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

October 26, 2018

Herb'n Legends LLC
DBA: Herb'n Legends LLC
Via email: herbnlegends907@gmail.com

Re: Limited Marijuana Cultivation Facility Facility #15209

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**
  - Page 1, Section 1 – Establishment Information for Jacob Miller:
    - The Licensee must be listed as Herb'n Legends LLC to be consistent with your application and state business license.
  - Page 3, Section 4 – Certifications for Jacob Miller:
    - Please read all statements on this page and sign initials only next to the applicable statements.
  - Taylyn Miller must complete and submit a copy of Form MJ-00.
- **MJ-01 Operating Plan**
  - Page 1, Section 1 – Establishment & Contact Information:
    - The Licensee must be listed as Herb'n Legends LLC to be consistent with your application and state business license.
  - Page 2, Section 3.2:
    - Your processes for admitting visitors are unclear. Are the steps listed in sequence?
    - The third step listed will require guests to "name of person escorting". What does this mean?
    - Please re-review 3 AAC 306.710 and expand upon your response to include the ratio of visitors to licensees, employees, or agents of the licensees that will escort them.
  - Page 3, Section 3.3:
    - A response has not been provided in this section.
  - Page 3, Section 3.4:

        - Please expand upon your response to describe how the exterior lighting will facilitate surveillance. For example, how is the minimum 20' area significant?
    - Page 4, Section 3.5:
        - Provide more details regarding steps taken when the system alerts an unauthorized breach. Which owner is to be contacted, and what steps will they follow?
        - Review 3 AAC 306.715(e) and include in your response when AMCO is contacted after an unauthorized breach.
    - Page 4, Section 3.6:
        - Please explain how the items listed in your response will prevent diversion of marijuana and marijuana products.
    - Page 5, Section 3.13:
        - Re-review the requirements under 3 AAC 306.720 and provide more detail regarding how cameras will be placed to meet the requirements.
    - Page 8, Section 8.1:
        - Re-review 3 AAC 306.750 and expand upon the steps that will be taken to prepare, package, and secure marijuana for shipment.
- **MJ-02 Premises Diagram**
    - Page 1, Section 1 – Establishment Information:
        - The Licensee must be listed as Herb'n Legends LLC to be consistent with your application and state business license.
    - Diagram #1:
        - Much of the text on the diagram provided is too blurry to read. Please provide a clearer image.
        - The boundary of the licensed premises must be outlined in color and labeled on this diagram.
        - The boundary of the restricted access area is difficult to determine. Using a different color, outline and label these areas. Note that the bathrooms should not be designated as a restricted access area.
        - Dimensions of the building have not been provided.
        - Include a description of the type of building that the proposed premises is located within.
    - Diagram #2:
        - The document labeled Diagram #2 is a Chemical List, which does not meet the requirements of this diagram. Please refer to Page 1 of Form MJ-02 for the requirements of each diagram.
    - Diagram #3:
        - Outline (in color) and label the location of the licensed premises.
    - Diagrams #4 and #5 were not submitted.
- **MJ-04 Cultivation Supplemental**
    - Page 1, Section 1 – Establishment Information:
        - The Licensee must be listed as Herb'n Legends LLC to be consistent with your application and state business license.
    - Page 2, Section 4.1:
        - Your response starts with "See attached". What is attached?
        - More information is required in your response. Describe each space that will be under cultivation, including dimensions. Also show your calculations.

        - Are any tables or racks going to be utilized as growing spaces? If so, they must be described and calculated into the total square feet under cultivation.
    - Page 3:
        - Page 3 of Form MJ-04 has been updated to gather required information regarding pesticides and other pest control products that will be used at the proposed facility. Please complete and submit this page to replace your current Page 3. A copy of the updated page will be sent with this Notice.
    - Page 3, Section 4.6:
        - A list of fertilizers and chemicals was not received with this form (one was received with Form MJ-02 that was labeled Diagram #2).
    - Page 4, Section 5.2:
        - Your waste disposal plan for solid waste includes the production of marijuana concentrate, which is prohibited under 3 AAC 306.405(c)(4).
        - As a reminder, 3 AAC 306.740 requires that a facility give notice to AMCO three days before rendering marijuana waste and then disposing of it.
        - Include in your response the ratio of materials that will be mixed with marijuana to render it unusable.
    - Page 5, Section 6.1:
        - The box in this section should not be signed with initials (or an "X") unless you are attaching odor control exemption documentation from your local government.
    - Page 5, Section 7.3:
        - Include in your response procedures that will be followed while awaiting testing results.
    - Page 6, Section 8.2:
        - A sample label was not attached with this form.
- **MJ-07 Public Notice Posting Affidavit**
    - Section 1 – Establishment Information:
        - The Licensee must be listed as Herb'n Legends LLC to be consistent with your application and state business license.
    - Section 2 – Certification:
        - Include the address of the other conspicuous location you posted a copy of your Public Notice at.
- **MJ-08 Local Government Notice Affidavit**
    - Section 1 – Establishment Information:
        - The Licensee must be listed as Herb'n Legends LLC to be consistent with your application and state business license.
- **Publisher's Affidavit**
    - You will need to contact the publisher who ran your advertisements to provide an affidavit that includes a copy of the newspaper advertisement, the dates of the announcements, and the name of the newspaper that completed the advertisement.
- **MJ-09 Statement of Financial Interest**
    - Page 1, Section 1 – Establishment Information for Jacob Miller:
        - The Licensee must be listed as Herb'n Legends LLC to be consistent with your application and state business license.
- **Proof of Possession for Proposed Premises**
    - The lease provided is inadequate to show that Herb'n Legends LLC has right to possession of the premises. If a lease is used to show proof of possession, the tenant must be the licensee.

- A lease must contain the following:
  - Acknowledgement from the landlord/lessor that the premises will be used as a marijuana establishment.
  - 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**
  - The following required documents were not submitted:
    - A copy of Herb'n Legends LLC's Operating Agreement
    - A list of all members of the LLC and their ownership percentage

It is very important that you submit the above corrections and/or documents in a timely manner 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:	herbnlegends907@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Herb"n Legends LLC License #15209
Date:	Friday, October 26, 2018 12:11:07 PM
Attachments:	15209 Incomplete Notice.pdf MJ-04 New Page 3.pdf 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. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application. Also attached is an updated page from Form MJ-04, which you will need for some of your corrections.

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: herbnlegends907; tkjulian.alaska@gmail.com
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Incomplete Application - Herb"n Legends LLC License #15209
Date: Monday, October 29, 2018 4:01:49 PM
Attachments: image004.png

Good afternoon,

Yes, you can call or email (marijuana.licensing@alaska.gov) if you have questions about any of the corrections that are needed. Your application is too large to send in one email, so you will be receiving a notification that files have been dropped off for you via ZendTo, the State of Alaska's drop box. Instructions will follow:

You will receive an email that looks like this:

This is an automated message sent to you by the Alaska ZendTo service.
Naomi Johnston (naomi.johnston@alaska.gov) has dropped-off 55 files for you.

IF YOU TRUST THE SENDER, and are expecting to receive a file from them, you may choose to retrieve the drop-off by clicking the following link (or copying and pasting it into your web browser):

https://drop.state.ak.us/drop/pickup.php?claimID=GvUTVMNQMb2yjSvp&claimPasscode=bHA9fU6g89H2uK6f&emailAddr=calderjp%40gmail.com

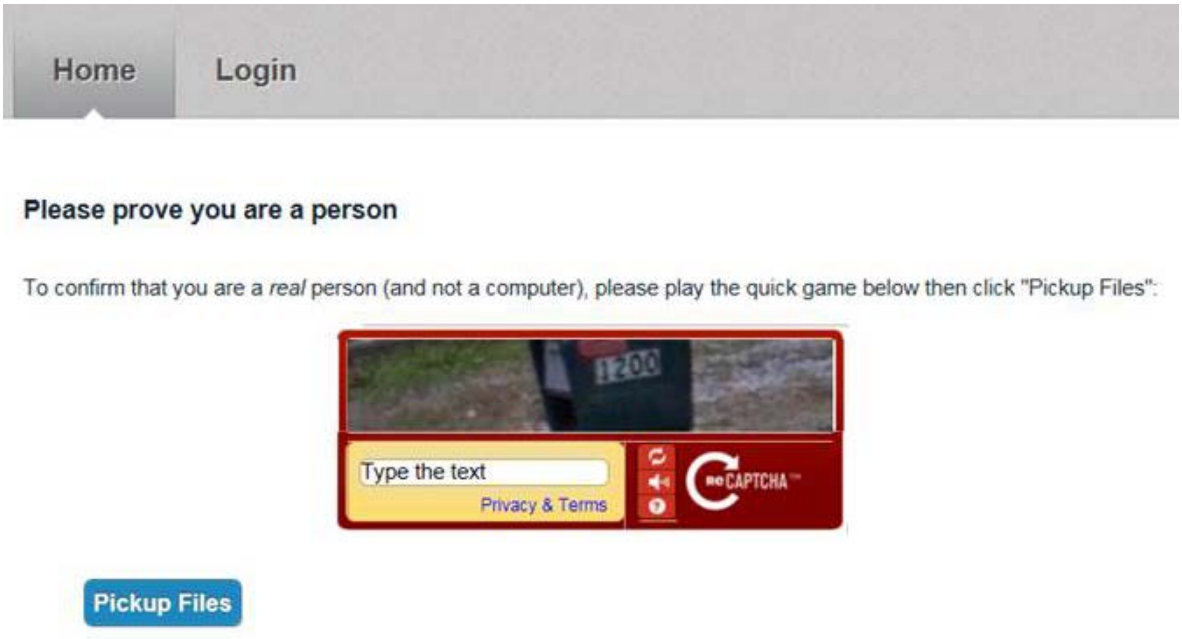
You have 4 days to retrieve the drop-off; after that the link above will expire. If you wish to contact the sender, just reply to this email.

Full information about the drop-off:

Claim ID: GvUTVMNQMb2yjSvp
Claim Passcode: bHA9fU6g89H2uK6f
Date of Drop-Off: 2016-04-22 12:17:49-0400

-- Sender --
Name: Naomi Johnston
Organisation: AMCO
Email Address: naomi.johnston@alaska.gov
IP Address: 10.3.202.35 (10.3.202.35)

Click the link that is circled in red in the image above. You should be redirected to a page similar to this:



Type the text that is displayed in the image and hit enter. In this example you would type “1200” into the field that says “type the text”.
Your Files should appear:

Drop-Off Summary

Click on a filename or icon to download that file.

Filename	Type	Size	Description
ABCAgenda.pdf	application/pdf	472.3 KB	
Tab1.pdf	application/pdf	416.6 KB	
Tab10.pdf	application/pdf	259.1 KB	
Tab11.pdf	application/pdf	1.9 MB	
Tab12.pdf	application/pdf	1.7 MB	
Tab13.pdf	application/pdf	10.0 MB	
Tab14.pdf	application/pdf	3.5 MB	
Tab15.pdf	application/pdf	1.4 MB	
Tab16.pdf	application/pdf	513.9 KB	
Tab17.pdf	application/pdf	812.2 KB	

Click the blue link for each tab. You can download and save them however you wish.

Sincerely,

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

From: herbnlegends907 <herbnlegends907@gmail.com>
Sent: Monday, October 29, 2018 1:00 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Herb'n Legends LLC License #15209

Hello TJ,
I understand I have one shot at this to get it correct, are you the one I consult when I have questions? Could you send me a complete copy of the original submittal? It's been sitting there for some time and I really want to make sure I have the correct copy to correct, I've done it a few times to say the least.
Thank you,
Jake Miller

Sent via the Samsung Galaxy S9+, an AT&T 4G LTE smartphone

-------- Original message --------
From: "Marijuana Licensing (CED sponsored)" <marijuana.licensing@alaska.gov>
Date: 10/26/18 12:11 PM (GMT-09:00)
To: herbnlegends907@gmail.com
Cc: "Marijuana Licensing (CED sponsored)" <marijuana.licensing@alaska.gov>

Subject: Incomplete Application - Herb'n Legends LLC License #15209

Good afternoon,

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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,

Blue

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

From: Marijuana Licensing (CED sponsored)
To: herbnlegends907; tkjulian.alaska@gmail.com
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Incomplete Application - Herb"n Legends LLC License #15209
Date: Friday, December 07, 2018 9:54:27 AM
Attachments: image004.png

Good morning,

I am following up on my previous email to inform you that it appears that the proposed premises of your establishment is within 500 feet of a church that regularly conducts religious services. This will not affect the review of your application, but it is an issue that will need to be raised with the Marijuana Control Board if and when your application is determined to be complete.

Sincerely,

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

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Monday, October 29, 2018 4:02 PM
To: herbnlegends907 <herbnlegends907@gmail.com>; tkjulian.alaska@gmail.com
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: Incomplete Application - Herb'n Legends LLC License #15209

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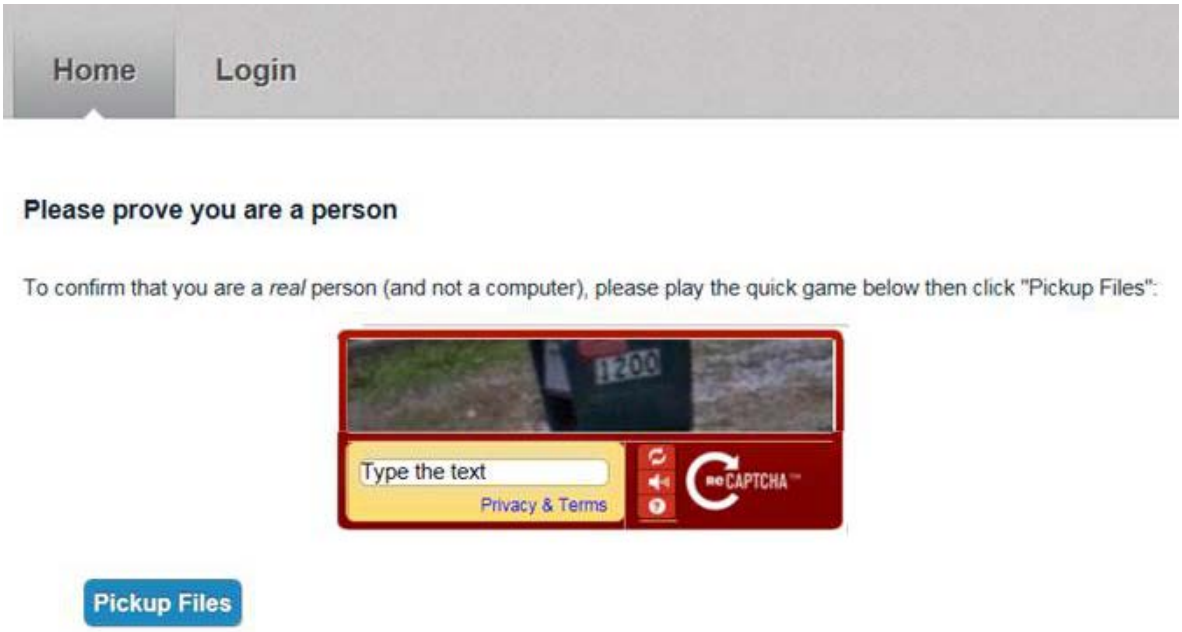

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Tab14.pdf	application/pdf	3.5 MB	
Tab15.pdf	application/pdf	1.4 MB	
Tab16.pdf	application/pdf	513.9 KB	
Tab17.pdf	application/pdf	812.2 KB	

Click the blue link for each tab. You can download and save them however you wish.

Sincerely,

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

From: herbnlegends907 <herbnlegends907@gmail.com>
Sent: Monday, October 29, 2018 1:00 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Herb'n Legends LLC License #15209

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Thank you,
Jake Miller

Sent via the Samsung Galaxy S9+, an AT&T 4G LTE smartphone

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Date: 10/26/18 12:11 PM (GMT-09:00)
To: herbnlegends907@gmail.com
Cc: "Marijuana Licensing (CED sponsored)" <marijuana.licensing@alaska.gov>
Subject: Incomplete Application - Herb'n Legends LLC License #15209

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

Sincerely,

Blue

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

From:	Marijuana Licensing (CED sponsored)
To:	Jake Miller
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Herb"n Legends LLC License #15209
Date:	Friday, December 28, 2018 8:39:56 AM
Attachments:	image001.png

Good morning,

I began to review the corrections made to your application this morning, but at a glance I noticed that several sections of Form MJ-01 and MJ-04 have been left blank. Pages that you submit as corrections will replace the pages previously submitted, so all applicable sections of these forms must be complete.

Additionally, I saw that the copy of the lease provided has not been signed by the tenants.

Sincerely,

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

From: Jake Miller <herbnlegends907@gmail.com>
Sent: Thursday, December 27, 2018 10:00 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Completed Supplemental Forms; License # 15209 email 2 of 2

From:	Marijuana Licensing (CED sponsored)
To:	Taylyn Miller; Jake Miller
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Herb"n Legends LLC License # 15209
Date:	Wednesday, January 02, 2019 9:53:54 AM
Attachments:	image001.png

Good morning,

Received, thank you. I have finished reviewing your submitted corrections and I see that most have been made. There will be some additional revisions required on Forms MJ-01, MJ-02, and MJ-04 which will be detailed below.

Form MJ-01: Operating Plan

Your response on Page 8, Section 8.1 (regarding packaging marijuana for transport) includes the make, model, and license plate number of your intended transport vehicle. Because this document will be publicly available, please remove this information.

Also, a response was not provided on Page 10, Section 9.2.

Form MJ-02: Premises Diagram

On Diagram 1, it is difficult to tell where the boundaries of your restricted access areas are because they are labeled with the words "Restricted Access", rather than a colored outline like was used to outline the licensed premises. Please depict your restricted access areas in a similar way but using a different color. Note that restrooms should not be restricted access because that would require them to be under surveillance.

On Diagram 2, the Mechanical Room/Storage is labeled as a part of the licensed premises. Will this room be used for storage in the operation of this license? I recall speaking with Taylyn on the phone about the mezzanine and at the time understood that it was not going to be designated as part of the licensed premises. If it will NOT be a part of the licensed premises, please remove the "Licensed Premises" label (it can still be labeled "Legal Right of Possession".

Otherwise, if it WILL be a part of the licensed premises, the mechanical room/storage room will also need to be depicted on Diagram 1.

Form MJ-04: Cultivation Supplemental

I have a few questions regarding your response on Page 2, Section 4.2. How was the square footage of the wire racks in the cultivation rooms calculated? The calculations should be included in the response in this section. I was also having difficultly determining how it was determined that the mother/clone/vegetative has a total square footage of 244 feet. Adding up the square footage depicted on Diagram 1 did not equal 244 square feet.
Also, note that under 3 AAC 306.410(1), a Limited Marijuana Cultivation Facility must have **fewer than** 500 square feet under cultivation.

In your response on Page 4, Section 5.2, please include specific examples of materials that will be mixed with ground marijuana waste to render it unusable.

On your sample label for Page 6, Section 8.2, include more details in the section for Test Results to describe what will be tested for as required by Alaska regulation.

Please let me know if you have any questions,

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

From: Taylyn Miller <tkjulian.alaska@gmail.com>
Sent: Monday, December 31, 2018 11:23 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; herbnlegends907@gmail.com
Subject: Completed Supplemental Forms; License # 15209

Good Morning-

This is an email for T.J. he's been working on our application.

Attached you'll find the correct MJ-01, MJ-04, and the signed lease agreement for Herb'n legends. Please if you have any questions or concerns please feel free to reach out to me or Jake Miller at 907-321-3564, 907-209-8889 or by email herbnlegends907@gmail.com. Please let me know if these all come through in a readable format. Thank you so much for taking the time and helping us through the process. I hope you have a Happy New Years T.J. and AMCO staff!

Sincerely-

Taylyn Miller
Co-Owner
Herb'n Legends
907-321-3564

From:	Marijuana Licensing (CED sponsored)
To:	Taylyn Miller
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Herb"n Legends LLC License # 15209
Date:	Thursday, January 03, 2019 3:39:18 PM
Attachments:	image001.png

Good afternoon Taylyn,

You can use as many copies of Page 7 for additional space as needed.

Sincerely,

TJ Zielinski

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

From: Taylyn Miller <tkjulian.alaska@gmail.com>
Sent: Thursday, January 03, 2019 2:28 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Herb'n Legends LLC License # 15209

Good Afternoon,

I'm working with T.J., as you can see from the chain emails above, but I'm wondering if anyone can just help me with my question. In MJ-04 I have already used the (Additional Space as Needed) on page 7 of 7. I'm in need of using a second (Additional Space as Needed), on page 7 to complete my explanations. May I use two page 7's? Or I'm a limited to that as my only additional space? Thank you for clarification.

Sincerely-

Taylyn Miller
Co-Owner
Herb'n Legends
907-321-3564

On Wed, Jan 2, 2019 at 9:54 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Good morning,
>
> Received, thank you. I have finished reviewing your submitted corrections and I see that most have been made. There will be some additional revisions required on Forms MJ-01, MJ-02, and

MJ-04 which will be detailed below.

Form MJ-01: Operating Plan

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On your sample label for Page 6, Section 8.2, include more details in the section for Test Results to describe what will be tested for as required by Alaska regulation.

Please let me know if you have any questions,

TJ Zielinski
Occupational Licensing Examiner
Alcohol & Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Taylyn Miller <tkjulian.alaska@gmail.com>
Sent: Monday, December 31, 2018 11:23 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; herbnlegends907@gmail.com
Subject: Completed Supplemental Forms; License # 15209

Good Morning-

This is an email for T.J. he's been working on our application.

Attached you'll find the correct MJ-01, MJ-04, and the signed lease agreement for Herb'n legends. Please if you have any questions or concerns please feel free to reach out to me or Jake Miller at 907-321-3564, 907-209-8889 or by email herbnlegends907@gmail.com. Please let me know if these all come through in a readable format. Thank you so much for taking the time and helping us through the process. I hope you have a Happy New Years T.J. and AMCO staff!

Sincerely-

Taylyn Miller
Co-Owner
Herb'n Legends
907-321-3564