CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 13, 2020

Michael Anthony Browning
DBA: The OG Store
Via email: freetoburma@yahoo.com

Re: Limited Marijuana Cultivation Facility #21810

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 AAC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **Online Application**
  - Is the address of the proposed premises more commonly known as, Mile 312 Parks Highway? Or Mile 312.1 Parks Highway? Your online application shows – Hwy 3; mile 312. It seems that Mile 3 and Parks Highway are the same, but Parks Highway is more commonly used. And, some of your forms show 312 and others show 312.1. Based on my review of the application, I'm going to base this incomplete letter on the address being - Mile 312.1 Parks Highway (please email me if this is inaccurate).
  - Additionally, according to the email clarification from Michael Browning, there is a discrepancy with your Online Application and the affiliate listed (Marion Hoskins).
  - Furthermore, it appears that the proposed premises address has no Local Government (please correct me if I am wrong). However, on your online application, you listed Nenana as your Local Government.
  - I have rolled the application back to "New" status so you can remove Marion Hoskins as an Entity Official, correct the Local Government to "No Local Government", and correct the physical address to "Mile 312.1 Parks Highway" (again, correct me if I am wrong) on your online application (in MyAlaska).
    - An updated Public Notice will generate which you will need as part of your corrections outlined below under MJ-07. Once you make the corrections to the online application, please send an email notifying me that you have done so, so that I may update the application status from "New" to "Incomplete".

- **MJ-00 Application Certifications**
  - Section 1: Please correct the Premises Address.

- **MJ-01 Operating Plan**
    - Page 1, Section 1: Please correct the Premises Address.
    - Page 2, Section 2.1: Please address if you will be checking ID's to prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items.
    - Page 2, Section 3.1: Please expand upon your answer. According to 3 AAC 306.710 Restricted access areas, each entrance to a restricted access area must be marked by a sign that says "Restricted access area. Visitors must be escorted."
    - Page 2, Section 3.2: Please accordingly incorporate in the Operating Plan the following-
        - A marijuana establishment shall limit the number of visitors to not more than five visitors for each licensee, employee, or agent of the licensee who is actively engaged in supervising those visitors.
        - Visitors must be given visitor badges.
    - Page 3, Section 3.3:
        - Please include the name of the business on the licensee-produced identification badge – The OG Store.
        - Please provide a sample of a visitor identification badge.
    - Page 4, Section 3.5: Please re-review 3 AAC 306.715 and expand upon your answer. For example. Will there be commercial grade, non-residential door locks on all exterior entry points? Describe the actions to be taken when the alarm system alerts of an unauthorized breach; etc.
    - Page 4, Section 3.6: Please also discuss the camera coverage.

- **MJ-02 Premises Diagram**
    - Page 1, Section 1: Please correct the Premises Address.
    - Diagram 1 and 5:
        - Outline/shade the entire perimeter/area of the proposed licensed premises **AND** restricted access area (use separate colors and labels, and provide a legend/key).
            - Note - the bathroom can be a part of the licensed premises, but it should not be a part of the restricted access area because restricted access areas need cameras, and bathrooms should not have cameras.
        - Are all the rooms separated by walls and doors? If so, the diagram does not show all the doors for some of the rooms upstairs and most of the rooms downstairs. Please address this in your diagrams.
    - Diagram 2 and 3:
        - Label/outline or provide a legend/key for the specific licensed premises **AND** a separate (if applicable) label/outline for all areas for which the licensee has legal right of possession. The licensed premises is the building. But your drawing seems to include the land around the building (which I'm assuming is the legal right of possession?) as the licensed premises. Please clarify on your diagram.
    - Diagram 4:
        - Clearly indicate which area will be part of the licenses premises.
        - Please provide a map that shows the cross streets and points of reference.

- **MJ-04 Cultivation Supplemental**
    - Page 1, Section 1: Please correct the Premises Address.
    - Page 2, Section 4.1: Please include dimensions (such as, 15x10=150 or 15'8''x10'=_ , etc.), and the overall square footage (such as, 428 square feet).
    - Page 3, Section 4.2: Please initial the box provided.

- Page 3, Section 4.3: Please provide a checkmark or an X in the "No" box provided.
- Page 3, Section 4.4: The diagram(s) provided shows windows; please address this in your answer.
- Page 3, Section 4.6: Is Pentax a pesticide? If so, please provide the complete product name and EPA registration # (if applicable). All proposed products must be on DEC's list of approved pesticides in the state of Alaska. DEC's list of approved pesticides used on cannabis is at the following link: https://dec.alaska.gov/commish/cannabis/
- Page 4, Section 5.2:
  - 3 AAC 306.740 requires marijuana plant waste to be made unusable by grinding the plant waste and mixing it with at least an equal amount of other compostable or non-compostable materials. Please adjust your answer accordingly.
  - Additionally, please be more descriptive about where and how you will be storing and managing the waste on the licensed premises.
  - Furthermore, marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves a marijuana establishment. Your answer seems to describe the waste process happening outside of the licensed premises and out of sight of camera coverage. Please correct your answer.
- Page 5, Section 6.1: Since you state that you have no local government, please remove the checkmark from the "Yes" box and provide a checkmark in the "No" box. And, remove your initials from the box below.
- Page 5, Section 7.3: Please re-review 3 AAC 306.550 Required laboratory testing, and expand upon your answer. For example, collecting a random sample for testing, designating an individual responsible for collecting each sample, segregating the entire production lot from which the testing sample was selected, etc.
- Page 6, Section 8.2:
  - Please re-review 3 AAC 306.470 and 475 and correct your answer accordingly.
  - Additionally, please provide a sample label that the facility will use to meet the labeling requirements. If you are going to include the warning statements, they must be verbatim with the regulations. You may refer to 3 AAC 306.475 for the correct wording.

- **MJ-07 Public Notice Posting Affidavit**
  - Because of the discrepancies on the online application, please repost the Public Notice (after correcting and submitting the online application) at both, the location of the proposed premises and another conspicuous location for ten days, and then submit a new MJ-07 completed and signed in front of a notary.
  - Additionally, in Section 1, please make sure the address is accurate.
    - And in Section 2, please make sure the other conspicuous location is completed.

- **MJ-08 Local Government Notice Affidavit**
  - Section 1: Please correct the Premises Address.
  - Section 2: Since you are stating within your application that the proposed premises address is not within any local government's jurisdiction, please write, "No Local Government".

- **MJ-09 Statement of Financial Interest**
  - Section 1: Please correct the Premises Address.

- **MJ-12 Petition**
    - This form was not completed in its entirety, so I was not able to review it in its entirety. Once you submit the corrections, there will most likely be more corrections needed since it was not able to be fully reviewed. Please make sure that you submit your corrections well ahead of your 90-day deadline to complete your application, so that I may most likely request more corrections within your 90-day deadline.
    - Page 1: Please answer Yes or No to the first two question.
    - Page 1, Section 1: Please correct the Premises Address.
    - Page 2, Section 2: None of the requirement were address from section 2. Please review form MJ-12 and submit all the requirements in section 2 with your corrections.
    - Page 3, Section 3: Please provide the entire correct address where it asks for the, "location of proposed premises".
    - Page 4, Section 4:
        - The regulation reference was left blank. The regulatory reference is: 3 AAC 306.400(a)(2).
        - Please provide the entire correct address where it asks for the, "proposed premises or nearest US Post Office address".
        - This section may need further corrections, but could not be compared to the requirements needed in section 2.
    - Signature Page: The signatures provided were not vetted because none of the requirements from section 2 were included. Once we receive the corrections to section 2, we will review the signature page.

- **Proof of Possession for Proposed Premises**
    - The Statutory Quit Claim Deed that was provided has the legal description of the premises, but not the physical address. And the deed references a Tony Brown. We must see that the licensee, Michael Browning, has right and title to the premises. Tony and Michael may be the same person, but we have no way to verify that.
        - Documentation that links the legal description with the physical address would be required, such as a current tax assessment. And, an affidavit showing that Tony and Michael are the same person (if this is the case). **OR,**
        - A better option could be for you to submit a legally binding lease showing Michael Browning as the Lessee/Tenant.
            - Along with all the other requirements of a legally binding lease, the lease must contain:
                - The disclaimer that the landlord may not take possession of any marijuana or marijuana product, and that AMCO will be contacted in the event that this is necessary.

- **Fingerprint Card**
    - My apologies, I'm not sure what happened exactly, but it appears that we mailed Michael Browning's fingerprint card back to you a few months ago. We were only supposed to mail Marion Hoskin's fingerprint card back. Please submit a fingerprint card for Michael Browning.

- **Applicant's Residency**
    - I am not able to verify Alaska residency at this time. If you have documentation showing eligibility for the 2020 Permanent Fund Dividend, please submit it via email. If you have not and do not intend to apply for the PFD, please let us know.

It is very important that you submit the above corrections and/or documents in a timely manner so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,

Jacqlene Drulis

Jacqlene Drulis, Occupational Licensing Examiner
For,
Glen Klinkhart, Interim Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	freetoburma@yahoo.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The OG Store - License #21810
Date:	Wednesday, January 13, 2021 4:29:00 PM
Attachments:	image001.png

Good afternoon,

Thank you for the corrections, however more corrections are needed.

- **MJ-02 Premises Diagram**
  - From experience, the Marijuana Control Board most likely would not approve the diagrams that were submitted with your corrections. The original diagrams were slightly easier to read and more decipherable. If you are unable to submit architectural-type diagrams, please re-do the diagrams so that they look more like the original diagrams submitted, or make the corrections to the original diagrams. The corrected Diagram 4 was in good shape, but the other diagrams need more work.
    - Additionally, your diagrams must match the dimensions and labels from Section 4.7 of your MJ-04. If you are going to call it the Veg and Cloning Room on your MJ-04, please make sure that it is labeled as such on your MJ-02, as well as for the Flowering Room.
    - Feel free to refer to previous Marijuana Control Board Meeting Documents for New applications and look at the MJ-02 Premises Diagrams for helpful hints: https://www.commerce.alaska.gov/web/amco/MCBMeetingDocuments
  - Diagrams 1 and 5:
    - These corrections may be easier to understand, and I am thinking that outlines might be better than shading for your diagrams (basing this on your original diagrams):
      - Outline the entire perimeter of the proposed licensed premises in one color and label it "Licensed Premises" in the legend.
      - Outline the entire perimeter of the restricted access area (to exclude at least the bathroom) in a different color and label it "Restricted Access Area" in the legend.
    - Thank you for showing the hand washing sink. Please also show this on your cleaner diagram.
    - I see you added doors to your corrected diagrams, but the way you did your original diagram is easier to understand. Please re-address this issue on your cleaner diagrams.
  - Diagram 2 and 3:
    - Thank you for showing the legal right of possession; it is clear now.
      - However, the licensed premises is the building. Please remove the pink outline from the land around the building **AND** outline only the building in pink.

- **MJ-04 Cultivation Supplemental**
  - Section 4.1:
    - This section must match the dimensions and labels from your MJ-02 Premises Diagram. If you are going to call it the Veg and Cloning Room on your MJ-04, please make sure that it is labeled as such on your MJ-02, as well as the Flowering Room.
    - Include the overall square footage, such as 443.48 square feet.
  - Section 4.6: If you will not be using any chemical pesticides, please say so.

- Section 5.2: Although the compost pile is under camera surveillance, marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves a marijuana establishment. Your answer still seems to describe the waste process happening outside of the licensed premises (outside of the building). It is my understanding that the waste that is already rendered unusable may be added to the compost pile, but only after it is rendered unusable within the licensed premises. Please correct your answer.
- Section 8.2: The sample label provided shows several of the same sample label and is missing information. Please re-review 3 AAC 306.470 and 475 and provide just one, more detailed sample label for wholesale. Items that are missing from the label include, but are not limited to: harvest batch number, cannabinoid potency range percentage, results of microbial testing, residual solvents (if applicable), additional contaminants tested for, total THC, etc.

- **MJ-12 Petition**
  - Section 2: Please provide a google earth type map with a circle that shows a one-mile radius, with the proposed licensed premises as the center. You may need to write the mileposts and show the houses on the map.
    - And show the general area where petition signatures were obtained.
  - In your narrative describing how the signatures were obtained, it appears that you say, "There is only 2 people that live within a mile." And then you list 3 people, but it does not show how you obtained Virginia Young's signature. Did you mean to say 3 people, and is Virginia Young's included? Please correct accordingly and show how you obtained Virginia Young's signature. Refer to the corrections below regarding a more accurate amount of signatures needed.
  - Section 4: Please refer to the corrections below under "Signature Page" to ensure that your calculations are correct. I see two people with the last name of Kratzer (but one of their addresses and date signed is missing), and two people with the last name of McDonald at the same address. The calculations must include permanent residents living within one mile, not just the household. Should there be 5 people instead of 3?
    - Also, there appears to be people within one mile, such as MP 311.5 and 311.8, but it's difficult to tell without the google earth map.
  - Signature Page: These signatures will have to be compared to your google earth type map.
    - There are issues with some of the signatures that would disqualify them from being counted. Please reobtain these signatures/information for them to be counted. You may not make the corrections yourself, the signer would have to re-sign or add the missing information. For example:
      - Genevieve Kratser does not show the address or date signed.
      - Virginia Young's birthdate is missing.
      - There's a signature that shows " " for the printed name and signature at MP 311.8.

- **POPPP**
  - The Quit Claim Deed should be enough to move forward, but we would need to see that it has been recorded. Please submit the Quit Claim Deed that has been stamped as "Recorded", or proof that it has been recorded. If this cannot occur before your 90-day deadline, it could be included as a delegated item for the board to consider if your application is deemed complete within your 90-day deadline.

Ninety-day Due Date: February 11, 2021

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Marijuana Licensing (CED sponsored)
Sent: Friday, November 13, 2020 2:34 PM
To: freetoburma@yahoo.com
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Incomplete Application - The OG Store - License #21810

Good afternoon,

Your application has been reviewed, attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

Please make sure to read the entire notice. If the submitted corrections for your application are inadequate to deem your application complete, or your application is still incomplete after ninety (90) days from the date of this notice, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and 3 AAC 306.025(f). Should you wish to continue pursuing licensure, it would be necessary to file a new application and pay new fees.

Ninety-day Due Date: February 11, 2021

Let us know if you require copies of any submitted documents, and feel free to email if you need clarification on any items in the Incomplete Notice. Correspondence should be sent to marijuana.licensing@alaska.gov.

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From:	Marijuana Licensing (CED sponsored)
To:	freetoburma@yahoo.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The OG Store - License #21810
Date:	Tuesday, February 2, 2021 2:00:10 PM
Attachments:	image001.png 21810 MJ-02 Premises Diagram.pdf 21810 MJ-04 Cultivation Supplemental.pdf

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Good afternoon,

Thank you for the corrections, however more corrections are needed. You do not need to get the forms re-notarized, unless you prefer to do so. You may just make the corrections on the pages needing corrections and submit those as soon as possible since your 90-day deadline is approaching quickly. I have attached the most recent MJ-02 and MJ-04 needing corrections to this email.

- **MJ-02 Premises Diagram**
  - Diagrams 1 and 5:
    - It appears that the storage area, surveillance area, and windows were removed. Please add them to your most recently corrected diagrams (I'm assuming there are still windows, please correct me if I am mistaken).

- **MJ-04 Cultivation Supplemental**
  - Section 4.4: The windows were removed from this section and from the diagrams. I'm assuming the windows are still there; again, please correct me if I am wrong. In section 4.4, please address how you will ensure that any marijuana cannot be observed by the public from outside. If the windows are going to be blocked off, please say so.

Ninety-day Due Date: February 11, 2021

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Marijuana Licensing (CED sponsored)
Sent: Wednesday, January 13, 2021 4:30 PM
To: freetoburma@yahoo.com
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: Incomplete Application - The OG Store - License #21810

Good afternoon,