



April 5, 2017

Heritage Land Bank Advisory Commission, MOA; and
Robin Ward, Real Estate Director, HLB
PO Box 195560
Anchorage, AK 99519

RE: HERITAGE LAND BANK'S DRAFT 2017 WORK PLAN AND 2018-2022 FIVE-YEAR MGMT PLAN

Rabbit Creek Community Council (RCCC) has identified near-term as well as long-term community benefits for several municipal parcels held by the Heritage Land Bank (HLB) in our council area. At our March 9 meeting, Council members voted unanimously to send the following comments on the draft 2017 HLB Work Plan. Twenty-two voting members were present.

RCCC requests several revisions to the Work Plan to ensure that HLB continues to incorporate the community's interests and the conditions of the Potter Valley Land Use Analysis. Requested additions are **underlined and in bold text**, in the following paragraphs.

A. Public notice procedures

Heritage Land Bank Overview, Chapter 1: PDF Page 8 and Proposed Projects, page 30

HLB uses a 14-day public notice period for all public hearings (other than the 45-day notice for the annual Work Plan). This is a shorter period than the 30-day notice for most zoning, platting, and other public hearings involving land issues; and Councils generally do not have their own postal boxes. Therefore, RCCC requests a specific time-sensitive protocol: that **HLB notification procedures shall include direct e-mail notification to affected or interested Community Councils at least 14 days prior to public hearings.** In addition, the current procedure is to notify only the Council where the HLB land is located, whereas some HLB lands have broader community importance. Add to Page 30-31, item 2, as part of the last sentence fragment: "[ALSO] ensure that public notice and outreach are timely and properly provided, **including e-mail notification to affected or interested Community Councils at least 14 days prior to public hearings.**

B. Acreage correction - Which acreage figure 232 or 252 acres is correct?

Progress Report, Land Management, Chapter 2:

Page 13: An area of approximately 232 acres located south of Clark's Road...

Page 23 The southern part of Section 36 encompasses 252 acres, including approximately 92 acres of wetlands and contains creek corridors...

C. Adherence to Title 21 in determining conservation easement boundaries

Work Program, chapter 3, potential projects, PDF page 23:

The recreational use of Parcels 2-125 and 2-126 can be optimized if the wetland buffers are 75 feet per the adopted Section 36 Park Master Plan, rather than up to 200 feet as initial HLB presentations have suggested. There is no conservation benefit from such wide buffers for these wetlands where the proposed adjacent use is low-impact, trail-based recreation. (For comparison, Title 21.07.020.4.c.ii requires only a 15-foot development setback from wetlands.) Insert to page 23 the following guidelines:

The southern part of Section 36 encompasses 252 acres, including approximately 92 acres of wetlands and contains creek corridors. These portions of Section 36 are being considered for inclusion into the HLB Mitigation Bank for conservation of habitat and other ecological values. **The conservation easement will encompass 75- foot buffers surrounding the wetlands in accordance with the Section 36 Master Plan preferred concept (See Figure 5.4 of Master Plan).** Trail easements or access through the wetlands areas of Section 36 will need to be defined prior to execution of a conservation easement in order to ensure connectivity for public use and access from Storck Park and Bear Valley School to the rest of Section 36 in accordance with the Section 36 Master Plan.

D. The future transfer of parcels 2-125 and 2-126 to Parks and Recreation should be explicitly stated. Five Year Work Plan 2018-2022, Proposed Disposals, Chapter 4, PDF p. 26:

Parcels 2-125 and 2-126 in Section 36 are intended for eventual park status as part of a legal settlement. In presentations to Rabbit Creek and Bear Valley Community Councils in March, HLB staff outlined a process that ended with the transfer of these parcels to Parks and Rec for management, after HLB's hoped-for collection of payments from the COE. This ultimate transfer step is currently missing from the draft Work Plan. Add this step to the 2018-2022 Proposed Disposals, Page 26: **HLB will eventually transfer management authority for Parcels 2-125 and 2-126 to Parks and Recreation, in accordance with the Section 36 Master Plan. This ultimate transfer is intended whether or not the COE agrees to issue payments to HLB for a conservation easement.**

E. HLB Parcel 2-144 final plat and potential revenues
2017 Work Program, Proposed Disposals, Chapter 3: PDF p.20

RCCC and Parks and Recreation have worked to ensure that HLB's 2016 re-plat includes public access and parkland called for in adopted land use plans. RCCC has not seen HLB's revisions to the final plat. Final public and staff review are an important step.

Add to Page 20's progress report: "...Staff have recorded trail and road easements and the re-platting process is in the final stage, **which will include final review by Parks and Rec staff and RCCCs before plat filing.** "

F. HLB Parcel 2-144 market analysis
Work Program, 2017 proposed disposals, PDF page 20

The lack of bids for parcel 2-144 in four previous marketing attempts indicates lack of demand. Property appraisals in the Potter area have dropped since the state's fiscal crisis began. HLB should hold the property until there is a robust market that ensures top revenue for the MOA.

Add language below to ensure maximum sale price for parcel 2-144. In addition, HLB should use revenues from this sale to fund public park and trail access on the retained parts of HLB 2-144.

P.20: HLB Parcel 2-144 – This 37.5-acre parcel located above Potter Valley was offered for sale in 2007, 2008, 2009, and 2012 by sealed bid sale, and received no bids. The parcel is being actively marketed at this time, noting that in accordance with the Potter Valley Land Use Study, conditions of the sale require that open space and parkland be reserved by the developer as part of the subdivision platting process. The Potter Valley neighborhoods lack any developed parks, and also experience increasing conflicts over lack of trail access to Chugach State Park. **HLB Staff will provide market analysis to indicate whether current market will yield a top purchase price; and if there is no such indication, HLB will withhold this property from disposal. Revenues from sale of this parcel should be committed to neighborhood park development and trail access to Chugach State Park from Potter Valley, in accordance with the PVLUA and HDP.**

G. HLB 2017 Land Management: Surveys, PDF page 25: Parcels 2-128 through 2-134 on the bluff east of Potter Marsh merit conservation status

These parcels are comprised of the steep bluffs and drainage ways that recharge Potter Marsh. The Potter Valley Land Use Analysis recommends these lands be managed as open space to support Potter Marsh. For many years, HLB staff has cited the lack of surveys as the reason for not dedicating these parcels as open space. Conservation status for these parcels is the key to future conservation of numerous tributary streams on a large private tract to the east (formerly called Legacy Pointe and proposed for senior-citizen condos). These HLB parcels, if given conservation status, would provide connectivity between the stream-laced private tract and the Marsh, conserving a valuable watershed unit. Currently, the uncommitted status of HLB parcels 2-128 through 2-134 cuts off and fragments the watershed and prevents acquisition of private lands for conservation. Add to the list of 2017 Surveys: **HLB Parcels 2-128 through 2-136. The Potter Valley Land Use Analysis recommends these lands be managed as open space to support Potter Marsh. Surveys are necessary prior to transfer these lands to Parks and Recreation for conservation management, which will create a contiguous conservation 'bridge' with vulnerable wetlands and watershed to the east, making those lands attractive for conservation easements or eligible for public acquisition.**

H. HLB Parcel 2-127 park transfer

2018-2022 Five-Year Plan, Proposed Disposals, PFD page 26

RCCC supports transfer of this 20-acre parcel to Parks and Rec for a neighborhood park.

However, the location is vaguely described as in the Potter Valley area. It is north of Potter Valley, and currently not accessible from Potter Valley Road. Change the description to **"east of Potter Marsh"**.

I. Parcel 2-156 should be retained

Chapter 3 2017 Work Program, proposed disposals, PDF page 20

According to AMC 25.0.035, The HLB Fund is intended for three main purposes, one of which is acquiring land for municipal use. RCCC has previously identified the public value of parcel 2-156 either in-situ or in exchange for adjoining parcels for watershed protection or Potter Creek greenbelt enhancement. Numerous tributaries of Potter Marsh adjoin this parcel and are unprotected. The nearby Potter Creek Greenbelt includes only the inner parts of the steep creek canyon, leaving some canyon slopes subject to development. The stated objectives of HLB include "acquiring land for municipal use" (AMC 25.40.035) and "assisting implementation and supporting municipal plans" Work Plan page 6, Land Management Objectives). Add the following statement of the public value:

PDF Page 20: HLB Parcel 2-156 – This approximately 9.63-acre parcel is a remnant from the sale of a portion of Tract B, Legacy Pointe, to AWWU in 2013, and will be considered for disposal. **The parcel has public value in situ or in exchange for adjoining parcels for watershed protection or Potter Creek Greenbelt enhancement and access, as noted by the Community Council. The parcel is within a Special Study Area of the Hillside District Plan, for eventual transportation connectivity between Golden View Drive and Potter Valley Road.** Road and trail corridors may need to be reserved if the parcel is offered for disposal. **Revenues from possible sale of this parcel should be directed to the adopted municipal planning goals of Potter Marsh watershed protection and Potter Creek greenbelt acquisition.**

J. Parcels in Bear Valley should be added to the 2017 Potential Projects List and Proposed Disposals 2018-2022 List for Intergovernmental Authorizations

2017 Work Program, Chapter 3, Potential Projects

Public trailheads for Chugach State Park access in the Anchorage Bowl are repeatedly overcapacity. Neighborhood conflicts have arisen from overflow parking and unauthorized access. Several HLB

parcels that border Chugach State Park have been identified in adopted land use plans as potential trailheads for Chugach State Park. These parcels should be added to the 2017 Potential Projects list:

Parcels 2-139, 2-140, 2-141. Located in Bear Valley near Brewster's Drive, these parcels abut Chugach State Park and have potential for developed public access. They are close to a public road right-of-way, and large enough to allow parking that is well-separated from any residences, as well as a sustainable trail alignment that traverses the slope and leads to a popular ridge trail within Chugach State Park. These parcels are identified as a potential trailhead in the Hillside District Plan and PVLUA. These parcels could be developed through Intergovernmental Authorization (per Appendix B Policy 4) with Chugach State Park.

Parcel 2-152. Located north of Honey Bear Road in Bear Valley, this parcel abuts Chugach State Park and has been identified for future park access. The Hillside District Plan and Potter Valley Land Use Analysis (PVLUA) show this as a trailhead with future road and trail access via the Newell Homestead parcel, which is being platted and subdivided in April 2017. HLB has requested a 60-foot road and trail easement to Parcel 2-152 through this subdivision plat. Surveys and permanent marking of the easement at the time of subdivision will facilitate near-term public access development. Development may include Intergovernmental Authorizations with Chugach State Park.

Thank you for the ongoing opportunity to work with HLB to conserve and develop these lands in the southeast Hillside, in the long-term public interest.

Sincerely,

Adam Lees, Chair

Cc: Tammy Oswald, HLB Director (out of office until mid April); Hal Hart, Planning Director; John Weddleton, Assembly; Suzanne LaFrance, Assembly-elect; David Mitchell, Great Land Trust