

Agricultural Crown Lands

POLICY TITLE Public Access To Agricultural Crown Lands Under Lease or Permit

BRANCH Sustainable Agriculture
DIVISION Agriculture Production, Innovation & Resilience
Policy Number ACL 23-16
Effective Date January 1, 2024, until rescinded or amended
ADM/Director Patti Rothenburger/Andrea McLean

Approved By June 17, 2025 - Original signed by:

Brenda DeSerranno, Deputy Minister-MB Agriculture

Policy Objective:

To provide clarity on rights of the public to access agricultural Crown land under lease or permit, and to describe limitations to that access. It also describes obligations of lease or permit holders to enable access to leased or permitted lands.

The right of the public and Indigenous peoples to enter upon leased agricultural Crown land for legitimate purposes is recognized, as is the lease or permit holder's right to quiet enjoyment and reasonable safety and protection of livestock, crop quality and property.

This policy refers to community pastures, forage and crop leases, casual and renewable hay or grazing permits, and other leases issued for agricultural use that are managed by Manitoba Agriculture.

Relevant Legislation, Regulation, and Agreements:

The "Access" section of lease contracts discuss public access to leased land which the lease or permit holders must allow.

Section 16 (2)(b) of the Agricultural Crown Lands Leases and Permits Regulation, M.R. 110/2024 outlines steps a permit holder may not take to restrict access.

Policy

- 1) The public and Indigenous peoples may enter on and travel upon leased or permitted agricultural Crown land on foot for any legitimate recreational, commercial or subsistence purpose.
- 2) Vehicular access through leased or permitted agricultural Crown land for legitimate pursuits by licensed on road and off-road vehicles is allowed. Travel is restricted to existing and open roads and trails.

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- 3) There is no requirement for the lease or permit holder, Manitoba, or local authority to maintain existing roads or trails in passable condition.
- 4) Access by vehicle is not permitted on trails declared closed. Gates located on these closed trails may be locked by the lease or permit holder. Gates or approaches may be removed depending on circumstance as outlined below.
- 5) Roads and trails constructed by the lease or permit holder for the purpose of enhancing the agricultural use and management of the leased lands will be considered closed to public and Indigenous peoples' vehicular traffic. Such construction must have prior authorization and land use approval. Gates may be placed on these trails and may be locked by the lease or permit holder. Such new trails or roads must not block or interfere with existing public access.
- 6) Existing trails which are improved by the lease or permit holder are considered as public trails and continued access by the public and Indigenous peoples is guaranteed.
- 7) Access to leased or permitted agricultural Crown land for the purpose of harvesting or extracting natural resources under permit or licence from the Crown is permissible.
- 8) A lease or permit holder is entitled to fair compensation for any damage to lease or permit holder improvements on the leased lands as a result of resource harvest or extraction.