

MAINTENANCE POLICY DIRECTIVE

MTCE-03 (REV 3/2015)

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	DATE ISSUED 01/26/2021	EFFECTIVE DATE 01/01/2021

DAVID AMBUEHL, Acting Chief Division of Maintenance	SIGNATURE <i>David Ambuehl</i>
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DISTRIBUTION

- | | |
|---|--|
| <input checked="" type="checkbox"/> All District Directors | <input checked="" type="checkbox"/> Chief, Division of Engineering Services |
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SUBJECT

Direction on Encampments due to the COVID-19 Pandemic. This policy will be revisited and modified as conditions change, no later than December 31, 2021.

DOES THIS DIRECTIVE AFFECT OR SUPERSEDE ANOTHER DOCUMENT? YES NO

IF YES, DESCRIBE

In accordance with Caltrans' Interim Guidance on Encampments and in addition to MPD 10-01 Encampment Removal Policy & Guidelines, the process for removing an encampment.

WILL THIS DIRECTIVE BE INCORPORATED IN THE MAINTENANCE MANUAL? YES NO

IF YES, DESCRIBE

DIRECTIVE

Caltrans' priority is the safety of all people during the COVID-19 pandemic or otherwise. In effect, encampments on Caltrans right of way may only be posted and cleared in coordination with local experts on homelessness and the California Highway Patrol, if approved by Caltrans District Directors for priority level 1 encampments or Caltrans Headquarters for priority level 2 encampments as outlined in Caltrans' Interim Guidance on Encampments.

On December 11, 2020, Caltrans released Interim Guidance on Encampments, developed in partnership with state and local public safety and homeless services partners. This guidance outlines the methodology for prioritizing and addressing encampments on Caltrans right of way. This guidance is to be used in determining priority levels of encampments on State right of way and in seeking approval to remove level 1 or level 2 encampments that pose a potential safety concern to the public. Level 3 and 4 encampments should be monitored and mitigated where possible, as outlined in the guidance, but will not be considered for removal at this time consistent with the [Centers for Disease Control \(CDC\) Interim Guidance on People Experiencing Unsheltered Homelessness and the Coronavirus Disease](#).

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Caltrans staff should refer to the Interim Guidance on Encampments for all information needed to assess and address encampments during the COVID-19 Pandemic. Each district has been assigned a task force lead on homelessness. District staff should work with their assigned district task force lead regarding any questions on encampments or this guidance.

Caltrans' role in encampment removals is to: collaborate with partners to help connect people living along California's freeways with critical services and shelter, coordinate cleaning of trash and debris from encampment sites, respond to emergencies at encampments to inspect for potential damage to Caltrans infrastructure, and to restore and protect the right of way after people have been relocated by local governments. While Caltrans is not capable on its own to relocate people into shelters or provide social services, Caltrans is a committed partner in assisting local partners in their efforts to assist people living on state property. The California Highway Patrol (CHP) is the enforcement agency responsible for addressing allegations of criminal activity on state property. Encampment removals without a coordinated relocation effort across state and local agencies will likely result in people returning to the same location, moving to adjacent city or county property, or being dispersed into the community, without resolving the core issues.

In extreme circumstances where encampments pose imminent threats to safety or critical infrastructure and must be immediately resolved upon discovery, such as situations where people are found living in confined spaces of bridge cells or man-made tunnels (priority level 1), authorization has been delegated to Caltrans District Directors. An After Action Report must be submitted to Caltrans Headquarters within 24 hours of the completion of a priority level 1 removal. Headquarters approval is required prior to posting a 72-hour notice at a priority level 2 encampment. The process for addressing and mitigating encampments is outlined in the Interim Guidance on Encampments.

All local partners and constituents must work with Caltrans regarding any challenges related to encampments and shall not clear any people from Caltrans property without Caltrans participation and approval. Where an encampment poses a safety concern necessitating the removal of the encampment, Districts shall coordinate with [County Continuums of Care*](#) or other lead local entity on homelessness and other relevant local partners, focusing on relocation solutions first before requesting approval to post and clear an encampment. If *all people* at an encampment are successfully and *willingly* relocated by local governments into a shelter or housing, Caltrans may clear any remaining trash or debris from the former encampment site without approval from Caltrans Headquarters, so long as no people remain onsite and no people were forced to leave the property.

Social services engagement and connections are always encouraged when possible but should not impede emergency response functions. Approval from Caltrans Headquarters is not required for trash or debris pickup at or near encampments so long as it does not result in the displacement of people. Caltrans districts are encouraged to conduct trash cleanup activities via a hazmat contract where safe and possible near encampments. Further information is available in the Interim Guidance on Encampments.

If the situation at an encampment rises to level of an extreme emergency, consistent with Caltrans emergency management response functions, the District Director should report the issue immediately by calling the Deputy Director of Operations and Maintenance, Cory Binns, at 858-688-1460.

All Caltrans staff conducting encampment site assessments or performing any work near or within an encampment site must wear Personal Protective Equipment and exercise extreme caution, abandoning the work immediately if safety is compromised. Assistance from the CHP is always available to Caltrans staff.

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Additional safety protocol information and information on the collection of trash near encampments is outlined in the Interim Guidance on Encampments.

This directive shall be revisited to meet changing conditions during the COVID-19 Pandemic, no later than December 31, 2021. Caltrans districts will continue to receive updated guidance and direction as external conditions change and should continue to communicate with Headquarters any unique challenges or circumstances. This directive was written during the COVID-19 pandemic and is subject to modification at any time. Comments or questions should be sent to: HQEncampments@dot.ca.gov.

***County Continuum of Care (CoC):**

The Continuum of Care (CoC) Program, which falls under individual County jurisdiction throughout California, is designed to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effect utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.

County Continuum of Care Contacts: <https://www.hud.gov/states/california/homeless/continuumcare>

County Public Health Department Contacts: <https://www.cdph.ca.gov/Pages/LocalHealthServicesAndOffices.aspx>

Attachment(s):



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DEFINITIONS

When used in this Maintenance Policy Directive, the text shall be defined as follows:

- 1) **Standard** - a statement of required, mandatory, or specifically prohibited practice. All standards text appears in **bold** type. The verb **shall** is typically used. Standards are sometimes modified by Options.
- 2) Guidance - a statement of recommended, but not mandatory, practice in typical situations, with deviations allowed if engineering judgement or engineering study indicates the deviation to be appropriate. All Guidance statements text appears in underlined type. The verb should is typically used. Guidance statements are sometimes modified by Options.
- 3) Option - a statement of practice that is a permissive condition and carries no requirement or recommendation. Options may contain allowable modifications to a Standard or Guidance. All Option statements text appears in normal type. The verb may is typically used.
- 4) Support - an informational statement that does not convey any degree of mandate, recommendation, authorization, prohibition, or enforceable condition. Support statements text appears in normal type. The verbs shall, should and may are not used in Support statements.