



UTILITY EASEMENTS

Cape Fear Public Utility Authority (CFPUA) provides water and sewer services to approximately 70,000 customers in New Hanover County and the City of Wilmington. CFPUA owns and maintains approximately 200 miles of easements that provide access to water and sewer lines, wastewater pumping stations, wells, and its other utility systems. Water and sewer easements often cross multiple lots or tracts. CFPUA has restrictive rights to the properties through the easements, and does not own the underlying land. Easement maintenance is necessary to remove obstacles that could substantially delay response time in the event of an emergency, or that would hinder access along the routes. CFPUA regularly inspects and maintains these easements and does not allow most encumbrances such as ponds, berms, fences, trees and structures that would impede access to its infrastructure.

The maintenance of the water and sewer systems is critical to ensuring and securing the public health for our customers. The maintenance of system is the responsibility of CFPUA's Operations Department. Sanitary sewer lines are primarily located underground and are connected by a series of manholes that are either at or slightly above ground level. In order to maintain the system, employees must be able to have access to the manholes. These manholes are located either in public rights-of-way or in easements on private property.

Inadequate operation and maintenance of the system can cause failures, which result in sanitary sewer overflows or water line breaks.

Timely operation and maintenance ensures that the capital investment the community has made in its water and sewer systems extends its effective life cycle and reduces operational costs.

WHERE ARE WATER AND SEWER LINES LOCATED?

The water and sewer lines can be located either in the public right-of-way (the streets roads) or on private property in dedicated utility easements, typically along property lines.

WHAT IS AN EASEMENT?

Easements are portions of private property dedicated for public use. Ownership remains with the property owner. However, easements have restrictions and responsibilities for the owner and/or resident of the property. Utility easements are generally located over the water and/or sewer line on the property. An easement gives CFPUA the right to access the property to inspect and maintain the line.

WHY MUST CFPUA MAINTAIN WATER AND SEWER LINES ON MY PROPERTY?

CFPUA is required by state and federal law to prevent sanitary sewer overflows (SSOs). In order to do this, we must routinely inspect and clear CFPUA lines. CFPUA crews and contractors are responsible to maintain its approximately 2,000 miles of water and sewer lines.

WHY MUST TREES AND PLANTS BE KEPT AWAY FROM THE EASEMENT?

Trees and brush must be kept away from the easement area so that crews can gain access for inspections, maintenance and cleaning. Clear access allows CFPUA to enter these areas with equipment in the event of emergency, saving time and money. Most importantly, it minimizes the amount of overflow that could negatively affect the environment. If CFPUA removes trees and/plantings within the easement area, they will not be replaced. Upon completion of the work, CFPUA will re-grade and spread grass seed and mulch on the disturbed area. The area will be maintained as necessary to allow for continued access.

IF THERE ISN'T AN EMERGENCY, WHY REMOVE THE TREES?

CFPUA saves valuable time responding to emergencies such as SSOs or water main breaks if they have clear access to the easement area. Clear access could minimize damage. CFPUA crews can focus on quick repair work. State law mandates that CFPUA easements are maintained.

WHAT IS A SANITARY SEWER OVERFLOW (SSO)?

An SSO is the discharge of raw sewage from the sewer system out onto the ground or into a waterway. These spills have various causes. The principal causes are the buildup of fats, oils, and grease as well as root infiltration. A solid maintenance program helps to prevent SSOs from occurring.

HOW DOES CFPUA SELECT EASEMENTS FOR CLEARING?

It is our goal to have 100% of our easements accessible for maintenance work.

WHAT LAWS AND REGULATIONS APPLY IN THESE SITUATIONS?

In 1999, the State Legislature passed the North Carolina Clean Water Act of 1999, which requires agencies to prevent sewage from spilling and entering waterways and punishes these agencies for allowing leaks to occur which they could prevent. This legislation requires North Carolina Department of Environmental Quality (NCDEQ) and its Division of Water Quality (DWQ) to develop and issue sewer collection system operational permits. CFPUA operates its system under permit number WQCS00012.

WHAT ARE STANDARD EASEMENT RESTRICTIONS?

Trees and/or permanent structures should not be placed in the easement as they may make it difficult for CFPUA crews to access, maintain, repair or replace the system. This includes any construction materials, metals, lumber, berms, retaining walls, water bodies, refuse, fences, structures, building or other obstructions. Trees roots can damage the lines that lie beneath them.



← **Above Ground**

Below Ground →



IF I HAVE FENCES, SHEDS OR TREES IN THE EASEMENT THAT HAVE BEEN THERE FOR A LONG TIME, AM I “GRANDFATHERED” AND ALLOWED TO KEEP THEM?

No. Fences and other structures prohibit access to the easement in order to reach the utility system for maintenance and emergency repairs. Aside from restricting access, large tree roots could damage water and sewer lines.

**For additional information about easements or easement clearing, contact:
CFPUA’s Operations Department at (910) 332-6412 or
CFPUA’s Engineering Department at (910) 332-6542**