

# State tells Watsonville again to fluoridate drinking water

Fluoridation

By David L. Beck  
Mercury News

Last fall, after Watsonville voters approved a ban on additives to the water supply, city officials halted a plan to fluoridate the water and turned down a grant that would have paid for installing the system and running it for a year.

Fluoride foes thought that ended the matter. But fluoridation is a contentious issue, and has been since public health authorities throughout

## CITY'S VOTERS BANNED ADDITIVES IN 2002; COUNCIL IS WEIGHING RESPONSE TO DEMAND

the United States decided more than 50 years ago that adding sodium fluoride to drinking water was a safe, cheap and effective way to reduce dental disease.

The foundation that originally offered the money has renewed its offer, and the state has once again ordered Watsonville to install the sys-

tem. "They're starting all over again!" fumed fluoridation opponent Nick Bulaich.

The case is the first real test of the state's 1997 fluoridation law, which requires water systems with more than 10,000 hookups to fluoridate if they have a funding source. The state has never issued a compliance

order to a water district that has not sought funds, however.

The next move is up to Watsonville, whose city council will discuss it March 25.

"We sent them a letter reinforcing that the money is still on the table for them," said Jon Roth, executive director of the California Dental Association Foundation. "We're still committed to Watsonville, for

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## FLUORIDE | State, city clash over additive

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the capital costs plus one year of operations and maintenance" — about \$1 million.

Notice went out to Watsonville and to the California Department of Health last week. On Monday, Watsonville received an order to comply from the state. "That," said Roth, "makes it pretty clear."

But Bulaich argues that the law specifically says "installation shall be complete within two years of the date the funds are received by the water system."

"It is clear as day," he says. "They tell you that you have to have *received* the funds. It doesn't say an IOU. It doesn't say you have to take the funds."

Roth disagrees. "In a contractual situation, once the promise has been made, is the money 'received'? We think so." No check has been cut, he said, but if the city wants to start submitting expense claims to the foundation, that's fine with Roth.

Naturally, there's another catch. A water system is exempt from state fluoridation requirements if "in any given fiscal year funding is not available to the public water system sufficient to pay the non-capital operation and maintenance costs." The money can't come from ratepayers or taxpayers, either.

That means that at the end of one year of operation, when Dental Association Foundation money runs out, the city could decide — or be

forced — to shut the system down.

"The local coalition there, they'll have to come up with the money and offer it to the city," Roth said. "If no money is in the pipeline, the city

If the city council refuses to comply, the state could issue a citation, levy a fine of \$200 a day or ask the attorney general to sue the city.

would not have to continue." Arcadio Viveros, who runs a local public health clinic and was a major figure in the fight against Watsonville's anti-fluoridation measure,

thinks that's just more "se-mantics."

"The truth of the matter is that the city has to provide that service," he said. "So, how's the money going to come? You and I both know that we're going to pay for it."

State Health Department representatives talked with Watsonville City Manager Carlos Palacios before issuing the compliance order, and Palacios said the city agreed to file its fluoridation plan by May 1.

The plan's all ready to go, since the city had reached the contract stage last year before voters said no by a margin of 3,109 to 2,988.

If the city council refuses

to comply, the state could issue a citation, levy a fine of \$200 a day or, eventually, ask the attorney general to sue the city. "That would sort of be the ultimate," said David Spath, chief of the state's Division of Drinking Water and Environmental Management.

Palacios said that scenario is unlikely. "I don't see us spending a lot of money taking it to court," he said. Let the opponents sue if they want to, he said.

To which Bulaich replies: "This is a comedy routine. To me it's all meaningless, because they ain't got a leg to stand on."

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