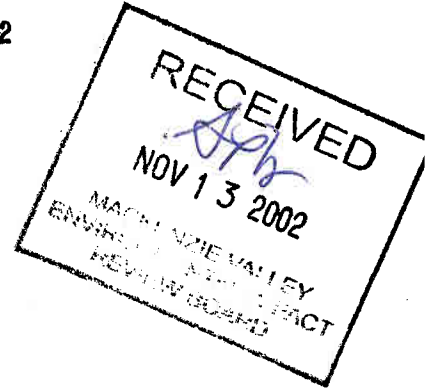




Northwest Territories Resources, Wildlife and Economic Development

FAXED  
Nov 11 2002  
LRS

NOV 01 2002



Mr. Eugene Patterson  
Patterson Sawmills Ltd  
60 PATTERSON ROAD  
HAY RIVER NT X0E 0R4

Dear Mr. Patterson:

**Forest Management Application FA-001834 - TCL Cameron Hills**

This is to advise that the application by Patterson Sawmills Ltd. for Forest Management Application FA-001834 is not approved.

On November 9, 2001, Patterson Sawmills Ltd. was advised that the Forest Management Supervisor was enacting Section 5. (1)(d) of the *Forest Management Act*. This was to allow adequate time to conduct the required preliminary screenings, other required consultations and further study of the application. The Department of Resources, Wildlife and Economic Development is required to consult as outlined in the Deh Cho Interim Measures Agreement with respect to land and resource use and also related to the *Mackenzie Valley Resource Management Act* and *Forest Management Act*.

The necessary consultation with affected communities and First Nation governments has been completed. Information provided through the consultation indicates non-support for the harvesting of timber in the Cameron Hills areas identified in Forest Management Application – FA001834.

In addition to concerns raised through consultation processes, the harvest level requested in the application, of 50,000 m<sup>3</sup> of white spruce sawtimber and 5000 m<sup>3</sup> of mixed wood fuelwood over a five-year period, exceeds the volume of harvest sustainable on the areas identified in the application.

.../2



Under Section 22(1) of the *Forest Management Act*, you have the right to appeal this decision. A Notice of Appeal must be submitted to the Minister within 30 days and must be accompanied by a deposit of \$250.00. If the appeal is accepted, your deposit will be refunded.

Sincerely,



R. P. Bailey  
Forest Management Supervisor  
Assistant Deputy Minister, Operations

c: Mr. Vern Christensen  
Executive Director  
Mackenzie Valley Environmental  
Impact Review Board

Grand Chief Michael Nadli  
Deh Cho First Nations

A/Chief Ronald Bonnetrouge  
De Gah Got'ie Dene Council

Chief Lloyd Chicot  
Ka'a'gee Tu First Nation

Chief Roy Fabian  
K'atlodeeche First Nation

Interim Chief Leon Thomas  
West Point First Nation

**Federal Court of Canada  
Trial Division**



**Section de première instance de  
la Cour fédérale du Canada  
Date: 20021107**

**Docket: T-349-02**

**Vancouver, British Columbia, Thursday, the 7<sup>th</sup> day of November, 2002**

**PRESENT: MR. JOHN A. HARGRAVE, PROTHONOTARY**

**BETWEEN:**

**AKAITCHO TERRITORY DENE FIRST NATIONS,  
DENINU KUE FIRST NATION,  
DETTAH FIRST NATION,  
LUTSEL K'E FIRST NATION  
and NDILO FIRST NATION**

**Applicants**

**and**

**THE MINISTER OF INDIAN  
AND NORTHERN AFFAIRS CANADA  
and PATTERSON SAWMILL LTD.**

**Respondents**

**ORDER**

This consent Order arises out of a case management conference of 1 November, 2002.

The decision conveyed on 31 January, 2002 by the Minister of Indian and Northern Affairs Canada is now of no force or effect as a result of the decision of the Mackenzie Valley Land and Water Board not to grant the Land Use Permit to Patterson Sawmill Ltd. in respect of which the decision was made.

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The application is therefore moot and the application is hereby withdrawn. The hearing scheduled for 14 November, 2002, is cancelled.

The issue of costs as between the Applicants and the Respondent, Minister of Indian and Northern Affairs Canada, is reserved and is to be spoken to by the parties.

(Sgd.) "John A. Hargrave"  
Prothonotary

TOTAL P.05

**Woloshyn & Company**  
BARRISTERS & SOLICITORS

November 5, 2002

Federal Court of Canada  
701 West Georgia Street  
P.O. Box 10065  
V7Y 1B6

FEDERAL COURT OF CANADA  
REC'D  
NOV 6 2002  
COUR FÉDÉRALE DU CANADA  
VANCOUVER, B.C.

Attention: **John A. Hargrave, Prothonotary**

Dear Sir:

RE: **Akaiicho Territory Dene First Nations et al vs. HMTQ**  
**Federal Court Action - #T-349-02**  
**Our File No. 26231.2 - 11**

Further to our case management teleconference call of November 1, 2002, we wish to advise that the Applicants, Akaiicho Territory Dene First Nations and the Respondents, the Minister of Indian and Northern Affairs Canada, have reached a settlement on the above referred to application for judicial review.

The Applicant and Respondent have agreed to enter into a Consent Order in the following terms:

The decision conveyed on January 31, 2002 by the Minister of Indian and Northern Affairs Canada is now of no force or effect as a result of the decision of the Mackenzie Valley Land and Water Board not to grant the Land Use Permit to Patterson Sawmill Ltd. in respect of which the decision was made.

The application is therefore moot and the application is hereby withdrawn.

The issue of costs as between the Applicants and the Respondent, Minister of Indian and Northern Affairs Canada, is reserved and is to be spoken to by the parties.

We trust that you will advise the Court in Toronto that the parties are agreed that the court matter will not proceed on November 14, 2002 as previously scheduled. We understand that no personal appearance by the parties will be required.

We will be in touch with you shortly regarding the issue of costs.

We look forward to receiving a copy of the Consent Order at your earliest convenience.

Please call us if you have any questions with respect to the above matter.

Yours truly,

WOLOSZYK & COMPANY

Per:

JDJ/dml

VIA FAXCOM - (604) 666-8181

cc: Tanya Knobloch

TOTAL P.05