



Lubicon Lake Band No. 453

Box 1351
St. Isidore, Alberta
T0H 3B0
Treaty #8 Territory

January 21, 2026

Impact Assessment Agency of Canada (IAAC)

Via email: Mihta-Askiy@iaac-aeic.gc.ca

Subject: Mihta Askiy Data Center Project (IAAC Ref. No. 90036)

To whom it may concern,

On behalf of Lubicon Lake Band No. 453, we write to express our initial concerns and observations regarding the proposed Mihta Askiy Data Center Project by Cree Ative Datacenter Corp GP. The proposed project is located within the Territory of Lubicon Lake Band No. 453, an area that holds profound cultural, spiritual, and subsistence significance to our people. Our members have relied on these lands and waters since time immemorial for hunting, fishing, trapping, gathering, travel, ceremony, and other cultural practices. The Project area and its surrounding landscapes remain integral to the exercise of our Aboriginal and Treaty rights and to the continuation of our way of life.

We emphasize that any proposed development within our Territory must respect our Aboriginal and Treaty rights as recognized and affirmed under Section 35 of the Constitution Act, 1982. The Mihta Askiy Data Center Project has the potential to significantly impact these rights. At this early stage, we are concerned that the scale, nature, and long-term implications of the Project are being understated, particularly through framing the development primarily as a “data centre,” rather than as a large-scale fossil fuel–based power generation project with extensive environmental and rights-based implications.

Federal Impact Assessment Required

Lubicon Lake Band No. 453 is of the firm view that this Project must be subject to a full federal impact assessment under the Impact Assessment Act, and should not be deferred to, or primarily assessed through, a provincial regulatory process. The Project involves the construction and operation of a 650-megawatt natural gas–fired power generation facility,

transmission lines, and pipelines intended to support energy-intensive data centre operations. The scale of this proposed energy infrastructure, its greenhouse gas emissions profile, its potential impacts on Indigenous rights, and its contribution to cumulative effects in an already heavily industrialized region clearly warrant federal oversight.

Consultation and Capacity Concerns

We are also concerned by the rushed timelines imposed for providing comments on the Summary of the Initial Project Description. As with other major projects in our Territory, comments are being requested prior to the allocation of participant funding. This approach is inconsistent with the principles of meaningful consultation and undermines our ability to engage effectively at this critical early stage.

1. Impacts to Rights and Land Use

- The proposed Mihta Askiy Data Center Project is located within an area actively used by Lubicon Lake Band No. 453 members for hunting, fishing, trapping, gathering, travel, and cultural activities. These land uses are ongoing and form a critical part of our food systems, cultural transmission, and Treaty rights.
- Construction and operation of a large-scale power generation facility and associated infrastructure (including access roads, pipelines, transmission lines, and security setbacks) may restrict access to traditionally used areas, interfere with harvesting activities, and reduce the availability of lands relied upon by our members. Transmission line siting is of particular concern.
- Long-term industrial development in this area risks permanently altering land use patterns by increasing industrial presence, noise, lighting, and traffic, making it more difficult for our members to safely and meaningfully exercise their rights on the land.
- Changes to air quality, land conditions, and wildlife behaviour associated with continuous industrial operations may reduce the abundance and availability of species relied upon for subsistence, directly affecting our ability to hunt, fish, trap, and gather.

2. Impacts to Cultural and Spiritual Sites

- The lands and waters in the Peace River region hold cultural, spiritual, and historical significance to Lubicon Lake Band No. 453. These landscapes are not only places of physical use, but are deeply connected to our identity, teachings, and responsibilities to future generations.
- The introduction of a permanent, energy-intensive industrial facility fundamentally changes the character of the landscape. Industrial infrastructure, security fencing, lighting, and ongoing operations can disrupt culturally important areas and diminish their spiritual and cultural integrity.

- Increased industrial traffic, noise, and continuous activity associated with power generation and data centre operations may further disrupt culturally important areas and wildlife, weakening our cultural connection to the land and reducing opportunities for land-based practices and knowledge transfer.

3. Environmental Impacts and Ecosystem Disruption

- The proposed natural gas-fired power generation facility would produce substantial greenhouse gas and air contaminant emissions over its approximately 30-year operating life. These emissions contribute to climate change, which is already altering ecosystems, wildlife patterns, and the reliability of traditional harvesting practices relied upon by our members.
- The Project will require water withdrawals for cooling and operations, raising concerns about local water availability, water quality, and downstream effects. Any degradation of surface or groundwater quality would directly affect fish, wildlife, and the safety of traditional harvesting.
- The storage and transport of natural gas, fuels, and industrial chemicals introduce risks of spills, leaks, or equipment failure. Even localized incidents could contaminate soils, wetlands, or water bodies relied upon for subsistence and cultural use.
- Construction of the facility and associated infrastructure will result in vegetation clearing, soil disturbance, and habitat fragmentation. These changes can disrupt wildlife movement, reduce habitat quality, and increase predation pressures, with long-term consequences for species relied upon by Lubicon Lake Band No. 453.
- The Peace River region has already experienced extensive and long-term impacts from oil and gas development, forestry, transportation corridors, and other industrial activities. The addition of a large, long-lived power generation facility would further intensify cumulative effects on land, water, wildlife, and Indigenous land use, particularly when considered alongside reasonably foreseeable future development.

We are concerned that the current approach to the Mihta Askiy Data Center Project risks proceeding without the level of federal oversight required for a development of this scale and duration. To date, engagement by the Proponent, Cree Ative Datacenter Corp GP, has been limited and has not demonstrated a process consistent with the principles of Free, Prior, and Informed Consent. Early engagement has not meaningfully involved Lubicon Lake Band No. 453 in discussions related to project siting, alternatives, cumulative effects, or long-term implications for our rights and land use. This lack of early, rights-based engagement undermines our ability to understand and respond to the full scope of potential impacts.

Lubicon Lake Band No. 453 is particularly concerned that reliance on a provincial regulatory pathway would be insufficient to address the Project's impacts on Aboriginal and Treaty rights, cumulative environmental effects, and long-term climate implications. A provincial process is not equipped to assess impacts across multiple Indigenous Nations, to address federal obligations under Section 35 of the Constitution Act, 1982, or to evaluate the Project in the context of Canada's climate and reconciliation commitments. Given the Project's scale, its long operational lifespan, and its role in establishing new fossil fuel-based energy infrastructure, a federal impact assessment is necessary to ensure a comprehensive, transparent, and rights-respecting review.

Assessing this Project outside of a federal impact assessment risks narrowing the scope of review, limiting consideration of alternatives, and failing to fully account for cumulative effects already experienced in the region. Accordingly, the following federal actions are required to ensure the full scope of the Project is assessed, federal responsibilities are upheld, and Indigenous rights and interests are meaningfully addressed:

1. Federal Impact Assessment Requirement:

The Mihta Askiy Data Center Project must be subject to a full federal impact assessment under the Impact Assessment Act and must not be assessed solely through a provincial process. We do not have confidence the Duty to Consult will be honoured adequately in a provincial led process.

2. Extended Timelines and Adequate Funding:

Extend comment timelines and provide participant funding that reflects the scale, complexity, and long-term implications of the Project, allowing for meaningful Indigenous participation.

3. Indigenous-Led Capacity and Knowledge Support:

Provide sufficient resources to support Indigenous-led technical review and a fulsome Indigenous Knowledge and Land Use Study to inform baseline conditions, impact assessment, and accommodation discussions.

Lubicon Lake Band No. 453 remains committed to engaging in good faith and in accordance with our inherent rights and responsibilities. However, meaningful engagement and informed decision-making can only occur through a properly resourced federal assessment process that is capable of addressing the full scope of impacts associated with this Project. We look forward to your response and to clarification regarding the federal assessment pathway for the Mihta Askiy Data Center Project.

Sincerely,

<Original signed by>

Chief Billy Joe Laboucan
Lubicon Lake Band No. 453