

The Isinglass River

A Report to the General Court



New Hampshire Rivers Management and Protection Program
Department of Environmental Services
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Prepared by

State of New Hampshire
Department of Environmental Services
Office of the Commissioner
6 Hazen Drive
Concord, NH 03302-0095

George Dana Bisbee
Acting Commissioner

David E. Neils
Rivers Coordinator

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I. INTRODUCTION

The Isinglass River is located in coastal drainage of New Hampshire. It begins at the outlet of Bow Lake Dam in Town of Stafford and, after flowing through the Town of Barrington, empties into the Cocheco River in the City of Rochester. The Isinglass River Protection Project (IRPP), a group of citizen volunteers, nominated the Isinglass River for designation into the New Hampshire Rivers Management and Protection Program (RMPP) in June 2001. The Department of Environmental Services has reviewed the nomination and recommends the Isinglass River for designation into the RMPP.

The Rivers Management and Protection Act (RSA 483) was passed by the General Court in 1988. The Act states in part: *"It is the policy of the state to ensure the continued viability of New Hampshire rivers as valued economic and social assets for the benefit of present and future generations. The state shall encourage and assist in the development of river corridor management plans and regulate the quantity and quality of instream flow along certain protected rivers or segments of rivers to conserve and protect outstanding characteristics including recreational, fisheries, wildlife, environmental, cultural, historical, archeological, scientific, ecological, aesthetic, community significance, agricultural, and public water supply so that these valued characteristics shall endure as part of the river uses to be enjoyed by New Hampshire people."*

The Act directs the Department of Environmental Services to receive and evaluate nominations for the designation of rivers or river segments into the RMPP to protect outstanding values and characteristics. Nominations approved by the Commissioner must be forwarded to the next session of the General Court for review and approval. In fulfillment of this statutory directive, the nomination of the Isinglass River is hereby forwarded to the General Court.

The Department of Environmental Services recommends that the Isinglass River be designated into the RMPP and classified as a "natural" and "rural" river as described in the recommendations contained in this report, thereby affording it the full benefit of the applicable protection measures outlined in RSA 483. The outstanding statewide and local resource values and characteristics that qualify the Isinglass River for designation are described in this report.

II. THE ISINGLASS RIVER NOMINATION

A. DESCRIPTION

The Isinglass River begins at outlet of Bow Lake in the Town of Strafford and flows approximately 18 miles through the Town of Barrington and a portion of the City of Rochester before reaching its confluence with the Cocheco River. The Isinglass River watershed drains an area of approximately 75 square miles. From its headwaters at Bow Lake to its confluence with the Cocheco River, the Isinglass River flows through a diverse landscape comprised of wetland complexes, rocky outcroppings, and a mix of conifer and deciduous New England forests.

Land use along the Isinglass River is primarily rural. Given the river's proximity to the rapidly developing seacoast region, it is important to recognize that the river corridor remains largely undeveloped, with only periodic bridge crossings and occasional riverside residential development. Also noteworthy, is the free flowing nature of the river, as it is uninterrupted by dams for its entire length. From its headwaters, the ecosystems within Isinglass River corridor are best characterized as dry coastal forest with pockets of wet and moist coastal forests intermixed near the wetland complexes. Presumably, the river exists today, largely as it did over three hundred years ago prior to European colonization.

B. RIVER VALUES AND CHARACTERISTICS

The RMPP identifies a number of river-related values and characteristics that qualify a river for designation. The Isinglass River supports many of these including a variety of natural, managed, cultural, recreational, and other resource values. Some are significant at the local level; others are significant at the state or national level. The resource values which qualify the Isinglass River for designation include geology, wildlife, vegetation and natural communities, fish, water quality, natural flow, open space, water withdrawal, historic and archeological, community river resources, boating, other recreation, public access, scenery, land use, land use controls, and water quantity.

1. Natural Resources

a. **Geologic Resources:** Similar to most of New Hampshire, the bedrock underlying the Isinglass River corridor was covered by unconsolidated deposits of till following the last glaciation. A valuable mineral known as mica was mined from the Town of Strafford during the early 1900s. This mineral, also referred to as "Isinglass", was used to make windows, lampshades, clock faces, and other goods and accounts for the river's name. In areas where the underlying bedrock protrudes, unique rock formations are visible and account for the scenic cascades and waterfalls over which the river flows. A study of the river corridor's surface geology concluded that the contemporary Isinglass riverbed is a remnant of a much larger river channel, known as the Mallego Channel, that was anywhere from 40 to 70 feet deep. While the groundwater resources in the area include several aquifers within the

Isinglass corridor, none of these are reported to be significant.

b. Wildlife Resources: The Isinglass River corridor supports a diversity of habitats comprised of wetlands, forests, and open space that is home to a wide variety of wildlife. Especially important are the large tracks (>500 acres) of unfragmented land that extend northward from the river corridor. Similarly, the wetland complexes scattered throughout the river corridor, such as those where Nippo Brook and the Mohawk River drain into the Isinglass, serve as important wildlife refuges and travel routes. A total of six wildlife species, listed as threatened or endangered at either the state or national level, have been reported from the Isinglass River corridor. These include the bald eagle, common loon, osprey, Cooper's hawk, common nighthawk, and the small-footed bat. According to the New Hampshire Fish and Game Department, the wildlife habitat in the river corridor is rated as moderately to very diverse depending on the potential for human encroachment.

c. Vegetation and Natural Communities: The vegetation occurring within the Isinglass River corridor is consistent with that found in the coastal drainage of New Hampshire and reflects a diversity of upland, lowland, and wetland plant species. New Hampshire's Natural Heritage Inventory (NHI) reports 11 plant species from the municipalities that the Isinglass flows through that are rare, of special concern, or threatened at the state level. They are huckleberry, large yellow lady's slipper, pitcher plant, ginseng, trailing arbutus, American plum, wild lupine, slender crab-grass, river bank quillwort, Englemann's quillwort, and climbing hempweed. Black gum/red maple and northern New England rich mesic forest types have also been identified as "exemplary natural communities", as defined by NHI, that occur within the Isinglass corridor. It is important to note, that much of the riparian zone immediately adjacent to the river is largely forested and acts as an important buffer providing shade and filtering out potential pollutants.

d. Fish Resources: The Isinglass River is best characterized as coldwater fishery that provides habitat for approximately 20 resident warm and coldwater fish species. Naturally occurring game species include the small and largemouth bass. Naturally occurring nongame fishes include common species such as bluegill, common shiner, fall fish, brown bullhead, and the common sucker. An uncommon nongame species, known as the blacknose shiner, is found in the Isinglass River and has very limited distribution in New Hampshire. Introduced game species include brook, brown, and rainbow trout. The river is stocked annually with these trout species as well as Atlantic salmon as part of an ongoing anadromous fish restoration effort, unique to the Lamprey and Cocheco drainages in the coastal basin. Much of this stocking occurs in the Town of Barrington between routes 126 and 202.

The New Hampshire Fish and Game Department reports a diverse range of fish habitats in the Isinglass River. The free flowing nature, an extensive riparian buffer, high water quality (see below), and varied substrate types of the Isinglass River are the primary factors that account for the diverse habitats within the river.

e. Water Quality: The Isinglass River has been designated a Class B water by the General Court. The Department of Environmental Services periodically monitors (1990, 1998) the

water quality of the Isinglass River at two locations, the route 202 bridge in Barrington and Rochester Neck Road bridge in Rochester. In addition the IRPP conducted volunteer monitoring on the Isinglass River during summer 2000. Based on sampling results from 1990, 1998, and 2000 the river is currently fully supporting the standards of this water quality goal. The significance of maintaining a high level of water quality in the Isinglass River is evidenced by the use of the river for recreational purposes, by the presence of a cold water fishery, its use as a public water supply for the City of Dover, and as a significant contributing factor to the water quality observed in the Cocheco River downstream of its confluence with the Isinglass.

f. Natural Flow Characteristics: From its headwaters at the Bow Lake dam in the Town of Strafford, the Isinglass River is 100% percent free-flowing. There are no gaging stations on the Isinglass, however, median flows have been estimated from nearby gaging stations and range from a high in April of 222 cubic feet per second (cfs) to a low of 12 cfs in September. The Isinglass watershed is approximately 75 square miles. The major tributaries of the Isinglass River include the Mohawk River, Nippo Brook, Berry's River, Green Hill Brook, and the outlets of Hanson and Ayers Ponds.

g. Open Space: The Isinglass River corridor is predominantly undeveloped. From its inception at the Bow Lake Dam, the river flows through a short section of low impact development in Center Strafford before crossing under route 202A. From this point to the route 126 crossing in the Town of Barrington (approximately 6 miles) the river flows through a large tract of undeveloped land consisting of forested uplands and wetlands. Only one distant residential development is contained within the river corridor in this section of river. Access to the river through this stretch is limited to a closed Class VI road, known as Pig Lane, which provides access to a 17-acre conservation area leased by the Town of Strafford from the New Hampshire Water Resources Council.

Below the route 126 bridge to the route 202 bridge, the river is visible from route 202 and provides excellent access for anglers and paddlers. Though some development is present, the river is best characterized as rural, with minimal impact caused by roadways and scattered residential housing. Below the route 202 bridge, the nearest roadway to the river is Scruton Pond Road. From here to the Green Hill Road bridge high banks covered with a mix of deciduous and coniferous forests and a few seasonally wet floodplain areas buffer the river. Through this section of the river corridor much of the land abutting the river is privately owned and remains undeveloped.

A majority of the development within the Isinglass corridor occurs from the Green Hill Road bridge to the river's confluence with the Cocheco River. This development, however, is limited to small cluster housing developments and bridge crossings. In fact, one of the largest pieces of land dedicated to open space in the Isinglass corridor occurs within the City of Rochester and is owned by Waste Management, Inc. Known as the Turnkey Landfill facility, Waste Management, Inc. has dedicated over 100 acres of riverfront property from this operation to open space. Although no permanent development restrictions are placed on it, this parcel of land has a network of forested streamside trails, a picnic area, and a canoe

launch.

2. Managed Resources

a. **Impoundments:** There are no impoundments on the Isinglass River proper. Six breached dam sites have been identified from a database maintained by the Department of Environmental Services. Several other dams exist on tributaries to the Isinglass River.

c. **Water Withdrawals and Discharges:** The City of Dover maintains the only registered water withdrawal (>20,000 gallons per day) on the Isinglass River. Dover withdraws an average of 830,000 gallons of water per day from the Isinglass River from a point just downstream of the Rochester Neck Road bridge in the City of Rochester. The water is pumped to a recharge well and serves as public water supply. One additional withdrawal point is known from within the watershed, on the Berry's River, a tributary to the Isinglass River. Water is diverted from the Berry's River to the City of Rochester's water supply reservoir. However, because the city only reports the total amount of treated water they produce it is not possible to know how much of that water comes from the Berry's River (see III. *Considerations for Protection of Instream Flow* below).

Currently no permitted point source discharges exist on the Isinglass River.

d. **Hydroelectric Resources:** There are no existing hydroelectric power production facilities on the Isinglass River. Although potential hydroelectric power sites have been identified on the Isinglass River, none have been pursued, and therefore do not appear to be of great potential.

3. Cultural Resources

a. **Historic and Archaeological Resources:** Similar to many of the waterways of New Hampshire, there is ample evidence of pre-European settlement in the Isinglass River corridor. Both artifacts and written histories of riverside trails suggest that native inhabitants of this region utilized the Isinglass River as a food and water source, as well as a travel way.

Colonization of this region by European settlers led to more intense use of the resources contained within the river corridor, including wood harvesting for ship masts and subsequently utilization of the river to transport the materials downstream to a more accessible seaport. At least nine historic mill sites are known to exist on the Isinglass River. These were used to produce a variety of goods ranging from flour to lumber. The remnants of these mill sites are still visible at many locations along the river, with perhaps the most impressive being the Locke Mill site in the City of Rochester. Other notable historic resources contained within the riverfront communities include the Ayers Lake Campground, eligible for historic listing at the state level and the Squanamagonic Community, an example of pre-European development and a potential historic district.

b. Community River Resources: The importance of the Isinglass River as a community resource is reflected in the local planning and protection efforts of the communities along the River. The river is recognized extensively by the Town of Barrington and has been included in its *Regional Environmental Planning Report* and the town's *Master Plan*. The communities of Strafford and Rochester have also recognized the importance of the river as a community resource through the lease or purchase of riverfront lands that ensure public access and protect the undeveloped nature of riparian lands.

4. Recreational Resources

a. Fishery: The Isinglass River is stocked annually with approximately 6,000 brook, brown and rainbow trout and managed by the New Hampshire Fish and Game Department as a "put-and-take" coldwater fishery. There are additional angling opportunities for warmwater fish, including species such as bass and brown bullhead. The Isinglass is considered an important seacoast trout stream by local anglers and is heavily utilized as such during May and June. Most of the fishing is done along routes 126 and 202 in the Town of Barrington.

b. Boating: The free-flowing nature of the Isinglass River provides both challenging whitewater and relaxing flatwater boating opportunities for canoeists and kayakers. The rapids beginning along route 126 are best run in the spring at medium to high water. Various published river guides rate the river as Class II. Less challenging stretches of the river provide paddlers with opportunities for wildlife and scenic viewing.

c. Other Recreation: Swimming, hiking, and birdwatching are other recreational activities that people enjoy in or near to the Isinglass River. The multipurpose recreational facility owned by Waste Management, Inc. provides opportunities for hiking, swimming, and picnicking. Recent efforts by the Town of Barrington also include the initiation of a riverside trail. The Pig Lane Road access is a popular walking trail and affords excellent opportunities to see upland wildlife species such as deer and owls.

d. Public Access: There are a variety of public and private access points to the Isinglass River, some publicly owned and some private. Publicly owned access points lack dedicated parking, but exist at most of the major bridge crossings (routes 126, 202A, 202, and 125). The section of river that runs near routes 126 and 202 has gravel parking areas where the river can be accessed for fishing or paddling. The Pig Lane Road access point provides an opportunity to view the remnants of the Foss Mill. Waste Management, Inc.'s recreational facility is the only formal access point along the river open to the public. A number of lesser known privately held access points exist along the river.

5. Other Resources

a. Scenery: Scenic opportunities abound in the Isinglass River corridor. Immediately upstream of the route 202 bridge crossing the remains of Twombly's Grist Mill can be seen as

well as the narrow sluice that the river flows through. The Locke Mill site provides, perhaps, the most spectacular view along the river. At this location, visitors are able to observe a 25-foot waterfall and in the springtime, when water levels are high, get a sense for the power of the river.

b. Land Use: Land use within the river corridor is almost exclusively residential. Two residential developments are situated along the Isinglass: one just below route 202A in the Town of Strafford and a second off Flagg Road in the City of Rochester. The remaining residential development is scattered throughout the river corridor. Industrial and commercial land use within the corridor is limited to a motel, a construction equipment rental company, an auto body business, and inactive gravel pit. Waste Management, Inc.'s landfill facility in Rochester represents, by far, the largest industrial activity within the corridor. However, it is setback from the river and has an extensive forested riparian corridor between the landfill and the river. The undeveloped nature of the river corridor and its nearness to the rapidly developing seacoast region make the protection of Isinglass River a priority.

c. Land Use Controls: The Town of Strafford has enacted a 50-foot setback for all primary structures and a 100-foot setback for septic systems. In addition, Federal Emergency Management Agency regulations apply to all lands designated as special flood hazard zones as defined in the flood insurance study completed for the town. In the Town of Barrington, a 100-foot setback applies to all primary structures built along the Isinglass. Special minimum lot size building regulations also limit the amount of wetland that can be contained within a specific building lot. It is also important to note that the requirements of the Comprehensive Shoreland Protection Act (RSA 483-B) apply to the point where Nippo Brook enters the Isinglass River in Barrington to its confluence with the Cocheco River. The City of Rochester has few river corridor specific land use controls, but has enacted a specific ordinance establishing setbacks for solid waste facilities.

d. Water Quantity: There are no gage stations on the Isinglass River. Flow estimates, extrapolated from nearby gages indicate that maximum median monthly flow occurs in April (222 cfs) and minimum median monthly flows occur in September (12 cfs).

e. Riparian Interests/Flowage Rights: The only known dam flowage rights on the river belong to the New Hampshire Water Resources Board and were granted by the Public Service of New Hampshire in 1962 at all the historic mill sites on the river. These rights do not detail any specific flooding elevation, rather "all rights of the grantor are transferred to the grantee".

III. CONSIDERATIONS FOR THE PROTECTION OF INSTREAM FLOW

As outlined in the nomination, the Department assisted the IRPP in an assessment of registered water withdrawals (>20,000 gpd) in relation to the proposed draft instream flow rules dated June 1, 2001 ("proposed rules"). The assessment identified two active registered water users within the Isinglass watershed, namely the Cities of Rochester and Dover. Both communities utilize surface waters within the watershed as municipal water supplies.

Monthly reporting records were compared to estimated stream flows within the framework of the General Standard outlined in the proposed rules. The assessment yielded important information relative to the two registered users. With respect to the City of Rochester, water is diverted from the Berry's River, a tributary to the Isinglass, to its reservoir and is subsequently reported as lump sum of treated water being drawn from the reservoir. Thus, without a quarterly reporting record from the Berry's River proper, it is not possible to determine the amount of water withdrawn on an instantaneous basis from the Berry's River. It is clear from field inspection and hydrologic estimates, that the amount of water diverted from the Berry's River to the reservoir would exceed the General Standard. However, the extent and duration of this exceedance cannot be determined at this time.

In contrast, the City of Dover's water monthly average withdrawal records from 1994-98 were compared to estimated stream flows. Under the General Standard, 5 months (April, May, July, October, and November) were identified in which water use exceeded the General Standard.

Although the apparent exceedances of the General Standard understandably raises concerns in the respective communities, there are three important points that must be noted. First, the water use records utilized for this analysis represent an average of four years of data, rather than a given month within a single year. Second, stream flows from the Isinglass are estimates since no current or historical gage data exist from this river. Third, and most importantly, under the proposed rules the General Standard would be utilized as a framework for prioritizing watersheds through which designated rivers flow that are in need of additional study for establishing watershed-specific instream flow standards and development of a water use management plan. The General Standard should not be viewed as an ultimate quantitative water use threshold. Rather, based on the analysis completed for the nomination, it is apparent that the Isinglass would be one of many watersheds through which designated rivers flow that do not meet the General Standard under the proposed rules. Thus, any changes in water usage by the Cities of Rochester or Dover would not occur immediately upon designation. Under the "proposed rules" the Department would create a priority list for those designated rivers or sections of designated rivers that require additional water use planning. In turn, any further action on the priority list would be subject to legislative oversight, funding appropriation, an intensive river-specific study to determine the flows that are protective of the all the river's uses, including public water supply, and a negotiated water management plan that outlines each users allocation of available water.

IV. LOCAL SUPPORT

There is strong local support for the designation of the Isinglass River into the RMPP. Beginning in summer 2000, the IRPP began holding regular meetings that were open to the public to gather information about the RMPP and to consider the merits of developing a nomination of the Isinglass River. In May 2000 the IRPP hosted an informational meeting to explain to the public at large the proposed nomination and the effects of designation of the Isinglass River into the RMPP. The IRPP invited all riparian landowners, officials from the three participating towns, the Dover Water Department, and public works officials from the City of Rochester. Numerous interested individuals also attended this informational forum.

In addition, the Department has received 22 letters of support to date for the designation of the Isinglass River. Seven of these letters are from local officials in the three towns that border the Isinglass River including two from local boards of selectmen, one from the planning boards, and three from the conservation commissions. Fifteen additional endorsements were received from interested organizations and local citizens. Only two letters of concern have been received from the Cities of Dover and Rochester.

As required by RSA 483, the Department in conjunction with the statewide River Management Advisory Committee (RMAC), held a public hearing to receive additional comments. At this hearing 5 people testified, 3 in favor and 2 (Dover and Rochester) voicing concerns for the designation.

The IRPP, in conjunction with the Department, has subsequently met with the Cities of Dover and Rochester to discuss their concerns and the details of the flow rules.

IV. SUMMARY AND RECOMMENDATIONS

The Isinglass River supports a variety of significant state and local resources. To better protect and manage these resources, the Department of Environmental Services recommends the following actions:

Recommendation 1: The General Court should adopt legislation that designates the Isinglass River into the Rivers Management and Protection Program and classifies the Isinglass River as follows:

1. As a "rural river" in the Town of Stafford from the outflow of Bow Lake Dam to immediately downstream of the Route 202A bridge, a distance of 0.54 miles.
2. As a "natural river" from immediately downstream of the Route 202A bridge in the Town of Strafford to immediately upstream of the Route 126 bridge in the Town of Barrington, a distance of 5.75 miles.
3. As a "rural river" from immediately upstream of the Route 126 bridge in the Town of Barrington, to the confluence with the Cocheco River in the City of Rochester, a distance of 11.64 miles.

Under the provisions of RSA 483, designation of the river will provide increased protection against the construction of new dams, damaging channel alterations, water quality impairment, and the siting of solid and hazardous waste facilities in the river corridor. A local river management advisory committee will be established to coordinate management and protection of the river at the local and regional levels, and will provide the residents in the riverfront communities with a direct avenue for formal input into state decisions affecting the river. Finally, designation will result in the development of a long-range management plan for the river that coordinates state planning and management of fisheries, water quality and quantity, and recreation.

The upper and lower reach of the Isinglass River from the outlet of Bow Lake to immediately downstream of the route 202A bridge in the Town of Strafford and from immediately upstream of the Route 126 bridge in the Town of Barrington to the confluence with the Cocheco River in the City of Rochester are being recommended for "rural river" classification. Rural rivers are defined under RSA 483 as *"...those rivers or segments 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."* The Isinglass River, as it flows through these sections travels under numerous bridges and a combination of extensive forested uplands and wetlands, limited commercial development, and scattered residential housing. The result is a predominantly undeveloped section of river that clearly meets the definition of a rural river.

The middle reach of the Isinglass River from immediately downstream of the Route 202A bridge in the Town of Strafford to immediately upstream of the Route 126 bridge in the Town of

Barrington is being recommended for "natural river" classification. Natural rivers are defined under RSA 483 as "...free-flowing rivers or segments characterized by the high quality of 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." The lack of development, free flowing nature of the river, wetland complexes, and undisturbed riparian land that exists through this section clearly meets the requirements of this classification.

Recommendation 2: The municipalities of Strafford, Barrington, and Rochester should work together toward the protection of the Isinglass River through the adoption and implementation of a local river corridor management plan.

While legislative designation of the Isinglass River will improve the protection and management of the river itself, continuing efforts at the local level are needed to address the use and conservation of the river corridor. A growing recognition by local citizens and officials of the Isinglass River's valuable contribution to the overall quality of life in their communities is evidenced by their desire to see it designated into the RMPP. Citizen appreciation and concern for the river should be reflected in the decisions and actions of local officials. The Department of Environmental Services will provide technical assistance to the local river management advisory committee and to the local officials in the riverfront communities on the development and implementation of a local river corridor management plan.

In summary, the establishment of a clear policy and specific instream protection measures by the General Court, and a continuing commitment on the part of local governments and residents to protect and manage the river corridor through sound land use decisions will ensure that the outstanding resources of the Isinglass River will endure as part of the river uses to be enjoyed by the people of New Hampshire.