

ALASKA LEGISLATIVE COUNCIL HOUSE

1827

HRES

HB 31

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12. a. HB 31 - Requires bidders to be present at auction sales of recreational and residential land. Bidders may be represented by an Attorney or Agent if the land offered for disposal is commercial, industrial or agricultural land. Changes downpayment from 10% to 5% of the purchase price after deduction of the discount. (Section 13).
- b. HB 193 - No parallel provision.
13. a. HB 31 - Deletes lottery minimums (\$400 per acre general lottery; \$100 per acre if land is limited to use for agricultural purposes); requires the Commissioner to sell land by lottery for less than fair market value if he determines the scarcity of land for private use in the area of the land to be sold has resulted in unrealistic land values. Under current law this authority is discretionary. Also requires applicants to be present at the lottery if the land offered is for residential or recreational purposes. An Agent may represent the applicant if land is offered as commercial, industrial or agricultural land. Clarifies that the downpayment is determined after deduction of the discount. (Section 14).
- b. HB 193 - Repeals minimums; provides that the downpayment is taken off the purchase price after deduction of the discount. (Section 18)
14. a. HB 31 - Provides that all contracts of sale shall be a period of not more than 20 years. Interest on the unpaid principal is calculated in advance. Interest accrues beginning 30 days after the purchaser receives the contract from the Department for its execution. (Section 15).
- b. HB 193 - No parallel provision.

15. a. HB 31 - Changes reference from Director to Commissioner. Provides that contract must be signed by the purchaser and the Commissioner on behalf of the State. The purchaser must sign and return the contract within 30 days after he receives the contract. The Commissioner must sign the contract within 30 days after receiving the contract from the purchaser. If the purchaser fails to sign the contract, the deposit should be retained by the Commissioner as to liquidate damages to repay the State for the cost of selling the land to another purchaser. (Section 16).
- b. HB 193 - No parallel provision.
16. a. HB 31 - Increases appraised value of the lease transaction which may be negotiated by the Director without advertisement from \$250 per year to \$1,000 per year. (Section 18).
- b. HB 193 - No parallel provision.
17. a. HB 31 - Changes the remote parcel program. Under current law, an individual selected by lottery is entitled to stake a remote parcel which may not exceed 40 acres. After staking, the qualified applicant may lease the remote parcel for five years with an option to renew for an additional five years. The rent for this parcel is \$50 an acre for the first five acres, a \$150 for each additional acre. At the end of the lease period, the lessee is entitled to purchase the first five acres on the parcel if he has surveyed the land and built a habitable dwelling on the land. The lessee may purchase additional acreage over five acres in the remote parcel if he surveys that land and constructs permanent improvement. The purchase price of the remote parcel is the appraised value at the time the survey plan is approved by the Commissioner. HB 31 provides that remote parcel areas would simply be open to staking rather than

sold through semi-annually lotteries. The annual rental is reduced to a flat \$10 per acre fee. Requirements for improving land in excess of five acres are eliminated. In order to qualify to purchase up to 40 acres, the lessee must survey the land and build a habitable dwelling on that land. The value of the remote parcel would be determined at the time of entry. Holders of existing remote parcel leases are allowed to convert to the new more liberal terms. (Sections 19 through 24).

- b. HB 193 - Same as HB 31 with two exceptions: (1) eliminates habitable dwelling requirements (2) allows rentals to be credited to purchase price. (Sections 19 through 24).
18. a. HB 31- If a persons selects a remote parcel in good faith that includes land in his parcel which was previously claimed by another parcel lessee, the Commissioner shall approve that part of the selection which does not conflict with the earlier selection and allow the person to select additional land in a remote parcel selection area. If a person selects a remote parcel in good faith but includes land in his parcel which is outside the remote parcel selection area, the Commissioner shall either disapprove the selection outside the area, and allow the person to select additional land, or he may approve the selection of the land outside the remote parcel selection area. (Section 25).
- b. HB 193 - No parallel provision.
19. a. HB 31 - One in a series of technical amendments which rectify an error made several years in a bill which purported to exempt eligible applicants from the payment of annual rent on State land lease for a youth encampment. (Section 26).
- b. HB 193 - No parallel provision.

20. a. HB 31 - Adds wastes disposal site and grazing permits to list of permits that may be issued by the Director without prior approval of the Commissioner. (Section 27).
- b. HB 193 - No parallel provision.
21. a. HB 31 - Amendments to notice laws recommended by the Department last year. (Sections 28 and 29)
- b. HB 193 - No parallel provision. However department has developed a proposed alternative.
22. a. HB 31 - Allows larger than 5 acre homesite parcels if a municipal ordinance or regulation adopted by DEC requires larger parcels to prevent water pollution.
- b. HB 193 - Also authorizes larger parcels to permit the "full use and enjoyment of the land". (Section 25).
23. a. HB 31 - Requires homesite applicants to present a proof of residency to the Department in person at the time and place designated by the Director.
- b. HB 193 - No parallel provision.
24. a. HB 31 - Repealers: (1) AS 38.05.065(a) - Auction sale terms (2) 38.05.077(b)2 - Deletes reference to "residential purposes" land within a remote parcel (3) 38.05.078(b) - deletes reference to "residential purposes" land in a remote parcel (4) 38.05.078(b)(1) - repeals requirement that remote parcel land may not be sold, leased or otherwise conveyed before 10 years after the date the contract of sale is signed by the purchaser (5) 38.05.095(b) and 38.05.097 - (see #19)

- b. HB 193 - Repeals 38.05.077(b)(2), 38.05.078(b), 38.05.078(d)(1), Also repeals 38.05.047(e) - (See #10); and 38.05.078(f)- definition of "habitable dwelling".

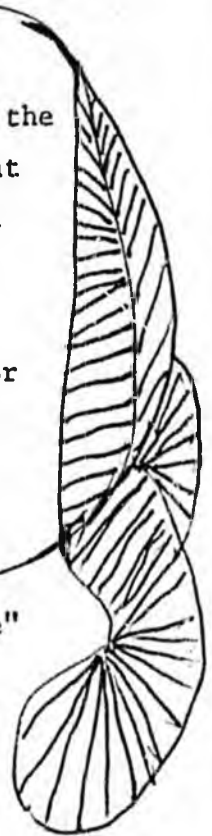
Miscellaneous Amendments Contained In HB 193 Only:

1. When considering the classification of State land for disposal, the Director must taken into account the existing and potential opportunities for other uses of the land which will be lost as of the result of this disposal - Fish and Game Proposal (Section 1).
2. Land withdrawn from the land disposal bank which has not been conveyed within five years may be reclassified for any purpose. Now the land must be reclassified for purposes associated with private use settlement and development - Fish and Game Proposal (Section 6).
3. Allow State agencies to nominate State land for classification or reclassification for other private ownership or State retention - Fish and Game Proposal (Section 8).
4. Estimates of the cost of land disposals must include administrative costs overhead, expenses of providing financing term for land sale contracts and costs from administering the land disposals and maintaining capital improvements - Fish and Game Proposal Plans (Section 9).

5. Provides that the Commissioner must consult with effected State agencies and local governments before disposing of State land for private use in order to establish lakefront development standards. Official regional or area land use plans adopted by the Commissioner must be consistent with the lakeshore development standards established above - Fish and Game Proposals (Sections 10 and 11).

6. The Bill would also modify the requirement in existing law that the local subdivision authority must approve a State subdivision plat before the plat may be recorded and lot sold by the State. Plat approval authority would be retained in this Bill. However, if municipality fails to take action on a plat submitted by the Department of Natural Resources within 60 days after submitted or places conditions on plat approval which are unacceptable to the Department, the Department may deduct the amount of land in that subdivision plat from the total financed for disposal that year.

7. Adds "protection from geophysical hazards" to list of "multi-use" categories listed in A.S. 38.05.047.





# Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645 • PHONE 745-4801

DEPARTMENT OF ADMINISTRATION

April 9, 1981

Chairman, House Resources Committee  
State of Alaska  
House of Representatives  
Pouch V  
Juneau, Alaska 99811

Gentlemen:

Re: House Bill 31--An Act relating to management of State land

House Bill 31 contains many desirable features and reflects some very conscientious efforts to correct some problems in the present State land disposal program.

On balance, however, the bill is a very bad bill both for the State of Alaska and the Matanuska-Susitna Borough. In particular, we believe it will damage our future as an agricultural region.

The bill would effectively take away 20% of local government lands in order to provide lands for the State to use in creating State subdivisions. If the Federal government, should, at this time, decide to take back 20% of the lands it committed itself to convey to the State of Alaska or 20% of the lands committed to Native corporations, there would be an outcry. The new Federal administration has promised to convey to the State the remaining State entitlement and has generally been applauded within the State of Alaska for that decision. I wish that there were a similar commitment on the part of the State of Alaska to its local governments.

We recognize that members of your committee and people within the State of Alaska, Department of Natural Resources are probably satisfied that the State will dispose of the 20% of withheld local government lands in a responsible manner and, possibly, in a better manner than would be the case if land decisions were made locally.

We do not believe that this is a correct analysis because over the long-term we do not think the Department of Natural Resources can withstand pressures to put agricultural lands into non agricultural subdivision uses.

Most of the 228,586 acres selected by the Matanuska-Susitna Borough, but not conveyed to the Borough, are not suitable for agricultural use--probably only about 30% of the land is suitable for that use--but, if the laws of land economics which have applied in other states apply in this state, the first lands to be subdivided will be the best agricultural

APR 10 1981

APR 13 1981

lands--the lands with Class II and Class III soils. The great bulk of this agricultural land is in the Susitna Valley--part of it is in large acreages between the Susitna River and the Little Susitna River. Prime agriculture lands are subdivided first because these are the lands that are easiest to subdivide, build roads on and provide adequate on-site sewage treatment for. The Borough high graded State owned lands in the late 1960's when the Borough made its land selections and the State would, almost certainly, skim Borough lands in the 1980's, meaning, the taking of the best Borough agricultural lands for State subdivision purposes.

If the Department of Natural Resources takes the easy way out, which is likely to occur given the pressures to get lands on the market, irreparable damage will be done to our local efforts to create a good economic base in the Susitna Valley. We are seeking a certain critical mass of good agricultural lands in the Susitna Valley so that we can benefit from some of the economics of scale. If we forfeit this opportunity the loss will be irretrievable. The Susitna Valley is a potential agricultural region close to Anchorage, where about half of Alaska's population lives, and is a little sunnier and less rainy than other agricultural areas of the Matanuska-Susitna Borough.

The Matanuska-Susitna Borough, because of the commitment of its people, particularly the large number of people who are serving the Borough or who have served the Borough on the Planning Commission, Platting Board, the various soil conservation committies, and the agricultural development committies, has always been able to maintain a steady course on development of an agricultural base in the Valley. With few exceptions, the Borough has retained lands which are predominately characterized by Class II and Class III soils, for agricultural purposes, while placing on the market very large quantities of good subdivision lands. We believe that this balance is sound and can continue to work to the benefit of both people who want subdivision parcels and the people who want to farm. To date, of the 126,623 acres conveyed to the Matanuska-Susitna Borough, approximately 52,000 acres have been conveyed to private persons. Of this 52,000 acres, 3,125 has been conveyed for agricultural uses and 48,875 has been conveyed without such restrictions. By this time we would have conveyed a much larger acreage into private ownership, had not the State called a halt to the transfer of lands approved for conveyance to the Borough. From September 1979, through October 1980, the Borough received 34,074.13 acres. Since this time, the only land that has been patented is 833.06 acres of Borough agricultural land included in the State lottery sale at Point MacKenzie. (AS 29.18.206 provides that these lands will be conveyed promptly to local governments, but this directive has been ignored by the State of Alaska and continues to be ignored by the State.)

Since we believe that the Matanuska-Susitna Borough, which is the location of most of the good subdividable land targeted by House Bill 31, can maintain a good balance of lands, and since we believe that the State cannot, because of land economic pressures, maintain such a balance, we ask

that Section 3 of House Bill 31 not be included in any bill enacted by the Legislature this year, and that any consideration of identification and disposal of municipal entitlement land, be deferred until next year, and after the Department of Natural Resources has conveyed surveyed but unpatented lands to the municipalities.

We believe that if the State holds off on acquiring Borough lands for subdivision purposes, the State Legislature would have an opportunity to review the effectiveness of State and local government efforts to manage and dispose of lands.

The Matanuska-Susitna Borough would use the intervening months for carrying out an ambitious land sale of its own, similar to the land sales carried out by it in previous years, and would work with the State of Alaska in identifying the best land for subdivision development, whether it is within State ownership or Borough ownership, (and would work toward the further identification of lands which should be reserved for agricultural development).

We think that both the State of Alaska and local governments can make very good use of the proposed AS 38.04.020(e)(4) on preliminary feasibility studies, engineering design work, and construction of access roads and capital improvements, which would support and facilitate the subdividing of lands.

During this time, the Borough will probably have adopted a revised subdivision ordinance that would liberalize requirements for subdividing areas that have fly-in or river access and where lot sizes are 10 acres or larger. Presently, it is difficult to subdivide land within the Matanuska-Susitna Borough in remote areas where the lot does not front upon a river or lake and where there is no potential for road access. (For the record, it is possible to subdivide lands around lakes and along rivers, if the water table is not excessively high and there is a means of handling sewage on the site.)

We believe that this is the responsible way to proceed and will yield much better results than an outright raid by the State upon local government lands.

Further comments are:

AS 38.04.020(f) providing for the Commissioner submitting a budget to the Governor based upon an assessment of the current needs and anticipated uses of State land in the different regions of the State and developed in consultation with municipalities - the Borough has no objection to having its lands considered as part of the total land disposal picture. The Matanuska-Susitna Borough considers that it will appear a very positive light in the overall program to get public land into private ownership and would be pleased to be consulted with, and to have its land disposal effort considered as part of the total picture.

AS 38.04.020(h) providing that individual parcels disposed of in subdivisions may exceed five acres if the Commissioner determines that a larger size is necessary to permit the design of a viable subdivision because of topographical features, soil conditions, on-site sewage disposal requirements, or water drainage or supply considerations that are unique to the subdivision--the Matanuska-Susitna Borough considers this to be a very desirable provision. We understand the reference to soils conditions to include, in certain parts of Alaska, the availability of timber, because in muskeggy ground with very little timber, a five acre lot subdivision is a very uneconomic affair, both because of the prominence of visibility of buildings built upon a group of five acre lots clustered together and, because of the lack of any means of providing heat to cabins in a remote area. In many parts of the Matanuska-Susitna Borough, it is simply not feasible to bring in heating oil and you need a wood lot of at least ten or twenty acres to have any source of fuel. Also, if the State should try to simply force a number of five acre subdivisions in areas where soil conditions and on-site sewage disposal situations were unfavorable, the State would simply be involved in the type of consumer fraud that makes news on 60 Minutes and which puts developers into jail if they are trying to sell such properties in interstate land sales. Neither the State nor the Borough should be a party to putting unmarketable and unusable parcels on the market, because this serves no public purpose, does a lot of harm and causes hardship. AS 38.04.020(h) is a very positive step toward consumer protection.

AS 38.04.021 Identification and disposal of municipal entitlement land--commented upon previously--this section should be deferred for consideration in the next session of the Legislature. Meanwhile the State of Alaska should proceed to issue patents to municipalities under existing State law.

AS 38.04.021(d) Making a partial assignment to a municipality of receipts from the land sale contract for lands sold by the State to private persons--if the only concern and interest of the municipality with respect to municipal lands were the amount of revenues it could derive from these lands, this provision would remove some of the sting of House Bill 31. As noted before, the Matanuska-Susitna Borough, at least, has a much greater concern with respect to the future development of lands in the Borough than just the derivation of revenues from lands. In any event, the term partial assignment does not appear to have any particular meaning. I would anticipate that if the State deducts from the cost of sales of Borough selected lands, the costs to survey, administration, etc., the net proceeds to be turned over to the Borough as a "partial assignment" would almost be zero. It is dubious if this partial assignment language accomplishes much of benefit for a local government. If the State simply proposed to dump land on the market as fast as it could, without any concern for getting any

Chairman, House Resources Committee

April 9, 1981

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minimum bids, then the amount of revenues to be derived would almost certainly be zero. House Bill 31 does not provide any guidelines or suggestions of what the State might or might not do.

Sincerely,

A handwritten signature in cursive script that reads "Gary Thurlow". The signature is written in dark ink and is positioned above the printed name and title.

Gary Thurlow  
Borough Manager

er

Attachment



# Matanuska-Susitna Borough

BOX 9, PALMER, ALASKA 99645 • PHONE 745-324

DEPARTMENT OF LAND MANAGEMENT

January 26, 1981

TO: Lee A. Wyatt, Acting Borough Manager  
FROM: Norma Coleman, Land Management Officer  
SUBJ: Status of Borough's Land Selection Program

Total Patents Issued		126,623.97
Left to Patent on TA'd Land:		
Smith Decision	90,660.56	
Mann Decision	104,743.46	
Reaffirming	821.30	
	<u>196,225.32</u>	<u>196,225.32</u>
Total Patents and TA's		322,849.29
Preliminary Decision, 11/21/80		<u>43,181.51</u>
		366,030.80
TOTAL ENTITLEMENT		<u>355,210.00</u>
Over Selection		10,820.80
Acres, Patented, TA'd and Surveyed		228,210
Acres to be Surveyed		<u>127,000</u>
TOTAL ENTITLEMENT		355,210

Please note the amount of acres over selected and the acres to be surveyed. Over one-third of selection entitlement must be surveyed. By the time water is extracted, lakes, streams, extreme peat bogs, a goodly portion of the 10,820 acres will be deleted from the gross acres selected. I recommend that we do not relinquish any land until such time we can complete the surveys and determine our net acreage.

Entitlement	355,210 acres
Patents issued	<u>126,624</u>
Remaining entitlement	228,586
Land to be surveyed	<u>127,000</u>
TA'd, surveyed, not conveyed	101,586 acres



# Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645 • PHONE 745-3246

DEPARTMENT OF LAND MANAGEMENT

## MEMORANDUM

DATE: January 19, 1981  
 TO: Norma Coleman, Land Management Officer  
 FROM: Pam Strahan, Land Management Technician  
 RE: Status Report on Borough Lands to date

Total Patents issued before July 1, 1978	84,414.62
Smith Decision - January 22, 1979	142,904.49 acres
Relinquishments	-13,995.87 acres
Error in decision	-300.00 acres
DECISION TOTAL	<u>128,587.62</u> acres
TA'ed amount	Patented amount
37,927.06 acres	32,232.83
Difference between TA'ed acreage and	
Patented acreage amounts	<u>-5,694.23</u> acres
LEFT TO PATENT	<u>90,660.56</u> acres
Mann Decision - March 21, 1980	115,210.79 acres
TA'ed amount	Patented amount
10,467.33	9,976.52
Difference between TA'ed acreage and	
Patented acreage amounts	<u>-490.81</u> acres
LEFT TO PATENT	<u>104,743.46</u> acres
Reaffirming Decision - December 28, 1979	<u>821.30</u> acres
Total of Patents issued before July 1, 1978	84,414.62
Total of Smith Decision	128,587.62
Total of Mann Decision	115,210.79
Total of Reaffirming Decision	821.30
Total Selections	<u>329,034.33</u> acres
Total Patents July 1, 1978	84,414.62
Total of acres patented on Smith Decision	32,232.83
Total of acres patented on Mann Decision	<u>9,976.52</u>
TOTAL PATENTS ISSUED	126,623.97 acres

ALASKA LAND STATUS

Report by House Resource Committee  
to accompany

Resource Committee Substitute for HB 31

## ALASKA LAND STATUS REPORT

The Alaska Statehood Act, signed into law in January of 1959, marked the beginning of the first dramatic shift in land ownership patterns in Alaska since 1867, when governmental control of Alaska was ceded to the U.S. by treaty from Russia. The effect of Federal policies and actions during the ninety two years of U.S. control prior to Statehood is most clearly demonstrated by the pattern of land ownership that existed when the Statehood Act was passed in 1958. In that year, 99.8 percent of the land was still owned by the Federal government. Only a little over half a million acres had passed into private ownership.

The Statehood Act authorized the State to select a total of 104.5 million of the 367.7 million acres of land and inland waters in Alaska. In passing the Statehood Act, Congress cited economic independence and the need to open Alaska to economic development as the primary purposes for large Alaska land grants.

The State's initial land selections were small and carefully calculated, largely due to the young State's precarious financial position. Land selection was expensive. At a time when the total State budget was less than \$ 100 million, the State simply could not afford to select the entire 104.5 million acres of State land entitlement. By 1968, the State had selected about 26 million acres of its statehood entitlement. Most of these lands were chosen for their immediate development potential and their proximity to existing transportation routes.

Late in the 1960's the long-simmering question of Native Land claims started a process which was again to dramatically affect the patterns of land ownership in Alaska. Native leaders, prompted by the State land selections of Native hunting grounds near Minto in the mid-1960's, asserted Native claims to large areas of the State. Acting to protect Native land rights, the Secretary of the Interior froze all Federal land transactions (including State selections) in 1966.

The issue of the Native claims was cleared with the passage of the Alaska Native Claims Settlement Act ( ANCSA) on December 18, 1971. This Act of Congress provided for creation of Alaska Native village and regional corporations, and gave the Alaska Natives nearly one billion dollars and the right to select 43.7 million acres of land. Section 17 (d) (2) of the Settlement Act directed the Secretary of the Interior to withdraw from public use, land in Alaska for study as possible national parks, wildlife refuges, forests, and wild and scenic rivers. The "d-2" lands issue was finalized in December of last year with the passage of the Alaska Lands Act following years of uncertainty over the future of enormous blocks of land.

Recently Interior Secretary Watt agreed that top priority must be given to conveyance of Federal lands to the State and to the Alaska Native populations. Land conveyance to the State and Natives will be expedited, with sufficient staff and funds requested of Congress so as to transfer 13.5 million acres during fiscal year 1982 - 9 million acres to the State and 4.5 million to the Natives.

As of January 28, 1981, the State had received 48.2 million acres of land from the Federal government, or 46.1% of its total land entitlement. This

included 26.4 million acres of Tentatively Approved (TA) land and 21.8 million acres of Patented Land. The State has selected the rest of the land it is entitled to under the Statehood Act; however, the selected land includes unresolved overlaps with over-selections by Natives under ANCSA and "d-2" proposals. The Alaska Lands Act amends the Statehood Act to facilitate the land selection process, including a 10 year extension of the selection period.

According to the Bureau of Land Management, as of January 31, adjudication of land for conveyance to Native corporations has been completed on 21.3 million acres of land. Of this, about 17.3 million acres have been conveyed. Most of the remainder is on appeal at the Alaska Native Claims Appeals Board. They have also indicated that over the next few years the number of acres conveyed each year will decline because the lands will include complex questions of status and will often be small tracts.

A summary report on State land disposal programs indicates that the State offered a total of 327,671 acres of land for disposal during the period July 1, 1978 - December 31, 1980. The amount of acres sold during this time period was 222,476 acres, or 67.9% of the total offered. This includes acreage offered under the various State lottery programs, Remote Parcel program, Auction, and Over-the-Counter offerings. Lands transferred to municipalities under the Municipal Entitlement Act are not included. As of March 6, 1981, the total acreage of State land surveyed and available for disposal during FY '81 is 149,731 acres. For FY '82 the amount of available land DNR has identified and surveyed for disposal is 92,651 acres.

The Department of Natural Resources indicates, in its State Land Classification Report To The Legislature For Calendar Year 1980, that 2.1 million acres of land were classified by the department during 1980, through Alaska's Land Classification System. This land classification system is a method of identifying what are currently believed to be the most appropriate uses of State owned land and establish some certainty about the future uses of these lands. With some exceptions, land must be classified before it can be made available for disposal, including land sales and leases, timber sales, gravel sales, etc. The only significant exception to this is mining claims. Most classifications for disposal during 1980 were for the purpose of sale by Subdivision lottery, Homesite offering, Remote Parcel entry and Agricultural Auction of Lottery. By the end of 1980 DNR had classified close to 16 million acres of State land into some twenty different use categories.

Under the provisions of Chapter 180 (SLA 1978), more commonly called the Municipal Entitlement Act, the State is required to provide land to qualified municipalities. The provisions of the Municipal Entitlement Act require that before lands can be conveyed to a municipality they must be classified in a disposal classification. Lands totaling 109,702 acres were classified for municipal conveyance during 1980 by DNR.

The February 6, 1981, Municipal Entitlement Summary report ( attached) prepared by DNR indicates qualified municipalities are entitled to 779,486 acres of State land. The municipalities which had to meet the October 1, 1980 land selection deadline to satisfy the Municipal Entitlement Act did so, and, in fact, over-selected by approximately 37% in order to assure themselves of their total entitlement after taking into account other

land conflicts.

The Director of the Division of Lands had, as of February 6, 1981 (the latest available report) given a final decision on 542,771 acres of Municipal Entitlement Land, or 69.6% of the total land available to the municipalities. Of this amount municipalities had been conveyed final patent to 209,117 acres. Another 132,922 acres were still in what the department calls a patent pending classification. The remaining 200,732 acres were approved by the Director for patented, but the land was still unsurveyed by the municipalities. Under the current land laws it is the responsibility of the municipalities to have the land surveyed prior to receiving final patent.

The roadblocks encountered in transfer of State lands to municipalities vary throughout the State. The main roadblock was the unsurety of the Native land selections under ANCSA. Another blockage was that many of the municipalities did not complete their land selection process until close to the Municipal Entitlement selection mandatory deadline of October 1, 1980. In Southeast Alaska much of the acreage the municipalities selected lies within National Forest lands, and until this land is transferred to the State and classified for municipal disposal, land for municipalities in Southeast Alaska will remain low. It should be noted that the percentage of the total entitlement lands that have been patented and approved but unsurveyed, for the State as a whole, was 53% as of February 6, 1981. However, this was not the case in Southeast Alaska. The percentage of patented and approved but unsurveyed land in Southeast was only 15%. This was due mainly to the municipalities selecting lands

within the National Forest. Another roadblock that should be mentioned is that of residents which already live in an area protesting the transfer of the land to municipal ownership because of the fear more people will move into the area and destroy their present solitude, let alone their fear of an increase in their tax burden.

Most of the larger municipalities currently have a land disposal program and once they receive patent to the land they will be able to use to dispose of land in an orderly and quick manner. A problem most have to face is a lack of sufficient funds to complete the required surveys prior to final patent.

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
MUNICIPAL ENTITLEMENT SUMMARY

February 6, 1981  
Page 2

\* = Changes from prior report

Municipality	Entitlm't	Selection	Net Sel.	Signed by Director		Appvd but Unsurv.	Patented	% Sel. Proc. to Fin. Dec. Stage 6/4	Pat'd & Appvd but Unsur As % of Ent. (7+8)/2	Remarks
				Proposed Decision	Final Decision					
1	2	3	4	5	6	7	8	9	10	
<u>SOUTHCENTRAL Cont'd</u>										
City of Cordova	235	320	213	213	213	213	-0-	100	91	Sel basically complete. Field surveys underway.
City of Dillingham	1	11	---	11	---	-0-	11	100	0	Entitlement fulfilled via .315 program.
City of Homer	16	15	15	15	15	-0-	15	100	94	Being handled under .315 program.
City of Houston	405	873	235	244	235	-0-	235	100	9	Conflict w/capitol site on remainder.
City of Kenai	307	407	307	307	307	-0-	307	100	0	Entitlement fulfilled.
City of Kodiak	32	32	---	---	---	-0-	-0-	---	0	No known land available
City of McGrath	-0-	8	8	8	8	-0-	8	100	N/A	Actually 7.67 Ac (.315 program only.)
City of Ozinkie	240	---	---	---	---	-0-	-0-	---	0	No known lands available.
City of Port Lions	35	---	---	---	---	-0-	-0-	---	0	No known lands available.
City of Seward	562	505	470	470	470	-0-	-0-	100	0	470 Ac only TA'd to State.
City of Soldotna	14	129	---	104	---	-0-	5	---	0	QCD issued under .315 program.
City of Valdez	4,805	6,407	4,882	4,882	4,882	1,055	3,483	100	94	

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
MUNICIPAL ENTITLEMENT SUMMARY

February 6, 1981  
Page 1

\* = Changes from prior report

Municipality	Entitlm't	Selection	Net Sel.	Signed by Director		Appvd but Unsurv.	Patented	% Sel. Proc. to Fin. Dec. Stage 6/4	Pat'd & Appvd but Unsur As % of Ent. (7+8)/2	Remarks
				FLWM						
				Proposed Decision	Final Decision					
1	2	3	4	5	6	7	8	9	10	
<u>SOUTHCENTRAL</u>										
Bristol Bay Borough	2,898	4,872	1,558	1,558	1,558	-0-	1,592	100	55	Deficiency in available lands due to Native Claims Settlement Act Sel
Kenai Peninsula Borough	155,780	149,433	91,634	106,685	48,274	2,489	38,363	53	26	3415 Ac in patent pending. Zero Ac in patent process. Still need to select some 6,000 acres.
Kodiak Island Borough	56,500	100,199	13,867	13,867	13,867	3,159	2,215	100	9	Adequate Sel have been made but due to Native Allotments & Native Claim Settlement Act Sel there gen'ly no addn'l lands approvable. QCD issued on 8.06 Ac under .315 program. 613 Ac in patent pend.
Mat-Su Borough	355,210	506,186	340,022	348,365	340,022	160,785	129,279	100	82	25,165 Ac in patent pend. Sel genly complete. Survey completed on 33,129 acres.
Municipality of Anchorage	44,893	52,447	17,166	19,429	17,166	1,972	7,964	100	20	Zero Ac in patent process. 2,890 Ac in pat pend. Includes 5374 Ac. of .315 Selections.
City of Bethel	40	5	---	---	---	-0-	-0-	---	0	

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
MUNICIPAL ENTITLEMENT SUMMARY

February 6, 1981  
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\* = Change from prior report

Municipality	Entitlm't	Selection	Net Sel.	Signed by Director		Appvd but Unsurv.	Patented	% Sel. Proc. to Fin. Dec. Stage 6/4 9	Pat'd & Appvd but Unsur As % of Ent. (7+8)/2 10	Remarks
				Proposed Decision	Final Decision					
1	2	3	4	5	6	7	8	9	10	
<u>SOUTHEAST</u>										
* City & Borough of Juneau	19,582	15,932	17,325	17,342	2,870	-0-	783	17	4	690 Acres in patent pending.
City & Borough of Sitka	10,500	10,656	9,487	10,988	6,964	-0-	5,982	73	57	Includes 5,705 Ac conveyed under .315 program.
Haines Borough	2,800	4,171	1,434	1,434	1,432	15	135	100	5	
Ketchikan Gateway Borough	11,593	8,169	----	N/A	95	-0-	-0-	N/A	0	95 Ac in patent pending.
City of Hoonah	15	----	----	----	----	-0-	-0-	----	0	State land not available.
City of Ketchikan	0.5	0.5	----	----	----	-0-	-0-	----	0	
City of Skagway	500	675	392	392	392	-0-	-0-	100	0	
City of Yakutat	104	114	95	95	95	-0-	7	-0-	7	7.413 Ac of .315 conveyance.
* SE TOTALS	45,097	43,718	28,733	30,251	11,848	15	6,907	41	15	

STATE OF ALASKA  
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\* = Changes from prior report

Municipality	Entitlm't	Selection	Net Sel.	Signed by Director		Appvd but Unsurv.	Patented	% Sel. Proc. to Fin. Dec. Stage 6/4 9	Pat'd & Appvd but Unsur As % of Ent. (7+8)/2 10	Remarks	
				Proposed Decision	Final Decision						
	1	2	3	4	5	6	7	8	9	10	
<u>NORTHCENTRAL</u>											
Fairbanks North Star Borough	112,000	200,005	108,270	105,117	103,611	31,044	18,733	96	44	2,824 Ac in patent process. 47,672 Ac in patent pend.	
North Slope Borough	-0-	-0-	----	----	----	-0-	-0-	-0-	0		
City of Delta Junction	400	424	295	295	295	-0-	-0-	100	0	Sel. pending on balance. 256 Ac in patent pending.	
City of Fairbanks	15	-1-	----	----	----	-0-	0.47	---	3	Pending .315 sel on the balance.	
City of North Pole	0.5	-0-	----	----	----	-0-	-0-	---	0	Pending .315 Sel.	
NC TOTALS	112,376	200,429	108,565	105,412	103,906	31,044	18,733	96	2544		
GRAND TOTALS	779,486	1,065,996	607,675	631,821	542,771	200,732	209,117	89	53		

**Testimony on Land Disposal Legislation  
presented to House Resources Committee**

**by**

**Department of Community and Regional Affairs**

**February 24, 1981**

The Department of Community and Regional Affairs has several recommendations for changes in the State land disposal program and existing legislation, particularly HB 66 enacted in 1979. Our major recommendations concern: 1) quotas for land disposal, 2) municipal land disposal programs, and 3) local regulation of State subdivisions for purposes of land disposal.

1. Land Disposal Quota. Many of the criticisms leveled at the State land disposal program can be traced to the rate of disposal, a result of the quota which was instituted by the Legislature in 1979. The 100,000 acre annual quota has, in short, perpetuated a short-term program focused on meeting annual quotas and forced the disposal of areas simply to meet acreage requirements, notwithstanding community impacts, land suitability or demands.

The Department supports revision of the rate of disposal or more precisely, the method of establishing rate of disposal. It may not be sufficient to simply revise the quota level; reducing the quota to 60,000 acres annually, for example, will help alleviate some pressures and problems, but problems related to quota inflexibility and arbitrariness will most likely remain. For best results, the Department believes the rate of disposal should be based on a rational, recurring assessment which includes such factors as need and demand for land, suitability and capability of State land to meet demand, other disposal efforts, and funds available for subdivision and disposal purposes, including funds necessary for capital improvements and roads.

2. Municipal Land Disposal Programs. Municipalities own most of the accessible, developable land in the State. Should the State encourage, participate in or require some type of municipal disposals.

The Department recommends municipalities be encouraged to establish municipal lands disposal programs. Financial assistance is a good form of encouragement. The Department strongly supports the Administration's proposal for a state loan program for municipalities that develop a five year plan for land disposal.

Legislation regarding municipal land disposal should: 1) allow adequate time for municipalities to assess municipal entitlements, plan for disposals and prepare ordinances; 2) encourage disposal of lands in locations where there is demand; 3) discourage disposal of land which is not suitable for development and which has public value and 4) relieve the financial burden of land survey and subdivision costs and demands for public services and facilities.

3. Local Regulation of State Subdivisions. A major issue in the State land disposal program is the extent to which state subdivisions for purposes of land disposals should adhere to municipal subdivision ordinances. Enacted with the quota in HB 66 in 1979 was a provision removing the authority of the local platting board to disapprove a subdivision plat for state land and preventing municipalities from requiring the State to construct access roads and capital improvements in State subdivisions. The reason for instituting this provision was to prevent municipalities from slowing down state disposals.

Recently, there have been suggestions of further extending State authority to "override" local subdivision ordinances by exempting State subdivision plats from approval and signature by platting boards before they can be filed in the recorder's office and offered for sale. Again, the argument is that State adherence to municipal subdivision ordinances requires a great deal of time and effort on the part of the subdivider and prevents the State from squeezing out the maximum acreage from State tracts. It is also argued that local governments have imposed unreasonable and excessive subdivision and capital improvement design requirements on state land disposals.

The Department would like to make two points in response to proposals and arguments for State "override" authority regarding municipal subdivision regulations:

1. Municipal conditions and requirements for State subdivisions are not unreasonable or excessive.
2. Subdivision regulations are a key tool for responsible exercise of local government.

First, municipal conditions and requirements for State subdivisions are not unreasonable or excessive. Although variations exist among municipalities, common, major requirements and conditions concern 1) parcel use and size consistent with local land use plans and zoning; 2) sufficient acreage to insure proper waste disposal or adequate supply of resources for habitation; 3) legal access to each subdivision and to each parcel within a subdivision; 4) verification of the ability of the subdivider to construct roads and capital improvements. The first three conditions are standard and rudimentary subdivision design requirements, and the fourth--verification of the ability of the subdivider to construct roads and capital improvements--is the prime way municipalities have of guarding against paper subdivision plats which have no relation or connection to physical conditions or economic reality.

The second point is that subdivision regulations are a key tool for responsible exercise of local government. These regulations are used by local governments to guide land development and protect the community's quality of life. They have a profound influence on the density and location of structures, environmental quality and development costs. To remove municipal authority to approve, disapprove or condition State subdivision plats for compliance with subdivision regulations seriously erodes local platting authority. Without approval or disapproval authority, municipalities essentially have no way to enforce compliance with municipal regulations.

Testimony on Land Disposal Bills  
February 24, 1981  
Page 3

The Governor's bill accommodates, to some degree, municipal and State concerns with regard to local regulation of state subdivisions. The bill does not reinstate municipal authority to disapprove State subdivisions, but it retains existing municipal authority to approve State subdivisions. The bill also provides that if a municipality fails to take action on a plat within 60 days or place conditions on plat approval which are unacceptable to the Department of Natural Resources, the Department can deduct the amount of land in the subdivision plat from the total amount of disposal.



## THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

February 25, 1981

The Honorable Fred F. Zharoff, Co-Chairman  
The Honorable Terry Gardner, Co-Chairman  
House Resources Committee  
Alaska State Legislature  
Pouch V, State Capitol Building  
Juneau, Alaska 99811

File: 1981 Legislature, HB 31/193

Subject: State and Municipal Lands

Gentlemen and Members of the Committee:

In 1979, the House Resources Committee heard testimony from the Department of Natural Resources that it was having difficulty meeting legislative land disposal mandates because of problems created by ANCSA land selections and by municipal entitlement nominations and by municipal platting requirements. After hearing from the municipalities, the committee conducted a number of hearings/work sessions with DNR. During one of these sessions a representative of DNR leaned back in his chair, put his boots on the hearing table and calmly pronounced something to the effect that "You guys [the legislature] are just going to have to push the municipalities aside." House Bill 66 pretty much implemented that solution to DNR's problems.

At the hearing last Thursday, it sounded to me as though the new group in DNR is singing the same song but a different verse. We are greatly concerned to say the least. However, before escalating the finger pointing which is now begun and, more importantly, to correct some misstatements of policy and fact which occurred during the Thursday hearing, I think it would be helpful to all concerned if we quickly review the history of the Municipal Land Entitlement Act, its sources and legislative history. A review of some of the discussions which preceded the "municipal platting override" may also be helpful.

In 1963 the legislature adopted a comprehensive borough Act which contained a section which permitted an organized borough to select 10% of the vacant, unappropriated, unreserved state lands which were located within its boundaries. AS 07.10.150. This section appeared in the chapter of the borough Act dealing with borough incorporation. Section 150 was followed by a section on land selection procedures. The next section dealt with organizational grants to newly formed boroughs. The purpose of the 10% land grant was never seriously disputed among those of us who were on the borough scene in the mid 60's. It was not only an inducement to borough formation, it was,

more importantly, a promise of certain valuable resources for the borough to help insure its stability and to give it some means of managing its growth.

When Title 7 on boroughs and Title 29, the municipal government code were rewritten and consolidated into a single Title 29 in 1972 the language of 07.10.150 was carried forward into AS 29.18.190 and was expanded to include cities under the 10% entitlement. This new section appeared in Chapter 18 under an article entitled Transitional Assistance. The three sections under the transitional assistance article covered organizational grants, state land entitlement and state land selection procedures. Again, the clear policy was that the land entitlements were to be a resource of the municipality.

Unfortunately, not all was going well in the selection department. The state had not taken the time to make any selections in the national forests so those boroughs which included national forest lands had almost no "state land" from which to gain an entitlement. Municipalities in the interior where the state had made a number of selections were having serious problems with procedures used by DNR to determine which state lands were "vacant, unappropriated and unreserved." In 1976 either one or two communities were in court with DNR over these problems and another community was on the verge of filing suit. In order to effect an amicable solution to the dispute, the interior communities and DNR got together and drafted a bill which purported to settle the entitlement computation question. It did so by providing that the amount of land a municipality would be entitled to would be 10% of the maximum amount of state owned land which was vacant, unappropriated or unreserved at any time prior to the effective date of the proposed bill. While this had the effect of cutting off the communities in Southeast Alaska with a pittance, this oversight was corrected and all the municipalities in the state joined with DNR to seek passage of the bill. The bill addressed almost every problem the municipalities had previously experienced in land selection and conveyance under their 10% entitlement. The new bill also fixed the actual number of acres to which each borough was entitled, thus ending the disputes on how the 10% was computed. For most boroughs the fixed entitlement represented about 10% of the maximum amount of state land which had been vacant, unappropriated and unreserved to that date. For others, it represented what was determined to be a reasonable amount in light of community needs and the present and likely future availability of state land within the borough.

In 1977, the municipal entitlement bill which was going through the house was passed out of the House Community and Regional Affairs Committee as a committee substitute and was sent to House Finance. The bill received hearings before the House Finance Committee in both 1977 and 1978.

Chronologically, it must be noted that somewhere along about this time the Beine Initiative was born. When the legislature returned in 1978 it was faced with the grim prospect of the Beine Initiative going on the ballot in the 1978 general election. The reaction of the legislature was to get DNR moving on land disposals to provide the citizens of Alaska with a land disposal policy which was more rational than the Beine Initiative, but was nevertheless massive. Two major pieces of land legislation came out of the 1978 session in addition to the municipal land entitlement bill.

Returning for a moment to the House Finance Committee, several efforts were made while this committee had the municipal land entitlement bill to amend it to require that municipalities dispose of a certain proportion of the entitlement lands they received under the bill. At that time only three or four boroughs had received any significant conveyances of land from the state under their prior entitlement. Unfounded accusations were made that municipalities were unwilling to dispose of their land, wanted to be landlords, and needed something to force them to get the land out to the people. At that time, as I recall, it was pointed out that the Mat-Su Borough had already placed into private hands more acreage than the State of Alaska and that the Fairbanks North Star Borough had also made significant disposals when compared to the acreages which had been conveyed to it at that time. As I recall, the Kenai Pen Borough had also commenced to dispose of some of the lands it had received or was on the verge of initiating a substantial disposal program. In any event, the mandatory disposal proposals did not become a part of the municipal land entitlement bill. The municipal land entitlement bill passed in the dying days of the 10th Legislature along with the two other major pieces of land legislation. One of these, Ch. 182, SLA 1978, reclassified various trust lands as general grant lands and established a money trust in lieu of the former land trusts. The other major piece of legislation which the 10th Legislature passed, Ch. 181, SLA 1978 established a 50,000 acre disposal mandate for fiscal year 79.

Section 2 of Ch. 181, SLA 1978 provided that the director of the division of lands of DNR was to assess the supply and demand of land under the homesite and open-to-entry programs and to determine what type of land disposal was best suited to various regions of the state. The answers which the division received to some of the questions which they posed during their survey were enlightening. As I recall, a majority of those responding indicated that they wanted land which was accessible by road and had fire protection. (I would certainly stand corrected on this matter, but do not have a copy of the survey results at hand at this writing.) In spite of these findings, and the expressed concerns of the municipalities, the 11th Legislature, through House Bill 66, forced DNR into a disposal program which

essentially ignored the survey results; that is it was not going to spend any money to provide road access to its land disposals.

While the Municipal Land Entitlement Act was adopted at the same time as Ch. 181, SLA 1978, the Municipal Land Entitlement Act did not contain language which indicated that the essential purpose of the land entitlement established in 1963 had changed or been modified. Section 1 of that chapter set forth the Act's purpose as follows:

The purposes of this Act are to remove uncertainties in the existing municipal land selection law of the state; to provide for an immediate, final determination and settlement of municipal land entitlement; to provide for the completion of rational ownership patterns for sound land management; to provide for expeditious patent of land to municipalities to fulfill their respective entitlements; and to provide payment for land within certain municipalities which are unable to receive full entitlement rights in appropriate vacant, unappropriated, unreserved land.

Note that aside from the settlement aspects of the Bill it was also to provide for the completion of "rational ownership patterns for sound land management." I think this is a clear recognition of the necessarily strong land management and land policy making role which the municipality must occupy in land related decisions which affect local communities. The policy statement says nothing about any required disposal of municipal lands nor does it hint that there was any intention on the part of the legislature that municipalities would be required to dispose of their lands. In light of the legislative land disposal mandate which came down in Chapter 181 it is clear that the 10th Legislature did not intend to impose any land disposal mandate upon municipalities.

One of the things which Chapter 180, SLA 1978 (the Municipal Land Entitlement Act) did was to establish a selection procedure and standards. The procedure called for joint consideration between the director of the division of lands and the municipality of which vacant, unappropriated, unreserved land within the municipality was appropriate for municipal selection and approval by the director. The joint consideration was to include a cooperative land planning process which would, among other things, seek to identify both local and state interests in tracts of vacant, unappropriated and unreserved land within the municipality. The Act also established standards for determining local and state interests. The director could approve or disapprove a municipal selection based on his evaluation of the land and the application of the standards thereto.

Municipalities began immediately to gear up for the new selection process. DNR and the municipalities worked cooperatively to establish the detailed procedures for implementing the selection process. After a few rough spots were ironed out, municipalities began working with DNR nominating lands for selection and engaging in joint consideration with DNR. In the fall of that year, the Beine Initiative was approved by the voters. Interestingly, in Southeast Alaska where land is rumored to be so scarce, the Beine Initiative was turned down.

The joint consideration and selection process continued. In January of 1979, the 11th Legislature was seated and soon began to consider state land disposal problems again. The courts put the Beine Initiative on hold and later declared it to be invalid. In the meantime, it became quite apparent that the 11th Legislature was either going to make massive disposals of land via direct legislative grants or was going to see that DNR got the message, loud and clear. As I recall, fairly early during the session, the House Resources Committee held a teleconference hearing with the major boroughs and some cities to determine how things were going under the Municipal Land Entitlement Act. It had been enacted to iron out difficulties between municipalities and DNR and the committee wanted an assessment of the Act from the municipalities. As I recall, every municipality, except one city, testified that the selection process was going very, very well and that they saw no need to tinker with the Act. (That one city complained about a certain clause in the Act but it was later determined that this city was reading from a version of the bill which was not adopted and the language about which it complained did not appear in the Act.) Thus, in early 1979, the municipalities were all quite satisfied with the municipal land entitlement selection process. While large amounts of land had not been conveyed under that Act to most municipalities by that time, things were moving along at a reasonable pace and without serious, unresolved problems.

The House and Senate Resources Committees began holding hearings at which DNR explained where it was with its Chapter 181, SLA 1978 50,000 acre disposal mandate, what it had on tap for the next fiscal year and what the problems were. It was at this point that DNR pointed at ANCSA selections and municipalities as being their big problems. As everyone realized nothing could be done about the ANCSA selections municipalities came in for the brunt of the blame. DNR claimed that the municipalities had all the close in good land tied up in its nominations and that DNR, therefore, did not have access to any of the good state lands for its disposal program. The fact that under the procedures adopted by the division of lands and agreed to by the municipalities the division of lands could require a municipality to select a nominated parcel or give up its nomination (thus forcing the municipality to either take the parcel or give it

up so that the state could dispose of it) seemed to be ignored both by DNR and the legislature. Thus, the municipal land nominations really were something of a red herring. However, both DNR and the municipalities pointed out that the joint consideration process and the decision making process by the director of the division of lands was, of necessity, time consuming. DNR also pointed out that municipalities could continue to select lands until two years after the expiration of the state's right to make its selections under the Alaska Statehood Act. This apparently engendered some concern. Apparently in pursuing the "move the municipalities aside" approach to solving DNR's inability to dispose of sufficient quantities of land, the House Resources Committee proposed several amendments to the Municipal Land Entitlement Act which ultimately became law in House Bill 66 (Ch. 85, SLA 1979). The solution was to speed up municipal selections by requiring that prior to October 1, 1980, municipalities would have to complete their selections to the extent vacant, unappropriated, unreserved lands were available to satisfy their entitlement. In addition, in order to ensure that the process did not get bogged down, the legislature repealed the requirements for joint consideration of municipal selections, repealed the standards by which the appropriateness for conveyance to the municipality was to be determined, repealed the authority of the director to either approve or disapprove a selection and amended another section of the Act to require that the director approve each municipal selection within nine months of its selection by the municipality and issue a patent within three months of the approval by the director of a plat of survey. Clearly, the purpose of these particular amendments was to eliminate the complaint levied by DNR that municipal nominations and selections were cluttering the landscape and impeding DNR disposals because it did not know which lands were being selected by the municipalities. These changes were solely to speed up municipal selections. They worked. Unfortunately, municipalities have commenced to experience other problems in the selection/conveyancing area. Some of these will be addressed later.

The other major problem which DNR claimed municipalities were creating was that DNR was required to comply with local platting regulations when it subdivided land within a borough. In particular, several municipalities required that certain minimal improvements be made to the subdivision before final plat approval could be given. Some of these required improved roads. Others went so far as to require not only an improved (graveled) road but also required the installation of sewer lines if the subdivision could be served by a public sewer system. These requirements were imposed upon all private land owners who proposed to subdivide their property and DNR found that it did not have the money to bear the burdens which were required of everyone else who subdivided land. For that reason, and over the protest of the municipalities, a provision was included in HB 6 reading as follows:

AS 29.33.150(b) The [platting] regulations adopted under (a) of this section apply to subdivision plats of undeveloped state land for disposal under AS 38.05 or AS 38.08 filed with the platting board, except that the platting board may not disapprove the subdivision plat or adopt regulations which require the state to construct access roads or capital improvements on state land included in the subdivision plat.

It is the clear intent of this section that the state would comply with all platting regulations of the municipality except those which require the construction of access roads or other capital improvements. The language in the opening phrases of this section clearly runs contrary to any interpretation that the legislature intended a total override of municipal platting authority.

House Bill 66 also added one other section relating to the platting procedures for state lands within boroughs. Prior to the adoption of House Bill 66, AS 29.33.160, dealing with platting procedures, provided that plats filed with the board which were not approved or disapproved within 60 days were deemed to be approved. The second subsection required the board to submit approved plats to the district recorder. With the adoption of House Bill 66, a new subsection (c) reading as follows was added:

(c) If a municipality has adopted a subdivision ordinance which requires the submission of a preliminary or sketch subdivision plat during the platting procedure, the commissioner of natural resources shall, not later than 60 days before filing a subdivision plat which contains land to be disposed of to individuals under AS 38.05 or AS 38.08, file a preliminary subdivision plat with the platting authority of the municipality.

During the discussion of the various platting procedures used by municipalities, one legislator pointed out that many municipalities require the submission of sketch plats or preliminary plats prior to submission of a final plat and that, from the subdivider or developer's viewpoint, the municipalities could hassle the developer with all sorts of delays and requirements during this preliminary plat procedure. The new subsection (c) appears to somewhat indirectly address this problem by requiring that in those municipalities which have a preliminary plat procedure, DNR give the municipality at least 60 days in which to make its preliminary plat review, thus eliminating any reason for the municipality to engage in a series of disapprovals under the guise of not having had sufficient time to review the plat the first time it was presented.

Clearly, this section does not provide any support for the contention that the platting override was for anything more than access roads and subdivision improvements.

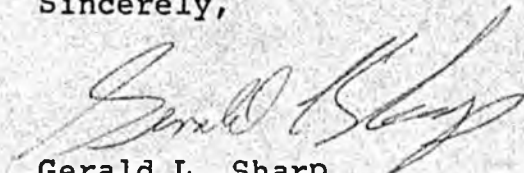
In sum the municipal platting override which the legislature included as a part of House Bill 66 contained very clear language that the state was to comply with all platting regulations of the municipality other than access road and capital improvement requirements. Two state-platting board standoff scenarios are possible. One where the state refuses to accede to platting board requirements (other than capital improvements and access roads) and the state marches off to the recorder's office and manages to have the plat recorded. The other scenario is one where the platting board arbitrarily withholds its approval, levies unreasonable and unusual requirements on state plats or refuses to approve the plat for some other reason which is unreasonable or has no basis in law. In the first case, the municipality would be entitled to a court order vacating the filing of the unapproved plat. In the second case, the state would be entitled to a court order requiring the appropriate platting officer to sign and have the plat recorded. While I haven't any idea what sort of problems DNR is experiencing with other platting boards, I urge you not to take any action to expand the platting override without first having DNR present specific problems it has had with specific municipalities and allowing that municipality to respond to the allegations. In evaluating such disputes I would also urge you to attempt to determine whether the municipality treats private developers in essentially the same manner it is treating the state (except for access roads and capital improvements). Municipalities are merely attempting to provide for a planned and rational community development, one with which they hope its future citizens can live. If the platting override is extended, the state will be able to march in, dispose of land with little or no thought or consideration for rational community development patterns and then go home congratulating itself on a land disposal job well done, that is, having met its disposal mandate. Of course, to the municipality falls the burden of either correcting the problems created by the state disposal or trying to ignore the the pleas of those citizens who bought state land in the ill conceived, inadequately planned and unimproved subdivisions.

I urge you to not permit yourselves to be talked into further eroding the local planning process unless it is clear to you that municipalities generally, and throughout the state, are abusing their local planning prerogatives. If the problem exists in only one or two municipalities, I urge you to consider a system which would deal either with those municipalities or the specific excesses which those municipalities are committing but, let's not propose extensions of the platting override until both sides of the story have been heard and it is clear that an unreasonable number of abuses have occurred.

February 25, 1981

Finally, may I suggest that the problems being experienced by DNR are more reasonably laid at the doorstep of the unreasonably large disposal mandate it is under rather than municipal platting and planning requirements.

Sincerely,



Gerald L. Sharp  
City-Borough Attorney

GLS: jr

- cc: Rep. Joseph Chuckwuk, Vice-Chairman  
Rep. Ben F. Grussendorf  
Rep. Vernon L. Hurlbert  
Rep. Sally Smith  
Rep. Anthony N. Vaska  
Rep. Ramona L. Barnes  
Rep. Robert H. Bettisworth  
Rep. Richard W. Halford  
Rep. Eric G. Sutcliffe  
Ginny Chitwood, Executive Director, AML  
James Wakefield, Assemblyman



## THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801  
LAW DEPARTMENT (907) 586-3300

February 25, 1981

The Honorable Fred F. Zharoff, Co-Chairman  
The Honorable Terry Gardner, Co-Chairman  
House Resources Committee  
Alaska State Legislature  
Pouch V, State Capitol Building  
Juneau, Alaska 99811

File: 1981 Legislature - HB 31/SSHB 31

Subject: Suggested Amendments

Gentlemen and Members of the Committee,

Several of the provisions of House Bill 31, as introduced, deal with problems which are being encountered by municipalities in their land selection process. Unfortunately, Sponsor Substitute for House Bill 31 removes two of these. I request that you give serious consideration to adding to SSHB 31 what is section 2 of HB 31 and what is section 34 (beginning on page 16) of HB 31.

Section 2 of HB 31 corrects what can best be termed an oversight in Ch. 85 SLA 1979 (HB 66). That bill cut off the right of a municipality to make selections after October 1, 1980. However, if the director, after October 1, 1980 rejects a selection of a municipality there is no authority for the municipality to select alternate lands to meet its entitlement as its rights to select all expired on October 1, 1980. Section 2 of HB 31 corrects this oversight.

Section 34 of House Bill 31 deals with problems which have arisen because of the division's approach to the reservation of stream and beach easements and the regulation which it has adopted relating to such easements. The regulations requires the department to reserve a 50 foot easement along all public and navigable waters. This results in a 100 foot swath being reserved for public access along numerous small creeks within municipal selections where the department believes the creek is public or navigable. This reservation of 50 feet on each side of the creek is made even though a 10 foot easement on one side of the creek is not only sufficient but much more reasonable. It has been our impression that many determinations of public use or navigability were made by consulting a map rather than examining the body of water or soliciting public input as to its use. We recognize that the department may not have sufficient personnel to examine the numerous streams and bodies of water which

abut or flow through almost all the selections in Southeast Alaska; however, that seems a poor justification for reserving easements which are not needed or which are clearly excessive in width. Two municipalities are already in court with the State of Alaska over this issue. If the legislature will provide a reasonable solution to this problem it would, at least in our case, clear the way for recording some of the patents which are just now coming to us from the state and getting such lands into our proposed classification and disposal program. The approach to this problem set out in section 34 of House Bill 31 provides a good approach to the solution of this problem. I urge you to place this section in SSHB 31 with two changes. On page 17 of HB 31, beginning in line 20, delete the sentence which begins in this line and goes through line 24 and substitute the following:

If the commissioner, within 30 days of the action taken by a municipality under (d)(1), (2), (e) or (i) of this section, finds in a written decision that the action of a municipality was arbitrary or capricious, he may overrule such action by notifying the municipality within said 30 day period of his decision.

The municipality is required to hold a public hearing before making an easement decision. It seems only reasonable to put the burden on the commissioner to set forth specific reasons for overriding the municipality's decision.

On page 17 in line 14, add the phrase "or (i)" in front of the word "of". On page 17 in lines 17 and 21, change the reference to the subsections to read "(d)(1), (2), (e), or (i)". On page 18, delete lines 7 through 13 and substitute the following:

(i) A municipality may limit, vacate or modify, under the procedure specified in (f) of this section, easements and rights-of-way for public access to or along navigable or public waters reserved by the department in a patent issued under AS 29.18 before the effective date of this section or for which the public notice of the proposed conveyance was given before the effective date of this section if the municipality, after the public hearing, determines that the waters are neither navigable nor public or that the limitation, vacation or modification will not adversely affect the free access to and along the body of water.

The foregoing proposed amendments to subsection (i) would give to municipalities which have already received patent or are about to receive patent to lands in which excessive or unnecessary easements have been withheld the same right to deal with those easements as municipalities which receive patent without the reservation of ease-

ments but which are allowed to determine the necessary easements prior to disposal of the land. Where the state has reserved an easement, the municipality, in modifying the easement, will be faced with a presumption that the easement as reserved is needed and will thus have a much heavier burden of justifying its actions than will a municipality which is permitted to make a determination on a blank slate. Note that the commissioner still retains his veto power as to such modifications.

One item which neither the house bill nor the sponsor substitute for House Bill 31 addresses is the problem created by the requirement that 20% of the land to be disposed of in a survey district be homesites. The state is presently proposing to dispose of land on South Shelter Island which, at best, can be utilized for residential recreational purposes. The area is about a mile and a half by water from the nearest boat launch or tie-up facility and the property itself has relatively poor beach access for boats. Although the state has not submitted percolation tests to determine whether the soils will support on site sewage disposal, indications are that on site sewage disposal might not be possible. Thus, not only is the site not located where the bulk of the citizens of this state could be expected to meet the occupancy requirements of the homesite law (habitable dwelling, occupied 35 months out of five years) but is going to be requiring those who acquire these sites to build a habitable dwelling and live in it where on site sewage disposal does not appear to be practicable. Clearly, there should be some provision in the law to permit DNE to waive the 20% homesite mandate where the land available for disposal cannot reasonably be expected to be developed under the homesite law.

Sincerely,

Gerald L. Sharp  
City-Borough Attorney

GLS: jr

cc: Rep. Joseph Chuckwuk, Vice-Chairman  
Rep. Ben F. Grussendorf  
Rep. Vernon L. Hurlbert  
Rep. Sally Smith  
Rep. Anthony N. Vaska  
Rep. Ramona L. Barnes  
Rep. Robert H. Bettisworth  
Rep. Richard W. Halford  
Rep. Eric G. Sutcliffe  
Ginny Chitwood, Executive Director, AML  
James Wakefield, Assemblyman

**KETCHIKAN GATEWAY**

**BOROUGH**

**LAND PROGRAM:**

*A Summary Prepared  
For The*

**HOUSE RESOURCES**

**COMMITTEE**

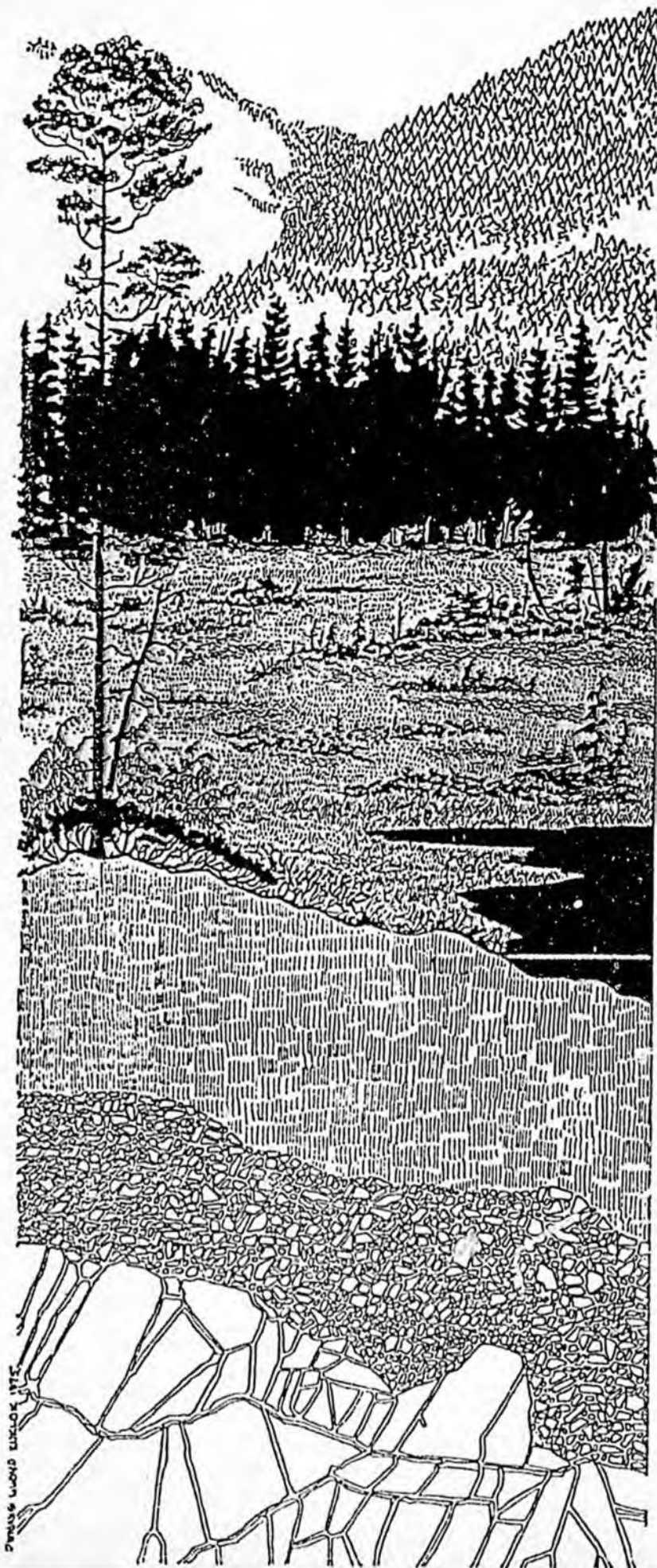
**February 24, 1981**

*Prepared  
By*

*Kathryn L. Carsow  
Borough Planning Director*

*And*

*George E. Gee  
Borough Land Consultant*



PHOTOGRAPH BY LINDA LUKKOK 1978



## KETCHIKAN GATEWAY BOROUGH

344 FRONT STREET  
KETCHIKAN, ALASKA 99901

February 22, 1981

Resources Committee  
House of Representatives  
Alaska State Legislature

Ketchikan Gateway Borough welcomes this opportunity to inform the members of the House Resources Committee of the status of the Borough Land Program. We realize the State Department of Natural Resources' "traveling land show" may have left you with several misconceptions about our land program.

*The implication that the State has been left with the worst land for residential development in Ketchikan Gateway Borough due to municipal land selections is false.* In nominating and then selecting land to fulfill the Borough's entitlement, all lands in Ketchikan proposed by the State for future residential sales have been unilaterally excluded. These include the Mud Bight subdivision, offered for sale last year, the Mountain Point subdivision, scheduled for sale this year, and the South Saxman area, planned for future subdivision and sale. These areas, totaling over twelve hundred acres, are located within the settled portion of the Borough, are within one-eighth mile or adjacent to highways, and have development potential comparable to that of Borough land selections. In effect, the State had first choice of residential land in Ketchikan because the Borough adopted the policy of not overriding the planning and scheduling of State land sales in the Ketchikan area.

*The suggestion that borough governments have acted to obstruct state land sales does not apply to Ketchikan.* The most recent evidence of the cooperative and supportive role taken by our borough is its relinquishment of Borough selections in the Mountain Point area enabling the State to prepare a larger, better accessed, and better designed subdivision. In addition, the Borough Assembly and Planning Commission expeditiously rezoned the Mud Bight and Mountain Point subdivision areas for residential use as requested by the State to facilitate these two land sales.

*Perhaps the most untenable conception is that Ketchikan Gateway Borough is "sitting" on its land selections.* The Gateway Borough is committed to and is actively engaged in conducting a borough land sale program. As a continued effort over the past two years since receiving its entitlement under the Municipal Entitlement Act, the Borough has accomplished the following:

- o Ketchikan Gateway Borough has conducted an intensive study of local land markets and settlement patterns;
- o Ketchikan Gateway Borough has undertaken the most thorough survey of local

residents' demands for land conducted in the state;

- o Ketchikan Gateway Borough has created a special land trust fund, receiving federal in-lieu tax payments for the past two years, to finance the borough land program;
- o Ketchikan Gateway Borough has filled a newly created staff position of land manager and has invested in computer equipment to expedite the recording and retrieval of borough land and resource data;
- o Although the Borough has not received patent as yet to any of the over 8,000 acres it has selected, it is actively engaged in developing a comprehensive land disposal ordinance and is planning its first subdivision sale targeted for later this year.

Three key policy objectives set by the Borough Land Advisory Committee guide these actions: (1) the primary rationale for acquiring borough entitlement land is to convey this land to private ownership for residential use; (2) the land is to be offered for sale at prices just covering the costs of putting the land onto the market; and (3) the land program is to be conducted without subsidy from local taxpayers.

The accompanying booklet, illustrating the major work elements of Ketchikan Gateway Borough's land program to date, has been prepared for your information. Included is information on the following:

- o Borough Resident Survey Questionnaire
- o Questions and Answers - Borough Resident Survey Results
- o Summary of Past State Land Sales in Ketchikan
- o Background Information on Land Demand Analysis
- o Existing Settlement Patterns, Land Prices, and Policy Considerations
- o Example: Soils Reconnaissance Survey
- o Example: Land Use Suitability Analysis
- o Example: Preliminary Subdivision Planning
- o Borough Land Trust Fund Ordinance

On the following page is a chronology of the highlights in the development of the Borough's land program.

We appreciate the committee members' interest and time and welcome further inquiries into the Ketchikan Gateway Borough's land program.

Ketchikan Gateway Borough

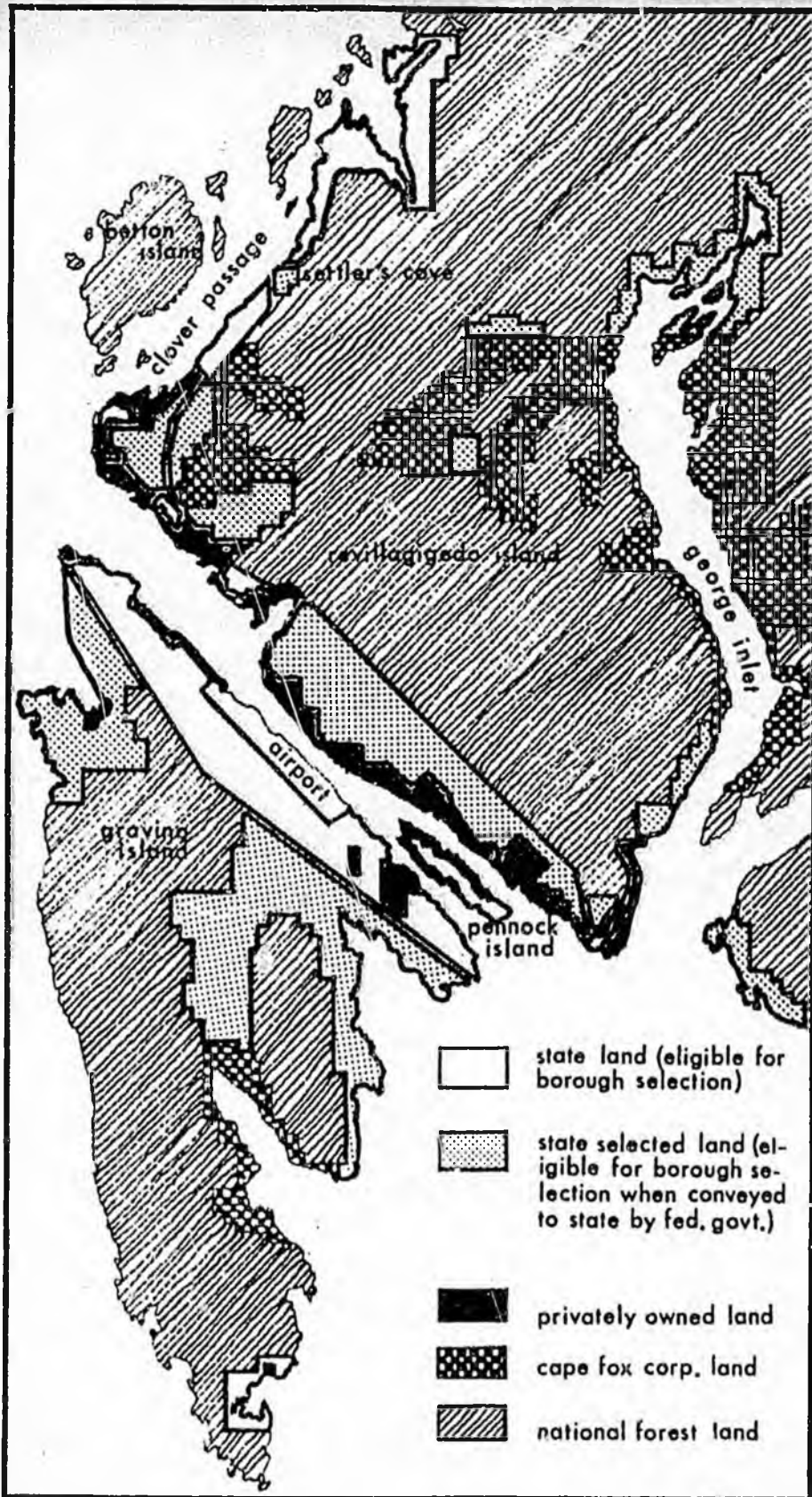
CHRONOLOGY OF BOROUGH LAND PROGRAM  
HIGHLIGHTS

- 1963 - Mandatory Borough Act creates 10% municipal entitlement
- 1965 - State selects 4,100 acres in Ketchikan's Clover Pass area
- 1968 - B.L.M. grants State tentative approval to 4,100 acres
- 1969 - Borough selects 100 acres between First and Second Waterfall Creeks
- 1977 - State selects 24,500 acres of National Forest land
- 1978 - Municipal Entitlement Act raises Ketchikan's entitlement to 11,593 acres
- State Mental Health Trust Land made available for Borough selection
- Borough Mayor appoints Borough Land Advisory Committee
- 1979 - Borough nominates 17,500 acres for selection consideration
- H.B. 66 mandates borough selection of state-owned land by October 1, 1980
- Assembly adopts Land Trust Fund ordinance
- Land committee analyzes land use suitability of Borough nominations
- Committee reviews past State land sales in Ketchikan
- 1980 - Land committee assesses Ketchikan land development patterns
- Committee develops cost estimates for putting Borough land on the market
- Committee conducts Ketchikan resident land survey
- Committee recommends and Assembly finalizes selection of over 8,500 acres of state-owned land
- Borough receives management authority to 1969 Waterfall Creeks selection
- Committee begins preparing for first subdivision and sale
- Committee reviews first draft of Borough land disposal ordinance
- 1981 - Assembly approves hiring of land manager
- Staff prepares computerized land accounting and resource information systems

1. BOROUGH RESIDENT SURVEY QUESTIONNAIRE

## BOROUGH RESIDENT SURVEY QUESTIONNAIRE

In January of 1980 the borough land program questionnaires, like the one included here, were mailed to 496 borough residents. These persons were randomly selected from the 1980 Ketchikan Telephone Directory. The questionnaires were introduced by a letter from Borough Mayor Fader explaining the borough's land program and the kinds of decisions facing the Land Advisory Committee and the Assembly. The questionnaire asked for residents' views on topics ranging from types of land sales they would like to participate in, to who should be able to purchase land from the borough, to what the overall goals of the program ought to be.



**KETCHIKAN  
RESIDENT  
SURVEY  
BOROUGH  
LAND  
PROGRAM**

*Ketchikan Gateway Borough is entitled to obtain 11,593 acres of state land for community expansion uses.*

*The borough is in the process of selecting appropriate land and developing programs for meeting our community's private and public land needs.*

*Your views on how borough land can be best made available for*

*residential,*

*industrial,*

*commercial,*

*and*

*public uses*

*will provide valuable guidance to local policy makers.*

**CONFIDENTIALITY**

The confidentiality of your response is strictly respected. The number assigned to your survey enables staff to check your name off the mailing list; this indicates your survey has been returned and no follow-up is needed. Under no circumstances will information contained in your survey be recorded or reported with your name.

## ketchikan resident survey

THE FIRST SET OF QUESTIONS IS ABOUT WHICH TYPES OF BOROUGH LAND SALES YOU WOULD LIKE TO PARTICIPATE IN

- 1) Are you interested in acquiring land from the borough? YES    NO
- 2) If "YES", which of the following uses best represent why you want to get land from the borough? (check one or more)

- Residential
- Industrial
- Commercial
- Remote Recreation Cabin
- Resource Utilization (such as gravel or timber)
- As an Investment

QUESTIONS 3 THROUGH 10 ARE SPECIFICALLY CONCERNED WITH LAND FOR RESIDENTIAL USES

- 3) If you indicated you want land for residential use, check the response that best describes your intended use,

- A home for you and your family
- Land for your children to build on at a later date
- A retirement home
- Some other purpose (indicate what purpose in the space below)

- 4) Which of the following lot sizes would be best suited for you?

- City lot size (5,000 square feet)
- 1/2 acre (22,000 square feet)
- 1 acre (43,560 square feet)
- 5 acres
- Other (specify desired size) \_\_\_\_\_

- 5) In which general area of the borough would you most like to build a home?

- Revilla Island
- Pennock Island
- Gravina Island

- 6) If "REVILLA", what type of access to the land would you prefer? 
 Road  
 Water  
 Hike-in

- 7) Much of the land will be in undeveloped areas of the borough. How would you like each of the following utilities or services provided: by yourself after purchase of the land; by forming a service area or local improvement district with other buyers; or by the borough prior to offering the land for sale with the cost of improvements included in the purchase price of the land?

	<u>Self</u>	<u>Service Area or LID</u>		<u>Borough Prior To Sale</u>
Electricity?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Water?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Sewer System?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Road?	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

8) How would you rank each of the following factors when you consider purchasing land from the borough: very important, desirable but not necessary, or, don't care?

	<u>Very Important</u>	<u>Desirable But Not Necessary</u>	<u>Don't Care</u>
Road Access	_____	_____	_____
Good View	_____	_____	_____
Waterfrontage	_____	_____	_____
Good Sun Orientation	_____	_____	_____

(list other factors you consider very important in the following spaces)


9) In which of the following types of land disposal programs would you be willing to participate to acquire residential land? (check one or more)

- A "homesite" program in which the land is cheap but you are required to build a home before you can receive full title to the land
- A lottery where land is priced at appraised value and winners are drawn at random
- An auction where appraised value is the minimum price, but you can definitely get land by out-bidding competitors

10) In which of the three types of programs would you prefer most to participate?

Homesite
  Lottery
 Auction

---

*QUESTIONS 11 THROUGH 17 ARE ABOUT LAND FOR REMOTE RECREATION USES*

---

11) If you indicated you would be interested in remote land for recreation use, in which general area of the borough would you most like to acquire a parcel for this type use?

- Revilla Island
- Pennock Island
- Gravina Island

12) Which of the following represents the parcel size you would prefer for this type use?

- 1 acres
- 5 acres
- 10 acres
- Other (specify desired size) \_\_\_\_\_

13) What type of access to the parcel would you prefer?

- Road
- Water
- Hike-in
- Fly-in

14) Do you desire waterfront property for recreation use?

YES NO

15) If "YES", do you prefer:
\_\_\_\_\_ Marine Waterfront
\_\_\_\_\_ Lake Front
\_\_\_\_\_ Either

16) If you do not desire waterfront property, describe in the space below the type of parcel that would be best suited for your recreation use.

\_\_\_\_\_
\_\_\_\_\_

17) Would you be interested in a lease program whereby remote recreation parcels could be leased for 5 or more years?

YES NO

QUESTIONS 18 THROUGH 20 ARE ABOUT PRIVATE USES OTHER THAN RESIDENTIAL OR RECREATION

18) If you desire to acquire borough land for industrial, commercial, or resource utilization purposes, describe the type of activity you are considering.

Industrial: \_\_\_\_\_

Commercial: \_\_\_\_\_

Resource Utilization: \_\_\_\_\_

19) Are you presently engaged in this type of activity?

YES NO

20) If you indicated you are interested in land because it is a good investment, do you want land:

- \_\_\_\_\_ to build a rental unit on
\_\_\_\_\_ to resale at a later date
\_\_\_\_\_ to resubdivide
\_\_\_\_\_ for some other investment purpose (indicate type in space provided)

what should be the goals
of the
borough land program?

THE NEXT FIVE QUESTIONS PRESENT A WIDE RANGE OF POLICY OBJECTIVES. FOR EACH, CHECK "YES" IF YOU AGREE WITH OR GENERALLY SUPPORT THE POLICY EXPRESSED; MARK "NO" IF YOU DO NOT SUPPORT THE POLICY. THERE IS AN "OTHER" CATEGORY WHERE YOU CAN ADD POLICY CONCERNS NOT COVERED IN THE PREPARED STATEMENTS.

- 21) The borough should get its land into private ownership as quickly as possible. \_\_\_ \_\_\_
  - 22) Selling land for residential use is an appropriate objective of the land program, but it is also important to provide land suitable for commercial and industrial uses; some land should be retained for public uses such as recreation, future public facilities, and land where people can go to get firewood. \_\_\_ \_\_\_
  - 23) Almost half of all privately owned land in the borough is vacant and undeveloped today. Until most of this land becomes developed, borough land should be principally made available for public uses. It should be sold to private owners only when there is a pressing need that only borough land can satisfy. \_\_\_ \_\_\_
  - 24) Borough land should be used to meet our community's residential, commercial, industrial, and recreation land needs, but the most important consideration ought to be that the borough land program is operated so that it is financially self-sufficient; by this I mean the borough land program shouldn't cost local tax payers one penny. \_\_\_ \_\_\_
  - 25) The borough should not be in the land business; it should not get any land from the state. \_\_\_ \_\_\_
  - 26) Other (specify any policy concerns not expressed above that you consider to be important)
- 
- 
- 
- 

27) Which, if any, of the policy statements you indicated agreement with are more important than the others?

\_\_\_ 21    \_\_\_ 22    \_\_\_ 23    \_\_\_ 24    \_\_\_ 25    \_\_\_ 26

**THE NEXT SET OF QUESTIONS IS ABOUT HOW THE BOROUGH LAND PROGRAM OUGHT TO FUNCTION TO ACHIEVE SPECIFIC OBJECTIVES. QUESTIONS 28 THROUGH 35 ARE CONCERNED WITH RESIDENTIAL LAND SALES**

28) Since Ketchikan became a borough in 1963, the state on average has sold about 35 acres of residential land per year locally. Do you feel borough residential land sales should be:

- \_\_\_ at about the same rate
- \_\_\_ at a much slower rate
- \_\_\_ at a much faster rate
- \_\_\_ don't know

29) Do you think that the number of parcels sold to an individual YES NO  
ought to be limited?

30) If "YES", would you favor:

- one parcel per individual each time the borough has a residential land sale
  - one parcel per individual per lifetime
  - some other limit (specify limit in space provided)
- 

31) Borough sales of residential land ought to be:

- restricted to borough residents
- restricted to Alaska residents
- made available to anyone willing to buy land in Ketchikan

32) Do you believe the borough ought to adopt a price discount program YES NO  
whereby persons who qualify can purchase residential land from the borough at reduced prices?

33) If "YES", what factors ought to be used to determine who qualifies and how much the discount should be?

---

---

34) In the state's homesite program, the state charges the buyer land survey costs, but it requires that a home be constructed in a set period of time. If a home is not built in the required time, ownership of the land reverts back to the state.

Do you think the borough should adopt a similar program for YES NO  
selling residential land?

35) Before private developers can put land up for sale, they are responsible for making any improvements required by the borough subdivision ordinance. When the state sells land, it is exempted by state law from having to build roads or install sewer systems even when it's required by local ordinance.

Do you feel the borough, when it sells residential land, should have:

- to meet the same requirements placed on private developers
- the same exempt status as the State of Alaska

---

*QUESTIONS 36 THROUGH 42 CONCERN TYPES OF LAND USES OTHER THAN RESIDENTIAL*

---

36) As our community continues to grow, some land within the borough YES NO  
will be needed for commercial and industrial uses. Do you believe that the borough should attempt to identify some land that is highly suitable for these types of use and set it aside for future development?

**borough land program**

37) Concerning commercial and industrial uses of land, which of the following best describes how you think the borough ought to make land available for these types of activity?

- Sell land outright for commercial and industrial uses.
- Make commercial and industrial land available through long-term leases.
- As a practice, commercial and industrial land should be sold. When the land has some special feature, for example, a protected cove with deep water access, leasing the land can be used to insure it remains available for specialized use in the future.
- Other (specify preferred type of disposal in space below)

38) Should some borough land having suitable timber and gravel resources be retained in public ownership and made available for lease to small scale local sawmills and contractors? YES NO

39) Should some accessible land with suitable timber be designated as areas where borough residents can go and obtain firewood? YES NO

40) Are there other public uses for which borough land ought to be made available? (if "YES", list below) YES NO

\_\_\_\_\_

\_\_\_\_\_

41) If borough land sales and leases generate revenues in excess of costs, how should these proceeds be used?

- They should comprise a fund to be used to improve land for future sales.
- They should become part of the general fund of the borough.
- They should be used for some other earmarked purposes.

42) If "OTHER", specify kinds in the space provided below.

\_\_\_\_\_

\_\_\_\_\_

**THE FOLLOWING ARE SOME BACKGROUND QUESTIONS ABOUT YOU AND YOUR HOUSEHOLD. THIS INFORMATION WILL HELP US TRANSLATE YOUR RESPONSES INTO THEIR BROADER COMMUNITY REPRESENTATION**

43) How many years have you lived in Alaska? \_\_\_\_\_ year

44) How many years have you lived in Ketchikan? \_\_\_\_\_ year

45) Do you live in a:

- house
- apartment
- mobile home
- other

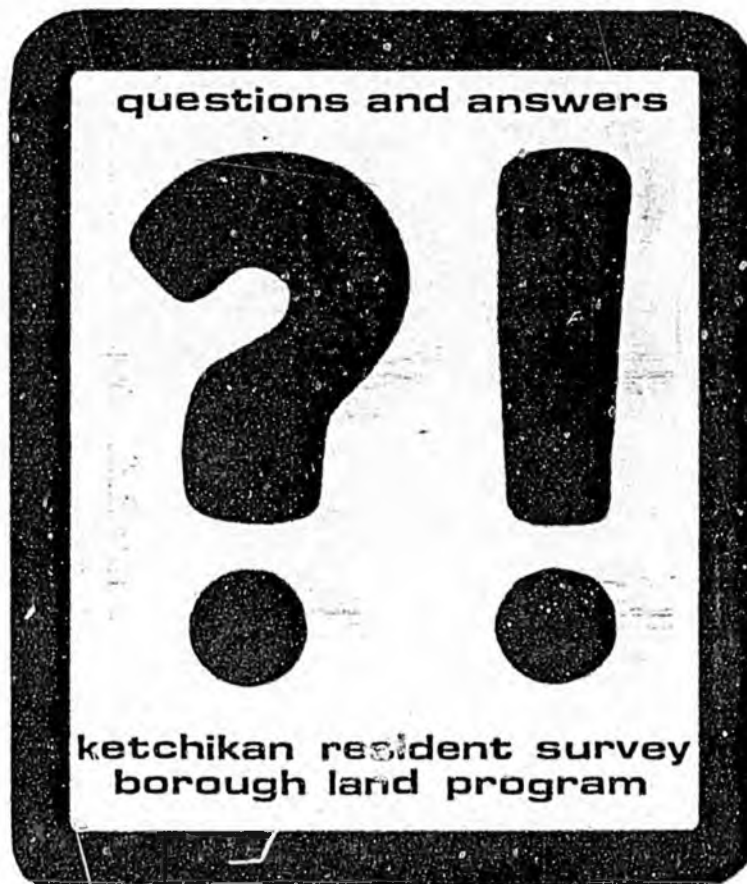


2. QUESTIONS AND ANSWERS - BOROUGH RESIDENT SURVEY RESULTS

QUESTIONS AND ANSWERS  
BOROUGH RESIDENT SURVEY RESULTS

By mid-February of 1980 fifty percent of the questionnaires sent were completed and returned to the borough planning department--an excellent return for a mail survey. This report summarizes the responses received giving an account of what residents of Ketchikan believe the borough land program can and ought to accomplish and of their attitudes about the opportunities, limitations, and problems concerning borough lands and their potential uses.

These survey results were presented to the Land Advisory Committee and the Assembly as one basis for formulating policies and objectives to guide the borough's land selection and land use decisions.



A Summary prepared for the  
Ketchikan Gateway Borough

by

George E. Gee  
Economic and Resource  
Management Consultant

February 21, 1980

## INTRODUCTION

On January 15, 1980, borough land program questionnaires were mailed to 496 borough residents. These persons had been randomly selected from the current Ketchikan Telephone Directory. Of the total mailed, 24 were not deliverable and were returned by the Post Office.

By February 15, two hundred and thirty-seven completed questionnaires had been returned to the borough planning department. This constitutes a fifty percent return -- a very good rate of return for a mail survey. This success derives from the thoughtful efforts of many Ketchikan citizens who were willing to put time and effort into expressing their attitudes about borough lands.

This summary of responses received has been compiled to present a cogent view of what residents of Ketchikan believe the borough land program can and ought to accomplish, of their attitudes about what the opportunities, limitations and problems are concerning borough lands and their uses.

These survey results will be presented to the Borough Land Committee and the Borough Assembly for consideration in the formulation of policies and objectives to guide the land program. The survey information also is being integrated with studies of the physical characteristics of land available for borough acquisition, cost assessments, and an indepth review of local land development patterns into a comprehensive report on borough lands.

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## Ketchikan Resident Survey

**THE FIRST SET OF QUESTIONS IS ABOUT WHICH TYPES OF BOROUGH LAND SALES YOU WOULD LIKE TO PARTICIPATE IN**

1) Are you interested in acquiring land from the borough? 205 YES 28 NO

# YES

88%

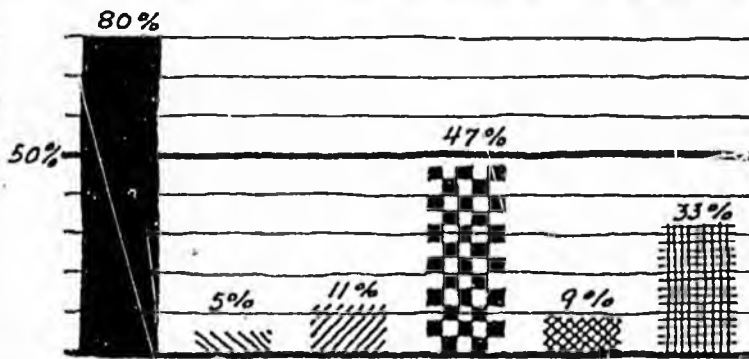
nearly 90% answered that they want to participate in borough land sales

# NO

12%

2) If "YES", which of the following uses best represent why you want to get land from the borough? (check one or more)

	164 Residential
	11 Industrial
	22 Commercial
	97 Remote Recreation Cabin
	18 Resource Utilization (such as gravel or timber)
	67 As an Investment



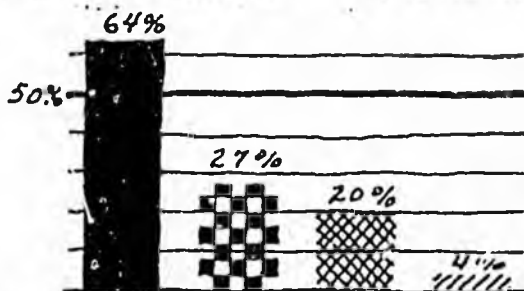
80% want residential land



**QUESTIONS 3 THROUGH 10 ARE SPECIFICALLY CONCERNED WITH LAND FOR RESIDENTIAL USES**






3) If you indicated you want land for residential use, check the response that best describes your intended use.

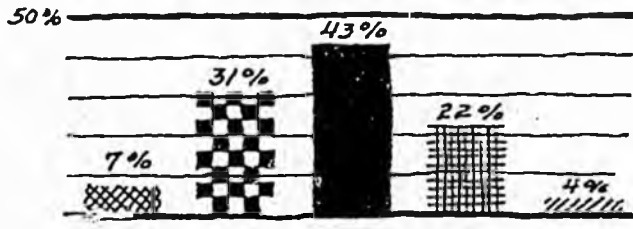
	105 A home for you and your family
	45 Land for your children to build on at a later date
	32 A retirement home
	7 Some other purpose (indicate what purpose in the space below)



64% desiring residential land want to build a house to live in




4) Which of the following lot sizes would be best suited for you?

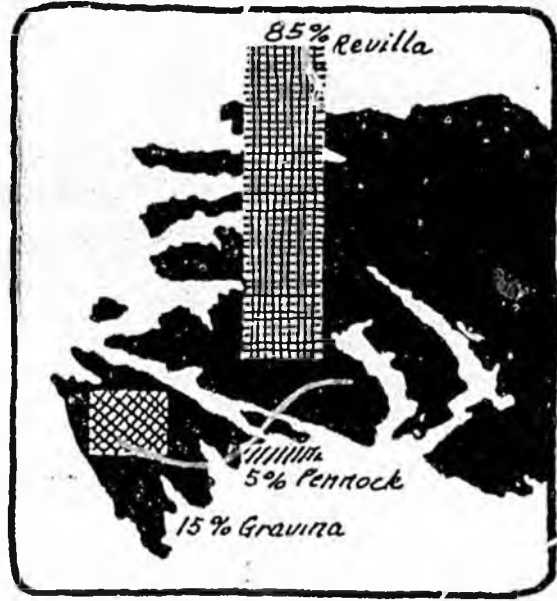
	12	City lot size (5,000 square feet)
	50	1/2 acre (22,000 square feet)
	71	1 acre (43,560 square feet)
	36	5 acres
	7	Other (specify desired size) _____



*43% prefer to acquire about an acre of land to build on; in total, 81% indicated an acre or less would generally be suited for their uses*

5) In which general area of the borough would you most like to build a home?

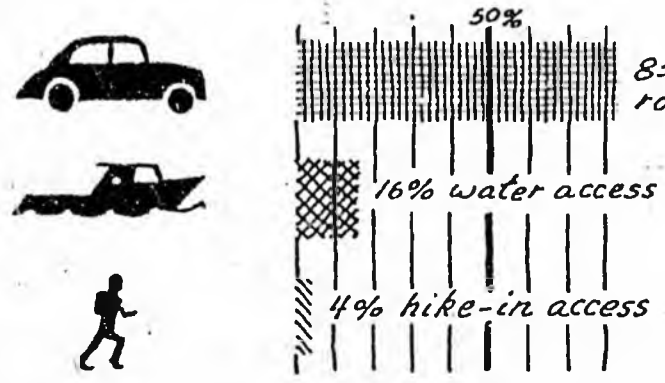
	139	Revilla Island
	9	Pennock Island
	25	Gravina Island



*four of every five persons identified revilla island as where they want residential land*

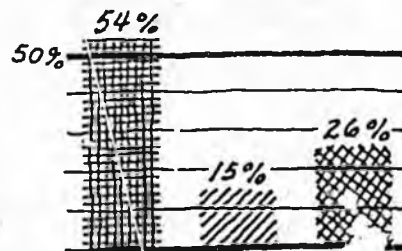
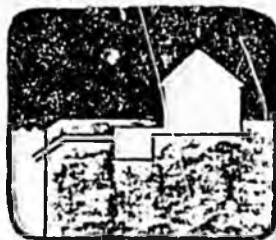
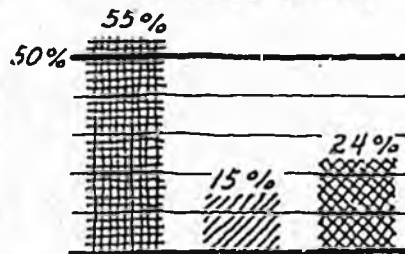
*as shown below, 83% of those picking revilla want to have road access to the land*

6) If "REVILLA", what type of access to the land would you prefer? 115 Road  
22 Water  
6 Hike-in



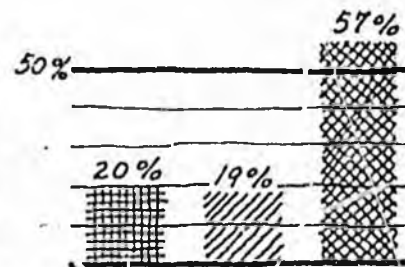
7) Much of the land will be in undeveloped areas of the borough. How would you like each of the following utilities or services provided: by yourself after purchase of the land; by forming a service area or local improvement district with other buyers; or by the borough prior to offering the land for sale with the cost of improvements included in the purchase price of the land?

	Self 	Service Area or LID ////	Borough Prior To Sale XXXX
Electricity?	39	46	76
Water?	90	25	40
Sewer System?	88	24	42
Road?	32	31	94

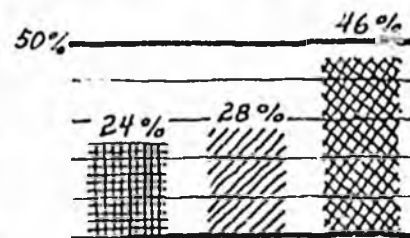


*more than half of the persons desiring residential land want to provide their own water and sewer systems*

*57% indicate they prefer that the borough build roads prior to selling residential land*



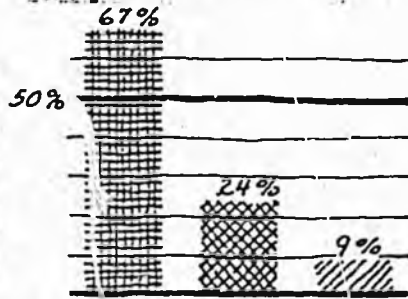
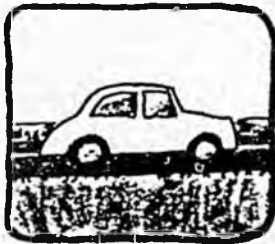
*slightly less than half, 46%, want the borough to provide electrical service prior to sale*



*the "service area or LID" is the least preferred option: its highest ranking is for the provision of electrical service - 28%*

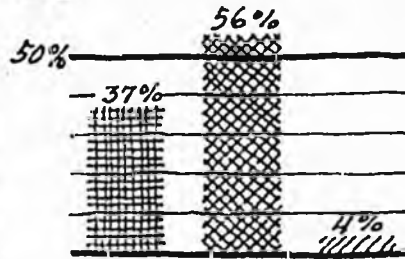
8) How would you rank each of the following factors when you consider purchasing land from the borough: very important, desirable but not necessary, or, don't care?

	Very Important	Desirable But Not Necessary	Don't Care
Road Access	110	39	14
Good View	61	92	6
Waterfrontage	56	85	21
Good Sun Orientation	77	72	14

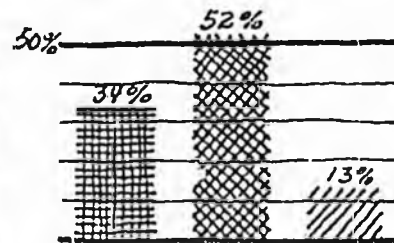


*road access is ranked highest; two-thirds indicate it is "very important"*

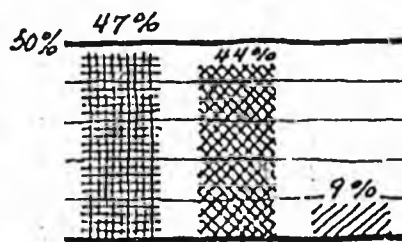
*about 90% of the people who want residential land consider all of these features as "desirable" or "very important"*



*good view ranks third*



*waterfront is fourth*



*sun orientation is the second highest ranked feature; 47% consider it "very important"*

(list other factors you consider very important in the following spaces)

REPRESENTATIVE SUGGESTIONS:

good soils/foundation; good water supply; trees;

good drainage; not too steep; close to town;

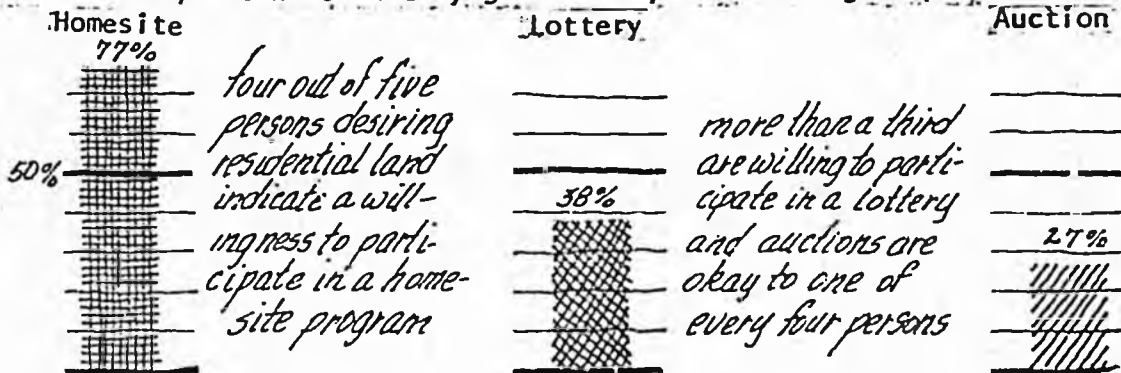
protection from prevailing winds; privacy

9) In which of the following types of land disposal programs would you be willing to participate to acquire residential land? (check one or more)

##### 126 A "homesite" program in which the land is cheap but you are required to build a home before you can receive full title to the land

##### 62 A lottery where land is priced at appraised value and winners are drawn at random

////// 45 An auction where appraised value is the minimum price, but you can definitely get land by out-bidding competitors



10) In which of the three types of programs would you prefer most to participate?

112 Homesite

30 Lottery

20 Auction

**68%**

**18%**

**13%**

QUESTIONS 11 THROUGH 17 ARE ABOUT LAND FOR REMOTE RECREATION USES

11) If you indicated you would be interested in remote land for recreation use, in which general area of the borough would you most like to acquire a parcel for this type use?

##### 60 Revilla Island  
 //// 11 Pennock Island  
 ##### 41 Gravina Island







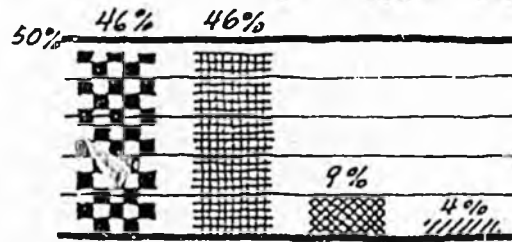
to "QUESTION 2", nearly 50% responded they are interested in land for private recreation use



of these, 62% indicate they prefer to obtain land for recreation use on revilla island and 42% prefer gravina island

32) Which of the following represents the parcel size you would prefer for this type use?

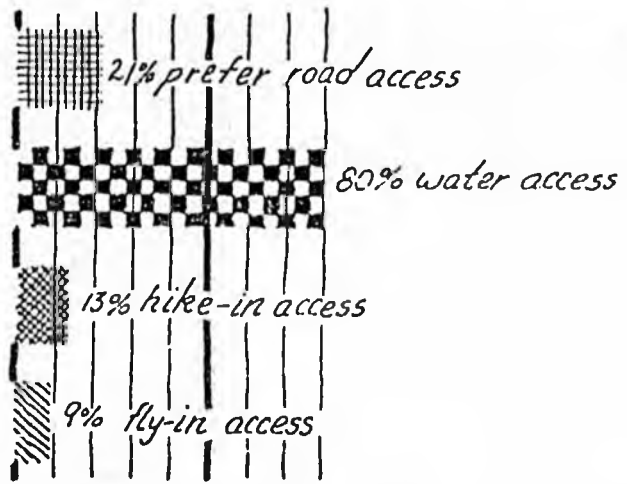
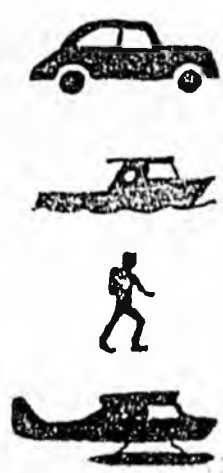
-  45 1 acres
-  45 5 acres
-  9 10 acres
-  4 Other (specify desired size) \_\_\_\_\_



*92% desire 1-5 acres for recreation use*

13) What type of access to the parcel would you prefer?

- 20 Road
- 78 Water
- 13 Hike-in
- 9 Fly-in

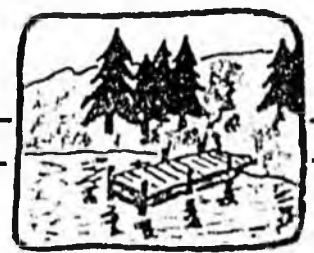


14) Do you desire waterfront property for recreation use?

92 YES 4 NO

**YES**  
95%

**NO**  
4%



15) IF "YES", do you prefer:

- 55 Marine Waterfront
- 7 Lake Front
- 32 Either

16) If you do not desire waterfront property, describe in the space below the type of parcel that would be best suited for your recreation use.

*“ peace and quiet; heavily wooded with hills and yearround stream; water access and hike-in; any property with water access ”*

17) Would you be interested in a lease program whereby remote recreation parcels could be leased for 5 or more years?

30 YES 66 NO

**YES**  
31%

**NO**  
67%

QUESTIONS 18 THROUGH 20 ARE ABOUT PRIVATE USES OTHER THAN RESIDENTIAL OR RECREATION

18) If you desire to acquire borough land for industrial, commercial, or resource utilization purposes, describe the type of activity you are considering.

8 Industrial:

“ boat building (3); sawmill; shake shingle products; manufacture and sale of marine electrical products; log storage; warehouse; light manufacturing ”

19 Commercial:

“ stores (10) including grocery, hardware, machine and equipment, carpet, and general store; real estate (2); auto garage (3); service station; marina; instrument repair shop; cabinet making and stained glass sales; logging and fishing; driving range ”

21 Resource Utilization:

“ timber - personal use and sales (10); gravel; crop growing; water power (3); fishing (2) ”

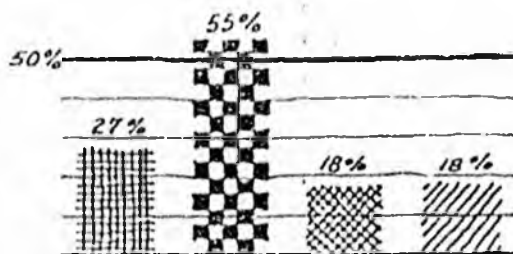
19) Are you presently engaged in this type of activity?

	YES	NO
Industrial:	4	4
Commercial:	9	5
Resource Utilization:	2	7

20) If you indicated you are interested in land because it is a good investment, do you want land:

- ##### 18 to build a rental unit on
  - ■ ■ ■ 37 to resale at a later date
  - ▨ ▨ ▨ ▨ 12 to resubdivide
  - //// 12 for some other investment purpose (indicate type in space provided)
- “ condominium; education facility; campgrounds and park; resort; build commercial facilities for lease; industrial or commercial use; timber and mining ”

*to "QUESTION 2", one-third indicated they are interested in land for investment purposes*



*of these, more than half expect they'd resale the land at a later date*



22% no response

“ RESIDENTS' COMMENTS ON SPECULATION ”

*We already have enough land developers holding onto property. Devise a way to get the land into the hands of people who need it rather than the rich and speculators.*

*I would not like to see any land developers involved with borough land.*

*I am definitely not interested in allowing lands procured through public means to fall prey to private exploitation.*

*Land disposal programs in the past have been an excellent way for realtors, bankers, and other speculators to get richer....A personal use clause of some kind should be included in any land disposal program.*

*Speculative buying by a choice few rich should be discouraged.*

*Keep costs down, speculators out, and borough involvement only to the basic necessities.*

*Large tracts suitable for subdivision should be held to a minimum to avoid large amounts of land being tied up by speculators for long periods.*

*I don't expect recreation or cabin property for nothing, but would like to see it available at respectable prices and not for investment or development reasons that make prices too high for the average person.*

*I don't think that people with two or more pieces of real estate should be eligible for borough land sales.*

*The borough should structure its requirements in any way necessary to insure borough lands do not go to private development companies or real estate firms. Our land must be sold to people who intend to build a home -- now or in the future.*

*The land ought to be held for private individuals who will build homes and not for developers and realtors.*

*It is time that city and borough government acted for the benefit of all the citizens instead of a few privileged elite in the housing, real estate, and business markets.*

*I hope any land sale would not allow anyone to purchase large amounts of land to gain large profits.*

“ ON SURVEYS ”

*I wish the borough would ask the the people of Ketchikan more about the problems they have and maybe things would run better.*

*I think there should be more questionnaires.*

*"500 persons" is too thin. Thousands of people should be heard.*

*Could broader coverage be obtained by putting questions to voters in an election?*

*I am pleased with the effort being made to gain knowledge from the people.*

what should be the goals  
of the  
borough land program?

THE NEXT FIVE QUESTIONS PRESENT A WIDE RANGE OF POLICY OBJECTIVES. FOR EACH, CHECK "YES" IF YOU AGREE WITH OR GENERALLY SUPPORT THE POLICY EXPRESSED; MARK "NO" IF YOU DO NOT SUPPORT THE POLICY. THERE IS AN "OTHER" CATEGORY WHERE YOU CAN ADD POLICY CONCERNS NOT COVERED IN THE PREPARED STATEMENTS.

21) The borough should get its land into private ownership as quickly as possible.

157Y 59N

**YES**

67%

**NO**

25%

*policy to get land into private ownership quickly gets considerable support*

22) Selling land for residential use is an appropriate objective of the land program, but it is also important to provide land suitable for commercial and industrial uses; some land should be retained for public uses such as recreation, future public facilities, and land where people can go to get firewood.

207Y 15N

**YES**

89%

**NO**

6%

*greatest support is for policy advocating multiple private and public use considerations*

23) Almost half of all privately owned land in the borough is vacant and undeveloped today. Until most of this land becomes developed, borough land should be principally made available for public uses. It should be sold to private owners only when there is a pressing need that only borough land can satisfy.

52Y 159N

**YES**

27%

**NO**

68%

*there is strong opposition to restricting public land sales to protect existing property values*

24) Borough land should be used to meet our community's residential, commercial, industrial, and recreation land needs, but the most important consideration ought to be that the borough land program is operated so that it is financially self-sufficient; by this I mean the borough land program shouldn't cost local tax payers one penny. 176Y 43N

**YES**  
75%

**NO**  
18%

*second ranked in support is the policy to have a financially self-sufficient land program*

25) The borough should not be in the land business; it should not get any land from the state. 16Y 188N

**YES**  
7%

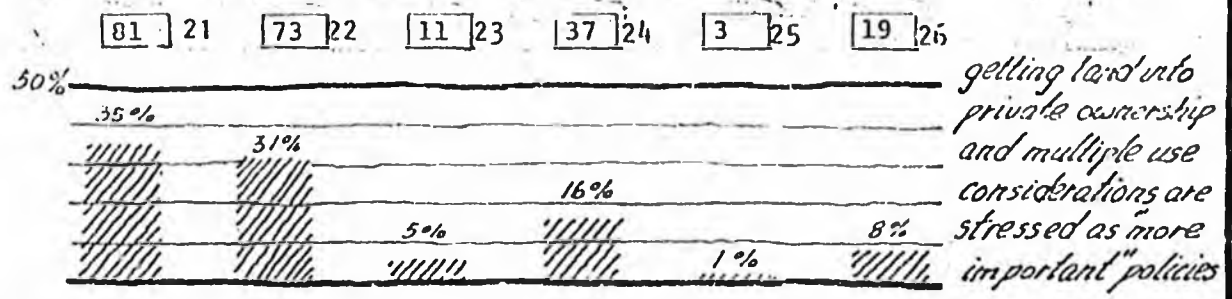
**NO**  
80%

*most opposition is to the borough not getting any land from the state*

26) Other (specify any policy concerns not expressed above that you consider to be important) 72

\_\_\_\_\_ Policies offered by residents are \_\_\_\_\_  
 “\_\_\_\_\_ reflected in the residents' comment \_\_\_\_\_”  
 \_\_\_\_\_ section addressed to the goals of \_\_\_\_\_  
 \_\_\_\_\_ the borough land program. \_\_\_\_\_





27) Which, if any, of the policy statements you indicated agreement with are more important than the others? 199

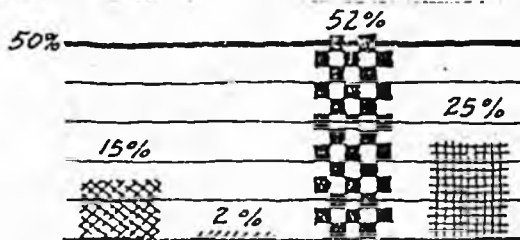


THE NEXT SET OF QUESTIONS IS ABOUT HOW THE BOROUGH LAND PROGRAM OUGHT TO FUNCTION TO ACHIEVE SPECIFIC OBJECTIVES. QUESTIONS 28 THROUGH 35 ARE CONCERNED WITH RESIDENTIAL LAND SALES

28) Since Ketchikan became a borough in 1963, the state on average has sold about 35 acres of residential land per year locally. Do you feel borough residential land sales should be: 226

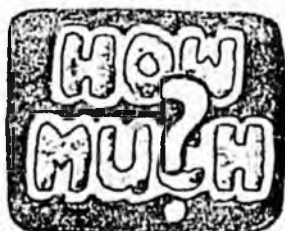


 35 at about the same rate  
 4 at a much slower rate  
 121 at a much faster rate  
 58 don't know



*more than fifty percent favor getting land into private ownership faster than the state has in the Ketchikan area*




29) Do you think that the number of parcels sold to an individual ought to be limited? 207 YES 15NO

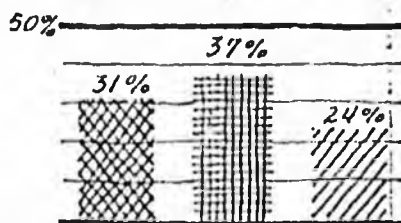


**YES**  
89%

**NO**  
6%




30) If "YES", would you favor:

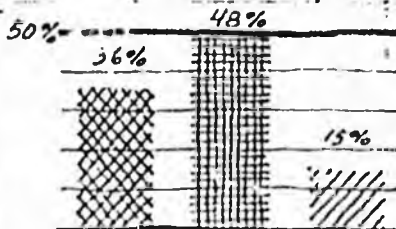
 72 one parcel per individual each time the borough has a residential land sale  
 86 one parcel per individual per lifetime  
 55 some other limit (specify limit in space provided)



*one parcel per lifetime is favored but nearly as many people prefer one parcel per residential land sale*

31) Borough sales of residential land ought to be:

 85 restricted to borough residents  
 112 restricted to Alaska residents  
 36 made available to anyone willing to buy land in Ketchikan



*nearly one-half support limiting borough land sales to Alaska residents*

32) Do you believe the borough ought to adopt a price discount program whereby persons who qualify can purchase residential land from the borough at reduced prices? YES NO  
 160 58



**YES**  
68%

**NO**  
25%

33) If "YES", what factors ought to be used to determine who qualifies and how much the discount should be?

residency (129)

other factors listed: veteran, use plan,

income (31)

age, family size; amount of land owned

34) In the state's homesite program, the state charges the buyer only land survey costs, but it requires that a home be constructed in a set period of time. If a home is not built in the required time, ownership of the land reverts back to the state. 160

Do you think the borough should adopt a similar program for selling residential land? 142 YES 81 NO

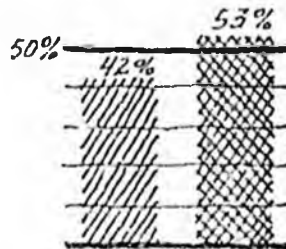
**YES**  
61%

**NO**  
35%

35) Before private developers can put land up for sale, they are responsible for making any improvements required by the borough subdivision ordinance. When the state sells land, it is exempted by state law from having to build roads or install sewer systems even when it's required by local ordinance.

Do you feel the borough, when it sells residential land, should have:

//// 99 to meet the same requirements placed on private developers  
 ##### 125 the same exempt status as the State of Alaska



*slightly more than half feel that the borough subdivision ordinance need not apply when the borough sells residential land*

“ COMMENTS ”

*I would like to see an advisory board comprised of citizens not directly involved in land sales or speculation set up to administer the distribution of these lands.*

*In a day and age such as we have we do not need this much government. Perhaps we should use any funds we have to pay off anything we owe and get out of borough government.*

QUESTIONS 36 THROUGH 42 CONCERN TYPES OF LAND USES OTHER THAN RESIDENTIAL





36) As our community continues to grow, some land within the borough 189YES 27NO will be needed for commercial and industrial uses. Do you believe that the borough should attempt to identify some land that is highly suitable for these types of use and set it aside for future development?

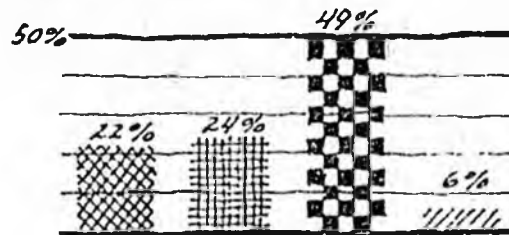


**YES**  
81%

**NO**  
12%

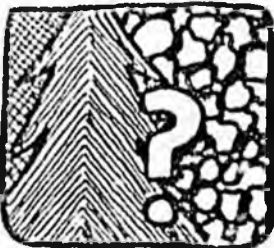
37) Concerning commercial and industrial uses of land, which of the following best describes how you think the borough ought to make land available for these types of activity?

-  52 Sell land outright for commercial and industrial uses.
-  55 Make commercial and industrial land available through long-term leases.
-  114 As a practice, commercial and industrial land should be sold. When the land has some special feature, for example, a protected cove with deep water access, leasing the land can be used to insure it remains available for specialized use in the future.
-  14 Other (specify preferred type of disposal in space below)



*one-half feel land for commercial or industrial uses ought to be sold except in special circumstances*

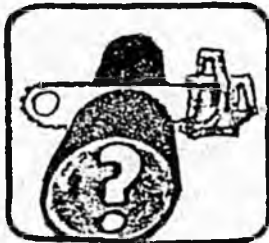
38) Should some borough land having suitable timber and gravel re- 162 YES 57 NO sources be retained in public ownership and made available for lease to small scale local sawmills and contractors?



**YES**  
69%

**NO**  
24%

39) Should some accessible land with suitable timber be designated as areas where borough residents can go and obtain firewood? 196 YES 29 NO



**YES**  
84%

**NO**  
12%

40) Are there other public uses for which borough land ought to be made available? (if "YES", list below) 111 YES 35 NO

**YES**  
47%

**NO**  
15%

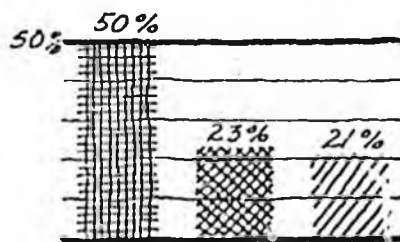
recreation (98),

other uses listed: landfill sites;

sites for future public facilities (8) habitat protection; public access

41) If borough land sales and leases generate revenues in excess of costs, how should these proceeds be used?

- #### 117 They should comprise a fund to be used to improve land for future sales.
- #### 53 They should become part of the general fund of the borough.
- //// 50 They should be used for some other earmarked purposes.



*fifty percent favor using proceeds from land sales to make improvements for future sales*

42) If "OTHER", specify kinds in the space provided below.

develop facilities for public use (12)

other uses listed: schools,

finance access and/or utilities to land sold (10)

reduce property taxes; upgrade existing road

“ COMMENTS ”

*If excess funds are generated they should be set aside in a special fund and not used to create a larger bureaucratic monster.*

*It doesn't seem realistic to think all private land in borough will be 100% utilized. As the supply shrinks the price asked by owners becomes prohibitive. The cost of building lots inside Ketchikan city limits is an example. Making all classifications of land available would stimulate growth and possibly provide locations for services such as the animal shelter and other activities and businesses necessary to any community but not always welcomed by adjacent property owners.*

*The borough's involvement should be an initial one time shot with no long term plans for bureaucratic structure increases or functions. The purpose should be to expand the residential land available. Land is selling for more than it is worth simply because very little is available.*

*I think the land should be for residential use mainly. Commercial and industrial property could help subsidize the program. The object should be to get young people a chance to buy land at a price they can afford.*

*Get the program on the road and don't stop with the initial 11,000 acres. With a well oriented and proper planning on forestry practices and land development in general the overall economy of Ketchikan would be boosted considerably. However, a firm set of guidelines must be laid down to protect the future aesthetics of the land, with good road planning, good lot lay out, etc. Leave areas for parks. This could be accomplished but above all, get some good guidelines to protect the Public.*

*I think the borough land program must be conducted in the most fair and impartial manner possible. This would be difficult to administer. I'm concerned about the borough's ability to develop and enforce zoning regulations. I look forward to the gradual, orderly development of this island, enhancing the beauty of the country and strengthening the community.*

*Unless the borough can dispose of at least 5000 acres to residents and do it efficiently and at no appreciable cost to the taxpayer, then it should not get involved. Any scheme which would not make land available to many residents should be avoided. To have to add even one full-time person for this venture would be excessive.*

*Basically I think a great deal of planning ought to go into the disposal program. Zoning should be well conceived and strictly enforced. Suitable areas should be retained in public ownership for recreation and firewood uses.*

*I would like to see the land developed to enhance the economic future of Ketchikan and also Alaska in general. Land use, water and fishing programs. With lakes being used for recreational use as well as for trout fishing. Alaska is a beautiful land -- let us keep it as such but also use it to the fullest.*

*Many people -- especially young families -- are having difficulty finding land to put a home on. I would like to see land available soon particularly for those who don't own property or another residence, rather than for speculation or investment purposes, or for those who already have property.*

*I would like to see residents receive land as cheaply as possible and restrict industrial development except logging and fishing which are traditionally associated with Alaska.*

*The borough should get land on water and get mineral land.*

*Borough land generates nothing but administration. Private land pumps out taxes year after year. Borough land should be distributed to the people in a cheap and fast manner in order to make a producer out of a liability.*

*I think this land should be used for people who don't own property or homes other than mobile homes. You should consider the fact that many people who have mobile homes don't wish to live under a landlord.*

*It's hard to figure a best way to handle a land sale so the longtime resident who was making peanuts and fighting elements for so long gets a good shake on a sale. Seems like money men get the good stuff on a bid -- hippies get the lotteries -- and on a homesite sale it takes too long to get a house built after paying for the property.*

*Reduced or lowered prices in the market place result when more land is available. Therefore, borough sells all land received from the state.*

*If possible, sell to people who need it -- like young couples.*

*I think this is a good opportunity for us to get our young people set up in life with a start and an investment in our community.*

*I would like to see a good land program with rigid building codes incorporated, good access to all homesites, and reasonable prices.*

*You seem to make no reference to recreation lands. Is the only purpose of the land selection to make it available for resale?*

*Let's get more recreation facilities.*

*I would like to see wooded and/or beach lots for sale by the borough. I think the area needs opening up. Owners should be allowed to do what they want with their land.*

*Make land available so that people have room to enjoy living in Alaska.*

*The borough does not have the knowledge or personnel to get into the land sale business. Land should be independently appraised and offered for sale at fair market value through a licensed broker.*

*There are an excess of "public parks" in Southeast Alaska. People need reasonably priced land for homes.*

*The borough should obtain a block financing program (necessitates disposing of large blocks at one time and all the land over a year or so); then amortize it out to each lot so that people can get good land for low prices with low monthly payments arranged. The same method could be used for large site preparation projects, i.e., access roads, trunk line electricity feeders, but limit it to things necessary. Water and sewage can be handled by the owners.*

*I think if all 11,593 acres were sold at a fair price and the money was carefully invested it could help a great deal in financing borough expenses -- I know this sounds like the State's permanent fund. The only problem would be having capable and responsible handling of the investment. Also careful spending of the interest money.*

“ COMMENTS ON GOALS OF THE BOROUGH LAND PROGRAM ”

Future land use should be the result of careful long range planning. Areas suitable for recreation and commercial use should remain so and not eventually become residential. Zoning and its enforcement should be such that all development becomes a benefit to the area and not a blight on it.

Septic tanks -- with costs to purchaser and not the borough -- are suitable in the country.

Borough should not be in a hurry to sell the land. Use it as you would money in the bank. Sell only when the borough needs funds.

“ COMMENTS ON PRICING ”

After living in Ketchikan for eleven years I feel we're too cramped and land prices are way off base. With all the land we have in Alaska it's really disheartening that we all can't have at least 1/2 acre without draining our bank accounts. After all, it's our land!

It is a shame that in a state with so much land that the average family can't afford to buy even a small lot to build a home. If the borough does offer lands for purchase it would seem that the public and borough would benefit if the lands were offered at a reasonable price.

Make sure land auctions don't jack up prices of land in the borough, making it unavailable to many low-income families just getting started.

Land should not be made available on a socialist basis. Contracts to sell land should be let only to buyers fully prepared to perform.

Land should not devalue current private land for sale unless it is considerable distance from the city center -- or prices should start at equivalent or average land for sale within the borough.

Prices should be dictated by supply and demand.

Would like to see property at a reasonable price -- with a set time limit put upon buyers in building their homes -- no shacks.

Land should be kept to a price that the average person can afford.

I believe borough land should be made available to the public at the minimum cost possible.

Type of employment or occupations of respondents:

LPK and timber related (38); government (33); education (21); retired (10); Transportation (20); construction (15); fishing (13); medical (10); clerical/office (23); professional (10); business services (9); managers (10); personal services (7); mechanics (6); maintenance (5); other (12)

## Profile of Respondents

Average Alaska Residency = 21 years

Average Ketchikan Residency = 17 years

Type of Dwelling:

house - 64%

apartment - 23%

mobile home - 7%

other - 4%

71% own their home; 26% are renters.

Average Household Size = 3 persons

63% have children living at home.

Of children living at home:

average age = 10 years

under 5: 23%

between 5 and 10: 25%

between 10 and 15: 25%

between 15 and 20: 22%

over 20: 5%

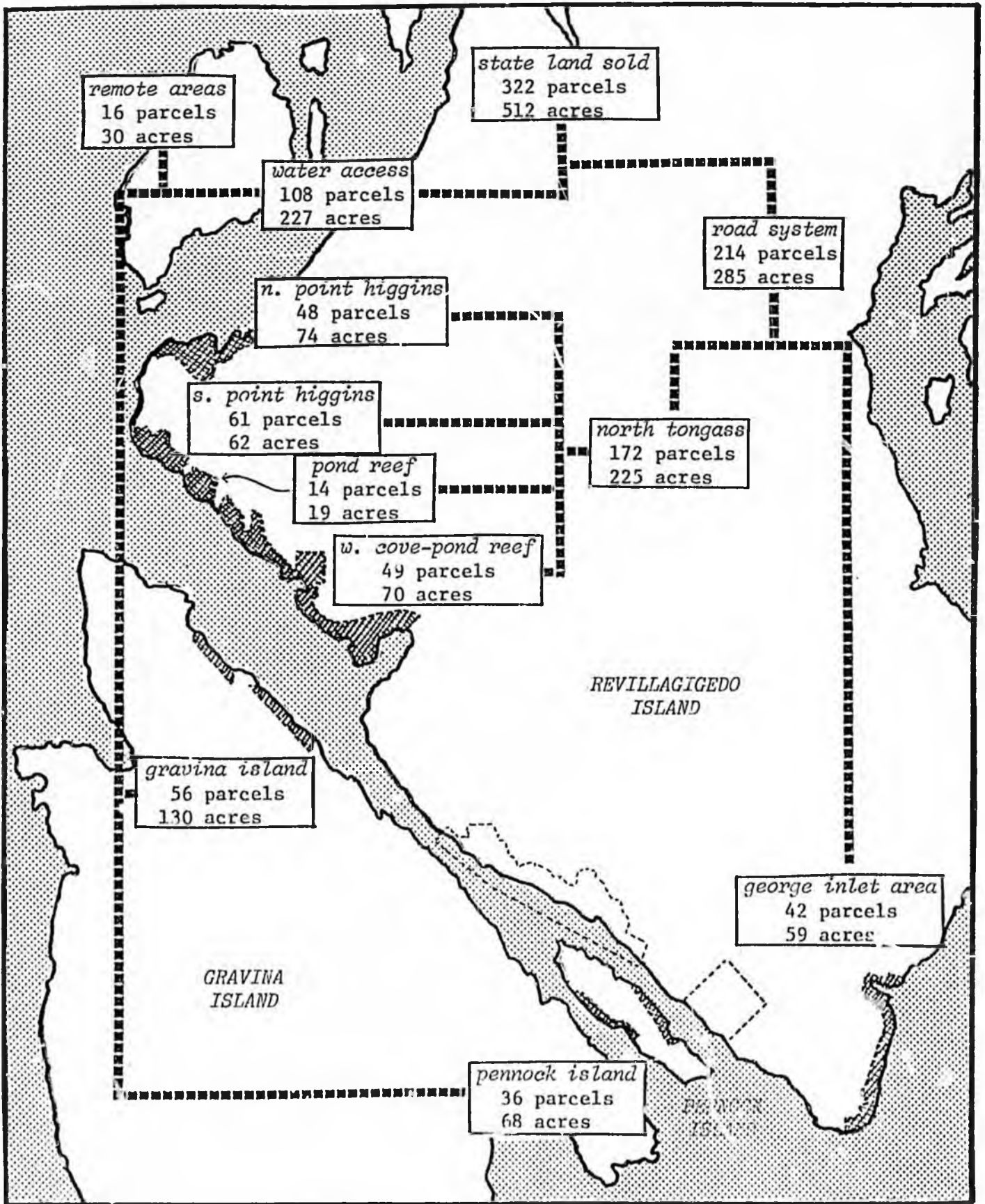
3. SUMMARY OF PAST STATE LAND SALES IN KETCHIKAN

### SUMMARY OF PAST STATE LAND SALES IN KETCHIKAN

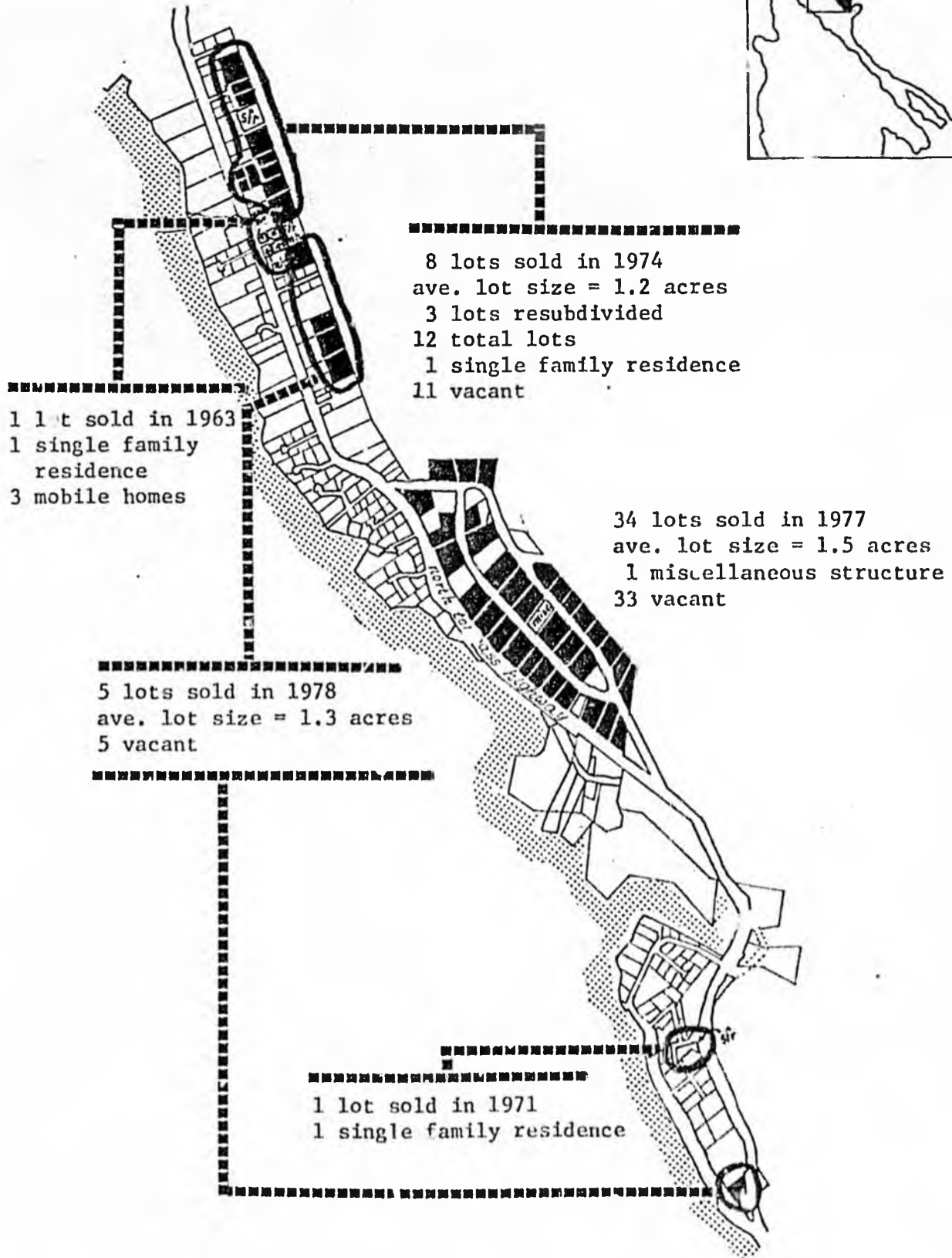
Over 75 percent of the lots from land sold by the state in Ketchikan from 1963 to 1979 remain vacant and undeveloped. If the base is realistically reduced to include only lots on the road system, the rate of vacancy is over 70 percent, 215 of 305 lots; 28 percent have single family residences or mobile homes. If the base is further reduced to land in established neighborhoods on the road system sold prior to 1970, about 140 of 224 lots, 62 percent, are vacant.

However cut, the vacancy piece of the pie is large, developed use is small. But this slowness of development doesn't reflect a failure of the state's past land disposal program.

The land sold by the state constitutes perhaps 20 percent of the total local stock of privately owned, undeveloped land. Approximately 10 percent of the housing in Ketchikan that was built between 1963 and 1979 is on state sold land. Although it appears that the rate of converting undeveloped land into residential use is slower for land that has been sold by the state than for other private land, the state sold parcels were added to the private land base in increments over the 16 year period. Adjusting for the time factor, the rates of conversion for state sold parcels and other private land are about equivalent. The reason this result is highly likely if not inevitable is obvious once the factors that are important determinants of the land conversion process and of the interworkings of competitive land markets are understood.



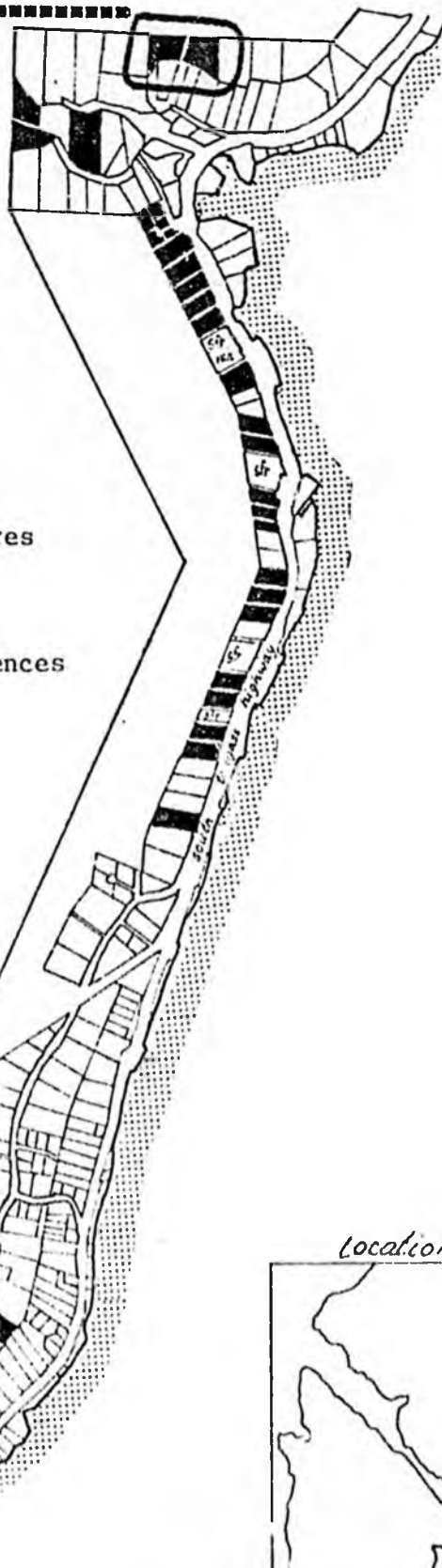
Location map



2 lots sold in 1978  
ave. lot size = 2 acres  
2 vacant

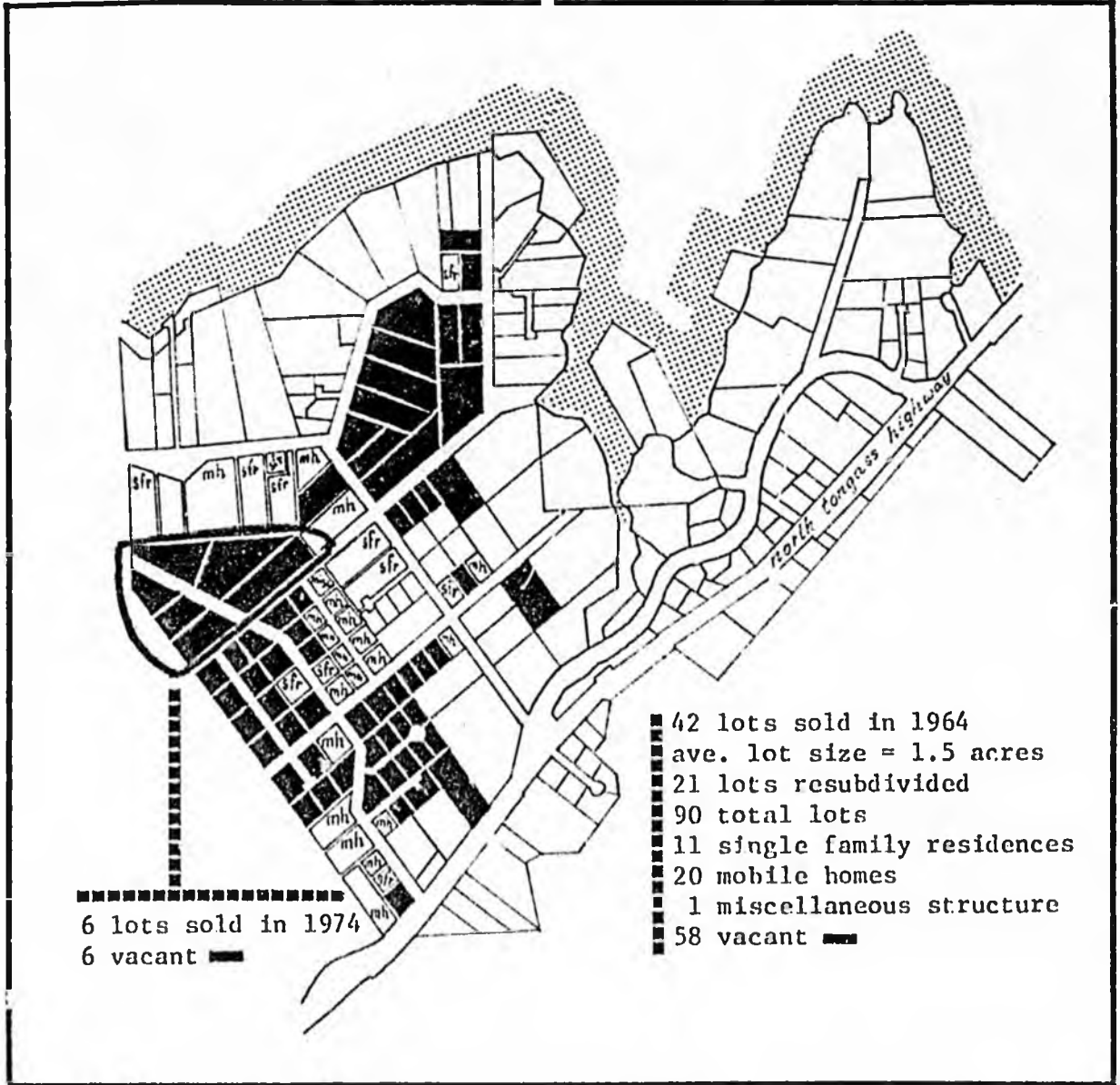
32 lots sold in 1963  
ave. lot size = 1.3 acres  
2 lots resubdivided  
6 lots consolidated  
33 total lots  
7 single family residences  
2 mobile homes  
25 vacant

8 lots sold in 1974  
ave. lot size = 1.8 acres  
2 lots resubdivided  
12 total lots  
12 vacant

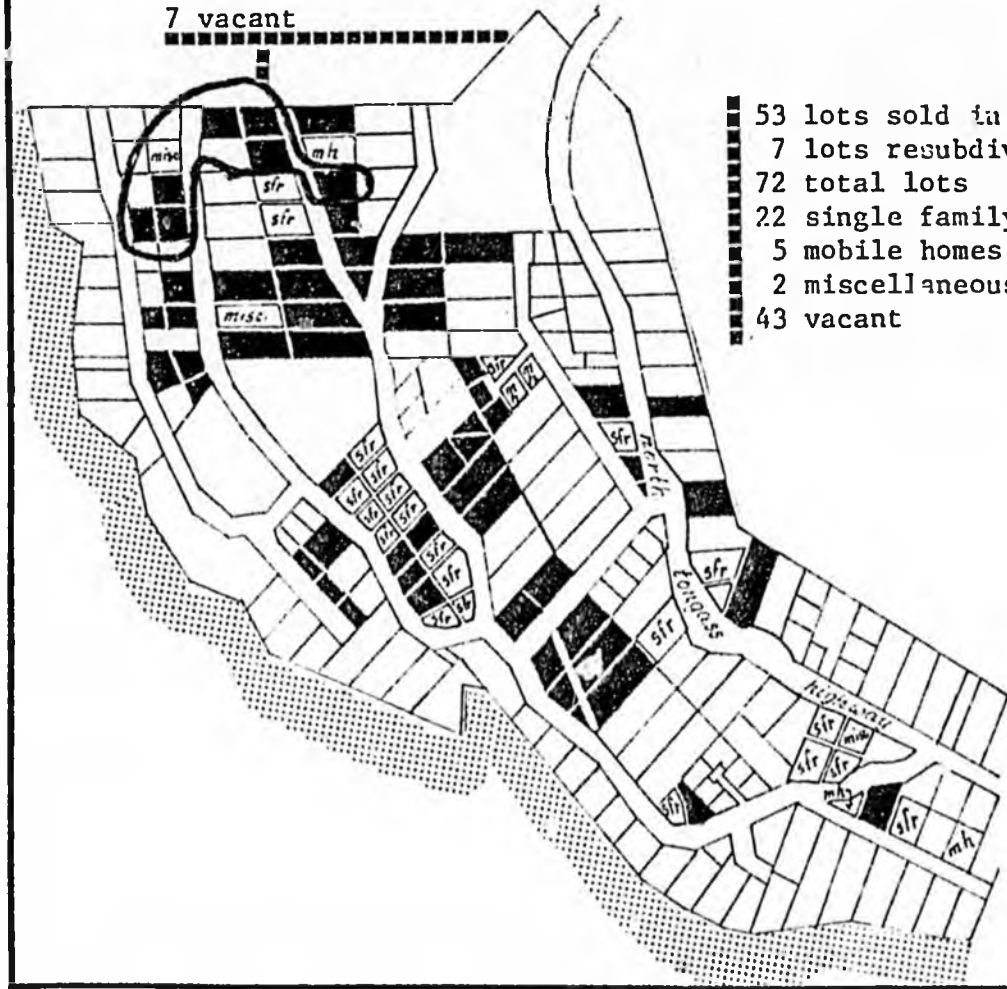


*location map*





8 lots sold in 1974  
 ave. lot size = 0.7 acres  
 1 miscellaneous structure  
 7 vacant



53 lots sold in 1963/64  
 7 lots resubdivided  
 72 total lots  
 22 single family residences  
 5 mobile homes  
 2 miscellaneous structures  
 43 vacant

13 lots sold in 1963/64  
ave. lot size = 1.4 acres  
7 lots resubdivided  
25 total lots  
11 single family residences  
1 miscellaneous structure  
13 vacant

