

3.12 Land Ownership

Existing Conditions

The majority of the land in the study area is privately owned. Small amounts of land are owned by CEA, the State of Alaska, and the MOA. The remaining property is ROW managed by MOA, DOT&PF, and Alaska Railroad Corporation. Land ownership is shown in Figure 3.24~~23~~.

For more information, see the Conceptual Stage Relocation Report in Appendix G.

Environmental Consequences

The No Action Alternative would have no impact on land ownership.

The Proposed Action would require acquiring approximately 23.4 acres from 47 privately owned and seven MOA-owned parcels (see Figure 3.25~~24~~). A more detailed map of the potential acquisition is included in the Conceptual Stage Relocation Report in Appendix F. Of the privately owned parcels, 17 are anticipated to require full purchases, and the remaining 31 parcels to be partial acquisitions.

What is Section 6(f)?

Section 6(f)(3) of the act that created the Land and Water Conservation Fund contains provisions to protect parkland acquired with these funds.

The seven MOA parcels would be partially acquired. These parcels are part of the Campbell Creek Greenbelt and were purchased with money from the LWCF. Properties purchased through the LWCF, commonly called Section 6(f) properties, have restrictions on conversion to other land uses. See Section 3.17, Recreation Resources, for more details.

The act states:

“No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location”
(National Park Service, 2006).

One parcel along the proposed alignment is already owned by the State of Alaska. The State also owns existing ROW that would be used for the proposed project.

The MOA 2006 tax assessor value for the land and structures to be acquired is approximately \$11.7 million. The market value of this land is approximately \$15.2 million.

The number of potential acquisitions was identified by using the MOA tax assessor’s data. ROW

West Dowling Road Connection Project

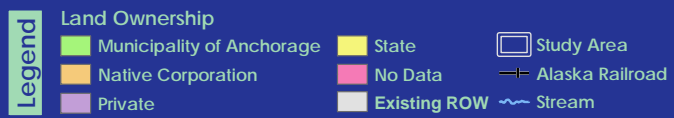
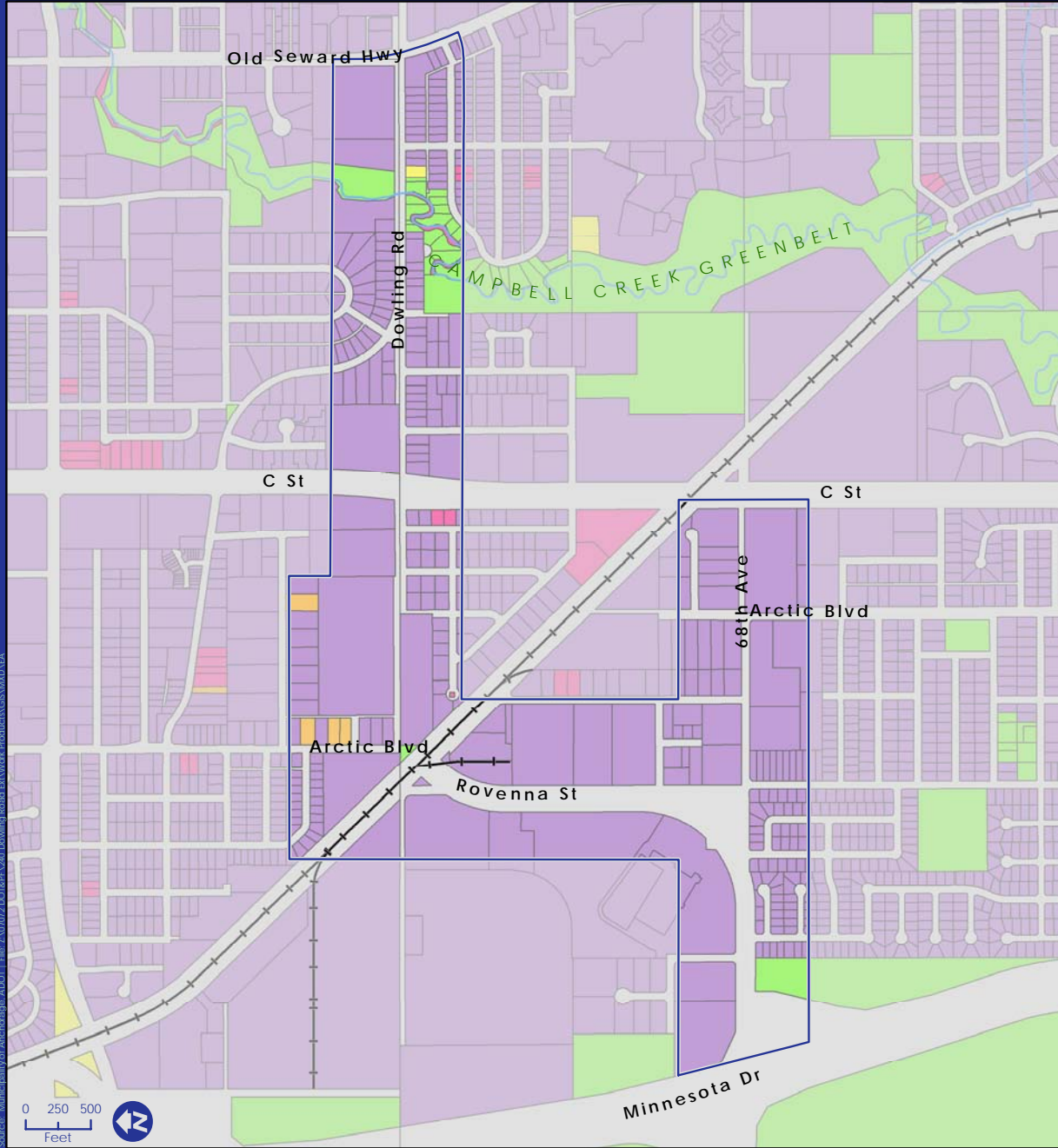


Figure 3.24 23
Land Ownership

West Dowling Road Connection Project

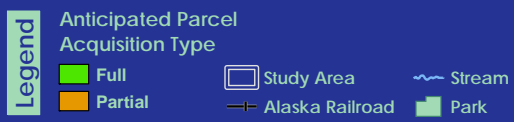
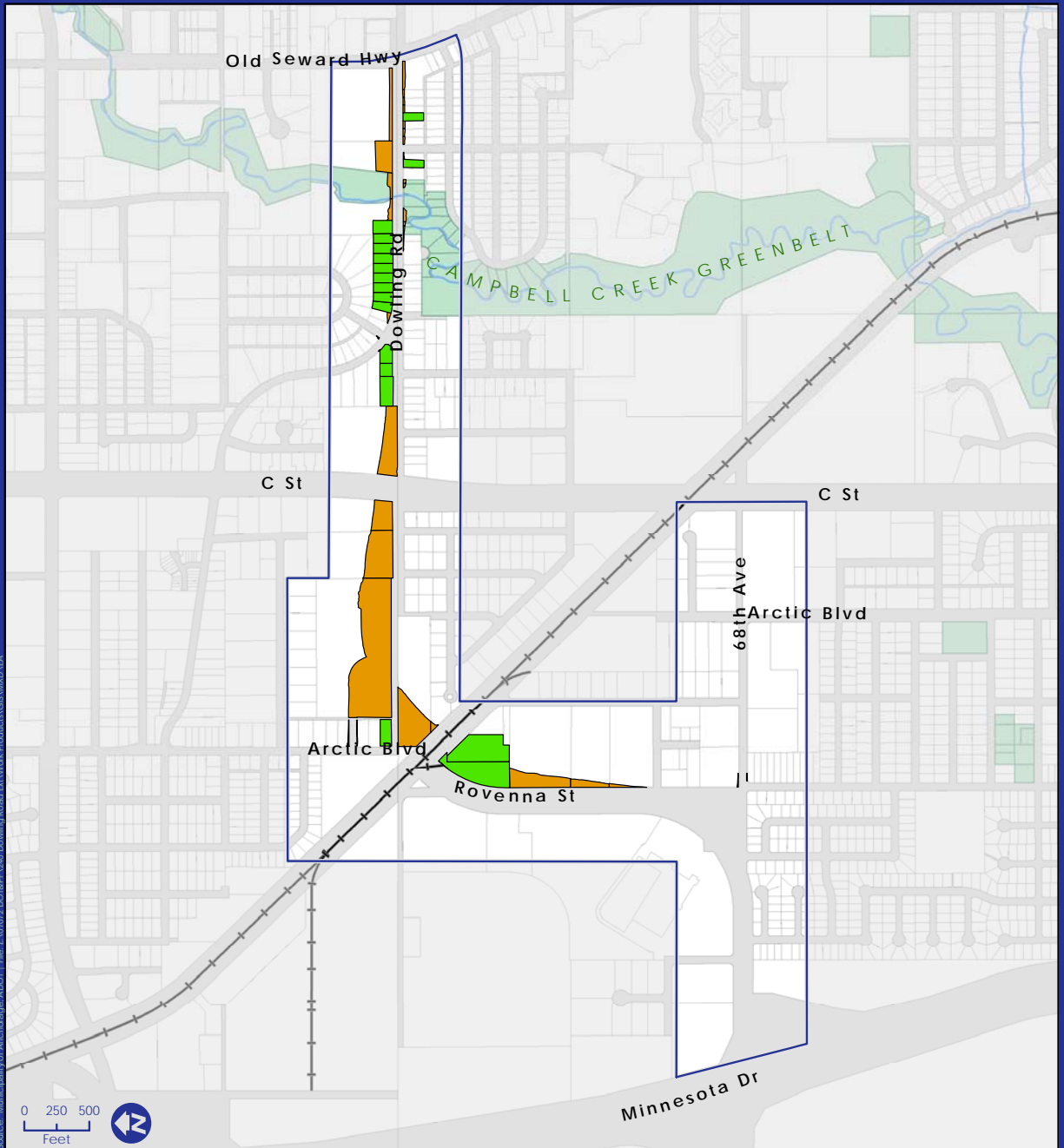


Figure 3.25-24
Anticipated Right of Way Acquisitions

impacts may be subject to adjustment during final design.

What is the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970?

This legislation provides for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by federal projects and programs, or federally assisted programs, and establishes uniform and equitable land acquisition policies for federal and federally assisted programs. Whenever acquiring real property for a program or project by a federal agency results in displacing anyone, the agency is required to consider any affected displaced persons or business for relocation assistance eligibility and offer relocation planning, assistance, coordination, and advisory services to eligible relocatees.

The cost of relocating within 50 miles is reimbursable as part of the relocation process. Other relocation-related costs may be considered for reimbursement. In accordance with the law, all owners of acquired property, without discrimination, are compensated for their loss of property at fair market value and all displaced persons are eligible for moving costs reimbursement.

Relocations

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the Uniform Relocation Act Amendments of 1987 require uniform and equitable treatment for those persons displaced by a federal action. The Conceptual Stage Relocation Report, in Appendix G, provides more information about relocations.

Sixteen business relocations and 48 residential relocations are expected. Of the residential relocations, 2 involve single-family residences, and the remaining 46 involve eight multifamily buildings. Relocation expenses are estimated at three times the value of the property.

The supply of comparable housing in Anchorage is sufficient to relocate affected households. A review of real estate listings indicates a variety of housing types and prices are available in Anchorage. As of July 20, 2006, 57 comparable single-family houses and 60 comparable condominium units were offered for sale. More than 200 apartments of varying sizes and rents were also available. It is not expected that any residential relocations would qualify for last resort housing.

Specific ROW impacts would be determined and the requirement of the Uniform Relocation Act would be met after the proposed project advanced into final design and construction. The ROW requirements and costs would be refined during final design.

Construction

No construction impacts are anticipated.

Mitigation and Authorizations

Property acquisition and relocation would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended, and the

Alaska Relocation Assistance and Real Property Acquisition Practices, Alaska Statutes (AS) 34.60.010 et seq.

DOT&PF would provide relocation assistance to persons or businesses displaced by the proposed project in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Act and the Alaska Relocation Assistance and Real Property Acquisition Practices. Property owners would be paid the fair market value for real property acquired for ROW or easements.

The requirements of the Civil Rights Act of 1968 and EO 12898 will be complied with to mitigate any adverse effects to low income or minority populations or individuals.

Land purchased with LWCF grants would be replaced with recreation lands of at least equal fair market value and/or reasonably equivalent usefulness and location. Replacement land is discussed in Section 3.17, Recreation Resources.

What is last resort housing?

Last resort housing is housing used when comparable decent, safe, and sanitary replacement housing within a household's financial means can not be provided.

Measures to provide last resort housing include paying for replacement housing in excess of the URA maximum amounts, construction of housing, and the provision of a direct loan.

Last resort housing assistance is available for 42 months.
