

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

April 8, 2025

FROM

**DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District
TERRY THOMPSON, Director, Real Estate Services Department**

SUBJECT

License Agreement with Hesperia Venture I, LLC for Use of Land for the 2025 Dozer Academy Wildfire Training and Autonomous Aircraft Wildfire Project

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Fire Protection District:

1. Find that approval of a License Agreement with Hesperia Venture I, LLC, for the use of unimproved land for the 2025 Dozer Academy Wildfire Training and Autonomous Aircraft Wildfire Project, is an exempt project under the California Environmental Quality Act Guidelines, Section 15304 – Minor Alterations to Land.
2. Approve the Real Estate Services Department's use of an alternative procedure in lieu of a formal Request for Proposals, as allowed per County Policy No. 12-02 - Leasing Privately Owned Real Property for County Use, to use approximately 1200 acres of unimproved land (portions of Assessor's Parcel Numbers 0357-171-23-0000, 0397-041-28-0000, 0397-041-29-0000, and 0397-041-30-0000) located south and east of Los Flores Road and the California Aqueduct in Hesperia, for the 2025 Dozer Academy Wildfire Training and Autonomous Aircraft Wildfire Project, for the period of April 14, 2025, through May 10, 2025.
3. Approve a **License Agreement No. 25-224** with Hesperia Venture I, LLC, including non-standard terms, for the period of April 14, 2025, through May 10, 2025, for the use of approximately 1200 acres of unimproved land (portions of Assessor's Parcel Numbers 0357-171-23-0000, 0397-041-28-0000, 0397-041-29-0000, and 0397-041-30-0000) located south and east of Los Flores Road and the California Aqueduct in Hesperia, for the 2025 Dozer Academy Wildfire Training and Autonomous Aircraft Wildfire Project, at no cost.
4. Direct the Real Estate Services Department to file the Notice of Exemption in accordance with the California Environmental Quality Act.

(Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of the recommended actions will not result in the use of Discretionary General Funding (Net County Cost). There is no rent or fee charged by Hesperia Venture I, LLC (Owner) to the San Bernardino County Fire Protection District (SBCFPD) for the use of approximately 1200 acres of vacant land (portions of Assessor's Parcel Numbers [APNs] 0357-171-23-0000, 0397-

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041-28-0000, 0397-041-29-0000, and 0397-041-30-0000 located south and east of Los Flores Road and the California Aqueduct in Hesperia) (Property).

BACKGROUND INFORMATION

SBCFPD has established a strategic plan that includes training to address emergency disasters, such as wildfires, to serve its communities with the best fire protection and to offer a professional and dedicated response to the citizens of San Bernardino County.

The Dozer Academy Wildfire Training and Autonomous Aircraft Wildfire Project (DAWT) provides a combination of instructor-led classroom training and extensive field exercises that include, but are not limited to, field exercises, heavy fire equipment exercises, and live fire training along with the use of all necessary vehicles, unmanned aircraft systems, machinery, equipment and supplies. The field exercises will simulate responding to an active wildfire. This training is pertinent for SBCFPD and other fire personnel to ensure preparedness for fire season and attracts a wide range of attendees from throughout California and other states.

On May 4, 2021 (Item No. 60), the Board of Directors (Board) approved License Agreement No. 21-324 with the Owner to use the Property to conduct the field exercises portion of the 2021 DAWT for the period of May 4, 2021, through May 6, 2021. On April 12, 2022 (Item No. 51), the Board approved License Agreement No. 22-254 with the Owner for the 2022 DAWT for the period of April 25, 2022, through May 6, 2022. The DAWT was not held in 2023. Additionally, on April 9, 2024 (Item No. 55), the Board approved License Agreement No. 24-297 with the Owner for the 2024 DAWT for the period of April 22, 2024, through May 10, 2024.

SBCFPD requested that the Real Estate Services Department (RESO) contact the Owner to request the use of the Property for the 2025 DAWT. The proposed actions seek approval of a new License Agreement (License) with the Owner to permit SBCFPD to use the Property to conduct the field exercises portion of the 2025 DAWT, which will occur from April 14, 2025, through May 10, 2025, at no cost for the use of the Property. Approximately 45 people are expected to attend the 2025 DAWT.

SBCFPD has reviewed the intended use of the Property and has determined that a categorical exemption in accordance with the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations, Section 15304, is appropriate. This exemption allows for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees, except for forestry and agricultural purposes. The use of the Property will consist of partially or totally removing vegetation, removing hazardous dead or dying vegetation, and cutting fire lines using mechanized equipment.

**Summary of License
Terms**

Licensor:	Hesperia Venture I, LLC John Ohanian, General Manager
Location:	South and east of Los Flores Road and the California Aqueduct in Hesperia (portions of APNs 0357-171-23-0000, 0397-041-28-0000, 0397-041-29-0000, and 0397-041-30-0000)
Size:	Approximately 1200 acres of unimproved land

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Term:	April 14, 2025, through May 10, 2025
Options	None
Rent:	None
Improvement Costs:	None
Maintenance:	Not applicable
Utilities:	Not applicable
Insurance:	The Certificate of Liability Insurance, as required by the License, is on file with RESD
Right to Terminate:	SBCFPD may terminate at any time with 24 hours prior written notice

The License includes the following Owner required term that differ from the standard SBCFPD contract:

1. SBCFPD will indemnify and hold harmless the Owner from any and all liabilities for injury to person and damage to property arising out of any negligent act or omission of SBCFPD, its officers, employees, agents, and volunteers in connection with SBCFPD's use of the Property.
 - The SBCFPD standard contract does not require SBCFPD to indemnify the Owner.
 - Potential Impact: By agreeing to indemnify and hold harmless the Owner, SBCFPD could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against SBCFPD, time-limited or expense-limited, could be brought against SBCFPD without such limitations and SBCFPD would be responsible to reimburse the Owner for costs, expenses, and damages.

SBCFPD recommends approval of the License, including the non-standard term, because the Property best meets the requirements of the field training for the 2025 DAWT.

PROCUREMENT

This item recommends that the Board approve the License with the Owner through the use of an alternative procedure as permitted in County Policy No. 12-02 – Leasing Privately Owned Real Property for County Use (Policy). The Policy is applicable to SBCFPD pursuant to the Board's adoption of this policy on December 17, 2019 (Item No. 73). This Policy provides that the Board may approve the use of an alternative procedure to the use of a formal Request for Proposals (RFP) whenever the Board determines that compliance with the formal RFP requirements would unreasonably interfere with the financial or programmatic needs of SBCFPD, or when the use of an alternative procedure would otherwise be in the best interests of SBCFPD. SBCFPD's use of the Property best meets the requirements of the field training for the 2025 DAWT.

REVIEW BY OTHERS

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This item has been reviewed by County Counsel (John Tubbs II, and Richard Luczak , Deputies County Counsel, 387-5455) on March 4, 2025; San Bernardino County Fire Protection District (Bertral Washington, Deputy Fire Chief, 387-5779) on March 4, 2025; Risk Management (Whitney Fields, Director, 386-8623) on March 6, 2025; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on March 10, 2025; Finance (Ivan Ramirez, 387-4020, and Eduardo Mora, 387-4376, Administrative Analysts) on March 19, 2025; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on March 24, 2025.

(DG: 501-8783)

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Record of Action of the Board of Directors
San Bernardino County Fire Protection 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, SECRETARY

BY 
DATED: April 8, 2025



cc: RESD - Thompson w/agree
Contractor - c/o RESD w/agree
File - w/agree
CCM 04/14/2025