

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

April 21, 2026

FROM

**NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District
TERRY W. THOMPSON, Director, Real Estate Services Department**

SUBJECT

License Agreement with San Bernardino County Transportation Authority to Install and Maintain a Culvert Connection in Fontana

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District, approve **License Agreement No. 26-308** with San Bernardino County Transportation Authority, which manages railways owned by Atchison Topeka & Santa Fe Railroad (Assessor's Parcel Numbers 0229-223-18-0000 and 0229-223-19-0000), to allow for San Bernardino County Flood Control District to install and maintain a culvert connection for the West Fontana Channel in Fontana, for a month-to-month term commencing upon execution and continuing until terminated by either party, with an annual administration fee of \$1,500.
(Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

**Improve County Government Operations.
Promote and Fulfill the Countywide Vision.**

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Annual Use Fee for this License Agreement (License) is zero dollars. There is, however, an annual administrative expense of \$1,500 for this License that will be paid by the San Bernardino County Flood Control District (FCD). Sufficient appropriation and revenue have been included in the FCD 2025-26 budget (1910002518) and will be included in future recommended budgets.

BACKGROUND INFORMATION

FCD is making improvements to the West Fontana Channel from Hickory Basin to Banana Basin (Project) with the construction of permanent channel improvements designed to collect storm flows from Banana Basin and discharge into Hickory Basin. This Project meets the FCD's goals by increasing flood protection of the interim condition dirt channel in an area of Fontana that is currently subject to flooding, and allowing for future connections to the planned local drainage system.

Part of the Project's scope of work includes the installation and replacement of culvert connections within the San Bernardino County Transportation Authority (SBCTA) and Atchison, Topeka & Santa Fe Railway right-of-way [Assessor's Parcel Numbers (APN) 0229-223-19-0000

License Agreement with San Bernardino County Transportation Authority to Install and Maintain a Culvert Connection in Fontana April 21, 2026

and 0229-223-18-0000] in Fontana. As a result, FCD must obtain permission through a License Agreement to allow for the installation and ongoing maintenance of the culvert facilities.

The Environmental Management Division (EMD) prepared a California Environmental Quality Act Initial Study Mitigated Negative Declaration (CEQA IS/MND) for the Project and published a Notice of Intent for the Project in the San Bernardino County Sun newspaper on March 2, 2020. Copies of the IS/MND were circulated to responsible and trusted agencies and interested parties and were also made physically available at the Office of Planning and Research, State Clearinghouse, for state agency review for a period of 30 days beginning March 3, 2020 (State Clearinghouse No. 2006121089).

On July 28, 2020, the Board of Supervisors (Board) adopted the CEQA IS/MND for the Project, adopted the Mitigation Monitoring and Reporting Program for the Project, approved the Project as defined in the CEQA IS/MND, and directed the Clerk of the Board to file and post the Notice of Determination for the Project. No timely challenges were filed. Accordingly, no further action is required under CEQA.

Summary of License Terms

Licensor:	San Bernardino County Transportation Authority
Location:	At the intersection of railways owned by Atchison Topeka & Santa Fe Railroad (APNs 0229-223-18-0000 and 0229-223-19-0000), which is managed by SBCTA, and FCD right-of-way known as the West Fontana Channel from Hickory Basin to Banana Basin in Fontana
Size:	Approximately 10,000 square feet
Term:	Month-to-month
Options:	None
Annual Administration Fee:	\$1,500
Rent:	Monthly: \$0.00* Annual: \$0.00 *Low for comparable facilities in the San Bernardino area per the competitive set analysis on file with RESD
Late Fees:	N/A
Annual Increases:	None
Improvement Costs:	None
Custodial:	None
Maintenance:	Licensee responsibility

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Utilities: None

Insurance: The Certificate of Liability Insurance, as required by the License, is on file with the Real Estate Services Department

Right to Terminate: Either party has the right to terminate with 30 days' notice

Parking: None

PROCUREMENT

FCD may enter into the License with the SBCTA for the use of approximately 10,000 square feet of property, for the Project, in accordance with Water Code Appendix section 43-6 and County Policy 12-17 which allows for District's Board to declare the Property surplus if it is no longer needed, and thereafter, it may be disposed in accordance with law.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (John Tubbs II and Sophie Curtis, Deputies County Counsel, 387-5455) on March 30, 2026; Flood Control District (Noel Castillo, Director, 387-7906) on March 27, 2026; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on March 20, 2026; and County Finance and Administration (Kathleen Gonzalez, 387-5412, and Eduardo Mora, 387-4376, Administrative Analysts) on April 3, 2026.

(CM: 840-266-0977)

**License Agreement with San Bernardino County Transportation
Authority to Install and Maintain a Culvert Connection in Fontana
April 21, 2026**

Record of Action of the Board of Supervisors
San Bernardino County Flood Control District

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: April 21, 2026



cc: RESD - Thompson w/ agree
Contractor c/o RESD w/ agree
File w/ agree

JLL 04/27/2026