



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

February 22, 2012

CERTIFIED MAIL

Mr. Bill Salter, President
Bill Salter Advertising, Inc.
P.O. Box 761
Milton, Florida 32572

Re: Bill Salter Advertising, Inc., Permits

Dear Mr. Salter,

The Florida Department of Transportation (Department) has reviewed the January 5, 2012, Second Judicial Circuit Court Grand Jury Report "In Re: Salter Advertising Right-Of-Way Tree Removal" and looked further into its subject matter. As a result of the Department's review, this letter is written to advise you that the Department is prepared to take all appropriate steps to assure that Bill Salter Advertising, Inc. (Salter Advertising), complies with the letter and spirit of Chapter 479, Florida Statutes. The Department has concluded that Salter Advertising failed to submit a vegetation mitigation plan and also failed to surrender 54 non-conforming signs as required by Section 479.106, Florida Statutes, and Rule 14-40.030, Florida Administrative Code, for vegetation management permits issued in 2009. Accordingly, the Department demands that Salter Advertising promptly submit a vegetation mitigation plan for the subject 61 sign sites (110 sign facings), identify the 54 non-conforming signs it will surrender, as well as pay an administrative penalty under Section 479.106(7), Florida Statutes.

The Department acknowledges that the vegetation removal, cutting or trimming permits were issued without some of the application requirements having been fulfilled. Nevertheless, the Department must insist that Salter Advertising promptly come into compliance with the statute. Attached is a draft administrative notice that the Department is prepared to file should we not hear from you within seven days from the receipt of this letter. Thank you for your immediate attention to this matter.

Sincerely,

Brian Blanchard
Assistant Secretary for Engineering and Operations

Enclosures



**NOTICE OF REQUIREMENT TO SURRENDER NONCONFORMING OUTDOOR
ADVERTISING SIGN PERMITS AND TO MITIGATE, AND NOTICE OF
IMPOSITION OF ADMINISTRATIVE PENALTIES**

**TO: Bill Salter Advertising, Inc. Bill Salter Advertising, Inc.
5547 Highway 90 P.O. Box 761
Milton, Florida 32572 Milton, Florida 32572**

YOU ARE HEREBY NOTIFIED THAT the Department of Transportation requires the surrender of 54 Nonconforming Outdoor Advertising sign permits, the submission of a vegetation management plan for vegetation removed, cut, or trimmed, and payment of administrative penalties in the amount of \$110,000, pursuant to Section 479.106, Florida Statutes, and Rule 14-40.030, Florida Administrative Code. This action is taken in order to bring 110 vegetation management permits into compliance with applicable Florida law. This matter arises as a result of the following:

1. In 2009, Bill Salter Advertising, Inc., submitted 110 vegetation management permit applications involving 110 outdoor advertising sign permits. (Exhibit A).
2. Section 479.106, Florida Statutes, and Rule 14-40.030(1), Florida Administrative Code, require that vegetation management permit applications include: a vegetation management plan; an itemized appraisal of the mitigation value of vegetation to be removed, cut, or trimmed; the credentials of the qualified persons preparing the required vegetation management plan; and the surrender of two nonconforming sign permits for each vegetation management permit issued for signs permitted after July 1, 1996. Bill Salter Advertising, Inc., failed to comply with any of these requirements.
3. Twenty-Seven (27) of the 110 outdoor advertising sign vegetation management permit applications involved signs permitted after July 1, 1996, (Exhibit B) and thus required the surrender of two nonconforming sign permits for each vegetation management permit issued for a total of 54 nonconforming sign permits.
4. In 2009, Bill Salter Advertising, Inc.'s applications for 110 vegetation management permits were approved contrary to the above laws.
5. Subsequent to the issuance of the vegetation management permits, Bill Salter Advertising, Inc., cut or caused to be removed approximately 2,094 trees on the Department of Transportation right-of-way.

6. Despite having received the vegetation management permits and having removed, cut or trimmed trees or vegetation, Bill Salter Advertising, Inc., still has not: submitted a vegetation management plan; submitted an itemized appraisal of the mitigation value of vegetation to be removed, cut, or trimmed; submitted the credentials of the qualified persons preparing the required vegetation management plan; or surrendered 54 nonconforming sign permits, as required by law.
7. Bill Salter Advertising, Inc., has violated Section 479.106, Florida Statutes, or has benefited from the violation of Section 479.106, Florida Statute.
8. Bill Salter Advertising, Inc., is now being required to: submit a vegetation management plan; submit an itemized appraisal of the mitigation value of vegetation removed, cut, or trimmed; submit the credentials of the qualified persons preparing the required vegetation management plan; surrender 54 nonconforming sign permits; and pay an administrative penalty in the amount of \$110,000, as provided by law.

THE REQUIREMENT TO SURRENDER NONCONFORMING OUTDOOR ADVERTISING PERMITS, TO MITIGATE, AND PAY AN ADMINISTRATIVE PENALTY IN THE AMOUNT OF \$110,000 WILL BECOME FINAL thirty (30) days from your receipt of this notice unless you: 1) provide information to the Department of Transportation which is sufficient to resolve the issue and result in withdrawal of this notice, or 2) you request an administrative hearing to contest this action pursuant to Chapter 120, Florida Statutes, as set forth in the attached Notice of Administrative Hearing Rights.

Should you wish to communicate with us regarding this notice, you may reach us at:

Robert Jessee
Manager, Outdoor Advertising Control and Logo
605 Suwannee Street, MS 22
Tallahassee, FL 32399-0450
Telephone: (850) 414-4600

Issued By: _____ **Date:** _____