# CORRESPONDENCE

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

August 15, 2018

L & J Ventures, Inc.
DBA: Scorpion Grass
Via email: scorpiongrassllc@gmail.com

Re: Standard Marijuana Cultivation Facility Facility #15789

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 be sure to read the entire letter.

- **MJ-01 Operating Plan**
  - Page 1, Section 1 – Establishment Information:
    - James Hacker was listed as the designated licensee when the online application was initiated, but this form lists Lisa Hacker as the designated licensee. Please confirm who should be listed as the designated licensee for this license.
  - Page 6, Section 4.2:
    - As a reminder, you need to keep at least six months of records on the licensed premises of the cultivation facility (you initialed this on 4.1). Older records may be archived on or off the licensed premises.
- **MJ-02 Premises Diagram**
  - All:
    - Please number your diagrams according to the list on Page 1 of Form MJ-02.
    - According to the legend, an orange highlight indicates a shared office, but the same color was used to mark the area labeled "Shared Locked Waste Storage".
    - Please specify in the legend that the shared office is an unlicensed area.
    - The Waste Disposal procedures must be performed within each of the licensed premises for each of the licenses, and be under surveillance. Therefore, the "Shared Locked Waste Storage" will not be allowed. Please amend all diagrams that show this area accordingly.
  - Scorpion Grass Site Plan(s):
    - An area labeled "Cannabis Waste Enclosure / 8 CY" is included in one of the site plan diagrams but is not present on the other, which has an area labeled "Secured Locked Waste Container" in a different location.
  - Diagram A.01 and A.03:
    - Your Supplemental Operating Plan (Form MJ-04) designates two areas as Bloom Room 1 and Bloom Room 2. On the diagrams provided, both rooms are labeled Bloom Room 1 (at the top and bottom of the page) and will need to be corrected.

- **MJ-04 Cultivation Supplemental**
  - Page 3, Section 4.3:
    - You have checked the box marked "Yes" regarding whether the marijuana cultivation facility includes outdoor production, but state in 4.4 that all activities will be performed inside. Please correct accordingly.
  - Page 3, Section 4.6:
    - Fungicides or pesticides were not included in your response. Are any being used?
  - Page 4, Section 5.2:
    - Marijuana waste must be rendered unusable before it leaves a marijuana establishment. Your waste disposal plan mentions that marijuana waste will be stored in a container against the exterior of the building, but this area is not a part of the licensed premises of this establishment.
  - Page 5, Section 6.1
    - You have answered yes to this question and have certified that documentation of odor control exemption from the local government is attached, but this document was not included.
  - Page 6, Section 8.1:
    - Please add to your answer in this box and describe how you will comply with 3 AAC 306.470 (a)(1) regarding the packaging of marijuana that will be packaged without additional handling by the retail marijuana store.
- **Form MJ-07 Public Notice Posting Affidavit**
  - Section 2 – Certifications:
    - Please identify what the other conspicuous location where the application was posted was (in addition to listing its address).

It is very important that you submit the above corrections and/or documents as soon as possible. AMCO staff needs adequate time to review the documents and determine if additional corrections and/or documents are necessary to complete your application. If you fail to complete this application within 90 days of the date of this notice, you must file a new application and pay a new fee, per 3 AAC 306.025(f).

Respectfully,

TJ Zielinski, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

| | |
|---|---|
| **From:** | Marijuana Licensing (CED sponsored) |
| **To:** | scorpiongrassllc@gmail.com |
| **Cc:** | Marijuana Licensing (CED sponsored) |
| **Subject:** | Incomplete Application - Scorpion Grass License #15789 |
| **Date:** | Wednesday, August 15, 2018 12:05:34 PM |
| **Attachments:** | 15789 Incomplete Application Notice.pdf<br>image001.png |

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Good afternoon,

Your application for your marijuana establishment license has been reviewed, and at this time is considered incomplete. Please see the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application. Let us know if you require copies of any documents that were submitted.

If you have any questions or concerns, please address them to marijuana.licensing@alaska.gov.

Sincerely,

**TJ Zielinski**
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

| | |
|---|---|
| **From:** | Marijuana Licensing (CED sponsored) |
| **To:** | Jana Weltzin; scorpiongrassllc@gmail.com |
| **Cc:** | Marijuana Licensing (CED sponsored); Valerie Mastolier; Sherri Lindfors |
| **Subject:** | RE: Incomplete Application - Scorpion Grass License #15789 |
| **Date:** | Thursday, September 06, 2018 3:31:07 PM |
| **Attachments:** | image001.png |

Good afternoon,

I have finished reviewing the revisions submitted for this application, but there are some additional revisions required:

**Form MJ-01 Operating Plan**

Page 6, Section 4.2 - the response in this section was revised to say that records would be kept for six months in the shared office. However, 3 AAC 306.755(a)(1) states that records for the last six months must be maintained on the marijuana establishment's licensed premises. Older records can be archived on or off premises, but the current six months of records will need to remain on the premises of the marijuana cultivation facility.

**Form MJ-02 Premises Diagram**

1. Diagram #1 & #5 - Regarding the area that was added that contains the "Secure Waste Container", because this room/area cannot be accessed without leaving the licensed premises, the premises would be considered non-contiguous which is not allowed.
2. Diagram #2 & #4 - The changes made to the other diagrams were not reflected on this diagram also.

**Form MJ-04 Cultivation Supplemental**

Page 5, Section 6.1 - The answer to the Yes/No question regarding odor control exemption was updated, but the statement "I am attaching to this form documentation of my odor control exemption from the local government" is still signed.

If you have any questions, please direct your correspondence to marijuana.licensing@alaska.gov.

Sincerely,

**TJ Zielinski**
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

---

**From:** Jana Weltzin <jana@jdwcounsel.com>
**Sent:** Friday, August 31, 2018 3:34 PM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Sherri Lindfors <sherri@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>; scorpiongrassllc@gmail.com

**Subject:** Incomplete Responses License No. 15789 Cultivation Scorpion Grass

Hello AMCO team – please find incomplete response attached, please let us know if you need anything else to deem this application complete for the October 2018 MCB agenda.

*Jana D. Weltzin, Esq.*
JDW, LLC
Principal Owner
Of Counsel to Hoban Law Group
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jana@jdwcounsel.com
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907-231-3750 (main office)
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Thank you.

**Think green, please don't print unnecessarily**

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| **From:** | Marijuana Licensing (CED sponsored) |
| **To:** | Jana Weltzin; scorpiongrassllc@gmail.com |
| **Cc:** | Marijuana Licensing (CED sponsored); Valerie Mastolier; Sherri Lindfors |
| **Subject:** | RE: Incomplete Application - Scorpion Grass License #15788, 15789, and 15790 |
| **Date:** | Monday, September 10, 2018 1:57:50 PM |
| **Attachments:** | image001.png |

Good afternoon,

I have completed my review of the attached documents for these licenses and see that most of the needed revisions have been addressed. However, during my review of the revised Form MJ-02 diagrams, I noticed that the restroom in the cultivation facility has been labeled as a restricted access area which would require the area to be under video surveillance. The restroom had not been labeled as a restricted access area initially, so this may have been accidental.

For License #15788, the restroom can be found on the diagrams labeled **Diagram #1 & 2 P. 1** and **Diagram #1 & 2 P. 2**.

For License #15789, the restroom can be found on the diagrams labeled **Diagram #1 & 2 P. 1** and **Diagram #1 & 2 P. 3**.

For License #15790, the restroom can be found on the diagrams labeled **Diagram #2 & 5 P. 1** and **Diagram #2 & 5 P. 2**.

Sincerely,

**TJ Zielinski**
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

---

**From:** Jana Weltzin <jana@jdwcounsel.com>
**Sent:** Monday, September 10, 2018 10:34 AM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; scorpiongrassllc@gmail.com
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Sherri Lindfors <sherri@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>
**Subject:** RE: Incomplete Application - Scorpion Grass License #15788

Hello TJ, please find attached, revise page 6 of MJ01 addressing the storage of onsite 6 mos business records; mj08 corrected (ops!); and revised diagram set for retail establishment.

Please let me know you received this email and its three attachments and if you need anything else to deem this application complete and schedule it for October MCB hearing. Thank you, jana

---

**From:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Sent:** Thursday, September 06, 2018 3:31 PM
**To:** Jana Weltzin <jana@jdwcounsel.com>; scorpiongrassllc@gmail.com
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Sherri Lindfors <sherri@jdwcounsel.com>
**Subject:** RE: Incomplete Application - Scorpion Grass License #15788

Good afternoon,

I have finished reviewing the revisions submitted for this application, but there are some additional revisions required:

**Form MJ-01 Operating Plan**
Page 6, Section 4.2 - the response in this section was revised to say that records would be kept for six months in the shared office. However, 3 AAC 306.755(a)(1) states that records for the last six months must be maintained on the marijuana establishment's licensed premises. Older records can be archived on or off premises, but the current six months of records will need to remain on the premises of the retail marijuana store.

**Form MJ-02 Premises Diagram**

1. Diagram 4 was not included with the revised diagrams.
2. An area was added to the proposed licensed premises of the standard marijuana cultivation facility (license #15789) for secure waste storage, but this area is not reflected on the diagram labeled Diagram #5. However, please be sure to review my response regarding License #15789 before making any changes to the diagrams for this application.

**Form MJ-08 Local Government Notice Affidavit**
The revised form provided states that a copy of the public notice was provided to the local government on a future date - December 5, 2018.

If you have any questions, please direct your correspondence to marijuana.licensing@alaska.gov.

Sincerely,

**TJ Zielinski**
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

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**From:** Jana Weltzin <jana@jdwcounsel.com>
**Sent:** Friday, August 31, 2018 3:31 PM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; scorpiongrassllc@gmail.com; Jana Weltzin <jana@jdwcounsel.com>; Sherri Lindfors <sherri@jdwcounsel.com>
**Subject:** Incomplete response for retail license 15788 - Scorpion Grass

Hello AMCO team – please find incomplete response attached, please let us know if you need anything else to deem this application complete for the October 2018 MCB agenda.


*Jana D. Weltzin, Esq.*
JDW, LLC
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Of Counsel to Hoban Law Group
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Thank you.

**Think green, please don't print unnecessarily**

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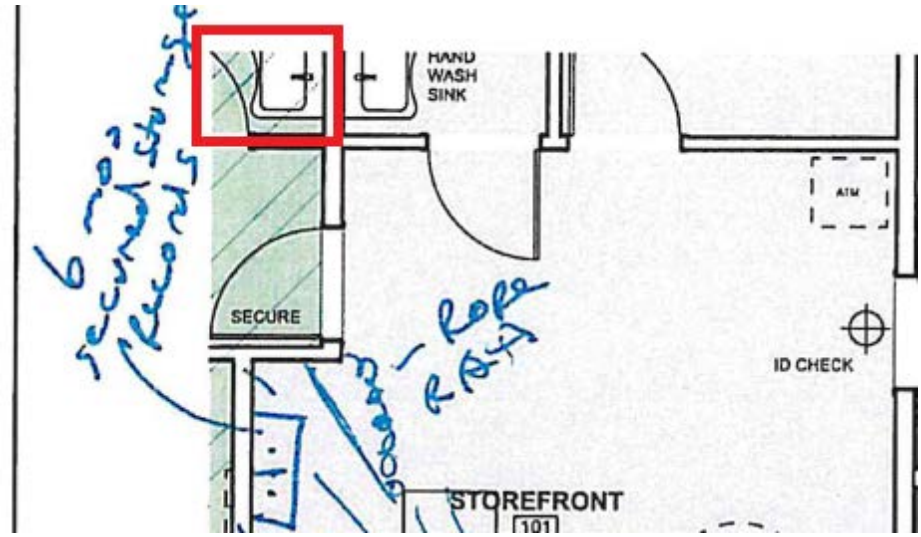
| **From:** | Marijuana Licensing (CED sponsored) |
| **To:** | Valerie Mastolier; Marijuana Licensing (CED sponsored); scorpiongrassllc@gmail.com |
| **Cc:** | Sherri Lindfors; Jana Weltzin |
| **Subject:** | RE: Incomplete Application - Scorpion Grass License #15788, 15789, and 15790 |
| **Date:** | Wednesday, September 12, 2018 8:10:02 AM |
| **Attachments:** | image002.png<br>image003.png |

Good morning Valerie,

The outlined bathroom is the correct one that I was referencing. The full bathroom is not shown on the second diagrams for each license, but a portion of the lower right-hand corner is. Just to keep the diagrams consistent with each other, this section should also be labeled as part of the licensed premises but not a restricted access area:




Sincerely,

**TJ Zielinski**
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

---

**From:** Valerie Mastolier <valerie@jdwcounsel.com>
**Sent:** Tuesday, September 11, 2018 2:37 PM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; scorpiongrassllc@gmail.com
**Cc:** Sherri Lindfors <sherri@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>
**Subject:** RE: Incomplete Application - Scorpion Grass License #15788, 15789, and 15790

Hi TJ,

Attached are the updated diagrams outlining the restrooms as not Restricted Access Area's. However, on the second diagram for each license you mention below, there are no bathrooms on the diagram. There are sinks shown, but these sinks are a three compartment sink and a handwashing sink that is required by DHHS/DEC. Please let me know if that is what you were referencing or if was a different diagram you were meaning.

Thank you!

--

*Valerie Mastolier*
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Office Manager & Paralegal
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Anchorage, Alaska 99503
907-231-3750
info@jdwcounsel.com
valerie@jdwcounsel.com

The author of this email is not an attorney. This communication does not constitute legal advice and should not be construed as such. The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have received this message in error, please immediately notify the sender by telephone at 630-913-1113 and delete or destroy any copy of this message. Thank you.

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**From:** Jana Weltzin
**Sent:** Tuesday, September 11, 2018 1:17 PM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; scorpiongrassllc@gmail.com
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Sherri Lindfors <sherri@jdwcounsel.com>
**Subject:** RE: Incomplete Application - Scorpion Grass License #15788, 15789, and 15790

Hi – none of the restrooms are intended to be restricted access – it was accidental when the architect revised the diagrams – we will make a notation on each of the diagrams you identify below that the restroom is NOT included in the restricted access area, would this be acceptable? Please let us know as soon as possible, and please let us know if you need anything else to deem these applications complete for October hearing. The applicants are really hoping/and really do need to make the October hearing – so please let us know asap.

---

**From:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Sent:** Monday, September 10, 2018 1:58 PM
**To:** Jana Weltzin <jana@jdwcounsel.com>; scorpiongrassllc@gmail.com
**Cc:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Valerie Mastolier <valerie@jdwcounsel.com>; Sherri Lindfors <sherri@jdwcounsel.com>

**Subject:** RE: Incomplete Application - Scorpion Grass License #15788, 15789, and 15790

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Sincerely,

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**Form MJ-02 Premises Diagram**

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2. An area was added to the proposed licensed premises of the standard marijuana cultivation facility (license #15789) for secure waste storage, but this area is not reflected on the diagram labeled Diagram #5. However, please be sure to review my response regarding License #15789 before making any changes to the diagrams for this application.

**Form MJ-08 Local Government Notice Affidavit**
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If you have any questions, please direct your correspondence to marijuana.licensing@alaska.gov.

Sincerely,

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**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; scorpiongrassllc@gmail.com; Jana Weltzin <jana@jdwcounsel.com>; Sherri Lindfors <sherri@jdwcounsel.com>
**Subject:** Incomplete response for retail license 15788 - Scorpion Grass

Hello AMCO team – please find incomplete response attached, please let us know if you need anything else to deem this application complete for the October 2018 MCB agenda.


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Main Office 907-231-3750
JDW, LLC
jana@jdwcounsel.com

August 31, 2018

AMCO
*Sent Via Email*

Re: Response to Incomplete Letter for L&J Ventures, Inc. License No. 15789

AMCO Team:

Thank you for your correspondence dated August 15, 2018. Please find the following attachments and/or statements to address your incomplete items:

- MJ-01 Page 1 has been updated to reflect James Hacker has designated licensee
    - Page 6 has been updated to add that all records will be stored at least 6 months.
- MJ-02 All diagrams have been numbered
    - Shared office is now specified as unlicensed area but will remain restricted access area.
    - Shared waste storage has been removed and waste storage is located in each licensed premises.
    - Diagrams have been numbered and labeled per MJ02.
- MJ-04
    - Page 3, checked box has been removed, removing the statement that that the facility will include outdoor production.
        - Page 3 – Scorpion Grass will not be using any fungicides or pesticides, it will only use the items listed in page 3, section 4.6.
        - Page 4 has been updated to remove the statement that marijuana storage will be stored in a container against the exterior of the building, marijuana waste from cultivation will be stored in an enclosed area that is part of the cultivation licensed area, please see updated diagrams.
        - Page 5 has been amended to remove the statement that and odor control exemption has been granted by the local government, that was a mistake to check that box.

AMCO Received 8/31/2018

- Page 6, section 8.1 has been revised to address regulation AAC 306.470(a)(1).

- MJ-07 has been updated to identify the name of the conspicuous location where the application was posted (Three Bears Alaska)

Thank you for your consideration,

*Jana D. Weltzin, Esq.*

AMCO Received 8/31/2018