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FIRST AMENDMENT GROUP OPPOSES WEBINARS ON TOLL ROADS

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By Jim Turner

TALLAHASSEE --- Open government advocates want the brakes applied to upcoming webinars about controversial toll-road projects, contending that more-inclusive in-person meetings should be held as the state reopens amid the coronavirus pandemic.

While a state Department of Transportation spokeswoman said the webinar plans will continue, the First Amendment Foundation also questioned the legality of six webinars already held by task forces working on the projects, which would stretch from Collier County to the Georgia border.

“The webinars are a poor substitute for the kind of government that is required by Florida’s Sunshine Law, which does apply to the M-CORES task force meetings,” First Amendment Foundation President Pamela Marsh wrote Thursday to Transportation Secretary Kevin Thibault, using an acronym for the projects that the state has dubbed the “Multi-use Corridors of Regional Economic Significance.”

Marsh wrote that the webinars should be “postponed (and preferably canceled)” until everyone interested in attending can be accommodated. Marsh added that state administrative rules require meetings to be halted if technical problems develop with the communications network, which she said occurred during each meeting.

“All portions of the Sunshine Law continue to apply even during this horrible pandemic,” Marsh stated. “No part of the law has been suspended or modified as applied to state agencies. As a result, I respectfully request that FDOT exercise patience, cancel any and all M-CORES task force meetings, and reschedule the meetings only when members of the task force and Florida citizens can fully participate in-person and by all feasible means.”

Marsh said in an email to The News Service of Florida on Friday that the intent isn’t to “make any threats at this time” as she hopes “FDOT will make a change for greater public participation.”

(Disclosure: The News Service is a member of the First Amendment Foundation.)

Lawmakers last year approved a measure that set the stage for the projects, which involve extending Florida’s Turnpike from Wildwood to connect with the Suncoast Parkway; extending the Suncoast Parkway north to the Georgia border; and building a toll road between Polk and Collier counties.

Webinars are planned: Wednesday for the turnpike extension; June 9 for the northern extension of the Suncoast Parkway; and June 11 for the project between Polk and Collier counties.

Department of Transportation spokeswoman Beth Frady said Thursday the webinars are not a replacement for task-force meetings but “additional opportunities” for task force members to gather input during the pandemic.

“These virtual meetings have made it so anyone from South Florida to North Florida can attend and be heard, and we would expect the First Amendment Foundation to celebrate this additional transparency while we work to keep our fellow citizens safe,” Frady said in an email.

Frady added that the department plans to hold in-person meetings “as soon as it is safe to do so.” But she also referenced state laws, which allow agencies to conduct public meetings by video.

“To date, these webinars have included participation from more than 1,700 attendees, with more than 120 people providing public comment to the task forces during the designated comment period,” Frady wrote. “This is a higher level of participation than we have received during the in-person task force meetings, demonstrating how technology can facilitate participation in a meeting by members of the public who are not able to attend in person.”

The proposed roads, signed into law by Gov. Ron DeSantis in 2019, are a priority of Senate President Bill Galvano, R-Bradenton, and have been backed by groups including the Florida Chamber of Commerce, Associated Industries of Florida, the Florida Ports Council and the Florida Trucking Association. Supporters say, in part, that the projects will help prepare for future growth and aid in disaster evacuations.

Environmentalists have vowed to wage “war” against the roads, which they maintain will devastate large rural and natural tracts of land.

Annual funding for the work is expected to reach about \$140 million.

Among bills now before DeSantis are a proposal (HB 969) to set aside up to \$5 million a year for broadband services to accompany the road corridors and a proposal (SB 7018) to direct the Department of Transportation to plan and build staging areas for emergency response along the turnpike system, with a priority in “counties with a population of 200,000 or less in which a multi-use corridor of regional significance is located.” Those bills were passed during this year’s legislative session.

An initial timeline called for the task forces to provide final reports by October, with construction expected to begin before the end of 2022. However, because of COVID-19, the deadline for the task-force reports has been pushed back to Nov. 15.