

# RAIL-TRAILS & UTILITIES

## *How to Share Your Corridor with Other Uses*

Although it is obvious that rail-trails are great recreation areas, what you might not know is that almost 40 percent of all rail-trails do double-duty as corridors for utility lines, pipes, and cables. The ability of abandoned rail corridors to serve our communities as more than trails is another reason to save old rail lines and put them back to use! If you are interested in sharing your corridor, read on—we have the answers to your questions!

### **What type of utilities can share rail-trail corridors?**

The utilities best suited for rail-trails are those that can be installed underground, such as water, sewer, natural gas, and buried electric or fiber optic lines. However, above ground utilities, such as telephone, cable television, and over head electric lines may also share a corridor with rail-trails.

### **How do trails benefit from sharing corridors with utilities?**

By sharing the same space, utilities can help defray trail costs in a number of ways. Sometimes utility companies will donate a corridor, thereby eliminating the cost of acquisition. In other instances, utilities have provided in-kind services such as trail surfacing, general repair work, and overall maintenance of the trail. The agency or organization that owns the right-of-way may even earn revenue through one-time installation fees or, preferably, annual fees paid by the utility. Generally speaking, fee structures are based upon the length of corridor the utility needs, comparable land values, or the number of trail crossings. On the flip side, land purchased for the purpose of providing or upgrading public utilities (such as water and sewer) can serve a greater community benefit if developed to accommodate a multi-use trail.

### **How can a utility company benefit from rail-trails?**

Rail-trails provide utility companies with an uninterrupted, easily accessible, stretch of land that is relatively free from disturbance. In addition, they benefit from having to work with only one land owner—the trail's managing agency—rather than hundreds of individuals. Moreover, providing land or services to a rail-trail enhances public relations and contributes to positive relations between the local community and utility company.

In 1984, Wisconsin's Department of Natural Resources granted the communications company U.S. Telecom a 10-foot wide easement on an abandoned railroad corridor between Milwaukee and Madison for a fiber optic line. In exchange, U.S. Telecom paved a trail along the corridor—a \$600,000 endeavor. By sharing the route, U.S. Telecom was able to add 60 miles to its fiber optics network and Wisconsin gained the Glacial Drumlin Trail, a 48 mile multi-use recreational trail. There may be similar opportunities in your area.

### **How much is my corridor worth?**

Owning a continuous corridor is extremely valuable. It may be the best, if not the only, passage that a utility can use for its facilities. As the trail managing agency, you stand to gain considerable compensation for sharing your corridor.

For example, the Northern Virginia Regional Park Authority receives \$450,000 *annually* for various easements it hold along the 44 mile Washington and Old Dominion Trail. The Park Authority has set up a fee structure for various utility companies that more than covers the trail's maintenance costs as well as all administrative and overhead costs. While every trail may not have this kind of clout, it is critical that you do not underestimate the value of your corridor!

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**Are there any drawbacks to shared use?**

Sometimes the utility requires specific landscaping to protect its facilities or to give its crews easier access, such as using certain herbicides and keeping vegetative growth regularly trimmed. The presence of above ground utility lines and cables may also compromise the visual integrity of the trail. Although it costs significantly more to install the facilities underground (up to \$1 million more per mile of electric cable) the utility may be more likely to do so in return for a reduced easement price.

**What are the health and safety risks associated with utilities?**

There are no known health effects associated with fiber optic cables, underground electric lines, telephone lines, sewer, and water pipes; there are minimal safety risks associated with gas lines. In recent years there has been concern over the possible health risks connected with exposure to electromagnetic fields (EMFs), which are present whenever electricity passes through a wire. While studies have indicated that long-term exposure to EMFs can be harmful, the few studies relating to short-term exposure, like that experienced when using trails with overhead power lines, show no evidence of health risks associated with EMFs.

**Who maintains a shared corridor?**

Typically the trail's managing agency maintains the corridor and the utility reserves the right to access its facilities for repair and general maintenance. In general, the trail agency and the utility company coordinate their efforts to maintain the trail and utilities in the safest, least intrusive, manner for trail users.

**What if the railroad had a pre-existing arrangement with a utility on my corridor?**

If the railroad had a contract for underground utilities and retains the ownership of the corridor's sub-surface rights, it remains bound to the agreement with the utility. If the contract expires when ownership of the corridor changes hands, however, the utility may re-negotiate its contract with the new owner to avoid disruption of the facilities. If the contract binds the owner of the corridor (whether or not it is the railroad), the new owner would be bound to the contract with the utility.

**How are shared corridors insured?**

Both the utility and trail managing agency should be insured. The utility carries its general insurance, while a trail's insurance varies by state and government agency. Any trail's managing agency with a shared corridor should set up an indemnification agreement with the utility company that requires the utility to assume full responsibility for injuries, damage or expenses arising out of the utility's operation on the corridor.

**Who should I contact at the utility company?**

You should speak with someone who is responsible for the location and/or maintenance of the company's facilities. While the organizational structure of each utility is different, this person can probably be found in the land, real estate or distribution office.

*As a non-profit public organization, Rails-to-Trails Conservancy is wholly supported by its membership. If you are not already a member, join today at one of the following levels: regular (\$18); supporting (\$25); patron (\$50); benefactor (\$100); or Trailblazer Society (\$1,000).*