

# CONE RANCH RECOMMENDATION

By Denise Layne

## Overview:

We, as the Cone Ranch Advisory Committee, were asked to listen to the proposal by Florida Conservation & Environmental Group and to recommend the *best* way to preserve and protect Cone Ranch to the County Commission. After listening to FCEG's proposal and hybrid proposal, it is my opinion that there are too many questions and barriers in their proposal to feel comfortable that their involvement is the *best* way to preserve and protect Cone Ranch, its environmental attributes, wildlife and water for our future. I question the legalities of dealing with a for-profit entity that wants to set up a non-profit to be the bridge loaners to sell parcels to other for-profit or private individuals. Although it would appear that safeguards would be put in place through a conservation easement, this easement is still a contract that can be amended by agreement of the parties, so nothing is guaranteed. The legal layers that would have to be peeled down in a court of law if some part of this transaction went awry would be time consuming and costly to the taxpayers. If this approach were to be recommended by our committee, then acquisition of Cone Ranch most definitely should go out to the public for bid – period.

However, I do NOT support this approach in whole or in part. Although the county has not done anything toward protection and restoration of this property since its ownership, I do believe that the county (public) should retain ownership and control of this very valuable and one-of-a-kind property left in Hillsborough County. What part of the county *controlling* this property is the key.

## **Recommendation: Retain ownership of Cone Ranch by Hillsborough County**

The following are suggestions of what I believe would be the *best* way to preserve, protect and restore Cone Ranch through county ownership. These are in order of preference.

## Proposal A:

Due to very complex bonding issues, the Water Department retains ownership of Cone Ranch, and ELAPP buys a conservation easement in perpetuity over the whole property. The control of Cone Ranch would then be through ELAPP, which has the power and resources to protect and restore environmental damage to the property. A conservation easement is less expensive to the taxpayers than buying the property outright (anywhere from 10-80% less). After all, Hillsborough County would be selling Cone Ranch to Hillsborough County. This doesn't make financial sense. With ELAPP

controlling the property, money can be made through various initiatives at no cost to taxpayers to restore and manage the property.

### **Proposal B:**

If ELAPP cannot afford a conservation easement on the entire parcel at once, then parcels should be acquired over a period of years with consideration given to areas that need restoration and current money-making areas first. The entire parcel should be acquired.

### **Proposal C:**

Last, but not out of the question, is the purchase of Cone Ranch by ELAPP. This will be a more expensive endeavor, but would insure the protection of this property forever. This could be done all at once, or in parcels over time. In this scenario, the BOCC would have to declare this property as “surplus”, and all other issues listed below need to be addressed.

### **Issues to be Resolved:**

1. Does the BOCC need to declare this property as “surplus” since the county would retain ownership and only a conservation easement placed on Cone Ranch? If so, this is step one.
2. An appraisal needs to be performed on Cone Ranch – there are various options for this appraisal (refer to staff).
3. Assuming ELAPP can afford a conservation easement on the whole property, additional partners in this easement should be included to protect against changes to the easement. At the very least the BOCC, Environmental Protection Commission, and possibly Southwest Florida Water Management District and an environmental non-profit.
4. A restoration plan for Cone Ranch has been in place since at least 2000. This restoration plan should be revisited and updated, noting specific areas for each type of restoration.
5. Since a conservation easement can be place on a conservation easement, we should partner with SWFWMD and EPC to create a wetlands mitigation bank. This would provide income from development to pay for restoration efforts of wetland structures. The county could manage this wetlands bank, or have EPC or hire a non-profit to be the “banker.”

6. Tampa Bay Water has the water rights on the entire property, which must be dealt with prior to any wetlands mitigation banks being initiated. The BOCC needs to resolve this easement. (Please note TBW bought these rights from Hillsborough County for One Dollar.)
7. Carbon credits should be investigated and initiated and overseen by EPC.
8. The tree planting and harvesting currently on Cone Ranch will earn the county through ELAPP over \$100,000 per year for at least the next 30 years. Again, this money can go directly back into the property for restoration and management.
9. There is currently a gopher tortoise relocation area (200 acres) on site. This should be continued and possibly expanded.
10. There is a cattle lease on the property providing \$150,000 per year currently to the Water Department, which because of bonding issues cannot be used directly for Cone Ranch. If this lease is retained by ELAPP, the monies would go to ELAPP for restoration and management of Cone Ranch. This lease, however, is considered a questionable environmental endeavor.
11. Due to a very complicated financial structure with the Water Department's bonding requirements, some type of financial/interlocal agreement between ELAPP and the Water Dept. will have to be in place for restoration monies to flow directly to ELAPP.