

Notice of Violation (3 AAC 306.806(e))

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

Licensee:	Adam Ferguson	Date:	10/2/24
Doing Business As:	Arctic Earth	License #:	10107
License Type:	Standard Cultivation Facility	AMCO Case #:	AM24-1992
Mailing Address:	151 A Street Loop #1, Anchorage, AK 99518		

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:	10/2/24	3 AAC 306.435	TBD			
	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)						

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

*Amended 12/10/24**

On 10/2/2024 at approximately 14:30 hours, Investigator Murray began an inspection at Arctic Earth. Katie Ferguson one of the owners escorted me through the facility. In flower room 1 I counted 11 untagged plants over 18 inches tall. In the next room veg room 1 approximately half of the plants in the room were untagged. I only counted plants that appeared to be over 18 inches tall. Mrs. Ferguson stated that the untagged plants in the veg room were clones. Most of the plants in that room were over 18 inches tall and had tops cut off. Metrc only showed 5 immature plants in the facility on that day. There were over 65 untagged plants in the veg room from approximately 20 inches to 30 inches. I did not have a ruler or measuring device available. I only counted plants at chin level and above. The top of the soil was below my waist line. From being tailored for body armor and suits. I know the distance from my neck to my waist line is approximately 23 inches. Since the top of the soil level was below my waist this gave over a 5 inch grace on multiple plants.

In flower room 3 there were multiple tables full of plants with buds on them. The plants in flower room 3 ranged approximately 24 to 40 inches tall. Mrs. Ferguson stated that the tags had been taken off because they were harvesting on Friday and Saturday. Mrs Ferguson stated the tags from Flower Room 3 were at her store. In the drying room harvested plants still had plant tags on them. A hand count was conducted by Mrs. Ferguson and Investigator Murray of all the untagged plants in the facility over 18 inches. The total number came to 260 untagged plants.

Your attention is brought to:

3 AAC 306.435. Marijuana inventory tracking system

(a) A marijuana cultivation facility shall use a marijuana inventory tracking system in compliance with 3 AAC 306.730 to ensure all marijuana propagated, grown, or cultivated on the marijuana cultivation facility's premises is identified and tracked from the time the marijuana is propagated through transfer to another licensed marijuana establishment, including when marijuana or marijuana product is relocated to the new licensed premises in the case of a transfer of a marijuana establishment license to another location approved by the board, or destruction. The marijuana cultivation facility shall assign a tracking number to each plant over eight inches tall and each package of marijuana to be transferred to another facility. A package of marijuana may not exceed 10 pounds. The marijuana cultivation facility shall also assign a plant batch name or number to each batch of clones or cuttings. A batch may not consist of more than 50 clones or cuttings.

Notice of Violation


Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:	C. Murray	Issued To:	
Signature:		Title:	
Delivered VIA	Via Email	Issued Date:	



Jana Weltzin <jana@jdwcounsel.com>

Violation

1 message

Arctic Earth <arcticearthak@gmail.com>
To: jana@jdwcounsel.com

Thu, Jan 16, 2025 at 12:59 PM

Dear Jana,

I am writing to address the violation regarding plant tagging in my cultivation facility and to explain the steps I am taking to ensure compliance moving forward.

In the flower rooms, the tags for the plants upstairs were removed during the harvesting process as I was defoliating and preparing them for harvest. I now understand that the tags must remain attached to the plants throughout the entire process, including the drying phase. Moving forward, I will ensure that tags stay on the plants until they are fully dried. The tags will only be removed during the de-stemming process to maintain compliance.

In the veg room, I was placing tags on the plants but had not yet activated them in the system. I now realize the importance of activating the tags before placing them on the plants. I will ensure that all tags are properly activated in the system as soon as they are applied.

Additionally, we have introduced new strains that are growing faster than anticipated compared to our previous strains. This has required some adjustments to our tagging schedule, as the new strains reach the tagging stage more quickly. I am actively working to refine our processes to account for these differences and ensure timely tagging.

I appreciate your understanding and guidance as I work to correct these issues and remain compliant with AMCO regulations. If there are additional steps or documentation you require from me, please let me know.

Thank you for your time and attention to this matter.

Sincerely,
Adam Ferguson & Katherine Ferguson
President/ Owner Arctic Earth
(907) 441-5728

Notice of Violation (3 AAC 306.805)

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

Licensee:	Smadar Warden	Date:	12/16/24
Doing Business As:	Alaskasense	License #:	10237
License Type:	Standard Cultivation Facility	AMCO Case #:	24-2337
Mailing Address:	521 W. Tudor Road, Anchorage, AK		

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:	12/15/24	3 AAC 306.430	TBA			

	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)	12/4/24	3 AAC 306.430	TBA	12/2/24	3 AAC 306.430	TBA
	12/3/24	3 AAC 306.430	TBA			

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

On 12-15-24 at about 1024 hours, Inv. J. Hamilton was traveling West on Tudor Road. As he passed the Southwest Corner of Alaskasense, an odor of marijuana could be detected. The odor continued to be noticeable to the intersection with Arctic Blvd. The wind was nominally from the north at about 0 to 5 mph.

Your attention is directed to 3 AAC 306.430(c)(2): Restricted access area which reads in part(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

Notice of Violation

Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:	J. Hamilton	Issued To:	
Signature:	<i>F.R. HAMILTON</i>	Title:	
Delivered VIA	Via Email	Issued Date:	



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

December 11, 2024

Re: Response to NOV 24-2217

Dear AMCO Enforcement:

We are writing on behalf of our client, AlaskaSense, LLC, in regards to the Notice of Violation issued on December 4, 2024, regarding the reports of odor that was detected near the AlaskaSense standard cultivation facility on Tudor Road. While my client takes odor control regulations under 3 AAC 306.430(c)(2) seriously and consistently strives to comply, AlaskaSense appreciates the opportunity to respond and provide clarification regarding the circumstances that are beyond the licensees control that are contributing to this issue.

As per our October 7th letter (and later update letter of December 10th), the AlaskaSense facility recently experienced a severe act of criminal vandalism. In the early morning of October 5, 2024, two individuals jumped the exterior fence and took an axe to the external HVAC units, rendering them inoperable, along with puncturing the exterior condensers with a fire poker which destroyed the cooling loop for the units causing the units to over-heat and fail. While the Licensee is actively working to repair the HVAC system, supply chain constraints have delayed the availability of the necessary replacement parts for patchwork to get temporary use of the system. The Licensee is doing everything in her power to salvage the plants and keep all employees in a safe environment. The Licensee purchased and installed air conditioning units to try to contend with the extreme heat in the cultivation facility however, to protect the safety of the employees and ensure compliance with health and safety standards, the Licensee has been forced to open exterior doors to ventilate the facility, as temperatures indoors intermittently reach extreme levels. The Licensee has ordered new equipment which should arrive by the beginning of January. Hopefully the new equipment can be installed towards the end of January. The Licensee has no control over the permitting process or the processing timeframe but rest assured, this is a priority, and she will try to do everything in her power to speed up the process as much as possible. The only other option (which is really NOT an option) would be to close the cultivation facility until they arrive and can be installed, this would result in a total loss, put the Licensee out of business and take employment away from 50 Anchorage residents.

On October 7th, 2024, we issued letters to AMCO Enforcement, the Municipality of Anchorage, and Midtown Community Council alerting them of the criminal vandalism and the potential for odors until we can get the HVAC systems back up and running. We sent an update letter to these departments on December 10th after the Licensee received confirmation of the expected arrival date of the new equipment. *(See attached letters*

dated October 7th and December 10th, along with an email update sent to Enforcement on October 14th).

We deeply regret any inconvenience or concern this situation may have caused to the community and remain committed to maintaining full compliance with 3 AAC 306.430(c)(2). We kindly request that AMCO consider these mitigating factors in evaluating this violation.

Truly and Sincerely Yours,

A handwritten signature in black ink, appearing to read 'J. Weltzin', with a stylized flourish extending to the right.

Jara D. Weltzin, Esq.



Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave, Second Floor
Anchorage, Alaska 99503
Phone 907-231-3750
JDW, LLC
jana@jdwcounsel.com

October 7, 2024

Attn: AMCO Enforcement

Re: Urgent incident – License #10237

On Saturday morning at 3:36am, 2 individuals climbed the fence, with an axe, at the AlaskaSense cultivation facility located at 521 W. Tudor Road. Once over the fence, the two individuals used the axe to damage every single external HVAC component and the video surveillance camera near the crime scene. APD was called and a case number will be provided on the incident report that will follow this letter. Camera footage will be delivered to the AMCO office this afternoon.

This letter is being written to inform you not only of the heinous attack on this licensee and her livelihood, it is also being written as there is a major concern for the safety of her employees as there is no way to have any sort of temperature control in the facility as the employees and the licensee attempt to salvage as many plants as possible to avoid a total loss.

Due to the attack on AlaskaSense, there is going to be an odor issue. The facility without an HVAC system is too hot to keep employees safe and salvage any plants without opening the facility doors. Opening the doors will release a lot of marijuana odor but it will keep the employees safe while they attempt to salvage the plants as quickly as possible so the doors can be closed.

We pray that you understand and have compassion for this licensee while she tries to get the plants salvaged as quickly as possible, keeping the safety of her employees as a top priority.

Truly and Sincerely Yours,

Jana D. Weltzin, Esq.



URGENT Incident - License #10237

Jana Weltzin <jana@jdw-counsel.com>

Mon, Oct 14, 2024 at 3:38 PM

To: "Bankowski, Joe (CED)" <joe.bankowski@alaska.gov>

Cc: Brenda Butler <brenda@jdw-counsel.com>, Randi Baker <randi@jdw-counsel.com>, Smadi Warden <smadi@cannabaska.com>

Good Afternoon Investigator Bankowski,

Apologies for the delay in getting an update for you, things have been pretty hectic for the licensee because of this situation.

The licensee has confirmed that the two individuals that climbed the fence with an axe and damaged the HVAC also used what looked like a fire poker to puncture 11 outside condensers, destroying the cooling loop for the units causing the units to overheat and fail.

On October 7th, Cool Air Mechanical did an onsite inspection at the facility and verified the units were damaged beyond repair and stated that they were going to try and find condenser radiators to put a patch on the unit however, they can not promise that the units would be functional.

On October 14th, the Licensee called Cool Air Mechanical and spoke with Hunter Kitto, he stated that they are having a very hard time finding a supplier for these condenser radiators. There was no time estimate or lead time on when Hunter would be able to find them and put the patch work in.

At this time, the Licensee has installed air conditioning units to attempt to control the excessive heat in the facility and continue to try to keep the plants they were able to salvage alive. The door to the facility still needs to be opened from time to time for the safety of the employees.

The Licensee is actively meeting with Anchorage police detectives and the insurance agents to make the proper claims and reporting.

We will provide an additional update when we receive an equipment update from Cool Air Mechanical.

Let us know if there is any additional information you need at this time.

Also - we have reason to believe this was two past employees who are handler card holders. Please give me a call at your convenience and I can discuss further with you.

Thank you.

Jana D. Weltzin, Esq.

JDW, LLC

Principal Owner

901 Photo Avenue

Anchorage, Alaska 99503

jana@jdw-counsel.com

907-231-3750 Office Line

630-913-1113 Cell

*Licensed in Alaska and Arizona

The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete or destroy any copy of this message.



Think green, please don't print unnecessarily



Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave, Second Floor
Anchorage, Alaska 99503
Phone 907-231-3750
JDW, LLC
jana@jdwccounsel.com

December 10, 2024

Attn: AMCO Enforcement

Update regarding the urgent incident reported on October 7th, 2024 for License #10237

After the heinous attack on the Cannabaska & AlaskaSense facility located at 521 W Tudor Road, the Licensee has been doing everything in her control to get repairs done on the HVAC units that were destroyed.

As you are aware, two individuals climbed the fence outside of the facility and damaged the HVAC units with an axe. They also used what appeared to be a fire poker and punctured 11 outside condensers which destroyed the cooling loop for the units causing the units to over-heat and fail.

As this incident took place during the early hours on a weekend and repair service companies were not accessible, the Licensee took action as soon as she could feasibly do so.

On Monday October 7th, Cool Air Mechanical did an onsite inspection and verified the units were damaged beyond repair and stated that they were going to try and find condenser radiators to put a patch on the unit however, they could not promise that the units would be functional.

On October 14th, the Licensee called Cool Air Mechanical and was informed that they are having a hard time finding a supplier for the condenser radiators. There was no time estimate or lead time on when condenser radiators could/would be found for the patch work to begin.

The licensee installed air conditioning units to attempt to control the excessive heat however, doors still need to be opened from time to time for the safety of the employees.

The licensee finally received an update regarding the new equipment that was ordered which should arrive by the beginning of January. Depending on the permitting process, we are hopeful that the new equipment can be installed towards the end of January. As the Licensee has no control over the permitting process' timeframe, we would like to reiterate that we are hopeful that the equipment will be installed by the end of January.

We understand the inconvenience that this incident has caused with regard to odor. We also understand the emotional, economic and financial hardships this incident has caused the Licensee.

We pray that you continue to work with the Licensee as she continues to work towards having the repairs done to the facility and resolves the un-controllable odor issue.

Truly and Sincerely Yours,



Jara D. Weltzin, Esq.

Notice of Violation (3 AAC 306.805)

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

Licensee:		Date:	
Doing Business As:		License #:	
License Type:		AMCO Case #:	
Mailing Address:			

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:						

	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)						

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

Notice of Violation

Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:		Issued To:	
Signature:	<i>F.R. HAMILTON</i>	Title:	
Delivered VIA		Issued Date:	



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@jdwconsult.com

December 11, 2024

Re: Response to NOV 24-2217

Dear AMCO Enforcement:

We are writing on behalf of our client, AlaskaSense, LLC, in regards to the Notice of Violation issued on December 4, 2024, regarding the reports of odor that was detected near the AlaskaSense standard cultivation facility on Tudor Road. While my client takes odor control regulations under 3 AAC 306.430(c)(2) seriously and consistently strives to comply, AlaskaSense appreciates the opportunity to respond and provide clarification regarding the circumstances that are beyond the licensees control that are contributing to this issue.

As per our October 7th letter (and later update letter of December 10th), the AlaskaSense facility recently experienced a severe act of criminal vandalism. In the early morning of October 5, 2024, two individuals jumped the exterior fence and took an axe to the external HVAC units, rendering them inoperable, along with puncturing the exterior condensers with a fire poker which destroyed the cooling loop for the units causing the units to over-heat and fail. While the Licensee is actively working to repair the HVAC system, supply chain constraints have delayed the availability of the necessary replacement parts for patchwork to get temporary use of the system. The Licensee is doing everything in her power to salvage the plants and keep all employees in a safe environment. The Licensee purchased and installed air conditioning units to try to contend with the extreme heat in the cultivation facility however, to protect the safety of the employees and ensure compliance with health and safety standards, the Licensee has been forced to open exterior doors to ventilate the facility, as temperatures indoors intermittently reach extreme levels. The Licensee has ordered new equipment which should arrive by the beginning of January. Hopefully the new equipment can be installed towards the end of January. The Licensee has no control over the permitting process or the processing timeframe but rest assured, this is a priority, and she will try to do everything in her power to speed up the process as much as possible. The only other option (which is really NOT an option) would be to close the cultivation facility until they arrive and can be installed, this would result in a total loss, put the Licensee out of business and take employment away from 50 Anchorage residents.

On October 7th, 2024, we issued letters to AMCO Enforcement, the Municipality of Anchorage, and Midtown Community Council alerting them of the criminal vandalism and the potential for odors until we can get the HVAC systems back up and running. We sent an update letter to these departments on December 10th after the Licensee received confirmation of the expected arrival date of the new equipment. (*See attached letters*

dated October 7th and December 10th, along with an email update sent to Enforcement on October 14th).

We deeply regret any inconvenience or concern this situation may have caused to the community and remain committed to maintaining full compliance with 3 AAC 306.430(c)(2). We kindly request that AMCO consider these mitigating factors in evaluating this violation.

Truly and Sincerely Yours,

A handwritten signature in black ink, appearing to read 'J. Weltzin', with a stylized flourish extending to the right.

Jara D. Weltzin, Esq.



Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave, Second Floor
Anchorage, Alaska 99503
Phone 907-231-3750
JDW, LLC
jana@jdwcounsel.com

October 7, 2024

Attn: AMCO Enforcement

Re: Urgent incident – License #10237

On Saturday morning at 3:36am, 2 individuals climbed the fence, with an axe, at the AlaskaSense cultivation facility located at 521 W. Tudor Road. Once over the fence, the two individuals used the axe to damage every single external HVAC component and the video surveillance camera near the crime scene. APD was called and a case number will be provided on the incident report that will follow this letter. Camera footage will be delivered to the AMCO office this afternoon.

This letter is being written to inform you not only of the heinous attack on this licensee and her livelihood, it is also being written as there is a major concern for the safety of her employees as there is no way to have any sort of temperature control in the facility as the employees and the licensee attempt to salvage as many plants as possible to avoid a total loss.

Due to the attack on AlaskaSense, there is going to be an odor issue. The facility without an HVAC system is too hot to keep employees safe and salvage any plants without opening the facility doors. Opening the doors will release a lot of marijuana odor but it will keep the employees safe while they attempt to salvage the plants as quickly as possible so the doors can be closed.

We pray that you understand and have compassion for this licensee while she tries to get the plants salvaged as quickly as possible, keeping the safety of her employees as a top priority.

Truly and Sincerely Yours,

Jana D. Weltzin, Esq.



URGENT Incident - License #10237

Jana Weltzin <jana@jdw-counsel.com>

Mon, Oct 14, 2024 at 3:38 PM

To: "Bankowski, Joe (CED)" <joe.bankowski@alaska.gov>

Cc: Brenda Butler <brenda@jdw-counsel.com>, Randi Baker <randi@jdw-counsel.com>, Smadi Warden <smadi@cannabaska.com>

Good Afternoon Investigator Bankowski,

Apologies for the delay in getting an update for you, things have been pretty hectic for the licensee because of this situation.

The licensee has confirmed that the two individuals that climbed the fence with an axe and damaged the HVAC also used what looked like a fire poker to puncture 11 outside condensers, destroying the cooling loop for the units causing the units to overheat and fail.

On October 7th, Cool Air Mechanical did an onsite inspection at the facility and verified the units were damaged beyond repair and stated that they were going to try and find condenser radiators to put a patch on the unit however, they can not promise that the units would be functional.

On October 14th, the Licensee called Cool Air Mechanical and spoke with Hunter Kitto, he stated that they are having a very hard time finding a supplier for these condenser radiators. There was no time estimate or lead time on when Hunter would be able to find them and put the patch work in.

At this time, the Licensee has installed air conditioning units to attempt to control the excessive heat in the facility and continue to try to keep the plants they were able to salvage alive. The door to the facility still needs to be opened from time to time for the safety of the employees.

The Licensee is actively meeting with Anchorage police detectives and the insurance agents to make the proper claims and reporting.

We will provide an additional update when we receive an equipment update from Cool Air Mechanical.

Let us know if there is any additional information you need at this time.

Also - we have reason to believe this was two past employees who are handler card holders. Please give me a call at your convenience and I can discuss further with you.

Thank you.

Jana D. Weltzin, Esq.

JDW, LLC

Principal Owner

901 Photo Avenue

Anchorage, Alaska 99503

jana@jdw-counsel.com

907-231-3750 Office Line

630-913-1113 Cell

***Licensed in Alaska and Arizona**

The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete or destroy any copy of this message.



Think green, please don't print unnecessarily



Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave, Second Floor
Anchorage, Alaska 99503
Phone 907-231-3750
JDW, LLC
jana@jdwcounsel.com

December 10, 2024

Attn: AMCO Enforcement

Update regarding the urgent incident reported on October 7th, 2024 for License #10237

After the heinous attack on the Cannabaska & AlaskaSense facility located at 521 W Tudor Road, the Licensee has been doing everything in her control to get repairs done on the HVAC units that were destroyed.

As you are aware, two individuals climbed the fence outside of the facility and damaged the HVAC units with an axe. They also used what appeared to be a fire poker and punctured 11 outside condensers which destroyed the cooling loop for the units causing the units to over-heat and fail.

As this incident took place during the early hours on a weekend and repair service companies were not accessible, the Licensee took action as soon as she could feasibly do so.

On Monday October 7th, Cool Air Mechanical did an onsite inspection and verified the units were damaged beyond repair and stated that they were going to try and find condenser radiators to put a patch on the unit however, they could not promise that the units would be functional.

On October 14th, the Licensee called Cool Air Mechanical and was informed that they are having a hard time finding a supplier for the condenser radiators. There was no time estimate or lead time on when condenser radiators could/would be found for the patch work to begin.

The licensee installed air conditioning units to attempt to control the excessive heat however, doors still need to be opened from time to time for the safety of the employees.

The licensee finally received an update regarding the new equipment that was ordered which should arrive by the beginning of January. Depending on the permitting process, we are hopeful that the new equipment can be installed towards the end of January. As the Licensee has no control over the permitting process' timeframe, we would like to reiterate that we are hopeful that the equipment will be installed by the end of January.

We understand the inconvenience that this incident has caused with regard to odor. We also understand the emotional, economic and financial hardships this incident has caused the Licensee.

We pray that you continue to work with the Licensee as she continues to work towards having the repairs done to the facility and resolves the un-controllable odor issue.

Truly and Sincerely Yours,



Jara D. Weltzin, Esq.

Notice of Violation (3 AAC 306.805)

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

Licensee:	Tip Top LLC	Date:	12/30/24
Doing Business As:	Tip Top Cannabis	License #:	14359
License Type:	Retail Marijuana Store	AMCO Case #:	AM242305
Mailing Address:	233 E. 5th Avenue, Suite 1, Anchorage, AK 99501		

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:	3/26/24	Sec. 17.38.070				

	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)						

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

On 12/16/24 Investigators Murry, Bankowski, and Rukes went to Tip Top Cannabis for an inspection. From the street in front of the business we all noted that the windows were not covered or opaque allowing marijuana to be visible from the public right of way.

Violation of:
17.38.070 (a)(1) Lawful Operation of Marijuana-Related Facilities

Notice of Violation

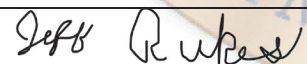
Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:	J. Rukes	Issued To:	Nick Coltman
Signature:		Title:	Designated Licensee
Delivered VIA	Via Email	Issued Date:	12/30/24

From: coltman@gci.net
To: [Rukes, Jeffrey B \(CED\)](#)
Cc: [Bankowski, Joe \(CED\)](#); [Evanjelina Gonzalez](#)
Subject: Re: NOV Front windows not occluded
Date: Friday, January 3, 2025 3:11:03 PM
Attachments: [image001.png](#)

You don't often get email from coltman@gci.net. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeffrey - thanks for your email.

A couple of notes about the front windows. 1) They were completely occluded but were broken by someone on the street and had to be replaced. 2) The replacement occlusion material just arrived and the windows will be covered again asap. 3) Tip Top's cannabis is in the small room at the far back of the store and not visible from the ROW despite the lack of occlusion.

We'd like to request an abatement on the NOV. Thanks for your consideration.

Nick

Nick Coltman
Tip Top, LLC
233 E. 5th Avenue
Anchorage, AK 99501
Store: 907-644-3066
Cell: 907-229-6364

From: "Jeffrey B Rukes, CED" <jeff.rukes@alaska.gov>
To: "NICK COLTMAN" <coltman@gci.net>
Cc: "Joe Bankowski, CED" <joe.bankowski@alaska.gov>
Sent: Monday, December 30, 2024 11:31:29 AM
Subject: NOV Front windows not occluded

Morning Nick,

Tip Top is being issued a NOV for The front windows not being occluded so that the public cannot see marijuana.



Jeff Rukes
Special Investigator I
AMCO Enforcement
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Office (907) 334-0893
jeff.rukes@alaska.gov

Notice of Violation (3 AAC 306.805)

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

Licensee:	Michael Dillard	Date:	12/31/24
Doing Business As:	Bam Alaska	License #:	17886
License Type:	Standard Cultivation Facility <input type="checkbox"/>	AMCO Case #:	AM 24-2401
Mailing Address:	3105 Minnesota Dr., Anchorage, AK 99503		

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:	12/30/24	3 AAC 306.430 <input type="checkbox"/>			<input type="checkbox"/>	

	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)						

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

On December 30, 2024 at approximately 1100 hours, AMCO enforcement Investigator Linger was driving on Vine Rd near Bam Alaska a standard marijuana cultivation. While in the area Investigator Linger detected a strong noticeable odor of marijuana coming from your facility, located at 6051 W Aeronautical Ave., in Wasilla. The odor was detectable from W Raspberry Loop, which is located approximately 800' North of the facility. There was nobody observed entering or exiting the building at the time the investigator drove by.

Your attention is directed to 3 AAC 306.430(c)(2) Restricted access area: A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility does not emit an odor that is detectable by the public from outside the cultivation facility except as specifically allowed by a local government.

See Map

Notice of Violation


Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:	J. Linger	Issued To:	Michael Dillard
Signature:		Title:	Licensee
Delivered VIA	Via Email	Issued Date:	12/31/24

From: [Mike & Steve](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: Odor NOV Response - BAM Alaska
Date: Monday, January 6, 2025 1:52:22 PM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Investigator Linger,

Thank you for bringing this matter to our attention. We take compliance with all regulations, including odor control requirements, very seriously at BAM Alaska.

On December 30, 2024, during your observation, we were in the process of harvesting one of our most aromatic strains, Phatso. Harvesting this particular strain tends to produce a notably strong odor, which may have contributed to the detectable smell beyond our facility boundaries.

Upon receiving your notice, we conducted an immediate inspection of our odor mitigation systems. During this inspection, we discovered that one of our fans was not plugged in correctly, which likely reduced the effectiveness of our ventilation system. Additionally, we have replaced the charcoal filter connected to the exhaust fan in the harvest room to ensure optimal performance.

We are confident that these corrective actions will effectively address the odor issue and prevent future occurrences. Please feel free to reach out if you have any further questions or require additional information.

Thank you for your understanding and cooperation.

Sincerely,

Steve Voth
BAM Alaska. License #17886
(907) 240-0357

Notice of Violation (3 AAC 306.805)

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

Licensee:	Daniel Hordoan	Date:	12/3/24
Doing Business As:	Tundra Farms	License #:	18704
License Type:	Standard Cultivation Facility	AMCO Case #:	24-2200
Mailing Address:	1210 E. 70th Ave, Anchorage, AK		

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:	11/27/24	3 AAC 306.435	TBA			
	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)						

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

On 11-27-24, a walk through of your facility was conducted. Observed in Flower Room 3, were 8 untagged plants. In Flower Room 2, there were also 8 untagged plants. All plants were well over 18 inches tall. According to cultivator Chance Sadowski, plants in room 3 were untagged for approx. two weeks and plants in room 2 were untagged for approx. six weeks.

Your attention is directed to 3 AAC 306.435: Marijuana inventory tracking system (a) A marijuana cultivation facility shall (1) use a marijuana inventory tracking system in compliance with 3 AAC 306.730 to ensure all marijuana propagated, grown, or cultivated on the marijuana cultivation facility's premises is identified and tracked from the time the marijuana is propagated through transfer to (2) assign a tracking number to each (A) plant over 18 inches tall; ...

Notice of Violation

Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:	J. Hamilton	Issued To:	Daniel Hordoan
Signature:	<i>F.R. HAMILTON</i>	Title:	Licensee
Delivered VIA	Via Email	Issued Date:	

From: danny roam <misterromo45@gmail.com>
Sent: Monday, January 27, 2025 12:27 PM
To: Hamilton, Joe (CED) <joe.hamilton@alaska.gov>
Subject: Re: Tundra Farms, Lic 18704, NOV ws.pdf

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Joe sorry about the delay.

My response to the NOV is the following

While there is no excuse for what happend, we were in the middle of construction and adding the new rooms that you guys saw on your visit.

My manager at the time was not fulfilling his duty throughly enough and has been replaced to avoid this situation again. It was a mistake that should have been caught but it has been addressed now so it will not happen again. I apologize for the mishap.

Notice of Violation (3 AAC 306.806(e))

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

Licensee:	Casey Wilkins	Date:	1/2/25
Doing Business As:	Dope Dynasty	License #:	27736
License Type:	Standard Cultivation Facility <input type="checkbox"/>	AMCO Case #:	AM 25-0003
Mailing Address:	2521 E Mtn Village Dr. Ste B, PMB 385, Wasilla, AK 99654		

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:	1/2/25	3 AAC 306.405(a)(5) <input type="checkbox"/>		1/2/25	3 AAC 306.435(a) <input type="checkbox"/>	

	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)						

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

On 01/02/2025, AMCO Investigator's Linger and Hamilton, entered your facility, Dope Dynasty, to conduct a routine inspection. Upon inspection investigators noticed multiple marijuana plants throughout the facility that were at least 18 inches in height that did not have METRC tracking tags. Mother room contained a total of 55 untagged plants that were at least 18 inches in height. Flower Room 1 should have contained 200 plants according to METRC, but only contained 150 actual plants. None were tagged but all plants were at least 18 inches in height. Flower Room 2 according to METRC had 0 plants (all plants had been harvested or destroyed), however there were 420 plants at least 18 inches in height that were not tagged. Flower Room 3 according to METRC had 165 plants, there were a total of 420 plants in the room for a total of 255 untagged plants. Due to spraying in the grow rooms an employee physically counted the untagged plants. The manager Taylor Burns and the employee agreed with the plant count, and stated the plants had been in their respective rooms for approximately 1 1/2 to 2 weeks. Burns stated they had made a METRC tag order and were waiting on the tags to arrive. An overall count in METRC on 01/02/2025 at approximately 1052 hours shows the facility has a total of 86 plants. A check with METRC revealed the last successful tag order was placed on 07/22/2024, and an unsuccessful order due to insufficient funds was placed on 01/03/2025, the day after our inspection. On 01/06/2025 during a follow up of the facility, Manager Ryan Smith, stated he had fallen behind on keeping up with METRC and tagging requirements and just didn't get caught up. This is a total of 1,840 violations of 3 AAC 306.405(a)(5) and 3 AAC 306.435(a); 920 each respectively.

This is in violation of:

3 AAC 306.405 A licensed standard marijuana cultivation facility: privileges and prohibited acts (a)(5), A licensed standard marijuana cultivation facility is authorized to store inventory on the licensed premises; any stored inventory must be secured in a restricted access area and accounted for in the marijuana cultivation facility's marijuana inventory tracking system as required under 3 AAC 306.730

3 AAC 306.435 Marijuana inventory tracking system (a), A marijuana cultivation facility shall use a marijuana inventory tracking system in compliance with 3 AAC 306.730 to ensure all marijuana propagated, grown, or cultivated on the marijuana cultivation facility's premises is identified and tracked from the time the marijuana is propagated through transfer to another licensed marijuana establishment, including when marijuana or marijuana product is relocated to the new licensed premises in the case of a transfer of a marijuana establishment license to another location approved by the board, or destruction. The marijuana cultivation facility shall assign a tracking number to each plant over eight inches tall and each package of marijuana to be transferred to another facility. A package of marijuana may not exceed 10 pounds. The marijuana cultivation facility shall also assign a plant batch name or number to each batch of clones or cuttings. A batch may not consist of more than 50 clones or cuttings.



Notice of Violation


Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:	J. Linger	Issued To:	Casey Wilkins
Signature:		Title:	Designated Licensee
Delivered VIA	Via Email	Issued Date:	1/6/25

AMCO Enforcement

550 w. 7th ave

Anchorage, Ak 99501

Subject: Response to Notice of Violation (4a-27736) – Dope Dynasty Cultivation

Dear [Investigator Linger/Appropriate Contact],

We are writing in response to the Notice of Violation (NOV) issued on January 2, 2025, regarding Dope Dynasty Cultivation (4a-27736). First and foremost, we would like to express our respect for and commitment to the state's track-and-trace compliance system. We recognize its critical role in ensuring accountability and regulatory compliance within the cannabis industry.

During your unscheduled inspection, it was noted that multiple plants across various cultivation rooms were missing required identification tags. We acknowledge this lapse in compliance and have taken immediate corrective actions to rectify the issue.

Specifically:

- All plants were tagged before the return of AMCO officers on 1/6, as part of your follow up inspection.
- The cultivation team was experiencing delays due to pending tag orders from METRC. We now have additional tags on hand and more scheduled for delivery this week to prevent future shortages.

This oversight was an isolated incident, and it does not reflect our commitment to compliance. To prevent recurrence, we have implemented the following measures:

- A comprehensive SOP has been developed to ensure timely and accurate tagging of all plants and clones.
- All staff members have been thoroughly trained on the importance of maintaining track-and-trace compliance and are fully aware of their responsibilities moving forward.

We appreciate the time and effort involved in ensuring industry compliance and respectfully request that this NOV be considered for a warning, given that it represents our first violation in this area. Dope Dynasty has maintained a strong history of compliance and remains committed to operating responsibly within all regulatory frameworks.

Thank you for your consideration. Please do not hesitate to reach out if further clarification or documentation is required.

Sincerely,

Taylor Burns

Manager Dope Dynasty

Dope Dynasty Cultivation

alwaysredeyelc@gmail.com

Notice of Violation (3 AAC 306.805)

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

Licensee:	Corey Mauldin	Date:	12/31/24
Doing Business As:	Candid Farms	License #:	30905
License Type:	Limited Cultivation Facility <input type="checkbox"/>	AMCO Case #:	AM 24-2403
Mailing Address:	17690 E Idle Drive, Palmer, AK 99645		

	Date	Violation of	Fine	Date	Violation of	Fine
Violation(s) of Statute/Regulation:	12/30/24	3 AAC 306.430 <input type="checkbox"/>			<input type="checkbox"/>	

	Date	Violation of	Fine	Date	Violation of	Fine
Prior Violation(s)						

This is a notice to you as a licensee that you are being issued a notice of violation for the purposes described in 3 AAC 306.806(e). A description of the violation is as follows,

NOTE: This is not an accusation or criminal complaint.

On December 30, 2024 at approximately 0730 hours, AMCO enforcement Investigator Linger received an odor complaint in regards to Candid Farms, Limited Marijuana Cultivation Facility located at 17690 E Idle Dr. in Palmer. At approximately 1155 hours Investigator Linger was driving on N Placid PL, and N Witherspoon Rd., which is behind Candid Farms. While in the area Investigator Linger detected a strong noticeable odor of marijuana coming from your facility. The odor was detectable from N Placid PL, and N Witherspoon Rd., which is located approximately 260' SW of the facility. There was nobody observed entering or exiting the building at the time the investigator drove by.

Your attention is directed to 3 AAC 306.430(c)(2) Restricted access area: A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility does not emit an odor that is detectable by the public from outside the cultivation facility except as specifically allowed by a local government.

See Map

Notice of Violation


Disciplinary Action

Civil Fine:		Probation:	
-------------	--	------------	--

You may choose to contest or not contest the violation or recommended disciplinary action. If you do not contest, please describe in writing the remedial measures you are taking to address the violation and remit the requested fine, if applicable. You may contest the violation or recommended disciplinary action by filing a written response not later than 10 days after your receipt of this notice. You may elect to appeal this notice directly to the Marijuana Control Board under 3 AAC 306.845 or request an informal conference with the director under 3 AAC 306.844. If your informal conference with the director is not to your satisfaction, you may still elect to appeal this notice to the board by filing written notice of the same with AMCO. Any appeal to the board will be heard at the next regularly scheduled meeting of the Board, unless both AMCO and you agree to an extension. You may appeal any final decision by the board to the superior court under AS 44.62.560, excluding a request that the director prepare an accusation for suspension or revocation of a license.

Please send your response, including any potential fine, your request for an informal conference, or appeal to the board to the address below and include your marijuana license number in your response.

Marijuana Control Office
Attn: AMCO Enforcement
550 W. 7th Avenue Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

Issuing Investigator:	J. Linger	Issued To:	Corey Mauldin
Signature:		Title:	Licensee
Delivered VIA	Via Email	Issued Date:	12/31/24