

FREQUENTLY ASKED QUESTIONS REGARDING THE STATE OF ALASKA HEALTH MANDATES AND CITY OF SEWARD'S EMERGENCY COVID-19 RULES

The State of Alaska has issued numerous health mandates to prevent the spread of COVID-19 over the last month. Similarly, the City of Seward has issued temporary emergency rules to protect the Seward community from the spread of this virus. While these mandates and rules are necessary to preserve the health, welfare, and safety of Seward residents and visitors, there is often confusion about the scope of these rules and how they apply to the general public. The value and effectiveness of these mandates turns on the public's willingness and ability to comply with them. The City of Seward has prepared the following list of questions and answers to ensure members of the public have the tools they need to comply with both State of Alaska health mandates and City of Seward COVID-19 Emergency Rules. The City reiterates the important role we each play in curbing the spread of COVID-19 and reminds Seward residents and visitors that regardless of the technical application of the rules in place, the more we distance ourselves from one another, the greater protection we provide each other. In addition to these frequently asked questions, the City encourages each of you to review the State of Alaska mandates at <https://gov.alaska.gov/home/covid19> and the City rules at <https://www.cityofseward.us>.

1. May my friend travel from Anchorage to Seward to go sport fishing with me?

If your friend is coming to Seward to fish for subsistence, and you are able to maintain six feet between you while engaging in that activity, it would not expressly violate the State Health Mandates.

2. I saw someone who lives in Moose Pass at Carrs; Aren't they prohibited from traveling into Seward?

Under the State mandate, an individual can travel to the community that they are closest to in order to fulfill critical personal needs if those critical personal needs cannot be met in their own community. If the individual from Moose Pass needs critical supplies that are not available in Moose Pass, he or she may travel to the nearest community with those supplies.

3. I just saw a group of seafood processor employees headed toward the dock, aren't they required to be in quarantine?

Generally, individuals arriving in Seward from outside Alaska are required to be in post-travel quarantine for 14 days; however, because processing is identified by the State as an essential business, employees travelling to their worksite at a processing facility are likely in compliance with the quarantine mandate.

4. I just saw a woman who I know is from Kenai and is in Seward to commercial fish enter the grocery store. Is that a violation of a State health mandate?

No. If she traveled to Seward to commercial fish, she is in Seward to engage in an essential business and is exempt from the prohibition against intrastate travel imposed by State health mandate. She will need to comply with all of the applicable social distancing mandates while in Seward but those mandates permit her to meet critical personal needs while in Seward, which would include shopping for groceries.

5. What are the fines for individuals violating the social distancing requirements?

A person or organization that fails to follow the State health mandates designed to protect the public health from this dangerous virus and its impact may, under certain circumstances, also be criminally prosecuted for Reckless Endangerment pursuant to Alaska Statute 11.41.250. Reckless endangerment is a class A misdemeanor. Pursuant to AS 12.55.135, a person convicted of a class A misdemeanor may be sentenced to a definite term of imprisonment of not more than one year. Additionally, under AS 12.55.035, a person may be fined up to \$25,000 for a class A misdemeanor, and a business organization may be sentenced to pay a fine not exceeding the greatest of \$2,500,000 for a misdemeanor offense that results in death, or \$500,000 for a class A misdemeanor offense that does not result in death.

6. What can I do if I see someone violating a State health mandate or Seward's COVID-19 Emergency Rules?

If you see a business or an individual violating a state health mandate, you can report the violation to investigations@alaska.gov.

7. Can the City require people coming from outside the City to enter quarantine, even if the State of Alaska has exempted them from quarantine?

No. The City can enforce the State of Alaska quarantine requirements for out-of-state and intrastate travelers but it cannot impose its own travel restrictions and is expressly prohibited by the State from placing travelers coming to the City for essential business or for critical personal needs into quarantine unless a business consents to these additional quarantine requirements.

8. I noticed that a local store selling sewing supplies is open but is only letting five customers in at a time and has a sign telling everyone to stay six feet apart. Should this store be closed under the State health mandates?

Not necessarily. There are many stores that are permitted to stay open under the State mandates because they qualify as "essential services or critical infrastructure." The list of businesses that qualify as "essential services or critical infrastructure" is contained in the "Alaska Essential Services and Critical Workforce Infrastructure Order" issued by the State on March 27, 2020. This list includes businesses that are able to maintain social distance requirements and prevent the congregation of more than 10 people in their business, including employees, at a given time. The Alaska Essential Services Order is available on the City website if you want to review the full list of essential services and

critical infrastructure. However, if the sewing shop is able to (1) maintain six feet between individuals; (2) use hand sanitizer and wash hands for at least 20 seconds; (3) avoid shaking hands; (4) cover coughs and sneezes; and (5) clean high-touch surface areas, that shop may qualify as an “essential business” under the State health mandates.

The sewing shop will need to post notice of its protective measures and protocols under Seward COVID-19 Emergency Rule 11.1, which must include the store’s qualification as an “essential service,” its sanitation measures, its social distancing protocols, and a number for the owner or his, her designee.

9. What is an essential business or critical infrastructure position under State mandate?

The businesses that qualify as essential or support critical infrastructure are listed in the "Alaska Essential Services and Critical Workforce Infrastructure Order" and include:

- Healthcare operations
- Public works construction
- Housing construction
- Utilities
- Mining
- Logging
- Banking and lending institutions
- Appraisal and title companies
- First responders and law enforcement
- Local government and transportation (i.e. taxis and railroads)
- Grocery stores, convenience stores, and other retail stores selling food, beverages, and household consumer products
- Food and agriculture, cultivation, including farming, fishing, and processing
- Media
- Auto repair and supply shops, bike repair shops, and related facilities
- Laundry services
- Plumbers, electricians, and other home service providers
- Home-based care for seniors, children, and adults
- Law offices and accounting services when needed to assist in compliance with legally-mandated activities
- Childcare facilities servicing individuals with critical jobs
- And all other businesses that can maintain social distancing requirements and prohibit congregation of more than 10 people

While this list is not exhaustive, it should give you an idea of the types of businesses that are defined as “essential” or constitute “critical workforce” by the State.

10. I just returned from Arizona and I am under an interstate travel quarantine. If I’m sick, may I go to the doctor?

Yes. You may leave your designated quarantine location only for medical emergencies or to seek medical care. Please call your doctor before going to their office or facility.

11. I am under the State interstate travel quarantine, can I run to the grocery store to get food?

No. The language of State Health Mandate 10 only permits you to leave quarantine to seek medical care. It prohibits individuals to leave their place of residence to visit any public spaces, including pools, meetings rooms, fitness centers, and restaurants. However, if you work for a business included in the “Alaska Essential Services and Critical Workforce Infrastructure Order,” you may leave quarantine to work for that business. If you are subject to State interstate travel quarantine and cannot access needed food, please contact the City so we can provide assistance, if needed.

12. I am in inter-state travel quarantine. Are the members of my household now subject to quarantine too?

No. If someone else is at your location, you must comply with social distancing guidelines, including remaining at least six feet away from others, and frequently cleaning surfaces. If you need help accessing food, please contact your local jurisdiction to request help.

13. If I can't leave, how do I get food at my quarantine location?

Some Seward grocery stores and restaurants deliver food, all of which can be dropped off outside the door to prevent contact. If you cannot obtain food while in quarantine, please contact the City so we can assist you.

14. My small business supports critical infrastructure and I have travelers coming in from out of state; What do I need to do under the State health mandates?

You need to submit a plan or protocol for maintaining critical infrastructure to the state at akcovidplans@ak-prepared.com. There are sometimes changes to submission addresses so it is important to confirm the appropriate email address for submissions before filing your protocol or plan. The protocol criteria is listed in the State health mandate and includes requirements that a plan or protocol “outlin[e] how you will avoid the spread of COVID-19 and not endanger the lives of the communities in which you operate, of others who serve as a part of that infrastructure or the ability of that critical infrastructure to function.” The following are some examples regarding travel protocols and plans provided by the State of Alaska in its FAQs on State Health Mandate 10:

EXAMPLE: What if a telecommunications provider is wondering if it needs to enforce quarantine requirements on its in-state employees who have been on vacation out of state, and are now returning? (Note that communications providers have been deemed “essential” critical infrastructure). *The provider (company) needs to submit their business implementation plan to akcovidplans@ak-prepared.com. That plan should articulate how the company is protecting workers and customers with respect to the mandate and guidance for quarantine and social distancing. If the employee cannot*

comport with the company guidance and recommendations for social distancing, we suggest the company have that employee stay home.

EXAMPLE: *I work for a moving company, and I drive across the U.S.-Canadian border frequently, but I'm alone in my truck. Do I still have to quarantine for 14 days after arriving in Alaska?* No. Moving and trucking companies are considered critical infrastructure, but they are asked to have a mitigation plan on how to avoid the public and help to prevent the spread of COVID-19. This plan should be submitted to akcovidplans@ak-prepared.com.

EXAMPLE: *What if someone is traveling back to their home from out-of-state but have a stopover in another community on their way home? What does this person need to do?* Transient accommodations, including temporary lodging at the stopover location at a hotel, is permissible. The same applies for those travelers with overnights due to weather or other extenuating circumstances on their journey home.

EXAMPLE: *If someone is traveling back to a village but stopping in Anchorage, does that person need to quarantine in both communities?* The person traveling must quarantine when they arrive at their home or employee lodging at the final destination. This person does not need to quarantine in Anchorage. Travelers should state the final destination, not intermediary destinations.

15. Will the mandatory declaration form be collected at the highway border as well as airports? What state agency will be collecting the Declaration forms at the airports and will they be given to municipalities and or law enforcement agencies? What will be done with the forms? Are they public records?

According to the State of Alaska in its FAQs:

Declaration forms are being collected in drop boxes at Ted Stevens Anchorage International Airport (ANC), and Fairbanks International Airport (FAI). For travelers to Juneau (JNU), forms will be collected by City and Borough of Juneau employees. All forms will be collected and provided to State of Alaska Department of Health and Social Services staff in all locations, and will be secured and stored with DHSS. They will not be given to municipalities or to any local, state or federal law enforcement agencies. If in the future a misdemeanor criminal investigation is ongoing, law enforcement will request specific documentation (evidence) from the department, which will be processed in the customary way documentation is provided during criminal investigations, ensuring protocols for chain of custody are applied. The State of Alaska is developing the procedures and collection protocols for forms at land border crossings. The same protocols will apply for collection and preservation.

16. Who enforces the State health mandates? Can I get a ticket if I'm out for non-essential reasons?

State and local law enforcement will enforce the mandates. However, the State of Alaska has emphasized in its public information documents that the focus will be on education, not enforcement. Law enforcement officials will be responding to complaints and educating the public when they notice obvious violations that jeopardize the safety of individuals or the community. The City takes violations of the mandates and COVID-19 Emergency Rules very seriously and will enforce them to the greatest extent permitted by law, when necessary and the resources are available to do so.

17. Can older people leave the house on essential errands under the State health mandates?

In response to this question in the State's FAQs, it advised:

The Centers for Disease Control and Prevention (CDC) recommends that older adults, age 64 and older, and those with underlying health conditions not leave home at all, even to run errands. The State of Alaska recommends that these more vulnerable populations order food or necessary items using available services from stores and restaurants, or ask for help from a relative, friend or neighbor. For the safety of everyone, stay home.

The City encourages adults age 64 and older to stay in their home and contact the City if they cannot access services from stores and restaurants needed to meet their critical personal needs. The City is developing a list of resources of available delivery services for critical personal needs.

18. Can I leave home to care for my elderly parents or friends? Or a family member or friend who has disabilities?

Yes. Be sure to follow social distancing guidelines to protect them and you. If you are sick with any respiratory illness, stay home and find someone else to help care for them.

19. Can I visit loved ones in the hospital, nursing home, skilled nursing facility, or other residential care facility?

No. This is difficult but necessary to protect facility staff and other patients. There are limited exceptions, such as if you are going to the hospital with someone younger than 18 or who is developmentally disabled and needs assistance. For most other situations, the order prohibits visitation to these kinds of facilities except at the end-of-life.

20. Can restaurants still provide take-out services under the "shelter in place" social distancing State mandate?

Yes, but they must do so while maintaining six feet between people at all times. If there are lines, restaurants must ensure people are adequately spaced. Systems must be implemented to prevent close contact when customers pick up food or pay for their order. Under Seward COVID-19 Emergency Rule 11.2, all businesses remaining open and

-serving the public at a physical location within Seward must also post their “Business Protection Measures and Protocols.” This notice ensures their customers know what measures the store is taking regarding sanitation and social distancing. These businesses are also required to post a number for people to call when they witness a violation of that business’s protective measures and protocols.

21. Is commercial construction considered essential under the State health mandates?

Yes. Commercial construction is considered essential, as is any public works construction, but they will need to follow distancing and cleaning guidelines as they continue to work.

22. Are hotels, bed and breakfasts, and resorts essential businesses under the State health mandates?

Yes, but only for the purpose of providing essential services, such as housing for local residents or essential workers, or for isolation or quarantine.

23. Do I have to stay home and inside, or can I go outside for exercise and recreation?

If you are not subject to interstate travel quarantine, outdoor activity near your home is OK under the State health mandates and encouraged for your health and well-being, but always keep at least six feet between people who do not live in your immediate household.

Social distancing requirements are in effect on paths, trails, sidewalks, riverbanks, beaches, parks, and anyplace outside on private or public property where people might gather. Crowds of 10 people or more are prohibited.

24. Can I take my child to a playground?

Playgrounds may still be open in Seward but both the State and City advise that playgrounds are not the safest places to be right now and discourage the use of playground facilities during this declared emergency. Children tend to play in close proximity to each other in a playground, older children gather to play sports, and adults congregate to watch their children. All of these circumstances create great risk of COVID-19 transmission.

25. What’s closed?

While this is a difficult question to answer because it may change depending upon the activities each business is doing and whether or not the business qualifies as essential under the Alaska Essential Services and Critical Workforce Infrastructure Order, here is a list of businesses that are generally closed under the State health mandates:

- Dine-in restaurants – except for drive-thru, delivery and carry-out

- Bars and nightclubs
- Entertainment venues
- Gyms and fitness studios
- Public events and gatherings
- Convention centers
- Hair and nail and skin care salons
- Reference the Alaska Essential Services and Critical Workforce Infrastructure Order for a full list.

26. Can I call a plumber or electrician?

Yes. Plumbing and other critical home repairs are considered essential businesses. You may call a plumber or other home repair businesses if you need one, but keep physical distance between you and the repair people who come into your home and practice proper hygiene. Non-critical plumbing needs should be delayed.

27. Can I drive somewhere to recreate?

You are not prohibited from driving, but you must stay six feet away from non-family members.

28. Can I drive to my cabin and hunker down there?

The State explained in its FAQs that individuals could go to their cabins but required cabin goers to stay six feet away from non-family members.

29. May I go clothes shopping?

Casual shopping is not encouraged at this time, as you must remain six feet away from everyone. Deliveries of goods and services to your home is recommended.

30. What if I'm dating someone who lives in another household? Am I allowed to visit that person?

No; As the State explained: "You must stay six feet away from anyone who is not a family member. Not doing so endangers the members of the dating partners' families."

31. How long does the State health mandate prohibiting travel between Alaska communities (State Health Mandate 12) last?

The mandate went into effect March 28, 2020 and remains in effect until the Governor of Alaska rescinds or modifies the order. However, the State will reevaluate the mandate by April 21.

32. What does the State mandate regarding travel between communities?

By mandate, the State requires that:

[u]nless you are obtaining or providing an essential service that requires you to be out in the public, Alaskans should not be traveling between communities. Alaskans may go outside to exercise and recreate, but must maintain a distance of six feet or more from other members of the public.

Workers are encouraged to work from home, unless they work in health care, public service or other businesses deemed essential, as defined in the Alaska Essential Services and Critical Workforce Infrastructure Order (formerly Attachment A).

33. Are employees of essential services and critical infrastructure permitted to travel under the intra-state travel ban?

Yes, however essential services and critical infrastructure entities are recommended to limit their travel within Alaska to key personnel, in order to mitigate the risk to their own employees and the communities where they operate. Such business entities are required to submit a travel plan or protocol consistent with mandates. These entities must also submit their travel protocol or plan to the City of Seward under Seward Emergency COVID-19 Rule 11.2 as well as a State Protocol Acknowledgement Form in which the business commits to strictly comply with its State protocol or plan in Seward.

34. Is commercial fishing considered an essential service, and can fishing vessels sail port to port?

Yes, commercial fishing is an essential service and part of critical infrastructure. Fishing vessels can sail to port to port in Alaska, but have the responsibility to monitor their crew for signs and symptoms, report any issues to the appropriate authorities, and mitigate the risk of exposure to the small communities in which they operate.

35. Are airports still open?

Yes, the public airports in Alaska remain open. Travel is limited to essential travel, and in addition, anyone coming into Alaska from out of state is required to complete a Travel Declaration Form and self-quarantine for 14 days, per State of Alaska Mandate 10.1. Airport officials are encouraging social distancing throughout airport facilities. As a result of reduced or cancelled schedules of individual airlines, some airports have closed their terminals after receiving FAA approval to do so.

36. Can I drive to visit or fly to visit another family member in Alaska?

No; This isn't considered a critical personal need or essential business under the mandates.

37. What's the point of the mutual aid agreements required by Seward Emergency COVID-19 Rules?

Seward COVID-19 Emergency Rule 11.3 requires businesses continuing to operate at a physical location in Seward to complete a mutual aid agreement with the City because the best way to protect the City from the spread of COVID-19 is to invest all stakeholders in this battle. Critical infrastructure and essential business employers are in the best position to protect their employees and implement protocols that preserve the health and safety of the public. The mutual aid agreements acknowledge that the fight against COVID-19 requires all entities and individuals within our community to remain accountable for combating the virus. Individuals do this by complying with social distancing requirements and businesses do this through the identification and adoption of strictly followed safety protocols. Businesses that have filed approved protocols or plans with the State do not need to complete a separate mutual aid agreement. These businesses do, however, enter into a State Protocol Acknowledgement form through which they affirm their commitment to complying with their State protocol in the City. The criteria for mutual aid agreements are located in Seward COVID-19 Emergency Rule 11.3.