



TULE RIVER TRIBE PUBLIC HEALTH AUTHORITY

ORDER OF THE PUBLIC HEALTH AUTHORITY

No. C19-11

SUBJECT: Urgent Shelter-in-Place Order

I CURRENT SITUATION

Covid-19 is a highly contagious novel coronavirus spread mainly from person to person through respiratory droplets produced when an infected person coughs, sneezes, or talks.¹ As of December 16, 2020, there have been 117 cases of Covid-19 identified through the Tule River Indian Health Center, Inc. and one death due to Covid-19, 27,790 cases and 346 deaths in Tulare County, and 1,723,362 cases and 21,860 deaths in the State of California.² Recovered patients sometimes suffer permanent heart, lung, or neurological damage from Covid-19. The Tule River Indian Reservation must take precautionary steps to protect its people, community, and elders from Covid-19.

II SUMMARY GUIDANCE

The following order is designed to protect the Tule River Indian Reservation, its residents, and its way of life. It begins at 12:00AM on December 17, 2020 and continues until otherwise noted.

All persons on the Tule River Indian Reservation are required to shelter in place and leave their households only when absolutely necessary for their health, safety, or welfare or as described below as 'essential activities.'

Individuals may leave their place of residence only for emergencies or to perform "Essential Activities," defined herein, which primarily include activities and tasks essential to health, safety, and welfare or in the event of an emergency, as described below:

1. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their immediate family or household members (including, but not limited to, livestock and pets), such as, obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need.
2. To obtain necessary services or supplies such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residential living. When people need to leave home to obtain such necessities, they should do so in limited numbers and should at all times adhere to all other PHA orders including mask wearing and social distancing.
3. Individuals are still permitted to cultivate food (i.e. farming) and tend to livestock. However, plan ahead to purchase hay and feed, if needed.

¹ <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Basics>

² <https://tchhsa.org/eng/index.cfm/public-health/covid-19-in-tulare-county/>

4. Individuals are not required to remain indoors. Outdoor activity is encouraged and individuals may leave their immediate residence or home site area for exercise such as running or hiking as long as they follow other PHA orders, especially mask wearing and social distancing.
5. Wood collection and hauling, with an appropriate permit issued; however, groups are limited to no more than 5 people, masks are required, maintain social distancing to the greatest extent possible, and use hand sanitizer. Coal collection and hauling is also permissible with the same preventive measures.
6. Refrain from gathering with individuals from outside your immediate household.
7. Practice all individual preventative measures including wearing a mask in public, avoid public gatherings, maintain social (physical) distancing, remain in your vehicle for curbside and drive-through services.
8. These restrictions do not apply to Essential Employees reporting to or from duty at an Essential Business that is exempted from closure.

All Businesses not otherwise exempted herein shall be closed. The closure and cease operation requirement do not apply to Healthcare Operations, Essential Governmental Functions, or Essential Infrastructure Activities (as those terms are defined below). The closure requirement also does not apply to gas stations, grocery stores, laundromats, restaurants, food establishments, and hay vendors, provided they comply with the following requirements.

Rationale

The PHA believes that a shelter-in-place order is urgently needed to keep the reservation safe from Covid-19. Currently, cases of Covid-19 are higher on the Tule River Indian Reservation than ever before, including the summer. We have also seen a rapid rise in the number of cases within the last week - 10 new cases on the reservation and 13 new cases in the off-reservation Tribal community. Our rate of new cases per person is now higher than Navajo Nation. And we expect our numbers to continue to rise. There are dozens of Covid-19 tests pending and over 40 people have been in direct contact with positive cases and are under quarantine.

In addition, Tulare County has the highest number of cases they have ever had too. There are over 4,500 active cases in the county now, while the summer peak was approximately 3,700. The excessive number of cases is putting incredible strain on our healthcare system. The number of intensive care unit (ICU) beds in the entire county was 3 yesterday, and the overall capacity has continued to be less than 5%. These are troubling numbers which indicate that we cannot guarantee essential healthcare for Tribal members who require hospitalization. Immediate mitigation strategies are thus necessary to prevent this from happening.

The PHA believes that a shelter-in-place order is the best mitigation strategy currently available. Based on input from our contact tracers, residents are catching the virus from a variety of sources, including family gatherings and off-Reservation travel. Since November 30, the PHA has recommended a stay-at-home policy for households, but this recommendation has not curtailed the rise in cases. Therefore, we believe the appropriate protocol is to order everyone on the Tule River Indian Reservation to shelter-in-place and only leave their homes for essential activities. This order will be lifted once the circumstances are safer, and we have seen a drop in the number of cases.

Definitions

- a) “Essential Activities” are defined as (1) activities or tasks essential to the health and safety of one’s household (including livestock and pets), such as obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need; (2) obtaining necessary services or supplies (such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of a residence); (3) engaging in daytime outdoor activity such as walking, hiking, or running; (5) Cultivate food (i.e. farming) and tend to livestock; (6) Working for an essential business or in an essential government function, or providing essential infrastructure services; (7) Wood collection and hauling
- b) “Essential businesses” are any entity or organization defined, or deemed, by the Tule River Tribal Council as essential to the health, safety, and wellbeing of the community.

III ENFORCEMENT

- 1) Violation of this order may result in civil fines set out in the Tribe’s Communicable Disease Ordinance, or any other applicable tribal, state, or federal penalties.
- 1) Pursuant to Tribal Resolution No. FY2020-110, the Public Health Authority requests that Chief of Police of the Tule River Tribal Police enforce this Order to ensure compliance with its provisions. The violation of any provision of this Order may constitute an imminent threat and an immediate menace to public health.
- 2) This Order shall become effective on December 17, 2020 and will continue to be in effect unless extended, rescinded, superseded, or amended in writing by the Public Health Authority.
- 3) The Public Health Authority must promptly provide copies of this Order as follows: (1) by posting on the Tule River Indian Health Center Inc., website (www.trihci.org/Covid-19) and all of the Center’s social media sites (2) by posting at the Tule River Tribal Council Administration Building and requesting that the Tribe distribute to all other tribal entities, departments, and organizations for immediate posting, and (3) by providing a copy to any member of the public requesting a copy. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public requesting a copy.
- 4) 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.

Signature: _____


Tribal Public Health Officer

Date: December 17, 2020