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

December 7, 2017

John Heritscko
DBA: Green Escape
Via email: johnheritscko@gmail.com

Re: Limited Marijuana Cultivation Facility License #13116

Dear applicant,

The AMCO Office is reviewing the documents submitted for the proposed marijuana establishment license referenced above. The following items need to be corrected and/or resubmitted**.** Please read the entire letter carefully.

- **Online Application (fix the online application first before you move forward with your corrections).**
  - I have rolled the application back to "New" status so that you can make the corrections necessary to the online application (in MyAlaska). After you have made the corrections and submitted the online application the system will generate an updated Advertisement Notice and Public Notice which you will need for part of your corrections.
    - You need to change the address that you have as your physical address to the actual physical address that you obtained from the Borough.
    - Remove John Heritscko (dad) from the application (with the understanding that John-Dad can only be an employee) and add John (son) to be the licensee, with his complete information including telephone number and remove your name from entity officials.
    - Review and resubmit the online application once you have made the corrections.

- **MJ-00 Application Certifications**
  - Please submit a new MJ-00 that shows the actual physical address.

- **MJ-01 Operating Plan (re-do and submit for review)**
  - MJ-01 will have to be re-done completely, it needs substantial improvement. Let me start with letting you know that any additional documents that you submit to us as part of the application such as a business plan, facility project, and what not, are not kept confidential. Additionally, to state in your answers "see attached business plan" or other document for more detail is inadequate, your answers to each box must clearly show that you have a thorough understanding of the statute and regulations regarding commercial marijuana in general and pertaining to the specific type of license you are applying for. You may submit business plan but not in lieu of thoroughly answering the question. Please provide thorough, clear and concise answers to the questions, if your business plan or whatever additional document has more information that you feel is important then that

needs to be included in the answer. That said, we will include your business plan, and facility project, and what not in the application, but it is also posted on our website for public view, so if you don't want those documents to be part of the application let me know so I can remove them from the file. ALSO, when you re-do your operating plan and you talk about your premises, please make sure that you are showing it on your diagram and your narration of it is consistent. The following are examples to keep in mind when re-doing your MJ-01:

- Make sure page 1 has the correct and updated information
- Page 2, second box: the answer to this box does not show you clearly understand 3 AAC 306.710.
- Page 3, first box: not sure what you mean by government officials, but the director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity are not to be considered visitors for the purpose of logging in and surrendering his/her driver license.
- Page 3, second box: you need to provide a copy of the actual sample identification your establishment will produce for licensee/employee/agent. Said identification must bear the person's photograph.
- Page 5, first box: your answer to this question should also address how you will prevent diversion by employees.
- Page 9: business records for the past six months must be kept on the licensed premises.
- Page 10: the tracking system that the state has a contract with is Metrc.
- Page 11: will you be providing in-house training to employees?
- Page 12 & 13: re-read the waste disposal regulation, there is a particular process you must follow for marijuana waste and your answer does not show that.
- Page 15: your answer to this page must clearly demonstrate you have a thorough understanding of 3 AAC 306.470, 3 AAC 306.475, 3 AAC 306.750 and how you will comply. ALSO, please provide a sample label that shows how you will comply with those regulations, and a copy of the logo you will be using.

- **MJ-02 Premises Diagram (re-do and submit for review)**
  - In some sections of the operating plan you imply that you will have two buildings as your cultivation facility, and the diagrams that you submitted also show two separate buildings. Now, if your cultivation facility is going to be two separate buildings, those buildings must be surrounded and enclosed by a fence and every space/area/room within that fence must be designated licensed premises and restricted access area including complying with the security requirements.
  - Your diagrams must match your narrative of them you describe in your operating plan.
  - Provide a site plan or aerial view that clearly shows the proposed facility, and what surrounds that facility and the property (e.i. surrounding buildings, business, etc.). Label the diagram.
  - Provide a diagram that clearly shows the following:
    - Licensed premises and restricted access areas, color code it. In most cases, in a cultivation facility, the entire facility and everything within is the licensed premises and restricted access area, in which case you use one color for both labels.

        - The interior layout of the facility must clearly be shown on your diagram such as entrances, exits, walls, partitions, counter, windows, areas of ingress and egress, storage areas, dimension of the rooms, surveillance room. Label your diagram.

- **MJ-04 Cultivation Supplemental (re-do and submit for review):**
    - To state on your answers "see attached plan" or some other reference of other documents is inadequate. You may submit business plans and the like, which are not kept confidential, but no in lieu of thoroughly answering the question.
    - Make sure page 1 has the correct and updated information
    - Page 2: in this box you need to describe the space/room/area that you will have under cultivation, including dimension of each space/room/area and overall square footage.
    - Page 4, first box: the answer here needs to be congruent with what your answer on page 12 is going to be.
    - Page 4, second box: re-read 3 AAC 306.455 and 3 AAC 306.465 and describe how you will comply with both regulations.

- **MJ-07 Public Notice Posting Affidavit**
    - Once you have updated your online application as mentioned above. You will need to post the updated Public Notice at both, the location of the proposed premises and another conspicuous location (the other conspicuous location should be a public bulletin board at the grocery store or the like of the area). **It will need to be posted for the entire 10-days.**
    - I will need a new MJ-07 completed and signed in front of a notary after you have posted it.

- **MJ-08 Local Government Notice Affidavit**
    - Once you have updated your online application as mentioned above. You will need to re-notify the local government by submitting to them the updated Public Notice.
    - I will need a new MJ-08 completed and singed in front of a notary.

- **MJ-09 Statement of Financial Interest**
    - Please submit a new MJ-09 that shows the actual physical address.

- **Publisher's Affidavit**
    - You will need to run the newspaper advertisement with the updated information (you only need to run it one time)
    - I will need the publisher's affidavit with a copy of the ad.

- **Proof of Possession for Proposed Premises**
    - John Joseph Heritscko needs to have proof of possession for the proposed premises, so, the deed from John, father, will not work. If you submit a lease, the lease must be a legally binding lease that must include the following:
        - The physical address

- An acknowledgment from the lessor/landlord that the establishment will be used as a marijuana establishment
- A clause that the lessor/landlord will not remove or take possession of marijuana, and that AMCO enforcement will be contacted (this is usually under the Default section of such lease).

If we do not receive your completions within 90 days, per 3 AAC 306.025(f), you must file a new application and pay a new fee.

Respectfully,

Jane Sawyer, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov