



Moody/Focht

**ACQUISITION OF LAND RIGHTS
FOR CASS-TO-SARPY COUNTY TRANSMISSION PROJECT**

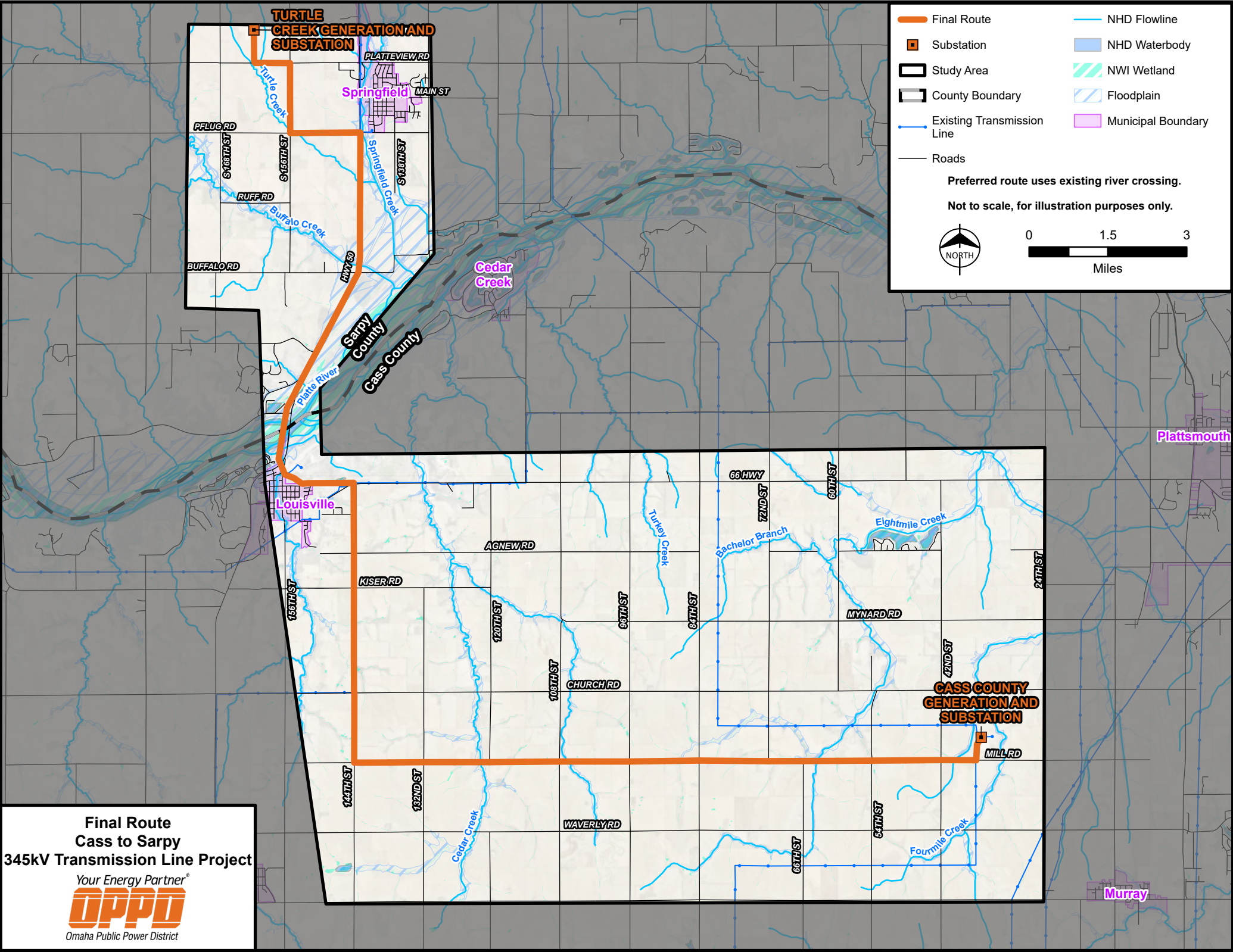
RESOLUTION NO. 6614

WHEREAS, the Omaha Public Power District (District) will need to acquire approximately 61 permanent easements for the Cass-to-Sarpy Transmission Project to ensure the electric system is more reliable and capable (resilient) of withstanding larger peak demands while accommodating growth in the District's service territory. The line will support load growth and long-range planning of the District's balanced portfolio of energy resources.; 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 and temporary 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 the District's Management and General Counsel are authorized to commence all necessary eminent domain proceedings for the Cass-to-Sarpy Transmission Project to obtain permanent and temporary easements for the project that cannot be acquired voluntarily, with this authorization extending through December 31, 2026.



- Final Route
- Substation
- Study Area
- County Boundary
- Existing Transmission Line
- Roads
- NHD Flowline
- NHD Waterbody
- NWI Wetland
- Floodplain
- Municipal Boundary


Preferred route uses existing river crossing.

Not to scale, for illustration purposes only.



NORTH

0 1.5 3



Miles

Final Route
Cass to Sarpy
345kV Transmission Line Project

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Omaha Public Power District



Board Action

BOARD OF DIRECTORS

December 19, 2023

ITEM

Cass-to-Sarpy County Transmission Project Acquisition of Land Rights

PURPOSE

Authorize use of eminent domain as necessary to acquire permanent and temporary easements for electric transmission facilities for the approved Cass-to-Sarpy Transmission Project to ensure the electric system is more reliable and capable (resilient) of withstanding larger peak demands while accommodating growth in OPPD's service territory. The line will support load growth and long-range planning of OPPD's balanced portfolio of energy resources.

FACTS

- a. This requested eminent domain authorization covers land rights that need to be acquired for Utility Operations infrastructure to connect Cass County Balancing Station off of Mill Road and the utility's new Turtle Creek Balancing Station at 168th & Fairview Roads in Sarpy County.
- b. As part of Cass-to-Sarpy Transmission Project, Omaha Public Power District (OPPDP) OPPD is planning to build an approximately 23-mile, 345-kilovolt transmission line between its Cass County Balancing Station off of Mill Road and the utility's new Turtle Creek Balancing Station at 168th & Fairview Roads in Sarpy County. This is a portion of a 29-mile line between Cass County Station and 180th and Giles. However, a section of the line is already routed as part of the Sarpy Southwest Transmission Project.
- c. Approximately 61 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.
- d. There has been Public Involvement throughout routing and siting. Engagement will continue with landowners through the land rights acquisition process.
- e. OPPD will commence negotiations at the beginning of 2025 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. OPPD will report the filing of eminent domain actions to the Board.
- h. This requested authorization extends through December 31, 2026. 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 for the Cass-to-Sarpy Transmission Project.

RECOMMENDED:

DocuSigned by:
Scott M. Focht
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Scott M. Focht
Vice President – Corporate Strategy and
Governance

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:
L. Javier Fernandez
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L. Javier Fernandez
President and Chief Executive Officer

SMF:jdf

Attachment: Route Map
Resolution