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 10, 2018

Davey G. Nunley Jr.
DBA: Cottonmouth Road
Via email: alaskanorganics@gmail.com

Re: Limited Marijuana Cultivation Facility Facility #17079

Dear applicant,

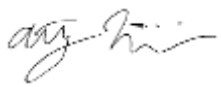
The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction 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-01 Operating Plan**
  - Page 2, Section 3.1:
    - Your response in this section describes procedures for admitting visitors to the facility, but does not describe how unescorted members of the public will be prevented from accessing restricted access areas.
  - Page 2, Section 3.2:
    - Please expand upon your response to include the ratio of visitors to licensees, employees, or agents of the licensee who will be escorting them.
  - Page 3, Section 3.3:
    - Please also provide a sample visitor identification badge.
  - Page 4, Section 3.5:
    - The requirements under 3 AAC 306.715 have been updated since your application was submitted. Please review 3 AAC 306.715(e) and expand upon your response to include when AMCO is contacted in the event of an unauthorized breach.
- **MJ-02 Premises Diagram**
  - Page 1, Section 1 – Establishment Information:
    - The licensee must be listed as Davey G Nunley Jr. to be consistent with the information provided on your Online Application.
  - Diagram #1:
    - Please outline (in color) and label the boundaries of the licensed premises.
  - Diagram #2:

        - The overall dimensions of the licensed premises are inconsistent with the dimensions provided on Diagram #1. Please verify which dimensions are accurate and correct accordingly.
        - It is not required to label the restricted access area on this diagram, but be sure to highlight and label the boundary of the licensed premises.
- **MJ-04 Cultivation Supplemental**
    - Page 2, Section 4.1:
        - Please expand upon your description of the areas under cultivation. Will any tables or racks be utilized as growing spaces, for example (and if so, will they be multiple levels high or contain multiple shelves)?
    - Page 3, Section 4.6:
        - Please specify in your response whether or not carbon dioxide will be used.
    - Page 6, Section 8.2:
        - A sample label that demonstrates how you will meet the requirements under 3 AAC 306.475 for wholesale packages must be provided with your application.
- **MJ-07 Public Notice Posting Affidavit**
    - Section 1 – Establishment Information:
        - The licensee must be listed as Davey G Nunley Jr. to be consistent with the information provided on your Online Application.
- **MJ-08 Local Government Notice Affidavit**
    - Section 1 – Establishment Information:
        - The licensee must be listed as Davey G Nunley Jr. to be consistent with the information provided on your Online Application.
- **Proof of Possession for Proposed Premises**
    - The document provided is inadequate to show that Davey G Nunley has sole right to possession of the proposed premises. A lease will be required between Davey G Nunley and Tina Rene Nunley as the landlord/lessor, and Davey G Nunley Jr. as the tenant/lessee.
    - A lease must be legally binding, and 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).
    - If you need assistance with drafting a lease, you are encouraged to seek professional legal counsel.

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:	alaskanorganics@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Cottonmouth Road License #17079
Date:	Wednesday, October 10, 2018 11:23:09 AM
Attachments:	17079 Incomplete Notice.pdf image001.png

Good morning,

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:	Dave Nunley
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Cottonmouth Road License #17079
Date:	Tuesday, October 16, 2018 8:17:24 AM
Attachments:	image001.png

Good morning,

You're very welcome. When I looked at your license, I do not see any MyAlaska users having access to this license. I sent an invite to this email address for access, which you should be receiving shortly. Let me know if you continue to have any issues.

Sincerely,

TJ Zielinski

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

From: Dave Nunley <alaskanorganics@gmail.com>
Sent: Monday, October 15, 2018 6:27 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Cottonmouth Road License #17079

Thanks for the update. I apologize for the mistakes and will get right on correcting the application.
I tried to access my license in "MyAlaska" account, and it not available. It looks like it has been removed, or may be isolated for some reason?
Can you explain?

On Wed, Oct 10, 2018 at 11:23 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Good morning,
>
> 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

--
Thanks
Dave Nunley

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From:	Marijuana Licensing (CED sponsored)
To:	Dave Nunley
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Cottonmouth Road License #17079
Date:	Friday, December 07, 2018 1:49:20 PM
Attachments:	image001.png

Good afternoon Dave,

I was able to review your corrections sooner than expected, and I see that most needed corrections have been made. There are some additional revisions that will be required, however.

Form MJ-02: Premises Diagram

It will not be necessary to submit multiple Diagram 1's, so you may want to pick just one to make revisions to. More details are shown in Diagrams 1B and 1C than in 1A, so either might be a good option. The required revisions will be listed below:

- The locations of security cameras should not be depicted, but are present on Diagrams 1A and 1C.
- Labeling the Restricted Access Areas with the words "Restricted Access" makes their boundaries difficult to determine at a glance. It is better to either outline and label the boundaries as you did with the Licensed Premises on 1B, or use colored shading in the rooms that will be restricted access and label as appropriate. This was not mentioned originally because your Diagram 1A had restricted access areas highlighted in pink.
- The restroom should not be depicted as a restricted access area, as that would require the restroom to be under video surveillance (on Diagram 1C, the restroom is outlined in red which the legend states represents the restricted access boundary).
- In the storage room near the clone/propagation room, a wall is shown on Diagrams 1A and 1C that isn't on 1B.

Form MJ-04: Cultivation Supplemental

On Page 3, Section 4.2, there is a box that must be certified by signing initials that has been left blank.

On the sample label on Page 7, there is a small typo in the second statement that will need to be corrected. The sentence reads "Do not operate a vehicle or machinery under it's influence", but "it's" should be "its".

Let me know if you have any questions.

Sincerely,

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

From: Dave Nunley <alaskanorganics@gmail.com>
Sent: Friday, December 07, 2018 1:05 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: License # 17079 application corrections

Sounds good, thank you.

On Fri, Dec 7, 2018, 11:07 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov wrote:

> Good morning,
>
> Thank you, I am confirming receipt of your corrections. I am not certain if I will be able to review them today, but I will follow up with you by email once I have.
>
> Sincerely,
>
> **TJ Zielinski**
> Occupational Licensing Examiner
> Alcohol & Marijuana Control Office
> 550 West 7th Avenue, Suite 1600
> Anchorage, Alaska 99501
>
> **From:** Dave Nunley <alaskanorganics@gmail.com>
> **Sent:** Thursday, December 06, 2018 7:22 PM
> **To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
> **Subject:** License # 17079 application corrections
>
> Hello TJ,
> Please find the requested application corrections attached in the 2 attachments. I added additional diagram #1 drawings, part b, and c, to hopefully give clarity and show in color the Licensed Premises Boundaries, Restricted Acces Areas, and dimensional corrections to match the other diagrams. I also included MJ-00 and MJ-09 name corrections for the

licensee. I did not see on the correction page but noticed I had left the JR. suffix off those pages as well.
I apologize for those issues.
Thanks for your patience and help on the phone.
--
Sincerely
Dave Nunley

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From:	Marijuana Licensing (CED sponsored)
To:	Dave Nunley
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Cottonmouth Road License #17079
Date:	Tuesday, December 11, 2018 8:55:50 AM
Attachments:	image001.png

Good morning Dave,

Thank you, I have received your corrections. There are still some revisions that will be necessary, one of which I did not catch on my previous email.

On Diagram 1 of Form MJ-02, the Licensed Premises has not been clearly labeled. This can be labeled by outlining the perimeter of the building in color. Also, to make it clear that the restroom is not restricted access, please label the bathroom as licensed but not restricted access.

On the sample label provided on Page 7 of Form MJ-04, there is a word missing from one of the warning statements that I didn't catch previously. The fourth statement must read "For use **only** by adults twenty-one and older. Keep out of the reach of children".

Otherwise, I see that the necessary revisions have been made.

Sincerely,

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

From: Dave Nunley <alaskanorganics@gmail.com>
Sent: Friday, December 07, 2018 3:26 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Cottonmouth Road License #17079

Hello TJ,
Here are the requested changes. Thanks for your help and patience.

On Fri, Dec 7, 2018 at 2:00 PM Dave Nunley <alaskanorganics@gmail.com> wrote:

> Thanks TJ,

I will correct and resubmit ASAP.

On Fri, Dec 7, 2018 at 1:49 PM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Good afternoon Dave,

I was able to review your corrections sooner than expected, and I see that most needed corrections have been made. There are some additional revisions that will be required, however.

Form MJ-02: Premises Diagram

It will not be necessary to submit multiple Diagram 1's, so you may want to pick just one to make revisions to. More details are shown in Diagrams 1B and 1C than in 1A, so either might be a good option. The required revisions will be listed below:

- The locations of security cameras should not be depicted, but are present on Diagrams 1A and 1C.

- Labeling the Restricted Access Areas with the words "Restricted Access" makes their boundaries difficult to determine at a glance. It is better to either outline and label the boundaries as you did with the Licensed Premises on 1B, or use colored shading in the rooms that will be restricted access and label as appropriate. This was not mentioned originally because your Diagram 1A had restricted access areas highlighted in pink.

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Form MJ-04: Cultivation Supplemental

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

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Sent: Friday, December 07, 2018 1:05 PM
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Subject: Re: License # 17079 application corrections

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Boundaries, Restricted Acces Areas, and dimensional corrections to match the other diagrams. I also included MJ-00 and MJ-09 name corrections for the licensee. I did not see on the correction page but noticed I had left the JR. suffix off those pages as well. I apologize for those issues.
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