

# ✓ River residents Felton - 1990 sue over dam

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FELTON — When Felton Grove residents go to court later this month, they'll bring a report from a state biologist to bolster their claim that an inflatable dam installed by the City of Santa Cruz caused their land to erode.

The dam, on the San Lorenzo River downstream from its confluence with Zayante Creek, is "asking for trouble," according to Dean Marston of the Fish and Game Department, who inspected the property of Beverly and Thomas Craig in February.

The city erected the dam in 1976 to divert water to its Loch Lomond Reservoir.

The Craigs are among the seven property owners scheduled to appear in Superior Court April 12.

They say the flooding has cost one landowner his lot and is threatening others. They are asking the city to pay for their losses and either remove the dam or find a way to correct the problem.

While the group admits their lands are in a flood plain, they maintain that since the dam was built, flooding has been more frequent and severe.

Their properties flooded five of the first seven years after the dam was built. Since the suit was filed five years ago, the landowners have paid experts more than \$25,000 to show specifically how the dam has increased flooding, said Dan Cooper, the group's attorney.

Marston's report indicated that the Craigs' property, located on the

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## Flooding

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outside edge of a 90-degree bend in the San Lorenzo River, is within both the San Lorenzo and Zayante river flood plains and, as such, "was susceptible to natural flooding."

But, he said, the dam exacerbates flooding by artificially slowing water flow at the property.

Significant portions of land have been lost, he said, and it's quite possible that erosion-control measures will fail, causing even further loss of property.

Marston said that while the best solution to the erosion problem is to remove the dam, it's "not a realistic option."

But, he said, the problems could be reduced by revegetating the Craigs' section of the riverbank, removing the gravel bar and vegetation from the opposite stream bank, and lowering the river bed where silt and rocks have been deposited by fast-flowing waters, and that the city "should assist you in this venture."

Last week, Felton resident Frank Summers complained to the Santa Cruz City Council. "We understood that we lived on a flood plain, but we understood it was a 100-year flood plain," he said.

Bill Wright, a 50-year Felton resident, watched his 100-foot riverfront lot wash away during the 1982 and 1983 floods.

"It's gone," Wright said. "There's nothing left of my property."

The Craigs, who bought the property behind Wright in 1975,

are now just a few feet from the river.

"I didn't have riverfront property when I moved here," said Beverly Craig. "The sheriff woke us up at 4 a.m. on Feb. 12 warning us the river was six feet from flooding. We go through each winter with knots in our stomachs, and the city is saying it's not their problem."

"If taking out the dam is the answer, that's what we're asking," Craig said. "But it's too late for the damage that's already been done. What they need to do now is preserve and protect what's left" of the 57 lots in the area.

The dam is designed to deflate automatically when the river rises two feet above the dam. Craig said it occurs too late.

"According to the watershed management plan, if a flood peak can move from Boulder Creek to Santa Cruz in less than two hours, then there is no way they can let the dam down in time to stop us from flooding," she said. "If we've got 10 to 12 feet of standing water, we've got instant flood."

Vince Hurley, attorney for the city, said, "Felton Grove is a flood plain and historic flood zone. It floods on the average of once every three years."

He said that in the five years since the suit was filed, the group has produced no evidence that the dam is related to the flooding.

"The plaintiffs claimed the dam caused flooding on their property in 1982 and 1983, and the diversion dam wasn't even operating be-



Bill Lovejoy/Sentinel

Erosion has given Beverly Craig a riverside lot.

tween 1981 and 1985," Hurley said.

The group's attorney argues that the evidence is clear that the dam has caused excess flooding.

Cooper said his clients "can't understand why the city doesn't acknowledge the problem. (City officials) say, 'Tough, you live on the river; you should expect this to

happen.'"

Craig said the drought years have bought them some time. But this year's rainy season reminded them that they face danger and property loss.

"We used to live in heaven," she said. "We now live in a war zone."