

DURHAM CONSERVATION COMMISSION
Notes for Special Workshop (Approved November 13, 2008)
October 23, 2008

Cynthia Belowski called the meeting to order at 7:05 pm.

Members present: Cynthia Belowski, Jerry Needell, Robin Mower, Stephen Roberts, Peter Smith,

Excused absence: Dwight Baldwin, Beryl Harper, James Houle, Duane Hyde, George Thomas

Attendees: Brian Gallagher, Julian Smith, Paul Chamberlin, Richard Lord, Sharon Meeker,
Chuck Cox, Eric Figenbaum, Cynthia Copeland, David Cedarholm, Todd
Selig

The Durham Conservation Commission invited Steven Couture, NH Department of Environmental Services Rivers Coordinator, to present facts and lead a discussion relative to the implications of designating the Oyster River in the NH State Rivers Management and Protection Program. Relevant handouts and the PowerPoint presentation are appended.

Cynthia opened the meeting by welcoming all and giving a bit of background. In August of 2008 the Durham Conservation Commission (DCC) was asked to provide a letter of support for the nomination of the Oyster River into the State Rivers Management and Protection Program. At its August 14, 2008 meeting the DCC determined that they needed a better understanding of the implications of designating the river into the program and decided to host this informational workshop to become more informed.

Key points derived from the workshop are as follows:

- Program enabled by the Rivers Management and Protection Act of 1988 (RSA 483).
- Oyster River Watershed Association is working with the Strafford Regional Planning Commission to prepare for the nomination. The first step is to secure a grant to prepare an application. The application process involves extensive assessment work.
- The whole river need not be designated. In the case of the Lamprey, only Lee and Durham are in the state program.
- The proposed designated area of the Oyster River would include 1,320 feet on either side or the 100-year floodplain, whichever is greater.
- Regulatory protection for designated rivers:
 - Instream-flow protection – the state is responsible for establishing in-stream flow for the entire river
 - Long range management plans for state owned lands
 - Inter-basin water transfers prohibited (inter-basin refers to the coastal watershed, not the river's watershed)
 - Water quality protection measures reinforced
 - Setback established for new solid and hazardous waste facilities

- Motorized watercraft usage controlled
 - Use of biosolids prohibited within 250' (septage, sludge, solid waste)
 - CSPA applies to all designated river miles, not just 4th order stream reaches.
- There was discussion regarding the potential long-term cost to the Town if the Oyster River is designated. Durham draws a predominate amount of its municipal water supply from the Oyster River. If there are regulatory differences that would make it more costly to run the water program then Durham would have to seriously consider whether it wants to support the nomination for designation.
- Steve Couture explained that, while the regulations are generally the same for all rivers, there is a greater amount of awareness regarding activities along a designated river due to the existence of the Local Advisory Committee.
- A number of points were made regarding the benefits of potentially enrolling the Oyster River as part of the N.H. State Rivers Management and Protection Program. A large amount of the Oyster River watershed is outside of Durham. Therefore, decisions are being made regarding land use around the river in towns that are not depending on the river for drinking water. If Durham were to participate in the program it would have representation on the Local Advisory Committee and therefore a more active voice regarding land use decisions in other parts of the Oyster River watershed.

Meeting adjourned at 9:00 PM

Submitted by Cynthia Belowski