CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 26, 2019

Bradley C Beaty; Aleana Beaty
DBA: Muggle Organics
Via email: beaty.brad@gmail.com

Re: Limited Marijuana Cultivation Facility License #21822

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.**

- **Online Application**
  - Per your MJ-08: Local Government Notice Affidavit, your establishment is located in the Matanuska-Susitna Borough within the Fishhook Community Council's jurisdiction. On the online application through MyAlaska, the Local Government is identified as the City of Wasilla. I have rolled your application back to New status so that you can log into the application through MyAlaska to correct this information. Once you re-submit the application, a new Public Notice and Advertisement Notice will be generated. Be sure to save copies of these documents for your records.
- **MJ-00 Application Certifications**
  - Page 1, Section 1 – Establishment Information for both:
    - Include the names of both individuals in the Licensee line. You can use the Standard Cover Page from MyAlaska for reference on how to complete this section.
  - Page 1, Section 3 – Other Licenses for both:
    - The responses provided to the Yes/No question and the written statement are inconsistent.
- **MJ-01 Operating Plan**
  - Page 1, Section 1 – Establishment & Contact Information:
    - Include the names of both individuals in the Licensee line.
  - Page 4, Section 3.6:
    - You state that marijuana will be stored in a home office away from the cultivation area. The layout of your premises is very unclear based on the diagrams that were provided,

but note that all marijuana must be stored within the licensed premises in a restricted access area.

- Page 5, Section 3.13:
  - Expand on your description of the manner in which cameras will be placed within the facility.
- Page 6, Section 4.2:
  - You state that hard copies of records from the current six months will be stored in a home office. Note that 3 AAC 306.755 requires that records for the current six months be kept on the licensed premises.

- **MJ-02 Premises Diagram**
  - Page 1, Section 1 – Establishment Information:
    - Include the names of both individuals in the Licensee line.
  - All Diagrams:
    - Please number and order each diagram in accordance with the list on Page 1 of Form MJ-02. Some of the diagrams provided are numbered, but others are not.
    - Please re-read the instructions for Diagrams 1, 2, and 5. You did not provide diagrams that show the information required on these forms. Feel free to ask if you need clarification on these requirements.
- **MJ-04 Cultivation Supplemental**
  - Page 1, Section 1 – Establishment Information:
    - Include the names of both individuals in the Licensee line.
  - Page 2, Section 4.1:
    - Please provide the total square footage of the areas that will be under cultivation, as defined under 3 AAC 306.990(b)(37).
    - You note on the continued response for Section 2.1 that raised beds and vertical racking may be used. If these racks are used as growing spaces, their dimensions must be included in calculating the total area under cultivation, which must be less than five hundred square feet.
  - Page 3, Section 4.3:
    - Please be specific regarding whether this facility will be using outdoor production. The areas that would be under cultivation would count towards the less-than five hundred square feet under cultivation.
  - Section 4.7:
    - On one of the additional page 7 copies, you list several nutrients that are not included in the list on Page 3, but do not indicate that your response continues.
  - Page 4, Section 5.2:
    - The last sentence in your response is unclear. Should the word “on” be “only”?
  - Page 5, Section 7.3:
    - Expand on your response to demonstrate that your testing protocols and procedures are in compliance with 3 AAC 306.455.
  - Page 6, Section 8.1:
    - Your responses in this section are contradictory. Please be specific regarding what you are proposing, and note that changes can be requested by the Board at a later time via submitting Form MJ-15: Operating Plan Change.
  - Section 8.2:
    - Expand on your description to describe how you will package marijuana in wholesale packages.
- **MJ-07 Public Notice Posting Affidavit**
  - Section 1 – Establishment Information:
    - Include the names of both individuals in the Licensee line.

- **MJ-08 Local Government Notice Affidavit**
  - Section 1 – Establishment Information:
    - Include the names of both individuals in the Licensee line.
    - The zip code is missing a digit.
- **Publisher's Affidavit**
  - Please provide a copy of the advertisement that was ran, rather than a copy of the Advertisement Notice from MyAlaska.
- **MJ-09 Statement of Financial Interest**
  - Page 1, Section 1 – Establishment Information for both:
    - Include the names of both individuals in the Licensee line. You can use the Standard Cover Page from MyAlaska for reference on how to complete this section.
- **Proof of Possession for Proposed Premises**
  - The document provided is inadequate to show right and title to the premises, and a document such as a lease or deed would be required. If a lease is used, it must be legally binding.
    - A lease must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and will contact AMCO in the event that removal is necessary. This is typically included in the Default section of a lease.
- **Entity Documents**
  - For a partnership, including a limited partnership, the following documents are required per 3 AAC 306.020(b)(3)(A):
    - A copy of your Partnership Agreement
    - The name of each general or managing partner, and a list of all partners with 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:	beaty.brad@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Muggle Organics, License #21822
Date:	Tuesday, November 26, 2019 11:19:35 AM
Attachments:	21822 Incomplete Notice.pdf image001.png

Good morning,

I have reviewed your application for a marijuana establishment, but at this time your application 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 notice. If the submitted corrections for your application are inadequate to deem your application complete, or your application is still incomplete after ninety (90) days from the date of this notice, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and 3 AAC 306.025(f). Should you wish to continue pursuing licensure, it would be necessary to file a new application and pay new fees.

Ninety-day Due Date: 2/24/2020

Let us know if you require copies of any submitted documents, and feel free to call or email if you need clarification on any items in the Incomplete Notice. Correspondence should be sent 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:	brad beaty; aleana.beaty@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Muggle Organics, License #21822
Date:	Friday, December 20, 2019 8:54:20 AM
Attachments:	image001.png

Good morning,

I have finished reviewing the corrections submitted for this new marijuana establishment application. Many of the necessary revisions have been made, but there are some additional corrections and revisions needed.

- On Page 2, Section 4.1 of Form MJ-04:
  - Unless you are growing marijuana in the Drying and Storage room, these dimensions should not be included in the calculations for the total area under cultivation.
  - Can you elaborate on the calculations that were used to determine the total area under cultivation? The numbers listed appear to be calculated based on the room dimensions, but you mention multi-tiered shelving being in these rooms. If the different tiers are used as growing surfaces, their dimensions should be included in the calculations.
- Residential Lease Agreement
  - This lease appears to be legally binding and contains the required disclaimer regarding the landlord not having access to marijuana on the premises, but this is a residential lease agreement that specifically states on Page 3, #8. Use of Property-Absences that the premises cannot be used for retail, commercial, or professional use. AMCO cannot provide legal advice for drafting a lease, but the lease must acknowledge that the premises will be used for a licensed marijuana establishment. If you need help drafting a lease, we strongly encourage seeking professional legal counsel.

Let me know if you have any questions or need copies of any of these documents.

Sincerely,

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

From: Aleana Beaty [mailto:aleana.beaty@gmail.com]
Sent: Thursday, December 19, 2019 1:32 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: FW: Completed Supplemental Forms; License # 21822 Partnership Agreement

Sent from Mail for Windows 10

TJ,

I have attached the Partnership Agreement For License #21822 Muggle Organics. I believe this is the last document you needed to be able to complete the application.

Thank you,

Aleana Beaty

Sent from Mail for Windows 10