

Fact Sheet

Rail-Trails and Utilities

Rail-trails are great recreation areas, but what you might not know is that many rails-trails do double-duty as corridors for utility lines, pipes and cables. The ability of unused rail corridors to serve several functions is one of many reasons to preserve them.

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 overhead 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.

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.

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. The trail’s managing agency can gain considerable compensation for sharing the corridor.

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, the utility may be more likely to do so in return for a reduced easement price.

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 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.