PLEASE SILENCE YOUR PHONE
NHDES Land Resources Management
Shoreland Protection Act Review
Agenda:

Shoreland Protection Act Purpose

Minimum Standards

Pervious Surfaces

Shoreland Permitting Process

Erosion Controls

Wetlands Rules Update
Shoreland Protection Act Purpose
Lake Massasecum, Bradford
19 Mile Bay, Lake Winnipesaukee
Weirs beach, Laconia
Otter Lake, Greenfield
Impervious Area Negatively Impacts Water Quality
Impervious surfaces concentrate stormwater.

- Gravel Driveways
- Roofs

**Impervious Area**
Impervious surfaces concentrate stormwater flow path of stormwater.
Impervious surfaces concentrate stormwater

Natural Buffer Removed
Stormwater affects fish habitat:
Stormwater accelerates aquatic plant growth
increases the frequency of cyanobacteria algae blooms
Vegetated buffers help prevent invasive milfoil from establishing itself
Shade over the water inhibits milfoil from becoming established
The Shoreland Water Quality Protection Act Purpose:

- Maintain and Restore Vegetated Buffers
- Better Manage Stormwater Runoff
- Provide Critical Wildlife Habitat
Shoreland Protection Act Minimum Standards
The Protected Shoreland

- 250 feet
- 50 foot Primary Building Setback
- 150 foot Woodland Buffer
- 50 foot Waterfront Buffer
- Reference Line
At least 25 percent of the woodland buffer area located between 50 feet and 150 feet from the reference line shall be maintained as natural woodland.
The Woodland Buffer Area

“Natural woodland" means a forested area consisting of various species of trees, saplings, shrubs, and ground covers in any combination and at any stage of growth.
Existing Lawns Can be Maintained. Lawn is **Altered** Area.
Can’t reduce below what exists today
The Waterfront Buffer Extends 50 Feet Landward from the Reference Line
Create *25 foot x 50 foot grid segments* starting from the most northerly or easterly property boundary.
Tree Diameter:
1-3” = 1 pt
> 3-6” = 5 pts
> 6-12” = 10 pts
> 12” = 15 pts

Remove trees but, allow at least 25 points of trees and saplings to remain within each grid segment.
Vegetation Management for Water Quality

New Hampshire’s waterbodies provide benefits and uses we all enjoy: fishing, boating and natural beauty to name a few. As communities grow and New Hampshire’s landscape changes, the quality of our public waters depends on each of us managing the trees, shrubs and low-growing plants on our property. Nature’s most economical and efficient stormwater purification system is a combination of native shoreland plants.

The best vegetation for healthy waterbodies are trees and plants such as oaks, pines, willows and blueberry bushes; they slow down, absorb and purify much more stormwater than low-growing plants with shallow roots such as lawns and mulched garden beds. Trees and plants help remove the oils, salt, heavy metals, fertilizers, and other contaminants from stormwater runoff and spring snowmelt before they enter our lakes and rivers. Even the dense mat of leaves and needles under our trees plays a unique role in purifying our water. Plus, birds, fish and insects rely on the shade, protection and fruits provided by native shoreland plants.

Figure 1: The Waterfront Buffer and the Woodland Buffer located within the Protected Shoreland.
Impervious Surface Limitations

Definition: “Impervious surface”

Any modified surface that cannot effectively absorb or infiltrate water.
Examples of impervious surfaces include:

- Roofs
- Decks
- Patios
- Walkways
- Paved-gravel-crushed stone driveways
Impervious Area Thresholds

When the **post-construction** impervious area exceeds:

a. 20%

b. 30%
When a project proposes greater than 20\% impervious area:

1.) A stormwater management plan must be implemented to infiltrate increased stormwater from development.
Dry Well
Dry Well
Drainage Swale
Drainage Swale
Infiltration Trench
When a project proposes *greater than 30%* impervious area:

1.) If any grid segment does not meet the minimum required grid score (25 pts), an equivalent level of protection must be planted to at least meet the minimum required grid score.

2.) A stormwater management plan must be designed and installed by a *licensed* engineer.
Provide additional plantings within each grid segment so that each grid segment meets the minimum required point 25 point score.
Pervious Surfaces
Pervious materials are not considered when quantifying the total impervious area of the lot within the protected shoreland.
Pervious Materials
Shoreland Permitting Process
1.) Excavation with mechanized equipment
2.) Filling that changes the contour of the land
3.) Constructing new structures
Existing Retaining Walls
Shoreland/ Wetlands Permits

Visit the Shoreland Program Web Page!
Shoreland Program

The Shoreland Water Quality Protection Act was originally named the Comprehensive Shoreland Protection Act (CSPA) and was enacted into law in the 1991 session of the Legislature. The act establishes minimum standards for the subdivision, use and development of shorelands adjacent to the state’s public water bodies. more...

Hot Topics (Complete List)

- Determine if a Shoreland Permit is Required
- NEW! Important Notice Regarding Senate Bill 30

Publications (Complete List)

- Vegetation Management for Water Quality
- NH Homeowner’s Guide to Stormwater Management
- Summary of the Minimum Standards
- Frequently Asked Questions
Hot Topics (Complete List)

- **Determine if a Shoreland Permit is Required**
- NEW! Important Notice Regarding Senate Bill 30

Publications (Complete List)

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- Summary of the Minimum Standards
- Frequently Asked Questions
Rules/Regulatory

- RSA 483-B
- Env-Wq 1400 Shoreland Protection

Education/Outreach

- NEW! Landscaping for Water Quality Training in the Sunapee Area
- NEW! Spring Landscape Conference

Permits (Complete List)

- Shoreland Impact Permit
- Shoreland Permit by Notification (PBN)

**Permit Application Status Check**

Copies of Shoreland Impact Permits issued on and after October 10, 2011 are available online through One-Stop by clicking the link above.
Erosion Controls
Wetlands Program Rulemaking & Process Improvement Effort

GOALS

• Enhance predictability and transparency

• Increase consistency and standardization

• Ensure scientifically-based decisions that are protective of New Hampshire's important natural resources
Key New definitions

- 102.12 “Avoidance”
- 103.05 “Minimization”
- 103.06 “Minimization measures”
- 103.10 “Need” (Also see Env-Wt 313)
- 103.54 “Special resource area”
- 103.68 “Top of bank”
Wetlands
Best Management Practice Techniques
For Avoidance and Minimization
DRAFT Best Management Practices (BMP) Manuals

- DRAFT Wetlands Best Management Practice Techniques for Avoidance and Minimization
- DRAFT Utility Maintenance in and Adjacent to Wetlands and Waterbodies in NH
- DRAFT Best Management Practices for Routine Roadway Maintenance Activities in NH
- DRAFT Best Management Practices for Agriculture in NH

Frequently Asked Questions

- FAQs about the DRAFT Wetlands Rules

Adobe Acrobat Reader format. Download a free reader from Adobe.
DRAFT Wetlands Administrative Rules

- **Summary of the Wetlands Rule Changes**

- **Corrections & Comments** [Last updated 3-02-18]
  This document identifies editorial and obvious technical corrections, and identifies additional areas NHDES is seeking stakeholder input. This list will be updated if/when additional items are identified.

- **Revisions to Env-Wt 306 & Env-Wt 309 relative to PBNs**

- **Levels of Review Chart**

- Env-Wt 100 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 200 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 300 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 400 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 500 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 600 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 700 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 800 - [Table of contents](#) [Draft rule text](#)
- Env-Wt 900 - [Table of contents](#) [Draft rule text](#)
Written comments can be provided by either using the Comment Collection Forms or the comment collector tool below. You may also mail your comments to Attention: Mary Ann Tilton, 29 Hazen Drive, Concord, NH 03302 or email to: maryann.tilton@des.nh.gov. When sending email comments, please be sure to include "2018 Wetland Rule Comments" in the subject line of your email.

- Use our web-based tool to submit a comment directly to NHDES: [Submit a Comment or Suggestion to NHDES](#)