

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: Wednesday, October 16th, 2019

Licensee: Anchorage Bowl LLC

DBA: Anchorage Bowl LLC #12317

License #/Type: Limited Marijuana Cultivation Facility

Address: 4000 Spenard Rd. Anchorage, AK 995

AMCO Case #: AM191573

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On Wednesday, October 16th at approximately 1:00 pm, The State of Alaska Alcohol & Marijuana Control Enforcement were in the area of 4000 Spenard Rd. in Anchorage, AK and did observe a lighted sign near the front entrance to Anchorage Bowl LLC, License #12316, while accessing the property investigators did detect a strong odor coming from the cultivation facility of Anchorage Bowl LLC

The odor of marijuana was easily detected by AMCO investigators on the public right-of-way of Spenard road, the main thoroughfare in the area.

Your attention is directed to:

3 AAC 306.430 Restricted access area. (c)(2)

(c) A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility

(2) does not emit an odor that is detectable by the public from outside the cultivation facility except as allowed by a local government conditional use permit process.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

From: [Anchorage Bowl LLC. General Account](#)
To: [Shelton Landon](#); [Davies, Jason M \(CED\)](#)
Cc: [Hoelscher, James C \(CED\)](#); [McConnell, Erika B \(CED\)](#)
Subject: Re: Anchorage Bowl, #12316 & 12317 Notice of Violation
Date: Thursday, November 7, 2019 4:43:07 PM

Hello Mr. Davies,

Just wanted to follow up regarding the NOV's.

Both issues have been addressed and resolved, we had backdraft from the fresh air intake causing the odor. We now have carbon filtration on both the inlet and exhaust, making the facility fully compliant with 3 AAC 306.430(c)(2).

This issue was resolved in October, I just have been busy and spaced the follow-up message.

Sorry for the delay and for the inconvenience. Hope you all are doing well and thank you as well for cracking down on the Eagle 20 issue with Calm and Collective.

Anchorage Bowl

4000 Spenard Road. Anchorage, AK 99517
(907)770-2690

[Instagram](#) | [Facebook](#) | [Twitter](#) | [Weedmaps](#)

On Wed, Oct 23, 2019 at 9:35 AM Anchorage Bowl LLC. General Account
<anchoragebowl420@gmail.com> wrote:

Hello Mr. Davies,

We have received the NOV's and are actively addressing the issues currently;

- AM191572 has been addressed and the signage is currently in full compliance with 3 AAC 306.770(g)(1-5)
- AM191573 is currently being assessed and addressed to be in full compliance with 3 AAC 306.430(c)(2)

We apologize for the inconvenience and have no issues with cooperation and full transparency regarding state regulations (including this matter).

We will notify you again once the AM191573 case has been addressed. Thank you for bringing this to our attention, and again, sorry for the inconvenience.

Anchorage Bowl

4000 Spenard Road. Anchorage, AK 99517
(907)770-2690

[Instagram](#) | [Facebook](#) | [Twitter](#) | [Weedmaps](#)

On Tue, Oct 22, 2019 at 6:37 PM Shelton Landon <alaskawaterwalls@gmail.com> wrote:
Attention Michael Landon & Jon Fischer

----- Forwarded message -----

From: **Davies, Jason M (CED)** <jason.davies@alaska.gov>

Date: Tue, Oct 22, 2019, 5:57 PM

Subject: Anchorage Bowl, #12316 & 12317 Notice of Violation

To: alaskawaterwalls@gmail.com <alaskawaterwalls@gmail.com>

Cc: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>, McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>

Hello-

See attached Notice of Violation. Please see red highlighted section of your notice of violation. It is recommended that you respond in writing to document your response for the marijuana control board.

Regards,



Jason M. Davies
Criminal Justice Technician I

AMCO Enforcement
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600

Anchorage, AK 99501
Office (907) 754-3410
jason.davies@alaska.gov

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 11/1/19

License #/Type: 10279 Standard Marijuana Cultivation Facilities

Licensee: GOODSINSE, LLC

Address: 2604 Davis Road, Fairbanks, AK 99705

DBA: GOODSINSE, LLC

AMCO Case #: AM19-1668

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 10/29/2019 AMCO Enforcement received four separate complaints from Fairbanks Police Officer Doug Welborn, an anonymous concerned private citizen, the Surgery Center of Fairbanks and Alaska State Trooper Sergeant Aaron Mobley of a strong odor of marijuana being detected on Davis Road between Peger Road and University Avenue in Fairbanks. The concerned citizen reported first detecting the odor of marijuana after her children complained about the smell when she picked them up at the Open Arms Lutheran Child Development Center at 2980 Davis Road on 10/28/2019.

I responded to the area to investigate along with State of Alaska Department of Environmental Conservation (DEC)- Division of Air Quality personnel. I detected a strong odor of marijuana in the 2000 block of Davis Road. I detected a strong odor of marijuana in the parking lot of the Laborers Union Local 942 at 2740 Davis Road and in the parking lot of the Surgery Center of Fairbanks at 2310 Peger Road. After checking the perimeters of all nearby licensed marijuana cultivation facilities I traced the source of the odor back to the GOODSINSE, LLC standard marijuana cultivation facility at 2604 Davis Road.

At the lot where GOODSINSE, LLC is located I detected a strong odor of marijuana emanating from the exhaust vents facing Davis Road, the Surgery Center of Fairbanks and the Laborers Union Local 942. It is approximately 500 ft. line of sight from the Local 942 parking lot and approximately 800 ft. from the Surgery Center of Fairbanks parking lot the GOODSINSE LLC cultivation facility.

Your attention is directed to:

3 AAC 306.430: Restricted Access Area

(c) A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility

(2) does not emit an odor that is detectable by the public from outside the cultivation facility except as specifically allowed by a local government approval.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE:



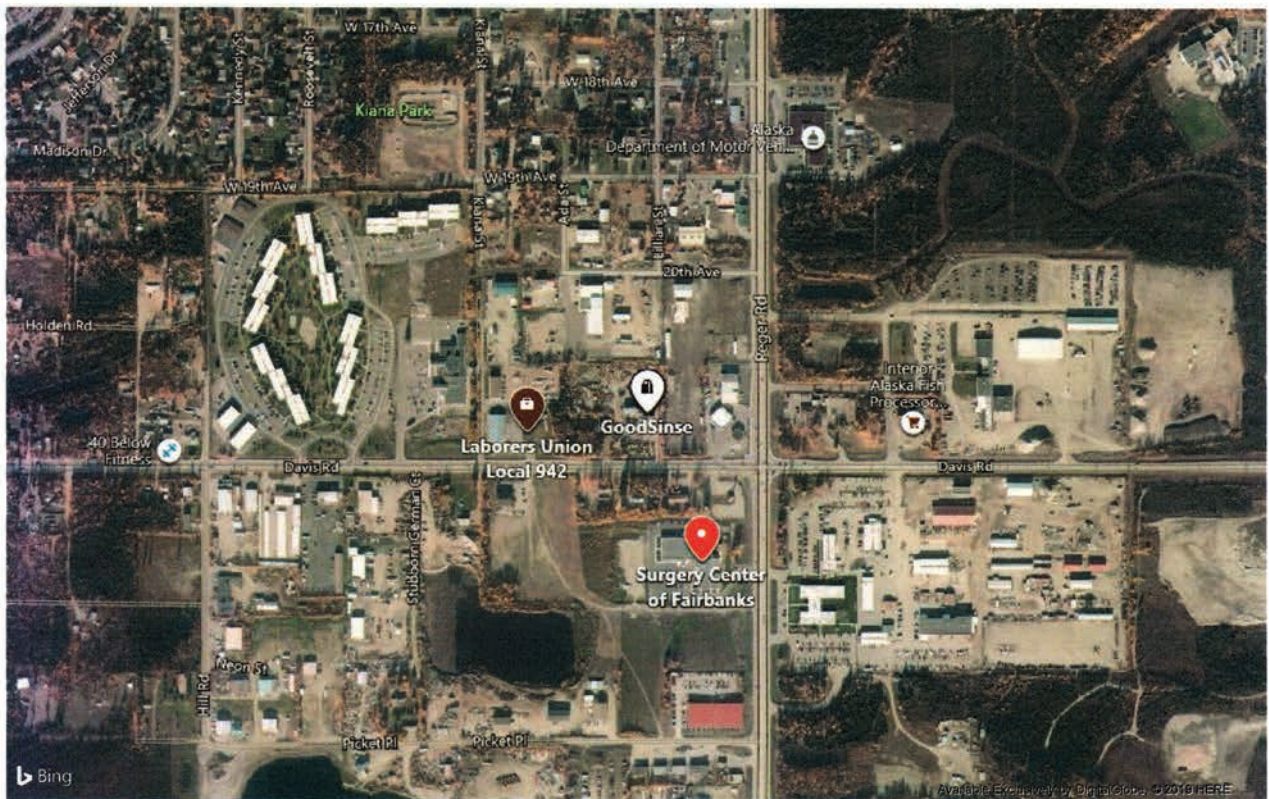
SIGNATURE:

Delivered VIA: Mail

Date:

bing maps

GoodSinse



Data from: Foursquare

From: [Good Sinse LLC](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: AM19-1668
Date: Thursday, November 7, 2019 11:37:34 AM

To Whom It May Concern,

We are requesting to appear before the board and be heard regarding the Notice of Violation AM19-1668.

Regards,

GoodSinse, LLC
2604 Davis Road
Fairbanks, Alaska 99709
Phone: 907-347-7689

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 11/12/19

License #/Type: 10799 Standard Marijuana Cultivation Facilities

Licensee: Calm N Collective

Address: 13886 W. Parks Hwy Houston, AK 99694

DBA: Calm N Collective, LLC

AMCO Case #: AM19-1700

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 10/30/19 Investigator Hamilton, Karin Hendrickson with DEC, and I went to Calm N Collective to collect samples for pesticide testing. We discovered that Calm N Collective was using Clonex, Root Pack, Big Time Exterminator, and Super Thrive. Calm N Collective's operating plan does not include these items.

This is in violation of:

3 AAC 306.020. Application for new license

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Rukes

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date: 11/12/19



Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave
Anchorage, Alaska 99503
Phone 630-913-1113
Main Office 907-231-3750
JDW, LLC
jana@jdwcounsel.com

November 25, 2019

AMCO & Enforcement
Marijuana Control Board
Sent Via Email

Re: NOV Dated Nov. 12, 2019 AM19-1700 Calm N Collective License No: 10799

Dear MCB and Enforcement Team:

On October 30th, 2019 Investigator Hamilton, Karin Hendrickson with DEC and Officer Rukes went to Calm N Collective for an unrelated matter that is under investigation. At that time, it was found that Calm N Collective was using Clonex, Root Pac, Big Time Exterminator, and Super Thrive.

Root Pack and Super Thrive are not pesticides, they are growing mediums. We are in the process of drafting an MJ-15 to add additional chemicals, fertilizers and pesticides for Calm N Collective's operating plan.

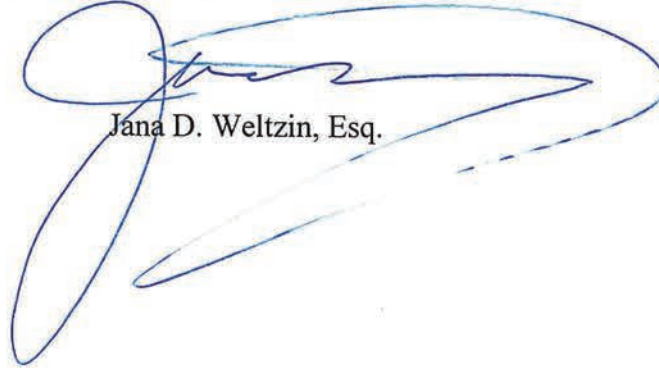
Specific to the NOV dated November 12, 2019, AMCO referenced, "3 AAC 306.020 Application for new license" as the section of the regulations that the Licensee allegedly violated. This is the wrong regulation to cite for the acts alleged in the NOV. Calm N Collective is not a new licensee, there is a regulation that does cover the facts alleged in this NOV, but Enforcement did not cite the applicable regulation.

The NOV must cite applicable regulation(s) that applies to the facts at hand to be a valid and proper NOV. This NOV should be re-written with the proper regulation citation. Calm N Collective is not an applicant for a new license, neither the regulations at 3 AAC 306.020, nor 3 AAC 306.420 referenced under 3 AAC 306.020(b)(11)(B), are applicable to the present facts.

Therefore, the NOV is deficient in giving adequate notice of which portion of the regulations were allegedly violated by Calm N Collective and therefore should be stricken from the public record and if Enforcement deems appropriate, a new NOV could be issued with the proper citation.

Please feel free to contact me if you have any questions or concerns regarding this response.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to read 'Jana D. Weltzin', is written over the typed name. The signature is stylized with a large loop at the beginning and a long, sweeping underline.

Jana D. Weltzin, Esq.