



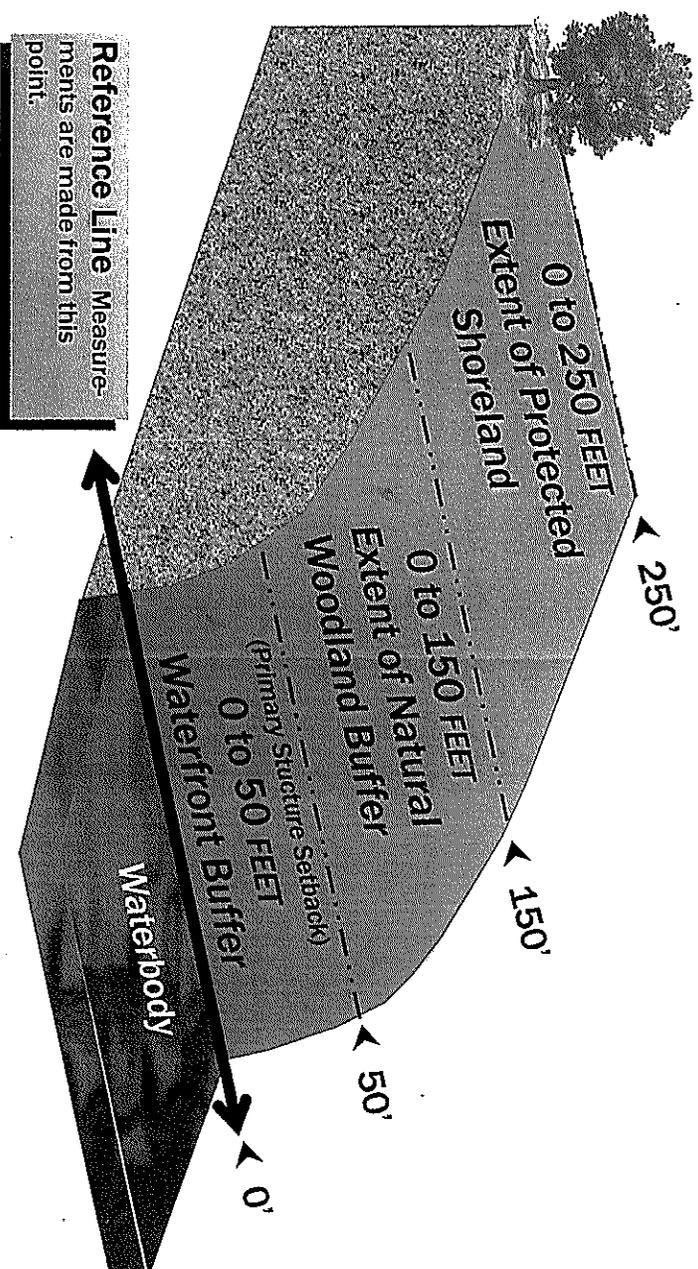
# Do you live by a lake, river, or tidal water?

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

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

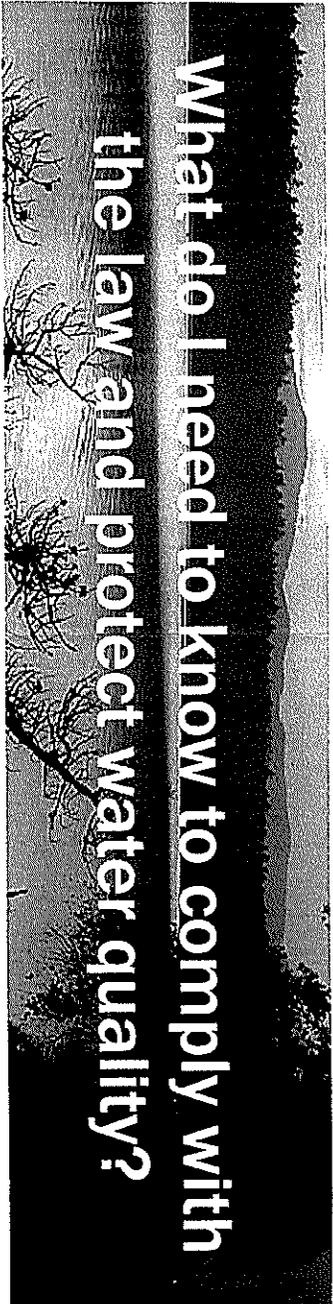
THE COMPREHENSIVE SHORELAND PROTECTION ACT (CSPA) was enacted in 1991 to protect the water quality of larger water bodies by setting minimum requirements for the development and use of all land within 250 feet of the Reference Line.

Within this area, called the Protected Shoreland (see below), there are setbacks and restricted use areas that you need to know about. A state shoreland impact permit is required for most new 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 at least 50 ft from the reference line. Many towns have greater primary structure setbacks.
- A 50 ft waterfront buffer must be maintained. Within the waterfront buffer, tree coverage is managed with a 50 ft x 50 ft grid and points system (*definition at right*). Cutting trees and saplings is permissible provided the sum of points for remaining trees and saplings equals 50 points or more per 50 ft x 50 ft grid segment. (see *table at right*).
- Natural ground cover (lawns excluded), shall not be removed. No cutting or removal of vegetation below 3 ft in height (excluding lawns) except for a footpath to the water (up to 6 ft wide) that does not concentrate stormwater or cause erosion.
- Stumps, roots and rocks must remain intact within the ground.
- Pesticides may be applied by a licensed applicator with a permit only.

\* Does my property come under the protection of the CSPA? Find out at [www.des.nh.gov](http://www.des.nh.gov). Read DES Fact Sheet: Consolidated List of Waterbodies Subject to the CSPA.

## 0-150 feet from Reference Line

### Natural Woodland Buffer (NWB)

- For lots with over 1/2 acre of land within the NWB, fifty percent of the area between 50 ft and 150 ft that is not covered by impervious surfaces must remain in an unaltered state (*definition at right*). For lots with less than 1/2 acre of land within the NWB, 25% of the area between 50 ft and 150 ft must remain in an unaltered state.

## 0-250 feet from Reference Line

### The Protected Shoreland

- Permits are required for most new construction, excavation, and filling activities. However, many low impact activities DO NOT require a permit as listed on the Frequently Asked Questions.
- No greater than 30% of the area of the lot within the protected shoreland may be composed of impervious surfaces.
- New lots must have subdivision approval by DES.
- 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 without a permit, as long as the repairs or replacements result in no expansion of the footprint.

## Definitions

**Impervious Surface** Modified surfaces that cannot absorb stormwater, such as roofs, decks, patios, paved, crushed stone and gravel driveways.

**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 ft x50 ft segments. The trees within each segment are given points according to their diameter at 4 1/2 ft off the ground.

Tree Diameter (at 4 1/2 off the ground)	Number of Points
1" to 6"	1
>6" to 12"	5
12" and larger	10

## 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 infiltrating contaminants found in stormwater and protecting against the harmful effects of erosion.

Fifty points must be maintained within each grid segment. You may cut the trees or saplings provided 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 within each segment as of July 1, 2008, you are not required to plant additional trees to achieve 50 points but, it is not permissible to decrease the point value of any grid segment that does not currently meet the required 50 point score.

This is a summary of the CSPA's major provisions. Before planning or undertaking any new construction, excavation or filling within the protected shoreland, please visit the Shoreland Program Page.

**NH Department of Environmental Services, Wetlands Bureau**

**603-271-2147**

**[www.des.nh.gov](http://www.des.nh.gov)**

Erosion 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.**



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