

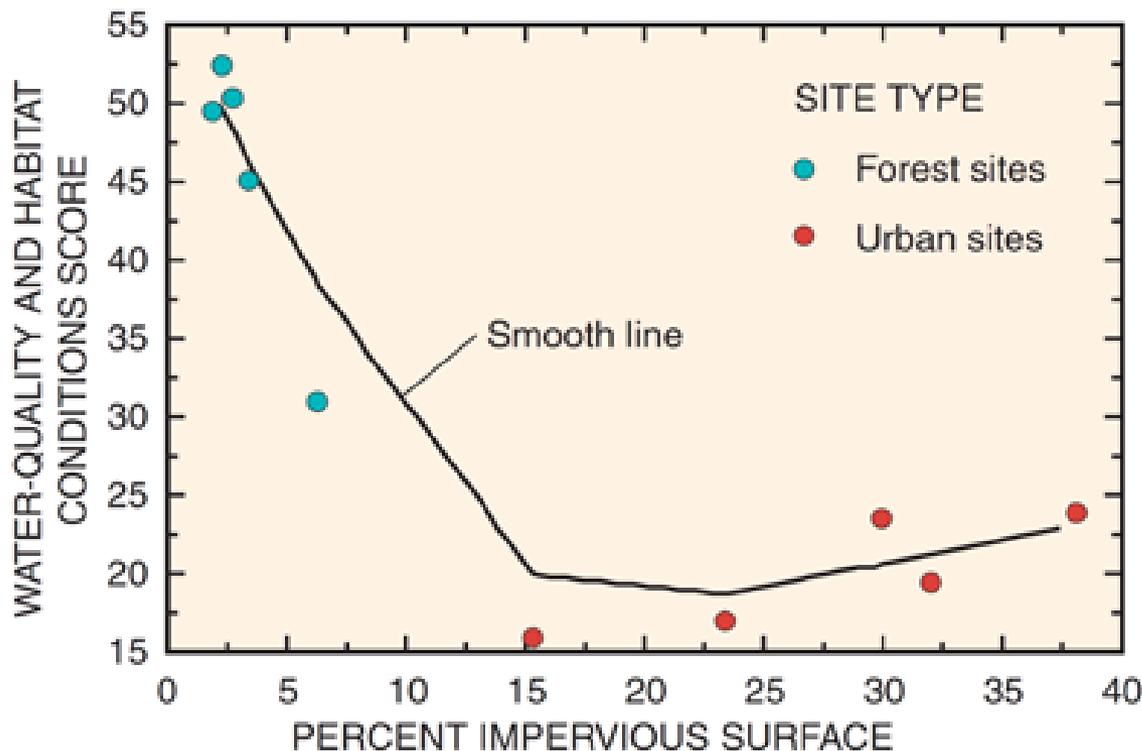
The Shoreland Water Quality Protection Act (SWQPA) RSA 483-B



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



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Overdeveloped Shorelands





Impervious Areas



Roofs

Gravel Driveways

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 4th order

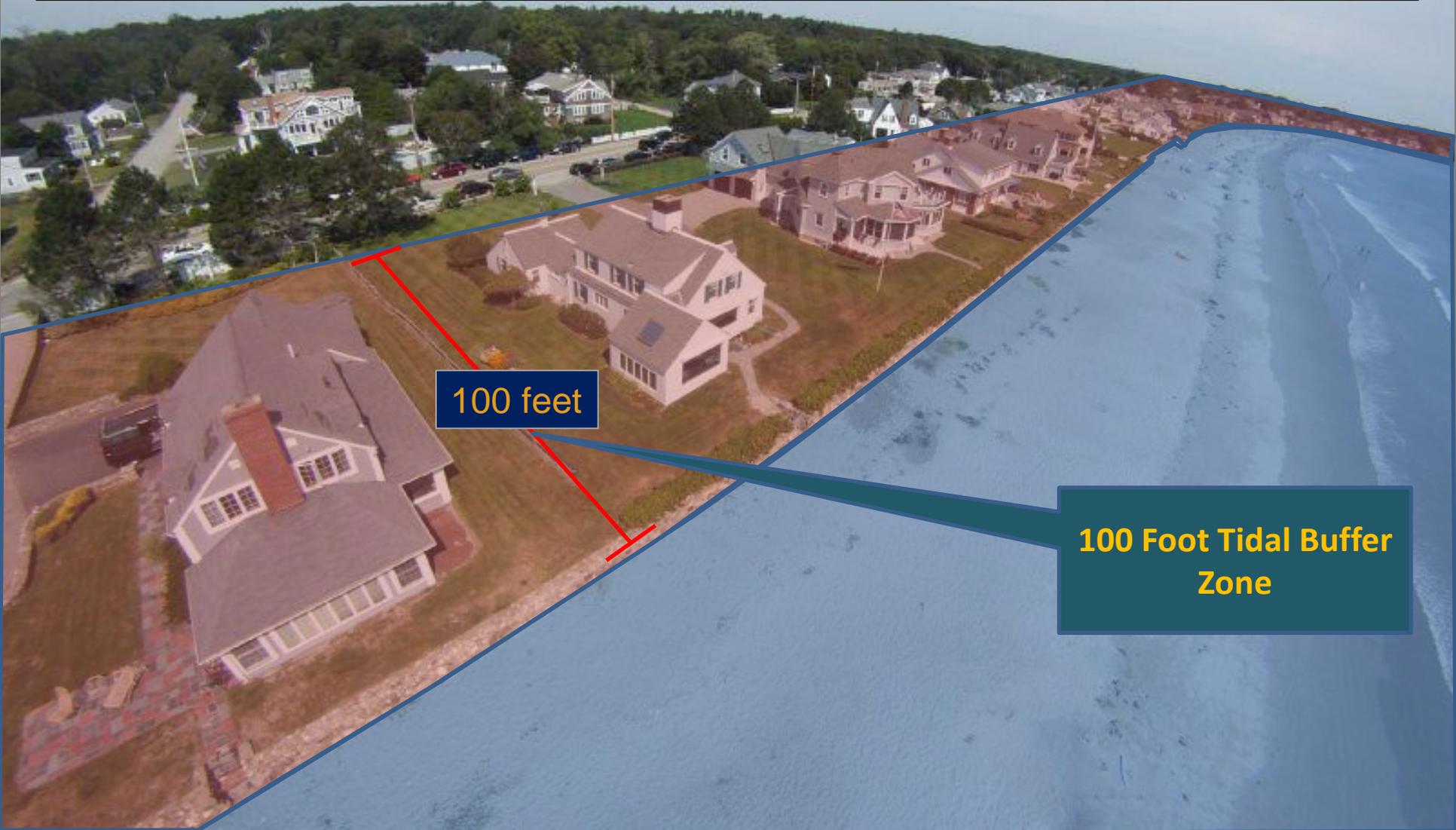
See the *Consolidated List of Waterbodies Jurisdictional Under the SWQPA* on the NHDES Shoreland Program web page for a comprehensive list of waterbodies protected under RSA 483-B.



There is an overlap
of law jurisdictions



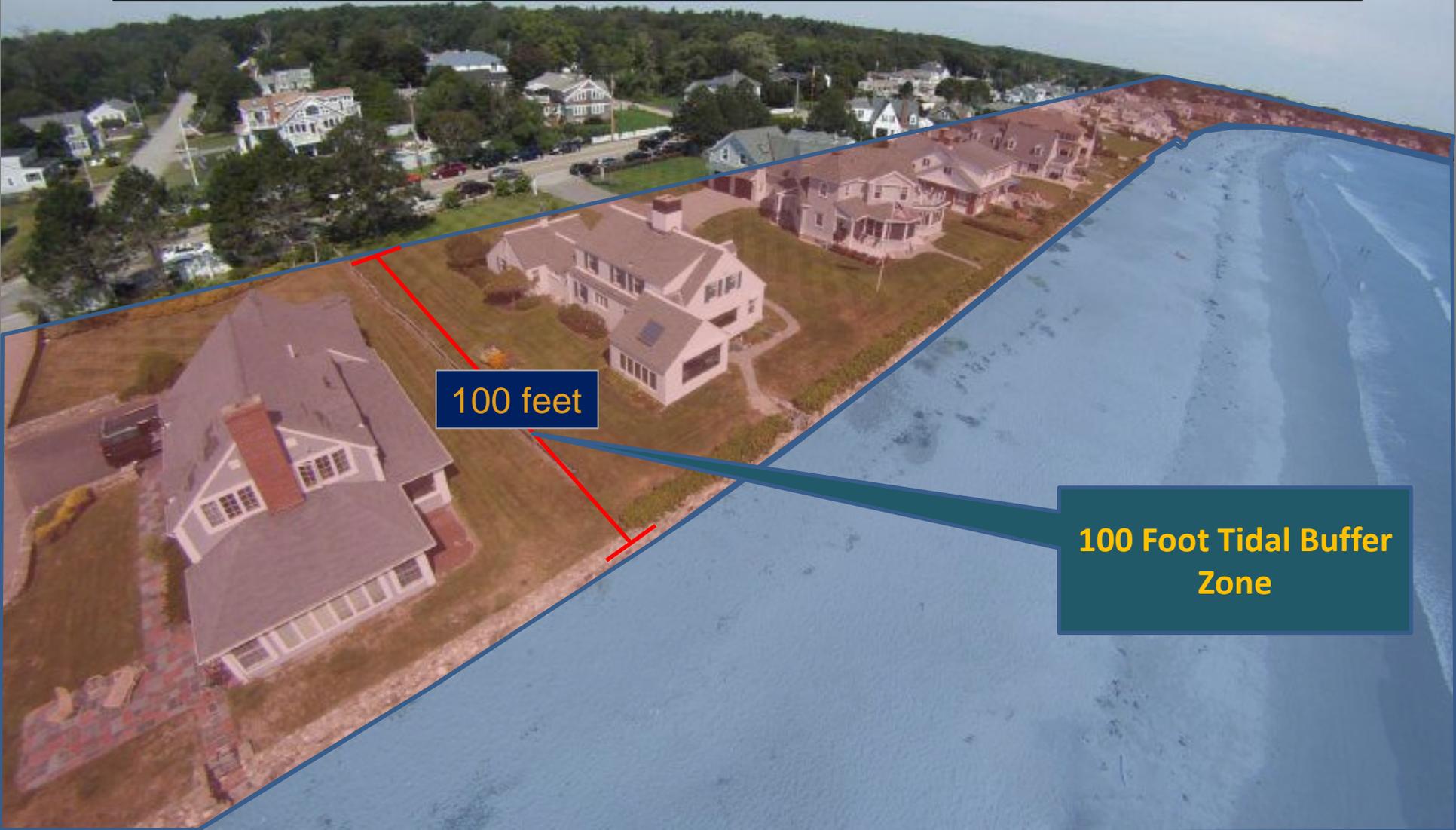
Under Wetlands Law, RSA 482-A, a “Tidal Buffer Zone” extends 100 feet landward from the highest observable tide line.



100 feet

100 Foot Tidal Buffer Zone

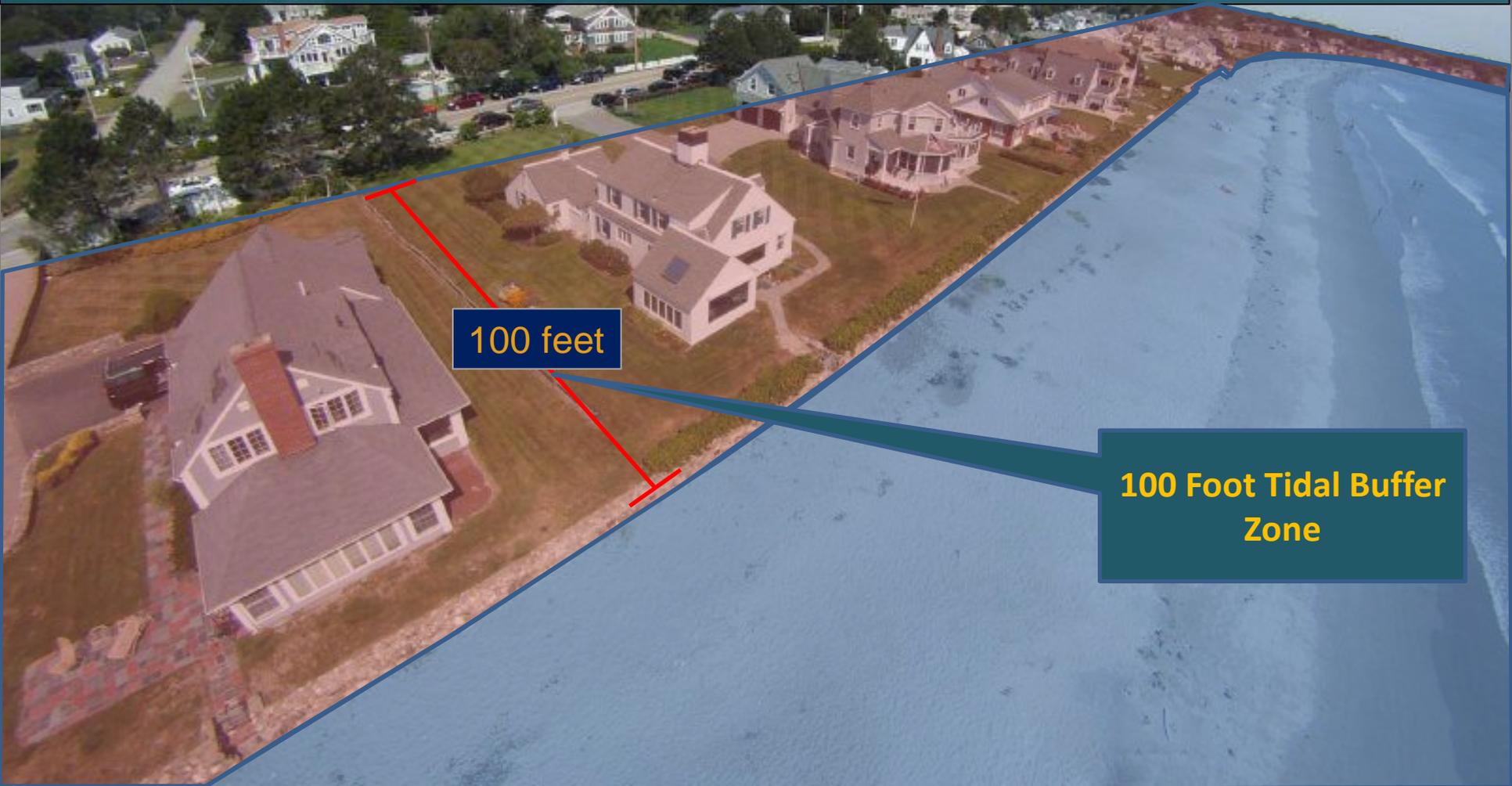
Projects that occur solely within the tidal buffer zone require a *Wetlands Permit*, not a *Shoreland Permit*.



100 feet

100 Foot Tidal Buffer Zone

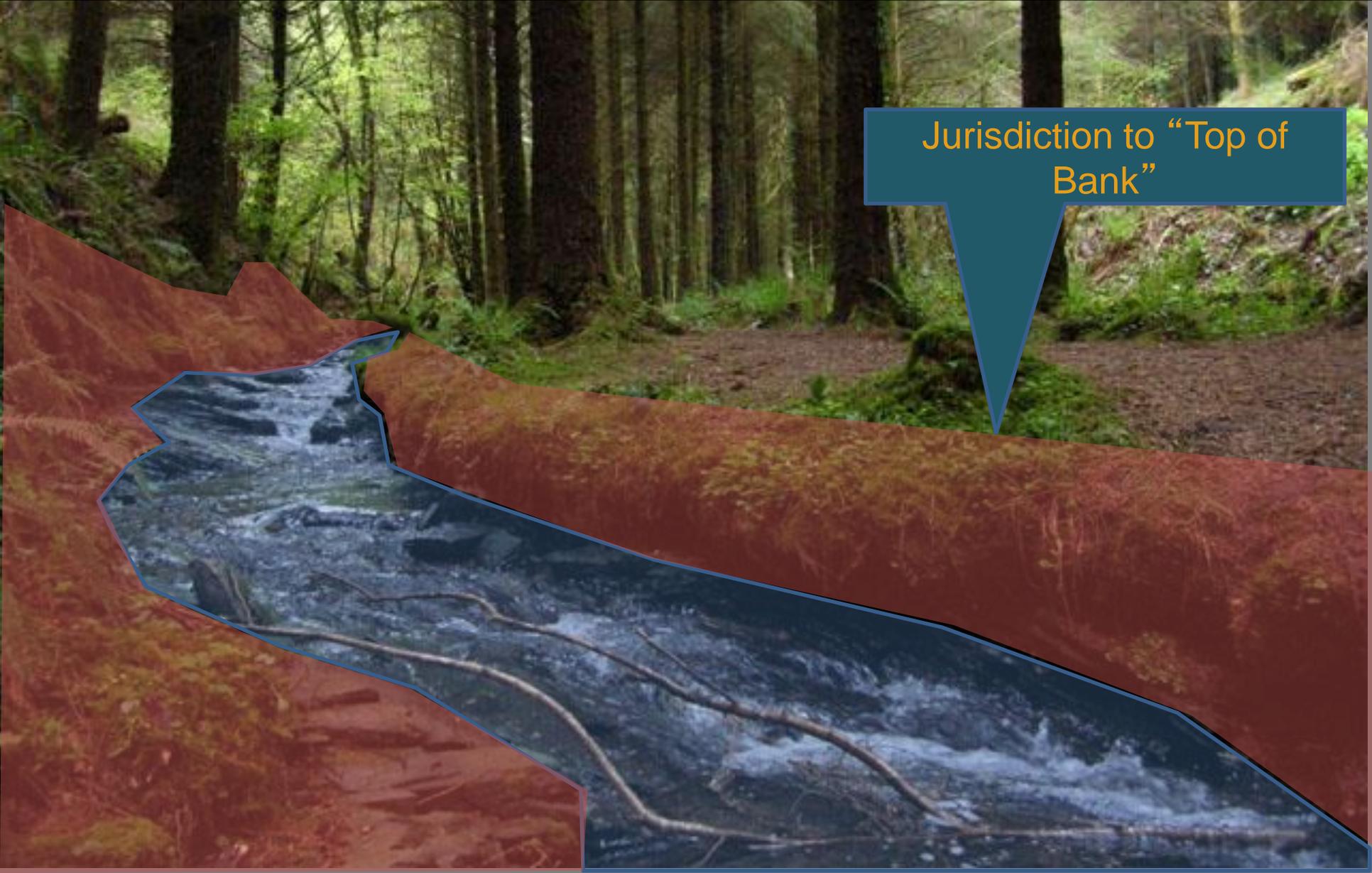
Before engaging in a project within the tidal buffer zone, contact the NHDES Pease Field Office at (603) 559-1500 for details on the permitting process.



100 feet

100 Foot Tidal Buffer Zone

Freshwater streams and their banks are also jurisdictional under Wetlands Law RSA 482-A.

A photograph of a stream flowing through a forest. The stream is surrounded by a red overlay that represents the jurisdictional boundary under Wetlands Law RSA 482-A. The overlay covers the stream and extends to the top of the banks. A callout box points to the top of the bank on the right side of the stream.

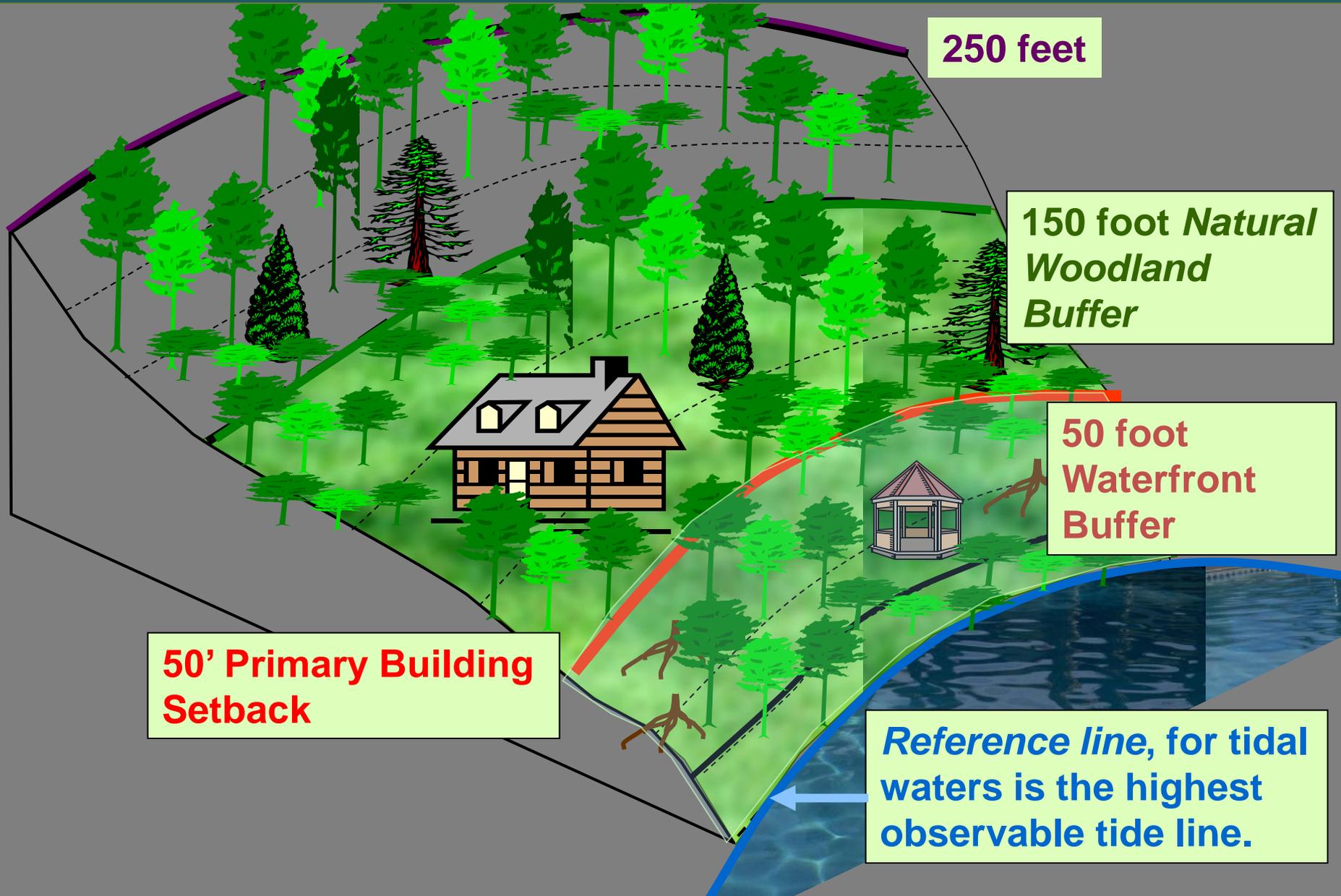
Jurisdiction to "Top of Bank"

Projects that propose impacts solely within the stream and/or its banks, requires a wetlands permit, not a shoreland permit.



Jurisdiction to "Top of Bank"

The Protected Shoreland



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

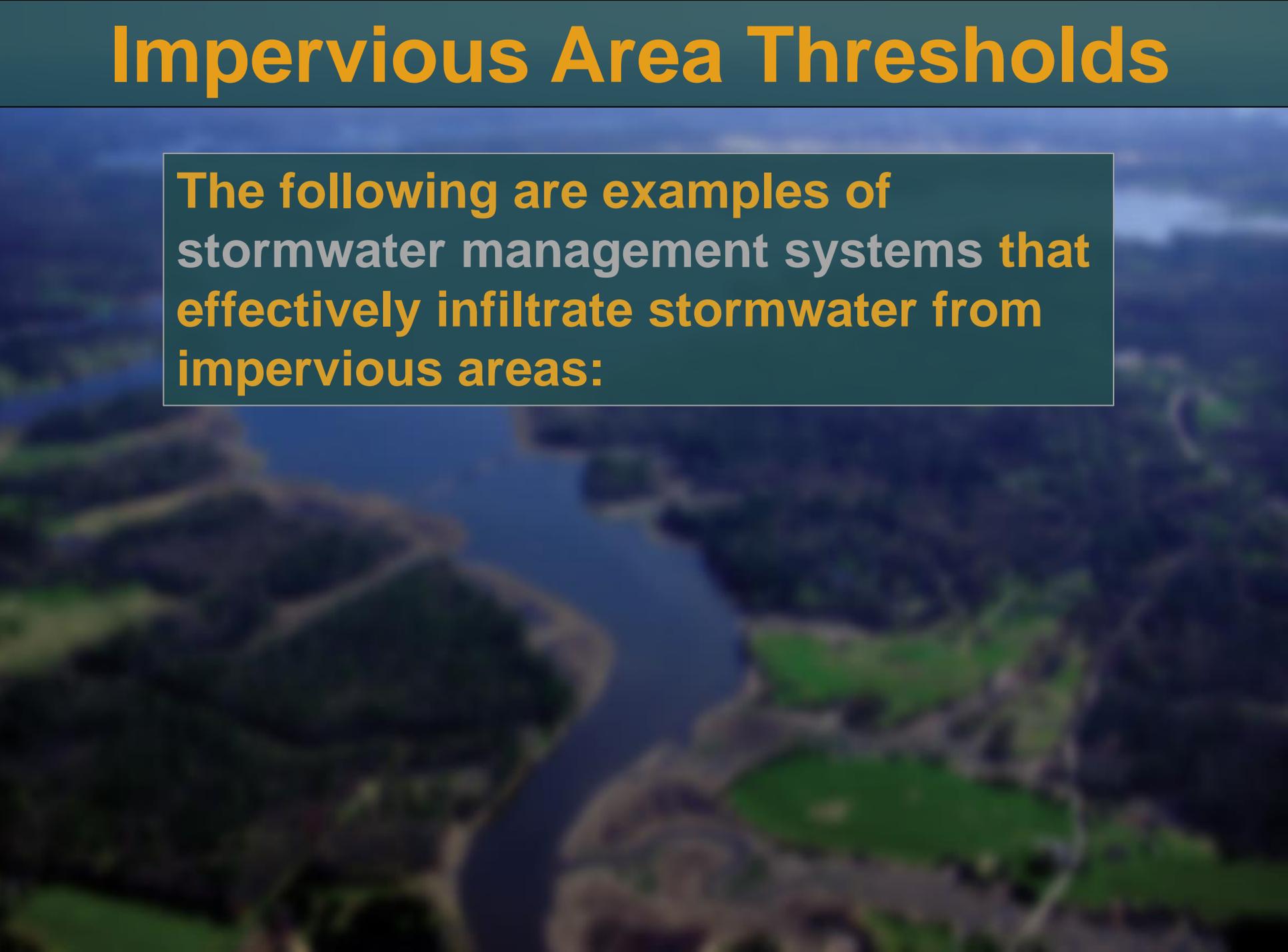
Impervious Area Thresholds

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



Dry Well



Drainage Swale



Infiltration Trench



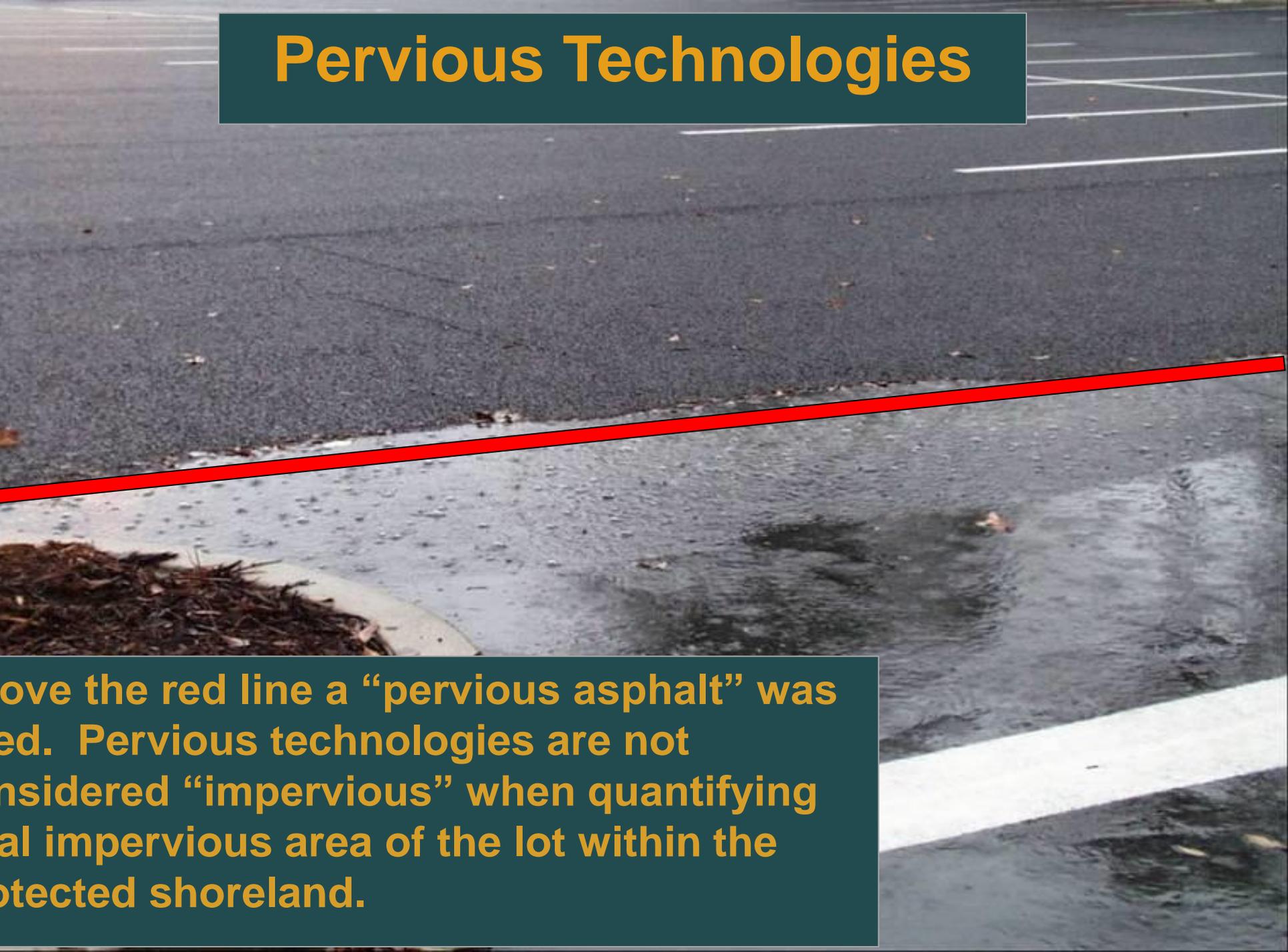
Impervious Area Thresholds

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.

Pervious Technologies



Below the red line a “pervious asphalt” was used. Pervious technologies are not considered “impervious” when quantifying total impervious area of the lot within the protected shoreland.

Shoreland Permitting Process

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.

Shoreland Permitting Process

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”.

Shoreland Permitting Process

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)*.

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