

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

September 9, 2025

FROM

NOEL CASTILLO, Director, Department of Public Works - Transportation

SUBJECT

Amendment to Agreement with the United States Army Corps of Engineers for Expedited Environmental Permit Processing

RECOMMENDATION(S)

Approve **Amendment No. 5 to Agreement No. 06-488**, with the United States Army Corps of Engineers, Los Angeles District, to continue expediting the review, processing, and approval of environmental permit applications necessary for construction of Capital Improvement Projects and facility maintenance, increasing the total agreement amount by \$635,000, from \$1,447,000 to the not-to-exceed amount of \$2,082,000, and extending the term by five years, for the total term of June 13, 2006, to September 30, 2030.

(Presenter: Noel Castillo, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Department of Public Works (Department) is funded by Gas Tax revenues, fees, and other state and local funding. Sufficient appropriation and revenue have been included in the 2025-26 Road Operations budget (6650002000 - 01H14202) and will be included in future recommended budgets.

BACKGROUND INFORMATION

The Water Resources Development Act of 2000 (WRDA – Public Law 106-541) allows the United States Army Corps of Engineers (USACE) to accept and expend funds contributed by non-federal public agencies to expedite the evaluation of permit applications for projects under the jurisdiction of the USACE. Environmental permit processing through the USACE can take eight months to one year, even on simple projects, due to the complexity of its regulations.

Amendment No. 5 (Amendment) extends the term of existing Agreement No. 06-488 (Agreement) with the USACE from September 30, 2025, to September 30, 2030, and authorizes deposits of up to \$635,000 in additional funds, such that the total amount payable to the USACE under the Agreement shall not exceed \$2,082,000.

Since the Board of Supervisors (Board) approved the Agreement, it has evolved from a single-project scope (funding the expedited processing of the proposed Northern Santa Fe Railway

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Company's third track in Cajon Pass) into a broader mechanism enabling any County Department to fund and request expedited permit processing from USACE for priority projects.

On June 13, 2006 (Item No. 17), the Board approved the initial Agreement under WRDA between the County and the USACE for the sole purpose of funding the expedited processing of the proposed Northern Santa Fe Railway Company's third track in the Cajon Pass. This initial Agreement was \$150,000 for the term June 13, 2005, through December 31, 2007.

On April 10, 2007 (Item No. 10), the Board approved Amendment No. 1 to the Agreement with USACE, replacing the original Agreement, broadening the Agreement's applicability to all County projects, increasing the amount by \$212,000, from \$150,000 to \$362,000, and extending the term by three years, for the total term of June 13, 2005, through April 30, 2010.

On April 27, 2010 (Item No. 56), the Board approved Amendment No. 2 to the Agreement with USACE, aligning it with any statutory extension of WRDA authority, increasing the amount by \$200,000, from \$362,000 to \$562,000, and extending the term by five years, for the total term of June 13, 2005, through April 30, 2015.

On April 7, 2015 (Item No. 38), the Board approved Amendment No. 3 to the Agreement with USACE, increasing the amount by \$250,000, from \$562,000 to \$812,000, and extending the term by five years, for the total term of June 13, 2005, through September 30, 2020.

On August 6, 2019 (Item No. 31), the Board approved Amendment No. 4 to the Agreement with USACE, increasing amount by \$635,00, from \$812,000 to \$1,447,000, and extending the term by five years, for the total term of June 13, 2005, through September 30, 2025.

As of May 23, 2025, USACE has expended approximately \$1,218,852 in accordance with the Agreement. The proposed increase of \$635,000 will allow continued support for complex project permitting, especially in light of the increased volume and intricacy of County projects during the current term of the Agreement.

The Agreement remains available to any County department that provides its own prioritized project list and funding for USACE permit review services.

This item will allow the County to meet its goals and objectives by working cooperatively and in a fiscally-responsible manner with USACE to expedite the processing and approval of environmental permit applications, which are necessary to construct Capital Improvement projects and maintain existing facilities.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on July 15, 2025; and County Finance and Administration (Kathleen Gonzalez, Administrative Analyst, 387-5412) on August 23, 2025.

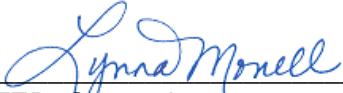
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Engineers for Expedited Environmental Permit Processing
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Record of Action of the Board of Supervisors
San Bernardino County

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: September 9, 2025



cc: PW/Trans - Chun w/agree
Contractor - PW/Trans w/agree
File - w/agree
MBA 09/10/2025