CORRESPONDENCE

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

November 7, 2019

Snow Capped Gardens 2, LLC
DBA: Snow Capped Gardens 2, LLC
Via email: martyb@mtaonline.net

Re: Limited Marijuana Cultivation Facility #19874

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**
  - According to the email clarification from Marty Brown, there is a discrepancy with your Online Application and the affiliate listed (Snow Capped Enterprises, LLC), and the zip code.
  - I have rolled the application back to "New" status so you can remove the affiliate on your online application (in MyAlaska). An updated Public Notice will generate which you will need as part of your corrections outlined below under MJ-07, and MJ-08. Additionally, an updated Advertisement Notice will generate which you will need as part of your corrections outlined below under Publisher's Affidavit. Once you make the corrections to the online application, please send an email notifying me that you have done so, so that I may update the application status from "New" to "Incomplete".
  - Corrections to your online application:
    - Remove Snow Capped Enterprises, LLC from affiliates.
    - Correct the zip code from 99654 to 99623.

- **MJ-00 Application Certifications**
  - Page 1, Section 1: Please correct the zip code to 99623.

- **MJ-01 Operating Plan**
  - This MJ-01 was submitted on an old form. Please use the updated form from our website and resubmit the MJ-01:
    https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/MarijuanaApplication/MJ-01.pdf
  - Page 1, Section 1: Please correct the zip code to 99623.

- Page 2, Section 2.1: Please address if you will be checking ID's to prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items.
- Page 2, Section 3.1: Please expand upon your answer. According to 3 AAC 306.710 Restricted access areas, each entrance to a restricted access area must be marked by a sign that says "Restricted access area. Visitors must be escorted." Please adjust your answer accordingly.
- Page 2, Section 3.2: Please accordingly incorporate in the Operating Plan the following-
  - A marijuana establishment shall limit the number of visitors to not more than five visitors for each licensee, employee, or agent of the licensee who is actively engaged in supervising those visitors.
  - Any visitor to the restricted access area must be escorted at all times by a licensee, employee, or agent of the marijuana establishment.
- Page 3, Section 3.4: Please accordingly incorporate in the Operating Plan the following- the exterior lighting that is required to facilitate surveillance must be placed in a way that produces a clear view adequate to identify an individual within 20 feet of each entrance to the licensed premises.
- Page 4, Section 3.5: According to 3 AAC 306.715(e), "a marijuana establishment shall notify the Department of Commerce, Community, and Economic Development, Alcohol and Marijuana Control Office as soon as reasonably practical and in any case not more than 24 hours after any unauthorized access to the premises or the establishment's knowledge of evidence or circumstances that reasonably indicate theft, diversion, or unexplained disappearance of marijuana, marijuana products, or money from the licensed premises." Please adjust your answer accordingly.
- Page 4, Section 3.7: Please address what actions you will take when loiterers do not want to comply?
- Page 8, Section 8.1: Please re-review 3 AAC 306.750 Transportation, and adjust your answer accordingly to include, for example: the locked container that goes within the vehicle, transport manifests, METRC, etc.
- Page 10, Section 9.2: Please provide a sample logo referenced in this answer.

- **MJ-02 Premises Diagram**
  - Page 1, Section 1: Please correct the zip code to 99623.
  - Diagram 1:
    - Please refer below under MJ-04 Cultivation Supplemental, bullet point: Page 2, Section 4.1 to see if any adjustments are necessary.
    - According to the lease, there is a second floor. Since the lease shows that Snow Capped Gardens 2, LLC has right of possession to the second floor, is the second floor included in the licensed premise? Please clarify. Please provide a diagram with the second floor; this diagram could be called Diagram 1a or something similar.
      - Additionally, please show the stairwell on Diagram 1.
  - Diagram 2:
    - Please describe and label the unlicensed area on the south side of the building.
    - According to the lease, there is a second floor. Since the lease shows that Snow Capped Gardens 2, LLC has right of possession to the second floor, is the second

floor included in the licensed premise? Please clarify. Please provide a diagram with the second floor; this diagram could be called Diagram 2a or something similar.

- There is an area on the northeast corner of the diagram that is not included in the licensed premises labeled, "storage". Since this is not part of the licensed premises, I am assuming this is non-marijuana storage. Please label accordingly.

- Diagram 3: Please outline and label the licensed premises.
- Diagram 4: Please clearly indicate which area(s) will be part of the licensed premises.

- **MJ-04 Cultivation Supplemental**
  - Page 1, Section 1: Please correct the zip code to 99623.
  - Page 2, Section 4.1: Is the shelf referenced stackable? If so, please specify if there will be multiple shelves with marijuana under cultivation; this may affect the overall square footage. If not, please specify that only one layer will be used for cultivation, or something similar.
  - Page 3, Section 4.2: This question was left blank. Please read the statement and then sign your initials in the box to the right.
  - Page 3, Section 4.6: This question was left blank. Please complete this question.
  - Page 6, Section 8.2: Please provide a sample label that the facility will use to meet the labeling requirements set forth in 3 AAC 306.475.

- **MJ-07 Public Notice Posting Affidavit**
  - Because the Public Notice must be given within the 90 days preceding the submittal of all application requirements (3 AAC 306.025(c)), and because of the affiliate discrepancy, please repost the Public Notice (after correcting and submitting the online application) at both, the location of the proposed premises and another conspicuous location for ten days, and then submit a new MJ-07 completed and signed in front of a notary.
  - Additionally, in Section 1, please make sure the zip code is 99623.

- **MJ-08 Local Government Notice Affidavit**
  - Because the local government notice must be given within the 90 days preceding the submittal of all application requirements (3 AAC 306.025(c)) and because of the affiliate discrepancy, please re-notify the local government by submitting to them the Public Notice (after correcting and submitting the online application), and then submit a new MJ-08 completed and signed in front of a notary.

- **Publisher's Affidavit**
  - Because the advertisement is beyond the 90 days preceding the submittal of all application requirements (3 AAC 306.025(c)), you will need to redo the 3-week advertising. Please re-advertise for 3 weeks, then, submit a new Publisher's Affidavit with a copy of the newspaper clipping. Make sure to use the updated Advertisement Notice from MyAlaska after you make corrections to and submit the Online Application.

- **Entity Documents**
  - The submitted Operating Agreement was not signed. Please sign the Operating Agreement.

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,

Jacqlene Drulis, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	martyb@mtaonline.net
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application- Snow Capped Gardens 2, LLC- license #19874
Date:	Thursday, November 7, 2019 4:27:00 PM
Attachments:	19874 Incomplete Application Letter.pdf image001.png

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Hello,

Your application has been reviewed, and attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

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. Feel free to call or email if you need clarification on any items from the Incomplete Letter.

Please send any documents/correspondence to marijuana.licensing@alaska.gov

Thank you,

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