

Mrs. BURNS. Yes, it is; thank you.

Mr. TAYLOR. Well, thank you very much. Any questions?

Our next witness on the list is Mr. Stewart Brandborg. I understand that he is not here. He will be permitted to place his statement in the record at this point.

Is there anyone here who is listed for tomorrow who can't come back and would like to have a few minutes now?

Is there anyone listed for tomorrow who can't come back and would like to have a few minutes now? If not our hearing will end and we will—

Mr. KAZEN. Mr. Chairman, Congressman Fisher had two other letters that he wanted in the file. I wonder if we could include them in the record, along with the others that he presented this morning? He is not present and he sent them in and he would like to have them in the record.

Mr. TAYLOR. In the absence of objection a letter from Mr. John Huff to Congressman Fisher, dated March 15, 1968, will be made a part of the record at this time. The second letter from Mr. Otis Meredith, dated March 15, 1968, will be made a part of the record at this point. In the absence of objection, the letter addressed to me from Congressman Walter S. Baring, recommending an amendment to the bill, dated March 11, 1968, will be made a part of the record at this point.

(Letters mentioned above follow:)

CITY OF BOERNE,
Boerne, Tex., March 15, 1968.

Hon. O. C. FISHER,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FISHER: We have read House of Representatives Bill No. 90—Scenic Rivers Act—and very strongly feel that the Guadalupe River should be dropped from this bill.

We won't burden you with all of our objections to this bill, and there are many, but we feel that the development of our Guadalupe River through all the counties concerned, including Kendall County, can best be served by not including it in this bill.

We urge you to use your influence in getting the Guadalupe River deleted from this bill.

Sincerely yours,

JOHN ARLEIGH HUFF, Mayor.

HOUSTON, TEX. March 15, 1968.

GENTLEMEN: I am advised that a public hearing will be had on the above proposed legislation on March 18 or 19. I recommend that the Guadalupe River be deleted from the Bill, for the following reasons:

1. The Guadalupe River, lying wholly in Texas, was added by amendment to S. 119 and does not qualify under the report submitted by "The Committee on Interior and Insular Affairs", which report originally accompanied S. 119. That report was properly limited to "reserve certain public lands for a Natural Wild Rivers System". The rivers listed in S. 119 are practically all located in states where land titles emanate from a Federal source and are therefore Federal public lands. This is not true in Texas. Texas statutes provide, and Texas Courts have held, that the beds of all navigable streams are held in trust by the State for the use and benefit of all people. Thus, Texas already has provided under its own laws for the preservation of public rights in its streams, differentiating it from the legal status of the rivers located in western states.

2. Under Texas Statutes, the Texas Water Rights Commission (Article 7477) and the Texas Water Development Board (Article 8280 et seq.), together with Article 7621 enacted in 1967 and known as the Texas Water Quality Act, all as