

Dr. Erica Pan,

Acting State Public Health Officer

Sandra Shewry, Acting Director

California Department of Public Health (CDPH),

Re: County Watch List Restrictions

Dear Dr. Pan and Director Shewry,

I am writing on behalf of the Mendocino County Board of Supervisors to thank you for your ongoing commitment to public health and safety during the current pandemic. As you know, Mendocino County was officially placed on the State Watch List on August 17 retroactive to July 25 based on the case rate per 100,000 population. We agree that the increased case rate is a serious concern and are confident that our Public Health staff are fully committed to the Targeted Engagement process with CDPH staff and to following through with all identified and agreed upon Action Steps. However, we are concerned that mandated Watch List restrictions, which prohibit the indoor operation of specified business sectors, may not be appropriate in all situations. We respectfully suggest that our local Public Health Officer, in consultation with CDPH staff, is uniquely qualified to make case specific decisions to impose greater or lesser restrictions than those mandated by the State.

Significant uncertainty exists concerning COVID-19 but it is unmistakably clear that this is not a short lived phenomenon. As we move forward in the coming months we must strive to identify the right balance between restricting social and business activity and preventing the transmission of COVID-19. Mendocino County is a beautiful place to live but as elected officials we are faced daily with the challenges of providing critical services with limited financial resources. We are acutely aware that poverty is a leading determinant of community health and that in Mendocino County our high per capita ranking on many negative indicators places our residents at increased risk. These

concerns have only been exacerbated with the social and economic disruption of the last several months.

As stated in a recent letter from Shirley Matilton, a self-described Native American female minority multiple small business owner/entrepreneur, certified cosmetology instructor, working stylist, distributor, mother and wife: "I have witnessed first hand the devastation of this pandemic in our community. From a mother's standpoint with three small children and newly remote learning. As a consumer in a small town with closed small businesses everywhere and worse yet permanently closed small businesses. I have felt the fear at night over health, the mental wellness of community - watching crime rates and domestic violence rise, to financial fears - how are we going to pay these bills? Having...a family to support I see and feel the direct ramifications of an unstable economy and unprecedented challenges." She asks: "Why can't we find a balance to allow people to make a living and push forward?"

Documented drivers of our increased case rate are primarily family and community gatherings, outbreaks in congregate living facilities such as Skilled Nursing and Assisted Living Facilities and increases among the Latino population. Although Latinos make up approximately 26% of the population, over 75% of all cases identified by ethnicity are Latino, including many mono lingual Spanish speakers. In contrast, in many cases, we are not aware of any data that attributes a single case to specific business sectors that are currently subject to Watch List restrictions.

The Board of Supervisors has received numerous letters from hair salons and barbershops, personal care services and gyms and fitness centers that attest to the stringent safety protocols they employ. As you know, practitioners in several of these businesses receive 1,600 hours of instruction and are certified by the State. In addition to adhering to standard protocols many of them have invested thousands of dollars to reconfigure their work spaces to improve hygiene, increase air circulation, mitigate close contact and otherwise reduce the risk of transmission. Many of these operators are sole proprietors who see one client at a time while salons in urban areas may have dozens of operators and clients present at once. There is simply no comparison. Likewise, responsible gym owners acknowledge that working out can lead to increased viral shedding and risk of transmission and have taken extensive measures to mitigate risk, beginning with social distancing and masking but including dramatically increased air circulation and purification.

We fully acknowledge that State Watch List restrictions are intended to limit viral transmission. However, applying the same standards to a rural county with low population density, few congested workplaces, limited public transportation and limited commuting, is unlikely to achieve the same results as in an area with high population

density, many congested work places, high reliance on public transportation and heavy intercity commuting. We fully support closure of businesses that are identified as posing a risk to public health. But we are concerned that closure of businesses without supporting data may worsen individual and community public health outcomes.

The increased case rate is certainly concerning but it is important to recognize that beginning in January Mendocino County began planning for a significantly greater surge than anything seen to date. Mendocino County secured facilities for isolation, quarantine and alternative care sites and developed extensive plans for surge capacity for hospital beds, ICU beds and ventilators. As of August 17, four ventilators out of 22 were utilized for an availability rate of 82% and 8 out of 16 ICU beds were utilized (four with COVID-19 patients) for a availability rate of 50%. Despite the recent increase in cases our healthcare system is in no danger of being overwhelmed and with surge plans in place is prepared to go well beyond current capacity. A closer review of the data is warranted, but many of the new cases have been among younger people which would indicate that not as many require hospitalization.

A critical need that has been identified in the Action Steps for Mendocino County is increased bi-lingual case investigators and contact tracing staff. Any assistance which the State may provide in these areas will be particularly appreciated.

Likewise, although many of our local hair salons and barbers, personal care businesses, and gyms and fitness centers are prepared to operate responsibly, we are confident that they will welcome any additional guidance on best practices which the State may provide.

Finally, in recognition of the significant variance in local conditions that influence the risk of COVID-19 transmission, we respectfully request your consideration of empowering our local Health Officer to make case specific decisions regarding Watch List business restrictions. We believe this will result in improved public health outcomes while also benefiting the local economy and individual business owners.

Sincerely,

John Haschak

Chair