



May 13, 2016

Mr. Lorne Scott  
Public Pastures - Public Interest  
3223 McCallum Avenue  
REGINA SK S4S 0R7

Dear Mr. Scott:

This letter is notification of the final stage of the consultation process that was initiated in 2013 on *The Provincial Lands Act* (Act). At this time, the Government of Saskatchewan is proposing to introduce the amended Act in the upcoming legislative session. The Act provides the legal basis for managing the surface of provincial Crown land, with the administration shared between the Ministry of Agriculture and the Ministry of Environment. Attached is a short discussion document providing some background on the draft Act and the relevant issues.

On June 7, 2013, all stakeholders were notified regarding the potential amendment of *The Provincial Lands Act*. You were provided with an information package and asked to participate in the consultation process. In addition, you were invited to attend any one of three consultation sessions and provided with an opportunity to provide written submissions.

However, as a result of other provincial interests and priorities, Government made a decision to not proceed with the proposal at the time, and you were notified of this on November 5, 2013.

In the interim, all feedback and comments have been considered in developing the proposal, and the following adjustments were made as a result of what we heard:

- Since 2013, amendments in the proposal have focused on ensuring consistency with new legislation and modern legislative drafting principles;

- Expanded and specific regulation making authority for both the Ministry of Environment and Ministry of Agriculture have been identified;
- Draft provisions improve the co-ordination of the authorities and administrative processes shared between the two Ministries assigned responsibility for provincial lands; and,
- The type and categories of dispositions authorized to be granted on provincial lands has been clarified and detailed in the proposed Act, including leases, permits, licenses, easements and other dispositions.

In concluding the consultation process, Government is providing an opportunity to share any additional comments to those you may have provided in 2013. Additional comments will be received until June 3, 2016, at the following mailing or e-mail address:

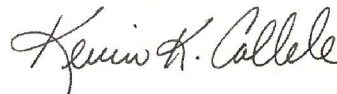
Provincial Lands Act Review  
B5 - 3085 Albert Street  
Regina, SK S4S 0B1  
306-787-5322  
Email: [PLA@gov.sk.ca](mailto:PLA@gov.sk.ca)

Thank you for your participation.

Sincerely,



Wally Hoehn  
Executive Director  
Lands Branch  
Ministry of Agriculture



Kevin Callele  
Acting Executive Director  
Landscape Stewardship Branch  
Ministry of Environment

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# The Provincial Lands Act Amendment Proposal

The Government of Saskatchewan, as represented by the Ministries of Agriculture and Environment, is proposing to update *The Provincial Lands Act (1978)*, and is planning to introduce draft legislation this summer to address deficiencies in the Act, as well as, to improve Crown land administration and client services. The Act is outdated and does not provide for efficient and effective administration of Crown lands to meet client needs and expectations.

## **Background**

Saskatchewan's land base is 161.1 million acres (65.2 million hectares). The Ministry of Agriculture administers approximately 8.5 million acres (3.44 million hectares) of Crown land in southern Saskatchewan. The Ministry of Environment administers 93.2 million acres (37.7 million hectares) of Crown resource land in central and northern Saskatchewan, with some small holdings in the south.

The legal authority for Crown land management by the two Ministries is provided primarily by *The Provincial Lands Act (1978)*, and the associated regulations. This Act has been largely unchanged since 1978, with clauses and language dating back to the 1930's. Portions of the Act are no longer used and, in some cases, are inconsistent with other legislation.

By adopting a new Act, the Government will improve public and client service through:

- Improved clarity and increasing understanding of how provincial Crown lands are administered;
- Consistent land management approaches between the two administering Ministries;
- Consolidation and streamlining to eliminate duplication;
- Land management tools that provide flexibility and allow Ministries to better respond to emerging issues; and,
- Modern enforcement methods to protect Crown lands.

## **Specific Objectives**

*The Provincial Lands Act (2016)* will be structured to enable the Government to administer provincial Crown lands. The proposed legislation will include enabling authority, but not direct specific decisions, set fees or change existing policies in any substantive way. It is proposed that the new Act will contain updated sections for administering the land and its uses, including the authority for disposal of land by sale, lease, permit, license or transfer.

The proposed legislation will also be written in the current enabling drafting style. It will contain enhanced compliance provisions, establish the authority to conduct land-use and management studies, and provide the authority for land-use planning.



## Highlights of *The Provincial Lands Act (2016)* include:

### 1. *Legislative Clarity, Transparency and Efficiency*

- Clarity and transparency for clients and administrators;
- Repealing of provisions that are no longer relevant;
- Development of an enabling framework for specific, detailed requirements to be prescribed in Regulations that are clearly authorized by the Act;
- Introduction of clear processes for the Ministries to respond quickly and efficiently to changing client needs and circumstances, consistent with the Saskatchewan Plan for Growth; and,
- Modern legislative language that will reduce opportunities for misinterpretation.

### 2. *Effective and Efficient Administration*

- Procedures for the sale of Crown land will be enabled, and each Ministry will have the ability to streamline and improve efficiency and to meet high service expectations;
- Flexibility will be permitted in the types of conditions that may be included in agreements such as, the categories of agreements available and new and innovative uses for Crown land;
- Provisions for improved efficiencies of land transfers between Ministries which will help expedite client service;
- Inclusion of *The Ecological Reserves Act* under *The Provincial Lands Act (2016)*, in order to reduce the overall number of Acts administered by Government. All ecological reserves will remain designated and there will be provision to designate new sites on Crown land; and,
- Consolidation of appropriate authorities, adding clarity and efficiency, where multiple authorities currently exist.

### 3. *Land-Use Decisions*

- New, integrated planning tools that will guide land use decisions to allow resolution where multiple interests need to be reconciled; and,
- Flexibility to facilitate all types of dispositions, allowing the administering agency to accommodate appropriate land uses once the overall Government goals for use of the land are considered.

### 4. *Dealing with Inappropriate or Unauthorized Crown Land Use*

- Balancing responsible development with conserving lands containing the most sensitive attributes to fulfil the objective of ensuring Crown land use is authorized and the landscape is managed properly;
- Progressive enforcement processes that begin with education and voluntary compliance elements before moving to enforcement action;
- Clearer and enhanced notification processes that will allow Ministries to proceed with agreement cancellation when necessary and will ensure proper notification is provided to all affected parties; and,
- Modern enforcement orders and administrative penalties that will provide Crown land managers with more timely, yet substantive penalties, where activity can have major consequences, such as pollution of land with harmful substances.