

HERITAGE LAND BANK ADVISORY COMMISSION
Meeting

November 12, 2020, 11:30 a.m.

Virtual meeting via Microsoft Teams and telephonic hearing
Meeting Minutes

I. Call to Order

HLBAC Acting Chair Fredrick called the meeting to order at 11:32 a.m.

II. Roll Call & Disclosures

No disclosures or conflicts were noted.

Commissioners Present:

Jim Fredrick, Acting Chair
Kati Capozzi, Commissioner (late)
Peggy Looney, Commissioner
Ron Tenny, Commissioner
Vicki Gerken, Commissioner

Staff Present:

Tiffany Briggs, Deputy Director
Shelley Rowton, Land Management Officer
Tawny Klebesadel, Office Manager

Commissioners Absent:

III. Approval of the November 12, 2020 Agenda and the September 10, 2020 Minutes

Commissioner Vicki Gerken moved to approve the agenda. The motion was seconded, and approval of the agenda passed unanimously. Commissioner Peggy Looney moved to approve the September 10th meeting minutes. The motion was seconded, and approval of the minutes passed unanimously.

IV. Director's Report

Deputy Director Tiffany Briggs reported the Alaskan Sled Dog Racing Association, Inc. (ASDRA) – Tozier Tract exchange agreement had been negotiated and approved by both parties and the lease agreement to allow ASDRA to remain in the facility until the new facility construction is complete is being introduced for Assembly approval. Regarding the deed to the 9.825-acre parcel at 100th Ave. and Minnesota Dr., DNR has this project in their workflow and we should be receiving the patent soon. HLB has received an application to place the Lake Otis and Tudor properties up for competitive bid and an agency review has been sent out to determine if these parcels are surplus to municipal needs. This item should be on the December meeting agenda. The 2021 HLB Work Plan is out for 45-day public review and the staff will be collecting comments for the December meeting.

Acting Char Fredrick asked if there were any more questions of the Deputy Director, seeing none, moved on to proposed action items and public hearings.

V. Proposed Action Items and Public Hearings:

- a. **HLBAC Resolution 2020-06:** A Resolution recommending approval of the disposal by competitive bid of HLB Parcel 1-074B, legally described as Tract 2 Carol Creek Subdivision (Plat 2018-82), and amend the *HLB 2020 Annual Work Program*.

Land Management Officer Shelley Rowton shared her screen of the staff report and map. Per the CERSLUP, the parcel is to be rezoned for a maximum of 7 residential units. During that action there will be more opportunities for public involvement. The request was from the same developer of the neighboring property, which has closed. Those will be 2 separate developments, one being the assisted living and this would be residential with very low density.

Acting Chair Fredrick asked if there were any questions for staff, seeing none, opened the public hearing. He noted the statement emailed from Sandy Quimby earlier today who had a couple of concerns that apparently have been addressed. Seeing no other persons wishing to provide testimony, closed the public hearing.

Commissioner Ron Tenny moved to approve; the motion was seconded.

Mr. Fredrick asked if there was any discussion. Ms. Looney requested the comment from Ms. Quimby. You said those concerns have been addressed. Mr. Fredrick responded there was an email exchange between Sandy Quimby and Shelley. Her concern was there be only 7 residences on this parcel and that was confirmed. She was also concerned that the public be involved in the development of the property, which will come up in the future.

Mr. Fredrick asked if there were any other comments or discussion, if not, we have a motion on the table to approve HLBAC Resolution 2020-06. The item passed unanimously. The motion is approved.

This motion: **Passed 4-0**

- b. HLBAC Resolution 2020-07:** A Resolution recommending approval of the disposal by a less than fair market value non-competitive lease to Renewable IPP, LLC of a portion of HLB Parcel 5-002A, legally described as Lot 3 ASLS 97-10 Raspberry Road Municipal Land Selection Site (Plat 99-102) for the operation of a solar farm, and amend the *HLB 2020 Annual Work Program & 2021-2025 5-Year Management Plan*.

Ms. Rowton reported that the parcel has been in the inventory since 1999 and it was being held for it's wetland credit valuation and potential for a snow disposal site for the west Anchorage area. PM&E has found a more suitable snow disposal site. In the potential sale of the Northwood property, we had a wetlands determination done, which is next to the large parcel that we're discussing. In that we identified in the wetlands mapping about 2.25 acres of wetlands, but in reality there was around 0.78 acres. In walking this site, with Renewable IPP multiple times, we ran into the fact that there are not many surface wetlands on the large parcel. In the southeast corner there is Strawberry Lake which is seasonally wet into this parcel. So that area would be avoided. There are some seeps in the north third of the parcel that are a little bit wet. When we walked it, we had difficulty getting our shoes to squish. About a year ago we started working with Sean Scaling, CEA to identify some municipal parcels that would be suitable for a small solar farm. In the course of the year, there were not a lot available until this parcel was freed up. We than talked in a lot more detail and asked Jennifer Miller, Renewable IPP to speak. Ms. Miller shared the presentation which will be incorporated by reference and attached to these minutes.

Acting Chair Fredrick thanked her for the presentation, added it was an interesting project, and asked if there were any commissioner questions for her. Commissioner Kati Capozzi stated this is a little outside of HLB's area of expertise, you referred to tax incentives at the federal level, are there any tax incentives at the state or local level, or other incentives for a project like this. Ms. Miller responded that the tax benefit is primarily federal; there aren't any state or local tax incentives. There are grants we've researched, but typically those are reserved for rural areas. Ms. Gerken asked if the panels would follow the sun. Ms. Miller responded currently they would be in a fixed array at 40 degree tilt to maximize the production throughout the year. We have been researching tracking systems and

we haven't seen that economics of increased substructure cost where it justifies the production and operational complexity. We are still looking into that. Mr. Fredrick asked if there were any other questions, Ms. Rowton added that most of the tax incentives available at the state or local level are for residential projects. I've talked with Chris Schutte and Shayna Kilcoyne about pursuing a tax abatement for large scale renewable projects. The reason we've never had one is because of the economics. In the valley the land is much less expensive and the power purchase rate is higher. In Anchorage the land is more expensive and our power purchase rate is lower. To make this work, we've really got to help them along and I think our argument will be that they are functioning as a utility. They're a direct supplier of the power that goes to the utility and powers the citizens. We'll be working with Economic Development and Renewable and Sustainability on that hopefully. As far as below fair market value cost: my thought are this allows us to hold the property. We're not selling it. The citizens can still use a large portion of it. There will still be wildlife corridors available through there. We get to keep whatever wetlands there actually are, so if in 30 years, if the solar farm has used up it's lifespan, we can get the property back and still have those wetlands credits 30 years down the road. You'll also notice on the map, we're trying to stay out of the upper third of the property, because those are some valuable hard corners as far as some commercial real estate could go in future years. This isn't directly in HLB's mission, but it does provide an opportunity for job creation and training and educational opportunities about renewable resources. It's a really valuable project for the community. Again, Sean Scaling is here, Jim, if he wants to add anything. He's spearheaded this for CEA. Mr. Scaling said they have had a great working relationship with RIPP and Shelley has been extremely helpful in identifying land opportunities that may exist. He underscored what Shelley had said that CEA is interested in adding renewable energies, but we also need it to not increase electric costs. It's really difficult in the area that we're in because the land values that are adjacent to the CEA system. It's much more cost effective and feasible for MEA to add this type of project. We're excited that this project pencils and we're closely aligned with RIPP's mission to provide us power at our avoided cost to avoid increasing others' costs. We're tremendously excited about this project and possibility and hope this project can go on that piece of land. It does seem like it could be a win-win all around, where HLB could have some revenue that otherwise wouldn't be there. We of course would get the renewable power that we're looking for. One thing I noticed when I did a walk-thru of that property, it is a nice piece of property and I didn't know that it was publicly available. I thought it was open for walking or jogging public access. I didn't know it could be available for this type of project.

Acting Chair Fredrick asked if there were any Commissioner questions, seeing none opened the public hearing. **Robert Regis** testified that he lives immediately west of Northwood and the view from my back yard is the wetland on the corner of Strawberry and Northwood. I bought this property because it back up to a Class A wetland. The Wetland Mapping Plan doesn't prevent development, but it seems like it is less likely. I'd like to circle back to the wetland function, but I want to go on record about the other functions this property serves in its current state. First, I want to preface it by saying I'm a supporter of all alternative energy projects. I went to law school to help to develop alternative energy projects. But we all have to be aware of the side effects like bird flight. There is concern of wind turbine projects and bird flight. Here with this layout, you will impair some other values that are being served by this property right now. The traffic along Minnesota, they're moving along at very high speeds. You'd be surprised how far the traffic noise is carried across this 108 acres, but right now the noise is buffered by the trees. There is a good sized stand for fairly mature birch in this Strawberry Northwood corner. If you were to expand this solar array farm further, as shown here, you'd have to take down those trees. That would diminish the sound deadening benefit. There's also a light deadening benefit from these extraordinarily tall streetlights that have been installed over the past several years. Again, this tree barrier provides a bit of a buffer to diminish the light coming in from Minnesota. I would ask at a minimum that these trees running along Northwood be left as a buffer, because they do serve several purposes other than just wetland functions. I am pleased that you're leaving Strawberry Lake as an open area. I go there every spring to see what waterfowl are coming in. It's the most heavily used area of this parcel. I go into this parcel all year long; more in the winter with snow shoeing and cross country skiing, but sometimes in the summer looking for snowshoe hare and whatnot. I think you'd be surprised at the amount of wetland terrain that is still functioning particularly during breakup. This is a forested bog wetland, you're

typical black spruce wetlands, you don't expect to see swamps per se. I can tell you that during a typical breakup, there's a couple of weeks that you need to have at least knee-high boots on, because all of those grasslands in between the black spruce are filled with water and those little mud frogs. So, I am particularly glad that the developer is not going to destroy all those wetlands, I think that's great. That will certainly get you through a little bit more with the Army Corps of Engineers. But the Municipality may not be giving enough credit to the wetland functions that have been served. I notice that when I looked through the 2014 Wetland Management Plan, this remained Class A, based not only on the assessed wetland functions, but other parameters, such as local drainage. I know that the water table in my lot just across the way is right 3-1/2 to 4' down. So, it does serve as a drainage area. So all things considered, I'm not dead set against this use of the land, but I would like the area being consumed by it to not be as broad as its shown here. Quite frankly because it would diminish the other functions. And then there's the open space function, I will tell you that my footprints aren't the only ones out there. The bulk of the use are dog walkers that come in and use the area off Strawberry Pond. There's always a heavily traveled way there. **Mr. Regis** seeks a digital information repository for wetlands and their functions and reduce impact to retain the tree buffer. Mr. Tenny inquired if there was a history of having solar farms on wetlands. **Mr. Regis** responded that pilings are preferred. Ms. Gerken asked what the minimum number of was for the project to make the project work. **Ms. Miller** responded that the project could be reduced by 1/3. Acting Chair Fredrick thanked him for his testimony and moved on to the next person wishing to testify.

Cathy Gleason, Turnagain Community Council (TCC) President, testified that the property was not in TCC area, but it was in the West Anchorage District Plan (WADP) as open space and believes it should remain pristine. Ms. Gleason shared the views of the previous comments, however of more importance to her was the use conflicted with the WADP. Ms. Gleason requests more public input. Mr. Fredrick thanked her for her testimony and asked if there were any other persons wishing to provide testimony. Seeing none, asked Commissioners if there was further discussion. Seeing none, Ms. Gerken moved to approve, the motion was seconded, and approved.

This motion: **Passed 3-1**

VI. Work Session: Review Draft 2021 HLB Annual Work Program & 2022-2026 Five-Year Management Plan

Ms. Rowton reported that the 2021 HLB Plan was slimmed down to include those tasks that were believed to be attainable. Commissioners were asked if they would like to see anything else added or revised. There were no objections or revisions requested.

Acting Chair Fredrick moved on to Persons or Items not on the Agenda.

VII. Persons or Items not on the Agenda

Seeing no persons wishing to provide testimony or comments, Acting Chair Fredrick moved on to Commissioner Comments.

VIII. Commissioner Comments

Acting Chair Fredrick asked if there were any individual Commissioner comments, seeing none, moved on to the next scheduled meeting.

IX. Next Meeting

Acting Chair Fredrick stated the next regularly scheduled commission virtual meeting date will be at 11:30am, Thursday, December10, 2020.

X. Adjournment

Following the completion of business, Ms. Looney moved to adjourn. The motion was seconded and approved unanimously. The meeting was adjourned at 12:55 p.m.

PASSED and APPROVED on this, the 14th day of January, 2021.



Jim Fredrick, Acting Chair
Heritage Land Bank Advisory Commission

Respectfully submitted for the Heritage Land Bank Advisory Commission by:
Tawny Klebesadel, RED Office Manager

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