

N.C. Oil and Gas Commission

Minutes of the Wednesday, 1 November 2023 Meeting*

The meeting of the Oil and Gas Commission took place at 1:00 P.M. on 1 November 2023 in the Ground Floor Hearing Room of the Archdale Bldg. at 512 N. Salisbury St. in Raleigh, hosted by the North Carolina Department of Environmental Quality (DEQ). Attendance of the meeting was also available via Microsoft Teams videoconferencing service.

00:00:04 – **Chair James C. Lister** opened the meeting with a moment of silence and led the Pledge of Allegiance.

00:01:04 – Chair Lister read the Elections and Ethics Enforcement Act to the Commission and asked for concerns of potential conflict. None were given.

00:01:55 – Chair Lister asked **Public Information Officer, Laura Oleniacz** to conduct a roll-call attendance. In attendance: **Commissioner Stanford D. Baird** (remote), **Commissioner John Droz, Jr.** (remote), **Commissioner J. Cody Edwards** (remote), **Commissioner Karen A. Howard** (remote), Chair Lister (in-person), **Vice-Chair John Lucey** (remote), **Commissioner Rebecca Wyhof Salmon** (remote), **Commissioner Dr. William Vizuete** (remote), and **Commissioner John D. White II** (remote). All nine members of the Commission were present, and a quorum was declared.

00:03:10 – Chair Lister asked for additions or revisions to the meeting’s draft agenda. No revision or addition suggestions were given.

00:3:23 – Chair Lister moved the Commission to opening remarks. Chair Lister gave a presentation to the Commission regarding the history of the North Carolina Oil and Gas Conservation Act.

00:6:46 – Chair Lister moved the Commission to approval of the third quarter 2023 meeting minutes. Vice-Chair Lucey made a motion to approve the minutes, seconded by Commissioner Salmon. Laura Oleniacz conducted a roll-call vote. The Commission unanimously voted to approve the minutes.

00:08:36 – Chair Lister moved the Commission to one action item on the agenda, the joint Oil and Gas Commission / Mining Commission request letter concerning the geophysical surveys rules set (15A NCAC 05H). **DOJ Assistant Attorney General, Sarah Zambon** reviewed the necessity of the urgency for the Oil and Gas Commission to adopt the 05H rules set. Counselor Zambon explained why the .0102 rule (“Supervision”) and the .0114 rule (“Currituck Special”) is recommended to be deemed “unnecessary” by the Commission. All other rules are recommended to be deemed “necessary”. Vice-Chair Lucy (Rules Review Chair) reported that the Rules Review Committee unanimously agreed that the two rules (.0102 and .0114) should be reported as “unnecessary”, while the remaining rules should be reported as “necessary”. Counselor Zambon reminded the Commission that a special meeting of the Commission would be necessary sometime after the public comment period ends, but before 20 January. Chair Lister suggested to the Commission that Wednesday, 17 January be considered for reconvening after the public comment period. Commissioner Lucey reminded the Commission that the Rules Review would need to meet before the full Commission and suggested meeting an hour before the full Commission meeting.

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00:37:20 – Chair Lister reminded the Commission that he had previously named Vice-Chair Lucey and Commissioner Baird as the Chairs of the Rules Review and Civil Penalties Committees, respectively.

00:39:35 – **NCGS Senior Geologist, Jim Chapman** updated the Commission regarding the current term end-dates for the individual Commissioners.

00:44:20 – Chair Lister moved the discussion to the 2022-23 Oil and Gas Commission Annual Report to the General Assembly. Chair Lister asked DEQ staff for clarity regarding the procedure, including the timetable, for submission of the Annual Report.

00:49:23 – Chair Lister moved the discussion to selecting dates for the Commission meetings during the 2024 calendar year. The dates proposed: 17 January, 7 May, 6 August, 6 November. The Commission agreed to the dates proposed.

00:53:40 – Chair Lister moved the discussion to potential topics of discussion for the 2024 calendar year. Chair Lister provided a presentation that included reviewing standard operating procedures, assessing the drilling of stratigraphic tests, and helium reserve studies.

01:02:48 – Chair Lister asked **State Geologist, Dr. Kenneth Taylor** if there had been any inquiries into oil or gas for North Carolina since the last quarterly Commission meeting. Dr. Taylor responded that there had not been any inquiries.

01:03:10 – Chair Lister moved the meeting to the Public Comments period.

Public Comments:

No public comments were offered.

01:04:23 – Chair Lister moved the meeting to the Commissioners' concluding remarks.

Commissioners' Concluding Remarks:

01:04:45 – Commissioner Salmon offered, from an earlier question regarding her reappointment to the Commission, that she last had a discussion with the Governor's office in January 2023.

01:06:27 – Chair Lister adjourned the meeting.

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