

FACT SHEET: Is My Ditch Really Surface Water?

This fact sheet is intended to help explain the differences between a ditch and a surface water. Understanding the difference is critical for farmers implementing the Required Agricultural Practices (RAPs). The current rules require landowners to establish and maintain 25 feet of perennial vegetation between the edge of annual cropland and the top of the bank of adjoining surface waters. Ditches require a 10 foot perennial vegetated buffer from top of bank. Buffers are required to filter out sediments, nutrients, and agricultural chemicals, and to protect surface waters from erosion of banks due to excessive tillage. These buffer widths for ditches (10 feet) and surface waters (25 feet) are the minimum requirements. Any ditch or surface water that is shown to have a potential adverse impact on Vermont’s water quality, may need wider buffers.

Width is NOT an indicator of whether or not a feature is actually surface water, and just because a feature has been straightened or maintained, does not mean it is a ditch.



An example of a channelized perennial surface water.

RAP Definitions:

2.13 **Ditch** means a constructed channel for the collection of field runoff water or shallow groundwater and its conveyance to an outlet.

2.35 **Surface Water or Waters** means all rivers, streams, brooks, reservoirs, ponds, lakes, springs, and all bodies of surface waters, artificial or natural, which are contained within, flow through, or border the state or any portion of it.

Below are some characteristics that distinguish surface water from ditches.

Surface waters generally exhibit one or more of the following:

- Natural channel shape and path upstream or downstream - it “looks” like surface water
- Sand/gravel/cobble bottom - with defined bed and banks
- Bed forms present: riffles, pools, runs, gravel bars, other depositional features, bed armor layer
- Indications of waterborne debris and sediment transport
- Follows a natural drainage topography - meandering
- Bank erosion and/or bed scour
- Lack of grass growing through the bottom
- Has a name (e.g., Tyler Branch, Saxe Brook, etc.)



After applying these criteria, if there is still confusion regarding surface water and ditch identification, do not hesitate to call the Agency of Agriculture, Food & Markets.

(802) 828-2431 or AGR.WaterQuality@vermont.gov

A surface water exhibiting both natural, meandering and channelized characteristics, both sections requiring a minimum of a 25 foot perennial vegetated buffer.