

1 firm guides city, developers' creek plans

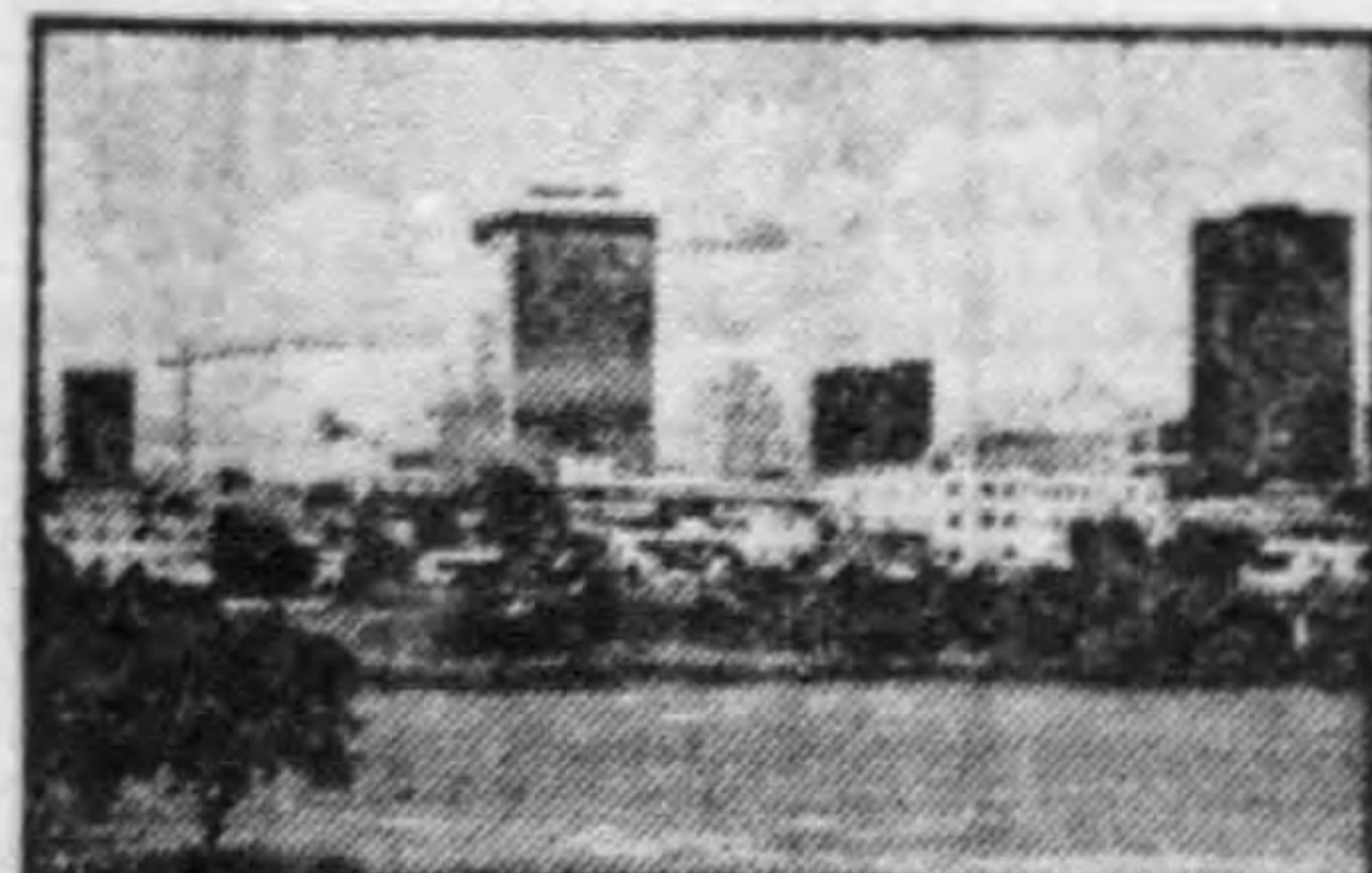
By **BILL COLLIER**

American-Statesman Staff

The environmental consultant hired by the city to design controls for development in the Barton Creek watershed is paid also by Barton Creek developers, who must meet those controls.

The city, the developers and the consultant are happy with the arrangement and see nothing wrong with it. But some observers see a potential conflict of interest in the consultant's dual role. They fear the creek might be the loser.

The engineering and environmental consulting firm Espey, Huston & Associates Inc. is under contract for up to \$70,000 with



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the city to prepare standards to protect the creek from pollution by development.

The company is using as a basis for the standards the information in its own study of the Barton Creek watershed, done for the city at a cost of \$65,551. Since 1973, excluding the current project, the firm has done \$288,969 worth of consulting work for the city.

While preparing Barton Creek standards, Espey Huston also does engineering work for developers along the creek, including designing subdivisions to meet city standards. Company officials declined to put a dollar figure on such work.

William Espey, president and founder, checked with his staff about specific questions and at first said, "The only one (developer) we worked for in the Barton Creek watershed and the only one we are now working for is Dick Rathgeber." Rathgeber and



William Espey

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Consultant — From A1

Nelson Puett are partners in the Lost Creek development, near the creek south of Loop 360.

But the Espey Huston name turned up on subdivision plats in the hands of Brent-Middlebrook Properties, the firm responsible for marketing the 1,400-acre development planned just upstream from Lost Creek and called "Champions at Lost Creek." The Champions property is owned by Herman Bennett and former Lt. Gov. Ben Barnes, partners from Brownwood.

Rathgeber said the consulting firm had done a good job for him, and so he had suggested to Bennett and Barnes that they hire it also.

Asked about the additional development, Espey said he had meant that was included in his reference to

working for Rathgeber in Lost Creek.

Espey said the conflict-of-interest question "is an appropriate question," but he suggested that the work the firm has done "is testimony to our standards and our credibility."

"If we ever lose our credibility, that is a fatal blow," said Espey.

The consulting firm's role, Espey said, is to be a technical extension of the city staff, making "a factual reporting of engineering and environmental data." It is up to the City Council, he said, to "take that data and translate it into a decision."

He said the firm has offices in 10 other cities and works for an array of public and private interests. The Barton Creek work for developers, he said, is an "extremely small"

portion of the company's business.

Espey said his company worked for developers, such as the 1,200-acre Davenport Ranch, and city in the Lake Austin watershed. He contended that the Lake Austin development standards that resulted help the city.

Maureen McReynolds, director of the city's environmental resource management office, said she had "heard concern expressed" about the potential conflict of interest, but said it is "a very reputable firm whose integrity I respect. I can't think of any environmental consultants who don't do a majority or substantial portion of their business with private developers."

The only development criticized by name in the consulting firm's Barton Creek studies for the city is

Lost Creek. The Espey Huston report said the Lost Creek Boulevard bridge and the development's package treatment plant were hurting the creek.

Rathgeber said the bridge and plant were criticized because Espey Huston hadn't done the engineering work for them. "It's like architects," he said. "Did you ever hear one architect say something nice about another's plans?"

City Council members have appointed a six-member residents advisory committee to meet regularly with the firm while it works on development standards. The committee comprises two developers, two members of the city environmental board and two members of the Zilker Park Posse, a citizens' watchdog group.

Next: Growth comes to Lake Austin.