

Utility & Power Line Right of Way Use

Many Matanuska Electric Association and Chugach Electric Association (MEA/CEA) cooperative members and other utility users have questions about Rights of Way and Utility Easements which are commonly referred to as “Rights of Way” (ROW). It is an untrue assumption that the property is open to the public. **The most important thing to remember is that utility easements (ROWs) are not public land. The landowners retain all rights of ownership and all liability for all activities within the easement with agreed year-round access to the utility companies.** Below are answers to some Frequently Asked Questions (FAQ) about power line and other utility easements.

What is a Utility Easement/Right of Way (ROW)?

Right of Way easements are a legal agreement between a property owner and an electric utility or other utility (gas, water, sewer) that allows utility work crews to have unobstructed access to the property within the utility easement for regular or emergency maintenance.

How big are Utility Easements/Right of Ways (ROW)?

Most electric rights of way are 30 feet (or 15 feet to each side from the center of the pole) but can range from 20 feet to 100 feet depending on the type of power line, structures, and equipment. **The rights of way are owned by the property owner**, but they must allow MEA/CEA to have year-round access including the right to inspect, repair, alter, improve and remove facilities from the easement area in addition to the clearing of vegetation of any type when necessary. Other utility and street easements are shown on an individual property’s survey As-Built.

Why do you have utility easements/ROW’s?

Easements or rights of way are used by MEA/CEA, Enstar Gas, and Victoria Estates PWS to allow their work crews year-round access when there is a need to conduct maintenance or fix a utility outage. MEA/CEA keeps its utility easements clear of vegetation and trees for safety, accessibility, and power reliability. VEHOA Water Ordinance requires property owners to maintain their own water easements and allow access to easements.

Is a utility easement/ROW open to the public/for public use?

No. Rights of way are not public land or property. Landowners retain all rights of ownership of ROWs (with agreed year-round access to utilities) and members of the public using a ROW can be prosecuted as trespassers. **Rights of way are not a legal public thoroughfare or public trail**; any unauthorized use of any utility easements can be considered trespassing on private property. The landowners can prosecute trespassers. The landowner is legally liable and responsible for all non-utility activities on a utility easement.

What can I do if people are using a utility easement/ROW on my property illegally?

MEA’s ROW Department provides “no trespassing” signs free of charge to members that request them. Additionally, MEA/CEA allows fencing by the ROW if it allows for MEA/CEA crews to access equipment and lines easily and at any time. MEA members can request a gate lock for their fencing from the ROW department by sending an email to meadow@mea.coop.

Can I build my fence in the utility easement/ROW?

Yes, you can, but please remember that you must allow access anytime to utility crews that may need to use the ROW to conduct maintenance work or for an emergency. It is recommended that you provide a large enough gate access to the ROW so crews do not have to take down fencing or other obstructions to enter the ROW in the event of an emergency. CEA requires a “Letter of Non-Objection” from the cooperative in order for a fence to be constructed within their ROW. The phone number for CEA is (907) 563-7366.

Can I use a utility easement/ROW for hiking or riding my ATV?

No. Rights of Way are not public land and members of the public using a utility easement/ROW can be prosecuted by the property owner as trespassers.