

## Federal Authority Advice Record (FAAR)

**FAAR Response must be submitted by January 22, 2026**

Mihta Askiy Data Center Project – Cree Ative Datacenter Corp GP

Registry File: 90036

Department/Agency	ISC
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1. Will your department or agency exercise a **power, perform a duty or function**, or provide **financial assistance**, related to the project to enable it to be carried out in whole or in part?

**Indigenous Services Canada will not exercise power, duty, or function relative to the project. It does not foresee providing any financial assistance enabling the project.**

As relevant,

- a) Specify the power, duty or function, or financial assistance, and the likelihood that it will be required to construct the project, based on the Initial Project Description, as either Required, Potential, Likely, Unlikely or Not Required
  - b) Describe any associated Indigenous or public consultation, including timelines
  - c) Describe any associated information requirements (e.g., alternative means assessment, habitat offsetting), and specify those that may be coordinated with the impact assessment process, if an impact assessment is required
  - d) Identify any associated project-specific guidance or issues of which the proponent should be aware, or information the proponent should provide
  - e) Indicate whether your department or agency has identified any power that it will not be exercising or may not be able to exercise to allow the project to be carried out, in whole or in part.
2. **Using Table 1**, identify project- and context- specific **key issues**, based on the expertise within your mandate<sup>1</sup> and the information in your possession, including the Initial Project Description, any exchanges with the proponent or others related to the project and known means to address the effects of the project. For each key issue:
    - a) Specify the key issue (e.g., specific species and location)
    - b) Specify the project component or activity linked to the key issue
    - c) Explain why it's a key issue based on:
      - i. biophysical effect pathway(s) from the specific project component or activity
      - ii. concern unique to the project or a priority within your mandate
      - iii. the issue being material<sup>2</sup> to decision making under the *Impact Assessment Act*
    - d) Identify how the issue could be resolved, including through means other than an impact assessment
    - e) Identify additional information the proponent could provide including to give confidence on how the issue can be addressed through other means.

Jan Triska, Environmental Management  
Officer

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Name and title of Departmental /  
Agency Responder

<sup>1</sup> Refer to the [Memoranda of Understanding with IAAC](#).

<sup>2</sup> An issue is material to decision making if its analysis is anticipated to affect the conclusions on (1) whether adverse effects within federal jurisdiction or direct and incidental adverse effects (collectively adverse federal effects) are likely not significant, or of low, medium or high significance; (2) appropriate mitigation measures for significant adverse federal effects; or (3) justification in the public interest.

January 22, 2026

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Date

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**Preamble:**

The IPD provides insufficient information of meaningful engagement with Indigenous Nations and communities. It seems that limited engagement thus far is limiting the proponent's ability to identify and address potential impacts on health and social determinants of health. The IPD includes direction from IAAC for the proponent to engage with additional Indigenous communities; however, it is unclear if this has occurred. The absence of engagement results restricts understanding of community-specific concerns and biophysical pathways. Additional outreach may also be required for downstream Nations if the Peace River is used as a water source. The IPD further lacks essential demographic, health, social, and economic baseline information needed to assess potential adverse impacts or cumulative effects on Indigenous communities. There is a need for a clearer engagement strategy, more robust baseline data, and a fuller examination of potential health, social, and economic impacts the project may have on Indigenous Nations and communities.

**Table 1: Key Issues to inform the impact assessment process**

This table should outline key issues to inform the impact assessment process, including whether an impact assessment is required and, if so, the scope of the assessment and tailoring of the Tailored Impact Statement Guidelines.

Key issues are the major concerns directly related to a project component or activity, the analysis of which is anticipated to be material to decision-making under the *Impact Assessment Act*.

Federal authorities' advice should be guided by the identification and resolution of key issues. If an impact assessment is required, it will be focused on key issues.

Comment ID	a) Key issue	b) Project component or activity	c)(i) Biophysical effect pathway(s)	c)(ii) Concern unique to the project or a priority within your mandate	c)(iii) Material to federal decision-making	d) Means for issue resolution	e) Additional information from the proponent
<p>Identify comments by organization and comment number.</p> <p>e.g.: IAAC-01</p>	<p>Specify the key issue (e.g., specific species and location).</p>	<p>Identify the project component or activity linked to the key issue.</p> <p>Be specific about the nature, scale, novelty and complexity or the component or activity.</p>	<p>Identify the specific biophysical effect pathway between the project component or activity and the affected environmental or human receptor (including Indigenous Peoples).</p>	<p>Describe why it's a key issue within the mandate of your department or agency, including in terms of priorities of the federal government and in terms of anticipated likelihood, severity or uncertainty of effects.</p> <p>Identify if the key issue is common for projects of this nature or in this sector, or whether it's unique to this project due to its complexity, size or novelty; a sensitive or rare receiving environment; and/or proximity of sensitive environmental or human receptors (including Indigenous Peoples).</p>	<p>Describe why the key issue is material to decision-making as either:</p> <ul style="list-style-type: none"> <li>an adverse effect within federal jurisdiction, or a direct or incidental adverse effect, that may be significant based on available evidence including: <ul style="list-style-type: none"> <li>federal experts' knowledge and experience with past project assessments;</li> <li>presence of sensitive species, habitats or human receptors (including Indigenous Peoples);</li> <li>novel or complex project activities, components or technologies;</li> <li>high uncertainties in effects or in the effectiveness of mitigation measures;</li> <li>unknown or unproven mitigation; or</li> </ul> </li> <li>a factor for the justification in the public interest anticipated to be material to decision-making such as a likely positive effect contributing to sustainability, to Canada's environmental obligations or climate change commitments or in supporting governmental priorities, such as reconciliation with Indigenous Peoples.</li> </ul>	<p>Describe how the key issue could be resolved or addressed by:</p> <ul style="list-style-type: none"> <li>Any means, including powers, duties, functions, frameworks, policies or guidance that your department or agency has;</li> <li>Any means, including powers, duties, functions, frameworks, policies or guidance from another jurisdiction, including the province;</li> <li>Common, proven, well-understood or standard mitigation measures to mitigate the effect or effect pathway(s); or</li> <li>Commitments made by the proponent (e.g., in the Initial Project Description).</li> </ul>	<p>Describe information the proponent can provide, or commitments the proponent can make, in their Response to the Summary of Issues that would provide confidence that the issue can be resolved by existing means.</p> <p>Consider whether information, studies, analyses or collaborative work with other authorities would be required to address the issue beyond existing means.</p>
ISC-01	Water quantity in the Peace River.	Section 2.3.1.2 Construction and Operations indicates that the initial Project water demands are up to 5000 m <sup>3</sup> /day. It is also stated that makeup water would	The use of water from the Peace River for project operation will result in changes to surface water quantity. This may result in impacts to Indigenous	Section 1.4.1 of the IPD identifies water usage as a topic of interest for Indigenous groups that have been engaged on the project.  The availability of water for use by downstream Indigenous communities has direct implications	The Peace River is a water source for downstream Indigenous use including a source for domestic water for Indigenous communities. For example, Tall Cree First Nation and the Little Red River Cree Nations of Fox Lake and Garden River currently source their drinking	A flow assessment on the peace river to understand historical, current, and predicted changes to the Peace River would allow for consideration of impacts of the project on downstream use. The assessment should include inclusion of reasonably foreseeable	The following should be provided:  1) A flow assessment of the Peace River that considers historical, current and predicted changes to the Peace

		be sourced from the Peace River however the makeup water needs are not clear but stated to be the same or less than the initial water requirement.	communities downstream.	to ISC mandate. ISC has a mandate that includes ensuring sustainable access to safe drinking water. This includes investing in water and wastewater infrastructure, keeping water systems running and properly staffed, and supporting First Nations' control of water delivery <sup>3</sup> .  ISC has concerns surrounding safe access, and emergency management for downstream First Nation Communities.	water directly from the Peace River. Furthermore, First Nations in Canada are disproportionately affected by a lack of access to clean and safe drinking water. Ensuring <i>sustainable</i> access to safe drinking water for First Nations is an important part of Canada's reconciliation with Indigenous Peoples.  Water quantity in the Peace River is also necessary for transportation and community emergency management. Fox Lake relies on a barge across the Peace River for access and egress and these concerns are increasing due to a changing climate and the frequency and intensity of severe weather and events like wildfires. Recently, flows in the Peace River have dropped to a point in which the barge to Fox Lake (its only road access) has been unable to operate for periods of time. Additional water withdrawals may exacerbate these issues.  The issue of water quantity in the Peace River is specific to this project due to project type and location. Data centres can have high intensity water consumption (5000 m <sup>3</sup> /day for this project) There is currently significant use and regulation of the Peace River as well as potential future demands that are currently under consideration such as the Peace River Nuclear Power Project (Registry Reference Number: 89430).  The past issuance of a water license by the Province of Alberta does not preclude potential impacts to Indigenous Peoples downstream of the Project.	project in the area.  The IPD provides high level information surrounding the projects water demands and source in section 2.3.2.1. Section 2.6 of the IPD indicates that no other alternative means for the project are being considered. However, this was specific to the use of the utilization of the brownfield site and does not consider alternative water sources or technologies to meet its cooling requirements. The IPD indicates the use of evaporative cooling for the power plant and closed loop cooling for the data centre using water sourced from the Peace River. It is not clear if other cooling technologies were considered to improve the long term sustainability of the Peace River and downstream use by Indigenous Peoples. The proponent could consider alternative means (technologies, processes) to reduce overall water needs of the Project or evaluate alternative sources of water such as non-potable groundwater sources to address concerns surrounding water quantity in the Peace River.	River such that potential impacts of the Project downstream users can be assessed. The assessment should include reasonably foreseeable projects in the area. If actual daily water demands of the project are not known, a worst case scenario should be applied, and;  2) The consideration of alternative means to the project water usage should be provided. The alternative means assessment should include the consideration of alternative water sources and alternative technologies that could reduce water needs as well as a description as to why the current water source and usage needs were determined.
ISC-02	Potential effects to food security of the Indigenous communities, caused by potential impacts on water quantity in Peace River, on fish populations and fish	Water withdrawal of up to 5,000m <sup>3</sup> per day from the Peace River to support power plant operations, along with any project activities that may influence	Changes to water levels may affect fish populations through direct mortality (fish being trapped by intake structures, smaller organisms dying in the	Potential impacts to First Nations access to fish for consumption and cultural connection can have a negative impact on the health of a Nation, which is directly linked to the mandate of ISC. ISC is responsible	The potential impacts to downstream Indigenous Nations' access to a healthy fish population is material to federal decision-making, as it can affect the food security of Indigenous Peoples' and communities.	There is insufficient information on how the water for this project will be sourced (e.g., direct to the plant, connection to the municipal water system, etc.). In order to remedy this lack, the proponent must provide information on how	Additional information from the proponent on how the project may affect water levels is essential to understanding potential risks of the

<sup>3</sup> Refer to: [Ending long-term drinking water advisories](#)

	habitat (in the Peace River system).	water levels with an ultimate impact to food security via fish population and habitat.	process due to heat, pressure and mechanical stress), habitat degradation (reduced water flow, sudden changes in water levels leaving fish trapped), and the disruption of fish life cycles. Decrease in fish populations can lead to decreased food security for Indigenous Peoples.	for supporting the health, safety, and well-being of Indigenous Peoples.	<p>These effects may be significant given the reliance of downstream Indigenous Nations on fish as a significant part of their communities' consumption of traditional foods. According to the <a href="#">First Nations Food, Nutrition and Environment Study</a>, 46% of the Boreal Plains community members consume fish as an important part of their diet, with a heavy consumer consuming 40grams of fish daily.</p> <p>There is uncertainty of how the project may alter water levels. These uncertainties, together with the potential consequences for drinking water impacts and emergency access highlight the importance of careful consideration by the proponent. The proponent should fully examine these risks and meaningfully engage with all potentially affected Indigenous Nations to better understand the potential implications for their health, safety, and access to essential services.</p>	the project will source water and, importantly, provide clarity on where the water will be sourced from. Information should be provided on how this may affect food security via impacted fish populations and habitats. The proponent must consider how the project may impact First Nations communities who use the Peace River as a means of sustenance through fishing and cultural practices.	project in relation to food security via impacted fish population and habitat. In addition, through meaningful engagement with impacted Indigenous Nations, the proponent should work with the impacted Indigenous Nations to determine appropriate, culturally safe and respectful mitigation measures for potential impacts to the fish population.
ISC-03	Effects on water quality and water quantity	Information on water removal, associated infrastructure and potential in-stream works should be available and more developed.	<p>Changes to water volume, water flows and water quality create effect pathways relative to potential impacts on fish, fish habitat and wildlife, as well as potential implications for human usage of water, for a variety of purposes, including water availability in Indigenous communities.</p>	<p>ISC is responsible for supporting the health, safety, and well-being of Indigenous Peoples. Indigenous Services Canada is not able to fully assess potential impacts relevant to its mandate without additional clarity surrounding the associated activities surrounding water source, usage, and associated infrastructure required for the Project.</p> <p>The Peace River is a water source for downstream Indigenous use including a source for domestic water for Indigenous communities.</p> <p>For example, Tall Cree First Nation and the Little Red River Cree Nations of Fox Lake and Garden River currently source their drinking water directly from the Peace River. Furthermore, First Nations in Canada are disproportionately affected by a lack of access to clean and safe drinking water. Ensuring sustainable access to safe drinking water for First Nations is an important part of Canada's</p>	<p>The source water component of the project is not clear and therefore a gap in the understanding of potential impacts to people and the environment.</p>	As is, the IPD does not provide sufficient information with regards to the physical activities and works that could impact water, fish and fish habitat and wildlife. The proponent should provide additional details surrounding the physical activities necessary for sourcing water for project construction and operation including potential effects pathways and mitigations.	Describe the associated infrastructure required to provide the necessary water for the project. Describe the activities required for the construction and operations of these components and the potential pathways of effects and mitigations to valued components.

				reconciliation with Indigenous Peoples.			
ISC-04	Potential adverse effect of an influx of transient workers, which can reduce community well-being from temporary or permanent population increases and workforce interactions.	The projects construction and operation workforce requirements.	The influx of transient workers and effects of population increases in the resource extraction industry have been well documented. This can create rapid social changes and can be accompanied by racial and sexual violence, substance misuse, crime, and adverse effects on family and home life for Indigenous people. In particular, the National Inquiry on Missing and Murdered Indigenous Women and Girls identified the potential to exacerbate gender-based violence.	ISC is responsible for supporting the health, safety, and well-being of Indigenous Peoples. The influx of transient workers is a known risk factor for gender-based violence towards Indigenous women, girls, and 2SLGBTQI+ people, increased exposure to drugs and alcohol, and an increase in sexually transmitted and blood-borne illnesses.	The IPD notes that the project construction will likely require a larger workforce, but does not provide details on the workforce such as composition, number of expected workers, where the workforce will stay, etc. The IPD states that the influx of workers can cause strain on services and community infrastructure, with a potential for “social tensions” and frames the project as an improvement for economic benefit without highlighting the potential risks to the nearby Indigenous Nations and communities, such as those listed in previous columns. The IPD has insufficient information on the potential effects to community well-being from the population increase and workforce interactions, as such it is difficult to assess and provide input.  Additional efforts to engage with potentially impacted Indigenous Nations and communities should be taken to determine culturally safe and appropriate mitigation measures, including what community supports should be made available to the Indigenous Nations and communities (see column D of ISC-HSS-05).	The proponent should provide details on the workforce such as composition, number of expected workers, where the workforce will stay, etc. The proponent should also meaningfully engage with impacted Indigenous Nations to determine appropriate mitigation measures.  Potential mitigation measures to address the social well-being impacts associated with increases in population include: - Community engagement and communication plans to inform Indigenous communities of project activities, anticipated workforce presence, and to provide mechanisms to raise and address concerns as they arise - Community-led social impact studies that include information on social cohesion, safety and gender-based violence - Health and Safety protocols, including substance use policies and sexual violence prevention measures - Meaningful inclusion of women, girls, and gender diverse individuals in the Impact Assessment planning/consultation including through women’s groups and community-based organizations - Community-led impact studies that examine changes to community resources such as housing, infrastructure, health care, social services, and local works. - Sustainable funding for community wellness programming to address alcohol and substance use including culturally relevant education, prevention, and early intervention supports, as well as holistic programming that integrates mental health services, peer support, recreation, and family-strengthening activities. - Improved access to sexual and reproductive health services, including contraceptives and birth control, for Indigenous women and gender-diverse people	The proponent should include detailed information on the workforce and mitigation measures they can take to promote the health and well-being of Indigenous Peoples.

						<ul style="list-style-type: none"> <li>- Culturally relevant education on sexual health and sexually transmitted and blood borne infections.</li> <li>- Support for safe spaces and shelters for Indigenous women, girls, and gender-diverse people.</li> </ul>	
ISC-05	Potential effects on the economic conditions of Indigenous communities (both adverse and positive)	Information describing job creation – jobs directly created during the construction phase, for example – and the longer term induced economic contributions should be more developed.	A large construction project of this type is bound to create employment, stimulate procurement opportunities and have an economic “ripple effect” in the receiving region, with potential positive effects on income levels within Indigenous communities, as well as generating new opportunities for local, Indigenous-based businesses, along with career-oriented apprenticeships for Indigenous students.	Indigenous Services Canada has a mandate to, among other goals, support and encourage economic development in Indigenous communities, partially as one of the pathways to reconciliation and greater self-determination. The department is also mandated to support closing the existing gap between social and economic conditions for Indigenous populations on reserves, including service availability, and the rest of the Canadian population. As such, the ability to predict positive contributions of a project’s economics is key to understanding the changes to economic and social baselines in Indigenous communities, as well as modelling future needs of the communities.	<p>The IPD notes that the project will have likely positive economic effects on First Nations communities but does not mention which ones. It would be helpful to understand more of the induced economic stimulus within the region, not limited to the Woodland Cree First Nation.</p> <p>(The IPD does state that economic benefits will accrue through “introducing new technology and infrastructure and being Indigenous-led”, and predict the project “contributes to economic diversification and aligns with the global shift toward technology-driven development, while supporting regional social cohesion and Indigenous leadership”. This claim would need to be supported by data.)</p>	The proponent should disclose preliminary job creation estimates or ranges, preferably with a breakdown of construction phase employment and the operational phase employment, and these figures should be related to the known Indigenous workforce in northern Alberta. Doing so can assist the Indigenous communities in fully understanding the project’s positive contributions and situate the project in the wider regional context. (As is, the IPD contains some generalized information in Sections 5.6. and 5.7 that speaks to the potential “adverse changes to the health, social and economic conditions of the Indigenous peoples of Canada” but does not mention potential positive changes in this regard.)	In the Section 5, include known economic statistics, parameters and, if available, economic forecasts regarding project-related job creation, its potential revenue generation and/or other applicable economic contributions, and describe how such economic activity might relate to the First Nations in the area: Woodland Cree FN, Little Red River Cree Nation, Tallboy Cree Nation, Beaver First Nation
ISC-06	Cumulative Effects and climate change.	Air emissions; water use.	<p>Increased release of GHGs, fugitive dust, air pollutants, etc.</p> <p>Changes in water quality.</p>	Indigenous peoples are often disproportionately impacted by the cumulative effects of industrial developments and the impacts of climate change.	<p>While cumulative effects assessments are not required at this stage of the IA process, they are often necessary to understand the full impacts to Indigenous communities from projects.</p> <p>It is necessary for continued engagement with potentially impacted First Nations and Métis groups such that traditional knowledge and experience can be incorporated into assessment of cumulative effects and inform project development in a sustainable manner.</p>	Traditional knowledge and experiences gathered from continued engagement with First Nations and Métis should be incorporated into cumulative effects assessments and the understanding of potential cumulative impacts to Indigenous peoples.	Describe any adaptive management processes that will be used to address cumulative effects in the region that the Project may contribute to. Include how Indigenous groups in the region will be engaged in these processes.

Please insert additional rows as necessary.