

DATE: May 5, 2014

COUNCIL COMMUNICATION

INITIATED BY: Robin Mower, Councilor

AGENDA ITEM: **RESOLUTION #2014-08 RECOGNIZING THOSE WHOSE STEADFAST EFFORTS RESULTED IN THE HISTORIC 1974 TOWN VOTE TO PROHIBIT CONSTRUCTION OF AN OIL REFINERY ALONG THE SHORE OF GREAT BAY AT DURHAM POINT, ON THE 40TH ANNIVERSARY OF THE EVENT**

CC PREPARED BY: Robin Mower, Councilor

PRESENTED BY: Robin Mower, Councilor

AGENDA DESCRIPTION:

March 2014 marked the 40th anniversaries of the intertwined local and State votes that decided the future landscape of Durham Point and that highlighted the strength of small town communities under threat as they successfully strove to defend their values and independence. In March 1974 Seacoast citizens thwarted the attempt by wealthy shipping magnate Aristotle Onassis's ghost company Olympic Refineries, Inc. to build what was called "the world's largest oil refinery" along the shore of Great Bay at Durham Point.

State and Seacoast local historical associations have commemorated the 25th and 40th anniversaries of the fight, and in September 2001 "Oily-Vey," a musical comedy by Durham resident Ed Valena "celebrated a fantastic story of local and global drama," starring students from the Oyster River School District in a two-day run and featuring songs with titles such as "If I Only Owned the Bay," sung to Broadway melodies.

However, the Durham Town Council to date has not acknowledged the town's debt to those who unreservedly dedicated themselves to the 1973-1974 struggle. This Resolution seeks to honor them.

A brief sketch; details are well documented elsewhere

In the fall of 1973 Durham Point resident Nancy Sandberg and her neighbors formed the grassroots organization "Save Our Shores" in response to what appeared to be a suspicious land grab attempt by dark-suited outsiders. "SOS," as it became known, proceeded to spearhead Durham's opposition. Abetted by expertise from University of New Hampshire faculty and graduate students, and informed and encouraged by the ongoing investigative reporting of the new local publication *Publick Occurrences*, opposition to the proposed oil refinery threat to the rural community of approximately 5,000 residents rapidly grew.

By late November, Olympic had quietly obtained options on over 3,000 acres of Durham Point property. Then, as David Deal wrote in his article "The Durham Controversy" (*Natural Resources Lawyer*, Vol. 8, No. 3, 1975), "On November 27, 1973, the Governor formally announced that Olympic proposed to locate a refinery in Durham, alluded to the benefits of the proposal, and assigned a top aide, to spend full time on the matter with instructions to expedite all necessary state and local reviews."

Arguments fueling the opposition ran the gamut. Among these were the false promises and apparent ignorance of the representatives of Olympic, environmental concerns, and the potential overturning of Durham's comprehensive land use plans.

Durham's role in the battle culminated at a dramatic extended Town Meeting on March 6, 1974 – the evening dedicated to warrant Article 14: *To see if the Town is in favor of amending the Durham Zoning Ordinance to permit an oil refinery.* (The Town Meeting opened on the scheduled date of March 5, continued to March 6, and then to March 9.)

By the close of the polls at 10:32 p.m. on the night March 6, only 144 had voted in favor of the Article, while 1,254 had voted against it, resoundingly voicing the town's opposition. Durham thereby sent a clear albeit symbolic message to the State House, echoing a similar vote by the town of Rye, that it valued its right of self-determination. National media, including the *New York Times*, and ABC-TV's *Evening News*, picked up the news.

The battle was not yet over, however.

The following day, March 7, legislators at the State House in Concord voted down House Bill 34, which would have created an energy facilities committee with the power to override a town's wishes in the siting of an oil refinery. Instead they supported first-term Representative Dudley Dudley's House Bill 18, an act "requiring local approval prior to approval of site plans for oil refineries," later referred to as the "home rule bill," 233 voting in favor and 109 against.

The passage of House Bill 18 was followed by Senate approval and signature by Governor Meldrim Thomson, who had publicly stated three months earlier that he would not impose an oil refinery on a town reluctant to accept it yet had continued to align himself with those working on behalf of the Olympic proposal.

Durham's champions

On Saturday, March 9, 1974, Town Meeting reconvened at 9:30 a.m. to take up remaining business. Near the close George Haselrud proposed a Resolution, which passed unanimously, that "expresses gratitude to those who turned back the mortal threat of Olympic Oil to the Town." (The full text of this and another Resolution related to future oil facilities sites is captured in the minutes of that Town Meeting, printed in the Town Report.)

Three Durham residents who played key roles have deservedly received the spotlight over the years: Nancy Sandberg, Chair of Save Our Shores; Dudley Webster Dudley, Durham's delegate to the State House of Representatives; and Phyllis Bennett, who came to Durham with her late husband Stephen to publish *Publick Occurrences* and stumbled into a journalist's dream. (*Publick Occurrence's* coverage of the "Battle for Durham" was nominated for a Pulitzer Prize.) All three note the roles that numerous others also played, emphasizing that the result was an engaged community's success.

The roster includes the heads of Save Our Shores's committees (Sharon Meeker, chair of the outreach and public relations committee, now a resident in Lee and member of the Lamprey River Advisory Council; Karen Mower and Maryanna Hatch, successive chairs of the technical committee); the investigative reporters, photographers, and artists who contributed to *Publick Occurrences*, including Ron Lewis, Bob Nilson, and John Hatch; local author Dan Ford, who told Durham's story in 1974 issues of the *Boston Globe* and the *New Republic* and still lives on Durham Point; chemical engineer Gael Ulrich, Jim and Clif Horrigan, Galen Jones, and their UNH colleagues; John "Jack" Kingsbury, Director of Cornell University's Shoals Marine Laboratory on Appledore Island; Evelyn Browne, the late Durham Point resident without whose land there would be no Browne Center; landowners who resisted the Olympic offers, such as the Beudet farming family; and the over 1,000 Durham residents who signed the petition that Dudley took to Concord.

Even with the tools of modern technology and communication, going up against the sophisticated and deep-pocketed opponents – with whom most of the New Hampshire State politicians, businessmen, and the powerful statewide newspaper (*The Union Leader*) were aligned – would have been a daunting challenge. But this was before personal computers, email, cell phones, digital photography, not to mention easily accessible decent-quality photocopying. Working professionals, political "newbies,"

and well-educated, resourceful housewives fought and won a five-month-long intense, at times exhilarating, and usually exhausting battle.

MORE OF THE STORY

Available via the Town's website for the Durham Historic Association (under the "Our Community" menu on the Town of Durham's home page,

<<http://www.ci.durham.nh.us/>>) "Supporting Documents" may include:

- 1) Text of the speeches given at the Durham Historic Association's annual meeting on April 26, 2014, at the New Hampshire Historical Society's "Eyewitness to History: First-Person Accounts" event on April 10, 2014, and at the Durham Historic Association's 25th Anniversary commemorative event
- 2) Selection of excerpts from 1973 and 1974 media coverage
- 3) Images of local maps and the Olympic oil refinery model
- 4) Minutes of the March 6, 1974 Durham Town Meeting

LINKS TO OTHER RELEVANT MATERIALS ONLINE

- 1) Short (7-minute) video posted on YouTube that recounts this historic moment, with contemporary media excerpts and modern-day commentary by participants, titled "Battle for Durhan (sic) Point New Hampshire" <http://www.youtube.com/watch?feature=player_detailpage&v=vuruQX0VsvE> [spelling error on YouTube posting]
- 2) 2011 SeacoastNH article by publisher J. Dennis Robinson, summarizing the historical event, with contemporary remarks by participants, and the 2001 "Oily-Vey" by Durham resident and playwright Ed Valena, as well as the backstory on the commemorative granite bench at Wagon Hill Farm: "NH Rejects Aristotle Onassis Oil Refinery in 1974." <<http://www.seacoastnh.com/History/History-Matters/NH-Rejects-Aristotle-Onassis-Oil-Refinery-in-1974/>>
- 3) January 6, 2002 SeacoastNH article by publisher J. Dennis Robinson, primarily a review of the 2001 play "Oily-Vey": "How Aristotle Onassis Lost Great Bay: This 1974 Greek tragedy fueled a modern musical comedy."

ADDITIONAL CONTEMPORARY COVERAGE

Collections of historic documents, including copies of *Publick Occurrences*, may be found in several nearby locations:

- 1) Durham Historic Association: The Museum, open by appointment. See the DHA website, URL above

- 2) Dimond Library at UNH, Special Collections & Archives: ask to see the "Save Our Shores" collection (and, possibly, the "Evelyn Browne collection")
<<http://www.library.unh.edu/find/special-collections-archives>> or more specifically, <<http://www.library.unh.edu/special/index.php/save-our-shores>>
- 3) New Hampshire Historical Association, Concord, NH
- 4) Rye Town Museum, at 10 Olde Parish Road, to which dozens of newspaper clippings on the topic have recently been donated

In addition, the book *Oil and Water: The New Hampshire Story*, by John Kingsbury, published in 1975, tells the story from the perspective of the Director of Cornell University's Shoals Marine Laboratory.

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

MOTION:

The Durham Town Council does hereby adopt Resolution #2014-08 recognizing the many current and former residents of Durham and members of the UNH faculty whose steadfast efforts resulted in the historic 1974 Town vote to prohibit construction of an oil refinery along the shore of Great Bay at Durham Point, on the 40th anniversary of the event and expressing its gratitude for their vision and generous devotion to the community.