



The Cherry Hill Water Park is shown in this aerial photograph in May.

TRENT NELSON The Salt Lake Tribune

Flooding

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with his wife when he got a phone call from a next-door neighbor asking if their house was flooding, too. Then their other next-door neighbor called asking the same question.

"So, if both sides are saying they were flooding," Kroon said, "we knew."

He got home to find 3 or 4 inches of standing water in his basement. The first hours were a "mad rush," he said, pulling furniture out of the basement and trying to clear water — and helping his neighbors do the same. Representatives from the sewer district showed up that day, he said, and contended it wasn't their fault, but said they were working to find out what went wrong.

Later, a restoration company came by offering its services. Kroon said this company was more expensive than the water district-approved contractor, but it also promised a more stringent remediation. Kroon went with the more expensive option for peace of mind. After all, he said, it was sewer water.

Kroon ended up using the \$14,000 he received from the sewer district to clean up his basement, but he still owes another \$7,000. He needs more money to fix his

walls, which are bare studs until 2 feet up from the ground, and to put in new flooring over the bare concrete.

Where he once had a game room, complete with four TVs and corresponding Xboxes, is now just makeshift office space, with camp chairs and rugs. And, he said, the household is down a much-needed bathroom.

"Neither party is saying that they're responsible. They're saying the other party is," Kroon said, "and we're stuck in the middle with unfinished basements waiting on who's going to be paying for it."

Erickson similarly lost more than he's been able to replace — with more than \$100,000 in damage, he said.

"We had a kitchen down there, we had a TV down there, we have a bedroom down there, we have a bathroom down there," he said, "and it's all just unusable."

Erickson has been biding his time since the flood by asking for regular updates from the two sides, but he's not sure when there will be a resolution. He wishes the first step in this process was paying homeowners to fix their homes, instead of figuring out who to blame.

Meanwhile, the district has been working to hold the water park accountable, Jones said. She said in conversations with the water park's representatives, they've asserted homeowners are "partially responsible for

the damage since the homes did not have backflow preventers on their sewer laterals," Jones said the district rejects this.

She added that the district has notified the Division of Water Quality, issued a notice of violation to the park, participated in a hearing to discuss the violations and possible consequences (including stopping its services), and outlined how the park should release water in the future to avoid such flooding. It has also sent a letter threatening legal action if "Cherry Hill does not respond in a satisfactory manner" and has asked that the water park compensate homeowners.

These enforcement actions are "ongoing," Jones said.

"It is not realistic to believe that a sewer system can handle anything you want to put down the drain. That is why laws have been established to prohibit hazardous or excessive discharge conditions," Jones said. District officials are working "within the limits of their authority" and must follow the legal process, she said — "even when it is slow." Those efforts, so far, are not enough to put Kroon at ease. He worries about this coming winter. Will the flooding return when Cherry Hill drains the lazy river again?

"Let's say, we fix it up, and we restore it back to normal. Could this happen again?" he asked. "If no one knows why, or if there's no policy in place to stop this in the future, what's to stop this from happening again?"

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