



June 26, 2020

Jobeth Mills, Director
Lincoln County Public Health
326 8th Street
PO Box 125
Hugo, CO 80821

RE: Lincoln County Variance Request from portions of **Public Health Order 20-28**

Dear Ms. Mills:

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

As stated in Appendix G to PHO 20-28, when reviewing a variance request, we evaluate the current prevalence of COVID-19 in the jurisdiction, including whether cases are increasing, stable, or decreasing. Your application addresses particular requirements that you propose as an alternative to the Safer at Home model for each of these areas. The data and information included in your request demonstrates that Lincoln County has reported 4 COVID-19 cases to date with 1 case in the last two weeks, putting Lincoln County in the “low” variance category - see [here](#) for more information.

Your application requests an expansion of public gatherings as follows:

- Indoors: Up to 50% of the posted occupancy code with people spaced 6 feet apart, ensuring a minimum of 28 square feet per person, and not to exceed more than 175 people gathered in a confined indoor space at any given time.
- Outdoors: Groups of 250 people per square acre, with rigorous prevention measures in place. If that is not acceptable, alternatively, ensure a minimum of 28 square feet per person, with rigorous prevention measures in place, up to 250 people.

Your variance application is not specific to an event or business or activity. Gatherings that fall under a specific sector or activity in the amended public health order must follow the requirements of those settings, such as indoor and outdoor events, businesses like restaurants and bars, or personal recreation such as gyms and sports leagues. Any other planned gatherings of more than (10) individuals that are not covered in a specific sector or activity addressed in the public health order may occur as you have described in the application of 175

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people indoors and 250 people outdoors, and such plans need to be submitted to the Lincoln County Public Health and Environment for review and approval. The plans must include a minimum of 6 feet distancing between participants and should require face coverings.

This variance approval is granted based on the facts and circumstances today as you have described them in your request, and is subject to adjustment if conditions worsen as described [here](#). If the County observes more than 2 non-epi linked cases in a two week period, notify CDPHE and then implement a mitigation plan for 2 weeks to try and restore virus transmission levels to the baseline under which the variance was approved. If after 2 weeks the levels are not restored, then the capacity limits are automatically adjusted to the maximum of the new level (low goes to medium, medium goes to high). If the county started at the "high" level for the variance, and after the 2 weeks of mitigation the baseline has not been restored, then the variance is rescinded. This standard for variance review applies to all variances currently in effect in Lincoln County. 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 of June 30, 2020.

I appreciate your thoughtful approach to these challenging issues, and wish you all the best in your continuing efforts to ensure that Lincoln County residents are safe and healthy as we deal with this global pandemic. Lincoln County is a valued partner, and we are available to answer any questions and work with you on these matters. Please give me a call if you have any questions.

Sincerely,



Jill Hunsaker Ryan, MPH
Executive Director