RESOLUTION

of the

YUROK TRIBAL COUNCIL

RESOLUTION NO: 20-43
DATE APPROVED: April 6, 2020

SUBJECT: Temporary Closure of the Yurok Reservation

WHEREAS: The Yurok Tribe is a federally recognized Tribe,
WHEREAS: The Yurok Tribal Council is the governing body of the Yurok Tribe under the authority of the Yurok Constitution of 1993,
WHEREAS: The Yurok Tribe is eligible for all rights and privileges afforded to federally recognized Tribes,
WHEREAS: The Yurok Constitution was adopted in order to preserve forever the survival of the Yurok Tribe and protect it from forces which may threaten its existence and to provide for the health of its members and future members,
WHEREAS: The Yurok Tribal Council declared a state of emergency due to the COVID-19 pandemic through Resolution 20-28 on March 13, 2020,
WHEREAS: The Yurok Constitution under Article IV, Section 5, vests the Tribal Council with authority to provide for the exclusion of persons and/or entities from Tribal Territory under appropriate circumstances as necessary to safeguard the health or safety of the Tribe,
WHEREAS: Chairman Joseph L. James issued an emergency reservation closure order on April 4, 2020, which requires ratification by the Tribal Council to remain in effect,
WHEREAS: COVID-19 is a respiratory disease that can result in serious illness or death and poses a higher risk to our elders, who are traditional and historical knowledge keepers and beloved members of the community, as well as to community members who have underlying health conditions,
WHEREAS: Local departments of health have reported 44 confirmed cases of COVID-19 in Humboldt County and 2 cases in Del Norte County with confirmed localized person-to-person spread, significantly increasing the risk of
exposure and infection to the Yurok Tribe and creating an extreme public health risk that may spread quickly,

WHEREAS: Tourists and other non-residents of the Yurok Reservation continue to enter the community unnecessarily putting the health and safety of community members at risk,

WHEREAS: It is essential to slow virus transmission as much as possible to protect the most vulnerable and prevent the health care system from being overwhelmed and based on scientific evidence and best practices, the most effective way to slow the transmission of communicable diseases generally and COVID-19 specifically, is to limit interactions among people to the greatest extent possible.

NOW THEREFORE BE IT RESOLVED: That the Yurok Tribal Council hereby temporarily closes the Yurok Reservation and prohibits entry by tourists, visitors, and other non-residents as laid out in the attached Temporary Closure Order,

BE IT FURTHER RESOLVED: That the Yurok Office of Emergency Services in collaboration with the Executive Director and the various tribal corporations shall establish a list of essential departments, employees, tribal businesses, and services,

BE IT FURTHER RESOLVED: That the Yurok Office of Emergency Services shall work to install signage notifying all persons of this Temporary Closure Order,

BE IT FURTHER RESOLVED: That the Yurok Office of Emergency Services is directed to continue pursuing efforts to provide resources to the local reservation community to avoid residents having to leave the community,

BE IT FURTHER RESOLVED: That Yurok Tribal Police are hereby authorized to take all necessary actions to enforce this Temporary Closure Order,

BE IT FURTHER RESOLVED: That this Resolution and attached Temporary Closure Order will remain in effect until revoked by further action of the Yurok Tribal Council,

BE IT FURTHER RESOLVED: That nothing in this resolution shall be construed as a waiver of the Yurok Tribe's sovereign immunity, and

BE IT FURTHER RESOLVED: That the Chairperson is hereby authorized to sign this resolution and to negotiate all matters pertaining hereto and that the Council Secretary is authorized to attest.
This is to certify that this Resolution Number 20-43 was approved at a duly called meeting of the Yurok Tribal Council on April 6, 2020, at which a quorum was present and that this Resolution Number 20-43 was adopted by a vote of 8 for and 0 opposed and 0 abstentions in accordance with Article IV, Section 5(j) of the Constitution of the Yurok Tribe. This Resolution Number 20-43 has not been rescinded or amended in any way.

DATED THIS 6th DAY OF APRIL, 2020

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Joseph L. James, Chairman
Yurok Tribal Council

ATTEST:

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Sherri K. Provolt, Secretary
Yurok Tribal Council
Yurok Tribe COVID-19 Reservation Temporary Closure Order

I. Yurok Reservation Temporary Closure

A. The Yurok Reservation, which includes all land and waters within the exterior boundaries of the Reservation, is closed to all non-residents until this Order is revoked by the Yurok Tribal Council, unless the non-resident enters the Reservation to perform an essential activity according to Section III.

B. State highways and County Roads through the Yurok Reservation shall remain open for travel consistent with state and federal law.

II. Non-Residents

A. All tourists, visitors, and other non-residents of the Yurok Reservation are directed to leave the Reservation or return to their off-Reservation residence. For purposes of this Order, a non-resident is a person who does not maintain his or her permanent home on the Reservation and is not performing an essential activity.

B. Our homeless community members are strongly encouraged to find shelter and work with Tribal or County agencies or other service providers to take steps needed to find shelter.

III. Essential activities

Tribal employees or other governments, individuals, or companies providing essential services on the Reservation are able to enter the Reservation to perform an essential activity. Such employees, individuals or companies are encouraged to carry proper identification to facilitate confirmation of their essential activity.

Essential activities consist of the following:

1. Providing medical or in-home care.
2. Providing emergency services including law enforcement, fire, and emergency medical care.
3. Providing for the continuation of essential and critical government services as determined by the Tribe or another governmental authority.
4. Providing necessary deliveries of water, firewood, propane, oil, natural gas, other fuel, electricity, telephone service, internet service, and other essential utilities.
5. Providing deliveries of United States mail and other shipping services.
6. Providing for the delivery of groceries, food, medicine, and other essential goods or services.
7. Providing for essential household and building maintenance, safety, and sanitation.
8. Providing for essential vehicle and vessel maintenance, repair, or recovery.
9. Providing public and private transportation necessary for purposes listed in this Temporary Closure Order.
10. Operating a residential, commercial, or essential infrastructure construction site (in particular affordable housing) if in compliance with physical distancing between individuals and limiting the number of persons on site to no more than ten.
11. Providing any additional essential services.

IV. Reservation Residents

A. The Yurok Tribe expects community residents to abide by all Tribal and any pertinent National, State, County orders to stay home or shelter in place and with requirements for maintaining physical distance between people, as well as disinfection procedures.

B. The Yurok Tribe has implemented a plan for distribution of essential resource to residents of the Reservation. However, the Tribe wishes to clarify that residents of the Reservation may travel outside the home and the Reservation for the following purposes when not available locally:

1. Care for elders, minors, dependents, people with disabilities or other vulnerable people.
2. Buying food, pet supplies and essential household products for themselves, a household member, a family member, an elder, a person with disabilities or other persons in need of immediate assistance.
3. Obtaining medical supplies or medication or to visit a health care professional for yourself, a family member, a household member, an elder, person with disabilities, any other person in need of immediate assistance, or a pet.
4. Engaging in banking or other financial transactions or services.
5. Going to work in an essential or critical business activity or service as determined by their employer or a governmental authority.
6. Engaging in outdoor activities like fishing, walking, running, hiking, hunting, as long as they maintain a safe physical distance from others.
7. Providing for funeral arrangements for a family or household member. Funerals shall be limited in attendance as much as possible and conducted with appropriate physical distancing of at least six feet between people.
8. Travelling required by law enforcement or court order or as necessary to participate in a legal proceeding.
9. Getting supplies to enable yourself to work from home.
10. Performing other necessary household functions such as using trash and laundry services.
11. Persons whose residences are unsafe or become unsafe, such as victims of domestic violence, who are permitted and urged to leave their home and stay at a safe alternative location.
12. Cultural or religious activities while maintaining a safe physical distance from others.

V. Curfew
Curfew will begin immediately. All those within the Yurok Reservation should be in their homes or conducting essential activities between the hours of 10pm and 4am unless in the case of an emergency.

VI. Enforcement

Yurok Tribal Police and Tribally deputized partners shall enforce this Temporary Closure Order, directing individuals to return to their homes and document non-compliance. Yurok Tribal Police may also cite persons who violate this Order for the following tribal civil offenses as applicable: trespass, disorderly conduct, nuisance, violation of reservation closure order offense, or any other offenses as appropriate.

VII. Authority

This Temporary Closure Order is issued under Yurok Tribal Council’s authority to exclude people from the Yurok Reservation under Article IV, Section 1(g) of the Yurok Constitution.