



**DEVELOPMENT OF REGIONAL IMPACT MINOR MODIFICATION TYPE #1**

DATE: SEPTEMBER 7, 2017

TO: SHAWN KONARY, NRG CANAL DEVELOPMENT LLC  
9 FREEZER ROAD, SANDWICH, MA 02563

PROJECT APPLICANT/  
PROPERTY OWNER: NRG CANAL LLC

PROJECT: CANAL UNIT 3  
(COMMISSION FILE #EIR15016)

LOCATION: 9 FREEZER ROAD, SANDWICH, MA

TITLE REFERENCE: CTF. OF TITLE NO. 151549  
LAND COURT PLAN 14716-D, LOT 7  
LAND COURT PLAN 33200-A  
DRI DECISION LAND COURT DOC. NO. 1312629

ASSESSOR'S ID: MAP 91 PARCEL 3 & MAP 92 PARCEL 2

**SUMMARY**

Pursuant to Section 13 of the Cape Cod Commission (Commission) Enabling Regulations (Revised November 2014, with Revised Fee Schedule Effective July 1, 2017), the Development of Regional Impact (DRI) decision dated December 1, 2016 for the above-referenced project is hereby amended as a Minor Modification Type #1 to allow for more restrictive conditions imposed by the Energy Facilities Siting Board (EFSB) as discussed herein.

All findings and conditions attached to the original decision continue to apply except as modified herein.

**DISCUSSION**

The Commission issued a DRI decision, with conditions, to NRG Canal Development LLC which decision approved the construction of an approximately 350-megawatt peak electric generating unit on approximately 12 acres of the existing 52-acre Canal Generating Station site.

The Commission received a request from the Applicant to incorporate a change in the overall height of the main stack of the Project, as required by the EFSB during State-level review, for the stated purpose of decreasing environmental impacts from air emissions. These changes were approved by the Old King's Highway Historic District Committee on August 9, 2017.

In addition to being a more restrictive condition imposed by another permitting board, the increase in stack height represents a *de minimus* change in the Project, as the +/-30-foot increase will have an insignificant visual effect due to the proposed stack being significantly smaller in mass and shorter than the buildings and stack associated with the existing generating units, Units 1 & 2.

#### CHANGES TO THE DRI DECISION

The Decision is hereby modified to allow for the proposed change in stack height. All work shall be done in accordance with the following plan sheets received by the Commission on September 1, 2017, which are hereby incorporated by reference into the approved plans set out in the Decision to either supplement or substitute for those plans, as the case may be.

*Simple Cycle Turbine Facility Project South Elevation (Looking North)*, prepared by CB&I, dated 9/16/2016, revised 7/25/2017 (showing structure elevations and proposed materials/colors)

*Simple Cycle Turbine Facility Project North Elevation (Looking South)*, prepared by CB&I, dated 9/16/2016, revised 7/25/2017 (showing structure elevations and proposed materials/colors)

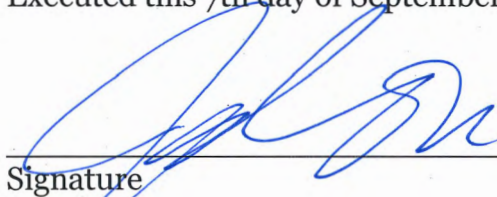
*Simple Cycle Turbine Facility Project West Elevation (Looking East)*, prepared by CB&I, dated 9/16/2016, revised 7/25/2017 (showing structure elevations and proposed materials/colors)

*Simple Cycle Turbine Facility Project East Elevation (Looking West)*, prepared by CB&I, dated 9/16/2016, revised 7/25/2017 (showing structure elevations and proposed materials/colors)

**SEE NEXT PAGE FOR SIGNATURE**

**SIGNATURES**

Executed this 7th day of September 2017.

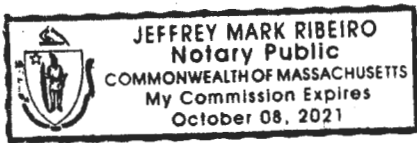
  
\_\_\_\_\_  
Signature

Jonathon Idman, Chief Regulatory Officer  
Print Name and Title

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss September 7, 2017

Before me, the undersigned notary public, personally appeared Jonathon Idman in his capacity as Chief Regulatory Officer of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was [ ] photographic identification with signature issued by a federal or state governmental agency, [ ] oath or affirmation of a credible witness, or [ X ] personal knowledge of the undersigned.



  
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Notary Public

SEAL