
ATTACHMENT J ***SECURITY PROCEDURES***

1. SECURITY REQUIREMENTS

As a condition of project approval, permittees may be required to post a security with TRPA to ensure compliance with certain conditions of project approval. In most cases, the security amount will be equal to 110% of the estimated costs of TRPA required revegetation, slope stabilization, and/or drainage improvements. An additional or alternative security amount may be required to ensure compliance with other conditions of approval for projects that don't involve revegetation, slope stabilization or drainage improvements. All securities must be for the amount specified on the permit and be valid for an indefinite period of time. When all conditions of approval are complied with/or all revegetation is planted and firmly established, the owner may request an onsite inspection for the purpose of releasing the security.*

All securities (items A, B, C, D, E and F below) posted with TRPA require a non-refundable administration fee. See security administration fee in the general section of the TRPA filing fee schedule. See fee schedule: http://www.trpa.org/wp-content/uploads/FILING_FEE_SCHEDULE.pdf. All administration fees must be paid at the time of permit acknowledgement.

*NOTE: ALL SECURITIES POSTED WITH TRPA MUST BE ORIGINAL BANK PAPERWORK WITH NAME, ADDRESS, ACCOUNT NUMBER, ASSESSOR'S PARCEL NUMBER, SIGNATURES AND PHONE NUMBER OF THE BANK CLEARLY STATED.

2. ACCEPTABLE TYPES OF SECURITIES

A. Certificate of Deposit

A Certificate of Deposit (CD) is an acceptable form of security. The CD should read: Purchased by owner/permittee and then made payable to TRPA. Made payable to owner/permittee "AND" TRPA is acceptable only if endorsed by owner/permittee. CD's made out to owner/permittee "OR" TRPA cannot be accepted. The CD must have an open maturity date or be automatically renewable. Included on the CD shall be the owner's name, mailing address and Assessor's Parcel Number. Interest earned on the account may be payable or available to the holder (See Example, page 6).

B. Hold on a Personal Savings Account

Placing a hold on a personal savings account is an acceptable security. Such security must be documented by a letter written by a bank or savings institution in which the name and mailing address of the owner of the account, Assessor's Parcel of the project, amount of hold, and account number is clearly identified. The letter must state that the account number is set aside solely for the purpose of security and is available on demand to TRPA. Interest earned on the account may be payable or available to the holder (See Example, page 5).

C. Cash

Payment by cash or check is an acceptable security. If paying by check it must have an identifying name and address. A non-refundable fee will be charged to cover the cost of administering the security deposit. TRPA will not pay interest on securities

D. Letter of Credit

This security must be in the owner's name, irrevocable for an indefinite period of time, and documented by a letter or statement from a bank showing the following information: the name and mailing address of

the owner of the property, the Assessor's Parcel Number of the project, the amount of the Letter of Credit, and the documentation required by the bank to collect (usually a letter signed by TRPA indicating the proper steps have not been taken as agreed). The letter or statement must clearly state that TRPA is a beneficiary of the credit amount (See Example, page 4).

E. Assignment of a Personal Savings Account

Assigning a personal savings account is an acceptable form of a security when placed in the owner's name and assigned to TRPA. Such a security must consist of the actual savings passbook and a separate notice of assignment (See Example, page 3). Included on the Notice of Assignment shall be the owner's name and mailing address, account number, Assessor's Parcel Number of the project and the amount of the assignment.

F. Faithful Performance Bond

Such security is acceptable only when the required security amount is \$10,000 or more and is in TRPA's name. The bond must have the insurance company, bond number, owner of security or principal's name and mailing address, Assessor's Parcel Number of the project, amount, and the obligee, TRPA, must be clearly identified. The bond must be valid for an indefinite period of time. Contact TRPA for an example of how to set up a bond.

SAMPLE ASSIGNMENT OF A PERSONAL SAVINGS ACCOUNT

MUST BE ON BANK LETTERHEAD WHICH INCLUDES BANK ADDRESS AND PHONE NUMBER

NOTICE OF ASSIGNMENT TO ACCOMMODATE SAVINGS ACCOUNT PASSBOOK

NOTICE OF ASSIGNMENT

[Name of Owner(s)] hereinafter called Assignor, does (do) hereby assign and set over to the Tahoe Regional Planning Agency (TRPA), all right, title, and interest of whatever nature, of Assignor, in and to the insured account of the Assignor in the [Name of Bank/Savings & Loan] evidenced by an account in the amount of \$ _____ numbered _____ which is delivered to the TRPA herewith. Assignor agrees that this assignment carried with it the right in the insurance of the account by the Federal Savings and Loan Insurance Corporation/Federal Deposit Insurance Corporation, and includes the right of the TRPA to redeem, collect, and withdraw the full amount of such account at any time WITHOUT NOTICE TO ASSIGNOR. This assignment is given as security liability for:

assurance that the owner will comply with the TRPA permit conditions as required by the TRPA Code of Ordinances, Section 8.8. This amount is set aside solely for that purpose and is available on demand to the TRPA if the conditions are not satisfied. Please advise this office when the assignment can be released.

Assignor hereby notified the above-named institution of this agreement. Assignor hereby certifies that he/she/they agree that the above-referenced account will be renewed in its full amount if performances of the above-referenced conditions have not been certified by the Agency prior to the maturity date of the subject account.

Dated this _____ day of _____, 2_____

ASSIGNOR _____ ASSIGNOR _____

OWNER'S NAME _____

ACCOUNT NUMBER _____

APN _____

AMOUNT OF ASSIGNMENT _____

BANK ACKNOWLEDGEMENT _____

SAMPLE LETTER OF CREDIT

MUST BE ON BANK LETTERHEAD WHICH INCLUDES BANK ADDRESS AND PHONE NUMBER

Date _____

Tahoe Regional Planning Agency (TRPA)
P. O. Box 5310
Stateline, NV 89449

Assessor's Parcel Number _____

At the request for the account of (Owner/Permit Name and Mailing Address), we hereby open in your favor our Irrevocable Letter of Credit No. _____ in the aggregate amount of \$ _____ available by your draft drawn on us at sight when accompanied by the following documents:

1. Your signed certification executed by a TRPA official stating that (Owner/Permittee) has not completed revegetation, slope stabilization, and/or drainage improvements as per file _____ entered into with TRPA.
2. This original Letter of Credit.

This Irrevocable Standby Letter of Credit expires on _____. However, it is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates hereof unless 60 days prior to any such date (Name of Bank) shall notify the TRPA *in writing by certified mail, return receipt requested*, at the above address that (Name of Bank) elects not to consider this Letter of Credit renewed for any such additional period. Upon receipt of such notice, you may draw on us hereunder by means of your draft on us a sight for the full amount of this Letter of Credit, accompanied by your name above noted signed certification.

Sincerely,

Name of Bank

BY: _____

BY: _____

SAMPLE LETTER OF HOLD ON PERSONAL SAVINGS

MUST BE ON BANK LETTERHEAD WHICH INCLUDES BANK ADDRESS AND PHONE NUMBER

Date _____

Tahoe Regional Planning Agency (TRPA)
P. O. Box 5310
Stateline, NV 89449

Assessor's Parcel Number _____

This letter is to advise you that (Owner's Name and Mailing Address) has authorized (Name of Bank/Savings & Loan) to place a hold on account number _____ in the amount of \$ _____ for an indefinite period of time.

The hold on the account is assurance that the owner will comply with TRPA permit conditions as required by the TRPA Code of Ordinances, Section 8.8. This amount is set aside solely for that purpose and is available on demand to the TRPA if the conditions are not satisfied. Please advise this office when the hold on the account can be released.

Sincerely,

NAME OF BANK/SAVINGS AND LOAN

BY: _____

SAMPLE CERTIFICATE OF DEPOSIT

TIME DEPOSIT

BRANCH _____ No. _____

DATE _____

PURCHASED BY Owner/Permittee _____

RATE _____ YIELD _____

PAYABLE TO TAHOE REGIONAL PLANNING AGENCY _____

\$ AMOUNT _____

TERM _____

ACCOUNT # _____

AUTHORIZED SIGNATURE

The publication(s) you receive contains the terms and condition of this account. This time deposit will be reinvested automatically for the same term upon maturity or on the effect date of a deposit or withdrawal made during the grace period. (The grace period is two business days for terms of 89 days or less; ten calendar days for terms of 90 days or more beginning on the maturity date.) The new interest rate will be the interest rate in effect on the date your funds are reinvested.

*Interest compounded daily. Yield assumes deposit and interest remain in the account for a year at the same interest rate.

IMPORTANT INFORMATION

If you withdraw all or part of your deposit before it matures a substantial interest penalty will be imposed. A personal time deposit evidenced by this receipt is NOT TRANSFERABLE EXCEPT IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE FEDERAL RESERVE BOARD.