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METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

APR 11 1995

Karen E. Duff
EXECUTIVE SECRETARY

March 23, 1995

To: Board of Directors (Special Committee on Water Quality and Environmental Compliance - Information)
(Committee on Legislation - Information)
From: General Manager
Subject: AB 733 (Speier) - Mandatory Fluoridation

Report

AB 733, introduced by Assemblywoman Jackie Speier of Palo Alto, would result in a mandate that all public water systems with more than 10,000 service connections initiate fluoridation. As written, the bill would not apply to Metropolitan because we have fewer than 10,000 service connections.

The California Department of Health Services (CDHS) would have to adopt regulations requiring fluoridation, specifying the minimum and maximum fluoride concentrations to be maintained by public water systems and setting requirements for operation and reporting. Dates for initiating fluoridation would be staggered by system size as follows:

40,000 or more service connections	January 1, 1997
30,000 or more service connections	January 1, 1998
20,000 or more service connections	January 1, 1999
10,000 or more service connections	January 1, 2000

The bill also includes specific enforcement proceedings which emphasize existing compliance requirements but do not add any new penalties.

The bill authorizes publicly-owned, but not privately-owned, water systems to seek reimbursement of costs imposed by this bill. While funding might be available, reimbursement is unlikely. The fluoridation requirement will essentially be a state "unfunded mandate" on local government.

*Board took action and voted to take a "watch" position on AB 733.

Under current law and regulations, any local agency operating a public water system may choose to add fluoride to their community's drinking water. If this bill is not passed, communities will continue to have the right to make that decision at the local level.

Drinking water fluoridation is a very emotional issue. Many people feel strongly that adding chemicals to drinking water other than as required to make the water safe is inappropriate. Strong feelings have been expressed by Member Agency Managers that this is an issue that should be decided on a local agency basis.

The California Dental Association supports the bill and there will likely be additional statewide and local public health groups who will support. To date, it is known that the Association of California Water Agencies (ACWA), the California Municipal Utilities Association (CMUA), and the California Water Association (CWA) oppose the bill although CWA's position could change if cost-recovery and hold harmless amendments are added.

As a point of information, the fluoride level in Metropolitan's sources ranges from about 0.1 to 0.4 mg/l compared to the optimum level of about 0.8 mg/l that would be required for Southern California.

Based on a very preliminary cost estimate by Metropolitan staff, it would cost about \$1.80 per acre-foot additional for Metropolitan to fluoridate all of its treated water. The unit cost for Member Agencies and their subagencies to fluoridate all of their sources would be significantly higher because of the large number of separate wells that would require treatment facilities. It is noted that if AB 733 were enacted, Member Agencies may request that Metropolitan fluoridate its treated water because the cost to fluoridate at five plants would be much less than at hundreds of service connections to Metropolitan's system.

Of the approximately 80 local agencies in California that currently fluoridate their drinking water, only four are in Southern California--Beverly Hills, Fountain Valley, Huntington Beach and Long Beach. Most of the agencies that fluoridate are in the Bay Area including San Francisco and East Bay MUD.

Because this bill does not apply specifically to Metropolitan and because it is clearly a local agency issue, staff is not recommending a position on AB 733. The following are options your Board may want to consider in deciding whether or not to take a position:

1. OPPOSE. This position is consistent with the input received from the Member Agency Managers. The basis for opposition is two fold: a) It is an issue best decided by local communities; and b) The costs of implementing fluoridation are essentially an unfunded mandate from the state. The downside of this position is that it may be interpreted that Metropolitan is opposed to drinking water fluoridation which is widely accepted as a very effective public health measure.

2. WATCH. This position would not subject Metropolitan to potentially adverse publicity associated with the perception of being opposed to a public health protective measure strongly supported by credible medical and public health groups. It would leave the choice of opposing or supporting the bill up to communities and local water agencies in Metropolitan's service area.

3. SUPPORT. This position would clearly align Metropolitan with the many credible public health groups who support drinking water fluoridation. It would likely put Metropolitan in direct contradiction to a number of Member Agencies and their subagencies and to the position taken by the major statewide water associations (ACWA, CMUA and CWA).

Recommendation:

For information only.

March 23, 1995

John R. Wodraska
General Manager

Submitted by:


61 Ray W. Wolfe
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Director of Water Quality

Concur:

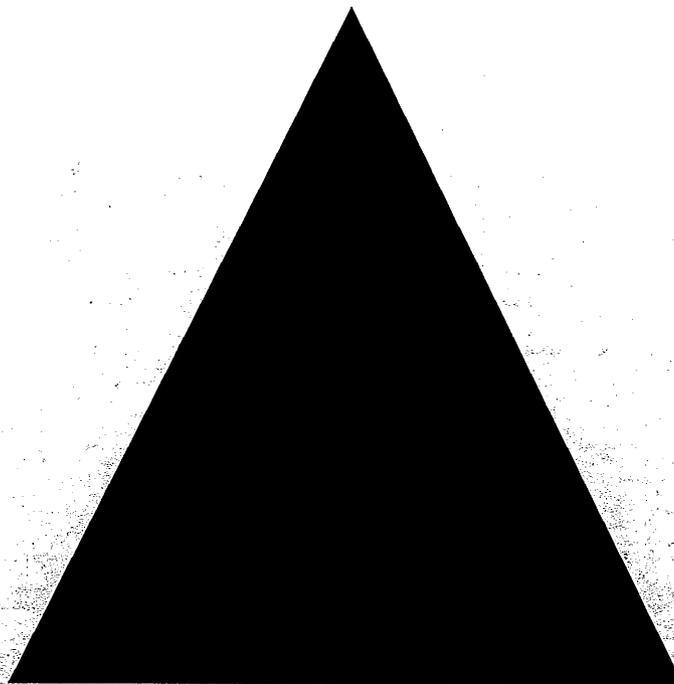

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