

## **JUNE 13, 2000 - LAND USE MEETING**

2:30 p.m. Agenda Page 10, **Item 9.a. - Acquisition of water rights by Hillsborough County from Tampa Bay Water for Cone Ranch** (Environmental Protection Commission meeting would follow).

### **STAFF ITEM - 2:30 P.M. TIME CERTAIN**

Acquisition of water rights by Hillsborough County from Tampa Bay Water (TBW) for Cone Ranch (Environmental Protection Commission (EPC) meeting would follow).

Dr. Rick Garrity, Water Resource Team, updated the Board on deliberations with TBW on Cone Ranch and submitted in writing five draft points to focus discussions between the Water Resource Team and TBW. The two main options were to maintain a request for return of the water supply development rights or to agree on the future of Cone Ranch. Dr. Scott Emery, Water Resources Advisor, gave a power point presentation reviewing the goal, history, and options to negotiate the return of water rights for Cone Ranch to the County. One option was to continue negotiations based on the five draft points; a second option was to continue negotiations based upon other guidance in lieu of or in addition to those five draft points; or a third option was to direct the Water Resource Team to negotiate for the entire property at once. Mr. Kurt Gremley, Acquisition Manager, Environmental Lands Acquisition and Protection Program (ELAPP), explained the proposed funding purchase arrangement from the federal government for Cone Ranch.

Dr. Emery explained in order for TBW to consider releasing water rights there would have to be another source or sources to replace the 12 million gallons per day (mgd) in the planning document. Language had been negotiated for the Water Resource Team and TBW to work together to develop other sources. In the April meeting of the TBW board, the second desalination plant had been prioritized, and the Cone Ranch and Cypress Bridge II wellfields had been deprioritized. TBW had expressed an interest in working with the County to release the water rights on part of the property, looking at the first northern third during the current budget cycle. Dr. Emery reviewed the five draft points submitted by Dr. Garrity. Acquiring the northern one-third of Cone Ranch would be most amenable from a wildlife corridor viewpoint and the impact to the Hillsborough River and Crystal Springs.

Dr. Emery and Mr. Gremley responded to questions by Chairman Frank about the site, test wells, and the benefit to TBW. Commissioner Hart wanted to pursue the objective to acquire all water rights to Cone Ranch. Acquiring Cone Ranch in phases recognized financing was a limitation. The federal government source was the most appropriate identified source that was tied to the acquisition. TBW would work concurrently with the Water Resource Team to explore options and alternatives for water sources.

Commissioner Storms expressed concern about losing the remaining two-thirds of Cone Ranch. Pasco County would be less inclined to support Hillsborough County if the northern portion of

Cone Ranch were removed from TBW resources. Commissioner Norman agreed. In reply to Commissioner Hart, Commissioner Storms said TBW was willing to give up the water rights for the northern portion, not the southern portion. Commissioner Norman would support moving forward with the northern portion if the County had contingency rights for the entire parcel. Chairman Frank referenced the five draft points, and she noted that point one set up the problem outlined by Commissioner Storms. The bottom two-thirds of Cone Ranch was more valuable for TBW. Chairman Frank opined Cone Ranch should be one project.

Commissioner Storms said the time to obtain water rights might be in December. **Commissioner Storms moved that the Board adopt a policy that it wanted water rights to the entire parcel before negotiating, seconded by Commissioner Norman.** Commissioner Norman said the County could then purchase Cone Ranch in parcels. Dr. Emery clarified the Water Resource Team's focus would be to locate an alternative 12 mgd over the next six months. Commissioner Hart supported pursuing the entire Cone Ranch but negotiating its purchase in thirds. The five draft points were to be a term sheet to obtain an agreement between the legal staff of TBW and the County about how to proceed. In reply to Chairman Frank, Dr. Emery opined that purchasing the northern one-third of Cone Ranch, without locking in water rights for the remaining two-thirds, would be a limited benefit to the County. Commissioner Platt said the TBW board voted on April 10 to prioritize a second desalination plant over the development of more groundwater supplies like Cone Ranch, which precluded Commissioner Platt from the discussion, because her husband owned property adjacent to the other desalination plant. **The motion carried six to zero; Commissioner Platt abstained.**

**Commissioner Hart moved that the term sheet on page 4 be modified to reflect the previous vote and to direct staff to use those five items as direction toward the acquisition of Cone Ranch with whatever strategies and financial mechanisms needed to complement that with the wording modified to reflect the previous vote. Commissioner Wacksman seconded the motion.** Commissioner Norman wanted to see the new draft in writing before voting. Dr. Garrity said staff could return in 30 minutes. (Resumed later in the meeting.) Commissioner Platt said an EPC meeting would not be necessary.