

# Prime Wetlands – Town of Hudson Conservation Commission, NH

## Frequently Asked Questions

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### ***What are wetlands?***

Most people are familiar with wetlands in some shape or form – as their favorite fishing hole or the rain fed depression in the woods filled with the noises of spring peepers and wood frogs. Wetlands are the link between land and water. It is difficult to come up with one definition to describe all wetlands because no two are exactly alike: they come in various shapes and sizes, with different hydrology, soil condition, and prevalent vegetation. Some wetlands are covered in shallow water year-round, whereas others are wet for only a few months out of the year. Despite all these differences, wetlands do share some characteristics that set them apart from other kinds of habitats. Wetland habitats have water-loving vegetation and soil formed under low-oxygen conditions.

### ***Why are wetlands important to people?***

A wetland provides services to our environment; and when it disappears, so do those services. Water-related services, including drinking and surface water protection, flood abatement, and stormwater management can represent a significant portion of town and county budgets. Wetlands, though best known for their natural beauty and wildlife habitat values, also naturally provide many water quality improvement and management services. In their natural state, wetlands act as flood controllers. Often compared to sponges, wetlands store rain that runs off the land and slowly release it to the groundwater and adjacent streams, ponds, and rivers. Wetland protection can help reduce flood peaks, damage to property, and reduce the need for expensive projects, such as the reconstruction of flood-damaged roads. Healthy wetlands slow down and filter runoff from storms and snowmelt, allowing sediment and other pollutants to settle out before reaching our drinking water aquifers. By preserving these water purification functions, we can save money by reducing the need for expensive upgrades to the town's water management systems.

### ***What is a Prime Wetlands Designation?***

The NH Code of Administrative Rules set standards for designating Prime Wetlands, using those wetlands that are worthy of extra protection because of their size, unspoiled character, fragile condition and/or other relevant factors. Field and “desktop” data are used for the evaluation process. After a public hearing, the residents of the community vote on the designation. Once the municipality approves the wetlands for designation as prime, the municipality provides to NH DES a copy of the study and tax maps with the designated prime wetlands identified. If the submission is considered complete, NH DES will apply to any future projects that are in or within 100 feet of a prime wetland the rules and law that are applicable.

### ***Which wetlands should be designated Prime?***

In 2008, the Conservation Commission hired VHB Inc. to evaluate the Town's wetlands with the goal that Hudson would eventually designate some of its higher-quality wetlands as “prime wetlands”. VHB identified 461 wetlands in Hudson. The study set was reduced to 23 potential prime wetland candidates, by selecting wetlands that were at least 6 acres or known to be in close proximity to a NH Natural Heritage Bureau rare/threatened plant or animal occurrence. Prior to conducting fieldwork, permission was sought from landowners. Each wetland was evaluated on 14 significant functions (from an ecosystem standpoint) and values (from a public benefit standpoint) provided by wetlands. Based on the results, 13 wetlands have been selected for prime wetland status. The study, titled [Prime Wetlands Assessment and Designation Hudson, New Hampshire](#) and maps showing the 13 locations is on file at the Town Engineer's Office and can be viewed there or by visiting the Town's website at [www.hudsonnh.gov](http://www.hudsonnh.gov); then go to the “Resources” section of the Conservation Commission webpage. Additionally, a copy of the study is available at the Rodgers Memorial Library.

### ***What activities are regulated in most prime wetland areas?***

Any person wishing to excavate, remove, fill, dredge or construct any structures must get a permit from NH DES. A property owner may request a waiver from NH DES to perform forest management work and related activities in the forested portion of a prime wetland.

### ***Why do Prime wetlands have a 100-foot buffer?***

Wetland buffers are areas that surround a wetland and reduce adverse impacts to wetland functions and values from adjacent upland development. Buffers slow down the conflicting impacts of human disturbance on wetland habitats including blocking noise and glare; reducing sedimentation and nutrient input; and providing visual separation. Additionally, buffers decrease wetland impacts by moderating the effects of stormwater runoff including stabilizing soil to prevent erosion; filtering suspended solids, nutrients, and harmful or toxic substances; and controlling water level fluctuations. Wetland buffers are an important line of defense in protecting and preserving water quality. The effectiveness of buffers in enhancing wetland functions depends on a number of factors; however, scientific studies generally recommend that at least a 100-foot vegetated buffer be maintained. A minimum of a 50-foot buffer may be sufficient to protect certain aspects of water quality, but for the significant removal of nitrogen (89% removal rate), sediments (89% removal rate), phosphorous (82% removal rate), and total suspended solids (81% removal rate), at least a 100-foot buffer is recommended.

### ***How does NH DES review an application to work in prime wetlands?***

“No net loss” has been the key policy in wetlands protection at both the federal and state level. In New Hampshire, policy makers have adopted a no net loss strategy that aims to maintain a minimum number of wetland acres throughout the state. NH DES reviews Prime Wetland permits to determine that there will be no significant net loss of wetland values, the project could not be relocated, and the impacts are the minimum practical. All projects require a standard Dredge and Fill application form and **may** require: a field inspection by NH DES wetlands bureau personnel and a public hearing for community input.

### ***How is a prime wetlands permit application different from a regular wetlands application?***

Anytime a property owner excavates, removes, fills, or constructs any structures in the wetlands a NH DES permit and Town permit is required. The difference is a Town permit is required for work in the 50-foot setback for regular wetlands and a NH DES permit is required for work in the 100-foot setback for prime wetlands.

### ***How long does it take for NH DES to review the application?***

NH DES is required to review the application within 75 days. This regulation is under review and may be reduced to 60 days.

### ***How do I know if I have prime wetlands on my property?***

First, you might visit the Town Engineering Office in Town Hall to look at maps of your property to see if there are any mapped Prime Wetlands on your property. Additionally, the Conservation Commission created a spreadsheet of properties that are adjacent to Prime Wetlands. This information is on file at the Town Engineer’s Office and can be viewed there or by visiting the Town’s website at [www.hudsonnh.gov](http://www.hudsonnh.gov); then go to the “Resources” section of the Conservation Commission webpage.

### ***My house was built 20 years ago and is now inside both the Town 50-foot setback and the Prime Wetlands setback. Will I be able to put an addition on my house? Build a shed? Landscape my backyard?***

Existing uses and structures will be “grandfathered”, but proposed new construction, including additions to existing structures, will require a NH DES wetlands permit and approval from the Zoning Board of Adjustment. Normal land use, such as trails (including snowmobile trails), gardens, brush cutting, mosquito spraying, and lawn maintenance are not regulated under wetlands permits and will not be affected.

### ***The Prime Wetland boundary is delineated on the tax maps. If a property owner believes the boundary is not correct, or if the wetland boundary shifts over time, what does the property owner need to do to have a boundary revised?***

Landowners can petition the Town and NH DES for a change to the wetland boundary.

### ***Do other Towns in New Hampshire have Prime Wetlands?***

Currently, twenty-nine towns in New Hampshire have designated prime wetlands, including Brookline, Pelham, Nashua and Salem.