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

September 28, 2018

Peace Frog Botanicals II LLC
DBA: Peace Frog Botanicals II LLC
Via email: jeffndol@yahoo.com

Re: Standard Marijuana Cultivation Facility Facility #15519

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

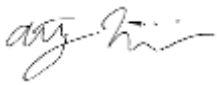
- **MJ-00 Application Certifications**
  - For both Jeffery and Dollynda Phelps:
    - Statements must be certified with hand-signed initials.
- **MJ-01 Operating Plan**
  - Page 1, Section 1 – Establishment Information:
    - Your Online Application listed the mailing address of the establishment as 47458 Lakeside Street, but this section lists the address as 47459 Lakeside Street. Is this accurate?
  - Page 2, Section 3.1:
    - Expand upon your response to describe any signs posted at entrances to restricted access areas.
- **MJ-02 Premises Diagram**
  - Diagram #1:
    - Please highlight and label the boundary of the licensed premises on this diagram.
    - The bathroom has been included in the restricted access area, which would require it to be under surveillance. Using a different-colored highlighter, outline the bathroom and label it as in the licensed premises but not a restricted access area.
  - Diagram #4:
    - The yellow lines depicting the lot lines are difficult to see against the green background. Please use a contrasting color to mark the lot lines more clearly.
    - The color used to depict lot lines is not visible in the legend.
- **MJ-04 Cultivation Supplemental**

- Page 3, Section 4.6:
  - For the fertilizers, provide specific examples of brands that will be used.
- Page 4, Section 5.2:
  - Expand upon your response to include the ratio of marijuana waste to other materials used to render it unusable.
- Page 6, Section 8.2:
  - Your response describes how the label will meet the requirements of 3 AAC 306.475, but this section needs to explain how marijuana sold in wholesale packages will be packaged in accordance with 3 AAC 306.470.

- **Proof of Possession for Proposed Premises**
  - The lease provided is inadequate to show that Peace Frog Botanicals II **LLC** has right to possession of the premises due to listing the tenant as Peace Frog Botanicals II (the "LLC" was omitted, but is required).
  - A legally binding lease must have an amount for consideration. The rent cannot be $0.00.
  - The lease must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and that AMCO will be contacted in the event that this is necessary (typically under the "Default" section of the lease).
- **Entity Documents**
  - Please provide a copy of Peace Frog Botanicals II LLC's Operating Agreement.
- **Fingerprint Cards**
  - The fingerprint cards provided with your application have expired. It will be necessary to submit new fingerprint cards for Jeffery and Dollynda Phelps.

It is very important that you submit the above corrections and/or documents as soon as possible so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,



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

From:	Marijuana Licensing (CED sponsored)
To:	dollynda Phelps
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Peace Frog Botanicals II LLC License #15519
Date:	Friday, September 28, 2018 2:30:06 PM
Attachments:	15519 Incomplete Notice.pdf image001.png

Good afternoon,

Your application for your marijuana establishment license has been reviewed, and at this time is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.

Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any items from the Incomplete Notice.

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:	dollynda Phelps
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Application for a new Standard Marijuana Cultivation Facility: Peace Frog Botanicals II LLC License #15519
Date:	Monday, October 01, 2018 1:47:39 PM
Attachments:	image001.png

Good afternoon,

I have finished reviewing the corrections you submitted, and your documents appear to be in order. I will follow up with you again once I have received the fingerprint cards you are mailing today.

Sincerely,

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

From: Marijuana Licensing (CED sponsored)
Sent: Monday, October 01, 2018 12:19 PM
To: dollynda Phelps <jeffndol@yahoo.com>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: Application for a new Standard Marijuana Cultivation Facility: Peace Frog Botanicals II LLC License #15519

Good afternoon Dollynda,

I am confirming receipt of your email with attachments and have updated the mailing address on file for this license. I will follow up with you on your corrections after they have been reviewed.

Sincerely,

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

From: dollynda Phelps <jeffndol@yahoo.com>

Sent: Monday, October 01, 2018 10:24 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Application for a new Standard Marijuana Cultivation Facility: Peace Frog Botanicals II LLC License #15519

Hello, I spoke with a review agent at the AMCO office this morning to ensure my changes were sufficient. I was instructed to request that the facility **mailing** address for LIC# 15519 be at 47459 Lakeside st. Kenai, AK 99611, and **NOT** 47458 Lakeside st., as indicated in MJ-01. Please update this on my online application. I have included changes for all issues requested by an examiner on Sept 28. New fingerprints will be mailed to the AMCO office today.

Thank you for your time,

Dollynda Phelps

907-252-8026

On Wednesday, September 26, 2018, 9:47:42 AM AKDT, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Good morning,

We have reached your application for Standard Marijuana Cultivation Facility License #15519 for review.

As I opened your application file, I noticed that the application was submitted using old versions of the forms, but we have new forms that became effective in February 2018. Furthermore, I quickly skimmed through your MJ-01, MJ-02, and MJ-04 (your operating plan, essentially) and saw that many of the responses were very short. One-to-two sentence responses do not meet the standards of the Marijuana Control Board because they do not clearly show that you have a good understanding of the statutes and regulations of commercial marijuana.

I am requesting that you fill out and resubmit MJ-01, MJ-02, and MJ-04 on the current versions of these forms, which can be found on our website at https://www.commerce.alaska.gov/web/amco/MarijuanaLicenseApplication.aspx. There have been updates to the marijuana regulations that you will also want to re-review. Current regulations can be found at https://www.commerce.alaska.gov/web/amco/MarijuanaRegulations.aspx.

Completing the new forms will also give you the opportunity to provide more details in your operating plan, and hopefully when the application is thoroughly reviewed there will not be a long list of corrections needed, because you will only have one opportunity to address those corrections per the recent change to our review process (this was detailed in an email from Director Erika McConnell, which is attached for your reference).

Please submit these new forms by the end of next Wednesday (October 3, 2018).

Sincerely,

TJ Zielinski

Occupational Licensing Examiner

Alcohol & Marijuana Control Office

550 West 7th Avenue, Suite 1600

Anchorage, Alaska 99501

To all applicants for a marijuana license:

As you likely know, the wait time for a new license application review is close to six months. In order to reduce the wait time, process applications more quickly, and be more efficient with AMCO's limited resources, we are changing our review procedures. These changes were reviewed and accepted by the Marijuana Control Board in August of 2018. The new application review procedures are as follows:

1. Once your application reaches the top of the queue, an examiner will thoroughly review the application. If changes are necessary, the examiner will send a detailed "incomplete letter" outlining what additional information (or changes) are needed. Make sure to read the entire letter and pay careful attention to the specifics of each item outlined in the letter. If you have any questions about what is required, please contact your examiner at the email address or phone number provided in the letter or accompanying email.

2. Take the time to ensure your corrections are sufficient. Then, let the examiner know when you have completed all corrections and submitted all necessary documents (updated documents and any additional required documents). Please do not submit partially corrected documents or forms. (Please note that the entire process from incomplete letter to having a complete application, to include you making any required corrections and the examiner re-review of required corrections, must be completed within 90 days.)

3. Once you have indicated that you have made all the necessary corrections, the examiner will re-review your application. If at this point the application is not complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and you will need to file a new application and pay a new fee should you wish to pursue licensure. Essentially, AMCO will complete two reviews of your application: an initial review and one follow-up review after all needed corrections are completed.

As stated above, the purpose of this policy change is to be able to review more applications more quickly, so that you, the applicant, do not wait such a long time to have the Marijuana Control Board review and (hopefully) approve your application. To make your application process as smooth as possible, I recommend the following:

- Become very familiar with the regulations governing marijuana licensing (3 AAC 306). The regulations can be found on AMCO's website: https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/StatutesAndRegulations/MarijuanaRegulations.pdf Other useful information can be found on AMCO's website as well.

- Listen to the Marijuana Control Board as they review other applications—this will help you develop a stronger application.

- Address each item in your incomplete letter. If you have questions about any requirement, email or call your examiner.

Erika McConnell

Director

Alcohol & Marijuana Control Office

550 West 7th Avenue, Suite 1600

Anchorage, Alaska 99501

Phone: (907) 269-0351

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