

**George Jacobsen**  
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Date: April 28, 2025

To:  
Michelle Nasise  
Prentice|Long, PC  
2240 Court Street  
Redding, CA 96001  
Email: [mnasise@prenticelongpc.com](mailto:mnasise@prenticelongpc.com)

**Subject:** Legal Notice – Unlawful Suppression of Public Records, Environmental Concealment, and Potential Attorney Misconduct Involving Lassen County, the Lassen County Department of Agriculture, the Lassen County Planning and Building Services Department, and the Lassen Fire Safe Council

**CC:** (for notice regarding coordinated denial of public records)

- Mike Scanlan, District 1 Supervisor
- Gary Bridges, District 2 Supervisor
- Tom Neely, District 3 Supervisor
- Aaron Albaugh, District 4 Supervisor
- Jason Ingram, District 5 Supervisor
- Craig Hemphill, Lassen County Agricultural Commissioner
- Gaylon Norwood, Acting Director, Planning and Building Services
- Cade Mohler, Lassen Fire Safe Council
- Ruth Morentz, Lassen Fire Safe Council
- Kelsey Siemer, District Manager, Honey Lake Valley Resource Conservation

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Dear Ms. Nasise:

This letter serves as formal notice regarding your role, and that of Prentice|Long, PC, in the ongoing unlawful denial, obstruction, and suppression of public records under the California Public Records Act (Gov. Code § 6250 et seq.), in concert with the Lassen County Department of Agriculture, the Lassen County Planning and Building Services Department, and Lassen County.

While this letter is directed specifically to your actions as counsel for the Lassen County Department of Agriculture, the Lassen County Planning and Building Services Department, and Lassen County generally, it is important to note that related obstruction by the Lassen Fire Safe

Council and the Honey Lake Valley Resource Conservation District has also been documented separately.

Your responses dated March 24, 2025, and April 7, 2025, as well as the County's April 24, 2025 Planning and Building Services response, confirm a deliberate pattern of concealment of critical public health and environmental records. You are working actively with county departments to suppress pesticide and herbicide oversight information, obstruct lawful environmental review under CEQA, and deprive private landowners—including myself—of access to information necessary to protect health, property, soil, and water resources.

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## **I. Violations of the Public Records Act (CPRA)**

Under the California Public Records Act:

- You have failed to produce pesticide permits, pesticide use reports (PURs), herbicide mixing records, enforcement records, interagency communications, zoning approvals, conditional use permits, CEQA compliance records, and agency correspondence.
- You falsely asserted that responsive pesticide records "may only exist in hard copy," and further claimed that compliance would require "manually sift[ing] through volumes of department records in order to extract data and create new records" (March 24, 2025 letter, p. 5).
- Separately, you closed my request to Planning and Building Services regarding the Lassen County Wildfire Recovery Project by asserting that no zoning or CEQA records existed, despite the scale of the project's land alteration activities.
- Official Lassen County documents, including the 2024 Pesticide Use Enforcement Work Plan, confirm that pesticide permits, Notices of Intent, and related records are uploaded digitally into CalAgPermits, the statewide system maintained by the California Department of Pesticide Regulation.
- The County's Work Plan plainly states: "All Notice of Intent forms and Restricted Materials Permits are uploaded to the CalAgPermits system which is available to the California Department of Pesticide Regulation."

Your statements mislead the requester regarding the existence and accessibility of public records in violation of:

- Government Code § 7922.530, requiring public agencies to assist requesters by identifying and producing existing records.
- Government Code § 7922.535, prohibiting agencies from refusing access based on workload or formatting excuses.

Moreover, the willful misrepresentation of the existence or accessibility of public records may constitute a violation of Government Code § 6200, which imposes felony criminal penalties on

any officer or custodian who "willfully and knowingly" withholds, falsifies, or conceals public records.

Your clients' refusal to acknowledge the digital existence of these records—combined with fabricated burden arguments—is not merely noncompliance. It constitutes intentional obstruction of the California Public Records Act and a material deprivation of public rights.

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## **II. Deprivation of Rights and Endangerment of Health, Property, Soil, and Water**

By unlawfully withholding these records, you are:

- Preventing me from identifying chemical contamination risks to my private property, soil, spring, and water supply.
- Depriving me of my rights to mitigate exposure to herbicides known to persist in the environment, including glyphosate, triclopyr, hexazinone, oxyfluorfen, penoxsulam, and indaziflam.
- Obstructing my ability to seek legal and environmental remedies for contamination and loss.

This concern is now elevated even further, because it is confirmed that the Lassen Fire Safe Council (LFSC), which applies herbicides through its subcontractors, does not conduct any soil, water, or environmental testing before, during, or after herbicide applications. Despite repeated Public Records Act requests directed to LFSC, no documents have been provided. LFSC has refused to disclose basic herbicide records, environmental safety data, or compliance monitoring documents.

The combination of Lassen County departments, LFSC, and HLVRCD simultaneously refusing access to public records strongly suggests a coordinated effort to conceal herbicide activities, environmental risks, and regulatory violations.

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## **III. Coordination With Lassen County, the Lassen Fire Safe Council, and the Board of Supervisors to Suppress Environmental Risk Information**

It is now clear from the record that you are working closely with the Lassen County Department of Agriculture, the Lassen County Planning and Building Services Department, the Lassen County Board of Supervisors, and the Lassen Fire Safe Council to obstruct transparency regarding:

- Large-scale herbicide spraying over thousands of acres
- Total absence of site inspections, drift monitoring, soil or water testing
- Failure to disclose, analyze, or properly evaluate cumulative environmental impacts as required under CEQA, while proceeding with large-scale herbicide and land alteration activities under highly questionable or improperly claimed CEQA exemptions and Mitigated Negative Declarations filed by the Honey Lake Valley Resource Conservation District

This suppression is not limited to a single agency. It reflects institutional coordination between governmental and non-governmental entities operating under public funding to prevent disclosure of pesticide use activities, potential contamination, and environmental harm.

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#### **IV. Systematic and Coordinated Obstruction by Multiple Agencies**

In addition to the suppression noted above:

- The Lassen Fire Safe Council (LFSC), which applies herbicides through subcontractors, has refused to produce any records despite lawful Public Records Act requests.
- The Lassen County Department of Agriculture has only referred my CPRA request to legal counsel without producing any responsive documents.
- The Lassen County Planning and Building Services Department has similarly closed my public records request regarding zoning, CEQA, and CUP documentation by asserting that no responsive documents exist.
- The Honey Lake Valley Resource Conservation District (HLVRCD), despite being the CEQA lead agency, has delayed and obstructed my requests by denying custody, invoking vague extensions, and seeking improper clarifications while continuing project implementation.
- The Lassen County Board of Supervisors, while notified, has remained silent and has failed to enforce transparency or accountability.

This widespread pattern of denial, delay, and concealment strongly suggests a coordinated conspiracy to obstruct environmental oversight, regulatory compliance, and public transparency regarding the use of herbicides and the impacts of large-scale land alteration projects.

#### **Improper Reliance on “Needle in a Haystack” Defense to Excuse Non-Production**

In response to my targeted Public Records Act request to Lassen County Planning and Building Services, you cited *Haynie v. Superior Court* (2001) 26 Cal.4th 1061, a case concerning burdensome and unfocused document searches, to justify the denial of records.

However, my request was narrowly tailored: it identified a specific project (the Lassen County Wildfire Recovery Project) and sought specific categories of documents (zoning approvals,

conditional use permits, CEQA compliance records, and related interagency communications). It was not a vague or overly broad fishing expedition.

The invocation of Haynie under these circumstances is misplaced and strongly suggests an attempt to manufacture a defense where none legitimately exists. If no records truly existed, a straightforward statement confirming their nonexistence would have sufficed. Citing case law about search burden implies concern about exposure rather than honest compliance.

This improper reliance on a "needle in a haystack" defense further supports the conclusion that Lassen County is engaged in systematic obstruction of public records access in violation of the California Public Records Act.

### **Use of Taxpayer Funds to Suppress Public Records Access**

It is further noted that Lassen County is expending taxpayer resources, including funds paid to outside legal counsel, in an effort to obstruct private landowners' access to public records concerning environmental risks, land use, and chemical applications.

This misallocation of public funds to suppress transparency and environmental accountability raises additional serious concerns under California law and principles of responsible government.

I hereby formally demand, pursuant to the California Public Records Act (Gov. Code § 7922.525), copies of all contracts, billing statements, invoices, and payment records between Lassen County and Prentice|Long, PC relating to the handling of my Public Records Act requests, environmental information requests, and related legal matters since February 1, 2025.

Please consider this an additional formal public records request incorporated into this notice.

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### **V. Professional Responsibility and Attorney Misconduct**

You and your firm appear to be in violation of the California Rules of Professional Conduct, specifically:

- Rule 1.2.1, prohibiting assistance in fraudulent or unlawful conduct
- Rule 3.3, requiring candor toward government agencies and courts
- Rule 3.4, prohibiting suppression of evidence and concealment of material facts
- Rule 8.4(c), prohibiting acts involving dishonesty, fraud, deceit, or misrepresentation

Participating in the concealment of public pesticide and environmental risk records—particularly by fabricating false burden excuses and misrepresenting the format and accessibility of CalAgPermits data—is a serious ethical violation. It exposes you and Prentice|Long, PC to formal disciplinary action before the California State Bar.

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## **VI. Formal Demand for Immediate Compliance**

You are hereby formally demanded to:

1. Provide a full and complete list (index) of all responsive documents.
2. Clearly state any claimed exemptions for withheld records under CPRA.
3. Produce all non-exempt documents without further obstruction or delay.

If you fail to comply within 10 calendar days, I will:

- File a formal complaint with the California State Bar against you and Prentice|Long, PC
- Initiate a writ of mandate action under Gov. Code § 6258 to compel disclosure
- Publicly document and expose this coordinated suppression effort involving Lassen County, the Lassen Fire Safe Council, and their legal representatives

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## **VII. Summary of Documented Violations**

The following violations have been documented and will be included in any formal proceedings:

- Public Records Act Violations (Gov. Code §§ 7922.500–7922.600)
- CEQA Violations (Guidelines §§ 15125, 15126.2, 15130)
- Food & Agricultural Code Violations (Sections 14004.5, 14006, 14009)
- Criminal Conduct Related to Public Records (Gov. Code § 6200; Penal Code §§ 115, 118, 374.8)
- Professional Misconduct (Rules of Professional Conduct 1.2.1, 3.3, 3.4, and 8.4)

The public has a right to know about chemical applications that threaten soil, water, and human health. Your firm's continued efforts to obstruct this right will not succeed.

Sincerely,

George Jacobsen  
goldmountain@gmail.com