

N.C. Oil and Gas Commission

Minutes of the Tuesday, 1 August 2023 Meeting*

The meeting of the Oil and Gas Commission took place at 1:00 P.M. on 1 August 2023 in the Ground Floor Training Room of the Green Square Bldg. at 217 W. Jones 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.

00:00:22 – **Vice-Chair John Lucey** opened the meeting with a moment of silence and led the Pledge of Allegiance.

00:01:26 – Vice-Chair Lucey asked for potential conflicts of interest concerns. None were given.

00:02:01 – Vice-Chair Lucey conducted a roll-call attendance. In attendance: **Commissioner Stanford D. Baird** (remote), **Commissioner John Droz, Jr.** (remote), **Commissioner Karen A. Howard** (remote), Vice-Chair Lucey (remote), **Commissioner Rebecca Wyhof Salmon** (remote), **Commissioner Dr. William Vizuete** (remote), **Commissioner John D. White II** (remote), and **Commissioner J. Cody Edwards** (in-person). Eight members of the Commission were present, and a quorum was declared. **Chair James C. Lister** was absent.

00:02:50 – Vice-Chair Lucey asked for additions or revisions to the meeting's draft agenda. No revision or addition suggestions were given.

00:3:19 – Vice-Chair Lucey asked for any opening remarks. No remarks were given.

00:03:40 – Vice-Chair Lucey asked for a motion to approve the minutes from the May 2023 meeting. Commissioner Droz commented that he recalled that during the Commissioners' Concluding Remarks section of the May 2023 meeting **State Geologist Dr. Kenneth B. Taylor, PG** stated that he would send the Commission's 2022 Annual Report to the Commissioners because he neglected to send the report following the February 2023 meeting. Commissioner Droz stated that this comment was not recorded in the May 2023 draft minutes. Commissioner Howard commented that the Commission had yet to approve the meeting draft agenda and made a motion to approve the meeting draft agenda. **DOJ Special Deputy Attorney General Mary Lucasse** objected due to another open motion being open, not yet resolved. Vice-Chair Lucey asked for a motion to approve the amended May 2023 meeting minutes with the addition that Commissioner Droz requested. Commissioner Salmon made a motion to approve the amended May 2023 meeting minutes, seconded by Commissioner Howard. The motion to approve the amended May 2023 meeting minutes were approved unanimously by acclamation by the Commission.

00:06:50 – Vice-Chair Lucey asked for a motion to approve the meeting draft agenda. Commissioner Howard made a motion to approve the draft agenda, seconded by Commissioner Droz. The motion to approve the draft agenda was approved unanimously by acclamation by the Commission.

00:7:27 – Vice-Chair Lucey moved the discussion to the Rules Review Committee activity review. Vice-Chair Lucey commented that the last discussion he could find was an email dated 30 May 2023

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from **NCGS Senior Geologist Jim Chapman, PG** stating that there would be a meeting to review the rules. Vice-Chair Lucey iterated that to his knowledge the Rules Review Committee has not had that meeting yet and asked for an update from DEQ staff. Dr. Taylor explained that the next step was for the incorrect, or unnecessary, URLs and emails to be identified for the DEQ rules authority so they could approve the changes. After some discussion, Counselor Lucasse explained that under the Oil and Gas Commission by-laws, the Chair of the Commission names the Chair of any formed committee. Further, Counselor Lucasse clarified that after the Commission Chair named the committee chairs it would be good practice for the respective committee chairs to initiate committee meetings with DEQ staff. Counselor Lucasse also clarified that the Rules Review Committee is a standing committee under the Oil and Gas Commission by-laws.

00:14:10 – Vice-Chair Lucey moved the discussion to the election of new officers. Counselor Lucasse reminded the Commission that, according to the Commission by-laws, a member can only serve two consecutive terms in a single office (Chair or Vice-Chair). After discussion as to whether current Chair Lister had served two consecutive terms as Chair, it was determined that he had not. Vice-Chair Lucey opened the floor for nominations for Chair and Vice-Chair. Vice-Chair Lucey nominated Chair Lister for a second term as Chair. Commissioner Salmon made a motion to close the nomination for Chair, seconded by Commissioner Droz. Nominations for Chair was closed by acclamation vote. Vice-Chair Lucey opened the floor for nominations for Vice-Chair. After staff confirmed that Vice-Chair Lucey had not already served two consecutive terms as Vice-Chair, Commissioner Droz nominated Vice-Chair Lucey for a second term. Hearing no further nominations, Vice-Chair Lucey asked for a motion to close the nominations. Commissioner Salmon made a motion to close the nominations for Vice-Chair, seconded by Commissioner Howard. Vice-Chair Lucey conducted a voice-call vote for Chair Lister to serve a second term as Chair. By a unanimous vote, Chair Lister was elected for a second term as Chair. Vice-Chair Lucey conducted a voice-call vote for Vice-Chair Lucey to serve a second term as Vice-Chair. By unanimous vote, Vice-Chair Lucey was elected for a second term as Vice-Chair.

00:29:38 – Vice-Chair Lucey moved the discussion to a summary of inquiries to the NCGS regarding oil and gas activity. Jim Chapman stated that there had not been any inquiries since the last Commission meeting.

00:30:05 – **DEQ Assistant General Counsel Alyssa Wright** reminded the Commission that any committees are subject to the open-meeting act as well. Therefore, any committee meetings must also be publicly noticed and available to the public. Counselor Wright further explained that **DEQ Public Information Officer Josh Kastrinsky** is the point of contact for such notices.

00:32:20 – Vice-Chair Lucey opened the discussion for public comments.

Public Comments:

00:32:40 – Sharon Garbott (Chatham County) asked for clarification for notification regarding all committee meetings.

00:33:57 – Vice-Chair Lucey opened the meeting for Commissioners' concluding remarks.

Commissioners' Concluding Remarks:

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0034:55 – Commissioner White asked if Ms. Garbott was at the meeting representing an organization or personal interest. Ms. Garbott answered that she was there primarily for personal interest.

00:36:50 – Vice-Chair Lucey asked for a motion to adjourn the meeting. Commissioner Edwards made a motion to adjourn the meeting, seconded by Commissioner Howard. The motion as approved unanimously by acclamation.

00:37:17 – Vice-Chair Lucey adjourned the meeting.