

Turnagain Community Council's Proposed Amendments to the Assembly on the West Anchorage District Plan

Summary:

The West Anchorage District Plan is a local land use plan mandated by the 2001 Anchorage 2020 Comprehensive Plan. Once adopted by the Assembly, it will govern land use decisions in West Anchorage for many years to come.

The Anchorage 2020 Comprehensive Plan specifically called on the West Anchorage District Plan (WADP) to address impacts on the local community by the Ted Stevens Anchorage International Airport.¹

The WADP has a number of positive recommendations and provisions. However, it falls short of its mandate in six areas that the Assembly should correct with specific amendments.

1. The Plan should not advocate for a comprehensive land trade of Municipal park land to the Airport. While other cities are spending millions to repurchase shoreline properties, Anchorage should not trade its valuable and irreplaceable coastal park land and parts of the Tony Knowles Coastal Trail for speculative Airport development, particularly when the Airport has yet to complete a master planning defining the need for the property and when the creation of permanently dedicated parkland was a specific condition in a previous MOA/Airport land trade.
2. As a Municipal planning document, the WADP should not advocate a new North-South runway that the Airport, the Air Carriers, and the FAA have not yet determined is needed, desirable, or economically feasible. The Airport is about to begin a master planning process and this issue should be tabled until the Airport has completed its master plan.
3. The Plan should preserve the remaining high-value Turnagain Bog wetlands and associated uplands as a buffer between the Airport and the Turnagain community. The Assembly already recognized the importance of this buffer in 2000, when it adopted A02000-151(S-2) to create a residential buffer between the Turnagain neighborhood and the Airport. No basis exists for the WADP now to re-track these efforts.
4. In the past, the Municipality has designated various land uses in its planning documents for the entire Municipality including Airport lands. The WADP should not now abandon

¹ Anchorage 2020; Anchorage Bowl Comprehensive Plan (Implementation Strategies) page 108 ("The [WADP] will include mechanisms and recommendations for resolving airport impacts to the surrounding community and on transportation activities.")

existing Municipal zoning authority over Airport lands by designating all Airport-owned land as a “Major Transportation Facility” on the WADP Land Use Planning Map. The Land Use Map, which will be an element of the Anchorage 2020 Comprehensive Plan and will guide future land use decisions, should reflect the community’s long-term land use vision for West Anchorage regardless of land ownership.

5. The Plan should preserve the existing Tony Knowles Coastal Trail and Greenbelt as well as portions of the Sisson Loop Trail on Municipal lands (including Heritage Land Bank lands) and transfer them to the Parks and Recreation Dept. as dedicated parkland. The Plan should not advocate that the Municipality trade these valuable and irreplaceable public gems to the Airport for speculative expansion.
6. The Plan should call on the Municipality to advocate for noise mitigation measures on Airport property and Airport operations using available State and Federal funding. The Plan should not only impose noise mitigation measures on local residents and property owners while ignoring the mitigation measures that the Airport can do on its footprint and with respect to its property and operations much the way other airports across the country do.

**Proposed Assembly Amendments to the West Anchorage District Plan
(March 13, 2012/March 29, 2012))**

1. The WADP Should Not Advocate for a Comprehensive Land Trade of Municipal Lands to the Airport.

Anchorage Parks and Recreation Commission Resolution 2011-13 making recommendations to the Assembly concerning the West Anchorage District Plan states:

“the West Anchorage Plan represents a broad range of land trade scenarios which are not meant to govern the specific content or direction of any future negotiation, but merely demonstrate comparative approaches.” PRC Resolution 2011-13 (Paragraph 8, emphasis added).

Unfortunately, that is not the recommendation of the WADP.

The WADP specifically recommends and favors a comprehensive land trade:

- The WADP at page 139 of the Plan says.

Exchange lands that would benefit the airport and the community

Achieving a comprehensive transfer of lands between the MOA and TSAIA (one that provides equivalent mutual benefit) would allow all lands to be considered together in the balance rather than addressing questions of individual parcel usage in isolation. Because a comprehensive land exchange involving all prioritized parcels offers the most promising approach to permanently resolving perimeter conflicts. **It is strongly favored** over an incremental approach focused on acquisitions or other means of title transfers. This would lay questions of boundary and usage to rest once and for all because both the MOA and TSAIA would have carefully considered all of their options and negotiated their optimum land solution. Section 4.3.6 discusses this concept in greater detail.

- The WADP at Section 4.3.9 (page 159 of the Plan) says
 - “For this reason, [the WADP] **recommends consideration and pursuit of a comprehensive land exchange as the most promising means** of permanent resolution of long standing public concerns with the potential for mutual benefit to both the TSAIA and the community.”
 - The comprehensive land exchange also provides the best avenue for prioritizing, budgeting and planning for long-term management of these parcels. It offers predictability to both the MOA and TSAIA for future development and determining the long range land use. A program that relies on negotiated parcel by parcel purchase of TSAIA lands represents the status quo . . . the way that the MOA and TSAIA have always approached land acquisition.
- Implementation Action 1A-23 of the Plan page 217 states
 - a comprehensive land exchange is the “most complete means of resolving these conflicts”

Proposed Assembly Amendments:

Make the Plan Neutral on Land Trade Issues but Keep Parcel Discussion in the Plan:

In order to give effect to community comments to the Planning and Zoning Commission and Parks and Recreation Commission opposing a comprehensive land exchange and PRC Resolution 2011-13’s statement that the WADP does not give direction favoring a specific land acquisition scenario:

- a. Replace first and second paragraphs (including three bullets) of page 159, 4.3.6 Land Exchange or other Acquisition Considerations with:

The WADP concludes that in order to create buffers (non-development areas) on airport property between the airport and residential areas as well as retain and guarantee continued public recreational use on existing airport land, where feasible, the MOA and the airport should agree on permanent easements and land title. For this reason, the WADP recommends consideration of a broad range of land trade, conservation easements, and land acquisition scenarios for accomplishing those goals.

- b. Delete hypothetical scenarios on pages 160-162 to ensure that the intent of the WADP is to NOT recommend any specific land exchange(s). *The de Tobish concurred with this Cathy Gleason recommendation before a Parks and Recreation Commission Work Session on January 5, 2012. He stated that the scenarios were only included in the draft Plans to generate discussion during development of the Plan.*
- b. Delete the paragraph entitled “Exchange lands that would benefit the airport and the community” on page 139 of the WADP.
- c. Adopt Anchorage Parks and Recreation Commission Amendments 1, 2, and 3 to Implementing Action 23 on page 217.
- d. Amend Implementing Action 23 at page 217, second paragraph as follows:

Replace: “A comprehensive land exchange offers the most complete means of resolving these conflicts, but whatever means is used, it should:”

With: “Whatever method is used to resolve the land use conflicts, it should:”

2. A Municipal Planning Document Should Not Be Advocating for a New North South Runway.

The WADP should not be advocating a North South Runway. That is not its job. If the airport needs, wants, and is able to fund a new north south runway, it should go through its planning process to determine feasibility before the Municipality takes a position in the WADP about the need, desire, and available funding for such a project. It is premature now.

Assembly Amendments:

- a. Page 124, 3rd Paragraph, Delete First Two Sentences.
- b. Page 124, 3rd Paragraph, Third sentence, reword to read:

The MOA intends to work actively with TSAIA, FAA and the community within the context of future master plan revisions and as part of the local, state and federal planning and permitting processes to address and analyze the need for and possible locations of a new N-S runway if TSAIA advances such plans.

- c. PZC Amendment #17 to page 124. Delete the 2nd to Last Sentence: “If the FAA agrees that conditions warrant a future runway, they will require TSAIA to initiate the process.”
- d. Page 148 Coastal Trail (Exhibit 4-9a/b), 2nd paragraph, first sentence, amend to read:

“If Airport expansion to the west would occur, it would bring two uses closer together and increase Airport impacts, so a trail greenbelt/buffer would be essential to maintain some level of separation and screening, although the impacts likely would end up severely compromising trail user experiences and natural open space functions.”
- e. Rename Exhibit 4-9a. “Coastal Trail Conflicts.”

3. Preservation of all remaining high-value Turnagain bog wetlands and associated uplands.

In 2001, the Anchorage Assembly adopted AO2000-151(S-2). This Ordinance acknowledges the importance of Turnagain Bog as a buffer between the Turnagain Neighborhood and the Airport as part of a land trade with the Airport. See WADP p. 122-23. Because the Airport received the benefit of the land trade with the municipality, this condition of the trade binds the Airport irrespective of whether the Airport is using its wetland mitigation credits in a different way than was originally envision. It is irrelevant that the credits are being used for individual wetlands permits as opposed to the original ten-year wetland permit, which was voided by the Army Corps of Engineers. The wetlands credits are being used and indeed as the WADP states will soon all be completely expended. Consequently, the Airport received the benefit of its bargain, but the WADP seems to suggest that the Municipality’s benefit is somehow suspect. Why a Municipal Planning document makes such an assertion is unexplained. The consequence is that WADP retreats from the mandates of the Municipal Ordinance by saying the buffer should be the starting point for future negotiations with the Airport. The Assembly should reject that position and insist that its 2001 Ordinance be implemented.

Assembly Amendment:

Page 122, “2001 – 10 Year TSAIA Wetland Permit, reword last paragraph:

Since any proposed future development of all areas identified as “Lands Not Permitted” on Illustration 2 of the Ordinance is to be determined pursuant to a public joint planning process between MOA and the Airport was a condition of the Assembly Ordinance approving the wetlands trade with TSAIA, it still applies and will be required in the future in Turnagain Bog. [Remaining text remains the same].

Page 123, “2001 – 10 Year TSAIA Wetland Permit, reword last paragraph:

In conclusion, TSAIA completed the Klatt Bog wetlands purchase from the Municipality, which was conditioned by the terms of AO2000-151(S-2). The Ordinance states that “it is in the public interest that the portions of Turnagain Bog identified as “Lands Not Permitted” in green on Illustration 2 (including “Scenic Easement”) remain as a natural buffer between ANC and the surrounding neighborhood” and the WADP reflects the acknowledgement of protection of this valuable wetland and associated upland area. This agreement is legally binding upon the Airport and the WADP honors that buffer delineation in Land Use Map and discussion in Chapters 4 and 5.

Page 71, Exhibit 4-1a, West Anchorage Land Use Plan and Page 150, Exhibit 4-8b, Lake Hood Residential Compatibility Concepts, amend exhibits to use the boundaries of the green area in AO 2000-151(S-2), Illustration 2 as the buffer easement area.

Page 197, Exhibit 4-18, Wetlands Disposition Status, change legend wording for Airport-owned wetlands, specifically Turnagain Bog, from “Future Development Possible (subject to Corps permitting, land ownership changes, and buffering considerations)” to “Airport Owned – Acquire or Evaluate for Preservation” to reflect the importance of high value wetland preservation, regardless of ownership.

4. Designation of all-airport owned land as “major transportation facility” on land use planning map.

The 1982 Anchorage Comprehensive Plan Generalized Land Use Map applied several zoning classifications to TSAIA lands, including a Parks/Open Space designation on the buffer airport lands adjacent to Turnagain, Spenard and Sand Lake neighborhoods and coastal areas. Such zoning is within the legal authority of the Municipality of Anchorage. State law calls on municipalities to engage in this type of comprehensive land use planning.

State law specifically calls on departments of the state to follow municipal zoning law. See AS 35.30.020; WADP at p. 125 (4.3.3 Airport Regulations).

Instead of carrying forward existing Municipal zoning classifications, the WADP abandons all Municipal zoning authority by designating all airport property as a “major transportation facility.” The plan asks the Assembly to give up its authority over land use by allowing the state operated airport do anything it wants in the guise of “major transportation.” The WADP calls for neighborhood buffers and set-backs and protection of trail greenbelts, recreational areas and valuable natural open space, as was envisioned by the 1982 Comprehensive Land Use Plan. But the WADP then removes those existing land use classifications from the new Land Use Planning Map. This is incredibly short-sighted and counter-productive. Without land use planning authority, the WADP will not be worth the paper it is written on. The Assembly should retain the power to make land use designations in its own planning documents. The WADP Land Use Map, which will be an element of the Anchorage 2020 Comprehensive Plan and will guide future land use decisions, should reflect the community’s long-term land use vision for West Anchorage, regardless of land ownership.

Proposed Assembly Amendment:

Remove “Major Transportation Facility” designation from Exhibit 4-1a West Anchorage Plan Use Map (page 71) from the following parcels which should be designated as “Other Areas that Function as Park and Natural Resources” since they function as buffers to surrounding neighborhoods or as recreation and valuable natural open space areas:

- Parcel 2: Little Campbell Lake
- Parcel 3: SW corner of E-W Runway
- Parcel 5: West Airpark Tract South of Pt. Woronzof Park
- Parcel 7: Coastal Trail, Point Woronzof Overlook
- Parcel 8: Coastal Trail, Eastside of Pt. Woronzof Bluff
- Parcel 9: Turnagain Bog, open spaces
- Parcel 11: Spenard Beach Park Area
- Parcel 12: Northern Area of Connor’s Lake/Bog
- Parcel 14: Delong Lake Park Parcel
- Parcel 20: Notch between FCC and Little Campbell Lake

- Parcel 28: Raspberry Road Buffer
- Parcel 29: Kulis Road Buffer.

5. Tony Knowles Coastal Trail Greenbelt/Buffer.

The Tony Knowles Coastal Trail and its associated greenbelt/buffer, including Pt. Woronzof Park, is a highly valued recreational and natural open space for the entire Anchorage community. The Coastal Trail attracts both residents and visitors from around the world.

The Coastal Trail is an important quality of life resource for Anchorage residents and a critical economic resource in terms of tourism. In a January 2007 presentation to the Anchorage Park Foundation, UAA Economics Professor Steve Colt noted that the economic value to Anchorage of visitors staying in the Municipality for just one additional day to enjoy the Coastal Trail provides \$26 million in additional visitor spending each year.²

Hundreds of people have signed the petition sponsored by the Turnagain Community Council urging protection of the existing Coastal Trail/Greenbelt on Municipal lands and opposing trading Coastal Trail/Pt. Woronzof dedicated parkland in Municipal ownership to the Airport. With other cities spending millions to buy back their waterfront for public spaces and tourism opportunities, why is Anchorage proposing to exchange its irreplaceable coastal park land for an existing snow dump in a runway protection zone that it can continue to lease from the Airport? Or for the section of the Coastal Trail at Pt. Woronzof overlook and to the east, which the Airport has never proposed to develop, and which the Municipality chose to receive from the State of Alaska as part of the 1986 Entitlement Act, but has yet to receive (see page 119)?

Contrary to the proposed separation of the Coastal Trail and a narrow strip of vegetation on both sides of the trail, as shown on Exhibit 4-11: Airport Perimeter – Parcel Identification Map, all of the Municipal land along the Coastal Trail and Sisson Loop Trail system west of the Airport is considered highly valuable recreational and natural open space land. We envision the preservation of the existing natural greenbelts along the trail from Westchester Lagoon to Kincaid Park. Unfortunately, many of the natural greenbelts along the trail have been lost as a result of private/airport development. Where greenbelt land along the trail is in Municipal ownership, it should not leave municipal ownership and should be preserved as greenbelt along the trail in order to maintain the natural environment and natural setting along the trail that is so valued by recreational users. Those lands should not be traded away to the Airport in exchange for other parts of the coastal trail, which are not threatened by any proposed Airport development in the foreseeable future.

² <http://www.anchorageparkfoundation.org/events/EconomicBenefitsofParks.htm> (Slide 12) January 26, 2007 presentation.

The Airport has publicly stated that the Municipal Heritage Land Bank parcels west of the Airport are of low value to them and they are not identified in the draft WADP as parcels interested by the Airport in a Land Exchange (page 164). When a conditional use permit for expansion of the Fuel Tank Farm on the west side of the Airport went before the Planning and Zoning Commission February 6, 2012, the presenters stated that the location of the site “is screened by natural vegetation on the north, west and a portion of the south property boundaries” and that “possible incompatibility land uses in the area are separated by existing natural vegetation and distance.” The Airport has essentially cleared all natural vegetation west of this tank farm facility up to its property boundaries — the only remaining vegetation to provide a Coastal Trail Greenbelt buffer is on Municipal HLB land. If we trade away a portion of the HLB parcels to the Airport, they will likely clear all vegetation up to their new boundary; the Coastal Trail will lose more of its greenbelt/buffer and a significant portion of the Sisson Loop Trail will be lost.

With regard to a section of the Coastal Trail located within Pt. Woronzof Park — a parcel identified in the draft Plan to be traded to the Airport — this parkland was created as a specific condition of a previous land trade between the MOA and the Airport in 1994 (AO NO. 94-194). In this Ordinance it states that the property later named Pt. Woronzof Park “is hereby dedicated for permanent park and recreational purposes.” This was a hard fought compromise and the public trust should not be compromised by recommendation that it now be traded to the Airport in the WADP.

Park Objective #6 of the WADP calls on the Municipality to “Acquire and permanently preserve the Tony Knowles Coastal Trail from Kincaid Park to Westchester Lagoon as a well maintained, continuous, public recreational corridor with vegetative buffer.” Page 222.

Proposed Assembly Amendments:

1) Amend page 196 of the plan, third sentence to read:

“The WADP recommends that the MOA permanently acquire those portions of the Coastal Trail corridor that are under TSAIA ownership so that the full length of the Coastal Trail corridor is brought under municipal ownership.”

2) Amend Implementation Action P-6, page 222, calling on the Municipality to “Acquire additional or a vegetative buffer easement west of Lyn Ary Park for added buffering of the Tony Knowles Coastal Trail” by adding language that states:

“The MOA will work with the Parks Foundation, Great Lands Trust and other organizations to purchase land or easements along the entire Coastal Trail Corridor to maintain the natural open space along the trail corridor.”

3) Add an additional Implementation Action for Parks Objective #6 (page 222), Implementation Action P-9 to read:

“All sections of the Coastal Trail and associated greenbelt buffering on Municipal land not already protected as dedicated parkland should be transferred to the Department of Parks and Recreation and designated as dedicated parkland. Specifically, all Heritage Land Bank land west of the airport not encumbered by existing utility or airport use easements should be permanently dedicated parkland. In areas where clearing has occurred on HLB land, a plan for revegetation should be developed and implemented.”

Timeframe is 1-2 years. MOA is the Responsible Entity

4) Amend Parks Implementation Action P-7 (page 222), second sentence, amend to read:

“The greenbelt shall provide a minimum development setback of at least 300 feet where the Coastal Trail runs through non-Municipal land.”

5) Amend Exhibit 4-9b. Coastal Trail Compatibility Concepts (page 152) to identify as “buffer” all lands that fall within the Municipally-owned Heritage Land Bank parcels.

6) Exhibit 4-11: Airport Perimeter – Parcel Identification Map (page 163) identify all Heritage Land Bank land in purple as “Heritage Land Bank property.”

7) Amend Executive Summary, Last Bullet on page ix, to read:

- The third group comprised of outdoor enthusiasts and park users believes that popular recreational facilities on airport land (including the Tony Knowles Coastal Trail and several parks), which were conditionally allowed by the TSAIA on a short term interim basis, are important parts of the quality of life in Anchorage and therefore should be made permanent municipal parkland.

8) Include documentation of AWWU’s acquisition of Parcel #6 from the Heritage Land Bank and any conditions associated with this acquisition in the WADP appendix.

9) Add an additional Implementation Action for Parks Objective #6, page 222, P-10 to read:

“Initiate discussions between AWWU, the MOA Parks and Recreation Department, Turnagain Community Council and coastal trail users with the goal of establishing a formal agreement between the Parks Department and

AWWU that ensures continued and long-term access to, protection of, Parcel #6 as a Coastal Trail greenbelt, and that specifies oversight and maintenance responsibilities for the property and trail.”

Timeframe: 1-2 years. Responsible Entity: MOA.

10) Include all documentation, including AO. NO. 94-194, which created Pt. Woronzof Park in a previous land trade between the MOA and the Airport, in the WADP appendix.

6. Municipal Advocacy for Noise Mitigation Measures on Airport Property Through Available State and Federal Programs

The Municipality must be more proactive and more assertive in representing the interests of West Anchorage residents in the TSAIA’s planning processes including such things as the Part 150 Noise Studies and Noise Compatibility Program. The Part 150 Noise studies include measures to be taken on airport property or on airport operations to reduce noise impacts to the local community.

The Municipality should advocate on behalf of its residents to ensure that the Airport undertakes noise mitigation measures on the Airport with the funding available through Part 150 which includes sales tax revenues from fuel sales on the airport. The Airport can use these revenues to put in place noise mitigation on its own property and on its operations, not just make Anchorage residents change their lifestyles and live in sealed homes or move to avoid ever increasing noise.

As the WADP acknowledges on page 124, the regulatory complexity of Airport decision-making does not lend itself to citizen’s understanding of the avenues for advancing their interest in noise mitigation and other measures applicable to the Airport that could reduce impacts on the surrounding community.

Consequently, the Municipality has a critically important role to play in providing the expertise and institutional presence to advocating for the community’s interest in noise reduction on the Airport. In order to carry out all of the TSAIA implementation actions involving the MOA, it is an important that the Municipality have the expertise and staffing necessary to address the complexities involved in the TSAIA/Municipality relationship.

Although the WADP carefully delineates what TSAIA has done and would like to do with respect to noise, all of the WADP recommendations alter the life style and legal rights of citizens. None recommend what TSAIA and its leaseholders can do to mitigate noise at its source. This is an issue that TSAIA has consistently avoided discussing and is one that the WADP should address. A very important tool that the TSAIA has not yet used for mitigating noise is described in paragraph 25 of Appendix A-3, FAA Grant Assurances. It states,

All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital operating costs of the airport, the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property, or for noise mitigation purposes on or off the airport.

This clause should be brought to the fore front of the WADP. TSAIA has the ability to tap its financial resources to implement noise mitigation at its source on TSAIA property. To date it has refused to discuss such alternatives and the WADP reflects that refusal in only offering off site solutions that limit the lifestyle and affect the property rights of west side citizens. Other cities with airports have sought a wider array of solutions, including mitigation at the site of origin. For example, Seattle successfully required sound proof hangars be built for engine run ups to mitigate noise to the surrounding community. Detroit has altered hours of operation and built site mitigation walls. Once the possibility of using revenues on TSAIA property to mitigate noise at its source is identified and tapped, a true TSAIA and MOA partnership for addressing noise mitigation can begin. Until that happens, noise will be a source of increasing conflict in West Anchorage. The Assembly should bring paragraph 25, Appendix A-3 of FAA grant assurances to the forefront of the WADP's recommendations for addressing TSAIA generated noise.

Assembly Amendments:

1) Amend Implementation Action 1A-7 by adding the following :

“MOA will advocate for West Anchorage resident’s interest in operational noise mitigation measures on the TSAIA as part of the FAA Part 150 Noise Compatibility Program and through Airport Master Plan and other State and Federal regulatory or land use programs. The MOA will create a new position in the Municipal Planning Department and a new legal position in the Municipal Attorney’s Office to work on TSAIA-Municipal issues and act as an advocate for community interests in noise reduction, air and water quality issues, traffic, and other concerns arising out of TSAIA operations. These positions will act as a point of contact for the community and for Municipal participation in Municipal, State, FAA and other regulatory or land use programs that might provide an avenue for resolution of community concerns about Airport impacts. The MOA will seek funding for support of noise mitigation efforts from TSAIA through the FAA grant assurances on revenues raised on TSAIA from fuel sales and other revenues generated on the Airport.”