



COLORADO
Department of Public
Health & Environment

May 22, 2020

Trent Bushner, Chairman and District 1 Commissioner
Dean Wingfield, District 2 Commissioner
Robin Wiley, District 3 Commissioner
Yuma County Commissioners
Yuma County Courthouse
310 Ash Street, Suite A
Wray, CO 80758

RE: Application for Variance from Public Health Order 20-28 Safer at Home

Dear County Commissioners:

Thank you for your recent application for a variance from Public Health Order (PHO) 20-28 Safer at Home to the Colorado Department of Public Health and Environment (CDPHE). I have had an opportunity to review your request and consider the information provided, and determine that the request is approved, with some amendments, as explained further below.

Thank you for responding to the questions we raised in our review of your prior variance application regarding testing practices, sentinel surveillance, and clarification of the role of the Task Force. As stated in Appendix G to PHO 20-28, when reviewing a variance request, consideration is given to the current prevalence of COVID-19 in the jurisdiction, including whether cases are increasing, stable, or decreasing. Your application and recent data demonstrate that currently Yuma County has had 11 COVID-19 cases, with those numbers increasing recently due to broader testing capabilities. You also identified when Yuma would consider advancing to the next stage of the plan, including a positive test result rate that is less than the State average to continue to progress, and hospital resources that do not exceed more than 25% hospital capacity for COVID-19 cases. These same triggers would be used to stop progressing through the plan, and reinstitute more restrictive measures as needed. You further indicated that weekly task force meetings are occurring, and the potential to progress is considered every 3 weeks.

You have submitted a plan for reopening or expanding the opening of a number of sectors of business and other activities within Yuma County. Your plan is approved, with the following modifications:

- Tiers 1, 2 and 3 for restaurants, gyms and fitness facilities, and public gatherings are approved, with compliance required with the terms in the appendices for restaurants and gyms/fitness centers. Note that this does not authorize gatherings with higher risk of exposure such as festivals, fairs, and concerts, as the state will issue more guidance on when and how those types of events may open in the future.

Yuma Variance Decision

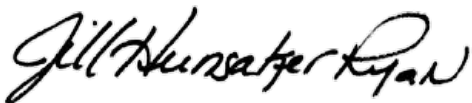
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- In a confined indoor space, in order to achieve 6 ft social distancing, the capacity limit is 50% of the posted occupancy code limit ensuring a minimum 28 sq feet per person not to exceed more than 175 people gathered at any given time. This limit does not apply to critical businesses as defined in the Order.
- Any expansion of personal services beyond the Safer at Home orders needs to follow the tiered model described for restaurants, gyms and fitness facilities.
- Your plan includes information about healthcare settings. No variance is authorized by Public Health Order 20-28 for healthcare settings, as those are regulated through Public Health Order 20-29. No variance to Public Health Order 20-29 is authorized.
- Tier 4 is not yet specific in its terms, so at this time Tier 4 is not approved. You may wish to resubmit additional information regarding Tier 4 as you develop that tier.

This variance approval is granted based on the facts and circumstances today as you have described them in your request. If new cases in the county exceed 10 in a week, then this variance is automatically rescinded. Additionally, CDPHE reserves the right to modify or rescind this variance approval as circumstances warrant. This approval is in effect until the final expiration of PHO 20-28, which will be extended in some capacity beyond the current expiration date next week..

We appreciate the work that you are doing in these difficult times to prevent further spread of disease, and we are here to provide technical assistance if you need it. We look forward to working with you as a valued partner in public health.

Sincerely,



Jill Hunsaker Ryan, MPH
Executive Director