



# CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

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August 25, 2016

Angela Freitas, Director  
Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 6700  
Modesto, CA 95354

Via email to [angela@stancounty.org](mailto:angela@stancounty.org)

**Re: Central Valley Recycling, Inc. - Use Permit Application No. PLN 2013-0078**

Dear Ms. Angela Freitas:

California Rural Legal Assistance, Inc. is a non-profit legal services provider serving low-income clients and communities. On behalf of our client, Terri Lujan, we would like to express the following comments and concerns regarding the June 15, 2016 Use Permit Application No. PLN 2013-0078 (Use Permit) for Central Valley Recycling, Inc. (CVR). We also incorporate by reference the letter submitted to the Board of Supervisors on June 16, 2015.

CVR's Use Permit should be revoked since CVR has not fulfilled the conditions enumerated in the Use Permit and their operations continue to be a nuisance and pose health risks for residents.

Scrap metal recycling is not compatible in an area adjacent to a residential area. Stanislaus County Ordinance 21.56.020 does not permit scrap metal in the C-2 zone according to the Stanislaus County staff report for Universal Services Recycling's permit application UP PLN 2013-0077. Scrap metal, compared to California Redemption Value recycling, poses much greater threats to residents, residents who are mostly low-income or minorities disproportionately burdened by health and environmental impacts.

Further, CVR has continually failed to comply with permit conditions or correct violations. There are a number of issues that have not been resolved such as storm water runoff pollution, failure to build a ten-foot-high block wall on the east side of the property, dust control, paving, and a Screening Level Analysis to determine potential health risks from exposure to diesel emissions and heavy metals. Such a record must be considered. Their past record indicates a low likeliness that CVR would comply with permit conditions or operation restrictions. For this reason also, the Use permit should be revoked.

We also take the opportunity to once again raise the issue of due process. The fee to appeal a decision by the board is over \$600. This creates a substantial barrier and hardship for low-income residents effectively preventing them from challenging decisions that impact their health and safety. This is an even greater issue given the fact that the majority of noxious uses that pose



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risks to health, safety, and the environment are located close to low-income communities. A fee waiver for low-income residents would allow all community members equal access to the services and protections afforded by county services.

Please feel free to contact me with any questions. My contact information is (209)577-3811, [maguilar@crla.org](mailto:maguilar@crla.org).

Sincerely,

Marisol F. Aguilar  
*Director, Northern Region*  
*Community Equity Initiative*  
**CALIFORNIA RURAL LEGAL ASSISTANCE, INC.**