

New Mexico Renewable Energy Transmission Authority

**Minutes of Board Meeting
November 17, 2021
9:00 a.m.**

**NM State Capitol – Room 317
490 Old Santa Fe Trail
Santa Fe, New Mexico, 87501**

Present Board Members

Robert (Bob) Busch, Chairman
Louise Martinez, Designee for EMNRD Cabinet Secretary
Heather Benavidez, Designee for State Treasurer
Noah Long, Member
Douglas Howe, Member
Phoebe Suina, Member

RETA Staff

Fernando Martinez, Executive Director
Lynn Mostoller, General Counsel, Sutin Thayer & Browne
Brian Johnson, Clean Energy Engineer
Erik Aaboe, Energy Transition Specialist
Ginny Selvin, Manager of Finance
Valerie Moquino, Administrative Support

1. Call to Order and Roll Call

Chairman Busch called the meeting to order at 8:58 a.m. A quorum was present for the meeting. Chairman Busch welcomed everyone to the meeting.

2. Approval of Agenda

Member Howe made a motion to accept the agenda as presented. Member Long seconded the motion. There being no further discussion, Chairman Busch asked if there were any members contrary to its approval. There being none, the motion passed unanimously.

3. Closed Session

Chairman Busch noted that the Board would now go into Closed Session for confidential discussion of the acquisition and disposal of real property as it relates to the negotiation or administration of three agreements with commercial developers, as permitted under NMSA 1978, § 10-15-1(H)(8) (meeting for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body); § 62-16A-16 (protecting the proprietary technical or business information obtained by the authority as confidential); *see also* NMAC § 17.8.2.9.

Member Howe made a motion for the Board to go into closed session. Member Long seconded the motion. On a rollcall vote, the motion passed unanimously.

The Board went into closed session at 9:00 a.m.

Chairman Busch called for a motion to come out of closed session. Member Long made a motion to come out of closed session. Member Howe seconded the motion. There being no Board member contrary to it, the motion passed unanimously. The Board returned to its regular meeting at 9:48 a.m.

The Chairman announced that there was no other discussion held during the Closed Session other than what was on the agenda.

4. Review and Consider Approval of Resolution Regarding Signature Authority for All Documents Necessary for the Closing of the Build Transfer Agreement - Chairman Robert Busch and Lynn Mostoller

Chairman Busch called for a motion to approve the resolution regarding Signature Authority for All Documents Necessary for the Closing of the Build Transfer Agreement.

Member Benavidez made motion to approve the resolution. Member Howe seconded the motion. There was no further discussion. On a rollcall vote, the motion passed unanimously.

5. Review and Consider Approval of Resolution Regarding the Development, Acquisition, Lease and Sub-Easement Agreement between RETA and Lucky Corridor, LLC - Chairman Robert Busch and Lynn Mostoller

Chairman Busch called for a motion to approve the resolution regarding the Development, Acquisition, Lease and Sub-Easement Agreement between RETA and Lucky Corridor, LLC.

Member Long made motion to approve the resolution. Member Howe seconded the motion. There was no further discussion. On a rollcall vote, the motion passed unanimously.

6. Review and Consider Approval of Resolution Regarding the Second Amendment to the Development, Acquisition, Lease and Sub-Easement Agreement between RETA and SunZia Transmission, LLC - Chairman Robert Busch and Lynn Mostoller

Chairman Busch called for a motion to approve the resolution regarding the Second Amendment to the Development, Acquisition, Lease and Sub-Easement Agreement between RETA and SunZia Transmission, LLC.

Member Howe made motion to approve the resolution. Member Benavidez seconded the motion. There was no further discussion. On a rollcall vote, the motion passed unanimously.

7. Review and Consider Approval of Resolution Regarding the November 1, 2021 Letter Agreement between RETA and SunZia Transmission, LLC - Chairman Robert Busch and Lynn Mostoller

Chairman Busch called for a motion to approve the resolution regarding the November 1, 2021 Letter Agreement between RETA and SunZia Transmission, LLC.

Member Howe made motion to approve the resolution. Member Benavidez seconded the motion. There was no further discussion. On a rollcall vote, the motion passed unanimously.

8. Review and Consider Approval of August 12, 2021 Board Meeting Minutes

Member Howe made a motion to accept the August 12, 2021, Board Meeting Minutes as presented. Member Long seconded the motion. There being no additional discussion, corrections, additions or deletions to the minutes, Chairman Busch asked if there were any members contrary to its approval. There being none, the motion passed, with Member Suina abstaining.

9. Review and Consider Approval of September 30, 2021 Board Meeting Minutes

Member Benavidez made a motion to accept the September 30, 2021, Board Meeting Minutes as presented. Member Howe seconded the motion. There being no additional discussion, corrections, additions or deletions to the minutes, Chairman Busch asked if there were any members contrary to its approval. There being none, the motion passed, with Member Long abstaining.

10. Public Comments

No public comments were given or received.

11. Report of the Chairman

Chairman Busch reported on the following:

- Reported on his testimony before the U.S. House Sub-Committee on Energy and Natural Resource. He submitted written and oral testimony for a hearing entitled: Plugging in Public Lands: Transmission Infrastructure for Renewable Energy. In his testimony he asked Congress to try and find a way to streamline the approval process for siting transmission projects. He made three suggestions: (1) create firm review

deadlines for federal agencies, (2) conduct reviews and approvals concurrently, and (3) limit the appeal process in a way that prevents using appeals to kill projects.

- Chairman Busch explained, why 1,000s of miles of new transmission lines are needed in order for the United States to meet its renewable energy goals. Renewable energy sources are intermittent, not dispatchable power. Utility-scale storage is not yet economical or readily available. The grid needs more interconnections to mitigate the interruptions caused when power sources are intermittent.

12. Report of the Executive Director

Executive Director Fernando Martinez reported on the following:

- RETA Chairman Busch and Executive Director Martinez presented to the NMFA Oversight Committee. The report was very well received and the committee members were very supportive of RETA's initiatives. Mr. Martinez emphasized that it was a great meeting. An annual written report will be submitted to the Legislative Finance Committee and the Governor in December.
- Provided an update on the Western Spirit Construction. The fiber optic cable is to be completed at Abo. The Central leg between the Western Spirit Substation and the Abo Substation has been energized. The Western leg is scheduled to be tested and energized in the coming weeks. PNM is working on the Pajarito Substation and the project is on track to be in commercial operation by the end of the 2021.
- Provided a brief summary on the SunZia Project, stating that all areas of development are moving forward, including the NEPA/Fast 41 application process, ROW acquisition, and engineering.
- Staff continues to work with other project developers (Ameren and Invenergy).
- Provided an update on the Study. Mr. Martinez stated it is going well and a final update to the Study to Board and Public is expected in December.
- Mr. Martinez thanked all RETA staff for the transition to the new office location and staffing it full time.
- Chairman Busch added Loren Tool will be asked to present on the Study at future meeting.

13. Review and Consider Approval of Draft Financial Statements for the Period Ending October 31, 2021 - Ginny Selvin

Ms. Selvin gave a review of the financial statements, she explained that RETA is one-third of the way into FY22. Ms. Selvin stated the approved audit has been submitted to the State Auditor, pending approval in November or December.

Chairman Busch called for a motion to approve the financial statements for the period ending October 31, 2021.

Member Benavidez made motion to approve the resolution. Member Howe seconded the motion. There being no contrary minded, the motion passed unanimously.

14. Review and Consider Approval of Proposed Amendment to FY22 Budget to Remove Advance Lease Payments of \$400,000 - Ginny Selvin

Ms. Selvin gave a review of the submitted proposed amendment and explained the budget adjustment request.

Chairman Busch called for a motion to approve the Proposed Amendment to the FY22 Budget to remove advance lease payments of \$400,000.

Member Howe made motion to approve the resolution. Member Benavidez seconded the motion. There being no contrary minded, the motion passed unanimously.

15. Lucky Corridor-Mora Line Transmission Project Update- Sean Black

Mr. Black gave a presentation to the Board on the background of Lucky Corridor LLC, and an update on the current Mora Transmission Project. Mr. Black showed multiple project map. He reported on current project status, including FERC approvals, ROW acquisition, permitting, environmental reviews, engineering, micro-siting, schedule, and expected completion date. He also provided some clarification on Lucky Corridor not owning the Don Carlos Wind Farm.

16. Invenergy Transmission Project Update – James Williams

Mr. Williams gave a verbal presentation on the background of Invenergy and its North path project. Over the last several months Invenergy, with RETA staff support and participation, gave 30 briefings to stakeholders, including counties, tribal governments, and legislators. The project has received positive reactions. They are involved in a general routing study that covers a 300-mile by 25-mile study area. They expect to initiate federal permitting process in 2022. Mr. Williams indicated that he will give a more detailed project update in 2022.

Chairman Busch, Mr. Williams, and Member Howe had a discussion regarding ideas to help streamline the siting and approval processes, particularly the federal process, which Invenergy is anticipating will take 4 to 5 years. Member Suina and Mr. Williams discussed working with tribal governments, and Member Suina recommended early engagements.

17. Next Meeting

Chairman Bush expressed the need for a Special Board Meeting in December. The next RETA Board of Directors meeting is tentatively scheduled for December 1, 2021, at 12:00 noon, via Zoom platform.

18. Adjournment

The RETA Board adjourned at 10:56 a.m.