

UTILITY EASEMENTS

Philosophy:

Noticeable components of Vermont's landscape are transmission lines or conduits for electricity, telephone, water, television, and other services. While they perform an important function in modern society, they can have an impact on the more natural environment, pre-empt other uses of the corridor, and be aesthetically displeasing to many. In addition, in many cases they serve private interests largely or completely. Therefore, easements for utilities across state lands must be granted judiciously, taking into consideration (1) the natural resources and public uses of the land and (2) to whom the services are provided.

Policy:

No utility easement will be granted on state land which is solely for the convenience of the utility company, for which no direct benefit accrues to the Agency of Natural Resources, and/or which does not serve the greater public good.

Local utility distribution lines, conduits, or associated structures may be granted easements if they:

- 1) serve Agency of Natural Resources facilities.
- 2) serve adjoining landowners, if no other alternatives exist.
- 3) have anchors or guys located in the highway right-of-way, if no other alternatives exist.

Easement for new utility lines, conduits, or associated structures on land acquired with federal Land and Water Conservation Fund (LWCF) money shall be placed underground, with prior review and approval by the National Park Service.

In all cases, the easements and pertinent utilities shall be located in such a manner as to have the least impact on state lands and not interfere with the purpose for which the land was acquired and/or developed. Lines should be placed underground when feasible.

Procedure for Implementation:

Proposals for new utility easements will be handled by the Director of Lands Administration, who will consult with the appropriate Forestry District Manager and/or Parks Regional Manager prior to making a decision based on this policy. If LWCF lands are involved, the National Park Service through the Director of Recreation shall be consulted.

The Commissioner shall make the final decision on any appeals of denied easements.

Conrad M. Motyka, Acting Commissioner

Effective Date: May 15, 1991