



**Resolution of the
Wiyot Tribe**

RESOLUTION NO: 20-07

DATE APPROVED: March 16, 2020

SUBJECT: Declaration of Shelter in Place Order

WHEREAS, the Wiyot Tribe is a federally recognized Indian Tribe located in California and has a government-to-government relationship with the United States of America; and

WHEREAS, the Wiyot Tribe Tribal Council is the governing body of the Tribe under the authority of the Tribe's Constitution; and;

WHEREAS, on January 30, 2020 the World Health Organization designed the outbreak of A novel coronavirus, COVID-19, causes infectious disease and was first detected in Whuan City, Hubei Province, China in December 2019, and symptoms of COVID-19 include fever, cough and shortness of breath and outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 31, 2020, U.S. Department of Health and Human Services Secretary Alex M Azar II declared a public health emergency for the United States to aid the nation's health care community in responding to COVID-19; and

WHEREAS, on March 13, 2020 the President of the United States declared a national emergency in response to the evolving public health crisis due to COVID-19 virus; and

WHEREAS, The Wiyot Tribal Council ordered community mitigation strategies and declared a local State of Emergency in response to COVID-19 Coronavirus on March 16, 2020.

WHEREAS, the health, safety and welfare of Table Bluff Reservation residents, Wiyot Citizen and tribal staff and visitors is of upmost importance to the Tribe and additional measures may needed to protect the community; and

WHEREAS, the Tribe may require additional assistance in the future and a formal declaration of emergency allows additional resources to flow to the Tribe in a timely fashion; and

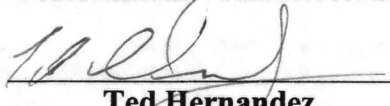
WHEREAS, existing conditions related to the COVID-19 warrant the proclamation of emergency.

NOW THEREFORE BE IT IS HEREBY ORDERED TO SHELTER IN PLACE;
and

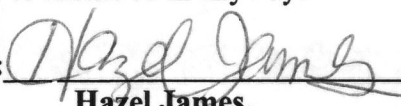
IT IS HEREBY PROCLAIMED AND ORDERED that the shelter in place will begin at 12:01 am on March 20, 2020 and continue until April 07, 2020 is proclaimed by the Wiyot Tribal Council.

C-E-R-T-I-F-I-C-A-T-I-O-N

This is to certify that Resolution #20-07 was approved by telephone of the Wiyot Tribe Tribal Council on Monday, March 19, 2020, at which a quorum was present and that this Resolution was adopted by a vote of **5 HIH, 0 KIYOWL, 0 Abstentions**. This Resolution has not been rescinded or amended in anyway.



Ted Hernandez,
Chair

ATTEST: 

Hazel James,
Council Member at Large



Wiyot Tribe Declaration of Shelter in Place Order

1. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 8 below. All provisions of this Order should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
2. All individuals currently living within Table Bluff Reservation (the "Reservation") are ordered to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 8.
3. All On Reservation businesses except Essential Businesses as defined below in Section 8, are required to cease all activities at facilities located within the Reservation except Minimum Basic Operations, as defined in Section 8. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 8 below, including, but not limited to, when any customers are standing in line.
4. All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 8. Nothing in this Order prohibits the gathering of members of a household or living unit.
5. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 8, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements as defined in Section 8 below, to the greatest extent feasible. This Order allows travel into or out of the Reservation to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.
6. This Order is issued based on evidence of increasing occurrence of COVID-19 within the Humboldt County Reservation area, scientific evidence and best practices regarding the most effective approaches

to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the Reservation places it at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the Reservation.

7. This Order comes after the release of substantial guidance from the Reservation Health Officer, the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials throughout the United States and around the world, including a variety of prior orders to combat the spread and harms of COVID19. The Health Officer will continue to assess the quickly evolving situation and may modify or extend this Order, or issue additional Orders, related to COVID-19.

8. Definitions and Exemptions.

- For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.
- To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
- To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running.
- To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
- To care for a family member or pet in another household.
- For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare

services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.

- For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
- For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions," as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.
- For the purposes of this Order, covered businesses include any for-profit, nonprofit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

For the purposes of this Order, "Essential Businesses" means:

- Healthcare Operations and Essential Infrastructure;
- Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other nongrocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- Food cultivation, including farming, livestock, and fishing;

- Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- Newspapers, television, radio, and other media services;
- Gas stations and auto-supply, auto-repair, and related facilities;
- Banks and related financial institutions;
Hardware stores;
- Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- Businesses providing mailing and shipping services, including post office boxes;
- Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
Laundromats, drycleaners, and laundry service providers;
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- Businesses that supply products needed for people to work from home;
Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- Businesses that ship or deliver groceries, food, goods or services directly to residences;
Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, and children;
Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

- Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
 - Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - Children shall not change from one group to another.
If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - Childcare providers shall remain solely with one group of children. g. For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section below.

- Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
- Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
- Travel to or return from a place of residence outside the jurisdiction.
- Travel required by law enforcement or court order.
- Travel required for non-residents to return to their place of residence outside the Reservation. Individuals are strongly encouraged to verify that their transportation out of the Reservation remains available and functional prior to commencing such travel.

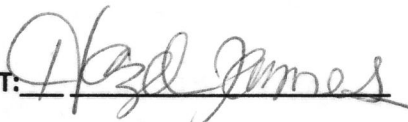
- For purposes of this Order, residences include hotels, motels, shared rental units and similar facilities.
- For purposes of this Order, "Social Distancing Requirements" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
- This Order shall become effective at 12:01 a.m. on March 20, 2020 and will continue to be in effect until 11:59 p.m. on April 7, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Tribal Chairman.

Copies of this Order shall promptly be: (1) made available at the Wiyot Tribal Office, 1000 Wiyot Dr., Loleta, CA 95551; (2) posted on the Wiyot Tribe website www.wiyot.us ; and provided to any member of the public requesting a copy of this Order.

If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, the reminder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.



Ted Hernandez,
Chair

ATTEST: 
Hazel James,
Council Member at Large