DES Consolidated List of Waterbodies Subject to RSA 483-B, the Shoreland Water Quality Protection Act

Town	River / Stream Name	Where River/ Stream becomes jurisdictional under the SWQPA	Lake / Pond Name	a.k.a.	Size in Acres	Surface Elevation
New Ipswich	**Souhegan River - *Designated Segment***	From the confluence of the south and west branches in New Ipswich to the confluence with the Merrimack	**Island Pond**		38.9	1219
	Souhegan River	Juncture of West Branch Souhegan River	**Mountain Pond**		25	1252
			Pratt Pond		38.5	1235
			Site 14 (Furnace Brook Dam)	Souhegan River Watershed	18	1060
			Site 19 (South Branch)	On Souhegan River	27.1	941
			Site 35	Souhegan River Watershed	23	1067
			Waterloom Pond		42.7	927
			Wheeler Pond		15	
New London	**Unnamed Stream/ River**	Juncture of (2) unnamed 3rd order streams in Sutton	**Clark Pond**		31.5	1090
			Goose Pond	Otterville Pond	15	1170
			Little Sunapee Lake		472	1219.85
			Messer Pond		66.7	1105
			Otter Pond		185	1125
			Pleasant Lake		606	803.8
			Sunapee Lake		4090	1093.151
Newbury	**Andrew Brook**	Juncture of Ring Brook	**Chalk Pond**		21	1252
			Gillingham Pond	Otter Pond	14	818
			Loch Lyndon Reservoir	Poor Farm Hill Pond	89.9	787
			Mountain View Lake	Spectacle Pond	104.8	1116
			Recreation Pond		15	
			Sunapee Lake		4090	1093.15
			Todd Lake		168	670
Newfields	**Squamscott River**	Juncture of Little and Exeter Rivers in Exeter	**Piscassic Ice Pond**		10.3	95
	Piscassic River	Juncture of Brown Brook and an unnamed 3rd order stream in Fremont	**Great Bay**			
Newington	**Piscataqua River**	Juncture of unnamed 3rd order stream in Weare	**Peverly Brook Pond**	Newington Reservoir	11.9	30
Newmarket	**Lamprey River**	Juncture of Nicholls Brook in Deerfield	**MacAllen Dam**	On Lamprey Dam	120	23
	Upper Narrows	Juncture of Lamprey River	**Great Bay**			
	Piscassic River	Juncture of Brown Brook and an unnamed 3rd order stream in Fremont				
Newport	**Sugar River**	Outflow of Lake Sunapee	**Chapin Pond**		12.1	1590
	North Branch Sugar River	Juncture of Sawyer Brook and Stocker Brook in Grantham	**Lily Pond**		10.6	866.1
	South Branch Sugar River	Juncture of Giles Brook in Goshen	**Country Pond**		255	115
Newton	**Little River**	Juncture of unnamed 3rd order stream in North Hampton				

DES Consolidated List of Water Bodies

Subject to the Shoreland Water Quality Protection Act (RSA 483-B)

DES's Consolidated List of Water Bodies was prepared to provide a list of all water bodies jurisdictional under RSA 483-B, the Shoreland Water Quality Protection Act. These waterbodies include:

- Fourth order and greater streams and rivers.
- Rivers or river segments designated under RSA 483, the Rivers Management and Protection Program.
- Lakes and ponds greater than 10 acres in size.
- Tidal waters subject to the ebb and flow of the tide.

Jurisdictional water bodies are listed by town alphabetically. River and stream information is within the left columns and lake and pond information, including surface elevations for determining reference lines, is within the right columns. Tidal waters will be added to the Consolidated List as additional information becomes available.
The Consolidated List was compiled from the following sources:

- New Hampshire Hydrography Dataset: Fourth Order and Higher Streams List archived by GRANIT at the University of New Hampshire.
- Designated Rivers List compiled by the DES Rivers Management and Protection Program.
- DES Official List of Public Waters and records archived by the DES Dam Bureau.

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Frequently Asked Questions

Shoreland Water Quality Protection Act

- What is the Shoreland Water Quality Protection Act (SWQPA)?
- Where is the protected shoreland located?
- Which bodies of water are protected under the SWQPA?
- Where is the reference line located?
- What activities require a shoreland permit?
- What activities DO NOT require a shoreland permit?
- What are impervious surfaces?
- Can I use fertilizer or pesticides within the protected shoreland?
- What is slow or controlled release fertilizer?
- Can I cut trees within the protected shoreland?
- Can the stumps be removed?
- What is a non-conforming structure?
- What are the septic system setbacks?
- Do I need a shoreland permit to install or repair a septic system?
- How is shoreland frontage determined?
- Can I repair or expand my house if it is a non-conforming structure?
- What is considered the footprint of an existing non-conforming structure?
- What are examples of projects that do not require a redevelopment waiver?

What is the Shoreland Water Quality Protection Act (SWQPA)?

The SWQPA (RSA 483-B), originally named the Comprehensive Shoreland Protection Act (CSPA) was enacted by the 1991 session of the Legislature. The act established minimum standards for the subdivision, use and development of the shorelands along the state's larger waterbodies. In April and July of 2008, the act was amended and several changes took effect including limitations on impervious surfaces, revised vegetation maintenance requirements and the establishment of a permit requirement for many, but not all, construction, excavation and filling activities within the protected shoreland. During the 2011 legislative session, the CSPA was renamed the Shoreland Water Quality Protection Act and changes were made to the vegetation requirements within the natural woodland and waterfront buffers, the impervious surface limitations and a new shoreland permit by notification process was established.

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Where is the protected shoreland located?

The protected shoreland are those lands that are located within 250 feet (measured using a horizontal surveyors line) from the reference line of protected waterbodies.

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Which bodies of water are protected under the SWQPA?

All lakes, ponds and impoundments greater than 10 acres, all 4th order and greater streams and rivers, all designated rivers and river segments under RSA 483 (The Rivers Management & Protection Act) and all waters subject to the ebb and flow of the tide (including tidal marshes, rivers and estuaries). Waterbodies protected under the SWQPA are located on the Consolidated List of Water Bodies subject to the Shoreland Water Quality Protection Act.

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Where is the reference line located?

The reference line is the point from which setbacks are determined and its location varies depending on the type of waterbody.

- Lakes, Ponds and Impoundments greater than 10 acres – The reference line is the surface elevation listed on the Consolidated List of Water Bodies subject to the Shoreland Water Quality Protection Act as maintained by the department.
- Fourth Order and Greater Streams and Rivers - The reference line for streams and rivers under the jurisdiction of the SWQPA is the ordinary high water mark. The ordinary high water mark is defined as the line on the shore, running parallel to the main stem of the river, established by the fluctuations of water. It is indicated by physical characteristics such as a clear, natural line impressed on the immediate bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. Where the ordinary high water mark is not easily discernible, the ordinary high water mark may be determined by DES.
- Coastal Waters - The reference line for coastal waters is the highest observable tide line, which means a line defining the furthest landward limit of tidal flow. This does not include storm events, and can be recognized by indicators such as the presence of a strand of flotsam and debris, the landward margin of salt tolerant vegetation, or a physical barrier that blocks further flow of the tide.

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- **What activities require a shoreland permit?**

  Within the protected shoreland, new construction or construction that modifies the footprint of existing impervious surfaces, using mechanized equipment to either excavate, remove or form a cavity within the ground and filling any areas with rocks, soil, gravel or sand requires a shoreland impact permit.

  Many low impact activities that propose no greater that 1,500 sq ft of total impact area, of which no more than 900 sq ft is new impervious area, may qualify for a shoreland permit by notification.

  Impacts that will occur within surface waters or their banks, including replenishing beach sand, or within wetlands, tidal areas or the 100 ft tidal buffer zone and sand dunes are jurisdictional under RSA 482-A and require a wetlands impact permit.

  Use this interactive tool to determine if a permit is required.

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- **What activities** DO NOT **require a shoreland permit?**

  Many activities within the protected shoreland have been identified as not requiring a shoreland permit because the activity does not constitute construction, excavation or filling. These activities include, but are not limited to:
  - Trimming, pruning, and thinning of branches to the extent necessary to protect structures, maintain clearances, and provide views.
  - Maintenance of legal, existing, altered areas, such as mowing lawns, raking leaves and pine needles, mulching landscaped areas and haying fields.
  - Planting one or more trees within existing altered areas more than 50 feet from the reference line with mechanized equipment.
  - Planting of non-invasive vegetation and maintenance of existing gardens.
  - Hand-pulling or use of hand tools to remove invasive species or other noxious or harmful plants such as poison ivy, including the root systems, provided that any area exceeding 10 square feet without vegetation be replanted with non-invasive, non-harmful species.
  - Placement of stepping stones, provided no root systems are removed to accommodate their placement.
  - Placement or installation of readily moved items such as picnic tables, lawn chairs, and swing sets.
  - Construction or installation of fences using hand tools.
  - Construction of a single accessory structure, such as a shed, greater than 50 feet from the reference line and is less than 150 sq ft in size.
  - Maintenance, repair or modification of an existing driveway, including repaving, provided that there is no increase in impervious area.
  - Maintenance, repair or modification of an existing primary or accessory structure that does not:
    1. Alter the footprint or impervious area of the structure.
    2. For nonconforming structures erected prior to 1994 that do not meet the 50 foot primary structure setback, extend living space closer to public waters.
    3. Require, or result in, the alteration of previously unaltered areas.
    4. Require, or result in, any excavation or filling within the protected shoreland
    5. Exceed the criteria of the Shoreland Rule (Env-Wq 1405) associated with accessory structures.

- Modifications to an existing structure that minimally changes the outside dimensions of the structure, such as installing a skylight or dormer or putting new siding over old siding, provided the project does not require excavation with mechanized equipment of require additional fill.
- Installing private water facilities such as a well including the trenching associated with connecting the well to a residential dwelling.
- Forest management that is not associated with shoreland development or land conversion that is conducted in compliance with RSA 227-J:9.
- Forestry conducted by or under the direction of a water supplier for the purpose of managing a water supply watershed.
- Agricultural activities and operations defined in RSA 21:34-a and as governed by RSA 430.
- Digging test pits for the purposes of determining suitability for wastewater disposal under RSA 485-A:29 relating to subdivisions or septic systems, provided there is no disruption of groundcover within 50 feet of the shoreline and no test pits within 75 feet of the shoreline.
- Replacing utility poles or guy wires using mechanized equipment, provided that appropriate siltation and erosion controls are used and all temporary impacts are restored.
- Digging test pits for the purposes of determining suitability for wastewater disposal under RSA 485-A:29 relating to subdivisions or septic systems, provided:
  1. There is no disruption of groundcover within 50 feet of the reference line.
  2. No test pits are dug within 75 feet of the reference line unless required in order to evaluate eligibility for replacement under Env-Wq 1003.10.
- Use of hand tools, such as augers or tile spades, to install monitoring wells, piesometers and flow meters , for:
  1. Evaluating site conditions as necessary for the submittal of information required by a permit application under RSA 482-A relating to wetlands, RSA 485-A:29 relating to subdivision of septic systems, or RSA 485-A:17 relating to alteration of terrain.
  2. Educational purposes.
  3. Monitoring hydrology.

- **What are impervious surfaces?**
  Impervious surfaces are modified surfaces that cannot effectively absorb and infiltrate water. Examples of impervious surfaces include, but are not limited to: roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and sidewalks. Exposed ledge on a property is not considered a modified surface and is not considered an impervious surface.

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- **Can I use fertilizer or pesticides within the protected shoreland?**
  No fertilizer, except limestone, can be used within 25 feet of the reference line. Beyond 25 feet, slow or controlled release fertilizer may be used. Always check with local town ordinances as several towns have restrictions that are more stringent than the SWQPA.

  Pesticide use is prohibited within 25 feet of the reference line per Administrative Rules Pes 1001.01 (NH Dept. of Agriculture) and may only be applied by a licensed applicator with a permit from the NH Agricultural Department.

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- **What is slow or controlled release fertilizer?**
  Slow or controlled release fertilizer means fertilizer that is guaranteed, as indicated on the package label, to contain not more than 2 percent phosphorous and a nitrogen component that is at least 50 percent slow release nitrogen.

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- **Can I cut trees within the protected shoreland?**
  Yes, trees and saplings can be removed from the protected shoreland. Trees and saplings removed within 50 feet from the reference line may be removed in accordance with a grid and point system, and trees removed between 50 and 150 feet from the reference line must comply with the unaltered state requirement. There are no limitations on tree removal beyond 150 feet from the reference line. The Vegetation Maintenance within the Protect Shoreland FACT SHEET provides a greater explanation of these limitations.

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- **Can the stumps be removed?**
  Within the waterfront buffer, stumps may be ground down flush to the ground or removed if they are replaced with pervious surfaces that meet the 20 foot accessory structure setback or are replaced with new, woody vegetation.

  Within the natural woodland buffer, stumps may be removed from altered areas or other regions provided at least 25 percent of area between 50 feet and 150 feet from the reference line remains in an unaltered state.

  If mechanized equipment is necessary for stump removal, this activity is considered excavation and requires a shoreland impact permit.

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- **What is a non-conforming structure?**
  Nonconforming structure means a structure that, either individually or when viewed in combination with other structures on the property, does not conform to the provisions of the Shoreland Water Quality Protection Act, including but not limited to the impervious surface limits of RSA 483-B:9, V(g).

  The most common form of a non-conforming structure is those residential dwellings that do not meet the 50 foot primary structure setback. Attached decks are considered part of the primary structure.

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- **What are the septic system setbacks?**
  Septic systems are subject to special setbacks according to soil type. The setbacks for septic systems are:
  - Adjacent to ponds, lakes, estuaries and the open ocean.

    1. Where the receiving soil down gradient of the leaching portions of a septic system is a porous sand and gravel material with a percolation rate equal to or faster than two minutes per inch, the setback shall be at least 125 feet from the reference line.
    2. For soils with restrictive layers within 18 inches of the natural soil surface, the setback shall be at least 100 feet from the reference line.
    3. For all other soil conditions the setback is 75 feet from the reference line.
  - Adjacent to rivers and streams – The setback for a septic system must be at least 75 feet.

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- **Do I need a shoreland permit to install or repair a septic system?**
  In accordance with Env-Wq 1406.04(d)(8), if an existing septic system has failed and the septic system can be repaired in accordance with Env-Wq 1002.74, a shoreland impact permit is not required.

  If a new septic construction approval is obtained and there is no proposed increase in sewerage loading from the structure(s) served by the existing system, a shoreland impact permit is not required provided the new system meets the setback requirements of RSA 483-B:9, V (c) and the unaltered state requirement of RSA 483-B:9, V (b) (25% of the area between 50 ft and 150 ft from the reference line must remain in an unaltered state) to the greatest extent feasible.

  Installation of new septic systems on previously undeveloped lots and installation of replacement septic systems that must occur as a result of proposed increases in sewerage loading from the existing structure(s) requires a shoreland impact permit.

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- **How is shoreland frontage determined?**
  Shoreland frontage is calculated by determining the actual shoreland frontage along the waterfront at the reference line.

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- **Can I repair or expand my house if it is a non-conforming structure?**

Yes, non-conforming structures may be repaired or expanded. In many cases, non-conforming structures can be repaired without a shoreland permit. Maintenance, repair and modifications including vertical expansion of existing, legal, nonconforming primary structures does not require a shoreland permit if the existing impervious area footprint is not modified, there is no expansion of the footprint of interior, year round living space and the project does not require excavation or filling.

Projects that involve expanding the footprint of interior living space of existing, legal, non-conforming primary structures require a shoreland permit as well as a more nearly conforming request form.

Always check with local town ordinances as many towns have restrictions that are more stringent than the SWQPA.

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- **What is considered the footprint of an existing non-conforming structure?**
  The footprint of a non-conforming structure is the area of land surface that lies directly beneath the limits of the exterior walls, whether the structure rests directly on the ground or is raised above the ground surface.

  When determining the footprint of a structure for the purpose of calculating impervious area, the footprint is the area outlined by the vertical projection of the impervious surface onto the ground surface where it is or will be located. For instance, the structure's roof overhang is considered when determining the impervious area of a structure.

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- **What are examples of projects that do not require a redevelopment waiver?**
  - A project that does not change the footprint of the existing structure, but expands the structure upward (vertically) such as the expansion or changes to the outside dimensions of a primary structure including replacement of a low pitched roof with a gambrel roof and the addition of dormer windows or gambrel dormers to a roof.
  - The complete replication of all aspects of a primary structure.
  - A project in which there are no changes to the exterior footprint and outside dimensions, but there are changes in the construction materials and/ or interior layout.
  - The replacement of a piling or pad foundation with a standard poured concrete foundation if the new foundation is in the original footprint, located underground, does not create additional living space, and does not disturb or change the existing contours (topography).

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NEW HAMPSHIRE DEPARTMENT OF Environmental Services

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WD-SP-4 2013

Shorelands Jurisdiction under the Shoreland Water Quality Protection Act

The NH Shoreland Water Quality Protection Act (SWQPA), formally named the Comprehensive Shoreland Protection Act (CSPA), RSA 483-B, became effective on July 1, 1994 and established the "protected shoreland." The protected shoreland is all the land located within 250 feet of the "reference line" of public waters.

Within the protected shoreland, certain activities are restricted or prohibited, and others require a permit from the New Hampshire Department of Environmental Services (DES). All activities that are regulated by the DES must comply with applicable local, state, and federal regulations. For a complete summary of the minimum standards of the Shoreland Water Quality Protection Act listing the activities and the distances they must be set back from the reference line, see the Summary of the Shoreland Water Quality Protection Act Minimum Standards.

The reference line, used for determining setbacks, is typically the interface between the water and the land for purposes of this act. Determination of the reference line location is waterbody dependent. An explanation of how to locate the reference line for each waterbody type protected under the SWQPA is provided below.

Lakes, Ponds and Artificial Impoundments Greater than 10 Acres

All lakes, ponds and artificial impoundments greater than 10 acres in size are protected under the Shoreland Water Quality Protection Act. The reference line for these waterbodies is the surface elevation as listed in the Consolidated List of Waterbodies subject to the Shoreland Water Quality Protection Act as maintained by DES.

4th Order and Higher Rivers and Streams and Designated River Segments

The jurisdiction of the SWQPA includes all 4th order and greater rivers and streams and designated rivers and river segments managed by the NH Rivers Management and Protection Program under RSA 483:15. Stream ordering was determined by using the New Hampshire hydrography dataset archived by the geographically referenced analysis and information system (GRANIT) at the complex systems research center of the University of New Hampshire and developed by GRANIT in collaboration with the Department of Environmental Services. All rivers and streams protected under the SWQPA are listed on the Consolidated List of Waterbodies subject to the Shoreland Water Quality Protection Act.

The reference line for streams and rivers under the jurisdiction of the SWQPA is the ordinary high water mark. The ordinary high water mark is defined as the line on the shore, running parallel to the main stem of the river, established by the fluctuations of water. It is indicated by physical characteristics such as a clear, natural line impressed on the immediate bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. Where the ordinary high water mark is not easily discernible, the ordinary high water mark may be determined by DES.

Coastal Waters

All coastal waters subject to the ebb and flow of the tide, including the Great Bay Estuary and the associated tidal rivers and streams, are under the jurisdiction of the SWQPA. The reference line for coastal waters is the highest observable tide line, which means a line defining the furthest landward limit of tidal flow. This does **not** include storm events and can be recognized by indicators such as the presence of a strand line of flotsam and debris, the landward margin of salt tolerant vegetation, or a physical barrier that blocks further flow of the tide.

More Information

For more information about the Shoreland Water Quality Protection Act and the DES Shoreland Program, please go to http://des.nh.gov/organization/divisions/water/wetlands/cspa/index.htm or contact the shoreland program at (603) 271-2147 or shoreland@des.nh.gov .

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

RSA 483-B
Shoreland Water Quality Protection Act (SWQPA)
A Summary of the Standards

A STATE SHORELAND PERMIT is required for most new construction[1], excavation[2] and filling[3] activities within the Protected Shoreland. (*See definitions below*) Forest management not associated with shoreland development or land conversion, and conducted in compliance with RSA 227-J:9 and agricultural activities and operations defined in RSA 21:34-a and governed by RSA 430 are exempt from the provisions of the SWQPA. Impacts that receive a wetlands permit under RSA 482-A, e.g., beaches, docks and shoreline retaining walls do not require a shoreland permit. A complete list of activities that ***do not*** require a shoreland permit can be found on the Shoreland Program Page by visiting www.des.nh.gov.

250 feet from Reference Line — THE PROTECTED SHORELAND:

Impervious Area[6] Limitation. Best management practices recommend no greater than 30% of the area of a lot within the protected shoreland be composed of impervious area[6]. If one wishes to exceed this recommendation, a stormwater management system must be designed and installed by a professional engineer and, if any waterfront buffer grid segment does not meet the minimum required 50 point tree and sapling point score, each deficient grid segment must be planted with additional vegetation so that it at least achieves the minimum required point score. All projects that propose to exceed 20% impervious area of the lot within the protected shoreland must implement a stormwater management plan to infiltrate increased stormwater from development.

Other Restrictions/ Notes:

- No establishment/expansion of salt storage yards, auto junk yards, solid waste and hazardous waste facilities.
- Setback requirements for all new septic systems are determined by soil characteristics.
  - 75 feet for rivers and areas where the there is no restrictive layer within 18 inches and where the soil down gradient is not porous sand and gravel (perc>2 min.).
  - 100 feet for soils with a restrictive layer within 18 inches of the natural soil surface.
  - 125 feet where the soil down gradient of the leachfield is porous sand and gravel (perc rate equal to or faster than 2min/in.).
- In accordance with RSA 485-A, when selling developed waterfront property, a *Site Assessment Study* is required for all properties with on-site septic that are contiguous to or within 200 feet of waterbodies jurisdiction under the SWQPA. For more information relative to site assessments, contact the NH Subsurface Systems Bureau at (603) 271-3711.
- In accordance with RSA 485-A:17, an Alteration of Terrain Permit is required for any project that proposes to disturb more than 50,000 sq ft of contiguous terrain if any portion of the project is within the protected shoreland or disturbs an area having a grade of 25% or greater within 50 feet of any surface water.

Within 50 feet to 150 feet from Reference Line — NATURAL WOODLAND BUFFER LIMITATIONS:

- At least 25 percent of the area between 50 feet and 150 feet from the reference line must be maintained in an unaltered state[5].(see Vegetation Maintenance within the Protected Shoreland FACT SHEET)

50 feet from Reference Line — WATERFRONT BUFFER

- All primary structures must be set back at least 50 feet from the reference line[4]. Towns may maintain or enact greater setbacks.
- Within 50 feet from the reference line[4], a vegetative buffer must be maintained. Within the waterfront buffer, tree coverage is managed with a 50 x 50 foot grid and point system. Trees and saplings may be removed provided the sum point score of the remaining trees and saplings within the affected grid segment is at least 50 points. (see Vegetation Maintenance within the Protected Shoreland FACT SHEET)
- No ground cover shall be removed except for a footpath to the water that does not exceed 6 feet in width and does not concentrate stormwater or contribute to erosion.
- Ground cover must remain intact. No cutting or removal of vegetation below 3 feet in height (excluding previously existing lawns and landscaped areas). Stumps, roots, and rocks must remain intact within the ground. Stumps of legally removed trees may be ground flush to the ground.
- Pesticide and herbicide applications can be applied by a licensed applicator only.
- Only low phosphorus, slow release nitrogen fertilizer can be applied beyond 25 feet of the reference line.

"[1]CONSTRUCTION"- Erecting, reconstructing or altering any structure(s) that result in an increase in impervious area.

"[2]EXCAVATION" - To dig, remove, or form a cavity or hole within the ground with mechanized equipment.

"[3]FILL" - To place or deposit materials such as rocks, soil, gravel, sand or other such materials.

"[4]REFERENCE LINE"- The reference line is the point from where all setbacks are determined. For ***coastal waters*** it is the highest observable tide line; for ***rivers*** it is the ordinary high water mark and for ***lakes and ponds*** it is the surface elevation listed on the Consolidated List of Waterbodies subject to the SWQPA.

"[5]UNALTERED STATE" - native vegetation allowed to grow without cutting, limbing, trimming, pruning, mowing, or other similar activities except as needed for renewal or to maintain or improve plant health.

"[6]IMPERVIOUS AREA" - means any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways.

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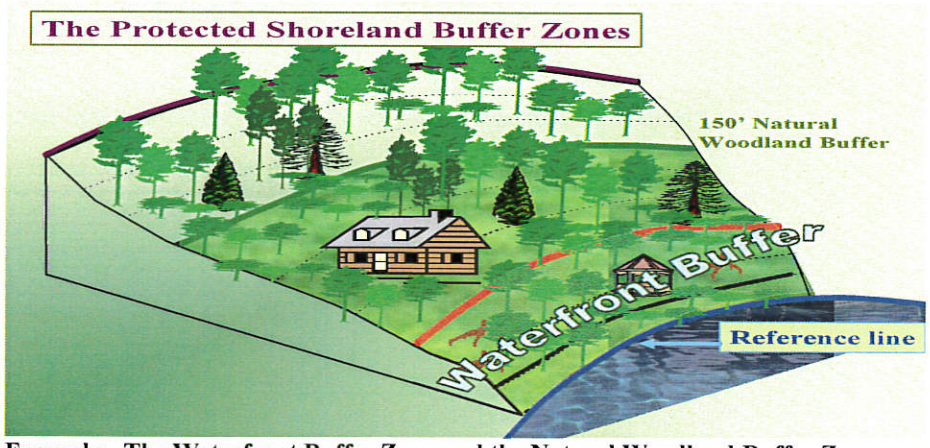
WD-SP-5 2013

Vegetation Maintenance within the Protected Shoreland

Vegetation is a key component in preserving the integrity of public waters and is also a critical element of wildlife habitat. Well vegetated shorelands that include a variety of native trees, saplings, shrubs and natural ground cover are much more apt to naturally manage the harmful effects of stormwater runoff. The NH Shoreland Water Quality Protection Act (SWQPA) RSA 483-B, formerly named the Comprehensive Shoreland Protection Act (CSPA), has protected a 150 ft wide vegetated buffer adjacent to public waters since July 1, 1994. For the purposes of the SWQPA, public waters are defined as lakes, ponds and artificial impoundments greater than 10 acres, rivers and streams that are 4th order or higher, designated rivers and all tidal waters. Waterbodies protected under the SWQPA can be found on the Consolidated List of Waterbodies Protected Under the Shoreland Water Quality Protection Act. A shoreland impact permit is *not* required to manage vegetation within the protected shoreland, however, property owners *must* operate in accordance with the guidelines below.

The 150 ft wide protected vegetated buffer is divided into two regions. The first 50 feet, beginning at the reference line, is called the waterfront buffer zone and the region between 50 ft and 150 ft from the reference line is the natural woodland buffer zone. Different vegetation removal limitations apply within each of these zones and are as follows:



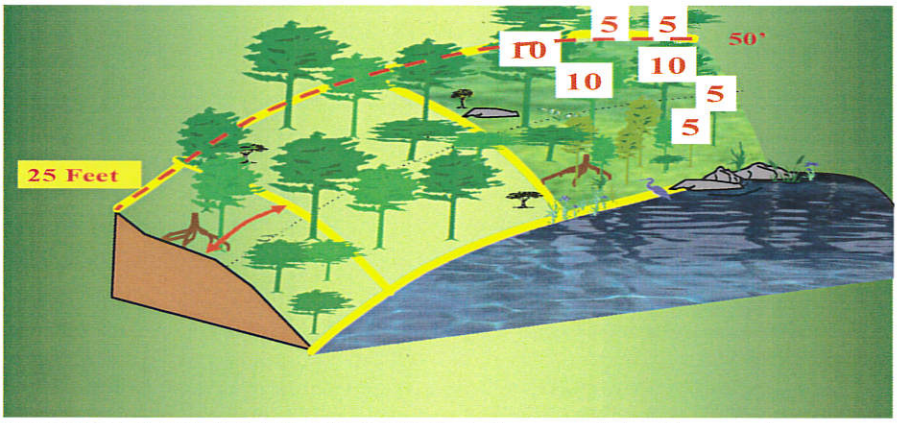
Example: The Waterfront Buffer Zone and the Natural Woodland Buffer Zone

Vegetation maintenance within the Waterfront Buffer

Within the Waterfront Buffer, branches may be trimmed, pruned, and thinned to the extent necessary to protect structures, maintain clearances and provide views. Removal of branches for the purpose of providing views is limited to the bottom half of trees and saplings to help ensure the health of the tree or sapling. Owners of lots that were legally developed prior to July 1st, 2008, that have cleared areas within the waterfront buffer such as existing lawns or beaches are not required to replant or restore these areas and owners may continue to maintain these areas as they have in the past. Expanding existing beaches, replenishing existing beaches with additional sand or constructing a new perched beach requires a Wetland Permit under RSA 482-A.

Ground cover is protected within the Waterfront Buffer. Vegetation generally less than 3 feet in height, rocks, stumps and their root systems must be left intact in the ground. Clearing vegetation to provide a 6 foot wide path to access docks, beaches, structures, existing open areas, and the waterbody is allowed provided it is configured in a manner that does not concentrate stormwater or contribute to erosion. Making pathway improvements such as constructing walkways requires a shoreland permit.

Live trees and saplings may be removed provided that certain criteria are met. Starting from the most northerly or easterly boundary property boundary, and working along the shoreline, divide the waterfront buffer into 50 ft x 50 ft grid segments. Within each grid segment a minimum tree and sapling score of 50 points must be maintained. If, for any reason, there is insufficient area for a full segment, the number of points required to be maintained is proportional to the requirement of a full segment. For instance, a grid segment that measures 25 ft x 50 ft, *(half of a full 50 ft x 50 ft grid segment)* must maintain at least 25 points worth of trees and saplings.



Example: Lot with two full grid segments and one partial grid segment.

To determine if trees and saplings can be removed, the owner must verify that at least the minimum tree and sapling point score will remain within the affected grid segment. To accomplish this, at a height of 4 ½ feet above the ground, on the uphill side, measure the diameter of each tree and sapling within each grid segment and score in accordance with the table below. If nursery stock is present, measure the tree diameter with a caliper at a height consistent with established nursery industry standards. Within any given grid segment, trees and saplings can be removed provided the sum of the remaining trees and saplings meets the required

minimum point score. If the initial total score within a given grid segment is less than the required minimum score, trees and saplings may not be removed. The stumps of felled trees and saplings may be ground flush to the ground surface but, the stump and root systems must remain in the ground. When removing trees, care must be taken to avoid damaging surrounding trees and ground cover.

Calculating the tree and sapling score within a 50 foot by 50 foot segment:

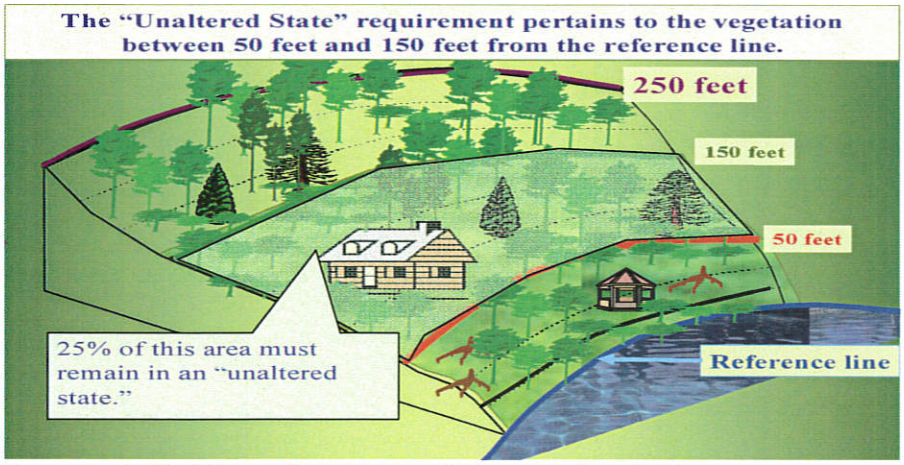
Determine each tree and sapling diameter 4½ feet above the ground, uphill side. If nursery stock is present, measure the trees with a caliper at a height consistent with established nursery industry standards

Diameter of Tree or Sapling	Score
1 to 3 inches	1pt
Greater than 3 to and including 6 inches	5 pts
Greater than 6 to and including 12 inches	10 pts
Greater than 12 inches	15 pts

If possible, owners are encouraged to retain dead trees as they provide valuable wildlife habitat and nesting opportunities. However, dead, diseased or unsafe trees are not included in the scoring and may be removed at any time provided that damage to surrounding trees and natural groundcover is minimized and erosion and sedimentation to the waterbody is prevented.

Vegetation maintenance within the Natural Woodland Buffer

Between 50 feet and 150 feet from the reference line, 25% of this area must remain in an unaltered state. "Unaltered State" means native vegetation allowed to grow without cutting, limbing, trimming, pruning, mowing or other similar activities except as needed for renewal or to maintain or improve plant health.



Example: 25% of this region must remain in an unaltered state.

Owners of lots legally developed or landscaped prior to July 1, 2008, that do not comply with this standard are encouraged to but, shall not be required to increase the percentage of area to be

maintained in an unaltered state. Owners of lots that do not currently meet this standard are not permitted to further decrease the size of any areas existing in an unaltered state.

Lawns are modified surfaces and are not considered unaltered areas. This does not prevent raking existing lawns and landscaped areas, the removal of non-native or invasive species, or the removal of dead vegetation.

Dead, diseased, or unsafe trees, limbs, saplings or shrubs that pose an imminent hazard to structures or have the ability to cause personal injury may be removed from the natural woodland buffer, even areas that are to remain in an unaltered state at anytime. However, preservation of dead and living trees that provide dens and nesting places for wildlife is encouraged.

For more information

For more information about the Shoreland Water Quality Protection Act and the DES Shoreland Program, please go to http://des.nh.gov/organization/divisions/water/wetlands/cspa/index.htm or contact the shoreland program at (603) 271-2147 or shoreland@des.nh.gov .

NH Towns' Wetland Buffer Requirements - *towns wishing to be added to this list, see contact info at end* ***AND DISCLAIMER***

Town	Conservation Contact	Buffer Information
Acworth	Debbie Hinman	Shoreland buffer but no wetland buffer
Amherst	John Harvey	No structure within 50' of any wetland, with a naturally vegetated buffer of 25'. Naturally vegetated buffer of 100' from the edge of 44 "water resource" wetlands. Did Prime Wetland assessment but opted to name 44 obvious wetlands rather than go pure PW route. Use State wetlands definition
Andover		On NHDES list of towns with prime wetlands
Antrim		25' "no construction or ground disturbance"
Atkinson	Scott Kukshtel, chair ConCom	100' building & septic setback; exploring 150' buffer for designated wetlands (on NHDES list of towns w. prime wetlands so probably passed). **Can't count wetlands in minimum lot size determination.**
Auburn	Jarlene Cornett / rrcorn@comcast.net	**125' setback; functional analysis by wetlands scientist can cut distance to 75', but absolutely no disturbance 0'-75'. Vernal pools get unflinching 125' buffer.**
Barrington	John Wallace 664-5974	50' buffer required for structures from any wetland. 100' buffer recommended in a Shoreland Overlay Zone and for Isinglass River Zone. On NHDES list of towns with prime wetlands
Bedford	Nancy Larson 472-8104	50' from all wetlands for all structures; 75' septic. Looking into increasing buffer protection.
Boscawen	Michele Tremblay 796-2615	On steep grades, up to 200' buffer. Town is revising its master plan and hopes to improve the buffers for wetlands and surface waters, which are now same as State.
Bow	Nancy Rheinhardt, 225-3910	30-150' buffer range. 150' on 8 Prime Wetlands (no logging). **One of few towns to address vernal pools. Must maintain 50' buffer.** 30' buffer if wetland <1/4 acre. **Have 'Do not disturb' markers that must be placed along buffer boundary for any new subdivision.** Septic setbacks vary from 125' to 100' to 75' depending on conditions. No buffer for drainage swales.
Bradford	Ann Eldridge; John Robie 938-5266	No buildings 100' from very poorly drained soils and 50' from poorly drained; 75' septic setback.
Brentwood		100' from very poorly drained; 50' from poorly drained. On NHDES list of towns w. prime wetlands
Brookline	Betty Hall 673-4841	50' buffer from all wetlands. Two septic setbacks: 125' where soil type is coarse-textured with rapid to very rapid permeability; 75' for all others. On NHDES list of towns with prime wetlands.
Candia		On OEP list as having buffer ordinance
Charlestown		On OEP list as having buffer ordinance
Chichester		On OEP list as having buffer ordinance
Claremont	Norman Wakeman 542-5267	500' setback from CT River; otherwise follow State regulations.
Concord		"minimum" 50' buffer on wetlands >3,000 s.f. – to remain "in its natural condition"
Danville		100' from very poorly drained; 75' from poorly drained
Deerfield		100' bldg. setback for new subdivision; 75' for existing lots; 100' septic/leach field setback; can't use very poorly drained soils to satisfy minimum lot size calculation
Deering		On OEP list has having buffer ordinance
Derry	Paul Dionne	For wetlands <1 acre, 30' buffer; for > 1 acre, 75' buffer. For 28 designated Prime Wetlands, 150' no build buffer and 75' no disturbance. Aquifer ordinance prohibits >50% nonporous surface.

Town	Conservation Contact	Buffer Information
Dover	Tom Fargo	50' setback from State defined wetlands.
Dublin		50' wetland buffer; 100' septic setback
Dunbarton	Margaret Watkins 774-7120	125' buffer from Great Ponds and adjacent wetlands.
Durham	Jim Campbell	50' setback from poorly drained soils and a 75' setback from very poorly drained. Currently rewriting ordinance likely to move to a 100' setback
East Kingston		On OEP list as having buffer ordinance
Effingham		On OEP list as having buffer ordinance
Enfield		On NHDES list of towns with prime wetlands
Epping		50' from very poorly drained; 25' from poorly drained
Exeter	Don Clement 728-0238	25' no cut, no disturbance; 75' no construction; and 100' from Prime Wetlands
Farmington		On OEP list as having buffer ordinance
Fitzwilliam	Jody Hartwell, Town Office 585-7791	75' in wetlands overlay district
Francestown		100' no clear-cutting, fertilizers/pesticides/toxics, septic system, snow dumps
Fremont	John Whiteside 679-5443	200' from very poorly drained; 100' from poorly drained; On NHDES list of towns with prime wetlands
Gilford		On NHDES Prime Wetlands list
Gilmanton	Nanci Mitchell 528-0776 Nancirae@worldpath.net	75' building setback from waterbodies and 50' from wetlands & streams but disturbance (lawns, paving) allowed within buffer. Septic 125' from waterbodies; 75' from wetlands, streams.
Goffstown	Collis Adams www.town.goffstown.nh.us	50' no-build / no grade change setback on wetlands >2,000 s.f. and any wetland contiguous to waterbody; **100'** on wetlands >20,000 s.f.. For residential subdivision (non-residntial handled by site plan review). On NHDES Prime Wetlands list.
Grantham		Shore Land/River Overlay 75' bldg. setback; 150' Woodland Buffer
Greenfield		On OEP list as having buffer ordinance
Greenland	Dan Kern	50' buffer
Hancock	Bill Elliott 525-4967	Buffer on waterbodies (100' Contoocook R.; 50' great ponds; 25' other streams). 125' septic setback from all wetlands; 25% of minimum lot size (4 Ac in most of town) can be satisfied by wetlands.
Hampton		On OEP list as having buffer ordinance
Hampstead		On OEP list as having buffer ordinance
Hampton Falls	Tracy Healey-Beattie 778-7664	100' buffer on surface waters and wetlands. On NHDES list of towns with prime wetlands
Hanover	Vicki Smith 643-0708	75' from wetlands--no structures, no parking; 125' leach field setback from any wetland (use Army Corps methodology). River: same provisions as for wetlands. ZBA may approve buffer intrusions. They monitor cutting of trees; no fertilizers allowed as lawn maintenance does great harm to water. Enforcement is a problem: need to make everyone aware of the rules. Use State Definition.
Hebron		On OEP list as having buffer ordinance
Holderness		Recognize Prime Wetlands; 125 septic setback
Hollis	Peter Baker 465-7981	100' buffer regulations around all wetlands and surface waters. Wetlands, waterbodies, steep slopes (>25%) can't be counted in minimum lot size determination. Master Plan Ids 21 areas of potential Prime Wetland status to be given special protection. (Good language on treatment of existing lots.)

Town	Conservation Contact	Buffer Information
Hooksett		75' buffer for 21 Prime Wetlands; 100' buffer for 4 "wetlands of special concern"; 25' buffer and 40' bldg. setback for wetlands > 1 acre
Hopkinton	Ron Klemarczyk	rivers: 75'; wetlands: case-by-case
Hudson	Sean Sullivan, Comm'y Devel. Dir.	50' "zone of noninterference" from wetland & surface water edge; grading by ZBA spec. exception
Jaffrey	Alex Gutterman 532-8526	75' on all wetlands
Laconia	Dawn Emerson and Stephanie Verdile	75' from Prime Wetlands; 50' on non-prime wetlands contiguous to public waters and named and lettered brooks; and 30' outside the boundary of any other wetland. Wetland buffer maintenance provision: "Buffers shall be retained and maintained in their natural condition." Planning Board has new subdivisions mention buffer protection in deeds. And can require "more extensive buffers." Septic 125', 100', and 75' depending on conditions (soil and slope).
Lee		75' buffer
Littleton		100' buffer from Ammonoosuc R. in commercial zone; 125' septic setback from waterbodies
Londonderry		On OEP list as having buffer ordinance
Loudon	Julie Robinson 798-4541	75' buffer >2,000 s.f. wetlands and all shoreland and vernal pools; 25' absolutely undisturbed. No pesticides/fertilizers in 75' buffer.
Lyme	Vicky Davis 795-4639	100' all wetlands; 200' great ponds & Ct. River. Wetlands & waterbodies can't be used to satisfy minimum lot size requirement. Strongest regulations in NH! Ordinance developed in 80s, support-ed by townspeople. Planning Board responsive to unintended consequences; pays close attention to agricultural soils.
Londonderry	Timothy J. Thompson, AICP (source)	50' around unnamed wetlands greater than 1/2 acre, 100' around named wetlands.
Madbury		On OEP list as having buffer ordinance
Madison		On OEP list as having buffer ordinance
Manchester		25'
Meredith		On NHDES list of towns with Prime Wetlands
Merrimack	Gary Gagne 424-1412	25' wetlands; 40' building setback
Milford	Diane Fitzpatrick 672-1070	25' buffer from any wetland and waterbody; 50' from certain designated waterbodies and adjacent wetlands; 100' from peatlands: no structures, preserve natural vegetation.
Mont Vernon	Tevis Baier 654-9738	25' buffer from all wetlands except vernal pools. 16-yr. old master plan is being rewritten asking for 125' setbacks from wetlands.
Moultonboro		Details unknown
Nashua		75' from certain named and primary wetlands; 40' from named "critical wetlands"; 20' from all others including vernal pools PLUS 25' no-build setback in addition to naturally vegetated buffers listed above. Wetlands cannot satisfy minimum lot size; plus performance standards for 125' zone including no septic. On NHDES list of towns with Prime Wetlands
New Boston	Cyndie Wilson 487-5036	Town requires two contiguous acres of dry land for a building lot. Their wetland/surface water regulations are up for revision.
New Castle		On OEP list as having buffer ordinance
New Durham	Bob Craycraft, Plan. Board 859-2866	2007 approved vegetated buffers + setbacks on wetlands, waterbodies. Varying widths specified.

Town	Conservation Contact	Buffer Information
Newbury		On OEP list as having buffer ordinance
Newfields		75' from very poorly drained; 50' from poorly drained
Newington		75' wetlands buffer; On NHDES list of towns with Prime Wetlands
New Ipswich		50' building setback from wetlands & ponds; 25' buffer on streams; '05 will vote to apply 25' buffer to wetlands & ponds. Working on prime wetlands designation (2006)
New London		100' buffer from "significant wetlands" based on NWI mapping; 3 designated Prime Wetlands w. 200' buffer; 100' and 75' septic setbacks depending on soils. Limited % of wetlands can be used to satisfy minimum lot size. 300' shoreland buffer on 8 named ponds includes 50' building setback
Newington		On NHDES list of towns with prime wetlands
Newmarket		50' from VPD; 25' from PD; Have Prime Wetlands language (75' no disturbance; 100' bldg. setback; 125' septic setback) but as yet, no designated Prime Wetlands.
North Hampton		100' buffer from all wetlands
Northfield		On OEP list as having buffer ordinance
Northwood		On NHDES list of towns with Prime Wetlands
Nottingham		75' from VPD; 50' from PD
Pelham	Deborah Waters – birches@adelphia.net	50' buffer; looked into tiered approach that was defeated by developer lobby; inserted bldg. envelope concept including septic AND lawn into subdiv. regs. that accomplished same protection. On NHDES list of towns with Prime Wetlands
Peterborough	Francie Von Mertens 924-6550	50' buffer no disturbance from wetlands >½ acre. Shoreland Conservation District 100' from surface waters. Expansion of wetland buffer to 100' defeated by '04 town vote, but planning board supportive, will make a few adjustments and try again.
Plaistow		On OEP list as having buffer ordinance
Portsmouth	Donald Coker (source)	100' wetlands buffer zone setback from wetlands over 20,000 s.f.
Richmond		On OEP list as having buffer ordinance
Rindge		"Zone of min. disturbance" 50' from wetlands >3,000 s.f.; and 150' from surface waters; 100' septic setback. No snow dumps within 250' of wetlands/waterbodies.
Rochester	George Bailey ConCom chair See www.rochesternh.net	25' no alteration buffer on wetlands >½ acre; 50' on all **vernal pools**. 75' shoreland buffer on 3 rivers; 50' on named streams/waterbodies. VPD soils can't count toward minimum lot area or density requirements in any zoning district.
Rye		On OEP list as having buffer ordinance
Salem	Bill Valentine, ConCom	40' setback, 25' undisturbed. 100' undisturbed buffer for Prime Wetlands. VPD soils cannot be used to fulfill minimum lot size; and PD soils can only make up 25% of minimum size; 75' septic setback
Sanbornton		On NHDES list of towns with Prime Wetlands
Sandown		On OEP list as having buffer ordinance
Sandwich	Chip Kimball 284-6506	100' and 125' from high watermark; On NHDES list of towns with Prime Wetlands
Sharon	Liz LaRose 924-4400 www.sharonnh.org ("documents")	75' bldg. setback and natural buffer; septic 100' setback; high-impact livestock 300'; 50% wetlands subtracted from minimum lot size calculation
Somersworth		All development within 100' of wetlands for structures shall be subject to review as a conditional use to insure adequate protection of the values and functions of the wetlands.

Town	Conservation Contact	Buffer Information
Springfield		On OEP list as having buffer ordinance
Stoddard	Sandy Sherman	50' no-build wetland setback
Strafford	Liz Evans	State shoreland protection provisions extended in '03 to 9 named ponds/rivers as local regulation; "No portion of a wetlands shall be used in calculating **minimum lot size**"; ledge and steep slopes (>25%) can't be used either; **septic setback** dependent on slope is 100' (0-8% slope), 150' (9-15% slope), 200' (>15% slope).
Sullivan	Ann Sweet 847-3463	50' passed 3/04 (modeled on Dublin's code); 100' septic setback
Sutton		Buffer 50' from all wetlands <10,000 s.f.; 75' on larger wetlands and all vernal pools; 100' from rivers/streams "in public waterbody watershed"
Swanzey		125' septic setback; 100' wetlands buffer; wetlands cannot be used to satisfy minimum lot size
Tamworth	John Mersfelder 323-7793	125' septic from surface waters (hydric A soils); 75' from wetlands (hydric B soils). No construction within 25' of limits of a wetland. If rare, threatened or endangered species, or a bog: 300', unless developer can prove no adverse impact. On NHDES list of towns with Prime Wetlands
Wakefield		On OEP list as having buffer ordinance
Walpole	Harold Putnam	12/03 completed Wetland Inventory and Prime Wetland Designation Project. ConCom to pursue formal Prime Wetland designation for some selected wetlands at Town Meeting '05
Weare		On NHDES list of towns with Prime Wetlands
Webster	Betsy Janeway 746-3818	50' buffer
Westmoreland	Jim Blake / jblake8861@aol.com	75' buffer; reportedly looking into Prime Wetlands
Wilton		On OEP list as having buffer ordinance
Windham	Cherie Howell 432-1537	100' from wetlands >1 acre (depending on slope can extend to 200'); **vernal pools** >500 s.f. 25' buffer; no septic within buffer. "Wetland and Watershed Protection District"
Wolfeboro	Rob Houseman, wolftwnplnr@metrocast.net	75' VPD; 50' PD for all wetlands. Looking to implement value system that would rank wetlands 1-5, with 5 off limits (vernal pools), and 1 allowing impacts up to a certain square footage. CT has some guidelines for this, but NH towns don't. Problem is too many special use permits are being applied for under present system owing to too many pre-existing nonconforming lots. On NHDES list of towns with Prime Wetlands

This chart was begun by Betsy Janeway, Webster, added onto by Chris Parker, Dover, and now Francie Von Mertens, Peterborough. Accuracy/completeness not guaranteed.
Thru various list serves a call went out in 2004 for information from town ConComs and Planning Boards. Responses herewith.
Since then, occasional updates and additions have been sent in.
This does not represent in any way a thorough inventory of town wetland/shoreland ordinances.
Send updates/corrections/additions to vonmertens@myfairpoint.net / 924-6550
January 2010

an official NEW HAMPSHIRE government website

OFFICE OF
Energy and Planning

Water Resources

Aquifer Protection/Groundwater Protection | Blasting | Lakes and Ponds/Public Waters | Shoreland Protection | Stormwater | Water Resources | Wetlands/Wetland Buffers

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- Model Groundwater Protection Ordinance - September 2015
  NH Office of Energy and Planning and NH Department of Environmental Services
- DES Drinking Water and Groundwater Bureau
- American Ground Water Trust
- List of towns with Groundwater and Surface Water Protection regulations, as self-reported by municipalities responding to the annual OEP survey of municipal information.
- List of towns with a Municipal Sewer System, as self-reported by municipalities responding to the annual OEP survey of municipal information.
- Drinking Water Protection Responses - OEP 2014, as self-reported by municipalities responding to the annual OEP survey of municipal information.
- Department of Environmental Services sites
  - Drinking Water Source Protection Program
  - Large Groundwater Withdrawal Permitting
  - Drinking Water and Groundwater Bureau
  - Drinking Water/Ground Water Fact Sheets

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- Regulating Drilling and Blasting Activities: Municipal Issues, *New Hampshire Town and City*, June 2005
- Rock Blasting and Water Quality Measures That Can Be Taken To Protect Water Quality and Mitigate Impacts - 2010 Prepared by Brandon Kernen, DES Drinking Water Source Protection Program

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- Official List of Public Waters in New Hampshire as maintained by the Department of Environmental Services
  Public waters in New Hampshire are prescribed by common law as great ponds (natural waterbodies of 10 acres or more in size), public rivers and streams, and tidal waters. These common law public waters are held by the State in trust for the people of New Hampshire. The State holds the land underlying great ponds and

tidal waters (including tidal rivers) in trust for the people of New Hampshire. Generally, but with some exceptions, private property owners hold title to the land underlying freshwater rivers and streams, and the State has an easement over this land for public purposes.

- DES Lakes Management and Protection Program
- DES Public Waters/Great Pond Program
- DES Dam Bureau – for information about dams, lake levels and stream flows
- Public Water Access Advisory Board
  - Public Access Maps for New Hampshire's 35 largest lakes
- NH Lakes Association
- Boating in New Hampshire (NH F&G)

▲ Back to Top **Shoreland Protection**

- Chapter 483-B Shoreland Water Quality Protection Act (SWQPA) [f.k.a. Comprehensive Shoreland Protection Act]
- List of towns with Shoreland Protection regulations, as self-reported by municipalities responding to the annual OEP survey of municipal information.
  This list should not be construed to mean that any municipality has complied with the terms of RSA 483-B, the Shoreland Water Quality Protection Act, or that the Office of Energy and Planning has certified such compliance. This list is merely a self-reported statement by municipalities that they have adopted some level of shoreland protection.
- DES Shoreland Program
  - Shoreland protection changes - DES Environmental News, September-October 2011
  - RSA 483-B has been significantly revised, courtesy of sections 382 through 412 of HB 2 (the budget trailer bill). All changes took effect July 1, 2011. This article summarizes the more noticeable changes; more information will be available at the DES Shoreland Program as resources allow. (From the DES newsletter, Environmental News, September-October 2011)
  - A Shoreland Homeowner's Guide to Stormwater Management - protecting your home & environment
  - DES Consolidated List of Water Bodies Subject to the Shoreland Water Quality Protection Act (including fourth order and higher streams and rivers)

▲ Back to Top **Stormwater**

- Chapter 2.1 Permanent (Post-Construction) Stormwater Management from the Innovative Land Use Planning Techniques Handbook
- List of towns with Stormwater Management (post-construction) regulations, as self-reported by municipalities responding to the annual OEP survey of municipal information.
- Responses to the April 19, 2012 Plan-link posting:
  "I am looking for examples of towns that have incorporated portions of the 2008 Innovative Land Use Planning Techniques to strengthen 1. The erosion/sedimentation control and 2. The permanent stormwater management sections of their site plan or subdivision regs. I've looked at quite a few on the list on the OEP website and most just have either very minimal language or one of the old models. I have several towns interested in adding some portions of the new model language to improve what they have. Have others used certain portions of the two models (or one or the other)?"

- DES Stormwater Program
  - Managing Stormwater as a Valuable Resource - A message for New Hampshire municipalities and water suppliers, September 2001, New Hampshire Department of Environmental Services, Water Division (NHDES-R-WD-01-13)
  - Low Impact Development and Stormwater Management, NH DES Fact Sheet, WD-WMB-17, 2010
  - New Hampshire Homeowner's Guide to Stormwater Management - Do-It-Yourself Stormwater Solutions For Your Home, NH DES WD-11-11, March 2011 (updated June 15, 2011)
  - What is Nonpoint Source Pollution?
  - DES Watershed Assistance Section

- NHDOT Guidelines For Temporary Erosion and Sediment Control and Stormwater Management, (NHDOT Business Center)
- UNH Stormwater Center - Dedicated to the protection of water resources through effective stormwater management
- Model Stormwater Standards for Coastal Watershed Communities
  Prepared by the University of New Hampshire Stormwater Center and The Rockingham Planning Commission, December 2012
- The International Stormwater Best Management Practices (BMP) Database project website features a database of over 530 BMP studies, performance analysis results, tools for use in BMP performance studies, monitoring guidance and other study-related publications.

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- State Water Plan Process: Municipalities Have a Crucial Stake, *New Hampshire Town and City*, April 2009
  Water has shaped the history of New Hampshire's communities, in many ways defines their unique character today and will continue to influence their future. The state boasts more than 1,000 lakes and large ponds, 17,000 miles of mapped rivers and streams, 238 miles of ocean and estuarine coastline, and hundreds of thousands of acres of wetlands. Stratified-drift aquifer deposits cover 14 percent of the state and groundwater in bedrock fractures provides water supply via public and private wells to most rural New Hampshire communities. We rely on these water resources for water supply, hydroelectric generation, recreation, tourism, fish and wildlife habitat, scenic beauty and the state's exceptional quality of life.
- DES Water Resources Primer - January 2009
  The Water Resources Primer was developed to inform policy makers and citizens about the state's water resources and the challenges faced in sustainably managing them. It was developed as part of an initiative to develop a statewide, comprehensive water resources plan, spearheaded by the Legislature's Statutory Water Resources Committee. The New Hampshire Department of Environmental Services is the lead author, although the document was significantly influenced and improved by the contributions of many volunteer stakeholders and experts.
- Piscataqua Region Estuaries Partnership
  The mission of Piscataqua Region Estuaries Partnership (PREP) is to protect and improve the water quality and overall health of the region's two estuaries – Great Bay & Hampton-Seabrook. We monitor and research the region's water ways, encourage all who live, work and play on the Seacoast to take actions to help protect and preserve the places we love, support development patterns that protect water quality, maintain open spaces and important habitat, and restore estuarine resources.
- Buffers for Wetlands and Surface Waters - A Guidebook for New Hampshire Municipalities (November 1995, Revised May 1997)
- Best management Practices to Control Nonpoint Source Pollution: A Guide for Citizens and Town Officials - DES, January 2004

▲ Back to Top **Wetlands/Wetland Buffers**

- NH Method
  The Method for Inventorying and Evaluating Freshwater Wetlands in New Hampshire (NH Method) provides communities, conservation groups and natural resources consultants a practical method for evaluating wetland functions. Originally published in 1991, the NH Method (2011) has been updated for the first time in 20 years.
- Wetlands Bureau, Department of Environmental Services
- List of towns with Wetland Protection regulations, as self-reported by municipalities responding to the annual OEP survey of municipal information
- List of towns with Wetlands Buffering requirements, as self-reported by municipalities responding to the annual OEP survey of municipal information
- NH Towns' Wetland Buffer Requirements (January 2010) This chart begun by Betsy Janeway, Webster, added onto by Chris Parker, Dover, and now Francie Von Mertens, Peterborough. Accuracy/completeness not guaranteed and does not represent a thorough inventory of town wetland/shoreland ordinances. Send updates/corrections/additions to Francie Von Mertens vonmertens@myfairpoint.net (603) 924-6550 (Provided with expressed permission.)
- While there has been interest in protecting vernal pools, protecting adequate upland where most of the species live most of the year (non-breeding season) is critical. Rather than placing a circle of a defined radius around the vernal pool, by identifying the adjacent habitat where vernal pool species (typically amphibians) would live in non-breeding season, one can produce an uneven buffer that is more effective in protecting the species that use vernal pools. (From a Plan-link posting by Sandy Crystall, Bow Planning Board on October 20, 2015)
  - Vernal Pool Best Management Practices (BMPs) - US Army Corps of Engineers
- Municipal Guide to Wetland Protection
  Audobon Society of NH, Nashua Regional Planning Commission, NH Association of Conservation Commissions, NH Office of State Planning, NH Wetlands Bureau, September, 1993 (a very limited number of copies of this publication are available by contacting OEP.
- Protecting New Hampshire's Wetlands: Municipal Issues, *New Hampshire Town and City*, July/August 2005
- Prime Wetland Designation Activities: 2005- 2008
  From 2005 to 2008, the NHEP supported seven Prime Wetlands designation projects in the Seacoast. In 2008, warrant articles to adopt Prime Wetlands were on the town ballot in the communities of Fremont, Hampton Falls, Brentwood, and Newfields. Three of the four warrants were approved. This report utilizes interviews with Conservation Commission Chairs and key conservation professionals to document the activities leading up to the town vote in each of these towns. NHEP expenditures and outreach materials used by the communities are also included. The report concludes with recommendations for other communities preparing Prime Wetland designations.

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