

Do you live by a lake, river, or tidal water?

Then you need to know about the Comprehensive Shoreland Protection Act.

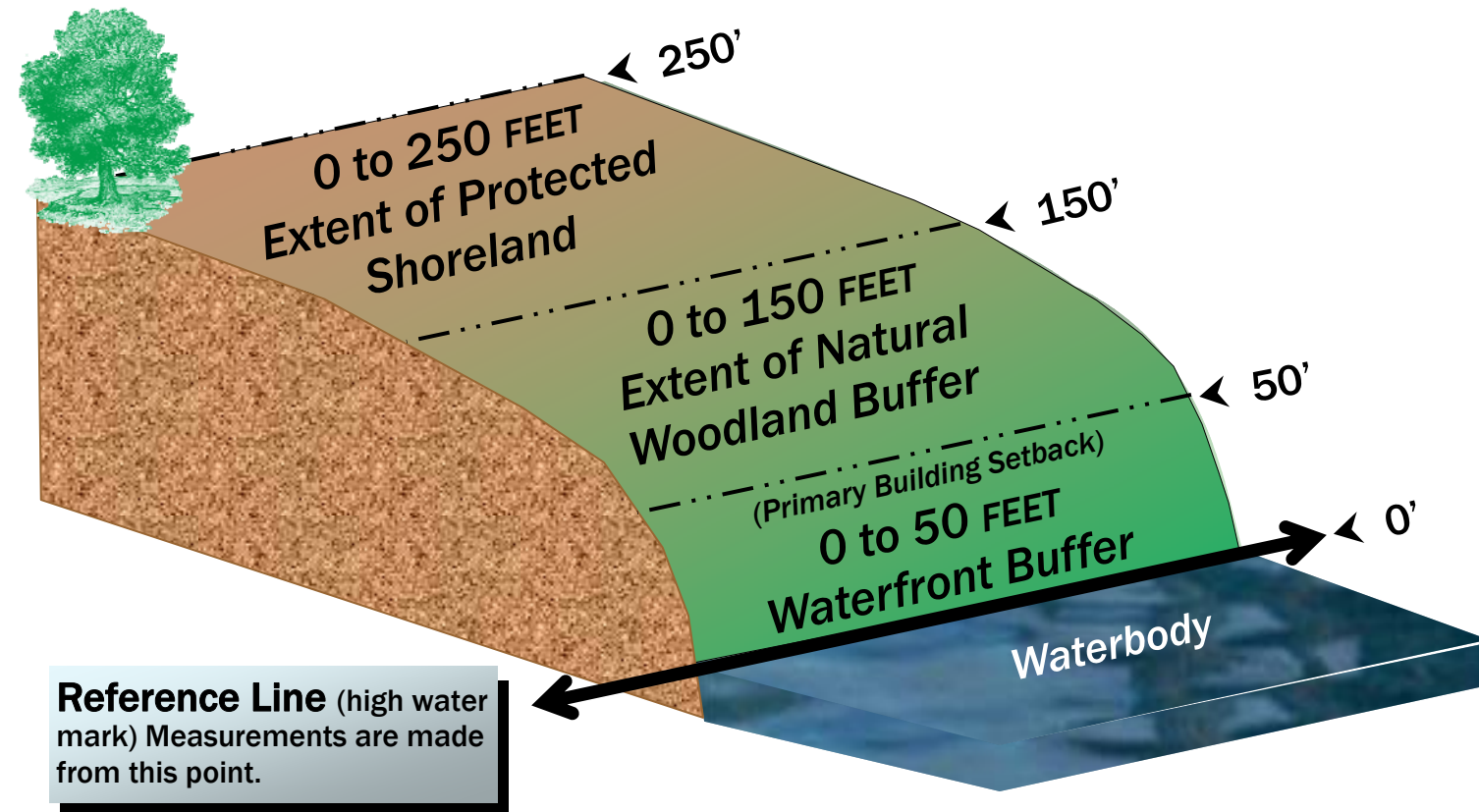
Effective July 1, 2008

A state shoreland permit is required prior to initiating many types of construction, excavation or filling activities within the protected shoreland.

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THE COMPREHENSIVE SHORELAND PROTECTION ACT (CSPA) was enacted in 1992 to protect the water quality of larger water bodies by setting minimum requirements for the development and use of all land within 250 feet of the **Reference Line** (the high water mark - see below).

Within this area, called the **Protected Shoreland** (see below), there are setbacks and restricted use areas that you need to know about. **Effective July 1, 2008, a state shoreland permit is required** for many construction, excavation or filling activities within the protected shoreland.



The Protected Shoreland showing setbacks and areas of restricted use.
See inside for definitions of minimum standards for each section.

What do I need to know to comply with the law and protect water quality?

0-50 feet from Reference Line*

See diagram on reverse for illustration of reference line.
Waterfront Buffer

- All new primary structures must be set back 50' from the reference line. Towns may have a greater set back – but not a lesser one.
- A 50' waterfront buffer must be maintained. Within the waterfront buffer, tree coverage is managed with a 50'x 50' grid and points system (*definition at right*). Cutting trees and saplings is allowed as long as the sum of points for remaining trees and saplings equals 50 points or more per 50'x 50' grid (*see table at right*).
- Natural ground cover (lawns excluded), including the leaf litter, shall not be removed. No cutting or removal of vegetation below 3' in height (excluding lawns) except for an allowable footpath to the water (up to 6' wide) that does not concentrate stormwater or cause erosion.
- Stumps, roots and rocks must remain intact in and on the ground.
- Pesticide use by a *licensed* applicator only.
- Fertilizer restrictions - please visit DES website.

0-150 feet from Reference Line

Natural Woodland Buffer (NWB)

- Within the NWB, **from 50-150'**, for lots over 1/2 acre, fifty percent of the area not covered by impervious surfaces shall remain in an unaltered state (*definition at right*). For lots 1/2 acre or less, 25% of the area shall remain in an unaltered state.
- Fertilizer restrictions - please visit website.

0-250 feet from Reference Line

The Protected Shoreland

- Permits are required for many construction, excavation, and filling activities. However, certain maintenance and low impact activities have been exempted as listed in Env-Wq 1406.
- The general allowance for impervious surfaces is 20% - and up to 30% with runoff protections (*definition at right*).
- New lots must have subdivision approval by DES.
- For new lots, there are density restrictions.
- Fertilizer restrictions - please visit DES website.
- For new septic systems there are setback requirements at 75', 100' and 125'.

Non-Conforming Structures

Structures that do not conform to the provisions of the CSPA may be repaired, renovated, or replaced in kind, as long as the repairs or replacements result in no expansion of the footprint.

Definitions

Impervious Surface—Modified surfaces that cannot absorb water, such as roofs, decks, patios, paved and gravel driveways (excluding bedrock).

Unaltered State means native vegetation allowed to grow without cutting, limbing, trimming, pruning, mowing, or other similar activities.

Grid and Points System

The waterfront buffer is divided into 50'x50' segments. The trees in each segment are given points according to their diameter at 4½' off the ground.

Tree Diameter (at 4½' off the ground)	Number of Points
1" to 6"	1
>6" to 12"	5
12" and larger	10

Fifty points must be maintained in each segment.

You may cut the trees or saplings as long as the sum of the points of the remaining trees for that segment is at least 50 points.

If your property did not have 50 points in each segment as of July 1, 2008, you are not required to plant trees to achieve 50 points. However you may not cut any existing trees or saplings unless the grid segment exceeds 50 points.

This is a summary of the CSPA's major provisions. Before planning or undertaking any construction, excavation or filling within the protected shoreland, contact NHDES:

NH Department of Environmental Services, Wetlands Bureau

603-271-2147

www.des.nh.gov/cspa

Why should I be concerned with the CSPA?

CLEAN WATER IS AN IMPORTANT PART of New Hampshire's economy, shoreland property values, recreation and wildlife habitat. Vegetated shoreland buffers play a critical role in protecting water quality by managing stormwater to prevent erosion. Erosion can result in sediment reaching the water.



This can cause:

- Harm to fish and other species and their habitat.
- Algae blooms that can result in decreased water clarity, decreased dissolved oxygen, odor, and public health problems.
- Accelerated lake aging.

Studies show that a **decrease in water quality can lead to a decrease in property values**. The CSPA allows development to occur within the protected shoreland while assuring that vegetated areas remain to help keep our waters clean.

The CSPA – it protects our water, and it's the law.



Produced in cooperation with the
NEW HAMPSHIRE RIVERS COUNCIL

www.nhrivers.org

* Does my waterfront property come under the protection of the CSPA? Find out at www.des.nh.gov/cspa. Read DES Fact Sheet, *Water Bodies Under the Protection of the CSPA*.