

N.H. Rivers Management Advisory Committee

April 1, 2011

The Honorable Bob Odell, Chair
House Energy and Natural Resources Committee
Legislative Office Building, Room 102
Concord, NH 03301

RE: HB 44: An Act designating segments of the Oyster River as a protected river.

Dear Chair Odell and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its support for House Bill 44, which designates the Oyster River into the Rivers Management and Protection Act (RMPA), RSA 483, but its opposition to the exemption of the less than 4th order river segments from the Comprehensive Shoreland Protection Act (CSPA).

The RMAC is a legislatively created body charged to work with the NH Department of Environmental Services (DES) on the administration of RSA 483, the RMPP. The Governor and Council appointed Committee is comprised of members from the business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests. Among its other responsibilities, the RMAC is charged with reviewing legislation relevant to the RMPP and with advising the DES Commissioner on the merits of such legislation.

The nomination to include the Oyster River into the RMPA was submitted for consideration on June 1, 2010. Since then, the RMAC has met with the sponsor of the nomination - the Oyster River Watershed Association - to learn more about the river and discuss the nomination. The RMAC conducted a site visit of the river with the sponsors on August 17, 2010 and convened a public hearing in Madbury in coordination with the Acting Rivers Coordinator to receive public comment on the nomination. At its September 28 meeting, the RMAC reviewed all nomination materials for consistency with RSA 483 and the nomination rules, as well as public and elected officials input.


The RMAC was impressed with the level of public support demonstrated for the nomination at the public hearing, and with the number of endorsements received from local, elected officials, with approximately 30 people in attendance. All of the testimony was in favor of the designation of the Oyster River. Letters of endorsement were received from the elected officials of all four river corridor communities.

Due to the unanimous support and extraordinary outreach and education effort put forth throughout the nomination effort, the RMAC is opposed to the exemption of the less than 4th order river segments from the CSPA. The municipalities and riparian landowners were afforded the opportunity to express reservations about the designation and the CSPA regulations and no opposition or comments were received in that regard. The RMAC feels the amendment usurps local control and is bad precedent and spot legislation.

In conclusion, the RMAC supports HB 44, which would designate the Oyster River into the Rivers Management and Protection Act, but strongly opposes the exemption of the less than 4th order river segments from the (CSPA).

If you have further questions, please feel free to contact me at (603) 466-8149 or kkimball@outdoors.org.

Sincerely,



Kenneth D. Kimball, Ph.D., Chairman
Rivers Management Advisory Committee

Voting Members:

Kenneth D. Kimball

Chair
Recreational
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Vice Chair
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Gary L. Kerr

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Representative Wall
Representative Kaen
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Senator Vita
Senator Merrill
RMAC members *(via email)*
Tom Burack, Commissioner, DES *(via email)*
Mike Walls, Assistant Commission, DES *(via email)*
Harry Stewart, Director, Water Division, DES *(via email)*
Paul Currier, Administrator, WMB, DES *(via email)*
Steven M. Couture, Rivers Coordinator, DES *(via email)*
Charlie Ryan, Chair, Ammonoosuc River LAC *(via email)*
Barbara Skuly, Chair, Ashuelot River LAC
Rick Healey, Chair, Cocheco River LAC *(via email)*
Jenny Polcari, Co-Chair, Cold River LAC *(via email)*
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Liz Evans, Chair, Isinglass River LAC *(via email)*
Sarah Callaghan, Chair, Lamprey River LAC *(via email)*
Kathryn Nelson, Chair, Lower Merrimack River LAC *(via email)*
Max Stamp, Chair, Pemigewasset River LAC *(via email)*
Dick Ludders, Chair, Piscataquog River LAC *(via email)*
George May, Chair, Souhegan River LAC *(via email)*
Robert Parrish, Chair, Swift River LAC *(via email)*
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<http://des.nh.gov/organization/divisions/water/wmb/rivers/rmac/index.htm>