



SECTION: Leases
SUBJECT: Regrassing Permits

05-02

1. Authority

The Special Areas Act, and subsequently the Special Areas Disposition Regulation – Grazing Dispositions - General Section 26(1) provides for “a regrassing permit under the terms and conditions that it (Special Areas Board) considers necessary and desirable...”. Ministerial Order No. MSD:014/20 establishes the administrative penalty payable for expired re-grassing permits and for unauthorized cultivation on public lands.

2. Background

The Special Areas Board encourages effective range management and recognizes the need to rejuvenate stagnant or deteriorated pastures from time to time. However, native prairie is not to be considered for regrassing unless, by natural processes, and under substantiation by the District Administrator, the carrying capacity of the parcel in question has decreased significantly below that of the average carrying capacity of well managed rangeland on similar soilscapes in the area. Under these mitigating circumstances, the Administrator will make a recommendation to the Special Areas Board who will render a decision on granting the permit.

3. Criteria

Regrassing permit applications may be approved for a maximum of six years by the District Administrator in accordance with the following:

- Lands previously regrassed to tame perennial forage species where production has decreased beyond the average carrying capacity of similar stands in the area. Plant age and vigor will be useful factors in determining the extent of pasture degradation.
- Parcels of abandoned cultivation that have reverted to:
 - (a) a mixture of native and tame species
 - (b) predominately native rangeland specieswhere the carrying capacity has decreased significantly below the average carrying capacity of well managed native range on similar soilscapes in the area.

Abandoned cultivation which has reverted to its natural state should be evaluated for its potential as native range and should not be approved for regrassing unless the foreseeable carrying capacity is such that it warrants a regrassing permit.

Applications for regrassing permits should consider the end use of the regrassed pasture and how it reflects the use of any surrounding native rangeland. Access to water, additional fencing, and timeliness of use will be factors to consider prior to issuing a permit

Regrassing permits will not be issued to current lessees who have abused their leases or have outstanding expired regrassing permits.

No cash rent shall be charged for annual crops grown on the permit area until the expiry of the permit.



4. Extensions

Extensions to the regrassing permit may be considered under mitigating circumstances. These circumstances may include, but are not limited to, drought or the presence of insect pests. An extension of up to two years may be authorized at the discretion of the District Administrator.

5. Cash Rent

The base rate for determining the administrative penalty payable for expired re-grassing permits and for unauthorized cultivation on public lands shall be calculated as follows:

$$\text{base rate} = \text{Assessment Per Acre} \times \text{Area Cultivated} \times 0.0350$$

The lessee shall pay the annual cash rent on the cultivated acreage where crops are grown until the extension expires.

6. Rates:

- (a) When a re-grassing permit has expired and perennial forages have not been re-established, an administrative penalty payable by the holder for an authorized extension shall be applied as follows:
 - i) 1 x the base rate for the first year;
 - ii) 1 x the base rate for the second year; and
 - iii) 5 x the base rate for the third and subsequent years.
- (b) When an unauthorized cultivation has occurred, an administrative penalty payable by the holder shall be 5 x the base rate.
- (c) The administrative penalties for both expired re-grassing permits and unauthorized cultivations shall be applied annually, until perennial forages are re-established.

A handwritten signature in blue ink, appearing to read 'J. Christianson'.

Jordon Christianson, Chair
Special Areas Board
Board Motion 09-4-20
Revised May 12, 2020