



Impact Assessment
Agency of Canada

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

Agence d'évaluation
d'impact du Canada

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

October 23, 2020

Sylvie St-Jean
Environment Manager
New Gold Inc.
5967 Highway 11/71, P.O. Box 5, Emo
Ontario, Canada, P0W 1E0

Sent via email to: Sylvie.St.Jean@newgold.com

RE: Impact Assessment Agency of Canada's Review of New Gold's response to the Notice of Non-compliance issued on July 31, 2020

Dear Ms. St.Jean,

Thank you for New Gold's Inc. (New Gold) response, dated August 26, 2020, to the Notice of Non-compliance issued by the Impact Assessment Agency of Canada (the Agency) on July 31, 2020. I have reviewed New Gold's response and noted that New Gold has proactively taken steps to address the alleged non-compliance identified in the Notice of Non-compliance. I also noted that New Gold's response does not contest the facts presented in the Notice of Non-compliance or provide any new evidence. As a result, I maintain the Notice of Non-compliance as written until such time that New Gold can demonstrate that it has repaired the leak in the Stockpile Dam and the compensation habitat is functioning in accordance with the requirements of condition 3.7 of the Environmental Assessment Decision Statement for the Rainy River Project.

Please note that the Agency will post this letter and any correspondence with New Gold in relation to the Notice of Non-compliance, including New Gold's aforementioned response, to the Canadian Impact Assessment Registry. Personal details and business confidential information will be redacted in accordance with the *Privacy Act*.

Should have any questions or concerns, please contact the undersigned by emailing iaac.compliance-conformite.aeic@canada.ca.

Kind regards,

<Original signed by>

Carl Johansson
Senior Enforcement Analyst
Impact Assessment Agency of Canada

Cc (by email): Steven Fraser, Senior Enforcement Officer, Impact Assessment Agency of Canada

