

Submitted by: Chairman of the Assembly  
at the Request of the Mayor  
Prepared by: Heritage Land Bank  
For Reading: November 16, 2004

CLERK'S OFFICE  
APPROVED  
Date: 12-7-04

ANCHORAGE, ALASKA  
AO NO. 2004- 158

AN ORDINANCE AUTHORIZING AN EASEMENT TO THE U.S. FOREST SERVICE TO  
CONSTRUCT AND MAINTAIN THE IDITAROD NATIONAL HISTORIC TRAIL ACROSS  
MUNICIPAL LANDS IN THE UPPER GIRWOOD VALLEY

**WHEREAS**, the Heritage Land Bank was established 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"; and

**WHEREAS**, the HLB, at "the direction of the Mayor and Assembly, may convey HLB land or interests not needed for specific public facilities or purposes. Each disposal shall be in the municipal interest..." (AMC 25.40.010E); and;

**WHEREAS**, land disposals under AMC 25.40.025.F include land sales, land exchanges, leases and easements; and

**WHEREAS**, the United States Forest Service (USFS) has applied for an easement for construction and maintenance of the proposed Iditarod National Historic Trail within a 200-foot wide corridor running through the Girdwood Valley, including portions of HLB Parcel No. 6-011, as part of the USFS trail project extending from Seward to Crow Pass and ultimately to Nome, using federal funds exclusively for both construction and maintenance in perpetuity; and

**WHEREAS**, in September, 2004 the Heritage Land Bank Advisory Commission (HLBAC) and the Girdwood Board of Supervisors passed Resolutions No. 2004-11 and 2004-08, respectively, recommending the execution of an easement to USFS and citing significant public benefits to be derived from the project.

**NOW THEREFORE, THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** An easement from MOA to the United States Forest Service shall be granted for construction and maintenance in perpetuity of the Iditarod National Historic Trail within a 200-foot corridor lying in HLB Parcel 6-011 in Girdwood.

1  
2 AO\_Iditarod Trail Easement

3 Page 2  
4  
5  
6

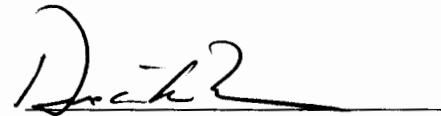
7 **Section 2.** The grant of easement shall provide for relocation of the easement corridor if needed  
8 to accommodate future development, at the expense of MOA or its assigns.  
9

10 **Section 3.** This ordinance shall be effective immediately upon passage.  
11

12  
13 PASSED AND APPROVED by the Anchorage Assembly this 7<sup>th</sup> day of December,  
14 2004.  
15

16  
17 ATTEST:

18  
19 Bonnie S. Bonenstam  
20  
21 Municipal Clerk

  
Chairman of the Assembly

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects - General Government**

AO Number: 2004- 158      Title: Iditarod National Historic Trail Easement  
Sponsor:                      Heritage Land Bank  
Preparing Agency:          Heritage Land Bank  
Others Impacted:

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**CHANGES IN EXPENDITURES AND REVENUES:**                      (Thousands of Dollars)

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	FY04	FY05	FY06	FY07
Operating Expenditures				
1000 Personal Services				
2000 Supplies				
3000 Other Services				
4000 Debt Service				
5000 Capital Outlay				
TOTAL DIRECT COSTS:	0			
6000 IGCs	0			
FUNCTION COST:	0			
REVENUES:	0			
CAPITAL:	0			
POSITIONS: FT/PT and Temp.	0			

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**PUBLIC SECTOR ECONOMIC EFFECTS:**

Significant public benefits may be derived from this easement. US Forest Service will construct and maintain all trail improvements within the easement corridor entirely at federal expense. Girdwood and Anchorage citizens will receive a significant, nationally notable amenity that will provide and promote tourism and recreation opportunities.

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**PRIVATE SECTOR ECONOMIC EFFECTS:**

Heritage Land Bank anticipates residential development in the general area through which the easement will run; land values can be expected to rise pursuant to construction of the trail.

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Prepared by: Lynn Roderick Van Horn

Telephone: **343-4333**

Validated by OMB: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: Art Eash, Acting  
(Director, Preparing Agency)

Date: 10/29/04



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 851-2004

Meeting Date: November 16, 2004

FROM: Mayor

SUBJECT: AN ORDINANCE AUTHORIZING AN EASEMENT TO THE U.S. FOREST SERVICE TO CONSTRUCT AND MAINTAIN THE IDITAROD NATIONAL HISTORIC TRAIL THROUGH MUNICIPAL LANDS IN THE UPPER GIRWOOD VALLEY

**Background.** In 1997, ten federal, state and local agencies contributed to the "Girdwood-Iditarod Trail Route Study" (Appendix A). In September of this year, the US Forest Service (USFS), Glacier District proposed an easement across HLB Parcel 6-011, together with the right to construct and maintain the trail at the expense of USFS in perpetuity (Appendix B). HLB intends to develop portions of the area crossed by the proposed easement, which lies between Crow Creek and Winner Creek, and west of Alyeska Resort (Appendix C). HLB negotiated a "relocatable" proviso allowing the trail to be moved at the expense of MOA or its assigns should the need arise to provide for development. If this ordinance is approved, construction will commence and be completed for the subject trail segment in the 2005 season. Funding will be provided entirely by USFS.

The Heritage Land Bank Advisory Commission (HLBAC) passed Resolution No. 2004-11 on September 8, 2004, recommending the execution of an easement to USFS (Appendix D). Also in September, the Girdwood Board of Supervisors (GBOS) passed Resolution No. 2004-08, strongly endorsing the proposed easement (Appendix E). GBOS further resolved to encourage volunteer support and assistance to USFS in its maintenance efforts. The GBOS resolution reads, in part, "The system of trails in the Girdwood valley is deemed an important factor in the economic, social and recreational well being of the community..."

**Discussion.** The Anchorage 2020 Plan Comprehensive Plan: The proposed use of the subject property is consistent with the Comprehensive Plan and its component Girdwood plans. Although no consideration is given to MOA by USFS, benefits to tourism, local residents and business, and other citizens of Anchorage are clear. Adjoining public lands to be developed by HLB will benefit pursuant to construction of a high-quality amenity such as the proposed trail. Public response to the proposal has been positive during public hearings and discussion. MOA Legal Department assisted in reviewing the circumstances surrounding the easement and will advise in final drafting of the document.

**Agency Review.** A review by all relevant Municipal agencies in October, 2004, found no objection to the disposal of the subject parcels.

7 **Public Notice.** Pursuant to AMC 25.40.030, the minimum 14-day public noticing requirement was  
8 met regarding advertising, direct mail notification to adjacent property owners, and posting of signs.  
9

10 **HLB Advisory Commission discussion and resolution.** The HLB Advisory Commission  
11 recommends Assembly approval and grant of a relocatable easement 200 feet in width across  
12 municipal lands to the United States Forest Service to redevelop the Iditarod National Historic Trail.  
13

14  
15 **Appendices**

16 Appendix A: Excerpt from "Girdwood-Iditarod Trail Route Study"

17 Appendix B: USFS letter requesting easement across HLB Parcel 6-011

18 Appendix C: Parcel/area map

19 Appendix D: HLBAC Resolution No. 2004-11

20 Appendix E: GBOS Resolution No. 2004-08  
21  
22

23 THE ADMINISTRATION RECOMMENDS APPROVAL OF THIS DISPOSAL.  
24

25 Prepared by: Robin E. Ward, Heritage Land Bank Director

26 Concur: Mary Jane Michael, Economic and Community Development Director

27 Concur: Denis C. LeBlanc, Municipal Manager

28 Respectfully submitted: Mark Begich, Mayor

## **Appendix A**

### ***PLANNING TEAM***

#### ***Girdwood Board of Supervisors***

Rusty Kendall (Nov. 1994 - April 1995)

Mary Jo Thi (April 1995 - April 1996)

Dave Wilson (April 1996 - present)

#### ***Girdwood Trails Committee***

Larry Holmes (Nov. 1994 - April 1995)

Anne Herschleb (April 1995 - present)

#### ***Municipality of Anchorage***

##### ***Department of Community Planning and Development***

Tom Nelson

##### ***Department of Cultural and Recreation Services***

Carolyn Bloom

Jonathan Schilk

##### ***Heritage Land Bank***

Joe Yarzebinski

#### ***Alaska Department of Natural Resources***

##### ***Division of Lands***

Ed Fogels

##### ***Division of Parks and Outdoor Recreation - Chugach State Parks***

Al Meiners

#### ***Bureau of Land Management***

##### ***Anchorage District Office***

Mike Zaidlicz

Donna Redding

#### ***USDA Forest Service***

##### ***Chugach National Forest***

Elaine Gross

#### ***National Park Service***

##### ***Rivers, Trails and Conservation Assistance Program***

Kevin Keeler (project manager, principal author)

### ***Photo Credits and Acknowledgments***

All historic photos courtesy of the Anchorage Museum of History and Art, Diane Bremner; all other photos by Kevin Keeler or the National Park Service Rivers, Trails and Conservation Assistance Program. Thanks to John Trautner for his research into the early maps of the Girdwood valley and for the use of Colonel Girdwood's map, and thanks to Joe Kurtak, Bureau of Mines, for use of an original 1915 copy of USGS Bulletin 587, and Jill Schneider, USGS for searching for the same bulletin. Also thanks to Ken Morton, Alaska State Parks, and Phil Manke and Fred Carpenter, Municipality of Anchorage, for mapping support. Logo and graphic work by Kathy Sarns, Chugach Design Group, USDA Forest Service. Also thanks to Alyeska Resort, especially Jill Veatch and Chris von Imoff, for providing meeting rooms for public workshops and for the Route Study Cooperative Agreement signing ceremony. And thanks to the dozens of others who have consistently supported this project in actions small and large.

## Appendix B



United States  
Department of  
Agriculture

Forest  
Service

Chugach  
National  
Forest

3301 'C' Street  
Suite 300  
Anchorage, AK 99503-3998

File Code: 5460

Date: September 1, 2004

Robin Ward  
Executive Director  
Heritage Land Bank, Municipality of Anchorage  
P.O. Box 196650  
Anchorage, AK 99519-6650

Dear Ms. Ward:

The Chugach National Forest is actively constructing and reconstructing segments of the historic Iditarod Trail from Seward to Girdwood and the Crow Pass Trail. The vision is a continuous recreational trail that provides local residents and visitors access to a range of recreational experiences with a sense of the historic routes of the Iditarod. It is a National Historic Trail designated by the United States Congress following the Iditarod National Historic Trail (INHT) Seward to Nome Route Comprehensive Plan published in 1986. The Chugach National Forest completed a Decision Notice and Finding of No Significant Impact for the Seward to Girdwood INHT in January of 2004.

The Chugach National Forest requests that the Municipality of Anchorage grant trail right of way easements to the United States Forest Service for construction and maintenance of the routes through Municipality owned lands in the Girdwood area. These routes are outlined in the 2004 Decision Notice and are consistent with the Girdwood-Iditarod Trail Route Study. A resolution of the Anchorage Municipal Assembly (AR 97-84) approving the Girdwood-Iditarod Trail Route Study as a guide to the siting, design and construction of the Iditarod commemorative trail in Girdwood Valley was passed and approved in 1997.

The Forest Service must hold legal trail easements to expend funds for construction and maintenance of these routes, and to enforce regulations such as prohibiting some uses. We request to proceed in two phases:

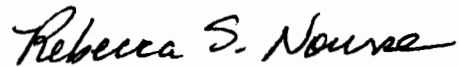
The first phase would be the trail route that connects the Winner Creek Trail to Crow Pass road and trail. Funding is currently available for trail reconstruction of this first phase and our hope is to take advantage of this as soon as feasible and while the funds remain available.

The second phase would be the granting of trail easements from near the Seward Highway and bike path paralleling Glacier Creek on the northwest and intersecting with the easement requested in phase 1. Portions of this phase 2 request have US patent reservation for the Iditarod and some coincide with trail easements reserved by the State of Alaska in the conveyance to the Municipality.



I appreciate your consideration of this request. I believe that these trails will benefit the present and future citizens of Anchorage by providing local recreation opportunities and economic development potential. I believe the trail as proposed is compatible with future development plans in the area. We are willing to include provisions for relocation as land use planning is developed. The amenity the trail brings to the community will complement the type of development being considered for the Girdwood Valley. Please grant these trail easements as requested.

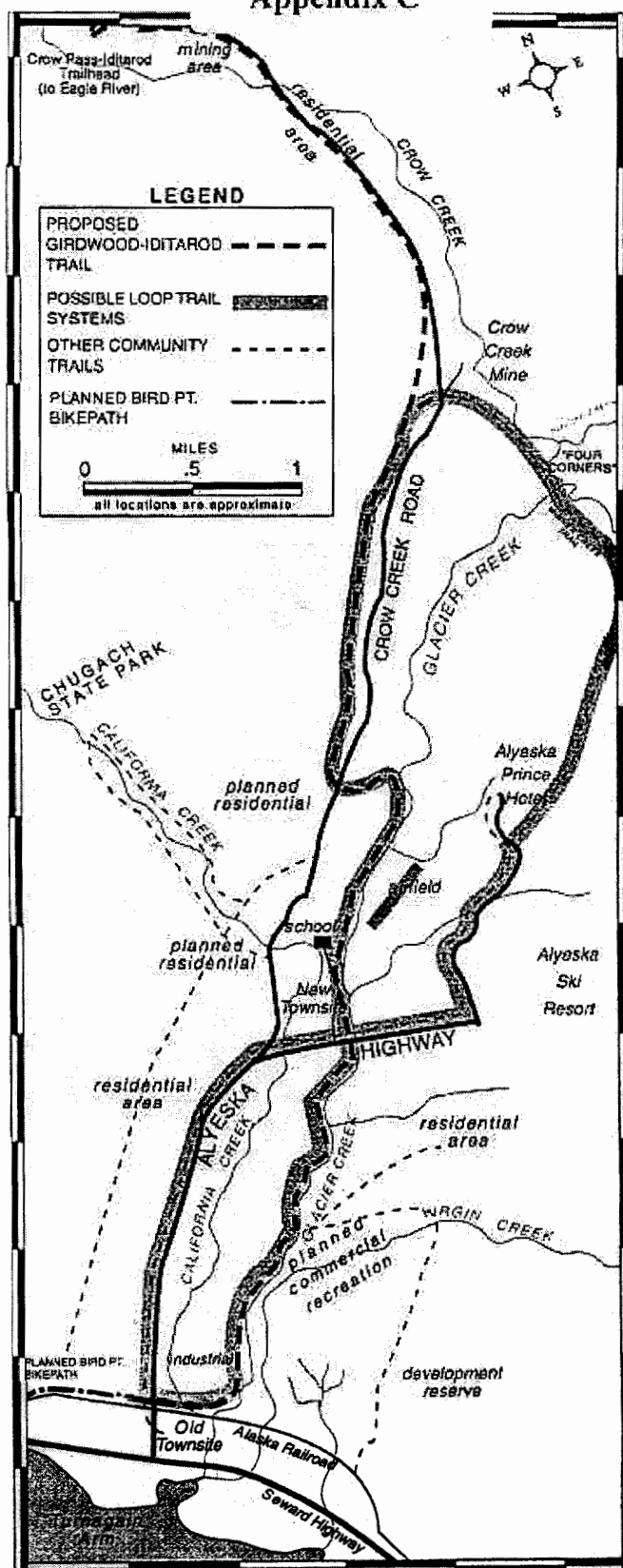
Sincerely,

A handwritten signature in black ink that reads "Rebecca S. Nourse". The script is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

REBECCA S. NOURSE  
Acting Forest Supervisor



## Appendix C



**Map 2.2 Recommended route for the Girdwood-Iditarod Trail (thick dashed line) and loop trail systems completed with the development of the route.**

## **Appendix D**

### **Heritage Land Bank Advisory Commission**

#### **Resolution 2004-11**

**A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION RECOMMENDING TO THE ANCHORAGE ASSEMBLY THE APPROVAL OF DISPOSAL OF A CORRIDOR THROUGH A PORTION OF HLB PARCEL NO. 6-011 FOR EXECUTION OF A RELOCATABLE EASEMENT TO THE U.S. FOREST SERVICE TO CONSTRUCT AND MAINTAIN A SEGMENT OF THE IDITAROD NATIONAL HISTORIC TRAIL IN THE GIRDWOOD VALLEY.**

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**WHEREAS**, "It is the mission of the Heritage Land Bank to manage uncommitted municipal land ... to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the comprehensive plan." (AMC 25.40.010); and

**WHEREAS**, land disposals under AMC 25.40.025.F include land sales, land exchanges, leases, and easements; and

**WHEREAS**, the United States Forest Service (USFS) has applied for an easement for construction and maintenance of the proposed Iditarod National Historic Trail within a 200-foot corridor running through the Girdwood Valley, including portions of HLB Parcel No. 6-011, as part of the USFS trail project extending from Seward to Crow Pass and ultimately to Nome, using federal funds exclusively; and

**WHEREAS**, the Municipality supports the proposed trail project as consistent with the goals of the Girdwood Area Plan, Heritage Land Bank objectives, and responsible development of the Girdwood Valley, and recognizes the trail as an amenity enhancing property value and esthetic experience for residents and visitors in the area; and

**WHEREAS**, USFS has identified a route for the proposed trail between Winner Creek Trail and Crow Creek Road, based upon historic location and reservations for the trail contained in legal documents, a lineal distance of approximately 10,100 feet; and

**WHEREAS**, the Municipality, through the Heritage Land Bank, intends to utilize portions of the proposed trail route with residential development and construction of certain public facilities and infrastructure, yet to be determined and located, as called for in the Girdwood Area Plan, requiring a provision in the forthcoming easement to allow relocation of the trail if necessary; and

**WHEREAS**, to provide for immediate funding of the trail project and commencement of construction, HLB wishes to provide USFS with adequate assurance of management authority over the corridor as proposed; and

**WHEREAS**, USFS will commit to funding design and construction of the trail, and maintenance and enforcement in perpetuity,

**NOW THEREFORE THE HERITAGE LAND BANK ADVISORY COMMISSION RESOLVES TO RECOMMEND THE APPROVAL OF A RELOCATABLE EASEMENT, SUBJECT TO:**

**Section 1.** MOA Legal Department shall review the proposed easement for consistency of terms with the Anchorage Municipal Code as to enforcement provisions and form.

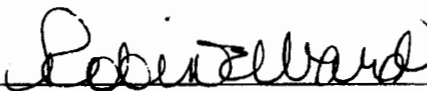
**Section 2.** This resolution will take effect immediately upon passage and approval, subject to completion of the pending Agency Review.

**PASSED and APPROVED** on this, the 8<sup>th</sup> day of September, 2004 by the Heritage Land Bank Advisory Commission.

**SIGNED:**

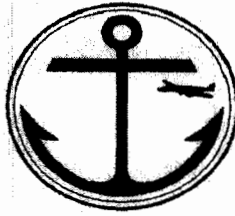
  
\_\_\_\_\_  
Jeffrey D. Blake, Chair  
Heritage Land Bank Advisory Commission

**ATTEST:**

  
\_\_\_\_\_  
Robin Ward, Executive Director  
Heritage Land Bank

# Municipality of Anchorage

## Appendix E



P.O. Box 390  
Girdwood, Alaska 99587  
<http://www.muni.org>

*Mark Begich, Mayor*

GIRDWOOD VALLEY SERVICE AREA BOARD OF SUPERVISORS  
David Sears, Co-Chair; Diana Stone Livingston, Co-Chair;  
Tracey Knutson, Richard Dowd, Victor Duncan

### **Resolution 2004-08** Of the Girdwood Board of Supervisors To Support Resolution 2004-11 of the Heritage Land Bank Advisory Commission of the Municipality of Anchorage

**Whereas** the system of trails within the Girdwood community has been developed and maintained by local volunteers in cooperation with the U. S. Forest Service and the Municipality of Anchorage, and

**Whereas** the systems of trails in the Girdwood valley is deemed an important factor in the economic, social and recreational well being of the community, and

**Whereas** the U. S. Forest Service plan for developing the Iditarod National Historic Trail (INHT) system from Seward to Crow Pass includes a portion of the Winner Creek Trail, and

**Whereas** a portion of the Winner Creek Trail in Girdwood is on land held by Heritage Land Bank of the Municipality of Anchorage, and

**Whereas** the U. S. Forest Service has received funding to complete construction on the portion of the Winner Creek/Iditarod Trail that lies within HLB Parcel No. 6-011 and requires an easement from Heritage Land Bank permitting construction and maintenance in perpetuity on this section of trail, and

**Whereas** a summary paper prepared by the U. S. Forest Service entitled "Girdwood Area Easements and the Iditarod National Historic Trail Project" describes the issues confronting the U. S. Forest Service in constructing and maintaining this portion of the trail, and

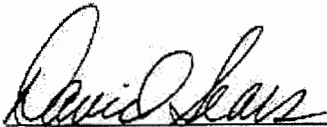
**Whereas** Heritage Land Bank staff and Municipality of Anchorage legal staff have made detailed studies of the issues involved in granting an easement in perpetuity to the U. S. Forest Service in this instance, and the Heritage Land Bank Advisory Commission has passed HLB Resolution 2004-11 granting said easement,

**THEREFORE BE IT RESOLVED THAT** the Girdwood Board of Supervisors of Girdwood, Alaska supports the conclusions and implementing resolution recommending to the Anchorage Assembly the approval of disposal of a corridor through a portion of HLB Parcel No. 6-011 for execution of a relocatable easement to the U. S. Forest Service to construct and maintain a segment of the Iditarod National Historic Trail in the Girdwood Valley, and be it

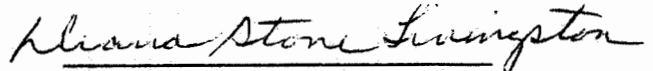
**FURTHER RESOLVED** that the Girdwood Board of Supervisors resolution of approval is subject to these provisions:

- (1) the following documents are made a part of this resolution by reference: Heritage Land Bank Advisory Commission Resolution 2004-11, Trail Easement, Girdwood Area Easements and the Iditarod National Historic Trail Project Summary Paper,
- (2) the Girdwood Board of Supervisors requests along with provisions in said documents that the trail be relocatable, that specific provision be made permitting access across said trail by roadway or other trails should such access be necessary,
- (3) the Girdwood Board of Supervisors requests specific provision permitting volunteers from the community to assist in the ongoing maintenance of this trail segment should the U. S. Forest Service at some time not have personnel or funds to provide ongoing maintenance.

Signed this 20<sup>th</sup> day of September, 2004.



David Sears, Co-Chair  
Girdwood Board of Supervisors



Diana Stone Livingston, Co-Chair  
Girdwood Board of Supervisors



**Content Information****Content ID :** 002325**Title:** Iditarod Trail Easement Disposal**Author:** vanhornlr**Initiating Dept:** HLB**Select Routing:** All Ordinances AO**Description:** Easement with USFS for Girdwood portion of Iditarod Historic Trail through HLB property**Keywords:** Iditarod**Date Prepared:** 10/29/04 1:31 PM**Director Name:** Robin Ward**Assembly Meeting Date** 11/16/04  
**MM/DD/YY:****Public Hearing Date** 12/7/04  
**MM/DD/YY:****Workflow History**

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ECD_SubWorkflow	10/29/04 4:01 PM	Approve	thomasm	Public	002325
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OMB_SubWorkflow	11/4/04 2:25 PM	Approve	pearcydl	Public	002325
Legal_SubWorkflow	11/4/04 4:30 PM	Approve	gatesdt	Public	002325
MuniManager_SubWorkflow	11/4/04 8:45 PM	Approve	leblancdc	Public	002325
MuniMgrCoord_SubWorkflow	11/8/04 8:08 AM	Approve	katkusja	Public	002325