

The Alaska Mental Health Trust Authority
Trust Land Office
BEST INTEREST DECISION AFFIRMED
Decision to Issue Homer Electric Association Inc. Term Utility Easement –
Nikiski

MHT: 9200777A & 9200777B
MH Parcel: SM-1162-04, SM-1146-01, SM-1164

Action: Adopt the Best Interest Decision dated May 4, 2021, regarding the above referenced disposal as final, without modification. This decision document, combined with the Best Interest Decision dated May 4, 2021, 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 non-exclusive easement of certain Trust land to Homer Electric Association in the Kenai Peninsula Clarion, on the State of Alaska's online public notice website, distributed the notice to the Kenai Peninsula Borough, the Alaska Mental Health Trust Authority, and other interested public and private parties on May 12, 2021.

Summary of Comments: No public comments were received. One agency response was received from the Alaska Department of Transportation and Public Facilities stating they had no comment.

Trust Authority Consultation: The Alaska Mental Health Trust Authority was consulted on this matter on May 4, 2021.

Modifications: As no comments were received suggesting that the Best Interest Decision dated May 4, 2021, 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 May 4, 2021, as final.

Reconsideration: Persons who submitted timely written comments during the notice period that ended June 14, 2021, 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:

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Acting Executive Director

6/18/2021

Date