
ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • www.des.nh.gov

WD-R&L-14

2017

Protective Measures for Designated Rivers

New Hampshire's rivers and streams are widely recognized for their outstanding values and diversity. In 1988, the State Legislature responded to competing interests in our rivers by creating the New Hampshire Rivers Management and Protection Program (RMPP). The program is based on a two-tiered approach to river management and protection: *state* designation of significant rivers and protection of instream values and characteristics (i.e. water quality and flow) and *local* development and adoption of river corridor management plans to protect shorelines and adjacent lands.

When the state designates a river into the Rivers Management and Protection Program, the state offers an extra level of protection for significant instream river resources. All designated river segments are classified into four categories, natural, rural, rural-community and community, based on their characteristics. General descriptions of these categories are provided below.

Natural rivers are free-flowing rivers or segments characterized by their high quality natural and scenic resources. River shorelines are in primarily natural vegetation and river corridors are generally undeveloped. Development, if any, is limited to forest management and scattered housing, and paved roads are screened from the river along the majority of the river segment's length.

Rural rivers or segments flow adjacent to lands which are partially or predominantly used for agriculture, forest management and dispersed or clustered residential development. Some instream structures may exist, including low dams, diversion works and other minor modifications.

Rural-community rivers or segments flow through areas with mixed land uses reflecting some combination of open space, agricultural, residential, commercial and industrial land uses. Such rivers are readily accessible by road or railroad and may include impoundments or diversions, as well as developed centers that could qualify for Shoreland Water Quality Protection Act urban exemptions.

Community rivers or segments flow through developed or populated areas and are readily accessible by road or railroad. These rivers may include existing or potential impoundments or diversions for hydropower, flood control or water supply, as well as urban centers that could qualify for Shoreland Water Quality Protection Act urban exemptions.

For each river classification, state law requires instream protection measures related to dams, hydroelectric facilities, channel alterations, water quality, protected instream flows, interbasin water transfers, siting of solid and hazardous waste storage and treatment facilities, and recreational uses of the river. The table on the following page provides a summary of the protection measures by river classification for all rivers designated into the Rivers Management and Protection Program. Please see the Rivers Management and Protection Act ([RSA 483](#)) for a complete description of the protection measures and exemptions afforded by the RMPP.

PROTECTION MEASURES FOR ALL DESIGNATED RIVERS BY CLASSIFICATION				
	River Classifications			
	Natural	Rural	Rural-Community	Community
Dams & Channel Alterations				
<i>Construction of New Dams</i>	No	No	No	Yes
<i>Reconstruction of Breached Dams</i>	No	Yes (within six years)	Yes (within six years)	Yes
<i>Channel Alterations</i>	No (excluding bridge, road & riprap repairs)	Yes (with conditions)	Yes (with conditions)	Yes (with conditions)
<i>New Hydroelectric Facility</i>	(Not addressed in statute)	Yes (with conditions incl. fish passage)	Yes (with conditions incl. fish passage)	Yes (with conditions incl. fish passage)
Water Quality/Water Quantity				
<i>Water Quality</i>	Class A or B	Class B	Class B	Class B
<i>Interbasin Transfers</i>	No	No	No	No
<i>Protected Instream Flow</i>	Yes	Yes	Yes	Yes
Recreational Use				
<i>Motorized Watercraft</i>	No	Yes (only "headway" speed within 150 ft. of shore)	Yes (only "headway" speed within 150 ft. of shore)	Yes (only "headway" speed within 150 ft. of shore)
Waste Disposal				
<i>New Landfills</i>	None within ¼ mi.	None within ¼ mi. (except Rochester)	None within 100 ft. of 500 yr floodplain	None within 100 ft. of 500 yr floodplain
<i>Expansion of Landfill</i>	Not within 100 ft. of 500 yr floodplain	Not within 100 ft. of 500 yr floodplain	Yes	Yes
<i>New Hazardous Waste Facilities</i>	None within ¼ mi.	The RMPP does not address hazardous waste facilities for Rural, Rural-Community, or Community Rivers.		
<i>Other New Solid Waste Facilities</i>	None within 250 ft.	None within 250 ft.	None within 250 ft.	None within 250 ft.
<i>Sludge and Septage</i>	None within 250 ft.	None within 250 ft.	None within 250 ft.	None within 250 ft.

In addition to the protection measures above that apply when a river is designated into the Rivers Management and Protection Program, these rivers also fall under the jurisdiction of the Shoreland Water Quality Protection Act (SWQPA). The SWQPA applies to all of the larger rivers in New Hampshire that are 4th order or higher whether they are designated or not. However, the SWQPA also applies to smaller designated rivers that are 1st, 2nd and 3rd order, with the exception of the 1st through 3rd order designated river segments in the Lamprey watershed and the 1st through 3rd order segments of the Oyster River.

For 1st through 3rd order rivers designated prior to 2015, the SWQPA has jurisdiction within the full 250 feet of the protected shoreland. For 1st through 3rd order rivers designated after 2015, however, the SWQPA has jurisdiction only within the 50 feet of protected shoreland closest to the reference line. Fact sheet [R&L 15, Application of Shoreland Protections to Designated Rivers](#), summarizes the Shoreland protections afforded to 1st through 3rd order designated rivers. Please refer to the Shoreland Water Quality Protection Act ([RSA 483-B](#)) and the Shoreland Rules ([Env-Wq 1400](#)) for a complete description of protection measures and exemptions.

For further information about the NH Rivers Management and Protection Program visit the NHDES website at: <http://www.des.state.nh.us/organization/divisions/water/wmb/rivers/>, or contact the Rivers Coordinator, 29 Hazen Drive; PO Box 95; Concord, NH 03302-0095; (603) 271-2959; riversprogram@des.nh.gov.