From:	Victor Joseph
To:	Marijuana Licensing (CED sponsored)
Cc:	cnelson@fnsb.us; kam63@rocketmail.com; April Monroe Frick; Paul Mayo; Natasha Singh
Subject:	Marijuana Objection
Date:	Monday, March 27, 2017 3:02:56 PM
Attachments:	img-327145145-0001.pdf

Please see the attached objection from Tanana Chiefs Conference to the proposed marijuana grow. Thank you.

Victor Joseph, Chief/Chairman
TANANA CHIEFS CONFERENCE
122 1st Avenue, Ste. 600
Fairbanks, AK 99701
907.452.8251 ext. 3112
www.tananachiefs.org

Tanana Chiefs Conference

Chief Peter John Tribal Building
122 First Avenue, Suite 600
Fairbanks, Alaska 99701-4897
(907) 452-8251 Fax: (907) 459-3850

SUBREGIONS

UPPER KUSKOKWIM
McGrath
Medfra
Nikolai
Takotna
Telida

LOWER YUKON
Anvik
Grayling
Holy Cross
Shageluk

UPPER TANANA
Dot Lake
Eagle
Healy Lake
Northway
Tanacross
Tetlin
Tok

YUKON FLATS
Arctic Village
Beaver
Birch Creek
Canyon Village
Chalkyitsik
Circle
Fort Yukon
Venetie

YUKON KOYUKUK
Galena
Huslia
Kaltag
Koyukuk
Nulato
Ruby

YUKON TANANA
Alatna
Allakaket
Evansville
Fairbanks
Hughes
Lake Minchumina
Manley Hot Springs
Minto
Nenana
Rampart
Stevens Village
Tanana

Sent Via Email March 27, 2017

Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov

Re: Objection to Marijuana Cultivation License Application by Raven Buds License #12289

Dear Board:

Because drugs should not be manufactured next to a drug treatment center for troubled youth undergoing substance abuse treatment, Tanana Chiefs Conference and Fairbanks Native Association jointly object to Raven Buds' proposed marijuana cultivation facility at 2441 Lawlor Road.

The Fairbanks Native Association operates a youth rehabilitation facility on the property immediately adjacent to the proposed cultivation facility. Graf Rheeneerhaanjii ("Graf Center") is a residential treatment facility for American Indian and Alaska Native youth who are struggling with substance abuse issues. These children represent some of Alaska's most vulnerable residents, nearly all of whom have suffered significant trauma, abuse, and hardship as a direct result of substance abuse by others, and have themselves developed substance abuse issues.

The facility is situated on 160 acres congressionally delegated for use as a youth center. Every inch of the property is utilized as part of a treatment plan designed to bring these children back into touch with our land, our culture, our traditions, and their true selves. We utilize the trails, the woods, the plants, and the open space. It is a critical element of our cultural and spiritual practice as well as the treatment received at the Graf Center. The facility and treatment theory were designed to take these vulnerable kids away from any chance of incidental exposure to mind-altering substances, whether legal or illegal, and allow children to exist in an environment free of such temptations. Openly growing commercial amounts of marijuana adjacent to the Graf Center would be hugely detrimental to the efficacy of the program and would present a direct risk to the children. Such an operation in close proximity to our youth treatment facility would have a devastating impact to our treatment program and the children in our care.

Tanana Chiefs Conference

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Alaska's marijuana license restrictions prohibit Raven Buds' proposed cultivation facility because of its proximity to our youth center. Specifically, the restrictions state:

> (a) The board will not issue a marijuana establishment license if the licensed premises will be located **within 500 feet** of a school ground, **a recreation or youth center**, a building in which religious services are regularly conducted, or a correctional facility. **The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center**, the main public entrance of the building in which religious services are regularly conducted, or the main public entrance of the correctional facility.[1]

The "outer boundaries of the recreation or youth center" obviously refer to the property line and not the actual building because youth centers inherently have activities that occur beyond the walls of any buildings. Kids play and learn in the woods, trails, and other outdoor areas in a youth center like the Graf Center. The regulation that seeks to limit kids' exposure to nearby drug production facilities would not fulfill its purpose if distance was calculated from the front door of the main building instead of its property line.

The administrative regulation clearly recognizes that youth need to be protected by a 500-foot buffer across the entire property as evidenced by the different distance requirements between youth centers and buildings where religious activities take place. Unlike youth center activities that often occur outside, church activities occur solely in the building, and the regulation mandates that the distance between a marijuana facility and a church be measured from "the main public entrance of the [church] building." A youth center, meanwhile, is measured from "the outer boundaries of the... youth center." Such a difference indicates the regulation's intention of using property lines for distance measurements.

The Graf Center shares two boundaries with the property in question.[2] Raven Buds submitted its proposed cultivation site in a site plan to the Fairbanks North Star Borough Planning and Zoning department, and the 26x26 cabin in which it intends to produce drugs is well within 500 feet of the Graf Center's property line.[3] Specifically, the cabin sits 152 feet from our youth center's

[1] 3 AAC 306.1010 (emphasis added).
[2] Exhibit 1: Property maps.
[3] Exhibit 2: Raven Buds' site plan and description of marijuana grow location.

Tanana Chiefs Conference

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property line. Also, the access road to the drug facility runs through our property and has only been used with our permission for horse farm related purposes. We will not permit drugs to be transported across our property. Because growing marijuana produces a very pungent and distinct aroma that carries far, it is highly likely that our kids will follow their noses from our main building into the surrounding woods and down to the pot-growing cabin. Lack of impulse control and a history of poor choices is what brought them here in the first place. Once in treatment, they should not be tempted by the smell of pot growing next door.

Because this proposed drug manufacturing facility violates Alaska's marijuana license regulations, we respectfully request that the board deny Raven Buds' application.

Very truly yours,

Victor Joseph, President
Tanana Chiefs Conference

Steve Ginnis, Executive Director
Fairbanks Native Association

cc. Raven Buds (kam63@rocketmail.com)
cc. Fairbank North Star Borough (cnelson@fnsb.us)

March 15, 2017

Labels (Sub, Block, Lot)

Street Address

Road Centerlines

Constructed

Access Easements (Incomplete Data)

DRIVEWAY

Tax Parcels

FNSB Borough Boundary

1:9,028

0 0.075 0.15 0.3 mi

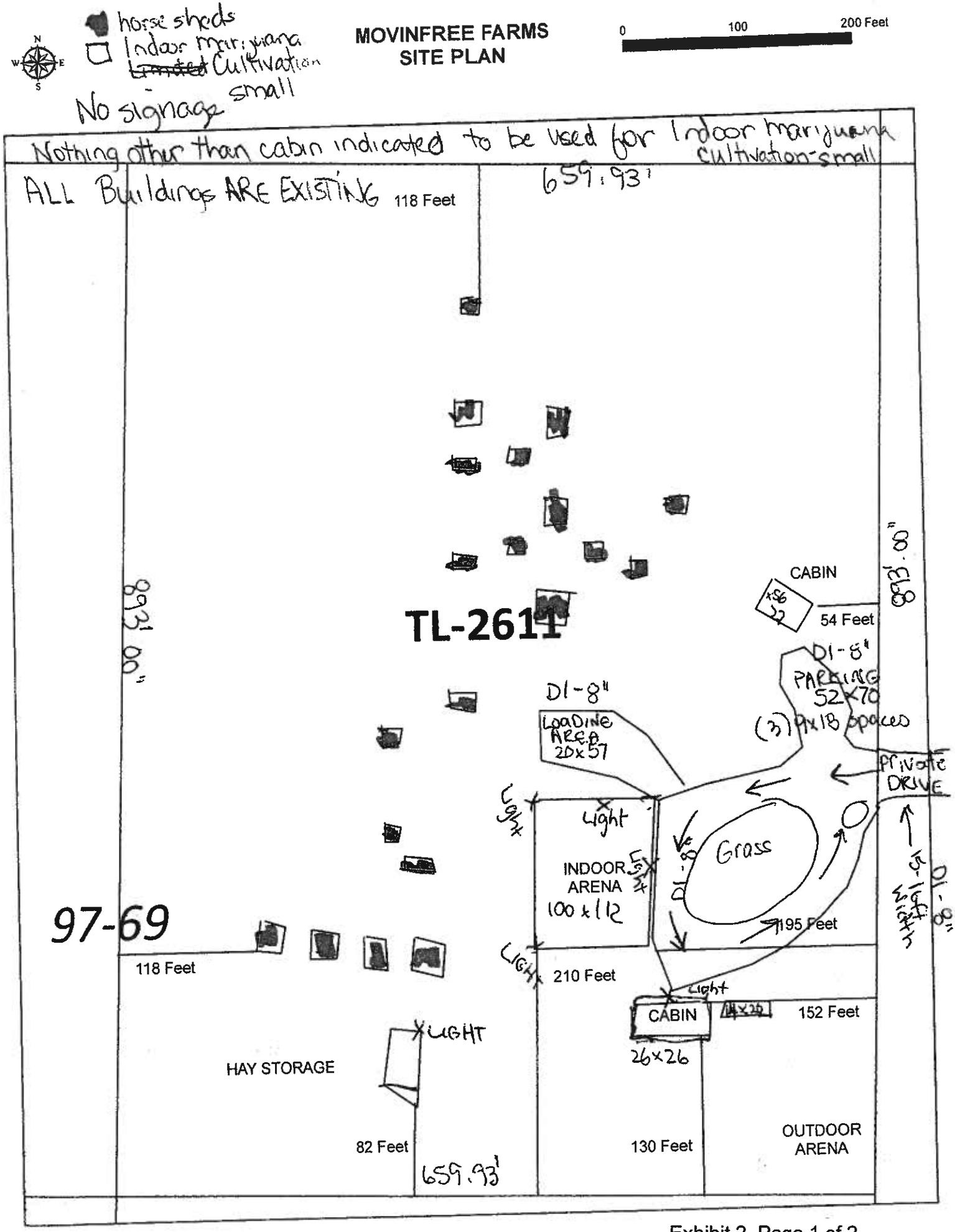
0 0.075 0.15 0.3 km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Imagery ©2017 Google, DigitalGlobe, Map data ©2017 Google 200 ft

MOVINFREE FARMS
SITE PLAN

0 100 200 Feet



Raven Buds

License #12290

2441 Lawlor Road

Square Footage of Limited Grow

Our old storage shed is to be utilized for our Limited Marijuana Grow. The building is 667 sq. ft. We are going to be using just 500 sq. ft in cultivation. The remainder of the building will be used for storage of products (fertilizer, bug control, equipment). The building is existing, built in the 1940's. It is going to be in 3 separate areas to grow, and as stated earlier, the remainder of square footage for storage, drying, processing, and disposal area.

Since this is a Limited Marijuana Grow application there will be no outside land in cultivation.

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

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

How to Object to a Marijuana License Application

3 AAC 306.065 provides that a person may submit in writing an objection to an application for a marijuana establishment license. To perfect an objection, the person objecting must submit a statement of reasons for the objection within 30 days after public notice is posted, but no later than the deadline for objections stated in a posted or published notice of application. The objection must be served upon the following parties:

1. Alcohol and Marijuana Control Office (by email to marijuana.licensing@alaska.gov)
   - Place "Objection to Specific Application" in subject line of email
   - Refer to application by license number and DBA (found on public notice of application)
   - Include contact email for person lodging objection so that we can contact you
   - Copy the applicant's email here so that our staff can see that you provided them the notice required by the regulation or include a statement that the applicant has been served with the objection by mail.
2. The individual or entity applying for the marijuana license at the mailing address or email address provided by the applicant in the public notice of application

AMCO staff must track objections to specific applications in order to bring them to the attention of the board. If you submit a statement that appears to be a general objection or complaint about the application process, it will not be treated as an objection unless the requirements of 3 AAC 306.065 are met, and the objection is submitted in the manner outlined above.