

# Fluoride to flow in Watsonville

## Supreme Court declines to hear city's appeal to keep chemical out of water

By **DONNA JONES**  
SENTINEL STAFF WRITER

A state dental group will likely offer the city money as early as next week to fluoridate the local water supply.

**WATSONVILLE** For the past three years, the city has waged a legal fight against state officials to uphold a voter-approved measure that essentially banned the controversial public health effort.

But the city lost its battle Wednesday against a state law that mandates fluoridation under certain circumstances when the state Supreme Court declined to hear the city's final appeal.

"The council felt it was important because of the public vote that every legal means should be exhausted," City

Manager Carlos Palacios said. "Now that the courts have made the decision, we'll have to follow it."

Previously, the Santa Cruz County Superior Court and the 6th District Court of Appeals said state fluoride law trumps local ordinance. The appeals court ruling set a precedent that opens the door for fluoridation in communities statewide.

Santa Cruz also is among several California communities where voters have turned down fluoridation.

Jon Roth, president of the California Dental Association Foundation, said the organization has been holding onto nearly \$1 million earmarked for fluoridating city water while the case worked its way through the courts, and officials overseeing the fund will meet next week to discuss releasing the money.

Watsonville initially was chosen to receive the funds because of the community had both significant oral health needs and barriers to care, Roth said.

Fluoride helps prevent cavities, and putting it in water supplies spreads the benefit throughout a community, backers say.

"We're thrilled," Roth said of the decision. "Hopefully we can put this to rest and move on to the business at hand."

But Nick Bulaich, who spearheaded the effort to pass the city's anti-fluoride measure in 2002, said he's not giving up the fight.

Bulaich questions the safety of putting the chemical in the water, particularly if the compound used also contains toxins such as arsenic or lead.

He said he'll press the City Council to

specify a compound that doesn't include toxic substances.

Bulaich also hinted at further legal action, though he was short on details.

"Let's just say the law still has some holes in it," he said.

Councilwoman Judy Doering-Nielsen called the final resolution ludicrous, and asked where state control ends.

"If (legislators) decide population growth is out of control, are they going to put birth control in the water? If there are too many colds, are they going to put in Vitamin C?" she asked. "When you start adding additives to water for reasons other than keeping it safe, we've gone way off. The state has overstepped its bounds."

Contact Donna Jones at  
djones@santacruzsentinel.com.