CORRESPONDENCE

From:	Marijuana Licensing (CED sponsored)
To:	"akforgetmenotfarms@gmail.com"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Follow up on corrections received 6.25.19-Alaska Forget Me Not Farms LLC license 19984 *still incomplete*
Date:	Tuesday, July 09, 2019 1:21:00 PM
Attachments:	19984 mj-01-3.7-incomplete.pdf Revised but still old version-19984 MJ-04.pdf

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Hello, Stuart,

I have reviewed your corrections, the application is still incomplete. Please follow the below bullet points carefully, your application is subject to be 'returned' altogether (and you would have to start over) if your application is not complete the second time around:

- Section 3.7 of MJ-01 (I attached the page here), your answer seems cut off/shortened/incomplete. As it is right now, your response does not address the question at all. I don't need a full MJ-01 again, I just need this page complete including your response to 3.7.
- Your 'revised' MJ-04 is in the old version of the application. You need to transfer all the information into the new version of the form, it's on our website, (you originally had it in the newest version, date of form: 9.27.18). In the process of transferring all the information you need to:
  - Explain what you will do with liquid waste in the Waste Disposal box. Add it to your answer, don't change what you have.
  - Make sure that you answer the question about pesticides, which is on the new version of the form on page 3.

This email does not extend your 90-day deadline to submit a complete application as indicated in the original incomplete letter. That deadline is 8.5.19.

Call me if you have any questions after you have read this email and with paperwork in hand.

Thank you

Jane P Sawyer
Occupational Licensing Examiner|Alcohol & Marijuana Control Office
550 W 7th Avenue, Ste. 1600, Anchorage, AK 99501| 907-269-0350

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

May 7, 2019

Alaska Forget Me Not Farms, LLC
DBA: Alaska Forget Me Not Farms, LLC
Via email: akforgetmenotfarms@gmail.com

Re: Limited Marijuana Cultivation Facility #19984

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 AAC 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**
  - Section 1: Your doing-business-as is Alaska Forget Me Not Farms, LLC, you need to add the 'LLC' to the business name on page 1.
  - Section 2: you list yourself as a Managing Member, but Division of Corporations does not list you as a Manager. Please either correct your title on this page or submit appropriate application to Division of Corporations to add the title of Manager next to your name into their system, I will need **copies stamped as received** of the paperwork you submit to them. If I am misinterpreting your titles, then let me know.

- **MJ-01 Operating Plan**
  - Page 1: Your doing-business-as is Alaska Forget Me Not Farms, LLC, you need to add the 'LLC' to the business name.
  - Page 2:
    - 2.1: the question is asking about preventing persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items. Your answer is regarding diversion, not about what the question is asking. Re-review regulations and provide adequate answer.
    - 3.2: Re-review 3 AAC 306.710 and add to your answer in this box by describing how you will comply with the licensee, employee, agent to visitor ratio.
  - Page 3:
    - 3.3: please provide samples of what your badges will look like with the information on them.
  - Page 4:

        - 3.5: Re-review 3 AAC 306.715(e) and add to your answer in this box describing how you will comply with this regulation.
        - 3.7: add to your answer in this box and describe your policies and procedures for preventing loitering by the general public, and not just visitors.
    - Page 5:
        - 3.13: you mention the word 'manufactured', what is the context of this word here? This application is for a cultivation facility, not a manufacturing facility. Please clarify my question in this box, or find a different or remove the word.
    - Page 8:
        - 8.1: Re-review 3 AAC 306.750 and add more to your answer in this box describing how you will comply with that regulation. There is no mention of a manifest in your answer, for example.

- **MJ-02 Premises Diagram (re-do entire MJ-02 form and diagrams if necessary with all the requirements of each)**
    - Page 1: Your doing-business-as is Alaska Forget Me Not Farms, LLC, you need to add the 'LLC' to the business name.
    - Number your diagrams according to the guide on the MJ-02 form itself so I can cross reference your diagrams with the requirements of each.
    - The diagram you submitted that shows the layout, is this Hangar I or Hangar II, I talk about this on bullet point Proof of Possession for Proposed Premises below. It is not a bad diagram, I just don't know if what Hangar I am looking at.
    - The Site Plan diagram, you show the Hangar 1 to be the proposed cultivation but your lease says Hangar II (2). Which is it?
    - Diagram 2 was not provided, that I could tell.
    - Assuming the google map diagram is your diagram 4, you will need to re-do it. We need one that more clearly shows the proposed cultivation facility AND what surrounds it. What other buildings/business/home etc. what streets. Label it.
    - Again, all the diagrams must have the requirements of each according to the guide on the MJ-02 form itself.

- **MJ-04 Cultivation Supplemental**
    - Page 1: Your doing-business-as is Alaska Forget Me Not Farms, LLC, you need to add the 'LLC' to the business name.
    - Page 4, 5.2: I do not really follow your Waste Disposal policy. Re-review AAC 306.740 and provide an answer that clearly reflects you understand this regulation. The steps for Waste Disposal are very specific. The three-day notice must be given in writing **before**, not after, the waste is rendered unusable. Where will you be storing the waste during those three days. What are you going to mix the waste with, and what ratio, to grind it. Etc. What about liquid marijuana waste?
    - Page 5, 7.3: In your statement: *"If the cannabis fails testing…or it will be requested to the director for a retest or sale to a producer for concentrate creation"* the highlighted does not make sense. If you are selling your product then it is not waste. Please correct your application accordingly.

- **MJ-07 Public Notice Posting Affidavit**

- There was a change in regulation that now requires the public notices to have been given no later than 90 days preceding the submittal of all application requirements including the application and license fee (3 AAC 306.025). This said, your public notice is expired, please:
  - Repost the Public Notice at both the location of the proposed premises, and another conspicuous location for the entire 10-day period.
  - You will need to fill out a brand new MJ-07 after the end of the 10-day period, and submit it to me.

- **MJ-09 Statement of Financial Interest**
  - Section 1: Your doing-business-as is Alaska Forget Me Not Farms, LLC, you need to add the 'LLC' to the business name on page 1.
  - Section 2: you list yourself as a Managing Member, but Division of Corporations does not list you as a Manager. Please either correct your title on this page or submit appropriate application to Division of Corporations to add the title of Manager next to your name into their system, I will need **copies stamped as received** of the paperwork you submit to them. If I am misinterpreting your titles, then let me know.

- **Publisher's Affidavit**
  - There was a change in regulation that now requires the newspaper ads to have been published no later than 90 days preceding the submittal of all application requirements including the application and license fee (3 AAC 306.025). This said, your newspaper ad is expired, please:
    - Publish your newspaper ad once a week for three consecutive weeks in the Frontiersman. Provide the Advertisement Notice from your myAlaska to the newspaper company for accurate language if necessary.
    - You will need to provide to me the Affidavit of Publication for such ads along with a copy of the newspaper ad.

- **Proof of Possession for Proposed Premises**
  - There are a few things to address with the lease you submitted with this application which I will list below. However, it is between you and the landlord to either type up a new legally binding lease or amend the current lease appropriately. Consult with an attorney if you have questions regarding leases.
    - The tenant on the lease should be Alaska Forget Me Not Farms, LLC not Stuart Wells/DBA Alaska Forget Me Not Farms, LLC (the way this is listed implies Stuart Wells, as an individual, is the tenant). This needs to be addressed in the signature line, also.
    - The lease is for the building/warehouse "known as Hangar II", but one of your diagrams labels "Hangar I" as the proposed cultivation facility. Which is it? it is imperative that the correct building/warehouse that will be the cultivation facility is identified on the lease.
    - The lease expires on May 31, 2019. I see a note on the lease that states *"Will need a letter from Lynn Gattis indicating that lease will be renewed and rewritten upon licensure form the State of Alaska".* However, the statement or a letter from Lynn Gattis is not sufficient. You need to provide us with a legally binding lease, if the

commencement of the lease is at a later date, we will accept it, but still needs to be a legally binding lease not just a letter.

- The lease must include the following:
  - And acknowledgment from the landlord/lessor that the premises will be used as a marijuana establishment.
  - Landlord/lessor will not take possession of or remove marijuana or marijuana product from premises, and AMCO enforcement will be contacted (usually under the Default section of the lease).
- The lease needs to be signed by the appropriate parties.
- If you are not sure what the term 'Legally binding' means, use a search engine and/or consult an attorney.

- **Entity Documents**
  - Are your official titles, in relation to the LLC, Member, and Manager, or only Member? You call yourself Managing Member on some of your forms (see bullet point for MJ-00 and MJ-09), but Division of Corporations does not list you as a Manager, it only lists you as a Member. https://www.commerce.alaska.gov/cbp/main/Search/EntityDetail/10082765 . Please either correct your MJ-00 and MJ-09 or submit appropriate application to Division of Corporations to add the title of Manager next to your name, I will need **copies stamped as received** of paperwork you submit to them. If I am misinterpreting your titles, then let me know.
  - Please contact Division of Corporations to resolve the issue of your state business license being 'Inactivated'. https://www.commerce.alaska.gov/cbp/businesslicense/Search/LicenseDetail?l=497448&n=1070434

License #: 1070434
Business Name: ALASKA FORGET ME NOT FARMS, LLC
Status: Inactivated
Issue Date: 04/19/2018
Expiration Date: 12/31/2019
Mailing Address: 453 N. BONANZA ST.
PALMER, AK 99645
Physical Address: 1540 N. SHORELINE DRIVE
WASILLA, AK 99654

- **Miscellaneous**
  - Your fingerprint card was rejected by the FBI, an email regarding the issue was sent to you in or around April 26, 2019 by our enforcement section. As of the day of this letter, it does not appear that you have submitted to us a brand new fingerprint card for re-submittal to obtain your background check report. Please do so.

- **Residency**
  - Stuart, did you apply for the 2019 Permanent Fund Dividend? If you did, please provide to me confirmation they the PFD office received your application. If you did not apply for the 2019 PFD, let me know.

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,

Jane Sawyer, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov