



DNR Land Conveyance Section

Introduction to DNR Land Disposals

Presentation by Rachel Longacre and Hannah Uher-Koch
Division of Mining, Land and Water
Alaska Department of Natural Resources

April 3, 2024

Division of Mining, Land and Water

- ▶ To provide for the appropriate use and management of Alaska's state-owned land and water, aiming toward maximum use consistent with the public interest.

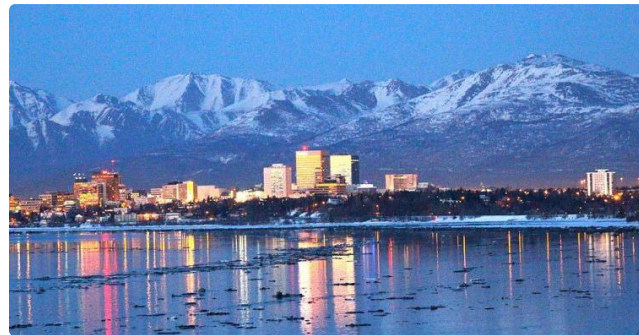


Disposal of State land



Alaska Constitution

Article 8, Sections
1, 9, and 10



Title 29

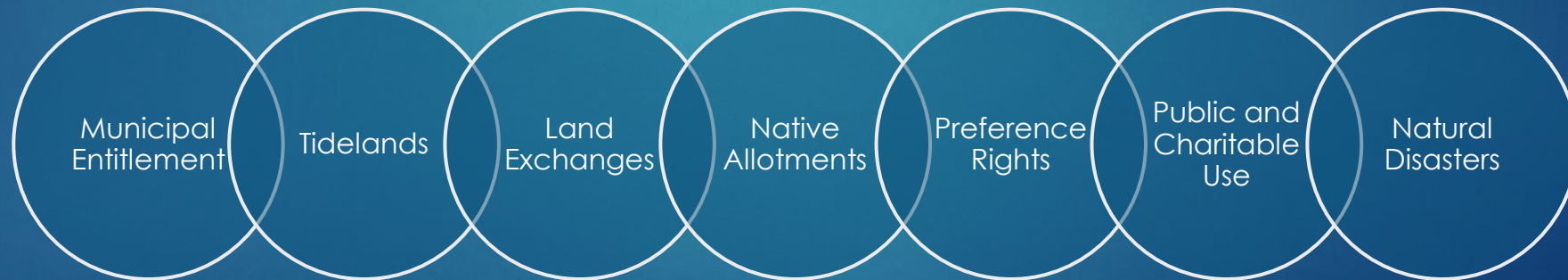
Municipal Entitlement



Title 38

The Alaska Land Act

Non-Competitive Land Conveyances





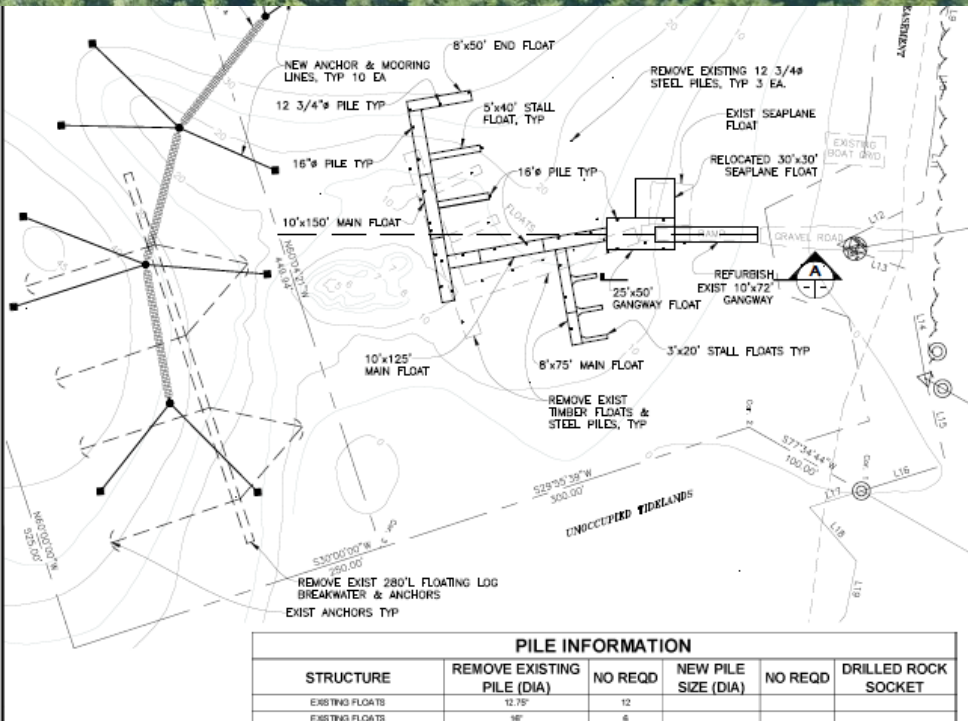
Municipal Entitlement

- ▶ Municipal Entitlement Act allows municipalities to select State land to fulfill their municipal entitlement
- ▶ Requires preparation of a Best Interest Finding
 - ▶ For ME-selected land to be retained, the state must show how its interests outweigh those of a municipality
- ▶ Municipalities receive 10% of the vacant, unappropriated, unreserved (VUU) land within their boundary unless special legislation authorizes a different amount
- ▶ If new municipalities form, they will also receive an entitlement unless there is no available VUU land within their boundaries
- ▶ Current projects include conveyances to the Petersburg Borough and North Slope Borough



Tideland Conveyances

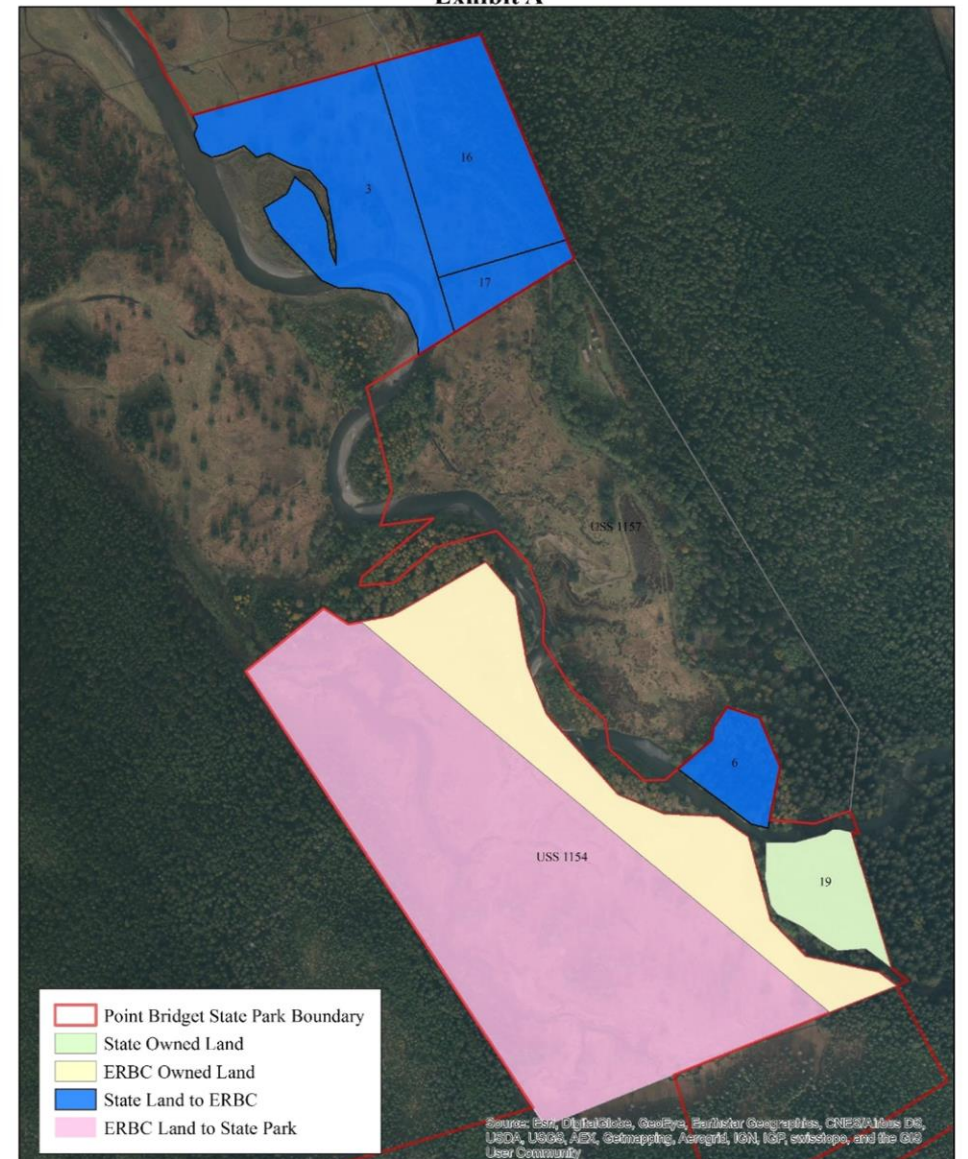
- ▶ AS 38.05.825 enacted in 1995. Replaces role of AS 38.05.820.
- ▶ Tidelands may be conveyed to municipalities under AS 38.05.825.
- ▶ The municipality and the subject parcel must meet the criteria listed in AS 38.05.825(a). Most importantly, tidelands must be:
 - ▶ Required for the accomplishment of a public or private development approved by the municipality;
 - ▶ The subject of a lease from the State to the municipality; or
 - ▶ Have been approved for lease to the municipality.
- ▶ No fee for tidelands, but the municipality must pay for the survey.
- ▶ Post conveyance, a municipality may lease the tidelands but not sell.



Land Exchange

- ▶ The state authority for land exchanges was created by the legislature in 1976.
- ▶ AS 38.50 and 11 AAC 67
- ▶ The state has completed land exchanges that range in size from a small private parcel to a complex exchange involving hundreds of acres of land.
- ▶ The state can exchange land with boroughs and municipalities under separate authority found in AS 29.65.090.
- ▶ Exchanges allow the state to consolidate its land holdings and create ownership and land use patterns that allow more effective management of its public land and programs.
- ▶ The state can exchange land with anyone.
- ▶ The value the receives in exchange must be equal to or more than the fair market value of the state land exchanged.

Point Bridget/ERBC Land Exchange - Preliminary Exchange Agreement
Exhibit A





Native Allotment Reconveyance

- ▶ 1906 Native Allotment Act
- ▶ Process federal requests for reconveyance of state-owned land for valid Native allotment claims
- ▶ Requires extensive process that includes agency review and public notice

Preference Rights

- ▶ A preference right is the right of an individual to purchase a specific piece of state land as allowed under certain statutes.
- ▶ An applicant applies for a “preference right” to purchase a specific parcel where both the applicant and the land must qualify according to the statute under which the application was made.
- ▶ Common preference right statutes include:
 - ▶ AS 38.05.035(b)(2)
 - ▶ AS 38.05.035(b)(3)
 - ▶ AS 38.08.035(b)(5)
 - ▶ AS 38.05.035(b)(7)
 - ▶ AS 38.05.035(f)
 - ▶ AS 38.05.068
 - ▶ AS 38.05.102





Public and Charitable Use

- ▶ Allows the state to sell land to qualified applicants without the competitive bidding land sale process
- ▶ Public and charitable use conveyances must serve a public purpose and be in the public interest
- ▶ Authority for Public and Charitable Use conveyances comes from:
 - ▶ AS 38.05.810(a)(1)-(4)
 - ▶ AS 38.05.810(e)

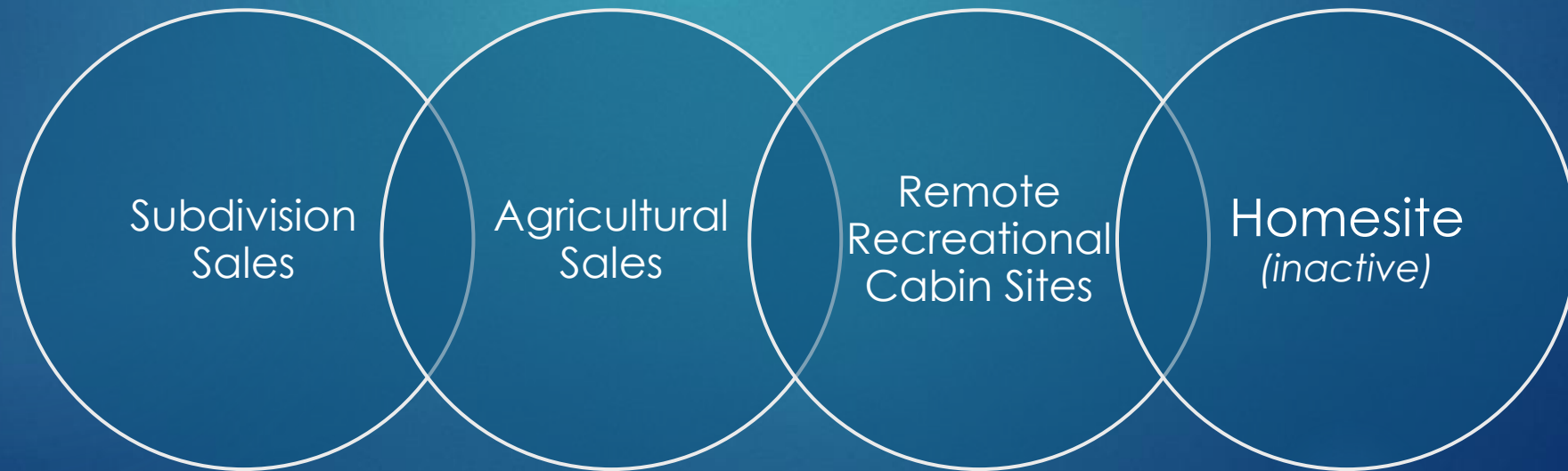


Natural Disasters



- ▶ Authority: AS 38.05.870
- ▶ A natural disaster grant may only be issued after the Governor has formally declared a disaster severe enough to warrant state assistance to persons or municipal corporations
- ▶ The grant land is used to replace land rendered unusable by the natural disaster for the purposes for which it was used before the disaster and to alleviate damage, suffering, and hardship caused by the disaster.
- ▶ Only the owner of land rendered unusable that was used or leased before the natural disaster for private residential, business, or commercial purposes is eligible for a grant of state land

Competitive Land Conveyances






Collaboration

- ▶ Other DMLW Offices (All Land Sections)
- ▶ Other State Agencies (DOF&FP, DOT&PF, ADF&G, etc.)
- ▶ Boroughs/Municipalities
- ▶ Community Councils
- ▶ Native Corporations
- ▶ Interest Groups
- ▶ Public

Land Nominations

- ▶ LCS needs enough information to be able to identify the nominated parcel
- ▶ Nominated lands go into the auction, it does not give an exclusive right to purchase
- ▶ Individuals often submit land nominations on parcels that show as “AK DNR Land” on GPS apps or borough tax records.



STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water

<p>Public Information Center 550 West 7th Avenue, Suite 1360 Anchorage, AK 99501-3561 Phone: (907) 269-8400 Fax: (907) 269-8901 dnr.pic@alaska.gov</p>	<p>Public Information Center 3700 Airport Way Fairbanks, AK 99709-4699 Phone: (907) 451-2705 Fax: (907) 451-2706 fbx-pic@alaska.gov</p>	<p>Regional Land Office P.O. Box 111020 400 Willoughby Avenue, 4th Floor Juneau, AK 99811-1020 Phone: (907) 465-3400 Fax: (907) 465-3886 sero@alaska.gov</p>
--	---	---

Statewide TTY – 711 for Alaska Relay or 1-800-770-8973

NOMINATION OF STATE LAND FOR SALE

Use this form to nominate land owned by the State of Alaska to sell for private ownership. The nominated land cannot be within legislatively designated areas such as state parks, state critical habitat areas, state recreation river corridors, etc., or land conveyed by the State to the University of Alaska, Mental Health Trust, boroughs, municipalities, or already conveyed to private ownership. The land must also be classified for settlement. To confirm that the land you nominate can be considered for sale, please visit the following websites:

- Public Information Center Website: www.dnr.alaska.gov/pic
- DNR Land Records Search Utility: <https://dnr.alaska.gov/landrecords/>
- Area Plans: <http://dnr.alaska.gov/mlw/planning/areaplans>
- Current Land Offerings: <https://dnr.alaska.gov/mlw/landsales/>

Name _____ Date _____

Mailing Address _____

City/State/Zip _____ Email _____

Message Phone (____) _____ Day Phone (____) _____ Fax (____) _____

What type of sale are you nominating this land for? Residential lots (approx. 1-5 acres)
 Recreational lots (approx. 5-10 acres)
 Remote sites to stake on your own (approx. 5-20 acres)
 Other _____

Is the land you are nominating state owned land? Yes No. If no, the land cannot be considered at this time.

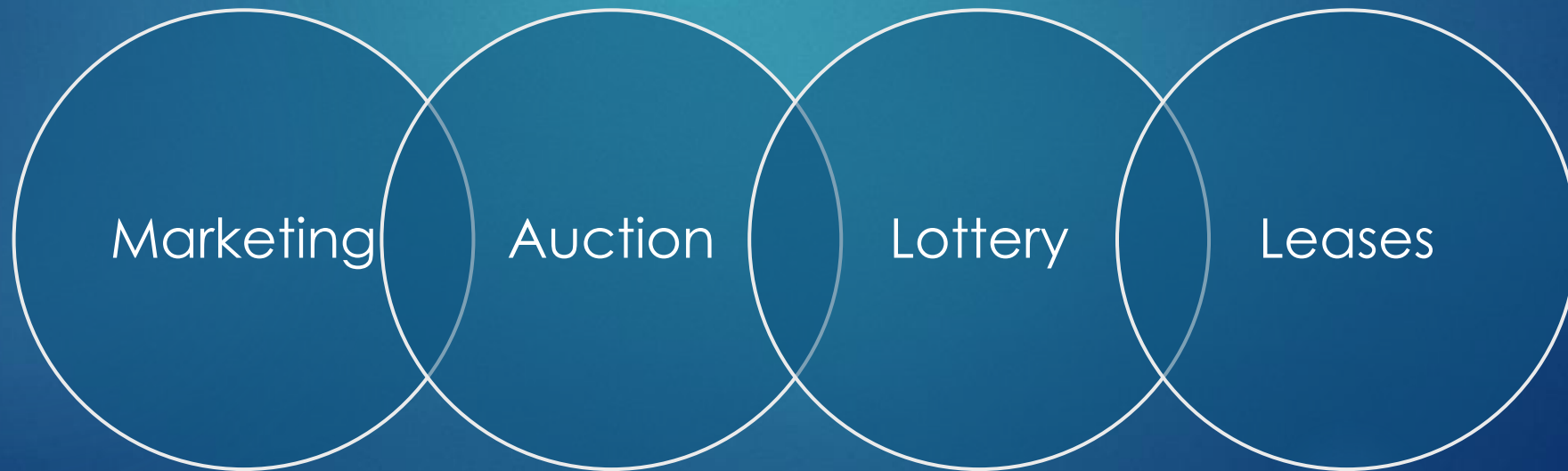
Is the land you are nominating classified for settlement? Yes No. If no, the land cannot be considered for sale at this time. Your nomination will be kept on file and considered if/when the land is classified for settlement.

Where is the nominated land located? **Attach a map (1:63,360 USGS), state status plat or sketch plat showing the location of the nominated area in relation to fixed geographical features or survey monuments, the location of any buildings and improvements on the land, and any known access routes to the land.**

Legal Description: Meridian _____, Township _____, Range _____, Section(s) _____
(If applicable): Lot(s) _____ Block _____ or Tract # _____
of ASLS (Alaska State Land Survey) No: _____ or USS (US Survey) No: _____

Nomination of State Land for Sale 102-4043 (Rev 8/21) Page 1 of 2

Land Sales



Types of Sale

Sealed-Bid Auction

AS 38.05.055

“...the sale of state land shall be made at public auction or by sealed bid, at the discretion of the director, to the highest qualified bidder as determined by the director. The director may accept bids and sell state land under this section at not less than 70 percent of the appraised fair market value of the land. “

Over-the-Counter

AS 38.05.057-060

“...may dispose of land, including land limited to use for agricultural purposes, by lottery. The purchase price of land ... shall be the fair market value... The commissioner may sell land by lottery for less than the fair market value of the land on a determination that scarcity of land for private use in the area of the land to be sold has resulted in unrealistic land values. The lottery shall be conducted in public ... purchaser ... shall deposit an amount equal to five percent of the purchase price within 30 days after receiving notification of the selection.”

Remote Recreational Cabin Sites

AS 38.05.600

“... may provide for the sale or lease of state land for remote recreational cabin sites. Sales under this section shall be at fair market value determined as of the time of entry, and the purchaser shall reimburse the state for the appraisal, survey, and platting costs for the recreational cabin site.”

Financing



The State offers competitive financing for all land purchases over \$2000 (anything under \$2000 must be paid in full).



There is a minimum 5% down that is mandatory for all contract purchases.



5, 10, 15, and 20-year contracts based on principle amount.



Interest is calculated by adding 3% to the market rate as is noted by the Wall Street Journal on the first day of the month the contract goes out for signature.

Land Disposal Income Fund

▶ AS 38.04.022

▶ The revenue from the state land disposal program shall be deposited in the state land disposal income fund in the state treasury. On June 30 of each fiscal year, the portion of that fund that exceeds \$5,000,000 shall be deposited in the state general fund. The legislature may appropriate money from the state land disposal income fund for expenditure by the Department of Natural Resources for necessary costs incurred by the commissioner in the implementation of state land disposal programs authorized under this title or for any other public purpose.





Questions or Follow-up:

Rachel Longacre

Chief of Operations, Division of Mining, Land and Water

rachel.longacre@alaska.gov

Hannah Uher-Koch

Section Chief, Land Conveyance Section

hannah.uherkoch@alaska.gov