

Roadways Land Disposition Policy

Agricultural Crown Land

April 2026

A. Purpose

This policy describes the terms and conditions under which agricultural Crown land is made available to facilitate the widening of existing roadways as well as the development of new roadways.

B. Definitions

- **Agricultural Lessee:** A person or corporation granted the right of occupancy of the surface of the land under a disposition issued by the Ministry of Agriculture (Ministry).
- **Agricultural Permittee:** A person or corporation granted use of vacant agricultural Crown land for a short-term basis.
- **Applicant:** A provincial ministry, agency or rural municipality applying to acquire agricultural Crown land for the widening of existing roadways or the development of new roadways.
- **Roadway:** An existing or proposed public highway, road allowance or right of way that is designed or intended for use by vehicles but does not include a designated trail within the meaning of The *Snowmobile Act* or any other trail or path for which a permit is required.

C. Authority

Subsection 2-16 of The *Provincial Lands Act, 2016*, provides the authority to add or withdraw an area of provincial land from a disposition and prescribe additional circumstances in which a disposition may be amended.

Subsection 3-3.1 of The *Provincial Lands (Agriculture) Regulations* provides the authority to amend a disposition for creation, construction, widening, relocation or closure of, any public improvement or utility that impacts a street, road, lane or roadway, by the Minister of Highways, a city, a municipality or a northern municipality.

D. General

1. Land required for widening statutory road allowances and existing surveyed roads, or the development of new roads which are registered with Information Services Corporation (ISC) will be transferred at no charge, provided that the applicant agrees to the standard conditions outlined by the Ministry in the roadway authorization.
2. The fees associated with the survey and registration of the roadway will be the responsibility of the applicant.
3. The applicant is required to obtain a roadway authorization from the Ministry.

4. The roadway authorization issued by the Ministry constitutes authority for the purposes of registering the roadway parcel with ISC.
5. Government decisions or actions that have the potential to adversely impact the exercise of Aboriginal or Treaty rights, including the pursuit of traditional uses, may trigger the duty to consult. Crown Land Management Branch will assess potential consultation requirements before providing authorization.
6. On rangeland, disruption to the livestock enterprise is to be minimized and access to water must be maintained at all times.

E. Process

1. Land under Agricultural Disposition.
 - a. All agricultural lessees and co-lessees must sign the Consent of Occupant form as an opportunity to identify conditions of entry.
 - b. Should any or all agricultural lessees fail to provide permission, the Ministry may issue the authority to approve the roadway construction or widening. Applicable conditions for both parties will be outlined in the roadway authorization.
 - c. The agricultural lessee will receive a copy of the roadway authorization.
 - d. Once the roadway authorization has been granted and the Ministry receives the approved Plan of Survey from the applicant, the land will be withdrawn from the applicable disposition.
 - e. The Disposition Adjustment Letter to Lessee must be sent to the agricultural lessee within 10 business days following verbal notification of the production state, usage or acreage adjustment.
2. Vacant Crown Land (Unoccupied or under Short-Term Tender Permit)
 - a. All agricultural permittees must sign the Consent of Occupant form as an opportunity to identify conditions of entry.
 - b. Should any or all agricultural permittees fail to provide permission, the Ministry may issue the authority to approve the roadway construction or widening. Applicable conditions for both parties will be outlined in the roadway authorization.
 - c. Once the roadway authorization has been granted and the Ministry receives the approved Plan of Survey from the applicant, the land will be withdrawn from the applicable disposition.
3. Land Under Sale Agreement.
 - a. The applicant will be required to:
 - i. Notify the Ministry during the sales eligibility process if they intend to construct or register a roadway on the applicable land.
 - ii. Provide the Ministry with a copy of the approved Plan of Survey, once completed.
 - The land may be reserved from sale for a period of one year to allow the applicant to survey and register the roadway with ISC.
 - The Ministry may proceed with the sale to the agricultural lessee after the one-year period has elapsed if a survey has not been initiated.
 - iii. Negotiate directly with the purchaser of the land on the land value if the agricultural lessee has returned the signed Price Quote Acceptance to the Ministry.

F. Compensation

1. On occupied agricultural Crown lands, compensation for damage to crops, fences (if not reconstructed at the applicant's expense) and other permanent improvements are to be paid directly to the agricultural lessee or purchaser of the land (under sale agreement) as they occur.
2. On vacant agricultural Crown lands, agricultural permittees will be compensated for damage to crops. Compensation for damage to permanent improvements (e.g., fences) will be paid to the Ministry as owner of those improvements, not the agricultural permittee.

G. Restoration

1. Disturbance for roadway construction that is outside of the surveyed right-of-way will require agricultural lessee consent and the issuance of a Ministry temporary workspace disposition.
 - a. A restoration plan must be submitted to the District Land Management Specialist for approval prior to the disposition being issued.
 - b. If the site is located on rangeland, the restoration plan must be developed in accordance with the Restoration of [*Saskatchewan's Agricultural Crown Rangelands: Guidelines & Procedures for Developers.*](#)
2. The applicant is responsible for contacting the Ministry of Environment to obtain authorization on agricultural Crown lands that:
 - a. Are federally designated as critical habitat under *The Species at Risk Act*;
 - b. Are federally designated under the Species at Risk Act Emergency Order for the Protection of the Greater Sage-Grouse;
 - c. Are provincially designated under *The Wildlife Habitat Protection Act*; and
 - d. Have a Crown Conservation Easement or an Integrated Land Use-Crown Conservation Easement registered on title.
3. The applicant is responsible for paying all costs associated with replacing or restoring any drainage and/or irrigation works affected by roadway construction.
 - a. The applicant must receive approval from the appropriate agency(s) prior to work commencing, e.g., the Conservation and Development Area Authority, Water Security Agency, Ducks Unlimited Canada, etc.

Visit saskatchewan.ca/crownlands for more information or contact your local regional office.