

NEWS

Naked City

Buildout Burnout

BY ROB D'AMICO, FRI., AUG. 4, 2000



By Doug Potter

Call it the big squeeze. Most people know that rural **Hays County** is vanishing with each new subdivision and accompanying strip center. The rush for suburban "Hill Country living" is adding new development near Austin, San Marcos,

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east, are already immersed in a development boom, it's obvious that the rush is pushing from all sides into the largely uninhabited areas in the center of the county.

The cows, deer, and vultures aren't the only ones feeling the squeeze. Landowners are starting to feel pressured to sell off their family ranches as a profitable surrender to the coming invasion. What remains to be seen is whether environmental groups can muster enough financial muscle to buy large chunks of land in sensitive areas of the **Edwards Aquifer's** recharge and contributing zones.

"There's so much going on out there you can't ignore it," says **John L. Hill Jr.**, a former Texas Supreme Court justice who has owned 1,700 acres on Ranch Road 12 north of Dripping Springs since the mid-1960s. Hill says he is thinking about selling the land, even though he and his family have a lot of "emotional attachments" to the home.

Hill's land, along with the neighboring 1,500-acre Hazy Hills tract fronting Highway 290, owned by **Goss Townes** and his family, could add a considerable chunk of development. Townes says the land is currently under negotiation for sale to **K2 Properties** of Round Rock, owned by **James Kirby** and **Dalton Kay**. Townes wouldn't elaborate on what would happen to the land after it sold, and Kay said he couldn't discuss the matter yet.

The newly formed **Hill Country Conservancy** -- which aims to buy land or the development rights for large tracts to preserve them as open space -- struck out in its attempt to buy the Townes land. "We could match the developer in price per acre, but we couldn't close as fast," says **George Cofer**, executive director for the Conservancy. Cofer isn't sure why a speedy close is so important to the Townes family, and a family member negotiating the sale, **Paul Pressler** of Houston, wouldn't speculate on why the nine family members who owned the property decided to sell: "You have nine people and there's lot of factors, lots of personalities."

So the Conservancy will be looking for more landowners like 77-year-old **Jack Bleakley**, who recently sold his beloved land on Barton Creek to two high tech executives. The buyers, **Barry Walker** and **Michael Kenoyer**, agreed to development deed restrictions drawn up with the help of the **Nature Conservancy**. Bleakley likely could have gotten a higher price had he held out for residential developers, but he reportedly wanted to keep the land pristine.

In addition to preserving the water quality of Barton Springs and the rural setting of Hays County, preserving the land in its natural state will help ease the pressure on existing residents who find their wells strained from the drought.

In other Hays County news:

Recent developments have once again ignited the debate over the **Lower Colorado River Authority** water pipeline to Dripping Springs. The LCRA board voted in June to begin construction before doing an Environmental Impact Statement (EIS) to assess, among other things, if the pipeline would spur new development. Under an agreement with the **U.S. Fish and Wildlife Service**, water will go only to existing residents until the EIS is completed.

Dry and near-dry wells in the Sunset Canyon subdivision east of Dripping Springs were the main reason the LCRA decided to abandon its promise of an EIS before pipeline construction, and county officials declared an official emergency to highlight the need for surface water. But some officials are now saying a closer look is necessary to see if the situation is, or was, dire. **Jack Goodman**, a **Barton Springs/ Edwards Aquifer Conservation District** (BS/EACD) board member, believes "it was all a put-on by the Hays County commissioners. There's no emergency." Goodman believes that continued well testing in the area will prove what environmentalists have said all along, that the wells can support 12 to 15 more years of dry weather before they run dry. The main problem with the well water seems to be quality, not quantity, which is typical of shallower wells in the Trinity Aquifer. However, officials at BS/EACD are working with the newly formed **Hays Trinity Groundwater Conservation District** and say it's too early to accurately assess the situation.

The next big development in northern Hays County is starting to brew. **Cypress Realty** of Houston is planning a residential development on 2,700 acres of the Rutherford family tract it bought for \$11.3 million earlier this year.

BS/EACD board members **Jim Camp** and **Craig Smith** met with the company's lead planner, **Mike Novelli**, and Cypress president **Stephen Clark** recently to discuss the company's plans and water issues, since much of the property lies over the aquifer recharge zone. Smith says the discussions were general and that Clark and Novelli indicated they were studying two

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Camp says he is concerned because the developer isn't outlining where it's going to get water for hundreds of homes. Camp fears the company will go to the **Greater Blanco River Authority** (GBRA), which supplies water to much of southern and central Hays County, to get surface water for the homes. "We feel that surface water shouldn't feed development over the recharge zone," he says. Camp says the aquifer district is looking at developing a memorandum of understanding with the GBRA that would limit impervious cover and enact pollution controls for any development supplied by the water authority's surface water.

Camp says he and other board members are also concerned about recent statements from BS/EACD general manager **Stovey Bowlin**, who raised the possibility of putting surface reservoirs on the **Sky Ranch** property to enhance aquifer recharge. The city of Austin is buying the 1,600-acre property as part of its agreement with **Gary Bradley** and intends to restrict development on the tract. Camp says that although it's possible to enhance recharge with surface reservoirs, the district doesn't know how and where such features would work. He notes that a local engineering company that supplies developers with water has also promoted the reservoir idea as a means to provide water to new developments like the one proposed by Cypress Realty.

In another update to the Hays Co. water wars, the *Kyle Free Press* reported that **T.J. Higginbotham's** request to the BS/EACD to pump 50million gallons or more a year would be the 13th-largest permit ever granted, behind such pumpers as Kyle and Buda, and several large-scale water supply corporations that serve large subdivisions. The BS/EACD board asked Higginbotham, who owns land outside of Buda on FM 967, to tell it exactly what the water would be used for before it would continue with the permit process. Higginbotham refused to do so, and information later surfaced showing that two developments miles to the west were indicating they would be using his water.

More of the Story

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