

George Jacobsen
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Date: May 5, 2025

To:
Kyle A. Herron
Project Coordinator
Lassen Fire Safe Council

Subject: Formal Request for Clarification Regarding PCA License No. 169147 and Unlicensed Pesticide Activity

Dear Mr. Herron,

I am writing to formally request clarification regarding your pesticide licensure status, your role in vegetation and herbicide planning for the Lassen Fire Safe Council (LFSC), and your legal standing at the time this work was conducted.

According to official records from the California Department of Pesticide Regulation (CDPR), you were issued Pest Control Adviser (PCA) License No. 169147 on Tuesday, March 11, 2025. This issuance occurred exactly one day after I submitted a formal chemical-use inquiry and public records request on Monday, March 10, 2025, seeking information about pesticide activity occurring on or near my property — what a remarkable coincidence.

Archived license data accessed via the CDPR database and Wayback Machine confirms that no prior license existed in your name before March 11. You do not appear in any of the seven previously archived CDPR license datasets released between March 2024 and January 2025. Your name and license number first appear in the April 2025 dataset (Individuals 8), and the issuance date confirms it was not a renewal.

To further confirm this timeline, I compared your record with that of Craig A. Hemphill, a known official in Lassen County. Mr. Hemphill holds multiple pesticide-related licenses — PCA 70206, QAC 94177, and QAL 103530 — all renewed on January 1, 2025. These significantly lower license numbers indicate they were issued years ago and simply renewed this year, consistent with CDPR's typical annual renewal cycle. In contrast, your license number, 169147, falls far later in the statewide sequence and was issued irregularly in March, aligning with the standard pattern for new, first-time issuances.

This sequencing confirms that your license was issued for the first time on March 11, 2025 — not renewed — and that you had no legal authority to act as a pesticide adviser prior to that date.

However, based on documented communications, landowner advisement, and your acknowledged role as Project Coordinator, there is evidence that you were actively:

- Preparing herbicide prescriptions and custom chemical mixes
- Recommending treatment plans and application strategies
- Advising landowners on vegetation treatment near residential properties
- Participating in CEQA-governed field-level planning
- Presenting yourself as a qualified authority on chemical vegetation management

All of this appears to have occurred prior to your licensure date.

Evidence of Unlicensed Advising and Post-Issuance Licensing

It is now confirmed through written correspondence that you were actively engaged in pesticide recommendation and field-level prescription advising prior to March 11, 2025, while unlicensed.

In a February 20, 2025 email to a landowner, you provided specific herbicide planning recommendations, writing:

“The mix that we have been using across most landowners in your area is 3% Cleantraxx, 3% Velossa, 3% Element 3A, 1% MSO, and 0.5% Blue Dye for the initial site prep application.”

You referred to that mixture as your “go-to combination,” and described it as part of LFSC’s operational routine.

Additionally, in the same February 20, 2025 email, you stated that the follow-up spray “is typically either a Roundup application or a Trychlopyr application but almost never mixed.” Roundup is a trade name for glyphosate, confirming that you were recommending specific active ingredients.

Verbal accounts also confirm that you advised landowners on herbicide combinations by phone during late 2023 and early 2024 — again, while unlicensed.

The following timeline is now part of the public record:

- February 20, 2025 – You send a detailed email advising on herbicide mixes
- March 10, 2025 – I submitted a formal CPRA and email inquiry to LFSC asking whether you were licensed to make these recommendations
- March 11, 2025 – You are issued PCA License No. 169147 by CDPR — about 24 hours later

This sequence raises the appearance that your license was expedited in direct response to my formal request for information and documentation — and that you had been operating unlawfully for a significant time prior.

When asked whether you or anyone else on staff held valid pesticide-related licenses or certifications, LFSC refused to answer, further reinforcing concerns of a coordinated internal cover-up.

It is highly irregular for a PCA license to be issued in under 24 hours. As you are aware, standard issuance requires academic transcript review, a state examination, filing of an official application, and CDPR's internal review and approval. The proximity of your license to my public inquiry raises serious questions as to whether it was expedited to attempt to retroactively legalize activity that had already occurred in violation of state law.

LFSC's Refusal to Confirm Licensure

It is also important to note that when LFSC was asked directly whether you or any other staff members held valid pesticide licenses or certifications, the organization refused to provide any information. This lack of transparency compounds the issue and suggests that LFSC may have knowingly enabled unlicensed pesticide activity or is now attempting to conceal it.

Legal Implications

If you acted as a pesticide adviser while unlicensed, your actions may have violated the following California statutes:

- Food & Agricultural Code §12001(a) – Unlawful to act as a PCA without licensure
- Food & Agricultural Code §12999.5 – Civil penalties up to \$5,000 per violation
- Civil Code §1572 – Fraud through suppression of material facts
- Penal Code §182 – Criminal conspiracy, if others knowingly enabled or concealed this activity
- CEQA Guidelines §15040–15045 – Environmental documentation may be invalid if based on unqualified inputs

Each individual prescription, recommendation, or landowner interaction made while unlicensed may constitute a separate, prosecutable offense.

Request for Clarification

1. Did you possess any valid PCA license prior to March 11, 2025?
If yes, please provide the license number and issuance date.
If no, please confirm this was your first licensure.
2. Were you involved in developing or recommending herbicide mixes, chemical prescriptions, or vegetation treatment plans before March 11, 2025?
If so, under what legal credential or supervision were you operating?
3. Were any of your pesticide recommendations or communications distributed to landowners, contractors, or agency partners before you held a valid license?
4. Were you already in the process of applying for a PCA license prior to March 10, 2025?
If so, please provide documentation of application date, transcript submission, exam schedule, or CDPR confirmation of a pending file.

Action Requested

You have 10 calendar days to provide written clarification regarding the above matters. Failure to respond will be interpreted as a refusal to disclose material facts and may result in formal referral to:

- California Department of Pesticide Regulation (CDPR)
- California Attorney General – Charitable Trust Division
- California Department of Justice – Environmental Division

This matter may also be published as part of a public accountability record in the interest of transparency, health, and environmental safety.

Respectfully,

George Jacobsen

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Attachments:

CPRA request filed with CDPR

Confirmation of Initial License Issuance Dates and License Number Sequence for Kyle Herron (PCA 169147) and Gary Fensler (QAC 172218)