicants are screened to determine if the applicant from either source has already received any benefits. The applicant is provided assistance in completing an application for the reduced rate programs at the time the applicant is being assisted for HEAP.
2	Cash	Non-profits	This resource was integrated and coordinated with LIHEAP in two ways: a. Due to funds from both sources (LIHEAP and utility companies/third-party co-payments) being used in the same household, the low-income household benefited by receiving LIHEAP assistance in addition to assistance from either the utility company program or third-party co-payment once the LIHEAP programs maximum level of assistance was reached. b. To ensure that low-income household have year-around access to energy assistance and that the greatest number of low-income household receive assistance, local agencies have coordinated the services provided under LIHEAP with local private and public energy assistance programs. The coordination of these programs enables the agencies to expand emergency services to families who otherwise would not receive assistance through LIHEAP due to insufficient funds. The coordination occurs through prearranged agreements between the local LIHEAP contractors and the utility assistance providers. The LIHEAP contractors work in direct conjunction with the utility assistance providers by maintaining ongoing communication to screen potential clients and coordinate benefits. In order to maximize the impact and effectiveness of both programs, applicants are screened to determine if any benefits have already been received by the applicant from either source.
3	Cash	Utility companies	Utility companies provide funds to provider agencies, allowing agencies to install additional measures in qualifying low-income homes.
4	Cash	Utility companies	This resource was integrated and coordinated with LIHEAP due to funds from both sources (LIHEAP and utility companies) being used in the same household. The low-income household, therefore, was further weatherized to prevent the loss of heated and/or cooled air from the dwelling. As a result of the coordination of the weatherization contracts, additional LIHEAP-eligible households received weatherization measures, as appropriate as allowable within LIHEAP contract. The client files are documented and maintained at each respective agency.
5	Cash	Utility companies	This resource is coordinated with LIHEAP because LIHEAP eligible and other low-income households are identified as needing repair or replacement of appliances during the time the dwelling is being assessed for weatherization services. Additionally, the utility companies utilize a bid process to identify administering agencies. CSD-funded agencies are successful in the bid process in large part due to their experience in providing weatherization services under LIHEAP and because they are known entity in the low-income community.
			Funds were used in conjunction with LIHEAP to assist with utility deposits; to repair homes prior to receiving weatherization materials and for direct weatherization of LIHEAP eligible households which would not have received assistance due to lack of funding availability. As a

6	Cash	County	result of the resources generated from the County General Fund, additional LIHEAP eligible households received weatherization measures mentioned in Resource #5 as appropriate and allowable within the LIHEAP contract. The client files are documented and maintained at each respective agency.
7	In-Kind Contribution	Landlords	Coordination with landlords to provide additional LIHEAP eligible households weatherization and appliances as appropriate and allowable within the LIHEAP contract.
8	Discount/waiver	Local Suppliers	Direct negotiations with local suppliers of weatherization materials for the LIHEAP Program resulted in lower than market costs for materials purchased in bulk quantities. As a result of the resources generated from the discount received from these bulk purchases, additional LIHEAP eligible homes received weatherization measures as appropriate and allowable within the LIHEAP contract.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 15 - Training

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
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Section 15: Training

15.1 Describe the training you provide for each of the following groups:

a. Grantee Staff:

Formal training on grantee policies and procedures

How often?

Annually

Biannually

As needed

Other - Describe:

Employees are provided with policy manual

Other-Describe:

b. Local Agencies:

Formal training conference

How often?

Annually

Biannually

As needed

Other - Describe:

On-site training

How often?

Annually

Biannually

As needed

Other - Describe:

Employees are provided with policy manual

Other - Describe

c. Vendors

Formal training conference

How often?

Annually

Biannually

As needed

Other - Describe:

Policies communicated through vendor agreements

Policies are outlined in a vendor manual

Other - Describe:

15.2 Does your training program address fraud reporting and prevention?

Yes

No

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 16 - Performance Goals and Measures, 2605(b)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
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Section 16: Performance Goals and Measures, 2605(b) - Required for States Only

16.1 Describe your progress toward meeting the data collection and reporting requirements of the four required LIHEAP performance measures. Include timeframes and plans for meeting these requirements and what you believe will be accomplished in the coming federal fiscal year.

CSD implemented changes to its intake form to meet the required LIHEAP performance measures reporting.

CSD and its Local Service Providers modified its internal/external reporting system to enable CSD's local service providers to transfer data collected from the intake form into CSD's reporting system.

Over the next federal fiscal year, CSD will continue its efforts to partner with Investor Owned Utilities to obtain utility cost and consumption data.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 17 - Program Integrity, 2605(b)(10)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 17: Program Integrity, 2605(b)(10)

17.1 Fraud Reporting Mechanisms

a. Describe all mechanisms available to the public for reporting cases of suspected waste, fraud, and abuse. Select all that apply.

- Online Fraud Reporting
- Dedicated Fraud Reporting Hotline
- Report directly to local agency/district office or Grantee office
- Report to State Inspector General or Attorney General
- Forms and procedures in place for local agencies/district offices and vendors to report fraud, waste, and abuse
- Other - Describe:

CSD operates a toll free line that can be used by the public to report suspected fraud. The Bureau of State Audits has established a whistleblower hotline that is available to grantee staff to report information regarding possible fraud. The information is advertised via posters that are located throughout the department's office. Local administering agencies and vendors report fraud through various methods to the department via correspondence, telephone communication with grantee staff, and email to grantee staff. Upon notification of potential fraud, the department advises its legal office and an investigation commences. The department is in the process of developing procedures to systematically handle fraud reporting and to ensure fraud reporting is readily advertised to agencies, vendors and the general public.

b. Describe strategies in place for advertising the above-referenced resources. Select all that apply

- Printed outreach materials
- Addressed on LIHEAP application
- Website
- Other - Describe:

CSD operates a toll free line that can be used by the public to report suspected fraud. The Bureau of State Audits has established a whistleblower hotline that is available to grantee staff to report information regarding possible fraud. The information is advertised via posters that are located throughout the department's office. Local administering agencies and vendors report fraud through various methods to the department via correspondence, telephone communication with grantee staff, and email to grantee staff. Upon notification of potential fraud, the department advises its legal office and an investigation commences. The department is in the process of developing procedures to systematically handle fraud reporting and to ensure fraud reporting is readily advertised to agencies, vendors and the general public.

17.2. Identification Documentation Requirements

a. Indicate which of the following forms of identification are required or requested to be collected from LIHEAP applicants or their household members.

Type of Identification Collected	Collected from Whom?					
	Applicant Only		All Adults in Household		All Household Members	
Social Security Card is photocopied and retained	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required
	<input checked="" type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested
Social Security Number (Without actual Card)	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required
	<input checked="" type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested

Government-issued identification card (i.e.: driver's license, state ID, Tribal ID, passport, etc.)	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required	
	<input checked="" type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	
Other		Applicant Only Required	Applicant Only Requested	All Adults in Household Required	All Adults in Household Requested	All Household Members Required	All Household Members Requested
1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Describe any exceptions to the above policies.

17.3 Identification Verification

Describe what methods are used to verify the authenticity of identification documents provided by clients or household members. Select all that apply

- Verify SSNs with Social Security Administration
- Match SSNs with death records from Social Security Administration or state agency
- Match SSNs with state eligibility/case management system (e.g., SNAP, TANF)
- Match with state Department of Labor system
- Match with state and/or federal corrections system
- Match with state child support system
- Verification using private software (e.g., The Work Number)
- In-person certification by staff (for tribal grantees only)
- Match SSN/Tribal ID number with tribal database or enrollment records (for tribal grantees only)
- Other - Describe:

17.4. Citizenship/Legal Residency Verification

What are your procedures for ensuring that household members are U.S. citizens or aliens who are qualified to receive LIHEAP benefits? Select all that apply.

- Clients sign an attestation of citizenship or legal residency
- Client's submission of Social Security cards is accepted as proof of legal residency
- Noncitizens must provide documentation of immigration status
- Citizens must provide a copy of their birth certificate, naturalization papers, or passport
- Noncitizens are verified through the SAVE system
- Tribal members are verified through Tribal enrollment records/Tribal ID card
- Other - Describe:

These requirements are only verified by our County agencies

17.5. Income Verification

What methods does your agency utilize to verify household income? Select all that apply.

- Require documentation of income for all adult household members
 - Pay stubs
 - Social Security award letters
 - Bank statements
 - Tax statements
 - Zero-income statements
 - Unemployment Insurance letters
 - Other - Describe:
- Computer data matches:

Income information matched against state computer system (e.g., SNAP, TANF)

Proof of unemployment benefits verified with state Department of Labor

Social Security income verified with SSA

Utilize state directory of new hires

Other - Describe:

17.6. Protection of Privacy and Confidentiality

Describe the financial and operating controls in place to protect client information against improper use or disclosure. Select all that apply.

Policy in place prohibiting release of information without written consent

Grantee LIHEAP database includes privacy/confidentiality safeguards

Employee training on confidentiality for:

Grantee employees

Local agencies/district offices

Employees must sign confidentiality agreement

Grantee employees

Local agencies/district offices

Physical files are stored in a secure location

Other - Describe:

Please see attachment

17.7. Verifying the Authenticity

What policies are in place for verifying vendor authenticity? Select all that apply.

All vendors must register with the State/Tribe.

All vendors must supply a valid SSN or TIN/W-9 form

Vendors are verified through energy bills provided by the household

Grantee and/or local agencies/district offices perform physical monitoring of vendors

Other - Describe and note any exceptions to policies above:

CSD Documents authenticity of regulated energy vendors by collecting the Federal Employer ID number for Gas and Electric Vendors.

17.8. Benefits Policy - Gas and Electric Utilities

What policies are in place to protect against fraud when making benefit payments to gas and electric utilities on behalf of clients? Select all that apply.

Applicants required to submit proof of physical residency

Applicants must submit current utility bill

Data exchange with utilities that verifies:

Account ownership

Consumption

Balances

Payment history

Account is properly credited with benefit

Other - Describe:

Centralized computer system/database tracks payments to all utilities

Centralized computer system automatically generates benefit level

Separation of duties between intake and payment approval

Payments coordinated among other energy assistance programs to avoid duplication of payments

Payments to utilities and invoices from utilities are reviewed for accuracy

<input type="checkbox"/>	Computer databases are periodically reviewed to verify accuracy and timeliness of payments made to utilities
<input checked="" type="checkbox"/>	Direct payment to households are made in limited cases only
<input checked="" type="checkbox"/>	Procedures are in place to require prompt refunds from utilities in cases of account closure
<input type="checkbox"/>	Vendor agreements specify requirements selected above, and provide enforcement mechanism
<input type="checkbox"/>	Other - Describe:
Payments to utilities and direct pay letters are reviewed for accuracy.	

17.9. Benefits Policy - Bulk Fuel Vendors

What procedures are in place for averting fraud and improper payments when dealing with bulk fuel suppliers of heating oil, propane, wood, and other bulk fuel vendors? Select all that apply.

<input type="checkbox"/>	Vendors are checked against an approved vendors list
<input type="checkbox"/>	Centralized computer system/database is used to track payments to all vendors
<input checked="" type="checkbox"/>	Clients are relied on for reports of non-delivery or partial delivery
<input checked="" type="checkbox"/>	Two-party checks are issued naming client and vendor
<input checked="" type="checkbox"/>	Direct payment to households are made in limited cases only
<input type="checkbox"/>	Vendors are only paid once they provide a delivery receipt signed by the client
<input type="checkbox"/>	Conduct monitoring of bulk fuel vendors
<input type="checkbox"/>	Bulk fuel vendors are required to submit reports to the Grantee
<input type="checkbox"/>	Vendor agreements specify requirements selected above, and provide enforcement mechanism
<input checked="" type="checkbox"/>	Other - Describe:
Please see attachments	

17.10. Investigations and Prosecutions

Describe the Grantee's procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients/staff/vendors found to have committed fraud. Select all that apply.

<input checked="" type="checkbox"/>	Refer to state Inspector General
<input checked="" type="checkbox"/>	Refer to local prosecutor or state Attorney General
<input checked="" type="checkbox"/>	Refer to US DHHS Inspector General (including referral to OIG hotline)
<input checked="" type="checkbox"/>	Local agencies/district offices or Grantee conduct investigation of fraud complaints from public
<input type="checkbox"/>	Grantee attempts collection of improper payments. If so, describe the recoupment process
<input type="checkbox"/>	Clients found to have committed fraud are banned from LIHEAP assistance. For how long is a household banned?
<input type="checkbox"/>	Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated
<input type="checkbox"/>	Vendors found to have committed fraud may no longer participate in LIHEAP
<input type="checkbox"/>	Other - Describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

MANAGEMENT MEMO

SUBJECT:
SAFEGUARDING AGAINST AND RESPONDING TO A BREACH OF SECURITY INVOLVING PERSONAL INFORMATION

NUMBER:

MM 08-11

DATE ISSUED:

NOVEMBER 6, 2008

EXPIRES:

UNTIL RESCINDED

REFERENCES:

CALIFORNIA INFORMATION PRACTICES ACT OF 1977 (CIVIL CODE SECTIONS 1798 ET. SEQ); STATE ADMINISTRATIVE MANUAL (SAM) SECTIONS 5100 AND 5300 THROUGH 5399

ISSUING AGENCY:

OFFICE OF INFORMATION SECURITY AND PRIVACY PROTECTION

BACKGROUND AND PURPOSE

Government Code section 11549.3 charges the Office of Information Security and Privacy Protection (OISPP) with responsibility for the creation, updating, and publishing of information security and privacy policies, standards, and procedures directing state agencies to effectively manage security and risk for information and information technology (as defined).

The purpose of this Management Memo (Memo) is to announce a new policy requirement and procedural directive related to a state agency's response to a breach of security involving personal information. It also serves to reinforce state agency responsibilities under existing law and state policy for safeguarding personal information collected, used, maintained, and/or held in custodianship in conjunction with the administration of state programs and services, and to clarify existing security incident management policies and procedures.

Safeguarding against and preventing security breaches involving personal information is essential to maintaining the public's trust in government. Failure to protect personal information can place people in jeopardy in a variety of ways, including identity theft, damage to reputation, and physical injury.

While ultimate responsibility rests with agency heads, every employee plays a role in the protection of personal information. This Memo should receive the widest possible distribution within state agencies, and each organization and individual must understand their specific responsibilities for implementing and complying with information security and privacy requirements and procedures.

GENERAL POLICY

Longstanding policies articulated in State Administrative Manual (SAM) and law, including but not limited to SAM Sections 5100 and 5300 through 5399, and the California Information Practices Act (IPA) of 1977 (Civil Code sections 1798 et seq.), require all state agencies to establish:

- Ongoing data inventory and classification procedures for all records held by the agency. (SAM section 5320.5 and Chapter 1600).
- Administrative, technical, and physical safeguards to appropriately ensure the security (confidentiality, integrity, and availability) of those records and to protect against anticipated threats or hazards that could result in any injury. (SAM sections 5310 and 5325, and Civil Code section 1798.21).
- Rules of conduct for any person involved in the design, development, operation, use, disclosure, maintenance, and destruction of records

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containing personal information. (Management Memo 06-12, SAM sections 5310 and 5325, and Civil Code section 1798.20).

- Ongoing training and instruction to any persons involved in the design, development, operation, use, disclosure, maintenance, and destruction of records containing personal information about the rules and consequences of noncompliance. (SAM section 5325 and Civil Code section 1798.20).
- Encryption of portable computing devices and media that contain confidential, personal and sensitive information. (SAM section 5345.2)
- Use of the American National Standards Institute (ANSI) management information standards and the Federal Information Processing Standards (FIPS) in their information management planning and operations. (SAM section 5100). The ANSI standards are national consensus standards that provide guidance on a variety of issues central to the public and industrial sectors. Under the Information Technology Management Reform Act (Public Law 104-106), the Secretary of Commerce approves standards and guidelines that are developed by the National Institute of Standards and Technology (NIST) for Federal computer systems. These standards and guidelines are issued by NIST as FIPS for use government-wide. NIST develops FIPS when there are compelling Federal government requirements such as for security and interoperability and there are no acceptable industry standards or solutions. Guidance documents and requirements for implementing these standards include, without limitation, those related to the validation of cryptographic modules found in encryption products used for the protection of confidential, personal, or sensitive information.
- A process to ensure individuals are notified when a security breach involving their personal information has occurred. (SAM section 5350.3 and Civil Code section 1798.29).

PERSONAL INFORMATION DEFINED

The IPA broadly defines personal information in Civil Code section 1798.3 as "any information that is maintained by the agency that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history. It includes statements made by or attributed to, the individual."

For purposes of both the legal and state policy breach notification requirements, the subset of personal information as defined in Civil Code section 1798.29, subsections (e) through (f) is used and hereinafter referred to as "notice-triggering" information.

EXISTING SAFEGUARD REQUIREMENTS

The following are particularly important requirements within the existing legal and policy framework that state agencies should already have implemented to safeguard personal information:

1. Rules and Controls Limiting Access. Agencies must ensure that their access control policies and practices support the principle of "least privilege" and appropriate segregation of duties. Least privilege refers to the granting of employee access to personal information or systems based

on a legitimate business need to access the information in the performance of their job duties (refer to Chapter 16, of NIST SP-800-12, An Introduction to Computer Security). Agencies must also implement controls to detect and deter misuse, unauthorized access, or access that exceeds the limits of an employee's authorized access. For example, an employee may, by virtue of his or her job-related duties, have access to all records in a particular database or system, including records that may be held by the agency about those personally known to him or her (e.g., friends, family members, neighbors, etc.). However, that employee should not access those records unless specifically assigned a job-related duty in support of the processing or handling of such records. Agencies must also employ, to the extent practical, technical controls to automate compliance with these requirements. (SAM sections 5100, 5335.1, 5335.2, 5340, and 20050).

2. Employee Training. **Before** permitting access to agency information and information systems, agencies must train all employees (including managers and contracted staff) about their privacy and security responsibilities. Supervisors must also be trained about their role and responsibilities for providing day-to-day instruction, training and supervision of staff regarding their obligation to safeguard personal information. Thereafter, agencies must train employees at least once annually to ensure employees continue to understand their responsibilities. Additional or advanced training should also be provided commensurate with increased responsibilities or changes in duties. Both initial and refresher training must cover acceptable rules of behavior and the consequences when rules are not followed. For agencies implementing telecommuting or telework, and other authorized remote access programs, training must include the rules of such programs. (SAM section 5325 and Civil Code section 1798.20).
3. Signed Acknowledgements. Agencies must ensure that all individuals with authorized access to personal information sign an acknowledgement at least once each year to demonstrate both their receipt of the rules and requisite training, as well as their understanding of the consequences for failure to follow the rules. (SAM section 5325).
4. Written Agreements with Third Parties. Agencies must ensure that when personal information is shared with third parties, it is either specifically permitted or required by law and that a written agreement is executed between the parties. The written agreement is to identify the applicable Federal and state laws, as well as all departmental policies, standards, procedures, and security controls that must be implemented and followed by the third party to adequately protect the information. The agreement must also require the third party, and any of its sub-contractors with whom they are authorized to share the data, to share only the minimum personal information necessary, to securely return or destroy the personal information upon expiration of the contract, and to provide immediate notification to the state agency, and to individuals when appropriate, whenever there is a breach of personal information. (SAM sections 5310 and 5320.3, and Civil Code section 1798.19).
5. Encryption. Agencies must encrypt all confidential, personal, or sensitive data on mobile devices or media whenever that type of information is

authorized for use on such devices or media, using only NIST certified cryptographic modules (FIPS 140-2 validated products). (SAM sections 5100 and 5345.2).

6. Review and Reduce Current Personal Information Holdings. Agencies must review current holdings of all records containing personal information and ensure to the maximum extent practical, such holdings are reduced to the minimum necessary for the proper performance of a documented agency function. (Civil Code section 1798.14).
7. Review Current Forms and Other Methods of Personal Information Collection. Agencies must review all current forms, paper, and any other methods (e.g., online or telephony) used to collect personal information, to ensure the specific authority or authorization to collect such information exists, and appropriate notice is included on or with any such forms. (Civil Code section 1798.17).
8. Eliminate Unnecessary Collection and Use. When in the course of such reviews, the collection of personal information is no longer necessary for an authorized business purpose, agencies shall ensure that its collection is discontinued, and that the forms or any other methods used to collect this information are properly retired, revised, or replaced. (Civil Code section 1798.14).
9. Explore Alternatives to the Use of Social Security Numbers. Many recently enacted privacy laws prohibit the use of Social Security numbers as personal identifiers in state systems, or specifically require truncation when they must be used. All state agencies should participate in government-wide efforts to explore alternatives to the use of Social Security numbers as a personal identifier for both recipients of state programs and services, and state employees. (Civil Code sections 1798.14 and 1798.85).
10. Review Internal Controls to Safeguard Personal Information. Agencies must ensure that their risk management practices and ongoing assessments and reviews include evaluations of the adequacy of controls implemented to safeguard personal information held by the agency, and its contractors, and its other custodians with whom data may be shared. Internal controls include "Information Technology" controls, as well as administrative controls. (SAM sections 5305 to 5305.2). Further, in accordance with the California Financial Integrity and State Manager's Accountability Act (FISMA) of 1983 (Government Code Sections 13400 through 13407), "internal accounting and administrative controls are the methods through which reasonable assurances can be given that measures adopted by state agency heads to safeguard assets, check accuracy and reliability of accounting data, promote operational efficiency, and encourage adherence to prescribed managerial policies are being followed." To ensure the state FISMA requirements are fully complied with, the head of each state agency must conduct an internal review and report on the adequacy of its internal controls by December 31, of each odd numbered year to the Legislature, the State Auditor, the Governor, the Director of the Department of Finance, and the State Library. (SAM section 20060). An agency's review of personal information holdings, personal information collection methods, and internal controls to

safeguard personal information may be completed in conjunction with the agency's biennial FISMA review.

**EXISTING INCIDENT
MANAGEMENT AND
BREACH RESPONSE
REQUIREMENTS**

Existing state law and state policy require agencies to carry out the following incident management and breach response responsibilities:

1. Promptly investigate incidents involving the improper dissemination of information, or the loss, damage, or misuse of information assets. Incident management includes the formulation and adoption of an incident management plan that provides for the timely assembly of appropriate staff and their response to, reporting on, and recovery from a variety of incidents. Incident management also includes the application of lessons learned, and the determination of, and implementation of appropriate corrective actions to prevent or mitigate the risk of similar occurrences. (SAM sections 5350 and 8643).
2. Immediately report any security incident, including any breach of personal information as defined by Civil Code Section 1798.3 (includes non notice-triggering personal information) to the California Highway Patrol's Emergency Notification and Tactical Alert Center (ENTAC) at (916) 657-8287. (SAM sections 5350.2 and 8643, and Government Code section 14613.7).
3. Notify individuals when a breach of their personal information was, or is reasonably believed to have been acquired by an unauthorized person. Civil Code section 1798.29, sub-sections (e) through (f) specifically require notification to individuals in breaches of unencrypted computerized personal information of a specified type (which is referred to as "notice-triggering" information). Notice-triggering information includes the first name or first initial and last name in combination with any one or more of the following data elements:
 - a. Social Security number.
 - b. Driver's license number or California Identification Card number.
 - c. Account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.
 - d. Medical information (as defined).
 - e. Health insurance information (as defined).

While Civil Code section 1798.29 focuses on computerized data elements, the current state policy requires notification when a breach of an individual's personal information involves these same "notice-triggering" data elements or otherwise exposes individuals to substantial risk of harm, regardless of the data medium. (SAM section 5350.3).

4. Prepare and submit a written follow-up Agency Security Incident Report (SIMM 65C form) to OISPP, within ten (10) business days from the date of initial reporting to ENTAC, that describes what occurred, what steps or actions were taken to mitigate the risk of recurrence, and the cost associated with both the incident and any corrective action. (SAM sections 5350.3 and 5360.1).

STATE ADMINISTRATIVE MANUAL

NEW BREACH RESPONSE REQUIREMENTS AND PROCEDURAL DIRECTIVE

Effective immediately, any breach notification issued by a state agency, or the agency's contractor or custodian, in conjunction with a breach of state owned information assets must be submitted to OISPP for review and approval prior to its dissemination or release to affected individual(s). This process will help ensure consistency and clarity of notifications, as well as the accuracy of the privacy protection procedures and instructions provided in the notification.

While the decision to notify individuals ultimately rests with agency heads; when a breach occurs, agencies must seek guidance from, and consult with, the OISPP, as well as the agency's Legal Office, Information Security Officer and Privacy Officer/Coordinator regarding the means by which individuals will be notified.

In support of this policy, and to ensure state agencies understand their responsibilities for making notification to individuals affected by a breach, OISPP has also issued a new State Information Management Manual (SIMM) document as a procedural directive, entitled *SIMM 65D-Personal Information Breach Notification: Requirements and Decision-Making Criteria for State Agencies*. This document outlines the current breach notification requirements; the requirements for developing a protocol for internal notifications; identifies decision making criteria that must be included in a decision making procedure; and, provides a comprehensive checklist and notification templates to assist state agencies with response to a breach of personal information.

ROLES AND RESPONSIBILITIES

All state agencies and their employees, including contractors, state data custodians, and volunteer service workers, are required to adhere to these policies. Furthermore, state agencies are required to acknowledge the extent to which they are meeting these requirements in their Agency Risk Management and Privacy Program Certification, submitted annually to the OISPP. (SAM sections 5300.3, 5315.1, 5320 through 5320.4, and 5360.1).

"Agencies" includes all state agencies, departments, offices, boards, commissions, institutions, and special organizational entities unless otherwise specifically exempted by law or state policy reference. (SAM section 5300.2).

SAM AND SIMM UPDATES

Changes to the SAM will be forthcoming and will appear in the next update of the SAM. To see the substance of this policy change, you may refer to the following described documents on the OISPP Web site at: www.infosecurity.ca.gov:

1. Advance Copy of Changes to State Administrative Manual sections 5320.2, 5320.3, 5320.5, 5350, and 5350.4
2. SIMM 65D-Security Breach Involving Personal Information: Requirements and Decision Making Criteria for State Agencies

QUESTIONS

Questions regarding this Memo and related documents may be directed to OISPP at (916) 445-5239 or by email at Security@oispp.ca.gov

SIGNATURE

Original signed by Michael Saragoza, Undersecretary
For Rosario Marin, Secretary

Rosario Marin, Secretary
State and Consumer Services Agency

**ECIP/HEAP PAYMENT REQUEST AND CONFIRMATION
 (NON-REGULATED UTILITY COMPANIES ONLY)**

To:	Utility Company's Name:	Attention:		
From:	Agency's Name:			Date of Request:
	Mailing Address:	City:	State:	Zip:
	Agency Contact Person:			Phone:

Instructions to non-regulated utility companies:

1. Once a client's account has been credited, enter the date in the "DATE CREDITED" column.
2. After all accounts have been credited, sign and date the form in the space provided below.
3. Return this form to the agency's contact person at the address identified above.

The following utility payments are being made on behalf of these clients:

	Name and Address of Client	Utility Account #	Payment Amount	Date Credited
1.			\$	
2.			\$	
3.			\$	
4.			\$	
5.			\$	
6.			\$	
7.			\$	
8.			\$	

UTILITY COMPANY CERTIFICATION

I hereby certify that the referenced accounts were credited in the amounts shown.

Name/Title	Signature of Approval	Date
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AGENCY USE ONLY

Total Payments	\$	Check Number	#
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ECIP/HEAP PAYMENT REQUEST AND CONFIRMATION

CSD 415 (Rev. 06/01/06)

Instructions

This form will be used by the agency and non-regulated utility company in compliance with Section 2605(b)(7), item (B) of the Low-Income Home Energy Assistance Act of 1981.

1. Agency completes the "To" section of the form entering the non-regulated utility company information.
2. Agency completes the "From" section of the form entering the agency's name, address, and contact person.
3. Agency enters the list of client information, including utility account # and amount of payment.
4. Agency enters "Total Payments" amount and the "Check Number" information which corresponds to data from Step 3.
5. Agency forwards form to identified non-regulated utility company for review and completion.
6. Upon return of form from utility company, Agency reviews and verifies the amount credited for each client.
7. Agency retains this form on file for monitoring purposes.

Contractor's equivalent form is allowed, but must be pre-approved by CSD.

**ANNUAL ECIP/HEAP HOME ENERGY SUPPLIER ASSURANCE
(NON-REGULATED UTILITY COMPANIES ONLY)**

The undersigned home energy supplier hereby agrees and assures to

Agency's Name

that it will comply with the following provisions as federally-mandated under the Low-Income Home Energy Assistance Program in regard to energy fuels and related services provided to eligible households:

1. No household receiving assistance under this program will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements;
2. Not to discriminate, either in the cost of the goods supplied or in the services provided, against the eligible household on whose behalf payments are made; and
3. To allow representatives of the agency referenced above, and/or the State, access to records relating to payments to households for the purpose of verification of compliance with these assurances.

Utility Company

Name and Title (Please Print)

Telephone Number

Authorized Signature

Date

**ANNUAL ECIP/HEAP HOME ENERGY SUPPLIER ASSURANCE
(NON-REGULATED UTILITY COMPANIES ONLY)
CSD 416 (Rev. 6/1/06)
Instructions**

Use this form to comply with Section 2605(b)(7), items (C) and (D) of the Low-Income Home Energy Assistance Act of 1981.

1. Enter the agency name on the line provided.
2. This form must be provided to the non-regulated utility company for signature.
3. Once the form is returned from the non-regulated utility company, ensure that the form is signed and dated.
4. Retain this form for up to one year from the date of signature.
5. This form must be submitted to the non-regulated utility company for signature on an annual basis.
6. Please refer to <http://www.acf.hhs.gov/programs/liheap/guidance/statute/statute.html#Sec2605> for the regulation.

Section 18: 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.

By checking this box, the prospective primary participant is providing the certification set out above.

Section 19: 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 #100

* Address Line 1

Address Line 2

Address Line 3

Sacramento

* City

CA

* State

95833

* Zip Code

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]

By checking this box, the prospective primary participant is providing the certification set out above.

Section 20: Certification Regarding Lobbying

The submitter of this application 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.

By checking this box, the prospective primary participant is providing the certification set out above.

(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 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent 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 percent 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 percent 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 of 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 percent 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.

Plan Attachments

PLAN ATTACHMENTS

The following documents must be attached to this application

- Delegation Letter is required if someone other than the Governor or Chairman Certified this Report.
- Heating component benefit matrix, if applicable
- Cooling component benefit matrix, if applicable
- Minutes, notes, or transcripts of public hearing(s).



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.



2017 Benefit Matrix

AGENCY	SERVICE AREA	Poverty I Benefit	Poverty II Benefit	Poverty III Benefit	Poverty IV Benefit
Spectrum Community Services	ALAMEDA	253	203	177	152
El Dorado County Dept of Human Services	ALPINE	310	248	217	186
	EL DORADO	479	383	335	287
	AGENCY TOTAL				
Amador-Tuolumne CAA	AMADOR	354	283	248	213
	CALAVERAS	315	252	221	189
	TUOLUMNE	311	249	218	186
	AGENCY TOTAL				
Butte County CAA	BUTTE	327	262	229	196
Glenn County Human Resource	COLUSA	344	275	241	206
	GLENN	341	273	239	204
	TRINITY	355	284	249	213
	AGENCY TOTAL				
Contra Costa	CONTRA COSTA	336	269	235	202
Del Norte Sr. Center	DEL NORTE	489	391	342	293
Fresno County EOC	FRESNO	356	285	249	213
Redwood CAA	HUMBOLDT	370	296	259	222
Campesinos Unidos, Inc.	IMPERIAL	286	229	200	172
	SAN DIEGO	300	240	210	180
	AGENCY TOTAL				

IMACA	INYO	344	275	241	206
	MONO	295	236	206	177
	AGENCY TOTAL				
CAP of Kern	KERN	350	280	245	210
Kings CAO, Inc.	KINGS	376	301	263	225
North Coast Energy Services	LAKE	349	279	244	209
	MENDOCINO	391	313	274	234
	NAPA	338	270	236	203
	SOLANO	306	245	214	183
	SONOMA	287	229	201	172
	YOLO	294	235	206	176
	AGENCY TOTAL				
Lassen Econ. Dev. Corp	LASSEN	318	254	222	191
Maravilla Foundation	LOS ANGELES	345	276	241	207
PACE	LOS ANGELES	345	276	241	207
Long Beach CSDC	LOS ANGELES	345	276	241	207
CAP of Madera	MADERA	351	281	246	211
Community Action Marin	MARIN	282	225	197	169
Mariposa County Human Services Dept	MARIPOSA	304	243	213	182
Merced County CAA	MERCED	341	273	238	204
T.E.A.C.H.	MODOC	352	281	246	211

Central Coast Energy Services	MONTEREY	273	218	191	164
	SAN MATEO	307	246	215	184
	SANTA CRUZ	303	242	212	182
	AGENCY TOTAL				
Project GO, Inc.	NEVADA	445	356	311	267
	PLACER	428	342	299	257
	AGENCY TOTAL				
CAP of Orange County	ORANGE	348	279	244	209
Plumas County. CDC	PLUMAS	283	226	198	170
	SIERRA	315	252	220	189
	AGENCY TOTAL				
CAP of Riverside County	RIVERSIDE	381	304	266	228
Community Resource Project	SACRAMENTO	306	245	214	184
	SUTTER	356	284	249	213
	YUBA	341	273	239	205
	AGENCY TOTAL				
San Benito County Dept. of CSWD	SAN BENITO	318	255	223	191
CAP of San Bernardino County	SAN BERNARDINO	343	274	240	206
MAAC	SAN DIEGO	300	240	210	180
EOC San Francisco	SAN FRANCISCO	206	165	144	124
San Joaquin County Dept. of ACS	SAN JOAQUIN	345	276	241	207

CAP of San Luis Obispo County	SAN LUIS OBISPO	284	227	199	170
CAC of Santa Barbara County	SANTA BARBARA	293	235	205	176
Sacred Heart Community Service	SANTA CLARA	289	231	202	173
SIHIP	SHASTA	406	324	284	243
	TEHAMA	343	275	240	206
	AGENCY TOTAL				
Great Northern Corporation	SISKIYOU	459	367	321	275
CVOC	STANISLAUS	423	338	296	254
C-SET	TULARE	369	295	258	221
Community Action of Ventura County	VENTURA	340	272	238	204

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Public Notice

DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT

Public Hearing Notice: State of California Department of Community Services and Development Draft 2017 LIHEAP State Plan

The Department of Community Services and Development (CSD) has posted the Draft 2017 State Plan Application for the U.S. Department of Health and Human Services Low Income Home Energy Assistance Program (LIHEAP).

A public hearing on the Draft State Plan will be held on Monday, August 15, 2016, at 9:00 a.m. The public hearing will be held at the Department of Community Services and Development, Martin Luther King Jr. 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 the Department of Community Services and Development, 2389 Gateway Oaks Drive, #100, Sacramento, CA 95833, Attention: Debra Brown, Manager, Utility Assistance Section. Written comments will be accepted until 5:00 p.m. on Monday, August 15, 2016.

This public notice and the Draft 2017 LIHEAP State Plan Application are available for public viewing and comment by accessing CSD's website [here](#).

Notice

American with Disabilities Act

Individuals who, because of a disability, need special assistance to attend or participate in this hearing, may request assistance by contacting Jay Kubo at (916)

576-7182. Requests should be made at least five working days in advance.

###

About CSD

Under the umbrella of the California Health and Human Services Agency, CSD's mission is to reduce poverty for Californians by leading the development and coordination of effective and innovative programs. For more information about CSD visit www.csd.ca.gov.



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California Department of Community Services & Development

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Calendar

Public Hearing Notice: Draft 2017 LIHEAP State Plan

Start Date/Time:
 Recurring Event:
 Importance:
 Description:

Friday, August 5, 2016 1:30 PM

One time event

Normal Priority

The Department of Community Services and Development (CSID) has posted the Draft 2017 State Plan Application for the U.S. Department of Health and Human Services Low Income Home Energy Assistance Program (LIHEAP).

A public hearing on the Draft State Plan will be held on Monday, August 15, 2016 at 9:00 a.m. The public hearing will be held at the Department of Community Services and Development, Martin Luther King Jr. Conference Room, 2389 Gateway Oaks Drive, Sacramento, CA 95833.

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The Draft 2017 LIHEAP State Plan Application can be viewed [here](#).

^{**Notice*}
American with Disabilities Act

Individuals who, because of a disability, need special assistance to attend or participate in the hearing, may request assistance by contacting Jay Kuno at (916) 576-7182. Requests should be made at least five working days in advance.

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August 2016

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28	8	9	10	11	12	13
29	15	16	17	18	19	20
30	22	23	24	25	26	27
31	29	30	1	2	3	4
	5	6	7	8	9	10

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The Sacramento Bee

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CA DEPT OF COMMUNITY SRVCS & DEV - ENERGY
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 interest ed 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 5, 2016

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 5, 2016**


(Signature)

NO. 119 PUBLIC NOTICE

STATE OF CALIFORNIA -
DEPARTMENT OF COMMUNITY
SERVICES AND DEVELOPMENT
NOTICE OF PUBLIC HEARING -
DRAFT LOW-INCOME HOME ENERGY
ASSISTANCE PROGRAM (LIHEAP)
STATE PLAN APPLICATION for
FISCAL YEAR (FFY) 2017

A public hearing to receive comments on the Draft LIHEAP State Plan Application for FFY 2017 is scheduled for Monday, August 15, 2016, at 9:00 a.m. at the Department of Community Services and Development (CSD), Martin Luther King Jr. 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, 2389 Gateway Oaks Drive #100, Sacramento, CA 95833, Attention: Debra Brown, Manager, Utility Assistance Section. Written comments will be accepted until 5:00 p.m., August 15, 2016. A copy of the Draft LIHEAP State Plan Application is available by accessing CSD's web site, <http://www.csd.ca.gov>, under "Public Notices" NOTICE: Americans With Disabilities Act - Individuals who, because of a disability, need special assistance to attend the public hearing, may request assistance by calling Jay-Kubo at (916) 576-7182. Requests should be made at least five working days in advance.

Los Angeles Times

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SACRAMENTO, CA 95833

STATE OF CALIFORNIA - DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
NOTICE OF PUBLIC HEARING - DRAFT LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) STATE PLAN APPLICATION for FISCAL YEAR (FFY) 2017

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**PROOF OF PUBLICATION
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**STATE OF ILLINOIS
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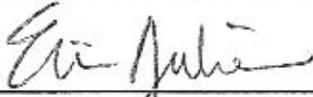
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the action for which the attached notice was published.

I am a principal clerk of the Los Angeles Times, which was adjudged a newspaper of general circulation on May 21, 1952, Cases 598599 for the City of Los Angeles, County of Los Angeles, and State of California. Attached to this Affidavit is a true and complete copy as was printed and published on the following date(s):

Aug 05, 2016

**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 Chicago, Illinois
on this 05 day of 08, 2016.



(signature)

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011-474837

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ESTADO DE CALIFORNIA - DEPARTAMENTO DE SERVICIOS COMUNITARIOS Y DESARROLLO
AVISO DE AUDIENCIA PÚBLICA - APLICACIÓN DEL PLAN ESTATAL DEL ANTEPROYECTO DEL PROGRAMA DE ASISTENCIA ENERGÉTICA PARA HOGARES DE BAJOS INGRESOS (LIEAP) para AÑO FISCAL FEDERAL (FFY) 2017

Una audiencia pública para recibir comentarios sobre la Aplicación del Plan Estatal del Anteproyecto LIEAP para el AFF 2017 está programada para el lunes 15 de agosto de 2016, a las 9:00 a.m. en el Departamento de Servicios Comunitarios y Desarrollo (CSD), Sala de conferencias Martin Luther King Jr., 2389 Gateway Oaks Drive, Sacramento, CA 95833. Se les solicita a las personas que presenten testimonios orales a proporcionar una declaración escrita de su presentación a la conclusión de su testimonio. Si usted no puede asistir, envíe sus comentarios escritos a: Departamento de Servicios Comunitarios y Desarrollo, 2389 Gateway Oaks Drive #100, Sacramento, CA 95833, Atención: Debra Brown, Gerente, Sección de Asistencia de Servicios Públicos. Los comentarios escritos serán aceptados hasta las 5:00 p.m., 15 de agosto de 2016. Una copia del Plan de Aplicación Estatal del Anteproyecto LIEAP está disponible mediante el acceso al sitio web de CSD, <http://www.csd.ca.gov>, bajo "Avisos Públicos". **AVISO: Ley de Americanos con Discapacidades** - personas que, debido a una discapacidad, necesitan asistencia especial para asistir a la audiencia pública, pueden solicitar asistencia llenando a Jay Kubo al (916) 576-7182. Las solicitudes deberán hacerse por lo menos cinco días hábiles de antelación.

STATE OF CALIFORNIA - DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT
NOTICE OF PUBLIC HEARING - DRAFT LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIEAP) STATE PLAN APPLICATION for FISCAL YEAR (FFY) 2017

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POR MEDIO DE LA PRESENTE SE DA AVISO que una Elección Municipal Especial se llevará a cabo en la Ciudad de Temple City el martes 8 de noviembre de 2016, para la siguiente Medida:

LEY DE RESPONSABILIDAD DEL GOBIERNO DE TEMPLE CITY: ¿Deberían los Estatutos de Temple City ser enmendados para hacer lo siguiente, ninguno de los cuales otorga nuevos poderes a la Ciudad:

prohibir a los Concejales y Comisionados de aceptar al contratista de la Ciudad o grupo de interés regalos sin reembolso total; establecer estrictas restricciones de contribución y regalos de Concejales; imponer límite total de cuatro periodos para Concejales; prohibir a contratistas de la Ciudad, grupos de interés y empleados de servir en comisiones de la Ciudad; prohibir a los candidatos del Concejo de aceptar contribuciones del contratista o grupo de interés de la Ciudad?

SI

NO

Las urnas estarán abiertas entre el horario de las 7:00 a.m. y 8:00 p.m.

Peggy Kuo
Secretaria de la Ciudad

Fecha: 18 de agosto de 2016

102-475833



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NOTICE INVITING BIDS

Sealed bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for a Job Order Contract for the seal coating of various streets and highways and the performance of other incidental and appurtenant work under Project ID No. RMDJOC1503.

Revestment Preservation (Seal Coating), South Los Angeles County, within unincorporated communities of South Los Angeles County. The bids must be submitted at the Cashier's Office, located on the Mezzanine level, 900 South Fremont Avenue, Alhambra, California 91803 1331, before 11 a.m. on Tuesday, August 30, 2016. The bids will then be publicly opened and read in the location posted in the main lobby. The work shall be done in accordance with the Contract Documents on file and open for inspection at the Department of Public Works. The contract price will be \$4,300,000 and shall be for one year or until \$4,300,000 of expenditure occurs, whichever comes first. The prime contractor shall possess a valid California Class A, C17, or C32 contractor's license. Prebid questions regarding the Contract Documents shall be submitted via e-mail only to: estival@dpw.lacounty.gov. v. include "Prebid Questions for RMDJOC1503" in the subject line of the e-mail. Prebid questions will not be accepted after 10 a.m. on Monday, August 22, 2016. The bids must be submitted on the proposal forms included in the bidder's package of the contract documents, which may be purchased for \$14 if picked up at the aforementioned Cashier's Office, (626) 458-6859, Monday through Thursday between 7 a.m. and 5:30 p.m., or for \$17 if mailed, which includes postage and handling. The contract documents for this project may also be downloaded free of charge by visiting the following website: <http://dpw.lacounty.gov/general/contracts/opportunities>. Each bid must be accompanied by a certified check, cashier's check, or County of Los Angeles in an amount equal to at least \$430,000 to guarantee that the bidder will enter into the contract if he/she is awarded. No contract or subcontractor may be listed on a bid proposal for a public works project submitted on or after March 1, 2015, unless registered with the

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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;

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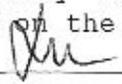
PUBLISHED ON:
08/05/2016

STATE OF CALIFORNIA - DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT NOTICE OF PUBLIC HEARING - DRAFT LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) STATE PLAN APPLICATION for FISCAL YEAR (FFY) 2017

A public hearing to receive comments on the Draft LIHEAP State Plan Application for FFY 2017 is scheduled for Monday, August 15, 2016, at 9:00 a.m. at the Department of Community Services and Development (CSD), Martin Luther King Jr. 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, 2389 Gateway Oaks Drive #100, Sacramento, CA 95833, Attention: Debra Brown, Manager, Utility Assistance Section. Written comments will be accepted until 5:00 p.m., August 15, 2016. A copy of the Draft LIHEAP State Plan Application is available by accessing CSD's web site, <http://www.csd.ca.gov>, under "Public Notices". NOTICE: Americans with Disabilities Act - Individuals who, because of a disability, need special assistance to attend the public hearing, may request assistance by calling Jay Kubo at (916) 576-7182. Requests should be made at least five working days in advance.

August 5, 2016 1207979

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



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