The Shoreland Water Quality Protection Act (SWQPA) RSA 483-B
Scientific research has confirmed impervious surfaces have negative impacts on water quality. Impervious areas concentrate stormwater runoff. Stormwater is a pollutant and has negative impacts on water quality.
Overdeveloped Shorelands
During storm events, impervious areas concentrate stormwater runoff
Flow path of stormwater over impervious areas
The natural buffer has been removed and converted to lawn.
Without a natural vegetated buffer, stormwater is more able to reach the waterbody.
A natural vegetated buffer is able to intercept and absorb stormwater before it enters the waterbody.
Which waterbodies are protected under the SWQPA?

- **Tidal Waters** – All waters subject to the ebb and flow of the tide.
- **All Lakes and Ponds Greater than 10 Acres**
- **Fourth Order and Greater Streams and Rivers**
- **Designated Rivers** – including segments less than 4\textsuperscript{th} order
See the *Consolidated List of Waterbodies Jurisdictional Under the SWQPA* on the NHDES Shoreland Program web page for a comprehensive list of waterbodies protected under RSA 483-B.
There is an overlap of law jurisdictions
Under Wetlands Law, RSA 482-A, a “Tidal Buffer Zone” extends 100 feet landward from the highest observable tide line.
Projects that occur solely within the tidal buffer zone require a *Wetlands Permit*, not a *Shoreland Permit*. 

100 feet

100 Foot Tidal Buffer Zone
Before engaging in a project within the tidal buffer zone, contact the NHDES Pease Field Office at (603) 559-1500 for details on the permitting process.
Freshwater streams and their banks are also jurisdictional under Wetlands Law RSA 482-A.
Projects that propose impacts solely within the stream and/or its banks, requires a wetlands permit, not a shoreland permit.
The Protected Shoreland

Reference line, for tidal waters is the highest observable tide line.

50’ Primary Building Setback

150 foot Natural Woodland Buffer

50 foot Waterfront Buffer

250 feet
Existing Open Areas and Lawns are Grandfathered

Existing lawns are can be maintained.

*Natural Ground covers* must remain intact.
There are limitations on tree removal.
Tree Diameter:

1-3” = 1 pt
> 3-6” = 5 pts
> 6-12” = 10 pts
> 12” = 15 pts

Trees can be removed but, at least 50 points of trees and saplings must remain within each 50 x 50 foot grid segment.
See the Vegetation Maintenance within the Protected Shoreland FACT SHEET on the NHDES Shoreland Program Web Page for details on tree removal.
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, or crushed stone driveways
When a project proposes to increase the impervious area of the lot located within the protected shoreland to greater than 20%:

A stormwater management plan must be implemented to infiltrate increased stormwater from development.
Impervious Area Thresholds

The following are examples of stormwater management systems that effectively infiltrate stormwater from impervious areas:
Rain Garden
Drainage Swale
Impervious Area Thresholds

When a project proposes to increase the impervious area of the lot located within the protected shoreland to greater than 30%:

A stormwater management plan must be designed and installed by a licensed engineer; and

If any grid segment does not meet the minimum required grid point score (50 pts), an equivalent level of protection must be planted so that the deficient grid segments at least meet the minimum required 50 point score.
Above the red line a “pervious asphalt” was used. Pervious technologies are not considered “impervious” when quantifying real impervious area of the lot within the protected shoreland.
A shoreland permit is required for most new projects that propose an increase in impervious area, require excavation with mechanized equipment or propose the additional of fill to re-contour the landscape.
Low impact projects that propose no greater than 1,500 square feet of total impact area, of which no more than 900 square feet is new impervious area, may qualify for a streamlined permitting process called the “Permit by Notification”.
Many low impact activities are completely exempt from the shoreland permitting process. A list of exempt activities are available on the NHDES Shoreland Program Web Page under **Frequently Asked Questions (FAQs)**.