

DOCUMENT “A”

MINISTER’S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

June 4, 2008

File Number: 4561-3-1143

1. In accordance with section 6(6) of the Regulation, it has been determined that the undertaking may proceed following approval under all other applicable acts and regulations.
2. Commencement of this undertaking must occur within three years of the date of this Determination. Should commencement not be possible within this time period the undertaking must be registered under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act again, unless otherwise stated by the Minister of Environment.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated January 9, 2008 as well as all those identified in subsequent correspondence during the registration review, including the letter to Mr. Paul Vanderlaan, dated May 13, 2008, requesting that Echium be removed from the original package and be reviewed separately. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director of the Project Assessment and Approvals Branch of the Department of the Environment (DENV) and every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. In order to prevent the spread of any plants outside the cropped areas Nature’s Crops International (NCI) must follow all protocols set out in the Crop Assured 365TM and the Best Management Procedures (Section 2.5 of the EIA Registration Document), and shall ensure completion of Field Record Cards and Field Inspections Report.
5. A 10 m buffer zone around the perimeter of the cropped area must be established for each crop site. This buffer zone must consist of a non-cropped area which is either regularly tilled (i.e. bare ground) or will include a ryegrass which is regularly mowed.
6. Once the location of each of the planting sites has been identified, a site evaluation must be prepared for review by NBDENV and the NB Department of Agriculture and Aquaculture (NBDAA). This evaluation will include the Parcel Identifier (PID) of the location, a plan of the proposed planting area(s) indicating crop type and showing proposed buffer zones, and any sensitive habitat such as wetlands. This plan must receive approval from NBDAA prior to any plants being placed in the ground.
7. NCI must provide NBDAA with monthly evaluations of field areas (during the growing season) to demonstrate that there is no plant movement outside of cropped areas. These evaluations will be required throughout the first two years of the project.

8. Should the project be decommissioned or abandoned, post-monitoring and control activities for volunteers shall occur at these site for two years following abandonment. A report on the monitoring activities (sites monitored, results of monitoring, required action to control volunteers, etc) shall be submitted to NBDAA on an annual basis (i.e. by December 01 of each year).
9. An Annual Report shall be submitted to NBDAA at the end of the 2008 growing season (i.e. by December 01, 2008) which will outline the results of the planting trials.
10. NCI must follow all terms and conditions specified by the Canadian Food Inspection Agency (CFIA) for the confined field research trials which are required for Cuphea.