



KEN MANNING

Environmental Advocate

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I had gotten out of law school and left Austin's Environmental Office. I was free to raise hell, and I did...whether the Edwards Aquifer has the protections that are needed to ensure a clean Barton Springs for decades to come remains an open question. At a minimum, the battles we fought have given it a chance.

It was all Joe Riddell's fault. The year was 1974 when he inadvertently instigated my love affair with Barton Creek. He walked into the City of

Austin's newly established Environmental Office one day and demanded to know whether a "Creek Permit" had been issued allowing bulldozers in Barton Creek. I was a law student at the time, working part-time as a field inspector in the Environmental Office. My job entailed reviewing proposed developments for compliance with the newly-adopted Creek Ordinance. That ordinance required that new developments "respect the natural and traditional character of the waterways to the maximum extent possible." Naturally, I had to spend a lot of time in the field perusing Austin's creeks. Tough job!!

Of course, the bulldozers in Barton Creek had not obtained a creek permit, so they were shut down temporarily. The bulldozers were there to clear the way for a humongous, 60-inch diameter sewer line down the middle of the creek. If allowed to continue the gorgeous Barton Creek creekbed would be turned into a moonscape. This project was initiated by the City Water and Wastewater Department. They were hostile to the idea of having to comply with the Creek Ordinance. And they wanted the entire Barton Creek Watershed to be served by a centralized sewer system. Tens of thousands of acres!

Joe Riddell and I became great friends and partnered in numerous battles to protect the aquifer over the next several years. Joe, myself and other friends took many tubing trips down Barton Creek when the flow was up and the water clear. Those were treasured times that would make anyone fall in love with the creek. We also hiked (trespassed) over much of the watershed. Those hikes provided me with a keen appreciation of the fragility of that landscape. We had to find a way to protect something so precious.

This was a time that environmental awareness had reached a boiling point nationally, with Austin being no exception. Unfortunately, that awareness met a stone wall at the upper echelons of the City of Austin bureaucracy. The City Manager, Dan Davidson, and the Water and Wastewater Director, Curtis Johnson, were having none of it. Development came first and foremost, the environment be damned. Many battles over the next several years involved their efforts to extend water and wastewater into the most sensitive watersheds in Austin, thereby allowing them to be developed at high densities.

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The public outcry that arose over the proposed Barton Creek Interceptor project, once it was exposed, succeeded in having the sewer line to be drastically reduced in size. But it was still large enough to serve Barton Square Mall and all the surrounding acreage. That was the Davidson/Johnson agenda: provide service to development wherever developers wanted, and that was to the west.

After graduating from law school in 1976 I resigned from the City Environmental Office to become a full time (though broke) environmental activist. As Chairman of the Austin Regional Group of the Sierra Club and later as President of the Save Barton Creek Association, I was at the forefront of every major environmental battle in Austin for several years. Doing my research, calling press conferences, lobbying Council members or other elected officials became totally consuming. Having a chemical engineering degree and a law degree created credibility and helped me gain access to elected officials and the press.

The construction of this sewer line subsequently led to a series of zoning cases for commercial development along the banks of Barton Creek. Those zoning cases created a coalition of environmentalists and neighborhood activists that packed the Council chambers many times. That coalition was called the Zilker Park Posse. The Posse later morphed into the Save Barton Creek Association, of which I was a founding member. The Association remains a highly relevant player in the environmental movement in Austin to this day.

This was playing out with the backdrop of the newly adopted Austin Tomorrow Comprehensive Plan. The central tenet of the plan was that future growth be focused on the "Growth Corridor" on either side of I-35. Growth was to be limited in the environmentally-sensitive watersheds to the west and the agricultural lands to the east. Most importantly, water and wastewater were not to be extended into those areas. It was clearly understood that providing water and wastewater to an area was a message to developers that this was where to go.

The first highly visible test of whether Austin Tomorrow was to be given any meaning involved a proposed sewer line in the Williamson Creek watershed. The Scenic Brook West development near the Y in Oak Hill was so successful that the capacity of its small wastewater treatment plant became severely overloaded. The plant was polluting Williamson Creek and the Edwards Aquifer. Instead of expanding the treatment plant to meet the needs of the development, the developer, Jerry Angerman, asked the City to extend the Williamson Creek sewer line across the recharge zone of the aquifer and let him abandon the treatment plant.

By this time I had gotten out of law school and left Austin's Environmental Office. I was free to raise hell, and I did. By this time I had gotten out of law school and left Austin's Environmental Office. I was free to raise hell, and I did. I led the charge against extending the sewer line. Approval would basically mean throwing the Austin Tomorrow Plan in the trash can. I lobbied all the Council members to make the developer upgrade his treatment plant and give Austin Tomorrow some teeth. The environmental and neighborhood communities overwhelmingly supported that position.

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It was a crushing defeat. We lost at the Council 4-3. The Davidson/Johnson axis still called the shots. But it gets worse, lots worse. An innocuous item on the City Council agenda a couple of years later proposed paying Angerman several hundred thousand dollars for oversizing the sewer line. Unbeknownst to the Council or the public, Davidson/Johnson had worked behind the scenes to ensure that the sewer line was large enough to serve the entire Williamson Creek watershed, including both the recharge and contributing zones. The City was reimbursing Angerman the cost of the oversizing. Davidson/Johnson never asked for permission to oversize the line. In their minds, they knew "best" what was good for the future of Austin, and that was to serve developers and to extend service onto the aquifer.

Developers are not stupid. As soon as the word got out that the entire watershed was open for development there was an incredible land rush. Dozens of subdivisions with thousands of lots were proposed for approval. I uncovered this and blew the whistle, calling for a moratorium on more subdivisions in the watershed until a watershed ordinance could be adopted.

A moratorium was approved and an ordinance adopted. But the horses were already out of the barn. The ordinance was very weak since so many high-density developments had already been approved. The Motorola semiconductor plant in Oak Hill could not have located there without the oversized sewer line. The high densities you see when you drive west on US 290 past the "Y" in Oak Hill were no accident, they are a direct result of oversizing the sewer line. Davidson/Johnson ruled the day with seeming impunity.

In frustration, I called a press conference and swore that we would oppose all future water and wastewater bond packages as long as Curtis Johnson was the director of the Water and Wastewater Department. It was another year before he resigned. It was not until a liberal City Council was elected in 1981 that Dan Davidson was fired. The Motorola plant near the "Y" created countless jobs and stimulated thousands of houses on the aquifer.

All was not gloom and doom in those days. As previously mentioned, the Barton Creek Interceptor resulted in several zoning cases for high density development along Barton Creek. The cases were fiercely opposed by a coalition of environmental and neighborhood groups, the Zilker Park Posse. While most of the cases were approved, the Council was forced to recognize that there was a politically very powerful constituency in favor of protecting Barton Creek.

The result of this political uprising was the council appointment of the Barton Creek Watershed Task Force. I was privileged to be one of the two environmental representatives on the five-member taskforce, the other being Seth Searcy. We were charged with writing an ordinance to protect Barton Creek. There were two developer representatives on the taskforce, with David Armbrust being one of them. Neal Graham was the fifth member, not aligned with either side. Over a period of months we developed a watershed ordinance that was forwarded to council. Seth did the drafting of the ordinance while I lobbied the Council to ensure it was adopted. Neal Graham ultimately sided with the environmentalists in sending a strong ordinance to the council. The development representatives opposed it.

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Council approval of the ordinance was a glorious day, early 1980. It was very restrictive, with density controls and large setbacks from the creek and its tributaries. It stood the test of time, though it was weakened somewhat when it was later folded into the Comprehensive Watersheds Ordinance that set differing standards for the various watersheds in Austin. Watershed protection, Critical Water Quality Zones (no development close to creeks) and impervious cover became part of the Austin vocabulary.

Another critical event was playing out in a roughly parallel time frame to the Barton Creek Task Force deliberations. The City Council put a bond election on the ballot that included millions of dollars for water and wastewater projects, along with other things, like roads and parks. One of the items would have provided water service to the Williamson Creek watershed. The environmental community waged full-scale war in campaigning against the water and wastewater bonds. Money was raised, television ads were produced, fundraising concerts were held.

The voters overwhelmingly turned the water and wastewater bonds down! Many people dedicated huge amounts of time and energy to this effort. I was wearing my engineering hat in helping convey the threat the bonds meant to the aquifer. This victory was instrumental in conveying to council the strength of the environmental community and the passion that Barton Creek and the Edwards Aquifer generated. That vote was crucial in ensuring the Council would later approve a strong Barton Creek Watershed Ordinance.

It is fair to say that I was the most high-profile environmental spokesperson during this time period. A political newsletter, the Austin City Review, rated me as one of the ten most powerful and influential people in Austin politics in 1983 and 1984. They labeled me "the guru of the no-growth movement." I was quoted in the New York Times and USA Today in articles about Austin's growth battles.

The "no growth" label was never accurate. At times I was very much an enigma to friends in the environmental community. In fact, I was being paid the princely sum of \$1,000 a month to advise developer Gary Bradley on a proposed development! Fortunately, rents in Austin were cheap back then so I could survive on \$1,000 a month.

I was not embarrassed at all to support development that set a positive environmental precedent. I was never "no growth", I was for environmentally responsible growth. I supported two of Bradley's early developments that I considered environmental models: West Rim and Rob Roy. Both broke new ground environmentally. Rob Roy was opposed by the City Manager Dan Davidson. While Bradley and I might have been strange bedfellows, our shared enmity of Davidson created a common bond.

I have always viewed it as positive that I was willing to support environmentally responsible development. I believe it enhanced my credibility in political circles, though it caused many friends to scratch their heads and try to figure out how I could seemingly have one foot in the environmental camp and at the same time support some developments. Characterizing me as "no growth" was simply not true, though the development community invariably put me in that category. It is certainly true that the number of developments that I supported was miniscule in comparison to those I opposed. And if I opposed a development, the developer knew they had a real battle on their hands.

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Needless to say, Bradley and I parted ways well before he succeeded in getting the City Council to approve his Circle C development. Circle C was nowhere near being an environmentally model development. It created high density suburbia encompassing almost the entire recharge zone in the Slaughter Creek watershed. It should never have been approved.

These were heady times to be a lead figure in the environmental community in Austin. Growth and growth management were invariably the top issue in municipal elections for years. And for good reason. A high growth rate was changing the face of Austin and severely taxing the wastewater treatment plant capacity. The City Council balance of power swung back and forth between Chamber of Commerce-supported candidates and the environmental/neighborhood contingent.

I look back with fond memories of those days. We made a difference in how Austin looks today. Whether the Edwards Aquifer has the protections that are needed to ensure a clean Barton Springs for decades to come remains an open question. At a minimum, the battles we fought have given it a chance.

BARTON CREEK

TIME STREAM