



# YUROK TRIBE

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**YUROK TRIBE PUBLIC HEALTH OFFICER ORDER #201117B**  
*Yurok Tribe Plan for Reducing Risk of Covid-19 Spread*  
November 17, 2020

Aiy-ye-kwee’,

The Yurok Tribe is a sovereign nation and federally recognized tribe with over 6,333 enrolled members. The Yurok Tribe and the State of California are in a State of Emergency because of the COVID-19 pandemic. The spread of COVID-19 is a substantial danger to the health of the public within the Yurok Reservation. COVID-19 can easily spread between persons who are in close contact with one another.

The age, demographics, condition, and health of a significant portion of the population of the Yurok Tribe places its members at risk for serious health complications, including death, from COVID-19. Recent U.S. Center for Disease Control and Prevention (“CDC”) studies have shown that Native Americans are among the racial and ethnic minority groups at higher risk for severe COVID-19 outcomes.<sup>1</sup> Persons have been shown to be infectious up to 48 hours before onset of symptoms, and as many as 50% of infections seem to occur in asymptomatic persons. All persons who contract COVID-19, regardless of their level of symptoms (none, mild, or severe), may place other vulnerable members of the public at significant risk. Currently, there is no vaccine available to protect against COVID-19.

The COVID-19 Pandemic affecting the Yurok Reservation, Del Norte County, Humboldt County, the State of California, the United States of America, and global community, has created a Public Health Emergency and imminent threat to the Yurok Reservation, Yurok ancestral territory and surrounding regions, resulting in grave risk to the health and safety of Yurok people.

The COVID-19 Pandemic is expected to immediately overwhelm limited tribal resources in the event of any community-spread outbreak, as well as compromise the Yurok Tribe’s ability to provide critical services to tribal members, thereby increasing the ongoing health and safety risks to Yurok members, reservation residents, property, environment, cultural knowledge, and the political integrity of the tribal government.

This Order is based on scientific evidence and best practices as currently known to the Yurok Tribe, including information from the Centers for Disease Control and Prevention, the State of California, and the Del Norte and Humboldt County Health Officers. This Order is intended to

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<sup>1</sup> Hatcher SM, Agnew-Brune C, Anderson M, et al. COVID-19 Among American Indian and Alaska Native Persons — 23 States, January 31–July 3, 2020. *MMWR Morb Mortal Wkly Rep* 2020;69:1166–1169. DOI: <http://dx.doi.org/10.15585/mmwr.mm6934e1>.

protect vulnerable members of the public and Yurok Tribe from avoidable risk of serious illness or death resulting from exposure to COVID-19.

The Yurok Tribe's response to COVID-19, and the response of surrounding governments, must be adaptable to frequently changing circumstances, including shift in number of positive COVID-19 cases, new health information, future availability of effective vaccine(s) or treatment(s), and impact on the health, safety, and political integrity of the Yurok Tribe and its members.

As such, the Yurok Tribe has adopted a general framework, the *Yurok Tribe's Plan for Reducing Risk of COVID-19 Spread* ("COVID-19 Plan"), based on a "tier" system that uses metrics that are tethered to readily available local health data. This framework is not, and will not, be the sole regulatory framework, but instead provides a clear general overview for different sectors and the general public based on the level of identified risk. This COVID-19 Plan also indicates which sectors are subject to more specific guidance and regulations, *the guidance and regulation documents will be made available at the Yurok Tribe Office of Emergency Services website at [www.yurokoes.org](http://www.yurokoes.org).*

**Now, therefore, I, as Public Health Officer for the Yurok Tribe, order the following:**

1. The enactment and implementation of the Yurok Tribe Plan for Reducing Risk of COVID-19 Spread.<sup>2</sup>
2. This Order shall be enforceable pursuant to Yurok Tribe law, including, but not limited to, the Yurok constitution and Yurok Tribe Public Health Ordinance.

#### **Terms of Orders**

3. This Order shall go into effect November 18, 2020.
4. This Order shall remain in effect until repealed by the Yurok Tribe Public Health Officer or repealed by the Yurok Tribal Council.
5. This Order does not repeal any other Yurok Tribe order, law, or regulation.
6. This Order is issued pursuant to the Yurok constitution and Yurok Tribe Public Health Ordinance.
7. If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, 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. The provisions of this Order are severable.

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Serene Hayden  
Public Health Officer  
Yurok Tribe

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<sup>2</sup> The Yurok Tribe's Plan for Reducing Risk of Covid-19 Spread is three (3) pages and attached to this order.

## YUROK TRIBE PLAN FOR REDUCING RISK OF COVID-19 SPREAD

The Yurok Tribe will use standardized metrics<sup>1</sup> [see image] to determine risk and Yurok Reservation “tier” designation for its *Plan for Reducing Risk of Covid-19 Spread*. These metrics complement state and local efforts and utilize the latest scientific understanding of COVID-19 and available health data that has been centralized by the state of California.

The Yurok Reservation is surrounded by Humboldt and Del Norte counties; if these counties have a differing tier designation based on these metrics, the Yurok Tribe will apply the strictest of the tiers across the entire Yurok Reservation. These metrics are subject to change based on the Yurok Tribe’s own assessment of risk as guided by its Public Health professionals.

The latest Yurok Tribe Covid-19 information, including the latest sector guidance, laws, and regulations, will be available at [www.YurokOES.org](http://www.YurokOES.org). Local residents are encouraged to contact Serene Hayden, Director, Yurok Office of Emergency Services with any questions.

**These metrics and COVID-19 Plan are subject to change, please monitor [www.YurokOES.org](http://www.YurokOES.org) for updates.**

County risk level	New cases	Positive tests
<p style="text-align: center;"><b>WIDESPREAD</b></p> <p style="text-align: center;">Many non-essential indoor business operations are closed</p>	<p style="text-align: center;"><b>More than 7</b></p> <p style="text-align: center;">daily new cases (per 100k)</p>	<p style="text-align: center;"><b>More than 8%</b></p> <p style="text-align: center;">Positive tests</p>
<p style="text-align: center;"><b>SUBSTANTIAL</b></p> <p style="text-align: center;">Some non-essential indoor business operations are closed</p>	<p style="text-align: center;"><b>4 - 7</b></p> <p style="text-align: center;">daily new cases (per 100k)</p>	<p style="text-align: center;"><b>5 - 8%</b></p> <p style="text-align: center;">Positive tests</p>
<p style="text-align: center;"><b>MODERATE</b></p> <p style="text-align: center;">Some indoor business operations are open with modifications</p>	<p style="text-align: center;"><b>1 - 3.9</b></p> <p style="text-align: center;">daily new cases (per 100k)</p>	<p style="text-align: center;"><b>2 - 4.9%</b></p> <p style="text-align: center;">Positive tests</p>
<p style="text-align: center;"><b>MINIMAL</b></p> <p style="text-align: center;">Most indoor business operations are open with modifications</p>	<p style="text-align: center;"><b>Less than 1</b></p> <p style="text-align: center;">daily new cases (per 100k)</p>	<p style="text-align: center;"><b>Less than 2%</b></p> <p style="text-align: center;">Positive tests</p>

<sup>1</sup> These metrics have been adapted from the state of California. The latest metrics data, including current “Tier” designation for neighboring counties is available at: <https://covid19.ca.gov/safer-economy/#reopening-data>:

\***Case Rate (rate per 100,000 excluding prison cases, 7-day average with 7-day lag)**: Calculated as the average (mean) daily number of COVID-19+ cases, excluding cases among persons incarcerated at state or federal prisons (identified as cases with an ordering facility name or address associated with prison locations), over 7 days (based on episode date), divided by the number of people living in the county/region/state. This number is then multiplied by 100,000. Due to reporting delays, there is a 7 day lag built into this calculation. For example, for data updated through 8/22/20, the case rate will be dated as 8/15/20 and will include the average case rate from 8/9/20 - 8/15/20.

\***Adjusted Case Rate for Tier Assignment (rate per 100,000 excluding prison cases, 7-day average with 7-day lag)**: Calculated as the Case Rate per 100,000 multiplied by the Case Rate Adjustment Factor that is based on the county’s testing rate per 100,000.

\***Testing Positivity (excluding prison cases, 7-day average with 7-day lag)**: Calculated as the total number of positive polymerase chain reaction (PCR) tests for COVID-19 over a 7-day period (based on specimen collected date) divided by the total number of PCR tests conducted (excludes tests for persons out of state or with unknown county of residence), excluding tests for persons incarcerated at state or federal prisons (identified as cases with an ordering facility name or address associated with prison locations). This number is then multiplied by 100 to get a percentage. Due to reporting delay (which may be different between positive and negative tests), there is a 7-day lag. Example: For cumulative lab data received on 8/22/20, reported test positivity is dated as 8/15/20 and is calculated based on tests with specimen collection dates from 8/9/20 - 8/15/20.

\***Test Rate (tests per 100,000 excluding prison cases, 7-day average with 7-day lag)**: Calculated as average (mean) number of polymerase chain reaction (PCR) tests per day over a 7-day period (based on specimen collection date), excluding tests for persons incarcerated at state or federal prisons (identified as cases with an ordering facility name or address associated with prison locations), and divided by the number of people living in the county/region/state. This number is then multiplied by 100,000. Due to reporting delay, there is a 7-day lag included in the calculation. Example: For cumulative lab data received through 8/22/20, the reported 7-day average number of tests will be dated as 8/15/20 and will include PCR tests with specimen collection dates from 8/9/20 - 8/15/20.

## YUROK TRIBE PLAN FOR REDUCING RISK OF COVID-19 SPREAD | OVERVIEW (1/2)

SECTORS	MINIMAL RISK (TIER 4)	MODERATE RISK (TIER 3)	SUBSTANTIAL RISK (TIER 2)	WIDESPREAD RISK (TIER 1)
	YUROK	YUROK	YUROK	YUROK
*CRITICAL INFRASTRUCTURE	Open with modifications	Open with modifications	Open with modifications	Open with modifications
*HAIR SALONS & BARBERSHOPS	Open indoors with modifications	Open indoors with modifications	Outdoor only with modifications	Closed
*ALL RETAIL (NOT GROCERS)	Open indoors with modifications	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 50% Capacity</li> </ul>	Open indoors w/ mods <ul style="list-style-type: none"> <li>• Max 25% Capacity</li> </ul>	Open indoor w/ mods <ul style="list-style-type: none"> <li>• Max 10% Capacity</li> </ul>
SHOPPING CENTERS	Open indoors with modifications <ul style="list-style-type: none"> <li>• Reduced capacity food courts</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>• Closed common areas</li> <li>• Reduced capacity food courts</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 50% Capacity</li> <li>• Closed common areas</li> <li>• Reduced capacity food courts</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 25% Capacity</li> <li>• Closed common areas</li> <li>• Closed food courts</li> </ul>
*PERSONAL CARE SERVICES (MASSAGE THERAPISTS, ETC.)	Open indoors with modifications	Open indoors with modifications	Open indoors with modifications	Outdoor only with modifications
MUSEUMS	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 25% Capacity or 100 people, whichever is fewer</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 25% Capacity or 100 people, whichever is fewer</li> </ul>	Outdoor only with modifications	Closed
*PLACES OF WORSHIP	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 50% Capacity</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 50% Capacity or 200 people, whichever is fewer</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 25% Capacity or 100 people, whichever is fewer</li> </ul>	Outdoor only with modifications
MOVIE THEATERS	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 25% Capacity or 100 people, whichever is fewer</li> </ul>	Outdoor only with modifications	Closed	Closed
*HOTELS & LODGING	Open with modifications <ul style="list-style-type: none"> <li>• Fitness Centers (50%)</li> <li>• +Spa facilities etc.</li> </ul>	Open with modifications <ul style="list-style-type: none"> <li>• Fitness Centers (25%)</li> <li>• +Indoor Pools</li> </ul>	Open with modifications <ul style="list-style-type: none"> <li>• Fitness Centers (10%)</li> </ul>	Open with modifications
*GYMS & FITNESS CENTERS	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 25% capacity or 100 people, whichever is fewer</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>• Max 10% capacity or 100 people, whichever is fewer</li> </ul>	Outdoor only with modifications	Outdoor only with modifications

An asterisk "\*" indicates the existence of separate in-depth guidance and/or legal regulations from the Yurok Tribe.

## YUOK TRIBE PLAN FOR REDUCING RISK OF COVID-19 SPREAD | OVERVIEW (2/2)

SECTORS	MINIMAL (TIER 4)	MODERATE (TIER 3)	SUBSTANTIAL (TIER 2)	WIDESPREAD (TIER 1)
	YUOK	YUOK	YUOK	YUOK
*RESTAURANTS	Open indoors with modifications <ul style="list-style-type: none"> <li>Max 50% Capacity or 200 people, whichever is fewer</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>Max 50% Capacity or 200 people, whichever is fewer</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>Max 25% Capacity or 100 people, whichever is fewer</li> </ul>	Outdoor only with modifications
WINERIES	Open indoors with modifications <ul style="list-style-type: none"> <li>Max 50% Capacity or 200 people, whichever is fewer</li> </ul>	Open indoors with modifications <ul style="list-style-type: none"> <li>Max 25% Capacity or 100 people, whichever is fewer</li> </ul>	Outdoor only with modifications	Outdoor only with modifications
*BARS, BREWERIES, & DISTILLERIES <i>(FOLLOW RESTAURANTS WHERE MEAL IS PROVIDED.)</i>	Open indoors with modifications <ul style="list-style-type: none"> <li>Max 50% Capacity</li> </ul>	Open outdoors with modifications	Closed	Closed
FAMILY ENTERTAINMENT CENTERS	Open indoors for activities with increased risk of proximity and mixing with modifications <ul style="list-style-type: none"> <li>Max 50% Capacity</li> <li>Arcade Games</li> <li>Ice and Roller Skating</li> <li>Indoor Playgrounds</li> </ul>	Open indoors for naturally distanced activities with modifications <ul style="list-style-type: none"> <li>Max 25% capacity</li> <li>Bowling alley</li> <li>Climbing walls</li> </ul>	Outdoor only w/ mods e.g. <ul style="list-style-type: none"> <li>Kart racing</li> <li>Mini golf</li> <li>Batting cages</li> </ul>	Outdoor only with modifications e.g. <ul style="list-style-type: none"> <li>Kart racing</li> <li>Mini golf</li> <li>Batting cages</li> </ul>
OFFICES	Open indoors with modifications -Encourage telework	Open indoors with modifications -Encourage telework	Remote	Remote
*AMATEUR SPORTS	Open with modifications <ul style="list-style-type: none"> <li>No live audience</li> </ul>	Open with modifications <ul style="list-style-type: none"> <li>No live audiences</li> </ul>	Open with modifications No live audiences	Open with modifications <ul style="list-style-type: none"> <li>No live audiences</li> </ul>
BOYS & GIRLS CLUB	Facilities Open with modifications <ul style="list-style-type: none"> <li>Distance Learning Options</li> <li>Max 50% capacity</li> </ul>	Facilities Open with modifications <ul style="list-style-type: none"> <li>Distance Learning Options</li> <li>Max 25% capacity</li> </ul>	Facilities Closed <ul style="list-style-type: none"> <li>100% Distance Learning</li> </ul>	Facilities Closed <ul style="list-style-type: none"> <li>100% Distance Learning</li> </ul>
YUOK HEAD START AND CHILDCARE	Facilities Open with modifications <ul style="list-style-type: none"> <li>Distance Learning Options</li> <li>Max 50% capacity</li> </ul>	Facilities Open with modifications <ul style="list-style-type: none"> <li>Distance Learning Options</li> <li>25% capacity</li> </ul>	Facilities Closed <ul style="list-style-type: none"> <li>100% Distance Learning</li> </ul>	Facilities Closed <ul style="list-style-type: none"> <li>100% Distance Learning</li> </ul>
YUOK EDUCATION AND LANGUAGE CLASSES	Facilities Open with modifications <ul style="list-style-type: none"> <li>Distance Learning Options</li> <li>Max 50% capacity</li> </ul>	Facilities Open w/ modifications <ul style="list-style-type: none"> <li>Distance Learning Options</li> <li>25% capacity</li> </ul>	Facilities Closed <ul style="list-style-type: none"> <li>100% Distance Learning</li> </ul>	Facilities Closed <ul style="list-style-type: none"> <li>100% Distance Learning</li> </ul>
YUOK CASINO	Open with modifications <ul style="list-style-type: none"> <li>Max 50% capacity</li> </ul>	Open with modifications <ul style="list-style-type: none"> <li>Max 25% capacity</li> </ul>	Outdoor only with modifications	Closed
OUTDOOR PLAYGROUNDS	Open with modifications <ul style="list-style-type: none"> <li>50% capacity</li> </ul>	Open with modifications <ul style="list-style-type: none"> <li>25% capacity</li> </ul>	Open with modifications	Closed
*BOAT RAMPS/DOCKS	Open with modifications	Open with modifications	Open with modifications	Closed

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