



## Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7<sup>th</sup> Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

## MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: March 14, 2022

FROM: Kristina Serezhenkov, OLE

RE: #6026 The Lodge at Babe Islands

Requested action: New Outdoor Recreation Lodge-Seasonal license.

## **Statutory and Regulatory Authority:**

AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

AS 04.11.400(j): "The board may approve the issuance of an outdoor recreation lodge license without regard to (a) [population limits] of this section if it appears that the issuance will encourage the tourist trade by encouraging the construction or improvement of a business relating to the tourist trade and the business meets the requirements for issuance of the license under AS 04.11.225.

AS 04.11.225 (a) An outdoor recreation lodge license authorizes the holder to sell alcoholic beverages to a registered overnight guest or off-duty staff of the lodge for consumption on the licensed premises or in conjunction with purchased outdoor recreation activities provided by the licensee. An outdoor recreation lodge license may not be transferred. (b) The biennial fee for an outdoor recreation lodge license is \$1,250. (c) In this section, "outdoor recreation lodge" means a licensed business that provides overnight accommodations and meals, is primarily involved in offering opportunities for persons to engage in outdoor recreation activities and has a minimum of two guest rooms.

3 AAC 304.115. (a) If required by statute or regulation, a petition is a necessary part of an application for a new license, and for renewal, transfer, or relocation of an existing license. An application submitted without the required petition is incomplete. All petitions must be on forms prescribed by the board. Petition signatures must be obtained within the 90-day period immediately preceding the submission of the application. After an application has been filed, no additional signatures may be added to the petition, and no signatures may be withdrawn.

(b)A person signing a petition relating to a license must be 21 years of age or older and must be a permanent resident of the geographical area relevant to the petition. A person may have only one permanent residence.

(c)Municipal boundaries shall be disregarded when gathering petition signatures.

(d)When submitting a petition under AS 04.11.460, an applicant shall assist in the determination of population by submitting the following information with the application:

(1) a graphic designation on a United States Geodetic Survey map with a scale of at least one inch to the mile showing the population within a circle of the applicable radius, and showing where petition signatures were obtained; and

 $(2)\;$  the population within the applicable area and narrative of how the population was determined.

**Staff Rec**.: Review application for compliance with statutes and regulations.

**Background**: This application is for a new Outdoor Recreation Lodge-Seasonal license located near Cholmondeley Sound in southeast Alaska outside of a local governing body jurisdiction but within 50 miles of the boundary of a local governing body. 3 AAC 304.115 requires a petition signed by a majority of the permanent residents 21 years of age or older residing within one mile of the proposed premises per AS 04.11.460(a).

The applicant determined the number of signatures required by providing a signed affidavit that the number of permanent residents within a mile of the proposed licensed premises at this remote location is 0.

Using the applicant's methods and relying on the maps and the narrative with affidavit provided by the applicant, the AMCO office determined that the applicant has met the guidelines for determining population counts and that 0 signatures are required.

## Attachments:

Recreation Lodge Statement AB-12 AB-00 AB-02 AB-03 Outdoor Recreation Lodge Llquor License Application Written Statement for AS 04.11.225 Alaska Island Adventures, LLC dba The Lodge at Babe Islands

Why are guests coming to stay at the Lodge at Babe Islands? The opportunity to engage in some of the best outdoor recreation activities Southeast Alaska has to offer: kayaking, fishing, hiking, and exploring. The Lodge at Babe Islands is a 6 building, very remote lodge on the east side of Prince of Wales Island that is held up in water via floats; it is what's left of the historical Gildersleeve logging camp that went bay to bay throughout Southeast Alaska in the 80s and 90s. We have converted the buildings to provide overnight accommodations to private groups seeking to explore the local area - there are 2 cabins with 5 rooms in each, which total can provide accommodations for up to 12 guests in each cabin. Overnight guests have the option of either having meals prepared for them from a set menu OR from them wanting their day's catch cooked right then and there. Either way, meals are provided for the guests.

As the statement shows, the Lodge at Babe Islands is fully compliant with the wording found in AS 04.11.225.

I, <u>Mark Woodward</u>, say on oath or affirm that I have read the foregoing (or attached) document and believe all statements made in the document are true.

Signature Subscribed and sworn to or affirmed before me at Ker hikon A Kon

(date)

Signature

My Commission Expires:

Official Sea ina Smit ublic-State of Alaska Comm. E August 24.



Alaska Alcoholic Beverage Control Board

## Form AB-12: Petition

#### What is this form?

Any application for a restaurant / eating place – public convenience (REPC) license or any liquor license application for a premises located in an area with no local governing body must file a petition in accordance with AS 04.11.400(g), AS 04.11.460, 3 AAC 304.115, and/or 3 AAC 304.335. Instructions vary with the type of area in which your proposed premises are located.

Please read the instructions in Section 2 of this form carefully.

A liquor license application for a premises that is within 50 miles of the boundary of a local governing body must submit a petition signed by the majority of the permanent residents residing within one mile of the proposed premises per AS 04.11.460(a).

A liquor license application for a premises that is **50 miles or more** from the boundary of a local governing body must submit a petition signed by **two-thirds** of the **permanent residents** residing within a **five mile radius** of the United States post office nearest to the proposed licensed premises per **AS 04.11.460(b)** 

This form must be submitted to AMCO's main office before any REPC license application or before any liquor license application in an area with no local government will be considered complete. You may include as many pages of signatures as necessary.

· · · · ·	Yes	No
I am applying for a restaurant / eating place – public convenience license, under AS 04.11.400(g).		X
My proposed premises is outisde, but within 50 miles of the boundary of a local government.	X	
My proposed premises is 50 miles or more from the boundary of a local government.		Y

## Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Alaska Island Adventures, LLC						
License Type:	Outdoor Recreation Lodge - Seasonal						
Doing Business As:	The Lodge at Babe Islands						
Premises Address:	55° 11' 55.33" N by 132° 7'	55° 11' 55.33" N by 132° 7' 43.07" W (Cholmondeley Sound)					
City:	n/a	n/a State:		AK	ZIP:	n/a	
Latitude:	55° 11' 55.33" N Longitude:		132° 7'	' 43.07" W			

[Form AB-12] (rev 07/17/2017)

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Alcohol and Marijuana Control Office 550 W 7<sup>th</sup> Avenue, Suite 1600 Anchorage, AK 99501

https://www.commerce.alaska.gov/web/amco

marijuana.licensing@alaska.gov

Phone: 907.269.0350



Alaska Alcoholic Beverage Control Board

Form AB-12: Petition

## Section 3 – Petition

\*Have a completed copy of this page available for those considering this petition.

This is a petition in support of a

Outdoor Recreation Lodge license application.

(type of license applied for)

# By signing this petition, you are stating that you are in favor of having a licensed alcohol establishment in your community.

Each person who has signed this petition states that he or she is a *permanent resident* in the area indicated below; that he or she is 21 years of age or older; and agrees to the issuance of a

Outdoor Recreation Lodge	to	sell
(type of license applied for)	• • •	(manufacture, sell)
alcohol at The Lodge at Babe Islands, 55° 11' 55.33" N by 132	2° 7' 43	3.07" W
(Cholmondeley Sound) (location of proposed premises)		

in the State of Alaska, and that the physical address of his/her residence is:

 $\boxtimes$  within one (1) mile of proposed premises.

(Check one)

 $\Box$  within five (5) miles of the nearest post office to the proposed premises.

[Form AB-12]	(rev 07/17/2017)
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Alaska Alcoholic Beverage Control Board

Form AB-12: Petition

### **Section 4 – Certifications**

This petition is not valid if this page is not complete, signed, and notarized.

(proposed lic	ensee)	, the applicant for a
Outdoor Recreation Lodge	04.11.225	, hereby certify that the
(type of license applied for)	(statutory reference)	
umber of permanent residents 21 years of age or older v	who live within mile(s) c (one/five)	of
55° 11' 55.33" N by 132° 7' 43.07" W (Cholmondeley Soun (proposed premises or nearest US Post Office address)	d)totals0 (total pop	, and this petition
otals0	; all accompanying schedules and statemer Signature of No	nts, is true, correct, and complete.
rinted name of licensee	Notary Public in and for the State o My commission	
Official Seal Subscribed and sw Sabrina Smith Notary Public-State of Alaska	My commission Forn to before me this 2nd day of Dec	ember 2021.

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This statement is to certify that there are no persons living within one mile of the proposed liquor license premises. This was concluded by the following:

- There are no persons living in that area shown in the 1-mile Circumference map.
- There is no land in the area in which a person could legally be living.
- The only reason our location is habitable is due to the fact that our facility is 100% on a floating raft/float. However, there are no people living in our lodge the entire year (only seasonal in summer).
- We conducted a complete drive around the proposed area in our boat on August 15th, 2021, and it was confirmed that there are no people living in the proposed area. We did an additional trip February 19 & 20, 2022, and again there is no person living in the area, nor any structures.

John Dempsey

Mark Woodward, Applicant



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## Alaska Alcoholic Beverage Control Board

# Form AB-00: New License Application

#### What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04** of **Alaska Statutes** and **Chapter 304** of the **Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

## Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Alaska Island Adventur	es, LLC	2		<b></b>		
License Type:	Outdoor Recreation Lodge - Sea Statutory Reference: 04						
Doing Business As:	The Lodge at Babe Islands						
Premises Address:	55° 11' 55.33" N by 13	55° 11' 55.33" N by 132° 7' 43.07" W (Cholmondeley Sound)					
City:	n/a	State:	AK	ZIP:	n/a		
Local Governing Body:	n/a						
Community Council:	n/a						

Mailing Address:	Box 8854				•
City:	Ketchikan	State:	AK	ZIP:	99901

Designated Licensee	·· Mark V	Voodward		
Contact Phone:	907-61	7-8246	Business Phone:	n/a
Contact Email:	akmarl	<21@gmail.com	n	
Seasonal License?	les No	lf "Yes", write you	six-month operating pe	eriod: April 15 - Oct. 15

OFFICE USE ONLY						
Complete Date:	3-14-22	License Years:		License #:	6026	
Board Meeting Date:	4-12-22	-	Transaction #:	1003:	2466	
Issue Date:			BRE:	k	ips	

[Form AB-00] (rev 10/10/2016)

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Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

#### Section 2 – Premises Information

Premises to be licensed is:

✓ an existing facility \_\_\_\_\_\_ a new building \_\_\_\_\_\_ a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

## Section 3 – Sole Proprietor Ownership Information

This section must be completed by any <u>sole proprietor</u> who is applying for a license. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:	applicant	affiliate	
Name:			
Address:			
City:		State:	ZIP:
This individual is an:	applicant	affiliate	
Name:			
Name: Address:			

[Form AB-00] (rev 10/10/2016)

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Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

## Section 4 – Entity Ownership Information

This section must be completed by any <u>entity</u>, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

- If more space is needed, please attach a separate sheet with the required information.
- If the applicant is a <u>corporation</u>, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
- If the applicant is a limited liability organization, the following information must be completed for each member with an ownership interest of 10% or more, and for each manager.
- If the applicant is a <u>partnership</u>, including a <u>limited partnership</u>, the following information must be completed for each partner with an interest of 10% or more, and for each general partner.

Entity Official:	John Dempsey					
Title(s):	Member	Phone:	907-821-1353	% Owr	ned:	66.5
Address:	Box 8854					
City:	Ketchikan	State:	AK	ZIP:	999	901

Entity Official:	Mark Woodward					
Title(s):	Member	Phone:	907-617-8246	% Own	ed:	33.5
Address:	1027 Millar Street					
City:	Ketchikan	State:	AK	ZIP:	99	901

Entity Official:			
Title(s):	Phone:	% Owned:	
Address:			
City:	State:	ZIP:	

Entity Official:			
Title(s):	Phone:	% Owr	ned:
Address:		······································	
City:	State:	ZIP:	

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Alaska Alcoholic Beverage Control Board

# Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10027187	AK Formed Date:	2/20/2015	Home State:	Alask	<b>k</b> a
Registered Agent:	John Demps	sey	Agent's Phone:	907-821-1	353	
Agent's Mailing Address:	Box 8854					
City:	Ketchikan	State:	AK	ZIP:	9990	1
Residency of Agent:					Yes	No
Is your corporation or LL	C's registered agent a	an individual resident of	the state of Alaska?		$\checkmark$	
	Sec	tion 5 – Other L	icenses.			
Ownership and financial intere	est in other alcoholic	beverage businesses:			Yes	No
Does any representative any other alcoholic beve				ancial interest in		$\checkmark$
If "Yes", disclose which indi license number(s) and licen	vidual(s) has the fina	incial interest, what the	e type of business is, a	and if licensed in A	laska, whi	ich
	50 (1)0(5).	******				
	Sec	tion 6 – Author	rization			
Communication with AMCO sta	aff:				Yes	No
Does any person other th AMCO staff?	an a licensee named	in this application have	authority to discuss t	his license with		$\checkmark$
If "Yes", disclose the name of	of the individual and	the reason for this auth	orization:			
		,				
L						

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AMCO Received 12/15/21



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Alaska Alcoholic Beverage Control Board

# Form AB-00: New License Application

#### **Section 7 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:	Initials
I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.	MW
I certify that all proposed licensees have been listed with the Division of Corporations.	MW
I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.	MW
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.	wW
I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.	ner
As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC that this application, including all accompanying schedules and statements, is true, correct, and complete.	304, and
Signature of licensee Signature of Notary Public	
Mark Woodward Notary Public in and for the State of HASKA	
Printed name of licensee Official Seal Breann Purdy Notary Public-State of Alaska My Commission expires: January 25, 2025 January 25, 2025 January 25, 2025 day of	Y 25, 20≥5 .,20 21.

[Form AB-00] (rev 10/10/2016)

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# Alaska Alcoholic Beverage Control Board

## Form AB-02: Premises Diagram

#### What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The <u>second page</u> of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

	Yes	No
I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.		$\checkmark$

## **Section 1 – Establishment Information**

Enter information for the business seeking to be licensed, as identified on the license application.

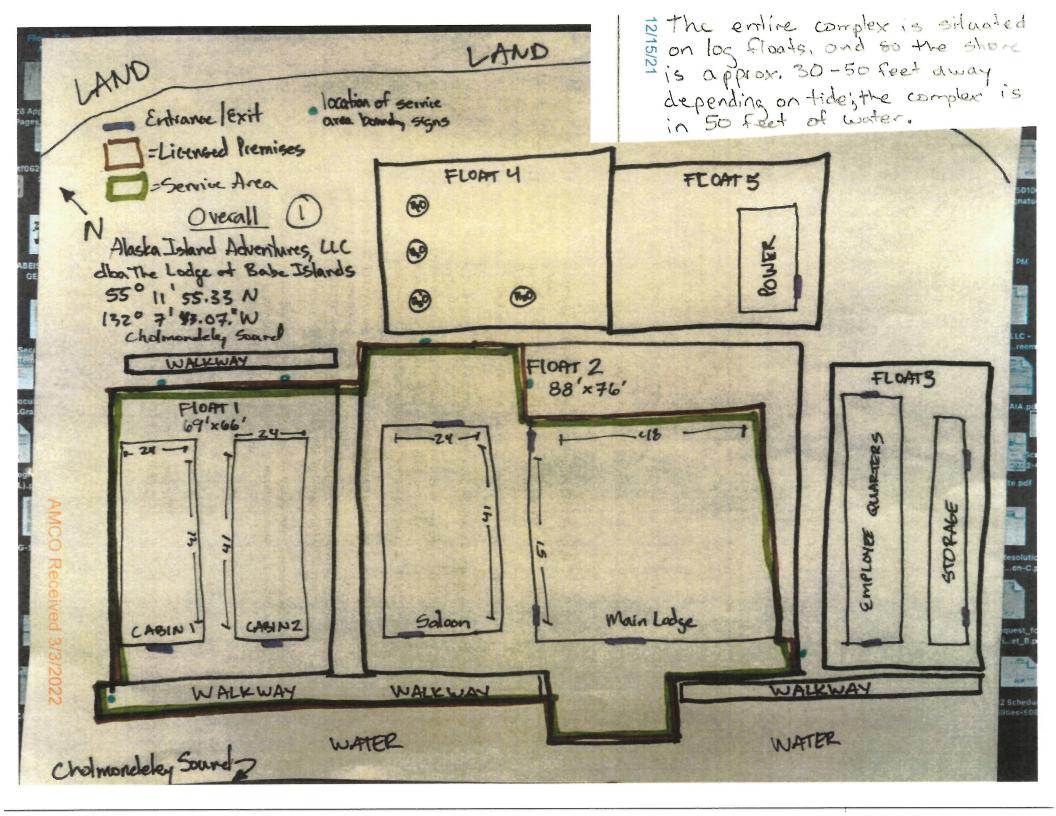
Licensee:	Alaska Island Adventures, LLC	License Number:			
License Type:	Outdoor Recreation Lodge - Seasonal				
Doing Business As:	The Lodge at Babe Islands				
Premises Address:	55° 11' 55.33" N by 132° 7' 43.07" W (Cholmondeley Sound)				
City:	n/a	State:	AK	ZIP:	

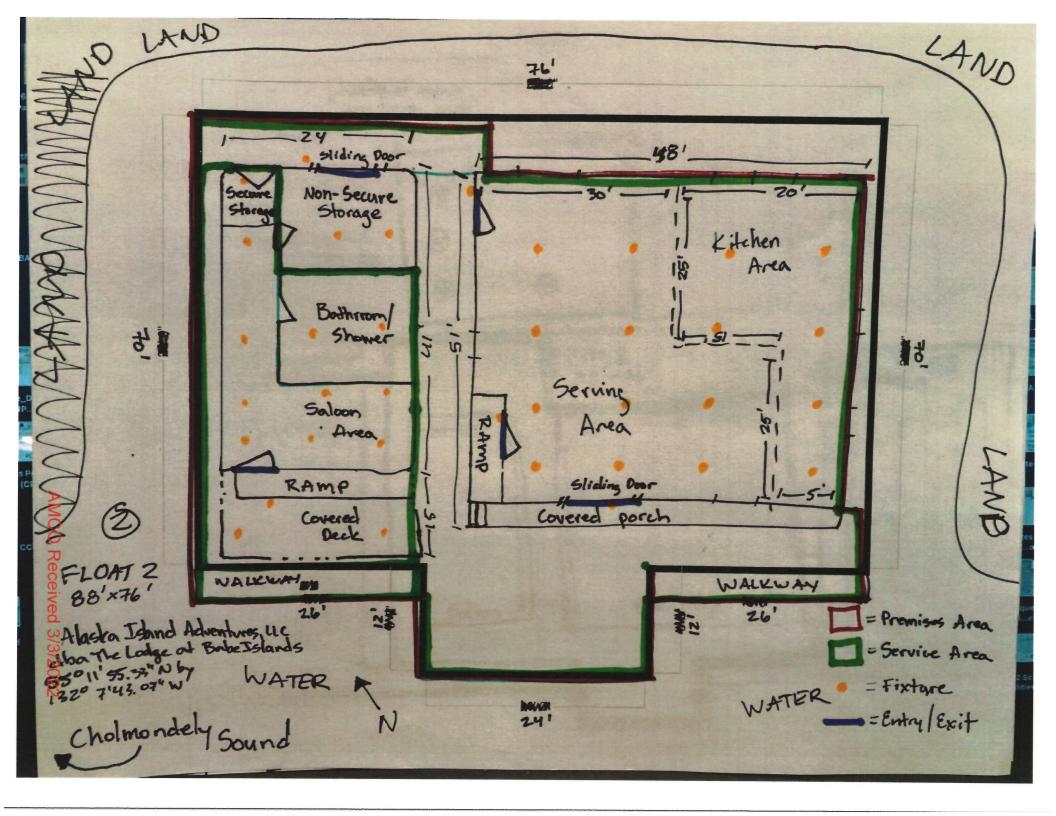
[Form AB-02] (rev 06/24/2016)

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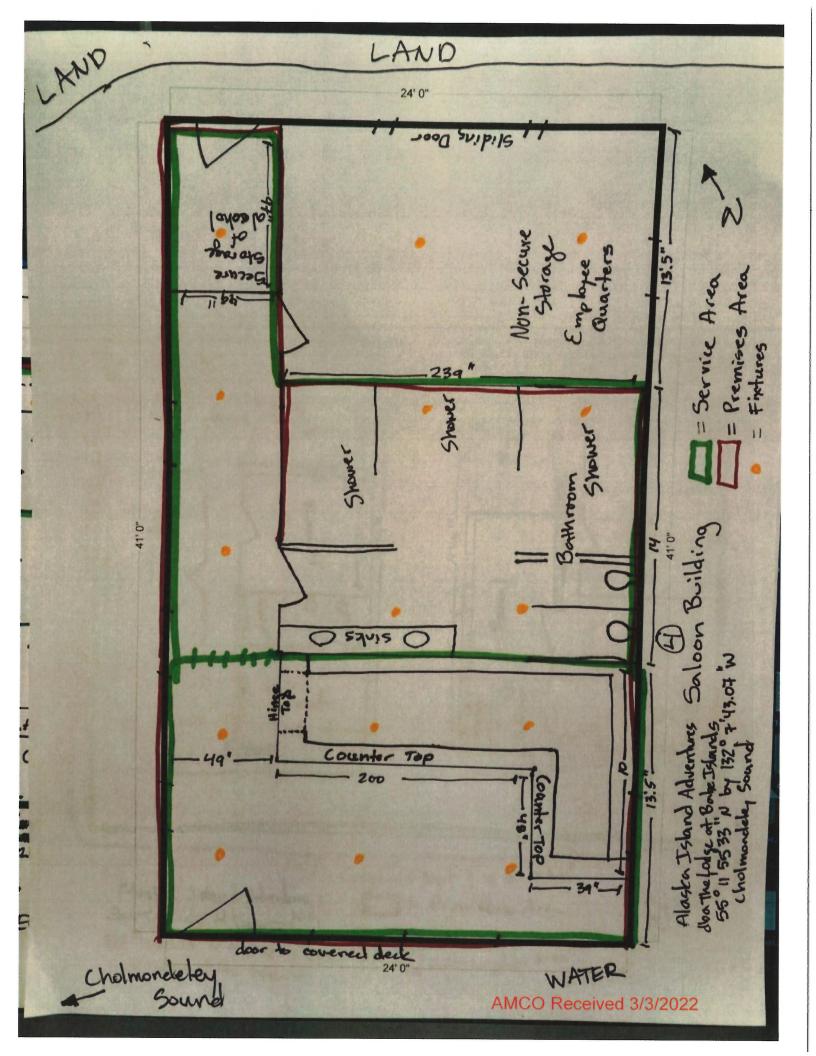
Information for new documents Alaska Island Adventures, LLC dba The Lodge at Babe Islands

- 1. Document 1 is a complete overview of the camp; note that float dimensions are located on this document and in more detail in the following documents. This document is to orient the camp in relation to the closest land. In this document you can see entrances/exits of buildings, as well as sign areas designating the boundary of the licensed/consumption area.
- 2. Document 2 is of Float 2, which includes two buildings: the Saloon and Main Lodge. The Float itself is 88' by 76'. The Saloon is a 24' by 41' structure and attached covered front deck. The Main Lodge is a 48' by 51' structure with an attached covered porch. The Saloon has a back room/closet that will work for secured storage for alcohol. The Main Lodge will not allow the consumption of alcohol passed two points: the northeast corner and the southeast corner. Both areas will be clearly identified as premises boundaries with correct signage.
- 3. Document 3 is of Float 1, which includes two buildings: Cabin 1 and Cabin 2. The Float itself is 69' by 66'. Both cabins are built in the same dimensions: 24' by 41', and have similar floor plans.
- 4. Document 4 is of the Saloon building itself (not considering the attached covered area either). Of note is the Secure Storage of Alcohol area in a locked closet located on the northwest corner of the building.
- 5. Lodge in Relation to Land gives you an idea of roughly where the entire camp is located.
- 6. 1 mile radius from the Lodge this shows that there is no one living within the radius.
- 7. Explanation on zero population: There are currently zero residents living in the 1-mile radius of the Lodge at Babe Islands. This is confirmed by the applicant having been in the proposed area numerous times each year for the past ten years, and knowing that there are no persons living in the area. The lodge is located in a very remote part of Prince of Wales Island, and again is floating rather than on land. This data is also confirmed on the 1 Mile Radius picture shown above; there are no structures in place with the proposed 1-mile area in which people are living.



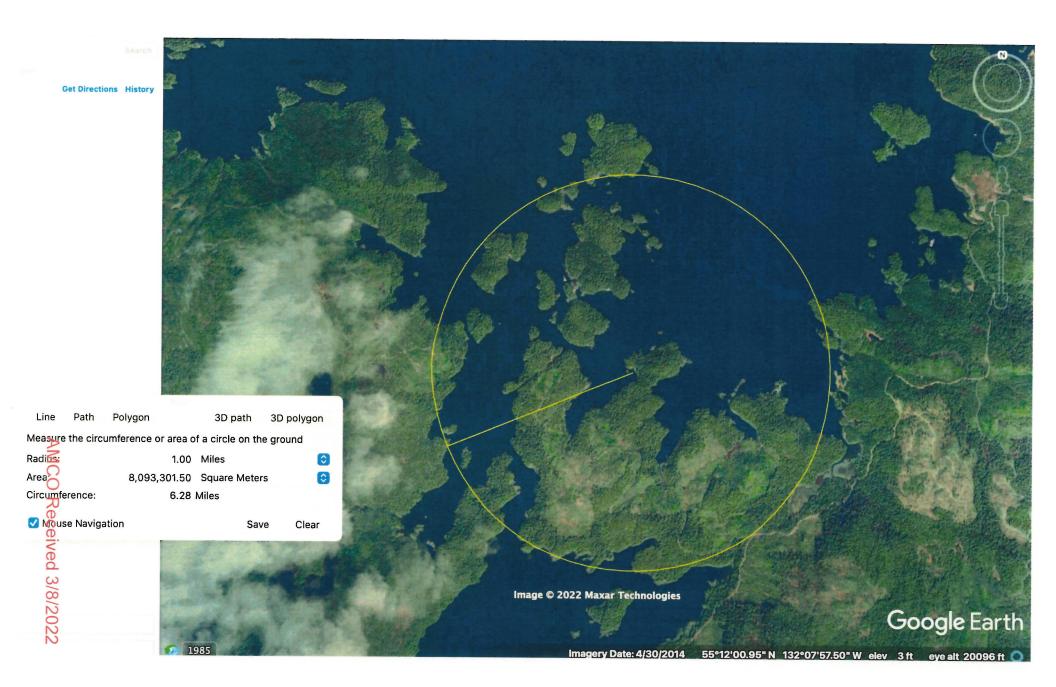


LAND LAND LAND -----Room3 2maox 11 P. P. Frony Koom ちたち Room oper open 8 RAMP Cabin Float | = 69'x 66' Alaska Island Adventures = Premises Area dba the Lodge of Babe Islands = Fixture 55°1155.33"N by 132°7'43.07"W = Consumption Area Cholmondeley Socurd WATER AMCO Received 3/2 AMCO Received 3/3/2022



## Alaska Island Adventures, LLC dba The Lodge at Babe Islands Outdoor/Indoor Serving Security Plan

- 1. All minors must be accompanied by an adult (age over 21) while in the restricted area when any alcohol is being served/sold/consumed.
- 2. All new patrons are carded upon ordering alcohol.
- 3. All staff are trained in the identification of fake IDs.
- 4. A wooden railing 42" high surrounds the outdoor saloon service area, and rope barriers and signs that state: NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA, identify the extent of the consumption/licensed premises.
- 5. Underaged persons will be monitored closely by our professionally trained alcohol servers as well as through our camera based-security system..
- 6. Proper egress from the outdoor service area will always remain unobstructed.
- 7. ABC mandated posters as required by law are posted inside the Side-Lean Saloon, as well as the Main Lodge and at the entrances of the outdoor seating area at The Lodge at Babe Islands
- 8. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.
- 9. Keeping outdoor seating areas viable without any increased risk to minors exposed to alcohol will always be a part of our training for our staff.
- 10. All safety related operations for our current liquor service will additionally be enforced in the new service area.
- 11. Proper signage at points of entry indicating no minors without a parent or legal guardian will be posted.
- 12. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.
- 13. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages.
- 14. Servers will be present in the outdoor area to monitor consumption.
- 15. Only Servers will be allowed to deliver any orders going to Cabin 1 & Cabin 2, and the orders must go to the customer ordering who is 21 or older with identification.
- 16. Bar hours are 4pm-10pm each day during the 6-month license.



**Google Earth Pro** 

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