
TURNAGAIN COMMUNITY COUNCIL

Cathy L. Gleason, President

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February 6, 2018

sent via e-mail

Municipality of Anchorage
Real Estate Department
Heritage Land Bank Division
4700 Elmore Road, 2nd floor
Anchorage, Alaska 99507

RE: Public Review Draft Heritage Land Bank 2018 Annual Work Program & 2019-2023 Five-Year Management Plan

Dear HLB Director Ward, HLB Staff, and HLB Advisory Commissioners,

As the Turnagain Community Council (TCC) does each year, we are submitting these initial comments on the Draft 2018 Heritage Land Bank (HLB) Annual Work Program and the 2019-2023 Five-Year Work Plan (Draft 2018 Plan).

Lack of Public Notice: Because TCC did not receive notice from HLB of the 45-day comment period for the Draft 2018 Plan, nor the February 8, 2018, Heritage Land Bank Advisory Commission public hearing on the 2018 Draft Plan, our council members did not have adequate time for a full review, discussion and approval of the following comments. However, at the TCC February 1, 2018, meeting, the council delegated me to provide comments on its behalf; some of the below comments are similar to ones TCC provided during the Draft 2017 Plan public comment periods last year.

Summary of TCC Comments & Requests:

1. **Draft 2018 HLB Plan — PAGES 2, 3, 8, 12, 15, 23, 28, 31, Appendix C-3 & Appendix E Grammar & Formatting**
TCC letter — pages 3 — *TCC amendment requests.*
2. **Draft 2018 HLB Plan — PAGE 10**
Table 1.1 — Breakdown of HLB Inventory
TCC letter — page 4 — *TCC requests Class C Wetland acreage be added, if applicable.*
3. **Draft 2018 HLB Plan — PAGES 22 & 30**
Proposed Clitheroe Center Expansion & Housing Facility
TCC letter — page 4 — *Include in 2018 & Five-Year Plan Proposed Disposals sections the potential lease to The Salvation Army for Proposed Clitheroe Center Expansion & 200-bed Housing Facility.*

TCC has very little information on this proposed development, so is unable to provide input on the proposal at this time. But the Plan should reflect the Mayor and Assembly's request to the Legislature for \$52M for these projects to be included in a State of Alaska General Obligation Bond for the November 2018 ballot.

4. **Draft 2018 HLB Plan — PAGES 7, 9-10, 18, 23, 31 & 32 and Additional Appendix Document Acquisition & Transfer of Municipal Entitlement Lands**
TCC letter — page 5 — *TCC supports inclusion of acquiring Municipal Entitlement Lands in the 2018 Work Plan and requests this also be included in the Proposed Acquisitions: 2019-2023 section. TCC also requests inclusion of the “State-Owned Lands for Municipal Acquisition, October 26, 2015” document in the 2018 Plan as an additional Appendix item.*

TCC letter — page 5 — *TCC also requests inclusion in 2018 Proposed Transfers and Proposed Acquisitions: 2019-2023 sections a reference to entitlement land conveyed to the Municipality that is being used as parkland — it should be transferred to the Parks and Recreation Department after conveyance. TCC also requests inclusion of the “State-Owned Lands for Municipal Acquisition, October 26, 2015” document in the 2018 Plan as an additional Appendix item.*

TCC has long advocated for Municipal Entitlements Act lands — including those located within the Ted Stevens Anchorage Airport (Airport) boundaries — be transferred from the State of Alaska to the Municipality of Anchorage. TCC supports HLB’s involvement in this effort & requests the popular public-use and important natural open space parcels located within Airport boundaries be a high priority for acquisition.

5. **Draft 2018 HLB Plan — PAGES 23 & 30**
Parcels 4-032, 4-033(A-F) & 4-034
TCC letter — pages 6-8 — *TCC requests inclusion in the 2018 Potential Transfers section an amendment proposed by Assembly member John Weddleton (Proposition #5) during consideration of the Draft 2017 Plan. This proposition included a collaboration stipulation between TCC, HLB, the Parks Department and other relevant parties to discuss the feasibility of transferring management authority of this HLB land to the Parks and Recreation Department for park dedication status (or other permanent protected status alternative). TCC also requests that financial information related to administrative transfer costs and annual management/maintenance costs be provided before action by the HLBAC or the Assembly takes place on TCC’s language inclusion request. Lastly, TCC requests removal of Parcels 4-032, 4-033(A-F) & 4-034 in the Proposed Disposals: 2019-2023 section.*

TCC has long advocated for HLB land west of the Airport where the Tony Knowles Coastal Trail/greenbelt and sections of the Sisson Loop Trail are located to be transferred to the Parks and Recreation Department for park dedication status. While we have presented ample rationale over the years (see April 11, 2017, TCC comment letter on the Draft 2017 Plan), **this year there is a significant, new justification: this HLB land is now designated “Park or Natural Area” in the 2040 Land Use Plan (Adopted by the Assembly September 26, 2017) — without any potential Airport expansion overlay.**

6. **Draft 2018 HLB Plan — Appendix B — HLB Policies**
TCC letter — pages 8 — *TCC requests reinstatement of Draft 2017 Plan and/or approved 2016 Plan HLB Policy language that has been omitted in the Draft 2018 Plan.*
7. **Draft 2018 HLB Plan — Appendix E — HLB Resolution 2018-01**
TCC letter — pages 8 — *TCC requests amending public notice language in the resolution, to reflect lack of notice to all community councils (see TCC letter introduction). language that has been omitted in the Draft 2018 Plan.*

Grammatical/Formatting Throughout The Document:

1. For consistency throughout the document, *consider using*:

“**FIVE-YEAR MANAGEMENT PLAN**” for the Five-Year Plan title (as presented on cover):

- **Page 2: Chapter 4. Five-Year Management [Work] Plan: 2019-2023**
- **Page 12: Five-Year Management [Work] Plan**
- **Page 28: Chapter 4. Five-Year Management [Work] Plan: 2019-2023**

2. **Page 3 — Appendices**

There are two typographical errors that need to be corrected in this section:

- **Appendix C: HLB Fund Activities by Year and Fund Balance Graph: 1995-2017 [2016]**
- **Appendix D: HLB Leases and Permits List (December 2017 [2016] spreadsheet)**

3. **Page 8 — Accomplishments:**

The extensive list of bulleted accomplishments provided on this page is formatted in a way that is much less reader friendly than presented in the Draft 2017 Plan and Approved 2016 Plan.

⇒ *TCC requests that the bulleted list of Accomplishments be formatted similar to the Draft 2017 Plan and Approved 2016 Plan, so that they can be read much more easily.*

Example:

- Multiple school sites...
- The Cuddy Family...
- Demolition of Hollywood...

4. **Page 15 — Reversionary Clauses:**

There are two typographical errors that needs to be corrected in the second graph:

- **HLB Parcel[s] 4-001[,] - The lot...**

5. For consistency in Chapter 3 and Chapter 4, *consider amending either*

- **Page 23: 2018 Proposed [POTENTIAL] Acquisitions *or***
- **Page 31: Potential [PROPOSED] Acquisitions: 2019-2023**

6. **Appendix C-3 — HLB Fund in Millions graph:**

The formatting of this graph in the Draft 2017 Plan and Approved 2016 Plan (titled “HLB Year-End Fund Balances”) was much easier to interpret than the one presented in the Draft 2018 Plan. Also, the title much more accurately represented the data.

⇒ *TCC requests that:*

- a. *The Title be changed back to:*

“**HLB Year-End Fund Balances**” [HLB FUND IN MILLIONS]

- b. *The graph format from the previous Plans is used. At the very least, provide fund balance numbers in the vertical (y axis) of the graph, instead of — or in addition to — the hard-to read font-sized numbers in each dot along the graph lines.*

7. **Appendix E — Heritage Land Bank Advisory Commission Resolution 2018-01:**

There is one typographical error that needs to be corrected in the second graph:

- **WHEREAS, on December 22nd, 2017, the Draft 2018 [2017] HLB Annual Work Program...**

Chapter 1. — Page 10 — Table 1.1 Breakdown of HLB Inventory:

Compared to the Draft 2017 Plan and the Approved 2016 Plan, the HLB Wetlands acreage number in the Draft 2018 Plan is significantly less (Draft 2017 Plan and Approved 2016 Plan: 2,046 acres vs. Draft 2018 Plan: 1,668 acres). However this year's draft Table 1.1 specifically references A & B wetlands — previous plans did not.

- What accounts for the difference in HLB Inventory wetland acreage for 2016 & 2017 vs. 2018?
- Are there any Class C wetlands in HLB's inventory?
- If so, why aren't they included in the HLB Inventory Table?

⇒ *TCC requests for clarification that if there are any Class C wetlands in the HLB inventory, Table 1.1 should include a line item for the acreage amount of these wetlands, to better represent the total amount of wetlands in HLB inventory as well as the Estimated Total HLB Acreage number in the table.*

Proposed Clitheroe Center Expansion & Housing Facility

Chapter 3. — Page 22 — 2018 Proposed Disposals:

Chapter 4. — Page 30 — Proposed Disposals: 2019-2023, Region 4—Northwest Anchorage Bowl:

These sections **do not include reference to potential HLB disposals (leases) for a proposed Clitheroe Treatment Center expansion and 200-bed housing facility currently being planned for development in HLB land west of the Airport.**

The current Clitheroe Center site has been under lease with The Salvation Army (portion of Parcel 4-033) for many years. TCC is aware that Mayor Berkowitz and the Anchorage Assembly have included in their 2018 Legislative Priorities List (approved by the Assembly January 23, 2018) a request for \$52M in a State of Alaska General Obligation Bond (for November 6, 2018, ballot) for this development.

However, TCC has not been provided any specifics of the treatment expansion and housing proposal at this time (we have submitted a list of questions to the Administration, but have not received a response as of February 6, 2018). Consequently, our council does not know what additional HLB land is being considered for the expanded and/or new facilities — although TCC assumes it would fall somewhere in the area designated “Community Facility or Institution” in the Anchorage 2040 Land Use Plan Map.

- Previous to the release of the Draft 2018 Plan for public review and comment (December 22, 2017), has HLB staff had any communication with The Salvation Army, Mayor Berkowitz and/or MOA Homeless and Housing Coordinator Nancy Burke with regard to additional development on the current Salvation Army lease — or for the need for additional HLB parcel acreage for the treatment expansion and housing proposal west of the Airport?
- If so, has there been any indication by either party when any additional land would be needed?
- If there is a proposed timeline for a potential disposal of HLB land for the proposed Clitheroe Treatment Center expansion and/or housing facility within the 2018-2023 timeframe...

⇒ *TCC requests that the 2018 Work Program and/or Five-Year Management Plan: 2019-2023 include reference to this possible lease disposal — and provide as much information as possible in the Plan, based on current level of administration knowledge of the proposal.*

Acquisition & Transfer of Municipal Entitlement Lands

Chapter 3. — Page 7 & 23 — 2018 Potential Acquisitions:

TCC again expresses our strong support for conveyance of State of Alaska-owned lands to the Municipality (as per the Municipal Entitlement Act) and appreciates HLB setting this as a priority (page 7) — and including it in the Draft 2018 Potential Acquisitions section (page 23). The Anchorage community as well as visitors have benefited from the use of some of these State-owned lands for many years.

Chapter 4. — Page 31 — Proposed Acquisitions: 2019-2023:

⇒ *TCC requests that this section specifically retain the following language (slightly modified) from the Proposed Acquisitions sections in Draft 2017 Plan (page 29) and approved 2016 Plan (page 27).*

“State Land Request by Municipality—The list of requested properties to be transferred to the MOA ownership has been well received and it is anticipated that some of these parcels will be transferred or disposed of during the Five-Year Management Plan (see Appendix __ for State-Owned Lands for Municipal Acquisition, October 26, 2015 list).”

⇒ *TCC also requests that the 2018 Plan attach as an Appendix the document titled, “State-Owned Lands for Municipal Acquisition, October 26, 2015,” to provide ease of reference of the list.*

The Municipal Acquisition list includes parcels chosen by the MOA in the 1986 Municipal Land Entitlement agreement with the State of Alaska, including parcels located within the Ted Stevens Anchorage International Airport (Airport) boundaries. TCC has long advocated for these parcels to be transferred to the Municipality, due to the important value they have as public use/natural open space areas.

Specifically:

- State of Alaska-owned lands being used 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
- Kloop Snow Disposal Site is also located within Parcel #71.

Municipal ownership would ensure that continued public use of these valuable public use/natural open spaces areas would be protected for the enjoyment of generations to come.

⇒ *TCC requests that HLB focus its acquisition efforts on the above State-owned parcels.*

Chapter 3. — Page 23 — 2018 Potential Transfers:

Chapter 4. — Page 32 — Proposed Transfers: 2019-2023

As HLB continues its efforts regarding acquisition of requested Municipal Entitlement parcels from the State of Alaska, any parcels currently being used as parkland and recreational amenities (see list above) should be transferred to the Parks Department.

⇒ *TCC requests that reference be included in both the 2018 Potential Transfers and the Five-Year Management Plan Proposed Transfers sections for any State land conveyed to the Municipality that is being used for parks and recreation purposes be transferred to the Parks and Recreation Department.*

Parcels 4-032, 4-033(A-F) & 4-034

Chapter 3. — Page 23 — 2018 Potential Transfers:

TCC is very encouraged to see in the **Draft Appendix F (page 9) — Response to Public and Community Council Comments** the Parks and Recreation Department’s request for action regarding HLB Parcels 4-033 and 4-034 be taken in 2018.

The Park and Recreation Department has not discussed their request for a “proposed disposal within HLB Parcels 4-033 and 4-034 in the form of an intra-governmental permit for a portion of the Knowles Coastal Trail and associated buffer” with TCC. HLB Policies (Appendix B, page 3) states that, “Generally, Intra-Governmental permits in some instances are public use easement that are recorded and convert to full easements if the property is ever conveyed.”

The nationally recognized Tony Knowles Coastal Trail as well as the beautiful, natural open space, wildlife habitat and coastal tidelands located in these HLB parcels are worthy of much more than an “easement” plat note — and provides little, if any, permanent protection. The naturally wooded areas remaining in these two parcels are serving as de facto parkland, and the natural open space provides essential buffering from high impacts generated by TSAIA operations to the east. This buffering will only increase in value to the community if the Airport’s West Airpark is fully developed with high-impact cargo operations adjacent to this municipal land. This land also contains marginal soils; if there is ever a need to relocate the Coastal Trail inland due to erosion, the Parks and Recreation Department will already have the permanently protected land under its management authority to build a new trail.

TCC’s, and the public’s, long-standing desire for the Coastal Trail/associated greenbelt/tidelands and portions of the Sission Loop Trails system located on HLB land to be transferred to the Parks Dept. — **with the intent of formally dedicating all the HLB land now designated “Parks or Natural Areas” in the Anchorage 2040 Land Use Plan Map** — has not changed.

Consistent with our previous long-held position — as well as the West Anchorage District Plan’s Park Objective #6, page 156: “Acquire and permanently preserve the Tony Knowles Coastal Trail from Kincaid to Westchester Lagoon as a well-maintained, continuous, public recreational corridor with vegetative buffer” — that ***permanent protection is the highest and best use of this important municipal land currently being used by the public for park, recreation and natural open space purposes...***

⇒ ***TCC requests that the following language (slightly updated) — proposed as “Weddleton Amendment #5” during the Assembly’s consideration of the Draft 2017 Plan— be inserted under 2018 Potential Transfers in the 2018 Plan. This language also addresses a portion of 4-033 now designated as “Community Facility or Institution” in the Anchorage 2040 Land Use Plan:***

“HLB Parcels 4-032, 4-033(A-F) and 4-034 — HLB will manage this land in a manner consistent with the Anchorage 2040 Land Use Plan, approved by the Assembly September 26, 2017. HLB will collaborate with the Parks & Recreation Department, other appropriate municipal agencies, and the Turnagain Community Council on the feasibility of transferring management authority of all land within these parcels shown as “Parks or Natural Areas” in the 2040 LUP to the Parks And Recreation Department. This land includes important tideland and upland wildlife habitat, a portion of the Sisson Loop Trail system, a portion of the Tony Knowles Coastal Trail, and natural open space that serves as critical buffer between the trail and Airport land located immediately to the east. Transfer of those areas within these parcels may require platting due to the conflicting uses, easements and leases in this area.

The area within these HLB parcels identified as “Community Facility or Institution,” which includes land currently leased to the Clitheroe Center as well as the old Compost Facility, may be redeveloped into a campus and HLB will consult with other MOA departments and the Turnagain Community Council to identify the appropriate department use and management of the future campus lease.”

The Draft 2018 Plan states it will, “Periodically review and consult with municipal agencies and community councils to determine their need for HLB land to fulfill municipal purposes.” (page 33) *TCC sees this HLB commitment providing an opportunity for collaboration to accomplish permanent parkland protection as well as much-needed community services located in the above-referenced HLB parcels.*

During discussion of this proposal last year, concerns were expressed by both HLB and the Parks Department with regard to costs with both 1) administration of the transfer of this HLB land to the Parks Department, and 2) annual maintenance expenses incurred by the Parks Department. TCC had requested estimated/actual cost information at that time, but still has not received any information. In order to better assess these concerns...

⇒ *TCC requests that the following information be provided to the HLB Advisory Commission, Assembly, TCC, the general public, and all Municipal and State departments that would be involved in either of the above two actions — before any action is take by the HLB Advisory Commission or the Assembly on TCC’s request to include the above “Weddleton Amendment” language in the 2018 Plan:*

- Over the last five years, what has HLB spent on an annual basis to manage land within Parcels 4-033(A-F) & 4-034, now designated as “Park or Natural Area” in the Anchorage 2040 Land Use Plan Map — and what, specifically, have those costs included?
- What, if any, is HLB’s management agreement with the State of Alaska for any land within Parcels 4-032, 4-033 and/or 4-034 that falls within the Anchorage Coastal Wildlife Refuge — and which department takes on what management and expense responsibilities?
- Has HLB incurred any expenses managing the tidelands located in Parcel 4-032?
- What would be the ramifications if management authority of any HLB land within the Anchorage Coastal Wildlife Refuge were transferred from HLB to the Parks and Recreation Department — would it make a difference from the State’s perspective?
- It is TCC’s understanding that the Parks and Recreation Department, as opposed to HLB, oversees management of sections of the Coastal Trail located within 4-033 and 4-034 parcels. Over the last five years, what has the Parks Department spent on an annual basis for ‘routine’ management/maintenance of these sections of the Coastal Trail, outside of the major repavement projects performed during that same time period?
- Does HLB or the Parks and Recreation Department incur any expenses related to maintenance of sections of the Sission Loop Trail system located in HLB Parcel 4-034? If so, please provide those expense figures for each department. Do any non-profits (Nordic Ski Club?) take responsibility for maintenance/expenses of any of the Sisson Loop Trail system on HLB land?
- Has the HLB Advisory Commission and/or the Assembly been informed by HLB or the Parks and Recreation Department about a private party’s offer last year to cover some or all of the administrative expenses (depending on actual cost numbers) associated with the transfer of these HLB parcels to the Parks Department, to help address transfer cost concerns by Municipal departments?

Chapter 4. — Page 30 — Proposed Disposals: 2019-2023 — Region 4 — Northwest Anchorage:

- Language in the **Parcels 4-032, 4-033(A-F) & 4-034** section is **outdated** with regard to:
 - Its reference to the “newly adopted” West Anchorage District Plan (WADP) — which was approved in 2012.
 - Its reference of the WADP providing HLB land within the above parcels for “potentially major transportation facility uses.”
 - The **Anchorage 2040 Land Use Plan Map** (approved by the Assembly, September 26, 2017) designates a large portion of the above parcels as “Park or Natural Area” (the rest as “Community Facility or Institution”) — which supersedes the WADP Land Use map “Major Transportation Facility” overlay.
- The Parks Department requested that this section **be moved to Chapter 3. 2018 Work Program.**
- TCC requests (pages 5-6) that **4-032, 4-033(A-F) & 4-032 be included in the Chapter 3. 2018 Potential Transfers section (page 23)** — with insertion of the “Weddleton Proposition #5” language.

⇒ *Based on the above, TCC requests that this section be DELETED from the Proposed Disposals: 2019-2023, Region 4 — Northwest Anchorage section of Chapter 4.*

Appendix B — Heritage Land Bank Policies

The following Policies were **included in the Draft 2017 Plan — and the approved 2016 Plan** — but have been deleted or amended from the Draft 2018 Plan:

Page 5 — IX.A. HLB Policies:

- **Policy #4** — (deleted entirely) **Intra-Governmental Authorizations** reference
- **Policy #9** — (deleted entirely) **Long-Term Leases for Current and Potential Future Use** reference

Page 7 — IX.C. 4. Land Disposal Policies:

- **Policy #4** — (last sentence partial deletion) **“Leases terms shall generally be commensurate with the length of the proposed uses, although no lease shall be [FOR LESS THAN ONE YEAR OR] longer than 55 years [EXCEPT AS SPECIFICALLY AUTHORIZED BY THE ASSEMBLY.]**

Page 10 — IX.D. 4. Permit Fees:

- **Policy #1.c.** — (deleted entirely) **Long-Term Permit (longer than 12 months and not to exceed 36 months)** reference
 - What was the rationale for deleting/amending these particular HLB Policies from the Draft 2018 Plan?

⇒ *Unless sufficient reason is provided, TCC requests that the above-referenced Draft 2017 Plan and approved 2016 Plan language be reinstated into the 2018 Plan.*

Appendix E — HLBAC Resolution 2018-01 — 6th & 7th WHEREAS graphs

Contrary to the Draft HLBAC 2018-01 Resolution, Turnagain Community Council did NOT receive:

- Notice on December 22, 2017, on the release for review and 45-day comment period of the Draft 2018 HLB Annual Work Program and Five-Year Management Plan; or
- Notice on January 25, 2018, of the February 8, 2018, HLBAC agenda, which includes a public hearing on the Draft 2018 HLB Annual Work Program and Five-Year Management Plan.

HLB apparently sent the notices to the Federation of Community Council office on these dates, with the request to send it to all the community councils. We are still waiting to hear from HLB staff/FCC if email notices were sent out on December 22nd and January 25th to all community councils, but for some reason, TCC is the only council that did not receive them. However...

⇒ *If it can be verified that the above emails notices were not sent out to all community councils, TCC requests that the 6th Whereas in the HLBAC 2018-01 Resolution be amended with the following language:*

“Whereas, on December 22nd, 2017, the Draft 2018 [2017] HLB Annual Work Program and Five-Year Management Plan were posted on the HLB website, notification via MOA online Public Notice website, and an e-mail was sent to all municipal department heads, and public and private organizations, including Assembly members, [AND] but an email notice was not sent to all community councils; and

“Whereas, on January 25th, 2018, the February 8th, 2018, HLBAC agenda for the public hearing on the draft plan was issued via e-mail to [ALL COMMUNITY COUNCILS,] Assembly members, interested parties and department heads, and placed in the MOA online Public Meetings Notice website and HLB website, but an email notice was not sent to all community councils; and

Thank you for the opportunity to provide input on the 2018 Heritage Land Bank Work Program and 2019-2023 Heritage Land Bank Management Plan. 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, if you have any questions or need clarification on any of the above comments or requests.

Sincerely,
Cathy Gleason
Turnagain Community Council President

CC:
Mayor Ethan Berkowitz
Anchorage Assembly
Parks and Recreation Department Director John Rodda
Parks Superintendent Joshua Durand
Homeless and Housing Coordinator Nancy Burke