

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No.**

Establishing the San Lucas                    )  
Potable Water Subsidy                        )  
Program.    )

WHEREAS, San Lucas is an unincorporated town located in the southern region of the County of Monterey (“San Lucas”). The San Lucas Water District (“District”) operates the local water system which serves local residences, the San Lucas School, Post Office, and local businesses within the District’s service area (“San Lucas Community”); and,

WHEREAS, the District conducted testing of the drinking water, and such testing has shown that since January 2011, drinking water provided by the District is contaminated with nitrates at levels above the national and state standards of 45 mg/l (or 45 parts per million (ppm)); and,

WHEREAS, high levels of nitrate in drinking water are associated with adverse health effects. According to the Monterey County Health Department (“Health Department”), excessive nitrates in drinking water can interfere with the oxygen-carrying capacity of the blood, a condition called methemoglobinemia (“blue baby” syndrome). Infants under six months of age are at greatest risk of methemoglobinemia. Toxic effects occur when bacteria in the infant stomach convert nitrate to more toxic nitrite. When nitrite enters the bloodstream, it interferes with the body’s ability to carry oxygen to body tissues. Symptoms include shortness of breath and blueness of the skin around the eyes and mouth. Infants with these symptoms need immediate medical care since the condition can lead to coma and eventually death; and,

WHEREAS, according to the Health Department, pregnant women are at risk for developing the symptoms of methemoglobinemia, since during pregnancy methemoglobin levels increase to a higher than normal range. Furthermore, according to the Federal Environmental Protection Agency, long-term exposure to water with high nitrate levels may cause diuresis (excessive urination) and hemorrhaging of the spleen; and,

WHEREAS, in March 2011 and in July 2011 the Health Department issued notification to the District that the drinking water of the District was a health hazard for infants younger than six months and for pregnant women and ordered the use of bottled water for drinking and cooking purposes for all persons on the District system; and,

WHEREAS, on or about May 23, 2011, the Environmental Health Bureau of the Health Department (“Bureau”) issued Compliance Order No. 11-006, finding that the nitrate level in the District’s water supply exceeded the national and state standards and ordering the District to find an acceptable permanent water source for domestic water supply. The nitrate levels remain above national and state standards, and there is no immediate acceptable permanent water source for domestic water supply. Boiling of water contaminated with nitrates increases the concentration of nitrates. Therefore, boiling does not provide a short-term solution to the nitrate contamination of the drinking water of the District; and,

WHEREAS, nitrate contamination of the District’s water supply has created a health and safety hazard, and constitutes a potential health threat; and,

WHEREAS, in order to assist the District during this potential health threat, the Monterey County Board of Supervisors desires to establish a three (3) month voluntary program to subsidize the cost of potable water for current customers of the District including the San Lucas School; and,

WHEREAS, it is therefore necessary and appropriate for the County to establish such a program; and,

WHEREAS, the District shall remain responsible to develop strategies to provide their clients potable water over the three months the program is in effect; and,

WHEREAS, the program constitutes a specific action necessary to mitigate a potential health threat, and is thus exempt from the California Environmental Quality Act, pursuant to Public Resources Code section 21084 and California Code of Regulations section 15269 (c); NOW, THEREFORE,

BE IT RESOLVED, by the Board of Supervisors of the County of Monterey as follows:

1. There is hereby established for a period of three (3) months from the effective date of this resolution the San Lucas Potable Water Subsidy Program (the "Program"), on the terms and conditions set forth in Attachment 1 to this resolution.
2. The Director of the Health Department is authorized and directed to implement the plan as set forth in Attachment 1, and to seek recovery of expenses associated with the Program from available and appropriate sources.
3. The Auditor-Controller is hereby authorized and directed to transfer \$25,000 from General Fund Contingencies, Fund 001, Organization 001-CAO020-1050-8034-7811 to Health Department Public Health Bureau, HEA003-4000-8124-CTYHO1-6613 (4/5th vote required).
4. The Health Department is authorized to consult with and assist the District on strategies to address the conditions giving rise to the potential health threat described above, and is further directed to report back to the Board of Supervisors prior to the expiration of the temporary program on its status and the efforts of the District to address the nitrate problem.

PASSED AND ADOPTED on this \_\_\_\_\_, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By \_\_\_\_\_  
, Deputy