



December 15, 2020

The Honorable Tim Walz, Governor
State of Minnesota
130 State Capitol
75 Dr. Reverend Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Re: Safely Re-opening Restaurants, Pools and Meeting/Event Spaces at 50% Capacity

Dear Governor Walz:

We write to again recommend that you give strong consideration to re-opening indoor restaurant dining, pools, and meeting/event spaces at 50% capacity on December 18, 2020.

As we have consistently contended and you have heard from operators since May, operating at anything less than 50% capacity for indoor restaurant dining is not financially viable. This is especially true now with the latest shutdown, the depletion of federal support and the exhaustion of any remaining reserves. For many lodging operators, the closure of pools and meeting/event spaces significantly curtails revenue and creates a financial hardship on top of limited travel volume.

For the hospitality industry, the safety of guests and employees is the number one priority. As you have noted on many occasions, Minnesota's hospitality businesses and their guests have done a remarkable job of keeping each other safe throughout the pandemic. From the beginning of the pandemic, our members took a leadership role in developing safety guidance, and we've worked closely with your administration to set forth and enhance best practices throughout the process. Just as they were in the Spring, our businesses are ready to open. We know that hospitality operators in our state can do this safely and we believe the data supports this:

Follow the data: Less than 1% of cases are tied to restaurant/bar outbreak. According to November 18 reporting in the [Star Tribune](#), the Minnesota Department of Health ("MDH") attributes 2,766 cases to restaurant or bar customers, representing 0.7% of the 384,164 cases in our state. For source comparison, the number of *cases* affiliated with restaurants/bars is less than the number of *deaths* at nursing home or long-term care facilities. We are not aware of any deaths resulting from cases affiliated with restaurant or bar patrons. While MDH has publicly noted that each of these cases may lead to additional cases via *secondary* transmission, this is no different than any other source of transmission: the R_0 is no different for restaurant or bar patrons than it is for any other human being. It is simply not fair to continue to target these operators without accounting for the other 99% of cases in Minnesota.

Follow the data: Closure of pools is not supported by the data. We are not aware of a single case of COVID-19 transmission in Minnesota related to pool usage. The [U.S. Centers for Disease Control and Prevention](#) provides the following guidance: "There is no evidence that COVID-19 can be spread to humans through the use of recreational waters." Given that pools are a significant part of how lodging properties generate occupancy and thus revenue, this represents a patently unfair constraint on businesses.

Follow the data: Closure of lodging property event spaces is not supported by the data. MDH has not presented any public data that we are aware of to indicate that meetings or similar events have

driven transmission in any material way. Furthermore, according to reporting by [MPR](#), MDH affiliates only 950 cases (0.02% of total cases) with weddings, and many of these were not located in lodging properties. The State's own data simply does not support continuing to restrict lodging properties from safely utilizing their event spaces to generate revenue.

Follow the data: Recent data shows that restaurants were not driving the case spikes. Given the 3-14 day incubation period for COVID-19, the first day one could expect to see data changes from the November 20 closure of restaurants is November 23. According to the data in the MDH's own [Public Health Risk Assessment](#) webpage, the 7-day rolling average positivity rate for the most current day on record (December 6, 2020) is 10.9%, the *exact same* 7-day rolling average positivity rate on November 23. As we have been communicating to MDH and the Department of Employment and Economic Development for months, this is likely because these sources are *not driving the spread here in Minnesota*. The narrative that restaurants are "hot spots" is simply not supported by Minnesota's experience or data. Conversely, we would posit that the closure order could have had the opposite of its desired effect: rather than safely gathering in controlled settings with appropriate distancing, Minnesotans may have gathered in increasing numbers in private settings without these mitigation efforts. Here are the facts laid out in MDH's own [Public Health Risk Assessment](#):

- Minnesota's positivity rate peaked at 15.5% on November 10 (10 days *before* restaurant closure);
- From the November 10 peak to November 23, the positivity rate dropped nearly 5 points to 10.9%;
- The positivity rate on December 6 (most recent date with complete data), is the exact same as the positivity rate on November 23.

While there are certainly variables in all the circumstances, including the Thanksgiving holiday, the fact remains that this data does *not* support the theory that closing restaurants led to a decrease in COVID-19 transmission over this period. If restaurants truly were the dominant factor driving the spread of transmission, we should have seen *marked declines* from the November 23 10.9% positivity rate over the following two weeks. We should have seen decreases *outpacing* the 5-point drop in the 10 days prior to restaurant closure impact. Instead, as of today we have seen no net change in the positivity rate from November 23 to the most current date with complete data (December 6). Alternatively, the data argues for the safe re-opening of these establishments.

Minnesota's restaurant operators and lodging properties are ready to re-open and continue protecting their guests and workers, while allowing Minnesotans to gather *safely*. The economic argument is clear that these operators need to bring in revenue in order to survive. Neither the short-term relief legislation passed yesterday, nor forthcoming federal aid will be enough to maintain this industry and its 300,000 jobs for long. The sooner these operators are able to bring in revenue the better for their survival, their workers, and for our economy.

Thank you for your consideration.

Sincerely,



Liz Rammer
President & CEO