

NYSERDA'S 266TH BOARD MEETING

April 29, 2024

Clean Copy of Transcript

Richard Kauffman:

I call this meeting to order. This is the 266th meeting of the New York State Energy Research and Development Authority. Notice of the meeting was provided to the Members and to the press. On April 17, 2024 and revised agenda was issued. Today I directed a copy of the notice and agenda. Be annexed to the minutes of this meeting. Welcome to the meeting. This meeting is being conducted in person and by video conference. The Authority will post a video and a transcript of this meeting on the web to confirm that we have a quorum of at least seven Members present. I would like each of the Members to introduce themselves. I'm Richard Kauffman, Chair of the Authority.

Arturo Garcia-Costas:

I'm Arturo Garcia-Costas, Member of the Authority.

Sherburne Abbott:

Shere Abbott, Member of the Authority.

Sadie McKeown:

Sadie McKeown, Member of the Board.

Jay Koh:

Jay Koh, Member of the Board.

Richard Kauffman:

And in Albany,

Charles Bell:

Chuck Bell, Member of the Board.

Justin Driscoll:

Justin Driscoll, Member of the Authority.

Richard Kauffman:

Okay, very good. Thank you. So in order to ensure that we have a core for the action items will be adjusting the order of the agenda, but we're not going to adjust this because the first item on the discussion agenda is always a report from the Authority's President, CEO Doreen Harris.

Doreen Harris:

Well thank you Chair Kauffman and good afternoon to everyone. I did want to start this quarter's President's report with a timely update that impacts all New Yorkers, not just here at NYSERDA. If we turn to the next slide, a little over a week ago, the Governor and the legislature enacted the final budget agreement for fiscal year 2025. It is a \$237 billion budget delivering on the Governor's priorities, specifically related to housing, public safety and other critical investments

on behalf of New Yorkers. Specific though to NYSERDA work, it did include a formal extender of some provisions of our build ready program, including adding qualified standalone energy storage systems as eligible build ready projects. The establishment of the Zero-Emission School Bus Resource Center, which is consistent with NYSERDA principals in supporting school districts in their transition, an exemption from sales and use tax for the installation of residential energy storage systems and notably the Rapid Act, which establishes a one-stop shop for the environmental review and permitting of major renewable energy transmission facilities within the Office of Renewable Energy. Siting now at DPS, the Rapid Act also codifies additional labor standard requirements and expands by American requirements for certain components.

Interestingly, \$250 million to establish the Empire Artificial Intelligence Consortium. NYSERDA will be working with our colleagues at NYPA and DEC to ensure a reliable energy supply and energy affordability and energy efficiency, excuse me, for the facility when it is constructed and by \$50 million under the energy affordability guarantee, which is supporting low income residential customers in the Empower+ program who electrify their homes. So as you can see, a lot of positive news here in the Governor's budget and we certainly are thankful to the Governor and the legislature for advancing these initiatives. Next slide please. I also wanted to note some of the leadership changes at our sibling Energy and Environment agencies. In the past few months, Erik Kulleseid stepped down as the Parks Commissioner in January and a couple of weeks ago, secretary of State, Robert Rodriguez was named acting President and CEO of DASNY bit closer to the energy sphere.

There were some notable changes in the composition of the Public Service Commission in this time period. At the end of the march, the Governor appointed Uchenna Bright and Denise Sheehan as Commissioners following the recent departures of Commissioners Edwards, Berman and Howard. Uchenna Bright is formerly of NRDC and Denise Sheehan has a long history in New York State, including having previously served as DEC Commissioner and his advisor to New York Best in March. Tom Falcone of Long Island Power Authority announced he was stepping down with John Rhodes appointed as acting CEO and we certainly can all appreciate the depth of expertise that John will bring to that interim role. And finally, and notably the second Member of the dynamic duo as it were of the Climate Action Council and beyond an esteemed Member of the NYSERDA Board, certainly DEC Commissioner Basil Seggos also resigned effective in mid-April. Notably, Commissioner Seggos was DEC'S longest serving Commissioner having been at the helm for eight and a half years.

His successor were certainly have big shoes to fill, but I am confident DEC is in capable hands with Sean Mahar as the interim Commissioner until a permanent appointment is made. So more to come on this last item in just a bit. If we turn to the next slide, I did want to note I'm teeing up where we are in terms of New York Cap-and-Invest or NYCI implementation. You'll be hearing from John Williams later in our Board meeting. But I do want to note that we do continue our progress in advancing both the regulations, framing the cap systems in blue and the investments supporting complimentary actions in yellow or orange. So certainly you should remember that at the end of December we released the pre-proposal outline for public review as part of CAP and Invest as well as the climate affordability study, which was developed in collaboration with others in the state ecosystem, followed by a series of stakeholder webinars sharing more information about these documents. So you'll hear later from John where we are with the pre-

proposal outreach and notably the next steps we will be taking as the year continues. Next slide please.

As you'll likely remember, we've covered the topic of energy storage fires during our last couple of Board meetings and in particular our work to advance stationary energy storage through the Interagency Fire Safety Working Group. And in January I highlighted the release of preliminary findings and noted the forthcoming release of code recommendations. Those were released in February and included 15 draft recommendations proposed by the Working Group developed with guidance from Nation leading experts after completing a thorough examination of the existing fire Code of New York State and other fire safety standards. These recommendations include potential updates to our fire code as well as a list of additional opportunities for defining and implementing best practices and if adopted the changes will codify enhanced safety standards and continue to position New York as a national leader in the reliable and responsible battery energy storage development. The next steps for the working group will include these lessons learned into a best practices document and a statewide webinar to educate local governments. Next slide please.

I did want to highlight a recent update related to our Buildings of Excellence program. Certainly in the Program Planning Committee we talked a lot about the market animation market acceleration work that we conduct at NYSERDA and this is an exemplar of that role. I certainly was thrilled to attend and present awards to the winners of the Buildings of Excellence competition in early April. This is the fourth round of this competition and I would note in this case all nine projects that were awarded are committed to achieving passive house certification, a really significant evolution of this program. And in addition, we will be launching the fifth round of the competition in the coming months focusing on early stage design project proposals from developers and their design teams. Next slide please.

You heard a bit about this during Program Planning Committee meetings, so I will keep this at a high level, but we certainly did have major success in April securing additional federal dollars to support our work. So on April 1st, NYSERDA and other agencies submitted applications under two different funding tiers as part of the EPAs Climate Pollution Reduction grant program, which is focusing on \$5 billion available to states local governments, tribes, and territories to support programming that reduces greenhouse gas emissions. So that submission is expected for a decision sometime this summer and then just a few days later, as you heard, the EPA announced awardees under the IRA Greenhouse Gas Reduction Fund and certainly we were pleased to be a sub awardee under the Coalition for Green Capital Award Coalition for Green Capital was awarded \$5 billion and NY Green Bank will receive a sub allocation to be determined at some point this summer from that award.

And of course I need to reiterate my congratulations to Sadie McKeown and the Community Preservation Corporation who was awarded under NCIF as part of the Climate United Fund Coalition approved for \$6.97 billion just two weeks later. On April 18th, we received word from the Department of Energy that our partial scope application under the home electrification and appliance rebates or here program was approved. We are approved for \$39.6 million in funding, which will allow us to enhance our energy efficiency and beneficial electrification improvements for low-income New Yorkers through the Empower+ program. I think it's notable that we were

the first state in the country to have secured funds under the Home Energy Rebate program authorized by the Inflation Reduction Act for a total of \$317.7 million under the two home energy rebate programs. So we're planning to launch the expanded home energy rebate program offerings later this year after a full scope application has been submitted and approved by DOE.

And then finally on Earth Day we received more great news from the EPA, which is that New York state was awarded \$249.8 million under the Solar for All program, one of three competitions under the Greenhouse Gas Fund and NYSERDA submitted this application on behalf of New York State alongside our partners at HCR and the City of New York. This funding is going to allow us to enhance the momentum of our deployment of solar across New York State through NY-Sun program. So a great month for us and certainly more to come with my thanks to you for your support. Next slide. Certainly speaking of our federal partners, I do have to note I met with Energy Secretary Granholm in mid-April along with Lieutenant Governor Delgado to showcase Brookhaven National Laboratories forthcoming Electron Ion Collider, which is a groundbreaking nuclear physics research facility that will be located at Brookhaven Lab. And I would say this is a very important point because it is owed in part to our effective leadership and to the state through NYSERDA's previous research and collaboration with both Brookhaven and Cornell scientists. This is going to be the first multi turn particle accelerator that captures the accelerated particles and reuses their energy to accelerate new particles. I think notably it exemplifies the leverage that our innovation team can realize with our investment of just over \$25 million. The state has now leveraged up to \$2.6 billion in federal funding. So certainly notable and long-term in its impacts. Next slide please.

I do need to share several updates within our large scale renewable portfolio. The first which relates to offshore wind. So as I've shared previously, this portfolio is in a period of dynamic reset, especially as we continue to implement the 10 point action plan that Governor Hochul announced in October. In February under the New York Forest solicitation, we announced the provisional awards of two offshore wind projects, Empire Wind one and Sunrise Wind with a combined capacity of 1.7 gigawatts, certainly operational in 2026. So these will be significant construction projects that are kicking off as we speak. The next update relates to our New York three solicitation, which we concluded in mid-April after the provisional awards of three offshore wind projects in October of last year. Material modifications to these projects caused technical and commercial complexities between provisional awardees and their partners resulting in the provisionally awarded parties inability to come to terms.

So we were certainly disappointed at this development but are moving full steam ahead as evidenced by our next item here. And you will see also in mid-April, we launched a \$200 million supply chain RFP and a request for information to inform our next offshore wind solicitation, which we hope to release as soon as this summer. And the last update here is super timely. Literally today we just announced that we have provisionally awarded 24 land-based renewable projects under tier one representing 2.4 gigawatts of renewable capacity with a mix of utility sales, solar and land-based wind projects. So certainly these awards represent a positive step toward replenishing our pipeline of projects along with the offshore wind awards that I previously reflected on. So certainly more to come with our tier one portfolio, including an RFI to inform our next solicitation as our work continues.

Last slide please. I wanted to speak just briefly about transmission planning. I first highlighted the New York City offshore wind PPTN for you last June following the Public Service Commission Order declaring a need to support the integration of at least 4,700 megawatts of offshore wind into New York City. And it's important to note that earlier this month on April 4th, the NYISO released the solicitation for proposed public policy transmission projects to address this need with responses due on June 3rd. So this is a more than nine month process that we have worked very closely with sister agencies and the New York Independent System Operator, much of which was supported by NYSERDA staff to allow not only this solicitation to exist in advance but also to coordinate that with our ongoing offshore wind solicitations. So a big development and a very major project that is advancing here off of our coast.

In addition, I want to highlight the work we're doing on inter-regional coordination, which is going to become ever more important in this highly decarbonized future. First and notably, we've been working closely with the Department of Public Service to represent New York on the Northeast State's Collaborative on Interregional transmission. Now 10 states strong focused on tackling technical and regulatory barriers to offshore transmission and reducing costs for integrating offshore wind. I'd also like to highlight the Clean Resilience link, which is an interregional transmission project proposed by National Grid that we were proud to partner with. This is going to increase the ability for power to be transferred between New York and New England. So we worked with certainly with Massachusetts and with the other partners to advance this proposal to the Department of Energy and certainly an example of the innovative thinking by states and utilities to address these interregional transmission needs. So more to come through that DOE grant funding application. And with those remarks, I will conclude with my thanks and hand it back to the chair. Thank you.

Richard Kauffman:

Thank you Doreen, very much. Excellent update. The next item on the agenda is a resolution commending Member Basil Seggos for his work on behalf of the Authority. So Basil is not with us today, but I'd like to read resolution and we will present this resolution to Basil.

There's a lot to say of course about Basil, whereas the Honorable Basil Seggos Commissioner of the New York State Department of Environmental Conservation has served with distinction as a Member of the New York State Energy Research and Development Authority for eight years. And whereas Commissioner Seggos's leadership and Insight were instrumental in coordinating and harmonizing the clean energy related mission and work of the department and the Authority. And whereas Commissioner Sggos's tenure was marked by close collaboration in the continued success of the Authority's mission is to direction including serving as the Co-Chair of the Climate Action Council, spending three tireless years developing the recommendations contained within the scoping plan, followed by commitment to the realization of the goals of the Climate Leadership and Community Protection Act. Most notably in its efforts to support the study and advancement of the New York Cap -and-Invest proposal and their efforts to maximize the environmental energy and economic benefits to the people of the State of New York.

And whereas the Members of the Authority wish to recognize Commissioner Seggos for a service, dedication and diligence as a Member of the Authority and to memorialize his vision, dedication, and commitment of the Authority and the advancement of its mission now therefore

be resolved that the Members of the New York State Energy Research and Development Authority Board assembled on this 29th day of April, 2024 commend the Honorable Basil Seggos and express their deepest appreciation and respect for its contributions to the Authority and the betterment of the state of New York. The Members wish him well in his future endeavors. Does anybody have anything that they want to add on the record or Basil?

Arturo Garcia-Costas:

I'll add something. My very first job in New York State was working as a citizen participation specialist at DEC and Basil was in charge of that division when I joined and that was my first interaction with him and he has always been a consummate professional and someone that was a pleasure to work with and I'm really happy that we're doing this to.

Richard Kauffman:

Great, thank you. So may I have a motion for resolution number 1720 Commending Basil Seggos for service on behalf of the Authority.

Arturo Garcia-Costas:

So moved second.

Richard Kauffman:

Great. All in favor?

Members of the Board:

Aye

Richard Kauffman:

Very good. The resolution has been approved. Thank you. When will Basil get this? You think

Sara LeCain:

We'll have it framed.

Richard Kauffman:

Oh, it framed. Okay. Alright. The next item on the agenda is the reappointment of Committee Membership. The Members are asked to consider the reappointment of Commissioner Dominguez to the Program Planning Committee. You're spoken to the Commissioner and she's happy to continue serving in this capacity.

Richard Kauffman:

I remember my fifth grade teacher used to talk about volunteers and happy volunteering. May I have a motion for resolution number 1721 Reappoint Commissioner Dominguez to the Program Planning Committee.

Charles Bell:

So moved.

Sadie McKeown:

So moved.

Richard Kauffman:

Okay. All in favor?

Members of the Board:

Aye.

Richard Kauffman:

Any opposed? Alright, the resolution's approved. Congratulations on the reappointment. Okay. Program Planning Committee. The next item on the discussion agenda is report on items considered by the Program Planning Committee from that Committee's Chair Shere Abbott.

Sherburne Abbott:

Thank you Chair Kauffman. The Committee met earlier today and the forum was present throughout the meeting. The Committee received a report from the Authority's President and CEO Doreen Harris, sorry, and various staff including Erich Sherer of the Authority Strategic Plan entitled for the *Clean Energy Future Strategic Outlook 2024 - 2027*. The presentation summarized the Authority's' plans and goals for the next three years. This included the Authority's work in pursuit of its six mission outcomes and strategic focus areas, greenhouse gas, emissions reduction, clean energy, clean and efficient buildings, clean transportation, clean energy, jobs and economy and sustainable and climate resilient communities. Further details are included in the meeting package. I had also like to add that we had a rather robust discussion of the Strategic Outlook and I characterize these as sort of strategic rules for the future that is actually here today. So one would be we're no longer in the world we want, but the one that we're committed to role, which was articulated by Jay Koh on resiliency planning and the desire for integration and moving, making investments and assets count and thinking about how to downscale some of the scenarios and outcomes to inform our activity for our Board include quantifying investments and resilience and the need to do so now because the imperatives great, the build it rule articulated by my colleague here about contractors, the notion that we don't have that potentially there aren't enough contractors in the game and that the important imperative training happen.

And Sadie also what we call the <inaudible> rule is getting the message out there in the ways that we want to try to move the larger, we're all in this together so the larger community has to be involved. And there were some other related comments, but I think that that clearly there was a strong view that this was an important turning point, that the plan that was presented was extremely well thought out and articulated and that there were some opportunities for improving metrics and various other things, but that this was a really good discussion. The next item on the agenda is a report on the, wait a minute, sorry, I'm on the wrong one here. Based upon the presentation and discussion, the Program Planning Committee recommends that the full Board adopt the resolution, the Strategic Outlook for the next three years have provided. Next, the Committee received a report on the recent activities of the NY Green Bank from its President, Andrew Kessler. And the presentation summarized the current work and anticipated transactions Committee was able to ask questions and was satisfied with this discussion and also articulating

the idea that is been an amazing opportunity to showcase the role that the Green Bank plays and the long set of questions in many markets. And in fact, there was quite a bit of robust discussion about this as well. The Committee was able to ask questions. Satisfied includes my report.

Richard Kauffman:

Thank you. Are there any questions for Shere? Are there being none? May I have a motion for resolution number 1722 approving the Strategic Plan entitled *Toward a Clean Energy Future, A Strategic Outlook 2024-2027*.

Arturo Garcia-Costas:

So moved.

Richard Kauffman:

Thank you. All in favor? Any opposed? Very good. The Strategic Outlook is approved. Thank you Shere. The next item on the discussion agenda is a report on the items considered by the Audit and Finance Committee Committee's Chair Jay Koh will present this item in a diplomatic way.

Jay Koh:

Do my best. The Committee met earlier today and quorum was present throughout the meeting. Committee received a report from the Authority's Director of Internal Audit, Mary Peck, on our proposed Internal Audit Plan for fiscal year 2024 to 2025. Following discussion, the Committee voted to approve the 2024 to 2025 Audit Plan. Next, the Committee consider proposed financing of the Green Jobs Green New York program that would sell a participation interest in the GJGNY loan program loans to community banks or credit units. The details of the transaction were included in your meeting package should be It's not sale. Not a sale. We will be correcting that item shortly. Yeah, we will come back to that item. Lastly, the Committee heard a detailed presentation from KPMG's proposed process for conducting the fiscal year 2023, 2024 independent audit Authority, financial statements, and the NY Green Bank's financial statements. The Committee was able to ask questions and thought the approach was reasonable and that the final financial statements would meet the requirements of the Public Authority Accountability Act and the State Comptrollers regulations including the delivery of all required opinions.

No action was required on this item. I just note for the Board's prioritization purposes that there was a discussion as well about getting revolving best practices, but separate from the audit process on artificial intelligence and what other organizations are doing about it, what assets we may own that needs access to value as well as importance of prioritization cybersecurity as an issue. But going back to the approval of the financing that we discussed and that will be approved. Subsequently, the Committee consider a proposed financing of the Green Jobs Green New York program that would issue bonds up to \$15 million limit on to provide additional financing for the Green Jobs Green New York program loans program. The details of this transaction were included in your meeting package. So that was detailed in the materials that were circulated subsequently circulating previously to this discussion. And so it's not a participating interest, but it's the issuance of bonds related to the Green Jobs Green New York Program. This concludes my report.

Richard Kauffman:

Questions for Jay. So we'll consider the Green Jobs Green New York resolution as part of the consent agenda, correct. Okay. Alright. The next item on the discussion agenda is a report on the items considered by the Governance Committee meeting from the Committee's Chair Arturo Garcia-Costas Arturo.

Arturo Garcia-Costas:

So the Committee met earlier today and a quorum was present throughout the meeting. The Committee received a presentation from the Authority's General Council, Peter Costello, on proposed amendments to the Authority's Conflict of Interest policy for Board Members and the Conflict of Interest policy for employees. Specifically the employee policy consists of non substantive ministerial or clarifying changes. The Committee unanimously recommends that the Board approve the revisions to the Conflict of Interest policy for Board Members and the Conflict of Interest policy for employees.

Richard Kauffman:

Do I? Yeah, we will deal that with the Conflict of Interest policies as part of the consent agenda. Okay, thank you.

Arturo Garcia-Costas:

So the Committee also met in private session to discuss results of the Members evaluation of the Board's performance. This will be presented to the Members at the June, 2024 Board meeting. This concludes my report.

Richard Kauffman:

Thank you. Questions for Arturo? Okay, so again, we'll consider the resolution on the Conflict of Interest policy as part of the consent agenda. So the next item on the discussion agenda, I see Chris is getting ready is the proposed rulemaking with respect to the New York Energy Code Products and Standards. Right? Right. Program Manager Chris Corcoran will present the site. Chris,

Chris Corcoran:

Thank you so much. Good afternoon. I am pleased to be here with you again as we come to the end of this rulemaking process. Next slide. So today we're here to request your approval to authorize the Notice of Adoption to establish a new energy code cost effectiveness rule. After careful review and consideration of public comments, it was determined that no changes were needed to the proposed rule. In addition, no action is needed today on the Negative Declaration because no changes are necessary in the proposed rule and we did not receive any comments on the Negative Declaration itself. Next slide.

So in terms of the agenda, we'll provide some background here and then move into a discussion on the comments. Go to the next slide. In the last two meetings that we've been with you, we spent a lot of time talking about how we got here, the public meetings, the multiple rounds of public comments. But I want take a step back and for a moment talk about why this is so important and how it's going to help animate the market. Here in New York State, New York is on the cusp of a significant update to State Energy Code that can transform new construction in

the state. The zero emissions new construction authorized under the next code will result in buildings that are more efficient, more comfortable, and more resilient than ever before. And building practices that start in new construction carry over into all other buildings. This code change represents a major step in our work to meet the Climate Act goals for New York State buildings. Next slide.

A significant and impactful energy code update would not be possible without the new rule NYSERDA is proposing for adoption. As you know, this rule changes the paradigm for codes. It shifts to a full 30 year lifecycle cost analysis and adds consideration of secondary and societal effects that will quantify and monetize the effects of greenhouse gas emissions over time. Because of this change, New York's new buildings will be cleaner and safer moving forward. Next slide. Now let's take a look at some of the public comments we received after publishing the notice of proposed rule. Next slide.

Following the official SAPA process NYSERDA to have an open comment period on the proposed rule from the end of December until late February. And during that time we received 30 comments in total. The letters received and provided a range of comments. We had seven letters from the New York State Building Officials Conference NYSBOC, as well as enthusiastic comments supporting the approach. Overall for this afternoon, we wanted to highlight five areas of comments for the discussion, societal effects, building prototypes in model cases, existing buildings, presumption borrowing costs and energy prices. We can move on to the next slide. On the topic of societal effects, we received many comments that were generally supportive of using the value of greenhouse gas emissions reductions. At the same time, we did receive comments that disagreed with the inclusion of societal benefits at all. More specifically, there were requests to add additional societal factors like GHG emissions from backup power, financial impacts from power outages and the effects of refrigerants. And I started considered these comments and determined that no change was necessary given the limitations of what is covered by the energy code and the uncertainty of the refrigerant market.

In addition, commenters requested to add the emissions related to the full lifecycle of renewable energy sources. Because the proposed rule aligns with the Climate Act and there's a lack of data related to embodied carbon of fuels delivered within New York State, it was determined that no changes were needed. Next slide.

Commenters also noted that the rule should require fossil fuel baseline for all comparisons because of the rule appropriately accounts for New York State construction and the fuels projected to be used in under the energy code, it was determined that no change was needed here. In addition, questions were raised about the need for a separate cost effectiveness analysis for existing buildings. As we discussed, I think at one of our previous meetings, the renovation costs in situations where the energy code is triggered such as gut renovations or additions, end up looking very similar to the cost of new construction. So given the similarity, again, no changes deemed necessary for the rule. Next slide.

And this last slide notes three common areas where it was deemed that the rules sufficiently address the issues raised. No changes were needed. First off, given the predominance of loans in real estate, both on the commercial and residential side, the inclusion of borrowing costs in the

rule makes sense and represents the market realities in New York state. Second concerns were raised about using weighted averages for energy prices, but the rule that we proposed aligns with the DOE methodologies and it does represent a best practice to provide a statewide view of code impacts overall. And lastly, energy prices outlined in the rule appropriately incorporate peak energy demand prices when it is applicable. So for those commercial buildings where it's required. So again, no changes are needed for this comment. And that brings us to the last slide next. So with that, thank you. I think one of the quicker presentations I've been able to do for the Board, but happy to take questions and just from our team, I just want to thank you all for taking the time to work through this topic. This rule is going to be, have a big impact on New Yorkers and we really look forward to seeing the effects.

Sadie McKeown:

Just want to say thank you to, this is really hard work to do, but really, really impactful. Can't change the building code. We're never going to get there. And I know it's an incremental process and I think you've been incredibly thoughtful about it and I really appreciate it because there goes the code, so go building. So it's really, really meaningful. Thank you.

Richard Kauffman:

Comments or questions? I mean the Board Members, I know there were some individual questions that Board Members had along the way, so this presentation's not a surprise in the process has been very clear. We've had several meetings on it, so very good. So in that case, I'd like to ask for a motion resolution number 1723. Authorizing the Authority to adopt and issue a Notice of Adoption to establish a new part 510 of Title 21 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

Sadie McKeown:

So moved.

Richard Kauffman:

Second. Thank you. All in favor? Opposed? Alright, the resolution's been adopted. Congratulations Chris. Thank you. Okay, so we now turn to the long awaited consent agenda. There are three resolutions to be considered. Information on each of these items was included in your meeting. Materials resolutions number 1724 and 1725 were recommended for approval by the Committees. Resolution number 1726 would approve the Periodic Contracts Report. Council's office has compared the list provided by Members of entities with which each Member is associated, which they believe may enter into contracts with NYSERDA to the list of contracts and the Periodic Contract Report. Council's office reports there are four potential conflicts. Columbia University identified by Rory Christian and me, New York Power Authority identified by Justin Driscoll and Cadmus identified by Jay Koh. Roy, Justin, and Jay and me. Can we assume that you'll be recusing yourselves from voting on that particular item?

Justin Driscoll:

Yes.

Jay Koh:

Yes. I don't know.

Justin Driscoll:

Yes.

Richard Kauffman:

Okay. Where's I? Okay. And I confirm my recusal I Are there any questions on these items? We have a motion for resolution number 1724 1725. And resolution number 1726?

Arturo Garcia-Costas:

So moved.

Richard Kauffman:

All in favor?

Members of the Board:

Aye. Any opposed? Are approved. Okay, so now we're going to return to the discussion agenda. The next item is a status report on New York Cap-and-Invest Executive Vice President for Policy and Regulatory Affairs. John Williams will present this item. John,

John Williams:

Great. Thank you Richard. And good afternoon. Just want to give the Board Members a little bit more of an update on where we are with the New York Cap-and-Invest program. This all in preparation for a potential proposal, some more regulations potentially to come before this Board and just want to make sure that folks are aware of our process and what our thought process really is. And that's what we'll talk about a little bit today. As Doreen mentioned, we've held a series of webinars with stakeholders. We are in the process right now of assessing the feedback on several of the program parameters as well as some of the analysis that was done to demonstrate the trajectory of an emissions cap can go on. What that might mean for potential prices in terms of the allocations to be sold, as well as the effect that reinvesting those proceeds from auctioning.

Those allowances may mean in terms of additional effects on emissions reductions and how the program in itself can really work to get to levels of emissions reductions in New York State. So that is what we are going to be looking at. Maybe just another point as the way that we were approaching this analysis and the assumptions in there, taking direction from the Governor based on her state of the state announcement about five principles that she was asking the DEC and NYSERDA to take account of as we were putting a program together. So first is affordability and not only just in terms of the effect of the program on the New York economy, but how can we also think about redelivering some of those proceeds back into New Yorkers pockets as it were in order for a reduction of the realization of the overall impact of the program.

Affordability is principle one, climate leadership is another one. Is there a way that we can utilize this program platform to catalyze other states to be interested and further expand the effect that carbon pricing may have to spur additional market actions. So taking that leadership position in

terms of trying to understand how other states can join us and link with us in a common goal. Third is creating jobs, preserving New York economic competitiveness. I would say this is creating new jobs, creating new industries in New York state, but also needing to protect our existing jobs. And we think about industries that can find new tracks in New York or what supports might they have to ensure that we're preserving those jobs in the New York economy even as we advance our NYCI program. Next is investing in disadvantaged communities and taking a prioritized look at ensuring that we're meeting the terms of the CLCPA and making sure that we are investing in those underserved communities and improving those communities as a result of this program.

And then last and fifth of those directions was to understand how we fund a sustainable future, even just general. So how do we think about taking those proceeds, investing them in ways that actually can help to augment the effect of the NYCI cap and realize greater emission savings and market growth as a result of the program. So long introduction to get to those five principles, but all going into the analytical assumptions that I'm about to share with everybody here. So next slide. So the key is that we do have scenario analysis here. So we looked at three different scenarios and what we're going to see here, or what I'll walk you through is a little, some of those preliminary findings that are allowing us to get an understanding of how we take this program, see the effects in the New York economy. And it gives us a thought process as to really what the nature and scale and scope of the proposal could be.

So what you're going to see is not necessarily the proposal at the numbers in here, but rather different views that we've wanted to share with stakeholders, get their sort of thought process on what they see as potential for the programs and then that informs us as we move forward in our progressive timeline in terms of getting ourselves ready for an actual regulatory proposal. So next slide. So jumping into some of those sort of numbers. So what we are doing with this analysis again is it's structured to estimate emissions cap trajectories, right? So how do we make sure that we put ourselves on a path to meeting our climate act statutory emissions reduction goals. So this is 40% by 2030, 80% by 2050.

And as we're looking at all of those other five conditions, affordability, and that helps to inform the slope of that cap trajectory that we see here a little slower in the early years to get the economy engaged in the program. And then we have accelerated reductions on a going forward basis out to 2050. Also how we think about the entities that are obligated or those obligated sectors in the program. So we tend to always think of them as the building sector and the fuel that's used and the emissions that emanate from that fuel use transportation industry, looking at fugitive emissions from our systems and how do we think about how those sectors participate in the program and to what extent do we think about how those obligated sectors can or may not participate in the program. Again, thinking about that economic competitiveness and how much space can we find in the program to provide some leeway, some headway for some of those businesses that might be harder to decarbonize than others.

So just an example here of those trajectories that we were thinking about as we're putting the analysis. The next slide, as I mentioned, we have three different scenarios. Each of them really based on looking at particular price ceilings associated with different ones of those kind of cap trajectories, right? So how many participants in a program getting to those cap levels can come at

various different price trajectories looking at these price ceilings again as an affordability mechanism, but it's also really helping us to inform how these different levels of program can impact emissions reductions and then impact the markets for clean energy. So it's not necessarily just to look at these price ceilings and think of it just as the price that we're aiming for. We have to think about what the effect of these varying prices are when we think about those other outcomes at the same time. So scenario A, that's a price ceiling starting at \$23 and we've got escalators built in ultimately getting to \$54 in 2027 and then it actually escalates further over the course of the program Scenario B, scenario C, looking at price levels at a little bit more of a modest level. Again, trying to get an understanding of what those prices would have in terms of the effect on a program. Next slide.

Alrighty. So what we then did was look at those different price prices run like our model, but then also as we're running the model in terms of looking at revenues that were generated as a result of sale allowances at those reducing price cap at those escalating prices. Part of what we also want to do is understand that feedback mechanism that happens by the reinvestment of those proceeds into the economy. They will have both emissions effects as well as market effects in terms of helping to accelerate the use of clean energy as consumers are going to start seeing and realizing escalating prices over time. So just a quick flow down of what this is is when you look at green top green bar is total revenues that then gets split between two different accounts. On the left is really that affordability account, how much are we returning to New Yorkers right after those revenues are coming into the state?

And then the second account is looking at our investment account and that's roughly split on a one third, two third basis. When we then take the two thirds of investment, we split that again, we want to make sure we're creating market supports for the work that we're doing. So workforce development programs, there are some other decarbonization activities that can happen. We're allocating about 5% and we're estimating what the effect that would have from that investments. But in our assumptions, 95% of the dollars coming into our investment accounts we're really splitting up between the buildings and the transportation sectors. Those are our two primary emission sectors and you can see the flow down how much we're going into buildings, various building sectors, and then transportation and how we think about the outcomes and transportation that we're looking for. And again, relative levels of investments that we're talking about here. The numbers here are just intended to help us get through the assumptions. These are just assumptions in our analysis to understand both the emissions effect, but again also understanding what are the potential market effects that we would see by this type of investment in these particular activities over time. So next slide.

The interesting thing or maybe it was not too surprising to all of us is that when we do reinvest, we do actually see market transformation happening as a result of these NYCI investments. So this is really standing to prove out what we were we're putting forward with this program is that in order to get emissions reductions, it's not just a question of putting either a cap on or controlling for those emissions, but actually as you put revenue back into the economy, you do see the market standing up and actually resulting in emissions reductions on its own. And so that's what all of these bars are really representing are relative increases in the amount of emissions reductions to be realized by the investments made from those NYCI based revenue. So this is on top of our other investments. So we would call our other investment streams

complimentary to NYCI, but these are effects that we saw through our modeling coming just from NYCI revenues in each of the three scenarios that we looked at. So in a high revenue scenario, A, we see more market transformation happening, but even in the more modest scenarios we see an increase in that market transformation at those levels as well. Next slide.

So maybe just coming to round up a little bit of this and get us out of a little bit of numbers. What our modeling did help us to conclude is that in each of the three price ceilings that we modeled, just given the nature of the trajectory, the amount of market change that has to happen, all three of those price ceilings were binding on the market. That meant that the market will clear at that price because of the level of emissions reductions that we're really looking to achieve over the time. So we might not have necessarily thought that at a potentially lower price, but actually even those lower price ceilings were demonstrating that they would be binding over time. Second, those obligated sectors will see accelerated progress towards meeting our goals, including our 2030 emission goals. So that's good news. We do still see that we will need a combination of both NYCI generated investments as well as those complimentary policies and other market transformations that will help to ensure that we are not only accelerating emissions reductions, but keeping us on that track to the 2030 emissions levels.

And then as we just talked about at all levels, NYCI helps to substantially accelerate those emissions reductions due to the acceleration of those clean energy transitions that can occur in New York State. And some numbers here to just demonstrate relative levels of increase in different types of technologies as a result of the investment scenarios that we pulled together. So finding some really rather positive effects as we're just like running models, getting an understanding of how NYCI functions in the economy, how those reinvestment dollars function in the economy, how they both lead to emission reductions as well as generate investment in clean energy technologies. Okay, next slide. So positive work coming out of that analysis exercise, we are still collecting comments from stakeholders as to various thoughts on that and it is going to be helping us get to our next steps in our process. So next slide, and Doreen had mentioned this earlier in her presentation.

We've advanced a step I think since we were all together with our pre-proposal being issued. Now we are assessing that feedback. We'll be developing a new proposal with the next step of issuing a regulatory proposal and that's when we'll be coming back to the Board here with any portions of those proposals where NYSERDA would be an implementing entity for that program. We're also understanding that as we are kind of moving forward with the regulatory side of the house, that investment part of the equation is now going to need some focused attention. So that's what you'll see in the green arrow here. And this is something that we are just beginning to formulate about how the state should advance and think of program designs, how we'll advance program proposals. We want to make sure we are developing an investment portfolio that appreciates that a number of the activities we're going to need to do are going to be multi-year in dimension, right?

So we want to make sure people understand various kind of criteria that we should account for when we do some of that program planning. We're not really looking at just trying to impact the market in singular annual, but if we have that multi-year proposal, that is one thing that we'd be looking at in terms of our investing. We also do want to understand from stakeholders as well,

what are the types of activities we should be organizing ourselves to and that will help to inform the different kind of categories of investment that we would want to pull together and put that through kind of that investment approval process. So just as a reminder, that investment planning will actually go through our budget, state budget considerations every year. And that is why we are wanting to make sure that we're developing proposals that can understand the effect of well-designed portfolios that take that multi-year approach, take that market transformation approach and make sure that as we're working through annual budget cycles that we can take account and keep an eye on the multi-year investing commitment that the state will need to make in order to realize the benefits of those investments and to realize the overall emissions and market development outcomes that NYCI can very much stand.

And with that, we can go to the next slide, but happy to take questions. Just providing an update on some of that analysis work, how that is helping to feed our thought process and pulling together.

Richard Kauffman:

John, I've got a couple questions here. So on the investing side, I hear you that there needs to be more specifics on, but in terms of modeling, you did show some preliminary perspective. So I'm trying to figure out how much is due to in the model to a price signal, because things are going to have a different price and so there's a market reaction to a different price and how much relates to an assumption about investment programs that are essentially continuation of say, resource acquisition things that NYSERDA is doing and how much did you assume something that would be new?

John Williams:

So I'm glad might be able to answer some of that, but we did look at our existing suite of programs that we do, some of which are resource acquisition, some of which are market animating. And as we are putting those price signals in there, the model will respond to that, right? Given an understanding of what technology costs might be given levels of incentive that we would provide into the market. But then the model will also understand that based on certain price signals that there will be market responses. So it is not just looking at a suite of resource acquisition programs and saying more money gets you to more clean energy, gets you to more emissions. There definitely is a market animating activity based on the price.

Richard Kauffman:

So the other thing is that it didn't look like there were any investments made, for example in nature-based solutions.

John Williams:

That doesn't mean it's off the table. I think what we were looking to do was really make sure that we could get an understanding of that feedback mechanism that happens as recycling that revenue back into the proposals. It's not to say that we shouldn't look at them or we couldn't look at them and that any investment portfolio wouldn't benefit from those types of investments. For the purposes of this analysis, we just were looking at what we knew to be kind of the big clean energy activities and just getting an understanding about

Richard Kauffman:

We're not constrained in the same way that our funding been constrained by virtue of electricity system and therefore it has to be go back through, we're not constrained. So this,

John Williams:

Right.

Richard Kauffman:

Okay.

John Williams:

Yep. Yeah, it's really when we, again, analysis to help inform directions when we pull that investment portfolio together, we really should be identifying what we see as high value opportunities for the state and that might not be appropriately funded through other mechanisms.

Richard Kauffman:

Questions?

Charles Bell:

Richard? Richard, can I ask a question?

Richard Kauffman:

Yeah, please.

Charles Bell:

John, could you say a little bit more about how affordability is modeled in the work that you're doing and is the money primarily being returned to low and moderate income households in the form of housing investments? What about people who are just working class people struggling with the high class of living in New York state?

John Williams:

Very good question, Chuck. So primarily when we are doing this modeling exercise, what we identified was taking that affordability account, which is one third of the revenues and distributing that to a potential formula which is primarily weighted towards low moderate income. I would say how much of that goes to low moderate income just based on.

Vlad Gutman-Britten:

So in the analysis we cut up, we didn't provide benefits to the top quintile just as a representation of some of how we might structure progressively in the climate affordability study. We recommended that the structure would be developed more fully and would potentially be more progressive than the relatively simple analysis that we contributed here.

John Williams:

But just for high level outcomes of the assessment Chuck, we do show that in the lower quintiles of income, the level of we can organize the affordability account to demonstrate not only just a breakeven in cost, but there actually could be some revenue realized by those lowest energy

consumer low income households. So certainly there is a way to structure that account that we would want to look at going forward when we think about that affordability account.

Charles Bell:

Thank you.

Richard Kauffman:

Alright, so John, when will we hear from you again?

John Williams:

That's a really good question, Richard. So we are looking towards the end of this year for a final proposed. I couldn't say which meeting left in the year that that would come before the Board here, but as we are assessing the comments as we're working on that final proposal and working it through the systems, we'll keep you updated. But I think we are still on an before end of the year timeline for our proposal.

Richard Kauffman:

Great, thank you. So the next agenda item on the discussion agenda concerns a private session and an executive session. Section 108 of the Public Officer's Law authorizes Members to convene in private session in order to review attorney-client privilege matters. Additionally, Section 105 of the Public Officer's Law authorizes Members to convene an executive session in order to discuss the employment history of a particular person and the financial condition of the Authority may have a motion for resolution number 1727 to enter into private session for the purpose of discussing attorney-client privilege matters and to enter into an executive session for the purpose of discussing the employment history of a particular person and the financial condition of the Authority.

Jay Koh:

So moved.

Arturo Garcia-Costas:

Second.

Richard Kauffman:

All in favor?

Members of the Board:

Aye. Any opposed? Very good. Members will now enter into a private session and executive session. During that time the webcast will remain up on a return. We will reconvene the meeting.

Richard Kauffman:

The next item on the discussion agendas report on the Authority's Diversity, Equity, and Inclusion work from DEI Officer Michelle Andry, Michelle,

Michelle Andry:

Thank you very much. Good afternoon Board Members. It's a pleasure to see you for our first opportunity this year to update you on our Diversity, Equity and Inclusion initiatives. If we could go to the next slide please. So as you recall, the DEI team's work was launched under the guidance of NYSERDA five year DEI Strategic Plan. And in my last update to you in fall 2023 to the Governance Committee, I should say, I reviewed our overall efforts and progress through the lens of each of the plans for broad goals. For this update, I will overview the areas of work that are specifically our top priorities for this year. So those areas of work include around employee engagement, which we refer to generally as engagement across the NYSERDA team, workforce and personnel policies and procedures, learning and development across the organization on diversity, equity, and inclusion, and work to build the infrastructure supporting ongoing DEI capacity at NYSERDA within and beyond the DEI Strategic Plan.

So next slide please, and I'll dive a little deeper into these. So I'll start with the topic of engagement as it reflects a body of work in which we are currently midstream at this time. So we conducted our annual organization-wide engagement survey for the third year in a row in November of 2023. And once again, we were grateful that 82% of the team Members who were invited to participate responded to the survey. Our third party survey provider and consulting teams. Also, once again conducted analysis which included tracking our results against the government benchmark and our own year over year results as well as generating thematic insights. So in prior years, we have developed improvement work streams at the ORGWIDE level based on the survey insights in areas which we need to focus attention this year. While we continue to work at those orgwide themes, we are also engaging all NYSERDA team Members in a new solutions focused approach following the survey, which is a concerted effort at the business unit level to learn about and address with input and contributions from the staff specific needs and tailored actions to strengthen engagement in every part of the organization.

So I'm looking forward to sharing of future updates, how the results of this new approach may ultimately influence our pathway to increasing engagement. In terms of what we have observed through this engagement survey over these past three years, we have maintained a steady overall level of engagement relative to a significant downward trend in the government benchmark for engagement that we compare against each year. Now to be clear, our aim is not just to hold steady and see the gap between our engagement and the benchmark narrow. We are focused on increasing overall engagement and also on improving in some key more granular focus areas where we still have a gap to benchmark. That includes strengthening organizational efficiency in our departmental cooperation and two way communication across all levels of the organization. But specific teams have implemented improvement actions in these areas in prior years through work streams you've heard about such as our CSA study, subsequent updates that were made to the internal controls and other procedural frameworks and our work to provide benefits such as telework flexibility and greater access to professional development resources. While we anticipate that these will take some time to result in significant changes to close our gap to benchmark, these efforts are beginning to show some upward direction in our survey results.

Richard Kauffman:

Absolute increase or relative increase when we compare the downward trend. Government benchmark, are we better? But still going down?

Michelle Andry:

We are remaining at the same level,

Richard Kauffman:

The same, but the government has gone down. Okay. Our benchmark has gone down and we stayed. We stayed the same. So on an absolute basis we haven't improved. Okay. But they've gotten worse. Exactly.

Michelle Andry:

But again, that's why the benchmark is helpful. But we're also using ourselves, our own baseline to really guide the work that we're doing because we are looking to improve on our own baseline.

Richard Kauffman:

Alright.

Michelle Andry:

If we could go to, Let's see, did I finish Next slide please. So that's all in the engagement survey, but I did just want to say that as I mentioned, we are in the midst of a fair amount of work around processing those last results and developing solutions around them. So I look forward to following up with you on that. So on policies and procedures, our human resources team has led a number of initiatives to standardize practices and to provide guidance, training, and tools to our staff team on effective application of personnel policies and procedures. And the DEI team has served as a close partner to those efforts. All the areas noted here are work streams where there has been active engagement between the HR and DEI teams over the past several months, and which will be continuing in particular the current year ahead brings a collaborative focus on standard NYSERDA job descriptions and NYSERDA framework for providing general job training and professional development resources, DEI and HR Collaboration on these outcomes ensures alignment on best practices and also that needs identified through the engagement survey and other insight rich interactions with staff such as DEI training needs identified through those channels can be addressed. Next slide please.

Our DEI learning and development efforts have enjoyed momentum in the past several months as we transitioned from implementing a rather large initiative developing and delivering our series of five foundational trainings with the entire existing NYSERDA team

To a longer term effort to both engage newer hires and provide opportunities for continuous learning. So in addition to offering our foundational interactive workshops on a quarterly schedule for new hires, we have this year launched a new quarterly training opportunity on ageism in the workplace. And later this performance year, we will begin the planning and development to offer another new workshop on transgender and non-binary inclusion in the workplace. I'll just stop to note here that to date all of our training efforts have involved live virtual interactive training sessions. So this is all in addition to the regular organization wide awareness and education communications that the DEI team provides independently as well as in coordination with communications from our President, Doreen Harris. It includes our internal

online hub for DEI resources that's available to all staff and events and initiatives, engaging the entire staff led by our three resource groups. Next slide please.

Jay Koh:

Just one section on this. It's great to see some additional new content around. Can you just very quickly remind me of what our kind of gender inclusion strategy is here and how we take care of that particular area? There's a lot of challenges on a sector specific basis with changes healthcare laws across the United States, different states that are being impacted. So just wondering how that's being looked at and whether look a second layer of analysis with regard to,

Michelle Andry:

Thank you for asking that question. So actually before we actually launched this training, we were actually engaging with another subject matter expert consultant to actually help us review our internal policies and procedures and operations to just kind of ensure that we are embedding best practices around gender inclusion. We're doing that work first and then using the recommendations that come from that assessment. We'll look at whether or not, whether or not we should implement any of those. And then if we do, what kinds of training do we need to do around those? So that's how we are approaching that, not just from a training perspective, but also looking at what we're doing internally.

Great. Excellent. So we can go to the next slide. So lastly on our DEI Strategic Plan, so another focus area for this year is the maintenance of the DEI Strategic Plan itself. And as I mentioned earlier, our Strategic Plan has a five-year plan, has a five-year timeline. And believe it or not, it's sometimes hard. It's shocking for me to remember that we're currently at just over two and a half years into the plan. So just halfway there. It feels like it's been forever, but it's only been two and a half years. But it also means we're at an ideal point to ensure that we're ensuring longevity of the plans integration into my service culture and operations while we are also assessing and updating our execution of the plans tactics. So we consider one of these efforts what I am calling infrastructure, which is integrating the work across the organization and engaging staff outside the DEI team as stakeholders and contributors to sustaining integrated efforts.

So we're focused on advancing this currently by defining or clarifying tactical roles and collaborations with key teams currently. That includes human resources for all the reasons I shared earlier, the energy and climate equity team and our contract management team, which is lead on supplier diversity. So we're focused on keeping our DEI council and resource groups active through Membership Member and leadership rotations, which we have implemented in the last six months and over the next several months finalization of operational charters for these bodies, ensuring that they are able to provide clear and robust access for all staff to participate as stakeholders and contributors in initiatives that influence engagement, inclusion and internal knowledge and capacity to deliver on equity considerations in NYSERDA's work to consider. Yes.

Arturo Garcia-Costas:

So Michelle, at one point, even though our general engagement survey number pretty much stayed the same, but there were some bright spots in that that I got washed out a bit in the general

contentment with some of 'em had to do with these issues where we have made some moves that have been received well by staff.

Michelle Andry:

Yes, correct. Definitely inclusion is general overall inclusion is one of those areas that showed up as a positive area in the survey. I do believe the DEI council in the resource groups are well positioned to help continue that improvement. Also, another area since you raised it, another area generally where we see improvement and bright spots are around managers and their relationships with their direct reports. At NYSERDA generally we've done pretty well at that metric, which has been really great. And then even building on that, we've been working at providing training, learning and development, professional development for our managers to really just continue to build on that and position our managers to really support, continue to support our staff. So thank you for mentioning that.

Richard Kauffman:

So the indicators, these are two more indicators I try to remember. I know we discussed the question of metrics in the past, so can you just talk a little bit more how you're thinking about it and

Michelle Andry:

Yeah, so we actually have not launched any indicators as of yet. So we're working, so when I mentioned working to approve two indicators, this is about still working to approve two initial indicators. We've definitely not unlike other organizations, we are currently have been struggling a bit at getting our arms and handle around exactly what to measure, when to measure it, when to report on it, and those sorts of questions. And also do we have the data to support that. So we've been working at that. We've made it a commitment this year to take what we've learned and really just focus because we had a list, as you remember, we had pretty long list of indicators that we wanted to roll out. Now we're just trying to focus on getting two of them out that will just help us measure the impact of our initiatives this year.

Richard Kauffman:

Okay, good. Thank you.

Pam Poisson:

May I add one other data point? It's certainly not a perfect indicator, but our turnover rates have gone down a little bit, seem to be stabilizing. We're just under 9%. So small steps, we were okay exact numbers, but the labor market got labor market still, so that's good.

Michelle Andry:

And so thank you for asking about the indicators. So that's definitely a key part of this work around the evaluation of the Strategic Plan and its impacts. And then lastly, this year we seek to complete our assessment of the actual implementation of the Strategic Plan tactics, like all of the items that are in that lengthy plan. I think I've shared with you in the past we had quite a number of those work streams going on simultaneously and in various stages of completion. So at this point we definitely by Q3 of 2024 want to have determined where we are on track and where we've needed to revise our efforts, engage our new DEI council and partner teams to work with

us to develop and publish updates for the remaining two years of the formal Strategic Plan by the end of this year. So with that, going to the next slide, if there aren't any questions, the next slide actually offers an opportunity for questions. That concludes my report,

Michelle Andry:

That concludes my report on these current focus areas. But as I've mentioned, I'm looking forward to our next report, particularly in following up on the assessment of the DEI Strategic Plan implementation. Most likely an update on those indicators, most likely an update on our engagement efforts all at the Board Governance Committee meeting. So I look forward to that. Thank you. I'll take any other questions that you have.

Richard Kauffman:

Any questions in Albany comments?

Charles Bell:

I was just going to comment that when you have the benchmarking from the survey, it's important that the staff sees what actions managements and your inclusion networks are taking to address the issues that have been identified. And sometimes I feel like the survey results get presented sort of in isolation from what other initiatives are underway. So it's obvious that you've got a lot of different positive things that are going. So just want to reinforce the idea of the positive messaging to staff about those things that you are leading.

Michelle Andry:

Thank you. Yes, that's excellent advice and we certainly try to do that. We certainly intend to make that a key part of how we report out. And it'll be interesting as we go through this process, engaging the entire staff at business unit level on their results. This time they will have direct insight into what's going on around those survey results for their business units. And so they'll also play a role in understanding what solutions we take and how those match with what they know they said in the survey for their business unit, if that makes sense. So that'll be another point of visibility for the staff. Thank you. Other questions or comments? Advice? No,

Richard Kauffman:

Thanks very much. Okay. So Chuck, the last item on the discussion agenda is a report on the items considered by the Waste and Facilities Management Committee, Committee's Chair. Chuck Bell will present this item.

Charles Bell:

Thank you very much, Richard. The Waste and Facilities Management Committee met earlier today and a quorum was present throughout the meeting. The first agenda item was the status report on the Western New York Nuclear Service Center. Brad Frank updated the Committee on the demolition of the main plant process building. Brad provided an overview of the work that has been completed since his last report to the Committee in September. He reported that the demolition work is progressing safely and as planned and shipments of the demolition debris to Utah and Nevada are continuing. The demolition activity is expected to continue through late 2025. Andrea Mellon updated the Committee on two recent state licensed disposal area projects. The trench 14 infiltration controls project that was conducted in 2021 and the North slope

stabilization project that was conducted in 2022. Andrea reported that the trench 14 water infiltration controls are performing effectively and that the trench 14 leach elevations are now decreasing as expected for the state licensed disposal area. North Slope. Andrea reported that the stabilization measures are performing as designed and that the North slope is now stable. Staff are now evaluating options for the disposal of slightly contaminated soil that was identified and removed from the north slope during construction.

The second agenda item was an executive session for the purpose of discussing the proposed sale acquisition or lease of real property. No action was taken during the executive session. This concludes my report.

Richard Kauffman:

Great, thank you Chuck. Any questions for Chuck? Alright, great. Thank you Chuck. Well now turn to other business. Are there any other matters the Members would like to discuss? Yes, There,

Sherburne Abbott:

I recommend that we put DEI discussion at the top right after it's really,

Richard Kauffman:

Yeah. Got to move things around today. Fair enough?

Sherburne Abbott:

No, no, that's good. Yeah.

Richard Kauffman:

Okay. Anything else? Okay. So may I have a motion to adjourn the meeting?

Arturo Garcia-Costas:

So moved.

Jay Koh:

Second.

Richard Kauffman:

All in favor?

Members of the Board:

Aye.

Richard Kauffman:

Okay, the meeting's adjourned. Thank you.