
Buffer Options *for the Bay*

NAVIGATING REGULATIONS: WHO REGULATES

BUFFERS?

New Hampshire was one of the first states to regulate the protection of wetlands. Jurisdiction for tidal wetlands began in 1967 and for nontidal wetlands in 1969. Today, management of buffer areas is governed by a combination of federal, state, and local policy that leaves many smaller shorelands and undesignated wetlands unprotected. Opportunity for increased buffer regulations for the smaller streams and undesignated wetlands lies with the municipalities. Town Planning Boards and Conservation Commissions are able through state statute to implement stricter regulations than the state standards and many have. To learn more about how to start working on increasing buffers in your community visit the [Working with Communities page](#).

In [BOB's community assessment of community perspectives in the Exeter-Squamscott subwatershed](#), stakeholders reported that navigating this patchwork of municipal regulations can be confusing or frustrating. Several called for its simplification or even a one-stop-shop for all permits. The assessment found that, generally, there is support for statewide buffer regulations to support uniformity, clarity, and consistency.

State and federal buffer regulations are administered by the [New Hampshire Department of Environmental Services \(NHDES\)](#). These regulations restrict certain land use activities within shoreland and wetland areas. Their extension to buffer areas is limited to water bodies defined under the [New Hampshire Shoreland Water Quality Protection Act \(SWQPA\)](#) and the [Prime Wetlands list](#). However, municipalities can enact more restrictive buffer regulations to protect valued water bodies and many do.