

**Department of Economic Opportunity
Division of Strategic Business Development
(DSBD)**

**Application for Certification as Eligible
for the
Expedited Permitting Review Process**

DIVISION OF STRATEGIC BUSINESS DEVELOPMENT

The Division of Strategic Business Development provides support for attracting out-of-state businesses to Florida, promoting the creation and expansion of Florida businesses and facilitating Florida's economic development partnerships.

EXPEDITED PERMITTING PROCESS GUIDELINES

Section 403.973 Florida Statutes, authorizes the expedited review process for permitting and amendments to comprehensive plans. The process is to facilitate the location and expansion of economic development projects that offer job creation and high wages, strengthen and diversity the state's economy, and have been thoughtfully planned to take into consideration the protection of the environment.

Businesses may apply to DSBD to certify their projects as eligible for undergoing the expedited review process. The information submitted for certification as eligible for the expedited review process is not a permit application or a substitute for permit applications or comprehensive plan amendments required by law.

DSBD will notify applicants and the Florida Department of Environmental Protection (DEP) of an applicant's certification status. Upon determination that a business is eligible, the DEP will facilitate a process for regional permit action teams with representatives of permitting agencies to expedite the review of permit applications. Working with the permit teams and the local government where the project is located, DEP will facilitate a process whereby permitting agencies act on completed permit applications within 90 days. The process will include a mandatory preapplication meeting to provide guidance to applicants regarding the permits needed from each agency and governmental entity, site planning and development, site suitability and limitations, facility design, and steps the applicant can take to ensure expeditious permit application and local comprehensive plan amendment review. The process does not modify, qualify, or otherwise alter existing state or regional agency non-procedural standards for permit applications or local comprehensive plan amendments unless expressly authorized by law.

ELIGIBILITY

- Businesses that create at least 50 jobs, or at least 25 jobs if the project is located in an enterprise zone or rural county. "Jobs" means permanent, full-time equivalent positions not including construction jobs.
- At the request of a county or municipal government, DSBD may certify a project creating a minimum of 10 jobs.
- DSBD may certify projects located in counties where the ratio of new jobs per participant in the welfare transition program is less than one or otherwise critical.

- Projects located in a designated brownfield area.
- Projects that are part of the Scripps Research Institute and campus.
- Projects resulting in the production of biofuels cultivated on lands that are 1,000 acres or more or in the construction of a biofuel or biodiesel processing facility or a facility generating renewable energy as defined in Section 366.91(2)(d), Florida Statutes.

The following types of projects are ineligible for review under this process:

- Project funded and operated by a local government and located within that government's jurisdiction;
- Project the primary purpose of which is to effect the final disposal of solid waste, biomedical waste, or hazardous waste;
- Project that produces electrical power unless the production of electricity is incidental and not the primary function of the project or the electrical power is derived from a fuel source for renewable energy;
- Project that extracts natural resources; or
- Project that produces oil or constructs, maintains or operates an oil, petroleum, natural gas or sewage pipeline.

APPLICATION PROCESS

Applicants must submit a complete application. DSBD will review applications in the order received and reserves the right to request additional information and to make independent inquiries to verify the information and to obtain additional information as necessary and appropriate.

DSBD's review will be based on the eligibility requirements and economic impact factors described in Section 403.973, Florida Statutes. In general, DSBD will approve or deny an application for certification within ten (10) business days after receipt of a complete application and notify in writing the applicant and DEP of the application status. If an applicant is ineligible for expedited review, it may apply for permitting through the normal permitting processes.

APPLICATION INSTRUCTIONS

DSBD intends these instructions to guide an applicant in preparing and submitting its application for certification. For clarity, where reasonably possible the instructions take the active voice and imperative form, addressed to an applicant. When a sentence lacks a subject, the applicant is the intended actor. For example, "Prepare the application..." means "The applicant shall prepare the application." In these instructions, the terms "you" or "your" refer to the applicant.

Prepare the application using this form, supplemented with the additional information requested in this form. Use 8.5" x 11" sized white paper and a minimum of twelve-point font size. In a three-ring binder, organize the application materials behind sequentially numbered tabbed sections as follows:

- TAB 1 Contact Information. In a form substantially similar to Exhibit A hereto, provide your contact information. You may duplicate the contact fields as necessary for all persons whom you wish to receive notices in relation to the application.

- TAB 2 Transmittal Letter. In a form substantially similar to Exhibit B hereto, communicate the specified information. Your duly authorized Chief Executive Officer must sign the letter.

- TAB 3 Project Description. Describe the proposed project and primary business activities, including related NAICS codes. Include the anticipated commencement date(s) for the construction and operation of the project.

- TAB 4 Project Location. In a form substantially similar to Exhibit C hereto, indicate the proposed project location. Indicate whether the site is located in an enterprise zone, rural county, designated brownfield area or on 1,000 or more acres for the purpose of cultivating biofuels. Include documentation.

- TAB 5 Project Status. In a form substantially similar to Exhibit D hereto, provide information on all permits for this project for which you have already applied or intend to apply.

- TAB 6 Job Creation. Describe the new full-time equivalent jobs to be directly created by the applicant in Florida for this project. Include a timetable for creation, the types and skill levels of jobs created, the average wage and value of benefit packages, as applicable. Include a description of the methodology for determining the jobs numbers.

- TAB 7 Economic Benefit. Describe the economic benefit to the community and the state this project will create including, but not limited to, the proposed wage and skill levels of jobs created in relation to those existing in the project area, the amount of capital investment, and the project's potential to diversify and strengthen the area's economy.
- TAB 8 Support Letters. As applicable, include any letters of support or recommendation for certification from the governing bodies of county or municipal governments, Enterprise Florida, Inc., or the Rural Economic Development Initiative (REDI).
- TAB 9 Other Information. Include here, with full explanation, any qualifications or exceptions you take to the representations and certifications contained in the form Transmittal Letter (Exhibit B hereto). If you claim any exemptions from the public records law, provide the specific statutory authority for such exemption and specifically identify those portions of the application that you claim are exempt.

DSBD WILL REVIEW ALL DATA SUBMITTED AND RESERVES THE RIGHT TO REQUEST ADDITIONAL INFORMATION AND TO MAKE INDEPENDENT INQUIRIES TO VERIFY THE INFORMATION AND TO OBTAIN ADDITIONAL INFORMATION IF NECESSARY AND APPROPRIATE. RESERVATION OF THIS RIGHT DOES NOT RELIEVE YOU OF THE DUTY TO SUBMIT A COMPLETE APPLICATION.

SUBMITTING THE APPLICATION

Applicants must submit a complete application. DSBD will review applications in the order received.

Submit one (1) electronic copy and two (2) hard copies of the application in loose-leaf three ring binders contained in a sealed package. On the outside of the package, clearly mark "APPLICATION FOR CERTIFICATION FOR EXPEDITED PERMITTING REVIEW PROCESS."

Submit the package to:

Karl Blischke
Division of Strategic Business Development
Suite 2001, The Capitol
Tallahassee, Florida 32399-0001
Karl.Blischke@deo.myflorida.com

**EXHIBIT A
CONTACT INFORMATION**

Include behind Tab 1 of the application. You may add more application contacts by duplicating the contact fields as necessary.

**Controlling Entity
(if applicable):**

Applicant FEIN:

Applicant Name:

Physical Address1:

Physical Address2:

Mailing Address1:

Mailing Address2:

Web Address (URL):

Contact Name:

Contact Title:

Contact Phone:

Contact Email:

Contact Fax:

EXHIBIT B TRANSMITTAL LETTER

Include behind Tab 2 of the application.

[Date]

[Contact]
[Applicant]
[Address]
[City, State Zip]

Karl Blischke
Division of Strategic Business Development
Suite 2001, The Capitol
Tallahassee, Florida 32399-0001

Re: Application for Certification as Eligible for the Expedited Permitting Review Process

The undersigned applicant submits this application pursuant to Section 403.973, Florida Statutes, Expedited Permitting.

The applicant submitted one (1) electronic copy to Karl.Blischke@deo.myflorida.com. Our application, two (2) hard copies, bound in loose-leaf form in three-ring binders, consists of the following tabbed sections:

Tab 1	Contact Information
Tab 2	Transmittal Letter (this letter)
Tab 3	Project Description
Tab 4	Project Location
Tab 5	Project Status
Tab 6	Job Creation
Tab 7	Economic Benefit
Tab 8	Support Letters
Tab 9	Other Information

Applicant understands that Article 1, Section 24, of the Florida Constitution guarantees every person access to all public records, and that Section 119.011, F.S., provides a broad definition of public record. As such, the application is a public record unless exempt by law. If applicant claims any part of the application is exempt from the public records law, applicant has explained the basis for the claimed exemption in the material included behind Tab 9, and applicant has clearly marked all documents it claims are exempt.

Applicant certifies that it has read and understands the Section 403.973, Florida Statutes, Expedited Permitting and the Expedited Permitting Review Process Guidelines. (Check one box and initial):

Yes No (initial here: _____)

Applicant certifies that the project is not: a project funded and operated by a local government and located within that government's jurisdiction; a project the primary purpose of which is to effect the final disposal of solid waste, biomedical waste, or hazardous waste; a project that produces electrical power unless the production of electricity is incidental and not the primary function of the project or the electrical power is derived from a fuel source for renewable energy; a project that extracts natural resources; or a project that produces oil or constructs, maintains or operates an oil, petroleum, natural gas or sewage pipeline.

Yes No (initial here: _____)

Applicant understands that all information it provides, and representations it makes, are material and important and will be relied upon by DSBD in evaluating the application, in determining whether to approve or deny the application. Applicant understands and agrees that any misstatement shall be treated as fraudulent concealment from DSBD of the true facts relating to submission of the application. A misrepresentation shall be grounds for rejecting the application. Applicant hereby certifies that all information included in the application is true and correct (check one box and initial):

Yes No (initial here: _____)

The undersigned warrants that he or she is duly authorized to submit the application on behalf of applicant and to bind applicant to its terms.

Sincerely,

(Applicant Name)

By: _____
(Signature)

(Type or Print Name)

As: _____ Chief Executive Officer

Date: _____

**EXHIBIT C
PROJECT LOCATION**

Include behind Tab 4 of the application.

Address: _____

City, State, Zip: _____

County: _____

Located in

Enterprise Zone: Yes _____ No _____

Rural County: Yes _____ No _____

Brownfield Site: Yes _____ No _____

Located on

**1,000 or more acres for the
purpose of cultivating biofuels:** Yes _____ No _____

EXHIBIT D PROJECT STATUS

Include behind Tab 5 of the application.

Please provide the following information on all permits for this project for which you have already applied or intend to apply. You may add more information by duplicating the fields as necessary.

1. Permit Name and Description: _____

Governmental Unit: _____

Agency Name: _____

Date of Application: _____

Agency contact - name/phone number: _____

Status of application and application number: _____

2. Have local zoning, regulatory approvals, permits, and land use modifications been obtained?

Yes _____ No _____

a) If no, please indicate the status of the approvals and permits not yet received.

b) If yes, please list all local zoning, regulatory approvals, permits and land use modifications received to date.