

## DISTINGUISHING DITCHES AND SURFACE WATER

### RAP Definitions:

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

**Surface Water or Waters** means all rivers, streams, brooks, reservoirs, ponds, lakes, and 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.

### How can I tell what is Surface Water?

Surface waters generally exhibit one or more of the following features:

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

Contact the Agency of Agriculture at (802) 828-2431 or visit [agriculture.vermont.gov/rap](http://agriculture.vermont.gov/rap) if you need more assistance distinguishing ditches and surface water.

### FACT:

*The fact that a feature has been straightened or maintained does not make it a ditch. This photo shows a **surface water** with natural meandering as well as channelized characteristics. This surface water would require a 25ft vegetative buffer and manure spreading setback along its entire length.*



## What are the Vegetative Buffer Requirements?

The Required Agricultural Practices (RAPs) require all Vermont farmers to **establish and maintain** buffers of perennial vegetation between the edge of annual cropland and the top of the bank of adjoining surface waters and ditches. These buffers are required to filter out sediments, nutrients, and agricultural chemicals, and to protect surface waters from erosion of banks due to excessive tillage.



### FACT:

*Width is NOT an indicator of whether a feature is surface water. This photo shows an example of a channelized perennial **surface water**: note the gravel bottom and defined banks. This surface water requires at least a 25ft buffer.*

### Buffer Requirements:

**Ditch:** 10ft perennial vegetated buffer from annual crop

**Surface Water:** 25ft perennial vegetated buffer from annual crop

Buffers may be harvested or grazed but not tilled. Application of fertilizer and compost is permitted for establishment and maintenance of buffers, consistent with soil tests, but manure spreading within buffers is prohibited. Any ditch or surface water that is shown to have a potential adverse impact on Vermont's water quality may need a wider buffer than the minimum state requirement.

## Who does this Rule apply to?

All Vermont agricultural operations identified as a farm under the RAPs must have buffers in place. These include all Small, Certified Small, Medium, and Large Farm Operations (SFOs, CSFOs, MFOs, and LFOs) including persons engaged in farming whose operation meets any of the following thresholds:

- farm 4.0 contiguous acres or more;
- have an annual gross income of \$2,000 or more from the sale of agricultural products;
- or have filed a 1040(F) in the past 2 years.

