

# N.C. Oil and Gas Commission

## Minutes of the Tuesday, 2 May 2023 Meeting\*

The meeting of the Oil and Gas Commission took place at 1:00 P.M. on 2 May 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.

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

Unknown time (video feed lost for the first few minutes) – Chair Lister read the Ethics Reminder from the Elections and Ethics Enforcement Act, then asked the members to identify any conflicts of interest. No conflicts were identified.

00:00:10 – Chair Lister conducted a roll-call attendance. In attendance: **Commissioner Rebecca Wyhof Salmon** (remote), **Commissioner Dr. William Vizuete** (remote), **Commissioner John D. White II** (remote), Chair Lister (in-person), **Vice-Chair John Lucey** (remote), **Commissioner J. Cody Edwards** (in-person), **Commissioner Karen A. Howard** (remote), and **Commissioner John Droz, Jr.** (remote). Eight members of the Commission were present, and a quorum was declared. **Commissioner Stanford D. Baird** was absent.

00:01:04 – Chair Lister asked if there were any additions or revisions to the meeting agenda. **Assistant Attorney General, Sarah Zambon** requested beforehand that an additional item be added to the agenda: for the Commission to vote on whether or not to authorize Chair Lister to write a joint letter with the Mining Commission Chair to request to the Rules Review Commission (RRC) to allow the geophysical exploration statutes (5C rules), applied to both the Mining and the Oil and Gas Commissions, to be moved under the authority of the Oil and Gas Commission, rather than the Mining Commission, where the rules currently reside.

00:02:15 – Chair Lister’s opening remarks addressed a reminder of why the Commissioners are assembled. A Microsoft PowerPoint slide show highlighting the history of the Oil and Gas Conservation Act, beginning in 1945, was presented (NC General Statutes, chapter 113, subchapter V, article 27, part 2). Also, Chair Lister reminded the Commissioners of meeting attendance requirements.

00:04:55 – Chair Lister asked for a motion to approve the minutes from the February 2023 meeting. Commissioner Droz made a motion to approve the minutes, seconded by Commissioner White. The minutes were approved by the Commission with a unanimous voice vote.

00:06:09 – Chair Lister moved the discussion to the Commission vote regarding authorizing Chair Lister to write a joint letter with the Mining Commission to the RRC. Counselor Zambon addressed the Commission regarding details of the vote. After Chair Lister opened the topic for comment, Vice-Chair Lucey requested that a copy of the rules be provided to the Commissioners before a vote takes place. Commissioners Howard, Droz, and Salmon concurred with Vice-Chair Lucey. Counselor Zambon reminded the Commission that the vote was merely to ultimately to put the authority of the rules governing the geophysical exploration testing under the Oil and Gas Commission, not to approve of a

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set of rules. Commissioner Droz made a motion for a vote, seconded by Commissioner Vizuete. Seven Commissioners voted for authorizing Chair Lister to write the joint letter with the Mining Commission Chair to the RRC and there was one vote against (Commissioner Howard). The motion was passed. Counselor Zambon reminded the Commission that she believed that the 5C rules would expire at the end of June (2023) if not acted on.

00:19:22 – Chair Lister moved the discussion to the pressure tests on the Butler #3 and Simpson #1 wells performed by NC Geological Survey (NCGS) staff and Patterson Exploration Services. A Microsoft PowerPoint presentation regarding the pressure tests -including a brief geologic history of the region- was presented by **NCGS Senior Geologist, Dwain Veach, PG**.

00:49:22 – Chair Lister moved the discussion to a summary of inquiries to the NCGS regarding oil and gas activity. **NCGS Senior Geologist, Jim Chapman, PG** said that there had not been any inquiries since the last Commission meeting.

00:50:06 – Chair Lister opened the discussion for public comments.

**Public Comments:**

There were no public comments.

00:50:45 – Chair Lister opened the meeting for Commissioners’ concluding remarks.

**Commissioners’ Concluding Remarks:**

Dr. Taylor stated that he would send the web-page link to the 2022 Annual Report to the Commissioners.

00:51:15 – Chair Lister reminded the Commission that the next Commission meeting is Tuesday, 1 August 2023 at 1:00 p.m.

00:51:39 – Chair Lister adjourned the meeting.

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