

Background

The Lamprey River and its five major tributaries (Little, North, North Branch, Pawtuckaway, and Piscassic rivers) drain an area of approximately 212 square miles and include fourteen towns. (See map on Page 2.) Together, the Lamprey rivers make the largest contribution of fresh water to the Great Bay Estuary. These rivers provide significant ecological, historic, recreational, fisheries, and community resources that have been recognized as needing protection and careful management at the federal, state, and local levels.

Designations

The Lamprey rivers have been designated for special protection by the State of New Hampshire (the State) through the NH Rivers Management and Protection Program (RMPP). The total distance of rivers protected under the RMPP is 87.7 miles. In addition, the 23 mile section of the main stem Lamprey River from the former Bunker Pond Dam in West Epping to the confluence with the Piscassic River in Newmarket has been designated for protection by the US Congress under the National Wild and Scenic Rivers System.

These designations and subsequent protection resulted from the efforts of local citizens who documented the Lamprey's outstanding natural and cultural resources and encouraged the unanimous support of the fourteen towns. In addition to the recognition already achieved at the state level, preliminary interest has been expressed by some to extend Wild and Scenic designation to upstream towns. With sufficient public support and the assistance of the Lamprey River Watershed Association, the Lamprey Rivers Advisory Committee, and other interested stakeholders, these initiatives can be explored.

1. New Hampshire Rivers Management and Protection Program

The New Hampshire Rivers Management and Protection Program (RMPP) was enacted in 1988 as RSA 483 (<http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-L-483.htm>) to protect the state's most significant rivers or river segments. In 1990, the section of the Lamprey River that runs through Lee and Durham was among the first rivers nominated into the RMPP. In 2011, the entire Lamprey and five of its major tributaries were designated. The RMPP provides for the establishment of a local advisory committee on each designated river or segment to implement river management and protection policies at the local level.

The Lamprey Rivers Advisory Committee (LRAC, the Committee) serves as the local advisory committee for the Lamprey and the tributaries. The Committee is responsible for four main duties per RSA 483:

- Advise the NH Dept. of Environmental Services (NHDES) commissioner,

the NH Rivers Management Advisory Committee, the municipalities through which the designated river or segment flows, and the municipalities within tributary drainage areas on matters pertaining to the management of the river or segment and tributary drainage areas.

- Consider and comment on federal, state, or local governmental plans to approve, license, fund, or construct facilities that would alter the resources and characteristics for which the river or segment is designated.
- Develop or assist in the development and adoption of local river corridor management plans. Local planning boards may adopt such plans as an adjunct to their local master plan.
- Report biennially to the NH Rivers Management Advisory Committee and the commissioner, and annually to municipalities on the status of compliance with federal and state laws and regulations, local ordinances, and plans relevant to the designated river or segment, its corridor, and tributary drainage areas.

The State offers the Committee technical assistance in developing and implementing the management plan and provides several protections for the Lamprey. According to RSA 483, rivers can be classified as natural, rural, rural-community, or community. The Lamprey rivers contains all four of these river classifications. For each river classification, State law establishes specific protection measures which pertain to structures and activities within and along the river. These include dams, hydroelectric energy facilities, channel alterations, maintenance of fishable and swimmable waters, protected instream flows, inter-basin water transfers, and recreational uses of those river segments classified as “natural.” The specific protection measures also include the siting of solid and hazardous waste facilities

Otherwise, the state program does not regulate local zoning or confer special regulatory powers to state agencies relative to protected rivers.

2. Designation under the National Wild and Scenic Rivers Act

The broad purposes of designation of a river as a National Wild and Scenic River are to:

- Preserve the free flowing condition and “outstandingly remarkable values” for which the river was designated.
- Protect the river from the harmful effects of new federal projects such as dams and hydroelectric facilities.
- Protect and enhance the values which caused it to be designated through implementation of a river management plan

Most of the 203 rivers in the National Wild and Scenic Rivers System flow through federally-owned land and are managed by the federal agency that manages the land. In contrast, many of the designated rivers in the East flow

through private lands. These rivers, including the Lamprey, are called *Partnership Wild and Scenic Rivers*, because their management occurs through a partnership of the National Park Service and a local river management advisory committee. Partnership Wild and Scenic Rivers share the following characteristics:

- No lands are federally owned.
- Administration is accomplished through a broadly participatory committee.
- Management and use of lands adjacent to the river continue to be the responsibility of landowners, subject only to existing state and local regulations.
- The River Management Plan is written and implemented through a broadly participatory process.
- The National Park Service reviews federally funded, sponsored, or licensed projects to ensure federal consistency with the plan's river protection goals.
- The costs and responsibilities for managing and protecting the river's resources are shared among all of the partners—local, state, federal, and non-governmental.

On the Lamprey River, a 23.5 mile section is designated as a Wild and Scenic River, from the former Bunker Pond Dam in Epping to the confluence with the Piscassic River in Newmarket. The area of jurisdictional oversight is approximately one quarter mile on each side of the river.

The 1995 Lamprey River Management Plan was developed as a part of the National Wild and Scenic River Study of the Lamprey. The plan included specific provisions related to the Wild and Scenic designation, all of which were carried forward in the 2007 Update and this 2013 Plan. These provisions, together with the National Park Service's June 1995 Draft Report to Congress, and the text of federal legislation in 1996 and 2000 designating the portions of the Lamprey into the federal system, provide the full background and context for the national Wild and Scenic River designation of the Lamprey. (See Appendix A: Overview of Key Elements 1995 Management Plan.)

The Lamprey Rivers Advisory Committee

The Lamprey Rivers Advisory Committee (LRAC, the Committee) is mandated by both the New Hampshire Rivers Management and Protection Program and the National Wild and Scenic Rivers System to participate in the management of the Lamprey River and five of its main tributaries: Little, North, North Branch, Pawtuckaway, and Piscassic rivers. Each of the fourteen towns in the Lamprey River drainage area is encouraged to have at least one Committee member and is allowed up to four. For both programs, members are nominated by the governing bodies of their towns and then are appointed by the commissioner of

the New Hampshire Department of Environmental Services for a three year term. Members, serving as volunteers, represent the interests of local government, business, agriculture, natural resource conservation, recreation, and river landowners.

The Lamprey Rivers Advisory Committee is distinct from the Lamprey River Watershed Association (LRWA), a nonprofit membership group operating throughout the area. The two organizations often collaborate on efforts to enhance protection of the Lamprey.