

	DEPARTMENT OF DEVELOPMENT SERVICES LAND DEVELOPMENT DIVISION POLICIES AND PROCEDURES	Effective Date: April 17, 2017
		Supersedes Policy Dated: N/A
	17.2 – Siltation and Erosion Bonding Program	Issued by: Steven Hall, Division Chief

Purpose

The Department of Development Services Land Development Division is responsible for the administration of development Performance Bonds and Escrows. The purpose of this policy is to detail the process for posting Siltation and Erosion Escrows. The County will accept three forms of guarantee for Siltation and Erosion Escrows. The policy governing the posting of this Escrow are as follows:

Acceptable Forms of Guarantee

1. Cash
2. Letter of Credit
3. Corporate Surety Bond

Criteria Related to Siltation and Erosion Escrow

- **Program Eligibility** – Projects which are in formal default or sites or sections of projects that possess active violations are not eligible to take advantage of the program. Additionally, projects displaying minimal development activity may not be eligible to participate in the program. The final determination of development activity will be rendered by the Director of Development Services.
- **Guarantees Per Project** – No more than two different forms of guarantees can be posted per Project/Siltation and Erosion Escrow.
- **Corporate Surety Bond** – The County will accept a Corporate Surety Bond; however, the maximum amount of the bond at the time of posting cannot exceed 50% of the total current calculated Siltation and Erosion Escrow amount. The Corporate Surety Bond may be posted one time only at any point of the project’s lifespan.
- **Siltation and Erosion Escrow Substitution** – When an applicant wishes to replace an existing guarantee, it is a substitution. Substitutions require new agreements, new guarantees and a substitution fee. Projects must meet all eligibility requirements. All agreements must be current.
- **Siltation and Erosion Escrow Reductions** – If a Corporate Surety Bond was posted for a portion of the Siltation and Erosion Escrow, any reductions processed will be applied to the Corporate Surety Bond amount first. If the Corporate Surety amount is exhausted, any potential future reductions will be taken from the Letter of Credit or cash posting.