

## **FAQs REGARDING STATE OF ALASKA HEALTH MANDATES AND CITY OF WHITTIER'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. The City of Whittier has also issued temporary emergency rules to protect Whittier from the spread of this virus. Although the rules and mandates are written to protect you, they can be confusing.

The City has prepared the following list of questions and answers to help you understand and be able to follow both the State of Alaska health mandates and the City's COVID-19 Emergency Rules. The answers given to the questions comply with both the State Health Mandates and the City's COVID-19 Emergency Rules.

Every person plays a critical role in curbing the spread of COVID-19. Remember that regardless of the technical application of the rules, the more we distance ourselves from one another, the safer we keep ourselves and each other.

State of Alaska mandates are found at <https://gov.alaska.gov/home/covid19> and the City's rules at [www.whittieralaska.gov](http://www.whittieralaska.gov). Please email [info@whittieralaska.gov](mailto:info@whittieralaska.gov) if you have any questions.

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## **1. Can my friend travel from Anchorage to Whittier to go sport fishing with me?**

Per the Alaska Department of Fish and Game, only if:

- Your friend could not find a suitable fishing location as close as possible to their home residence; and
- Your friend will abide by all local mandates in the communities they will travel through and to; and
- Your friend totally provisions their trip from their home community (in this example it would be Anchorage) and do not buy food, drinks, or even fuel (if possible) after beginning their trip and until they return home; and
- They practice social distancing while fishing with anyone not considered part of their immediate household (in this example, you and your friend would need to be at least 6-feet apart from each other); and
- You and your friend wear face coverings as suggested in Health Alert 010 issued April 3, 2020; and
- Per Whittier Emergency Rule 11(C), your friend travels directly from the tunnel to the vessel or location at which the fishing will occur.

## **2. Aren't I allowed to recreate outside anywhere?**

No. You may recreate outside, including with non-household members (up to a total group of nine people) if social distancing is maintained and you remain in your home community.

## **3. I saw someone who lives outside Whittier at the Whittier grocery store; Aren't people prohibited from traveling into Whittier?**

There are several situations where a person who lives outside Whittier could be lawfully shopping in Whittier. For example, essential workers who traveled to Whittier for essential job functions, someone who came to town to care for an elderly person, and/or someone launching their vessel from the Whittier Harbor are all allowed to go to the grocery store while in town.

However, City COVID-19 Emergency Rule 10.3 restricts the grocery store to no more than five individuals within it at any time, including employees.

## **4. 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 Whittier from outside Alaska are required to be in a quarantine for 14 days after arrival into Whittier; however, the State holds fish processing as an essential business. Employees travelling to their worksite at a processing facility are likely in compliance with the quarantine mandate because these employees do need to comply with their employer's State of Alaska travel protocol and social distancing requirements.

Further, employees must all comply with their employer's mutual aid agreement with the City. All private employers in Whittier with more than five employees are required

to enter into a mutual aid agreement with the City through which they implement a health risk assessment protocol for employees coming into and leaving Whittier.

**5. I just saw a Seward woman in Whittier who is commercial fishing and she entered the grocery store. Is that a violation of a State health mandate?**

Not necessarily. If she traveled to Whittier to commercial fish, she is in Whittier to engage in an essential business and is exempt from the prohibition against intrastate travel imposed by State health mandate.

**6. 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.

**7. What can I do if I see someone violating a State health mandate or Whittier'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](mailto:investigations@alaska.gov) or **Whittier police dispatch**.

**8. 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. To the extent the laws adopted by the City impose different restrictions on travel into the City than the State of Alaska Health Mandates, the State Mandates govern. However, the City may, and has, adopted stricter mandates regarding social distancing and business operations for all persons within Whittier's boundaries.

**9. 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.” 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 a link on the City website if you want to review the full list of essential services and critical infrastructure.

If the hypothetical 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.

Note that Whittier requires that the number of people in the store at once is limited to no more than 5 under Whittier COVID-19 Emergency Rule 10.3.

#### **10. 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.

**11. 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.

**12. 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. People are prohibited from leaving 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 interstate travel quarantine and cannot access needed food, please contact the City so we can provide assistance.

**13. I am in interstate 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.

**14. If I can’t leave, how do I get food at my quarantine location?**

Some Whittier 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.

**15. 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](mailto: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.” You

must also submit your State protocol to the City under Whittier Emergency COVID-19 Rule 15 or Rule 16, depending upon the size of your business. 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](mailto: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](mailto: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.

16. **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.*

**17. 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.

**18. 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.

**19. 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.

**20. 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, State mandates prohibit visitation to these kinds of facilities except at the end-of-life.

**21. 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.

**22. 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. Any private construction employer of more than ten employees will also need to complete a mutual aid agreement with the City, per Whittier COVID-19 Emergency rule 10.1.

**23. 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. Also, owners of hotels, bed and breakfasts, and resorts with more than 5 employees still need to complete the mutual aid agreement with the City.

**24. 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 under the State mandates, outdoor activity near your home is okay under the State health mandates and encouraged for your health and well-being. Always keep at least six feet between people who do not live in your immediate household. In Whittier, “household” means the individuals living in your single condominium unit or residence despite the proximity of the units.

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

**25. Can I take my child to a playground?**

Playgrounds may still be open in Whittier 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.

**26. When can I leave Whittier?**

A resident of Whittier may only visit businesses in another community that meets critical personal needs that cannot be met in Whittier. Regardless of the local laws adopted by each community, Whittier residents should only travel to go to an essential business in another community, engage in subsistence activities, and/or fulfill a critical personal need, such as a trip to the pharmacy or grocery shopping for items not available in Whittier.

**27. 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.

**28. Can I drive somewhere to recreate?**

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

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

The State explained in its FAQs that it depends. If your cabin is your home – your primary “place of residence” – you can remain there. The State reminds people that mandates are designed to reduce unnecessary travel and interactions. If you can stay in your current location for the time being, consider waiting before going to stay in another location.

**30. 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.

**31. 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.”

**32. 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.

**33. 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).*

**34. Are employees of essential services and critical infrastructure permitted to travel under the intrastate 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 Whittier under Whittier Emergency COVID-19 Rule 10.

**35. 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 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. The City adopted Whittier Emergency COVID-19 Rule 10 to ensure that commercial fishing operations and all businesses operating within the City implemented safety measures and protocols and took responsibility for strictly applying those measures and protocols within Whittier.

**36. 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.

**37. 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.

**38. What's the point of the mutual aid agreements required by Whittier Emergency COVID-19 Rule 10?**

Whittier COVID-19 Emergency Rule 10 requires businesses continuing to operate at a physical location in Whittier 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.