

111TH CONGRESS
1ST SESSION

S. 853

To designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2009

Mr. KAUFMAN (for himself, Mr. CARPER, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “White Clay Creek Wild
5 and Scenic River Expansion Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the White Clay Creek watershed is 1 of only
2 a few relatively intact and unspoiled functioning
3 river systems remaining in the highly congested and
4 developed corridor between Philadelphia, Pennsyl-
5 vania and Newark, Delaware;

6 (2) Public Law 102–215 (16 U.S.C. 1271 note;
7 105 Stat. 1664) directed the Secretary of the Inte-
8 rior, in cooperation and consultation with appro-
9 priate State and local governments and affected
10 landowners, to conduct a study of the eligibility and
11 suitability of White Clay Creek, in the States of
12 Delaware and Pennsylvania, and the tributaries of
13 the creek for inclusion in the National Wild and Sce-
14 nic Rivers System;

15 (3) as a part of the study described in para-
16 graph (2), all segments listed in the amendments
17 made by section 3 were found eligible for inclusion
18 in the National Wild and Scenic Rivers System;

19 (4) local communities and governments along
20 the proposed river segments have passed resolutions
21 in support of the designation of the segments listed
22 in the amendments made by section 3 as compo-
23 nents of the National Wild and Scenic Rivers Sys-
24 tem; and

1 (5) Public Law 106–357 (16 U.S.C. 1271 note;
 2 114 Stat. 1393) designated 190 miles of river seg-
 3 ments of White Clay Creek (including tributaries of
 4 White Clay Creek and all second order tributaries of
 5 the designated segments) in the States of Delaware
 6 and Pennsylvania, to be administered by the Sec-
 7 retary of the Interior.

8 **SEC. 3. DESIGNATION OF SEGMENTS OF WHITE CLAY**
 9 **CREEK, AS SCENIC AND RECREATIONAL RIV-**
 10 **ERS.**

11 Section 3(a)(163) of the Wild and Scenic Rivers Act
 12 (16 U.S. C. 1274(a)(163)) is amended—

13 (1) in the matter preceding subparagraph (A)—

14 (A) by striking “190 miles” and inserting
 15 “199 miles”; and

16 (B) by striking “(dated June 2000)” and
 17 inserting “(dated February 2009)”;

18 (2) by striking subparagraph (B) and inserting
 19 the following:

20 “(B) 22.4 miles of the east branch begin-
 21 ning at the southern boundary line of the Bor-
 22 rough of Avondale, including Walnut Run,
 23 Broad Run, and Egypt Run, outside the bound-
 24 aries of the White Clay Creek Preserve, as a
 25 recreational river.”; and

1 (3) by striking subparagraph (H) and inserting
2 the following:

3 “(H) 14.3 miles of the main stem, includ-
4 ing Lamborn Run, that flow through the
5 boundaries of the White Clay Creek Preserve,
6 Pennsylvania and Delaware, and White Clay
7 Creek State Park, Delaware beginning at the
8 confluence of the east and middle branches in
9 London Britain Township, Pennsylvania, down-
10 stream to the northern boundary line of the
11 City of Newark, Delaware, as a scenic river.”.

12 **SEC. 4. ADMINISTRATION OF WHITE CLAY CREEK.**

13 Sections 4 through 8 of Public Law 106–357 (16
14 U.S.C. 1274 note; 114 Stat. 1393), shall be applicable to
15 the additional segments of the White Clay Creek des-
16 ignated by the amendments made by section 3.

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