

The Alaska Mental Health Trust Authority
Trust Land Office
BEST INTEREST DECISION AFFIRMED
Decision for the Negotiated Land Sale of Trust Land – Wrangell

MHT: 9100817
MH Parcel: CRM-2402

Action: Adopt the Best Interest Decision dated August 12, 2019 regarding the above referenced disposal as final, without modification. This decision document, combined with the Best Interest Decision dated August 12, 2019, constitutes the final decision on this matter, in accordance with 11 AAC 99.040.

Notice under 11 AAC 99.050. The Trust Land Office published the public notice of the decision to sell 5-acres of land to Harley Johnson in the Wrangell Sentinel on August 15, 2019 and distributed the notice to other interested public and private parties.

Summary of Comments: A written comment letter was received from Carol Rushmore, the Economic Development Director, for the City and Borough of Wrangell. The letter states that the borough has no objection to the sale of the property but are concerned that there does not appear to be legal access to the Zimovia Highway from the proposed subdivision, and that “if the subdivided lot were to be combined into Mr. Johnson’s adjacent lot with road frontage, access would no longer be an immediate issue of subdivision requirements”.

The City and Borough of Wrangell is conveying the concern that future use and access of the property must meet the Wrangell zoning and subdivision codes for allowable uses and access. These concerns are valid and have been a part of the TLO’s discussion with Mr. Johnson from the beginning of negotiations. In short, the borough is reiterating the requirement that any subdivision of Trust land confers with the borough zoning codes to minimize potential development issues.

Trust Authority Consultation: The Alaska Mental Health Trust Authority was consulted on this matter on August 12, 2019.


Modifications: As no comments were received suggesting that the Best Interest Decision dated August 12, 2019 should be substantively modified in any way to better serve the interest of the Trust and its beneficiaries, the Executive Director has determined that no change shall be made to that document.

Final Decision of the Executive Director: Considering all of the above, the Executive Director of the Trust Land Office hereby adopts the Best Interest Decision dated August 12, 2019 as final.

Reconsideration: Persons who submitted timely written comments during the notice period that ended September 17th, 2019, are eligible to request reconsideration of this final best interest decision under 11 AAC 99.060(b) within 20 calendar days after publication of the notice or receipt of the final decision, whichever is earlier. A request for reconsideration must be submitted in writing to the Executive Director. This request must be accompanied by the fee established by the Executive Director under 11 AAC 99.130, which has been set at \$500, to be eligible for reconsideration. Before filing an appeal to the Superior Court under AS 44.62.560, a person must be eligible to request and must actually request reconsideration within the time specified above.

The Executive Director shall order or deny reconsideration within 20 calendar days after receiving the written request for reconsideration. If the Executive Director takes no action during the 20-day period following the request, the request is considered denied. Denial of a request for reconsideration is the final administrative decision for purposes of appeal to the superior court under AS 44.62.560.

APPROVED:



Wyn Menefee
Executive Director



Date