



Suite 260, 200 Granville Street
Vancouver BC V6C 1S4
T 604 687 0549
F 604 687 2696
www.jfklaw.ca

Blair Feltmate
he/him/his
Associate
C 778 819 3842
E bfeltmate@jfklaw.ca

September 2, 2025

VIA EMAIL

Greenlight@iaac-aeic.gc.ca

Greenlight Electricity Centre Project
Impact Assessment Agency of Canada
1145-9700 Jasper Avenue
Edmonton, Alberta T5J 4C3

**Re: Ermineskin Comments on Summary of Initial Project Description for
the Greenlight Electricity Centre Project (Ref No. 897970)**

We write on behalf of Ermineskin Cree Nation regarding the Greenlight Electricity Centre Project proposed by the Greenlight Electricity Centre Limited Partnership.

We write to provide comment on the Summary of the Initial Project Description submitted by Greenlight as part of the impact assessment conducted by the IAAC.

Ermineskin has not had a full opportunity to prepare a detailed and comprehensive review of the Initial Project Description or the Summary of the Initial Project Description. We provide the below comments to help inform the summary of issues as we conduct a more detailed review to inform the assessment as it proceeds.

Direct and Adverse Impact on Ermineskin Aboriginal and Treaty Rights

The Project is located in the heart of Treaty 6 and within the traditional territory of Ermineskin. As such, we anticipate the Project will have direct and adverse effects on their ability to practice Aboriginal and Treaty rights as was promised upon entering into the Treaty with the Crown in 1877.

We understand that initial engagement activities were undertaken by the proponent. Our client expects the IAAC to consult with the intent and objective of

securing Ermineskin's free, prior, and informed consent to the Project in a manner consistent with the honour of the Crown.

Please see below comments outlining our preliminary list of concerns.

Comments on the Summary of the Initial Project Description

1. Scope of Project Not Clear

The scope of the Project is not clear. At section 9.2, the proponent identifies "ancillary infrastructure that will be constructed and permitted by third-party developers", including: (1) a transmission line; (2) a pipeline; (3) a water connection to the Sturgeon County municipal water supply; (4) ancillary roads and utilities; and (5) telecommunications.

These are critical components of the Project but it appears to be the Proponent's objective to have these reviewed, assessed, and permitted separately. Can the IAAC confirm that this is the case?

If this is accurate, we view this as project-splitting which erroneously segments the Project. Segmenting the Project will diminish the ability for a full assessment of the impacts of the Project. Ermineskin requests that the IAAC look to the full scope of the Project rather than just the electricity generation component. Please confirm.

Further, the role played by carbon capture technology is not adequately described and should be a critical part of any fossil fuel-based electricity generation project.

2. Indigenous Land Use Requires Additional Detail

Although Ermineskin Cree Nation is listed as an Indigenous group identified by IAAC for engagement,¹ section 2.1. of the Summary of the IPD does not acknowledge that Ermineskin may practice rights in the area – as they did for several First Nations and Metis groups.² The Summary of the IPD should be updated to include Ermineskin as a potential land user that practice rights in and around the Project area. It appears the list is going off the Alberta consultation list alone, which is not accurate.

Page 39 (PDF 44) identifies that there are "no sites or structures of historical, archaeological, paleontological, or historical significance on record in the PDA". Field work must be done by individual First Nations to confirm this assessment

¹ Summary of Initial Project Description at p 6 (PDF p 11).

² *Ibid* at p 39 (PDF p 44).

and take steps to preserve and protect Cree artifacts. Alberta's *Listing of Historic Resources* often fails to account for many sites of significant to First Nations.

Furthermore, section 21.1 (Indigenous Land Use) highlights some traditional land use in the area. This is not a comprehensive list and we look forward to working with the IAAC and the Proponent to ensure full visibility into the potential adverse impacts of the power plant and related infrastructure on Ermineskin's Aboriginal and Treaty rights.

3. Removal of Lands for Practice of Treaty Rights Must be Accurately Understood

The Project seeks to transition lands from agriculture purposes to heavy industrial purposes for a period of 40-years. This is a long-term (potentially permanent) removal of viable lands for the practice of Ermineskin's Treaty rights. Today, Ermineskin can use agricultural lands for hunting – all that is required is an agreement with the landowner or tenant. Ermineskin will not be able to hunt on any part of the ~100 hectares if this Project proceeds.

There is minimal land left for Ermineskin to practice its Aboriginal and Treaty rights in the Treaty area and this Project will worsen the scenario (if approved). Impacts to Aboriginal and Treaty rights should be considered as part of the assessment. The Crown must keep in mind its promises to honour the Treaties and not approve Projects that adversely impact Aboriginal and Treaty rights and lead to infringement.

4. Decommissioning Plan Must Form Part of Initial Project Description

The Summary of the IPD gives insufficient detail on the decommissioning plan. In an environment where oil and gas infrastructure (i.e. wells) are being abandoned at an alarming rate and the expected clean up cost is now over one billion dollars, a more detailed plan is required.³ It is not sufficient to say we will address this as we get closer to our 40-year lifespan. Sufficient dollars and plans must be in place well in advance of a decision.

5. Contributions to Climate Change Must be Assessed Against a 'No-Project' Baseline

It is critical that the impacts of the Project are assessed against a 'no project' baseline scenario. At section 23, the Proponent compares the Project to "older,

³ CBC News (Calgary), "Cost to clean up orphan wells in Alberta reaches all-time high" (August 29, 2025) ([online](#))

much less efficient natural gas-fired power generation” in an attempt to minimize the contributions of this Project to greenhouse gas emissions.⁴ It is important to highlight that this Project is not replacing other electricity demand but adding to – this is particularly acute given that the Project is focused on supporting artificial intelligence data centres.

For example:

1. “Electricity produced by the Project will be fed to the Alberta Provincial Grid to meet the electric power requirements of the province and to supply data” [emphasis added];⁵ and
2. “The Province of Alberta is actively seeking \$100 billion of investment in artificial intelligence technology ...”.

The contributions of this fossil-fuel based electricity source to climate change must be considered. First Nations throughout Alberta are at the forefront of climate change driven extreme weather (i.e. forest fire and floods) and Projects that contribute to climate change must be carefully considered.

The Proponent appears to be marketing this project as a low-carbon alternative to dirtier fossil fuels. However, this project will be one of the largest gas-fired power plants in Canada and contribute thousands of tonnes of GHG emissions per year. It also appears to have no detailed planning for carbon capture. This must form a major part of the assessment.

6. Water Use by the Project and the Data Centres it Seeks to Fuel Must be Assessed

Errmineskin is extremely concerned about the volume of water required by this Project and the artificial intelligence data centres it is seeking to attract. All individuals have a human right to water and Treaty 6 First Nations have a constitutionally protected Treaty right to water. Water must be at the forefront of the impact assessment conducted by the IAAC as it will have a direct and adverse impact on Treaty rights and the health of Indigenous people.

The impact assessment must assess how the Project will divert water from First Nations drinking water, agricultural uses, and impact navigable waterways and fish and fish habitat. Alberta’s water supply is not endless and natural gas fired artificial data centres should not be prioritized amidst growing water scarcity.

⁴ Summary of the Initial Project Description at p 43 (PDF p 47).

⁵ *Ibid* at p 1 (PDF p 6).

7. Air Quality Impact to Human Health for Indigenous Peoples

The Project has the potential to adversely impact air quality for many First Nations and Indigenous groups living, and practicing their Aboriginal and Treaty rights, in close proximity. The Project is located in an area of substantial oil and gas facilities, including: refineries, power plants, and other infrastructure. The assessment of air quality should look to how this region is adversely impacting the human health of local Indigenous peoples, including Ermineskin members, as part of an overall cumulative air quality assessment.

8. Biodiversity Cannot be Overlooked and Assessment Must Accord with International Commitments

Ermineskin is concerned about continued degradation of the biodiversity in the Project area – and the region. Project assessment should be done in light of Canada’s commitments to preserve and protect biodiversity. For example, In 2022, Canada, along with 195 other countries, adopted the [Kunming-Montréal Global Biodiversity Framework](#) (KMGBF) at COP15. This Project must be assessed in light of the internal framework, which endeavours “to halt and reverse biodiversity loss by 2030 and puts nature on a path to recovery by 2050”.⁶

Biodiversity is critical to Ermineskin’s obligations as stewards of their lands and is a prime contributor to healthy hunting, fishing, trapping, and gathering of plants and medicines – critical components of Aboriginal and Treaty rights.

9. Economic Benefits to Indigenous Peoples Must be Made Real and Tangible

The Proponent highlights that the Project will create “more than 40 direct, long-term skilled jobs once operations commence” and then states that these “well-paying jobs” will “benefit the local and Indigenous communities”. If this Project proceeds, it is critical that Indigenous peoples benefit. This is a critical issue that should be addressed as the Project proceeds through the assessment.

Ermineskin harvesters are often hired to hunt by landowners as a means to preserve and protect crops. Shifting land from agricultural to industrial will remove these opportunities and should be assessed, addressed, and accommodated.

Concluding Remarks

We thank you for your consideration of the above comments and your inclusion of them in the Summary of Issues document to be prepared. Ermineskin is open and

⁶ Government of Canada, “Canada’s 2030 Nature Strategy and the Nature Accountability Bill” (June 18, 2025 ([online](#))).

available to meet with you directly to better describe the areas of interest described above. Please contact myself of Carol Wildcat, Director at Government and Industry Relations at Ermineskin (carol@ermineskin.ca) to discuss further.

JFK Law LLP

Per:

Blair Feltmate

BLF

cc. Carol Wildcat, Ermineskin Cree Nation (carol@ermineskin.ca)