



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

November 8, 2010

Representative Judith Spang, Chairman  
Resources, Recreation, and Development  
Room 305  
Legislative Office Building  
Concord, NH 03301

Dear Representative Spang:

In June 2010, the Department received a nomination for the inclusion of the Oyster River into the Rivers Management and Protection Program (RMPP). As proposed by the nominating organization (Oyster River Watershed Association) designation would begin at the Oyster River headwaters at Hall Road in Barrington and end at the Mill Pond dam in Durham. My review of the nomination considered the important resources outlined in the nomination, public comments received by the Department, and the recommendations of the Rivers Management Advisory Committee (RMAC) and the Rivers Coordinator. Based on this review and considering the factors listed in RSA 483:6, IV, I have determined that designation of the Oyster River would be consistent with the purposes of RSA 483, and I am strongly recommending its inclusion in the RMPP.

#### Resource Evaluation

The Oyster River received 518 points out of a maximum of 595 under the point system evaluation for river-related resources outlined in Env-Wq 1800 (Administrative Rules for the RMPP). In each of the five categories evaluated - natural resources, managed resources, cultural resources, recreational resources, and other resources - the Oyster River was awarded a majority of the points available.

#### Public Comments

The RMAC and the Department held a public informational meeting and a formal public hearing in August to gain further public input on the designation of the Oyster River. To date, the Department has received 24 endorsements in support of the nomination. Twelve of these endorsements are from local officials in the towns that border the Oyster River including four from local boards of selectmen or Town Council, two from planning boards, two from water resources boards, and four from conservation commissions. Twelve additional endorsements were received from interested communities, organizations, state agencies and local citizens. Throughout the process the public testimony and letters have overwhelmingly supported the nomination.

#### Recommendations by the RMAC and the Rivers Coordinator

The Rivers Management Advisory Committee (RMAC) reviewed the nomination, conducted a site visit, and held a public hearing. The RMAC was very impressed with the level of local support for the nomination and unanimously recommended that the Oyster River be designated into the RMPP.

The Rivers Coordinator reviewed nomination materials, listened to testimony at the public hearing, received correspondence related to the nomination, and visited the river. Based on this information, the Rivers Coordinator recommended that the nomination of the Oyster River into the Rivers Management

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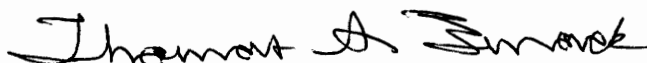
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and Protection Program be forwarded to the General Court for consideration in the 2011 session. As the individual with primary responsibility for evaluating river nominations, the Rivers Coordinator recommends moving the nomination forward at this time, an important step in recognizing the importance of the Oyster River as a significant statewide resource.

Enclosed please find a copy of the Oyster River Nomination and a map showing the boundaries of the proposed designation. Also enclosed is a draft bill that outlines the recommended classifications for the designation of the Oyster River into the Rivers Management and Protection Program. The Department is currently preparing a Report to the General Court specifying in greater detail the values and characteristics that qualify the Oyster River for designation. The report will be completed in time for consideration in the 2011 legislative session.

The Oyster River meets the criteria for designation and is a worthy addition to the Rivers Management and Protection Program. I hereby forward the Nomination to the General Court for review and legislative approval according to RSA 483:7.

Sincerely,



Thomas S. Burack  
Commissioner

Enclosures  
TSB/smc

CC:

Councilor Beverly A. Hollingworth  
Senator Amanda A. Merrill  
Senator Jacalyn L. Cilley  
Representative Janet G. Wall  
Representative Naida L. Kaen  
Representative Emma L. Rous  
Representative Marjorie K. Smith  
Representative David A. Bickford  
Representative Larry Brown  
Representative Rachel B. Burke  
Representative James E. Cyr  
Representative Robert J. Perry  
Representative Susan G. Price  
Representative Dennis P. Vachon  
Representative Carol M. Vita  
Representative L. Mike Kappler  
Board of Selectmen, Barrington  
Board of Selectmen, Madbury  
Board of Selectmen, Lee  
Town Council, Durham  
Mike Walls, Assistant Commissioner, DES (via electronic mail)  
Harry Stewart, Director, Water Division, DES (via electronic mail)  
Paul Currier, Administrator, Watershed Management Bureau, DES (via electronic mail)  
Eric Fiegenbaum, Oyster River Watershed Association (via electronic mail)  
Kyle Pimental, Regional Planner, Strafford Regional Planning Commission (via electronic mail)  
RMAC Members (via electronic mail)  
LRMAC Chairs (via electronic mail)