

## Conversation Contents

Re: [EXTERNAL] Segregation next steps....

### Attachments:

/6. Re: [EXTERNAL] Segregation next steps..../1.1 image002.png  
/6. Re: [EXTERNAL] Segregation next steps..../1.2 image004.png  
/6. Re: [EXTERNAL] Segregation next steps..../1.3 image003.png  
/6. Re: [EXTERNAL] Segregation next steps..../1.4 image001.png  
/6. Re: [EXTERNAL] Segregation next steps..../2.1 image003.png  
/6. Re: [EXTERNAL] Segregation next steps..../2.2 image001.png  
/6. Re: [EXTERNAL] Segregation next steps..../2.3 image004.png  
/6. Re: [EXTERNAL] Segregation next steps..../2.4 image002.png  
/6. Re: [EXTERNAL] Segregation next steps..../2.5 Rainy River letter 9.6.18.pdf

**"VanKoten, Dominica" <dvankote@ [REDACTED]>**

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**From:** "VanKoten, Dominica" <dvankote@ [REDACTED]>  
**Sent:** Wed Sep 12 2018 14:46:30 GMT-0600 (MDT)  
**To:** "Fink, Elena" <efink@ [REDACTED]>  
**CC:** "Leverette, Mitchell" <mlevere@ [REDACTED]>, "Hanna, Sabry" <shanna@ [REDACTED]>, Stanley McMillian <smcmillian@ [REDACTED]>, "Mary (Kathy) Gunderman" <mgunderman@ [REDACTED]>, Francis Piccoli <fpiccoli@ [REDACTED]>, Barbara Eggers <beggers@ [REDACTED]>  
**Subject:** Re: [EXTERNAL] Segregation next steps....  
**Attachments:** image002.png image004.png image003.png image001.png

The regulations state that the segregation is terminated on the day we receive the cancellation notice. The first step will be getting the Forest to submit the package. The cancellation notice requirements are in the regulations (2310.1-2) and are the same as the requirements for the application. Have we already received this?

We are then required to publish a Federal Register Notice within 30 days that states when the segregation was terminated. I will continue to work with WO350 to develop a path forward to ensure we get the notice published within the 30 day required time frame.

On Wed, Sep 12, 2018 at 4:26 PM, Fink, Elena <efink@ [REDACTED]> wrote:

Good afternoon Dominica,  
Thank you for following up with WO-350, and to the Lands team for taking the lead on the Federal Register notice.

With regards to the MNES 01352 and MNES 01353 lease renewals, [REDACTED]

[REDACTED] One thing we will likely need to complete is a LSR for these leases as I doubt they were completed for the 2004 lease renewal.

Hello Stanley,  
Would you please confirm and if not, please forward the LSR request to ES-960 (through Kathy).  
Thank you.

All best,

*Elena Fink*  
Deputy State Director, Natural Resources  
Bureau of Land Management, Eastern States  
[REDACTED] desk; [REDACTED] cell

On Wed, Sep 12, 2018 at 2:17 PM, Leverette, Mitchell <mleveret[REDACTED]> wrote:  
Dominica,

The lifting of the segregation is a high priority for the current Administration. I have already received a call asking when are we going to complete the FRN. I predict that they will want it processed sooner than later and will not want to wait until Jan. 2019.

Thanks,

Mitch

**Mitchell Leverette**  
Acting State Director  
Eastern States  
Bureau of Land Management  
20 M. Street, SE  
Washington, DC 20003

[REDACTED]<sup>(w)</sup>  
[REDACTED]<sup>(c)</sup>

On Wed, Sep 12, 2018 at 4:11 PM, VanKoten, Dominica <dvankote[REDACTED]> wrote:

The two year segregation will automatically end on January 18, 2019. The current processing time for Federal Register Notice publications for withdrawal actions is 6-9 months. [REDACTED]

The other action we will need to take is to close the case file. The ES lands and realty staff will need documentation from the Forest Service indicating they want to withdraw the application. We can then set LR2000 and our case records to close in conjunction with the expiration of the segregation.

If we need to take actions on the lease renewals parcels before January 18, 2019, we may want to research if these lease renewals fall under the valid existing rights exemption of the segregation. An adjudicator would need to confirm this is true, but if the rights for the lease renewal are derived from a valid lease in existence before the segregation, the lands were not segregated.

Do we need to meet to discuss this issue further next week? I can work with Jermaine to set up a time for a conference call.

Thank you.

On Tue, Sep 11, 2018 at 10:00 PM, Leverette, Mitchell <mleveret[REDACTED]> wrote:  
Yes,

A FRN will have to be published ending the segregation. We should get an example from the WO-350 (Lands Division). Also we should consult with Solicitors (Ryan Sklar) as well.

Thanks,

**Mitchell Leverette**  
Acting State Director  
Eastern States  
Bureau of Land Management  
20 M. Street, SE  
Washington, DC 20003

[REDACTED] (w)  
[REDACTED] (c)

On Tue, Sep 11, 2018 at 6:23 PM, Fink, Elena <efink@blm.gov> wrote:

Good afternoon Sabry,  
This is a good question. I would suggest 1) reviewing the regulations for withdrawal (43 CFR 2300) to see if there is any guidance relative to lifting (ending) segregations; and 2) check in with WO-350 for more information or confirmation. Thank you.

All best,  
*Elena Fink*  
Deputy State Director, Natural Resources  
Bureau of Land Management, Eastern States  
[REDACTED] desk; [REDACTED] cell

On Tue, Sep 11, 2018 at 1:28 PM, Hanna, Sabry <shanna@blm.gov> wrote:

Hallo Elena,

Since we published the FS withdrawal in the first place, shouldn't we publish a notice in the Federal Registration outlining that the segregation has ended?

Please see the email below from Theresa Bodus.

Thank you,

**Sabry Hanna, PhD, CPG**  
Geologist/Solid Minerals Lead  
BLM, Eastern States  
20 M St. SE, Suite 950  
Washington DC 20003  
[REDACTED] desk  
[REDACTED] fax

----- Forwarded message -----  
From: **Bodus, Theresa - FS** <tbodus@blm.gov>  
Date: Mon, Sep 10, 2018 at 1:08 PM  
Subject: [EXTERNAL] Segregation next steps....  
To: "shanna@blm.gov" <shanna@blm.gov>

Hello,

We were wondering if the next steps in the segregation will be the BLM publishing a notice in the Federal Registration outlining that the segregation has ended. The same question was asked of Dean and he indicated that he will discuss this with others at the BLM. We were wondering if we should anticipate this as the next step in the process.

Thank you for your help in advance.

Theresa

Forest Service  
Shield  
Theresa M. Bodus Ph.D.  
Region 9 Minerals Program Manager  
Forest Service

Eastern Regional Office

p: [REDACTED]  
f: 414-944-3964  
tbodus [REDACTED]  
626 East Wisconsin Ave, Suite 600  
Milwaukee, WI 53202  
[www.fs.fed.us](http://www.fs.fed.us)

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--  
Dominica Van Koten  
DSD Geospatial Services  
Eastern States

[REDACTED] desk  
[REDACTED] cell

--

Dominica Van Koten  
DSD Geospatial Services  
Eastern States

[REDACTED] desk  
[REDACTED] cell

**"Hanna, Sabry" <shanna@[REDACTED]>**

---

**From:** "Hanna, Sabry" <shanna@[REDACTED]>  
**Sent:** Wed Sep 12 2018 15:46:27 GMT-0600 (MDT)  
**To:** Dominica VanKoten <dvankote@[REDACTED]>  
"Fink, Elena" <efink@[REDACTED]>, "Leverette, Mitchell"  
<mleveret@[REDACTED]>, Stanley McMillian <smcmillian@[REDACTED]>, "Mary  
**CC:** (Kathy) Gunderman" <mgunderman@[REDACTED]>, Francis Piccoli  
<fpiccoli@[REDACTED]>, Barbara Eggers <beggers@[REDACTED]>  
**Subject:** Re: [EXTERNAL] Segregation next steps....  
**Attachments:** image003.png image001.png image004.png image002.png Rainy River  
letter 9.6.18.pdf

Here you go, thank you Dominica.

Best,

**Sabry Hanna, PhD, CPG**  
Geologist/Solid Minerals Lead  
BLM, Eastern States  
20 M St. SE, Suite 950  
Washington DC 20003  
[REDACTED] desk  
(202) 912-7186 fax

On Wed, Sep 12, 2018 at 5:35 PM, Dominica VanKoten <dvankote@[REDACTED]> wrote:  
Can you send me a copy of the cancellation notice? I will look it over and then get in touch with  
Theresa to get any missing information.

Thank you.  
Dominica

Sent from my iPhone

On Sep 12, 2018, at 5:30 PM, Hanna, Sabry <shanna@[REDACTED]> wrote:

Hallo Dominica,

To my knowledge we didn't receive a complete package from the FS. The  
only thing I have is the cancellation notice. Theresa Bodus, Region 9 Minerals  
Program Manger should be able to provide a complete package. Do you like  
me to ask Theresa or you may contact her directly?.

Here is Thesesa's contacts:  
Theresa M. Bodus Ph.D.  
Region 9 Minerals Program  
Manager

Forest Service  
Eastern Regional Office  
p: [REDACTED]  
f: 414-944-3964  
tbodus [REDACTED]  
626 East Wisconsin Ave, Suite 600  
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www.fs.fed.us

Thank you,

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Geologist/Solid Minerals Lead  
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Forest Service Shield **Theresa M. Bodus Ph.D.**  
**Region 9 Minerals Program Manager**  
**Forest Service**

Eastern Regional Office

p: [REDACTED]  
f: 414-344-3964  
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--

Dominica Van Koten  
DSD Geospatial Services  
Eastern States

[REDACTED] desk  
[REDACTED] cell

--

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DSD Geospatial Services  
Eastern States

[REDACTED] desk  
[REDACTED] cell



United States  
Department of  
Agriculture

Forest  
Service

Eastern Region  
Regional Office

626 East Wisconsin Avenue  
Suite 800  
Milwaukee, WI 53202  
[REDACTED]

File Code: 2760

Date: SEP 06 2016

Mr. Mitchell Leverette  
State Director  
Eastern States State Office  
20 M Street SE, Suite 950  
Washington, DC 20003

Dear Mr. Leverette:

With this letter, the United States Department of Agriculture's Forest Service cancels the application for the Rainy River Watershed Withdrawal. This withdrawal was submitted to the Bureau of Land Management (BLM) on December 14, 2016. The withdrawal application proposed to withdraw 234,328 acres of National Forest System land on the Superior National Forest from the United States mineral and geothermal leasing laws for a 20-year period.

After a careful 15 month review, including extensive public input, the USDA Forest Service has enough information to determine a withdrawal is not needed. The laws that govern mineral development within the Rainy River watershed provide considerable discretion as to whether to allow new mineral leases that will be guided by the Superior National Forest's Land Management Plan. Future lease offerings can adequately be evaluated and regulated on a case-by-case basis without invocation of a 20-year withdrawal.

I appreciate the partnership and cooperation displayed by your staff at the BLM Eastern States State Office. If you have any questions regarding this decision, please contact Shawn Olson, Director of Air, Water, Lands, Soils, and Minerals, at (414) 297-3087 or [solson@fs.fed.us](mailto:solson@fs.fed.us).

Sincerely,

KATHLEEN ATKINSON  
Area Director, Northeastern Area and Regional Forester, Eastern Region



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