Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

What is this form?

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38 of Alaska Statutes** and **Chapter 306 of the Alaska Administrative Code.** This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Control plan for persons under the age of 21
- Security
- Business records
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Health and safety standards
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising

Applicants must also complete the corresponding operating plan supplemental forms (**Form MJ-03, Form MJ-04, Form MJ-05,** or **Form MJ-06**) to meet the additional operating plan requirements for each license type.

Section 1 – Establishment & Contact Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Top Shelf Herbs of Alaska, LLC	**MJ License #:**	**22150**		
License Type:	Marijuana Retail Establishment				
Doing Business As:	Top Shelf Herbs of Alaska, LLC				
Premises Address:	901 Photo Avenue, Suite A				
City:	Anchorage	**State:**	Alaska	**ZIP:**	99503

Mailing Address:	901 Photo Avenue, Suite A				
City:	Anchorage	**State:**	Alaska	**ZIP:**	99503

Designated Licensee:	Chism Leimbach		
Main Phone:	864-363-7238	**Cell Phone:**	864-363-7238
Email:	chismleimbach@yahoo.com		

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Section 2 – Control Plan for Persons Under the Age of 21

2.1. Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

Signs will be posted outside and inside that state "No One Under 21 Years of Age Alllowed". The sign dimensions will be in accordance with 3 AAC 306.325. There will be an employee that checks IDs upon a customer entering the establishment to verify age and valid government issued ID. All employees will be specially trained to look for a valid form of photographic identification as required by 3 AAC 306.350(a) such as (1) an unexpired, unaltered passport; (2) an unexpired, unaltered driver's license, instruction permit, or identification card of a state or territory of the United States, the District of Columbia, or a province or territory of Canada; (3) an identification card issued by a federal or state agency authorized to issue a driver's license or identification card. IDs will be checked by the budtender at time of sale as well. If the customer is under 21, they will be asked to leave the premises.

Section 3 – Security

Restricted Access Areas (3 AAC 306.710):

3.1. Describe how you will prevent unescorted members of the public from entering restricted access areas:

The store will be equipped with 24 hour surveillance and commercial grade locks. "Restricted Access Area" signs will be posted in all Restricted Access Areas. All restricted areas with doors will be locked at all times. During business hours employees will be present at all times to keep customers out of the restricted access areas.

3.2. Describe your recordkeeping and processes for admitting visitors into and escorting them through restricted access areas:

In order to be allowed into restricted access areas, all visitors will sign in with name, date and time into a visitor log after age has been verified. All employees will be specially trained to look for a valid form of photographic identification as required by 3 AAC 306.350(a) such as (1) an unexpired, unaltered passport; (2) an unexpired, unaltered driver's license, instruction permit, or identification card of a state or territory of the United States, the District of Columbia, or a province or territory of Canada; (3) an identification card issued by a federal or state agency authorized to issue a driver's license or identification card.

The visitor will be issued a Visitor badge and be instructed to display in on their persons at all times. Visitors will be escorted by a staff member at all times. At no time will there be more than 5 visitors per supervising staff member. The visitor log will be kept and stored on-site as official business records.

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3.3. Provide samples of licensee-produced identification badges that will be displayed by each licensee, employee, or agent while on the premises, and of visitor identification badges that will be worn by all visitors while in restricted access areas:

Security Alarm Systems and Lock Standards (3 AAC 306.715):

3.4. Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

Exterior lighting will illuminate 20 feet around the entrance to the store in order for external video cameras to provide surveillance. We will also provide lighting around the building as well as security cameras in order to cover all windows.

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3.5. An alarm system is required for all license types that must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe the security alarm system for the proposed premises, explain how it will meet all regulatory requirements, and outline your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when the alarm system alerts of an unauthorized breach:

The security system is through Alarm.com, monitored by 24incontrol.com. There will be window and door sensors on every window and door in Suite A. As well as 8 motion sensors throughout the Suite. We are also using Guardian Security company, to monitor the area. The opening manager will check the video systems every morning to ensure they are functioning properly.

Every night at closing the security system will be activated by the closing employee. At that point all motion detectors also get activated. If the system is not armed by 1am, the managers and licensees will get a text and email notification letting them know that the system is not armed. At that point, the building will be checked on and the security system will be activated.

If we are notified of a breach we will check the live feed on all cameras to see if there is an actual breach. We will also contact alarm.com and let them know we are looking at the cameras. In the event that there is a breach, we will then contact local law enforcement to investigate the premises and apprehend any suspects. An employee or licensee will also go to the establishment to look over the building. The employee or licensee will wait for law enforcement to show up before entering the building.

After everything has been looked through and within 24 hours, we will then contact the Alcohol and Marijuana Control Office to notify them of the unauthorized breach.

3.6. Describe your policies and procedures for preventing diversion of marijuana or marijuana product, including by employees:

All staff will be trained on the detection and prevention of diversion of marijuana or marijuana products. There is a zero tolerance policy for diversion of marijuana. In the event that an employee is found trying to divert marijuana, they will be terminated immediatley and the Marijuana Control Board will be notified. If a customer is found trying to divert product, local law enforcement will be notified immediately and we will also contact the marijuana control board. Inventory will be done daily to prevent diversions of marijuana. In the event that inventory doesn't match up, we will check the security cameras and start an internal investigation.

3.7. Describe your policies and procedures for preventing loitering:

Security cameras will be in place to monitor any persons on the property grounds that appear suspicious.There will be "No Loitering" signs posted on all sides of the building as well as inside of the building. Anybody that is suspected of loitering will be asked by an employee to vacate the premises. If an employee can't get the individual to leave, the local law enforcement will be contacted.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

3.8. I certify that if any additional security devices are used, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm, to enhance security of the licensed premises, I will have written policies and procedures describing their use. CRY

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Video Surveillance (3 AAC 306.720):

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

3.9. The video surveillance and camera recording system for the licensed premises covers each restricted access area, and both the interior and exterior of each entrance to the facility.

3.10. Each video surveillance recording: is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing (consistent with the Alcohol & Marijuana Control Office's approved format list); clearly and accurately displays the time and date; and is archived in a format that does not permit alteration of the recorded image.

3.11. The surveillance room or area is clearly defined on the Form MJ-02: Premises Diagram that is submitted with this application.

3.12. Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area where access is limited to the licensee(s), an authorized employee, and law enforcement personnel (including an agent of the Marijuana Control Board).

3.13. Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Video monitoring devices will be placed in such a manner to meet with the requirement under 3 AAC 306.720. The video surveillance system will cover the exterior entrances, entrances to the restricted access areas, and areas where product is stored or packaged, and will provide a clear view of individuals inside the facility and within 20 feet of any entrance. Cameras will be placed at a level to provide clear and certain identification of any person inside the restricted area, and the view will not be blocked by any equipment.

3.14. Describe the locked and secure area where video surveillance recording equipment and original copies of surveillance records will be housed and stored, and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the Marijuana Control Board. If you will be using an offsite monitoring service and offsite storage of video surveillance records, your response must include how the offsite facility will meet these security requirements:

The video surveillance and original copies will be stored in a locked steel cabinet, inside a secured room with no windows. The door to the secured room will stay locked 24 hours a day. Only designated managers or licensees will have the key and access to the secured room. The video system will be password protected. Data will be stored on the security system's DVR for a minimum of forty (40) days in the event of criminal, civil, or administrative investigations. All recordings will include the time and date stamp, and be archived in a format that does not permit alteration of the requested image, and will be available to AMCO and local law enforcement upon request.

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Section 4 – Business Records

Review the requirements under 3 AAC 306.755. All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records.

4.1. I certify that the following business records will be maintained and kept on the licensed premises: Initials

a. **all books and records necessary to fully account for each business transaction conducted under my license for the current year and three preceding calendar years** *(records for the last six months must be maintained on the licensed premises; older records may be archived on or off-premises)*; CCB

b. **a current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment;** CCB

c. **the business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises;** CCB

d. **records related to advertising and marketing;** CCB

e. **a current diagram of the licensed premises, including each restricted access area;** CCB

f. **a log recording the name, and date and time of entry of each visitor permitted into a restricted access area;** CCB

g. **all records normally retained for tax purposes;** CCB

h. **accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed;** CCB

i. **transportation records for marijuana and marijuana product, as required by 3 AAC 306.750(f); and** CCB

j. **registration and inspection reports of scales registered under the Weights and Measures Act, as required by 3 AAC 306.745.** CCB

4.2. A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

All business records, including operational and regulatory documents, recordings, surveillance, financial books, inventory and employment records, logs, and transport manifests will be stored on-site for a minimum of 6 months, allowing ownership, management, and designated government authorities to have access to them. Once the records are archived they will be provided as soon as possible and within 3 business days of a request from the AMCO or other enforcement agency. A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment, the business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises, records related to advertising and marketing, a current diagram of the licensed premises including each restricted access area, a log recording the name, and date and time of entry of each visitor permitted in a restricted access area, and all records normally retained for tax purposes will be kept on the premises at all times. A weekly digital backup of all computer files and records will be kept on-site in case of computer malfunction. Only ownership, management or authorized personnel will have access to the files kept on-site. We plan to have business records in electronic format as much as possible.

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Section 5 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730. All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with Metrc to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana is propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a marijuana product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

5.1. My marijuana establishment will be using Metrc, and if any other tracking software is used, it will be capable of sharing information with Metrc. CCB

5.2. All marijuana delivered to a marijuana establishment will be weighed on a scale registered in compliance with 3 AAC 306.745. CCB

5.3. My marijuana establishment will use registered scales in compliance with AS 45.75.080 (Weights and Measures Act), as required by 3 AAC 306.745. CCB

Section 6 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700. All licensees, and every employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

6.1. All licensees, and each employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment. CCB

6.2. Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the licensed premises) when on the licensed premises. CCB

6.3. Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person's marijuana handler permit card is valid and has not expired. CCB

6.4. Describe any in-house training that will be provided to employees and agents (apart from a marijuana handler course):

All employees will be familiarized with all company policies and procedures relating to AMCO regulatory compliance. Additional training for staff members will include, but is not limited to: Operating the register through the POS system; proper handling of marijuana; proper storage; packaging; inventory; counting the til; researching products to gain better knowledge; customer service; the proper way to check IDs; how to recognize an impaired person; how to de-escalate a conflict situation; personal safety measures to take in the event of a robbery; what to watch for and how to prevent diversion activities. Each employee will also get an employee handbook covering good hygienic practices; cleaning and maintenance of equipment and the premises; pest deterrence; chemical storage; sanitation principles; and proper handling of marijuana and marijuana product, etc.

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Section 7 – Health and Safety Standards

Review the requirements under 3 AAC 306.735.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

7.1. I understand that a marijuana establishment is subject to inspection by the local fire department, building inspector, or code enforcement officer to confirm that health or safety concerns are not present. [CDB]

7.2. I have policies regarding health and safety standards (including: ensuring a person with an illness or infection does not come into contact with marijuana or marijuana product; good hygienic practices; cleaning and maintenance of equipment and the premises; pest deterrence; chemical storage; sanitation principles; and proper handling of marijuana and marijuana product) and will take all reasonable measures and precautions to ensure that they are met or exceeded. [CDB]

7.3. I have policies to ensure that any marijuana or marijuana product that has been stored beyond its usable life, or was stored improperly, is not salvaged and returned to the marketplace. [CDB]

7.4. I have policies to ensure that in the event information about the age or storage conditions of marijuana or marijuana product is unreliable, the marijuana or marijuana product will be handled in accordance with 3 AAC 306.735(d). [CDB]

Answer "Yes" or "No" to each of the following questions:

	Yes	No
7.5. Adequate and readily accessible toilet facilities that are maintained and in good repair and sanitary condition are clearly indicated on my Form MJ-02: Premises Diagram.	X	
7.6. Convenient handwashing facilities with running water at a suitable temperature are clearly indicated on my Form MJ-02: Premises Diagram.	X	

7.7. If you answered "No" to either 7.5 or 7.6 above, describe how toilet and/or handwashing facilities are made accessible, as required by 3 AAC 306.735(b)(2):

Section 8 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750.

8.1. Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment. Include a description of the type of locked, safe, and secure storage compartments to be used in vehicles transporting marijuana or marijuana product:

Marijuana or a marijuana product may only be transported to a licensed marijuana establishment by a licensee or an agent or employee of a licensee. Bulk batch packs of up to 5 pounds may be received. All marijuana or marijuana product leaving the facility will be placed into a durable, tamper-evident METRC packaging prior to transport. The shipment will be accompanied by the appropriate manifest, and will be verified by the employee, licensee or designated agent before the shipment is permitted to leave. A marijuana establishment shall keep records of all marijuana or marijuana products shipped from or received at that marijuana establishment as required under 3 AAC 306.755. When marijuana or marijuana product is transported, the marijuana establishment that originates the transport shall use the marijuana inventory tracking system to record the type, amount and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle. A complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times. See continued response.

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You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

8.2. The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700.

8.3. The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle.

8.4. The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport.

8.5. During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport.

8.6. Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment.

8.7. When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received.

8.8. The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest.

Section 9 – Signage and Advertising

Review the requirements under 3 AAC 306.770.

9.1. Describe any signs that you intend to post on your establishment, including quantity, dimensions, graphics, and location on your establishment (photos or drawings may be attached):

There will be 2 signs with the business name and logo "Top Shelf Herbs of Alaska" visible to the public, both signs will be on the building, one on the north side and one on the south side. Each sign will not exceed 4800 sq inches. The retail store will affix and display all required postings and signs on, around, and within the facility including but not limited to; (1) Operating hours, (2) State of Alaska marijuana license, (3) any local government approvals to operate the facility, (4) Four " No Loitering" (12"x12") signs one on the front of the building (north side), one inside the door of the retail store, one on the south side of the building, and one on the east side of the building, (5) "Restricted Access Visitors Must Be Escorted" (12"x12") signs in Restricted Areas, (6) "Restricted Area" (12"x12") signs, (7) Two "No Smoking" (12"x12") signs one on the front of the building (north side), one inside the entrance of the store, (8) Three "No One under 21 Years of Age Allowed" (12"x12") signs, one on the front of the building (north side), one inside the entrance and one in the sales area, (9) One "In Accordance with 3 AAC 306.365" (18"x24") sign, (10) "Surveillance Cameras in Use" (8"x12") signs, and (11) any required signs such as Emergency Exit and Fire Extinguisher signs.

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9.2. Describe any advertising you intend to distribute for your establishment. Include medium types and business logos (photos or drawings may be attached):

Top Shelf Herbs of Alaska may use the following types of advertising: newspaper ad, radio ad, magazine ads, social media to feature various strains as is permitted under regulation. Advertisements will include each warning statement.

Top shelf
HERBS OF ALASKA

I declare under penalty of unsworn falsification that this form, including all accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

Chrism Leinbach
Printed name of licensee

NOTARY PUBLIC
CHRISTIAN YAMBAO
STATE OF ALASKA

Notary Public in and for the State of Alaska

My commission expires: 3/21/21

Subscribed and sworn to before me this 21st day of October, 2019.

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(Additional Space as Needed):

8.1 Continued Response:
During transport, the marijuana or marijuana product must be in a sealed package or container and in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product. The sealed package may not be opened during transport. A vehicle transporting marijuana or a marijuana product must travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and may not make unnecessary stops in between, except to deliver or pick up marijuana or marijuana product at another licensed marijuana establishment. When a marijuana establishment receives marijuana or marijuana product transported in compliance with this section, the recipient of the shipment shall use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received. The recipient shall refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest. In the event that the proposed facility's planned transport vehicle is not available, a contract transportation/security company such as Valkyrie Security & Asset Protection will be utilized to carry out product transfers.

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