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Mary Ellen Whitworth, **Executive Director**

Ron Stein
 Texas Commission on Environmental Quality
 Via e-mail

Dear Ron:

The Bayou Preservation Association is concerned with the high bacterial levels in Buffalo Bayou and White Oak Bayou. We do understand that waterways across the United States are struggling with this problem. However, our average exceedences are ten to thirty times the standard for contact recreation. I know that the bacterial source tracking was collected from a small number of sites, but 40% human waste during low flow and 63% human waste at high flow is totally unacceptable. We all know these numbers should be zero. It is especially distressing to see 65% human waste at the mouth of Buffalo Bayou and 67% at the mouth of White Oak during low flow. With these results, it is clear that we cannot set the background level at some number above the standard. Even if we agreed that the bayous need to meet only non contact recreation standards, we are not near that level.

It would seem that we were not doing our job if we do not continue to track down and eliminate the sanitary sewer leaks finding their way into storm water out falls and bayous. This will be a continuing problem because the watershed has many miles of deteriorating sanitary sewers that have not been replace or rehabilitated. As a bare minimum, we shouldn't 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 BB or WOB, and they meet the e.coli standard.

The BPA agrees that it is not safe to paddle on the bayous at periods of high flow i.e. 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 make you sick even if the e.coli comes from non human sources.

The Buffalo Bayou Partnership is spending millions of dollars to turn Buffalo Bayou into a world class waterway. It is not acceptable to envision the bayou posted with "keep out" signs as our tourists wander along its banks. We appreciate the work the TCEQ is doing and we look forward to working with you to return BB and WOB in the assets they used to be.

Sincerely,
 Mary Ellen Whitworth P.E.