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ORDER OF THE HUMBOLDT COUNTY HEALTH OFFICER FOR THE WEARING OF FACE COVERINGS IN WORKPLACES AND INDOOR PUBLIC SETTINGS

DATE OF ORDER: November 8, 2021

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code sections 120295, *et seq.*)

SUMMARY OF THIS ORDER

This Order requires all individuals to wear face coverings when indoors in workplaces and public settings, with limited exemptions, and recommends that businesses and events make face coverings available to individuals entering these spaces.

BACKGROUND

After June 15, 2021 when most restrictions from the [State of California's Blueprint for a Safer Economy](#) were lifted, the average daily incident case rate of COVID-19 in Humboldt County increased significantly to reach the "High Transmission" level of the US Centers for Disease Control and Prevention's ("CDC") Indicators for Levels of Community Transmission. These were the highest local case rates during the entire pandemic. The COVID-19 test positivity rate in Humboldt County had also risen dramatically after June 15 to be over 10% consistently in August and September. Hospitalizations from COVID-19 in Humboldt County rose to a record high of 41 COVID-19 patients across the county, resulting in significant strain on our fragile rural healthcare infrastructure. Three months later, we are seeing cases, hospitalizations and deaths decrease to levels they were before the sharp increases in July.

The significantly more transmissible Delta variant of the SARS-CoV-2 virus has become the predominant strain in the US and in Humboldt County. This brought new changes to the pandemic, including faster spread and ability to infect those who are fully vaccinated. While the vast majority of cases, hospitalizations and deaths since June 15 have occurred among unvaccinated persons, the increase in cases among fully vaccinated persons was a notable change with the Delta variant. And while this is to be expected as no vaccine is 100% effective, it was a change in our understanding of the disease that warranted public health policy changes for masking in public.



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With the implementation of the mask order on August 6th, [case rates began to decline immediately in the fully vaccinated, and within weeks in the unvaccinated](#). This fits with what we now know about Delta in the fully vaccinated. They clear the virus faster, become less ill, and are less likely to spread the virus to others. The COVID-19 vaccines currently authorized in the US have been shown to be highly safe and effective at providing protection to individuals and communities, particularly against severe COVID-19 disease and death, and are recommended by the CDC for all populations for whom the vaccine is authorized by the US Food and Drug Administration. Humboldt County Public Health strongly recommends everyone eligible to receive COVID-19 vaccines to do so as soon as possible.

During this past surge we learned that the vaccination rates in our community were not sufficient, and in times of high community transmission and hospital impact, masks are a needed tool until our community vaccination rate reaches sufficiently high levels of community protection against COVID-19. The current proportion of the population vaccinated is a positive development but not sufficient to keep cases and hospitalizations low. Universal use of face coverings in all public settings, including all indoor as well as crowded outdoor settings and events, was the least disruptive and most immediately impactful additional measure available to public health. Masks are safe and effective at preventing COVID-19, [recommended by CDC, do not increase the CO2 levels of the air one breathes](#), and have had an [immediate impact on COVID-19 in Humboldt County as reflected by local data](#).

Inclusion of crowded outdoor public spaces and events in this requirement, [as recommended by CDC based on community transmission rates](#), allowed for less impact on previously planned events to continue. It was felt that the impact to outdoor events would be greater if they were not included in the order. Now, with local evidence available showing a decrease in cases, hospitalizations, and deaths, and increasing vaccination rates, masking in outdoor public crowded spaces and events will be removed as a requirement. This is a recognition that these outdoor crowded settings are lower risk than indoor public spaces, especially as case rates lower and vaccination rates rise. However, we strongly recommend to continue to follow [CDC masking recommendations](#) which include consideration for masking in crowded outdoor spaces when community transmission is substantial or high. All individuals, especially those who are unvaccinated or at higher risk of severe outcomes from COVID-19, should take [personal measures to reduce risk](#) in addition to masking. Vaccination and masking are the most important tools at this point in the pandemic to protect both ourselves individually, and also to protect our families, our community, and to protect our community institutions, including businesses, schools, government, and healthcare.

This Order is necessary to continue to control and reduce the community spread of COVID-19 and to reinforce the need for safe interactions during the pandemic. The Health Officer will continue to assess the public health situation as it evolves and may modify this Order, or issue additional Orders, related to COVID-19, as changing circumstances dictate.



ORDER

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, AND 120220, THE PUBLIC HEALTH OFFICER OF THE COUNTY OF HUMBOLDT (“HEALTH OFFICER”) HEREBY ORDERS AS FOLLOWS:

1. Except as otherwise set forth herein, the July 28, 2021 [Guidance for the Use of Face Coverings](#) issued by the California Department of Public Health (“CDPH”), as may be amended from time to time, continues to apply throughout the County.
2. **Face Coverings.** A “Face Covering” means a face covering that is well-fitted to an individual and covers the nose and mouth especially while talking, consistent with the Face Covering Requirements. [CDPH guidance “Get the Most out of Masking”](#) addresses current recommendations for a Well-Fitted Masks and Face Covering. A non-vented N95 mask is strongly recommended as a Well-Fitted Mask, even if not fit-tested, to provide maximum protection. A Well-Fitted Mask does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric or any mask that has an unfiltered one-way exhaust valve.
3. This Order directs that face coverings shall be worn, regardless of vaccination status, over the mouth and nose, in all indoor public settings, venues, gatherings, and workplaces, such as, but not limited to: offices, retail stores, restaurants and bars, theaters, family entertainment centers, conference centers, and State and local government offices. For purposes of this Order, all non-residential settings are considered public, and common areas within apartments and other multi-household residential settings (e.g., common patios, laundry rooms, lobbies) are also considered public.
4. Upon the effective date of this Order, Humboldt County outdoor masking requirements in crowded outdoor settings are rescinded unless otherwise required by CDPH, CDC or CalOSHA. Humboldt County Public Health continues to strongly recommend mask use in all crowded outdoor spaces when [CDC Data Tracker website](#) has our county listed as “high/red” or “substantial/orange” community transmission, and to follow any other [CDC guidance on masking in outdoor crowded spaces](#).
5. Individuals, businesses, venue operators, hosts, and others responsible for the operation of indoor public settings and events must:
 - Require all patrons to wear face coverings for all indoor settings and events, regardless of their vaccination status; and
 - Post clearly visible and [easy-to-read signage](#) at all entry points for indoor settings and events to communicate the masking requirements to all patrons.

In addition, those responsible for indoor settings and events are strongly encouraged to provide face coverings at no cost to individuals required to wear them.

6. Exemptions from face covering requirements – Individuals are not required to wear face coverings in the following circumstances, unless required by state or federal regulations:



- Persons younger than two years old.
- Persons who are working alone in a closed office or room;
- Persons who are actively eating and/or drinking;
- Persons swimming or showering in a fitness facility;
- Persons in a private car alone or with members of household;
- Persons who are actively engaged in physical activity where a mask poses a threat to personal safety or health;
- Persons who are obtaining a medical or cosmetic service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- Persons who are specifically exempted from wearing face masks pursuant to other CDPH guidance.

7. Employers and businesses subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (“ETS”) and/or the Cal/OSHA Aerosol Transmissible Diseases Standards should consult the applicable regulations for additional requirements. The ETS allow local health jurisdictions to mandate more protective measures. This Order, which requires face coverings for all individuals in indoor settings and businesses, regardless of vaccination status, takes precedence over the more permissive ETS regarding employee face coverings.

8. Unvaccinated as well as fully vaccinated persons should continue to follow CDC guidance for [unvaccinated people](#) and for [fully vaccinated people](#) to protect themselves and others, including wearing a well-fitted [face covering](#), [physical distancing](#) (at least 6 feet), avoiding crowds, avoiding poorly ventilated spaces, covering coughs and sneezes, [washing hands](#) often, and following any applicable workplace, school, or business sector guidance or requirements including the Cal/OSHA Emergency Temporary Standards. Fully vaccinated people should still watch for [symptoms](#) of COVID-19, especially following an exposure to someone with suspected or confirmed COVID-19. If symptoms develop, all people – regardless of vaccination status – should isolate and be clinically evaluated for COVID-19, including SARS-CoV-2 testing. Anyone testing positive for SARS-CoV-2, regardless of vaccination status, must follow the [Mass Isolation Order of the Humboldt County Health Officer](#).

9. Metrics for Exceptions to Indoor Masking Requirements: This order will add an exception for certain indoor settings with stable cohorts of fully vaccinated individuals (indoor offices, gyms, fitness centers, employee commuter vehicles, religious gatherings, college classes, and other organized gatherings of individuals who meet regularly) effective immediately upon the County reaching 70% of the total population becoming fully vaccinated. The following criteria would need to be met for the exception to apply:

- a. There are no more than 100 individuals present; and
- b. The host, employer, or organizer has verified* that all individuals present are fully vaccinated; and
- c. The host, employer, or organizer maintains a list of individuals present; and
- d. The host, employer, or organizer can control access to the setting, and the setting is not



open to the general public; and

- e. The setting is not covered by more restrictive state or federal guidance.

*Hosts, employers, or organizers must verify the vaccine status of individuals with one of the following (self-attestation is not permitted):

- The original U.S. Department of Health and Human Services CDC vaccination card issued to the individual following administration of the COVID-19 Vaccine (CDC Card);
- The original WHO International Certificate of Vaccination or Prophylaxis issued to the individual following administration of the COVID-19 in a foreign country (WHO Yellow Card);
- A paper photograph or photocopy of the CDC Card or WHO Yellow Card;
- An electronic image of the CDC Card or WHO Yellow Card;
- A digital copy of the individual's COVID-19 Vaccine record, obtained through the following portal: <https://myvaccinerecord.cdph.ca.gov/>; or
- Documentation from a licensed healthcare provider that the individual is Fully Vaccinated.

10. Metrics for Rescission of this Order: This Order will be rescinded entirely when all the following criteria have been met, unless otherwise required by CDPH, CDC, or Cal/OSHA.

- a. Humboldt County meets CDC data tracker “yellow/moderate” transmission level for 21 consecutive days; and

- b. Local public health officials determine that hospital impact from COVID-19 and other respiratory viruses remain low (using data tracked by CDC, CDPH, local public health, and in coordination/consultation with the local hospitals and surrounding local health jurisdictions); and

- c. Vaccination rates in the county reach 80% of total population OR Humboldt County Public Health public health determines sufficient evidence of community protection against COVID-19 based on vaccination rates and other protective factors. If the vaccination rate of 80% of total population is not met sooner, Humboldt County Public Health will assess if there is sufficient evidence of community protection against COVID-19 on January 15th, 2022. If evidence of community protection against COVID-19 is not sufficient on January 15th, 2022, this will be reevaluated monthly thereafter.

11. This Order shall become effective at 12:01 am on November 8, 2021 and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Health Officer. This Order replaces the prior order of August 6, 2021. The Health Officer intends to continually review the need for this Order via the metrics detailed.

12. All State orders and guidance documents referenced in State orders are complementary to this Order. By way of this Order, the Health Officer adopts such directives as orders as well. Where a conflict exists between a local order and any State public health order related to the COVID-19 pandemic, the most restrictive provision controls pursuant to, and consistent with,



California Health and Safety Code section 131080, unless the State Health Officer issues an order that expressly determines a provision of a local public health order is a menace to public health.

13. Copies of this Order shall promptly be: (1) posted on the County website and (2) provided to any member of the public requesting a copy of this Order.

14. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

15. Recommendation: In indoor public and private settings where there is close contact with other people who may not be fully vaccinated, individuals should consider wearing a higher level of protection, such as wearing two masks (“double masking”) or wearing a respirator (e.g., KN95 or N95). This is particularly important if an individual is not fully vaccinated and is in an indoor public setting or crowded outdoor setting or event. Humboldt County Public Health will continue to strongly recommend masking of everyone in indoor public places where the vaccination status of everyone is not known, even if no local masking requirement is in place, until there is strong evidence that the threat of COVID-19 to an individual has decreased sufficiently that there is a low benefit to the individual by wearing a mask in these settings.

IT IS SO ORDERED:

Ian Hoffman, MD, MPH
Health Officer of the County of Humboldt

Date / Time

