



HEALTH ORDER 03-21 OF THE MAKAH TRIBAL COUNCIL March 22, 2021

Please read the following Order carefully. Any person or entity violating or failing to comply with this Order may be subject to civil fine of \$500. Persons or entities who commit multiple violations of this order may be subject to criminal prosecution and/or arrest.

Pursuant to the inherent and constitutional authority of the Makah Tribal Council, the Makah Tribal Council hereby **ISSUES THE FOLLOWING ORDER:**

I. Background and Definitions

The virus that causes Coronavirus Disease 2019 (“COVID-19”) is easily transmitted between individuals and can be transmitted even by persons who do not appear to have any symptoms of the disease. Group settings provide optimal conditions for transmittal.

The first Health Order in response to COVID-19 (Health Order 01-20) was issued on March 20, 2020 in light of the existence of over 1,376 confirmed cases of COVID-19 in the State of Washington, as well as at least 74 deaths due to the disease. The Makah Tribal Council has issued subsequent Health Orders 02-20 on June 8, 2020, 03-20 on July 8, 2020, 04-20 on September 24, 2020, 05-20 on October 14, 2020, 06-20 on November 16, 2020, 07-20 on November 18, 2020, 08-20 on December 4, 2020, 09-20 on December 15, 2020, 01-21 on January 8, 2021 and 02-21 on February 16, 2021. As of March 8, 2021, there now exist over 347,422 confirmed cases in Washington State, including 1,012 cases in Clallam County and 10 cases on the Makah Reservation, and at least 5,108 deaths in Washington State.

The Makah Tribal Council recognizes the need to preserve life and protect all members of the community on the Makah Reservation, especially our members most vulnerable to experiencing serious illness (i.e. seniors aged 60 and older and persons with underlying conditions). Because of the rapid spread of the virus, it is necessary to proactively enforce modifications in community and social behaviors to prevent

unnecessary death.

For the purpose of this health order, people are considered fully vaccinated for COVID-19 >2 weeks after they have received the second dose of a 2-dose series vaccine (i.e. Moderna or Pfizer) or >2 weeks after they have received a single-dose vaccine (i.e. Johnson and Johnson)

II. Makah COVID-19 Public Health Protocols: Phase 3 and changes in mask and physical distancing requirements for fully-vaccinated individuals.

The Makah Indian Reservation remains in Phase 3: Indoor gatherings of 10 or less and outdoor gatherings of any size are allowed.

Masks and physical distancing are not required during these gatherings if all adults (18+) are fully vaccinated and no children with high risk of severe COVID-19 are present. Children at high risk include those with medical conditions listed in the definitions section of the Makah COVID-19 Public Health Protocols.

If any adult in the gathering is not fully vaccinated or if children with high risk of severe COVID-19 are present, face masks and physical distancing must be observed by everyone involved, including those who are fully-vaccinated.

Face Masks are required in all businesses and offices. This includes, but is not limited to, Washburns, Mini mart, Clinic, Wellness Center, Tribal Offices, Post office, religious establishments, Recreation center (Makah Fitness Center and Community Gym), and all food establishments, including the point of ordering for food-trucks.

III. Household Groups

Household Groups may continue in accordance with the Makah COVID-19 Public Health Protocols with the exception that Household Units not located on the Reservation may not be considered a part of a Household Group for the duration of this order.

IV. Residents of Neah Bay and Traveling Protocols

Residents of Neah Bay must follow the Traveling Protocols under the Makah COVID-19 Public Health Protocols.

Fully-Vaccinated Residents of Neah Bay who have close contact with other Fully-Vaccinated individuals do not need to do Preventive Quarantine upon returning to Neah

Bay.

If an unvaccinated Resident has Close Contact with someone in a High Risk Area or who they know to have possibly been exposed to COVID-19, that Resident must avoid Close Contact with anyone outside of their Household Group for 14 days.

V. Visitors to the Makah Indian Reservation

Only Enrolled Makahs and their household members traveling with them are allowed to visit the Makah Indian Reservation for the duration of this Health Order.

Business Visitors must complete the Business Visitor Attestation form.

All individuals eligible for essential services at STIHC and the COVID vaccine are allowed to access the reservation for the purpose of accessing those services only. These individuals may not visit homes on the Reservation and are only allowed to be on the Reservation for the date of those services.

COVID testing is no longer required prior to arrival.

VI. Temporary Emergency Shelter In Place with new COVID cases

If a new case of COVID is diagnosed in Neah Bay, all individuals anywhere on the Makah Indian Reservation are ordered to follow the Makah COVID-19 Public Health Protocols under Shelter In Place during the initial phase of case and contact tracing. Once the initial phase of case and contact tracing is complete, Makah Tribal Council will determine the appropriate phase based on the extent of the COVID exposure.

VII. Enforcement

Pursuant to Makah Tribal Council Resolution No.12-21 the Makah Tribal Council directs the Chief of Police on the Reservation to enforce compliance of this Order. Any person or entity violating or failing to comply with this Order may be subject to civil fine of \$500. Multiple violations of this Order may be subject to criminal prosecution and/or arrest.

Final Statements

The Makah Tribal Council shall publish this Order: (1) by posting it on the Makah Portal makah.org, (2) makah.com, (3) at the Village Market, (4) at be'is, (5) at Washburns General Store, (6) at the Mini Mart, and (7) at the Post Office. In addition, the Makah Tribal Council must provide a copy of this Order to every business and facility operating

within the Makah Reservation. The Makah Tribal Council shall maintain copies to provide to the public free of charge.

This Order shall remain in full force and effect upon the enactment of Resolution 12-21 of the Makah Tribal Council and continues in effect indefinitely unless it is extended, rescinded, superseded, or amended in writing by the Makah Tribal Council. This Health Order supersedes Health Order 02-21 and all previous Makah Health Orders. Makah Tribal Council may revise this Order as the situation evolves, and individuals and facilities must stay updated by checking the Neah Bay Fact Line (360-645-3228) and makah.com.

If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder 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.