



## CITIZENS FOR A SCENIC FLORIDA, INC.

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### **CITIZENS FOR A SCENIC FLORIDA, INC.'S PRESS RELEASE FDOT DEBACLE REVEALED IN GRAND JURY PRESENTMENT**

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In 2009 Citizens for a Scenic Florida, Inc., a non-partisan scenic conservation organization, received information from an anonymous source indicating an extraordinary failure by the Florida Department of Transportation to enforce Florida laws, now described as a “debacle” in the grand jury’s findings that were unsealed on January 24.

Despite FDOT’s failure to timely provide key documents in response to public records requests, a grand jury report confirms the issuance of more than 100 illegal permits to a Panhandle billboard company, Salter Advertising, and the destruction of public trees worth up to \$4 million.

Scenic Florida applauds State Attorney Willie Meggs, the Florida Department of Law Enforcement, and the grand jury for their work in pursuing the scandal. With the revelations in the grand jury report (recited in the bullets below), Scenic Florida urges the following four actions:

**1. FDOT take whatever action is necessary to hold Salter responsible for cutting down trees without legal permits. This includes monetary fines of \$2.1 million and the surrender of at least 56 nonconforming billboard permits - as would have been required had the permits been legally granted.**

**2. FDOT engage in a thorough investigation to determine which agency officials were engaged in a cover-up of the debacle once it came to light, including existing employees. The investigation should include (a) the scheme to offer additional “training” to Wilks and his staff as a way to deflect attention from the fact FDOT District 3 Operations Director James Rodgers and/or others ordered Wilks to break the law, and (b) to determine specifically whether FDOT Assistant Secretary Kevin Thibault, Rodgers, or other higher-ups were involved in that scheme to deflect attention and whether the same was discussed in one or more secret meetings in January 2010.**

**3. FDOT engage in a thorough internal investigation to determine why public records requests were not fully complied with by FDOT’s Central and District 3 Offices, thereby (a) keeping secret key emails to/from Deputy Secretary Kevin Thibault exchanged in January 2009 and (b) keeping secret notes of a meeting that occurred in January 2010 involving Thibault and others. The investigation should include why the notes and the meeting itself were kept from a *St. Pete Times* investigative reporter who made an inquiry shortly after the meeting occurred.**

**4. Governor Scott investigate what roles FDOT’s current leadership played in this debacle and in any subsequent cover-up(s).**

While the story is not over with yet, this much is now known from the work of the Grand Jury:

- The FDOT was “well aware” of the legal requirements for tree cutting and mitigation.
- The permitting process is clear.
- The permitting process is uncomplicated.
- The General Manager of the billboard company, Salter Advertising, was advised what Florida law required.
  - Rather than complying with Florida law, Salter’s GM David McCurdy contacted then State Representative Greg Evers for some “help with the permit process.”
    - McCurdy and Evers were high school classmates.
    - Salter consulted with Mrs. Evers about representing it on legal matters during the time of the permitting issue, and Rep. Evers “actively” advocated for Salter.
    - Evers made contact with FDOT Secretary Kopelousos. She delegated the Salter permitting matter to Assistant FDOT Secretary Kevin Thibault.
    - FDOT Secretary Kevin Thibault had several telephone calls and e-mails with FDOT District 3 Director James Rodgers about Salter. Both Thibault and Rodgers were aware of the legal requirements.
      - Following his communications with Thibault, Rodgers contacted FDOT District Engineer David Wilks and told Wilks to issue the permits to Salter.
      - According to the grand jury, it is not clear whether Rodgers was told to do this by Thibault or by someone else, or alternatively whether Rodgers simply acted on his own accord. According to the grand jury, Rodgers suffered a “lapse of memory” on this point.
        - Salter applied for over 110 vegetation management permits at approximately 60 different sites. None of the applications included vegetation management plans or mitigation appraisals as required by law.
          - Rodgers ordered Wilks to issue the permits in “flagrant violation” of the law.
          - Salter was given 110 “illegal” permits.
          - Neither Rodgers nor any other FDOT employee was sanctioned *in any way* once the wrongdoing came to light.
          - Salter knew the law, chose not to comply, and misrepresented to Evers the FDOT's response to its inquires.
          - Over 2,000 trees were cut down on FDOT Right-Of-Way by an Alabama company for the benefit of Salter, a private business.
          - FDOT failed to collect between \$1 and \$4 million in mitigation fees due to the State.
          - Salter did not surrender any nonconforming signs as required by law. Salter should have been required to remove 56 nonconforming signs (billboards).
          - FDOT District 3 staffer Wilks knew the law and the FDOT Rules, but was instructed to circumvent the same.
          - When the issue came to light in the press, FDOT’s response was to simply offer “training” to Wilks and his staff on the laws and the FDOT Rules. There was no acknowledgment that Wilks had been ordered to break the law by Rodgers. There were no disciplinary measures taken.

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