
Buffer Options for the Bay

NAVIGATING REGULATIONS: WHAT CAN I DO IN A BUFFER?

Permissible activities in buffers depend on relevant regulations. Statewide, the Shoreland Water Quality Protection Act protects a 150-foot vegetated buffer adjacent to specified water bodies. (Consult the [Consolidated Water Bodies List](#) to determine whether the state's SWQPA applies to a particular water body.)

The 150-foot buffer is divided into waterfront and natural woodland buffer zones. Under [RSA 483-B:9, V.\(a\)\(1\)](#), waterfront zones include protected shorelands within 50 feet of the reference line. Within this zone, many land use restrictions apply related to vegetation removal, fertilizer use, construction, and other alterations. (See [RSA 483-B:9, V.\(a\): Maintenance of a Waterfront Buffer](#).)

Natural woodland buffer zones within protected shorelands must be maintained within 150 feet of the reference line and encompass the waterfront zone. Defined at [RSA 483-B:4, XI](#), these include forested areas with various species of trees, saplings, shrubs, and groundcover in any combination or stage of growth. Within these zones, 25% of the area must remain unaltered, i.e, native vegetation must be allowed to grow without cutting, limbing, trimming, pruning, mowing, or similar activities, except as needed for renewal or to maintain or improve plant health. Other land use restrictions in the natural woodland buffer zone can be found in [RSA 483-B:9, V.\(b\): Maintenance of a Natural Woodland Buffer](#).

The SWQPA also requires several types of **setbacks** with protected shoreland areas. A setback is generally a specified distance from the water body within which other types activities are restricted, such as building construction or establishment of a septic system. Guidance on setbacks can be found under [RSA 483-B:9](#):

[Minimum Shoreland Protection Standards](#) and include 50-foot setbacks for all new primary structures; 20-foot setbacks for accessory structures, such as sheds, gazebos, and patios; and for septic systems, at least a 75-foot setback or more, depending on soil condition.

Projects involving excavation, earth moving, and filling are also subject the SWQPA. Those occupying areas greater than 50,000 square feet within the protected shoreland must [have appropriate erosion and sedimentation control](#), and an alteration of terrain permit is required whenever a project proposes to disturb more than 100,000 square feet of terrain, no matter the location of the project.

The SWQPA also restricts the impervious cover allowed within protected shoreland areas. Under [RSA 483-B:9, V.\(g\)\(1\)](#), no more than 30 percent of the area of a lot located within the protected shoreland shall be composed of impervious surfaces, unless it includes a stormwater management system designed and certified by a professional engineer.

For more specific information on NH state regulations refer to the [NH DES Wetlands Bureau Frequently Asked Questions](#).