

# Union Calendar No. 279

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1749

[Report No. 106-500]

To designate Wilson Creek in Avery and Caldwell Counties, North Carolina,  
as a component of the National Wild and Scenic Rivers System.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1999

Mr. BALLENGER introduced the following bill; which was referred to the  
Committee on Resources

FEBRUARY 29, 2000

Additional sponsor: Mr. BURR of North Carolina

FEBRUARY 29, 2000

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To designate Wilson Creek in Avery and Caldwell Counties,  
North Carolina, as a component of the National Wild  
and Scenic Rivers System.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DESIGNATION OF WILSON CREEK IN NORTH**  
2 **CAROLINA AS A WILD, SCENIC, AND REC-**  
3 **REATIONAL RIVER.**

4 Section 3(a) of the Wild and Scenic Rivers Act (16  
5 U.S.C. 1274(a)) is amended by adding at the end the fol-  
6 lowing new paragraph:

7 “(161) WILSON CREEK, NORTH CAROLINA.—(A)  
8 The 23.3 mile segment of Wilson Creek in the State of  
9 North Carolina from its headwaters to its confluence with  
10 Johns River, to be administered by the Secretary of Agri-  
11 culture in the following classifications:

12 “(i) The 2.9 mile segment from its headwaters  
13 below Calloway Peak downstream to the confluence  
14 of Little Wilson Creek, as a scenic river.

15 “(ii) The 4.6 segment from Little Wilson Creek  
16 downstream to the confluence of Crusher Branch, as  
17 a wild river.

18 “(iii) The 15.8 segment from Crusher Branch  
19 downstream to the confluence of Johns River, as a  
20 recreational river.

21 “(B) The Forest Service or any other agency of the  
22 Federal Government may not undertake condemnation  
23 proceedings for the purpose of acquiring public right-of-  
24 way or access to Wilson Creek against the private property  
25 of T. Henry Wilson (or his heirs or assigns) located in  
26 Avery County, North Carolina (within the area 36°, 4

1 min., 21 sec. North 81°, 47 min., 37° West and 36°, 3  
2 min., 13 sec. North and 81° 45 min. 55 sec. West), in  
3 the area of Wilson Creek designated as a wild river.”.

4 **SECTION 1. DESIGNATION OF WILSON CREEK IN NORTH**  
5 **CAROLINA AS A WILD, SCENIC, AND REC-**  
6 **REATIONAL RIVER.**

7 *Section 3(a) of the Wild and Scenic Rivers Act (16*  
8 *U.S.C. 1274(a)) is amended by adding at the end the fol-*  
9 *lowing new paragraph:*

10 *“(161) WILSON CREEK, NORTH CAROLINA.—(A) The*  
11 *23.3 mile segment of Wilson Creek in the State of North*  
12 *Carolina from its headwaters to its confluence with Johns*  
13 *River, to be administered by the Secretary of Agriculture*  
14 *in the following classifications:*

15 *“(i) The 2.9 mile segment from its headwaters*  
16 *below Calloway Peak downstream to the confluence of*  
17 *Little Wilson Creek, as a scenic river.*

18 *“(ii) The 4.6 segment from Little Wilson Creek*  
19 *downstream to the confluence of Crusher Branch, as*  
20 *a wild river.*

21 *“(iii) The 15.8 segment from Crusher Branch*  
22 *downstream to the confluence of Johns River, as a*  
23 *recreational river.*

24 *“(B) The Forest Service or any other agency of the*  
25 *Federal Government may not undertake condemnation pro-*

1 *ceedings for the purpose of acquiring public right-of-way*  
2 *or access to Wilson Creek against the private property of*  
3 *T. Henry Wilson, Jr., or his heirs or assigns, located in*  
4 *Avery County, North Carolina (within the area 36°, 4 min.,*  
5 *21 sec. North 81°, 47 min., 37° West and 36°, 3 min., 13*  
6 *sec. North and 81° 45 min. 55 sec. West), in the area of*  
7 *Wilson Creek designated as a wild river.”.*



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