SAWHA
SANTA ANA WATERSHED HYDRO AUTHORITY
Water in Motion, Energy in Action

AGENDA

SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT
380 East Vanderbilt Drive

SANTA ANA WATERSHED HYDRO AUTHORITY
10:00 AM Thursday, September 24, 2026

ZOOM INFORMATION

Online: https://sbvmwd.zoom/us/j/81212594682
Telephone: (877) 853-5247 US Toll-free

Meeting ID: 812 1259 4682
PASSCODE: 3802026

IMPORTANT PRIVACY NOTE: Online participants MUST log in with a Zoom account. The Zoom app is a free download. Please keep in mind: (1) This is a public meeting; as such, the virtual meeting information is published on the World Wide Web and available to everyone. (2) Should you participate remotely via telephone, your telephone number will be your identifier during the meeting and available to all meeting participants; there is no way to protect your privacy if you elect to call in to the meeting.

CALL TO ORDER / PLEDGE

1) PUBLIC COMMENT

Any person may may address the Authority on matters within its jurisdiction.

2) CONSENT CALENDAR

2.1 Consider Approval of Resolution No. 26-1 Establishing the Principal Office and Designating the Official Business Address of the Authority (5 min) - Page 3

Staff Memo - Consider Approval of Resolution No. 26-1 Establishing the Principal Office and Designating the Official Business Address of the Authority

Resolution No. 26-1 - Establishing the Principal Office and Designating the Address of the Authority

2.2 Consider Approval of Resolution No. 26-2 adopting a Conflict-of-Interest Code (5 min) - Page 5

Staff Memo - Consider Approval of Resolution No. 26-2 adopting a Conflict-of-Interest Code

Resolution 26-2 - Adopting a Conflict-of-Interest Code

Proposed Conflict-of-Interest Code

2.3 Consider Approval of Resolution No. 26-3 Delegating to the Executive Officer Those Responsibilities Necessary to Pursue Advancing the Authority Operations (5 min) - Page 11

Staff Memo - Consider Approval of Resolution No. 26-3 Delegating to the Executive Officer Those Responsibilities Necessary to Pursue Advancing the Authority Operations

Resolution No. 26-3 Delegating to the Executive Officer Those Responsibilities Necessary to Pursue Advancing the Authority Operations

3) DISCUSSION AND POSSIBLE ACTION ITEMS

3.1 Oath of Office for Directors and Election and Confirmation of Officers

3.2 Establishment of the Operations and Technical Committee

3.3 Consideration of General and FERC Counsel (10 min) - Page 13
Staff Memo - Consideration of General and FERC Counsel
Richard Roos-Collins Statement of Qualifications
Richard Roos-Collins Curriculum Vitae

3.4 Consider Approval of Resolution No. 26-4 Designating a Depository of Santa Ana Watershed Hydro Authority Funds and Authorized Personnel for Drawing Checks Thereon (10 min) - Page 23
Staff Memo - Consider Approval of Resolution No. 26-4 Designating a Depository of Santa Ana Watershed Hydro Authority Funds and Authorized Personnel for Drawing Checks Thereon
Resolution No. 26-4 - Depositories of Authority Funds and Authorized Personnel for Drawing Checks

3.5 Adoption of the Authority's Budget for Fiscal Year 2026-27 (10 min) - Page 26
Staff Memo - Adoption of the Authority's Budget for Fiscal Year 2026-27
FY 2026-27 Draft Budget

3.6 Consider Technical Services for Startup and Commissioning and Repair Recommendations for Phase 2 with McMillen, Inc.(10 min) - Page 30
Staff Memo - Consider Technical Services for Startup and Commissioning and Repair Recommendations for Phase 2 with McMillen, Inc.
McMillen, Inc. Proposal for Ontario No. 2, Sierra, and Mill Creek No. 3 Startup and Commissioning, August 24, 2026

3.7 Approval of the Authority's Branding and Update on Dedication Event(10 min) - Page 43
Staff Memo - Approval of the Authority's Branding and Update on Dedication Event

4) REPORTS

5) ANNOUNCEMENTS

6) ADJOURNMENT

SAWHA

SANTA ANA WATERSHED HYDRO AUTHORITY

Water in Motion, Energy in Action

DATE: September, 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board of Directors

FROM: Heather Dyer, Executive Officer
Leo Ferrando, Assistant Chief Engineer

SUBJECT: Consider Approval of Resolution No. 26-1 Establishing the Principal Office and Designating the Official Business Address of the Authority

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Staff Recommendation

Approve Resolution No. 26-1 Establishing the Principal Office and Designating the Official Business Address of the Authority.

Summary

On September 14, 2026, San Bernardino Valley provided written notice to the Member Agencies that SCE's hydroelectric assets had been fully transferred, establishing the Effective Date under Section 3.1.1 of the Joint Exercise of Powers Agreement. As a newly formed public entity separate from its Member Agencies, the Authority must designate a principal office. Designating a principal office does not limit where the BOD may hold its meetings. The BOD may separately establish its regular meeting schedule and meeting location and may meet at other locations within the Member Agencies' service areas as it determines appropriate.

The designation serves several practical and legal functions. It fixes the address at which the Authority may be served with legal process and correspondence. It establishes where the Authority's books, records, and financial documents are kept and made available for inspection by the Member Agencies and the public. It also identifies a location freely accessible to members of the public where agendas for Board and committee meetings will be posted at least 72 hours in advance, as required by the Brown Act.

Fiscal Impact

None

Attachment

Resolution No. 26-1

RESOLUTION NO. 26-1

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA ANA WATERSHED HYDRO AUTHORITY ESTABLISHING THE PRINCIPAL OFFICE AND DESIGNATING THE OFFICIAL BUSINESS ADDRESS OF THE AUTHORITY

WHEREAS, the Santa Ana Watershed Hydro Authority (“Authority”) is a public entity duly organized and existing under the laws of the State of California; and

WHEREAS, the State of California Government Code Section requires public agencies to designate a principal office for the transaction of official business, the maintenance of public records, and the receipt of legal service and official correspondence; and

WHEREAS, the Board of Directors desires to formally establish its principal office and official business address.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Ana Watershed Hydro Authority (Authority) as follows:

Section 1. Establishment of Principal Office. The principal office for the Santa Ana Watershed Hydro Authority is hereby established at the following location:

Santa Ana Watershed Hydro Authority
380 E. Vanderbilt Way
San Bernardino, CA 92408

Section 2. Official Business & Notices. All official business of the Authority shall be conducted at this location. All official notices, legal service of process, and communications intended for the Authority or its governing board shall be directed to this address.

Section 3. Public Inspection of Records. The designated principal office shall serve as the primary location where the Authority's public records are maintained and made available for public inspection during regular business hours, in compliance with applicable public records laws.

Section 4. Posting of Resolution. The Secretary of the Authority is directed to maintain a copy of this Resolution in the official records of the Authority and to post notice of this address as required by law.

BE IT FURTHER RESOLVED that Resolution No. 26-1 of the Santa Ana Watershed Hydro Authority shall take effect immediately upon its adoption.

ADOPTED this 24th day of September 2026.

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Chair

ATTEST:

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Secretary

SAWHA

SANTA ANA WATERSHED HYDRO AUTHORITY

Water in Motion, Energy in Action

DATE: September 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board of Directors

FROM: Heather Dyer, Executive Officer
Cindy Saks, Finance Officer

SUBJECT: Consider Approval of Resolution No. 26-2 Adopting a Conflict-of-Interest Code

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Staff Recommendation

Approve Resolution No. 26-2 Adopting a Conflict-of-Interest Code

Summary

California Government Code Section requires adoption of a Conflict-of-Interest Code for the newly formed Santa Ana Watershed Hydro Authority

Fiscal Impact

There is no fiscal impact for approving this Resolution.

Attachment

1. Resolution No. 26-2
2. Proposed Conflict-of-Interest Code

RESOLUTION NO. 26-2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA ANA WATERSHED HYDRO AUTHORITY ADOPTING A CONFLICT-OF-INTEREST CODE

WHEREAS, the Santa Ana Watershed Hydro Authority ("Authority") is a public entity duly organized and existing under the laws of the State of California; and

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. requires public agencies to adopt a Conflict-of-Interest Code; and

WHEREAS, the Board of Directors desires to formally adopt a Conflict-of-Interest Code.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Ana Watershed Hydro Authority (Authority) does hereby adopt the proposed Conflict of Interest Code.

BE IT FURTHER RESOLVED that Resolution No. 26-2 of the Santa Ana Watershed Hydro Authority shall take effect immediately upon its adoption.

ADOPTED this 24th day of September 2026.

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Chair

ATTEST:

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Secretary

SANTA ANA WATERSHED HYDRO AUTHORITY

CONFLICT-OF-INTEREST CODE

The Political Reform Act (Cal. Gov. Code, Sections 81000, *et seq*.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs., Section 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure categories shall constitute the Conflict-of-Interest Code of the Santa Ana Watershed Hydro Authority.

Those holding designated positions are designated employees or officials of Santa Ana Watershed Hydro Authority and shall file their statements of economic interest with Santa Ana Watershed Hydro Authority, which shall make the statements available for public inspection and reproduction. (Cal. Gov. Code, Section 81008). Upon receipt of the statements of economic interests from those holding designated positions, Santa Ana Watershed Hydro Authority shall make and retain copies thereof.

SANTA ANA WATERSHED HYDRO AUTHORITY

CONFLICT-OF-INTEREST CODE

APPENDIX A
Designated Positions

DESIGNATED POSITIONS	DISCLOSURE CATEGORIES
Executive Officer	1, 2, 3
Legal Counsel	1, 2, 3
Finance Officer/Treasurer	1, 2, 3
Consultants/New Positions*…	1, 2, 3

*Consultants and New Positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation: The Board of Directors may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Board of Directors' determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code.

The following positions are not covered by the code because the positions manage public investments. Individuals holding such positions must file under Government Code section 87200 and are listed for informational purposes only. Section 87200 requires disclosure of all investments and business positions in business entities, all income, including gifts, loans and travel payments, and real property.

Members of the Board of Directors.

SANTA ANA WATERSHED HYDRO AUTHORITY

CONFLICT-OF-INTEREST CODE

APPENDIX B
Disclosure Categories

Individuals holding designated positions shall disclose interests pursuant to their assignment to the corresponding disclosure categories:

Category 1

Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by Santa Ana Watershed Hydro Authority. The types of sources include, but are not limited to the following:

Engineering services
Construction contractors
Safety equipment and facilities
Hardware tools and supplies
Freight and hauling
Motor vehicles
Petroleum products
Photographic services, supplies and equipment
Water quality testing
Communications equipment and services
Travel agencies
Well drilling
Electrical equipment
Computer hardware and software
Water treatment equipment, supplies and services
Appraisal services
Printing, reproduction, record keeping, etc.
Office equipment
Accounting services
Real estate agent/brokers and investment firms
Title companies
Public utilities
Banks and savings and loan institutions
Financial audit services
Consulting services, such as legal, energy and power, engineering, data processing, computers, labor relations, public relations, planning, economics, environmental, and appraisal
Agricultural production

Category 2
Interests in real property located within Santa Ana Watershed Hydro Authority's jurisdiction or within two miles of the boundaries of the jurisdiction of Santa Ana Watershed Hydro Authority, or within two miles of any land owned or used by the Santa Ana Watershed Hydro Authority. For purposes of this code, Santa Ana Watershed Hydro Authority's jurisdiction is the hydroelectric projects known as "Mill Creek No. 1" and "Mill Creek No. 3" (MC) located on Mill Creek in San Bernardino County, California, the hydroelectric projects known as "Santa Ana River No. 1" and "Santa Ana River No. 3" (SAR) located on the Santa Ana River in San Bernardino County, California, and hydroelectric projects known as "Ontario No. 1", "Ontario No. 2", and "Sierra" located on the San Antonio Creek (SAC) in Los Angeles County, California.

Category 3
Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources that have a claim pending or have filed a claim against Santa Ana Watershed Hydro Authority or its member agencies within the last two years.

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Water in Motion, Energy in Action

DATE: September 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board of Directors

FROM: Heather Dyer, Executive Officer
Cindy Saks, Finance Officer

SUBJECT: Consider Approval of Resolution No. 26-3 Delegating to the Executive Officer Those Responsibilities Necessary to Pursue Advancing the Authority Operations

Staff Recommendation

Approve Resolution No. 26-3 Delegating to the Executive Officer Those Responsibilities Necessary to Pursue Advancing the Authority Operations

Summary

It is essential for the Board of Directors to delegate responsibilities to the Executive Officer to accomplish the day-to-day leadership and operational tasks. The resolution sets forth duties and functions necessary and proper to lawfully manage and conduct business of the Authority in accordance with all legal requirements and the policies, procedures, rules, and regulations established by Authority's Board of Directors.

Fiscal Impact

There is no fiscal impact for approving this Resolution.

Attachment

Resolution No. 26-3

RESOLUTION NO. 26-3

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA ANA WATERSHED HYDRO AUTHORITY DELEGATING TO THE EXECUTIVE OFFICER THOSE RESPONSIBILITIES NECESSARY TO PURSUE ADVANCING THE AUTHORITY'S OPERATIONS

WHEREAS, the Santa Ana Watershed Hydro Authority ("Authority") is a public entity duly organized and existing under the laws of the State of California; and

WHEREAS, to facilitate effective operation of the Authority, the Executive Officer of the Santa Ana Watershed Hydro Authority ('Authority") needs to perform all duties, services, acts, and functions necessary and proper to lawfully manage and conduct business of the Authority in accordance with all legal requirements and the policies, procedures, rules, and regulations established by Authority's Board of Directors.

THEREFORE, BE IT RESOLVED that the Board of Directors hereby establishes and delegates to the Executive Officer specific responsibilities in furtherance of the specific actions of the Board of Directors and the work to be performed under the budget, which delegated authorities include, but are not limited to, day-to-day leadership of the Authority, direct work supervision of all Authority personnel and consultants, management of all Authority financial matters, attending meetings and workshops of the Board of Directors, and managing and conducting all business of Authority. The Executive Officer shall perform such additional duties as may be assigned and/or delegated by the Board of Directors necessary to achieve the Board's goals and objectives in a manner that protects and enhances the long-term success and financial capacity of the Authority.

BE IT FURTHER RESOLVED that Resolution No. 26-3 of the Santa Ana Watershed Hydro Authority shall take effect immediately upon its adoption.

ADOPTED this 24th day of September 2026.

____
Chair

ATTEST:

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Secretary

DATE: September, 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board of Directors

FROM: Heather Dyer, Executive Officer
Leo Ferrando, Assistant Chief Engineer

SUBJECT: Consider Appointment of General Counsel and Special FERC Counsel, Mr. Richard Roos-Collins of Water and Power Law Group PC

Staff Recommendation

Appoint Richard Roos-Collins of Water and Power Law Group PC (WPLG) as General Counsel and special Federal Energy Regulatory Commission (FERC) counsel.

Summary

The Joint Exercise of Powers Agreement (JPA) designates Scott Shapiro of Downey Brand, LLP as the initial attorney for the Authority, serving until the Board elects to appoint a replacement. Mr. Shapiro drafted the Agreement and guided the Member Agencies through the formation of the Authority, and San Bernardino Valley will continue to rely on Downey Brand, LLP as special counsel on District matters. With formation complete, the Board may now select counsel for the Authority's ongoing work.

The Authority's legal needs going forward are dominated by federal hydropower regulation. The Santa Ana River (P-1933) and Mill Creek (P-1934) licenses were issued in 2003 for 30-year terms and expire in 2033. FERC approved the transfer of the licenses from Southern California Edison to San Bernardino Valley on April 23, 2026, and a second transfer from San Bernardino Valley to the Authority remains, which will follow suit in the next several months. Relicensing is a lengthy and complex proceeding, typically spanning about five years from initial consultation through issuance of a new license, and requiring a series of environmental, engineering, and resource studies developed in consultation with federal and state agencies, tribes, and other stakeholders. FERC exemptions for one or more of the facilities will also be considered in the coming months, under the advisement of special counsel.

Mr. Roos-Collins has practiced in FERC hydropower proceedings since 1991 and is the principal of WPLG, the firm he founded in 2011. Richard's qualifications and curriculum vitae are included as attachments for reference. Consolidating the Authority Counsel and FERC counsel roles in a single firm avoids duplicated effort, preserves institutional knowledge of the licenses and dockets through the transfer and into relicensing, and gives the Board a single point of legal accountability.

<u>Fiscal Impact</u>

Retention of counsel will result in professional services expenditures incurred on a time-and-materials basis in accordance with the adopted Fiscal Year 2026-2027 Budget. The adopted Fiscal Year 2026-2027 Budget includes $90,000 for Authority and FERC legal services.

<u>Attachments</u>

1) Statement of Qualifications — Water and Power Law Group PC
2) Richard Roos-Collins, Curriculum Vitae

WATER AND POWER LAW GROUP PC
2140 SHATTUCK AVENUE, STE. 801
BERKELEY, CA 94704-1229
DIRECT AND E-FAX: (510) 296-5589

EAST COAST
8 E STREET, S.E.
WASHINGTON, D.C. 20003

HYDROPOWER PRACTICE

WATER AND POWER LAW GROUP PC is a professional corporation in Berkeley, California. We opened in May 2011, relocating a law practice that had been housed in the Natural Heritage Institute, a non-profit law firm. Starting in 1991, we have represented licensees and non-licensees (including public agencies, tribes, and conservation groups) with respect to hydropower projects.

We work to enhance the economic and environmental benefits of such projects. We promote effective collaboration between our client and other stakeholders. A settlement is typically less costly than litigation as the basis for regulatory approvals and, more importantly, commits stakeholders to support innovative solutions that provide joint benefits.

We are a small firm, consisting of three attorneys. We have standing relationships to engage other law firms and engineering consultants to perform specific tasks as needed in a given matter.

Hydropower Licensing

We have represented clients in relicensing and related proceedings for hydropower projects since 1991. Table 1 lists the settlements that we helped negotiate and draft as the basis for new licenses over this period. We have participated in many other licensing proceedings (not listed here) which did not result in settlements. We have substantial experience in the application of the Federal Power Act, Endangered Species Act, Clean Water Act, and other laws to the relicensing of projects in highly diverse circumstances.

Table 1.
Licensing Settlements

State	Project Name (FERC number)	Licensee
California	Kern #3 Hydropower Project (P-2290)	Southern California Edison (SCE)
California	Mill Creek Hydroelectric Project (P-1390)	SCE
California	Mokelumne River Project (P-137)	Pacific Gas and Electric Company (PG&E)
California	New Don Pedro Project (P-2299)	Modesto and Turlock Irrigation Districts
California	North Fork Feather Project (P-2105)	PG&E
California	Oroville Facilities (P-2100)	Department of Water Resources
California	Potter Valley Project (P-77)	PG&E, although settlement is with related stakeholders

California	Rock Creek-Cresta Project (P-1962)	PG&E
California	Upper American River Project (P-2101)	Sacramento Municipal Utility District
California	Yuba River Development Project (P-2246)	Yuba County Water Agency
Georgia	Augusta Canal Project (P-11810)	City of Augusta, Georgia
Missouri	Osage Project (P-459)	Ameren UE
Montana	Big Fork Project (P-2652)	PacifiCorp
New York	Beaver River Project (P-2645)	Brookfield Power
New York	Beebee Island Project (P-2538) and Black River Project (P-2569)	Brookfield Power
New York	Cary Falls Project (P-2060) and Raquette River Projects – Lower (P-2330), Middle (P-2320), and Upper (P-2084)	Brookfield Power
New York	Curtis/Palmer Falls Project (P-2609)	International Paper
New York	Genesee River, Station 2 (P-2582) and Station 5 (P-2583), Station 26 (P-2584)	Rochester Gas & Electric
New York	Hoosic Project (P-2616)	Brookfield Power
New York	Newton Falls Project (P-7000)	Brookfield Power
New York	Niagara Project (P-2216)	New York Power Authority
New York	Oswego River Project (P-2474) and Oswego Falls Project (P-5984)	Brookfield Power
New York	Salmon River Project (P-11408)	Brookfield Power
New York	School Street Project (P-2539)	Brookfield Power
New York	St. Lawrence-FDR Project (P-2000)	New York Power Authority
New York	Watertown Project (P-2442)	City of Watertown
New York	Upper Hudson/Sacandaga Projects – E.J. West (P. 2318), Stewarts Bridge Project (P-2047), Hudson River Project (P-2482), Feeder Dam Project (P-2554)	Brookfield Power
New York	West Branch St. Regis Projects – Parishville (P-10461) and Allens Falls (P-10462)	Brookfield Power
North Carolina	Catawba-Wateree River Project (P-2232)	Duke Power
North Carolina	Roanoke Rapids-Lake Gaston Project (P-2009)	Dominion Generation
Oregon	Klamath Hydroelectric Project (P-2082)	PacifiCorp
Pennsylvania	Kinzua Project (P-2280)	First Energy
South Carolina	Saluda Project (P-516)	South Carolina Electric and Gas Company
Tennessee	Tapoco Hydroelectric Project (P-2169)	Alcoa Power Corporation
Utah	American Fork Project (P-696)	PacifiCorp
Utah	Bear River Projects (P-20, 472, and 2401)	PacifiCorp

Virginia	Smith Mountain Lake (P-2210)	Appalachian Power Company
Washington	Baker Project (P-2150)	Puget Sound Electric
Washington	Skagit Hydro Project (P-533)	Seattle City Light

Our general approach to a licensing proceeding is designed to resolve disputed issues before the matter reaches the FERC Commissioners for the final decision. The fundamentals are largely common sense. Ultimate success turns on diligence, ingenuity and art, and patience in their application. We list these fundamentals in roughly temporal order beginning on engagement for legal services.

- *Understand the client's specific expectations and objectives for a new license.* From the get-go, provide a range of strategic options for solving any complex problem. Maintain a relationship of trust and complete candor.

- *Establish working lines of communication with regulatory agencies and stakeholders, with an emphasis on listening*. Map the specific nature and scope of the authorities of regulatory agencies as applied to the specific circumstances of the project. Map interests of non-regulatory stakeholders. What is the nature of a stakeholder's relationship with the licensee, project, and other stakeholders in the proceeding?

- *Map all existing and potential conflicts in the uses of project lands and waters*. Identify options for resolution of such conflicts, with an eye to cost-effectiveness, completeness and durability, and synergies.

- *Use best available science to address disputed factual issues*. Assure that consultants design and undertake studies with integrity. Maintain complete transparency, except for information clearly separated as confidential.

- *Pursue options for coordination between the agencies in the exercise of their authorities*. Seek to coordinate mandatory conditions under Federal Power Act section 4(e) (protection of federal reservations) and 18 (fishways), and the Endangered Species Act and Clean Water Act, resulting in a unified set of management plans for compliance.

- *Design a process that balances fairness, effectiveness, and timeliness*. Recognize that process errors create inertia, which impedes progress. Use topical workgroups. Sequence issues within each workgroup, based on logical dependencies. Negotiate common issues in the plenary venue. Negotiate bi-lateral issues separately.

Hydropower Compliance

We have substantial experience in the implementation and amendment of license terms. These compliance cases, listed in Table 2, resulted from changes in project impacts over time, novel application of federal laws that post-dated the licenses, and adaptive management pursuant to the license terms. We secured results that protected the licensee's investment interests, including reliability of power and water supplies, while also enhancing the non-developmental benefits as required by applicable laws.

Our approach to compliance and licensing proceeding is similar. However, a compliance proceeding has a narrower scope, addressing either non-compliance with license terms, leaving undisturbed the existing plan of development, or changed circumstances as appropriate to contribute to resolution of issues that will otherwise arise in the later relicensing proceeding. Thus, for the Saluda Project in South Carolina, we developed a late-term settlement whereby the licensee retrofitted the turbines to minimize exceedances of temperature and dissolved oxygen standards otherwise caused by the original powerplant design. This resolved the licensee's liability under the Clean Water Act for the balance of the original license term, and it further resolved those specific issues for the purpose of the later relicensing.

Table 2.
Hydropower Compliance Cases

State	Project Name (FERC number)	Licensee	Scope
California	McCloud-Pit Project (P-2106)	PG&E	Sediment management
California	Mokelumne River Project (P-137)	PG&E	Adaptive management, including evaluation of retrofits to comply with temperature standards
California	New Don Pedro Project (P-2299)	Modesto and Turlock Irrigation Districts	Late-term amendments to protect anadromous and other coldwater fishery resources
California	Potter Valley Project (P-77)	PG&E	Variances related to non-operational powerplant, pending license surrender
California	Rock Creek-Cresta Project (P-1962)	PG&E	Adaptive management plans, including evaluation of retrofit options to comply with temperature standards
New York	Seneca Falls Project (P-2438)	Seneca Falls Power Corporation	Late-term amendment to comply with water quality standards
North Carolina	Roanoke Rapids-Lake Gaston Project (P-2009)	Dominion Power	Adaptive management, including evaluation of alternatives to protect biological resources from adverse effects of peaking operations
Oregon	Leaburg-Walterville Project (P-2496)	Eugene Water and Electricity Board	Integration of dam safety repairs with license surrender or relicensing (serving as advisor to design engineer McMillen, Inc.)

South Carolina	Saluda Project (P-516)	South Carolina Electric & Gas Company	Late-term amendment to comply with water quality standards
Virginia	Smith Mountain Project (P-2210)	Appalachian Power	Adoption and implementation of shoreline management, erosion, and debris plans

Clean Water Act

We have substantial experience in the application of the Clean Water Act and related state laws to hydropower projects and other water control facilities. We pursue approaches to minimize the conflicts and optimize the coordination between FERC and the state in the exercise of their respective authorities. We negotiated settlements as the basis for water quality certifications for many of the projects listed in Table 1, above. We participated in evidentiary trials related to water quality certifications for hydropower projects, among the few ever convened under the 1972 Clean Water Act.

Our approach to water quality proceedings is consistent with our licensing approach. In addition, we encourage coordination between FERC and the state water quality agencies and even assist in establishing specific procedures for such coordination. For this reason, we helped establish a memorandum of agreement between FERC and New York Department of Environmental Conservation in the relicensing of the St. Lawrence-FDR Project, permitting the state to participate meaningfully in the timely preparation of the federal environmental documents.

For Further Information

Richard Roos-Collins
Principal,
WATER AND POWER LAW GROUP PC
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8 E STREET, S.E
WASHINGTON, D.C. 20003

RICHARD ROOS-COLLINS

BAR California (1987)

EDUCATION J.D., honors, Harvard Law School
B.A. (English), high honors, Princeton University

EMPLOYMENT

Principal, Water and Power Law Group PC (2011-). Co-founded and manage national law firm. Represent public agencies, tribes, conservation groups, ranchers, utilities, and merchant generators. Specialize in multi-party settlements advancing durable solutions that enhance environmental quality and reliable water and power supplies. Serve as General Counsel for the Klamath River Renewal Corporation, undertaking the largest dam removal in history; outside counsel to California Department of Water Resources in negotiation of comprehensive agreements to restore water quality of Sacramento-San Joaquin Bay Delta; and trial counsel for California Trout in the Mono Lake Cases, first case to integrate public trust into water rights.

Adjunct Professor, University of San Francisco Law School (2011-). Teach Water and Oil Law; serve as faculty coach for Negotiation Moot Court.

Visiting Lecturer, UC Santa Barbara Bren School of Environmental Science and Policy. Teach course in Enterprise Management in Ecosystem Restoration (2024-). As guest lecturer, guest-teach classes in Advanced Topics in Environmental Law (2016-).

Director of Legal Services, Natural Heritage Institute (1991–2011). Represented stakeholders in licensing proceedings for hydropower projects across nation, resulting in more than $10 billion in capital improvements. Served as co-lead drafter for settlement agreements in Klamath Basin. Negotiated conservation program for 140,000 acres of watershed lands owned by Pacific Gas and Electric Company, the largest such commitment by a utility in U.S. history. Negotiated rule adopted by Federal Energy Regulatory Commission, 18 CFR Part 5, as basis for licensing proceedings. Served as arbitrator for California Department of Fish and Wildlife.

Councilmember, Delta Stewardship Council (2010). Appointed by Governor Arnold Schwarzenegger, served as member of state agency responsible to coordinate regulation of Sacramento-San Joaquin Bay Delta.

Lecturer, Stanford Law School (2008). Taught course on Advanced Topics in Water Law.

Deputy Attorney General, Public Rights Division, California Department of Justice (1989-1991). Prosecuted improper management and disposal of hazardous wastes, and recovered associated public costs, through proceedings in trial, bankruptcy, and probate courts. Defended California Department of Toxic Substances Control in permit appeals. Exercised Attorney General's authority to enforce laws independently of client agencies. Reviewed private litigation filed under land use laws, to evaluate appropriateness of Attorney General's intervention. Undertook investigations to enforce limits on air emissions from industrial facilities. Submitted comments to Congress on bills enacted as 1990 Clean Air Act.

Attorney-Adviser, Office of General Counsel, U.S. Environmental Protection Agency (1986-1989). Counseled in development of air quality rules. Defended EPA in related litigation. Negotiated settlement reducing utility emissions of greenhouse gases by several hundred thousand tons a year. Contributed to development of legislation enacted as 1990 Clean Air Act. Received awards for Sustained Superior Performance.

PROFESSIONAL AWARDS

Imagine H_2O, California Water Policy Challenge (2016) (digitizing water rights records)
American Fisheries Society, Carl R. Sullivan Award for Fishery Conservation (2010)
Mono Lake Committee, Defender of the Trust Award (2009)
American Rivers, Lifetime Achievement Award in River Conservation (2008)
American Bar Association, Award for Excellence in Environmental Stewardship (2007)

BOARDS OF DIRECTORS

Council of Legal Advisors, UC Santa Barbara Bren School (2016-)
UC Berkeley Law Center for Law Energy & Environment (2018-)
River Network (2016-)
Pacific Forest and Watershed Lands Stewardship Council (2004-)
Smith River Alliance (2024-)
Klamath River Renewal Corporation (2016-2018)
Low Impact Hydropower Institute (Chairman, 1999-2015)
Downtown Berkeley Association (2002-2004)
Berkeley YMCA (2007-2010)
Agricultural Water Management Council (Co-Chairman, 1997-2013)

Tuolumne River Preservation Trust (Chairman, 1991-2002)
Friends of the River (Chairman, 1991-1994)

PUBLICATIONS

University of California Berkeley School of Law, Center for Law Energy and the Environment, and Water and Power Law Group, *Piloting a Water Rights Information System for California* (2021)

Hydropower Reform Coalition, *Citizen Guide for Effective Participation in Hydropower License Implementation,* e-book, www.hydroreform.org (2019)

"Bankside San Jose," chapter in *Rivertown; Rethinking Urban Rivers*, MIT Press (2007)

"Lessons from the Mono Lake Cases for Effective Management of Public Trust Resources," *Southeastern Environmental Law Journal* (Fall 2006)

"A Plan to Restore the Public Trust Uses of Rivers and Creeks," *Texas Law Review* (2005)

"A Perpetual Experiment to Restore and Manage Silicon Valley's Guadalupe River," *Golden Gate University Law Review* (Spring 2005)

"Mono Lake Cases," *Rivers* (winter 1995)

Rivers at Risk: A Citizen's Guide to Hydropower (co-author), Island Press (1989)

"Voluntary Conveyance of the Right to Receive a Water Supply from the U.S. Bureau of Reclamation," *Ecology Law Quarterly (*December 1986)

PERSONAL

Married to Margit Roos-Collins. Two children: Emma and Byron.

SAWHA
SANTA ANA WATERSHED HYDRO AUTHORITY
Water in Motion, Energy in Action

DATE: September 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board

FROM: Heather Dyer, Executive Officer
Cindy Saks, Finance Officer

SUBJECT: Consider Approval of Resolution No. 26-4 Designating a Depository of Santa Ana Watershed Hydro Authority Funds and Authorized Personnel for Drawing Checks Thereon

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Staff Recommendation

Approve Resolution No. 26-4 Designating a Depository of SAWHA (Authority) Funds and Authorized Personnel for Drawing Checks Thereon

Summary

As it will be set forth in the Authority's Investment Policy once formally adopted at an upcoming board meeting, the Board is required to set the delegation and grants of authority in regard to the management of Authority funds. The attached Resolution No. 26-4 designates the financial institutions and positions authorized to perform financial transactions for the Authority. The Authority will hold funds at Wells Fargo Bank and the California Asset Management Program (CAMP).

This Resolution authorizes the positions with the authority to engage with the banks listed in this Resolution.

The people authorized to draw funds from the Authority's accounts by Resolution No. 26-4 include:

Position	Individual
Chair	*To be determined after election of officers*
Vice Chair	*To be determined after election of officers*
Treasurer	*To be determined after election of officers*
Executive Officer	Heather P. Dyer
Operating Officer	Wen B. Huang
Finance Officer	Cynthia L. Saks

The Resolution sets forth to establish the Authority procedure of requiring all checks to be signed by at least two of the six authorized representatives.

Fiscal Impact

There is no fiscal impact from authorizing individuals to draw funds on the Authority’s bank accounts.

Attachment

Resolution No. 26-4

RESOLUTION NO. 26-4

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA ANA WATERSHED HYDRO AUTHORITY DESIGNATING A DEPOSITORY OF AUTHORITY FUNDS AND AUTHORIZED PERSONNEL FOR DRAWING CHECKS THEREON

BE IT RESOLVED by the Board of Directors of the Santa Ana Watershed Hydro Authority (Authority) as follows:

Section 1. Wells Fargo Bank, N.A and the California Asset Management Program (CAMP) are designated as depository to have custody of the funds of the Authority, and to provide banking services for the Authority.

Section 2. The following personnel are hereby authorized to draw checks for authorized expenditures on the Authority's accounts at such depository, the signatures of two persons being required:

To be determined	Chair
To be determined	Vice Chair
To be determined	Treasurer
Heather P. Dyer	Executive Officer
Wen B. Huang	Operating Officer
Cynthia L. Saks	Finance Officer

Section 3. The Recording Secretary and above personnel are authorized to execute and deliver all necessary signature cards and further documents necessary to carry out this Resolution.

BE IT FURTHER RESOLVED that Resolution No. 26-4 of the Santa Ana Watershed Hydro Authority shall take effect immediately upon its adoption.

ADOPTED this 24th day of September 2026.

____
Chair

ATTEST:

____
Secretary

SAWHA

SANTA ANA WATERSHED HYDRO AUTHORITY

Water in Motion, Energy in Action

DATE: September, 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board of Directors

FROM: Heather Dyer, Executive Officer
Cindy Saks, Finance Officer
Leo Ferrando, Assistant Chief Engineer

SUBJECT: Adoption of the Authority's Budget for Fiscal Year 2026-27

Staff Recommendation

Staff recommend that the Board of Directors (BOD) adopt the Fiscal Year 2026-2027 Authority Budget and the associated Member Agency cost-share, including any modifications as directed by the BOD during the meeting.

Summary

The Joint Exercise of Powers Agreement directs the BOD to adopt a budget for the Authority's first Fiscal Year as soon as reasonably possible after the Effective Date. The Authority was created on September 14, 2026, upon completion of the transfer of the Southern California Edison hydroelectric assets to San Bernardino Valley, and the fiscal year runs from July 1 through June 30. Staff have prepared a draft budget covering the balance of Fiscal Year 2026-2027.

The draft budget includes total FY 26/27 operating expenditures of approximately $1,784,000, offset by projected power sales revenue of about $489,000 for a net operating funding need of about $1,295,000 for Year 1. Operating costs consist primarily of three fully burdened hydropower operations positions provided by San Bernardino Valley, plant maintenance and materials, interconnection charges, insurance, and professional services. The net operating need is allocated among the Member Agencies using the operating percentages: San Bernardino Valley $933,000 (72%), Bear Valley Mutual Water Company $156,000 (12%), Big Bear Municipal Water District $130,000 (10%), and Crafton Water Company $78,000 (6%). A discussion of options on how to fund the net operating need in the first year

(i.e. payment from agencies or drawing from SCE transfer payment) will occur during the meeting for decision by the JPA Board.

The proposed budget also includes an estimate of $3,135,000 in first-year capital and major repair expenditures. Consistent with the Agreement's direction, the largest allocations support the Santa Ana River facilities, including the SAR-3 siphon and river pickup intake repair, the SAR-3 Alder Creek lateral repair, and design and mobilization for the SAR-1 penstock replacement. Remaining items fund startup and commissioning support, condition assessments, CAISO revenue metering required before the plants may operate, and a capital contingency. A five-year Capital Improvement Plan is being developed separately and will be brought to the Board for consideration at a future meeting. Staff will provide an overview presentation of the major budget categories during the meeting.

Fiscal Impact

1) Proposed SAWHA Budget for FY 2026-2027

SANTA ANA WATERSHED HYDRO AUTHORITY (SAWHA)

PROPOSED BUDGET FOR THE FISCAL YEAR 2026-2027 (JULY 1, 2026 – JUNE 30, 2027) - All amounts in 2027 dollars and rounded up to the nearest $1,000

Acct	Description	FY 2026-2027 Budget	Funding Source	Basis / Notes
OPERATIONS AND MAINTENANCE EXPENSE				
	Operations Personnel — FTE, fully burdened			
	Hydropower Operations Supervisor	297,000	Member contributions	*1 full year. Incl. 15% overhead*
	Lead Hydropower Operator / Senior	118,000	Member contributions	*6 months. Incl. 15% overhead*
	Hydropower Operator	71,000	Member contributions	*4 months. Incl. 15% overhead*
	Electrician or Mechanic	93,000	Member contributions	*4 months. Incl. 15% overhead*
	Joanna/Environmental Support	16,000	Member contributions	*1/2 month. Incl. 15% overhead*
	Kim/Environmental Support	14,000	Member contributions	*1/2 month. Incl. 15% overhead*
	James Law (1.0 FTE)	25,000	Member contributions	*2 months. Incl. 15% overhead*
	Plant Maintenance & Repairs (non-labor)			
	Materials, parts & contract O&M services	150,000	Member contributions	*Planning estimate*
	Interconnection / Utility Charges			
	Interconnection charges	25,000	Member contributions	*$1,000 per plant per month, commencing on the 1st day after the In-Service Date for operational facilities*
	Subtotal — Operations & Maintenance	**809,000**		*$931,000 SCE average for Ont 1 & 2, Sierra and MC3. ($2.8 mil for all)*
PROFESSIONAL AND SPECIAL SERVICES				
	Consultants & Professional Services			
	Authority counsel (Scott Shapiro)	3,000	Member contributions	*Estimate for the very beginning.*
	FERC special counsel (Roos-Collins / Water & Power Law)	90,000	Member contributions	*Per executed retainer (6/2026); Yr-1 ongoing*
	Annual audit & accounting	20,000	Member contributions	*Guess-timate*
	Technical & regulatory consultants (FERC Strategy SME)	75,000	Member contributions	*Mc Millen*
	Technical (Facilities Assessment and Startup) Phase 1	75,000	Member contributions	*PO awarded to Mc Millen, For Ontario 1*
	Technical (Facilities Assessment and Startup) Phase 2	246,000	Member contributions	*For Ontario 2, Sierra and MC 3*
	Technical consultants (Dean Caskey)	60,000	Member contributions	*Dean Caskey, ongoing support*
	Technical & regulatory consultants	35,000	Member contributions	*High Voltage Support*
	Technical & regulatory consultants	30,000	Member contributions	*Electrical Systems Support*
	Technical & regulatory consultants (HBT Energy)	70,000	Member contributions	*PPA and CAISO Support*
	Transitional Services Agreement with SCE	35,000	Member contributions	*Transitional Services from SCE for Start up for all seven hydro facilities*
	Scheduling Coordinator and WREGIS Fee	36,000	Member contributions	*SC Services with RPU, $1500 per Resource ID x 3/mo. for 6 months*
	Technical (Performance Engineering)	70,000	Member contributions	*Engineering Design and Support*
	Subtotal — Professional & Special Services	**845,000**		
GENERAL AND ADMINISTRATIVE EXPENSE				
	General & Administrative			
	Insurance (E&O, general liability & D&O)	75,000	Member contributions	*Annual premium est. Required - to discuss and confirm*
	Letter of Credit	20,000	Member contributions	*Wells Fargo LC requirement per the PPA for Riverside*
	East Admin Building Lease	30,000	Member contributions	
	Meetings, office & administration	5,000	Member contributions	*Planning guess-timate*
	Subtotal — General & Administrative	**130,000**		

TOTAL O&M EXPENDITURES	**1,784,000**		
LESS: PPA REVENUE (per Riverside draft Term Sheet, BT comments 6/30/2026)			
Year-1 generation delivered under PPA	6,565,233 kWh	Offsets member contrib.	*Assumes historical average for Ont 1&2, Sierra, MC 3; Commencing 1/1/2027. 14,000 mwhr per year total.*
Energy revenue	305,283	Offsets member contrib.	*$46.50/MWh*
REC revenue	114,892	Offsets member contrib.	*$17.50/MWh*
Capacity (Resource Adequacy) revenue	68,000	Offsets member contrib.	*Per Exhibit 3 of the Term Sheet, for Ont & Sierra and MC3 for 5 months*
Subtotal — PPA revenue (offset)	**489,000**		*Projected revenue ramps from $1.0M in 2027 (four plants) to $1.24M in 2028 (MC 1 and SAR 3), to $1.70M in 2029 (SAR 1), reaching $1.88M from 2030 on with all seven plants.*
NET OPERATING FUNDING NEED (member contributions)	**1,295,000**		*Total Operating Expenditures - Revenue*
CAPITAL AND MAJOR REPAIRS (FIXED ASSET IMPROVEMENTS) — Year-1 tranche, funded by SCE Transfer Payment			
Capital & Major Repairs			
CAISO meter replacement / recertification (7 plants)	250,000	JPA Capital Expense	*rounded up ≈ $21k x 5 and $61k x 2 for SAR1 and MC3*
SAR-3 siphon, river pickup intake & flowline repairs (priority)	1,000,000	JPA Capital Expense	*Per Due Diligence estimate, inflated by 100%*
MC 1 Penstock Repair	100,000	JPA Capital Expense	*Per Due Diligence estimate, inflated by 100%*
SAR-1 penstock & intake repair — Yr-1 for design	500,000	JPA Capital Expense	*Placeholder*
SAR-1 Access Road Repair	1,000,000	JPA Capital Expense	*Placeholder*
Capital contingency	285,000	JPA Capital Expense	*10%*
Subtotal — Capital & Major Repairs (Year 1)	**3,135,000**		
FUNDING SUMMARY — SCE TRANSFER PAYMENT (CAPITAL FUND)			
Adjusted SCE Transfer Payment	34,798,077		*Incl. Bear Valley 1st Amendment +$817,700 and original allocation*
Less: BVMWC Water	(104,000)		*BVMWC Water thru July*
Less: acquisition-cost reimbursement to SBV	(2,306,000)		
Less: acquisition-cost reimbursement to BVMWC	(125,000)		
SCE Transfer Payment available to Authority	**32,264,000**		
Less: Capital & major repairs (Year 1, above)	(3,135,000)		
Remaining SCE Transfer Payment balance	**29,129,000**		
Remaining SCE Transfer Payment balance with investment Income of 3.5% for 1 yeaı	**30,148,515**		

MEMBER COST-SHARE (Exhibit A operating percentages applied to net operating need)

Member Agency	Contribution ($)	Operating %
San Bernardino Valley	933,000	72.0%
Bear Valley Mutual Water Company	156,000	12.0%
Big Bear Municipal Water District	130,000	10.0%
Crafton Water Company	78,000	6.0%
Total	**1,297,000**	**100.0%**

SAWHA

SANTA ANA WATERSHED
HYDRO AUTHORITY

Water in Motion, Energy in Action

DATE: September, 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board of Directors

FROM: Heather Dyer, Executive Officer
Leo Ferrando, Assistant Chief Engineer

SUBJECT: Consider Technical Services for Startup and Commissioning and Repair Recommendations for Phase 2 with McMillen, Inc.

Staff Recommendation

Staff recommend that the Board of Directors (BOD) retain McMillen, Inc. to provide Phase 2 startup and commissioning support and repair recommendations for Ontario No. 2, Sierra, and Mill Creek No. 3 powerhouses, and authorize the Executive Officer to execute an agreement in the not-to-exceed amount of $245,548.

Summary

The seven hydroelectric facilities transferred from Southern California Edison were operated for decades under Southern California Edison's station orders, staffing, and institutional practices, much of which is undocumented. Before each facility can be placed in service after a long period of time under the Authority's operation, it requires a written, facility-specific startup and commissioning plan and on-site mechanical, electrical, and controls expertise to execute that plan and resolve issues encountered during startup. This work is time-sensitive while Southern California Edison personnel familiar with the plants remain available.

McMillen, Inc. is a hydropower engineering firm that has supported the program since the assessment phase. In June 2026, San Bernardino Valley engaged McMillen for Phase 1, covering Ontario Powerhouse No. 1, the first facility scheduled to return to service. Phase 2 extends that work to the next three facilities scheduled to come online.

Phase 2 covers project management, data collection, and development of draft and final startup and commissioning plans for each of the three facilities, a two-day coordination site visit, on-site startup and commissioning support, and on-call engineering support through January 2027. It also includes urgent, short-term, and long-term repair recommendations for Ontario No. 1, Ontario No. 2, Sierra, and Mill Creek No. 3 powerhouses, together with cost estimates and schedules for the urgent and short-term items. Those recommendations will inform the Authority's capital planning and the sequencing of major repairs.

Under the proposed schedule, startup and commissioning plans are delivered between October and November 2026, on-site commissioning occurs in late November and early December 2026, and repair recommendations and estimates are completed in January 2027. Authority personnel will perform switching, startup, and operation of the facilities, with McMillen providing technical support. Staff will provide a presentation with additional detail during the meeting.

<u>Fiscal Impact</u>

Services will be invoiced monthly on a time-and-materials basis in accordance with the attached proposal, with a not-to-exceed amount of $245,548. Funding is provided from the operating fund established by the SCE Transfer Payment and included in the adopted Fiscal Year 2026-2027.

<u>Attachment</u>

1) McMillen, Inc. Proposal for Ontario No. 2, Sierra, and Mill Creek No. 3 Startup and Commissioning, August 24, 2026

McMillen

August 24, 2026

San Bernardino Valley Municipal Water District
Leo Ferrando, PE, PMP
Assistant Chief Engineer
Sent via email

Subject: Ontario Powerhouse (PH) No. 2, Sierra PH, and Mill Creek PH No. 3 Startup & Commissioning

Dear Mr. Ferrando:

McMillen, Inc. (McMillen) appreciates the opportunity to work with San Bernardino Valley Municipal Water District (SBVMWD) on the Ontario Powerhouse (PH) No. 2, Sierra PH, and Mill Creek PH No. 3 Startup & Commissioning (Project). As indicated in our Statement of Interest (SOI), McMillen has developed the following detailed scope of work (SOW) and budget for your review.

PROJECT UNDERSTANDING

SBVMWD is in the process of acquiring seven hydropower facilities from Southern California Edison (SCE). The facilities are located along the Santa Ana River, Mill Creek, and San Antonio Creek. Four of the facilities are operational, and three are non-operational. SBVMWD has requested technical support for the new hydropower assets. Technical support is needed to develop new facility-specific startup and commissioning plans using existing SCE station orders, facility documents, drawings, and other information gathered during site visits. In addition, SBVMWD has requested on-site mechanical and electrical/controls expertise to facilitate the startup and commissioning process and to provide technical support if issues are encountered. Urgent, short-term, and long-term repair recommendations for the three San Antonio Creek facilities and Mill Creek No. 3 will be prepared.

PROJECT GENERAL ASSUMPTIONS

Based on the information provided by (SBVMWD and McMillen's Project Understanding as identified above, the following assumptions have been made in the development of this SOW.

These assumptions impact the overall Project and budget. However, McMillen will gladly entertain any discussion on these assumptions to align with (SBVMWD's goals.

- (SBVMWD review periods will be five business days or less unless noted otherwise.
- All virtual meetings will take place using Microsoft Teams.
- McMillen has included refundable airfare within the budget to protect its clients and team in case meetings need to be rescheduled.
- Travel is dependent upon weather and biological conditions, such as a pandemic (e.g. Covid-19).
- Environmental investigations or permitting support are excluded.
- A condition assessment of existing facilities has not been performed by McMillen. The condition of the facilities is based on discussions with SBVMWD indicating that the hydropower facilities are currently operational. McMillen assumes the facilities are in sufficient operating condition to support the proposed startup and commissioning activities.
- The schedule provided below is the anticipated period of performance for the identified tasks.
- All documents/deliverables prepared by McMillen or its subcontractor(s) as part of this Project will not be compliant with the Americans with Disabilities Act (ADA). (SBVMWD may request this service at an additional cost.
- McMillen assumes the Project's Notice to Proceed will be granted within one month of submitting this proposal. If the award process is prolonged, the Project's total budget and schedule will need to be reassessed for potential adjustments due to the delay.
- The total duration of the Project is anticipated to be approximately five months.

PROJECT APPROACH

McMillen's Project approach is identified in the following tasks and activities. The tasks will be completed in the order described, excluding Project Management, which is included for the duration of the Project.

- Task 1 – Project Management
- Task 2 – Data Collection and Review, Startup & Commissioning Plan Development, and Repair Recommendations
- Task 3 – Coordination Site Visit – Three Sites

- Task 4 – On-Site Startup and Commissioning Support
- Task 5 – On-call Engineering Support

Within each of these tasks are several subtasks to be completed. Each task described below provides the anticipated deliverables and the assumptions used for each task.

TASK 1: PROJECT MANAGEMENT

Nathan Myers, senior mechanical engineer, will serve as the Project Manager for the duration of the Project and will provide management and oversight of all in-house team members. He will be assisted by Jeremy Winkle, senior electrical and controls engineer. Nathan's responsibilities will include contracting, monitoring budgets and schedules, and ensuring the work performed is within the contract scope, schedule, and budget. Nathan will also perform required general project management tasks, such as meeting coordination, meeting minutes, quality control, and reporting. McMillen will set up a reoccurring meeting every two weeks to coordinate Project components, provide updates on the schedule, identify any data needs, etc. A SharePoint site will be provided for data sharing and Project submittals.

Nathan will provide an exceptional team with the demonstrated knowledge and experience to work collaboratively with (SBVMWD-identified stakeholders to plan the Project.

All documents will be reviewed internally, and comments will be incorporated before submitting to (SBVMWD. Nathan will be responsible for comment incorporation and completing the Comment/Response Form, documenting the quality-control process.

Deliverables

- Monthly Invoices and Progress Reporting
- Meeting Agendas and Minutes

Assumptions

- The Project kickoff meeting and all coordination meetings will be held virtually using Microsoft Teams.
- Coordination meetings are assumed to be scheduled at an interval of every other week.

TASK 2: DATA COLLECTION AND REVIEW, STARTUP & COMMISSIONING PLAN DEVELOPMENT, AND REPAIR RECOMMENDATIONS

McMillen will provide a detailed request for information and will identify data that is needed to develop the Startup & Commissioning Plans. McMillen will thoroughly review available facility data and documentation for the Project. In addition, McMillen will coordinate with the previous facilities' owner's representative to gather undocumented information about the facilities' Operations and Maintenance (O&M) requirements.

McMillen will prepare Draft Startup & Commissioning Plans for Ontario PH No. 2, Sierra PH, and Mill Creek PH No. 3. The Final Startup & Commissioning Plans will incorporate SBVMWD review comments and submitted as a Task 2 deliverable.

McMillen will develop urgent, short-term, and long-term repair recommendations for Ontario PH No. 1, Ontario PH No. 2, Sierra PH, and Mill Creek PH No. 3. A budget estimate (AACE Class 5) will be prepared for urgent and short-term repairs accompanied by a schedule. Repair recommendations will be based on inspections performed by SBVMWD and previous inspection reports from SCE.

Deliverables

- Request for Information
- Ontario PH No. 2 Draft Startup & Commissioning Plan
- Sierra PH Draft Startup & Commissioning Plan
- Mill Creek PH No. 3 Draft Startup & Commissioning Plan
- Ontario PH No. 2 Final Draft Startup & Commissioning Plan
- Sierra PH Final Draft Startup & Commissioning Plan
- Mill Creek PH No. 3 Final Draft Startup & Commissioning Plan
- Urgent, short-term and long-term repair recommendations (San Antonio Plants and Mill Creek No. 3)
- Urgent and short-term cost estimates and schedule (San Antonio Plants and Mill Creek No. 3)

Assumptions

- The previous owner's facility manager (Dean) is available via phone or MS Teams call for 2 hours per week during the duration of the Project. In addition, Dean will be available and attend Project meetings.
- Facility drawings and O&M documents are available and will be provided to McMillen within 2 working days of McMillen's request.
- Station Orders are available and will be provided to McMillen within 2 working days of McMillen's request.

- Existing Startup plans are available and will be provided to McMillen within 2 working days of McMillen's request.
- The SBVMWD review time is five working days from receipt of documents from McMillen.

TASK 3: COORDINATION SITE VISIT – 3 SITES

McMillen will coordinate a single initial coordination site visit covering Ontario PH No. 2, Sierra PH, and Mill Creek PH No. 3. The intent of the site visit is to physically assess each plant to gain a clear understanding of the facility, collect documentation stored at the facility, and meet and collaborate with the previous owner's representative (Jeremy - SCE) and SBVMWD personnel.

Deliverables

- Site Visit Agenda
- Site Visit Notes

Assumptions

- Two-day site visit. First day at Ontario PH No. 2 and Sierra PH, second day at Mill Creek PH No. 3.
- McMillen attendees will include Nathan Myers, Jeremy Winkle, a junior mechanical engineer, and a junior electrical engineer that will be developing site visit notes, documenting the startup processes, and developing the facility startup and commissioning plans.
- SBVMWD personnel will attend the two-day site visit to assist the Project team with accessing necessary facility features, assist with data collection, and answer the McMillen team's questions.
- The previous owner's facility manager (Jeremy - SCE) will be available and on-site during the McMillen site visit.

TASK 4: ON-SITE STARTUP AND COMMISSIONING SUPPORT

McMillen will attend and support Ontario PH No. 2, Sierra PH, and Mill Creek PH No. 3 Startup and Commissioning. Nathan Myers and Jeremy Winkle will attend to provide mechanical and electrical/controls support. A pre-startup and commissioning coordination call will be arranged one week prior to travel. A report will be prepared documenting startup and commissioning activities and results. Updates will be made to the startup and commissioning plans developed under Task 2, as needed, to incorporate field conditions encountered during startup.

Deliverables

- Ontario PH No. 2 Final Startup & Commissioning Plan Update and Report
- Sierra PH Final Startup & Commissioning Plan Update and Report
- Mill Creek PH No. 3 Final Startup & Commissioning Plan Update and Report

Assumptions

- Startup & Commissioning for all three sites is planned for four consecutive working days.
- Travel is planned for six consecutive working days (travel days Sunday and Friday)
- Previous owner's facility manager (Jeremy) will be available for the coordination call and will be on-site each day during startup and commissioning activities.
- SBVMWD operators, maintenance personnel, licensed electricians, and other trades necessary to complete startup and commissioning activities at each site will be available each day.
- SBVMWD personnel will perform switching, startup, commissioning, and operation of the facility.
- McMillen personnel will provide technical support to SBVMWD personnel.

TASK 5: ON-CALL ENGINEERING SUPPORT

McMillen will provide on-call engineering support for SBVMWD hydropower facilities. On-call support includes virtual meetings between McMillen engineers and SBVMWD to discuss issues, review data, and provide technical recommendations.

Deliverables

- Recommendations, as needed.

Assumptions

- None.

SCHEDULE

McMillen's proposed schedule is shown in Table 1.

Table 1. Project Schedule

Milestone	Start	End
Notice to Proceed		9/14/2026
1.0 Project Management		
Project Kickoff Meeting		9/16/2026
Project Management	9/14/2026	1/29/2027
2.0 Data Collection and Review, Startup and Commissioning Plans Development, and Repair Recommendations		
Request for Information	9/17/2026	9/18/2026
SBVMWD Review	9/21/2026	9/25/2026
Data Review	9/17/2026	9/22/2026
Ontario PH No. 2 Draft Startup & Commissioning Plan	10/5/2026	10/16/2026
Ontario PH No. 2 SBVMWD Review	10/19/2026	10/23/2026
Ontario PH No. 2 Final Draft Startup & Commissioning Plan	10/26/2026	10/30/2026
Sierra PH Draft Startup & Commissioning Plan	10/12/2026	10/23/2026
Sierra PH SBVMWD Review	10/26/2026	10/30/2026
Sierra PH Final Draft Startup & Commissioning Plan	11/2/2026	11/6/2026
Mill Creek PH No. 3 Draft Startup & Commissioning Plan	10/19/2026	10/30/2026
Mill Creek PH No. 3 SBVMWD Review	11/2/2026	11/6/2026
Mill Creek PH No. 3 Final Draft Startup & Commissioning Plan	11/9/2026	11/13/2026
Urgent, short-term, long-term Repair Recommendations	1/4/2027	1/22/2027
Urgent and Short-Term Cost Estimates and Schedules	1/4/2027	1/29/2027
3.0 Coordination Site Visit - Three Sites		
Coordination Meeting		9/23/2026
Travel (2 travel days, 2 days at site, 4 working days total)	9/28/2026	10/1/2026

Milestone	Start	End
Site Visit Notes		10/2/2026
4.0 On-Site Startup and Commissioning Support		
Coordination Meeting		11/18/2026
SBVMWD Preparation	11/23/2026	11/27/2026
On-Site Commissioning and Travel (2 travel days, 4 days on-site)	11/30/2026	12/4/2026
Ontario PH No. 2 Final Startup & Commissioning Plan and Report	12/7/2026	12/18/2026
Sierra PH Final Startup & Commissioning Plan and Report	12/14/2026	12/25/2026
Mill Creek PH No. 3 Final Startup & Commissioning Plan and Report	12/21/2026	1/1/2026
5.0 On-Call Engineering Support		
Engineering Support	9/14/2026	1/29/2027

BUDGET

Table 2 provides a summary of the proposed Project budget. The not-to-exceed amount for the Project is $245,548. The Project will be invoiced monthly on a time and materials basis. A detailed budget breakdown is provided in Attachment A.

Table 2. Proposed Project Budget

Task	Description	Budget
1.0	Project Management	$13,695
2.0	Data Collection and Review, Startup & Commissioning Plan Development, and Repair Recommendations	$87,998
3.0	Coordination Site Visit – 3 Sites	$42,125
4.0	On-Site Startup & Commissioning Support	$52,010
5.0	On-Call Engineering Support	$49,720
	Project Total	**$245,548**

CONCLUSION

We appreciate the opportunity to provide you with a detailed SOW, cost breakdown, and schedule for execution of the Ontario Powerhouse (PH) No. 2, Sierra PH, and Mill Creek PH No. 3 Startup & Commissioning . If you have any questions or need additional information, please contact Nathan Myers at 720-688-0134. We look forward to serving (SBVMWD on this Project.

Sincerely,

Stuart Hurley
Technical Services Director

cc Nathan Myers, Jeremy Winkle, Michael Truex

Attachment A

Staff	Nathan Myers (PM/Mech)	Jr. Mechanical Engineer	Jeremy Winkle (Elect/Controls)	Jr. Electrical Engineer	Grant Wilson (Cost Est.)	Jay Dallas (ITR)	Cole Sergi (QA/QC)	Tech Editor	Admin	XX	XX	XX			Expenses				Total Expenses	TOTAL
Rates	$ 285	$ 160	$ 280	$ 200	$ 215	$ 250	$ 225	$ 135	$ 150	$ 200	$ 200	$ 200	Hours	Total Labor	Airfare	Hotel/Car	Meals	Others		
1.0 Project Management	**28**	**1**	**13**	**1**	**1**	**-**	**-**	**-**	**10**	**-**	**-**	**-**	**54**	**$ 13,695**	**$ -**	**$ -**	**$ -**	**$ -**	$ -	**$ 13,695**
Project Setup	2								4				6	$ 1,170					$ -	$ 1,170
Invoices and Progress Reporting (6 mos)	6								6				12	$ 2,610						
Meetings (incl. agendas/minutes) (6 mos, 2x/mo, 1 hour)	18		12										30	$ 8,490					$ -	$ 8,490
Project Kickoff Meeting	2	1	1	1	1								6	$ 1,425					$ -	$ 1,425
													0	$ -						
2.0 Data Collection and Review, Startup and Commissioning Plans Development, and Repair Recommendations	**42**	**141**	**42**	**141**	**32**	**10**	**10**	**16**	**-**	**-**	**-**	**-**	**433**	**$ 87,998**	**$ -**	**$ -**	**$ -**	**$ -**	$ -	**$ 87,998**
Request for Information	0.5	3	0.5	3									7	$ 1,363					$ -	$ 1,363
Data Review	1	16	1	16									34	$ 6,325					$ -	$ 6,325
Ontario PH No. 2 Draft Startup & Commissioning Plan	8	24	8	24									64	$ 13,160						
Ontario PH No. 2 Final Draft Startup & Commissioning Plan	2	6	2	6		2	2	4					24	$ 4,780						
Sierra PH Draft Startup & Commissioning Plan	8	24	8	24									64	$ 13,160						
Sierra PH Final Draft Startup & Commissioning Plan	2	6	2	6		2	2	4					24	$ 4,780						
Mill Creek PH No. 3 Draft Startup & Commissioning Plan	12	32	12	32									88	$ 18,300						
Mill Creek PH No. 3 Final Draft Startup & Commissioning Plan	2	6	2	6		2	2	4					24	$ 4,780						
Urgent, short-term, and long-term repair recommendations (memo)	4	16	4	16		2	2	2					46	$ 9,240						
Urgent and short-term cost estimates and schedules (memo)	2	8	2	8	32	2	2	2					58	$ 12,110						
													0	$ -						
3.0 Coordination Site Visit - 3 Sites	**33**	**41**	**33**	**40**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**147**	**$ 33,125**	**$ 3,000**	**$ 4,000**	**$ 2,000**	**$ -**	$ 9,000	**$ 42,125**
Site visit agenda		0.5											0.5	$ 80					$ -	$ 80
Travel (2 travel days, 2 days at site)	32	32	32	32									128	$ 29,600	3000	4000	2000		$ 9,000	$ 38,600
Site visit notes	1	8	1	8									18	$ 3,445					$ -	$ 3,445
													0							
4.0 On-Site Startup and Commissioning Support	**61**	**25**	**61**	**25**	**-**	**3**	**3**	**12**	**-**	**-**	**-**	**-**	**190**	**$ 46,510**	**$ 1,500**	**$ 3,000**	**$ 1,000**	**$ -**	$ 5,500	**$ 52,010**
Coordination Meeting	1	1	1	1									4	$ 925					$ -	$ 925
Travel (2 travel days, 4 days at site)	48		48										96	$ 27,120	1500	3000	1000		$ 5,500	$ 32,620
Ontario PH No. 2 Final Startup & Commissioning Plan & Report	4	8	4	8		1	1	4					30	$ 6,155					$ -	$ 6,155
Sierra PH Final Startup & Commissioning Plan & Report	4	8	4	8		1	1	4					30	$ 6,155					$ -	$ 6,155
Mill Creek PH No. 3 Final Startup & Commissioning Plan & Report	4	8	4	8		1	1	4					30	$ 6,155						
													0	$ -						
5.0 On-Call Engineering Support	**88**	**-**	**88**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**176**	**$ 49,720**	**$ -**	**$ -**	**$ -**	**$ -**	$ -	**$ 49,720**
Engineering Support	88		88										176	$ 49,720					$ -	$ 49,720
													0	$ -					$ -	$ -
Total Hours	**252**	**208**	**237**	**207**	**33**	**13**	**13**	**28**	**10**	**-**	**-**	**-**	**1,000**		**4,500**	**7,000**	**3,000**	**-**		
Total Budget	**71,678**	**33,200**	**66,220**	**41,400**	**7,095**	**3,250**	**2,925**	**3,780**	**1,500**	**-**	**-**	**-**		**$ 231,047.50**					**$ 14,500.00**	**$ 245,548**

SAWHA
SANTA ANA WATERSHED HYDRO AUTHORITY
Water in Motion, Energy in Action

DATE: September 24, 2026

TO: Santa Ana Watershed Hydro Authority (SAWHA) JPA Board of Directors

FROM: Heather Dyer, Executive Officer
Stephanie Chesin, Principal Communications Specialist

SUBJECT: Approval of the Authority’s Branding and Update on Dedication Event

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Staff Recommendation

Staff recommends that the Board of Directors approve the updated SAWHA branding and receive and receive and file the update regarding the October 22, 2026, Dedication Event.

Summary

Staff previously received feedback regarding the proposed Authority’s (SAWHA) logo, including requests to enhance the colors, update the tagline, and improve the readability of “SAWHA,” particularly when reproduced in print.

In response, staff made final refinements to the logo, including balancing the colors to better distinguish the Pelton wheel from the mule, updating the font to improve clarity and readability across print applications, and revising the tagline to use broader terminology. Staff also considered accessibility standards for color and typography, as well as design principles related to scaling and reproduction across various applications.

Staff recommends approval of the final SAWHA logo and branding, which includes two-color and one-color versions to accommodate embroidery, promotional materials, signage, and other applications.

Staff will also provide the Board with an update on the Authority’s Dedication Event scheduled for October 22, 2026. Invitations have been distributed and include a brief overview of the inspiration behind the logo design and the historical significance of mules to the area.

The event will highlight the history of Mill Creek Powerhouse No. 1 and will include a dedication ceremony and a self-guided tour. Staff will be stationed throughout the site to provide information and answer questions.

Fiscal Impact

None

Attachment

SAWHA Proposed Final Logo

SAWHA

SANTA ANA WATERSHED
HYDRO AUTHORITY

Water in Motion, Energy in Action