
Central Coast Regional Water Quality Control Board

November 29, 2012

JoAnne Newton
c/o El Modeno Gardens Inc.
jnewton@murphydeskbeds.com

Dear Ms. Newton,

SUBJECT: NOTICE OF TERMINATION OF ENROLLMENT - WASTE DISCHARGE REQUIREMENTS ORDER NO. 93-73, EL MODENO GARDENS INC., SAN BENITO COUNTY

The Central Coast Water Board (hereafter, 'Water Board') staff has been informed by El Modeno Gardens Inc. representatives that they are no longer in business and are no longer disposing of their nursery irrigation wastewater. El Modeno Gardens Inc. (Discharger) owned and operated a nursery facility at 1298 Orchard Road, Hollister, California. The Discharger went out of business and sold its assets to Color Spot in October 2009, which has subsequently removed all assets from the Orchard Road property. The facility is now vacant and the property is for sale. The annual permit fee for fiscal years 2010/2011 and 2011/2012 have not been paid by the Discharger and self-monitoring reports have not been submitted since 2007. Water Board staff do not believe the existing Order is appropriate for discharges to surface waters and protective of groundwater based on recent findings presented by the General Ag Order No. R3-2012-0011 and believes that continuing the existence of Order 93-73 will cause contamination and impacts to the surrounding water bodies if similar operations continue at this property.

It is most appropriate to rescind the Discharger's Order No. 93-73 rather than revise it to accommodate potential similar future land uses and wastewater discharges. Therefore, at a regularly scheduled public meeting at the Central Coast Water Board Offices, 895 Aerovista Place, Suite 101, San Luis Obispo, California on January 31, 2013, we will recommend the Regional Board rescind Order 93-73.

Please contact Cecile DeMartini at (805) 542-4782, cdemartini@waterboards.ca.gov or Chris Adair at (805) 549-3761 if you have any questions.

Sincerely,

for
Kenneth A. Harris Jr.
Interim Acting Executive Officer

cc:

Darryl Wong
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CRD/xxx
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