

# Patterson Enterprises Ltd.

Box 979, Mile 16, Hay River  
Northwest Territories, X0E 0R0 0  
Phone (403) 874-6814

U92 H 8 16

RECEIVED  
NORTHERN AFFAIRS  
PROGRAM INAC  
YELLOWKNIFE

Aug 12, 1992

AUG 20 9 35 AM '92

Northern Affairs Program  
Box 1500  
Yellowknife, N.W.T.  
X1A 2R3

Attention: Jim Umpherson,  
Regional Manager  
Land Resources



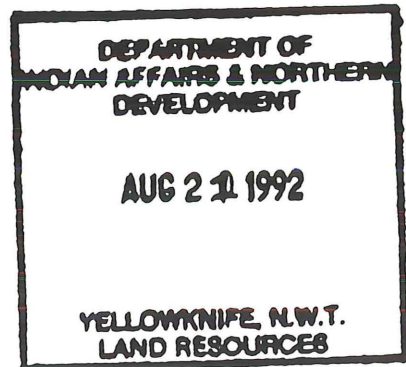
Dear Sir:

Enclosed please find an application for a Land Use Permit. This application will be identical to Permit # 89W176 Km 382. However we would like to include the Magill Lake area as a possible logging site. Access would be by the most direct cut line to the Magill Lake area.

I am unable to obtain #95 H Fort Simpson map, however I have enclosed a vegetation map and a sketch of the campsite.

Yours truly,

Eugene Patterson,  
Manager



Government Library  
Government of N.W.T.  
Logging #  
Yellowknife, N.W.T.  
X1A 2R3



APPLICATION FOR LAND USE PERMIT
DEMANDE DE PERMIS D'UTILISATION DES TERRES

Office use only - Réserve pour usage interne seulement

Table with 6 columns: Application fee, Land use fee, General receipt no., Date, Class - Catégorie, Permit no. - N° de permis

To be completed by all applicants - A remplir par tous les requérants

1. Applicant's name and mailing address (Full name, no initials) - Nom et adresse du ou des requérant (s) (Nom au complet, pas d'initiales)
Patterson Enterprises LTD
PO Box 979
Hay River X0E 0R0
Fax no. - N° de télécopieur: 874 6902
Telephone no. - N° de téléphone: 874 6814
2. Head office address - Adresse du siège social
Same as above
Fax no. - N° de télécopieur
Telephone no. - N° de téléphone
3. Field supervisor - Chef de chantier
Eugene Patterson
Radio telephone - Téléphone-radio
Telephone no. - N° de téléphone: 874 6814
4. Other personnel (Subcontractor, contractors, company staff, etc.) - Autre personnel (Sous-traitants, entrepreneurs, personnel de société, etc.)
unknown at this time
TOTAL:

5. a) Summary of operation (Describe purpose, nature and location of all activities - refer to Section 22 (2) (b) - Territorial Land Use Regulations). (Use last page of form if additional room is required)
Résumé des opérations (exposez le but, la nature ainsi que l'emplacement de toutes les activités - consultez l'article 22 (2) b) - du Règlement sur l'utilisation des terres territoriales). Utilisez la dernière page du formulaire si vous avez besoin d'espace supplémentaire).

Harvest of saw timber various locations
km 350 - 385 north of highway

b) Please indicate if a camp is to be set up (Use last page to provide details).
Indiquez si un camp doit être aménagé (Utilisez la dernière page pour donner des détails).
yes

6. Summary of potential environmental and resource impacts (Describe the effects of the proposed program on land, water, flora & fauna and related socio-economic areas (Use separate pages if necessary)
Résumé des conséquences possibles sur l'environnement et les ressources (décrire les effets du programme proposé sur les terres, l'eau, la flore et la faune et les domaines socio-économiques connexes (Utilisez des pages supplémentaires au besoin)

re-forestation will be by natural or by crews
either as is unknown at this time

7. Proposed restoration plans (please use last page if required) - Plans proposés de remise en état des terres (au besoin, utilisez la dernière page)

restoration as per territorial timber regulations

8. Other rights, licences or permits related to this permit application (mineral claims, timber permits, water licences, etc.)  
Autres droits, autorisations ou permis associés à cette demande de permis (claims miniers, permis de coupe, permis d'exploitation hydraulique, etc.)

Timber Licence 00670

Roads:  Is this to be a pioneered road? Please provide details on back page. La route doit-elle être aménagée? Donnez les détails sur la dernière page.  Has the route been laid out or ground truthed? Le tracé a-t-il été établi et le terrain nivelé?  Has funding been applied for i.e. RTAP? Avez-vous demandé du financement?

9. Proposed disposal methods - Méthodes d'élimination proposées

- a) Garbage: *burned*
- b) Sewage (Sanitary & Grey Water): *dump*
- c) Brush & trees: *burned and buried*
- d) Overburden (Organic soils, waste material, etc.): *Terrain de recouvrement (Dépôts organiques, déchets, etc.)*

10. Equipment (Includes drills, pumps, etc.) (Please use last page if required)  
Matériel (comprend foreuses, pompes, etc.) (Utilisez la dernière page au besoin)

Type & Number - Type et nombre	Size - Dimension	Proposed use - Utilisation proposée
<i>2 skidders</i>		
<i>Tractor D6D</i>		
<i>1 log loader</i>		
<i>1 skid mill &amp; report</i>		
<i>equipment</i>		

Fuels - Combustibles	(✓)	Number of containers - Nombre de réservoirs	Capacity of containers - Capacité des réservoirs
• Diesel	✓	1	1000 gal
• Gasoline - Essence			
• Aviation Fuel - Carburant aviation			
• Propane	✓	1	(Camp use)
• Other			

12. Containment fuel spill contingency plans (Please attach separate contingency plan if necessary)  
Plans d'urgence d'isolement de carburant en cas de déversement (veuillez joindre un plan d'urgence distinct au besoin)

13. Methods of fuel transfer (To other tanks, vehicles, etc.) - Méthodes de transfert des combustibles (vers d'autres réservoirs, véhicules, etc.)

14. Period of operation (includes time to cover all phases of project work applied for, including restoration)  
 Période d'opération (comprend toute période du début à la fin des projets, y compris la remise en état)

*year round;*  
*logging most in winter, saw lumber in summer*

15. Period of permit (up to two years, with maximum of one year extension)  
 Période du permis (valable pour une durée de deux ans et prolongation maximale d'un an)

Start date - Date du début du projet

*Mar 1972*

Completion date - Date d'achèvement

*Nov 1974*

16. Location of activities by map co-ordinates (attached maps and sketches)  
 Emplacement des activités selon les coordonnées géographiques (cartes et esquisses ci-jointes)

MN Lat Deg	MN Lat Min	MAX Lat Deg	MAX Lat Min
MN Long Deg	MN Long Min	MAX Long Deg	MAX Long Min

Map Sheet No  
 N° de feuille de carte

*954 Hart Simpson*

17. Applicant - Requérent

Print name in full - Écrire votre nom au complet en lettres moulées

*Eugene Patterson*

*Eugene Patterson*  
 Signature

Date

18. Fees - Droits

Class A \$ 20.00

Class B \$ 10.00

Land use fees

Droits d'utilisation des terres

*10*

Hectare @ \$ 20.00 =

\$ *160*

Hectare @ \$ 12.00 =

\$

(Above 65 N - au-dessus de 65)

Total application and land use fees

Total des droits de demande de permis et d'utilisation des terres

\$ *160*

**Office use only - Réserve pour usage interne seulement**

19. Calculation of area involved (includes access, staging areas, airstrips, campsites, etc.)

Calcul des aires en cause (comprend l'accès, les aires de transit, les pistes d'atterrissage, les camps, etc.)

Total area (Ha)  
 Superficie totale

Less 2 hectares  
 Moins 2 hectares (- 2)

TOTAL (For fee calculation)  
 (aux fins du calcul des droits)

20. Application checklist - Vérification de la demande

a)  Application signed and dated  
 Demande signée et datée

f)  Timber permit applied for  
 Permis de coupe du bois demandé

b)  Fees attached  
 Droits ci-joints

g)  Fees attached  
 Droits ci-joints

c)  Map included  
 Carte incluse

h)  Lease applied for  
 Bail demandé

d)  Address and telephone number  
 Adresse et numéro de téléphone

e)  Screening report  
 Rapport d'examen

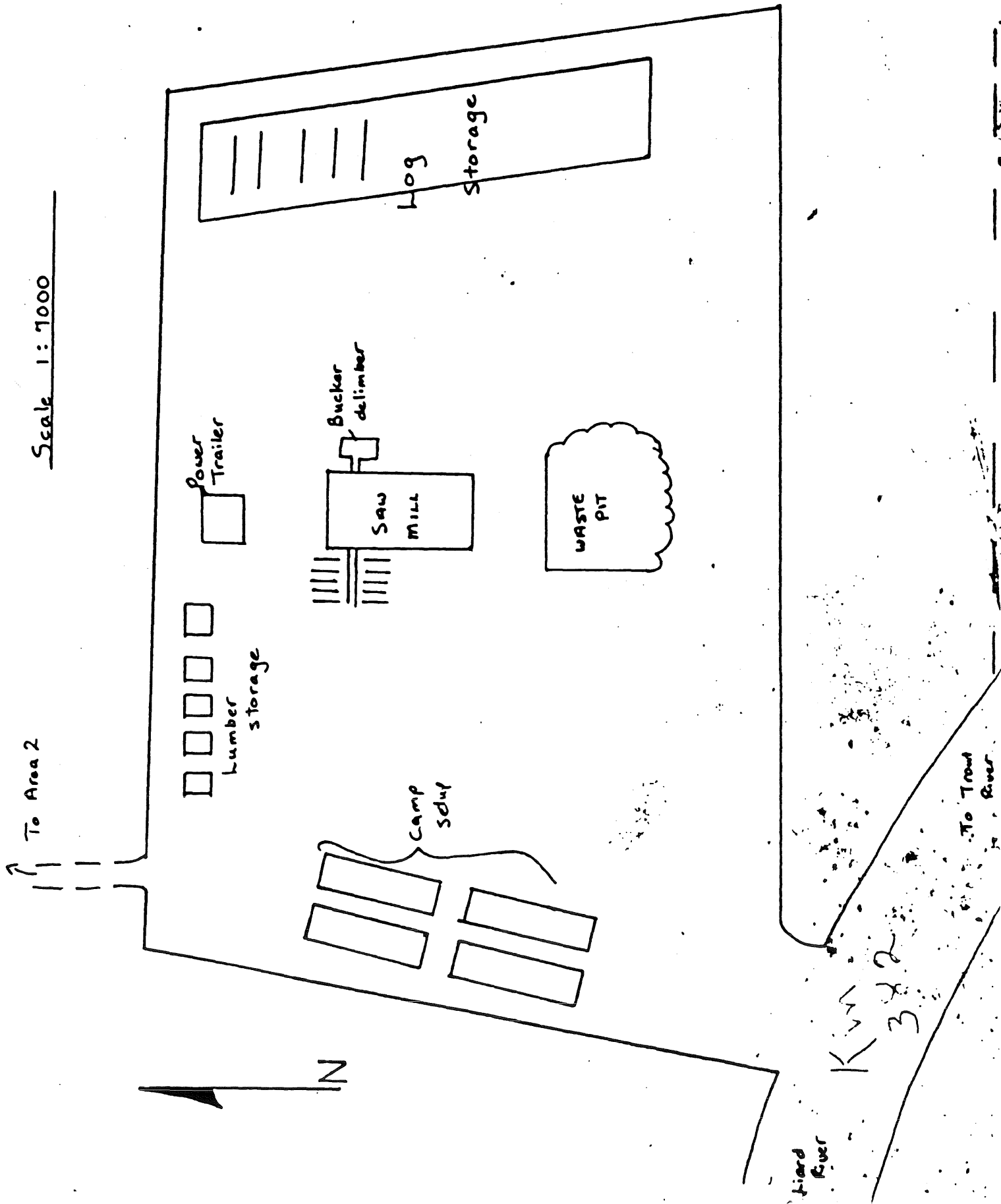
Accepted by - Acceptée par

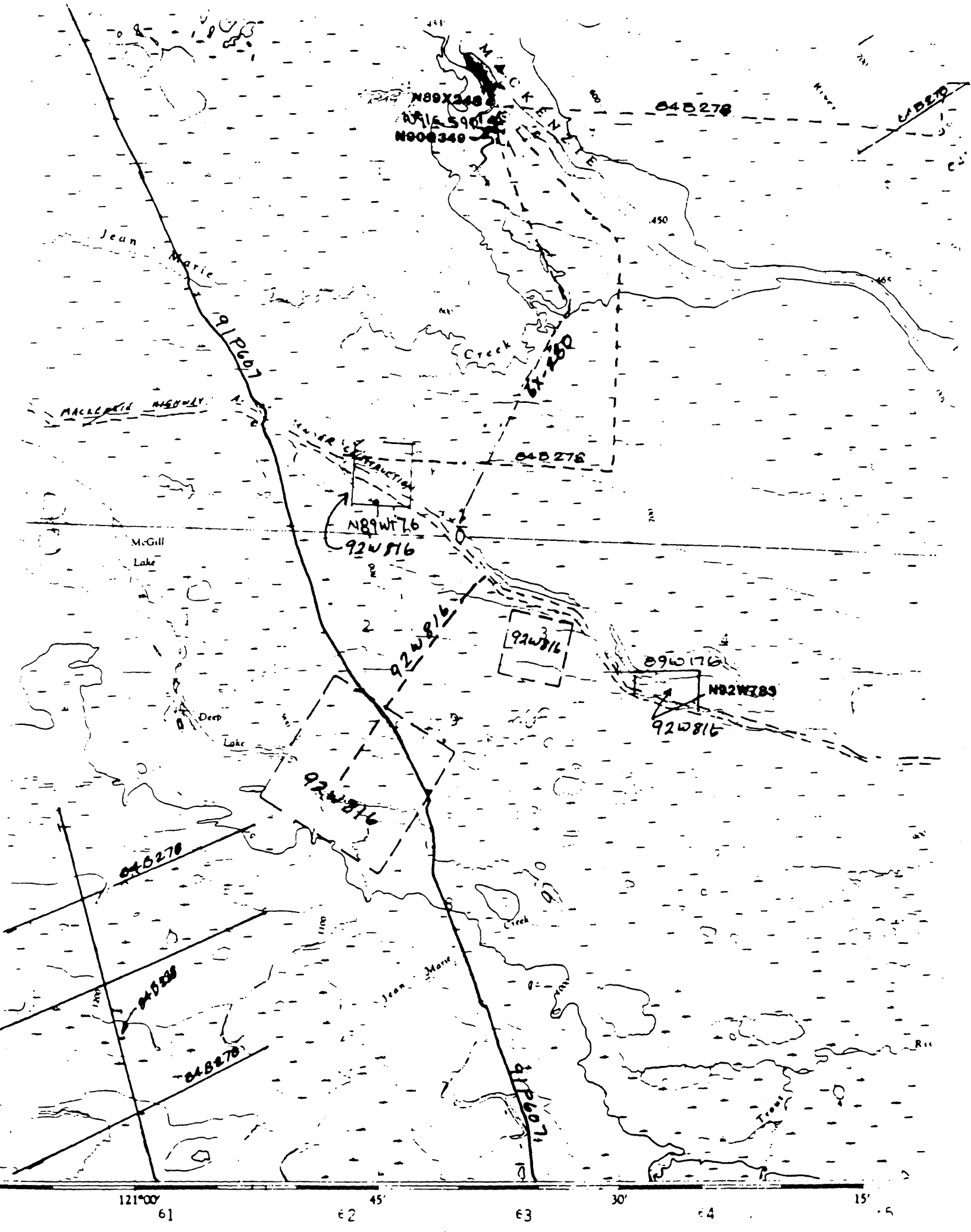
Date

Remarks - Remarques

Patterson Enterprises Millsite - Area 2

Scale 1:1000





N89X348  
N916590  
N908340

04B278

04B270

Jean Marie

91P607

MACKENZIE MOUNTAIN

Creek

92W850

SEWER CONSTRUCTION

04B278

McGill Lake

N89W76  
92W816

Deep Lake

92W816

92W816

92W816

N82W789

92W816

92W816

04B278

04B278

04B278

Jean Marie

Creek

91P607

121°00'

61

62

45'

63

30'

64

15'

5

# **FORT SIMPSON DENE COUNCIL**

**BOX 469  
FORT SIMPSON, NWT XOE ONO  
(403) 695-3131 Phone  
(403) 695-2665 Fax**

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**4 September 1992**

**Mr. Trevor Teed  
Dene Nation  
Yellowknife, N.W.T.**

**Dear Mr. Teed;**

**RE: INVESTIGATION OF LOGGING SITE AT KM. 382 MACKENZIE HIGHWAY**

**As per our discussion this morning regarding the above item, I am hereby submitting a formal request to your office for assistance.**

**In brief, Patterson Enterprises has issued an application to carry out a logging operation in the Ekall Lake area. Upon receiving a copy of this application, we spoke with individuals from Jean Marie, a community located very close to this logging site. These individuals indicated that they had some grave concerns regarding the submission of Patterson Enterprises who had previously logged some of this area. Once the work had been completed, various members of Jean Marie went out viewed the logging site and provided us with the following concerns:**

- 1. The logging site was left very dirty.**
- 2. The site was logged without any apparent care for the forest and can be said to have been clear cut.**
- 3. There were trees that could have been salvaged but were not.**
- 4. Trees were not bucked.**
- 5. Trees were hanging across the ravines.**
- 6. Trees and brush that could have been burned were not.**
- 7. The mill site was left in a very messy state.**

**It is because of these concerns that the Fort Simpson Dene Council will not be accepting the enclosed application.**

The people were further concerned because when they had done logging contracts in previous years, they had some very trying experiences with government agencies regarding issues as identified above. We are in agreement that it is not fair when one organization is scrutinized more closely than another, particularly when the Jean Marie people did their best to ensure that the job was done as per the terms of reference.

The First Nations People, as you know, hold a great love and respect for the land and it is doubtful that they would leave a whole section of forest in total disarray. In this light, the Fort Simpson Dene Band is request that your office assist us by coming to Fort Simpson, and with the Chief and two other individuals accompany us to view the site in question. A written submission based on your findings would be of great service in our attempts to discourage companies who have little or no respect for the land to be successful in getting these types of contracts.

I thank you for your attention to our concerns and anticipate a prompt response.

Mahsi Cho



Chief Gerald Antoine  
Fort Simpson Dene Council

cc: B.J.J. Gauthier, District Manager, Fort Simpson  
F.n. Adlem, Lands Resources, Yellowknife



JEAN MARIE RIVER BAND COUNCIL  
JEAN MARIE RIVER, N.W.T.  
XOE ONO

September 9th, 1992

Northern Affairs Program  
Government of Canada  
P.O. Box 150  
Fort Simpson, N.W.T.  
XOE ONO

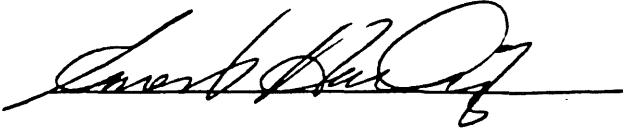
Re: Land Use Permit-Logging Operation  
Patterson Mill Enterprises Ltd.

We the elected Chief and Council of the Jean Marie River Dene Band, strongly oppose the application put forth by Patterson Mill Enterprises Ltd. of Hay River, N.W.T.

Our concerns are:

- 1) This area infringes on the traditional hunting and trapping area of the community;
- 2) We are further not satisfied with the previous logging methods and clean up use by Patterson Mill Enterprises Ltd. in our area;
- 3) We are especially concern about the area near Deep Lake, as it is in the area in which the Jean Marie River headwaters begins. We believe the disruption to this area will be detrimental to fish life in Deep Lake and McGill Lake;
- 4) We strongly believe that these two lakes will eventually become the only two remaining lakes from which the community can harvest fish;
- 5) This area is also an area selected for our land claim settlement.

It is with these concerns that we ask the Department of Northern Affairs Program not to approve the land application put forth by Patterson Mill Enterprises Ltd. of Hay River, N.W.T. dated August 25th, 1992.

A handwritten signature in black ink, appearing to read 'Yvonne Norwegian', written over a horizontal line.

Chief, Ms. Yvonne Norwegian  
Jean Marie River Band Council

cc. Deh Cho Tribal Council  
Fort Simpson Dene Band  
Mr. Jim Antoine, MLA  
Dene Nation, Yellowknife  
Government Leader, Nellie Cournoyeau  
Area Director, Liza Mcpherson



Chronological no. - N° consécutif
File reference no. - N° de référence du dossier
98-001

**BAND COUNCIL RESOLUTION  
RÉSOLUTION DE CONSEIL DE BANDE**

NOTE: The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.  
NOTA: Les mots "des fonds de notre bande" "capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes.

		Cash free balance - Solde disponible		
The council of the Le conseil de	<b>JEAN MARIE RIVER BAND COUNCIL</b>		Capital account Compte capital	\$ _____
	Date of duly convened meeting Date de l'assemblée dument convoquée	D-J M Y-A 0 5   0 9 9   2	Province N.W.T.	Revenue account Compte revenu

DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES:

**PATTERSON SAWMILL ENTERPISE LTD.  
HAY RIVER, N.W.T.**

**WHEREAS:** The Band Council of Jean Marie River has reviewed and discussed the Land Use application,

**And Whereas;** the Chief and Council of the Jean Marie River Band Council, strongly oppose the application for a Land Use Permit, put forth by Patterson Mill Enterprise Ltd. of Hay River, N.W.T.

**And Whereas;** the Chief and Council, has a very strong substantial concern particularly in respect to the traditional hunting and trapping area,

**And Whereas;** it is possible that this matter be looked into as soon as possible.

<p>Quorum _____</p> <p><i>[Signature]</i> (Councillor - Conseiller)</p> <p><i>[Signature]</i> GABRIEL SANGUER (Councillor - Conseiller)</p> <p><i>[Signature]</i> (Councillor - Conseiller)</p>	<p><i>[Signature]</i> (Chief - Chef)</p> <p><i>[Signature]</i> (Councillor - Conseiller)</p> <p>_____ (Councillor - Conseiller)</p> <p>_____ (Councillor - Conseiller)</p> <p>_____ (Councillor - Conseiller)</p>	<p>_____ (Councillor - Conseiller)</p> <p>_____ (Councillor - Conseiller)</p> <p>_____ (Councillor - Conseiller)</p>	
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FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
Expenditure - Dépenses	Authority (Indian Act Section / Autorité (Article de la Loi sur les Indiens)	Source of funds / Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue / Revenu	Expenditure - Dépenses	Authority (Indian Act Section / Autorité (Article de la Loi sur les Indiens)	Source of funds / Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue / Revenu
Recommending officer - Recommandé par			Recommending officer - Recommandé par		
Signature _____ Date _____			Signature _____ Date _____		
Approving officer - Approuvé par			Approving officer - Approuvé par		
Signature _____ Date _____			Signature _____ Date _____		

DEH CHO TRIBAL COUNCIL MEETING  
HAY RIVER  
SEPTEMBER, 9-11TH., 1992

MOTION 92-09-11/17

RE: PATTERSON MILLS LAND USE APPLICATION

1. WHEREAS, Patterson Mills from Hay River is applying for a land use permit to log in the Deep Lake area; and
2. WHEREAS, the Government of the Northwest Territories own Patterson Mills; and
3. WHEREAS, the Northern Affairs Program of the Department of Indian and Northern Development, Government of Canada, issues land use permits; and
4. WHEREAS, the G.N.W.T. is an agent of the Government of Canada; and
5. WHEREAS, Deep Lake is the head waters of the Jean Marie River; and
6. WHEREAS, agreement for monitoring the Ekale Lake operation last year was not kept by G.N.W.T.; and
7. WHEREAS, Patterson Mills has left the lands they logged near Ekale Lake in a seriously damaged state;

THEREFORE BE IT RESOLVED that the Deh Cho Tribal Council hereby opposes the granting of a land use application to Patterson Mills to work in the Deep Lake area; and

BE IT FURTHER RESOLVED that the leader of the government of the Northwest Territories and the public be advised that the Deh Cho Tribal Council hold the position that the Government of Canada is in a position of conflict in issuing a licence to Patterson Mills, since G.N.W.T. owns Patterson Mills; and

BE IT FURTHER RESOLVED that Environment Canada be called in to review the Patterson Mills at Kelly Lake and to provide funds to allow the Deh Cho Tribal Council to assess the environmental and cultural value of the Deep Lake area to the hunting and trapping culture of the Dene from Fort Simpson and Jean Marie River.

MOVED BY: Chief Ralph Sanguet  
SECONDED BY: Chief Lloyd Chichot

VOTE: Carried

DEH CHO TRIBAL COUNCIL MEETING  
HAY RIVER  
SEPTEMBER, 9-11TH., 1992

MOTION 92-09-11/18

RE: LEGAL ACTION VS PATTERSON MILLS

WHEREAS, Patterson Mills has left the Ekale Lake logging area in a devastated state; and

WHEREAS, Environment Canada has a legal responsibility to ensure that environments be protected; and

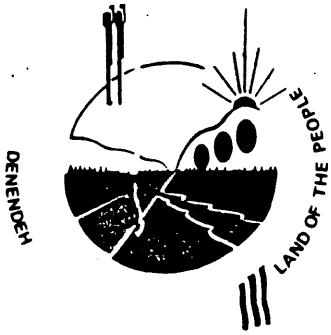
WHEREAS, it is our understanding that Environment Canada has funds to support legal action against environmental abusers;

THEREFORE BE IT RESOLVED that Deh Cho Tribal Council access funds from Environment Canada or other agencies to sue Patterson Mills for environmental damage at Ekale Lake; and

BE IT FURTHER RESOLVED that Deh Cho Tribal Council seek funds to hire local people to clean up the mess left by Patterson Mills at Ekale Lake.

MOVED BY: Chief Ralph Sanguéz  
SECONDED BY: Chief Berna Landry

VOTE: Carried



**DENE NATION**  
**DENENDEH NATIONAL OFFICE**

P.O. Box 2338  
Yellowknife, N.W.T.  
X1A 2P7

Phone: 873-4081  
Fax: 920-2254

September 14, 1992

Jim Umpherson  
Regional Manager  
Land Resources  
Box 1500  
Yellowknife, N.W.T.  
X1A 2R3

Dear Mr. Umpherson:

Re: Land Use Application N92W816  
between 350 - 385 Mackenzie Highway  
Fort Simpson, NT

Dene Nation does not support and strongly apposes Patterson Enterprises Ltd.'s land use application. In consultation with the Fort Simpson Dene Council and the Jean Marie River Band Council our office has learned that the applicant has a very poor history of logging and clean up practices in the area.

The state of Patterson's most recent work site in the area has raised grave concerns regarding the future of the ecosystem in the new application area. The old site was left very dirty, was apparently clear cut, some trees were not salvaged, trees were not bucked, trees were left hanging across ravines, the mill site was left dirty and brush that could have been burned was not.

Jean Marie River Band Council is concerned with the latest application because they know the condition of Patterson's last site. The Band is also concerned that logging in the area of the proposed site may cause damage to Deep Lake, the headwaters of Jean Marie River. Furthermore, they are concerned that the fish populations of Deep Lake and McGill Lake may be detrimentally effected.

The Deh Cho Tribal Council also have grave concerns. The Tribal Council believes the Government of the Northwest Territories owns Patterson Mills and that since the GNWT owns the Mills and GNWT is an agent of the Government of Canada that the Government of Canada is in a position of conflict in issuing a license to Patterson

Mills. The Tribal Council further believes that the agreement for monitoring the Ekale Lake operation last year was not kept by GNWT and that Patterson Mills left the the logged lands at the site in a seriously damaged state and, therefore, should not be issued a new permit.

The Tribal Council also believes that Environment Canada has a legal responsibility to protect the environment and further believes that Environment Canada has funds to support legal action against environmental abusers. The Council will seek funds from Environment Canada and other agencies to Sue Patterson Mills. The Council will also be seeking funds to hire local people to clean up the contractor's mess at Ekale Lake.

The above mentioned concerns and action were acknowledged and action was initiated because the Dene of Jean Marie River still practice traditional gathering in this area. The area is well utilized for hunting and trapping. The people of this area and the people of the region believe that their rights to traditional gathering practices are being interfered with and that their way of life is ultimately being threatened.

Since the Dene of Jean Marie River utilizes this area for traditional hunting and trapping pursuits, which are constitutionally protected treaty rights, logging in this area would be an infringement of these rights and therefore illegal. For instance, in 1989 the British Columbia Court of Appeal granted an injunction in Claxton vs Saanichton Marina Ltd. where logging operations were affecting the constitutionally protected gathering rights of aboriginal people.

This is not the first time Patterson Mills has faced opposition to an application in this region. There were several concerns raised by the region regarding the the lands proposed for logging operations in the past. Then, the region expressed interest in the acquisition of the lands during their turn at land selection during the late Dene/Metis Comprehensive Land Claim. In fact, the Jean Marie River Band Council did regionally identify this area for land selection to their eventual land claim settlement. There are several maps in the Dene Nation Archives that support this position.

The Fort Simpson Dene Council has invited our office to their community to view the site. We feel that you should also attend in person the tour of the old logging site with our agent and a representative of the Band.

The concerns of the Bands and the Tribal Council are of concern for the environment. I have enclosed letters from them to our office and I have included a copy of a Band Council Resolution from Jean

