



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: August 17, 2023

FROM: Carrie Craig, RLS

RE: #5365 Icy Strait Brewing

Requested Action: Refund request and renewal for the 2022-2023 renewal period.

Statutory and Regulatory Authority: **AS 04.06.090(b):** "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

3 AAC 304.170. Waiver of annual operating requirement and minimum operating requirements. "(c) An application for waiver for a calendar year must be made in writing to the board and must be accompanied by a non-refundable application fee of:

- (1) an amount equal to one-half the applicable biennial license fee if a waiver application was not made for the previous year;"

"(h) In addition to the application fee under (c) of this section, the applicant shall pay \$1,000 for an application that is received too late for board consideration at its last meeting of the calendar year for which waiver is requested."

Staff Rec.: Evaluate refund request in accordance with above statutes and regulation and approve the renewal application for license #5365.

Background: The licensee is requesting a refund of the 2022 AB-29: Waiver of Operations fee and the late fee. The licensee paid the following:

2022 AB-29 fee: \$250.00 (non-refundable)
2022 AB-29 late fee: \$1,000.00

Attachment: Refund Request
2023/2024 AB-17
AB-29 for 2022



BAXTER BRUCE & SULLIVAN

P.O. Box 32819
Juneau, Alaska 99803

Attorneys At Law
A Professional Corporation
Serving Southeast Alaska Since 1977

(907) 789-3166 (Telephone)
(907) 789-1913 (Facsimile)
www.baxterbrucelaw.com

December 29, 2022

Via Email to alcohol.licensing@alaska.gov and Priority Express Mail

Alcoholic Beverage Control Board
550 W. 7th Avenue, Suite 1600
Anchorage, Alaska 99501

Re: Brewery License Number: 5365
Our File Number: 11801-002

Baxter Bruce & Sullivan P.C. ("firm") represents Icy Strait Brewing, LLC regarding Brewery License Number 5365. Enclosed are the following:

Form AB-17: 2023/2024 General Renewal Application
Form AB-29: Waiver of Operation Application - 2022
Check in the amount of \$2,550.00 (license and renewal application fee of \$1,300, and Waiver of Operation Application and late fees - 2022 of \$1,250)

I understand that there was a Waiver of Operation Application filed for 2020 for the License. The waiver for 2020 was required due to nonoperation stemming from Covid-19. I further understand that the prior licensee was unable to operate in 2021 due to Covid-19. It is my stance that the enclosed Waiver of Operation Application - 2022 is the first waiver on the license as the 2020 and 2021 consecutive waivers were required due to Covid-19.

My client, through no fault of its own, was precluded from operating in 2022 due to the date the Alaska Alcoholic Beverage Control Board transferred the license, and repairs to the licensed premises that were required to be performed prior to operation. As such, my client respectfully requests refund of the fees paid for the Waiver of Operation Application - 2022.

If you have a question, contact me or legal assistant Shirley Davenport by telephone at (907) 789-3166 or email at dbruce@bbslawyer.com or sdavenport@bbslawyer.com.

Sincerely,

BAXTER, BRUCE & SULLIVAN, P.C.

Daniel G. Bruce

DGB/sd
Enclosures. As listed above
c: Icy Strait Brewing, LLC

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

7/27/2023

ABC BOARD

LIQUOR LICENSE

2023 - 2024

TEMPORARY

5365

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2024 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Brewery - Season

4/15 - 10/15

LICENSE FEE: \$500.00

1081

CITY / BOROUGH: Hoonah
Unorganized Borough

D/B/A: Icy Strait Brewing LLC
286 Front Street

Mail Address:
Icy Strait Brewing, LLC
9301 Glacier Highway
Juneau, AK 99801

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

[] Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 10/20/22)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

7/27/2023

ABC BOARD

LIQUOR LICENSE

2023 - 2024

TEMPORARY

5365

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2024 (AS 04.11.270(b))

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CITY / BOROUGH: Hoonah
Unorganized Borough

D/B/A: Icy Strait Brewing LLC
286 Front Street

Mailing Address:
Icy Strait Brewing, LLC
9301 Glacier Highway
Juneau, AK 99801

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

[] Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 5/9/22)



Alaska Alcoholic Beverage Control Board

AB-17: 2023/2024 License Renewal Application

Alcohol and Marijuana Control Office
550 W 7th Avenue,
Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2022 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any application for renewal or any fees for renewal that have not been postmarked by 2/28/2023 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Section 1 - Establishment Contact Information

| | | | |
|-----------------------|-------------------------|------------|------|
| Licensee (Owner): | Icy Strait Brewing, LLC | License #: | 5365 |
| License Type: | Brewery - Seasonal | | |
| Doing Business As: | Icy Strait Brewing LLC | | |
| Local Governing Body: | Hoonah | | |
| Community Council: | | | |

If your mailing address has changed, write the NEW address below:

| | | | | | |
|------------------|--|--------|--|------|--|
| Mailing Address: | | | | | |
| City: | | State: | | ZIP: | |

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

| | | | |
|-------------------|----------------------------|----------------|----------------|
| Contact Licensee: | Russell A. Dick | Contact Phone: | (907) 789-8500 |
| Contact Email: | russell.dick@hunatotem.com | | |

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

| | | | |
|------------------|---|----------------|----------------|
| Name of Contact: | Daniel G. Bruce, legal counsel | Contact Phone: | (907) 789-3166 |
| Contact Email: | dbruce@bbslawyer.com and sdavenport@bbslawyer.com | | |

Section 3 - for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2022 and/or 2023?

YES NO

AMCO
DEC 30 2022

AMCO
JUL 27 2023



Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

Section 4 – Ownership Structure Certification

YES NO

Did the ownership structure of the licensed business change in 2021/2022?

If Yes, and you have NOT notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application.

If No, certify the statement below by initialing the box to the right of the statement.

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2021 or 2022.



Section 5 – License Operation

Check ONEBOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:

Table with 4 rows and 3 columns: Description, 2021, 2022. Row 1: The license was operated for more than 240 hours throughout each year. (Year-round) [] [] Row 2: The license was only operated during a specified time each year. (Not to exceed 6 months per year) [] [] Row 3: The license was only operated to meet the minimum requirement of 240 total hours each calendar year. [] [] Row 4: The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. [X] [X]

Section 6 - Violations and Convictions

YES NO

Have ANY Notices of Violation been issued for this license?

Has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2021 or 2022?

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2) If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.

Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.



Alaska Alcoholic Beverage Control Board

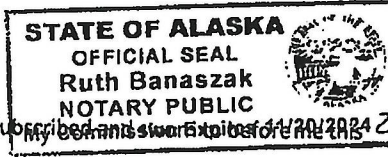
Form AB-17: 2023/2024 License Renewal Application

- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Glory Scarano
 Signature of licensee
 Glory Scarano, CFO of Member
 Huna Totem Corporation
 Printed name of licensee

[Signature]
 Signature of Notary Public
 Notary Public in and for the State of Alaska



My commission expires: 11/20/2024
 Subscribed and sworn to before me this 28 day of December, 2022

Russell Dick
 Russell Dick
 PRESIDENT / CEO

Sign & print licensee name

- Restaurant and Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit
- Recreational Site applications must include a completed AB-36: Recreational Site Statement
- Tourism applications must include a completed AB-37: Tourism Statement
- Wholesale applications must include a completed AB-25: Supplier Certification
- Common Carrier applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:
<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

AMCO
 JUL 27 2023

FOR OFFICE USE ONLY

#100534764

| | | | | | |
|------------------------|-------------|------------------|-----------|------------|--------------------|
| License Fee: | \$ 1,000.00 | Application Fee: | \$ 300.00 | Misc. Fee: | \$ |
| Total Fees Due: | | | | | \$ 1,300.00 |

AMCO

DEC 30 2022



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Why is this form needed?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in each calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to ½ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

| | | | |
|-----------------------|-------------------------|-----------------|--------|
| Licensee: | Icy Strait Brewing, LLC | License Number: | 5365 |
| License Type: | Brewery | | |
| DBA: | Icy Strait Brewing, LLC | | |
| Premises Address: | 286 Front Street | | |
| City: | Hoonah | State: | Alaska |
| | | ZIP: | 99829 |
| Local Governing Body: | City of Hoonah | | |

Section 2 – Request Number and Calendar Year

1st Request 2nd Request 3rd Request Other _____

Request for Calendar Year 2022

AMCO
 DEC 8 8 2022

AMCO
 JUL 27 2023



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

There was an unforeseen delay in the transfer of the Brewery License to Icy Strait Brewing, LLC. Also, once transfer of the license occurred, repairs to the licensed premises were required prior to operation of the license.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

CS

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

CS

Glory Scarano, CFO of Member Huna Totem Corporation

Printed name of licensee

RUSSELL DICK, PRESIDENT

Glory Scarano
 Signature of licensee

Russell Dick

sign & print licensee here

Office Use Only

| | | | | | |
|-------------------------|----------|-----------|------------|----------------|-----------|
| Waiver Application Fee: | \$250.00 | Late Fee: | \$1,000.00 | Transaction #: | 100534764 |
|-------------------------|----------|-----------|------------|----------------|-----------|

AMCO
 JUL 20 2022

AMCO
 JUL 27 2023



Department of Commerce, Community, and Economic Development
**CORPORATIONS, BUSINESS & PROFESSIONAL
 LICENSING**

[State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database Download / Corporations / Entity Details](#)

ENTITY DETAILS

Name(s)

| Type | Name |
|---------------------|-------------------------|
| Legal Name | Icy Strait Brewing, LLC |
| Previous Legal Name | Icy Strait Brewery, LLC |

Entity Type: Limited Liability Company

Entity #: 10182373

Status: Good Standing

AK Formed Date: 12/20/2021

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2025

Entity Mailing Address: 9301 GLACIER HIGHWAY, JUNEAU, AK 99801

Entity Physical Address: 9301 GLACIER HWY STE 200, JUNEAU, AK 99801

Registered Agent

Agent Name: DANIEL BRUCE

Registered Mailing Address: P.O. BOX 32819, JUNEAU, AK 99803

Registered Physical Address: 9309 GLACIER HWY STE A-201, JUNEAU, AK 99801

Officials

Show Former

| AK Entity # | Name | Titles | Owned |
|-------------|------------------------|--------|--------|
| 12552D | HUNA TOTEM CORPORATION | Member | 100.00 |

Filed Documents

| Date Filed | Type | Filing | Certificate |
|------------|-----------------|-------------------------------|-------------------------------|
| 12/20/2021 | Creation Filing | Click to View | Click to View |
| 1/27/2022 | Amendment | Click to View | Click to View |
| 2/14/2022 | Initial Report | Click to View | |
| 2/15/2022 | Agent Change | Click to View | |
| 12/21/2022 | Biennial Report | Click to View | |

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Department of Commerce, Community, and Economic Development
**DIVISION OF CORPORATIONS, BUSINESS &
PROFESSIONAL LICENSING**

[State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database Download / Business License / License #2151068](#)

LICENSE DETAILS

License #: 2151068

[Print Business License](#)

Business Name: Icy Strait Brewing, LLC

Status: Active

Issue Date: 03/01/2022

Expiration Date: 12/31/2023

Mailing Address: 9301 Glacier Highway
Juneau, AK 99801

Physical Address: 286 Front Street
Hoonah, AK 99829

Owners

Icy Strait Brewing, LLC

Activities

| Line of Business | NAICS | Professional License # |
|-----------------------|--------------------|------------------------|
| 31-33 - Manufacturing | 312120 - BREWERIES | |

Endorsements

No Endorsements Found

License Lapse(s)

If this business license lapsed within the last four years the lapsed periods will appear below. Lapsed periods are the unlicensed period between an expiration date and renewal date.

No Lapses on record for the last 4 years.

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

Icy Strait Brewing, LLC

9301 Glacier Highway, Juneau, AK 99801

owned by

Icy Strait Brewing, LLC

is licensed by the department to conduct business for the period

March 1, 2022 to December 31, 2023
for the following line(s) of business:

31 - Manufacturing



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Sande
Commissioner

Department of Commerce, Community, and Economic Development DCCED RECEIPTING

State of Alaska / Commerce / Intranet / Receipting / Receipt / #100534764

RECEIPT #100534764

Net Total: \$2,550.00

Comment:

Actions

- [Edit Receipt](#)
- [Internal Receipt](#)
- [Customer Receipt](#)
- [Email Receipt](#)

Transaction #1

Type: Check or Warrant

Received: 2/3/2023

Amount: \$2,550.00

Payer: Icy Strait Brewing LLC

Name:

Check #: 4

Created: 2/3/2023

Owner: soa\sfcarrrell

Close Out: 19231

#:

AG #: 12615

Account Item(s)

| Type | Amount | Applicant | Ref # |
|-------------------------------|------------|------------------------|-------|
| ALC - Renewal Application Fee | \$300.00 | Icy Strait Brewing LLC | 5365 |
| ALC - Alcohol License Fees | \$1,000.00 | Icy Strait Brewing LLC | 5365 |
| ALC- Alcohol Waiver | \$250.00 | Icy Strait Brewing LLC | 5365 |
| ALC - Alcohol Waiver Late Fee | \$1,000.00 | Icy Strait Brewing LLC | 5365 |