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## TURNAGAIN COMMUNITY COUNCIL

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February 4, 2019

sent via e-mail

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

### RE: Public Review Draft Heritage Land Bank 2019 Annual Work Program & 2020-2024 Five-Year Management Plan

Dear Real Estate Department Executive Director Ward, Heritage Land Bank Staff, and Heritage Land Bank Advisory Commissioners,

As the Turnagain Community Council (TCC) does each year, we are submitting these comments on the Draft 2019 Heritage Land Bank Annual Work Program and 2020-2024 Five-Year Work Plan (Draft HLB Plan) at this time, in order to meet the comment deadline. **Please note that ratification of these comments is on our February 7, 2019, TCC general meeting agenda.**

#### **Grammatical/Formatting Throughout the Document:**

While reviewing the Draft HLB Plan, a few grammatical/formatting items were identified; they are added as a postscript to these comments.

#### **Acquisition of Municipal Entitlement Lands**

**Chapter 1. — Pages 8-9 — Overview of Land Acquisition/Acquiring Municipal Entitlement Lands:**

**Chapter 2. — Page 17 — Land Management/Municipal Entitlements:**

**Chapter 3. — Page 20 — 2019 Potential Acquisitions:**

TCC again expresses our strong support for conveyance of State of Alaska-owned lands to the Municipality of Anchorage (as per the Municipal Entitlements Act and subsequent actions) — and thanks HLB for including discussion of HLB working with the State on this important land acquisition directive for our community.

#### **Chapter 1. — Page 6 — State Entitlements:**

However, TCC notes that a key phrase has been deleted from the Draft HLB Plan — a phrase that has been included in many previously adopted HLB Plans, including the 2018 HLB Plan, adopted by the Assembly May 8, 2018.

Anchorage residents as well as visitors to our city have benefited from the public enjoyment and recreational use of some of these lands for many years (see State parcel list on page 2 of our comments). The Municipality — and specifically HLB — should continue its long-standing goal of **making it a priority** to work with the State on title conveyance of State-owned lands the city is entitled to receive.

⇒ *TCC requests that the first sentence of this section specifically retain the following language approved in the 2018 HLB Plan (page 7).*

**“A priority for HLB is the continuing conveyance of title to the Municipality’s outstanding land entitlements.”**

#### **Chapter 4. — Page 29 — Potential Acquisitions: 2020-2024:**

As identified in our comments above, the Draft HLB Plan includes potential acquisition of Municipal Entitlement Lands in the 2019 HLB Work Program. But for some inexplicable reason, potential acquisition is not included in the Draft HLB Five-Year Management Plan (and wasn’t last year as well). It is very unlikely that conveyance of all the Municipal Entitlement Land will be acquired in 2019. It seems reasonable to include potential acquisition in the HLB Five-Year Management Plan, due to the protracted length of time Municipal entitlement land conveyance has taken to date.

⇒ *As TCC requested last year, we again request that the HLB 2020-2024 Five-Year Management Plan specifically retain the following language (slightly modified) from the Five-Year Proposed Acquisitions sections in Draft 2017/Five-Year HLB Plan (page 29) and approved 2016/Five-Year Management 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).”**

#### **Appendices:**

With inclusion of the above language...

⇒ *TCC requests that the 2019/Five-Year HLB Plan attach as an Appendix the document titled, “State-Owned Lands for Municipal Acquisition, October 26, 2015,” (as it has in the past) to provide ease of public reference to the list.*

#### **Priority of Municipal Land Entitlement Conveyance from the State:**

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 space areas would be protected for the enjoyment of generations to come.**

⇒ *TCC requests that HLB focus its acquisition efforts for 2019 and the 2020-2024 timeframe of the HLB Plan on the above State-owned parcels.*

## **Parcels 4-032, 4-033 & 4-034 Reversionary Clauses**

### **Chapter 2. — Page 13 — Land Management/Reversionary Clauses:**

### **Chapter 3. — Page 22 — 2019 Potential Projects/Reversionary Clauses on municipal land:**

Notwithstanding any other TCC comments regarding HLB Parcels 4-032, 4-033 and 4-034, TCC notes that per the Heritage Land Bank Resource Inventory, 1993 Edition, the Covenant/Title Restrictions for these three parcels state that for LEASE AGREEMENT ADL 22412, “55 YR LEASE FROM DNR TO MOA FOR PUBLIC; RECREATION; EXPIRES 1/27/19.”

However, the language on page 13 of the Draft HLB Plan refers to the Anchorage Land Conveyance Act of 2013, in the context of reversionary clauses being removed through passage of this act. Also, on page 22, it states that each year HLB staff reviews existing reversionary clause restrictions on municipal land.

⇒ *Can you please provide TCC with clarification regarding the current status of the 1993-referenced DNR Lease Agreement expiration date and parcels 4-032, 4-033 and 4-034? And if the lease agreement expiration date for these parcels was affected (removed?) from the parcels by passage of the Anchorage Land Conveyance Act?*

Obviously, if the DNR lease agreement did, in fact, expire just last week, it would be very relevant to other references in the Draft HLB Plan with regard to Parcels 4-032, 4-033 and 4-034.

Specifically:

- Page 19 — 2019 Potential Disposals
- Page 20 — 2019 Potential Transfers
- Page 27 — Potential Disposals: 2020-2024/Region 4 — Northwest Anchorage Bowl
- Page 30 — Potential Transfers: 2020-2024

## **Parcels 4-032, 4-033 & 4-034**

### **Chapter 3. — Page 19 — 2019 Potential Disposals/HLB Parcels 4-033 (A-D) and 4-034:**

The HLB Draft Plan references potential enlargement of the Tesoro Nikiski pipeline right-of-way in these parcels, which are designated in the 2040 Anchorage Land Use Plan Map as either “Parks or Natural Areas” or for “Community Facility or Institution.” Also located within the boundaries of these HLB parcels are sections of the Tony Knowles Coastal Trail and Sisson Loop Trail, high-value wildlife habitat/natural open space, and a proposed treatment facility campus in the location of the former Clitheroe Center.

⇒ *Due to potential impacts to the above current and proposed public/community use of land in these same parcels, TCC requests that this section provide more specifics with regard to the potential expansion (in width) of the pipeline right-of-way being discussed between the State of Alaska and Tesoro, and if/how a pipeline right-of-way expansion may affect the HLB land in this area (i.e., vegetation removal, additional pipeline/maintenance infrastructure, etc.). TCC also requests that appropriate mitigation be required in HLB contract to address the impacts.*

### **Chapter 3. — Page 20 — 2019 Potential Transfers/Tony Knowles Coastal Trail**

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.

The draft language in this section does not accurately represent the Assembly amendment to the HLB 2018 Work Program passed unanimously on May 8, 2018. This amendment states:

*“HLB Parcels 4-032, 4-033 (A-D), 4-034 – Portions of these parcels will be transferred to the Parks and Recreation Department through a Management Authority change. The area to be*

*transferred will be all areas west of the Tony Knowles Coastal Trail, including an appropriate buffer east of the trail centerline. HLB will retain all management responsibilities pertaining to the existing contracts affecting these parcels.”*

An additional amendment also passed by the Assembly on May 8, 2018, referencing transfer of portions of these parcels, was inadvertently included under Potential *Disposals* in the Draft Five-Year Plan (page 27) — see our recommendation to amend that language below.

While TCC feels the Draft HLB Plan should appropriately reflect the sentiment of the Assembly’s two separate amendments last year, rather than going through an inefficient, two-step process to identify what areas of 4-033 and 4-034 should be transferred to the Parks & Recreation Department for Management Authority and park dedication (some in 2019 and some in a 2020-2024-year timeframe)...

*⇒ TCC recommends a more efficient and cost-effective approach — that the 2019 Work Program and the 2020-2024 Five-Year Management Plan both include similar language under the “Potential Transfer” sections that includes a comprehensive process be used to determine the boundaries of land designated within these parcels as “Parks or Natural Area” and transferred to the Parks & Recreation Department for parkland dedication.*

By including similar language in both the 2019 and 2020-2024 parts of the HLB Plan, it will ensure that efforts initiated this year can continue into the Five-Year Management Plan timeframe.

#### **Chapter 4. — Page 27 — Potential Disposals: 2020-2024:**

This section actually combines two different actions: 1) a long-term lease for a potential Treatment Center Campus in a portion of the HLB parcel/s in this area — which should remain under “Potential Transfers,” and 2) transfer of portions of the parcels to the Parks & Recreation Department.

*⇒ TCC requests that the first two sentences be retained under this section (slightly modified), and that the remainder of the graph be deleted from this section, to read as follows:*

**“The 2040 Land Use Plan Map identifies community facility uses for a portion of this area and HLB will consider a long-term lease for a potential Treatment Center Campus expansion project. Public access to the Coastal Trail may be considered if/when development of the parcel/s are proposed.”**

Thank you for the opportunity to provide input on the 2019 Heritage Land Bank Work Program and 2020-2024 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  
Sand Lake Community Council  
Spenard Community Council

**PS: Grammatical/Formatting Throughout the Document:**

1. **Page 2 — Table of Contents**

*A “Table of Contents” title should be added at the top of the page.*

2. **Page 3 — Appendices**

*There is a typographical error that needs to be corrected:*

- **Appendix C: HLB Fund Activities by Year and Fund Balance Graph: 1983-2018 [1995-2017]**

3. **Page 12 — 2018 Disposals**

*Two parcels are referenced in the third graph; a new graph should be created with the sentence starting with “HLB Parcel 3-064...”*

4. **Page 13 — 2018 Disposals**

*Only one HLB disposal-related activity recommended for approval by the Heritage Land Bank Advisory Commission (HLBAC) in 2018 is referenced in the second graph, but on page 18, there are numerous HLBAC Resolutions listed in Table 2.2: 2018 Heritage Land Bank Advisory Commission Resolutions that start out with “Approval of the disposal...” For consistency, all parcels the HLBAC recommended for disposal should be listed (or at least Table 2.2 referred to) on page 13 as well.*

5. **Appendix E — Heritage Land Bank Advisory Commission Resolution 2019-01:**

*In graphs six and seven, brackets need to be removed from dates and read as follows:*

- **WHEREAS, on December 21<sup>st</sup>, 2018...**
- **WHEREAS, on January 30<sup>th</sup>, 2019...**