



Board Action

BOARD OF DIRECTORS

September 19, 2023

ITEM

Acquisition of Land Rights for Utility Operations Infrastructure Projects

PURPOSE

Authorize use of eminent domain as necessary to acquire permanent and temporary easements for electric transmission facilities on approved projects including the Bennington Expansion Substation and Transmission Line Rebuild and the Transmission Line Expansion and New Substation at 114th and State Streets to support load growth and reliability in the northern Douglas County area.

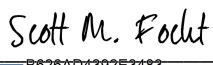
FACTS

- a. This requested eminent domain authorization covers land rights that need to be acquired for Utility Operations infrastructure to connect substations to the transmission grid, enhance system resiliency and reliability and support load growth.
- b. As part of Bennington Expansion Substation and Transmission Line Rebuild, Omaha Public Power District (OPPDP) is planning to rebuild approximately 2.8-miles of an existing 161-kilovolt transmission line between its OPPD Substation located near 140th and State Streets and the new Bennington Substation located near 144th Street and Bennington Road.
- c. Omaha Public Power District (OPPDP) is planning to build approximately 2.5-miles of 161-kilovolt transmission line to connect the new substation located at 114th and State Streets to support load growth and reliability in the northern Douglas County area.
- d. Approximately 17 permanent easements are required for the construction, operation and maintenance of transmission facilities. Temporary easements may be required for pre-engineering survey access as well as temporary construction needs.
- e. OPPD will commence negotiations during the Fall of 2023 to voluntarily acquire the necessary land rights for the transmission facilities.
- f. OPPD will undertake reasonable efforts to voluntarily acquire the necessary land rights through good faith negotiations. However, the use of eminent domain may be necessary if voluntary agreement cannot be achieved by the District and landowners.
- g. Management will report the filing of eminent domain actions to the Board.
- h. This requested authorization extends through May 31, 2024. Additional authorizations after that date for the covered projects will be requested, as needed.

ACTION

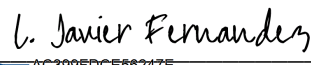
Authorization by the Board of Directors to commence eminent domain proceedings for permanent and temporary easements as needed on parcels not acquired voluntarily after all reasonable efforts have been made.

RECOMMENDED:

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Scott M. Focht
Vice President – Corporate Strategy and
Governance

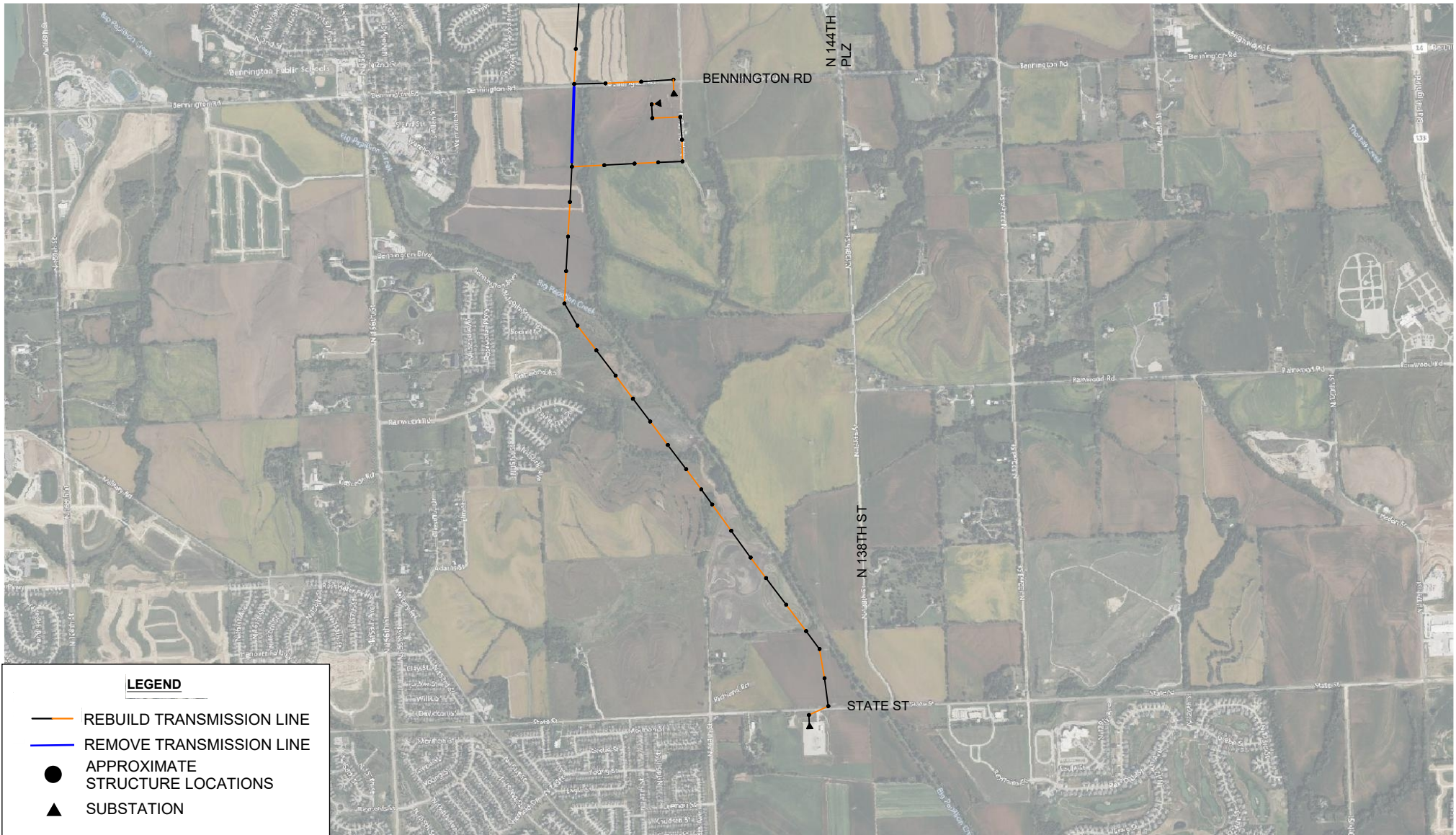
APPROVED FOR BOARD CONSIDERATION:

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L. Javier Fernandez
President and Chief Executive Officer

SMF:jdf

Attachment: Route Map
Resolution







Moody/Focht

**ACQUISITION OF LAND RIGHTS FOR UTILITY OPERATIONS
INFRASTRUCTURE PROJECTS**

RESOLUTION NO. 6586

WHEREAS, the District will need to acquire approximately 17 permanent easements for two projects, the Bennington Expansion Substation and Transmission Line Rebuild and the Transmission Line Expansion and New Substation at 114th and State Streets, to support load growth and continued reliability in the northern Douglas County area; and

WHEREAS, the District is authorized by Nebraska law to acquire property and easements by eminent domain; and

WHEREAS, the use of eminent domain may become necessary to acquire the permanent easements that cannot be obtained voluntarily through negotiations by the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Omaha Public Power District that Management and the District's General Counsel are authorized to commence all necessary eminent domain proceedings for the Bennington Expansion Substation and Transmission Line Rebuild and the Transmission Line Expansion and New Substation at 114th and State Streets projects to obtain permanent and temporary easements for the projects that cannot be acquired voluntarily, with this authorization extending through May 31, 2024.