

The Alaska Mental Health Trust Authority
Trust Land Office
BEST INTEREST DECISION AFFIRMED
Negotiated Land Sale – Big Lake

MHT: 9200787
MH Parcels: SM-2000, SM-2001,
SM-2002, SM-2003

Action: Adopt the Best Interest Decision dated June 24, 2024, regarding the above referenced disposal as final, without modification. This decision document, combined with the Best Interest Decision dated June 24, 2024, 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 issue a negotiated land sale in the Matsu Frontiersman, on the State of Alaska’s online public notice website, and distributed the notice to the Matanuska-Susitna Borough, Cook Inlet Region Inc., the Alaska Mental Health Trust Authority, and other interested public and private parties on June 28, 2024.

Summary of Comments: One agency comment was received from the Alaska Department of Fish & Game (ADFG) stating that any work below the ordinary high-water mark of Horseshoe Lake will require a fish habitat permit from ADFG Habitat Section.

TLO Response: ADFG’s comment was passed along to the potential buyer.

One public comment was received. The public comment: (1) referred to a prior sale (MHT 9200780); (2) questioned the validity of the appraised value of this assembled 20-acre parcel; (3) referred to the potential buyer’s easement application to the Department of Natural Resources that was denied; and (4) expressed concerns that the negotiated sale benefits only one family.

TLO Response: MHT 9200780 is a land sale that was completed in March of 2022, and was public noticed according to 11 AAC 99.050. No comments were received. MHT 9200780 is a separate and closed matter. The appraiser used is a private appraisal firm that is a licensed general real estate appraiser and approved to do work on state owned land by the ADNR Division of Mining, Land & Water list of approved appraisers. Though approximately 20 acres as legally described, the parcels only contain approximately 7 acres of developable uplands. The approximately 13 remaining acres are an unnamed lake/pond or classified wetlands that are costly to develop, if not impossible, and hold very little value. The Trust Land Office was not involved with the ADNR easement adjudication or denial decision, and it is also a separate matter from this negotiated sale. Though described as a “non-competitive” sale, it is stated in the Best Interest Decision dated June 24, 2024, and public notice sent out on June 28, 2024, that the Trust Land Office accepts any higher competing offers during the notice period and holds an alternate sale if one is received. The Trust Land Office did not receive any inquiries or competing offers that would trigger holding an alternate sale. Lastly, the sale of Trust land generates revenue that is in the best interest of the Trust beneficiaries.

Trust Authority Consultation: The Alaska Mental Health Trust Authority was consulted on this matter on April 25, 2024.

Modifications: As no comments were received suggesting that the Best Interest Decision dated June 24, 2024, 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 and affirms the Best Interest Decision dated June 24, 2024, as final.

Reconsideration: Persons who submitted timely written comments during the notice period that ended July 29, 2024, 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:

Signed by:

Jusdi Warner

Jusdi Warner

Executive Director

8/20/2024

Date