

January 18, 2023

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY WELFARE DIRECTORS LETTER**

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide guidance on existing policy and flexibilities available to County Welfare Departments (CWDs), as well as expectations for serving communities affected by the winter storms. On January 4, 2023, Governor Newsom proclaimed a [State of Emergency](#) in California in response to the effects of the winter storms.



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DIRECTOR

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**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

January 18, 2023

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JENNIFER TROIA, CHIEF DEPUTY DIRECTOR  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

SUBJECT: CALFRESH GUIDANCE FOR SEVERE WINTER STORMS

REFERENCE: [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) SECTION 274.6](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTION 11-601](#); [CALIFORNIA WELFARE AND INSTITUTIONS CODE SECTION 18917](#); [ALL COUNTY LETTER \(ACL\) 18-125](#); [ACL 19-95](#)

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**Benefit Replacement Due to Food Loss**

In response to natural disasters such as the winter storms that have recently affected California, CWDs can issue replacement benefits on an individual or automated basis to participating CalFresh households that have been impacted by the storms or power outages. Replacement benefits are authorized under federal Supplemental Nutrition Assistance Program (SNAP) regulations at [Title 7 Code of Federal Regulation \(CFR\) 274.6\(a\)\(1\)](#). Upon request, benefits can be replaced up to a maximum of one month's allotment, unless the issuance includes restored benefits, which shall be replaced up to their full value.

Households that have experienced a loss of food purchased with CalFresh benefits that seek replacement of CalFresh benefits must submit a signed Replacement Affidavit ([CF 303](#)), attesting to the household's loss, within 10 days of the date the food was

destroyed. This affidavit can be accepted in person, by mail, by telephone, or electronically through the portal located at [BenefitsCal.com](https://BenefitsCal.com). For more information regarding the replacement benefit methodology and use of the notices, refer to [All County Letter \(ACL\) 19-95](#), issued September 19, 2019.

## **Emergency Response Waivers**

The following federal waivers are available for CWDs and should be submitted as soon as possible after a disaster strikes and there is potential food loss. CWDs who wish to pursue such a waiver must submit an inquiry to [DisasterCalFresh@dss.ca.gov](mailto:DisasterCalFresh@dss.ca.gov). Early submission of the Automatic/Mass Replacement and Timely Reporting Waivers will ensure that households that have experienced food loss have access to additional benefits, and that CWDs' lobbies and administrative operations are not unnecessarily burdened with individual requests for replacement benefits when staffing may be impacted as a result of the disaster. Please reference the CalFresh Emergency Response Handbook in [ACL 18-125](#), issued October 18, 2018, for more information about available waivers in response to disasters.

### *Timely Reporting Waivers*

The Timely Reporting Waiver (TRW) extends the 10-day timeframe in which CalFresh households must report food loss in order to individually request replacement benefits. The 10-day timeframe is typically extended to 30-days. Counties may request that the California Department of Social Services (CDSS) submit a TRW on their behalf when there has been a natural or man-made disaster, including power outages, that impacted a large number of CalFresh households, and anticipates that additional time is needed to receive and process the individual replacement requests.

### *Automatic/Mass Replacement Waiver*

The Automatic/Mass Replacement Waivers (AMR) allow for automatic replacement of a household's benefit allotment, up to a certain percentage. The percentage is determined by the time of the month and the county's issuance cycle. AMRs do not require individual replacement requests. CDSS must include specific caseload data and documentation indicating that widespread food loss can be assumed due to adverse effects of the disaster, such as wildfire destruction, severe storms, or prolonged power outages that impact a majority (50% or more) of residents in each geographic area (e.g., ZIP code).

## Disaster CalFresh

In order to operate Disaster CalFresh (D-CalFresh), the state of California must receive a Presidential Major Disaster Declaration with Individual Assistance (IA) for the impacted area. A State of Emergency is not cause for D-CalFresh operations. On Saturday, January 14, 2023, President Joe Biden issued a Presidential Major Disaster Declaration with IA ([FEMA-4683-DR](#)) for Merced, Sacramento, and Santa Cruz Counties in response to the recent winter storms. The CDSS has contacted the impacted counties and will begin working on a D-CalFresh operation plan. An ACWDL will be released outlining implementation plans for the impacted counties once the D-CalFresh plan is approved. Please reference the CalFresh Emergency Response Handbook in [ACL 18-125](#), issued October 18, 2018, for more information about D-CalFresh operations.

## Office Closures

If CWD offices close during regular business hours, they must make it possible for individuals to apply for and receive CalFresh, including emergency benefits, within the timeframes prescribed by state and federal law. CWDs must also provide notice of their hours of operation, and of the procedures during these hours of closure for applying for and receiving these benefits. CWDs must also notify the CDSS of the office closure as soon as possible by sending an email to [CWDCalFreshTA@dss.ca.gov](mailto:CWDCalFreshTA@dss.ca.gov).

The email should include the following information:

- The name and location of the closed CWD office(s)
- The services normally offered at the closed CWD office(s)
- The anticipated timeframe, if available, of the closure
- The name and location of the office nearest the closed office within the county, if operating
- A county point of contact who can provide more information regarding the status of the office closure(s)

If a CWD closes during regular business hours, [Manual of Policies and Procedures \(MPP\) Section 11-601](#) requires that a CWD:

- Provide the opportunity to file an application for and receive CalFresh within the time frames prescribed by federal and state law by making applications readily available and providing a drop-box, mail slot, or other reasonable means for filing applications.
- Provide the opportunity to file an application for and receive expedited CalFresh by maintaining sufficient staff to accept and act upon all such applications, and/or maintaining a local telephone service with sufficient staff to accept and act upon all applications as if the requests had been made in person at the CWD's office.

- Greet incoming calls on the main telephone lines of the CWD's offices with an announcement informing the caller of: the working days, or times during the regular eight hours of a working day, when the offices will be closed; the procedures for obtaining and filing applications for CalFresh during those hours of office closure; and the procedures for applying for and receiving expedited CalFresh benefits within the time frames prescribed by federal and state law during the office closure.
- Post notices in prominent locations within the CWD's offices and in public areas, including the CWD office doors, which inform the public about the working days or times during the regular eight hours of a working day when the offices will be closed, the procedures to obtain and file applications, and the procedures for applying for and receiving expedited CalFresh benefits within the time frames prescribed by federal and state law during the office closure.

Once the CWD office(s) reopen, the CWD must notify the CDSS of the reopening by sending an email to the same inbox at [CWDCalFreshTA@dss.ca.gov](mailto:CWDCalFreshTA@dss.ca.gov).

### **Mutual Aid Region**

Often during disaster events, impacted persons are evacuated or otherwise displaced to neighboring counties of their county of permanent residence. Under the provisions of [Welfare and Institutions Code Section 18917](#) all counties are required to submit a county disaster plan annually, which includes a mutual aid region made up of two or more counties to support emergency response activities between counties. Possible mutual aid that can be offered by non-impacted counties may include, but is not limited to providing:

- Remote or on-site call center support.
- On-site eligibility staff support. Eligibility staff from non-impacted counties may support timely maintenance of the ongoing CalFresh caseload.
- Replacement EBT card printing for displaced households.

### **Copies and Translations**

Forms referenced in this letter are available on the [CDSS Forms/Brochures](#) webpage. When CDSS completes all translations of a form, they are posted on the [Translated Forms and Publications](#) webpage. When made available by CDSS, forms translated into an individual's preferred language must be provided to the individual pursuant to [MPP Section 21-115.2](#). For questions on translated materials, please contact Language Services at (916) 651-8876. If translations are not available, recipients who have elected to receive materials in languages other than English should be sent the English version of the form or notice along with the [GEN 1365-Notice of Language Services](#) and a local contact number.

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Per [Government Code Section 7290, et seq.](#), the County Welfare Departments (CWDs) must ensure that effective bilingual services are provided. This requirement may be met through utilization of paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. These services must be provided, free of charge, to the applicant/recipient. If CDSS does not provide translations of a form, it is the county's responsibility to read and interpret the form if an applicant or recipient requests it.

Additionally, the CWDs must provide auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision, or manual skills, where applicable. More information regarding provisions for services to applicants and recipients who have limited English proficiency or who have disabilities can be found in [MPP Section 21-115](#) and [ACL 19-45](#).

If you have any questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at [CalFreshPolicy@dss.ca.gov](mailto:CalFreshPolicy@dss.ca.gov).