



MEMORANDUM

TO: Marijuana Control Board DATE: August 15, 2018

FROM: Erika McConnell, Director RE: AlaskaSense, LLC, #10237
Standard Cultivation Facility

On August 2, 2018, the Department of Revenue notified AMCO that this licensee was delinquent on their taxes. DOR's notice stated, "Pursuant to Alaska Statutes and Regulations, AS 43.61.030 and 15 AAC 61.020, the Department of Revenue will inform the Marijuana Control Board of licensed cultivators that have failed to pay tax due as required by law. As of August 2, 2018, there are six licensed cultivation facilities that have failed to pay marijuana excise taxes as required under AS 43.61.010 for a period of no less than 100 days from the payment due date." AlaskaSense, LLC, was one of the six licensed facilities.

On August 9, 2018, the Department of Revenue sent a revised notification to AMCO with similar language but only five licensed facilities were listed. AlaskaSense, LLC, was no longer on the list.

The licensee received four notices of violation during the 2017-2018 licensing period.

Alcohol & Marijuana Control Office

Initiating License Application

6/11/2018 11:39:15 AM

License Number: 10237

License Status: Active-Operating

License Type: Standard Marijuana Cultivation Facility

Doing Business As: ALASKASENSE, LLC.

Business License Number: 1034012

Designated Licensee: Smadar Warden

Email Address: Smadiwarden@yahoo.com

Local Government: Anchorage (Municipality of)

Community Council: Downtown

Latitude, Longitude: 61.105196, -149.533691

Physical Address: 521 W. Tudor Road, Unit 202
Anchorage, AK 99503
UNITED STATES

Licensee #1

Type: Entity

Alaska Entity Number: 10036813

Alaska Entity Name: AlaskaSense, LLC

Phone Number: 907-903-3534

Email Address: smadiwarden@yahoo.com

Mailing Address: 2616 Frigate Circle
Anchorage, AK 99515
UNITED STATES

Entity Official #1

Type: Individual

Name: Smadar Warden

[REDACTED]
[REDACTED]

Phone Number: 907-903-3534

Email Address: smadiwarden@yahoo.com

Mailing Address: 2617 Frigate Circle
Anchorage, AK 99515
UNITED STATES

Note: No affiliates entered for this license.



Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	AlaskaSense, LLC	License Number:	10237		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	ALASKASENSE, LLC				
Premises Address:	521 W. Tudor Road, Unit 202				
City:	Anchorage	State:	AK	ZIP:	99503

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Smadar Warden
Title:	Member

Section 3 – Changes to Licensed Marijuana Establishment

Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

I certify that **no changes have been made**, except for those that have been previously reported or requested on a form prescribed by the Board, to this licensed establishment's business name, ownership, licensed premises diagram, or operating plan, and (for marijuana product manufacturers) that I do not wish to request Board approval for production of any new proposed marijuana products.

I certify that **a change has been or will be made** to one or more of the items listed above for this establishment, and I understand that an additional form(s) and fee(s) must be submitted to AMCO before any renewal application for this license can be considered complete.

☐

If you have selected the second certification, please list any and all of the types of changes that need to be reported/requested:

**Form MJ-20: Renewal Application Certifications****Section 4 – Certifications**

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.I certify that a notice of violation has **not** been issued for this license.Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the 2018 calendar year.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

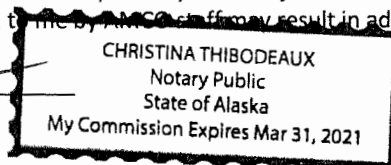
I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Signature of licensee

Smadar Warden

Printed name of licensee



Notary Public in and for the State of Alaska

My commission expires: March 31, 2021

Subscribed and sworn to before me this 21st day of June, 2018.

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: Monday, March 5th, 2018

Licensee: Smadar Warden

DBA: AlaskaSense, LLC

License #/Type: #10237 Standard Cultivation Facility

Address: 521 W. Tudor Road, Anchorage, AK 99503

AMCO Case #: AB18-0244

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On Monday, March 5th, 2018 from approximately 5:10 to 5:25 PM, the State of Alaska Alcohol & Marijuana Control Enforcement Investigators were in the neighborhood of AlaskaSense, LLC on Tudor road in Anchorage, AK and did detect a strong odor of marijuana coming from the ventilation system attached to AlaskaSense, LLC's licensed premises.

The strong odor of marijuana was easily detected across the street on the facility and on the public right of way

On Monday, March 12, 2018 at approximately 3:50 PM Enforcement investigator was traveling west on Tudor Road and did detect a strong odor of marijuana coming from the AlaskaSense, LLC / Cannabaska. The odor of marijuana was detected on the public right of way.

Please regard this Notice of Violation as Enforcements directive that AlaskaSense, LLC will ensure that any marijuana at the facility does not emit an odor that is detectable by the public outside of the marijuana cultivation facility.

Your attention is directed to:

3 AAC 306.430 Restricted access area. (c)(2)

(c) A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility

(2) does not emit an odor that is detectable by the public from outside the cultivation facility except as allowed by a local government conditional use permit process.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

*Please send your response to the address below and include your Marijuana Establishment License Number in your response.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: Friday, February 16, 2018

Licensee: Smadar Warden

DBA: AlaskaSense, LLC

License #/Type: #10237 Standard Cultivation Facility

Address: 521 W. Tudor Road, Anchorage, AK 99503

AMCO Case #: AB18-0245

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On Friday, February 16th, 2018, at approximately 1:00 PM, enforcement supervisor James Hoelscher and I did go to Cannabaska / Alaskasense on Tudor Road in Anchorage, AK at the request of Anchorage Municipal Code enforcement officers Richard Fern and Kevin Collins in regards to a waste disposal issue. During the walk through of AlaskaSense, LLC / Cannabaska we followed Evan Neal out to the dumpster area near the northwest corner of the facility Smadar Warden and Lorenzo Gonzalez arrived shortly after. There it was observed the dumpster was locked and it was unable to be opened with the key according to Evan Neal, Smadar Warden, and Lorenzo Gonzalez. While at the dumpster area numerous marijuana buds, leaves and stems were found on the ground near the dumpster with easy to the public. Photos were taken. After enforcement investigators left the AlaskaSense, LLC / Cannabaska, Evan Neal did refuse to have the lock cut off the marijuana waste dumpster by Municipal Code Enforcement and did refused to continue the inspection.

This is a Violation of:

3 AAC 306.740. Waste disposal(a) A marijuana establishment shall store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana cultivation production, processing, testing, or retail sales, in compliance with applicable federal, state, and local statutes, ordinances, regulations, and other law

(b) Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves a marijuana establishment. Marijuana waste includes

- (1) marijuana plant waste, including roots, stalks, leaves, and stems that have not been processed with solvent;
- (2) solid marijuana sample plant waste in the possession of a marijuana testing facility; and
- (3) other waste as determined by the board.

3 AAC 306.800. Inspection and investigation

(b) A marijuana establishment, and any licensee, employee, or agent in charge shall cooperate with the director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, to enforce the laws related to marijuana, including

- (1) permitting entry upon and inspection of the licensed premises; and
- (2) providing access to business records at reasonable times when requested by the director, an enforcement agent, an employee of the board, or a peace officer.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your Marijuana Establishment License Number in your response.**

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 8/18/ 2017 to Present date

License #/Type: #10237 Standard Cultivation Facility

Licensee: Smadar Warden

Address: 521 W. Tudor Road, Anchorage, AK 99503

DBA: AlaskaSense, LLC

AMCO Case #: AB18-0246

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

As of August 18th, 2017 to the present date (3/19/2018) AlaskaSense, LLC, a standard marijuana cultivation facility has not reported any marijuana waste from their harvests or other means for destruction. The waste reporting in METRC is in a development stage and it was agreed that marijuana waste in any form was to be reported via email from cultivators to Alcohol & Marijuana Control enforcement. It was to be reported what marijuana plant material was being wasted, the weight of the marijuana waste, and the reason why it is being destroyed.

This is a violation of:

3 AAC 306.740. Waste disposal

(c) A marijuana establishment shall

(1) in the marijuana inventory tracking system required under 3 AAC 306.730, give the board notice not later than three days before making the waste unusable and disposing of it; however, the director may authorize immediate disposal on an emergency basis; and

(2) keep a record of the final destination of marijuana waste made unusable.

(d) Marijuana plant waste must be made unusable by grinding the marijuana plant waste and mixing it with at least an equal amount of other compostable or non-compostable materials. A marijuana establishment may use another method to make marijuana waste unusable if the board approves the method in advance. Material that may be mixed with the marijuana waste includes

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

*Please send your response to the address below and include your Marijuana Establishment License Number in your response.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: May 4, 2018

License #/Type: #10237 Standard Cultivation Facility

Licensee: Smadar Warden

Address: 521 W. Tudor Road, Anchorage, AK 99503

DBA: AlaskaSense, LLC

AMCO Case #: AB18-0507

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 4/17/2018 after an interview with Chief Financial Officer, Lorenzo Gonzalez from AlaskaSense, LLC / Cannabaska regarding waste disposal, Alcohol & Marijuana Control Investigators made requests for purchase history and sales receipts for a wood chipper and video footage of when Marijuana product was removed from a secure area and placed out in the open as a test of an employee. To date no video footage has been issued to investigators and the receipt was received well beyond the required time frame.

This is a violation of:

3 AAC 306.720. Video surveillance

(c) Any area where marijuana is grown, cured, or manufactured, or where marijuana waste is destroyed, must have a camera placement in the room facing the primary entry door, and in adequate fixed positions, at a height that will provide a clear, unobstructed view of the regular activity without a sight blockage from lighting hoods, fixtures, or other equipment, in order to allow for the clear and certain identification of any person and activity in the area at all times.

3 AAC 306.755. Business records

(b) A marijuana establishment shall provide any record required to be kept on the licensed premises to an employee of the board upon request. Any record kept off premises must be provided to the board's employees not later than three business days after a request for the record.

3 AAC 306.800. Inspection and investigation

(b) A marijuana establishment, and any licensee, employee, or agent in charge shall cooperate with the director, an enforcement agent, an employee of the board, or a peace officer acting in an official capacity, to enforce the laws related to marijuana, including (2) providing access to business records at reasonable times when requested by the director, an enforcement agent, an employee of the board, or a peace officer.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your Marijuana Establishment License Number in your response.**

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by: *JEFFREY M. RAIS*

SIGNATURE: 

SIGNATURE: 

Delivered VIA: Mail

Date: *5/4/18*

Article # 7017 0530 0000 9548 8269