

Scenic Watch

Citizens for a Scenic Florida



April 22, 2011

President's Message: Florida's Scenic Beauty is Threatened By Pending Legislation



Various bills are winding their way through the Florida house and senate that would allow billboard companies to come onto public lands and cut hundreds of Florida owned trees without paying the current mitigation fees..

In essence, the legislation would "forgive" millions of dollars in fees and allow billboard companies to take public property for free!

This is a very fast moving situation and you can obtain the latest information on www.ScenicBeauty.org.

Thank you all for dispatching so many emails in this fight to preserve Florida's roadside trees from billboard company destruction.

Thousands of your e-mails flooded into the Capital as a series of bills, amendments, etc. have made their way through the house and senate.

As a result of e-mails from concerned voters, our representatives are starting to ask questions. For example, a Senate version containing this legislation did pass, but "no" votes were cast by Senator Dockery and Senator Storms as they decided to stand up for the citizens of Florida.

This fight continues with the language popping up in various bills, so stay tuned and keep those e-mails flowing to Tallahassee.

William C. Jonson, President, Scenic Florida

[BREAKING NEWS - Read St. Petersburg Times Article About This Issue Here>](#)

[Read Florida Times Union Article About This Issue>](#)

April - May



Fun Festivals and Events

North Florida

April 23-24

Carrabelle Riverfront Festival,
Carrabelle

April 23-24

The Villages Easter Weekend Craft
Festival, The Villages

April 23-24

Mandarin Art Festival, Jacksonville

April 24

Underwater Easter Egg Hunt, Key
Largo

April 27-30

Suwannee River Jam, Live Oak

April 28-May 1

Isle of Eight Flags Shrimp Festival,
Fernandina Beach

April 29-May 1

Interstate Mullet Toss and Gulf
Coast's Greatest Beach Party,
Perdido Key

April 30

Choctawhatchee Estuary Festival,
Fred Gannon Rocky Bayou State Park

April 29-May 1

27th Annual Pensacola Crawfish
Festival, Pensacola

April 29-May 1

Gamble Rogers Folk Festival, St.
Augustine

May 5

Cinco de Mayo Celebration, St.
George Island

May 6-7

Spring Tour of Historic Homes,
Apalachicola

May 7

Panacea Blue Crab Festival, Panacea



Photo: Florida Department of Transportation

The photo above shows a billboard advertising the "We Bare All!!!" business and is an example of the practice of cutting trees legally and paying mitigation fees to the state of Florida . According to the Florida Times-Union, unlike the company in the article below, THIS billboard company "...put up this billboard legally in the Central Florida and paid \$31,000 in mitigation fees to remove trees that obscured the view of it."

Florida Gave Away 2,094 State-Owned Trees to Make Room for Billboards

Company did not pay mitigation fees for removal, records show.

With the blessing of a current state senator, and the help of a former state transportation secretary who is now the Clay County manager, a billboard company cut down more than 2,000 state-owned trees without paying the state a dime, according to emails and state records reviewed by the Times-Union.

Over a roughly five-month span in 2009, Milton-based Bill Salter Advertising received 105 permits to cut down trees impeding the view of its billboards across the Panhandle.

Emails show that Salter sought help from then-Rep. Greg Evers, R-Milton, and then-Transportation Secretary Stephanie Kopelousos, who was hired in March by Clay County...."

"Companies typically pay the state depending on the number and type of trees removed. 'We had some inconsistencies in our system,' said John Garner, director of the Florida Department of Transportation's Office of Right Of Way. 'I would have expected to see some mitigation money on those.' The Salter case caused the department to undertake a round of training, Garner said, to ensure that trees would no longer be removed without appropriate payments being made.

State law allows the department to decide if a company must submit a plan showing how it will replace trees removed from a site and pay a fee to help cover any remaining costs associated with removal, both of which should have been done in Salter's case, Garner said. No estimate on how much the axed state assets were worth was ever compiled.

Although not the average, one sign company paid the state \$30,000 for a Central Florida billboard clearing to advertise a topless bar.

It is the responsibility of the permit holder - in this case Salter - to get rid of the trees, in essence handing over state property to a private company.

'On 1-8-09, I spoke with State Representative Mr. Greg Evers and Secretary of Transportation Ms. Stephanie Kopelousos about this and they agreed and we

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Central Florida

April 30

Plant Collecting and Pressing at Bok Sanctuary, Lake Wales

May 1

Taste of Collier, Naples

May 6-7

Smoke n' Blues, Bikes and BBQ, St. Cloud

May 7-8

Mayfaire-by-the-Lake, Lakeland

May 13-15

Cotee River Seafood Festival, Bright House Networks Boat Show and Blues by the River, New Port Richey

May 14

Windsor Zucchini Festival, Windsor

May 14

Great Dock Canoe Race, Naples

May 15

International Museum Day at Boca Raton Museum of Art, Boca Raton

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South Florida

April 22-May 1

Conch Republic Independence Celebration, Key West

April 23

Explore a Real Underground Cave, Homestead

April 24

Underwater Easter Egg Hunt, Key Largo

April 27-May 1

Key West Songwriters' Festival, Key West

April 27-May 1

SunFest, West Palm Beach

April 29

Las Olas Wine and Food Festival, Fort Lauderdale

May 7

Annual Siesta Key Amateur Sand Sculpture Contest, Siesta Key

May 14

Battle in the Bay Dragon Boat

were granted these permits,' wrote Dave McCurdy, Salter's general manager, in a May 2009 email to a state contractor. He did not return calls to his cell phone and emails seeking comment. His company got 105 permits in 2009, and one total in 2006, 2007, 2008 and 2010, records show. FDOT did not know why there were so many in one year. Kopelousos was appointed by then-Gov. Charlie Crist in 2007 to head the transportation department. She says she does not remember meeting with McCurdy or what her exact role was in approving the permits. Evers, now a state senator, said he was helping a constituent. 'I always try to help my constituents get a response from government if it is being non-responsive to their needs,' said Evers, who answered all questions through an email sent by a spokeswoman. He has filed legislation changing billboard permit requirements. Under the bill, FDOT would no longer decide if a company has to submit management plans or pay mitigation fees; rather that would be voluntary.

The number of permits granted over the five months in 2009 concerned department officials, emails show. 'When he says he's gotten over 100, I assume that means over the years, right?' wrote Lynn Holschuh, the FDOT's former outdoor and advertising and logo administrator in a May email to Faye McBroom, who oversaw permitting. Holschuh, who is no longer with the FDOT, worked in the central office and was not directly involved in approvals. She has a hunch why the 105 permits were approved. 'With the whole outdoor advertising business, politics is involved,' she said during a Monday interview. It's a contention Kopelousos disagrees with because federal regulations are also in play.

The failure to collect money isn't the lone oddity related to Salter's permits. Each of the 105 Salter permits were for billboards in the western portion of the Panhandle. That area includes two FDOT operations centers in Milton and Ponce de Leon, which process the permits. Roughly 60 of Salter's permits were for areas covered by Ponce de Leon but were processed in Milton, where Evers lives and Salter is located. Officials in Ponce de Leon, who were apparently kept in the dark, had several questions when made aware. 'Were they supposed to remove stumps? What about long-term maintenance of these areas? Is it to be mowed? Let it grow back? From what I have seen the permit does not speak to any of this,' wrote Stan Swiatek, head of the Ponce de Leon operations center in a May 2009 email to McBroom. Swiatek is no longer with the department and declined to comment.

Evers' pending legislation (SB 1570) would make paying fees or plans voluntary. The bill 'requires them to pay nothing for the destruction of state trees,' said Rip Caleen, a board member with Citizens for a Scenic Florida during Senate testimony on the bill. Evers said the bill alleviates red tape. 'The entire billboard industry brought this language to me,' he wrote. 'We are regulating people in Florida out of business.' He said Salter was 'uninvolved in, and even unaware of, the language.' "

--Matt Dixon, The Florida Times Union

[Read Complete Article on Here>](#)

**Miami Officials Delay
Billboard Vote Worth
Millions**

Festival, Marathon

May 14

Arcadia Watermelon Festival,

Arcadia

May 14-15

Stuart Craft Fair, Stuart

May 15

International Museum Day at Boca

Raton Museum of Art, Boca Raton

May 15

Greynolds Park Annual Love-In,

North Miami Beach

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Note from the Editor

Suggestions for improvement are always welcome.



Miami commissioners, fighting back pressure from Tallahassee, delayed a vote to settle a billboard agreement to try for friendlier terms.

"Saying they were standing on 'principle', Miami commissioners delayed a vote Thursday on a billboard deal that could bring the city more than \$4 million a year.

Commissioners had been expected to decide on a settlement agreement with South Florida Equitable Fund, an Orlando-based billboard company, that could have fattened the city's shrinking pocketbook. But instead, commissioners chose to ignore a potentially costly May 6 deadline and pushed back a vote on the settlement until May 12 at the earliest.

The reason behind the decision: Commissioners said they are tired of being pushed around by a political insider with heavy sway in Tallahassee who has worked to insert a tiny but potent provision into a massive state transportation bill in the Florida House of Representatives.

'It's not the way I want to set policy,' said Commissioner Frank Carollo. 'I don't see the benefit to the city of Miami.'

The fracas with Tallahassee — which spurred a seven-hour debate in City Hall Thursday that was often filled with head-splitting minutia — centered on a provision in the transportation bill placed there with the support of South Florida Equitable managing partner Harkley Thornton. Thornton used to head a political committee linked to House Speaker Dean Cannon, R-Winter Park, and is a former governing board member of the South Florida Water Management District, appointed by former Gov. Jeb Bush.

The provision sets a cap on annual permit fees for any outdoor advertising at \$500, effectively gutting a billboard ordinance the city spent two years putting together that was expected to garner in excess of \$4 million annually. The bill, which is on its way to the House floor, does not yet have an exact companion in the Senate.

After a meeting last week, several commissioners said they were told by Thornton or his partner, Santiago Echemendia that if the city settled with South Florida Equitable before the legislative session ends May 6, the provision would be removed. Commissioners, wary of being squeezed and fearing another tough budget session, called for a special meeting Thursday to vote on the settlement.

But Thursday, after several hours of persuasive arguments from Carollo, they unexpectedly sided with the commissioner, who pushed to not only delay a vote until May 12 — well after the legislative session ends — but also to amend the settlement to make it more favorable to the city.

Commissioner Francis Suarez said the best way to avoid the 'cloud hanging over us' was to delay finalizing the agreement until after the Legislature

finishes its annual session on May 6. Still, he warned, "the [House] speaker usually gets his way..."

--Charles Rabin and Patricia Mazzei, The Miami Herald

[Read Complete Article on About Delay Here>](#)
[Read Article About Lawsuit Settlement Agreement Here>](#)

Rapid City Update:



Photo:Scenic South Dakota

City Denies New Billboard Permits After Successful Petition Drive Puts TWO Billboard Control Initiatives on Ballot for June 7

Voters in Rapid City Demand the Right to Decide Locally on Billboard Issues

"Rapid City has shot down a request from Lamar Advertising to put up 12 new digital billboards and one static billboard within city limits.

The city's action comes less than two months before voters decide whether to ban digital billboards and further control other off-premise signs in the community...."

-- Emilie Rusch, Rapid City Journal

[Read Article About City Rejection of New Billboards Here >](#)
["Enough Signatures Collected For Billboard Vote" - Read About it Here>](#)

Visual Quality Assessment In Progress

The William Bertram Scenic and Historic Highway



"The William Bartram Scenic & Historic Highway (WBSH Highway) Corridor Management Council (CMC) and St. Johns County, with technical assistance from AECOM Design + Planning, is undertaking a visual quality assessment for the 17.3 mile Florida Scenic Highway.

It has been established that high quality, natural appearing scenery and

landscapes enhance people's lives and benefit society while creating a sense of place and well being. To that effect, a viewshed analysis is being conducted that evaluates scenic quality in a comprehensive and objective manner in order to preserve the existing visual character of the scenic highway and identify critical viewsheds. "

[Read More at William Bartram Scenic & Historic Highway Corridor Management Council >](#)