

February 27, 2006

Mr. Ron Stein
Texas Commission on Environmental Quality

Dear Mr. Stein:

The Buffalo Bayou Partnership is very concerned about the high bacterial levels in Houston's Buffalo Bayou and White Oak Bayou. We understand that waterways across the country are struggling with this same problem. However, Buffalo Bayou's average counts far exceed the standard for contact recreation by ten to thirty times. This is not acceptable to our organization which is striving to make Buffalo Bayou Houston's premier hiking, biking and paddling space. It is also not acceptable to have a bayou with such high E.coli running through the backyards of thousands of Houstonians – from Memorial and River Oaks to the East End.

We understand that the bacterial source tracking was collected from a small number of sites, but 40 percent human waste during low flow and 63 percent at high flow is totally unacceptable. We all know these numbers should be zero. It is especially distressing to see 65 percent human waste at the mouth of Buffalo Bayou and 67 percent at the mouth of White Oak Bayou during low flow. With these results, it is clear that we cannot set the background level at some number above the standards. Even if we agreed that the bayous need to meet only non-contact recreation standards, we are not nearly approaching that level.

We need to do a better job of tracking down and eliminating the sanitary sewer leaks finding their way into the stormwater outfalls and bayous. This will be a continuing problem because the watershed has many miles of deteriorating sanitary sewers that have not been replaced or rehabilitated. As a bare minimum, we should not and must not accept standards for Buffalo and White Oak bayous that are less than that of other City of Houston watersheds. The recent studies of Lake Creek, Peach Creek and Caney Creek, all located in north Houston, show bayous that are not impacted with bacteria. Surely, these waterways have numerous wildlife, much more than Buffalo or White Oak bayous, and they meet the E.coli standard.

The Buffalo Bayou Partnership agrees that it is not safe to paddle on the bayous at periods of high flow (above 2000 cfs). We also know that it is very difficult to treat stormwater. However, the fact that stormwater is loaded with human waste, means this source must be reduced. We do not want to close Galveston Beach to swimmers due to high E.coli counts from our bayous. The Texas Department of Health has stated that

eating raw oysters contaminated with E.coli will cause sickness even if the E.coli comes from non-human sources.

The Buffalo Bayou Partnership and its private and public sector partners are spending millions of dollars to transform Buffalo Bayou into a world class waterway. It is not acceptable to envision the bayou posted with “keep out” signs as our residents and visitors wander along its banks.

We very much appreciate the work of the TCEQ and we look forward to partnering with you to make Buffalo Bayou and White Oak Bayou into the assets that they can be for Houston and Texas.

Sincerely,

Mike Garver
Chairman

cc. Claire Caudill