

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

January 13, 2026

FROM

NOEL CASTILLO, Director, Department of Public Works – Transportation

SUBJECT

Grant Award and Agreement with State of California Department of Forestry and Fire Protection for Wildfire Fuel Reduction Along County Roadways

RECOMMENDATION(S)

1. Approve Grant Award **Agreement No. 26-01**, including non-standard terms, with the State of California Department of Forestry and Fire Protection, under the California Climate Investments and Proposition 4 Wildfire Prevention Program grant, in the amount of \$949,999.05, to fund a Hazardous Fuel Reduction Along Public Roadways Project that will remove hazardous vegetation from approximately 282 acres along County roadways, to help protect road infrastructure and critical evacuation routes in mountain and foothill communities, with the contract term effective upon execution through February 15, 2029.
2. Designate the Director and Assistant Director of Public Works to be Project Representatives for the Hazardous Fuel Reduction Along Public Roadways Project and authorized to proceed with the following actions related to administering the grant award:
 - a. Execute and submit documents associated with the acceptance of the grant award to the State of California Department of Forestry and Fire Protection.
 - b. Act as signatories for grant invoices, reimbursement claims, performance reports, and other documents required to administer the grant and project.
 - c. Approve any non-substantive grant amendments, including modifying the scope of work, subject to County Counsel review.
3. Direct the Director of Public Works to transmit non-substantive amendments to the grant agreement to the Clerk of the Board of Supervisors within 30 days of execution.

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

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.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The \$949,999.05 grant award from the California Climate Investments and Proposition 4 Wildfire Prevention Program, under State of California Department of Forestry and Fire Protection (CAL FIRE), will be used by the Department of Public Works (Department) to fund a Hazardous Fuel Reduction Along Public Roadways Project (Project), which will remove hazardous fuels from approximately 282 acres that could damage road infrastructure and critical evacuation routes within the County's mountain and foothill communities. Adequate revenue

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and appropriation are included in the Department's 2025-26 Road Operations budget (6650002000 H15315) and will be included in future recommended budgets as necessary.

BACKGROUND INFORMATION

CAL FIRE administers the Fire Prevention Grants Program, which provides funding for wildfire prevention activities in and near fire-threatened communities. The program is funded through California Climate Investments (CCI) and Proposition 4 and supports projects that reduce wildfire risk and improve the protection of people, infrastructure, and communities. Eligible activities include hazardous fuels reduction, wildfire prevention planning, and public education.

On August 5, 2025, the Department of Public Works (Department) submitted an application to CAL FIRE for funding under the Fiscal Year 2025–26 California Climate Investments and Proposition 4 Wildfire Prevention Grant Program for the Project. On December 16, 2025, CAL FIRE notified the Department that the application was selected for funding in the amount of \$949,999.05. The Department received the final grant agreement for execution on December 29, 2025.

The Project will remove hazardous vegetation along approximately 282 acres of County-maintained roadways located within mountain and foothill communities that are highly vulnerable to wildfire. These roadways include critical evacuation and emergency access routes serving the San Bernardino and San Gabriel Mountain areas, which have been significantly impacted by recent wildfire events, including the Line Fire and Bridge Fire. The work will reduce the risk of wildfire ignition and spread along roadway corridors, improve emergency response access, and help protect public infrastructure and nearby communities.

Consistent with CAL FIRE grant program requirements, 50 percent of the Project's fuel reduction activities will be completed in disadvantaged and low-income communities, ensuring that wildfire mitigation benefits are directed to communities that face heightened wildfire risk and limited resources.

The grant agreement contains CAL FIRE's standard terms and conditions of grant agreement, that deviate from or omit the County's standard contract language, including the following:

1. The agreement requires the County to defend, indemnify, and hold harmless CAL FIRE for claims arising out of the Project, except for claims caused by CAL FIRE's gross negligence. The obligation applies in perpetuity, and the County also waives statutory rights of contribution and indemnity under Government Code sections 895.2, 895.4, and 895.6.
 - (c) The standard County contract requires contracting parties to indemnify the County.
 - (d) Potential Impact: If a third party brings a claim related to the Project, the County could be responsible for defense costs and damages, even if CAL FIRE's actions contributed to the claim.
2. The agreement does not require CAL FIRE to indemnify, defend, or hold the County harmless for claims, including those arising from CAL FIRE's own negligent or wrongful acts.
 - (c) The County standard contract indemnity provision requires the contracting party to indemnify, defend, and hold the County harmless from third party claims arising out of the acts, errors or omissions of any person.

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- (d) Potential Impact: CAL FIRE is not required to defend, indemnify or hold the County harmless from any claims, including indemnification for claims arising from CAL FIRE's negligent acts. If the County is sued for any claim based on CAL FIRE's actions, the County may be solely liable for the costs of defense and damages.
- 3. The agreement does not require CAL FIRE to carry insurance meeting the County's standards under County Policy 11-07.
 - (c) The County Policy requires contracting parties to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department and set forth in the County standard contract.
 - (d) Potential Impact: The County has no assurance that CAL FIRE will be financially responsible for claims that may arise from the Agreement.
- 4. The County may not terminate the agreement for convenience after the Project begins. Instead, after Project commencement, the agreement may only be terminated only by mutual written consent or for cause.
 - (c) The County standard contract gives the County the right to terminate the contract, for any reason, with a 30-day written notice of termination.
 - (d) Potential Impact: The County does not have the ability to terminate this Agreement for convenience and is bound to the terms of this Agreement.
- 5. The agreement contains a prevailing party attorneys' fees provision. If CAL FIRE brings an enforcement action and is the prevailing party, the agreement requires the County to pay CAL FIRE's attorneys' fees, expert fees, and litigation costs.
 - (c) The County standard contract requires each party to bear its own costs and attorney fees, regardless of who is the prevailing party.
 - (d) Potential Impact: If CAL FIRE institutes any legal proceedings related to the agreement, if it is the prevailing party, it will be entitled to recover reasonable attorneys' fees, which could exceed the total contract amount.

The Department recommends approval of this item, including non-standard terms, in order to accept the grant funds and authorize the Department to proceed with the Project and administer the grant through February 15, 2029.

On December 30, 2025, the Department filed with CAL FIRE a request to suspend state statutes and regulations for the Project, under the Governor's Proclamation of a State of Emergency dated March 1, 2025. The Department is awaiting confirmation from CAL FIRE regarding the Project's suspension request. If the Department's suspension request is not granted, then the Department will proceed with compliance with the California Environmental Quality Act as applicable.

Approval of this item supports the County and Chief Executive Officer's goals to protect public safety, maintain critical infrastructure, serve vulnerable communities, and leverage external funding in a fiscally responsible manner by securing nearly \$1 million in State grant funding for wildfire risk reduction along County roadways.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

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This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on January 7, 2026; Risk Management (Stephanie Mead, Staff Analyst II Trainee, 386-9044) on January 5, 2026; and County Finance and Administration (Iliana Rodriguez, Administrative Analyst, 387-5412) on January 5, 2026.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: January 13, 2026



cc: PW/Trans - Chun w/agree for sign
Contractor - c/o PW/Trans w/agree
File - w/agree
MBA 01/13/2026