

**Turnagain Community Council**  
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May 8, 2015

sent via e-mail

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

**RE: Draft 2015 HLB Annual Work Program and 2016-2020 Five-Year Management Plan**

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

As the Turnagain Community Council (TCC) does each year, we are submitting comments on the Draft 2015 Heritage Land Bank (HLB) Annual Work Program and the 2016-2020 Five-Year Management Plan (Draft 2015 Plan). The following was approved at our regular May 7, 2015, meeting.

**CHAPTER 1: HERITAGE LAND BANK OVERVIEW**

**A BRIEF HISTORY OF THE HERITAGE LAND BANK**

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**Page 4, 2<sup>nd</sup> graph** — Previous HLB Plans, including last year’s 2014 Work Program/2015-2019 Management Plan (2014 Plan), provided important information in the 2<sup>nd</sup> graph regarding Anchorage not receiving all of the land it was entitled to under the Municipal Entitlement Act of 1978.

However, the following sentence, which was in the 2014 Plan, has been removed from the Draft 2015 Plan:

**“However, a shortage of available state land in the Anchorage area has made it difficult to fulfill this entitlement.”**

While more specific mention of the land transfer shortfall is included in the Draft 2015 Plan on page 5, without clarification in the 2<sup>nd</sup> graph on page 4, the first sentence of this graph gives the impression that Anchorage has received all 44,893 acres of State land it is entitled to receive.

⇒ *TCC requests that the following sentence be reinserted in the second graph in this section as the second sentence, so that together, the first and second sentences read as follows:*

**“The Municipal Entitlement Act of 1978 granted Anchorage a total land entitlement of 44,893 acres from the State of Alaska. However, a shortage of available state land in the Anchorage area has made it difficult to fulfill this entitlement.”**

⇒ *OR, AS AN ALTERNATIVE, move the fifth graph on page 5 (see below) and insert it as the new third graph on page 4. This would accomplish the same objective — to make it clear at the beginning of this section that the State has not yet fulfilled its obligation to Anchorage regarding the amount of State land it should receive under the Municipal Entitlement Act of 1978.*

**“An important goal for HLB remains the continuing conveyance of title to the municipality’s outstanding land entitlements. While the State has conveyed substantial acreage and some monetary compensation to the MOA in fulfillment of the municipal entitlement mandate, there remains a shortfall. Several parcels of land are still in the process of being conveyed, including parcels in Chugiak, Indian and Girdwood.”**

## **LAND MANAGEMENT OBJECTIVES**

**Page 6, Objective 6** — Additional language has been added to the end of this objective in the 2015 Draft Plan regarding the HLB Mitigation Bank, which was not included in 2014 or previous Plans. To ensure adherence to HLB’s mission statement with regard to promoting development (page 3) in the Draft 2015 Plan — and as stated in AMC 25.40.010<sup>1</sup>...

⇒ *TCC requests that the following amendment be made to Objective 6, so that it reads as follows:*

**“Insuring the establishment of a mitigation banking instrument and creation of conservation easements to protect area wetlands, promote orderly [SUPPORT] development consistent with the goals of the comprehensive plan, and generate revenue through the sale of compensatory mitigation credits.”**

**Page 6,** — Last year’s 2014 Plan, under the Five Year Work Plan section, included an additional list of objectives — referred to as, “numerous important objectives” — that have been omitted in the Draft 2015 Plan. As HLB has not provided any rationale for deleting this relevant objectives...

⇒ *TCC requests that the following objectives from the 2014 Plan be appropriately incorporated into the 2015 Plan in this section:*

- “• continuing efforts to obtain the municipality’s remaining land entitlements from the State of Alaska,**
- managing the HLB Fund to increase annual yields (rate of return), and to acquire strategic properties required for municipal purposes,**
- enhancing public trust in the HLB land management process, through wise stewardship and sound decisions,**
- continued improvements to the accuracy, accessibility and reliability of the HLB land and resources inventory,**
- reviewing HLB lands for opportunities to add value to larger parcels through replatting, rezoning or providing access,**
- routinely inspecting accessible uncommitted lands,**
- transferring management authority for certain HLB lands to appropriate municipal agencies,**
- disposing of HLB lands through sale, lease or exchange where doing so will achieve municipal purposes,**
- establishment of the Anchorage Mitigation Bank and other wetlands mitigation strategies to preserve valuable wetlands and aquatic resources throughout the municipality, and**
- evaluating means by which HLB can best support the administration in serving the public for the long-term.”**

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<sup>1</sup> 25.40.010 - Heritage Land Bank established—Purpose and mission.

There is established a Heritage Land Bank. It is the mission of the Heritage Land Bank to manage uncommitted municipal land and the Heritage Land Bank fund in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the comprehensive plan.

## **ACQUIRING MUNICIPAL ENTITLEMENT LANDS**

**Page 7, 1<sup>st</sup> graph (& Chapter 3, page 15)** — TCC has consistently supported the Municipality of Anchorage’s efforts to continue to work with the State of Alaska to resolve any remaining land entitlement issues, as outlined in the *Agreement for the Conveyance of Lands of the State of Alaska to the Municipality of Anchorage and Settlement of Land-Related Issues* dated November 25, 1986, and provided for under AS 29.65.010.

TCC has also consistently thanked HLB for specifically referencing in its past plans, including last year’s plan, Parcel #68 Point Woronzof (ADL 223363) and Parcel #21 Airport North (ADL 201573) as entitlement lands HLB is working to be conveyed to the city by the State. *This inclusion was at the request of TCC several years ago. However, specific reference to these important Municipal parcels has been omitted in this section of the 2015 Draft Plan.*

It has been a long-standing position of TCC that these parcels, which are State lands currently located within Ted Stevens Anchorage International Airport (TSAIA) boundaries, should become Municipal land. They are used by the public as important recreational areas in West Anchorage, and the popular and widely praised Tony Knowles Coastal Trail is routed through both of these parcels. This conforms to the West Anchorage District Plan (WADP) Park Objective #6, P-8: “Acquire all remaining portions of the Tony Knowles Coastal Trail on airport land along with a vegetative greenbelt buffer, so that the full length of the trail corridor is consolidated under MOA ownership for permanent public recreational use.”

⇒ *TCC requests that the specific reference included in the 2014 Plan regarding the above parcels be added to the 1<sup>st</sup> graph in this section (and also added to the 2015 Acquisition, Municipal Entitlement Lands section, page 15), to read as follows:*

**“As in the past years, the MOA will continue to work closely with the state to identify and resolve any remaining land entitlement issues, including two parcels conveyed that are identified in the entitlements agreement as Parcel #68 Point Woronzof (ADL 223363) and Parcel #21 known as Airport North (ADL 201573).”**

**Page 7, 2<sup>nd</sup> graph** — The 2014 Plan included an additional sentence pertaining to land surveys related to entitlement parcels, anticipated to be completed in 2014: “HLB anticipates completion of land surveys in 2014 to take control of several parcels, subject to final decision documents.”

⇒ *TCC requests that informaion be inserted after the first sentence in the 3rd graph in this section, to provide updated information regarding the above-referenced land surveys and any parcels that HLB has taken control of as a result of this survey effort.*

## **FIVE-YEAR MANAGEMENT PLAN**

**Page 8** — In our comments on the 2013 and 2014 Plans, TCC requested language from previous HLB plans stating that the majority of HLB inventory will continue to be held in future years for unspecified, future use — and that lands with designated uses be transferred to other municipal agencies — be included in those plans. We reiterate this request for the 2015 plan.

It is important that this specific language be included in HLB yearly plans, to remind and ensure the public that a key purpose of HLB is to manage and retain the inventory for potential, as yet unidentified, future Municipal use as well as appropriately transfer lands when specific uses are identified by other Municipal departments.

*HLB’s response to TCC’s request last year stated the below language was a “generic comment.” TCC feels this language is no more generic than the other language in this section, which includes, “...the one-year and*

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*five-year plans are best used as an overall guide to which the HLB tries to adhere, ” and “Many changing and challenging factors make long range forecasting difficult...”*

⇒ *TCC requests that the following language from page 10 of the 2012 Work Program (and other previous plans) be reinserted as the new second graph in this section:*

**“The majority of HLB inventory, as a land “bank,” will continue to be held for unspecified future use. HLB will seek to preserve and enhance the value of the land asset. HLB will focus management responsibilities on unimproved land while removing improved properties or lands with designated uses from its inventory for other municipal agencies.”**

## **CHAPTER 2: HERITAGE LAND BANK ACCOMPLISHMENTS 2014**

### **LAND MANAGEMENT**

**Page 12, 1<sup>st</sup> graph** — The 2014 Plan included a final sentence in this graph referencing public review as part of a site-specific land use study process. However, this sentence has been removed from the Draft 2015 Plan. As with all actions taken by HLB, opportunity for public review of a land use study is an important public process step that should be emphasized in the HLB 2015 Plan and TCC sees no reason why this sentence should be deleted from previous HLB Plans.

⇒ *TCC requests that the following sentence be reinserted at the end of the first graph in this section:*

**“All studies are reviewed by the public prior to adoption by the HLBAC and the Assembly.”**

**Page 12 — West Anchorage District Plan** — As stated in the 2014 Plan, “The Anchorage 2020 Comprehensive Plan recognizes that the West Anchorage District Plan is intended to provide resolution of airport/community land issues.” TCC feels it should be made very clear in this section that the long-term conflicts identified in the Anchorage 2020 Plan and the West Anchorage District Plan — and discussed during the West Anchorage Land Trade Task Force effort — are not just airport conflicts, but community conflicts as well.

⇒ *TCC requests that the first sentence be amended as follows:*

**“...to focus on maximal resolution of the land use conflicts and implement strategies that provide an institutional focus on resolving these historic airport/community conflicts.”**

While TCC appreciates all the work that went into the West Anchorage Land Trade Task Force effort last year, TCC’s position regarding its opposition to a comprehensive land trade that includes trading Pt. Woronzof Park dedicated parkland to the airport was rejected by HLB and other municipal departments during this process. It is misleading to make the broad statement in the Draft 2015 Plan that, “HLB staff have work diligently with all agencies and the community for a successful outcome” when “success” is subjective, and there was no clear consensus by all participants on the best way to resolve long-term airport/community land uses issues at the end of the Task force effort.

⇒ *TCC requests that either:*

- 1) The second sentence in this section be deleted; OR*
- 2) The second sentence be amended by using language similar to the 2014 Plan:*

**“HLB staff will continue to work [HAVE WORKED] diligently with all agencies and the community for an outcome that will attempt to resolve several ongoing land use issues [FOR A SUCCESSFUL OUTCOME].**

## Chapter 3. HERITAGE LAND BANK — 2015 WORK PROGRAM:

### 2015 ACQUISITIONS

**Page 15 — Municipal Entitlement Lands** — As discussed on page 3 of this letter...

⇒ *TCC requests that specific reference regarding the below parcels be added to the Municipal Entitlement Lands section, to read as follows:*

**“As discussed in Chapter 1, HLB will continue to work for the conveyance of lands identified in the 1986 Agreement for the Conveyance of Land of the SOA to the MOA, including two parcels conveyed that are identified in the entitlements agreement as Parcel #68 Point Woronzof (ADL 223363) and Parcel #21 known as Airport North (ADL 201573).”**

**Add to Page 15 — Coastal Trail/Greenbelt on Airport Property** — Consistent with our comments in previous years, TCC requests that acquisition of property north of the Municipally owned HLB parcels on the west side of the Airport be included in the HLB Acquisitions list. Purchasing this land would permanently protect a contiguous greenbelt/buffer for the Tony Knowles Coastal Trail that would span from the HLB parcels north to Pt. Woronzof Park. This land should then be transferred to the Department of Parks and Recreation as dedicated parkland to be added to Pt. Woronzof Park.

**This, along with conveyance of State Entitlement Parcels #21 and #68, would put the entire length of the Coastal Trail from Earthquake Park to Kincaid Park in Municipal ownership.**

HLB’s response to this same TCC request last year was, “Acquisition of real property for specific uses by other departments are handled by the Real Estate Department, utilizing funds from the acquiring agencies. Purchasing land with HLB funds directly for park use therefore does not fall within HLB’s mission, which is to manage land in its inventory for unspecified future use.”

This response should not preclude HLB from working together with TCC, TSAIA, FAA and the MOA Parks and Recreation Department to determine the appropriate request from the Parks Dept. to be submitted to HLB for acquisition action consistent with the WADP, and should be included in the 2015 Plan.

⇒ *TCC reiterates its request made in previous years that the 2015 Plan include the following language in the 2015 Acquisitions section:*

**“Coastal Trail/Greenbelt on Airport Property — A section of the Tony Knowles Coastal Trail is located on TSAIA property north of Municipal HLB parcels. This important trail link and greenbelt area should be purchased for the sole intent to transfer the trail and associated greenbelt/buffer to the Municipal Department of Parks and Recreation for a permanently dedicated parkland addition to Point Woronzof Park. Purchasing this land would permanently protect important wildlife habitat and a contiguous greenbelt/buffer for the Tony Knowles Coastal Trail that would span from the HLB parcels north to Pt. Woronzof Park. Specific boundaries would be determined by a Municipal/TSAIA/FAA/ community Working Group. This acquisition would conform West Anchorage District Plan Park Objective #6, P-8 (page 223), which states, “Acquire all remaining portions of the Tony Knowles Coastal Trail on airport land along with a vegetative greenbelt buffer, so that the full length of the trail corridor is consolidated under MOA ownership for permanent public recreational use.”**

### CURRENT AND CONTINUING PROJECTS

**Page 16 — Compensatory Mitigation Programs/Wetlands Evaluation** — An important final sentence in the 2014 Plan in this section has been removed from the Draft 2015 Plan: “Notice of these opportunities for comment will be provided to the community councils as each project goes forward.” TCC feels that council

notice is an important public notification component for potential additions to the HLB Mitigation Bank, as well as all HLB proposed decisions/actions, and is specifically included in AMC 25.40.030<sup>2</sup>.

⇒ *TCC requests that the following sentence from the 2014 Plan be reinserted as the final sentence in this section:*

**“Notice of these opportunities for comment will be provided to the community councils as each project goes forward.”**

## **Chapter 4. HERITAGE LAND BANK — FIVE YEAR WORK PLAN, 2016-2020**

### **POSSIBLE DISPOSAL OF HLB PARCELS: 2015-2019**

**Page 18 — Potential Disposal & Withdrawal Properties** — In the 2014 Plan, an important, clarifying sentence was included with regard to HLB possible parcel disposals, which was omitted in the Draft 2015 Plan.

To ensure full understanding of “disposal,” this omitted sentence should be included in the 2015 Plan. For example, HLB Parcel 2-127, included in this section as a possible disposal, is “under consideration for a neighborhood park and withdrawal from the inventory for transfer to Parks.” This “disposal” is different from the disposal actions specifically listed in the Draft 2015 Plan (sale, lease or exchange).

⇒ *TCC requests that the following sentence from the 2014 Plan be reinserted as the last sentence in this section:*

**“Some parcels are for ‘conveyance’ to other Municipal agencies or for long-term retention in the public interest.”**

**Page 19 — Region 4 — Northwest Anchorage Bowl — 2. HLB Parcels 4-033 and 4-034** — Consistent with previous TCC requests, this section of the 2015 Plan should include a specific proposal to transfer HLB Parcels 4-033 and 4-034 to the Municipality of Anchorage Parks and Recreation Department, for the permanent protection of important municipal lands currently being used by the public for park, recreation and natural open space purposes.

The portions of HLB Parcels 4-033 and 4-034 not being leased or otherwise encumbered by easements and right-of-ways should become permanently dedicated parkland due to the location of the Tony Knowles Coastal Trail as well as a portion of the Sisson Loop Trail within the parcel boundaries. 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.

The same rationale provided on page 5 of this letter for the purchase of TSAIA land north of this area can be applied to the transfer of this municipal land to the Parks and Recreation Department — permanent protection of a Coastal Trail greenbelt/buffer would protect some of the most important attributes about Anchorage, as

<sup>2</sup>25.40.030 - Public notice procedures.

D. In addition to notice by publication and signage, notice by mail shall be given to:

1. The community council for the area where the land is located, including the Girdwood Board of Supervisors, as well as any other community council which requests notice of Heritage Land Bank activities; these community councils shall be given an opportunity to provide public input prior to the Heritage Land Bank advisory commission taking action.

of a Coastal Trail greenbelt/buffer would protect some of the most important attributes about Anchorage, as stated in the goals and expressed by the community in the 2020 Anchorage Comprehensive Plan, and explicitly stated as an objective in the WADP on page 223.

On December 4, 1997, TCC passed a resolution in support of transfer of title and management authority of Parcels 4-032, 4-033 and 4-044 from HLB to the Parks and Recreation Dept. We reiterated our position by passing another resolution making the same request on December 2, 1999. TCC sees no justifiable reason to delay this action any longer and it should take place early in the 2016-2020 timeframe, to ensure permanent protection of high value land used by a multitude of park and trail users along our scenic coast.

*HLB's response last year to this TCC request states, "HLB's functions is restricted to making parcels available for transfer to Parks. Protocol for this action calls for the Parks Department to first request these parcels." However, as referenced above, HLB Parcel 2-127, which is included in this section, is "under consideration for a neighborhood park and withdrawal from the inventory for transfer to Parks." TCC sees no difference between these parcels, in terms of their inclusion in the HLB 2016-2020 Five Year Work Plan in this section, and their potential transfer to the Parks Department.*

⇒ *TCC requests that the following language for HLB Parcels #4-033 and 4-034 be amended in this section as follows:*

**"HLB will manage this land in a manner consistent with the 2012 [NEWLY ADOPTED] West Anchorage District Plan, which provides for potential title and land management authority of these parcels to be transferred to the MOA Parks and Recreation Department, with the intent that it become permanently dedicated parkland. Detailed ordinance language should be written with community and agency input to ensure all easements, plat notes and restrictions are appropriately included in the land transfer. This would conform to WADP Park Objective #6: "...permanently preserve the Tony Knowles Coastal Trail as a well-maintained, continuous, public recreational corridor with vegetative buffer from Kincaid Park to Westchester Lagoon [PARKS AND NATURAL RESOURCE, AND POTENTIALLY MAJOR TRANSPORTATION FACILITY USES FOR THESE PARCELS."**

Thank you for the opportunity to provide input on the 2015 Heritage Land Bank Work Program and 2016-2020 Management Plan. In the past, HLB has worked with TCC to incorporate our requests into these important municipal planning documents and we look forward to that continued effort. 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.

Sincerely,



Danielle Bailey  
Turnagain Community Council President

CC:

Mayor Dan Sullivan  
Anchorage Assembly  
Parks and Recreation Department Director John Rodda