

SAVE BARTON CREEK ASSOCIATION

January 2, 1980

Dear Mayor McClellan and Councilmembers:

Barton Creek and Barton Springs are unique and fragile resources that citizens from all parts of Austin enjoy and treasure. As the elected representatives of the community, we have entrusted you with the responsibility of protecting these priceless assets for today's Austinites as well as future generations of Austinites. Development pressures generated by the extensions of MoPac and Loop 360 threaten to irreparably damage the creek and the springs unless you take decisive action in the near future. In the coming months you will have a particular opportunity to make it clear that you are far-sighted in your appreciation of these resources.

Unfortunately, the recommendations and proposed ordinance contained in Phase II of the Barton Creek Watershed Study fall far short of providing the protection which Barton Creek and Barton Springs need and deserve. That result was probably inevitable given the assumptions underlying the study. The consultant was charged with determining how to minimize the negative impacts of full development of the watershed. The project should have been approached from a standpoint of defining the tolerance of the resources to developmental impacts, then determining how much development, if any, could be allowed, given those limitations. The study assumes development as the starting point where it should have used the preservation of a fragile ecosystem as the highest priority. The continued degradation of the water quality of Barton Springs was accepted as inevitable.

Weaknesses of the Proposed Ordinance

The weaknesses of the proposed ordinance and the recommendations are too numerous to list in any detail. A few of the more glaring deficiencies are listed below:

1. The proposed ordinance contains frequent vague phrases which make it impossible to determine how it would be implemented. Protection to the "greatest extent practicable," "minimizing the impervious cover," and preventing "significant reduction in the

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amount of recharge" are phrases typical of much of the language in the ordinance. Such phrases without specific standards are meaningless.

2. The ordinance proposes to totally exempt Planned Unit Developments from its requirements. This is particularly strange considering that cluster housing is supposed to be encouraged, which would result in the increased use of this blatant loophole.

3. The ordinance fails to provide any protection to many of the tributaries which flow into Barton Creek. The tributaries are clearly acknowledged to be the most environmentally fragile areas in the entire watershed.

4. The proposal would allow the continued clearing for the construction of houses and apartments on the bluffs overlooking Barton Creek.

5. The ordinance contains a loophole (section 3.2.3) which will allow an unlimited density of development with the use of certain "control strategies". The study admits that the success of such control strategies in minimizing water quality impacts is largely untested. We are, in effect, supposed to use the water quality of Barton Springs and Barton Creek as the guinea pigs to test the effectiveness of these control strategies.

6. The ordinance is only to apply to subdivision activity. Development not involving subdividing would not be effected by the ordinance (commercial or condominium development for example).

Comprehensive Growth Management Plan

While there are many shortcomings of the proposed ordinance, an equally important point is the need for a comprehensive growth management plan. An ordinance of the type proposed is only one element of such a plan. Other elements would include the following items as a minimum:

1. Methods are needed to protect the Edwards Aquifer recharge zone in the watersheds south of Barton Creek. These watersheds contribute 70% of the flow of Barton Springs according to the consultant, thus the threat of polluting the springs is just as great from other sources as from Barton Creek.

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2. Site development and zoning ordinances specifically tailored to the Barton Creek watershed are essential.

3. Short and long-range land acquisition programs must be developed to insure the protection of many sensitive areas. Mandatory dedication of floodplain land should be implemented as part of such a program.

4. Annexation of part of the watershed will be required to provide the city with enough legal authority to enact some of the needed regulations.

5. Policies should be adopted concerning the extension of arterial roadways into the watershed.

6. Policies are needed which address the provision of water and wastewater service to the watershed. Contrary to the consultant's conclusions, a wastewater collection system is not likely to be either the most cost-effective or environmentally desirable method of wastewater disposal.

7. Other items to be considered include: provision of tax incentives for landowners to forego development; an expanded water pollution and abatement program, emphasizing systematic and periodic water and ecosystem monitoring of the watershed and recharge zone; consideration of a variety of incentives, sanctions and enforcement techniques to manage growth; coordination among pertinent city departments; continuing education programs for the city staff and public; exploration of the need for state legislation; and design of an administrative mechanism for continuous review and revision of the regulatory ordinances and comprehensive plan.

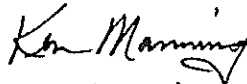
Timetable For Further Action

Many of the flaws of the proposed ordinance are probably a result of the haste with which it was prepared. While we feel that the basic thrust of that proposal is not acceptable, we recognize the necessity of utilizing that draft as a starting point due to time constraints. We consequently recommend the Barton Creek watershed moratorium be extended for a period of three months to allow the present proposal to be refined sufficiently for enactment. It will take that long to generate specific standards to replace the vague language originally proposed. Such an ordinance would be a

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temporary regulation (4-6 months) while a more comprehensive plan was assembled. By that time an acceptable ordinance and other elements of a growth management plan would be ready for enactment.

Respectfully,


Ken Manning

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