

ENVIRONMENTAL Fact Sheet



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Priority Resource Areas

In New Hampshire, Priority Resource Areas (PRAs) are areas within the jurisdiction of the Wetlands Bureau protected under state law in RSA 482-A and identified by rule in Env-Wt 103.66, for which a greater level of protection is required. You may propose a project on a site that includes such areas, but their presence may impact whether and how it is permitted. Priority Resource Areas are defined as follows:

1. Protected species or habitat.
2. Bog.
3. Wetland in a river floodplain with a drainage area of at least one square mile (or a tidal area).
4. Designated Prime Wetland - a specific, high-value wetland designated by a municipality - or a duly established 100-foot buffer to a prime wetland.
5. Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone.

Resources available to help find Priority Resource Areas include the Natural Heritage Bureau (NHB) [DataCheck Tool](#) and the New Hampshire Division of Environmental Services (NHDES) [Wetlands Permit Planning Tool](#).

- The NHB maintains data on locations of protected species and habitat, including “exemplary” natural communities. Use the DataCheck tool to find records in or near a proposed project area.
- Use the Wetlands Permit Planning Tool to find screening-level data for all other Priority Resource Areas.

Below is an overview of each Priority Resource Area attribute and its associated screening method.

Protected Species or Habitat

Screening method: DataCheck Tool



Figure 1. Bald eagles and their habitats are protected.

Protected species and habitat include any [threatened or endangered species](#), eagle species, habitat of such species determined to be critical by the New Hampshire Fish and Game Department, or any exemplary natural community identified by the Natural Heritage Bureau (NHB).

Results from the NHB DataCheck Tool are valid for one year from the date indicated on the DataCheck results letter.

Under state law, no actions authorized, funded, or carried out by state agencies, including NHDES, shall jeopardize the continued existence of protected species and any designated critical habitat. This includes project activities authorized by a state permit.

Bogs

Screening method: *Wetlands Permit Planning Tool*

Bogs feature stunted evergreen trees and shrubs, peat deposits, poor drainage, highly acidic soil conditions, highly acidic water conditions, or any combination of these. The [Wetlands Permit Planning Tool](#) provides a map layer for peatlands, which includes open and forested peatlands and bogs. Identifying a true organic bog requires field inspection and careful review. The University of New Hampshire's [peatlands webpage](#) and [brochure](#) offer additional resources on open peatlands.



Figure 2. Bogs are Priority Resource Areas.

Changes to nutrients, water quality, or hydrologic inputs can convert peatlands to non-peatland wetlands, rendering them unsuitable for their previous plant and animal populations. Peatlands also play vital roles in carbon and nitrogen cycles. Globally, they are at risk from climate change, which may push peatland communities farther north.

Floodplain Wetlands on Tier 3 Watercourses

Screening method: *Wetlands Permit Planning Tool*



Figure 3. Floodplain wetlands on Tier 3 watercourses are protected.

These high-value wetland types meet two PRA criteria:

- 1) They are located within a 100-year floodplain designated on the current Federal Emergency Management Agency Flood Insurance Rate Map.
- 2) They are on a watercourse with a contributing watershed of at least 640 acres (one square mile).

Floodplain wetlands include forested wetlands, fens, vernal pools, and oxbow marshes (u-shaped bends in the path of a river). As their name suggests, such wetlands provide valuable flood storage. They also help reduce the frequency and intensity of floods by acting as natural buffers, soaking up significant amounts of floodwater. More information about their benefits is available in the federal fact sheet, [Economic Benefits of Wetlands](#).

Floodplain wetlands also provide valuable breeding areas for amphibian species - such as Jefferson salamander and northern leopard frog – as well as habitat for reptiles including wood turtles, Blanding's turtles, and spotted turtles. Woody plants help slow floodwaters, minimize downstream flooding, reduce peak flows, and allow sediment to drop out. This in turn helps maintain water quality. Additional studies indicate floodplain wetlands restoration can help significantly reduce pollutants. For further reading on this topic, please see the University of Vermont Gund Institute's [Restore Wetlands to Cut Flood Costs, Phosphorus Pollution](#), or consult the University of New Hampshire's [floodplain forests page](#) and [handout](#).

Designated Prime Wetlands and their 100-foot Duly-Established Buffers

Screening method: Wetlands Permit Planning Tool

Designated prime wetlands are specific high-value wetlands that were designated by municipalities pursuant to RSA 482-A:15. Location information to screen for prime wetlands may be found on our website, as static maps (by town), and as a data layer in the [Wetlands Permit Planning Tool](#).



Figure 4. Designated prime wetlands are Priority Resource Areas.



Figure 5. Duly established 100-ft buffer shown as pink band in WPPT.

Buffers provide habitat for many species of wildlife and benefits to water quality. Per Env-Wt 102.63 “duly-established 100-foot buffer” means a buffer recognized in RSA 482-A:11, IV for prime wetlands designated on or after September 11, 2009, but before August 17, 2012. All others from before or after this time are not considered “duly-established buffers” under state statute.

Sand Dunes, Tidal Wetlands, Tidal Waters, or Undeveloped Tidal Buffer Zones

Screening method: Wetlands Permit Planning Tool

New Hampshire’s coastal lands and waters are sensitive, rare, and valuable resources, and thus considered Priority Resource Areas. Sand dunes provide a first line of defense against storm surges. Many birds depend on coastal sand dunes to reproduce, migrate, or overwinter. Examples include the state endangered and federally threatened piping plover, horned lark and least tern. Tidal wetlands are considered some of the most productive and valuable wetland ecosystems and are subject to regular tidal inundation. Tidal buffer zones (established by state statute) not only protect wetlands but also provide migration paths for rising tidal waters caused by climate change.

The WPPT provides screening level information for sand dunes, tidal wetlands, salt marshes, mudflats (areas where tides or rivers deposit mud), and tidal waters.

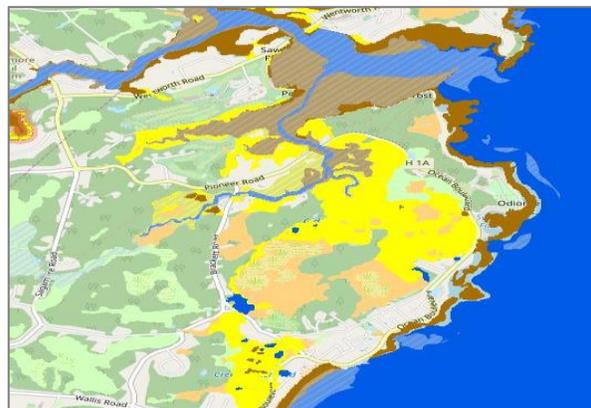


Figure 5. Coastal wetlands are among New Hampshire’s rarest and most threatened types.

Proposing Projects in Wetlands

Proposing a project in any state jurisdictional area requires careful planning. When proposing a project in or near wetlands, coastal areas, or surface waters, one of the first steps is to determine if a proposed project site contains a Priority Resource Area. This, in turn, may affect its “impact classification” (major or minor). Additional specific requirements, process pathway, mitigation, design requirements and timing requirements also associated.

Impact Classification

Besides project size or special waiver requests, the presence of a PRA may be the only criterion to elevate a project from minor to major impact. For some project types, some criteria may allow a “downgrade” (major to minor) based on the specific PRA present, the type of project you propose, or the supporting documentation you provide. Potential examples include:

- Certain projects under a Statutory Permit by Notification (SPN) where there is a documented occurrence of one or more protected species or habitat and NHB or NHF&G recommendations are obtained.
- Projects for which you seek – and NHDES approves – a prime wetland waiver, such as for a Forestry SPN.
- Projects to maintain, repair, or rehabilitate existing legal shoreline structures, tidal or non-tidal.
- Stream or wetland restoration or enhancement projects, funded in whole or in part with public funds from a federal, state, or local agency. Such projects must also be conducted under supervision of a state agency established to manage or protect natural resources, or UNH, EPA, NRCS, NOAA, USFS, or USFWS. Last, such projects must not be subject to removal or restoration orders.

To Propose Permanent Impacts to Priority Resource Areas

- Review and complete the [Wetlands Standard Dredge and Fill Application](#) criteria and design requirements. Provide and describe any additional proposed avoidance and minimization design features. Examples include:
 - Time-of-year restrictions.
 - Use of wildlife-friendly erosion control materials when an erosion control blanket is used.
 - A “no-cut setback” to reduce impacts on specific endangered or threatened species.
 - Protecting aquatic habitat by preventing impacts to water temperatures.
- If additional avoidance and minimization design features are not practicable and cannot be accommodated, (after consultation with a NHDES technical reviewer) or are insufficient, propose compensatory mitigation.
- Provide off-site alternatives analysis where required by Demonstration of Avoidance and Minimization.
- No permanent fill is allowed in a Priority Resource Area unless specifically allowed in an applicable project-specific provision.

Further Reading

New Hampshire Fish and Game Department [Wildlife Action Plan](#), 2015.