

CLERK'S OFFICE

**APPROVED**

Date: 3-13-12

Submitted by: Chairman of the Assembly  
at the request of the Mayor  
Prepared by: Real Estate Department  
For reading: February 28, 2012

ANCHORAGE, ALASKA  
AR NO. 2012-52

1 A RESOLUTION OF THE ANCHORAGE ASSEMBLY APPROVING THE  
2 HERITAGE LAND BANK 2012 ANNUAL WORK PROGRAM AND 2013-2017  
3 FIVE-YEAR MANAGEMENT PLAN.

4  
5 WHEREAS, it is the mission of the Heritage Land Bank (HLB) to manage  
6 uncommitted municipal land and the HLB Fund in a manner designed to benefit  
7 the present and future citizens of Anchorage, promote orderly development, and  
8 achieve the goals of the Comprehensive Plan (AMC 25.40.010); and  
9

10 WHEREAS, the Heritage Land Bank Advisory Commission (HLBAC), following  
11 public notice and hearing, shall recommend and submit for Assembly approval on  
12 a yearly basis an annual work program, and not less than once every three years  
13 also submit a Five-Year HLB Management Plan that identifies proposed land  
14 acquisition, management, transfer, inventory and disposal objectives; and  
15

16 WHEREAS, the draft HLB 2012 Annual Work Program and 2013-2017 Five-Year  
17 Management Plan were presented to the HLBAC in a public hearing on January  
18 12, 2012, and approved Resolution 2012-01, recommending Assembly approval;  
19 Now, therefore,  
20

21 THE ANCHORAGE ASSEMBLY HEREBY RESOLVES:  
22


23 Section 1: The Heritage Land Bank 2012 Annual Work Program and 2013-2017  
24 Five-Year Management Plan is hereby approved.  
25

26 Section 2: This resolution shall take effect immediately upon approval by the  
27 Assembly.  
28

29 PASSED AND APPROVED this 13<sup>th</sup> day of March, 2012.  
30

31   
32 \_\_\_\_\_  
33 Chair

34 ATTEST:

35   
36 \_\_\_\_\_  
37 Municipal Clerk



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 133-2012

Meeting Date: February 28, 2012

1 FROM: MAYOR  
2 SUBJECT: **A RESOLUTION OF THE ANCHORAGE ASSEMBLY**  
3 **APPROVING THE HERITAGE LAND BANK 2012 ANNUAL**  
4 **WORK PROGRAM AND 2013-2017 FIVE-YEAR MANAGEMENT**  
5 **PLAN**  
6

7 The administration forwards for your consideration a resolution approving the  
8 proposed Heritage Land Bank (HLB) 2012 Annual Work Program and 2013-2017  
9 Five-Year Management Plan, attached. AMC 25.40.020.B. requires that the HLB  
10 Advisory Commission (HLBAC) shall submit and recommend for Assembly  
11 approval an annual work program for the HLB and a five-year plan not less than  
12 once every five years. This program plan serves as a set of guidelines and  
13 proposed activities by the division for purposes of accomplishing the purpose  
14 and mission of HLB. The plan is subject to revision as required, is subordinate  
15 to, and must comply with, all Assembly approved regional and comprehensive  
16 plans.  
17

18 Both the annual work program and five year management plan documents  
19 include details on proposed land acquisitions, inventory, management, transfers  
20 and disposal activities of the HLB, including revenues and expenditures of the  
21 HLB Fund. HLB has combined both the annual program and the five-year plan  
22 into a single, comprehensive document with the intention of annually updating  
23 the plan. The five-year component is included as chapter 4, and also lists a set  
24 of land acquisition, inventory, transfer and disposal activities proposed by the  
25 HLB after 2012.  
26

27 The HLB 2012 Annual Work Program and 2013-2017 Five-Year Management  
28 Plan complies with all requirements of AMC 25.40.020.B. and provides a  
29 proactive plan for both the near- and long-term allocation of HLB land and  
30 resources. Key project components include proposed land use studies,  
31 completing several ongoing projects and initiating a number of new significant  
32 projects.  
33

34 AMC 25.40.020.B. requires public notice of not less than 45 days prior to a public  
35 hearing by the HLBAC on the annual work program. On November 14, 2011, the  
36 draft work program was posted online and made available for download, and  
37 notices were published on the HLB's main municipal web page and sent to all  
38 municipal agencies, public and private organizations, community councils and  
39 municipal department directors for review and comment. Also on November  
40 14th, the January 12, 2012 agenda for the public hearing on the draft plan was  
41 placed on the MOA online Public Meetings Notice web pages, as well as  
42 notification added to HLB's main web page.  
43

On January 12, 2012, the HLBAC conducted the public hearing, accepting public testimony and discussing written recommended changes and comments received. The commission approved the attached work program document, allowing administrative edits to be incorporated, and to add any appropriate amendments to the document from public and community council comments. HLBAC Resolution 2012-01 was passed unanimously, recommending Assembly approval, and the signed resolution is included as 'Appendix E' in the attached draft document. We request your favorable consideration.

Prepared By: Real Estate Department  
Approved: Tammy R. Oswald, Director, Real Estate Dept.  
Concur: George J. Vakalis, Municipal Manager  
Respectfully submitted: Daniel A. Sullivan, Mayor

Attachments (6):

- 2012 HLB Work Program Chapters 1 and 2
- 2012 HLB Work Program Chapters 3 and 4
- Work Plan Appendix A: Maps
- Work Plan Appendices B and C: Policies and Fund Balances Report
- Work Plan Appendix D: Leases and Permits
- Work Plan Appendices E and F: HLBAC Resolution #2012-01, and Community Council Comments with Staff Response

# **HERITAGE LAND BANK**

## **2012 ANNUAL WORK PROGRAM and 2013-2017 FIVE-YEAR MANAGEMENT PLAN**



### **MUNICIPALITY OF ANCHORAGE Daniel A. Sullivan, Mayor**



### **REAL ESTATE DEPARTMENT**

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

**Tammy R. Oswald, Executive Director**  
**Karlee Gaskill, Land Manager**  
**Susan A. Paine, Land Manager**  
**Alison L. Smith, Land Manager**  
**Lynn Roderick Van Horn, Office Manager**

#### **Real Estate Services Division**

**Tammy R. Oswald, Manager**  
**Carla Johnson, Foreclosure Specialist**  
**Jacque Tennis, Office Assistant**

## **TABLE OF CONTENTS**

Chapter 1. Overview of the Heritage Land Bank . . . . .	3
Chapter 2. Heritage Land Bank – 2010 & 2011 Progress Report . . . . .	11
Chapter 3. Heritage Land Bank – 2012 Work Program . . . . .	19
Chapter 4. Heritage Land Bank – 2013-2017 Five-Year Plan . . . . .	27

### **Appendices**

Appendix A: Regional Maps of HLB Inventory  
Appendix B: Approved HLB Policies and Procedures  
Appendix C: HLB Fund Activities by Year and Fund Balance Graph: 1995-2011  
Appendix D: HLB Leases and Permits List (Year-end 2011 spreadsheet)  
Appendix E: DRAFT HLBAC Resolution 2012-01  
Appendix F: Public Comments and Response matrix

### **2012 Heritage Land Bank Commissioners**

Eleanor Andrews, Jim Balamaci, Terry Bryan (Chair), Dianna Hiibner, Eva Loken (Vice-Chair), Ryan Lucas, and Lottie Michael

PHOTO TO BE ADDED

---

## Chapter 1. HERITAGE LAND BANK OVERVIEW

---



---

The Heritage Land Bank (HLB) is a self supporting, non-tax based agency of the Municipality of Anchorage, with its own fund and an advisory commission. Title 25 of the Anchorage Municipal Code, “Public Lands,” contains the laws under which the Heritage Land Bank operates (AMC 25.40).

### The Heritage Land Bank Mission Statement

“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 present and future residents of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan.” (AMC 25.40.010)

HLB achieves its mission by managing an inventory of HLB land and resources to benefit a wide variety of municipal objectives. The HLB manages many types of land in its inventory of a little over 10,000 acres, which are divided into approximately **435** parcels zoned residential, industrial, commercial, recreational, public use and open space. About half of the entire HLB inventory is forested lands in the Girdwood Valley, with only a very small percentage of the remaining inventory developed or improved property. Over 40 HLB parcels are leased or permitted to government agencies or to the private sector, and some are used or managed by municipal agencies under special permit or management authorizations. A spreadsheet of leases and permits currently held by the Heritage Land Bank is attached as Appendix D and is also available online.

All proceeds from HLB land sales, leases, and other sources are deposited into the HLB Fund. With approval from the Mayor and Assembly, the fund is used to: support the annual operating expenses of HLB; manage and/or improve HLB property; conduct land use, planning, and feasibility studies; and carry out any off-site mitigations and acquire property for municipal use. Since its inception in 1983, the HLB has operated without any direct taxpayer support but has contributed millions of dollars in support to the general municipal government that benefit our growing community.

Municipal properties deemed surplus to current and future needs are generally disposed of through competitive bid, in accordance with Municipal Code. Some parcels may, however, be sold directly to ‘authorities’ such as Anchorage Water and Wastewater Utility (AWWU), Municipal Light & Power (ML&P) or the Anchorage School District (ASD) for continued use by the MOA.

The Mayor, with Assembly approval, may also designate any municipal land or interest in land for placement in the HLB. However, land placed in the HLB generally is:

- land reserved for unspecified purposes, or needed for specific or future public purposes;
- land determined excess to municipal needs but unsuitable for disposal and development; or
- other land determined excess to present or future municipal needs that may be suitable for disposal or development.

The following is a breakdown of estimated developable acreage in the HLB inventory.

### Heritage Land Bank – Summarized Status of Inventory

ACREAGE (Estimate)*	Anch. Bowl	Chugiak/ Eagle R.	Girdwood	HLB Total Acreage:
<b>HLB Wetlands</b>	1,224	47	776	2,047
<b>HLB Uplands</b>	2,109	1,307	5,687	9,103
<b>Est'd. Total HLB Acreage:</b>	3,333	1,354	6,463	11,150

**Total Approximate Acreage: 11,150**

#### Conditions Placed on HLB Inventory:

Government reverter clauses, Anchorage Bowl**	850
Leases and Permits (SOA Crime Lab, Alyeska Resort, etc.)	1,653
Under other MOA agency management (parks, snow dumps, etc.)	1,500
Requested for future MOA use (Section 36, former native hosp. site, etc.)	665
Inaccessible/mountainous parcels (avalanche zones, no roads, etc.)	3,870
Wetlands – Class A (current estimates)	1,500
Wetlands – Class B ( “ “ )	208
Contaminated parcels (Reeve Blvd., Mt. View properties)	22

**ACREAGE WITH UNENCUMBERED DEVELOPMENT POTENTIAL: 882**

\* Figures are based on GIS approximations

\*\* These parcels can only be disposed to/used by another government entity.



## A Brief History of the Heritage Land Bank

In 1972 the Greater Anchorage Borough established a Land Trust Fund. Amended in 1976, the trust fund was created to acquire and manage property for the municipality. Six municipal department directors originally made up a Land Trust Fund Council, which maintained oversight over the fund and its properties. The Municipal Entitlement Act of 1978 granted Anchorage a total land entitlement of 44,893 acres. However, a shortage of available state land in the Anchorage area has made it difficult to fulfill this entitlement. As a result, the municipality has been able to select and obtain title to only about half its total land entitlement, or approximately 25,000 acres.

HLB was formed in 1983 to acquire and manage land being transferred to the municipality by the State of Alaska. Anchorage is entitled to receive certain state lands under the 1977 state Municipal Entitlement Act. The Mayor and Anchorage Assembly created HLB to manage these lands for the benefit of present and future residents of Anchorage. Over the years, HLB has accepted an expanded role to become the city's land management and real estate arm. Today, the land held within the HLB is one of the many crown jewels of Anchorage, comprising a valuable treasure of lands for present and future uses.

The ordinance creating the HLB also established the Heritage Land Bank Advisory Commission, which consists of seven members appointed by the mayor, to advise the mayor and Assembly regarding the management of land and funds in the HLB portfolio. The commission solicits public comment and holds public hearings whenever appropriate in order to gather and consider public input prior to making recommendations. HLB staff handles the day-to-day land management responsibilities of the HLB.

The HLB recognized the need to inventory its landholdings and in 1984 completed the first land and resource inventory. This inventory map book was last updated in hard copy in 1999, and now exists in an online version for public and municipal access at [www.muni.org/departments/hlb](http://www.muni.org/departments/hlb). It includes maps and categories of all HLB land by region. The inventory identifies all lands by HLB parcel number, municipal tax identification number, zoning classification, acreage and includes a statement of management intent, where applicable. The inventory also lists leases and permits on HLB land.

In 1986, MOA and the State signed the Agreement for the Conveyance of Land of the State of Alaska to the Municipality Of Anchorage, and the Settlement of Land Related Issues ("the Settlement"). 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 is currently a shortfall. A number of parcels of land are in the slow process of being conveyed, including parcels in Eagle River, Indian and Bird Creek.



In January 2005, the Assembly added a new chapter of the municipal code and the Anchorage Community Development Authority (ACDA) was created from the former Anchorage Parking Authority. With this new Authority, the Municipality of Anchorage will be able to coordinate major public-private development projects that will rejuvenate older, deteriorated areas in Anchorage as well as create new economic and neighborhood developments. The HLB will continue to work cooperatively with ACDA on various property and management projects.

In 2008, the Coastal America Partnership, a national organization represented by all U.S. cabinet agencies, many states and the private sector, recognized the “Salmon in the City” Stewardship initiative for its efforts to protect, preserve and restore America’s Coastal Heritage with the Coastal America Partners Award. HLB was one of the initiative’s participants to be honored for its participation in this program.

Many significant land uses and facilities in Anchorage have become reality over the years through contributions from the Heritage Land Bank. These include multiple school sites throughout the municipality, the Cuddy Family Mid-Town Park, demolition of Hollywood Vista apartments site for new development on Government Hill, protection of Conner’s and Klatt Bogs, the Botanical Gardens lease of HLB lands, Rabbit Creek greenbelt, the Eagle River Town Commons, Eagle River Greenbelt, disposal of land for long-term lease of the Chugiak Senior Center, the disposal of the NW1/4 of Section 25 to the Parks Department for addition to Beach Lake Park, as well as the proposed management transfer of many other parcels to Parks, including Section 36 in southeast Anchorage.

HLB’s past commercial, civic and recreational contributions in Girdwood include the designation of Moose Meadows Park, land for the post office, parking expansion plans for town square, permits through Girdwood Parks and Recreation for the Girdwood Forest Fair, industrial storage lots, and the newly completed library/community center. A land use study was completed in 2006 for the Crow Creek area, and in 2009 HLB completed a land use study for recreation, commercial and civic uses in the South Townsite. In addition, HLB is spearheading a residential subdivision in Girdwood containing approximately 40 lots named Holtan Hills in memory of long-time Girdwood supporter Howard Holtan.

For a number of years, HLB has been actively involved in planning and providing for compensatory wetlands mitigation required by the U.S. Army Corps of Engineers (COE) permitting process. In addition to providing wetlands mitigation on a site specific basis, such as for Elmore Road, HLB is working to develop programs that will allow the sale of compensatory mitigation credits. These programs will utilize strategies available through the COE permitting process, establishing an in-lieu-fee and mitigation bank agreement.

On occasion, HLB has also acquired properties that have been taken through tax deed, or has purchased land on behalf of other agencies through contributions from the HLB Fund whenever required by the administration and the Anchorage Assembly.

In 2010, the Sullivan administration reorganized several municipal agencies, and as part of that reorganization, the Heritage Land Bank became a division level agency under the newly named Real Estate Department (RED). RED also includes the Division of Real Estate Services (RES), and both are located in the Permit Center at 4700 Elmore Road. RES provides services to municipal agencies and manages all land and leases for the MOA except for the Heritage Land Bank, Anchorage Community Development Authority, Anchorage School District, Merrill Field, the Port and

Anchorage Water & Wastewater Utility. RES also supervises the delinquent and foreclosure activities for properties in the municipality, restoring the tax base in amounts often over six million dollars each year.

HLB will continue its public outreach programs to help the citizens of Anchorage better understand the land management and land banking mission of the HLB and how it is implemented. This will be accomplished through public information documents available in hard copy and via download at its expanded web site ([www.muni.org/departments/hlb](http://www.muni.org/departments/hlb)), and public meetings.



### **THE HERITAGE LAND BANK FUND**

In 1976, the Municipality of Anchorage created a Land Trust Fund. In July 1976, its balance was \$170,432. During that year, the fund accrued \$10,826 in revenues and expended \$120,097, with the fund's first year-end balance of **\$61,161**.

On August 1, 1983, the **Heritage Land Bank** was created and the MOA's Land Management Fund was renamed the Heritage Land Bank Fund. According to AMC 25.40.035, the HLB Fund can be used for three purposes: the annual HLB operating budget; to acquire land for municipal use; and to manage and improve HLB land.

Our goal has been and continues to be to manage the fund closely to achieve our mission's objectives, with additional focus on increasing our asset value and fund strength. A graph in **Appendix C** of this document outlines the fund's activities since 1983, showing the annual fund balance at the end of each year, and a trend line of the moving average from year to year. The highest year-end fund balance occurred at the end of 2003, with a fund total of \$6,045,350. The lowest year-end fund balance was in 2008, with an approximate year-end balance of \$716,000, not including \$808,000 that was due at that time from the Anchorage Community Development Authority and listed as a Scheduled Receivable.

### **ACQUIRING MUNICIPAL ENTITLEMENT LANDS**

This year as in the past, the Municipality of Anchorage will continue to work closely with the State of Alaska to identify and resolve any remaining land entitlement issues. The current estimated balance of state land remaining to be conveyed to MOA is approximately 13,716 acres. Several large surveys are underway to provide for conveyance, including 105 acres adjoining the Seward Highway in Indian and 155 acres in Bird. HLB is also working to get two more parcels conveyed that are identified in the entitlements agreement as Parcel #68 at Point Woronzof (ADL 223363) and Parcel #21 known as Airport North (ADL 201573).

The State of Alaska recently notified HLB that the decision document issued for conveyance of lands specified in the 1986 Agreement for the Conveyance of Land of the State of Alaska to the Municipality of Anchorage, and the Settlement of Land-Related Issues, is tantamount to patent regardless of patent status. HLB anticipates completion of land surveys in 2012 to take control of several parcels that state agencies have all but formally relinquished, subject to final decision documents.

### **NORTH ANCHORAGE LAND AGREEMENT (NALA)**

The MOA was granted rights to receive substantial acreage under the 1982 North Anchorage Land Agreement (NALA), a federally approved agreement resolving several longstanding land ownership disputes between Eklutna, Inc., the State and the Municipality. NALA provides for the future allocation of existing military land to the north and east of Anchorage, in the event it is declared excess to the Department of Defense (DOD), and provides for each party to receive up to 15,404 acres. However, this could occur only in the event that DOD formally declares the land as excess to its needs in the Anchorage area. To date, the MOA has received title to a little less than 300 acres of NALA land under its public interest land entitlement; no lands have been declared as excess by the DOD. As part of the entitlement lands issue, HLB will consider possible land trades with Eklutna, Inc., and the State of Alaska in conjunction with NALA discussions.



### **LAND MANAGEMENT OBJECTIVES**

HLB manages land to maximize benefits to the Municipality and the public. All management activities are consistent with the comprehensive plan and implementing measures, in order to enhance or protect land values over the long term. To the extent possible, the HLB's goal is always to achieve more efficient and cost effective utilization. Our management objectives shall include:

1. The HLB shall ensure that all HLB lands are reasonably protected from adverse impacts, including fire, insect damage, plant disease, illegal dumping, hazardous or contaminated materials, timber theft, vandalism and other threats.
2. HLB shall continue to aggressively enforce trespass violations, from posting signs in areas of known campsites to removal of illegal structures and vehicles.
3. The HLB will base all land use authorizations on prevailing market rates, except as otherwise provided by AMC 25.40.
4. The HLB shall seek to dispose of improved lands from its inventory to the appropriate municipal agency with the capability to manage and utilize improved facilities.
5. HLB will continue to assist in implementing and supporting municipal plans in accordance with HLB policy and economic guidelines.

## **CONVEYING LAND TO THE PRIVATE SECTOR**

Parcels in the HLB inventory can be disposed of through trade, sale, lease or donation. HLB land disposals are based upon at least the appraised fair market value of the land, except as otherwise provided in AMC 25.40. HLB may exchange excess municipal land in the HLB inventory (for which no municipal purpose has been reserved or identified) for other non-municipal land which has greater potential value or attributes for municipal use. HLB is allowed to dispose of land when the advisory commission, Mayor, and Assembly concur there is no current or planned municipal use for the land.

### **Annual Work Program**

“The advisory commission, following public notice and hearing as specified in this chapter, shall recommend, and submit annually for assembly approval, a work program which conforms to the ... five-year management plan, and which includes detailed descriptions of the proposed land acquisition, inventory, management, transfer and disposal activities of the Heritage Land Bank for the coming year...”. AMC. 25.40.020)

HLB is one of the few municipal agencies required to submit a work program to the Assembly. This requirement reflects the considerable public interest inherent in our programs, and offers the public an excellent opportunity to participate in the overall direction and scope of our activities. AMC 25.40.020 also requires submission of a Five-Year Management Plan to the Assembly. Since 2002, the HLB has been combining these two requirements into a single document and producing a combined work program/five-year plan that is updated annually.



## **FIVE-YEAR MANAGEMENT PLAN**

“The advisory commission, following public notice and hearing as specified in this chapter, shall recommend, and submit for Assembly approval, a five-year Heritage Land Bank management plan. The plan shall identify those land acquisition, inventory, management, transfer and disposal objectives anticipated during this timeframe.” (AMC. 25.40.020)

Predicting the future is at the very least a challenging undertaking. The success of land transactions often depends upon market conditions, financing, creative marketing, good ideas, politics and luck. Consequently, the one-year and five-year plans are best used as an overall guide to which the HLB tries its best to adhere. As an enterprise activity, the administration recognizes that the HLB must be prepared to seek out or recognize unforeseen opportunities as they arise that promote the goals of the Anchorage Comprehensive Plan. Many changing –and challenging- factors make long range forecasting difficult, and therefore the assumptions, objectives and projections that follow in this document are our best attempt at a single point in time for charting our future.

Where no known municipal purposes can be identified by municipal agencies and when market conditions are generally determined favorable, HLB may sell, exchange or lease particular parcels within its inventory following public and agency reviews, a Heritage Land Bank Advisory Commission recommendation, and with Mayor and Assembly approval.

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 its management responsibilities on unimproved land while removing improved properties or lands with designated uses from its inventory for other municipal agencies.

Such land management decisions, including land disposals, must always be consistent with the Anchorage Municipal Code, the Anchorage Comprehensive Plan and its component area plans, and implementing measures. If it cannot be determined whether a proposed management or disposal action is consistent with the comprehensive plan and implementing measures, the HLB shall complete a site-specific land use study prior to a final management or disposal decision.

The public has several opportunities to comment on any proposed action, disposal or activity of the HLB. Each year, the annual work program attempts to discuss every foreseeable near-term initiative, and must be approved by the HLB Advisory Commission after a public hearing, and then by the Assembly following additional public hearings. Later, each initiative recommended in the approved plan must be approved separately by the Advisory Commission and the Assembly. Thus, the public generally has four occasions to provide testimony on any given issue, and may have even more public process if zoning changes or conditional uses are planned.



---

## Chapter 2. **HERITAGE LAND BANK ACCOMPLISHMENTS:** **2011**

---



HLB accomplished several goals in the last couple of years in spite of the poor economic climate. The determination was made to focus on administering capital projects with a more reasonable likelihood of completion. Land use studies were completed in Girdwood and Eagle River, and land previously acquired by MOA was improved for municipal purposes, additional parcels were acquired to promote projects and safeguard future needs.

### **DISPOSALS**

HLB inventory disposals include sales, exchanges, leases and easements to the private sector, and transfers of parcels to other municipal agencies. The HLB consults with other municipal agencies to determine whether HLB land is needed to fulfill various municipal purposes. If an agency identifies a need for HLB land (present or future) and provides sufficient justification for such need, HLB may initiate a disposal review process for such lands on behalf of the requesting agency. If HLB cannot satisfy the identified needs from HLB inventory, attempts to acquire land for that purpose may be initiated.

Girdwood – Holtan Hills Subdivision – HLB issued a utility easement to Chugach Electric Association to facilitate installation of a pressure relief valve in the AWWU Girdwood Phase IIB Water Transmission Main Project. The main closes the Girdwood Valley loop and will provide water to the new Holtan Hills Subdivision.

Girdwood – Parcels 6-010, 6-040, 6-041 -- HLB and Girdwood Parks and Recreation completed a survey of the Beaver Pond, Abe's and California Creek Trails in the western portion of the Girdwood valley. An easement document identifying the trails will be recorded in 2011 to ensure protection of the trails and to provide site control in order to obtain grants for construction and maintenance of the trails.

HLB Parcel 6-009 Bird Creek – HLB is issuing a lease to Chugach Electric Association (CEA) for an existing CEA system communications site. HLB will be obtaining final patent to a large parcel in Bird encumbered with the site. HLB identified the existing use on the Bird property and has been working with CEA to designate an appropriate site size. Assembly approval is expected prior to the end of 2011, with lease issuance in early 2012.

HLB Parcel 6-002 Indian – HLB identified an existing use of property in the process of being conveyed via the Municipal Entitlement program. GCI, Inc. constructed a fiber optic cable on the property prior to HLB taking on management. The transaction has been approved by the HLBAC and Assembly approval of an easement is expected in late 2011 with issuance in early 2012.

HLB Parcel 4-039 – HLB issued a temporary land use permit to the “Frozen Ground” film production company for the former National Guard Armory building located near the intersection of Spenard Road and International Airport. This site was also leased to “Everybody Loves Whales” film production company in 2010.

## **ACQUISITIONS**

The Heritage Land Bank acquires property for placement into its inventory if the parcel has an undesignated use, but also acquires property for other municipal agencies for specified uses. HLB staff has provided significant staff time on several recent projects for other agencies: the Mt. Baldy land trade on behalf of Chugiak-Eagle River Parks and Recreation, assist the Anchorage School District in purchase of land in the Sand Lake area, the Lake Otis/Tudor Road and Spenard Road improvement projects on behalf of Project Management & Engineering/Right-of-Way, and other real estate transactions assistance on behalf of Parks and other MOA departments. Such services are primarily requested by the administration, generally occur under comparatively short notice, and therefore usually cannot be anticipated for inclusion in this document.

Mt. View/Porcupine Drive Purchase – HLB completed a purchase from the State of Alaska, Department of Natural Resources for a one acre parcel with a 12,000 square foot building on Porcupine Drive. The sale was conducted under a state statute allowing for a negotiated sale to non-profits and governmental entities. HLB intends to hold the property for municipal use or potential long term lease.

Morton Subdivision Parcels – HLB acquired three vacant adjacent parcels from RES. The lots are located at 1216 E. 72<sup>nd</sup>, off Old Seward Highway (Lots 1, 2 & 3, Block 2, Morton Subdivision). The lots are zoned I-1 and 10,125 sq. ft. (total of 30,375 sq. ft.) in size.

Laurel Acres parcels – In late 2011, HLB received seven parcels in its inventory from RES. These properties are located in west Anchorage and will be potentially valuable for use as compensatory mitigation in future projects, and in helping protect a section of the lower Campbell Creek watershed.



## **MITIGATION PROJECTS**

As discussed in Chapter 1, HLB has been increasingly called upon in the past few years to provide compensatory wetlands mitigation required by the U.S. Army Corps of Engineers for various government projects. HLB staff has been working closely with municipal, state, and federal agency staff on a number of projects requiring wetlands mitigation, with our most recent and ongoing projects described below.

- Approximately 25 acres of HLB land were donated in support of mitigation of the East Dowling Road project in 2010.
- HLB land comprising 2.28 acres will provide mitigation at no cost for the Fire Lake Dam project in Eagle River
- HLB also provided mitigation for construction of Dr. Martin Luther King, Jr. Avenue and the State of Alaska Crime Laboratory with the conservation of approximately 40 acres of HLB wetlands.

Recently issued U.S. Army Corps of Engineers and Environmental Protection Agency regulations require that implementation of compensatory mitigation necessary for Corps of Engineers permits shall be, to the maximum extent practicable, in advance of or concurrent with the activity causing the impacts. HLB has developed policies regarding the provision of wetlands mitigation to other municipal agencies as a means of preserving lands and the HLB Fund. HLB will continue to pursue compensation or offsets to address the shortfalls for the mitigation it has provided.

HLB Mitigation Bank – After a number of iterations, HLB submitted a formal mitigation bank prospectus to the COE in February 2011, which was ultimately accepted in March 2011. HLB is in the process of completing a draft mitigation banking instrument addressing numerous



concerns raised by the COE in response to the prospectus. The COE acceptance of a final mitigation banking instrument will permit HLB to operate its mitigation bank.



## **PROJECTS**

Point Woronzof – Closed compost facility – The previous operator of the compost facility sued the MOA for damages related to the lease of the 15 acre parcel which the facility encumbered. The Superior Court of Alaska held a jury trial on the legal proceedings and the jury found mostly against the MOA with a \$600,000 award to the previous lessee/operator. The MOA is appealing certain provisions of the award. HLB now has complete control of the site and will need to start cleaning up the materials left by the lessee.

Crow Creek Neighborhood Plan Implementation – The Plan, approved in 2008 by the Planning & Zoning Commission, sets out general residential development areas in the upper Girdwood Valley and designates densities and types of development. HLB has been working closely with AWWU on construction of its Water Transmission Main Loop Project, completed in 2011, through the Lower Matrix area of the Crow Creek Neighborhood that will provide more dependable water sources to the Girdwood system. The Holtan Hills development constitutes a 28-acre portion within the Crow Creek neighborhood and HLB's consultant, R&M Consultants, Inc., has been developing an estimate of the full build-out costs. Build-out costs affect whether or not a developer may take on the project, and makes the project financially feasible.

Girdwood South Townsite Master Plan - Opportunities for redevelopment of several large HLB parcels lying south of the Alyeska Highway. A multi-phased master plan of the area was developed by HLB and approved by the Planning and Zoning Commission in May 2009. The area is currently being replatted to reflect the conceptual master plan.

Girdwood South Townsite Parcels Leasing - HLB will continue discussions with Little Bears and other entities desiring long term leases in the South Townsite.

Girdwood Valley Flood Plain Mapping – HLB participated with PM&E in mapping the Glacier Creek floodplain from Alyeska Highway up-valley. New FEMA maps have been issued.

Section 36: HLB Parcels 2-124 (A through C), 2-125 & 2-126 (Anchorage Hillside) - In July 2011, the HLB Advisory Commission (HLBAC) approved an amendment to the Annual Work Program and Five-Year Management Plan to provide for retention of HLB Parcels 2-125 and 2-126, an area of approx. 232 acres located south of Clark's Road, in HLB management for conservation, subject U.S. Army Corps of Engineers approval. The remaining portion of Section 36 will be managed by the Parks and Recreation Department (Parks) pursuant to its nearly-completed Park Master Plan. HLB Parcels 2-125 and 2-126 are proposed for addition to the HLB Mitigation Bank. Parks will be permitted to conduct planned trail and low impact activities in HLB Parcels 2-125 and 2-126.

Girdwood Industrial Park – Management of HLB Parcel 6-057 is an ongoing project. DOWL/HKM completed a survey for replatting the property in preparation for road and utility improvements, but this hasn't been recorded due to lack of funding for the subdivision. A 2002 feasibility study helped determine the appropriate level of development for the project. The study concluded that the return on investment may be marginal. State Legislative funding was requested for planning, platting and development of the new industrial park, but has yet to be received. HLB worked with Solid Waste Services and Anchorage Water and Wastewater Utility to upgrade and pave Ruane Road, the access into the site. HLB is continuing its efforts in cleaning up the areas that were previously leased by tenants who left personal property after their permits were terminated. HLB will progress with new leases once this cleanup process is finished.

Girdwood Trails – The Girdwood Nordic Ski Club was established to fund and construct new multi-use trails in the upper valley. HLB issued a trail easement for the first five kilometers, most of which has been constructed and is ready for skiing.

## **CONTAMINATED SITES**

Certain HLB parcels have been found to contain contamination in several different forms. In 2011 several sites were remediated or remediation programs were initiated including the following.

- Completed remediation of a PCB-contaminated site in Mt. View (Parcel #3-004)
- Ongoing/final clean-up of petroleum contamination on former HLB parcels in west Anchorage on Cope Street (HLB #4-026, 27 & 28) completed in 2010.
- EPA supported ADEC in characterizing contamination under the former Alaska Native Hospital Site on 3<sup>rd</sup> and Ingra (HLB Parcels 4-046 & 47) caused by a nearby dry cleaner.
- Research into disposition of HLB Parcel 3-010 adjacent to Glenn Square; may need to initiate a Phase II Site Assessment.

## **LAND MANAGEMENT**

Prior to a sale, exchange, lease, transfer or other major management decision involving HLB land, the Municipality may decide whether a site-specific land use study is necessary. A study is generally required if it is unclear whether the comprehensive plan and implementing measures provide enough specific guidance for the particular property in question. These studies address community facility needs including roads, parks, schools, utilities, trails, identifying historical and natural landmarks, natural hazard areas, environmentally sensitive lands; residential, commercial, industrial areas, and the compatibility of the proposed use or activity with adjacent areas. All studies are reviewed by the public prior to adoption by the HLB Commission and the Assembly.

Chugiak/Eagle River Site Specific Land Use Study – In 2010, HLB finalized the land use study for HLB Parcels 1-071, 72, 73 and 74. Three of these parcels are located in Eagle River near the Harry J. McDonald Recreation Center. The fourth parcel (1-071) is northwest of the other three parcels.. The Plan was approved with the condition that HLB rezone those affected parcels prior to disposal. The requirement that HLB rezone Parcels 1-72 and -73 was removed by Assembly ordinance in order to allow HLB to market these parcels more economically and efficiently. Recommended rezoning will then be accomplished by the buyer of the property.

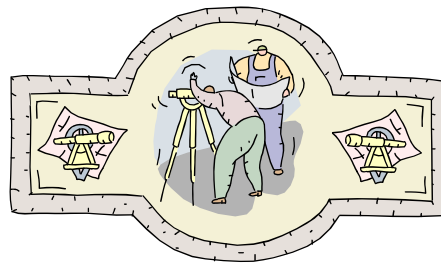
Trespass Issues – In June, 2010, a fire broke out on HLB Parcel #3-064, most likely caused by an illegal campfire. The Assembly and administration are treating illegal campsites as a public nuisance and working to address growing community concerns regarding homeless camps. Homeless camps and other illegal uses of vacant municipal land are increasingly recognized as an ongoing, widespread problem for HLB and other landholding agencies. In wooded areas, camping and related activities such as deposits of refuse and construction of small structures are common. Additionally, HLB must routinely deal with abandoned vehicles, garbage, party activities, and destructive off-road vehicle use. Addressing illegal activities with remediation and taking enforcement measures is a substantial part of managing HLB lands.

HLB identified trespass camping and placer mining on HLB lands in Crow Creek and in the Girdwood Valley, and responded by posting notices to campers and warning them that all of their camping equipment would be removed. By the next site visit, some of the tents and equipment had been removed. The camping was associated with suction dredging for gold in Crow Creek which is an allowed use in waters controlled by the State (Crow Creek). HLB now needs to remove the remaining camping equipment and structures, a very challenging task given the topography in that area of Crow Creek.

Fire Fuels Reduction – In recent years, Anchorage's aging forests have become prone to Spruce Bark Beetle infestation. Increasing numbers of spruce trees have fallen prey to this devastating plague, leading to a rise in the 'fire fuel load' on some of HLB's forested lands. The Anchorage Fire Department addressed the higher priority parcels and contracted fire crews to clear out high

fuel load areas on some HLB property. Assessment of fuel loads will continue in other potential high-risk areas of the municipality.

HLB Inventory – The Heritage Land Bank strives to maintain complete and current records of all lands and funds in its inventory with the help of the MOA’s Geographic Information Systems (GIS) Section. Parcel information is updated in HLB records on a regular basis as changes occur. The updated inventory incorporates mapping software from GIS to provide the public with the latest in mapping technology. The HLB mapping application is now available online, by visiting the HLB web page: [www.muni.org/departments/hlb](http://www.muni.org/departments/hlb), and a two-volume map book containing hard copies of the HLB inventory is also available to the public for review in the HLB office in the Permit Center at 4700 Elmore.



## **MUNICIPAL ENTITLEMENTS**

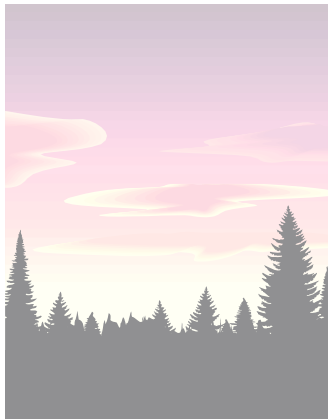
North Anchorage Land Agreement (NALA) – The National Interest Lands Conservation Act (ANILCA) passed by Congress in 1980 allows local people to solve local problems. NALA provides the format to resolve several longstanding land ownership and management issues in the Municipality north of downtown Anchorage, which originally involved more than 100,000 acres. NALA is a contract signed in 1982 between the State of Alaska, the Municipality of Anchorage, and Eklutna, Inc. These stakeholders meet annually to review and discuss options for acquisition of State owned land when and if the Military disposes of it.

Surveys – HLB’s contractor surveyed a 155 acre Bird Valley parcel in 2010 and 2011, and after obtaining Municipal platting approval, will submit the plat to the Alaska Department of Natural Resources for issuance of final patent. Survey of Indian Valley parcel is mostly complete, but trespass issues related to expired mining claims prevent MOA from accepting final patent.

**Table 2.1**

**2011 Heritage Land Bank Advisory Commission Resolutions**

RESOLUTION NUMBER	SUBJECT	DATE	ACTION
2011-01	Disposal of Easement in HLB Parcel #6-009 to GCI	1/13/11	Approved
2011-02	Approval of the 2011 HLB Work Program and Five-Year Plan	4/14/11	Approved
2011-03	Disposal to FAA by Lease Amendment for Non-Directional Beacon Site on HLB Parcel #4-003A	5/26/11	Approved
2011-04	Sole Source sale of HLB Parcel #6-003A to Indian Valley Bible Chalet	5/26/11	Approved
2011-04(S)	Sole Source Sale of HLB Parcel #6-003A to Indian Valley Bible Chalet at Negotiated Price plus Appraisal Cost	10/13/11	Approved
2011-05	Approval for Sealed Bid Sale of HLB Parcel #4-039, former site of National Guard Armory	5/26/11	Approved
2011-06	Sole Source Lease of building space at 3001 Porcupine Drive, HLB Parcel #3-073	5/26/11	Approved
2011-07	Sole Source Lease on HLB Parcel #6-009B to Chugach Electric for Telecommunications site	7/14/11	Approved
2011-08	Replat and Retention of portions of Section 36 for conservation	7/14/11	Approved
2011-09	Commission Endorsement of the Administration's Appointment of Tammy Oswald as HLB director	10/13/11	Approved
2011-10	Disposal of HLB Parcels 5-035, 36 & 37 by separate Sealed Bid Sale for Minimum FMV plus costs	10/13/11	Approved





---

## Chapter 3. **HERITAGE LAND BANK – 2012 WORK PROGRAM**

---

The annual Heritage Land Bank Work Program is a guide for allocating and managing HLB land and resources. The plan recognizes that its functions and activities must be consistent with Municipal Code and maintain the public trust, and seeks to strengthen public involvement throughout the process. HLB will continue to conduct its affairs on behalf of the citizens of the Municipality of Anchorage in a manner based upon factual information consistent with the public trust.

Per AMC 25.40.020.B of the Anchorage Municipal Code, major HLB work items anticipated during each calendar year will be reviewed in advance by the public and be approved after public hearings before the HLB Advisory Commission and the Anchorage Assembly. In addition, the code states that public notice for the HLB Advisory Commission public hearing on the annual work program is provided no less than 45 days prior to the hearing. By comparison, all other HLB public hearings require that the public notice precede the hearing by no less than 14 days. The public will have additional opportunity to comment when a public hearing is later scheduled on each particular work item included in the approved annual work program. Municipal code requires that the HLB Advisory Commission provide public notice and hold a public hearing prior to taking action on land disposals (sales, leases, exchanges, easements), and land transfers from the HLB inventory to other agencies. Considerable effort is made to keep the public notified of proposed HLB activities through neighborhood mailings, publication of the agenda and via online information maintained on its web page. Any additions to the proposed list of disposals through sale, exchange, or lease, however, will require an amendment to the work program with approval by the Advisory Commission and Assembly.

HLB recognizes the need to accommodate new projects, or to delete proposed projects if or when circumstances warrant. Therefore, during the course of the year some reprioritization of work

items may occur in order to address new developments. Following are the highest priority work items proposed for the HLB in 2012.

## **2012 PROPOSED DISPOSALS**

HLB Parcels 6-003A and B – Sale of a parcel subject to a lease with the Indian Valley Bible Chalet, HLB Parcel 6-003A, will be completed in early 2012. The leasehold covers two parcels and the sale is conditioned on relinquishment of the leasehold on 6-003B. HLB will consider offering 6-003B for sale in a competitive sealed bid auction in 2012 or 2013.

HLB Parcel 6-008 - This residential parcel in Bird Creek was initially offered for sale in 2010 but no bids were received. Interest in the sale has been identified, and HLB reissued the offering in fall 2011 for an extended period but again received no bids. HLB will consider revising its sale procedures to the extent allowable under the code and may reoffer this parcel for sale in 2012.

HLB Parcels 6-076 to 6-246 (approximately) – These parcels in the lower Girdwood Valley area are commonly referred as the “Squirrel Cages.” A large portion of this area, included in the Girdwood South Townsite Master Plan, is being considered for disposal.

Girdwood Trails – Easements will be issued to MOA for the trail system in Girdwood Valley with management authority transferred to Girdwood Parks and Recreation. Surveys of the existing trails are required to specifically identify current locations and provide mapping for easement documents. Recorded easements are necessary to protect existing trails and to provide site control for obtaining grant funds for construction and maintenance.

HLB Parcels 5-035, 36 & 37 – These three contiguous parcels, also referred to as the ‘Morton Estates’ parcels, are located at 1216 E 72<sup>nd</sup> Avenue and were transferred to HLB in 2011. Each parcel is approximately 10,125 square feet in size and zoned I-1. The HLBAC approved a sale of the properties in October 2011.

HLB Parcel 4-039 – This parcel commonly referred to as the Armory property received approval from HLBAC and the Anchorage Assembly in 2011 for disposal.

HLB Parcel 2-156 –HLB is working with AWWU on the proposed sale of a portion of this parcel for placement of a local water tank. Completion of a plat and the sale is expected in 2012.

HLB Parcel 2-144 – This 39 acre parcel located above Potter Valley was offered for sale in 2008. HLB received no bids at that time, and staff will review the potential for disposal in 2012. Per 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.

HLB Parcels 1-072B and 73 – With the action by Municipal Assembly Ordinance in 2011 removing a requirement for HLB to rezone these parcels prior to disposal, HLB plans to market these parcels, totaling approximately 10 acres, in 2012.

HLB Parcel 1-007C – This approximately 20 acre parcel in Chugiak residential neighborhood was offered for competitive sale in 2008 and received no bids. As economic conditions improve, HLB will continue monitoring the market in 2012 to determine an appropriate offering timeframe.

## **2012 ACQUISITIONS**

Laurel Acres Subdivision – This is a large wetland area located within the curve of Minnesota Drive. It contains large tracts of municipal lands and is entirely Class B wetlands. HLB formally selected a number of recently tax foreclosed properties within the Laurel Acres Subdivision for public purpose, and acquired seven of them in 2011. This land is located within Wetland 60, which also contains the proposed right of way for the 100<sup>th</sup> Avenue extension and other potential development sites. The Laurel Acres properties may be used for mitigation for these projects in the future. HLB will continue to acquire these parcels as they become available.

Municipal Entitlement Lands – As referenced under Chapter 1 of this Plan, HLB will continue to work for the conveyance of lands identified in the 1986 Agreement for the Conveyance of Land of the State of Alaska to the Municipality of Anchorage.



## **CURRENT AND CONTINUING PROJECTS**

Glacier-Winner Creek Nordic Trails - HLB will continue to work with the Girdwood Nordic Ski Club to fund, design and engineer the initial Nordic trail corridor into the Glacier-Winner Creek drainage from near the Alyeska Hotel. HLB has issued a long-term easement for construction of the trails on HLB property.

Girdwood Access: Arlberg Road Extension – HLB will coordinate with Alyeska Resort and Public Works to facilitate design and construction of a segment of Arlberg Road adjacent to the Alyeska Hotel.



Girdwood Industrial Park Parcel 6-057 – This large mostly industrial parcel in the lower Girdwood valley is currently used by AWWU and SWS for their Girdwood facilities and a few local businesses that require industrial land for material and equipment storage.

Girdwood South Townsite Plat - Located south of Alyeska Highway in an area that includes the Library and Community Center. This area is being replatted to comply with the approved South Townsite Master plan and current zoning.

HLB Parcel 3-066 – This site of the former R&K Furniture store, located near the entrance to the new Glenn Square shopping area, is currently being utilized by Street Maintenance for street light storage. The property will be assessed in 2012 for future disposal.

Section 36 (HLB Parcels 2-124, 2-125) – As covered in Chapter 2, upon completion of the Parks and Recreation Department’s Master Planning process, management of the northern portion of the section will be transferred to the Parks and Recreation Department. The southern part of Section 36 is predominantly wetlands and contains creek corridors. Subject to COE approval, these portions of Section 36 will be added to the HLB Mitigation Bank for conservation of habitat and other ecological values.

HLB Parcels in Campbell Tract – HLB parcels within Campbell Tract, or portions of them, are being committed for use as compensatory mitigation for Dr Martin Luther King, Jr. Avenue. Other HLB parcels within Campbell Tract will be proposed to be incorporated in the HLB Mitigation Bank. Lands used for this purpose would be preserved with conservation easements.

HLB Parcels 4-046 & 4-047 – The former Native Hospital site, located at 3<sup>rd</sup> Avenue and Ingra Street, will continue to be made available by permit for short-term community uses. These parcels are being held for potential rights-of-way or other downtown improvement projects.

Hollywood Vista – A majority of the parcels comprising this Government Hill property were transferred from the HLB inventory to ACDA, with the conditions that HLB be reimbursed the remaining amount of \$619,368 owed by ACDA for hard costs associated with the land. The ordinance also stipulates that it would revert back to HLB inventory if the project is not completed within five years of the transfer (AO 2006-178).

HLB Parcel 1-085 (Hiland Road area) – Alaska Department of Corrections (DOC) is interested in obtaining additional land around their Hiland Road Correctional Facility to buffer the facility from the neighborhood and changing land uses. Some of that property is in HLB’s inventory. HLB and DOC are working on a memorandum of understanding regarding moving toward an exchange of property to achieve DOC’s buffering goals.

Chugach State Park Access – In order to improve access to Chugach State Park as the Anchorage 2020 Comprehensive Plan encourages, HLB will continue exploring the feasibility of exchanging certain HLB parcels such as HLB Parcel #2-139 in upper Bear Valley adjacent to

Chugach State Park. In return for state land of equal value elsewhere, the municipality could obtain lands which would have greater utility for public purposes. Chugach State Park has produced an access inventory and trails and access plans. HLB will work with the state and the public to accommodate some of these desired access areas.



Anchorage Detox Facility – The Salvation Army has a lease on HLB property west of Anchorage International Airport for the Clitheroe detoxification facility. HLB continues to participate in the State’s efforts to locate a replacement site for the Clitheroe detox facility. The State of Alaska’s consultants are conducting a site location study which includes some HLB lands that need further analysis of the impact to the municipality. In the event relocation of the facility remains the option favored over upgrade/improvement of the present facility and extension of the present lease, potential use as a public access area to the Tony Knowles Coastal Trail will be explored.

Compensatory Mitigation Programs/Wetlands Evaluation – HLB is working to develop programs that will allow the sale of compensatory mitigation credits for the preservation, restoration and enhancement of wetlands and streams throughout the municipality. These programs will utilize strategies available through the COE permitting process, establishing in-lieu-fee and mitigation banking agreements with the COE to protect our waterways and watersheds while generating income for municipal use. In response to COE and agency comments, in 2011, HLB worked with the Planning Department to develop a prioritization methodology to be applied to all lands within the HLB inventory to be used as a tool for selection of highest value wetlands for preservation in the HLB Mitigation Bank. Additions to the HLB Mitigation Bank will also be subject to public review and comment. Notice of these opportunities for comment will be provided to the community councils as each project goes forward.

Reverter Clauses – In many cases, municipal lands are encumbered by “reverter clauses” that require the reconveyance of the property back to the previous owner (usually the state or federal government) if the property is no longer used for a specified purpose. Three examples are HLB Parcels #4-004, 05 & 06, contiguous parcels located downtown Anchorage at 7<sup>th</sup> Avenue and I Street, currently permitted to the Anchorage Parking Authority for use as a parking lot. The lots are encumbered by a deed restriction and “reverter clause” that limits their use to municipal

purposes only. Without the reverter clauses, these parcels could be disposed from the inventory to the private sector. HLB will continue to work to remove these clauses through all available mechanisms, including state and federal legislation.

Point Woronzof – Closed compost facility – As described in Chapter 2, HLB now has complete control of the site and will need to start cleaning up the materials left by the lessee.

## **2012 LAND MANAGEMENT**

Uncommitted lands include those held in reserve in the HLB inventory for possible future needs by various municipal agencies. Although these lands may currently have HLB management designations, for the purpose of the HLB inventory focus, they may still be considered as “uncommitted,” to indicate availability for other potential municipal uses.

Trespass has been identified in the Indian area on lands in HLB management, but not yet patented. Two parties claim ownership of about 40 acres due to earlier mining claim activity. Several structures are constructed on the property. HLB, along with the Alaska Department of Natural Resources, asserts that the claims are invalid and the occupation is in trespass. In 2011, HLB started a mining claim review and analysis process to demonstrate that the claims are invalid. In early 2012, HLB and the Municipal Attorney’s Office will use the results to determine whether a court action is necessary to remove the trespassers and will take actions to clear the land of the trespass and encumbrances. HLB will then complete the steps necessary to obtain patent to the municipal entitlement lands.

## **HLB INVENTORY DATABASE**

Changes to the inventory occur over time as lands are disposed of, withdrawn from the inventory or acquired. Per the Heritage Land Bank Policies adopted by the Assembly, the inventory is to be updated “not less than once every three years” (AMC 25.40.010.B). In 2007, the MOA’s GIS Division of the IT Department completed an inventory map-book that is available online and printable on demand. The new web application is on the HLB web page at [www.muni.org/departments/hlb](http://www.muni.org/departments/hlb), and a hard copy of the map book is available for review in the HLB office located in the Permit & Development Center at 4700 Elmore Road.



## **STUDIES AND PLANNING**

HLB continues to work actively with other municipal departments in planning efforts that may impact HLB lands. HLB is participating in the Parks Department's Section 36 Master Plan, and has worked in recent years on the Far North Bicentennial Park Trail Plan and the Beach Lake Regional Park Master Plan Update.

Girdwood's "South Townsite" - Several hundred acres lie between Glacier and California Creeks, south of Alyeska Highway and north of Ruane Road, located close to Girdwood's commercial area. The adopted South Townsite Master Plan analyzes appropriate ways to implement previous plans including the Commercial Areas and Transportation Plan. The master plan defined the developable area and designates specific areas for civic, recreational and commercial/retail uses. HLB contracted with a consultant in 2009 to replat this area consistent with the adopted master plan. We anticipate submitting a preliminary plat early 2011 and having the final plat recorded before the end of that year. This project will be ongoing through the 2<sup>nd</sup> and 3<sup>rd</sup> phases, which may be 10 to 20 years in the future.

Girdwood Area Plan Update – The Municipal Planning Department is updating the Girdwood Area Plan. HLB is participating in the update and will provide Planning with conveyance status updates and information on plans for future use of Girdwood lands.

West Anchorage District Plan – HLB is working closely with the Planning Department to develop the West Anchorage District Plan. The Anchorage 2020 Comprehensive Plan recognizes that the West Anchorage District Plan is intended to provide resolution of airport/community land issues. HLB will continue to work with the airport and the west Anchorage community councils to attempt to resolve several ongoing land use issues.



## **SURVEYS**

The HLB contracted for boundary survey of 155 acres in the Bird Creek Valley south of Anchorage to obtain patent from the State. HLB currently manages this land as part of the municipal entitlements program, but does not yet have patent. The survey was contracted for early 2010 and completion is expected in 2012.

HLB will be looking into completing the Indian property survey and obtaining patent to the property. The survey was mostly complete when trespass was discovered on the property. In 2012 HLB will be negotiating a solution to the trespass which may require finalizing the plat (See Trespass Issues above)

### **CONTAMINATED SITES**

The Heritage Land Bank continues to respond to the need for remediating contamination on municipally owned land, assisting the Real Estate Department as a whole by supporting and administering cleanup grants and other remediation projects on land not in the HLB inventory. Cleanup and remediation issues include:

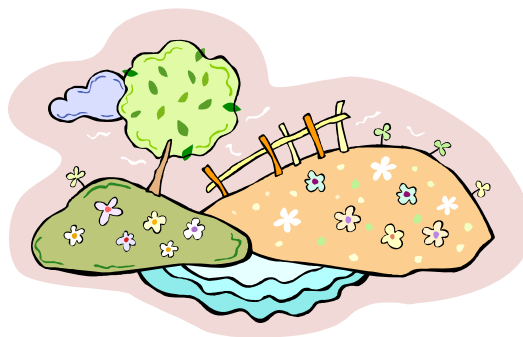
- HLB is researching availability of grant funds for new and ongoing site clean-up
- Community gardens are a potential future redevelopment use, and the ADEC may have funding for clean-up with this goal for an end use on remediated parcels.

### **CONSERVATION EASEMENTS**

Upon approval of its mitigation bank by the COE, HLB plans to place conservation easements on the following parcels for addition to the mitigation bank:

- Campbell Tract Site, HLB Parcel 3-049
- Connors Bog Site, HLB Parcel 5-019
- Southwest School Site, HLB Parcels 5-006 and-007

This action was approved by the HLBAC on May 14, 2009, by Resolution 2009-06.





---

## Chapter 4. **HERITAGE LAND BANK FIVE YEAR WORK PLAN, 2013-2017**

---

Over the next five years, HLB intends to address numerous important objectives, including:

- 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,
- transferring management authority for certain HLB lands through Real Estate Services to appropriate municipal agencies,
- disposing of HLB lands through sale, lease or exchange, and where doing so will achieve municipal purposes,
- continued pursuit of titles to remaining Municipal Entitlement lands owed by the state to MOA,
- 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.

## **POSSIBLE DISPOSALS OF HLB PARCELS: 2013-2017**

The Heritage Land Bank will review several of its holdings for disposal during this five-year planning period. The table below and as further detailed in the following pages represents HLB parcels that will be considered for sale, lease or exchange, provided such disposals are consistent with the MOA's comprehensive plan, land use studies, wetlands mitigation, and market conditions. As recommendations for any disposals are made, the public hearing process will be initiated through the HLB Advisory Commission and recommended to the Mayor, with subsequent approval required by the Assembly, also following a public hearing. Several of these parcels will need to be reviewed more carefully or land use studies undertaken before determining final disposition or use.

### **Potential Disposal Properties: 2013-2017**

<b>HLB Parcel</b>	<b>Location</b>	<b>Size (approx.)</b>	<b>Zone</b>
1-034	Chugiak-Eagle R.	2.5	PLI
1-071	Eagle River	40 acres	PLI (recommended)
1-074*	Eagle River	92 acres	PLI, R-2MSL, R-7, R-10SL (recom'd)
1-084	Eagle River	35 acres	R-1
1-089 (ptn.)	Hiland Road	36.73 acres	R-1
2-127	Potter Valley	20.2 acres	R-6
2-135 & 136	Potter Valley	49.3 acres	PLI
2-146	Potter Valley	12.5 acres	PLI
2-156	Goldenview Drive	13.5 acres	PLI
3-053, 57 & 58	Campbell Tract (for mitigation bank credits)	35 acres	PLI
4-004, 5 & 6	7th Ave. & I St.	.3 acre	B-2B
4-010, 11 & 12	9 <sup>th</sup> Ave. & L St	.2 - .3 acre	B-2C
5-010, 11 & 12	O'Malley Rd.	4± acres	I-2
TBD: SOA to convey upon survey	Indian	105 acres	R-11
6-001(A-H)	Indian	8.67 acres	R-11
6-010, 11, 17 & 18	Girdwood-Crow Creek	1000 acres (portion)	GCR-2, GDR & GOS
6-040 & 41	Girdwood-Valley entry	40 acres	GR-3

\*See Chugiak-Eagle River Site-Specific Land Use Plan (AO 2009-104)

The HLB parcels that may be considered for disposal in the 2013-2017 period as listed in the table on the previous page are described in more detail as follows:

### **Region 1 – Chugiak–Eagle River area**

1. HLB Parcel #1-034 – This 2.5-acre parcel in the Chugiak-Eagle River area is zoned PLI and is located adjacent to the northwest quarter of Section 25. HLB has received inquiries as to the availability of this parcel, and may offer this parcel for sale by competitive bid when market conditions warrant.  
HLB Parcels #1-071 through 1-074 are included in the Chugiak-Eagle River Site Specific Land Use Plan (AO 2009-104).
2. HLB Parcel #1-071 – This 40-acre parcel in Eagle River, zoned R-10, will be rezoned to PLI for Park and Natural Resource. Considered for exchange.
3. HLB Parcel #1-074 – This parcel will require a replatting and rezoning in order to implement the recommended land use zones (PLI, R-2M, R-7SL, and R-10SL).
4. HLB Parcel #1-084 – This is a 35 acre parcel in Eagle River, zoned R-1, to be considered for sale.
5. HLB Parcel #1-089 – The 36.73-acre portion of a 153-acre parcel that has steep terrain and a high avalanche zone, a developable portion will be considered for future sale.

### **Region 2 – Southeast Anchorage Bowl**

1. HLB Parcel #2-127 – A 20-acre parcel in south Anchorage in the Potter Valley area is under consideration for a neighborhood park and withdrawal from the inventory for transfer to the Parks & Recreation Department.
2. HLB Parcel #2-135 & 2-136 – These two parcels, also located in the Potter Valley area, zoned PLI, may be considered for survey or replat once new developments and onsite evaluations are determined, to allow for residential and access reserve through a portion of 2-136 and access through a portion of 2-135, per the Potter Valley Land Use Analysis and AO 99-144. Considerations should be given to prescribed open space and any required agreement with the Alaska Department of Transportation (ADOT) and Department of Fish & Game (ADF&G).
4. HLB Parcel #2-146 – This 12.5-acre parcel in Potter Valley, zoned PLI, currently has no legal/constructed access. The parcel should become available for disposal with the establishment of infrastructure improvements in the area.
5. HLB Parcel #2-156 – Anchorage Water & Wastewater Utility (AWWU) is in the process of purchasing approximately two to three acres for a water tank, and the remainder may be offered for sale or exchange when economic conditions warrant.

### **Region 3 – Northeast Anchorage Bowl**

HLB Parcels 3-053, 57 & 58, Located in Campbell Tract, these parcels will be examined for use as compensatory mitigation for wetlands impacts associated with various projects in the Campbell Creek watershed. Subject to approval by the HLBAC and the Assembly, HLB staff



will utilize a number of strategies available through the COE permitting process to establish conservation easements for this purpose, thus protecting our waterways and watersheds while generating income for municipal use. As also noted in Chapter 3, two such strategies would be the establishment of an In-Lieu-Fee Agreement and a mitigation bank agreement with the COE. The COE accepted HLB's mitigation bank prospectus in 2011, with numerous concerns to be addressed in the development of the mitigation banking instrument. HLB plans to have a working mitigation bank in 2012.

#### **Region 4 – Northwest Anchorage Bowl**

1. HLB Parcels #4-004, 05 & 06 – These are three contiguous parcels located in downtown Anchorage at 7<sup>th</sup> Avenue and I Street and are currently permitted to the Anchorage Parking Authority (APA) for use as a parking lot. The lots are encumbered by a deed restriction and “reverter clause” that limits use to municipal purposes only. The MOA will continue its efforts to have the clause removed by legislation on these and other municipally owned properties in the downtown Anchorage area. Following a highest and best use determination, options may include long term lease or sale of these parcels by competitive bid, or exchange with other governmental entities.
2. HLB Parcels #4-010, 4-011 & 4-012 – Three lots located on the northeast corner of 8<sup>th</sup> Avenue and L Street comprised of over 24,000 square feet and zoned B2-B. The lots are currently used by the Health and Human Services Department as service vehicle and employee parking. A highest and best use determination will be made of the subject lots in preparation for disposal or development.

#### **Region 5 – Southwest Anchorage Bowl**

HLB Parcels 5-010 through 5-012/Maui Industrial Subdivision – As addressed in Chapter 3, these parcels are located on the north side of O'Malley Road and east of C Street. The land is encumbered with a reversionary interest and is primarily Class C Wetlands. HLB will continue exploring opportunities to make the land available for appropriate use.

#### **Region 6 – Girdwood/Turnagain Arm**

1. HLB Parcel #6-001 – Eight platted lots near Indian, each of which is below minimum acreage allowed for residential construction, may be sold as a unit to encourage re-subdivision into optimum parcel sizes, sold to adjacent property owners or replatted into appropriate sizes and sold by HLB.
2. HLB Parcels 6-010 & 11, 6-017 & 18 (Crow Creek neighborhood) – Holtan Hills Subdivision. Property to be offered for sale to the private sector for development.
3. Upper Girdwood Valley – A survey of the approximately 1,200 acres comprising the study area will be required prior to final conveyance of the land by the state to the Municipality. The BLM needs to issue final patent to the State prior to conveyance to the MOA. Studies were completed in 2007 to evaluate the area's potential for expansion of a Nordic and alpine ski area.

4. HLB Parcel #6-040 & 41 – This 40-acre tract in Girdwood is planned to be incorporated into the Girdwood Area Plan update. Large lot residential development was anticipated in the current Girdwood Area Plan. New development will be subject to the requirements of Title 21, Chapter 9.



### **PROPOSED PROJECTS: 2013-2017**

The HLB, as part of the newly created Real Estate Department, expects to continue working closely with the Anchorage Community Development Authority, Community Development Dept., Parks and Recreation, Anchorage School District, the Anchorage Fire Department and other agencies to provide land needed for a variety of municipal purposes. Lands in the HLB inventory that are needed for municipal needs will, through the Assembly approval process, be removed from the inventory and transferred to the Real Estate Services Division, which will process the assignment of management authority to the requesting agency.

Lower Fire Lake, Eagle River – HLB Parcel #1-075 includes a substandard dam that created this lake; state funds were used to improve the dam. The HLBAC approved conveyance of land adequate for this project and to establish a conservation easement protecting the wetlands on the parcel.

Trail System – Girdwood – Nordic skiing, hiking and possible mountain biking trail connecting townsite to upper and lower Girdwood Valley. Preliminary concepts continue to be reviewed.

Crow Creek Road Parcels in Girdwood – Planning of this 1,000-acre area will continue in the coming years as “pods” are positioned for disposal through sale, exchange or development lease. The Crow Creek Neighborhood Land Use Plan contains provisions requiring restrictions for disposal which will guide HLB during this process. HLB will continue to work closely with Anchorage Water and Wastewater Utility and the state Department of Transportation and Public Facilities to plan and construct utilities in the area.

Glacier-Winner Creek Studies - The Girdwood Area Plan identified several thousand acres of HLB and state land near the confluence of Glacier and Winner Creeks in the upper Girdwood Valley for future resort development. The plan notes, “...the skiable area has more than a 5,000-

foot vertical drop, and a capacity for about 12,000 skiers (approximately 3 times the current capacity of Mount Alyeska).” One commercial firm now conducts Sno-Cat and helicopter skiing in the area. General planning studies will be continued.

Girdwood Industrial Park – HLB will work with MOA Planning Staff to resolve issues pertaining to replatting this area and regarding compliance with Title 21.

Downtown Girdwood Parking – The Commercial Areas & Transportation Master Plan identifies a large parking area between Glacier Creek and the New Townsite commercial area on HLB Parcel #6-029.

California Creek Bank Stabilization - Both Glacier and California Creeks are in need of bank restoration at various points to provide for safety of the New Townsite. Engineering and permitting services are required before HLB can contract for any work on either of these salmon-bearing streams.

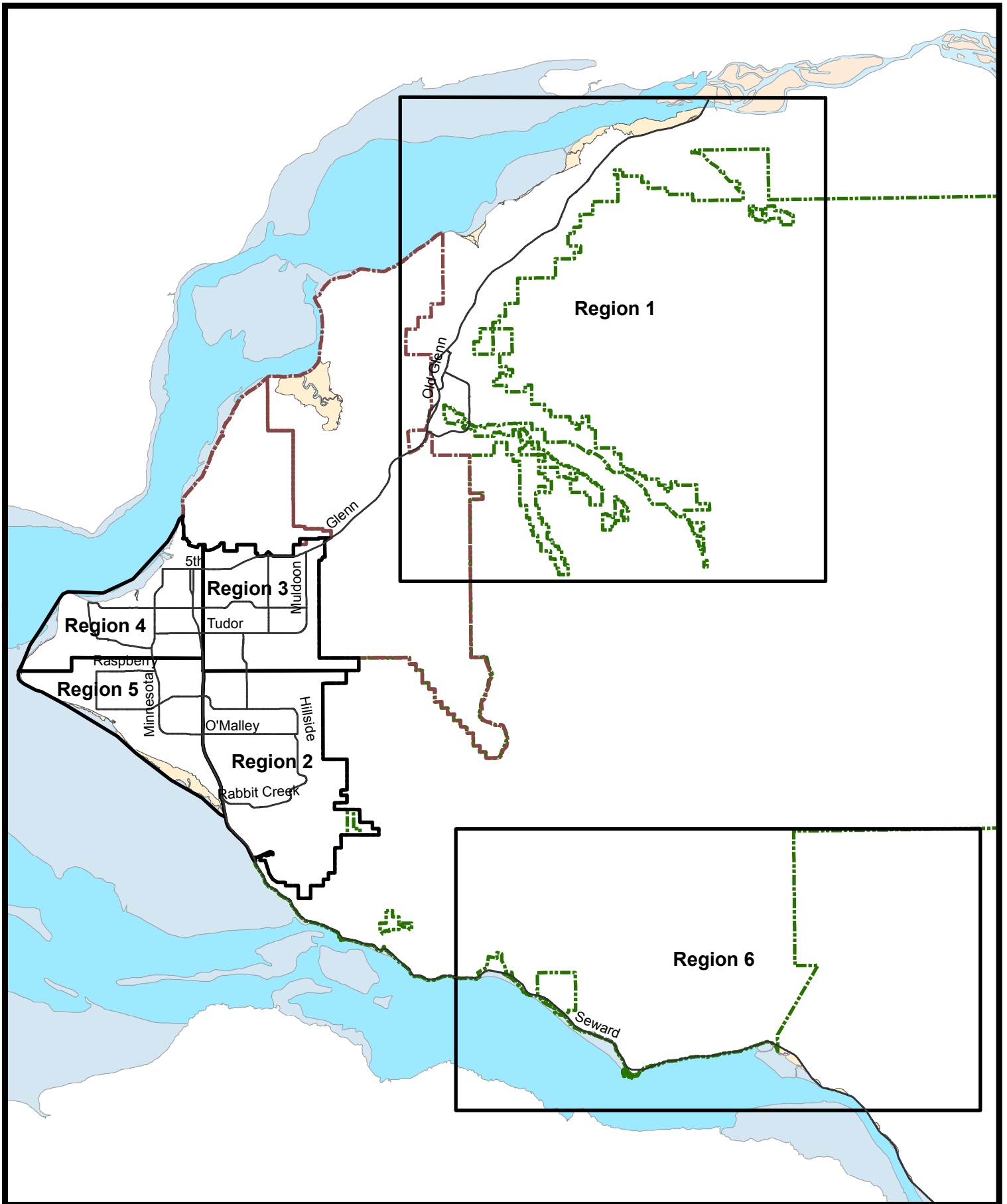
105 acres in Indian approved for conveyance from the State – Portions of this parcel, which runs from the Seward Highway north to relatively steep mountain slopes, are suitable for residential development. A survey initiated in 2006 was the final step needed for conveyance of title to the Municipality. Geotechnical studies will identify developable pods. However, ongoing trespass issues as described in Chapter 3 complicates the state’s future conveyance to the MOA. A land use study, if necessary, would be used to determine the best manner of development, identify constraints to development, and take advantage of opportunities to enhance the natural setting and superb views of the Turnagain Arm.

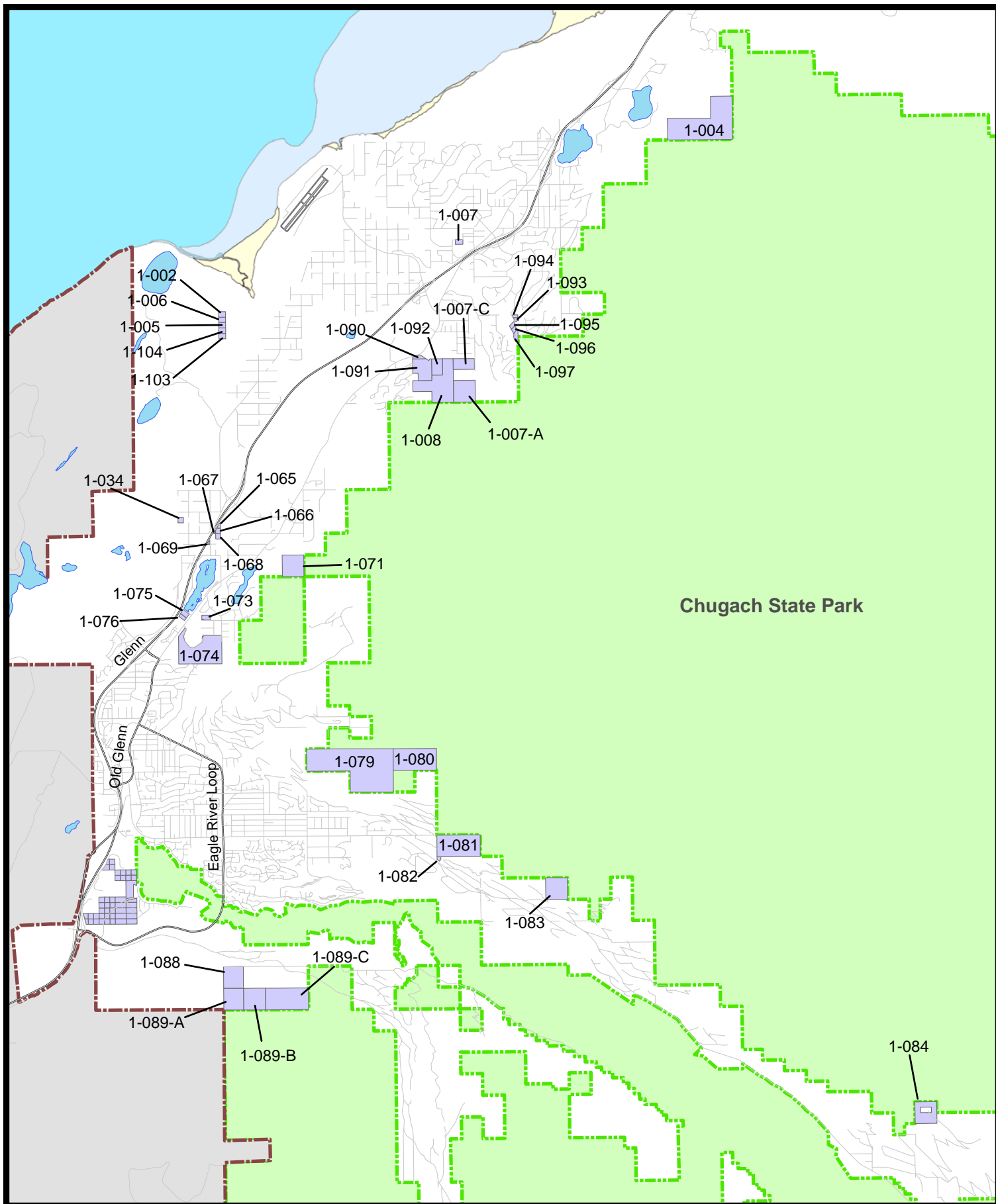
Secondary access for Girdwood from the Seward Highway - HLB will continue to support the Girdwood Commercial Areas and Transportation Plan for an alternate entry into the Girdwood Valley, recognizing the vulnerability of the town to flood, fire or other incident capable of blocking access. Possibly with federal funds and in conjunction with Alaska Department of Transportation, the project will review projected routes identified in the plan.



## OTHER ISSUES: 2013-2017

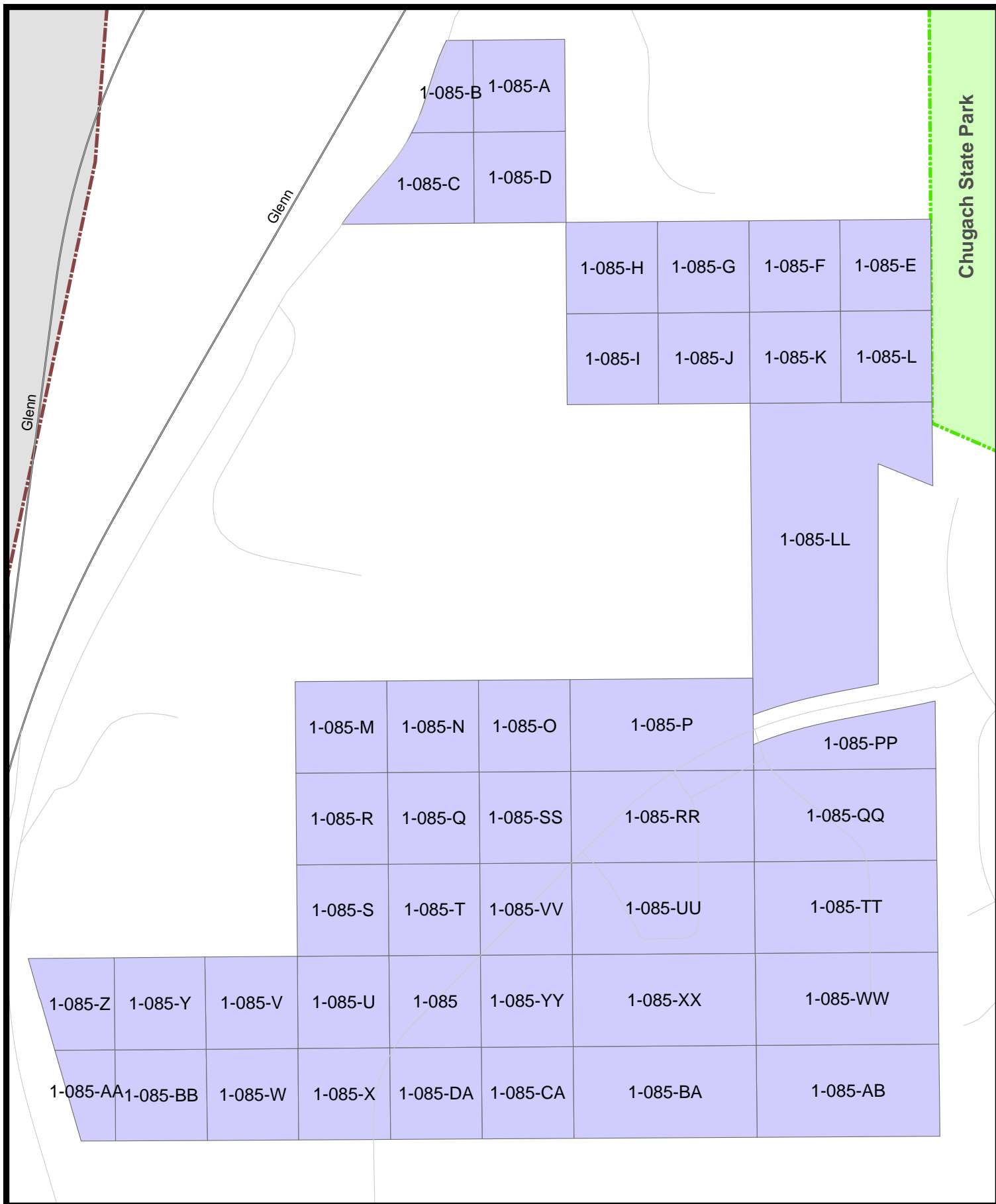
1. Continued monitoring for fire fuel reduction and mitigation to maintain the health of forests on municipal properties.
2. Systematically continue to review all existing HLB leases to determine whether the existing lessees are either paying fair market value for use of these HLB lands or there is justification for below market rents. Also ensure that all lease payments are timely paid and that lease rental rates are regularly reviewed and adjusted.
3. Review and update all HLB application fees and rental rates to ensure that all fees and rents are based upon market rates and at a minimum recover staff costs.
4. HLB will continue to look for funds for contaminated sites cleanup. Properties will be remediated with the goal of meeting state and federal agency standards and for eventual redevelopment.
5. Continue work with Eklutna, Inc., the military, and the state to establish a mechanism to receive land and revenue due the municipality as a result of the North Anchorage Land Agreement (NALA).
6. Position HLB lands in Girdwood in a manner consistent with the updated Girdwood Area Plan, the Girdwood Commercial Areas and Transportation Plan and the various Neighborhood Plans and site-specific Master Plans.
7. HLB continues to explore potential sites for gravel extraction in the Girdwood area. There were fairly extensive gravel resource studies done for that area in the 1980's and 90's.
8. Build community trust and support for HLB functions and activities by ensuring a transparent, accountable process for proposals, and carefully documenting the decision-making process. Also ensure that public notice and outreach are timely and properly provided.
9. Periodically review and consult with municipal agencies to determine their need for HLB land to fulfill municipal purposes. Where such needs are identified, the affected agency will submit an application to the HLB that will then be processed to a final decision. Also periodically review and consult with municipal agencies to determine which land managed by such agencies should be returned to the HLB land inventory.
10. Maintain an aggressive stance with regard to trespassing on HLB lands throughout the municipality and regularly work with Code Enforcement to remove illegal structures, vehicles and debris.
11. Through the Anchorage Mitigation Bank, an In Lieu Fee agreement and/or other mitigation strategies, continue to seek opportunities to preserve, restore and enhance valuable wetlands and aquatic resources throughout the municipality.
12. Continue to develop creative solutions to conservation, mitigation and trail access issues.

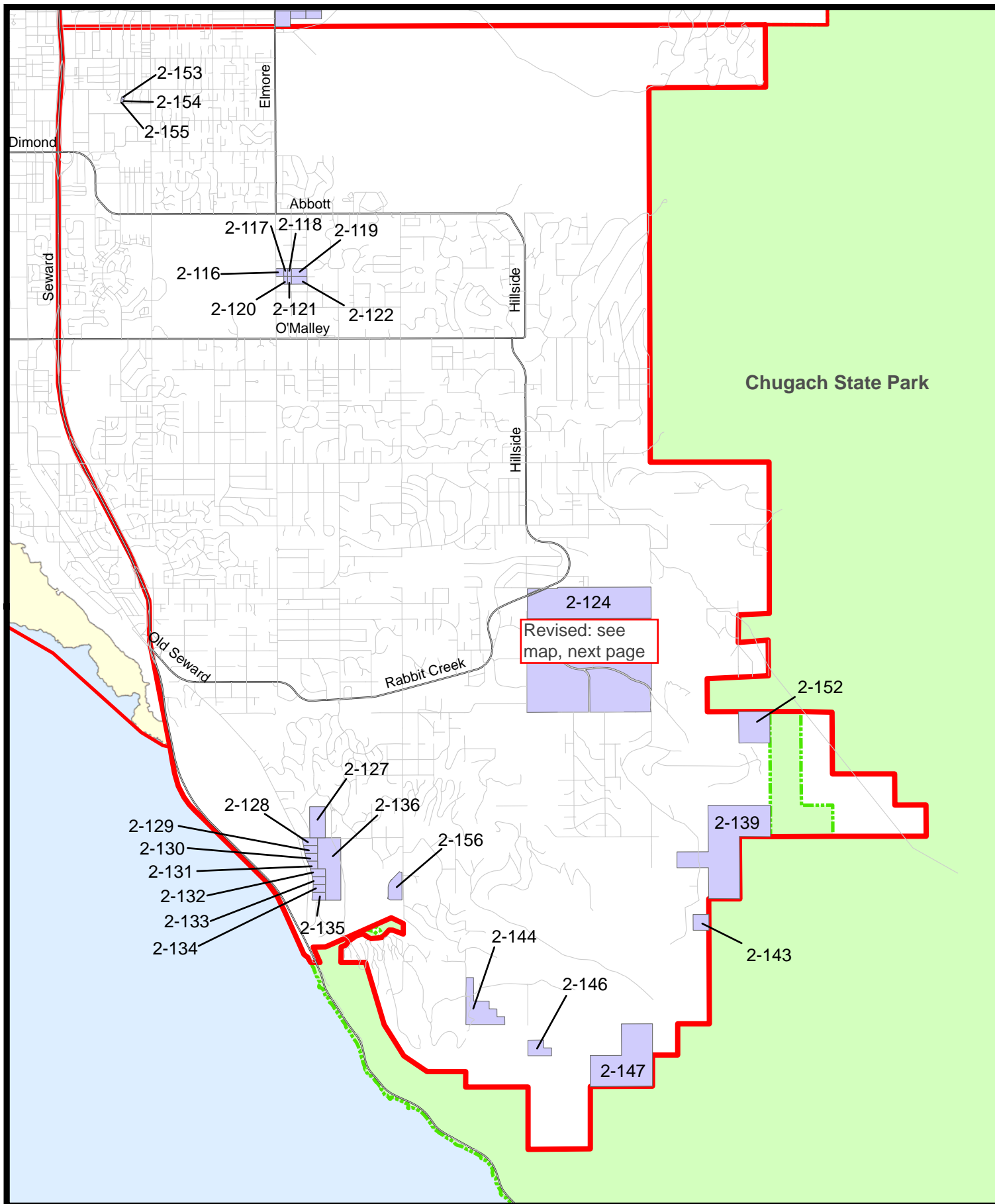




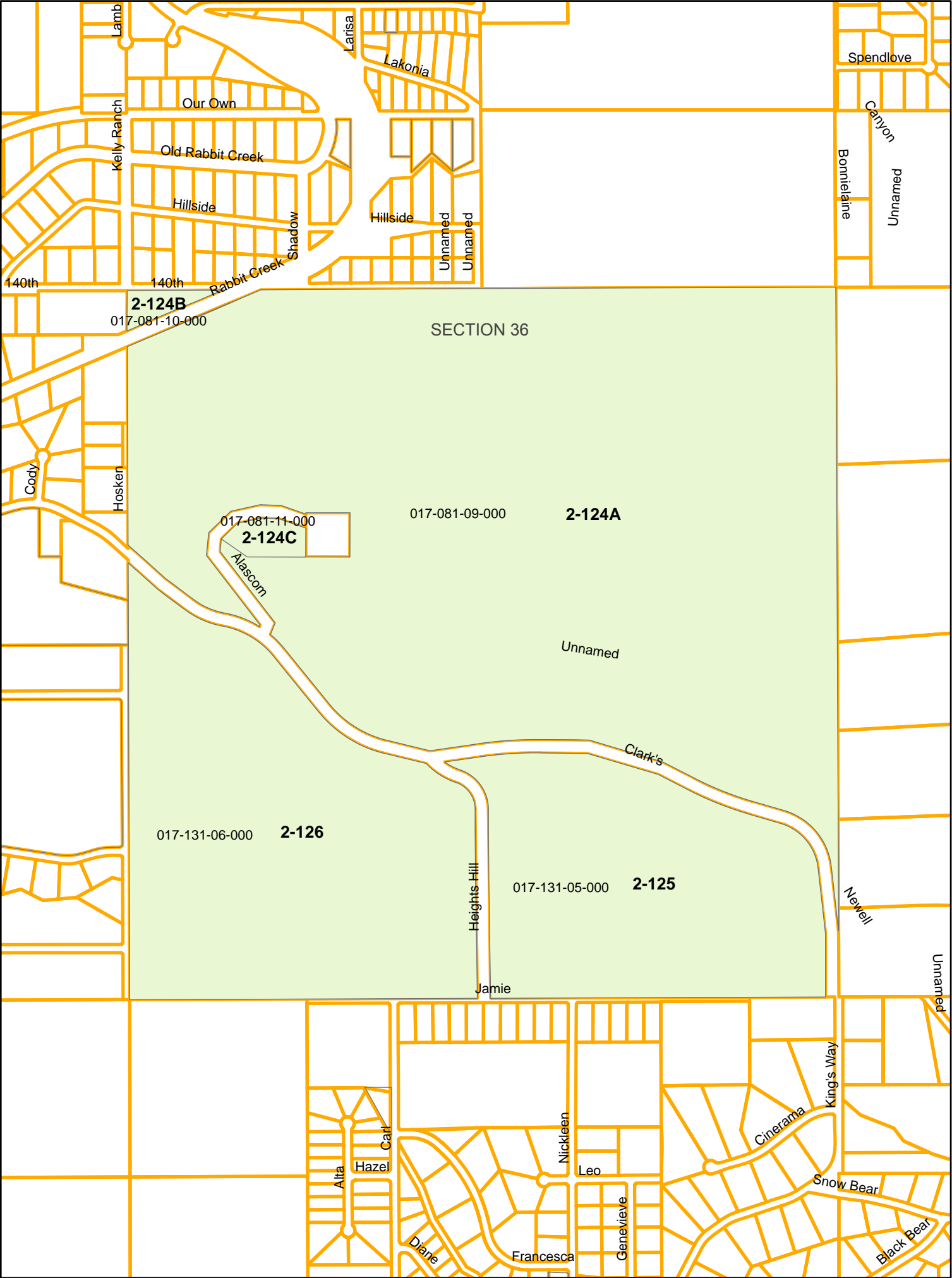
## HLB Property Region 1 Chugiak- Eagle River Parcels

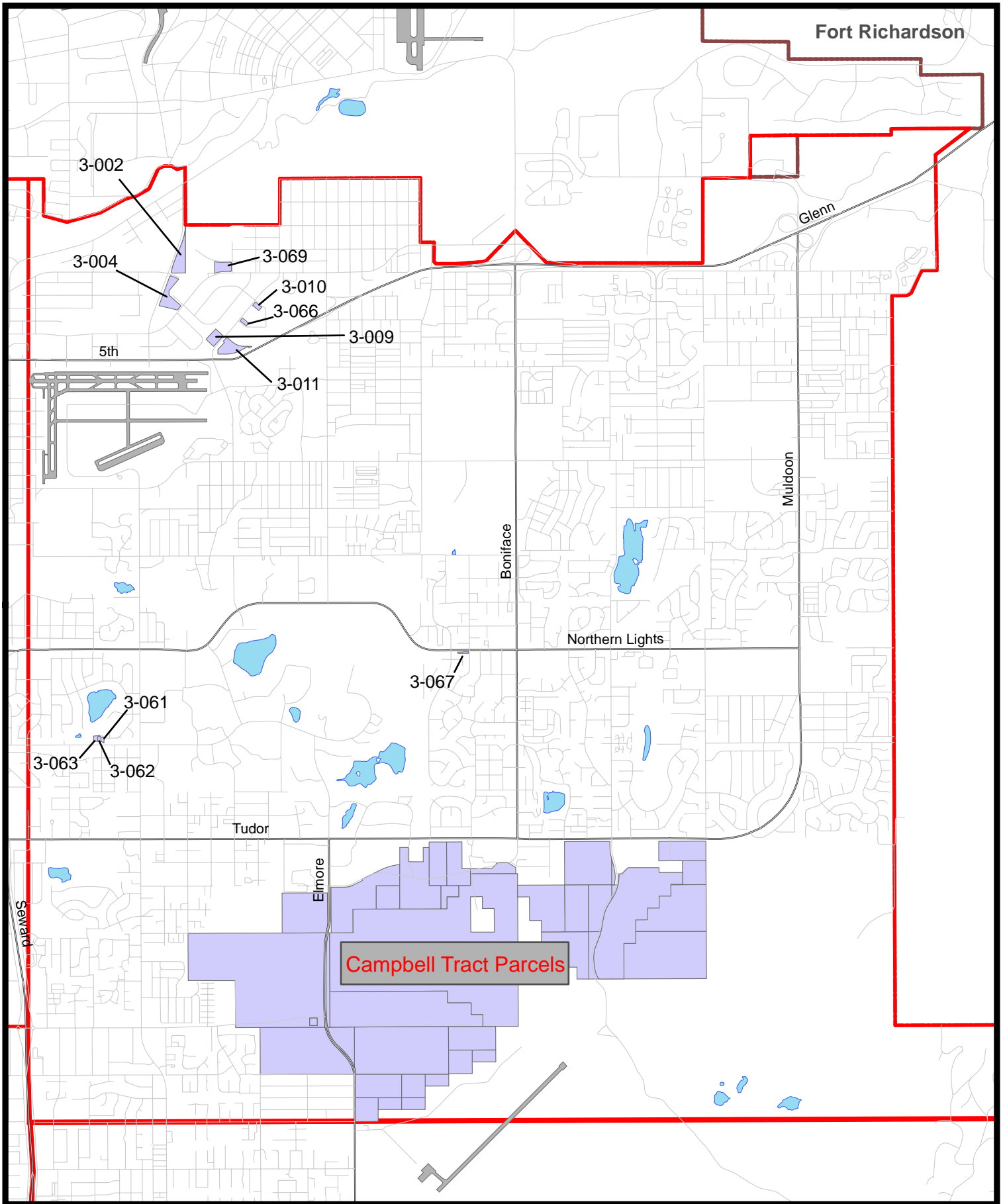


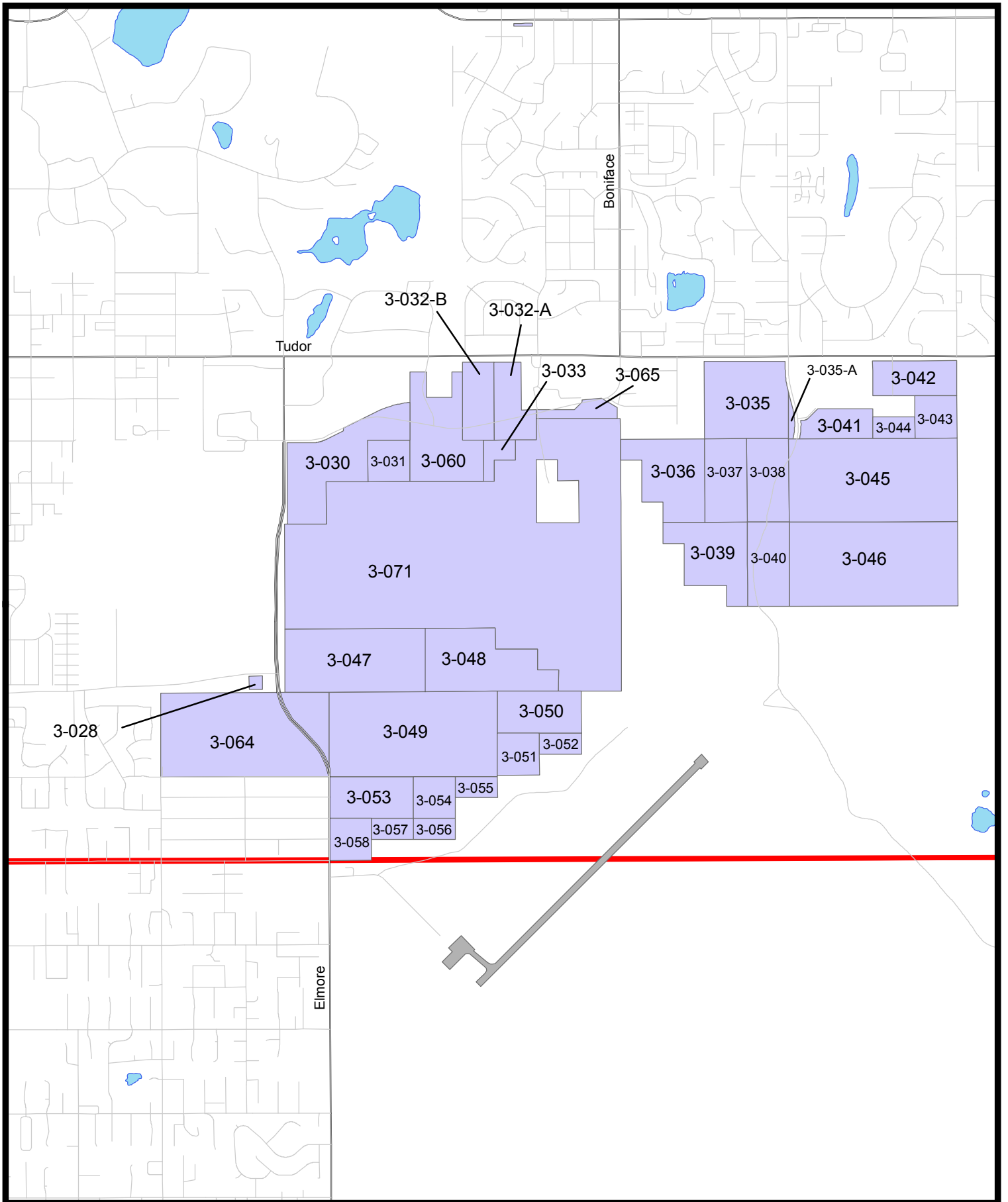


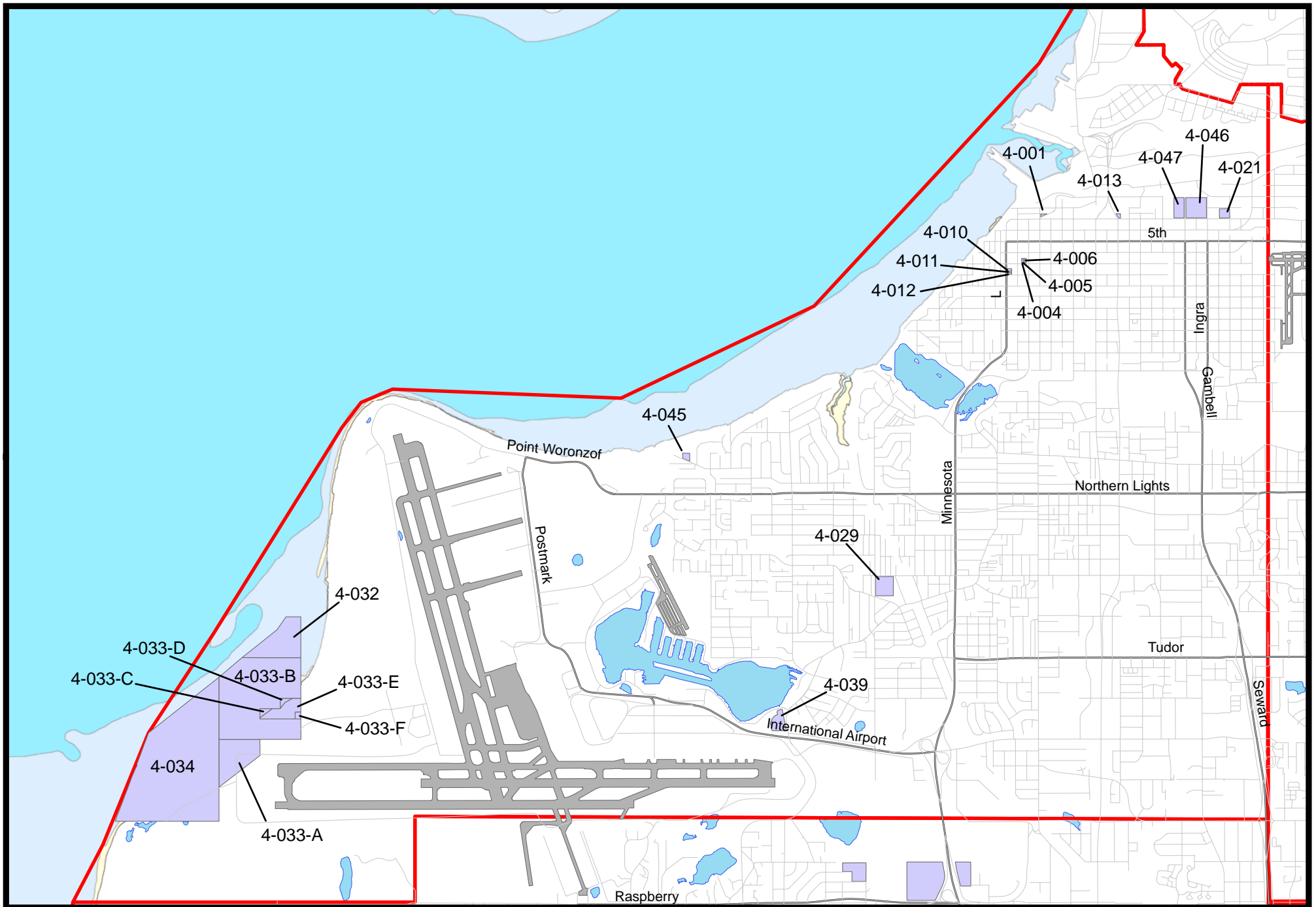






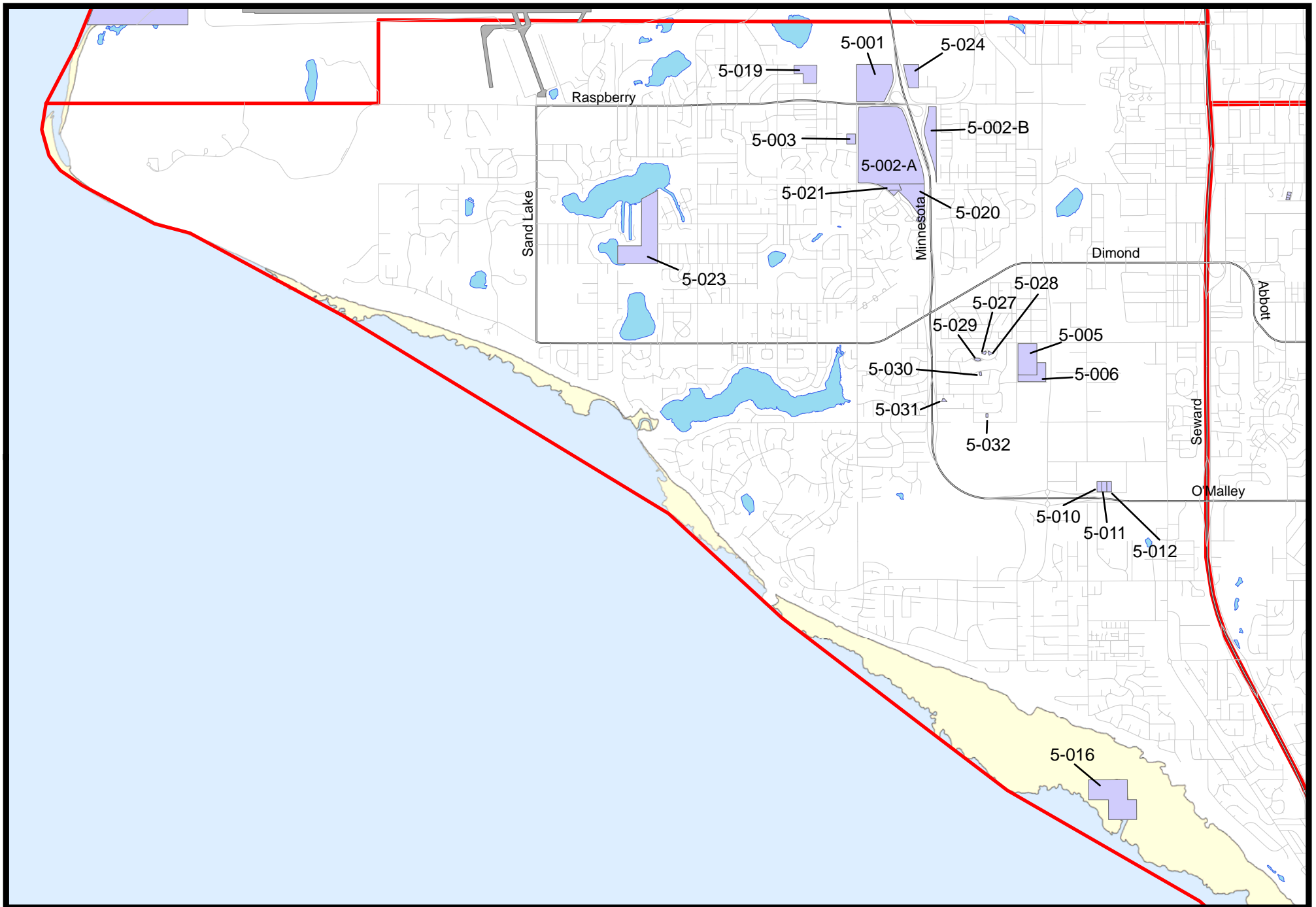


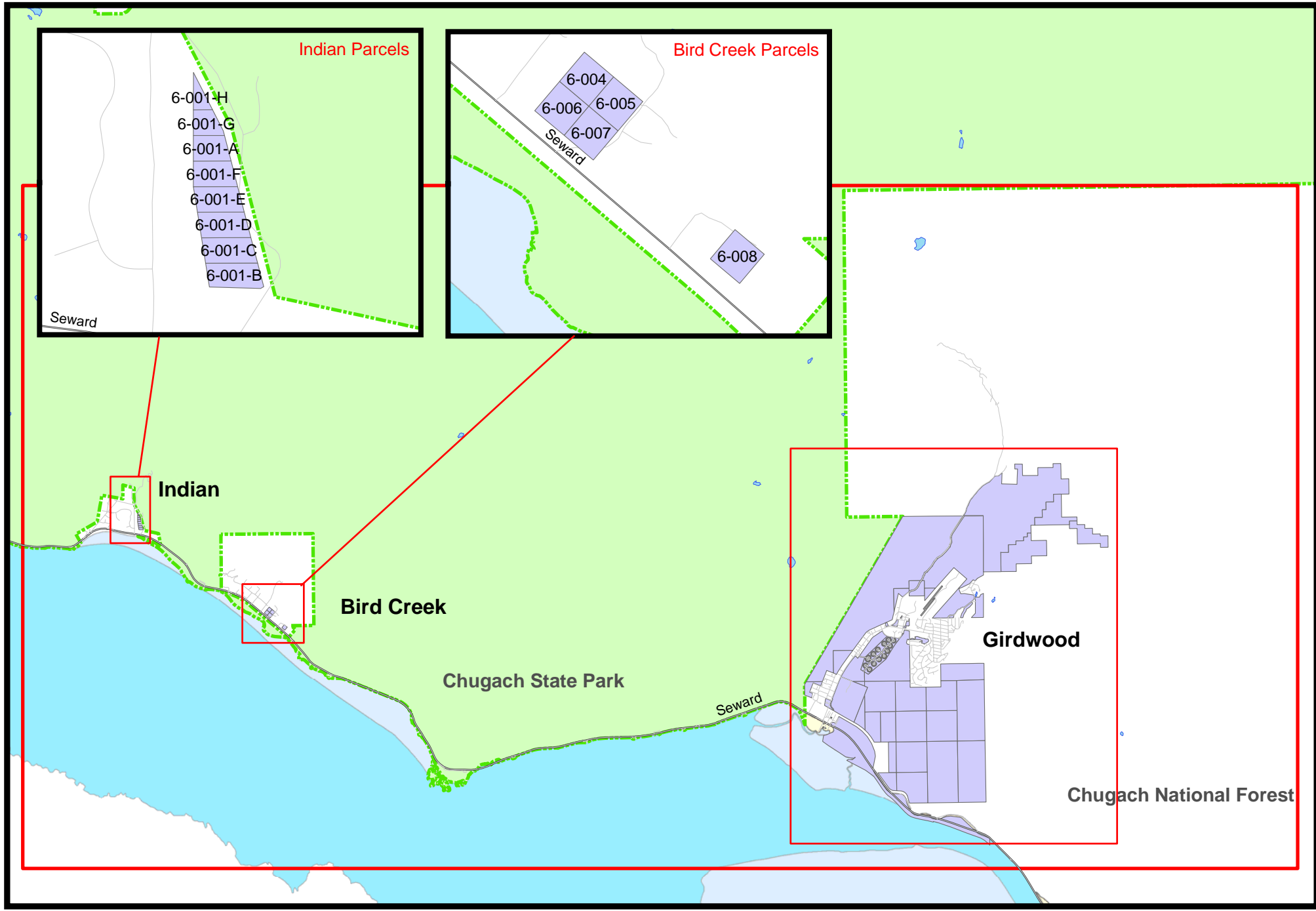


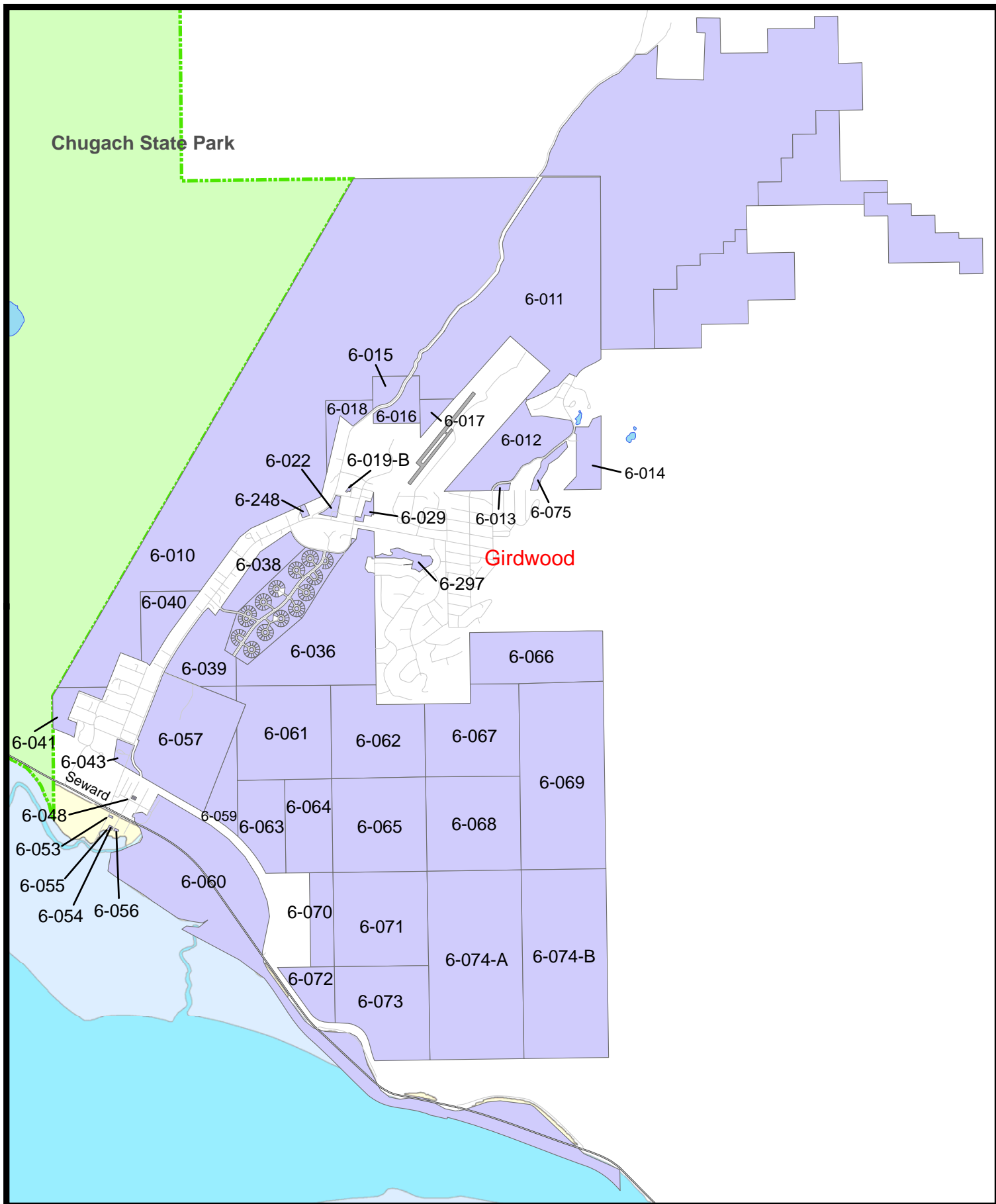


**HLB Property Region 4  
Northwest Anchorage**









Chugach State Park

6-011

6-015

6-018

6-016

6-017

6-012

6-014

6-022

6-019-B

6-248

6-029

6-013

6-075

Girdwood

6-297

6-010

6-038

6-040

6-036

6-066

6-039

6-057

6-061

6-062

6-067

6-069

6-043

Seward

6-048

6-053

6-055

6-054

6-056

6-060

6-059

6-063

6-064

6-065

6-068

6-070

6-071

6-074-A

6-074-B

6-072

6-073

# HLB Property Region 6 Girdwood

A-10



# APPENDIX B



## HERITAGE LAND BANK POLICIES

### I. OVERVIEW

The Municipality of Anchorage's Heritage Land Bank (HLB) is responsible for managing the majority of the municipality's land base, currently consisting of over 7,000 acres. This acreage is distributed from Chugiak to Girdwood and classified as residential, commercial, industrial, open space and recreational areas. The HLB manages this land in a manner designed to benefit the present and future citizens of Anchorage, promote orderly development, and achieve the goals of the Comprehensive Plan (Anchorage Municipal Code section 25.40.010).

All land and resources subject to HLB management should be included in the HLB Inventory. Land transferred to the Municipality from the State of Alaska under separate agreement or as part of the Municipal Entitlement Act is added to the inventory. Land may be withdrawn from the inventory and management transferred to other municipal agencies if such land is needed for the location of public facilities or purposes, including schools and dedicated or designated parks and open space. In addition, if HLB land is determined excess to specific public facilities or purposes, such land may be disposed of through land sales, exchanges, leases, or easements. The HLB also issues permits for a variety of temporary use authorizations on HLB land.

An HLB Fund exists to receive income generated by the HLB land. The HLB Fund is used for HLB operating expenses, to acquire new land needed for municipal use, and for improvements to HLB land. All moneys held in the HLB Fund are managed in a public fiduciary capacity in an account separate from other municipal funds. HLB is not supported on a tax basis and therefore has no impact on property tax revenues.

The HLB Policies and the Anchorage Municipal Charter and Code provide the general principles and guidelines necessary to govern the HLB functions related to the management of HLB land and the HLB Fund.

Any issues not explicitly covered by these policies shall be reviewed and decided on a case-by-case basis by the HLB Director after consultation with the Municipal Attorney and a determination of compatibility with AMC chapter 25.40.

### II. HERITAGE LAND BANK ADVISORY COMMISSION

A seven member Heritage Land Bank Advisory Commission from a diversity of geographic residence, occupations, and civic involvement is appointed by the Mayor and confirmed by the Anchorage Assembly. The Advisory Commission generally makes advisory recommendations on proposed HLB actions to the Mayor and Assembly.

Page 1

Heritage Land Bank Policies

Approved by the HLB Advisory Commission on April 10, 2008

Amended and Approved by Municipal Assembly on August 12, 2008



Advisory Commission members serve a maximum of two consecutive three year terms. The Commission holds regular monthly meetings to consider proposed actions, except when there is no action pending.

### **III. PUBLIC NOTICE AND HEARING PROCEDURES**

The Heritage Land Bank Advisory Commission provides public notice and holds a public hearing prior to making a recommendation to the Mayor and Assembly regarding actions affecting HLB land or the HLB Fund. Public notice must precede a public hearing by at least 14 days. The public notice is accomplished by: (a) publication of the agenda in one or more newspapers of general circulation; (b) posting a sign on the land proposed for the action; and (c) providing individual notice to all property owners within 500 feet of the outer boundary of the affected HLB parcel (or the 50 parcels nearest the outer boundary of the HLB parcel, whichever is greater). In addition, the HLB also notifies the Community Council where the affected HLB land is located, per AMC 25.40.030.D.1, as well as posts the agendas on the HLB's Commission Information web page (<http://www.muni.org/hlb/advise.cfm>).

### **IV. HLB LAND DISPOSALS**

The HLB periodically makes determinations regarding disposal of land or interests in land, consistent with the Municipal Charter, Municipal Code, the HLB Five Year Management Plan and Annual HLB Work Program, and the HLB Policies and Procedures. All land disposals must also be consistent with the Comprehensive Plan and implementing measures as well as long-term municipal and community development needs. After a public hearing on a proposal, the HLB Advisory Commission submits a written finding and recommendation to the Mayor and Assembly, stating whether or not a proposed land disposal is in the best interest of the Municipality and consistent with the HLB's mission and purpose. Pursuant to AMC section 25.40.025H., "...the disposition shall include additional requirements and conditions to insure the proper development and completion of the project in the public interest. Disposals ... shall be through requests for proposals or through invitations to bid."

#### **A. Land Sales**

All proposed HLB land sales occur by an open competitive bid process for at least the appraised fair market value of the land. An application to purchase HLB land grants the applicant no right of preference or other priority.

#### **B. Land Exchanges**

The HLB may exchange HLB land for other land on at least an equal value basis, as determined by a fair market value appraisal by a certified real estate appraiser.

### **C. Leases**

Per Anchorage Municipal Code 25.40.025.F, leases are awarded by open competitive bid process based upon one of three forms of compensation: (a) for at least appraised fair market rental rates as determined by a certified real estate appraiser; or (b) a percentage of gross receipts; or (c) a user fee. Lease rates are adjusted at intervals of no less than every five years, except as otherwise approved by the Mayor and Assembly, to reflect current market conditions. HLB land may also be leased non-competitively to a non-profit agency for less than the appraised fair market value if the municipal benefits projected to accrue are found by the Mayor and Assembly to be in the best interest of the Municipality. An application to lease HLB land grants the applicant no right of preference or other priority.

### **D. Easements**

Easements are a disposal of an interest in land, granted non-competitively for a one-time fee based upon appraised fair market or use value, with approval of the Mayor and Assembly.

### **E. Rights-of-Way (ROW)**

Rights-of-Way are another form of land disposal where the area to be taken may be awarded non-competitively to a specific utility or government body requesting the ROW. As with easements, the HLB allows the disposal for a one-time fee or payment based on fair market or use value of the area to be disposed of as ROW.

### **F. Anchorage School District (ASD)**

AO 2007-124(S), passed 9/25/07, covers specific procedures for site selection and acquisition of properties for school lands, amending AMC chapter 25.40 to include a new section (AMC section 25.40.015D.), detailing selection, acquisition and compensation to HLB for land selected as a school site. Unless the Assembly opts to waive some or all of the acquisition costs, ASD compensates HLB for all land acquisition costs incurred.

## **V. PERMITS**

The HLB administratively issues a variety of use permits for HLB land and resources. These permits are not a disposal of HLB land; rather a permit is a temporary grant to an individual, corporation or agency of the right to use HLB land for a particular purpose for generally one year or less in duration. Permits issued for longer periods, not to exceed three years, will be allowed upon review by the Municipal Attorney's Office and approval of the HLB Advisory Commission. These authorizations include Land Use and Special Event Permits. The HLB Fee Schedule specifies the fees appropriate to various permits and use authorizations (see Section X).

## **VI. INTRA-GOVERNMENTAL AUTHORIZATIONS**

Generally Intra-governmental authorizations are granted to another municipal department or agency for the duration of a construction/utility project; where necessary to complete a specific project, the timeframe may exceed one year.

## **VII. WITHDRAWALS FROM THE HLB INVENTORY**

Some HLB lands are needed by other municipal agencies for specific municipal purposes. If the need is permanent or long-term in duration, the Mayor and Assembly may withdraw the land from the HLB Inventory and transfer it to Real Estate Services. Such withdrawals become effective only after at least 30 days prior written notice to the HLB Advisory Commission and at least one public hearing. If land is withdrawn from the HLB Inventory for the use and management of a public agency not supported by municipal taxes, compensation must be paid to the HLB for at least the fair market value of the land as well as administrative and associated costs. Withdrawals of HLB land for other municipal agencies shall include a date certain reverter clause, as determined by the HLB Director. If the agency does not use the parcel for the requested municipal purpose by the date certain, the Mayor shall designate the land for return to the HLB inventory, and it shall revert back to HLB management. The requesting agency may resubmit a second request for withdrawal at a later date, if necessary.

## **VIII. HLB LAND MANAGEMENT**

HLB land management practices are governed by Anchorage Municipal Code Chapter 25.40. The code requires the adoption by the Anchorage Assembly of a Five-Year HLB Management Plan, an Annual HLB Work Program, and Policies and Procedures covering the management of the HLB land and the HLB Fund. The Five-Year HLB Management Plan is included with the annual work program, and generally identifies the land acquisition, inventory, management, transfer, and disposal objectives anticipated during this timeframe. The Annual HLB Work Program includes more detailed descriptions of the proposed activities for the coming calendar year and related revenue and expenditure projections.

## **IX. HLB POLICIES**

### **A. Land Management Policies**

1. The HLB shall manage land in the HLB inventory with the objective of maximizing municipal purposes and benefits. Its present responsibility is to provide sites for public facilities and uses for the present and future citizens of the Municipality of Anchorage. The HLB shall consult regularly with other municipal agencies and the Municipal Assembly to determine whether HLB land is needed to fulfill various municipal purposes. If an agency has identified a municipal need for HLB land (present or future), and provides sufficient justification in support

Page 4

Heritage Land Bank Policies

Approved by the HLB Advisory Commission on April 10, 2008

Amended and Approved by Municipal Assembly on August 12, 2008

of the need, the HLB may either (a) initiate a process to remove the land from the HLB inventory and transfer to Real Estate Services for transfer of management authority to the requesting municipal agency, or (b) create an Intra-governmental Authorization, and retain the land in the HLB Inventory.

2. All HLB land management decisions shall be based upon a finding of compatibility with municipal interests and the overall mission of the HLB. It is anticipated the majority of the land in the HLB inventory shall continue to be held for future municipal use. Where retained, HLB land shall be managed in a manner to protect and enhance its present and future economic and other municipal values. The HLB shall ensure all HLB lands are reasonably protected from adverse impacts, including fire, insect damage, plant disease, illegal dumping, Off-Road Vehicle damage, hazardous or contaminated materials, trespass, vandalism, theft, etc.

3. The HLB may allow temporary use permits on HLB land, provided such permits do not exceed one year (12 months). Such temporary use includes Special Land Use Permits (SLUP's), Temporary Construction Permits (TCP's), and such other specific use authorizations as approved in advance by the HLB.

4. The HLB may also allow Intra-governmental Authorizations (IGA's) between HLB and other municipal agencies requesting temporary uses that may exceed one year. A fee for the use may be charged at the discretion of the HLB Director.

5. All land use permits shall be based upon prevailing market rates, unless otherwise provided by AMC Chapter 25.40 or the HLB Fee Schedule. All payments due to the HLB and all terms of the permit shall remain current, or the HLB shall take appropriate action to ensure payment or terminate the permit.

6. The HLB shall regularly update and maintain complete and accurate land records in the HLB Inventory. The HLB shall continue integrating its land records with the Municipality's Geographic Information System (GIS) to enhance the ability of the HLB to make land use decisions based upon the best available information.

7. To the extent possible, the HLB shall strive to acquire and assemble additional HLB land to achieve more efficient and cost effective land management. The HLB shall explore land exchange opportunities with other landowners where doing so benefits municipal interests.

8. The use of HLB land for wetlands mitigation approved by the U.S. Army Corps of Engineers (COE) is allowed, provided the mitigation is consistent with the mission of the HLB and is approved by the HLB Advisory Commission and Assembly.

- a. HLB may execute an **In Lieu Fee Agreement** with the COE allowing the sale of credits to public or private developers. The funds received pursuant to an In Lieu Fee Agreement shall be used for subsequent wetland and/or riparian acquisition, restoration, creation, enhancement, and preservation in accordance with plans authorized by the COE.

- b. HLB may create a **mitigation bank** by placing conservation easements on lands already owned by the MOA. HLB may then sell the mitigation credits generated by this preservation to developers needing credits to satisfy COE permit requirements.
  - c. HLB may enter into **permit-specific agreements** with developers to provide mitigation credits on an ad hoc basis, when approved by the COE.
9. HLB may issue long term leases on HLB land provided the lease use is approved by the Assembly and clearly reflects the value of the site for current and potential future use. Such potential leases should be actively considered prior to sale of HLB properties.

## **B. Land Use Planning Policies**

1. The HLB shall manage land and resources consistent with approved comprehensive plans and implementing measures. If it cannot be determined whether a proposed land management or disposal action is consistent with the appropriate comprehensive plan or implementing measures, the HLB shall complete a site specific land use study prior to taking action on the proposal; the land use study and process may be coordinated with the Planning Department. A site specific land use study shall address, at a minimum, the following information:

- a. The need for community facilities such as roads, parks, trails, schools, satellite municipal offices, etc.
- b. Identify historical and natural landmarks, natural hazards, and environmentally sensitive areas.
- c. Public utility needs.
- d. Potential residential, commercial and industrial uses.
- e. Land use compatibility with adjacent areas.
- f. Consistency with land uses identified in the Comprehensive Plan and with zoning in the area.
- g. Potential municipal, public and community development needs.

Site specific land use studies shall be adopted through a public process, including public notice, opportunity for public comment, public hearing, and HLBAC and Assembly adoption.

2. The Heritage Land Bank shall initiate prudent management practices as appropriate in order to increase the value of an HLB parcel including, but not limited to, rezoning and re-platting.

## **C. Land Disposal Policies**

1. The HLB regularly reviews land in the HLB Inventory to identify parcels that are potentially excess to municipal needs as part of drafting the annual HLB Work Program and Five-year Plan. If market conditions warrant, the HLB may take advantage of unforeseen opportunities not

identified in the work program or five-year plan. If a proposed disposal is included, the HLB may initiate the disposal process.

2. The HLB may dispose of land when it is determined there is no current or considered municipal use for the land and market conditions are determined to be favorable. A decision to dispose of HLB land shall be based upon written findings addressing how the disposal is in the best interest of the Municipality and consistent with the purpose and mission of the HLB. The written finding shall also identify the details associated with the disposal, including method, timing, terms, projected effects on the neighborhood and public facilities, and other relevant information.

3. All land sales shall occur by an open competitive bid process for at least the appraised fair market value of the land. The HLB shall provide at least a 14 day period for accepting qualified bids to purchase land. The successful bidder shall be the applicant submitting the highest qualified bid. Unless otherwise authorized, sealed bid offerings shall be the preferred method of disposal. An application to purchase HLB land shall grant the applicant no right of preference or priority.

4. HLB land may also be leased non-competitively to a non-profit agency for less than the appraised fair market value, if the municipal benefits projected to accrue are found by the Mayor and Assembly to be in the best interest of the Municipality. HLB land may be leased to other than non-profit agencies only through an open competitive bid process. The method of compensation to the HLB shall be one of the following:

- a. At least appraised fair market value;
- b. A percentage of the annual gross receipts as determined by the HLB;
- c. A user fee as determined by the HLB; or
- d. Any combination of the above.

Lease rates shall be adjusted at intervals of no more than five years, except as otherwise authorized by the Assembly, to reflect current market conditions. An application to lease HLB land grants the applicant no right of preference or priority. Lease 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.

5. Lessees shall be consulted on proposed activities affecting their authorized uses or any proposed changes in lease terms and conditions. The HLB shall encourage lessees to make improvements to HLB land, consistent with lease purposes. However, any lessee proposing such improvements must obtain HLB authorization prior to making the improvement, and must agree in writing to maintain the improvement in good working order over the term of the lease.

6. If there is reason to believe HLB land proposed for disposal may contain hazardous or contaminated waste or other materials, the HLB shall complete an environmental assessment of

the property prior to offering the land for disposal. If the assessment reveals the potential presence of hazardous or contaminated waste or materials, the HLB may exclude the land from the proposed disposal and address the problem in accordance with applicable law.

7. HLB land may be exchanged for other land of equal or greater fair market appraised value with greater potential value or attributes for municipal use. The HLB may accept or pay cash to another party in order to equalize land values.

8. The HLB shall authorize easements at the current fair market rate, although another public agency may obtain an easement at less than fair market value if determined to be in the best interest of the municipality.

9. A lessee or easement recipient shall indemnify or hold the HLB/MOA harmless from any third-party liability, damages, or claims arising from the disposal.

#### **D. Land Acquisition Policies**

1. The HLB shall seek to obtain the highest quality land available when acquiring new land by exchange or by selection from the state under the Municipal Entitlement Act. Particular priority and emphasis shall be placed upon obtaining lands to satisfy present or future municipal needs and purposes.

2. The HLB shall ensure all prior land agreements, court settlements, and legislative acts are fulfilled as intended to result in the conveyance of land to the Municipality.

3. The HLB may accept donations of land, consistent with the mission of the HLB.

4. If there is reason to believe land proposed for acquisition by the HLB may contain hazardous or contaminated waste or other materials, the HLB shall ensure an environmental assessment of the property is conducted prior to making a recommendation to acquire the land.

#### **E. HLB Fund Management**

1. The HLB Fund shall be used only for HLB operating expenses, acquisition of land for municipal purposes, and for maintenance and improvements to HLB land.

2. The HLB shall manage the HLB Fund in a fiduciary manner, seeking to increase the value of the Fund corpus over the long-term.

3. The HLB Fund may be used to acquire land for municipal purposes if alternative means of acquisition have been explored and determined to be untimely, impractical or unfeasible.

4. The HLB may invest HLB capital in land improvements on HLB land, subject to HLBAC and Assembly approval, in such direct capital investments and value enhancement activities including but not limited to site planning, rezoning, platting, access and utility acquisition. (AMC section 25.40.035F.)

## **X. HLB FEE SCHEDULE**

**The Heritage Land Bank shall establish administrative and other fees associated with processing land disposals and permits. Please refer to Section IV for an overview of the types of land disposals and general procedures. All fees may be reduced or waived at the discretion of the Heritage Land Bank Director.**

### **A. Application Review Fee.**

Applicants seeking to acquire HLB land are required to pay the HLB a non-refundable \$500 fee to initiate the application review process. The application fee must be submitted with the application. An additional \$500 fee may be charged by HLB for acquisitions or disposals where an expedited review, to be completed within ten business days, is requested. NOTE: An application to purchase HLB land grants the applicant no right of preference or other priority. (AMC section 25.40.025A.)

### **B. Disposal Fees.**

**1. Land Sales** - All HLB land sales shall be awarded competitively for no less than the fair market appraised value of the land plus costs and a \$500 administration fee. Land sales shall be awarded to the highest qualified bidder through a procedure determined by HLB to be the most appropriate for a given sale. Details for this process shall be provided in advance in the bidding instructions. In the case of identical highest qualified bids, the HLB shall obtain a best and final offer from among the highest identical qualified bids. (AMC section 25.40.025D.)

**2. Leases** – Leases shall be awarded by an open competitive bid process, unless issued under Section IX.C.4., and HLB shall determine the most appropriate compensation method for the particular property, with details described in the bidding instructions, and may include one or more of the following:

- i. At least the fair market appraised value of the land; or
- ii. A percentage of the gross receipts anticipated to be received by the bidder and attributed to the leasehold; or
- iii. A user fee attributed to the leasehold; or
- iv. Any combination of the above.

An administrative fee of \$500 shall also be paid by the successful bidder upon completion of the lease award. The successful bidder shall be the applicant proposing the method of compensation providing both the greatest monetary return to the HLB and the most consistent with the HLB mission and the best interests of the municipality.



Lease rates shall be adjusted by the HLB at intervals of no less than every five years to reflect current market conditions, except as otherwise specifically authorized by the Assembly.

### **C. Disposals to Non-Profit Agencies.**

The HLB may lease or sell HLB land non-competitively, where the lessee or purchaser is a non-profit or governmental agency, for less than its appraised fair market value, if the projected municipal benefits are found by the Mayor and the Assembly to be in the best interest of the municipality.

A \$500 administrative fee shall apply for processing non-competitive or less than fair market value disposals to non-profit agencies or groups.

Other non-competitive disposals include:

1. **Exchanges** – HLB may conduct an equal value land exchange for other land on at least an equal value basis plus \$500 administrative fee. (AMC section 25.40.025E.)
2. **Easements** – Easements are awarded non-competitively for a one-time fee equal to the fair market value of the easement interest to be conveyed; a \$500 administrative fee shall be paid by the requestor.

### **D. Permit Fees.**

1. Permits may generally be issued for terms of up to one year. A non-refundable application fee is applied as the initial use fee, with fees for each authorization necessarily reflective of the nature and limited duration of the use. An additional administration fee of \$250 may be charged by HLB for issuance of permits on an expedited basis, i.e., within 10 working days.

Intra-governmental Authorizations requested by non-tax based municipal agencies, including but not limited to AWWU, ML&P, Port of Anchorage and ACDA, shall pay a minimum \$500 administration fee or 10% of the property's assessed value, whichever is greater.

<u>Type of Permit</u>	<u>Use Fee</u>
a. Special Event Permit (race, tournament, etc.)	\$500/day
b. Short-term Land Use Permit	10% of Appraised Value per year, or minimum of \$750 per week for up to four

	weeks; \$250/week for remaining 48 weeks.
c. Long-term Permit (longer than 12 months and not to exceed 36 months)	\$15,600 initial 12-month period, then \$200/week for the next 12 months, then \$250/week in the remaining months.
d. Intra-governmental Authorization (Tax-based municipal agencies only)	None (\$0)

Renewals, amendments, subleases, assignments or extensions of existing HLB leases and permits require a minimum administrative fee of \$250 for each action (includes subleases and assignments).

## **XI. DEFINITIONS**

**Appraised Fair Market Value.** The most probable price in cash, terms equivalent to cash, or in other precisely defined terms, for which the appraised property will sell in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming neither is under duress. Professional services may be obtained to coordinate an agreed upon purchase price and/or terms.

**Disposals.** Per AMC section 25.40.025A., HLB land disposals include “land sales, land exchanges, leases and easements.”

**Fair Market Lease/Rental Value.** The rental income a property most probably commands in the open market, indicated by the current rents paid for comparable area or space as of the effective date of agreement.

**Gross Receipts.** All money, income, revenue and any and all other things of value received by, paid to or transferred for the benefit of a lessee on HLB land, without offsets or deductions of any sort whatsoever, where such receipts or payment(s) are made as a result of or in connection with the lessee’s interest in the leasehold.

**Improvements.** A valuable addition to HLB property or an amelioration in its condition, intended to enhance its value or utility or adapt it for new or further purposes, including expenditures to extend the useful life of the property asset, to improve its performance, or for off-site mitigation necessary to improve HLB land.

# Appendix C

## Major HLB Fund Activities by Year

<b>1983:</b>	<b>1/83 Balance</b>	= \$	<b>62,172</b>
	Revenues	=	2,630,922
	Expenses	=	-901,551
	Op. Transfers	=	795,170
	12/83 Balance	= \$	<u>2,586,713</u>

\$877,092 = General government cost

<b>1984:</b>	<b>1/84 Balance</b>	= \$	<b>2,586,713</b>
	Revenues	=	3,566,449
	Expenses	=	-2,602,775
	Op. Transfer	=	-13,267
	Note Proceeds	=	1,000,000
	12/84 Balance	= \$	<u>4,537,120</u>

\$2,578,152 = General gov't.

<b>1985:</b>	<b>1/85 Balance</b>	= \$	<b>4,537,120</b>
	Revenues	=	2,587,762
	Expenses	=	-2,545,766
	Op. Transf.	=	-270,146
	12/85 Balance	= \$	<u>4,308,970</u>

\$1,901,635 = General gov't.

### 1985 Expenses included:

\$150,000	Eagle River Elem. School addition*
300,000	Rabbit Creek greenbelt purchase*
100,000	E.M. for Eagle River greenbelt purch*
685,000	Utilities for Community Park Subd.*
250,000	To Parks for University Lake Park*
270,146	General gov't.

<b>1986:</b>	<b>1/86 Balance</b>	= \$	<b>4,308,970</b>
	Revenues	=	2,771,864
	Expenses	=	-3,378,305
	Debt services	=	-583,928
	Oper. Transf.	=	-113,330
	12/86 Balance	= \$	<u>3,005,271</u>

### 1986 Expenses included:

\$2,000,000	To Parks for land acquisition*
500,000	Preservation wetlands purchase – Connor Bog*
113,330	Gen. government

<b>1987:</b>	<b>1/87 Balance</b>	= \$	<b>3,005,271</b>
	Revenues	=	2,996,102
	Expenses	=	-631,297
	Op. Transfers	=	- 3,566,901
	12/87 Balance	= \$	<u>1,803,175</u>

### 1987 Expenses included:

\$ 191,901	Hathor Subd. Park land acquisition*
1,450,000	Town Square Park purchase*
250,000	Mitigation expenses for “off-site impacts.”
141,950	South Fork Park – Eagle River*

**1988: 1/88 Balance = \$ 1,803,175**  
 Revenues = 1,451,700  
 Expenses = - 660,174  
 12/88 Balance = \$ 2,594,701

\$179,425 Gen. government

**1989: 1/89 Balance = \$ 2,594,701**  
 Revenues = 1,422,523  
 Expenses = -683,699  
 Op. Transfer = - 40,000  
 12/89 Balance = \$ 3,293,525

**1989 Expenses included:**

\$ 40,000 Planning services (CPD)  
 375,000 Purch. AAHM leasehold, buildings

**1990: 1/90 Balance = \$ 3,293,525**  
 Revenues = 1,479,015  
 Expenses = (1,080,059)  
 Op. Transfer = (67,550)  
 12/90 Balance = \$ 3,624,931

[8/90 – loan began from HLB Fund to Areawide general fund for Sullivan Arena floor repair - \$1,585,900. Paid off 3/31/99]\*

**1990 Expenses included:**

\$65,000 Reimb. to Seibu – Girdwood water system  
 67,550 CPD – planning services

**1991: 1/91 Balance = \$ 3,624,931**  
 Revenues = 1,262,131  
 Expenses = -1,186,389  
 12/91 Balance = \$ 3,700,673

Revenues: Leases, rentals & sales = \$695,902;  
 Interest income = \$542,896

**1991 Expenses included:**

\$495,000 Mining claims purchase in Glacier/  
 Winner Creek valley

**1992: 1/92 Balance = \$ 3,700,673**  
 Revenues = 1,736,002  
 Expenses = -1,470,189  
 12/92 Balance = \$ 3,966,486

Expenses incl. \$686,000 Oper. transfer to other funds

**1992 Expenses included:**

\$200,000 Clitheroe Center improvements  
 20,000 Parks – O'Malley/Minnesota Survey\*  
 565,000 To Parks & Rec. Service Area fund\*  
 466,000 Gen. gov't. – facilities maintenance\*  
 35,000 HLB share of Center Lake Condos purchase.

**1993: 1/93 Balance = \$ 3,966,486**  
 Revenues = 1,694,488  
 Expenses = -3,254,525  
 12/93 Balance = \$ 2,406,449

\$2,657,982 Gen. government transfer to areawide capital fund

**1994: 1/94 Balance = \$ 2,406,449**  
 Revenues = 2,219,763  
 Expenses = -1,663,360  
 12/94 Balance = \$ 2,962,852

\$933,421 Gen. gov't. transfer to other fund

**1995: 1/95 Balance = \$ 2,962,852**  
 Revenues = 2,347,834  
 Expenses = -1,764,292  
 12/95 Balance = \$ 3,546,394

**1995 expenses included:**

\$227,886 To CDBG for HUD\*  
 22,366 To Anch. Int'l. Airport for a grant\*  
 938,509 Facility & areawide improvements  
 68,405 To AWWU – settlement obligations  
 between HLB & AWWU.  
 52,000 New sewer trunk line for Clitheroe  
 35,000 Girdwood golf course marketing RFP  
 180,000 Repurchase of former HLB parcels  
 due to contamination.

**1996: 1/96 Balance = \$ 3,546,394**  
 Revenues = 1,742,078  
 Expenses = -1,150,073  
 12/96 Balance = \$ 4,138,399

**1996 expenses included:**

\$100,000 To HLB Capital Fund – Chugach Park trail  
 trailhead  
 727,000 Hollywood Vista Apt.'s demolition

**1997: 1/97 Balance = \$ 4,138,399**  
 Revenues = 782,382  
 Expenses = -1,692,036  
 12/97 Balance = \$ 3,228,745

**1997 expenses included:**

\$1,259,960 Land management costs  
 432,076 Gen. government  
 105,000 HLB Capital Fund projects  
 50,000 Girdwood Trans./Commercial Plan

**1998: 1/98 Balance = \$ 3,228,745**  
 Revenues = 2,075,660  
 Expenses = -1,086,888  
 12/98 Balance = \$ 4,217,517

**1998 revenues included:**

\$1,503,013 Land sales  
 273,327 Lease and rental revenue

**1998 expenses included:**

\$480,000 "Loan" for Eagle River fire station\*  
 549,888 Land mgmt. Expense

**1999: 1/99 Balance = \$ 4,217,517**  
 Revenues = 1,607,489  
 Expenses = -1,639,613  
 12/99 Balance = \$ 4,185,393

**1999 expenses included:**

\$1,139,712 Eagle River Town Commons purchase\*

**2000: 1/00 Balance = \$ 4,185,393**  
 Revenues = 728,502  
 Expenses = -1,679,370  
 12/00 Balance = \$ 3,234,525

**Expenses included:**

\$1,488,235 for Mid-town/Cuddy Park purchase\*

**2001: 1/01 Balance = \$ 3,234,525**  
 Revenues = \$ 1,004,831  
 Expenses = \$ -1,314,938  
 12/01 Balance = \$ 2,924,418

**Revenues included:**

\$303,880 in escrow payments & \$231,198 lease payments

**Expenses included:**

\$522,984 Chester Creek improvements\* & \$60,286 for  
 Girdwood Ind'l. Park improvements

**2002: 1/02 Balance** = \$ **2,939,753**  
 Revenues = \$ 1,769,255  
 Expenses = \$ - 783,522  
 12/02 Balance = \$ 3,925,486

**NOTE:** Balance increase from 2001 reflects year-end adjustment of \$15,335 per GASB #6 interpretation

**Revenues included:**

Sale of #3-007 for \$1,323,556

**2003: 1/03 Balance** = \$ **3,925,486**  
 Revenues = \$ 2,452,397  
 Expenses = \$ -396,242  
 12/03 Balance = \$ 5,981,641

Comments:

**Revenue** primarily includes sale of Westcoast International Inn for \$2.2M

**2004 1/04 Balance** = \$ **5,981,641**  
 Revenues = \$ 2,084,506  
 Expenses = \$ -3,776,373  
 12/04 Balance = \$ 4,289,774

Comments:

**Revenues** include \$875,000 from SOA, and 3 land sales

**Expenses** primarily include \$2.77M acquisition of properties at Tudor/Lake Otis intersection for road improvements (reimbursed to HLB Fund).

**2005 1/05 Balance** = \$ **4,289,774**  
 Revenues = \$ 1,152,290  
 Expenses = \$ -2,470,664  
 12/05 Balance = \$ 2,971,400

Comments:

**Revenue:** \$834,048 in property sales was largest '05 revenue.

**Expenses:** Major expenses include \$850,000 purchase of Forest Heights property, and \$540,000 for capital projects.

**2006 1/06 Balance** = \$ **2,971,400**  
 Revenues = \$ 2,082,353  
 Expenses = \$ -2,788,709  
 12/06 Balance = \$ 2,265,044

Comments:

**Revenue** is from sale of 3 leasehold interests and one Girdwood parcel, plus fund interest, leases and permits.

**Expenses** include \$570,000 to capital fund for projects, and \$865,109 for purchase of Tract 7A, Westpark Subd.\*

**2007 1/07 Balance** = \$ **2,265,044**  
 Revenues = \$ 1,137,911  
 Expenses = \$ -1,872,697  
 12/07 Balance = \$ 1,530,258

Comments:

**Revenue** from \$846,414 sale of Tract B, Campbell Lake Outfall, and lease and permit fees, plus fund interest.

**Expenses** primarily for purchase of Lot 1, Kincaid West Subd. and \$614,000 to fund capital projects.

**2008 1/08 Balance** = \$ **1,530,258**  
 Revenues = \$ 1,457,051  
 Expenses = \$ -2,273,604  
 Sched. Rec. = \$ 808,000  
 12/08 Balance = \$ 1,521,705

Comments:

**Revenues** included \$187,482 in leases/rental rev and \$897,488 for wetlands mitigation credit payments

Due from Anch. Comm. Dev. Authority (ACDA)

**Expenses** included \$677,786 for land purchases, \$582,698 personnel, \$580,000 to HLB capital projects, and \$91,469 in unrealized losses.

**2009 1/09 Balance** = \$ **1,521,705**  
 Revenues = \$ 1,335,667  
 Sched. Rec. = \$ 808,000  
 Expenses = \$ -1,851,924  
**12/09 Balance** = \$ **1,813,448**

Comments:

**Revenues** included \$174,192 for ROW fees, \$116,768 in Leases Rev., \$479,971 mitigation credits and \$475,000 land sales; Scheduled Receivable due from ACDA = \$808,000

**Expenses** included \$601,484 personnel and \$348,823 in charges from other departments

<b>2010</b>	<b>1/10 Balance</b>	<b>= \$</b>	<b>1,813,448</b>
	Revenues	= \$	1,992,345
	Sched. Rec.	= \$	619,368***
	Expenses	= \$	-1,478,872
	<b>12/10 Balance</b>	<b>= \$</b>	<b>2,319,217</b>

Comments:

**Revenues** include: \$1,002,400 and \$692,693 for wetlands mitigation credits payments for road projects, and \$204,490 in Leases and ROW fees.

**Expenses** include: \$200,000 for Reeve Blvd. remediation, \$185,326 Professional services, \$528,729 personnel and \$463,028 in charges from other departments.

<b>2011</b>	<b>1/11 Balance</b>	<b>= \$</b>	<b>2,319,217</b>
	Revenues (YTD)	= \$	1,125,942
	Scheduled Rec.	= \$	619,368
	Expenses (YTD)	= \$	-1,679,720
	<b>11/11 Bal. (YTD)</b>	<b>= \$</b>	<b>2,384,807**</b>

Comments:

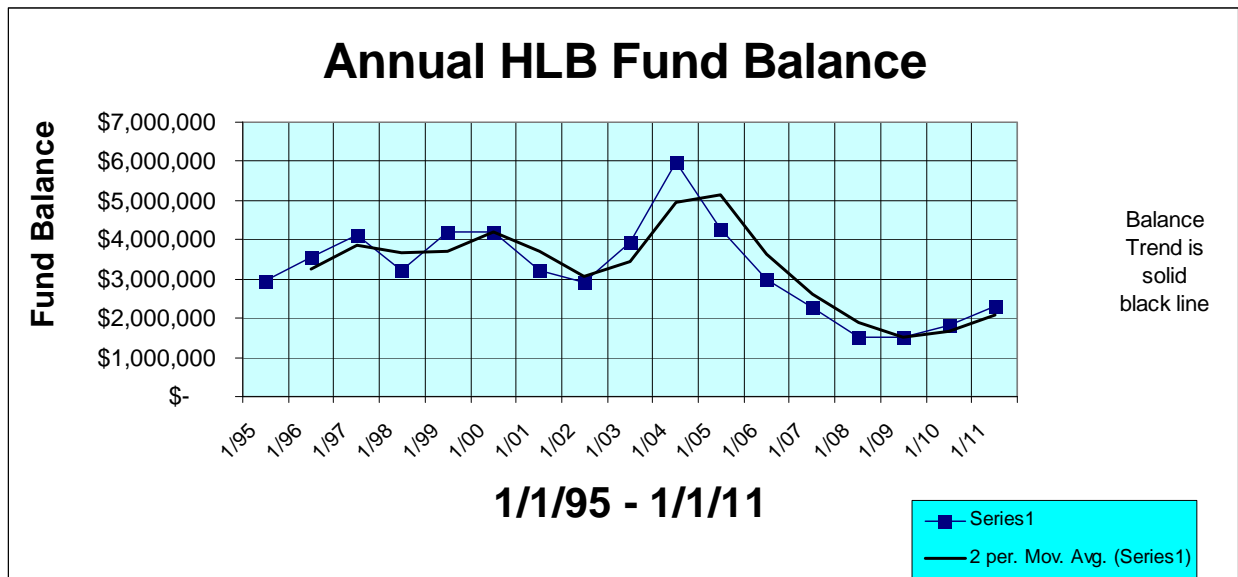
**Revenues** include: \$116,000 contribution from other funds to support Reeve Blvd. contamination cleanup; \$155,107 misc. permits, leases & ROW fees; \$662,500 payment for Forest Hts letter of credit; \$87,500 ML&P sale fee; and \$31,000 ASD sale fee.

**Expenses** include: \$416,161 for Reeve Blvd. cleanup; \$11,850 for appraisals; \$220,847 deposit reimbursement; \$90,000 payment on Cope St. contamination; and \$367,110 personnel.

\* Funding provided by HLB Fund to other municipal agencies

\*\* Unaudited balance

\*\*\* Reduction in amount reflects 2010 partial payment of Scheduled Receivable



## APPENDIX E

### **HERITAGE LAND BANK ADVISORY COMMISSION RESOLUTION NO. 2012-01**

#### **A RESOLUTION OF THE HERITAGE LAND BANK ADVISORY COMMISSION APPROVING THE DRAFT 2012 HERITAGE LAND BANK WORK PROGRAM AND 2013-2017 FIVE-YEAR MANAGEMENT PLAN**

---

WHEREAS, the Heritage Land Bank (HLB) 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." (AMC 25.40.010); and

WHEREAS, pursuant to AMC 25.40.020, the Heritage Land Bank Advisory Commission (HLBAC) "shall recommend and submit for assembly action a comprehensive land and fund management program... to accomplish the purpose and mission of the Heritage Land Bank," and that "Such a program shall contain at a minimum" such documents as the Five year management plan and an annual work program; and

WHEREAS, the five year management plan "shall identify those land acquisition, inventory, management, transfer and disposal objectives anticipated during this time frame." (AMC 25.40.020.A); and

WHEREAS, the annual work program shall conform "to the current or proposed five-year management plan and which includes detailed descriptions of the proposed land acquisitions, inventory, management, transfer and disposal activities of the Heritage Land Bank for the coming year," (AMC 25.40.020.B); and

WHEREAS, "A public notice, as set forth in this chapter, of not less than 45 days, is required prior to a hearing by the HLBAC on the annual work program." (AMC 25.40.020.B); and

WHEREAS, on November 14, 2011, PDF's of the draft 2011 HLB Work Program and Five-Year Plan were posted on the Municipality of Anchorage's HLB main web page, the MOA's online public notices web pages, and e-mail notification was sent to all municipal departments, public and private organizations' e-mail addresses, including Assembly members and all community councils in the Municipality of Anchorage, and to department heads in the MOA; and

WHEREAS, beginning November 14, 2011, the January 12, 2012 HLBAC agenda for the public hearing on the draft plan was also placed in the municipal online Public Meetings Notice web pages of the Municipality of Anchorage's website as well as on the HLB's main web page; and



## APPENDIX E

Page 2,  
2012 HLB Work Program/Five-Year Plan Resolution

WHEREAS, on January 12, 2012, the HLBAC held a public hearing on the draft 2012 HLB Work Program and 2013-2017 Five-Year Management Plan in order to gather additional public input and suggested revisions; and

WHEREAS, the 2012 HLB Work Program and 2013-2017 Five-Year Management Plan document complies with the provisions as set forth in AMC 25.40.025.B,

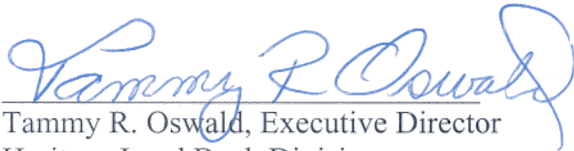
NOW, THEREFORE, THE HERITAGE LAND BANK ADVISORY COMMISSION RESOLVES:

That the 2012 HLB Work Program and 2013-2017 Five-Year Management Plan is approved with any and all appropriate amendments from public and private testimony during the public comment period, and a final draft prepared by HLB staff for presentation to the Municipal Assembly for approval.

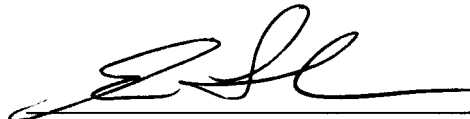
PASSED and APPROVED on this, the 12<sup>th</sup> day of January, 2012.

Attest:

Signed:



Tammy R. Oswald, Executive Director  
Heritage Land Bank Division  
Real Estate Department



Eva Loken, Vice-Chair  
Heritage Land Bank Advisory Commission

## APPENDIX F

### RESPONSE TO PUBLIC, COMMUNITY COUNCIL COMMENTS ON DRAFT 2012 WORK PROGRAM/2013-17 FIVE-YEAR PLAN

CHAPTER 1		
Commenter	Comment	Response
CHAPTER 2		
Commenter	Comment	Response
CHAPTER 3		
Commenter	Comment	Response
Turnagain Community Council	January 9, 2012 Letter - Acquire TSAIA property and transfer to the Department of Parks and Recreation	Not currently planned. This action would appropriately be initiated by the Parks Department, subsequent to Parks Planning, and taking into consideration funding not just for acquisition but for continuing maintenance. If requested by the Parks Department, HLB will work with Parks to attempt such acquisition.
Turnagain Community Council	January 9, 2012 Letter - Extend Salvation Army's lease for the Clitheroe Center. In the event relocation of the facility remains the option favored over upgrade/improvement of the present facility and extension of the present lease, potential use as a public access area to the Tony Knowles Coastal Trail will be explored. Delete reference to exchange with TSAIA.	Accepted.
Turnagain Community Council	January 9, 2012 Letter - Point Woronzof: TCC requests addition to language accepted by Assembly July 2011	The Assembly did not include the requested language in July 2011. It is not appropriate to include an interpretation of the possible intent of the Assembly in the HLB's Work Plan.
Turnagain Community Council	January 9, 2012 Letter – Add “Transfers of Management Authority” section to Chapter 3	Transfer of management authority to other departments is beyond the scope of this document. It is not practicable to include such a section in our Work Plan.
Turnagain Community Council	January 9, 2012 Letter – Add HLB Parcels 5-001, 5-002A, 5-020, 5-021 to the list of parcels recommended for Conservation Easements and added to the mitigation bank, once	Land proposed for conservation easements will be selected pursuant to federal regulation, subject to the approval of the Corps of Engineers, after ecological analysis by a variety of

## APPENDIX F

### RESPONSE TO PUBLIC, COMMUNITY COUNCIL COMMENTS ON DRAFT 2012 WORK PROGRAM/2013-17 FIVE-YEAR PLAN

	approved by the COE.	experts. It is premature to add additional parcels at this time.
Birchwood CC	Staff has had telephone conversations with CC president who expressed concern regarding assurances that upon disposal, the buyer would adhere to zoning as recommended in current Municipal Plans	Staff is working with the Legal and Planning Departments to address this concern.
<b>CHAPTER 4</b>		
<b>Commenter</b>	<b>Comment</b>	<b>Response</b>
Rabbit Creek Community Council	Comment letter 12/28/11 - #1: Request for restatement of Potter Valley Land Use Analysis (PVLUA) in Work Plan.	Specifying “remaining areas” would be premature; currently no development is planned. Restatement of PVLUA is not a necessary component of the annual Work Plan. If/when properties in that part of the Hillside are platted or planned for development, HLB will implement PVLUA requirements.
Rabbit Creek Community Council	Comment Letter 12/28/11 - #2: AR 2011-144 language modifications	Appropriate section updated with Assembly language (Page 29).
Rabbit Creek Community Council	Comment Letter 12/28/11 - #3: Reiterate PVLUA requirements for HLB Parcel 2-144 in Work Plan	2008 sale documents described requirements of PVLUA for disposition of HLB Parcel 2-144 per the Assembly Ordinance approving the sale and will do so again in any future offering.
Rabbit Creek Community Council	Comment Letter 12/28/11 - #4: Recreate PVLUA	PVLUA will be implemented for each parcel discussed in the Analysis when appropriate.
Turnagain Community Council	January 9, 2012 Letter – Add transfer of Parcel 5-023 to the Parks and Recreation Department to the Proposed Projects list, with the intent of the parcel becoming dedicated parkland.	Transfer of land to the Parks Department would appropriately be initiated by the Parks Department, subsequent to Parks Planning, and taking into consideration funding for continuing maintenance. We will respond to a Parks Department proposal for such action, if and when presented.

## APPENDIX F



### Rabbit Creek Community Council

P.O. Box 112354, Anchorage, AK 99511-2354

December 28, 2011

Heritage Land Bank Commission  
Municipality of Anchorage  
PO Box 196650  
Anchorage, AK 99519

#### HLB 2012 Annual Work Program & 2012-16 Five-Year Management Plan

The Council's December meeting included a review of the 2012 Work Program for parcels in SE Anchorage. For several consecutive years, the Council has submitted comments and testimony to the HBL Commission regarding concerns over the descriptions and use of these parcels.

The Assembly modified last year's Work Program to reflect changes in the wording for parcels 2-135 and 136. Those changes do not appear in the 2012 Program. Please edit accordingly.

The Council voted in favor of sending the following recommendations to the Commission:

1. *The Potter Valley Land Use Analysis* (PVLUA) was adopted as part of the Comprehensive Plan in 1999 (AO-99-144) and contains requirements for the use of **#2-136**. Neither HLB's files nor the brief description in the Work Program adequately address these conditions; as a result omissions have occurred. It is important to have all conditions in the paper and e-files so that staff—new and old—can comply with the code without incurring misinterpretations. Please include the following conditions for #2-136 per the PVLUA:  
  
    'Transfer management of ... the remaining areas of parcel **2-136** to Cultural and Recreational Services ... "future unpaved trail" shall be included in replat actions for parcel 2-136, as appropriate ... (and) create a separate tract for an approximate 8-acre triangle of newly identified Development/Access Reserve in parcel 2-136's southeast corner . . . (and) in future platting actions ... reserve original alignment, or create a replacement, for the old Moen-Pennington Homestead Trail (PVLUA p. 59).'  
  
2. Parcel 2-135 - reword to include conditions from PVLUA regarding MOU with State DOT & ADF&G and for designation of southern portion for ROW expansion (PVLUA p. 44; AM 1008-99).  
  
3. Parcel 2-144 often includes erroneous information from year to year regarding the size of the required parks. Considering that this parcel may be offered again for disposal, correct all listings to reflect the PVLUA condition for an 8-acre park in the north and include other conditions for public open space in the south 12.5 acres, public trail connections between same and consideration with adjacent property owners (Mental Health Trust & State Parks) for the goal of connecting to Chugach State Park (PVLUA p. 48; Thede Tobish to Alison Smith, Oct 25, '07 e-mail).  
  
4. Create hard copy files and e-files of all conditions for HLB parcels listed in PVLUA so that complete requirements will always be available for future HLB Work Programs and potential disposal listings.

Pat Hansen, Chair

**Turnagain Community Council**  
**c/o Cathy L. Gleason, President**  
**4211 Bridle Circle, Anchorage, AK 99517**  
**(907) 248-0442 tccpresident@yahoo.com**

January 9, 2012

sent via e-mail

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

**RE: Draft 2012 HLB Annual Work Program and  
2013-2017 Five-Year Management Plan**

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

Please accept the following comments with regard to the 2012 HLB Annual Work Program and the 2013-2017 Five-Year Management Plan on behalf of the Turnagain Community Council (TCC). This letter was approved at our January 5, 2012, meeting.

**Chapter 3. HERITAGE LAND BANK — 2012 WORK PROGRAM:**

**2012 ACQUISITIONS**

**Page 21 — Municipal Entitlement Lands** — TCC supports 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 again thanks the HLB for specifically referencing Parcel #68 Point Woronzof (ADL 223363) and Parcel #21 Airport North (ADL 201573) as parcels needing to be conveyed to the city by the state. It has been a long-standing position of TCC that these parcels should become Municipal land, as they have long been 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.

**Add to Page 21 — Coastal Trail/Greenbelt on Airport Property** — As requested in previous Plan comment letters, TCC requests that acquisition of property north of the

### Chapter 3. HERITAGE LAND BANK — 2012 WORK PROGRAM continued:

Municipally owned HLB parcels on the west side of Ted Stevens Anchorage International Airport (TSAIA) be included in the HLB Acquisition 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.

**Rationale:** Municipal acquisition and permanent protection of a Coastal Trail greenbelt/buffer currently under TSAIA's jurisdiction in this area would protect some of the most important attributes about Anchorage, expressed by the community during the development of the 2020 Anchorage Comprehensive Plan (page 36-37), including:

- Natural beauty and setting
- Trails/parks/greenbelts/open space
- Outdoor recreational opportunities
- Accessibility to the wilderness

It would also meet the following stated goals in the 2020 Anchorage Comprehensive Plan on page 39:

- Natural Open Space: A network of natural open spaces throughout the community that preserves and enhances Anchorage's scenic vistas, fish, wildlife, and plant habitats and their ecological functions and values;
- Wildlife: A wide diversity of fish, wildlife and habitats throughout the Municipality that thrives and flourishes in harmony with the community;
- Parks, Trails, and Recreation: A sustainable and accessible system of recreation facilities, parks, trails, and open spaces that meets year-round neighborhood and community-wide needs.

Also, this specific area where the Coastal Trail transverses TSAIA property was identified in the 2020 Anchorage Comprehensive Plan (page 63) as containing important wildlife habitat and being identified by the community as a preference for Natural Open Space. **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 should initiate a Municipal/TSAIA/FAA/community working group to determine the feasibility of this proposal and to determine the exact acreage/boundary of the property to be purchased.

⇒ ***TCC requests that the 2012 HLB Work Program under 2012 ACQUISITIONS include a proposal to purchase TSAIA land north of Municipal HLB parcels where a section of the Tony Knowles Coastal Trail is located; boundaries to be determined by a Municipal/TSAIA/FAA/community Working Group. This would be for the sole***

### Chapter 3. HERITAGE LAND BANK — 2012 WORK PROGRAM continued:

*intent to transfer the Tony Knowles Coastal Trail and associated greenbelt/buffer to the Municipal Department of Parks and Recreation for a permanently dedicated parkland addition to Point Woronzof Park.*

#### **CURRENT AND CONTINUING PROJECTS**

**Page 23 — Anchorage Detox Facility** — TCC reiterates our comments we have previously submitted regarding our desire to see HLB work with the Salvation Army to upgrade/improve this facility, rather than relocate it.

##### **Rationale:**

- A substantial amount of federal money was spent upgrading the sewer line to the site to serve this facility in the 1990s;
- The Municipality of Anchorage is requesting \$400,000 from the 2012 Alaska State Legislature for roof replacement of the Clitheroe Center;
- TSAIA officials involved in the development of the West Anchorage District Plan (WADP) have repeatedly stated that they see the HLB parcels west of the airport — including where the Clitheroe Center is located — as low value to them. **This HLB land is not identified in the WADP Public Hearing Draft July 2011, Exhibit 4-12: Airport Perimeter-Land Exchange Interests, as land the airport is interested in acquiring.**
- Finding an alternative location for a detox facility within the Anchorage Bowl would be difficult; the current facility is in an appropriate location for the type of treatment required and is serving important needs for this community.

⇒ ***TCC requests HLB consider the long-term extension of Salvation Army's lease for the Clitheroe Center rather than relocating the facility as part of the Work Program and delete reference to HLB participating in the State's effort to locate a replacement site for the facility.***

If the center were relocated, an alternative would be to lease this property to another nonprofit institution. TCC would also support discussions with the Parks and Recreation Department and the public to see if the facility could be transformed into a recreational facility — rather than see it remain on site as is and potentially become a public nuisance area. The Coastal Trail is located in close proximity to the Clitheroe Center site and it is our understanding there is an easement on HLB 4-033 for access to the trail from Pt. Woronzof Road, which has never been developed. The development of an access trail and parking area would enhance the integrity of the trail and provide future opportunities for public use and access to this highly used recreational asset.

### Chapter 3. HERITAGE LAND BANK — 2012 WORK PROGRAM continued:

⇒ *If HLB retains in the plan the option of locating the detox facility in a different location, TCC requests that the plan only include the sentence that was approved by the Assembly in a vote of 11-0 on July 12, 2011. This sentence DID NOT INCLUDE “and an exchange with Anchorage International Airport...if consistent with Municipal planning.” In other words, the sentence should read what the Assembly approved: “In the event relocation of the facility remains an option favored over upgrade/improvement of the present facility and extension of the present lease, potential use as a public access area to the Tony Knowles Coastal Trail will be explored.”*

**Page 24 — Point Woronzof — Closed compost facility** — In addition to a clean up of the area of debris, the plan should also reference the need for an extensive rehabilitation of the land in terms of revegetation, to replace what was once a heavily treed buffer area between the existing and future airport development within its boundary and the Coastal Trail. This could be coordinated with a community discussion regarding the use of this Municipal land, based on its close proximity to the Coastal Trail and its recreation/natural open space value to the community.

⇒ *TCC requests that the language in this section be modified, to reflect the essence of what was approved by the Assembly in an 11-0 vote on July 12, 2011: “As described in Chapter 2, HLB now has complete control of the site and will need to start the cleaning up of trash, debris and other materials left by the lessee on the site. HLB will strive to achieve maximum public benefit regarding these lands BY WORKING WITH THE COMMUNITY ON A COASTAL TRAIL BUFFER REVEGETATION PLAN AND TO DETERMINE THE PUBLIC’S BEST LONG-TERM USE OF THIS MUNICIPAL LAND.”*

### **Add to Chapter 3, page 24 — TRANSFER OF MANAGEMENT AUTHORITY**

**HLB Parcels 4-032, 4-033 and 4-034** — As stated in last year’s comment letter, TCC notes that there is no section in the 2012 Work Program to cover transfer of management authority of HLB lands to other Municipal agencies. Specifically, this additional section should include the transfer of land management authority of HLB Parcels 4-032, 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.

**Rationale:**



**HLB Parcel 4-032** is tidal land, providing important habitat and coastal watershed functions. It is to the west of and contiguous to the tidal lands within Pt. Woronzof Park  
**Chapter 3. HERITAGE LAND BANK — 2012 WORK PROGRAM**  
**continued:**

and it makes sense for Parcel 4-032 to be added to this municipal parkland to ensure permanent protection. **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 pages 1 and 2 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 stated in the goals and expressed by the community in the 2020 Anchorage Comprehensive Plan.

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 in 2012, to ensure permanent protection of high value land used by a multitude of park and trail users along our scenic coast.

⇒ ***TCC requests that a “Transfers of Management Authority” section be added to the 2012 HLB Work Program and that it include transfer of title and land management authority of HLB Parcels 4-032, 4-033 and 4-034 to the MOA Parks and Recreation Department, with the intent that it become permanently dedicated parkland, with detailed ordinance language to be written with community and agency input to ensure all easements, plat notes and restrictions are appropriately included in the land transfer.***

**PLEASE NOTE:**

In July 2011, TCC made a request through Assemblyman Ernie Hall via email for information regarding all costs and maintenance responsibilities associated with these HLB parcels, all costs associated with transfer of management authority to the Parks and

Recreation Department, and all costs associated with actions necessary to dedicate the parcels as parkland. HLB was one of the Municipal departments copied on this email. As

### **Chapter 3. HERITAGE LAND BANK — 2012 WORK PROGRAM continued:**

of the writing of this letter, TCC has not received any of this information. (See text of the TCC July 13, 2011, email as an attachment to this letter).

⇒ *TCC requests that the Heritage Land Bank initiate the actions required to obtain the above information from all appropriate Municipal departments and provide it to the Assembly and the public before the Assembly takes action on approval of the HLB 2012 Work Program and HLB 2013-2017 Five Year Management Plan.*

### **CONSERVATION EASEMENTS**

**Page 26** — TCC recommends that the plan include **HLB Parcels 5-001, 5-002A, 5-020 and 5-021** to the list of parcels to place conservation easements on, and that they be added to the HLB mitigation bank once it is approved by the U.S. Army Corps of Engineers (COE).

**Rationale:** The above parcels were identified during the WADP advisory Planning Group discussions as important Municipally owned wetland areas to be protected. In the WADP Public Hearing Draft July 2011, on Exhibit 4-18: Wetlands Disposition Status (page 193), the above parcels are identified as “Publicly Owned – To Be Preserved with Conservation Easement.” TCC strongly supports this WADP recommendation.

⇒ *TCC requests that HLB Parcels 5-001, 5-002A, 5-020, 5-021 be added to the list of parcels recommended for Conservation Easements and added to the mitigation bank, once approved by the COE.*

### **CHAPTER 4. HERITAGE LAND BANK FIVE-YEAR MANAGEMENT PLAN 2013-2017:**

**Page 27** — TCC reiterates our comments made on pages 1 of this letter with regard to supporting HLB’s efforts regarding parcels to be transferred from the state to the city under the 1986 Entitlement Act.

### **Page 31 — PROPOSED PROJECTS: 2013-2017**

**HLB Parcel 5-023** — TCC recommends that an additional project be added to this section: transfer of HLB wetland Parcel 5-023 to the Parks and Recreation Department.

**Rationale:** This parcel was identified during the WADP advisory group discussions as an important Municipally owned wetland area to be protected. In the WADP Public Draft July 2011, on Exhibit 4-18: Wetlands Disposition Status (page 193), the above parcel is **CHAPTER 4. HERITAGE LAND BANK FIVE-YEAR MANAGEMENT PLAN 2013-2017 continued:**

identified as “Publicly Owned – To Be Transferred to the Parks and Recreation Department.” The intent would be for it to become permanently dedicated parkland. TCC strongly supports this WADP recommendation.

⇒ *TCC requests that transfer of Parcel 5-023 to the Parks and Recreation Department be added to the Proposed Projects list, with the intent of the parcel becoming dedicated parkland.*

Thank you for the opportunity to comment on these important Heritage Land Bank planning documents. With citizen input, appropriate planning and management of our public land is vital to the long-term future of our city.

Sincerely,

Cathy L. Gleason  
Turnagain Community Council President

attachment

**Attachment:**

**Text of July 13, 2011, email TCC President Cathy L. Gleason sent to Assemblyman Ernie Hall regarding Parcel Maintenance and Transfer Cost Request  
(Heritage Land Bank was copied on this email.)**

Ernie,

Thank you for your support on some of Turnagain Community Council's recommendations to amend the Heritage Land Bank plans last evening.

Regarding your lack of support to transfer HLB parcels west of the airport to the Parks Dept. due to your concerns regarding cost:

Would you please find out the following information and provide it to TCC? I think it would be very helpful as we move forward to find a way to permanently protect this land, which contains portions of the Tony Knowles Coastal Trail, portions of the Sisson Loop Trail, trail greenbelt buffering essential to the integrity of the user experience, and important wildlife habitat and tidelands.

- 1) Who currently is maintaining land on HLB Parcels 4-032, 4-033 and 4-034 and the facilities that are located on them (excluding any portions that are under lease/easement)?
- 2) Specifically, who maintains the tideland portion of the parcels and what specific maintenance is being done? What are the yearly costs associated with tideland maintenance of these parcels?
- 3) Does the Parks Dept. have an agreement with HLB with regard to maintenance of the section of the Coastal Trail that is located on the above HLB parcels (excluding Parcel 4-032, which is all tidelands)? If so, what is the specific agreement? Does HLB pay the Parks Dept. for this service? If so, how much per year? Or, does HLB itself maintain the trail? If so, what specific tasks does the department do to maintain the trail and what are the yearly costs?
- 4) Same question regarding the portions of the Sisson Loop Trail that are located on some of the above parcels with regard to who maintains it, are there maintenance agreements in place, and what costs are associated with the maintenance on a yearly basis?

5) Regardless of which department is taking responsibility for trail oversight, what specific maintenance is done with regard to the naturally-wooded, upland areas on the parcels? Does it require minimal, moderate, or intensive attention and what are the yearly costs associated with maintenance?

6) If HLB is currently responsible for all maintenance and associated costs of all tidelands, trails, naturally-wooded areas, etc. on these parcels, how would maintenance tasks/costs differ if the Parks Dept. were to take over management authority of these parcels? A comparative breakdown of specific maintenance task and costs from each department would be very useful, as I got the impression last night that the Parks Dept. would incur many more costs for maintenance than what is currently being expended by HLB. If this is so, an explanation for the difference in costs needs to be provided.

7) Administratively, what costs would be expended to actually transfer management authority of the above HLB parcels to the Parks Department? What costs would then need to be expended by the Parks Dept. to acquire dedicated parkland status for the above parcels? I know you stated when we meet it would be more than \$10,000, but we didn't get any more specific than that in our discussions. Can you please provide an itemized list of costs from both departments?

Is there any other information that should be obtained with regard to transfer/maintenance costs I'm not thinking of? Please use your expertise to add to the above inquiry list.

Hopefully, HLB, the Parks Department and any other departments that would be involved in the transfer process can provide you with the above information in a timely manner, so that the Assembly, the Mayor's office, the HLB Advisory Commission, the Parks and Recreation Advisory Commission and the community will have actual numbers, rather than supposition, regarding the economics of transfer and maintenance of these important parcels to many members of the community.

Thank you,  
Cathy Gleason  
TCC President