

The Alaska Mental Health Trust Authority  
Trust Land Office  
**BEST INTEREST DECISION AFFIRMED**  
**Decision to Dispose of Trust Parcels through the Statewide Land Sale Program**

TLO Projects #s 2017-137, 2018-138, and 2019-139  
MH Parcel(s): Multiple Parcels

**Action:** Adopt the Best Interest Decision dated January 31, 2017 regarding the above referenced disposal as final, without modification. This decision document, combined with the Best Interest Decision dated January 31, 2017, constitutes the final decision on this matter, in accordance with 11 AAC 99.040.

**Notice under 11 AAC 99.050.** The Trust Land Office (TLO) published the public notice of the decision to select and offer a number of Trust parcels annually from a pool of approximately 406 parcels until sold but primarily between the years 2017 and 2020 through the TLO's Statewide Land Sale Program in the Alaska Dispatch News and multiple newspapers starting February 3, 2017, and distributed the notice to other interested public and private parties.

**Summary of Comments:** One comment was received after the close of the public notice period, and the commenter has no standing to request reconsideration of this decision under 11 AAC 99.060. However, the TLO will still address the comment here.

**Comment:** *Commenter requested the selected parcels in or near the community of Haines be removed from the TLO land sale program for the following reason: Natives and locals have historically, and continuously, lived off the raw lands for food, healing and medicinal purposes. Alaskans who currently use, and plan to continue using, wild lands for resources to heal those enduring illnesses, such as abuse, trauma, post-treatment recovery, and all other groups needing respite from addiction, physical, mental and emotional challenges. The hope to continue maintaining, as well as establish, opportunities of recovery and healing for these groups in a natural and peaceful environment of secluded Alaska wild land; whereas, undisturbed state mental health trust land would be an irreplaceable resource.*

**TLO Response:** The TLO manages Trust land to generate revenue, which is used by the Alaska Mental Health Trust Authority to improve the lives of Trust beneficiaries. This management responsibility means that TLO decisions must be consistent with trust responsibilities accepted by the State under the Alaska Mental Health Enabling Act (P.L. 84-830, 70 Stat. 709 (1956)), which means that management shall be conducted "solely in the best interest of the Trust and its beneficiaries" and not based on broad public interests. The reason the Alaska Mental Health Enabling Act granted the State Alaska lands was to be used to generate revenues to ensure the development of a comprehensive integrated mental health program for the State of Alaska. The intended use of these lands meets that mandate.

**Trust Authority Consultation:** The Alaska Mental Health Trust Authority was consulted on this matter on January 26, 2017.


**Modifications:** As no timely comments were received suggesting that the Best Interest Decision dated January 31, 2017 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 January 31, 2017 as final.

**Reconsideration:** Persons who submitted timely written comments during the notice period that ended at 4:30 pm on March 6, 2017 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. 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:**

*for*   
\_\_\_\_\_  
John Morrison  
Executive Director

*3/15/17*  
\_\_\_\_\_  
Date