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# TURNAGAIN COMMUNITY COUNCIL

Anna Brawley, President tccpresident@yahoo.com

April 8, 2022

submitted via email  
shelley.rowton@anchorageak.gov

Municipality of Anchorage  
Real Estate Department  
Heritage Land Bank Division  
623 W. 6<sup>th</sup> Avenue  
Anchorage, Alaska 99501

## **RE: Public Review Draft Heritage Land Bank 2022 Annual Work Program**

Dear Community Development Executive Director Trombley, Heritage Land Bank Land Management Officer Rowton, and Heritage Land Bank Advisory Commissioners,

As the Turnagain Community Council (TCC) does each year, we are submitting these comments on the Draft Heritage Land Bank 2022 Annual Work Program (HLB 2022 Work Program). These comments were approved at our April 7, 2022, TCC general membership meeting with no objections.

TCC's comments are broken into two categories:

- 1) **Specific HLB Parcels Located Within TCC Boundaries**
- 2) **Comments On Proposed Changes To Language/Procedures/Policies**

## **DRAFT HERITAGE LAND BANK 2022 WORK PROGRAM**

### **1) Specific HLB Parcels Located Within TCC Boundaries:**

#### **Chapter 3. 2022 Work Program Highlights**

- **Page 13 — 2022 Potential Acquisitions**
  - *Municipal Entitlement Lands*
- **Page 19 — Other HLB Management Priorities**
  - *Municipal Entitlement Lands*

TCC once again supports the conveyance of State of Alaska-owned lands included in the 1986 Municipal Entitlement Act, to the Municipality — and advocates the transfer to the Municipality the following parcels in TCC/West Anchorage, due to the important value they have as public parks/natural open spaces/recreational areas:

- Parcels #21 & #68 — where Point Woronzof Overlook/sections of the Tony Knowles Coastal Trail are located
- Parcel #77 — Little Campbell Lake Park
- Parcel #78 — land adjacent to Kincaid Park
- Parcel #113 — Delong Lake Park
- A portion of Parcel #71— northern section of Connors Bog Park

In addition, TCC supports transfer of the:

- Kloop Snow Disposal Site, also located within Parcel #71

⇒ *TCC requests HLB make acquisition of Municipal Entitlement Lands — including the above State-owned parcels located in TCC/West Anchorage — a high priority in the HLB 2022 Work Program.*

- **Page 14 — 2022 Potential Acquisitions**

- *Point Woronzof Access*

TCC acknowledges concerns regarding limited road access (only via Point Woronzof Rd. on Airport land) to HLB land west of the Airport — including where the Salvation Army Clitheroe Center is located. However, the draft language in the Potential Acquisitions section is vague and the intent unclear.

- TCC is not sure if the idea is for HLB to potentially acquire Airport land where the road is located? This doesn't seem feasible.
- Because HLB leases land to the Airport in another area, HLB should consider adding a condition to this Airport lease that would guarantee access to the Point Woronzof area and HLB parcels west of the Airport. Of course, this condition could include an exception if public access is restricted due to road shut-down emergencies.

⇒ *TCC requests that HLB engage our council when considering any potential changes to current access of HLB parcels west of the Airport.*

⇒ *TCC does not support any scenario that would allow the Airport to acquire any of the HLB parcels west of the Airport through trade, purchase or other means.*

- **Page 16 — 2022 Trespass and Encroachment Issues**

- *HLB Parcels 4-033A-D and 4-034*

This section states, “HLB may review an additional easement or other contract to allow the continued maintenance of the Tesoro Nikiski Pipeline.”

TCC would need more information regarding the potential need for any additional Tesoro Nikiski Pipeline easements in the HLB Parcels west of Airport in the vicinity of the Tony Knowles Coastal Trail and Natural Open Space areas. Retention and protection of the high-value wooded, natural open space conditions in this HLB land should be considered when accessing any addition vehicle easements.

⇒ *TCC requests that HLB engage our council when considering any additional easements, including pipeline easements, in the HLB parcels west of the Airport.*

## Chapter 4. Parcel Activity Chart and Maps

- **Page 35 — HLB Parcels 4-033C,4-033D & 4-033E**

In this chart for the above HLB Parcels west of the Airport, Alaskans Take a Stand is listed under the Column Heading “LUP (Land Use Plan), Lease, etc.”

TCC thanks HLB Land Management Officer Shelley Rowton for providing information regarding this listing in the HLB Draft 2022 Work Plan, including that HLB has had discussions with the organization Alaskans Take a Stand regarding potential, proposed uses within these parcel locations. Ms. Rowton did assure TCC that no leases have been signed.

Potential uses discussed with HLB include:

- Organic compost facility
- Hemp & flower farming/greenhouses
- Other potential agriculture ventures

Some of these operations would be operated by nonprofit organizations, but other operators could be private, for-profit businesses.

TCC acknowledges that both a potato farm and a composting/recycling facility have been located in some of this HLB land in the past. However, both of these activities were initiated long before Assembly adoption of more recent Planning documents that identify the HLB Parcels west of the Airport as important natural areas:

- 2001 Anchorage Comprehensive Plan identifies this HLB land as:
  - “Community Preference for Natural Open Spaces”
  - “Important Wildlife Habitats”
- West Anchorage District Plan classifies this HLB land as:
  - “Parks and Natural Resource”
- 2040 Land Use Plan designates this HLB land as:
  - “Park or Natural Area”

**None of the above potential business ventures with Alaskans Take a Stand would conform to the above Assembly-Adopted Plans.** Structures such as greenhouses, fencing, vegetation clearing, etc. would be incompatible with the above land uses.

Additionally, leasing any portion of these parcels would preclude future efforts to transfer this land to the Parks Dept. for permanent protection, and ensure public access and use.

**TCC has a long history of advocating for transfer of these parcels to the Parks Department to ensure permanent protection of the Tony Knowles Coastal Trail and associated Natural Open Space Buffer.**

In 2019, TCC worked very hard with the Mayor’s office, HLB Director Ward, and our two West Anchorage Assembly Members on the below, specific language for the 2020 Work Program regarding transfer of HLB land west of the Airport to Parks for park dedication; this language was also incorporated in the HLB 2021 and 2022-2016 Five-Year Management Plan, and is included in the Draft HLB 2022 Work Program on page 11:

*“HLB Parcels 4-032, 4-033 A-F & 4-034 – The 2040 Land Use Plan Map identifies portions of these areas as Community Facility or Institution, and HLB will consider a long-term lease for a potential Treatment Center Campus expansion project. Additionally, the 2040 Land Use Plan Map identifies Portions of these parcels as Park or Natural Area. Public Access to the Tony Knowles Coastal Trail through HLB land may be considered if/when development of the parcel(s) are proposed. Additionally, HLB will work with the Turnagain Community Council, the Parks and Recreation Department, and other interested parties to determine appropriate boundaries for a trail and natural space buffer, and, as funding is available, will survey the trail and natural space buffer portions for transfer of management authority to Parks and Recreation. HLB will retain all management responsibilities pertaining to existing contracts affecting these parcels. HLB will retain all management responsibilities pertaining to the existing contracts affecting these parcels. HLB will work with the Turnagain Community Council, the Parks and Recreation Department, and other interested parties to discuss possible park dedication or other permanent protection status for the trail and natural space buffer.*

- ⇒ *TCC requests the following references are specifically listed in this section:*
  - Language from Page 11: Potential Disposals, Exchanges & Transfers for these parcels (referencing potential transfer to the Parks Department for Coastal Trail Buffering and Natural Open Space) and the above adopted Municipal Planning documents.
- ⇒ *Before any further discussion regarding potential leasing of the above HLB parcels to Alaskans Take a Stand or discussion with any other entity takes place, TCC requests:*
  - *HLB & TCC have the opportunity to communicate with any interested parties wanting to lease this land for agricultural/composting/other business activities that do not conform with the above adopted Plan; and*
  - *HLB engage with TCC when considering any potential leases of this HLB parcels.*

## 2) Comments On Proposed Changes To Language/Procedures/Policies:

### Chapter 3. 2022 Work Program Highlights

- **Page 14 — 2022 Potential Projects**

- Direct Sale

The Draft HLB 2022 Work Program proposes an MOA Code change to allow a **Direct Sale** option that would allow parties with long-standing real property interest to directly purchase HLB property (no competitive bid). There may be certain HLB parcels where a **direct sale to a long-term leasee** may be appropriate. However:

- ⇒ *TCC does not support a “whole sale” change in Municipal Code to allow for this type of HLB land disposal, as it may make it ‘too easy’ and be ‘overused’ on parcel disposals that are not warranted — or at least need more public process, to ensure the disposal through selling HLB public land is the best management option.*
- ⇒ *TCC instead recommends any Direct Sale require an application of a waiver to the competitive bid process and be done only on a case-by-case basis.*

- **Page 14 — 2022 Potential Projects**

- Time Limit on Approvals

The Draft HLB 2022 Work Plan proposes approvals or recommendations by the HLB Advisory Commission have an expiration date; this is already done informally.

- ⇒ *TCC supports formally including this in the HLB Policies and Procedures section.*

- **Page 15 — 2022 Land Management**

- Conservation Easements

The Assembly-adopted 2020 HLB Plan included a more detailed description of the work HLB does regarding these important public lands, which TCC supported.

“HLB performs annual site inspections and monitoring of seven Conservation Easements (See Table 2.1). HLB is responsible for approximately 150 acres of conservation wetlands that were preserved through permittee-mitigation with approval as part of the COE regulatory process.

This management consists of annual site monitoring and reporting. Site monitoring for conservation easements is specific for each site and thresholds for wetland functions need to be assessed; these types of things include surface water mapping, plant identification and

percent cover, water quality checks, the presence of fish and other wildlife, etc. Due to the remoteness and pristine state of the sites, considerable time is necessary to evaluate the wetland functions and overall health of the sites. While most of the sites are required to be visited once per year, it is often necessary to visit in the winter as well. More area can be accessed on these sites in the winter under frozen conditions.”

⇒ *TCC requests replacement of the draft 2022 HLB Work Program language with language used in the Assembly-approved 2020 HLB Plan Conservation Easement section.*

## Page 15 — 2022 Trespass and Encroachment Issues

- *Encroachment Permitting*

The authority for HLB to issue short-term, revocable Encroachment Permits may be appropriate, but would need to be carefully monitored.

⇒ *TCC would like to be informed of the MOA Legal Department’s opinion on this proposal, to ensure proper use of this new action, if put in place.*

Thank you for the opportunity to provide input on the Heritage Land Bank 2022 Work Program. Appropriate planning and management of our public land is vital to the long-term future of our city, and citizen/community council involvement is an important element of this endeavor. Please don’t hesitate to contact me, or TCC Vice President Cathy Gleason, if you have any questions or need clarification on any of the above comments or requests.

Sincerely,

Anna Brawley  
Turnagain Community Council President