



COLORADO
Department of Public
Health & Environment

May 29, 2020

Luis Lopez II, Commissioner
Felix Lopez, Commissioner
Tony Haas, Commissioner
Las Animas County Board of Commissioners
200 E. 1st Street
Trinidad, CO 81082

Ray Garcia, Commissioner
Max Vezzani, Commissioner
Gerald Cisneros, Commissioner
Huerfano County Board of Commissioners
401 Main Street, Suite 201
Walsenburg, CO 81089

Kim Gonzales, Director
Las Animas-Huerfano Counties District Health Department

RE: Las Animas and Huerfano Counties Variance Request from portions of **Executive Order D 20 044** and **Public Health Order 20-28**

Dear Commissioners and Director Gonzales:

Thank you for your application to the Colorado Department of Public Health and Environment (CDPHE) of a variance request to portions of **Executive Order D 20 044 Safer at Home** and **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request for variances regarding restaurants, places of worship, fitness centers, and recreation including the opening of RV parks. I have had an opportunity to review your request for these four variances and am approving it with a few modifications as described below; in all other respects, the requirements of the Safer at Home Executive Order and Public Health Order remain in effect for Las Animas and Huerfano counties.

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. In reviewing the counties' current status with respect to the COVID-19 pandemic, we note that the counties combined have had 8 cases to date, with 1 in the last 2 weeks for a two week incidence of 5 per 100,000 in the two counties combined. Your application describes ...

Las Animas and Huerfano County Variance
May 29, 2020

Your variance requests for restaurants, places of worship, fitness centers, and recreation including the opening of RV parks are generally approved, with some additional conditions as follows:

- In order to achieve 6 feet distancing the limit is 50% of the posted occupancy code limit ensuring a minimum 28 square feet per person not to exceed more than 175 people gathered in a confined indoor space at any given time.

Note that since the time of filing of this application, Public Health Order 20-28 has been amended to allow for the opening of restaurants for limited dine-in services. You may either follow the variance that you have submitted and is now approved, or you may withdraw that variance and follow the amended public health order requirements. Please make clear in your communications and notify CDPHE whether you are operating in these counties under the variance or the Safer at Home public health order for restaurants.

This variance approval is granted based on the facts and circumstances today as you have described them in your request. If the two counties, together, were to exceed 22 new cases in a week, excluding outbreak-associated cases in the senior care center, the 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 may be extended in some capacity beyond the current expiration date next week.

I appreciate your thoughtful approach to these challenging issues and wish you all the best in your continuing efforts to ensure that Las Animas and Huerfano County residents are safe and healthy as we deal with this global pandemic. Las Animas and Huerfano counties are valued partners, 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