

**ENACTING UPDATED COVID-19 GUIDELINES AND SUPERSCEDING AND REPLACING ALL PRIOR COVID-19 SAFETY GUIDELINES.**

**WHEREAS**, the Spokane Tribal Business Council (“Council”) is the duly constituted governing body of the Spokane Tribe of Indians (“Tribe”) by authority of the Constitution of the Spokane Tribe (“Constitution”); and

**WHEREAS**, the Constitution grants the Council such other powers and authority necessary fulfill its obligations, responsibilities, objectives, and purposes as the governing body of the Tribe; and

**WHEREAS**, under the Constitution, the Council is charged with the duty of protecting the general welfare of the Tribe and all Reservation residents; and

**WHEREAS**, the Delta variant of COVID-19 is currently spreading across the nation and the local region, driving significant increases in COVID-19 infections as well as COVID-19 related hospitalizations and deaths; and

**WHEREAS**, as a separate sovereign, the Tribe is not required to follow Governor Inslee’s Executive Orders related to COVID-19 safety guidelines for the State of Washington, however, the Tribe does recognize that the State of Washington has access to more medical and health experts and resources than the Tribe does; and

**WHEREAS**, the Tribe is carefully monitoring the COVID-19 situation on the Reservation and in surrounding counties, as well as updated safety information from the Washington State Department of Health and the Centers for Disease Control; and

**WHEREAS**, COVID-19 continues to spread across the Reservation, region, State, United States, and globe, and remains a threat to our community, especially our elders and community members who have underlying health conditions; and

**WHEREAS**, until there is widespread vaccination, effective treatment, and/or herd immunity, it is crucial to maintain community interventions to suppress the spread of COVID-19 through all phases of recovery and for the foreseeable future; and

**WHEREAS**, Council understands that any COVID-19 safety guidelines are subject to modification based on changing information and data, especially if COVID-19 begins to spread at an increased rate for any reason, including increases related to COVID-19 variants/mutations, to protect the general welfare of the Tribe and all Reservation residents; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, Resolution 2021-381 is amended and the Tribe enacts updated Phase 3 COVID-19 Safety Guidelines which read, in full, as follows:

**SPOKANE TRIBE OF INDIANS**  
**COVID-19 Safety Guidelines**

1. DEFINITIONS

- A. “Member” means an enrolled member of the Spokane Tribe of Indians.
- B. “Descendant” means the first-generation biological child of a Member.
- C. “Spouse” means an individual legally married to a Member, or the legal domestic partner of a Member.
- D. “Resident” means an individual who resides on the Spokane Indian Reservation and includes moorage customers located at Two Rivers Marina.
- E. “Non-Member” means an individual enrolled in any federally recognized Indian tribe other than the Spokane Tribe of Indians. Spouses and Descendants are excluded from the definition of Non-Member for purposes of this Resolution.
- F. “Non-Indian” means an individual who is not enrolled in a federally recognized Indian tribe. Spouses and Descendants are excluded from the definition of Non-Indian for purposes of this Resolution.
- G. “Recreational Area” means recreational resources, including but not limited to forest areas, campgrounds and areas around lakes, streams, and rivers. As used in this Resolution “Recreational Area” does not include the Pow Wow Grounds.
- H. “Social Distancing” means maintaining a distance of at least six feet from any person who is not a member of their immediate household, avoiding public and private gatherings regardless of size, and other limitations and requirements as set forth in Resolution 2020-166.
- I. “Day Use” means utilization of Recreational Activities for any reason during the day.
- J. “Overnight Camping” means utilization of Recreational Activities which include an overnight component.
- P. “Spokane Indian Country” includes all lands within the exterior boundaries of the Spokane Indian Reservation and all off-Reservation trust lands.
- R. “COVID-19 Emergency Resolution” means any Tribal resolution approved by the Council which enacts policy, procedure, guidance, regulation, or law related to COVID-19, including but not limited to safety measures or otherwise responding to or mitigating the ongoing COVID-19 pandemic and its impacts.
- T. “Family Representative” means the individual who organizes or holds a Social Gathering or Religious or Cultural Ceremony and is therefore responsible for

ensuring the Social Gathering Religious or Cultural Ceremony follows the requirements of all applicable COVID-19 Emergency Resolutions.

- U. “Religious or Cultural Ceremony” means any gathering held for a religious or cultural purpose including but not limited to funerals, wakes, weddings, stick game, pow-wows, jump dances, sweats, and similar traditional ceremonies.
- AA. “CDC” means the Centers for Disease Control and Prevention of the United States.
- AB. “DOH” means the Washington State Department of Health.
- AC: “Household Member” means all individuals who reside in the same domicile.
- AD: “Established Campgrounds” means those established and maintained campgrounds as determined by the Tribe’s Department of Natural Resources or Park Rangers. For purposes of this resolution, “Established Campgrounds” shall not include the Two Rivers RV Park or the Two Rivers Marina.
- AE: “Vaccinated Individual” or “Fully Vaccinated Individual” means a person who is two (2) weeks past receiving the second dose in a two-dose series (such as Moderna and Pfizer vaccines) or a single-dose vaccine (such as the Johnson & Johnson vaccine). Individuals who have only received one (1) dose in a two-dose series are not considered a “Vaccinated Individual”.
- AF: “Miscellaneous Meeting” means a meeting of multiple individuals for purposes of business, recovery groups, professional training and testing, court and judicial branch-related proceedings, and other meetings called for or approved by the Council including but not limited to town halls or informational meetings for Members such as General Council meetings required by the Constitution.
- AG: “Tribal Operations” means the any and all tribal governmental facilities or programs.
- AH: “Unvaccinated Individual” means all persons who are not Vaccinated Individuals as defined by this Resolution.

## 1. GENERAL COVID-19 SAFETY GUIDELINES

- A. The Tribe hereby adopts all COVID-19 safety guidelines and recommendations of the Washington State Department of Health. **All individuals in Spokane Indian Country, including non-Residents, must follow all recommendations from the Washington State Department of Health regarding COVID-19 safety guidelines and requirements.**

- i. For purposes of clarity, this resolution incorporates all Department of Health COVID-19 guidance as they exist now and as they may be amended in the future. When Department of Health provides updated guidance, that updated guidance shall automatically go into effect in Spokane Indian Country.
- ii. The only exceptions to the Washington State Department of Health's recommendations are the limited exceptions expressly authorized by this resolution.

2. RECREATIONAL AREAS: CAMPING AND FISHING

A. All individuals in Spokane Indian Country shall obey the following fishing, camping, restrictions, and hunting regulations:

- i. Day Use:
  - a. Day Use at all Recreational Areas, except the Two Rivers Marina, McCoy's Marina, and Little Falls Fishing Area, shall be closed to the general public until further notice.
  - b. Day Use at all other Recreational Areas shall be limited to Members, Spouses, Descendants, Residents, and individuals who live in their immediate households.
  - c. Spokane Tribal Rangers and other authorized individuals shall strictly enforce these limitations at Established Campgrounds.
- ii. Overnight Camping:
  - a. Overnight Camping at all Recreational Areas, except the Two Rivers Marina and McCoy's Marina, shall be closed to the general public until further notice.
  - b. Overnight Camping at all other Recreational Areas shall be limited to Members, Spouses, Descendants, Residents, and individuals who live in the immediate households of such individuals.
  - c. Spokane Tribal Rangers and other authorized individuals shall strictly enforce these limitations at Established Campgrounds.
- iii. Fishing:
  - a. All fishing on the Reservation and tribal waters, except the Two Rivers Marina and Little Falls Fishing Area, shall be limited to Members, Spouses, and Descendants only.
    1. Where this provision conflicts with the fishing regulations as approved by Resolution 2020-271, or any other fishing regulations approved by Resolution, the terms and

conditions of this COVID-19 Emergency Resolution shall control.

2. All other applicable provisions of the fishing regulations as approved by Resolution 2020-271, or any other fishing regulations approved by Resolution, shall remain in effect, including designated seasons and harvest limits.
3. For purposes of clarity, the general public may fish at the Two Rivers Marina and the Little Falls Fishing Area, provided they have a valid fishing permit, if applicable.

- b. All fishing on the Reservation shall be subject to all applicable COVID-19 Emergency Resolutions and safety requirements, including but not limited to Social Distancing and Face Masks, as well as all applicable license or permit requirements.

iv. Hunting:

- a. Where this provision conflicts with the hunting regulations as approved by Resolution 2020-271, the terms and conditions of this COVID-19 Emergency Resolution shall control. All other applicable provisions of the hunting regulations as approved by Resolution 2020-271 shall remain in effect, including designated seasons and harvest limits.
- b. All hunting on the Reservation shall be subject to all applicable COVID-19 Emergency Resolutions and safety requirements, including but not limited to Social Distancing requirements, as well as all applicable license or permit requirements.
- c. All Recreational Areas shall remain off-limits to Non-Members and Non-Indians for all purposes, except for the fishing and day use and camping activities authorized by Section 4(A)(iii).

B. Pow-Wow Grounds:

- i. Overnight Camping at the Pow-Wow Grounds shall be subject to the following regulations and restrictions:
  - a. Overnight Camping at the Pow-Wow Grounds shall be closed to all individuals at this time.
  - b. The prohibition against Overnight Camping shall not apply to individuals who may utilize the Pow-Wow Grounds as a COVID-19 isolation or quarantine facility who have received prior written consent from the Tribe's Executive Director or his designee.

- C. Exceptions: Notwithstanding the above restrictions, the Tribal Council may grant exceptions to the limitations on Day Use, Camping, Fishing, and/or Pow-Wow Grounds restrictions imposed by this Section. Any exceptions approved pursuant

to this Subsection must be documented in writing from the Tribal Council, the Tribal Council's authorized designee, the Executive Director, or the Executive Director's designee.

4. TRIBAL OPERATIONS AND INTERNAL COVID-19 POLICIES

- A. The Council grants the Emergency Management Team the limited authority to recommend COVID-19 Policies to protect the health and welfare of all individuals in Spokane Indian Country.
- i. The Council designates the Spokane Tribe's Executive Director, or Acting Executive Director if applicable, to serve as the Director of the Emergency Management Team.
  - ii. The Emergency Management Team shall be staffed by the Chief of Police, the Planning and Public Works Director, the Emergency Services Manager, the IT Director, the Deputy Executive Director, the Director of Health and Human Services, the Chief Financial Officer, the Department of Natural Resources Director, the Emergency Manager, and any other individual appointed by the Director of the Emergency Management Team.
- v. The Tribe recognizes that certain tribal facilities may be subject to other local safety requirements.
- vi. All Tribal governmental facilities may be closed to the general public and all non-essential personnel at the direction of the Executive Director.

5. CONSTRUCTION

- A. Following all Department of Health Guidelines regarding Construction activities within the State of Washington and on the Spokane Indian Reservation.
- B. The ongoing cleanup and reclamation activities at the Midnite Mine Site and Dawn mill site by Newmont USA Limited and Dawn Mining Company, LLC (collectively, "Newmont") may continue to operate pursuant to the Framework Agreement dated February 24, 2016 ("Cleanup Activities"). However, all Cleanup Activities remain subject to the "Midnite Mine Infectious Disease Preparedness and Response Plan Coronavirus Disease (COVID-19)" as prepared by Newmont and approved by the Spokane Tribal Employment Rights Office.

9. CONFLICTS WITH TRIBAL LAWS

- A. In the event this Resolution conflicts with any provision of the Revised Spokane Law and Order Code or other Tribal law, the terms and conditions of the COVID-19 Emergency Resolutions shall control.

**BE IT FURTHER RESOLVED**, this Resolution is intended to preserve the peace and welfare of the Tribe and Reservation Residents. Pursuant to RSLOC 14-26.01, all individuals found to

have violated any of the limitations or requirements of this Resolution, including but not limited to Face Mask requirements, shall be subject to the following penalties:

- A. Any person who willfully violates this Resolution shall be subject to a monetary fine in the amount of \$500.00, and may also be subject to other applicable civil remedies including, but not limited to, emergency and permanent exclusion from the Reservation.
- B. Where a minor, who has not reached sixteen (16) years of age, willfully violates this resolution then the minor’s parent or legal guardian shall be subject to a monetary civil fine in the amount of \$500.00, and may also be subject to other applicable civil remedies including, but not limited to, emergency and permanent exclusion from the Reservation.
- A. Failure to follow the prohibitions and requirements of this Resolution constitutes and imminent and serious danger to the lives, health, and safety of the inhabitants of the Reservation. Such conduct is a violation of the laws of the Tribe and is offensive to the morals of the Tribe. Therefore, non-Members who violate this resolution may be subject to emergency and immediate exclusion from the Reservation pursuant to RSLOC 21.01 and according to the procedures of RSLOC Chapter 21.

**BE IT FURTHER RESOLVED**, that the State of Emergency Declared in Resolution 2020-166 continues to exist and shall remain in effect until further Resolution of the Council.

**BE IT FINALLY RESOLVED**, that this Resolution is effective as of the date of certification below and shall remain in effect until further Resolution of the Council.

**Certification**

The foregoing was duly enacted by the Spokane Tribal Business Council on the 11th day of October, 2021, by the vote of 5 for, 0 against, 0 abstain, and 0 absent under authority contained in Article VIII of the Constitution of the Spokane Indians ratified by the Spokane Tribe on November 22, 1980.

  
**Chairwoman Carol Evans**  
**Spokane Tribal Business Council**

	Yes	No	Abstain	Absent
CE	X			
GA	X			
MT	X			
GF	X			
DK	X			