



Lac Ste. Anne Métis Community Association

January 26, 2026

Via Email: information@iaac-aeic.gc.ca

**Impact Assessment Agency of Canada
Prairie and Northern Region
Canada Place
1145 – 9700 Jasper Avenue
Edmonton AB T5J 4C3**

Attention: Lee Weiler, Senior Consultation Analyst

**Re: Input on the Initial Project Description for the Beacon AI Centers
Heartland Project**

Please accept these comments on behalf of the Lac Ste. Anne Métis Community Association (“**LSAMCA**”) with respect to the Initial Project Description (“**IPD**”) for the Beacon AI Centers Heartland Project (the “**Project**”) proposed by Heartland Power Generation LP and its general partner, Northbridge Power GPC Inc. (“**Heartland Power**”). The Project would include 200 natural gas reciprocating engine generators organized into modules, exhaust treatment systems, air-cooled radiators, and would have a production capacity of about 920 megawatts to support a new data centre.

In making its decision regarding whether an impact assessment is required under the *Impact Assessment Act*,¹ the Impact Assessment Agency of Canada’s (“**Agency**”) decisions regarding the Project must consider the adverse effects within federal jurisdiction that may be caused by carrying out the Project.² Adverse effects within federal jurisdiction include the following effects on Indigenous peoples:

(e) with respect to the Indigenous peoples of Canada, a non-negligible adverse impact — occurring in Canada and resulting from any change to the environment — on

(i) physical and cultural heritage,

(ii) the current use of lands and resources for traditional purposes, or

¹ SC 2019, c 28, s. 1 [IAA].

² IAA, s 16(2)(b).

(iii) any structure, site or thing that is of historical, archaeological, paleontological or architectural significance;

(f) a non-negligible adverse change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada;³

The Project will be located in an area where LSAMCA members exercise their Métis Aboriginal rights, including Métis rights to use land and resources in LSAMCA's traditional territory. As a result, LSAMCA members' collective Métis Aboriginal rights and interests protected under section 35 of the *Constitution Act, 1982*, current use of lands and resources in the Project area for traditional purposes, and health and social conditions, may be adversely impacted by the Project.

LSAMCA, Lac Ste. Anne Métis community, and Lac Ste. Anne Métis traditional territory

Lac Ste. Anne Métis (“**LSAM**”) is a contemporary rights-bearing Métis community with deep connection to the landscape we have called home for more than two centuries. LSAMCA is a corporate entity designed and incorporated by members of the contemporary LSAM community to represent the Métis Aboriginal rights and interests of the historic and contemporary LSAM community, a Section 35 (*Constitution Act, 1982*) Métis Aboriginal rights-bearing (*Powley*) community. These Métis Aboriginal rights include the rights to hunt, fish, trap and gather for subsistence, medicinal, economic, recreational and cultural purposes. These harvesting rights include activities that are necessarily incidental to the rights to hunt, fish, trap and gather, such as access to traditional trails to travel to preferred harvesting sites.

In September 2022, the Government of Alberta formally recognized that LSAMCA had been successful with its credible assertion application.⁴ In having sufficiently demonstrated a credible assertion of Métis Aboriginal rights through the rigorous process set out by Alberta, LSAMCA has demonstrated that the LSAM community it represents has roots in the identifiable, historic LSAM community.

LSAM's traditional territory includes west-central Alberta, an area where LSAMCA members have Métis Aboriginal rights to harvest the waters and resources for subsistence, medicinal, spiritual, economic, commercial, recreational and cultural purposes, and all activities necessarily incidental to these rights. LSAM's traditional territory includes the lands subject of the Project location and surrounding area. LSAM's traditional territory is therefore on, and directly adjacent to, the Project location.

³ IAA, s 2 (definition of adverse effects within federal jurisdiction).

⁴ Government of Alberta, “Métis organization establishes credible assertion” (29 September 2022), online: <https://www.alberta.ca/release.cfm?xID=8471263626970-A2FD-DF8F-26B346D3257AF65D>.



The meaningful exercise of our members' Métis Aboriginal rights includes, and is not limited to, access to ample and healthy lands and resources where those rights can be exercised. Determining what is 'ample' and 'healthy' entails a complex of interconnected tangible and intangible resources that underlie the meaningful practice of our rights. Such resources include, but are not limited to:

- routes of access and transportation;
- water quality and quantity;
- cultural and spiritual relationships with the land;
- abundant and healthy wildlife in preferred harvesting areas;
- abundant and high-quality berry crops in preferred harvesting areas;
- safe and healthy traditional medicines in preferred harvesting areas;
- the experience of remoteness and solitude on the land;
- clean, pristine and healthy air quality;
- sense of safety and security; and
- lands and resources accessible within constraints of time and cost.

LSAMCA's concerns regarding the Project's adverse effects within federal jurisdiction

The Project area has been heavily impacted by the cumulative effects of industrial development; however, this area remains an essential location for the transmission of LSAM culture and the exercise of our Métis harvesting rights. The Project is expected to cause changes to the environment that may adversely impact LSAMCA members' current use of lands and resources for traditional purposes and may cause adverse changes to LSAMCA members' health and social conditions.

Our LSAM ancestors occupied lands in our traditional territory, including nearby to the North Saskatchewan River and Sturgeon River basins in west central Alberta from the fur trade period in the late 1700s, and used the rivers for transportation, including related to accessing fur trade posts located at the mouth of the Sturgeon River. Our LSAM ancestors also fished for food in the river and its tributaries, and gathered food and medicinal plants along the valleys, forests and parkland nearby. The practice of hunting moose, bison, deer, elk and birds in and around the areas now known as Sturgeon County and Fort Saskatchewan was at one time common place.



The Project is proposed in LSAMCA's traditional territory, where members are entitled to exercise Métis Aboriginal rights. Both historically and at present, LSAMCA members exercised and continue to exercise harvesting and other land-based traditional activities in the Project area. LSAMCA is concerned about Project-related impacts on LSAMCA members' ability to use lands and resources in the Project area and Project-related impacts to health and social conditions of LSAMCA members.

LSAMCA is also concerned that the consultation and engagement on the Project to date does not fulfill the federal Crown's duty to consult. Heartland Power states that the Project is unlikely to cause significant adverse effects to Indigenous land and resource use.⁵ However, the Crown has an obligation to assess the potential impacts of the Project on the rights themselves, separate and distinct from an environmental/impact assessment.⁶

Environmental changes that may adversely impact LSAMCA members' current use of lands and resources for traditional purposes

LSAMCA is concerned that environmental changes due to increased air emissions from the Project will adversely impact LSAMCA members' ability to use land and resources for traditional purposes, including the harvesting of traditional plants in the Project area. We are concerned for the health of our Elders and other members who live and/or exercise harvesting and other land-based traditional activities in the region where the Project is located. We are concerned that LSAMCA members exercising their Métis Aboriginal rights will be exposed to direct and adverse impacts from acute air pollution events caused by the Project's air emissions.

In our view, the increased air quality impacts from the Project will be a significant burden on an ecosystem that is already significantly altered. The increased burden on the ecosystem in the Project area may have adverse effects on plants and wildlife in the Project area, which may in turn negatively impact LSAMCA members' ability to use the lands for traditional purposes.

The environmental changes due to increases in noise as a result of the Project may also impact LSAMCA members' Métis harvesting activities. The Noise Impact Assessment filed with the IPD demonstrates that the cumulative impacts of noise in the area are at or near regulatory limits.⁷ However, noise minimum regulatory standards disregard or inadequately consider Indigenous harvesters and wildlife as receptors as well as cumulative effects. The Noise Impact Assessment did not consider any Indigenous land use or cultural sites as noise receptors. The fact that the Project may meet provincial regulatory standards for noise levels does not preclude the potential for impacts to LSAMCA members' Métis Aboriginal rights, including in relation to traditional land and resource use.

⁵ IPD, PDF page 102.

⁶ *Clyde River (Hamlet) v Petroleum Geo-Services Inc.*, 2017 SCC 40 at para 45.

⁷ IPD Appendices, Appendix C – Noise Impact Assessment, PDF page 278.



LSAMCA also has significant concerns regarding the Project's contribution to cumulative effects on the environment in the Project area. The Project is proposed to be located in the Sturgeon County Industrial Heartland, a region that has experienced significant cumulative effects due to decades of industrial, recreational, agricultural, and residential land use. The Project will contribute significantly to the industrial development in the area, including by adding four data halls with a power requirement of 200 MW each, for a total of 800 MW.⁸ The Project's contribution to cumulative effects of development in the area heightens our concerns regarding the Project's potential to impact LSAMCA members' traditional land and resource use in the Project area. We are concerned that the cumulative effects of development may result in environmental changes to such an extent that it becomes no longer possible for LSAMCA members to meaningfully exercise our Métis Aboriginal rights in the Project area.

Overall, LSAMCA is concerned that the Project may cause both direct and cumulative environmental changes, including through increased noise and air pollution, that may adversely impact LSAMCA members' current use of lands and resources in the Project area. This includes the exercise of LSAMCA members' Métis Aboriginal rights and traditional harvesting activities in the Project area.

Adverse impacts on LSAMCA members' health and social conditions

LSAMCA has significant concerns regarding the potential for non-negligible adverse effects from the Project on the health and social conditions of LSAMCA members who live in the Project area or harvest wildlife and plants in the Project area. Increasing industrial development in the Project area impacts social conditions, including intergenerational impacts, fragmentation of LSAMCA's traditional territory and a lost ability to transmit culture.

For example, the IPD indicates that the Project will generate PM₁₀ and PM_{2.5} emissions and emit combustion by-products such as NO_x, CO, and volatile organic compounds (VOCs).⁹ The Project will add to the significant cumulative air quality concerns in the region, which has the potential to adversely impact LSAMCA members' health and social conditions. The Air Quality Assessment filed with the IPD indicates that maximum predicted PM_{2.5} concentrations of the Project will exceed the relevant Alberta Ambient Air Quality Objective Guidelines.¹⁰ Although the Air Quality Assessment states that the Project itself will contribute small increases above the base case, we are concerned that there is already excessive industrial development around and near the Project area. Further, the fact that the Project may meet certain provincial guidelines does not preclude the possibility of

⁸ IPD, PDF page 8.

⁹ IPD Appendices, Appendix B – Air Quality Assessment, PDF page 151.

¹⁰ IPD Appendices, Appendix A – Consultation Summary, PDF pages 68, 134, Appendix B – Air Quality Assessment, PDF pages 145, 178-180.



adverse health impacts to LSAMCA members. The air quality standards that Heartland Power relies on do not meet Indigenous indicators of health.

LSAMCA is also concerned that there is insufficient information on the record to properly assess the Project's potential adverse health impacts. The Air Quality Assessment indicates that 2015-2019 data was used for the dispersion model.¹¹ It is not clear why updated data was not used. LSAMCA is also concerned with the statement that the most up-to-date air quality data for PM_{2.5} could not be used because the effect of wildfires had not been removed from the most recent data.¹² LSAMCA is concerned that data regarding wildfire smoke has been excluded, given that wildfires have become an unfortunately consistent reality of life in the area and that climate change predictors does not suggest wildfires will decrease.¹³ Further, Alberta (along with much of the rest of Canada) has experienced significant wildfire activity in consecutive years since at least 2023, and therefore wildfire influence on air quality should no longer be viewed as an outlier, particularly given the potential for health impacts.

Further, the IPD indicates that the Project will contribute an estimated 4,401 kilotonnes of CO₂e per year, which is well in excess of the upstream GHG emissions threshold for 2020-2029 outlined in Table 1 of the Strategic Assessment of Climate Change.¹⁴ As a result, Heartland Power must be required to provide an upstream GHG assessment as required in the Strategic Assessment of Climate Change. Heartland Power also does not explain how the Project will achieve net-zero emissions by 2050.¹⁵ Additional information is needed to properly assess the Project's GHG emissions and related impacts on the health and social conditions of LSAMCA members.

In summary, the IPD indicates that the Project may cause adverse effects to health and social conditions of LSAMCA members, including through increased air pollution and fragmentation of land use which will impact our ability to transmit culture. In our view, further study is required to understand the full scope of the potential health and social impacts of the Project, including a complete cumulative effects assessment of the Project.

The federal Crown's duty to consult

The Agency cannot rely on the procedural steps taken by Heartland Power to date to fulfill the federal Crown's duty to consult with respect to potential adverse effects

¹¹ IPD Appendices, Appendix B – Air Quality Assessment, PDF page 169.

¹² IPD, PDF page 40; IPD Appendices, Appendix B – Air Quality Assessment, PDF page 153.

¹³ IPD, PDF page 40.

¹⁴ Government of Canada, "Strategic Assessment of Climate Change" (October 2020), available at:

<https://www.canada.ca/en/services/environment/conservation/assessments/strategic-assessments/climate-change.html>.

¹⁵ IPD, PDF page 104.



within federal jurisdiction, including in relation to effects on LSAMCA members' use of lands and resources for traditional purposes and effects on health and social conditions.

Heartland Power has not meaningfully engaged with LSAMCA regarding the Project. The IPD states that Heartland Power consulted with Indigenous communities on the Project, including LSAMCA.¹⁶ In the Participant Involvement Program (“**PIP**”) Summary, Heartland Power states that it engaged “early and often” in the planning and development stages of the Project and that it made “reasonable efforts to accommodate the needs and concerns of the Indigenous Communities and Stakeholders in the final Project design”.¹⁷ Heartland Power states that it sent an information package to Indigenous groups on November 14, 2025 that included a cover letter, open house invitation, Project mapping, and an Alberta Utilities Commission brochure.¹⁸

Heartland Power states that it is confident that the PIP succeeded by ensuring that Indigenous communities have been notified of the project, have been given ample opportunity to provide input and feedback, and have been provided with follow up information and proposed mitigative measures.¹⁹

It is not clear how Heartland Power's engagement with LSAMCA to date could be considered substantive and meaningful when little information about the Project was provided and no capacity funding was offered to allow for proper review. Sending a Project notice does not constitute adequate consultation. The Project notification package did not include any application materials or accompanying studies in respect of the Project.²⁰ Without the application materials, LSAMCA was not provided with sufficient information to comment on potential concerns regarding the Project's potential adverse effects on LSAMCA members' land and resource use for traditional purposes or adverse effects on health and social conditions. Nor was it possible to identify any mitigation measures in advance of Heartland Power filing the IPD. Heartland Power further did not offer any capacity funding to support a review of the application materials and identify potential adverse effects to LSAMCA members as described above. Heartland Power has not met with LSAMCA to discuss concerns regarding the Project and identify potential mitigation measures.

Further, the Alberta Aboriginal Consultation Office has deemed that no consultation is required for the Project.²¹ As a result, no provincial consultation on the Project is required to take place with any Indigenous community.

¹⁶ IPD, PDF pages 14-15.

¹⁷ IPD Appendices, Appendix A – Consultation Summary, PDF page 7.

¹⁸ IPD, PDF page 17; IPD Appendices, Appendix A – Consultation Summary, PDF page 13.

¹⁹ IPD Appendices, Appendix A – Consultation Summary, PDF page 8.

²⁰ IPD Appendices, Appendix A – Consultation Summary, PDF page 60.

²¹ IPD, PDF page 14; IPD Appendices, Appendix A – Consultation Summary, PDF pages 12-13.



Since the constitutional duty to consult will not be fulfilled through provincial regulatory processes, a federal review of the Project under the *IAA* is required in order to consider the adverse effects within federal jurisdiction in relation to Indigenous peoples. Where a proposed Project may have adverse effects on areas of federal jurisdiction, and when there is evidence that provincial regulatory processes are incapable of assessing and accommodating impacts to Aboriginal rights, the federal Crown has a legal obligation to ensure meaningful consultation occurs. The Project is expected to have adverse effects within federal jurisdiction and has triggered the federal Crown's duty to consult LSAMCA.

In summary, given the potential adverse impacts on land and resource use, and health and social conditions of LSAMCA members, LSAMCA is of the view that the planning phase ought to continue and an impact assessment under the *IAA* is required. Federal review during the planning phase and impact assessment phase will provide a process by which impacts to LSAMCA's constitutionally protected Métis Aboriginal rights will be assessed and may be accommodated.

Sincerely,
<Original signed by>

Tracy L. Friedel, PhD
President

