

North Dakota Industrial Commission



Doug Burgum
Governor

Drew H. Wrigley
Attorney General

Doug Goehring
Agriculture Commissioner

Department of Mineral Resources Director Search Committee Meeting
Thursday, April 4, 2024, 3:00 pm
Fort Union Room, Ground Floor State Capitol Building

Join on your computer, mobile app or room device

[Join the meeting now](#)

Call-in number

[+1 701-328-0950,,904603898#](#)

- I. Roll Call
- II. Introductions between Preng & Associates and Search Committee
- III. Discussion on Role of Search Committee and Schedule ([Attachment 1](#))
- IV. Presentation of Scope of Work and Methodology from Preng & Associations
- V. Consideration of Draft Job Description and Position Specifications ([Attachment 2](#))**
- VI. Other Business
- VII. Adjourn

***Bold actions indicate committee action**

DMR Director Search Committee Status

1.

- Search Committee selects enterprise search firm or procures new firm

1a.

- Search Committee drafts and publishes RFP for search firm procurement

1b.

- Search Committee reviews search firm proposals, selects search firm, contracts (April 1st, 2024)

2.

- **Search Committee develops minimum qualifications, position specification, and draft job posting in consultation with search firm (April 12th, 2024)**

2a.

- Job opening posted after search firm review; search firm begins recruiting (April 15th - May 31st, 2024)

3.

- Initial candidate screening by search firm, vetted applications forwarded to Committee (June 14th, 2024)

3a.

- Search Committee reviews "short list" applications, conducts interviews, due diligence checks (June 28th, 2024)

3b.

- Search Committee scores applicants, selects 2-4 to forward to the Industrial Commission (July 2024)

4.

- Industrial Commission interviews top candidates and selects next Director (July 2024)



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Director of the Department of Mineral Resources Position Specifications

Department of Mineral Resources Background Information

The North Dakota Industrial Commission (NDIC) has had regulatory authority over the management of North Dakota's oil and gas resources since 1945. The State Geologist had originally been staffed part-time by the Commission to play this role, splitting time between academic roles under the State Board of Higher Education and regulatory roles under the Industrial Commission.

In 1981, the Oil and Gas Division was created, with the Commission appointing Wes Norton as its first Director. Upon Mr. Norton's retirement, the Commission appointed Lynn Helms as its second director on June 24th, 1998. Under Lynn's leadership, the Oil and Gas Division was merged with the Geological Survey on July 1, 2005, being reorganized under the Department of Mineral Resources (DMR) with Mr. Helms as its first director. With Lynn's announced retirement on June 30th, 2024, the Commission will be tasked with hiring its next Director of the Department of Mineral Resources.

Several sections of the North Dakota Century Code address the creation of DMR, its oversight and role in the state.

- Chapter 54-17 Industrial Commission
- Title 38 Mining and Gas and Oil Production
 - Chapter 38-08 Control of Oil and Gas Resources
 - Chapter 38-08.1 Geophysical Exploration Requirements
 - Chapter 38-11.1 Oil and Gas Production Damage Compensation
 - Chapter 38-11.2 Subsurface Exploration Damages
 - Chapter 38-12 Regulation, Development and Production of Subsurface Minerals
 - Chapter 38-12.1 Exploration Data
 - Chapter 38-15 Resolution of Conflicts in Subsurface Mineral Production
 - Chapter 38-18 Surface Owner Protection Act
 - Chapter 38-18.1 Termination of Mineral Interest
 - Chapter 38-19 Geothermal Resource Development Regulation
 - Chapter 38-21 Exploration Fund
 - Chapter 38-22 Carbon Dioxide Underground Storage
 - Chapter 38-23 High-Level Radioactive Waste
 - Chapter 38-24 Underground Storage and Retrieval of Nonhydrocarbons
 - Chapter 38-25 Underground Storage of Oil and Gas

DMR operates under the management and control of the Industrial Commission which is comprised of the Governor who acts as Chairman, the Attorney General, and the Agriculture Commissioner. DMR consists of two divisions, the Oil and Gas Division and the Geological Survey.

The Oil and Gas Division regulates the drilling and production of oil and gas, with a mission to encourage and promote the development, production, and utilization of oil and gas in the state in such a manner as will prevent waste, maximize economic recovery, and fully protect the correlative rights of all owners to the end that the landowners, the royalty owners, the producers, and the general public realize the greatest possible good from these vital natural resources. The Division is also responsible for the regulation of geophysical exploration, underground gathering pipelines, and underground injection control for Class II and Class VI injection wells.

The Geological Survey publishes maps and reports on the mineralogical, paleontological, and geochemical resources of North Dakota, including oil and gas, coal, uranium, clay, sand and gravel, volcanic ash, potash, and other salts, etc. In addition to the mapping of subsurface resources, the Survey is actively mapping the surface geology throughout the state with an emphasis on urban areas and the identification of geohazards such as landslides. Survey publications support the regulatory programs of the Industrial Commission, as well as other state and federal agencies, and assist mineral companies, geotechnical consulting firms, city and county governments, landowners, and citizens of the state.

The Geological Survey regulates coal exploration, subsurface mineral exploration, and development (this includes all elements, minerals, and compounds other than oil and gas, sand and gravel, and coal), geothermal facilities (both commercial and residential), the Class III Underground Injection Control Program, and paleontological resources on state-owned lands.

The North Dakota Legislature has authorized 108 full-time equivalents for employment at DMR. The Director supervises the staff through 3 direct reports, comprised of:

- Assistant Director, Oil and Gas Division
- State Geologist
- DMR Support Staff Officer

DMR's current budget for the 2023-2025 biennium is \$32,194,371.

The Director of the Department of Mineral Resources Role

The Director of the Department of Mineral Resources reports to the North Dakota Industrial Commission. The position is responsible for the overall strategic and operational performance of DMR. The Director is responsible for developing recommendations for the North Dakota Industrial Commission which achieve the Commission's objectives of:

- Fostering, encouraging and promoting the development, production and utilization of natural resources of oil and gas in the state in such a manner as will prevent waste
- Authorizing and providing for the operation and development of oil and gas properties in such a manner that a greater ultimate recovery of oil and gas be obtained and that the correlative rights of all owners are fully protected

- Encouraging and authorizing recycling, pressure maintenance and enhanced oil recovery operations in order that the greatest possible economic recovery of oil and gas be obtained within the state to the end that the landowners, royalty owners, producers and the general public realize and enjoy the greatest possible benefit from these vital natural resources
- Regulating geophysical exploration, underground injection control of oil and natural gas fluids and carbon dioxide, mineral spacing and pooling, pore space amalgamation and surface infrastructure related to mineral production and gathering

Major tasks for the position include:

- Supervise the Oil & Gas Division Assistant Director, State Geologist, and DMR Support Staff Officer to implement agency goals and ensure compliance with statutes, regulations, and policies
- Sign orders for regulatory cases with signature authority delegated per NDIC memo
- Prepare formal enforcement actions in consultation with the Attorney General's office
- Present recommended action items to NDIC at their regularly scheduled monthly meetings
- Oversee monthly oil and gas regulatory hearings
- Present complex, technical information to a non-technical audience
- Present a monthly Director's Cut webinar to the press and the general public
- Maintain relationships and meet regularly with private sector and citizen stakeholders, tribal nations, local government agencies, other state agencies, and federal agencies
- Serve as the State's official representative on the Interstate Oil and Gas Compact Commission (IOGCC)
- Serve as a technical advisor on the Oil and Gas Research Council, Clean Sustainable Energy Authority, Plains CO₂ Reduction Partnership, North Dakota Revenue Advisory Council and the Bismarck State College Petroleum Production Advisory Board
- Certify reservation trust land acreage ratio to the Tax Commissioner annually
- Lead biennial agency strategy reviews
- Provide legislative testimony in support of the agency budget and policy initiatives
- Supervise agency audits and rule revisions

Minimum Education and Experience

The Director of the Department of Mineral Resources position requires the executive level education, experience, talent and mindset to assess and mitigate principal operational risks and lead regulatory compliance of DMR's business. This executive must possess the education and experience to lead department operations, represent the NDIC's interest to a variety of stakeholders, lead legislative and

rulemaking processes, foster the growth of North Dakota's mineral resources and balance advocacy while regulating safe and efficient production of minerals.

Preferred Education and Experience

Preferred qualifications include:

- At least ~~15~~10 years of experience in a similar or technical management role
- A master's degree in geology or petroleum engineering, or equivalent
- Experience in a regulatory role
- Experience with Class VI underground injection control of carbon dioxide

Travel Required

Travel may be occasionally required for off-site meetings, training and conferences. The Director will also be expected to engage with private sector stakeholders, mineral owners and landowners across the State.

Compensation

DMR will offer the successful candidate a competitive compensation and comprehensive benefits package. Benefits provided by the State of North Dakota include fully paid medical insurance for the employee and dependents, including prescription drug coverage and preventative health care features. Voluntary dental and vision plans are also available. The State also offers competitive retirement plans, including a Defined Contribution Hybrid Plan, a voluntary deferred compensation plan, and a basic life insurance plan. The State also offers a generous paid-time-off policy for sick leave, vacation and holidays.

Non-Discrimination

DMR does not discriminate on the basis of race, religion, national origin, sex, age, marital status, sexual orientation, gender identity, gender expression, disability, creed, color, ancestry or medical condition.