

## RESOLUTION NO. 09-06

### RESOLUTION OF THE UKIAH VALLEY SANITATION DISTRICT BOARD OF DIRECTORS ESTABLISHING A REASONABLE USAGE ALLOCATION FOR THE DUNNEWOOD VINEYARD AND WINERY, SERVICE ADDRESS OF 2399 NORTH STATE STREET

WHEREAS, the Ukiah Valley Sanitation District Board of Directors (District Board) is required to establish a reasonable sewage usage allocation based on rates established by the District Board for those users who are susceptible to classification under two or more user categories pursuant to the provisions of Section 8.1 of District Ordinance No 12 as modified by District Ordinance No. 25; and

WHEREAS, the Dunnewood Vineyard and Winery, service address of 2399 North State Street (Dunnewood), processes grapes for wine making and sells finished wine products on site and is considered both an industrial and commercial user, and is therefore susceptible to classification under two or more user categories; and

WHEREAS, pursuant to the provisions of Section 8.6 of District Ordinance 12, for any non-governmental user of the public sewer system that are identified in the Standard Industrial Classification Manual as belonging to Divisions A, B, D, E, and, I, the user may be excluded as an industrial user if it is demonstrated that the user discharges primarily segregated domestic wastes from sanitary conveniences: and

WHEREAS, since Dunnewood discharges the effluent produced in the production of wine to an on-site holding pond and not to the public sewer and it is a Division D, Major Group 20, Industry Group 208 facility per the United States Department of Labor and the waste from this facility that is discharged into the public sewer is domestic in nature, Dunnewood may be excluded as an industrial user; and

WHEREAS, for commercial users monthly sewer service charges are based upon water use; and

WHEREAS, since the majority of Dunnewood Winery's water use is for wine production processing and is not discharged to the public sewer, Dunnewood's water use does not represent the amount of effluent being discharged to the public sewer, and is therefore being charged for sewer services not received; and

WHEREAS, the District Board received a recommendation from its Planning and Technical Committee that Dunnewood be charged monthly sewer charges based on 3.17 equivalent sewer service units (ESSUs) and is based on calculations submitted by the District Manager and accepted by Dunnewood's Manager and attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, that the District Board establishes a reasonable usage allocation for Dunnewood of 3.17 ESSUs with the condition that the District Board retains the right to monitor sewer effluent flows being discharged by Dunnewood and that the District Board may revise the reasonable usage allocation of 3.17 based on new data or changed conditions at Dunnewood.

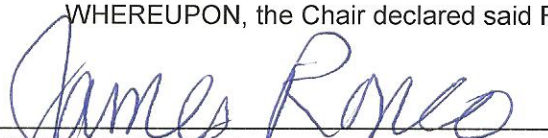
The foregoing Resolution was introduced by Chair Ronco followed by a motion to adopt the Resolution from Director Paulin and seconded by Director Porter; motion carried this 17th day of December, 2009, by the following roll call vote:

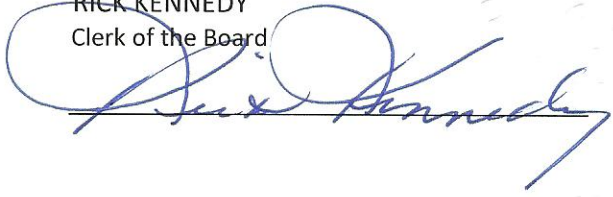
AYES: Directors Porter, Pallesen, Paulin, and Ronco

NOES: None

ABSTAIN: None  
ABSENT: Director McNerlin

WHEREUPON, the Chair declared said Resolution ADOPTED and SO ORDERED.

  
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JAMES RONCO, Chair  
Ukiah Valley Sanitation District

ATTEST:  
RICK KENNEDY  
Clerk of the Board  


APPROVED AS TO FORM  
ROSS WALKER  
District Legal Counsel  


**EXHIBIT A  
RESOLUTION 09-06  
ESTIMATE OF DOMESTIC STRENGTH SEWAGE DISCHARGED TO PUBLIC SEWER  
FROM DUNNEWOOD VINEYARD**

**SEWAGE LOAD FROM EMPLOYEES:**

TIME PERIOD	NO. OF EMPLOYEES	NO. OF SHIFTS PER WEEK	NO. OF WEEKS	GPD PER EMPLOYEE	NO. OF GALS PER YEAR
3/1 TO 8/31	13	5	26	35	59,150
9/1 TO 10/31	21	6	9	35	39,690
11/1 TO 11/30	17	5	4	35	11,900
12/1 TO 2/28	15	5	13	35	34,125

TOTAL SEWER LOAD FROM EMPLOYEES PER YEAR **144,865**

**SEWAGE LOAD FROM TASTING ROOM:**

ASSUME 50 GPD FOR 9 MONTHS AT 6 DAYS PER WEEK  
39 WKS X 6 DAYS/WK X 50 GPD = 11,700 GALS PER YEAR **11,700**

**SEWAGE LOAD FROM SPECIAL EVENTS:**

ASSUME 6 SPECIAL EVENTS PER YEAR AT 200 GPD PER EVENT  
6 EVENTS X 200 GAL PER EVENT = 1200 GAL PER YEAR **1,200**

**SEWAGE LOAD FROM LAB:**

ASSUME 100 GPD FOR 3 MONTHS  
100 GAL PER DAY X 30.5 DAYS PER MONTH x 3 MONTHS = **9,150**

TOTAL SEWAGE LOAD IN GALLONS PER YEAR	<b>166,915</b>
TOTAL SEWAGE LOAD IN GALLONS PER MONTH	<b>13,910</b>
EQUIVALENT SEWER SERVICE UNIT (ESSU); DIVIDE BY 6400	<b>2.17</b>
ESSU FOR RESIDENCE	<b>1.00</b>
TOTAL ESSU ALLOCATION	<b>3.17</b>
MONTHLY SEWER BILL FROM 7/1/08 TO 6/30/09 (\$55.08/ESSU)	<b>\$174.60</b>
MONTHLY SEWER BILL FROM 7/1/09 TO 6/30/010 (\$62.91/ESSU)	<b>\$199.42</b>