

February 23, 2022 LIHWAP Public Meeting Written and Verbal Comments & Questions

The Department of Community Services and Development (CSD) held a Low Income Household Water Assistance Program (LIHWAP) public meeting on February 23, 2022, to receive comments on the draft program guidelines from interested parties and members of the public.

The following public comments and corresponding CSD responses have been organized by category. To access the complete written comments, please click on the organization or member of the public listed below.

The following organizations and members of the public submitted written comments:

[Association of California Water Agencies](#)

[Joint Letter](#)

- Clean Water Action
- Community Water Center – El Centro Comunitario Por El Agua
- Leadership Counsel for Justice and Accountability
- Los Angeles Alliance for a New Economy (LAANE)
- National Resources Defense Council (NRDC)

To listen to the public meeting and comments and questions received, please click [here](#).

To read the public meeting and comments and questions received, please click [here](#).

Category	Comment	CSD Response
Direct Payment Agreement	<p>Joint Letter (Clean Water Action, Community Water Center – El Centro Comunitario Por El Agua, Leadership Counsel for Justice and Accountability, Los Angeles Alliance for a New Economy [LAANE] and National Resources Defense Council [NRDC]):</p> <p>We recommend that the program streamline the current requirement of a Payment Agreement from the water or wastewater system with the third-party funds disbursement partner, HORNE LLP, to receive payments and to the extent allowable under the approved state plan. Given the one-time nature of the program and the sheer amount of water systems in the state, it is unclear if the 41 Local Service Providers (LSPs) can quickly establish the requisite relationships with water systems, with which they have had limited previous contact with, and enter into the required Payment Agreement. The state has roughly 2,900 community water systems, and over 2,400 of these systems have fewer than 3,000 service connections and serve communities with fewer than 15,000 residents. Yet, there are less than 50 publicly-owned and private electricity providers in California, the industry where LSPs have administered local aid through the Low</p>	<p>A federal requirement of LIHWAP is that benefits issued on behalf of eligible households must be paid directly to water and wastewater systems. The direct payment agreement is necessary to establish expectations and requirements for the water and wastewater systems to receive a LIHWAP payment on behalf of customers, apply the benefit to the customer's account, and ensure compliance with federal benefit issuance requirements.</p> <p>To clarify, CSD and CSD's direct payment coordinator (HORNE) are primarily responsible for outreaching and executing direct payment agreements with interested water and wastewater systems. The Local Service Providers (LSPs) are not responsible for this activity; however, LSPs have the ability to refer interested water and wastewater systems to HORNE for enrollment in the direct payment process.</p> <p>CSD and HORNE are currently conducting an aggressive statewide outreach and enrollment campaign to all water and wastewater systems in the state. CSD is leveraging its relationships with the State Water Resource Control Board and trade associations to promote greater awareness to the availability of LIHWAP and participation in the direct payment process.</p>

	<p>Income Home Energy Assistance Program for 40 years. The State Water Board had no such Payment Agreement requirement for water systems, and hundreds of systems did not participate in the California Water and Wastewater Arrearage Payment Program, which left 20% of residents with drinking water arrearages unaddressed. HHS directed CSD in the relevant June 23, 2021, to “look for ways to expedite the distribution of resources.” For these reasons, we strongly urge the streamlining of this Payment Agreement provision wherever possible.</p>	
<p>Mix Status Households</p>	<p>Joint Letter (Clean Water Action, Community Water Center – El Centro Comunitario Por El Agua, Leadership Counsel for Justice and Accountability, Los Angeles Alliance for a New Economy (LAANE) and National Resources Defense Council (NRDC)):</p> <p>California recognizes that “every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes” (Water Code, section 106.3.) Moreover, the federal Office of Community Services issued guidance for LIHWAP indicating that payment of water arrearages for mixed-status households is permitted:</p>	<p>Similar to Low-Income Home Energy Assistance Program (LIHEAP), CSD will model the same eligibility requirement for LIHWAP extending assistance to Mixed Status Households. Under this requirement, an applicant of a Mixed Status Household may apply for assistance provided the applicant is a U.S. citizen or lawful permanent resident. While this eligibility rule allows Mixed Status Households to receive assistance, it excludes non-qualified members from being counted as a household member for the purposes of benefit determination and beneficiary reporting.</p> <p>LIHWAP is an arrearage assistance program where benefit determinations are based on the applicant’s past due balance for residential water and wastewater services and does not factor the applicant’s household composition. Therefore, all</p>

	<p>“Grantees may pay the full amount of an arrearage to reconnect services or prevent the disconnection of water services to a household with at least one qualified member in order to assure the availability of household water services.”</p> <p>Grantees are encouraged to pay the total amount of arrearages to reconnect services or prevent the disconnection of water services for these households. However, the drafted California guidelines do not explicitly indicate such eligibility of the available aid for families with undocumented family members.</p> <p>We strongly urge that such permissible benefits be clearly outlined and communicated. LIHWAP should fully realize the permissible scope of the program for California households, mixed immigration status or otherwise.</p>	<p>eligible applicants will receive a benefit amount, not to exceed \$2,000, to cover past due charges, current charges, fees, and associated taxes.</p> <p>In the event CSD elects to modify eligibility rules to provide assistance to current water and wastewater bills and utilize a household based formula to determine LIHWAP benefit levels, then it will be necessary to exclude non-qualified members from the household’s benefit calculation.</p>
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<p>Coordination on Outreach</p>	<p>Joint Letter (Clean Water Action, Community Water Center – El Centro Comunitario Por El Agua, Leadership Counsel for Justice and Accountability, Los Angeles Alliance for a New Economy (LAANE) and National Resources Defense Council (NRDC)):</p> <p>CSD has dedicated 10% of the funds that are to be allocated to LSPs for outreach and eligibility determination purposes. However, there is little specificity on the exact provisions and requirements of this outreach and how much of the money should be going towards outreach. We support the maximum amount of funding being provided to residents and recognize that robust outreach is needed by LSPs.</p> <p>While this program is new at CSD, it is not the only program helping California residents with water arrearage and debt. LIHWAP should be coordinating closely with the State Water Board (SWB) and the California Water and Wastewater Arrearage Payment Program, which assisted 80% of residents with drinking water arrearages from the pandemic and is currently distributing relief for wastewater customer arrearages. We highly recommend that CSD coordinate outreach with the SWB to maximize outreach for LIHWAP, especially for</p>	<p>CSD’s LSPs will conduct outreach to low-income households using various methods described in the LIHWAP State Plan: https://csd.ca.gov/Shared%20Documents/FINAL-2021-LIHWAP-State-Plan.pdf.</p> <p>LSPs have discretion on the amount of the 10 percent “Outreach/Eligibility” allocation that will be dedicated to outreach efforts, intake, and eligibility determination.</p> <p>To support LSP outreach, CSD and HORNE are actively engaged in a statewide marketing and outreach campaign to promote greater awareness to the availability of LIHWAP to water and wastewater systems and encourage participation in the direct payment process. In addition, CSD is actively coordinating with the State Water Resources Control Board and water and wastewater associations to amplify messaging regarding the availability of LIHWAP and importance of enrolling in the direct payment process for their customers to receive assistance under LIHWAP.</p> <p>CSD plans to work closely with water and wastewater systems enrolled in the direct payment process to promote LIHWAP services to their customers by posting LIHWAP information on websites, bill inserts, etc.</p>
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	<p>customers of water systems that did not apply for the relief administered by the Water Board. Additionally, CSD should provide further metrics and guidance on outreach requirements for LSPs to ensure the maximum amount of the program funds is used for customer assistance.</p>	
<p>Clarification of payment for both water and wastewater services</p>	<p>Association of California Water Agencies (ACWA)</p> <p>Section VII. ACWA suggests that CSD add an insert, as shown with underline in the text below, to Section VII at Page 10:</p> <p>(...) A benefit payment may be applied to a customer’s account in accordance with the following:</p> <p>One-time benefit: a household may receive one benefit payment for water OR wastewater or both if the bill includes both services during the program period (May 2022 through August 31, 2023).</p> <p>Maximum Benefit: \$2,000</p>	<p>CSD agrees and will make the following modification to the program guidelines:</p> <p>Coverage: payment can cover the water OR wastewater arrearage amount (<u>including stormwater charges</u>), <u>or both if the bill includes both services</u>, to include current charges, late fees, reconnection fees, taxes, and other charges</p>

	<p>Coverage: payment can cover the water OR wastewater arrearage amount, <u>or both if the bill includes both services</u>, to include current charges, late fees, reconnection fees, taxes and other charges. (....)</p> <p>This suggested insert would provide clarity by simply making the wording of the third bullet consistent with the wording of the first bullet.</p>	
Stormwater Charges	<p>Association of California Water Agencies (ACWA)</p> <p>CSD Should Clarify within the LIHWAP Guidelines that Storm Water Arrearages are Included in Wastewater Arrearages.</p> <p>ACWA's understanding is that the discussion at the February 16 webinar indicated that storm water arrearages are included within wastewater arrearages for LIHWAP. It would be helpful for this point to be written in the final version of the Guidelines.</p>	<p>CSD agrees and will clarify that stormwater charges are included within wastewater arrearages.</p>

Questions/Comments received at the February 23, 2022 LIHWAP Public Meeting	<p>Do you know if this program will be reevaluated and/or be picked back up after 8/2023 sunset date? I know the LIHEAP is an ongoing program that cities with an electric utility participate in on a regular basis.</p>	<p>LIHWAP does not have permanent or ongoing statutory authorization or appropriation beyond the current funding as of the publication of this document.</p>
	<p>Is there any mechanism for payment to an agency that collects fees on property tax rolls? The arrearage would be with the county.</p>	<p>The entity that applies the LIHWAP payment to the customer's account or property tax bill is the entity that will need to execute a direct payment agreement to receive payments on behalf of their customers.</p>
	<p>Is there any funding included for repairs needed on the property in order to reduce current and future water bills? For example, a break in a service line can cost \$3000 and may not be undertaken if a customer does not have funds but their bills will not reduce until repairs are made.</p>	<p>CSD recognizes the critical need for household assistance for plumbing repairs. However, LIHWAP appropriations instructions specify that assistance to households is to reduce the financial burden for residential water and wastewater services.</p>
	<p>Are you paying for bills prior to 3/4/2020?</p>	<p>Yes. An eligible applicant can have debt owed to a water and/or wastewater system from nonpayment (past due balance) of residential accounts that accrued during any time period.</p>

	<p>Would wastewater customers be eligible for funding through their wastewater district, even if they are also receiving funding through their water district?</p>	<p>Yes. A customer may receive assistance under LIHWAP if: 1) the applicant meets eligibility requirements; 2) the applicant is delinquent with paying for residential water or wastewater services as evidenced by a past due bill; and 3) the applicant's water and wastewater system is enrolled in the direct payment process. A qualified applicant is entitled to receive one benefit payment (not to exceed \$2,000) for water OR wastewater charges (including stormwater charges), or both if the bill includes both services, to include current charges, late fees, reconnection fees, taxes, and other charges.</p>
	<p>If someone lives in a mobile home park, where the rent for space includes water, could they apply?</p>	<p>Applicants with utilities included in rent are eligible to apply for the program. Eligibility is contingent on the water or wastewater system's enrollment in the direct payment process.</p>
	<p>How do we find out which agency/organization is our Local Service Provider.</p>	<p>The Local Service Providers for LIHWAP are the same providers that administer the LIHEAP program. You may locate your local LIHWAP/LIHEAP service provider at https://csd.ca.gov/Pages/FindServicesInYourArea.aspx.</p>
	<p>If we offer LIHEAP in San Joaquin County are we already entered in the contract?</p>	<p>LIHWAP is considered an entirely separate program from LIHEAP; therefore, designated local LIHEAP Service Providers electing to serve as a local LIHWAP administrator must enter into a separate contract with CSD.</p>
	<p>What happens if a water system does not apply, the low income residents won't be able to participate?</p>	<p>Correct. For an applicant to receive a LIHWAP benefit, the water and/or wastewater system must enroll in a direct payment agreement. In addition, CSD's contracts with local LIHWAP LSPs incorporates tracking and reporting requirements for denials, and provides means for LIHWAP providers to provide referrals to HORNE for water and wastewater systems not enrolled in the direct payment</p>

		process where customers are exhibiting interest in LIHWAP assistance. The LSP referral will prompt follow up by HORNE to the referred water or wastewater system to inform of LIHWAP, eligibility requirements and customer interest.
	Are water systems notified if their customers are denied LIHWAP benefits?	No. The applicant will receive a notification from the LSP if their application is denied or approved.
	What type of proof of income are you requiring	Please refer to the LIHWAP State Plan for details on income requirements at https://csd.ca.gov/Shared%20Documents/FINAL-2021-LIHWAP-State-Plan.pdf .
	How do water systems enroll in the direct payment program?	Water or wastewater or billing entities can enroll in the direct payment process by submitting an interest form at https://bit.ly/35PJ8It .
	What is the outreach/incentive to ensure systems enroll in the direct payment program? Concerned about the 20% that missed out on arrearages program assistance due to their systems not opting in.	CSD and HORNE are actively outreaching to water and wastewater systems to promote enrollment in the direct payment process that will provide the water and wastewater systems' payment on behalf of the customer to offset or resolve a customer's past due balance.
	Is there a deadline for registering with HORNE?	The initial direct pay enrollment period is through April 30, 2022. CSD encourages water and wastewater systems to enroll by April 30, 2022.
	I live in Fresno County and often times the small water systems are not aware of these programs. How can I get a list of Water	CSD will provide a listing of systems that are enrolled or not participating on CSD's public website within 30-days of completing the initial enrollment period, scheduled to conclude on April 30, 2022.

	Systems that have enrolled to find out if we need to bring this program to attention of small water systems in our county?	
	If a renter is past due on rent but the property owner has paid the utility bill including water and wastewater services, would the renter still be eligible for the program because for our system, the property owner is responsible for the bill.	Yes. Applicants with utilities included in rent are eligible for assistance if: 1) water and/or wastewater is included in rent; 2) the applicant is past due on rental payments; and 3) the applicant's servicing water and/or wastewater system is enrolled in a direct payment agreement.
	What if we do not know the household demographics?	Applicants can indicate "unknown" on the application.
	Do we have an end date for this program?	The LIHWAP program will end August 31, 2023. The last day to accept applications is August 15, 2023.
	Will HORNE be providing water systems with lump sum checks for all approved customers, or will they receive individual payments?	CSD through HORNE will issue lump sum payments via direct deposit or by check weekly to water and/or wastewater systems for eligible customers. HORNE will also provide account information (account number, account holder name, service address, and the amount of the benefit for each customer) associated with the payment received.
	Will there be a publicly available document detailing the list of participating water systems (water systems who have	CSD will provide a listing of enrolled or non-participating systems on CSD's public website within 30-days of completing the initial enrollment period, scheduled to conclude on April 30, 2022. Thereafter, CSD will update the list weekly.

	enrolled in the direct payment plan)	
	What is the total amount of funds?	Approximately \$87 million is available for direct household benefits.
	Do you have an estimated turnaround for customers, getting payment to water agencies? Also, what information will be provided on the direct payment, to identify the customer? Account number, street address?	CSD anticipates payment being received by the water and/or wastewater system within 30 to 45 days from when the LSP confirms the customer's eligibility for assistance and submits the customer application into CSD's benefit system for payment. CSD through HORNE will provide account information to include account number, service address, and payment amount that should be applied to the customer's account.
	Are only active accounts eligible for the LIHWAP credit or are closed accounts eligible?	It depends. If an account is closed by the time the LIHWAP benefit is applied and hasn't been turned over to collections, the water and/or wastewater system can apply the LIHWAP payment to the past due amount. If any of the LIHWAP benefit remains, the water or wastewater provider is to return to HORNE. However, if the closed account has already been turned over to collections, the account would not be eligible for LIHWAP and the entire LIHWAP benefit will then need to be returned to HORNE.
	Does CSD actually require the customer notice to reference the LIHWAP program?	Water and wastewater systems must notify the customer when a LIHWAP benefit has been applied to their bill. Notification may be reflected on the customer's bill, or the customer may receive a notification by mail, email, or other methods.
	What about utility companies that have electric and water on the same account.	The LIHWAP benefit can only be applied to the portion of the bill for water and wastewater charges (including stormwater charges).

	Will applicants be able to apply for LIHWAP via caliheapapply?	Application submission will vary by LSP and largely dependent on area water and wastewater system enrollment in the direct payment process. Applicants should contact the LSP in their area to determine the application submission requirements.

	<p>We were going to reinstate disconnections in March. Do we need to hold off on that until this program is available for residents?</p>	<p>CSD does not have authority to require water systems to modify their existing policies on disconnections. CSD strongly encourages systems that intend to enroll in the direct payment process to consider delaying disconnections until the program is available.</p>
	<p>I understand it can take 3 to 6 weeks for a utility to receive payment on behalf of the customer. Will the utility be notified that a customer was approved for help? That way we know to hold off on disconnection if a customer is receiving help</p>	<p>Water and/or wastewater systems will be notified of the customers that will receive a LIHWAP payment once payment is disbursed to the water and/or wastewater system.</p> <p>CSD will evaluate if a process can be established to notify the water or wastewater system of the customers that are expected to receive a LIHWAP payment prior to payment being received.</p>
	<p>How do I sign up to get help with the arrears due the bills are not in my name, they are in my deceased dad's name that passed away with covid. I'm just trying to pay his arrears.</p>	<p>Customers can apply for financial assistance even if they are not the account holder; however, the household must meet the income eligibility requirements and the water and/or wastewater system must have enrolled in the direct payment process.</p>
	<p>What is the time frame for the program? In other words, when is the last date that customers can apply?</p>	<p>The last day the LIHWAP program can accept applications is August 15, 2023. Applications must be received and fully processed by this date.</p>
	<p>To confirm: participants are only eligible for a one-time payment, correct? Enroll once, paid once?</p>	<p>Yes.</p>

	<p>If a renter is approved for funding and utilities are included in their rent, is the utility provider supposed to apply the funds to the utility account that's in the landlord's/property owner's name?</p>	<p>Yes. The LIHWAP benefit will be applied to the property owner's utility account. The tenant and the property owner will enter into an agreement where the tenant's current or future rent will be reduced by the amount of the LIHWAP payment.</p>
	<p>Can applicants who have received Emergency Rental Assistance Program (ERAP) funds also apply for LIHWAP?</p>	<p>Yes. If the applicant still has a remaining debt owed for water and/or wastewater services, then the applicant can elect to apply for LIHWAP assistance provided the applicant's water or wastewater provider is enrolled in the direct payment process.</p>
	<p>Do residential applicants need to apply in-person with the LSPs?</p>	<p>Application submissions vary by each LSP. Applicants will need to contact the LSP in their area to determine the application submission requirements. You may locate your LIHWAP and LIHEAP LSP (Energy Agency or Utility Assistance and Weatherization Provider) at https://csd.ca.gov/Pages/FindServicesInYourArea.aspx.</p>
	<p>How, on our end as a community-based organization that administers this, how do I make sure that I'm in the right talks with my county to make sure that we have whatever we need to be able to run this program?</p>	<p>CSD recommends that LSPs become familiar with the water and wastewater systems in their service area. CSD will provide a list of water and wastewater systems associated by LSP for reference.</p> <p>CSD is establishing a referral process for LSPs to provide the ability to refer water and wastewater systems to enroll in the direct payment process.</p>
	<p>Is there no conflict between folks that are going after the</p>	<p>LIHWAP can be applied to arrearages during any time period and is <u>not</u> limited to the COVID Bill Relief Period</p>

	<p>arrears money at the Water Board program and this program; right?</p>	<p>(March 4, 2020, through June 15, 2021). If a water and/or wastewater system received funding from the State Water Resources Control Board's California Water and Wastewater Arrearage Payment Program, low-income customers with past due bills are eligible and are encouraged to apply for LIHWAP funding.</p>
	<p>On the wastewater side there really isn't a shutoff equivalent. I mean, our systems aren't, you know, designed that way in the same way that water systems are. And so, I know one of the criteria for some of the submittals was to show that the systems had been turned back on or would avoid a shutoff. I just want to make sure there was clear guidance for wastewater agencies on that element when they're certifying that the funds went in.</p>	<p>Noted.</p>
	<p>Will the LIHWAP have the pledge component to restore or to prevent a disconnection of water?</p>	<p>The establishment of a pledge system is complex and requires the water and/or wastewater systems to establish systems and processes for accepting a pledge to prevent shut-off. Therefore, the implementation plan for the one-time LIHWAP appropriation will not include any provision for payment pledges with water and/or wastewater systems.</p>

	<p>And then the last question or comment was one of the early slides in this showed you sort of had to choose between the water and the wastewater billing segment. And just, I'm curious, for those that are both water and wastewater agencies, is that still true, do you have to pick one or, you know, if you have different providers, can you apply for both programs? How does that work in terms of reimbursing for the water and the wastewater side for a single customer through the same LSP?</p>	<p>LIHWAP will cover charges for water, wastewater, stormwater, and associated fees and taxes when services are on one bill.</p>
	<p>Our utility bills for four utilities, electric, water, wastewater, and garbage. So currently our LIHEAP program, you know, because it's a blended bill, pays all utilities to prevent a disconnection or to restore services. So how does this work with the LIHWAP program now? Is the customer eligible for two different benefits throughout the course of the program offering or is it for the LSP to identify and make the appropriate allocations?</p>	<p>LIHWAP will cover charges for water, wastewater, stormwater and associated fees and taxes when services are on one bill.</p> <p>All other non-water services will need to be covered by other resources where possible. LSPs may provide a LIHEAP payment to cover the electric or gas charges, if available.</p>

	<p>One quick question in regard to HORNE. Is that the same vendor that administers the direct payments for LIHEAP?</p>	<p>No.</p>
	<p>If a client forgets their bill and that's the only bill that they have under this agreement that they have submitted to you at CSD, are we able to access that bill for the client or not yet since we are new with LIHWAP?</p>	<p>LSPs may be able to obtain a bill directly from the water or wastewater provider if the LSP has established that process with the water or wastewater system.</p>
	<p>We are a water district and we'll shutoff for nonpayment in accordance with SB 998. I would encourage customers who are applying with an LSP to enter into a payment agreement with their water provider. That will stop the shutoff process until the water provider receives the check.</p>	<p>Noted.</p>

February 23, 2022

Ms. Becca Russell
Energy and Environmental Services Division
California Department of Community
Services and Development
2389 Gateway Oaks Drive, Suite #100
Sacramento, CA 95833

Submitted via: LIHWAP@csd.gov

Re: **Draft Low Income Household Water Assistance Program (LIHWAP) Guidelines**

Dear Ms. Russell,

The Association of California Water Agencies (ACWA) represents 468 public water agencies across California that collectively deliver approximately 90 percent of the water used for residential, commercial and agricultural purposes in California. Following are ACWA's comments regarding the California Department of Community Services and Development's (CSD's) draft guidelines for the Low Income Household Water Assistance Program (LIHWAP), hereinafter "Draft Guidelines."

Comment 1 – The Draft Guidelines are Well-written.

ACWA appreciates that the Draft Guidelines are well-written. ACWA also appreciates that CSD held two webinars during the week of February 14 to share information regarding the program with water systems and the statewide water associations and to answer questions.

Comment 2 – A Clarifying Insert regarding Benefit Payment Should be Added in Section VII.

ACWA suggests that CSD add an insert, as shown with **underline** in the text below, to Section VII at Page 10:

(...) A benefit payment may be applied to a customer's account in accordance with the following:

- **One-time benefit:** a household may receive one benefit payment for water OR wastewater or both if the bill includes both services during the program period (May 2022 through August 31, 2023).
- **Maximum Benefit:** \$2,000
- **Coverage:** payment can cover the water OR wastewater arrearage amount, or both if the bill includes both services, to include current charges, late fees, reconnection fees, taxes and other charges.
- (...)

This suggested insert would provide clarity by simply making the wording of the third bullet consistent with the wording of the first bullet.

Comment 3: CSD Should Clarify within the LIHWAP Guidelines that Storm Water Arrearages are Included in Wastewater Arrearages.

ACWA's understanding is that the discussion at the February 16 webinar indicated that storm water arrearages are included within wastewater arrearages for LIHWAP. It would be helpful for this point to be written in the final version of the Guidelines.

Thank you for your consideration of these comments. ACWA looks forward to further collaboration with CSD on LIHWAP. Please do not hesitate to contact me at (916) 441-4545 or CindyT@acwa.com to discuss the comments.

Sincerely,



Cindy Tuck
Deputy Executive Director for
Government Relations

cc: Mr. Dave Eggerton, Executive Director, ACWA



February 23, 2022

Sent Via Email [LIHWAP@csd.ca.gov]

Becca Russell
Energy and Environmental Services Division
Department of Community Services & Development
2389 Gateway Oaks Drive #100,
Sacramento, CA 95833

Re: Low Income Household Water Assistance Program: Draft Program Guidelines

Dear Ms. Russell:

On behalf of the undersigned organizations, we thank the Department of Community Services & Development (CSD) for the opportunity to comment on the draft program guidelines for the Low Income Household Water Assistance Program (LIHWAP) and provide the following comments and recommendations:

1. CSD Should Streamline Payment Agreement Requirements

We recommend that the program streamline the current requirement of a Payment Agreement from the water or wastewater system with the third-party funds disbursement partner, HORNE LLP, to receive payments and to the extent allowable under the approved state plan . Given the one-time nature of the program and the sheer amount of water systems in the state, it is unclear if the 41 Local Service Providers (LSPs) can quickly establish the requisite relationships with water systems, with which they have had limited previous contact with, and enter into the required Payment Agreement. The state has roughly 2,900 community water systems, and over 2,400 of these systems have fewer than 3,000 service connections and serve communities with fewer than 15,000 residents. Yet, there are less than 50 publicly-owned and private electricity providers in California, the industry where LSPs have administered local aid through the Low Income Household Energy Assistance Program for 40 years. The State Water Board had no such Payment Agreement requirement for water systems, and hundreds of systems did not participate in the California Water and Wastewater Arrearage Payment Program, which left 20% of

residents with drinking water arrearages unaddressed. HHS directed CSD in the relevant June 23, 2021, to “look for ways to expedite the distribution of resources.” For these reasons, we strongly urge the streamlining of this Payment Agreement provision wherever possible.

2. CSD Should Clarify Immigration and Mixed Household Status Eligibility

California recognizes that “every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes” ([Water Code, section 106.3.](#)) Moreover, the federal Office of Community Services issued [guidance](#) for LIHWAP indicating that payment of water arrearages for mixed-status households is permitted:

“Grantees may pay the full amount of an arrearage to reconnect services or prevent the disconnection of water services to a household with at least one qualified member in order to assure the availability of household water services.”

Grantees are encouraged to pay the total amount of arrearages to reconnect services or prevent the disconnection of water services for these households. However, the drafted California guidelines do not explicitly indicate such eligibility of the available aid for families with undocumented family members. We strongly urge that such permissible benefits be clearly outlined and communicated. LIHWAP should fully realize the permissible scope of the program for California households, mixed immigration status or otherwise.

3. CSD Should Provide Clarity and Coordination on Outreach

CSD has dedicated 10% of the funds that are to be allocated to LSPs for outreach and eligibility determination purposes. However, there is little specificity on the exact provisions and requirements of this outreach and how much of the money should be going towards outreach. We support the maximum amount of funding being provided to residents and recognize that robust outreach is needed by LSPs.

While this program is new at CSD, it is not the only program helping California residents with water arrearage and debt. LIHWAP should be coordinating closely with the State Water Board (SWB) and the California Water and Wastewater Arrearage Payment [Program](#), which assisted 80% of residents with drinking water arrearages from the pandemic and is currently distributing relief for wastewater customer arrearages. We highly recommend that CSD coordinate outreach with the SWB to maximize outreach for LIHWAP, especially for customers of water systems that did not apply for the relief administered by the Water Board. Additionally, CSD should provide further metrics and guidance on outreach requirements for LSPs to ensure the maximum amount of the program funds is used for customer assistance.

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Thank you for providing us with an opportunity to comment. Please feel free to contact us if you have any questions.

Sincerely,



Jennifer Clary
California Director
Clean Water Action



Edward R. Osann
Senior Policy Analyst
Natural Resources Defense Council



Michael Claiborne
Directing Attorney
Leadership Counsel for Justice and Accountability



Uriel Saldivar
Senior Policy Advocate
Community Water Center



Lauren Ahkiam
Water Campaign Director
Los Angeles Alliance for a New Economy



Michael Rincon, Policy Researcher
Physicians for Social Responsibility- LA