



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
SHEILA KUEHL
JANICE HAHN
KATHRYN BARGER

Correspondence Received

The following individuals submitted comments on agenda item:				
Agenda #	Relate To	Position	Name	Comments
4.		Oppose	Ariana Rodriguez	Please see attachment.
			Carla Truax MPH	<p>Gu's Recycling should have their conditional use permit rejected because:</p> <ul style="list-style-type: none">-They have historically abused the scope of their permitted business (illegally operating as an auto dismantler and metal scrap yard for decades)-Auto dismantling and metal scrapping pose a significant risk to the environment and human health.-They are located within 500-feet of homes in the Ramona Gardens community of Boyle Heights.-The local neighborhood is already under resourced and overburdened, identified by the CalEPA CalEnviroScreen as being in the top 5% of communities most impacted by, and sensitive to, toxic exposures.
			Clara M Solis	<p>I am opposed to the granting of a permit to Gu's Recycling at 1543 Fishburn. Gu's has been operating illegally without a permit for decades. In that time, they have subjected residents of the Ramona Gardens Housing Project to pollution, noise and dust from their illegal operations. The census tract where Ramona Gardens is located according to CalEnviroScreen is in the 99th percentile in terms of Pollution burden meaning only 1 percent of the census tracts in California have a greater burden. This neighborhood is already overburdened by toxics. Auto dismantling and metal scrapping pose a significant risk to the environment and the health of residents. This is a very dirty site with a lot of pollution being generated. I observed a refrigerator sitting on a heap of junk at site, which makes me concerned that they could be releasing freon into the atmosphere illegally. I also observed excavators operating on site making significant noise and dust while operating. The customers dropping off junk, the excavators and back-up alarms from trucks generate an unbearable amount of noise. I also observed smoke at various times at different locations on the site. Some of the smoke was coming from behind a blue bin, the smoke continued being generated for quite a while. It seems like the trash and chemicals had ignited creating a fire and smoke. There was a strong chemical odor coming from the site while I was there. The smell reminded me of a benzene smell when I used to work in a lab. I urge you not to grant this business a permit to operate. I read the letter of the adjacent business owner who described a significant fire on this site. These are not responsible owners. They did not have sprinklers operating until they observed me taking pictures. Please consider the vulnerable residents at the Ramona Gardens Housing project and this community.</p>



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
SHEILA KUEHL
JANICE HAHN
KATHRYN BARGER

Correspondence Received

The following individuals submitted comments on agenda item:				
Agenda #	Relate To	Position	Name	Comments
4.		Oppose	Concerned Resident	<p>To Whom It May Concern,</p> <p>I hope this email finds everyone doing well. I am writing this email in opposition to Project No. 03-263-(1) and Conditional Use Permit No. (03-263-(1) as requested by Gus Recycling. For the following reasons, I urge the County of Los Angeles Supervisors office to oppose the applications. For those unaware, our community sits in a triangle surrounded by an unregulated industrial park, freeway on-ramps, and freight/transit trains. This environment creates issues of poor air quality, lack of green space, and health concerns. Providing a CUP to a toxic business is contributing to the issues at hand. Gus is an open-air yard that dismantles metal in close proximity to many residential homes (including my own). The dismantling of metals in an open-air facility is of concern, as many of the air elements released are disperse throughout our community. Furthermore, Gus's operation brings in additional vehicles that idle for extensive periods. These idling vehicles are releasing additional exhaust fumes that can be preventable. In addition, these vehicles often double park on both ends of the street eliminating access for commuters or emergency responders access to the road. These vehicles also dump unsold items onto the street, nearby residential alleys, or cul-de-sacs. Providing a CUP to a business that operates under open-air releasing toxins onto residents is dangerous. Various studies support that scrap metal operations create hazardous impacts on the well-being of those living in close proximity. We the community request that you consider our health and deny this business request.</p> <p>Sincerely, Concerned Resident</p>



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
SHEILA KUEHL
JANICE HAHN
KATHRYN BARGER

Correspondence Received

The following individuals submitted comments on agenda item:				
Agenda #	Relate To	Position	Name	Comments
4.		Oppose	David Padilla	This company's abuse of our neighborhood has gone on long enough. They have been given several chances and if they are allowed to continue even under Green Zone ordinance they could possibly take up to 10 years to complete their enclosure. That is unacceptable!!! The company also creates traffic jams and causes more pollution with the trucks idling, thus sandwiching us in between the 10 freeway and gross polluters such as Gu's . This area needs to start advancing in a positive direction. We are in dire need of Green Zones and this type of business no longer will be tolerated. LA county allowing them to continue is a complete slap in the face when the county claims they are in favor of green zones and working the community. This area has so much potential with the expansion of USC Keck Medicine and also CAL State LA a stone's throw away. Markets, A dog parks, retail establishments, clean air businesses. This lack resources is depressing to the MENTAL health of the community, as well as creating a complete eyesore and other potential businesses not wanting to set up shop near this gross polluter. It also sends the message that other gross polluters can seek refuge in this area because the county will allow it.
			Felix Robles	This facility has been operating in my community without a permit for a very long time and damaging and polluting the environment around it while doing so. If continued to allow to operate this facility will in no way help improve the air quality and quality of life in City Terrace. This facility will only contribute to the blight of the neighborhood and the community does not trust them due to their negligence.
			Hector Negrete	I am a community member that lives in Boyle Heights and have been here since 1991 and a member of the Boyle Heights neighborhood Council transportation and environment committee. I am writing in a position of the continued operation of Gus's recycling facility. They have been illegally operating and dismantling arrows and have caused continuous damage to the community. It's proximity to the Ramona gardens not only scares me for what could happen but also continues to allow the historic environmental injustices in the community.
			Jordan R Sisson	See attached
			Maria Lou L Calanche	Please see attached letter in opposition.
			Sandra Parra	Metals such as what is being recycled at the Recycling Facility; particles released into the air are dangerous to human health. Cause of illness and death: Cancer, Respiratory Disease, Asthma, Memory Loss, etc.
			Yvette Najera	I feel that this place is contaminating our air quay and shove dhub down, how after 10 years can the county allow to keep on recycling hazardous material without permits, all the pollution and we pay with illnesses
			Item Total	11

Grand Total			11	
--------------------	--	--	-----------	--



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
SHEILA KUEHL
JANICE HAHN
KATHRYN BARGER

Correspondence Received

The following individuals submitted comments on agenda item:				
Agenda #	Relate To	Position	Name	Comments
3.		Favor	Diego Lopez	
		Item Total	1	
Grand Total			1	



March 22, 2021

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

**RE: PROJECT NO. 03-263-(1)
CONDITIONAL USE PERMIT NO. 03-263
PROJECT LOCATION: 1583 FISHBURN AVENUE**

Dear Supervisors:

I am writing to respectfully request that the Los Angeles County Board of Supervisors overturn the approval of the Conditional Use Permit for Gu's Recycling on 1583 Fishburn Avenue, Los Angeles, CA 90063 (Unincorporated East Los Angeles).

Legacy LA has been working with the Ramona Gardens community since 2007 and environmental justice is one of the top issues that concern the residents given that they live in a community surrounded by mobile and stationary pollution sources. One of the biggest impacts at the moment are the uses located just East of Indiana Street in the County Unincorporated area. These uses bring constant semi-truck traffic into a residential area and many times the trucks sit idling while they wait for other semi-trucks to unload. Other undesirable in the area that are just as critical to the health of the community are recycling and car dismantling facilities that are in close proximity to residents.

We understand that Gu's Recycling is allowed to operate as a parking lot for trucks by right, according to the zoning of the property. Three decades ago, they received a conditional use permit to temporarily store recyclables, including aluminum cans, glass bottles and cardboard. Shortly thereafter they began receiving a series of violations for illegally operating as an auto dismantler and metal scrap yard. After decades of repeated infractions, Gu's Recycling submitted an application to receive a conditional use permit for their illegal operations.

Gu's Recycling should have their conditional use permit rejected because:

- They have historically abused the scope of their permitted business.
- Auto dismantling and metal scrapping pose a significant risk to the environment and human health.
- They are located within 500-feet of homes in the Ramona Gardens community of Boyle Heights.
- The local neighborhood is already under resourced and overburdened, identified by the CalEPA CalEnviroScreen as being in the top 5% of communities most impacted by, and sensitive to, toxic exposures.

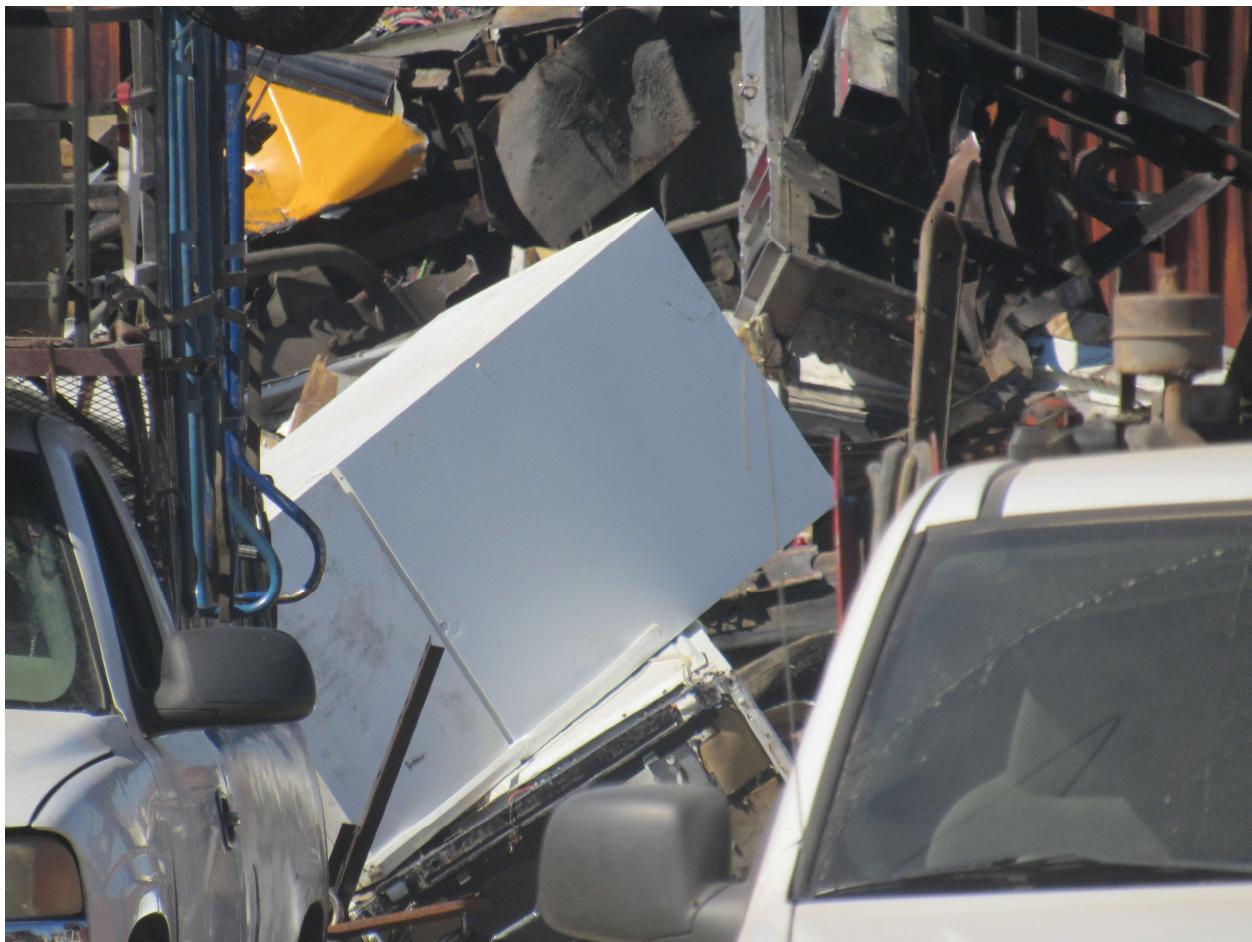
According to the East Los Angeles Community Plan, Los Angeles County's goal is to protect the community's health, safety and general welfare & improve the aesthetic qualities of the community. In addition, the County's policy is to allow the intensification of land uses ONLY if it doesn't adversely impact existing uses, neighborhoods and the existing character and density of the East LA community. Permitting Gu's Recycling to operate as an auto dismantler and metal scrap yard, activities that generate dangerous levels of pollution while contributing to the blight of the neighborhood, is contradictory to the goals and policies of the East Los Angeles Community Plan. Additionally, permitting Gu's Recycling to operate as an auto dismantler and metal scrap yard after they have done it illegally for years, poisoning our communities with untold levels of pollution, would be a slap in the face to our communities and would uphold the legacies of environmental racism that have burdened our communities for generations.

It is for these reasons that I stand in solidarity with community members of Unincorporated East Los Angeles and Boyle Heights and urge the Los Angeles County Board of Supervisors to overturn Gu's Recycling's conditional use permit.

Sincerely,



Maria Lou Calanche
Executive Director



Smoke.



This smoke continued for quite awhile.



From: [Ariana Rodriguez](#)
To: [PublicHearing](#)
Subject: Re: Item #4. project no. 03-263-(1) and conditional use permit No. 03-263-(1)
Date: Monday, March 22, 2021 12:47:36 AM
Attachments: [Public Comment.docx](#)

Hello,

Please see the attached public comment in regard to Item No. 04 for the March 23, 2021 meeting, also submitted via the web portal at <https://publiccomment.bos.lacounty.gov>. Please let me know if there is any additional information you need from me.

Thank you,

Ariana Rodriguez

Hello, my name is Ariana Rodriguez. City Terrace has been home to my family for three generations and to me all my life. I love my community and that's why I am writing re project no. 03-263-(1) and conditional use permit No. 03-263-(1) to voice my support for denying Gu's permit to keep polluting with metal recycling.

Gu's Recycling has been allowed to continue its illegal operations due to poor enforcement and gross negligence. Due to repeated delays of its conditional use permit, Gu's has been operating without a permit for over a decade. Again, over a decade. We deserve better. As a kid, seeing the pollution, the neglect, and overt dumping happening around me, I grew up thinking nobody cares about us. As you know, we are far less represented in East LA as an unincorporated area than the majority of other areas in the county, and this means the county and you as our board are our first and only line of defense--so we are asking for your help.

The continued lack of regulation and failure to enforce environmental regulations in the area is well-known, and not only discourages environmentally-friendly practices and site improvement, but actively attracts and encourages pollution and waste in our community, already one of the most heavily-polluted areas in the county and overburdened by polluting businesses, with two similar land uses within a 500-foot radius of Gu's Recycling. If this Board approves Gu's conditional use permit, it is deciding to actively allow this business to keep harming our community and continuing to message to me, my family, and my community that we do not matter. I hope that is not the case.

In addition to the pollution, truck traffic created by this business causes traffic jams and heavy use of our local streets. Idling traffic contributes to the pollution already strong from the 10 freeway, creating a pollution pocket between the industrial zone and the freeway. We, only behind South LA, already suffer disproportionate rates of asthma and other health issues from pollution compared to the west side.

According to the East LA Community Plan, the county's goal is to protect the community's health, safety and general welfare & improve the aesthetic qualities of the community. In addition, the county's policy is to allow the intensification of land uses only if it doesn't adversely impact existing uses, neighborhoods and the existing character and density of the East LA community. Allowing Gu's Recycling to generate dangerous levels of pollution while contributing to the poisoning of the neighborhood is contradictory to these goals and policies. We live in a food desert and desperately lack green spaces per the county's own parks study-- we need and deserve grocery stores, parks, more art, and major pollution mitigation initiatives, not gross polluters abusing the scope of their permitted businesses.

This is an environmental justice issue and an economic justice and racial justice issue. The county's outdated and discriminatory land use policies and zoning codes have allowed polluting businesses such as Gu's to harm our communities, with Black and Latino communities being disproportionately affected. We are asking, please help us protect our families' health and stand with the community and deny this land use permit. Tell us we are worth it. Thank you.

From: [Steven Mar](#)
To: [Zometa, Katrina](#)
Subject: FW: ITEM 4 ON BOS HEARING SCHEDULED MARCH 23, 2021;
Date: Tuesday, March 23, 2021 9:39:32 AM
Attachments: [2021.03.23 Item 4 Gu's CUP EYCEJ Comments.pdf](#)

Hi Katrina, this just got e-mailed to me regarding item 4 on today's Board agenda. Not sure if you received a copy.

Steve Mar

County of Los Angeles | Department of Regional Planning
Zoning Permits East Section
320 West Temple Street, Room 1346
Los Angeles, CA 90012
Phone: (213) 974-6435 | FAX: (213) 626-0434
smar@planning.lacounty.gov
Regular Work Days: Mon-Thurs

In response to the evolving coronavirus emergency, Los Angeles County facilities are closed to the public at this time. For the most current information about available services, public meeting schedules, and planning projects, please visit [planning.lacounty.gov](#)

We Appreciate Your Feedback!

Please take a moment and fill out our EPIC-LA customer experience survey by clicking on the link below:

<https://bit.ly/LACoCSSSurvey>

From: jordan@jrsissonlaw.com <jordan@jrsissonlaw.com>
Sent: Tuesday, March 23, 2021 9:27 AM
To: Steven Mar <smar@planning.lacounty.gov>
Cc: 'Mark Lopez' <markl.eycej@gmail.com>
Subject: RE: ITEM 4 ON BOS HEARING SCHEDULED MARCH 23, 2021;

CAUTION: External Email. Proceed Responsibly.

. Please also confirm receipt of this message.

Sincerely,

JORDAN R. SISSON
Law Office of Jordan R. Sisson
P.O. Box 569
Riverside, CA 92502

Cell: 818-324-9752

Office: 213-629-2071 ext. 1102

jordan@jrsissonlaw.com

PRIVILEGED AND CONFIDENTIAL: This electronic message contains information from the Law Office of Jordan R. Sisson and is attorney work product confidential or privileged. The information is intended solely for the use of the individual(s) or entity(ies) named above. If you have received this transmission in error, please destroy the original transmission and its attachments without reading or saving in any manner.

LAW OFFICE OF JORDAN R. SISSON

P.O. Box 569, Riverside, CA 92502

Jordan R. Sisson

Direct Dial: 213-629-2071 ext. 1102

Email: jordan@jrsissonlaw.com

March 23, 2021

VIA EMAIL & ONLINE PORTAL: <https://publiccomment.bos.lacounty.gov/>

Board Supervisors
c/o Steve Mar, Regional Planner
County of Los Angeles
500 West Temple Street
Los Angeles, California 90012
smar@planning.lacounty.gov

**RE: ITEM 4 ON BOS HEARING SCHEDULED MARCH 23, 2021;
BOARD REVIEW OF CUP NO. 03-263 (1583 FISHBURN AVE., 90063)**

Dear Honorable Chair Solis and Fellow Supervisors:

On behalf of East Yard Communities for Environmental Justice (“**EYCEJ**”), this Office respectfully provides the following comments¹ to the County of Los Angeles (“**County**”) Board of Supervisors (“**Board**”) regarding the above-referenced review of the Regional Planning Commission’s (“**Commission**”) approval of Conditional Use Permit No. 03-263 (“**CUP**”) and adoption of a Class I Existing Facilities categorical exemption (“**CE**”) (collectively “**Project Approvals**”) involving the continued operation of an existing recycling facility conducting CRV recyclable collection, scrap metal collection and processing, auto dismantling and salvage, and (by-right) truck storage (“**Project**”) located on a 1.84-acre site at 1583 Fishburn Avenue in the unincorporated community of City Terrace (“**Site**”).

In short, EYCEJ is deeply concerned with the Project’s impacts/non-compliance with the Los Angeles County Code (“**LACC**” or “**Code**”) and California Environmental Quality Act (“**CEQA**”).² First, attached hereto or several declarations form first had observations and witness (with photographic evidence) of operations at the Facility. Therein, you find first hand evidence of fires occurring at the Site, auto dismantling, noise, traffic congestion, odors, operations on Sunday whereby areas of the Site seemingly contaminated where disguised by clean dirt, and other nuisance like activities. So too, the record already contains evidence from adjacent business owners identifying damage to fenceline and property boundaries. Collectively, this directly runs against the Code-required land use findings necessary for the CUP. (See e.g., LACC § 22.158.050 (the Project will not “adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area ... detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site ... Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.”).

¹ Page citations contained herein are to the page’s stated pagination (referenced herein as “**p. #**”), or to the page’s location in the referenced PDF document (referenced herein as “**PDF p. #**”). Unless noted otherwise, all documents referenced herein are from the County’s website for the Project, including: “**Hearing Notice**” (7/21/20), “**Hearing Officer Package**” (7/9/20), “**Hearing Officer Report**” (7/16/20), “**Hearing Officer Supplemental Report**” (7/20/20), “**Hearing Officer Report II**” (9/10/20), “**Hearing Officer Supplemental Report II**” (9/21/20), “**Commission Package**” (11/19/20), “**Commission Final Letter**” (12/2/20), “**Board Report**” (2/23/21). (See County (3/18/21) Project No. 03-263-(1) / Conditional Use Permit No. 03-263, <https://planning.lacounty.gov/case/view/03-263>; see also <http://file.lacounty.gov/SDSInter/bos/supdocs/153771.pdf>.)

² Pub. Res. Code § 21000 et seq., and inclusive of 14 Cal. Code Regs. § 15000, et seq. (“**CEQA Guidelines**”).



Second, the applicant has no vested right to continue operating an illegal use without a proper permit. Here, applicant did not establish scrap-metal/auto salvaging operations as a by-right use. So too, any claim of having a vested right as a legal non-conforming use is out the window. Instead, their original 1992 CUP allowed for some recycling of nonferrous materials but did not allow for scrap metal collection/processing or auto dismantling/salvage. Moreover, that CUP expired in 2002, and since then have been cited for violations at least five times between 2005-2017. Under these circumstances, there is no justification for the applicant to claim a vested right to continue scrap metal/processing.

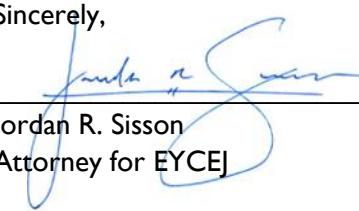
Third, for purposes of CEQA, the Project does not fall squarely within the Class 1 CE. It does not specifically fall within the examples of listed projects under the CEQA Guidelines or the County's CEQA implementation Guide. Furthermore, the County has discretion to determine the appropriate baseline. Here, the appropriate baseline is not the current illegal use that has been cited numerous times. Rather, the County has the discretion to determine the most appropriate baseline here is the lawful operation of the Site without junk/auto dismantling. This is the appropriate baseline. Furthermore, even if a Class 1 CE is applicable, which EYCEJ contests, there are unusual circumstances that defeat the use of the CE here. Those circumstances include, but not limited to the unusual unlawful use of the Site by the applicant, the unusual repeated citations for violations, the unusual and repeated incidences of nuisance behavior and hazardous conditions occurring at the Site—such as the property damage and fire well-documented.

In sum, EYCEJ adamantly opposes this Project. Here, the CUP is a discretionary approval—not by right. EYCEJ urges the Board to deny the CUP on either failure for making the Code-required findings, and/or for failure to comply with CEQA.

EYCEJ reserves the right to supplement these comments at future hearings and proceedings for this Project. (See *Cmty. for a Better Env't*, 184 Cal.App.4th at 86 [EIR invalidated based on comments submitted after Final EIR completed]; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during EIR comment period].) Finally, on behalf of EYCEJ, this Office requests, to the extent not already on the notice list, all notices of CEQA actions and any approvals, Project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (Pub. Res. Code §§, 21092.2, 21167(f) and Gov. Code § 65092.) Please send notice by electronic and regular mail to Jordan R. Sisson, Esq., P.O. Box 569, Riverside, CA 92502 (jordan@jrsissonlaw.com).

Thank you for consideration of these comments, inclusive of those expert comments attached hereto. We ask that this letter and attachments are placed in the administrative record for the Project.

Sincerely,


Jordan R. Sisson
Attorney for EYCEJ

ENCLOSURE: Declarations of (1) M. Lopez, (2) C. Solis, (3) C. Sanchez, (4) T. Sanchez, and (5) R. Perez

**DECLARATION OF MARK LOPEZ
IN OPPOSITION OF GRANTING CONDITIONAL USE PERMIT NO. 03-263**

I, Mark Lopez, am over the age of eighteen and declare the following:

1. I have personal knowledge of all facts contained herein, and if called upon, I could and would testify competently thereto.

2. This declaration is provided in opposition to the proposed Conditional Use Permit No. 03-263 (“CUP”) proposed to be granted for the existing recycling and scrap metal collection/processing facility (“Facility”) located at 1583 Fishburn Avenue in the unincorporated community of City Terrace (“Site”). In preparing this declaration, I reviewed the County of Los Angeles staff reports about the requested CUP made available online at:

<https://planning.lacounty.gov/case/view/03-263> and
<http://file.lacounty.gov/SDSInter/bos/supdocs/153771.pdf>.

3. I am the Eastside Community Organizer and Special Projects Coordinator of East Yard Communities for Environmental Justice (“East Yard”), a position I have held since 2021. Prior to that role, I served as Executive Director from 2014-2021, and have been employed at the organization since 2012 and been a member since 2009. East Yard is a nonprofit organization with the mission is to ensure environmentally sustainable development in southeast Los Angeles County and the I-710 corridor and informed decision making by public officials. Through grassroots organizing and leadership building skills, EYCEJ works to enable under-represented communities to be heard, which in turn influences policy change, policy makers and agencies that can institute health protective environmental justice policies that are in the best interest of local, regional, and statewide residents. Our work includes policy advocacy concerning the I-710 freeway expansion and the Exide Technologies lead cleanup. So too, East Yard has worked with the Los Angeles County Planning Department to develop Green Zones policies for unincorporated areas of the County to address incompatible land use, especially the proximity of toxic facilities to sensitive receptors. East Yard has approximately 500 members who reside in the County of Los Angeles, with at least a dozen within one (1) mile of the Facility Site.

4. On March 4, 2021, I drove to the Facility Site and observed operations from approximately 3:00 p.m. to 5:15 p.m. Throughout this time, I witnessed metal haulers going to and from the Site, where attempts to mitigate dust using water sprayers were pointing in directions away from where metal cranes were actually working and generating dust within the facility. Often materials were removed/relocated around the Site via a claw attached to a crane located on-site. General observations included:

- a. Metal haulers accessing the Facility would often block the street primarily while material was loaded/unloaded between trucks, both before and after entering the Site.
- b. Dust was constantly coming from the Site onto the street primarily from the driveway as vehicles were coming in and out, though I also saw dust emanating from the metal being relocated with the cranes.

- c. Dust was visible from the public right-of-way where I saw regular neighborhood activities transpiring near the Site, such as street vendors and residents walking by exercising as close as approximately 5 feet from the Site's driveways.
- d. Seemingly illegal dumping was occurring in the street, which I took photographs of (see Exhibits A through E, attached hereto).

5. I also witnessed a truck with e-waste signage exiting the Facility with an empty load. To the best of my knowledge, I do not recall seeing e-waste as a component of the requested CUP.

6. The Facility's hours were posted stating it was open until 4:00 p.m., but operations were still occurring as late as 5:15 p.m., where I saw vehicles entering and exiting the Site, as well as heavy machinery operating.

I declare under penalty of perjury under the laws of the State of California that the preceding is true and correct. Executed on March 22, 2021 at Los Angeles County, California.

A handwritten signature in black ink, appearing to read "M Lopez".

Mark Lopez

EXHIBIT A



EXHIBIT B



EXHIBIT C



EXHIBIT D



EXHIBIT E



**DECLARATION OF CLARA SOLIS
IN OPPOSITION OF GRANTING CONDITIONAL USE PERMIT NO. 03-263**

I, Clara Solis, am over the age of eighteen and declare the following:

1. I have personal knowledge of all facts contained herein, and if called upon, I could and would testify competently thereto.

2. This declaration is provided in opposition to the proposed Conditional Use Permit No. 03-263 (“CUP”) proposed to be granted for the existing recycling and scrap metal collection/processing facility (“Facility”) located at 1583 Fishburn Avenue in the unincorporated community of City Terrace (“Site”).

3. On March 2, 2021, I arrived at the Facility Site at approximately 10:15 a.m. and observed operations until approximately 12:32 p.m. During said time, I took various photographs; true and accurate copies of said photos are attached hereto as Exhibits A through I, as discussed below.

4. When I first arrived, there were several vehicles idling parked outside the Facility. Often several vehicles would be lined up dropping off material at the Site. At least two separate flatbed trucks drop off stripped down cars (see Exhibit A).

5. Throughout my time, numerous vehicles filled with junk entering the Facility that typically back into the Facility for unloading. Many of these vehicles were pickup trucks with or without storage cages and trailers equipped. Junk carried in these trucks included ferrous and non-ferrous materials, such as: metal, engines, appliances, machines, dryers, freezer box, refrigerators, automotive parts, and alike. After junk was removed from the vehicles, the vehicles would park and lined up on the street and then go into the Facility to what appeared to be them collecting payment for their load. This would block substantial portions of the street (see Exhibit B). I only observed a few customers dropping off bottles and cans.

6. The junk accumulated throughout the site of various materials, such as those mentioned above and vehicles (see Exhibit C). Throughout the time, there was at least one of the excavators working, but most of the time two were operating at once (see Exhibit D). Additionally, a forklift was also seen on the property. The Facility operations made constant noise around the Site and down the street from multiple Facility sources (e.g., excavators picking up/unloading junk from customers vehicles, backup alarms as vehicles backed into the Facility, vehicles entering/exiting the Facility, junk being moved around the Facility, Noise was made as the excavators picked up and unloaded junk.

7. I also observed a lot of dust and smoke being generated by activity on the Facility. A lot of dust was being made by the excavators. I first noticed the smoke around 11:11 a.m. Thereafter, I observed the smoke intermittently. I also observed smoke coming from behind one of the large blue bins on the property (see Exhibit E). When I first arrived, I did not notice any sprinklers being used. However, later on I noticed the sprinklers were turned on at the back of the property. While I was at the location outside of Gu’s, I could constantly smell exhaust being generated by the excavators and other vehicles. There was also a chemical smell. All of the

Latino employees appeared to be wearing masks. Only one male truck driver who was driving a Gu's truck did not wear a mask.

8. The Facility had various signs posted outside, such as those stating that the Facility does not accept "solvents" or "oils" or "engines with oil or gas" and alike (see Exhibit F). However, outside of the Facility there were oil spots on the street where cars line up heading to and from the Facility (see Exhibit G). After I took photos of the oil spots, two employees came out. One began sweeping the street. The other began putting sand on the oil spots and the employees began sweeping up the sand. Later, they began putting dirt on top of the sand spots and sweeping that up. The employee who was sweeping up the debris early on, used a shovel to sweep the debris in. He then dumped the debris in the front of the building in the dirt by a palm tree (see Exhibit H).

9. After I arrived, large trucks with the name Gu's began arriving. Employees quickly began filling the trucks with junk. I overheard an employee standing behind my car, tell someone on the phone in Spanish in an exasperated way, "ya vi el montón" Translation – "already saw the heap." Later, a Gu's truck pulled alongside my car, effectively blocking me in. I got out of my car and photographed this. I asked the man sweeping if he could move the trash can. As I did this more than a half dozen employees appeared on the street near my car. Feeling intimidated and in danger, I returned to my car and squeezed past the trash can (see Exhibit I).

I declare under penalty of perjury under the laws of the State of California that the preceding is true and correct. Executed on March 22, 2021 at Los Angeles County, California.

A handwritten signature in black ink that reads "Clara M. Solis". The signature is fluid and cursive, with "Clara" and "Solis" being the most prominent parts.

Clara Solis

EXHIBITS A



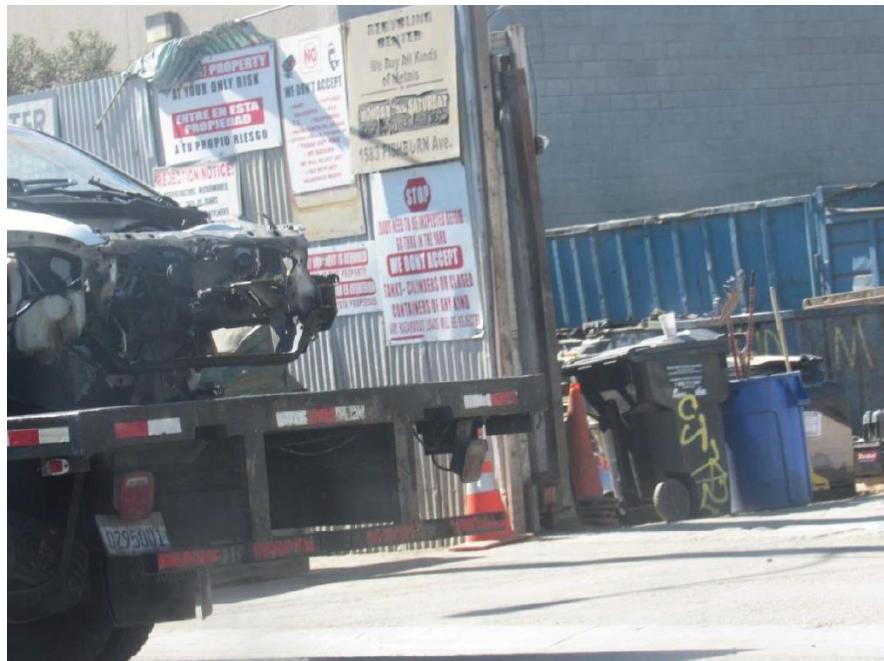
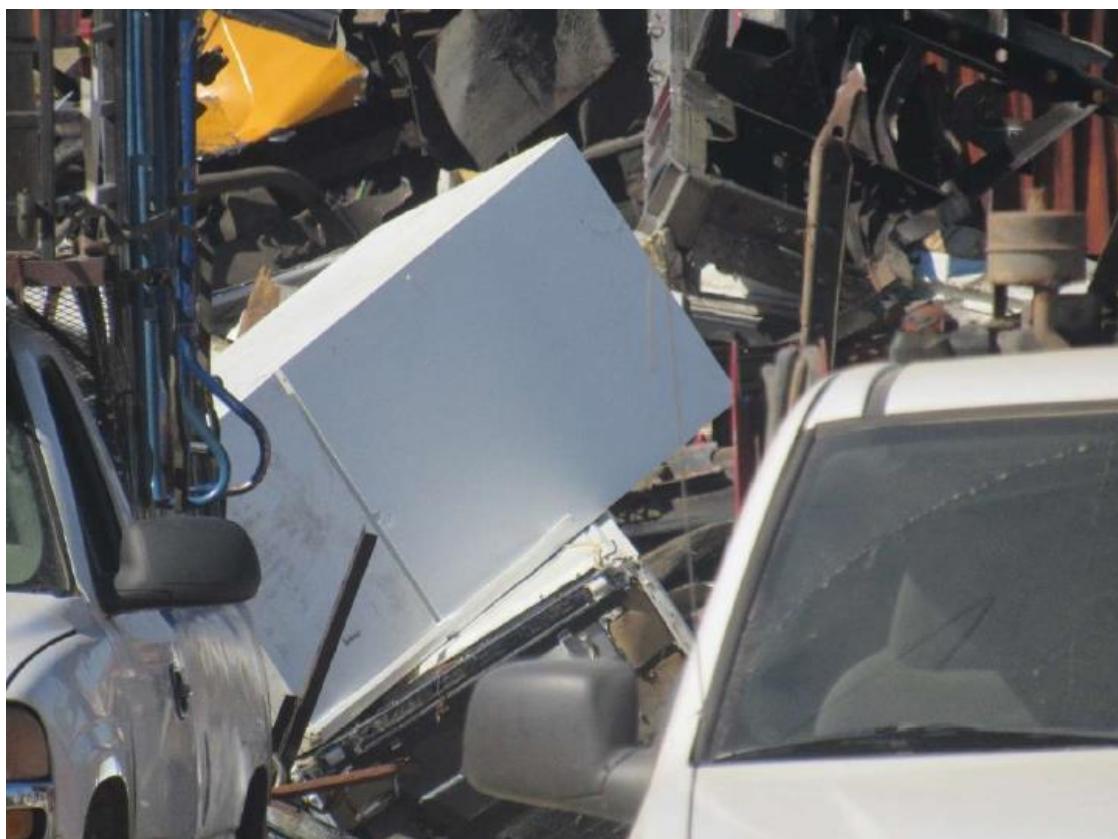


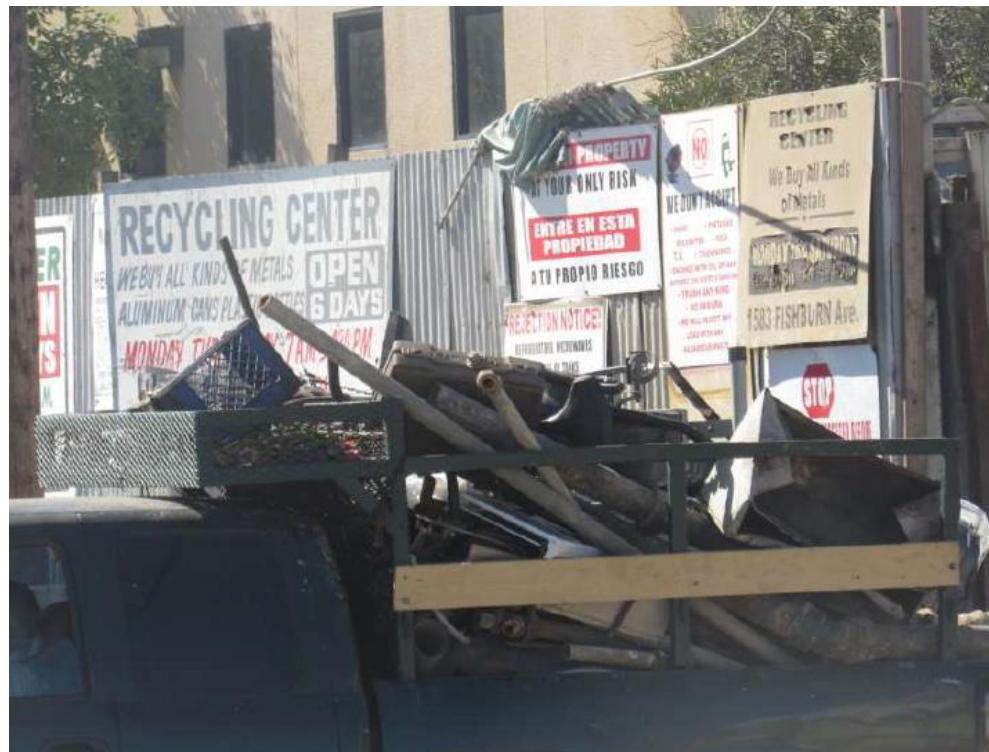


EXHIBIT B









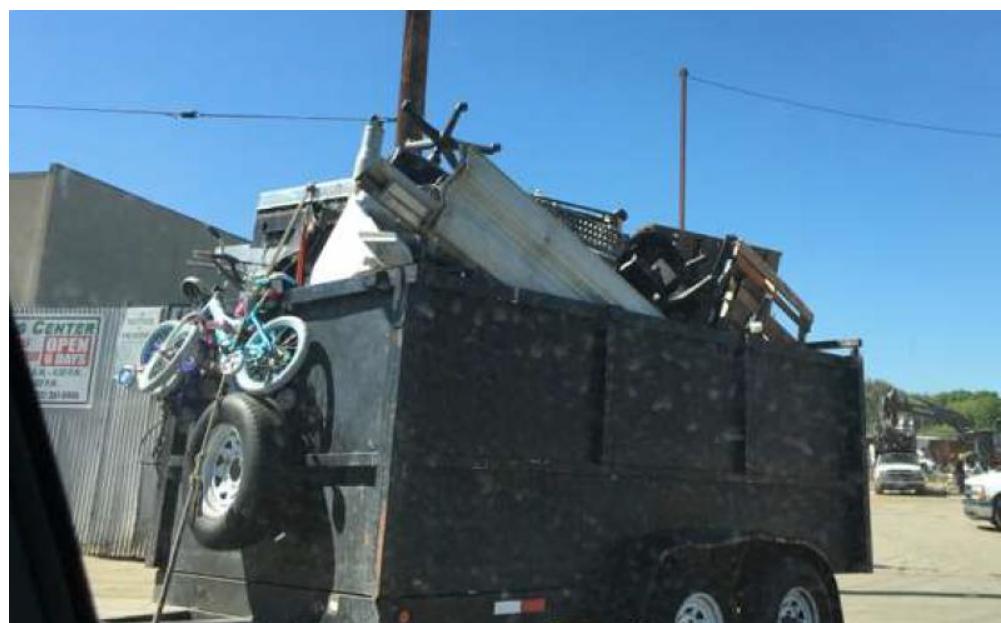
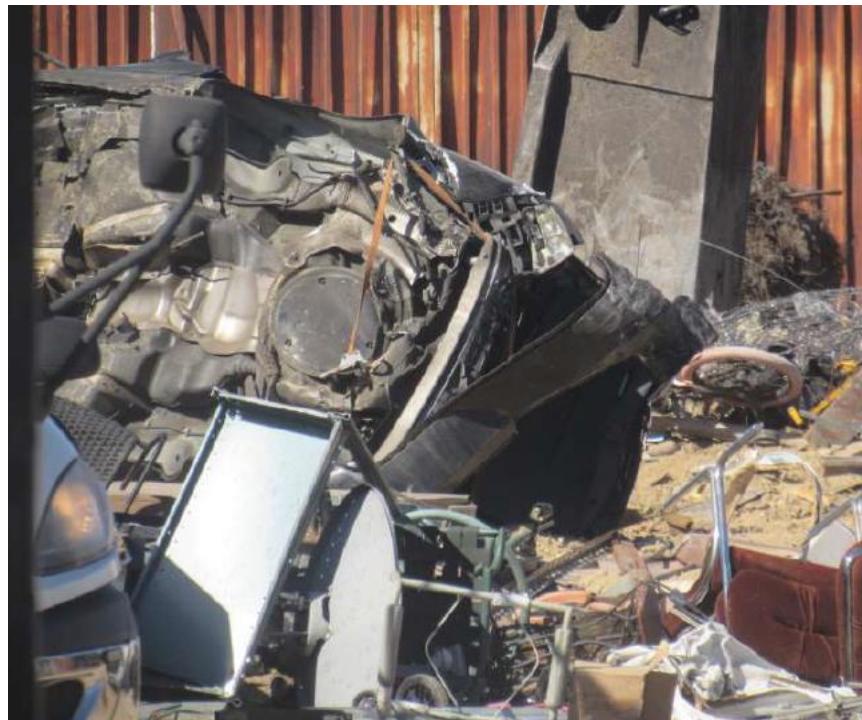
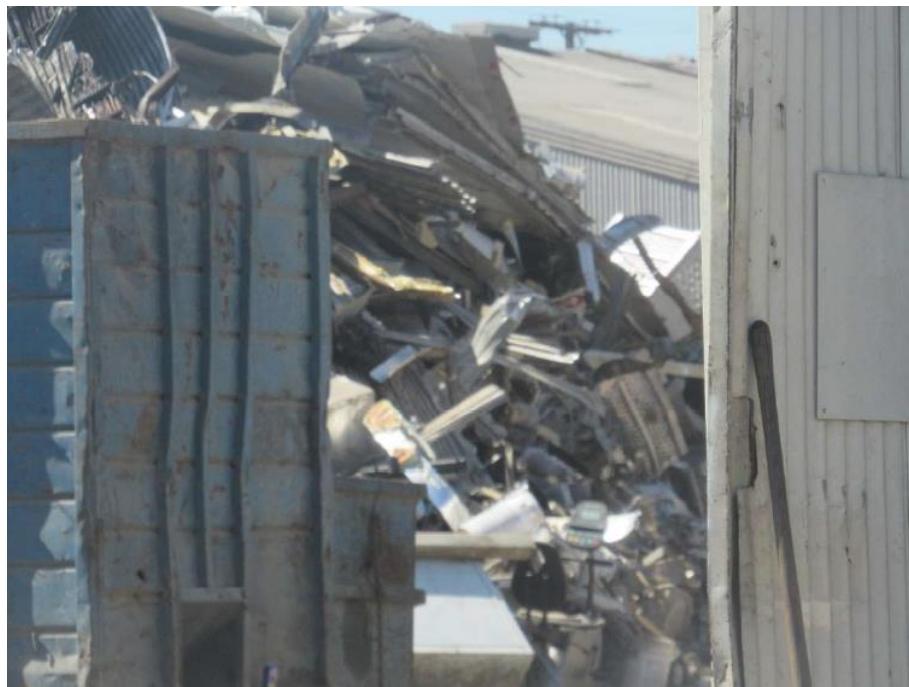




EXHIBIT C







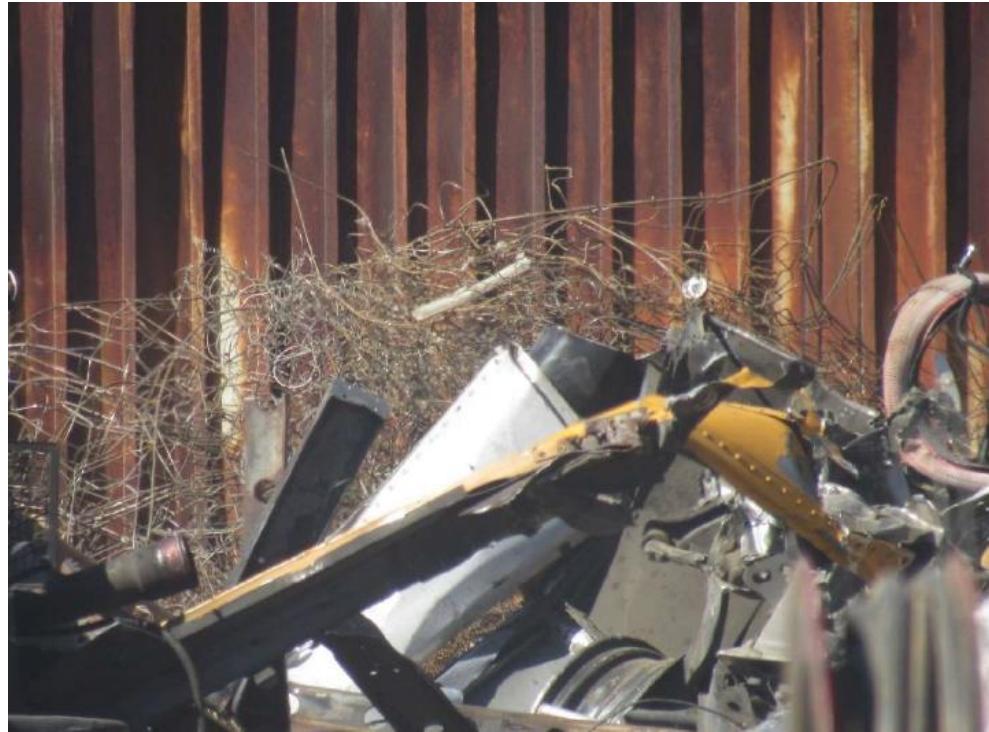


EXHIBIT D





EXHIBIT E

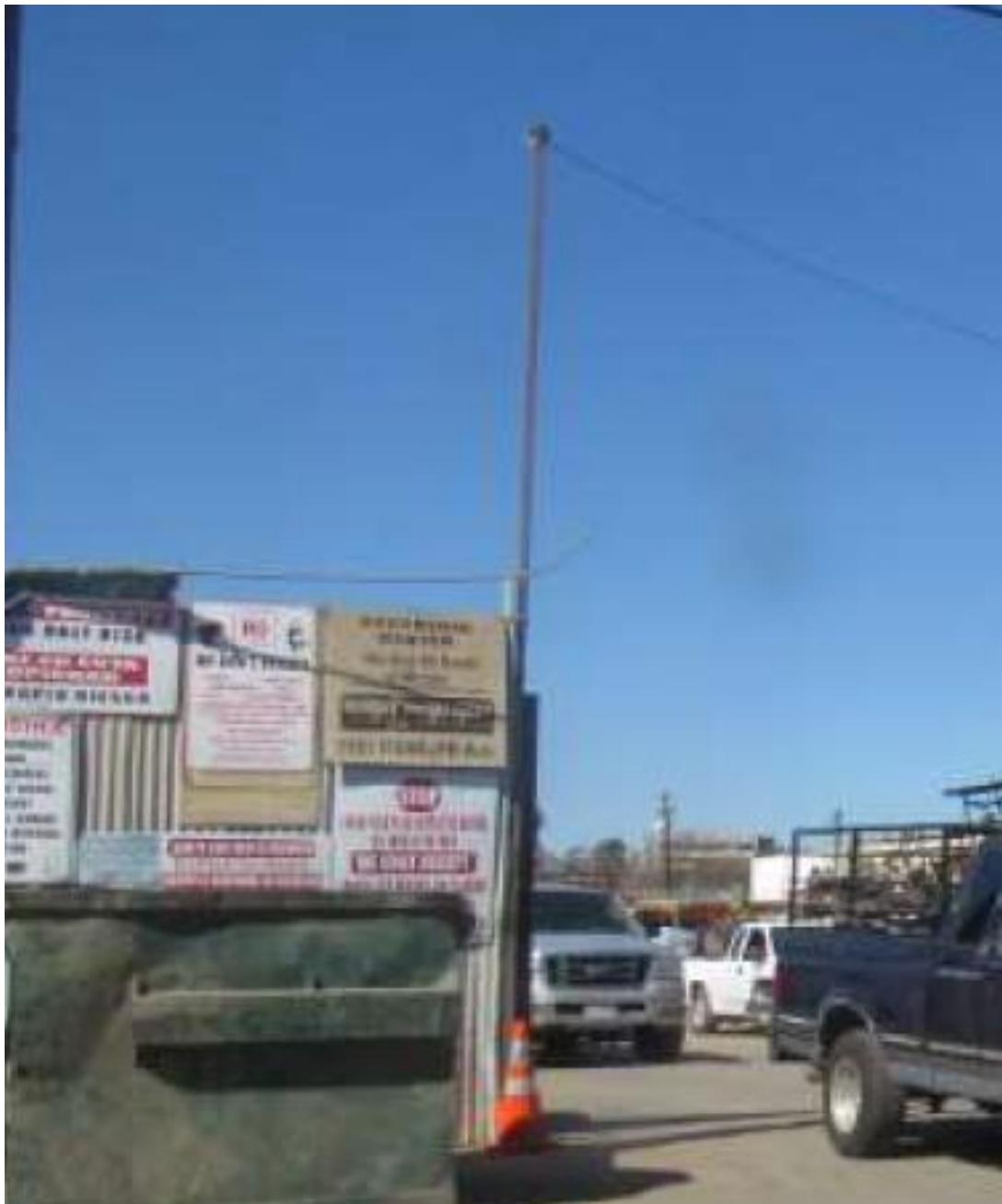








EXHIBIT F



EXHIBIT G









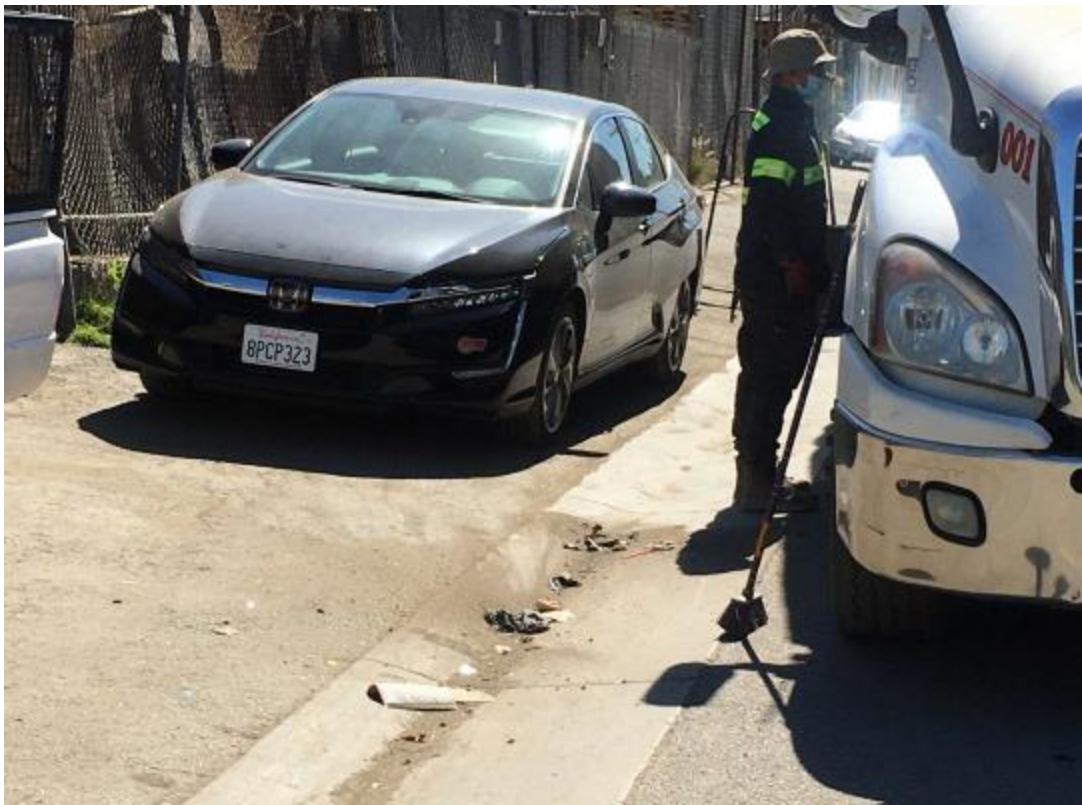
EXHIBIT H





EXHIBIT I





**DECLARATION OF CARINA SANCHEZ
IN OPPOSITION OF GRANTING CONDITIONAL USE PERMIT NO. 03-263**

I, Carina Sanchez, am over the age of eighteen and declare the following:

1. I have personal knowledge of all facts contained herein, and if called upon, I could and would testify competently thereto.

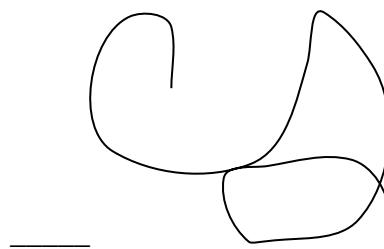
2. This declaration is provided in opposition to the proposed Conditional Use Permit No. 03-263 (“CUP”) proposed to be granted for the existing recycling and scrap metal collection/processing facility (“Facility”) located at 1583 Fishburn Avenue in the unincorporated community of City Terrace (“Site”).

3. I am familiar with the Facility Site. I reside approximately 1,000 feet from the site and frequent the area every other day. I am a member of environmental justice nonprofit East Yard and was made aware of Gu’s Recycling’s permit issues through the Green Zones ordinance.

4. On February 1, 2020, I personally observed black smoke coming from the site. I drove by to see where the smoke was coming from and found that it was coming from Gu’s Recycling. The smoke caused poor air quality and members of my community were not able to open their windows and doors for an entire day. It appears that there has been more than one fire at Gu’s Recycling throughout the years. The community is concerned that these fires are being caused due to negligence and poor maintenance of the property.

5. I personally took photographs of what had occurred. True and accurate copies of said photos are attached hereto as Exhibits A through E.

I declare under penalty of perjury under the laws of the State of California that the preceding is true and correct. Executed on March 22, 2021 at Los Angeles County, California.



Carina Sanchez

EXHIBIT A



EXHIBIT B



EXHIBIT C



EXHIBIT D



EXHIBIT E



**DECLARATION OF TIFFANY SANCHEZ
IN OPPOSITION OF GRANTING CONDITIONAL USE PERMIT NO. 03-263**

I, Tiffany Sanchez, am over the age of eighteen and declare the following:

1. I have personal knowledge of all facts contained herein, and if called upon, I could and would testify competently thereto.

2. This declaration is provided in opposition to the proposed Conditional Use Permit No. 03-263 ("CUP") proposed to be granted for the existing recycling and scrap metal collection/processing facility ("Facility") located at 1583 Fishburn Avenue in the unincorporated community of City Terrace ("Site").

3. I am familiar with the Facility Site. I work as a Youth Organizer at East Yard Communities for environmental justice, I have been an employee since 2021 and a member since 2020, I serve youth members within the communities of East Los Angeles, Boyle Heights and the surrounding areas, I educate and empower youth members to get involved within their communities and to advocate for themselves on issues such as environmental racism, pollution, and injustice. My job is to empower youth members, teach leadership skills, and support them with the issues they face in underrepresented communities. Many youth members live within the exide impacted areas and know how pollution can have lasting health effects. EYCEJ empowers youth how to think critically, how to engage and steps needed to change and be involved in social and climate justice.

4. On March 6th at approximately 2:45 I saw while parked across the street from Gu's multiple big metal hauling trucks go in and out of the site passed hours of operation, men pulling out trash cans full of scrap car parts, dust in the air from the opening and closing of the gates and trucks pulling in and out of the driveway. Piles of smashed cars inside the gates. Metal hauling trucks double parked outside the facility and big machinery moving cars and smashing them down on site which I took photos of and video. the later being something they are not permitted to do.

5. On March 6, 2021, I personally observed an excavating machine pick up junked cars and dump them into the beds of trucks and proceed to smash and demolish multiple cars. on site. There was dust in the air, and there were no awnings or covers to keep debris from flying into the air. I drove past when the gates had opened a bit more and was able to see it very clearly. I personally took photographs of what had occurred. True and accurate copies of said photos are attached hereto as Exhibits A through D.

I declare under penalty of perjury under the laws of the State of California that the preceding is true and correct. Executed on March 22, 2021 at Los Angeles County, California.



Tiffany Sanchez

EXHIBITS A



EXHIBITS B



EXHIBITS C



EXHIBITS D



**DECLARATION OF RUDY PEREZ
IN OPPOSITION OF GRANTING CONDITIONAL USE PERMIT NO. 03-263**

I, Rudy Perez, I am over the age of eighteen and declare the following:

1. I have personal knowledge of all facts contained herein, and if called upon, I could and would testify competently thereto.

2. This declaration is provided in opposition to the proposed Conditional Use Permit No. 03-263 (“CUP”) proposed to be granted for the existing recycling and scrap metal collection/processing facility (“Facility”) located at 1583 Fishburn Avenue in the unincorporated community of City Terrace (“Site”).

3. On Sunday March 14, 2021, I flew the drone over the industrial area and caught video of the facility by an unmanned drone. A true and accurate video is available at:

https://www.dropbox.com/s/660lj9c59e6s2jm/gus_drone_video.mp4?dl=0, which I will generally describe below.

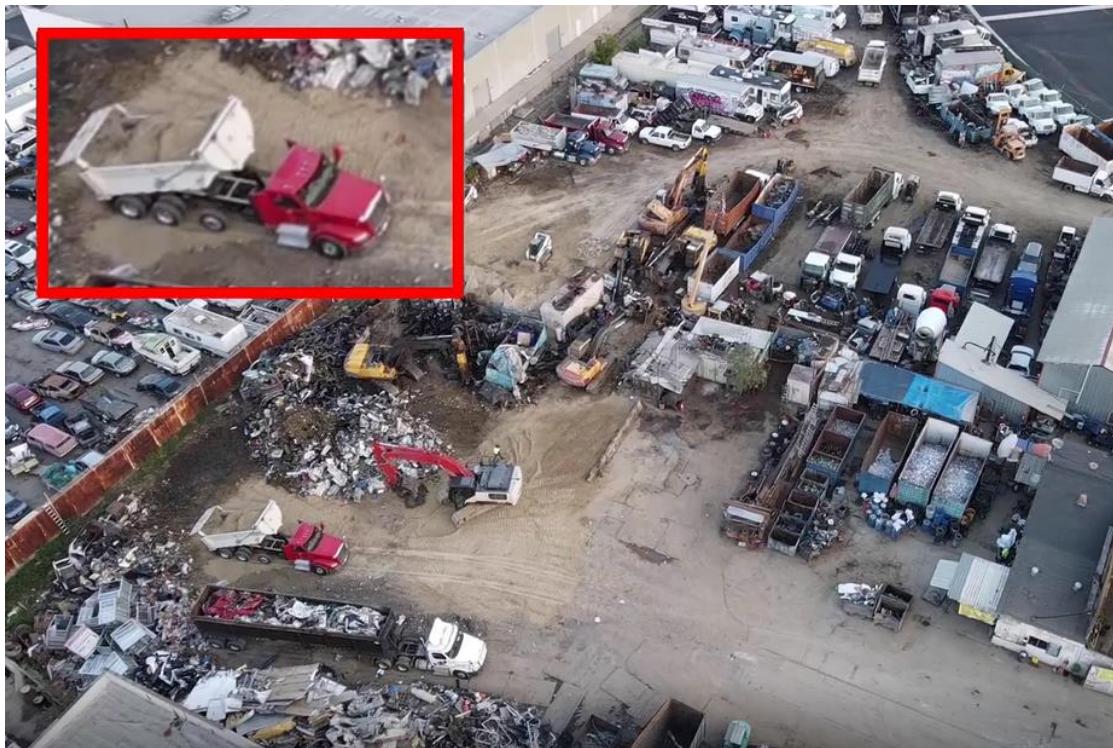
4. I observed the Facility operating on Sunday (see figures below).





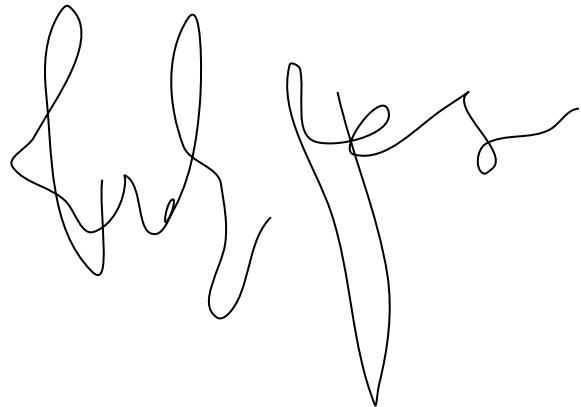
5. A truck with dirt/soil appeared to be dumping soil to cover a dark covered area of the Facility near the rear of the Site towards the Romana Gardens area (see figures below).







I declare under penalty of perjury under the laws of the State of California that the preceding is true and correct. Executed on March 22, 2021 at Los Angeles County, California.

A handwritten signature in black ink, appearing to read "Rudy Perez". The signature is fluid and cursive, with a long, sweeping line on the right side.

Rudy Perez

From: [Larry Block, Property Manager](#)
To: ["Steven Mar"; PublicHearing](#)
Cc: [PublicComments](#)
Subject: Documents for 2/23 Board Meeting, Public Hearing Project 03-263-(1)
Date: Wednesday, February 17, 2021 7:45:38 PM
Attachments: [IND LACBOS 2-16-21 CUP 03-263\(1\) Letter.pdf](#)
[IND LACDRP 7-14-20 CUP 03-263\(1\) Letter.pdf](#)

Good day,

As an adjacent neighbor to the project, Columbia Development had submitted a substantial letter with photos, dated July 14, 2020, to the original Regional Planning CUP case back in July of 2020,.

We are now submitting a new letter, dated February 16, 2021, as our perimeter security situation has greatly deteriorated since then. It references the July 2020 letter.

Please find attached two documents:

Document dated 2/16/2021 (for current review)
and
Document dated 7/14/2020 (for past reference)

Please reply to confirm receipt of these documents.

Your consideration is greatly appreciated.

Best regards,

Columbia Development, LLC

COLUMBIA DEVELOPMENT, LLC
8075 W. 3RD STREET, SUITE 302
LOS ANGELES, CALIFORNIA 90048
PHONE (323) 936-5232
FAX (323) 936-4509

February 16, 2021

Los Angeles County Board of Supervisors
Supervisor Hilda L. Solis
4801 East Third Street
Los Angeles, CA 90022

Los Angeles County Department of Regional Planning
320 W Temple Street
Los Angeles, CA 90012

Attn: Steve Mar

Re: Project No. 03-263-(1), CUP Permit No. 03-263

Dear Supervisor Solis and Mr. Mar,

This CUP is a request to allow an existing recycling facility, scrap metal collection and processing, auto dismantling and salvage yard, and truck storage yard to continue operating at its current location at 1583 Fishburn Ave. The approval last December for this CUP from the Department of Regional Planning included specific terms of rectification regarding the applicant's continuing damage to our perimeter fence. Our attached letter dated July 14, 2020, was submitted and taken into account for that eventual approval. Unfortunately, that damage has accelerated since last July. Not only has the applicant done very little cleanup, they have also not removed the vehicles that are encroaching on our property. We are now aware that the applicant has illegally removed most of our chain link fencing located on our property, without our permission!!!

Our property is a multi-tenant industrial park that houses eight active businesses with frontage on Indiana Ave and a railroad spur in the back. Our tenants rightfully and legally expect security for the rear of their Premises. The applicant has continually degraded our security fencing to the point that, for all practical concerns, it no longer exists. It is also concerning that our tenants are now subjected to feral cats and chickens from the applicant's property that our fence should be preventing.

The approved CUP includes the requirement that the applicant build an 8' high block wall along their western property line. However, the language is seriously lacking regarding timing of the installation and the position of the new wall.

We propose that, upon the approval of the Board of Supervisors, the following be added to the conditions:

1. The construction of the new wall between our properties (along the entire railroad spur) must be completed within 120 days of the final CUP being issued.
2. Minimum 7' high temporary security fencing must be **immediately** erected to re-establish perimeter security pending construction of the block wall. This temporary fence may encroach on our property only as much as is necessary to allow room for the new block wall to be built.
3. The wall and its footings must be built only on the applicant's property.
4. A legally binding survey must be conducted to establish the property line.
5. Any vestige of the old fence and miscellaneous debris be immediately removed from our property.

The attached letter from July 14, 2020 explains the history in further detail and includes relevant images of the situation at that time. We have also attached new current images of the rail area and fence for your reference.

We have serious issues with the applicant and the applicant's property owner that call in to question their willingness to conform to the business-like standards one should expect in operating such a facility.

We believe these additional conditions are very reasonable and are extremely important to us and our tenants. Thank you for your consideration.

Best regards,



Steve R. Freed, Managing Member
Columbia Development, LLC

attachment:

5 Current images of the debris, encroachment, fence damage and missing chain link

Separate File:

July 14, 2020 letter including 1 petition and 5 images of the general area and damaged fencing

February 16, 2021





**2/16/2021 PHOTO #2
OVERVIEW OF AREA, APPX 350' of SEVERLY
DAMAGED FENCE AND MISSING CHAIN LINK**

February 16, 2021



2/16/2021 PHOTO #3
MISSING CHAIN LINK

February 11, 2021





COLUMBIA DEVELOPMENT, LLC
8075 W. 3RD STREET, SUITE 302
LOS ANGELES, CALIFORNIA 90048
PHONE (323) 936-5232
FAX (323) 936-4509

July 14, 2020

Los Angeles County Department of Regional Planning
320 W Temple Street
Los Angeles, CA 90012

Attn.: Steve Mar

Los Angeles County Supervisor Hilda L. Solis
4801 East Third Street
Los Angeles, CA 90022

Re: Project No. 03-263-(1), CUP Permit No. 03-263
Salvage Yard at 1583 Fishburn Ave.

Dear Mr. Mar and Supervisor Solis,

We request that certain conditions be placed on the applicant prior to extending or granting his CUP permit. This CUP is a request to allow an existing scrap metal collection and processing, salvage yard, and truck storage yard to continue operating at its current location at 1583 Fishburn Ave.

Columbia Development LLC is the owner of the 87,000 square foot multi-tenant industrial park with frontage on Indiana Ave. Our concrete tilt-up building is located directly adjacent to the rear of the applicant's property along the north portion of their west perimeter (appx 400 linear feet). A rail spur that has reverted to our ownership is located behind our building and a our chain link fence separates our property from the applicant's parcel.

We have serious issues with the applicant and the applicant's property owner that calls into question their willingness to conform to the business-like standards one should expect in operating such a facility.

After ownership of the property changed in approximately 2018 to Stelee Industries, the impact of the land use behind our property was greatly intensified. Issues include:

1. The applicant's long-term storage of large vehicles along the property line has resulted in severe and irreparable damage to the fence along our entire 400 foot interface. We have made multiple requests to the applicant to repair the damage they have done to the fence, to date the applicant has refused to make said repairs. These large vehicles, from motor homes to big rigs, are placed either right up against the fence or have outright pushed the 8' high fence over, up to 8' feet into our property space (the fence is so damaged that in some places the fence is flat on the ground). The applicant has added sub-standard plywood to replace some of the chain link fencing they have destroyed. The Applicant continues to this day to encroach across the property line with his stored vehicles and debris. **Relevant photos are attached.**

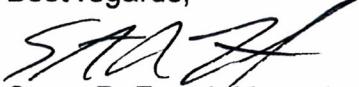
2. On April 18, 2019, a large, suspicious fire broke out in a few mobile homes parked against the fence. Multiple explosions occurred caused by propane tanks that should have been removed or emptied upon being stored. **Relevant photos are attached.**
3. You will also find attached a petition signed by every one of our tenants demanding a new fence be installed and that the applicant should hire a pest control company to set up traps and proper rodent control boxes with along our fence line. The applicant must also leave enough space along the fence line for the pest control company to access their traps and/or baited containers.

Based upon on our experiences with the applicant we emphatically request that mitigation of the following be required as part of the CUP approval process:

- A. All vehicles, tires and other debris from the applicant's use, must be removed from our entire rear property area and from the applicant's property to a distance of at least 6' from the property line.**
- B. The full four hundred foot length of the ruined fence must be replaced by the Applicant with a new professionally installed 8' high 9 gauge chain link fence topped with three strands of barbed wire. Applicant must be held responsible to maintain said new fence should it be damaged by their use of the property.**
- C. A six foot deep vehicle-free border area must be created and maintained 24/7 along the Applicant's entire property line/fence demarcated by concrete-filled barrier posts or some type of a traffic stop product to prohibit the applicant from parking his vehicles in such a way that he continues to damage and destroy the 400 foot fence between our properties.**
- D. A new rodent control program must be put into place on the applicant's property and along the shared fence line as the salvage yard is a haven for disease carrying rats and mice.**
- E. Signs must be posted around the outside of the applicant's entire perimeter (in locations with high visibility) including our side of the new fence, stating the phone number of the applicant, and the various County Departments responsible for the enforcement of the CUP conditions.**

These issues are extremely important to us. Thank you for your consideration.

Best regards,



Steve R. Freed, Managing Member
Columbia Development, LLC

attachments:

5 Photos of the General Area and Damaged Fencing
1 Petition

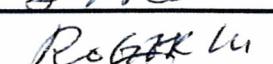
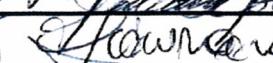
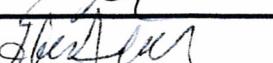
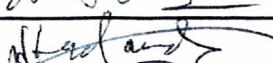
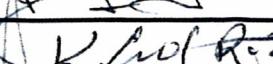
PETITION

July 2, 2020

Los Angeles Dept. of Regional Planning
Re: Project No. 03-263-(1), CUP Permit No. 03-263

The CUP renewal applicant's location is adjacent to the entire length of the rear of the property we lease. We, the undersigned tenants of Columbia Development, LLC, located at 1612-1640 N. Indiana St, wholeheartedly join the property owners in demanding certain actions from the applicant.

1. The rear fence needs to be replaced along with a commitment that any later damage will be repaired in a prompt manner.
2. A regularly and professionally maintained rodent control system installed along the entire length of the new fence.
3. Any applicant's trash on our property must be cleaned up.
4. Any trash or smelly and unsightly fire damaged property on the applicant's side be fully removed from the applicant's property and be properly disposed of.

Address	Business Name	Name	Signature
1636 N. Indiana St	Atelier 4	Harry L. Flan	
1632 N. Indiana St	Atelier 4	Abdi LaRue	
1632 N. Indiana St	JSP	David de Mat	
1632 N. Indiana St	Jsp	JOSH MUR	
1624 N. Indiana St	Lucky STAR IMP & EXP Rotizerie	Roger Liu	
1628 N. Indiana St	Lucky STAR IMP & EXP	Julian Grand	
1630 N. Indiana St	U-CAN FOOD	MEHMET LER	
	U-CAN FOOD	Plumbline TANK	
1616 N. Indiana St	Arfaff Gourge	Lorraine	
	Arfaff Gourge	Amjad	
1612 N. Indiana St	Royal Global Dis	KAMBIZ	
	Royal Global Dis	Leo	

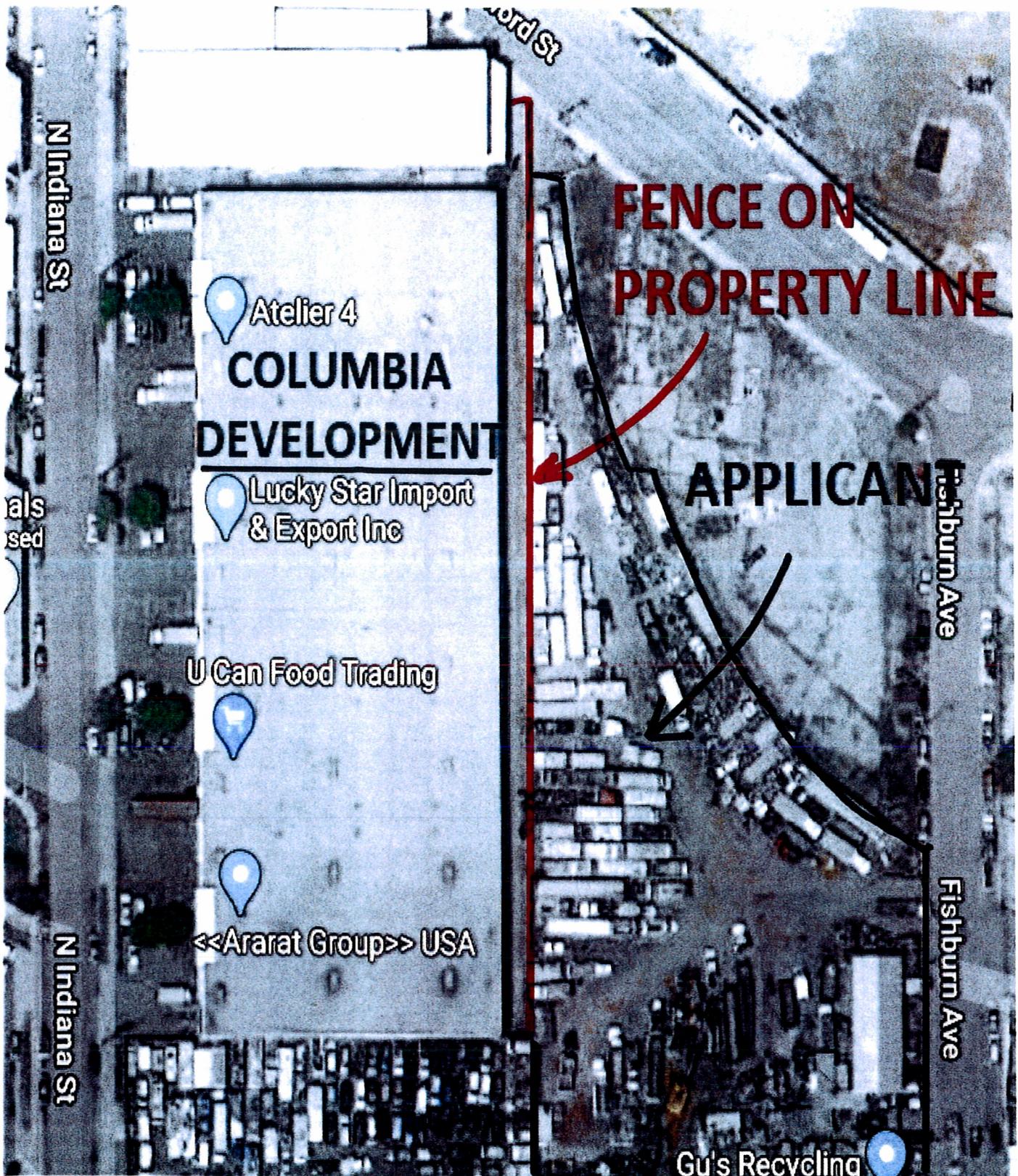


PHOTO #1

RE: CONDITIONAL USE PERMIT NO. 03-263 PROJECT LOCATION: 1583 FISHBURN AVE
SUBMITTED BY NEIGHBORING PROPERTY OWNER- COLUMBIA DEVELOPMENT, LLC

June 16, 2020



PHOTO#2 APPLICANT DAMAGED FENCE LINE

RE: CONDITIONAL USE PERMIT NO. 03-263 PROJECT LOCATION: 1583 FISHBURN AVE
SUBMITTED BY NEIGHBORING PROPERTY OWNER- COLUMBIA DEVELOPMENT, LLC

June 16, 2020

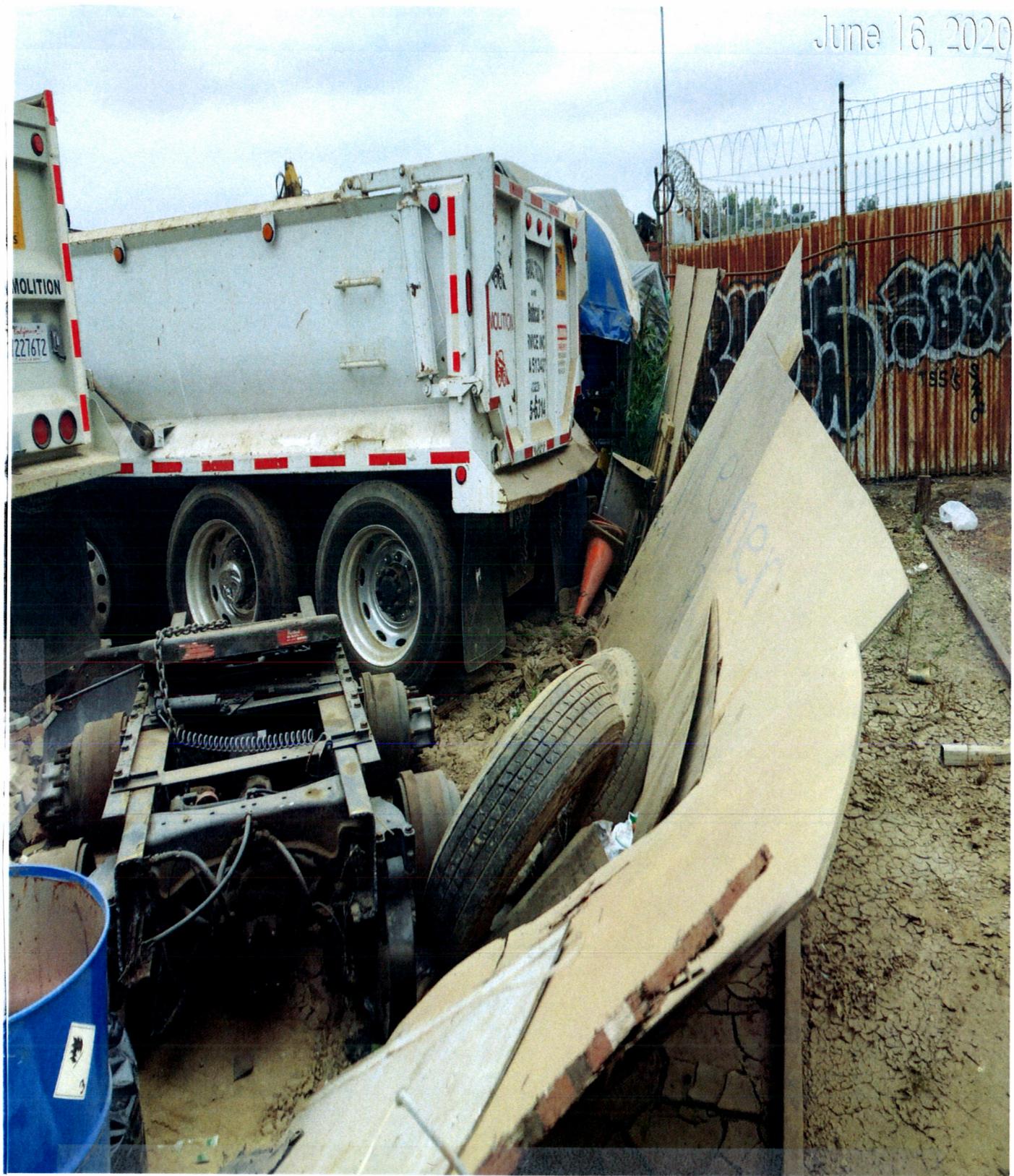


PHOTO #3 APPLICANT PUSHED PROPERTY LINE FENCE 8' ONTO OUR PROPERTY

RE: CONDITIONAL USE PERMIT NO. 03-263 PROJECT LOCATION: 1583 FISHBURN AVE

SUBMITTED BY NEIGHBORING PROPERTY OWNER- COLUMBIA DEVELOPMENT, LLC

June 16, 2020



PHOTO #4 DAMAGED FENCE LINE

RE: CONDITIONAL USE PERMIT NO. 03-263 PROJECT LOCATION: 1583 FISHBURN AVE
SUBMITTED BY NEIGHBORING PROPERTY OWNER- COLUMBIA DEVELOPMENT, LLC



PHOTO #5 APPLICANT COMPLETELY DESTROYED FENCE LINE

RE: CONDITIONAL USE PERMIT NO. 03-263 PROJECT LOCATION: 1583 FISHBURN AVE

SUBMITTED BY NEIGHBORING PROPERTY OWNER- COLUMBIA DEVELOPMENT, LLC