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January 13, 2024

Honourable Premier Smith

Dear Premier Smith:

### **Open Letter: Sturgeon Lake Cree Nation Concerns over AI Data Centre in Traditional Territory**

As the Chief of Sturgeon Lake Cree Nation (SLCN), I write to you, Premier, with grave concern over the province's apparent support for a proposed mega project, an Artificial Intelligence (AI) Data Centre, in our territory. At the outset, we respectfully remind the Crown that the provincial government is bound by Treaty No. 8 and the Honour of the Crown in its dealings on our traditional territory.

#### **SLCN Opposition to Greenview Land Transfer**

As the province is aware, the so-called Greenview Industrial Gateway (GIG) includes land that our ancestors agreed to *share* with the Crown in 1899 under Treaty No. 8. Our people have traplines in this area; we rely on the water from the Smoky River; and it is one of the few areas accessible to exercise our way of life, which has been systemically eroded by unmitigated cumulative effects resulting from the provincial government's authorizations of industrial development in our territory. It is for these reasons that our Nation opposed the Greenview Municipality (Greenview) acquiring this land in the first place.

#### **No Notice or Consultation**

Since we opposed this provincial Crown land transfer through the GIG, neither the provincial government nor Greenview have notified SLCN of plans for the land. We pause to state that the Crown in right of Alberta cannot avert its Treaty obligations or the duty to consult by delegating these to a municipality such as Greenview.

Hearing media reports of Carbon Capture Sequestration (CCS) plans, we wrote to Greenview on May 16, 2024 asking for meaningful engagement and consultation; we received no response. We similarly wrote to Minister Rick Wilson to identify the land transfer and the resulting cumulative effects on our ability to exercise our way of life; we received a generic response to contact the province's largely defunct Cumulative Effects Management Agency, who we note has not done any cumulative effects assessments in our area, or any assessments that consider our Inherent and Treaty rights.

Much to our shock, without any prior notice, never mind free prior and informed consent, we learned through press releases, again, in December 2024 about the proposed GIG AI Data Centre which will have massive effects on our water and our land.

In fact, we have received zero consultation from O’Leary Ventures Inc and/or the Greenview Municipality on the proposed use of our traditional territory for this AI Data Centre. We learned about this proposal through a press release.

We have also received zero information from the provincial government about this project. We learned of the provincial government’s support of this proposal –without any consultation with SLCN – through the Premier’s own media statements made jointly with the proponent and from Mr. Kevin O’Leary’s statements on Fox News. Only days before the O’Leary announcement, the provincial government coincidentally released a strategy on the AI Data Centres, which was also done with zero consultation.

### **Information and Clarification Needed**

In this regard, we respectfully ask for clarification of the veracity of the following statements on this project.

First, Mr. O’Leary stated the following on Fox News:

She (Danielle Smith) is very friendly with the Trump administration... She has provided a permit for me for thousands of acres [*inaudible*] 200 trillion cubic feet of natural gas...this is going to be most low-cost energy in America and look it's a huge project. I gotta raise \$70 billion but I'm moving all over the world doing [*sic*] with her and I've been flying [*sic*] every sovereign wealth fund that will take the meeting and we're off to the races...

Source: <https://www.youtube.com/watch?v=yVKxjAQyMTg>

Second, on December 12, 2024, Minister, Nate Glubish, stated that he was working with private investors to navigate the provinces regulatory framework, including as follows:

My concierge team from the Ministry of Technology & Innovation has been working with the O’Leary team for several months to assist in navigating Alberta’s regulatory framework.

Mr. Glubish later refers to the “partnership” with O’Leary Ventures.

Source: <https://www.sherwoodparknews.com/opinion/columnists/kevin-oleary-to-build-worlds-largest-data-centre-in-alberta>)

The following questions arise from these statements:

1. Funding for the AI Data Centre: Mr. O’Leary implies that the Premier travelled with him and that O’Leary and the Premier were meeting with proposed foreign investors (“sovereign wealth funds”): did the Premier travel internationally with Mr. O’Leary in support of this project? If so, who did the Premier meet with and when? We would like to know the nature of the discussions in any such meetings.
2. Alleged Permit: Mr. O’Leary alleges that the Premier gave him a “permit” for 200 acres and, possibly, for 200 trillion cubic feet of natural gas. Did the Premier give

a permit to Mr. O'Leary? If so, we request a copy of the application and the permit and any consultation regarding the issuance of the permit

3. Water Licences: Greenview states that they have water licences, presumably for the Smoky River, which is our water source; is this true? If so, how and when did they acquire water licences? Please provide us with the documentation regarding this licence, including the consultation records.
4. Regulatory applications: We would like to know what applications have been submitted to provincial regulators in relation to this project, including to the Alberta Utility Commission and Alberta Energy Regulator. All projects of this scale require regulatory approvals and, in accordance with the constitution and Treaty No. 8, they require consultation and accommodation with our Nation when they impact or could impact or traditional territory.
5. Advising a private investor: as suggested by Mr. Glubish, we would like to know whether and how the Crown has been advising this proponent on how to navigate the regulatory framework. These statements raise at least the appearance of a conflict of interest.

### **Cease and Desist**

Based on the above, SLCN objects to the provincial government's apparent coordination, behind closed doors and to the exclusion of our Nation, for a massive development on our traditional territory. This coordination is even more troubling, given the Premier's and Mr. O'Leary's favourable statements towards Mr. President elect Trump following his threats to annex Canada. We also note the obvious issues with having foreign investors possibly owning an AI Data Centre.

Please take note that Treaty No. 8 imposes solemn obligations on the Crown, including under international law. We therefore and respectfully ask that the provincial government cease and desist from using our traditional territory in this manner and in coordination with a proponent, without our free, prior and informed consent.

We look forward to a transparent, fulsome and timely response to this request, no later than January 20, 2025 in accordance with the Honour of the Crown.

**Kinanâskomitin,**



**Chief Sheldon Sunshine  
Sturgeon Lake Cree Nation**