



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

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Air Pollution Permits for Commercial and Residential Land Development and Construction Projects

Secondary Source Permits

In order to ensure that land-development and construction projects in the Eastern Sierra minimize their impact on air quality, the Great Basin Unified Air Pollution Control District (District) requires air pollution permits for most commercial and residential projects in Alpine, Inyo and Mono counties, the Town of Mammoth Lakes, and the City of Bishop. These permits are known as “Secondary Source” permits. A secondary source of air pollution is defined as “any structure, building, facility, equipment, installation or operation (or aggregation thereof) which is located on one or more bordering properties within the District and which is owned, operated or under shared entitlement to use by the same person.” (Rule 216-A.F.1.) District rules state:

A person shall not initiate, modify, construct or operate any secondary source which will cause the emission of any manmade air pollutant for which there is a state or national ambient air quality standard without first obtaining a permit from the Air Pollution Control Officer. (Rule 216-A.A.1.)

Land-development projects are secondary sources that require permits to ensure that their construction and operation do not emit more air pollution than is absolutely necessary. One permit is required for every qualifying project under common ownership on a single property or contiguous properties.

A secondary source permit is required prior to the start of any construction activities that could cause the emission of air pollution. The District requires land-development projects to obtain a permit prior to the start of any land-disturbing activities. This means that a secondary source permit is required prior to the land-use agency issuing a grading permit (if required) or a building permit, whichever comes first. For multi-phase projects, a separate secondary source permit is required for each phase. To prevent project delays, the District encourages developers to file permit applications early in the development process, as construction cannot start until a secondary source permit is issued.

Secondary source permits must also be obtained for modifications or new construction at existing facilities that will involve earth moving, demolition or other activities that may produce dust or other air pollutants.

Secondary source permits contain conditions to ensure that all projects comply with District regulations, the California Environmental Quality Act (CEQA), and any air quality requirements

imposed by local land-development regulatory agencies (cities and counties). Typical conditions may include requirements to control dust during construction, permanent dust controls on exposed surfaces in the development, and a limit on the number or type of wood-burning heaters. Permits are valid for two years following the date of the permit.

Permit Fees

Secondary source permit fees offset the costs incurred by the District to review a proposed project's air quality impacts, develop control measures to minimize air pollution caused by the project, and ensure that the project complies with all control measures. An application fee is due when a permit application is submitted. One-time permit fees are due at the time permits are issued and prior to start of any construction activities. Permit fees are based on the number of housing units, the square footage of commercial projects and the number of spaces in commercial parking lots. See the District fee schedule for current fees.

Commercial Developments: All commercial buildings, including buildings constructed by or for government agencies, are charged a one-time fee based on the total square footage of the commercial building(s) and the number of parking spaces in the parking lot and/or parking structure. A secondary source consisting of only a parking structure is not charged on a square footage basis, only on the number of parking spaces. Parking spaces solely associated with trip-reducing "Park and Ride" facilities are not charged any parking space fees, but are required to be permitted. For multi-phase projects, a separate permit and fee is required for each phase of the development.

Housing Developments: Housing developments of between one and four units are exempt from secondary source permit requirements. Permit fees for developments of five or more units are charged a one-time fee based on the total number of family spaces or dwelling units in the development. Housing developments are not charged for parking associated with the dwelling units. For multi-phase projects, a separate permit and fee is required for each phase of the development.

Mixed-Use Developments: Developments consisting of both housing and commercial development will be charged one-time permit fees based on the total number of dwelling units, the amount of commercial square footage and the number of commercial parking spaces. Parking associated solely with dwelling units is not charged. Parking spaces solely associated with trip-reducing "Park and Ride" facilities are not charged. For multi-phase projects, a separate fee is required for each phase of the development.

Failure to secure a secondary source permit prior to start of construction activity is subject to a Notice of Violation and possible fines of between \$500 and \$1,000 per day. Under certain circumstances, fines of up to \$10,000 per day can be levied.

For More Information

The secondary source permit rule (Rule 216-A), a permit application, and latest fee schedule are attached. For more information, please contact the District by telephone at (760) 872-8211 or by e-mail at wendy@gbuapcd.org.