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

November 19, 2018

Barely Legal, Inc.
DBA: Barely Legal, Inc.
Via email: barelylegal907@gmail.com

Re: Standard Marijuana Cultivation Facility Facility #16965

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.**

- **Online Application**
- **MJ-00 Application Certifications**
  - Page 3, Section 4 – Certifications for Donald Brooks II:
    - The date that this document was notarized is listed as August 8, 20**22**. It will be necessary to have the notary correct this date and initial the change, or he will need to complete a new MJ-00 and have it re-notarized.
- **MJ-01 Operating Plan**
  - Page 2, Section 3.2:
    - Expand upon your response to include the ratio of visitors to the licensees (or employees) who will escort them during visits.
  - Page 6, Section 4.2:
    - You indicate that records for the last six months will be kept in the security office, which your Premises Diagram shows is on the premises of the proposed retail marijuana store License #17053. As a reminder, 3 AAC 306.755 requires that records for the last six months be kept on premises of the cultivation facility.
- **MJ-02 Premises Diagram**
  - All Diagrams:
    - Each diagram must be labeled with the license number and DBA.
    - Please number your diagrams according to the list provided on Page 1 of Form MJ-02.
  - Licensed Premises Diagram:
    - Include a label for the licensed premises of the proposed cultivation facility.

        - The restricted access areas have not been labeled or outlined. Note that the bathrooms should not be depicted as restricted access areas on your diagram.
    - A site plan or as-built diagram was not provided.
- **MJ-04: Cultivation Supplemental**
    - Page 2, Section 4.1:
        - The measurements provided for the three rooms under cultivation on the first floor are inconsistent with the measurements provided on your Premises Diagram, and they do not equal the 1,483 square feet total listed for the first floor. Where did these measurements come from?
        - You describe four cultivation rooms on the second floor, but only two are shown on the diagram.
    - Page 3:
        - There is additional information required on this form regarding pesticides and pest control products that is not requested on the version of the form you completed. Please visit the AMCO website to download the latest version of Form MJ-04 and complete all sections on the updated Page 3. The direct link to this form is:

https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/MarijuanaApplication/MJ-04.pdf

    - Page 3, Section 4.6 (4.7 on the new form):
        - In your response, please provide specific examples of nutrient brands that may be used.
- **Entity Documents**
    - The following required documents were not provided:
        - A copy of the corporation's Certificate of Incorporation
        - A list of all shareholders and their ownership percentage.
- **Applicant's Alaska Residency**
    - Lucas Cooper's Alaska residency could not be verified. Did he apply for the PFD in 2018?
- **Miscellaneous**
    - The application was rolled back to New Status on March 7, 2018 to remove Adelaide Smardo from the application. However, Adelaide is still listed as an official of this entity with the Division of Corporations, Business and Professional Licensing (CBPL). Please contact CBPL to file a Notice of Change of Officials to update the ownership, and provide a copy of the Notice that has been stamped received by CBPL.

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:	barelylegal907@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Barely Legal, Inc. License #16965
Date:	Monday, November 19, 2018 9:28:53 AM
Attachments:	16965 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:	Valerie Mastolier; Marijuana Licensing (CED sponsored)
Cc:	Jana Weltzin; Rod Hill; Don Brooks; McCade Cooper
Subject:	RE: Incomplete Application - Barely Legal, Inc. License #16965
Date:	Monday, February 04, 2019 12:04:13 PM
Attachments:	image001.png

Good morning,

I have finished my review of the corrections submitted for this marijuana establishment application. Many of the needed corrections have been made, but there are still some revisions necessary before the application can be deemed complete.

On **Page 6, Section 4.2 of Form MJ-01: Operating Plan**, I noted that 3 AAC 306.755 requires that the current six months of records must be maintained on the licensed premises of the cultivation facility, and the first MJ-01 that was submitted stated that these records would be kept in the security office located in the retail facility (License #17053). Your response was edited to state that records would be kept in the "shared security office", but this would still not be allowed because the security office is not a part of the proposed cultivation facility's licensed premises.

I have a question on **Diagrams 1, 2, and 5 of Form MJ-02: Premises Diagram**. On the first floor, the stairs that lead to the second floor are designated as a restricted access area, but then on the second floor these stairs are NOT designated as a restricted access area. Why is this?

On the first copy of **Form MJ-04: Cultivation Supplemental**, Page 3 stated that no gases (CO_2 in particular) would be used in the cultivation of marijuana, but your revised Page 3 makes no mention of whether CO_2 will be used or not. In Section 4.7 of the new Page 3, please specify whether or not CO_2 will be used.

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: Friday, February 01, 2019 3:29 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Jana Weltzin <jana@jdwcounsel.com>; Rod Hill <hillscommerciallaundry@gmail.com>; Don Brooks <barelylegal907@gmail.com>; McCade Cooper <lucascooper318@gmail.com>
Subject: 16965 Barely Legal Cultivation Response to Incomplete Part 3 of 3

Good Afternoon AMCO Team,

Please find the attached documents in response to the incomplete letter for 16965.

Thank you!

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Valerie Mastolier
JDW, LLC
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Anchorage, Alaska 99503
907-231-3750
info@jdwcounsel.com
valerie@jdwcounsel.com

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P Think green, please don't print unnecessarily