

# **New Mexico Renewable Energy Transmission Authority**

**Minutes of Board Meeting  
May 19, 2021  
8:00 a.m.**

## **ZOOM MEETING**

### **Present**

Robert (Bob) Busch, Chairman  
Louise Martinez, Designee for EMNRD Cabinet Secretary  
Tim Eichenberg, State Treasurer  
Megan Anderson, Member  
Noah Long, Member  
Douglas Howe, Member

### **RETA Staff**

Fernando Martinez, Executive Director  
Brian Johnson, Clean Energy Engineer  
Lynn Mostoller, General Counsel, Sutin Thayer & Browne  
Ginny Selvin, Manager of Finance  
Gloria Castillo, Administrative Assistant

#### **1. Call to Order and Roll Call**

Chairman Busch called the meeting to order at 8:00 a.m. A quorum was present for 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. Approval of April 1, 2021 Board Meeting Minutes**

Member Eichenberg made a motion to accept the April 1, 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 unanimously.

#### **4. Public Comments (written public comments received by Monday, May 17, 2021 at 3:00 p.m.)**

No written public comments were received by RETA by the deadline date of May 17, 2021 at 3:00 p.m.

## **5. Report of the Chairman**

Chairman Busch reported on the following:

- Asked about the next Board meeting being in-person. Member Long suggested waiting until there is a threshold by the State on the vaccination level. Chairman Busch suggested waiting until the scheduling of the next Board meeting to determine if the Board should meet in-person. Member Long suggested that staff look into the possibility of the public or Board members joining through video in the event of a public meeting. Chairman Busch asked Mr. Johnson to look into it.
- Announced member Richard Jackson's resignation from the RETA Board. Chairman Busch is in contact with the current President Pro-tem Senator Mimi Stewart on a possible replacement. He asked if any Board member has someone in mind, to let Mr. Martinez or Ms. Mostoller know.
- Noted that the merger of the Public Service of New Mexico with Avangrid is ongoing and may have some impact on the closing of the BTA and transfer of the Western Spirit Project. Regardless of the status of the merger, the construction and transfer of the Western Spirit project is currently on track.

## **6. Report of the Executive Director**

Executive Director Fernando Martinez reported on the following:

- Update on Western Spirit Construction through May 9, 2021. Construction is on schedule, with the expectation that the Western Spirit switchyard and Northern Leg will be tested and energized by mid-July. Mr. Martinez provided a summary and showed photos of the four stations at the Northern Leg.
- Update on SunZia Development. RETA continues meet regularly with the SunZia team. All areas of development are progressing on schedule and the major area of focus remains on the NEPA approval process. RETA continues to meet with stakeholders, addressing environmental and wildlife issues. The project is also moving forward with the State Land Office process with RETA as the applicant.
- RETA staff will be traveling to Alamogordo to meet with White Sands Missile Range personnel on May 24, 2021 to provide them with updates and take tour of the area.
- In response to Chairman Busch's request for an update on the ICF Study, Mr. Martinez noted that the scoping document is in progress and RETA hoping to get the update under way within the next few months.

## **7. Review and Consider Approval of Draft Financial Statements for the Period Ending April 30, 2021 – Ginny Selvin**

Ms. Selvin reported on the Financial Statements for the ten-month period ending April 30, 2021.

Member Eichenberg questioned the size of the current RETA office space and how much space RETA is seeking. Chairman Busch responded that RETA will be seeking to hire two new professionals to add to staff, one focused on environmental issues; the second one focused on the Energy Transition Act. With the office already cramped, larger office space

is needed. Mr. Martinez added that the conference room is also too small for meetings. He noted that RETA currently has a lease until the end of June and after June, RETA will be paying month-to-month.

Member Howe made a motion to approve the financial statements for the ten-month period ending April 30, 2021, as presented. Member Eichenberg seconded the motion. There being no Board member contrary to its approval, the motion passed unanimously.

**8. Review and Consider Approval of Draft FY22 Budget – Ginny Selvin**

Ms. Selvin reported on the draft FY22 RETA Budget. Ms. Selvin commented that as RETA adds more staff, they will look into benefit packages for RETA employees.

Member Howe asked if there were any concerns by staff about timing issues. Ms. Selvin replied in the affirmative, explaining that RETA does not plan on hiring new staff until next year at which time RETA will have a better idea of its cash position.

Member Howe made a motion to approve the FY22 RETA Budget as presented. Member Anderson seconded the motion. There being no contrary minded, the motion passed unanimously.

**9. Review and Consider Approval of Environmental Policy – Noah Long**

Member Long presented the Environmental Policy. He noted that the Personnel Committee recommended adoption by the Board. He explained that the intent of the Environmental Policy is: 1) put in one place the significant environmental statutes that RETA and its development partners take seriously; and 2) to confirm RETA's commitments to working with developers and other stakeholders to reduce environmental risks and impacts.

Member Howe made a motion to approve the Environmental Policy as presented. Member Anderson seconded the motion. There being no contrary minded, the motion passed unanimously.

**10. Review and Consider Approval and Restated MOU for Mora Line Renewable Energy Transmission Project – Chairman and Lynn Mostoller**

Mr. Jeff Hackman gave a PowerPoint presentation of the Mora Line Project and provided the Board with an update on the project. He noted that they are moving forward and thanked RETA for its participation.

Member Long requested that a copy of the presentation be made available to RETA Board members.

Ms. Mostoller summarized the history between RETA and Lucky Corridor, explaining that RETA had several MOUs with Lucky Corridor prior to RETA nearly shutting down in 2015. When RETA renewed operations, they entered into a new MOU with Lucky Corridor/Mora Line in 2019. The 2019 MOU had a term of two years, which expired at the beginning of May 2021. RETA and Ameren/Lucky Corridor have a desire to extend the MOU relationship to give them more time to explore the next level of relationship between RETA and the project. They have done an Amended and Restated MOU to reflect several changes that have occurred over the last two years regarding RETA's current projects and the status of the Mora Line Project.

Member Anderson made a motion to approve the Amended and Restated MOU for Mora Line Renewable Energy Transmission Project as presented. Member Eichenberg seconded the motion. The motion passed unanimously. Chairman Busch called for a rollcall vote and the motion passed unanimously with no contrary minded.

#### **11. Closed Session**

Chairman Busch noted that the Board would now go into Closed Session for confidential discussion of the acquisition of real property as it relates to the negotiation of an agreement with a commercial developer, 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 Eichenberg made a motion for the Board to go into closed session. Member Long seconded the motion. There being no further discussion or comments, Chairman Busch called for a rollcall vote and it passed unanimously. Member Eichenberg announced that he would be exiting the ZOOM Board meeting at this time due to another commitment.

The Board went into closed session at 9:15 a.m. Member Eichenberg left the meeting prior to the closed session starting.

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 9:25 a.m.

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

#### **12. Review and Consider Approval of Resolution Regarding First Amendment to the Development, Acquisition, Lease and Sub-Easement Agreement with SunZia Transmission LLC – Chairman and Lynn Mostoller**

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

Member Long moved to approve the resolution as presented. Member Howe seconded the motion. Chairman Busch called for a rollcall vote and it passed unanimously.

#### **13. Next Meeting**

The next RETA Board of Directors meeting is tentatively scheduled for Monday, June 21, 2021 at 9:00 a.m.

#### **14. Adjournment**

The RETA Board meeting adjourned at 9:30 a.m.