



Appendix 2.3C Order Under Section 13

IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT S.B.C. 2002, c.43
(ACT)
AND
AN ENVIRONMENTAL ASSESSMENT OF THE
BLACKWATER GOLD PROJECT (PROPOSED PROJECT)

ORDER UNDER SECTION 13 AMENDING SECTION 11 ORDER

WHEREAS:

- A. On November 5, 2012, under section 10(1)(c) of the Act, the Executive Project Director issued an Order to New Gold Inc. (Proponent), ordering that the proposed Project requires an environmental assessment certificate, and that the Proponent may not proceed with the proposed Project without an assessment.
- B. The Executive Director has delegated to the undersigned, powers and functions under the Act, including the power to issue Orders under sections 11 and 13 of the Act.
- C. On July 9, 2013, the Executive Project Director issued an Order under section 11 of the Act, determining the scope of the required environmental assessment and the procedures and methods for conducting the assessment.
- D. Sections 2.1.20 and 2.1.21 of the section 11 Order require that the Proponent include rail spur lines and an offsite transload facility in the scope of the proposed Project.
- E. The Proponent is no longer considering building and operating a new transload facility and related rail spur line as part of the proposed Project.

NOW THEREFORE:

Pursuant to section 13 of the Act, I order that the section 11 Order, dated July 9, 2013, be amended as follows:

- (1) delete the words "rail spur lines" in part 2.1.20; and
- (2) delete part 2.1.21.



Shelley Murphy
Executive Project Director
Environmental Assessment Office

Dated March 13, 2014