



THE STATE
of **ALASKA**
GOVERNOR MIKE 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

MEMORANDUM

TO: Chair and Members of the Board DATE: October 6, 2020
FROM: Glen Klinkhart, Interim Director RE: Happy Trees, LLC #13416
Marijuana Control Board

This is a renewal application for a Standard Marijuana Cultivation Facility in the Fairbanks North Star Borough, by Happy Trees, LLC DBA Happy Trees, LLC.

Local Government Protest: No
LG Protest Period Ends: 10/29/2020
Objection(s) Received/Date: No
Notice of Violation(s): Yes
MJ-17a Temp Ownership Change Report: No
Staff questions for Board: None

Alcohol & Marijuana Control Office

Initiating License Application

6/26/2020 5:17:01 PM

License Number: 13416**License Status:** Active-Operating**License Type:** Standard Marijuana Cultivation Facility**Doing Business As:** HAPPY TREES, LLC.**Business License Number:** 1055293**Designated Licensee:** Ryan Castle**Email Address:** rccdc05@yahoo.com**Local Government:** Fairbanks North Star Borough**Local Government 2:****Community Council:****Latitude, Longitude:** 64.494470, -147.470090**Physical Address:** 2750 Picket Place
Fairbanks, AK 99709
UNITED STATES**Licensee #1****Type:** Entity**Alaska Entity Number:** 10060535**Alaska Entity Name:** HAPPY TREES, LLC.**Phone Number:** 907-978-6756**Email Address:** rccdc05@yahoo.com**Mailing Address:** PO Box 81856
Fairbanks, AK 99708
UNITED STATES**Entity Official #1****Type:** Individual**Name:** Ryan Castle
[REDACTED]
[REDACTED]**Phone Number:** 907-978-6756**Email Address:** rccdc05@yahoo.com**Mailing Address:** PO Box 81856
Fairbanks, AK 99708
UNITED STATES**Affiliate #1****Type:** Individual**Name:** Ryan Castle
[REDACTED]
[REDACTED]**Phone Number:** 907-978-6756**Email Address:** rccdc05@yahoo.com**Mailing Address:** PO Box 81856
Fairbanks, AK 99708
UNITED STATES

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: 8/14/19

License #/Type: 13416 Standard Marijuana Cultivation Facilities

Licensee: Happy Trees, LLC.

Address: 2750 Picket Place, Fairbanks, AK 99709

DBA: Happy Trees, LLC.

AMCO Case #: AM19-1265

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 08/13/2019 at approximately 0924 hrs. AMCO Enforcement received a call from a doctor at the Surgery Center of Fairbanks complaining about a strong odor of marijuana being detected at the surgery center located at 2310 Peger Road, Fairbanks, AK.

I responded to the surgery center and confirmed the presence of a strong odor of marijuana in the surgery center parking lot. Based on the wind direction at the time, the odor appeared to be coming from the area of Picket Place. I drove to Picket Place where two licensed marijuana cultivation facilities are located. After assessing around both facilities, upwind and downwind from both, I was able to trace the marijuana odor back to Happy Trees, LLC located at 2750 Picket Place. The air ventilation system at the facility was actively ventilating air from vents on the sides of the building facing the surgery center.

The location where I detected the odor of marijuana at the surgery center was approximately 1,000 feet, line of sight, from the Happy Trees, 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:

From: [Chiesa, Michael R \(CED\)](#)
To: [Davies, Jason M \(CED\)](#)
Cc: [CED AMCO Enforcement \(CED sponsored\)](#); [Hoelscher, James C \(CED\)](#)
Subject: FW: Odor Complaint
Date: Wednesday, August 14, 2019 1:17:14 PM
Attachments: [image001.png](#)
[13416-Happy.Trees.LLC.NOV.AM19-1265.08-14-2019.pdf](#)

FYI-

This NOV is going out in the mail today. I notified the licensee it was coming in the mail. He provided the below response via email he would like to use as his response to the NOV.

Respectfully,



Michael Chiesa
Special Investigator I
Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Suite 203
Fairbanks, AK 99701
Office (907) 451-2030
Cell (907) 328-8335
michael.chiesa@alaska.gov

From: Ryan Castle [mailto:rccdc05@yahoo.com]
Sent: Wednesday, August 14, 2019 12:13 PM
To: Chiesa, Michael R (CED) <michael.chiesa@alaska.gov>
Subject: Re: Odor Complaint

Mike,

This is Ryan with Happy Trees license # 13416 I apologize for the odor complaint and will take steps Immediately to lower the odor produced by my facility. Due to our cooling system being completely dependent on pulling in outside air and ventilating it back outside through charcole filters. My resolution for the problem is to immediately install AC units so the cooling system will be kept internal, Which will dramatically lower the amount of Air ventilating outside of my facility. Thank you for your time.

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, August 14, 2019, 8:48 AM, Chiesa, Michael R (CED) <michael.chiesa@alaska.gov> wrote:

Mr. Castle,

On 08/13/2019 I received a complaint of a strong odor of marijuana being detected at the Surgery Center of Fairbanks. I responded to the area after receiving the complaint and I was able to trace the odor back to the Happy Trees, LLC standard cultivation facility, license # 13416, located at 2750 Picket Place.

I will be issuing a Notice of Violation which you will be receiving at the contact address on file with AMCO. I wanted to make sure you were aware of complaint so you can take immediate steps to correct the problem.

Please let me know if you have any questions.

Respectfully,

Investigator Mike Chiesa



Michael Chiesa
Special Investigator I

Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Suite 203

Fairbanks, AK 99701
Office [\(907\) 451-2030](tel:(907)451-2030)

Cell [\(907\) 328-8335](tel:(907)328-8335)
michael.chiesa@alaska.gov

Fw: Odor Complaint

From: Ryan Castle (rccdc05@yahoo.com)
To: brandenroybal@yahoo.com
Date: Saturday, June 27, 2020, 7:38 AM AKDT

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Wednesday, August 14, 2019, 12:38 PM, Chiesa, Michael R (CED)
<michael.chiesa@alaska.gov> wrote:

Mr. Castle,

Thank you for your reply. I appreciate your response and working to resolve the problem. Would you like this email to be used as your response to the NOV?

Respectfully,



Michael Chiesa
Special Investigator I
Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Suite 203
Fairbanks, AK 99701
Office (907) 451-2030
Cell (907) 328-8335
michael.chiesa@alaska.gov

From: Ryan Castle [mailto:rccdc05@yahoo.com]
Sent: Wednesday, August 14, 2019 12:13 PM
To: Chiesa, Michael R (CED) <michael.chiesa@alaska.gov>
Subject: Re: Odor Complaint

Mike,

This is Ryan with Happy Trees license # 13416 I apologize for the odor complaint and will take steps Immediately to lower the odor produced by my facility. Due to our cooling system being completely dependent on pulling in outside air and ventilating it back outside through charcole filters. My resolution for the problem is to immediately install AC units so the cooling system will be kept internal, Which will dramatically lower the

AMCO

JUL - 1 2020

amount of Air ventilating outside of my facility. Thank you for your time.

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, August 14, 2019, 8:48 AM, Chiesa, Michael R (CED)
<michael.chiesa@alaska.gov> wrote:

Mr. Castle,

On 08/13/2019 I received a complaint of a strong odor of marijuana being detected at the Surgery Center of Fairbanks. I responded to the area after receiving the complaint and I was able to trace the odor back to the Happy Trees, LLC standard cultivation facility, license # 13416, located at 2750 Picket Place.

I will be issuing a Notice of Violation which you will be receiving at the contact address on file with AMCO. I wanted to make sure you were aware of complaint so you can take immediate steps to correct the problem.

Please let me know if you have any questions.

Respectfully,

Investigator Mike Chiesa



Michael Chiesa
Special Investigator I
Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Suite 203
Fairbanks, AK 99701
Office (907) 451-2030
Cell (907) 328-8335
michael.chiesa@alaska.gov

AMCO

JUL - 1 2020



Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Happy Trees, LLC	License Number:	13416		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Happy Tree, LLC				
Premises Address:	2750 Picket Pl.				
City:	Fairbanks	State:	Alaska	ZIP:	99709

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Ryan Castle
Title:	Owner

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued to this license between July 1, 2019 and June 30, 2020.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

AMCO

JUL - 1 2020

**Form MJ-20: Renewal Application Certifications****Section 4 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

RL

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

RL

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

RL

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

RL

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

RL

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

RL

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

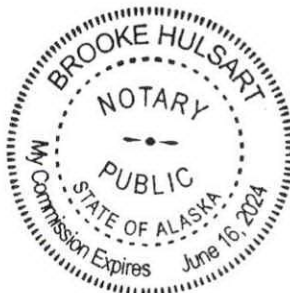
RL

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Signature of licensee

Ryan Castle

Printed name of licensee



Notary Public in and for the State of Alaska

My commission expires: 6/16/2024

Subscribed and sworn to before me this 27th day of June, 2020.

AMCO

JUL - 1 2020