

GLOBE EDITORIAL

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To finish the trail

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THE BAY Circuit Trail is a great unifying institution for open space in Boston's outer suburbs, but the last few miles are proving hard to complete. A utility company would do a great service for recreation and the environment if it allowed the trail to be blazed a mile or so through its right of way in Easton.

The trail, which runs through state parks, town conservation land, wildlife sanctuaries, and privately owned reservations, will extend 200 miles from Plum Island to Kingston Bay when it is completed. The Bay Circuit Alliance, a coalition of open-space groups, has already opened 150 miles of trail.

The last sections, principally to the south of Boston, pose special difficulties. Open space is fragmented, frequently marshy, and hard to connect. But in Easton, a hiker could easily walk through Borderland State Park and into town conservation land if the National Grid power company, successor to Massachusetts Electric, would allow a trail to be blazed through its right of way for high tension power lines. It's not the most scenic of spots, but it is a better place for a walk than the only alternative -- the road. The trail would have minimal impact on the right of way. Bay Circuit organizers would like merely to blaze a narrow, unpaved path and put up a few markers.

The Bay Circuit Alliance has been in negotiations with the utility for several years. But the company is stuck on the question of legal liability. In a letter to the alliance a few weeks ago, it laid down 10 conditions. The most onerous would require the town and the alliance to indemnify the company from all liability up to \$5 million and hire police details to shoo hikers away whenever the company performs maintenance on the power lines.

The people responsible for this letter seem familiar with neither the Bay Circuit nor the property in Easton. The trail will probably not be used by large numbers of hikers except for group treks planned well in advance, which could easily be worked around the company's maintenance schedule. A state law already exempts landowners from liability if they allow trails on their property except in cases of extreme neglect. And there are no obvious safety hazards around the trail, except perhaps the power lines themselves, which are 35 feet off the ground. National Grid lawyers should relax and let the Bay Circuit use the property with minimal legal requirements.

When reached by telephone, a company spokesman was much more reasonable. "We are supportive of these efforts," Shannon Larson, vice president for real estate management, said last week. "We have to make sure that these activities do not interfere with using and maintaining our right of way. The first priority is serving our customers."

Larson pointed with pride to cooperative efforts that resulted in trails through several communities. In Northampton, for instance, the company sold a parcel of land for a paved bike trail even though it passes under a massive power line. National Grid was concerned about liability, but according to Northampton's planning director, Wayne Feiden, the city negotiated the company down to a \$3 million liability limit. Northampton already had liability insurance, and coverage for the trail cost only an extra \$50 to \$100 a year. National Grid should be similarly flexible in Easton.

Senator Susan Tucker of Andover and Representative Kathleen Teahan of Whitman have filed a bill that would specifically include owners of railroad and utility rights of way in the liability exemption if they allow the land to be used for trails. National Grid needs to work with the sponsors to make sure the bill suits its needs and then encourage the Legislature to approve the final version.

Robert Babineau, who heads the Natural Resources Trust of Easton, which administers open space in the town, thinks the trail is important even if a hiker walks only a small portion. "I look at the Bay Circuit as a mini-Appalachian Trail," he said recently as he drove through town. It makes each park or open space on the trail more significant than it is in isolation. Open space has grown increasingly precious as the outer suburbs of Boston have filled up. Easton's population has almost doubled since 1970, and housing construction continues to erode the countryside. The open spaces of the Bay Circuit are especially important to safeguard the character of the towns from Ipswich to Duxbury that comprise the circuit.

The utility industry has changed, too, in the wake of deregulation. Massachusetts Electric was a local company, while National Grid has headquarters in Britain. The company can still be a good neighbor if it welcomes the Bay Circuit onto its property. ■