

**June 10, 2025**

**To:**

California Department of Pesticide Regulation  
Licensing and Enforcement Division  
Email: LicenseMail@cdpr.ca.gov

**Subject:** Formal Complaint – Unlicensed Pest Control Advising by Kyle A. Herron (Prior to PCA #169147)

**Dear Enforcement Division:**

I am submitting this formal complaint regarding Kyle A. Herron, Project Coordinator for the Lassen Fire Safe Council (LFSC), who engaged in regulated pesticide advising without a valid license prior to the issuance of Pest Control Adviser (PCA) License No. 169147 on March 11, 2025.

According to CDPR records and supporting documentation, Mr. Herron held no valid license at the time he was actively advising landowners, including myself, on the use of herbicides for vegetation treatment and reforestation projects.

During a phone call in early 2024, Mr. Herron told me directly:

“I won’t do a reforestation without herbicide application,”

and stated that the herbicides being used were “not dangerous.” These statements were made while he was acting in an official capacity as LFSC’s Project Coordinator. At that time, he was unlicensed and had no legal authority to make such representations.

On February 20, 2025, he emailed me a detailed herbicide mixture recommendation, including percentages for each chemical. He wrote:

“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. The follow-up is typically either a Roundup application or a Triclopyr application but almost never mixed.”

He described this as his “go-to combination” and stated he would personally evaluate vegetation on site. CDPR records confirm that no license had been issued to Mr. Herron as of that date.

**Mr. Herron’s February 20, 2025 email to me is attached.**

Furthermore, the morning after I emailed LFSC asking if Mr. Herron or anyone else on staff was licensed (March 10, 2025), CDPR issued Mr. Herron’s PCA license on March 11, 2025, around

10:00 AM. The timing raises concerns of improper backdating or special handling following my inquiry.

The products he promoted as safe contain active ingredients with known environmental and health risks:

- **Glyphosate** – Probable human carcinogen; DNA damage; endocrine disruption; aquatic toxicity
- **Triclopyr** – Toxic to mammals and amphibians; liver and reproductive effects; persistent in soil
- **Indaziflam** – Persistent with groundwater mobility; disrupts soil function
- **Oxyfluorfen** – Highly toxic to aquatic life; phototoxic; known to run off into surface waters
- **Hexazinone** – Groundwater contaminant; highly toxic to aquatic ecosystems
- **Penoxsulam** – Persistent herbicide that alters aquatic reproduction and behavior

Mr. Herron operated under Executive Director Cade Mohler and Board Chair Ruth Morentz, both of whom had knowledge of his coordination with landowners and of his lack of a PCA license. Based on the nature of his role and communications with other landowners in the region, I believe he has been conducting unlicensed pesticide advising for years. I am actively gathering documentation to support those additional cases.

This sequence of events raises serious questions not only about Mr. Herron’s conduct, but also about the role and liability of Lassen Fire Safe Council’s leadership.

## **Potential Legal Violations**

### **1. Violation of Food and Agricultural Code § 12001**

This section makes it unlawful for any person to act as a Pest Control Adviser (PCA) and recommend pesticide use without holding a valid PCA license issued by the California Department of Pesticide Regulation (CDPR).

The following facts have been documented:

- A direct email from Herron on February 20, 2025, giving specific herbicide mixtures and active ingredients
- Confirmation from CDPR that his license (PCA #169147) was not issued until March 11, 2025
- A phone conversation in 2024 where he stated:  
“I won’t do a reforestation without herbicide application,”  
and claimed the chemicals used were “not dangerous”
- In that same February 20 email, Herron further stated:  
“If there is a certain chemical on this list that you are looking to avoid, we can definitely work something out.”

**Conclusion:** He acted as a PCA without a license, made site-specific recommendations, offered to tailor chemical lineups, and made safety claims outside his legal authority. This constitutes a clear potential violation of § 12001.

## **2. Civil Penalties under Food and Agricultural Code § 12999.5**

Each unlicensed act of pesticide recommendation may be subject to civil penalties of up to \$5,000 per violation. The documented timeline supports multiple instances of unlicensed activity and possible civil liability.

## **3. Institutional Noncompliance and Concealment**

If Executive Director Cade Mohler and Board Chair Ruth Morentz were aware that Herron was unlicensed and still allowed him to coordinate pesticide-related projects and advise landowners, this may constitute:

- Institutional noncompliance with licensing laws
- Willful concealment of unlawful conduct
- Potential conspiracy under Penal Code § 182 if they took coordinated steps to obscure the licensing violation or suppress its discovery

## **4. Misrepresentation and Fraud (Civil Code § 1572)**

Kyle Herron's repeated statements that the herbicides in use were “not dangerous,” despite known risks associated with chemicals such as glyphosate, triclopyr, hexazinone, and others, could rise to the level of fraud by misrepresentation — particularly if landowners relied on those claims when granting access or consenting to herbicide application.

## **Requested Action**

I respectfully request that CDPR investigate:

1. Whether Kyle Herron violated California licensing law prior to March 11, 2025
2. Whether CDPR personnel engaged in irregular processing or improper issuance of his license following my inquiry
3. Whether LFSC leadership knowingly allowed unlicensed pesticide advising
4. Whether any CEQA-subjected or publicly funded projects relied on unlawful prescriptions
5. Whether additional landowners have been impacted by this conduct, which CDPR can easily investigate by obtaining the list of properties enrolled in LFSC projects and contacting landowners directly. I am currently pursuing this effort independently through ProtectLassen.org and the upcoming website. It would be a welcome change to see CDPR conduct a transparent and proactive investigation rather than burying this matter, as agencies often do when faced with public accountability.

I also request to be kept updated on the status of this matter. Please provide any developments in writing so I am not forced to file additional Public Records Act requests to find out what is being done.

This matter and all communications related to it are being publicly documented on a website currently under development — [www.ProtectLassen.org](http://www.ProtectLassen.org) — in the interest of transparency and public accountability.

Please confirm receipt of this complaint and advise of the next steps in the enforcement process.

Sincerely,

George Jacobsen  
[watch@protectlassen.org](mailto:watch@protectlassen.org)