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Andy Fairbanks (AF): All right, again, this is Andy Fairbanks interviewing Kurt Gremly—sorry—at the county center in Downtown Tampa, August 15th, 2017, for the Environmental Lands Acquisitions and Protection Program, or ELAPP, history project. So Kurt, we’re going to start off with a little family background. When and where were you born and raised?

Kurt Gremly (KG): I was born in Evanston, Illinois back in 1957, spent a few years there. Moved around quite a bit. My father was in land development, so, a lot times, we were moving to certain locations where he was doing work. And so, if I stayed in a place more than two years, it was unusual. And basically, you know, just we spent a great deal of time in Florida. The first time we moved here was in '73.

AF: So moved here just for a short term or—?

KG: Well, we moved to Tequesta, Florida in '73 then I went up to college in Tallahassee for a couple of years and then joined my parents briefly in Bradenton and then moved up here to Tampa to enter the MBA program at the University of South Florida.

AF: Okay, and what year was the MBA program?

KG: I started there in '85 and finished up in May of '88.

AF: Okay.

KG: And shortly thereafter I took a job with the City of St. Petersburg because, at that time, it was very hard to get any type of jobs in real estate. I was able to—I worked there for a little while and found out that it was not something that I enjoyed because of the work environment and applied for the ELAPP acquisition manager position.

AF: So what year was it? And we’re going to come back around to some of your young stuff, but since on it. What year did you apply to become the acquisition manager?

KG: I applied in mid—let's see, uh, 1988. Actually, (KG counting under his breath) I started in February of '89, so I applied in '88.

AF: Okay. So I had assumed that you had been here since the very, very beginning and you're very close to it.

KG: The best acquisition manager they've ever had for this program because I'm the only one.

AF: So there was no acquisition manager when the program started?

KG: I was the, I was the initial one.

AF: Okay, okay. Very good. Well, let's rewind just a little bit and go back to—you said you moved around a lot starting in Evanston, Illinois in 1957.

KG: No. Yeah, that's correct.

AF: And your family moved because your father was in the real estate business.

KG: Correct.

AF: What about your upbringing in terms of, did you spend a lot of time outdoors? Did you have outdoor hobbies?

KG: No, not really. I was a very basic kid. Didn't really get into going out. My parents weren't big into camping or anything like that.

AF: Okay.

KG: Going to the beach occasionally on vacations. We didn't have a house but a farm on a lake, which was nice.

AF: Nice. Where was that?

KG: That was Richmond, Illinois, which is right on the Wisconsin-Illinois line. Our house was in Illinois, and our mailbox was in Wisconsin.

AF: Cool. Very cool. And when you would go to the beach, was that at the lake or was at the—?

KG: No, that wasn't there. That was when my mom wanted to come down to Florida.

AF: And would she visit family down here? Or just—

KG: She was just coming down here. Eventually, other family had moved here later in life, but pretty much that was it. We also took some trips down to the Virgin Islands a couple of times, and we spent a few months in Hawaii.

AF: Okay. Now, when your mom wanted to come to Florida. Where did you go in Florida for the beach vacation?

KG: Well, we were also looking—she wanted to find a place to move down here. We were looking in Naples, the Keys, East Coast, you know, wherever.

AF: All right. And roughly what years or how old where you?

KG: Those were the late '60s primarily.

AF: Okay. Excellent, excellent. So you weren't particularly outdoorsy as a kid, didn't go camping?

KG: Nope.

AF: No boy scouts or anything like that?

KG: Cub scouts briefly, but that disappeared after a couple of years.

AF: Any reason or just wasn't interested?

KG: Just wasn't interested.

AF: Fair enough. So you said your family moved here in 1973 to Tequesta?

KG: Correct.

AF: All right. And that was for your father's job?

KG: Correct.

AF: And who did he come to work for?

KG: He worked with, um, I forget the name of the company. Got to remember that. It's quite some time ago. But he was charge of getting the approvals for a large development in western Palm Beach County, back when it was a lot easier to get those things. The company, for whatever reason, folded its doors, and he did some small development and was semi-retired. Then he moved over to Bradenton, did some more development. I caught up with him after college the first time.

AF: Okay. Now when was it that he moved over to Bradenton?

KG: I moved there in early '78.

AF: Okay. And did you move with him or—

KG: No. They had moved ahead of me while I was in college. I went away to college, and they moved.

AF: Okay. So what year did you graduate high school and where from?

KG: I graduated high school in June of '75 from Jupiter High School in Jupiter, Florida.

AF: I know the area. I grew up in Jensen Beach just north of there.

KG: Okay.

AF: All right, so you graduated in '75, and I'm curious, you mentioned that your father was in development. Was that your inspiration to go into the real estate business?

KG: Pretty much so. I found it interesting, the way he was doing things, and I caught on. And I actually have an undergraduate major in real estate.

AF: Okay. And that was from FSU?

KG: Florida State [University].

AF: Okay. And what kinds of things was he doing in real estate that captured your interest?

KG: He was actually developing projects. Getting development approvals for a wide variety of things. You know, buying, speculating in land.

AF: Okay.

KG: Those types of things.

AF: And did you go with him often or come to the office?

KG: I came to the office, went out to some of the sites sometimes and to some of these properties, you know, for some fun and games, once in a while. But pretty much knew what he was doing, and he also did a lot of work out of the house too.

AF: Okay. So you were in conversation. You got to go onsite. Obviously, it captured your interest enough to go into real estate for your undergraduate degree.

KG: Yeah.

AF: And why don't you talk about, a little bit, how you prepared for this career? You know, in college and beyond.

KG: You don't really prepare for the career. You just kind of try to and catch it on. And usually you need some—when you've got somebody who's working in the industry, they help mentor you and give some ideas because a lot of what you have to learn, you can't learn in a classroom. You have to learn, basically, out and doing because of the intricacies because real estate is a very unique type of commodity. The analogy that I use is the question, "What catches the fish?"

AF: Uh-huh.

KG: It's the fish. If the fish doesn't take the bait, you never catch the fish.

AF: Right.

KG: Well, and I'm not trying to use this in a derogatory thing, but unless the property owner is willing to do the deal, you can't do anything. Now, that's in a voluntary situation. We have other individuals who work with eminent domain, and they go through more of a process. Well, when you have voluntary negotiations, you have to be able to negotiate and entice the property owner to enter into a contract that, under terms and conditions, meets your requirements. And that takes a certain amount of trust, a certain amount of working with them, solving problems. While there are a lot of properties that are very simple and straight forward solutions, there are a lot that are very unique and require you to look at what are their objectives. A lot of times just to maximize money; that's a very straight forward aspect.

But sometimes they have other issues or problems and you need be able to anticipate those as part of the transaction. And that can be very difficult because they're all very unique. They can relate to title issues, access issues, timing issues, personal objectives of the property owner. And when you do preservation land acquisitions, you have a wide variety of options because we're not interested in the economic benefit of the property, which is typically the motivation of buying real estate. We're interested in the habitat and recreational benefit. Most developers are strictly looking at the environmental benefit and they have very—they have a great deal of constraints as to what they can do.

They have to pretty much own the property but also meet with the property owner's objectives. With land preservation, you have a wide variety of options. We just need to know that it will be preserved. You know, so that means a life estate. Maybe we don't need all of it owned. Maybe we just need part of it, so that they can retain their residence on the property or certain limited rights on the property, such as through a conservation easement¹. Again, it goes back to what are their objectives? And it's a custom fit to each property owner.

¹A conservation easement (also called conservation covenant, conservation restriction or conservation servitude) is a voluntary legal agreement between the land owner and the land trust or government agency that permanently limits the use of the land in order to protect its associated resources.

AF: Yeah. So this, you jumped into basically the challenge of ELAPP itself, the voluntary acquisition of the property. I want to, before we get into the nitty-gritty of that, because I would love to piece that apart, how did you go from student of real estate to, you mentioned mentorship, rather than the classroom experience. Because this is about you, your career. How did you get to ELAPP in the first place and the places in between?

KG: Well, after mentoring with my father because of various things as closely held, went into the chapter of bankruptcy as many developers do over the years, and I used that as an opportunity to go to the MBA program. And after completing that program, like I indicated earlier, I got a job with the City of St. Petersburg. And then, when I saw this opportunity, I applied for it. And the person who hired me, the then-director of real estate, Richard Sargent, indicated [that it] was a balance that I had: private sector experience but understood some of the constraints of working for a government entity.

When you talk to people who work in the private sector, they get very frustrated about all the processes and requirements that government has to go through to acquire real estate. But the private sector looks at real estate in a different term or a different perspective than most people who are just going out to acquire to it. I have to look a piece of real estate the same way as a butcher looks at a side of beef. How am I going to slice this up and make money? What are we going to do with it because people have grand ideas of what they could do. And you have to look at, well, what is legally permissible on this property? What is physically possible? Access, utilities, zoning, flood designations, all of these factors come into play. How are you going to use this piece of property? Who else might be interested in this piece of property?

AF: And this is on the private side, the private dwellings?

KG: No, this is even on the private side as well as public side.

AF: Okay.

KG: You have to look at all of these elements and examine them more on the private side. So, you know, there are people who look at the site and say, Hey, this is wonderful. It's got great habitat. It's a wonderful composition. But from a development standpoint, it might not be that great. It might have some very unique challenges. And there are some sites that we acquired early on in the program that, if we hadn't, they'd definitely be built, totally right now, especially within the urban services area.

AF: And why would that have been, do you think?

KG: Well, because if you look around right now, and a matter of fact during the building boom of last decade, we were constantly getting people contacting us wanting to buy these sites.

AF: To buy existing, acquired ELAPP sites?

KG: Yeah, acquisitions because it was like, hey you know, here's this big piece of county property, and you're not doing anything with it. And it was—we bought it for preservation.

AF: So did they—they just had no idea what it was, why the county owned it? Or they didn't care?

KG: The other parties contacting us, usually, were just cold calling and saying, Hey, well, we're interested in this property. What's its status? Not knowing that, okay if county's going to offer property, it has to go out through competitive bid. Well, that's first if we wanted to declare it surplus. Well, under ELAPP, we just can't sell the property because it's restricted under ordinance.

AF: Right.

KG: So one of my objectives in this process—because ELAPP wants to see the properties permanently preserved—[was] anytime I could muddle it up so that it made it really difficult to do anything with, other than preservation, was a good thing. So, as part of that, if you can—I was getting other government agencies involved. So in some situations like with the state and the water management district, they hold title, and then we lease it back. And the lease can't be cancelled unless we're in default. Which means it makes it very difficult to convert to something else. In other situations, we have restrictions with the Florida Communities Trust². And they don't want to release those restrictions, or there's a very constrained reason for releasing, such as if you need a sliver off of an edge for a road. You have a very detailed process to go through and that's part of the objective of permanent preservation.

AF: I want to come back to these things because these are—for people like myself and probably most of the listeners to this—this is well beyond our scope of understanding. (KG laughing) I want to get to how you built such expertise, but also your perspectives as you moved to Hillsborough County. So I want to back up just a little bit, and you said so —

KG: I was never really this big environmental concerned individual.

AF: So what year did you come to the Tampa Bay Area.

KG: I came to Tampa Bay in December of '85 and Tampa proper in the December of '85 as, you know, as part of the MBA program.

²Florida Communities Trust (FCT) is a governmental land acquisition program. It was established in 1989 to help local governments acquire land for protection and conservation.

AF: Now, was that your first time ever coming here? Or had you been here before?

KG: Yeah. I just moved up here from Bradenton. I've been up here visiting, you know, to some of the events but I'd never really had been to—

AF: So what kind of events would you come up to Tampa area for?

KG: Oh, one year I went to the Super Bowl here.

AF: Okay.

KG: You know, things like that. Sometimes we'd venture up to various concerts. That's about it.

AF: So you didn't, at that time, have a particular interest in preservation?

KG: No. Not at all.

AF: Come up here for an MBA.

KG: Yeah. Got one job. That didn't work out, and this was another job. They needed to hire someone to acquire these lands.

AF: Okay, well, I want to take it step by step. So, you got your MBA here at USF. Still, even during the MBA, any interest in conservation?

KG: No.

AF: Following it at all?

KG: No.

AF: Did you think they were a bunch of hippies that were—?

KG: No, I didn't really think that deeply about it. It was like, okay, that's a nice thing to do, conserving land, but didn't have a strong passion for it.

AF: Okay. No and that's fascinating. I'll come back to that. I just want to make sure we cover. So you graduated in, you said, eighty—

KG: In May of '88.

AF: Eighty-eight. And then immediately went to the job in St. Pete?

KG: Correct.

AF: And what was the job in St. Pete?

KG: I was the property manager for the city of St. Petersburg, which means I took care of leases and other aspects associated with city-owned real property.

AF: Okay. And did you find that particularly interesting, or—

KG: It was okay. It was just that the work environment there was not very good for a variety of reasons and decided that I really needed to leave there.

AF: Fair enough. And were you living in St. Pete?

KG: I was in the process of moving to St. Pete, when I was actually trying to start—I think I had just moved there.

AF: Okay.

KG: When I was applying for various jobs, and this was one that I applied for here, and it took a few months to get hired through the county.

AF: Right. Okay. And, when you moved to St. Petersburg, had you moved from—did you live on campus or Bradenton?

KG: I lived off-campus in what is the north side of the Suitcase City³ area.

AF: Okay. And again, you moved from there after you finished your MBA, to St. Pete.

KG: Correct.

AF: St. Pete, um.

KG: Didn't work out.

AF: Yeah, didn't work out. But all this time, it sounds like just really focused on trying to create a career.

KG: Correct.

AF: Okay. Very good.

³Bounded by Interstate 275 to the west, Tampa city limits to the south and east (including the University of South Florida), and Sinclair Hills Road to the north. It is referred to by locals as "Suitcase City" due to the high number of transients.

KG: And was working basic real estate, you know, trying to take care of things. And you know, then this job came up and interviewed and they liked some of the ideas that I had. You know, I looked at things a little different.

AF: I'm curious, you mentioned the director was Richard Sargent—

KG: Yes.

AF: Of the real estate department. And obviously he knew about ELAPP.

KG: Well, yeah, he did. He asked me about it when I was at the interview. I hadn't heard about it.

AF: And that's what I wanted to ask. So, what was your reaction when he told you about ELAPP?

KG: I said it sounded very interesting, you know. Basically going out and buying large tracts of land for preservation. And, okay, that would sound pretty—a lot of fun.

AF: Yes, yeah. Okay. Was there any—I mean, it was just like, hey, this would be fun as a job. Or was it, “Oh, I'll be contributing to something”? Or just was—?

KG: I think somewhere in between. I was like, “Okay, I get to acquire land for preservation. That sounds like an interesting thing as opposed acquiring drainage easements.” You know, because many people talk about how—when they're talking about their jobs—in a hundred years, none of this will matter. Hopefully, if the program does what it is intended to, in a hundred years, this will matter. These will be the green spaces for the future citizens. You know, hopefully, if we don't have a major fallout, as long as society keeps going as we know it—and unless there's something terrible that, from a society standpoint, tears it away, get to like the *Soylent Green*⁴ type of environment. I don't know if you remember that movie?

AF: *Soylent Green*, yes. (AF laughs)

KG: Okay. Those types of situations.

AF: Okay. Well, times are a little crazy right now, but let's maybe look at it in the context, even now—I like what you mentioned about, you know, in a hundred this will matter. It matters now, considering—

⁴Released in 1973, an American science fiction thriller loosely based on the novel *Make Room! Make Room!* In 2022, as a result of industrialization and the greenhouse effect, the population suffers from pollution, poverty, overpopulation, euthanasia, and depleted resources. Most of the population subsists on rations produced by the Soylent Corporation, and unknown to all but a few within Soylent, these rations are made from human remains.

KG: It matters now but it also, when you think about it as a job, hey. What I'm doing today makes a difference. And that's one of the reasons I've stayed with the county as long as I have because I am making a difference.

AF: And so, as you started the job, you've obviously got to learn the personalities and the other details of the job. How did you find your relationship with the—the ELAPP crew was pretty small at the time, right? Who was there?

KG: At that time it was just, literally just Pete Fowler⁵, and Rob Heath⁶, and also their director, Ed Radice⁷. And it took a little while. We did lock horns on a few issues.

AF: Such as?

KG: Well, one, when I got the commitment from the state to buy the Balm Boyette Scrub Preserve⁸ for—I think 6.3 million [was the] portion they would contribute, I said, “Okay now I have to close the deal.” And they didn't see that as important.

AF: Who didn't see that as important?

KG: They didn't see it as being a priority. [They said] Well, you got the contract logged, just take care of it when you can. I said, “no.”

AF: And you're talking about Pete, Rob and Ed?

KG: Right.
{{0:21:15.30}}

AF: Okay, okay.

KG: That sometimes, you know, it was like, hold on a second. Interest rates at that time were 8 percent. Eight percent times that, means somewhere along the lines of 480 thousand dollars a year in interest earnings alone.

AF: Right.

KG: That meant every day that that money was not in our bank account, we lost twelve hundred dollars.

AF: Hmm, and the money was what was appropriated from the county?

⁵An interview of Pete Fowler is available as part of the ELAPP Oral History Project collection.

⁶An interview of Robert Heath is available as part of the ELAPP Oral History Project collection.

⁷Ed Radice worked as director of Parks, Recreation and Conservation in Hillsborough County for 28 years. Under his leadership the number of parks in Hillsborough County increased from 75 to 205.

⁸The Balm Boyette Scrub Nature Preserve is a 5,723-acre preserve located in Lithia, Florida.

KG: Basically, they were going to pay us. We have the land here, and when I convey a title to them, when I give them the deed, they give us a check. That check goes into our bank and starts earning interest.

AF: This is the state giving us the money?

KG: Correct.

AF: Gotcha.

KG: So then when it comes into our bank account, we start earning that twelve hundred dollars a day.

AF: Rather than them.

KG: Rather than them.

AF: Right.

KG: So closing the transaction quickly was important from a fiscal standpoint. They also did not—when I was making applications with the Florida Communities Trust Program, sometimes you made commitments as to certain improvements for which they didn't have funding and other management issues. And they didn't like that too much because, why are we doing this for all these sites? Because we're getting money. And I was motivated on this for multiple factors.

AF: Such as?

KG: Well, number one, because we have a limited amount of money and not enough money to preserve everything that we have. The more joint funding we received, the more land I was able to acquire, and that also meant my job lasted longer. (AF laughs) But also, going back to one of the other aspects that I touched on, when you have another government entity involved in a piece of property, it makes it extremely difficult for it to be converted to another use. And there's this concern expressed by many people who do conservation; is the conversion of these lands to something else as demand increases for these properties. There's more and more of a push to have them put to a use.

AF: Despite the ordinance?

KG: No. I'm talking across the board. If you talk to other counties and such, they're always very protective of these to make sure that they're not converted to something else.

AF: Right.

KG: Because the concern is that, once you do that on one site, what's to stop the next site?

AF: Right.

KG: And the next site. Unless you have a very constrained fact pattern. It's like, no, that's not what we're supposed to do because it says "permanently preserved" because the whole idea is that once you buy it, it's preserved. And that has been—part of the integrity of the program is that, once these have been preserved, they haven't gone to any other use. And I think we're the only county in Florida that has had three referendums approved by the voters. All in excess of, I think, of high 60s or in the last one, almost 79 percent.

AF: Yeah. I think they were all around three quarters or better.

KG: Yeah.

AF: Yeah. It's remarkable um. It sounds like there's a lot of, maybe, parallels with the legal profession because its—

KG: Oh, yes.

AF: You're mentioning—if I'm getting this right, and correct me if I'm not—there was the ELAPP ordinance that specifically said [that] we are going to preserve these in perpetuity.

KG: Correct.

AF: But you're actually adding an additional layer of protection, in a sense by this multi-agency ownership.

KG: What is legally preventing the board from amending the ordinance? You cannot restrict a future board. So if a board decided one year, we want to amend the ordinance, they could. Now, considering the support for ELAPP, that may not go over well with the public. And since these are elected officials, you know, they would probably have to very carefully consider the potential public repercussions. However, by involving another government agency, you now have a second layer of protection, so that you have to get both government agencies to agree. So, example, we recently had the reverse situation that we've anticipated with SWFMD⁹. Because when we did our first joint—I did the first joint preservation with the Southwest Florida Water Management District. While St. Johns had done some for years, this was the first one for Southwest. And they were concerned. They didn't want us to hold title because they were concerned with what we might do in the future. So we crafted an interlocal agreement¹⁰ where they would get title,

⁹Southwest Florida Water Management District (SWFMD) is a regional agency of Southwest Florida responsible for planning and regulating the consumption of water resources, the use and protection of wetlands, and other water-related activities.

¹⁰A written contract between local government agencies and/or public entities.

but we would lease it back. And we could lease it back for the next 60 years without any payment. And they could not terminate that lease unless we were in default.

And they had to give us time to resolve the default. So if they ever decided to sell the property, we said, “No, we don’t want to sell it.” And [they] says, Well, we’re going to offer it to you. And [we] says, No, you’re not going to sell it; this is preservation land. [And they said,] Oh, no, we’re going to go through the process. So [we said], Okay, we’re going to keep our lease and see how much money you’re going to get for a piece of property that has a no money lease for another 30 years. Situation of Florida Communities Trust, we own the fee. And this probably one of the best. We own the fee and another government agency has the restricted covenant on the property. We can’t do anything legally unless they allow us to remove that restriction, so if we need an eight-foot strip or ten-foot strip to widen the road. We could default on the entire property if we did not work with them to release on that strip.

AF: So it worked both ways.

KG: Yes.

AF: Against and for us.

KG: Well, it goes through—the whole idea is to make sure that conversion of these properties is not an easy process.

AF: Okay. Very good.

KG: That adds a layer of protection. And then, on top of that, we change the land use to natural preservation.

AF: So how many of the preserves have these kinds of joints acquisitions or multiple layers of ownership or involvement?

KG: Most of them.

AF: Most, yeah.

KG: Not all them. A lot the early acquisitions and basically all the acquisitions since 2008 because there’s no joint funding.

AF: Right.

KG: And that was the reason for their—you know, they participated because they had money. When they don’t have money, they don’t participate.

AF: So it depends, since 2008, that we have gotten anything from the state for joint funding acquisitions?

KG: We have, believe it or not, a grant from Florida's Communities Trust on an acquisition from 2007 because they had some left-over money in '11 that didn't get spent, and we were the next one on the list. So we should be getting back 3.3 million later this year.

AF: As a result of—

KG: An application I put in 2011 on an acquisition that happened in 2007.

AF: (AR laughs) This is very convoluted. I can see how—man it's going to be hard to have someone—who is mentoring under you?

KG: Possibly my project manager right now, but we'll see. Because some of the stuff, you know, is a little beyond a lot of people.

AF: It's already, already struggling to follow but I—

KG: Understood.

AF: I get that it's very complicated. I want to take a quick break. We'll get back into this. Partly for the recorder.

pause in recording

AF: All right, so we took a little break. And now getting back into, especially Kurt's personal experience of coming to ELAPP as a guy with a development background, learning what ELAPP was, learning the ropes of doing it, and how that impacted your own professional growth and personal perspective.

KG: I've gotten a much better appreciation of the environment and what it could do. And the importance of it. A lot of people don't seem to realize the implications of a lot of little things such as, you know, the water quality aspects of buffering to the river. And [they'll] say we don't drink out of it. Yes, but even with storm water treatment, it's still not as nice as having just natural habitat next to it. The importance of preserving these areas so that wildlife has got places to live. And the special habitats are disappearing in Florida. From an acquisitions standpoint, it's also important that you don't fall in love with the property.

AF: Interesting. Talk to more about that.

KG: Well, you have to be able to walk away and take that perspective. If you sit there and in the back of your mind, "We have to acquire this! Or this is the best, this is the best site! This is fantastic!" You know, you kind of lose your edge. If you fall in love with it, it's hard to look at it from a business perspective. And that's how all the other people are looking at it. Anyone else who's trying to acquire it. People buy real estate in anticipation that, one day, they will sell and make a lot of money. There are some that have a strong dedication towards the property, that really love the piece of land that they have, which is

why conservation easements frequently work well in those situations. But the vast majority of people who buy property do so in anticipating selling it and making a lot of money.

AF: So can you give me some specific location examples of places that the ELAPP organization, as a group, the people were at risk in falling in love. Did you have to rein them in, or yourself?

KG: Well, example, the Balm Boyette Scrub Preserve, so many people were interested in that because it had the largest area of scrub and tax scrub in the entire county. The owner, a major corporation out of Oklahoma, knew that they really want this piece of property. My wife and I—just as an aside—think that, a lot of times, when you go to certain areas like a flea market or [when you] see vendors at countries in the street. They say, How about this? And you never want them to know that you really want it. So if she really likes it, she says, “It’s adequate.” So there’s a little quiet code word between us that then tells me she really likes it. He doesn’t know it. “Adequate.” How many people use that use word in normal conversation? But that gave me the cue, okay we really want to get this. Do the best deal, but don’t walk away. “Yeah, that’s okay like this. I could offer. You know, I don’t want to insult you with an offer. Oh, come on. Well, this. No, okay. The most I can do is this.” You cut a deal.

AF: And so, is that what you had to do in some cases?

KG: In some cases. Here, I’ve had to be able to walk away. And, literally, on one transaction, I was sitting and talking with either Pete Fowler or one of the attorneys, and the attorney representing the seller came up and says, “Hey are we going to be able to strike deal on this?” And I said, “Well, listen. We’re not going to be able to make your client’s requirements and, right now, because they’re the only parcel in this project and we have so many other sites coming on board, we’re going to recommend that we rank this suspended.” The following week they accepted our offer.

AF: Which property was that?

KG: I’d rather not say because then you could identify the parties.

AF: Fair enough.

KG: But when they know that you’re going to walk away, they say, Well, maybe not. Sometimes that’s what you have to do. And you may walk away, and then they say, Oh yeah, I’ve got another buyer for the property. And eight months later on [you say], “I see that you still haven’t sold that property; are you willing to reconsider our offer?” And then try to a negotiate deal. Now, things have changed a lot over the years. That was the ’90s. With the building boom starting in the early 2000s, that’s not as much of an option anymore.

AF: It pretty much goes away.

KG: Right. And with the building boom of the 2000s, essentially anything within the urban services area or in an area where central water and wastewater would have been available, we can't compete with the speculative market because we're working on historic basis.

AF: Meaning?

KG: Well, we have to get the property appraised. And they'll look at a sale, let's say, that closed in June of 2004, and we're trying to negotiate in something in 2005. Well, that sale in 2004 was probably put under contract in 2002 or 2003. It may have been slightly speculative, but as the market ramped up, it became tougher and tougher, so you had values increasing on speculative perspective faster than could be realized by appraisals. And the appraisers have to look at historic. So if the market is fairly level and is only going up in the low single digit rates, that's easy to do. When it's in the lower double digits or higher, or high single digits even, you're behind the curve when the market's going up. The worse one is when the market tanks.

AF: I was just going to ask. It doesn't reverse to your favor?

KG: It reverses against us because sometimes the investment area realizes that the market is turning, and they get to us early enough on, and then we're looking at sales [from] when it was still booming.

AF: Oh, wow.

KG: And that's a very precarious position. Now, once it starts to go down and we become aware that it's going down, then we know [it's] time to pull back on some of these offers or some of these things, and the appraisers can then recognize that and say change in market conditions from a year ago. Market conditions of 2006 and late 2007 were dramatically different.

AF: Right.

KG: And were even worse in 2008 and '09.

AF: Right, right. It's fascinating. So how does all of this relate? And I love the story about your wife and you having the code, "It's adequate."

KG: Yeah.

AF: And it makes me think of this whole process—on one hand, you’re trying not to give it away that you’re desperately interested in this property. On the other hand, it’s Florida, the Sunshine law¹¹. There’s an ELAPP committee involved and staff.

KG: All our appraisals are still kept confidential. They’re not open. So our internal discussions don’t necessarily have to go out.

AF: That’s only about value, right?

KG: Only about value. I remember a former director of real estate for the Southwest Florida Water Management District bemoaning when somebody is getting in front of their governing board and saying, This is the most acquisition you could possibly do! Before they negotiated a deal, and he’s like, “That just really eroded our position.” As I’ve had people come forward from the various committees and from outside groups saying, We really want to see you be successful. Do you need any help from us? And I tried to convince them as best as possible [that] quiet enthusiasm is best; saying, We support the county’s effort to acquire this property, plain and simple. So, okay, you support the effort. Not that it’s the best, not that it’s the most important, not that it’s critical, we support the county’s effort to acquire this, so if an elected official or the administration [asks] why are we doing this? Well, we’ve got all these groups that support our efforts to acquire this. Once we have it under contract, if you want to bring out the cheerleaders, go right ahead.

AF: So a real measured approach—as you’re looking at these properties and attempting to acquire them—had to be the way to go.

KG: Yeah, and again, being able to walk away and not have a rush. In the ’90s, through most of the ’90s, there were not a lot of people buying large tracts. And there were some years I was giving appraisals, and the only transactions were the ones either by me or the water management district. And there were actually concerns expressed in appraisal seminars that, what do you do when the only comps are government related? Because those aren’t, quote, arm’s length market¹², because we’re not considered your typical purchaser. Most purchasers who are looking in investment, they say, We want to buy a tract of land like this. Oh, there’s this one, this one, this one, and this one. These four tracts. We have site-specific. We want to acquire that property. We don’t want to buy 200 acres in South county for a single-family subdivision, as many people did in in the 2000s. Because there were lots of them out there that didn’t qualify for our program. We wanted to acquire that particular property parcel.

AF: And so, you had to really struggle to get comps?

¹¹A series of laws designed to guarantee that the public has access to the public records of governmental bodies in Florida.

¹²A financial market consisting of parties that have no relationship or contact with one another aside from the transaction at hand.

KG: Not just getting comps, but it restricts our—because we cannot substitute, we have a very specific acquisition intent. We're not considered an arm's length purchaser; we are not typically motivated. So there was that. A big issue in that in the appraisal seminars and conferences through the later part of the '90s, and that's with all the Preservation 2000¹³, the predecessor to Florida Forever¹⁴.

AF: Right.

KG: So, because you're generating your own comps, that meant we were very cautious about that, in that we didn't bid properties up. Because then they say, Well, you just paid 5 thousand dollars and acre for that over there, why is my property not worth 5 thousand an acre?" And we got some very good deals in the '90s that couldn't be even thought about today.

AF: Right.

KG: If you look at per-acre prices back then.

AF: So scale up to, you mentioned Preservation 2000 and Florida Forever. Obviously, we're not doing this in a vacuum. Most local governments in Florida have some kind of environmental lands program. The state has had—

KG: Have or had?

AF: Right.

KG: Some of them are nearly as active. Some of them are, like, Well, when we get more money we can start doing some more. And I think most of them are like that right now because of the fiscal constraints imposed upon local—all governments. We're all in the same boat. Well, some more than others. Like Palm Beach, from what I heard from them, they're just doing minor infill. They say, We're pretty much done from the preservation standpoint. Then you have other areas like Collier County, where 90 percent of the county's already preserved.

AF: Right, right.

KG: There you'll only look at the few special pieces. And then you go up to, like, Lee County, they still have a fairly active program. Sarasota's done fairly well; I don't know

¹³This program has been replaced by Florida Forever. Both Preservation 2000 and Florida Forever seek to acquire and protect both conservation and recreation lands. The State of Florida has purchased more than 718,126 acres of land with a little over \$2.9 billion.

¹⁴The Florida Forever Act provides for land acquisition to protect environmentally significant lands, to protect ground and surface water, to provide high quality recreational opportunities in urban areas, and to help local governments implement their comprehensive plans.

how active they are right now. Again, their own money makes big issue. Joint funding is a very big issue. In 2008, we were up to 42 percent of total expenditures were funded by other sources. Which means, for every dollar we spent on ELAPP acquisitions, we only spent 58 cents of county money.

AF: The rest came from state partners or anyone else?

KG: As I said in one conference, when I look at buying a piece of property back then, I would say, “Okay. Who’s my partner on this? Who would be best versed to work with me on this?” Because you’d have to know the criteria, and funding, and transaction requirements of each agency. And sometimes I’d get very creative, sometimes post-acquisition and sometimes mid-contract. I had a—somebody with the water management district call me up saying, “We’re looking for a tract about this size within the Hillsborough basin to acquire for mitigation for FDOT¹⁵.” I started thinking, like, Hold on a second, that’s the property I just contracted for last week. And I initially was starting to process that as a Florida Communities Trust application. I knew it wasn’t going to do that great but I figured, okay, let me toss it in. But then I was like, okay, we get 100-percent funding; they put a basic conservation easement on it; all we’re going to do are trails; that’s all we want to do out there. Okay. Great. We’re done.

AF: So you really have to know not only your market but your partners and how to leverage.

KG: And also their individual requirements because, sometimes, even if a piece of property is something that they would like to see acquired, it may not be worth the effort—or, as I like say, juice; it’s juice that’s not worth the squeeze. There was a tract a guy wanted to sell, 20 acres, almost all wetlands. Twenty thousand dollars. Great. No problem. Hey, it’s right in the middle of a water management district project. (KG groans in disappointment) Well, it just so happened—as I told the auditors—that the south prong of the Alafia went right through the middle of this property. For me to have the water management district fund it, I would have to prove to them that they were not buying or involved in any portion of the property that might deemed waters of the state, which meant my survey cost, as opposed to just the normal boundary and a line going through—because 1,000 [dollars] an acre creates 800 dollars’ worth—it’s not worth the effort to go through surveying that because that would literally cost probably close to half the amount of the property.

AF: So what happened, in that case, to the property? Any idea?

KG: We bought it. But we didn’t get any money from the district.

AF: Because you would have had to do all the surveys?

¹⁵Florida Department of Transportation

KG: We'd have to go through their processes. We'll just buy it. Just let's not hassle with it. It wasn't worth it.

AF: So one of the things I want to ask about is the professional organizations that you belong to or have belonged to, especially ones that are involved in preservation efforts. It seems like there—I would hope to think that every county has a Kurt, or somebody like you, who is an expert in the real estate transaction side of things. How much of a tight-knit community is there, professionally, among you folks?

KG: Well, I don't know how many of me there are left out there because you usually have to have a significant amount of money towards preservation to justify having somebody like me on staff. Now, with the cut backs and everything, my duties have greatly expanded, so ELAPP is just a portion of what I do. I also now have staff, but we're working on fire station, public utilities issues, libraries and any special project that happens to come our way—and also any of the real estate related issues that happened with any of those properties under those various agencies.

AF: So that would be more likely to be the case, even from the start for a smaller program?

KG: For a smaller program. So it may be five or 10 percent of this individual's time, is dealing with that, so they may not get into the depth of the issue because they may only be doing a couple of acquisitions a year.

AF: So how do you mentor a person like that or people like that? Are there organizations?

KG: How do you—? What do you mean?

AF: Maybe if I rephrase—

KG: I think it's called the school of hard knocks.

AF: Sure. But, I mean, looking at it from the perspective of advocates for preservation programs—whether it's at the state level, nonprofits, whatever—how do you cultivate a professional network of real estate, public real estate agents—or maybe agents is wrong word—to [gain] enough expertise in the preservation side?

KG: We have, to some degree, through the Florida Local Environmental Association¹⁶, FLERA.

AF: Okay.

KG: You heard of that?

¹⁶Florida Local Environmental Resources Agencies, Inc. (FLERA) enhances communication, education, advocacy for Florida local environmental protection efforts.

AF: I heard of a different Flora, that's funny. Florida Local—

KG: Environmental Association. We have conference calls where we share real estate related issues. Like I said, there's not many of us left right now.

AF: And is there a new generation coming up, or?

KG: I don't know. We'll have to see. You will probably—if the legislature and the governor start to fund preservation acquisitions, you may spur on a new generation. But if there's nothing to do out there, how do you spur on somebody to do the job?

AF: Right. So it must be pretty frustrating to see the, uh, Florida Land and Water Legacy money just, or the amendment having passed, but nothing being implemented, really.

KG: Yes, it is frustrating, and the legislature has to do what they see fit. The governor has made his position very clear on this. What many people fail to realize, and I'm glad our group has done some researches (sic), the actual financial benefit of land preservation—we're actually working with our emergency management folks as part of the Community Ratings System¹⁷, CRS. The lands that we've taken out of potential development have help lower our flood insurance rates.

AF: Wow.

KG: Last I heard, about 500 thousand dollars a year. Now, that's cash not spent by anybody who's paying for flood insurance. It may not be a lot, but it's a start. But then you start to say, Well, by improving the water quality, by other aspects, you've done some benefits. And now, there's even further studies moving forward that show that walking through nature parks are actually beneficial to somebody's psychological well-being. And I will attest to that because, when you walk in nice areas like that, you have tendency of calming down and not being as stressed. I prefer walking the beach at night. I don't have that many opportunities in Hillsborough County, but there are people who are strolling through woods and, as part of looking at some of these sites, it's like, hey, this is really neat. Not necessarily in the middle of August but many other times of the year. Going out and seeing, this and seeing the critters, and you know, just being away from it all.

AF: And think that's a great segway, the preaching to the converted. We've got the people who are already advocates of environmental lands, but this new argument, if you will, for preservation, that talks in dollars and cents and money saved and the value of health benefits.

¹⁷Community Ratings System (CRS) is a voluntary program for National Flood Insurance Program (NFIP) participating communities. CRS reduces the cost of flood insurance premiums by 5 to 45 percent on flood insurance policies by officially recognizing when a community's efforts in floodplain management and outreach activities exceed NFIP minimum standards.

KG: Not just there's a health benefits, which means that, if you have health benefits, people going out and walking, they're less likely to need psychological help, down time from work. They're getting exercise, which means they're just generally healthier, those types of things. Then there's the other financial benefits, in that the water quality is improved. You don't have to extend services to these tough-to-develop areas. I heard, over on the east coast, where they has these huge—back in the '90s—timber tracts, that from just a land-planning standpoint, we'll put a conservation easement out on [them] so that they stay as forest and not get converted to five-acre tracts. Because when you take five thousand acres and convert it to five-acre tracts, with anything you can do, shell roads(??), and you have the modular homes out there stretching for miles and miles. And not much in support services, and the schools don't want to locate out there because there's not enough demand. You've got to send buses all the way out there to bus the kids in, which is very costly. You also have to extend all the other services—such as you know, police, fire, often those outlying areas—as opposed to clustering them closer to where the services are provided.

AF: So in some ways, doing this preservation, or even preservation through easements, whatever mechanism is a means of doing growth management.

KG: Correct. We've been trying to get a transferable development rights¹⁸ ordinance, but that's a very difficult ordinance to have function because you have to have a defined sending and receiving areas. And the receiving areas cannot get additional densities by just going in and asking for them. They actually have to buy them from other land owners, who then put a restriction on their property so it won't be developed. It works in certain locations. It's my understanding that the one for Sanibel was working very well. So that if you got a lot, if somebody wants to increase densities, they go preserve a lot in an area that they want to see preserved and they get additional densities on their property. Again, I don't know—I only know in general.

AF: Okay

KG: And there's a few programs out there that are successful, but they're not as widely successful as you would hope.

AF: Let's take another quick break and come right back to it.
pause in recording

AF: Go ahead. We were talking about growth management.

KG: Preservation 2000 was started by then-governor Martinez¹⁹—

¹⁸Transfer of Development Rights (TDR) is a voluntary, incentive-based program. It allows the selling of development rights on one piece of land to another party who can then increase the density of development at another designated location.

¹⁹An interview of Robert Martinez is available as part of the ELAPP Oral History Project collection.

AF: Right.

KG: —who was getting frustrated, to my understanding, was getting frustrated at the degree of land regulation and basically said, “If it’s that important to regulate it, buy it.” And that, essentially, reasonably compensates the property owner. They don’t have to try and seek, so they get compensated for their property. The resources that are important from a public perspective are then preserved. So that’s one of the best compromises. The challenge comes in, you know, what is considered fair compensation and appropriate? And that’s part of the fun aspect of negotiations. They say, Well, I could develop this at ten units to the acre.

Then you says (sic), “Yeah, you’d have to rezone it, and you’d have to get the urban services out here. And based upon that, these costs come into play. So, but right now you could develop it as acre lots, but you still have to have the same road system in there. And you’re only probably going to get this many units or whatever.” And so, you go back and forth with the property owner to finally reach an agreement. “Yeah, here’s a good price.” I’ve also seen that sometimes you have to be careful about being too cheap.

AF: How so?

KG: Well, sometimes for the lack of 10 thousand dollars or 20 thousand dollars, which was 10 percent of the purchase price back then, you end up spending a lot more. Because the last time—if you talk to anybody who’s done land preservation, you know property values have kept going up. So if you are—I remember I was chastised on this one particular acquisition for going up 50 dollars an acre. And then when I said, “Well, what makes you so sure that you have the deal?” And they said, We’re finalizing a contract, I just need this approved by the committee at the time. And it was like, they agreed to it but it was like 50 dollars an acre.

AF: For roughly how many acres?

KG: Six hundred. Thirty thousand dollars. I knew a little growth management issue with that, that nobody else had really realized. This is the Cockroach Creek Greenway²⁰. Do you know where that one is?

AF: Down off of Valroy Road?

KG: Correct. It used to be the Valroy Road site. It’s an old subdivision. If you look at the survey, it’s an old subdivision. However, the roads go through pristine cypress domes²¹. The prospect of you getting a—the cost of mitigating that impact would be huge. But I

²⁰Purchased by the ELAPP program in 2001, the Cockroach Creek Greenway consists of high quality pine flatwoods, scattered wetlands, and forested wetlands. This area provides crucial breeding habitat for some native species. The creek corridor provides a connection and potential travel corridor for wildlife between the uplands of the preserve and the coastal habitat along Cockroach Bay.

also know that, when it's a vested subdivision, you could get a building permit. But issue is that you had to get access. So I said okay. So you have access down a private road, and just before you get to the cypress dome, because you own the entire thing, you create or record an ingress-egress easement²² that goes around the cypress dome and then rejoins it on the road on the other side. So you would have been able to take your vested subdivision and have this easement recorded, and you could have gone up there and gotten building permits with putting in any improvements. Nobody took that perspective, and I was concerned that sooner or later somebody's going to see this opportunity. So let's this buy this, you know, let's get under contract now. So you have to, knowing some these unique rules—

AF: You've got to know the nitty-gritty, absolutely. Well, and that's one of the things that I want to ask about. Another example of a developed, or a site that was undergoing becoming a subdivision is Bell Creek²³, where our main office is. What's the story behind Bell Creek, what happened?

KG: Well Bell Creek, we were initially approached by one individual and this is an unfortunate situation where one hand did not know what the other one was doing. And we folks—and we just bought the area of scrub directly to the west—I'm sorry—the east of your current office. And then I saw where the developer sent a letter that said, "We've achieved preservation of this 50 acres here that's required for our development." I'm like, that wasn't what this acquisition was for. We bought the fee to it. We—you know, this wasn't it. Well, shortly thereafter that developer went bankrupt. And then it was bought by somebody else who decided that they wanted to get out of the there and then we bought the rest of that. And then bought another piece from another party, and then we had Florida Communities Trust to come in and pay for half of it. So you have to be very careful on some these. And that was very early on in the program before we knew some of the little details and such. So and when you're first starting out on these programs, you know, sometimes you don't have exactly the depth of knowledge that you really need. So you learn fast.

²¹A cypress dome is a forested wetland where the trees at the center grow higher than the trees at the edge, forming a dome-like shape when viewed at a distance. The dominant species in these domes are bald cypress and/or pond cypress.

²²The legal right to enter and exit property not owned by the user. Examples include, a utility company's right to enter private property to maintain power equipment or a homeowner's use of a private road to access his/her property. Easements are officially recorded and can usually be sold along with the deed to the property.

²³Bell Creek Nature Preserve is a 597-acre nature reserve in Riverview, Florida. It includes scrub, flatwoods, sandhill, the and grassland habitats.

AF: Sure, sure. I mean in some ways with Preservation 2000 or maybe CARL²⁴ before that. There was a little bit of knowledge of doing this, but at the local government level, this was brand new.

KG: Yeah. Very little. But once Preservation 2000 hit, then it was like a lot of other governments started coming in to play saying [they] have potential for state matching. And we were actually kind of on the early part of the curve with that, on this coast. Volusia County was much further ahead on that. Years ahead of us on that because Volusia County was partnering a lot with the St. John's Water Management District on that project. And they were doing very well with their local program. So they were kind of like the mentor for us of how well it worked. And then, but then I had to start pushing on certain things. As a matter of fact, the very first acquisition that the program did—before I showed up—could have been a joint funded project with the water management district because one of the early acquisitions that I did, on the other side of the Hillsborough River, which actually doesn't even show up on our maps anymore because it's been—well, it should show up. The Oakridge site was the first joint-funded. And it had the same characteristics. It was kind of notch into lands preserved by the water management district.

AF: Right. Lower Hillsborough flood detention²⁵ area or whatever that's called.

KG: Yes.

AF: So Oakridge was first joint acquisition and prior to that was what? Dairy farm was the first?

KG: That's the other one that probably could have been joint funded with the water management district had we not already owned it.

AF: I like how you mentioned [that] Volusia, as a county, was kind of a mentor to Hillsborough County.

KG: Well, they showed that, okay, there are these opportunities in running their local preservation program.

AF: Were they the first local government one?

²⁴The Conservation and Recreation Lands (CARL) program was established by the Florida Legislature in 1979 to acquire lands of environmental and cultural significance. In 1989, the CARL program was replaced by Preservation 2000, which was ultimately replaced by Florida Forever.

²⁵Hillsborough Flood Detention areas are parks clustered around the Alafia and Hillsborough Rivers. They are designed to flood during torrential rainfall thereby sparing communities downstream from the overflow.

KG: I'm not sure.

AF: Okay. Because I know we were proceeded; Pinellas and Manatee both had ordinances anyway for environmental lands prior to ours.

KG: They may have. I don't know the history. I know that ours was well-funded. But going back, we started our ordinance in 1987 because of our success of providing a certain amount of funding for the then Bower Tract²⁶ with the State Conservation Recreational Lands Program. And that they had a joint funding list. Well, if you're going to pay half, we'll move you up on the list. Which makes sense because if you can get another agency to put in half, why not take advantage of it?

AF: Right.

KG: Both, you know, the mutual benefits to each agency.

AF: And so, there was an era almost of—I don't want to say competition, but that's what it was. You're on the CARL, Conservation and Recreation Lands, list competing with other local governments trying to get funding from the state from the same CARL program. And so when you can kick in more local money for the match, you compare favorably. What about collaboration across county boundaries? Was there, even to the level of planning, like we talk about now the wildlife corridor²⁷ kind of approach?

KG: We tried in some instances but sometimes that's very difficult. And some areas we have such a dramatic change of land uses and objectives from the various boards. It's very difficult and there's very few locations where we really can. Sometimes other agencies took the lead. Example, the lower Hillsborough flood—I'm sorry, the lower Green Swamp Preserve²⁸ is actually connected to the Green Swamp because the water management district did a conservation easement up in the northeast corner. And that also connected to what is known as the Alston tract²⁹, which is partly in Polk County, which helps connect that property up to other lands preserved and the Green Swamp. So now you've got a fairly good connection to that, 13 thousand acres and then across 39, you

²⁶Double Branch Bay (Bower Tract) is a 596-acre peninsular park that includes mangrove forests, salt marshes, freshwater marshes, coastal hammocks, and pine flatwoods.

²⁷A wildlife corridor is a linked habitat of native vegetation that allows for the movement of animals and allows larger animals to establish larger territories. Corridors are critical for the continuation of viable populations.

²⁸Green Swamp Preserve is located in Polk, Lake, Sumter, Hernando and Pasco Counties with the headwaters of the Peace River, Withlacoochee River, Ocklawaha River and Hillsborough River located within the preserve. It is managed by both the Green Swamp Wilderness Preserve and the Southwest Florida Water Management District. In 1974 the State of Florida designated 322,000 acres of this region as an area of critical state of concern.

²⁹Upper Hillsborough Preserve (Alston Tract) is hunting preserve located in Pasco County.

have Black Water Creek Preserve³⁰, which one year 39³¹ will get widened. And when it does, the area around Black Water Creek will probably have a much higher level bridge and because it's preserved on both sides, they'll be greater potential for a wildlife underpass, as well as recreational underpass.

AF: So looking at that whole chunk, which is arguably our biggest contiguous piece, Lower Green Swamp, maybe after an ELAPP piece. I'm sure the wilderness preserves that the SWFMD lands (AF and KC talking at same time; inaudible)

KG: Well, the other one is an assemblage that basically started with the vision of the South Florida wildlife corridor by the Sierra Club³² that nominated it in 1990, which basically went along the Alafia, up the north prong, down the south prong to the Balm Boyette Scrub Preserve and up to the creek, back up the various creeks back to the Alafia. So that was the initial big brawn(??) So if you were to total up all of those properties within that, which are pretty much connected, you might be beyond the size of the Green Swamp. And we pieced together some very creative divisions in that, especially one portion with Fishhawk where we were able to get the water management district to fund 50 percent of the total cost. And then we got, on top of that, the Florida Communities Trust funding half of our costs. So we only had 25 cents—

AF: On the dollar.

KG: —on the dollar for that one acquisition, which was in the early 2000s, which would never, you know—if we hadn't done that then—

AF: Oh, the place is gone.

KG: It would have been developed. There's no question. Because it got developed at, knocking—the had developed knocking at the door next to it for years.

AF: Yeah, yeah. Well, and what I was thinking about, and I love the example, the South Florida wildlife corridor. You said the Sierra Club pieced that together?

KG: Yeah.

AF: As a concept anyways. And they shopped it around?

KG: That was back around in 1990, and that was one of the basis for going back to the voters for the 1990 referendum.

³⁰A 1,993-acre conservation area in Hillsborough County.

³¹State Road 39 is a north-south state highway in eastern Pasco and Hillsborough County, Florida.

³²Sierra Club is a national environmental organization that practices political activism through national and local chapters. Their motto, "Explore, enjoy and protect the planet," speaks to their goals of promoting responsible engagement with natural resources, protecting the ecosystems of the Americas, and advocating for environmental rights.

AF: Really?

KG: Because it was like, we've got—you know, first the push was make sure that you've got enough money to get everything nominated and on the program. Okay, well, when this one came through, it's like there's no way.

AF: Uh-huh. Couldn't afford all that land.

KG: There's no way we could afford all that land with the 21, 22 million dollars that we anticipated getting. And we hadn't anticipated getting much joint funding or anything. By the way, when I was first hired they said this was a four-year job.

AF: Really? Because it was—

KG: Four-year referendum.

AF: Wow.

KG: So, with that, we went back to voters for 100 million. And again they voted us in.

AF: And then went back again.

KG: And if anyone had—and you know, we kind of surprised everyone in 2008. The depths of a recession. You're going back to ask the voters for more money, and they still vote the same yes.

AF: Yeah.

KG: That basically killed any question—on a regular election, regular presidential election. One of the highest voter turnouts ever. We got more total votes than a school board member.

AF: Hmm.

KG: I don't know if I shared with you, I went through with information at the time, which now would almost be impossible to try and track down, as to the vote on that particular ballot. How many—and also other ballots. We were the largest, single-county preservation referendum nationwide.

AF: Really?

KG: I think we had the highest—and this is based on information from The Nature Conservancy³³. I'll get you that sheet.

AF: Please do.

KG: That [has] all sorts of facts about this referendum and our passage of it. It was, you know, very enlightening.

AF: Yeah. So this was in 2008?

KG: Correct.

AF: The depths of the recession, and yet we had by—

KG: Seventy-nine percent of the people saying go keep buying land.

AF: At the largest clip of any referendum in the country at that time.

KG: Yeah.

AF: It's pretty impressive.

KG: Now, there were a couple. Two county referendums where they combined it, was more, in California where it's more money.

AF: Yeah, but still. Very impressive. Let's circle back around. The most memorable acquisitions. You told me some of them. Are there any other struggles or challenges that you had to overcome during the last thirty years that you worked for ELAPP?

KG: Early on in the program, people were concerned that we were taking too much property off the tax rolls. Matter of fact, as part of Preservation 2000, there was a special statute for some of these small, you know, rural counties where they were taking out hundreds of thousands of acres, that they would be subsidized for the loss of tax revenue. So as part of our ELAPP banner report, we would say, What's the just value and what's the assessed value? Since most of these properties are greenbelted³⁴, our impact on tax was negligible. And we started hearing from people that if you backed up to one of these preserves, your property was worth more. Surprise, surprise.

³³The Nature Conservancy is a charitable environmental organization founded in 1951 with the vision of conserving lands and waters worldwide. Their mission is, "to conserve the lands and waters on which all life depends."

³⁴Greenbelt refers to lands receiving an agricultural classification by the property appraiser's office. To qualify, the property must be primarily used for agricultural purposes such as pasture land, cropland, citrus groves, nurseries, etc. This classification results in a lower tax value and usually a significant tax savings for the property owner.

AF: Is that what the greenbelt concept means?

KG: Well, no. The greenbelt is for agricultural preserve. So if you have cattle on your property, you pay a flat rate, like 500 dollars—it's assessed at 500 dollars an acre, which isn't that much. So a 400-acre tract, 500 dollars an acre. What is that, 20 thousand dollars?

AF: Yeah.

KG: No, 200 thousand dollars. So it's not that much for that size of a tract. That's the assessed value.

AF: Okay.

KG: So then you see you're paying a small portion of tax. It's not that much. So we were not making huge impact. [It] also allow[s] the properties that we have had, you know, a certain percentage of wetlands. And wetlands were assessed at a much lower rate, probably close to greenbelt. Just like—we're not making that big of an impact here. We still record it, but it's like we don't make that big of an impact.

AF: So is there good documentation or research sort of across the preservation acquisition industry about this kind of stuff?

KG: I don't know if they've gone to that depth.

AF: It just seems, the reason that I ask, it fits in. We mentioned earlier about the ecosystem services and all the benefits that the community gets by these programs.

KG: I think a lot of those have been recently initiated because there's this perspective that they don't do any benefit.

AF: Right, right. But you just mentioned one. It's an obvious one, is if you neighbor, if your development is next to a nature preserve, the value of the houses bordering it is much higher that it would be if it was—

KG: A lot of that is subjective, and you'd have to look at it. That's also a real-estate principle. You'd have to have an appraiser do an analysis of it. And what would be the benefit of that? You know, you're going to spend thousands of dollars to have a contractor go out to say what's the benefit between this and this. You know, there is a subjective aspect that they do within the appraisal that says it backs up to an open space, 5 to 10 percent more.

AF: Okay.

KG: How can you get it exact? You can't. Appraisals are not exact. They are estimates of value. They are opinions. They're an opinion of the estimated value.

AF: Yeah. More art than science. But I guess I'm looking for, if someone, a researcher wanted to come along and say, "How can we take data that we've got, and show: has there been an increase or not in the property value?" Is that even doable being adjacent to nature preserve?

KG: There probably is a method to do it. Has anyone done it? They may have. It may not have been as formal as you would want it.

AF: So who do you think would do it? What organization or university? Or who would do something like that?

KG: Well, universities are doing lots of study on it. I mean, you know, somebody like the Lincoln Land Institute³⁵ might want to pursue something like that because they look at general property value issues. You know, implications of ad valorem taxation, things like that. And they do it on a worldwide basis.

AF: Okay. And I think that's where this is going. Right? We're trying to make this broader case than just the birds and the bunnies, as I've heard some people say.

KG: I was at a FLERA conference six or seven years ago, and they said, You need to change the story. You can't talk about the benefit of water quality. You can't talk about the benefit—or you can, but what, you know, they've all heard those things. What's the money benefit? When you look at all the people who come to Florida, it's, oh they're just coming here to Disney. No. They come here to fish. They come here to hike. They come here to bike. Somebody told me that they were talking with this one guy who works on mountain bikes, and if it wasn't for the mountain bike trails at Alafia State Park and Balm Boyette, he wouldn't have a business.

AF: Right.

KG: Little things like that. You look at the water quality implications of what has happened over the past few decades and the benefits of those. Well, people fish in the bay. If there aren't any fish, you're not going to get traveling here to fish.

AF: Or for that matter, who's going to buy waterfront property if it smells like a sewer?

KG: Correct.

³⁵The Lincoln Institute of Land Policy is a think tank based in Cambridge, Massachusetts that seeks to improve quality of life through creative approaches to the effective use, taxation, and stewardship of land.

AF: Very good. So, how do you see, through time—? This program, how has it really evolved, do you think? Has there been major changes or has it been really consistent throughout?

KG: Oh, no. It's adapted through the years. From the acquisition standpoint, it's changed dramatically. Early on it basically—from a management standpoint it changed drastically. Early on, they basically had almost no funding for management. If you talked to Rob Heath, he was like, "How am I going to manage this stuff? I don't have staff." And then he finally was able to convince that we needed staff. And then gradually they started getting staff. And you know, the great recession, they had to cut back. They still needed more staff.

AF: It seems we made some improvements in that?

KG: Well, we have a reasonable amount of staff for management, but one thing, it's always comical, that back at the start of the program. You know, people would kind of say, How am I going to get sufficient funding for management? This is 28 years ago. And I was at a conference, and they were all talking the same, How are we going to make sure we sufficient money for management? That's what we were talking about 28 years ago.

AF: So we haven't made any progress there. It's still—

KG: It's still an uphill battle to get enough. Now they're getting a little bit better because people are becoming educated that you need to control the exotics³⁶. And once you get those under control, you start burning. It's relatively cost-effective. And about 20 years ago, the whole idea of setting fire to preservation land was like, are you crazy?

AF: Really?

KG: The public outreach and educations taught them that, no this is how we're supposed to do it, to mimic the natural process in a controlled environment because 600 years ago when nobody was here except for the Native Americans, lightning would strike, set some pine trees, something on fire and it would burn. And it would do consistently, so you never had the fuel levels that were so high that would destroy the trees. Well, since everyone views fire as bad for forests, you suppress them. And then when they burn, they burn like crazy because they have enough fuel. There have been significant advancements on that, exotics especially. Challenges is that, now, we have more exotics than we used to, and they're getting worse. Of course, we're getting more creative. They found a fly that eats air potatoes³⁷.

³⁶Exotics are also referred to as invasive species. It is any living organism—plant, fungus, bacteria, or animal—that is not native to a specific ecosystem and causes harm to its environment, ecosystem, or surrounding human community as it spreads.

³⁷The air potato was introduced to Florida in 1905 and added to the Florida Department of Agricultural and Consumer Services' noxious weed list in 1999. Native to Asia and sub-Saharan Africa, it is a member of the yam family and can grow eight inches in a day and reach lengths of 70 feet long.

AF: Air potato beetle³⁸?

KG: Yeah. It only eats air potato. So it runs out of air potato, it dies out. I don't see them dying out anytime soon. Because there is enough of it out there for them to eat. They'll just keep going out and finding it. There's a few others. Now, Kogen grass³⁹ from what I've heard is terrible. And you have a few other things like the feral hogs⁴⁰ and kudzu.

AF: Kudzu⁴¹.

KG: Kudzu the plant—I mean the big lizard.

AF: Oh, Tegus⁴².

KG: Tegus.

AF: No, suffice to say, we definitely have our battles with exotics.

KG: So that's an ongoing theme that you have to keep going. And they've said, No, we have to keep these people going because once they—if we can keep them in check, they're easy to keep in check. Once they get out of control, that's a real pain getting it back to normal.

AF: So we've been constantly struggling to make that case from the very beginning of these programs, to have adequate management.

KC And people said, You've got all this land, how come more of it isn't available to the public? And my response to that is: you buy the land when it's available. If you wait for when you have your management funding, you might not have anything to manage. If—when somebody's ready to sell it, you buy. You do the best that you can to get it, because more than likely you're not going to have a second chance. And every once in a while

³⁸*Liliocertis cheni* are a host specific insect that will only feed on air potato plants. In 2012, they were introduced in Florida by biologists to control air potato plants.

³⁹Also referred to as pampas grass.

⁴⁰This invasive species competes with native wildlife for food, preys upon ground nesting wildlife, and introduces diseases and parasites to both animals and human populations. Their rooting behavior can destroy native ecosystems and lead to water quality problems.

⁴¹Kudzu was introduced in the 19th century as an ornamental and to control soil erosion. It can grow up to a foot a day eventually reaching a hundred feet. Unless controlled, it can choke out strands of trees.

⁴²Native to Central and South America, Tegus can grow to be four feet long. Their diet includes eggs, small mammals, snakes, lizards, birds and even small household pets such as cats.

you do. But more often than not, when the current owner wants to sell, if you don't buy it, you're done. It will be converted to some other use, and that's it.

AF: Yeah. The last crop or the final crop averted—

KG: They are houses.

AF: Development. Right. So, I think I've covered most of the questions I wanted to ask. I want to circle back around though again to try to get into your own reflections on your own career, and how has ELAPP impacted maybe personal decisions or beliefs or whatever. You started off coming from the development industry, not really one way or another about the environment, but now you've just given us some pretty good testimony for keeping preservation going.

KG: Oh, yeah. Well, and I have a great respect for the environment that I didn't have 28 years ago and all the relative issues to it. I'm still pretty much a hired gun. I like what I'm doing because like said earlier, a hundred years this will make a difference. If I buy some fast food locations, who's going to care? If I'm working for somebody who's looking at building fast food locations.

AF: So how do you think we reached those, the folks like that, who—?

KG: Oh you'll never—no, we all have our own functions. You know, the bigger thing is respect. I was recently in Maui to attend a relative's wedding. And one the things that I noticed is that there was essentially no litter. The people and the visitors who go there respect it, so there's no litter. They take care of things. And when you can teach people the importance of these areas and their function, and they start to learn respect, there's always the potential that that will move on to other things. That they will not be as wasteful. You know, you think about the person who throws the plastic bag on the ground. And that plastic bag washes into the storm sewer. It doesn't get caught because of the old storm sewer system, doesn't have that area to catch all the trash, and it eventually makes it to a stream, and maybe it catches on a twig or something in the middle of the stream.

But then that could become a trap for some other aquatic creature that gets caught in it and gets killed because it just happens to be there. Or if it makes it on to the Bay, they eat it and they die because they think it's food. They're finding that with all plastic and a lot of the birds out in the Pacific. So if you take a moment to get rid of that plastic bag, get rid of that piece of plastic, you properly dispose of it, it wouldn't happen. And the people in Maui recognize that because that's where you go to enjoy the natural resources. They don't have a lot, you know, you go to Oahu, they're more geared towards the night life and they deal with a different type of tourist. Although a lot people go there for some of the natural beauties there too. But Maui is that you go there to watch the whales, enjoy the mountains and lot of the sites. You don't go there to party.

AF: Uh-huh. So maybe it's important to have part of our identity in Hillsborough County be reflected in these natural areas.

KG: And having these areas, and when people enjoy them, they start to realize, okay, this is important. If they could never enjoy them, they wouldn't realize how important they were.

AF: And that might be reflected in the large majorities that have continued, three times now, to vote for it.

KG: Possibly so, but as they start getting out to these sites and start walking through, okay, yeah. This is good. Let's take care of it. I enjoy going to these sites. People enjoy seeing, you know, looking at all the critters and being one with nature, riding their horses through there, which, in some areas, is very difficult to find a place to ride horses.

AF: Right, right. Very good. Anything else, Kurt? A final parting wisdom for your protégés?

KG: I don't know. I'm kind of tired right now. (KC and AF laugh)

AF: Fair enough. You've given us a lot.

KG: Yeah.

AF: Well, thank you very much.

KG: Okay, sure. If you have anything more, come back.

AF: You bet.

pause in recording

AF: Real Estate 101.

KG: Real Estate 101. Real property is frequently described as a bundle of rights. You have the right to sell. You have the right to exclude. You have certain rights that are regulated, but basic—and you can sell them off individually. So another unique aspect in—and to give you a corollary is that, if you were going to go buy a car, [the seller] says, "I'm going to sell you this car, and I'm only asking this much." [The buyer says] "Hey, that's a great price." He says, "Yeah, but I want to be able to drive it every Saturday." You'd look at him like he was kind of nuts, "No, no, if I'm buying the car. I get the car." Real estate is different. I can sell you a piece of real estate but I can retain a right to use it as an access easement to another piece of property, or put restriction on it so it can't be used for something, things like that. I can retain some interest in it.

So you can imagine, who would want to buy a car if you couldn't drive it on Saturday? But in real estate, that's exactly what you do. Developers frequently put restrictive

covenants on communities so that things stay relatively consistent. People will, can sometimes convey easements across their property for compensation, such as power line easement, drainage easement, pipe line easement, for whatever purpose, so that they get some money and somebody gets a partial use of that. So it's a bundle of rights.

Conservation easements will take a bunch of those rights away from somebody, but they still have ownership, but only a limited portion. So when we contract for real property, we are contracting for a legal right. Essentially. So, and every—appraisals are an opinion of value. People say, Well, the appraisal says this. Appraisals can vary dramatically on individual opinions and assumptions. What else? Contracts detail, county does it a little different. In the real world, the buyer signs the contract first and says here's my offer. The county, we send a letter of intent to the party, and they say, We're ready to do a deal. Okay, you sign the contract first and then we sign it.

AF: So the seller signs the contract and then we have to go to court.

KG: Correct, because we go to the board to get them approved. You've got to make sure that the seller has agreed to this. And one of the fortunate things is that I'm probably getting close to 190 different transactions to the board over the past 28 years for ELAPP. Every single one has been approved.

AF: Nice.

KG: Many of them were on consent.

AF: Meaning?

KG: No board discussion. No presentation.

AF: Just Yea or Nay.

KG: Just it's on the agenda. It's an ELAPP acquisition. It met all the requirements. Do it. Five-million-dollar contract approved on consent.

AF: How many—a few of them were not just on consent? They had to go into discussion?

KG: Well, because of the dollar amount or the unique issues associated with them, sometimes they did. But up until recently, I could do a multi-million-dollar contract on consent. The current policy is anything over million dollars or more is presented.

AF: Okay.

KG: But the big fact is that I can tell the property owners that, if we get to this point of having a contract, the board has yet to not approve one.

AF: Right.

KG: Now, I can't guarantee they won't or that they will approve, but it would be a unique event.

AF: Yeah. But that matters in a hot real estate climate.

KG: Yeah, that we got a deal. Okay, what's the likelihood that we're going to close? Well, unless there's contamination or a problem with the title, we're going to close. Once we—and we have all indications that the board will approve it because we usually don't, we don't present contracts that the board's not going to like.

AF: Uh-huh. Yeah.

KG: Okay? That give you a little help on Real Estate 101?

AF: It does. A lot more to go but that's a great start.

KG: All right.

AF: Thanks again, Kurt.

KG: Sure.

end of interview