

**Special Analysis:**

Because this rule is only technical in nature, correcting a statutory citation and a mandated dollar amount, it does not constitute a major rule for purposes of Executive Order 12291, and is not subject to the Regulatory Flexibility Act at 5 U.S.C. 601 et seq.

**List of Subjects in 14 CFR Part 1261**

Administrative practice and procedure, Claims, Government employees, Personal property, Military Personnel and Civilian Employees' Claims Act of 1964, as amended.

Accordingly, Title 14 of the Code of Federal Regulations is amended as set forth below:

**PART 1261—PROCESSING OF MONETARY CLAIMS (GENERAL)**

1. The authority citation for 14 CFR Part 1261 Subpart 1261.1 is revised to read as follows:

Authority: 31 U.S.C. 3721.

2. Section 1261.102 is revised to read as follows:

**§ 1261.102 Maximum amount.**

On or after October 1, 1982, the maximum amount that may be paid under the Military Personnel and Civilian Employees' Claims Act of 1964, as amended (31 U.S.C. 3721) is \$25,000.00.

James M. Beggs,

Administrator.

October 18, 1985.

[FR Doc. 85-25346 Filed 10-23-85; 8:45 am]

BILLING CODE 7510-01-M

**DEPARTMENT OF THE TREASURY****Bureau of Alcohol, Tobacco and Firearms****27 CFR Part 9**

[T.D. ATF-216; Re: Notice No. 532]

**Establishment of Central Coast Viticultural Area**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

**ACTION:** Final rule; Treasury decision.

**SUMMARY:** This final rule establishes a viticultural area in Monterey, Santa Cruz, Santa Clara, Alameda, San Benito, San Luis Obispo, and Santa Barbara Counties, California, known as "Central Coast." The establishment of viticultural areas and the subsequent use of viticultural areas names as appellations of origin in wine labeling and advertising will help consumers better identify wines they purchase. The use of

this viticultural area as an appellation of origin will also help winemakers distinguish their products from wines made in other areas.

**EFFECTIVE DATE:** November 25, 1985.

**FOR FURTHER INFORMATION CONTACT:** John A. Linthicum, FAA, Wine and Beer Branch, (202) 566-7626.

**SUPPLEMENTARY INFORMATION:****Background**

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, corrected at 54624, November 22, 1978,) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite viticultural areas. The regulations also allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements.

On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added a new Part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Section 4.25(e)(2) outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area.

Taylor California Cellars, a winery in Gonzales, California, petitioned ATF to establish the Central Coast viticultural area. In response to this petition, ATF published a notice of proposed rulemaking (Notice No. 532) in the Federal Register on July 11, 1984 proposing the establishment of the Central Coast viticultural area.

**General Description**

The proposed Central Coast viticultural area consisted of approximately 1 million acres with approximately 51,209 acres of grapevines. There are 97 grape growers and 55 wineries in the proposed area.

The following approved viticultural areas are wholly within the Central Coast viticultural area: Sections 9.24 Chalona, 9.54 Santa Ynez Valley, 9.27 Lime Kiln Valley, 9.58 Carmel Valley, 9.28 Santa Maria Valley, 9.46 Livermore Valley, 9.59 Arroyo Seco, 9.35 Edna Valley, 9.80 York Mountain, 9.38 Cienega Valley, 9.84 Paso Robles, 9.39 Paicines, 9.88 Pacheco Pass, and 9.98 Monterey.

**Name**

California alcoholic beverage laws regulate the use of the words "California

Central Coast Counties" on labels of dry wine. Under section 25236 of the California Alcoholic Beverage Laws, the term "California central coast counties dry wine" may appear on labels of:

\* \* \* dry wine produced entirely from grapes grown within the Counties of Sonoma, Napa, Mendocino, Lake, Santa Clara, Santa Cruz, Alameda, San Benito, Solano, San Luis Obispo, Contra Costa, Monterey, and Marin.

However, effective January 1, 1983, "Central Coast Counties" is not an authorized appellation of origin under 27 CFR 4.25a(a)(1) (v) or (c). The names of two or no more than three counties in the same state would be the only authorized multi-county appellation of origin in conjunction with the word "counties."

The name "Central Coast" has been identified as a grape growing/wine producing region in several books, magazines, and other publications which cater to the wine industry and wine consumers.

**Geographical Features Which Affect Viticultural Features**

The Central Coast viticultural area is bounded on the west by the Pacific Ocean and on the east by the California Coastal Ranges. The Coastal Ranges form a barrier to the marine influence on climate, causing precipitation, heat summation, maximum high temperatures, minimum low temperatures, length of the frost-free season, wind, marine fog incursion, and relative humidity to be significantly different on opposite sides of these mountains. The area inland of the Coastal Ranges is typically arid or semi-arid. This difference in climate causes harvested grapes to be significantly different from grapes grown farther inland.

ATF believes that a viticultural area named with the word "coast" should be an area which is under the marine influence. This idea is based on a principle in *General Viticulture* by A.J. Winkler, *et al.* (page 68), that grapes grown in a coastal region are different from grapes grown in an interior valley even if both areas have the same heat summation. Therefore, the eastern boundary of the Central Coast viticultural area is drawn at the approximate inland limit of the marine influence on climate.

Within the Central Coast area, two other viticultural areas, Chalona and Paso Robles, were established because they are also under marine influence, but to a lesser degree. The Chalona area is at a high altitude on a precipice above the Salinas River Valley. This area possesses a slightly different

microclimate than the surrounding terrain several hundred feet below it. However, it is still under the marine climate influence, especially in comparison to areas which are farther inland.

The Paso Robles area is shielded from marine influence from the south and west. However, the marine influence traveling south from Monterey Bay, through the Salinas River Valley, reaches the Paso Robles area to a limited degree. This fact is readily apparent from the orientation of the airport runway at Shandon, California, parallel to winds in the Salinas River Valley. Although, the marine influence does not reach Paso Robles through the Shortest route, this area is still under marine influence and possesses microclimates characteristic of coastal valleys, especially in comparison to areas which are farther inland.

#### Public Comments

In response to Notice No. 532, ATF received comments from the Petitioner (2 comments), Paul Masson Vineyards, Sarah's Vineyard, Mirassou Vineyards, and Wente Brothers.

Paul Masson Vineyards commented that the proposed area defines a homogeneous climatic zone containing microclimate variations within a large region of marine climate influence.

Three commenters requested that the proposed northern boundary be extended farther north. John Otteman, proprietor of Sarah's Vineyard requested a modification of the proposed northern boundary to include his vineyard. The comment, and subsequent correspondence, included evidence supporting the inclusion of a small portion of Santa Clara County, since it is under the marine climate influence. The petitioner submitted a comment supporting the inclusion of this area.

Mirassou Vineyards requested a modification of the proposed northern boundary to include their vineyards located near the city of San Jose. This comment included evidence supporting the inclusion of most of Santa Clara County, since it is under the marine climate influence. This comment also contained evidence that the name "Central Coast" applies to areas which are much farther north than the proposed boundary.

Wente Brothers requested a modification of the proposed northern boundary to include their vineyards located in the Livermore Valley viticultural area. This viticultural area was approved on the basis of marine climate influence, among other geographical features. ATF stated in the

notice of proposed rulemaking "In general, the name 'Central Coast' applies to the coastline between the cities of Santa Cruz and Santa Barbara." However, Wente Brothers commented that Livermore Valley has been placed in "Central Coast" by wine writers, retailers, and consumers. Patrick W. Fegan, in his book *Vineyards and Wineries of America*, and *The Wine Spectator*, in their book *Wine Maps*, include Alameda County in the "Central Coast" area. Hugh Johnson, in his book *Modern Encyclopedia of Wine*, describes the "Central Coast" area as an indeterminate area between San Francisco and Santa Barbara.

On the basis of this evidence relating to the name, and on the basis of evidence that the marine climate influence is present throughout the areas requested for inclusion by the commenters, ATF is enlarging the approved area to include the Livermore Valley viticultural area and the portion of Santa Clara which is under the marine climate influence.

#### Boundary Modification

Based on the above discussion of comments received, the boundary of the Central Coast viticultural area proposed in Notice No. 532 is modified by incorporating the approved boundary of the Livermore Valley viticultural area. The boundary also uses part of the approved Santa Cruz Mountains viticultural area boundary as the western boundary of the northern extension. The eastern boundary of the northern extension is a series of straight lines connecting map features on the eastern ridge of Santa Clara Valley. The northern extension of the original proposed boundary is located approximately at the inland limit of the marine influence on climate.

#### Correction of Santa Maria Valley

In studying the viticultural areas located within the Central Coast area, ATF observed that the regulation covering the Santa Maria Valley viticultural area, 27 CFR 9.28, contains an error relating to the identification of the maps. This error is corrected in this final rule.

#### Miscellaneous

ATF does not wish to give the impression by establishing the Central Coast viticultural area that it is endorsing the quality of the wine from this area. ATF is establishing this area as being distinct and not better than other areas. By establishing this area, Central Coast wine producers will be able to claim a distinction on labels and in advertisements as to the origin of the

grapes. Any commercial advantage gained can only come from consumer acceptance of Central Coast wines.

#### Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a final regulatory flexibility analysis (5 U.S.C. 604) are not applicable to this final rule because it will not have a significant economic impact on a substantial number of small entities. The final rule will not impose, or otherwise cause, a significant increase in reporting, recordkeeping, or other compliance burdens on a substantial number of small entities. The final rule is not expected to have significant secondary or incidental effects on a substantial number of small entities.

Accordingly, it is hereby certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)) that this final rule, will not have a significant economic impact on a substantial number of small entities.

#### Executive Order 12291

In compliance with Executive Order 12291, ATF has determined that this final rule is not a "major rule" since it will not result in:

- (a) An annual effect on the economy of \$100 million or more;
- (b) A major increase in costs or prices for consumers, individual industries, Federal, state, or local government agencies, or geographic regions; or
- (c) Significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

#### Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Pub. L. 96-511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR Part 1320, do not apply to this final rule because no requirement to collect information is imposed.

#### List of Subjects in 27 CFR Part 9

Administrative practice and procedure, Consumer protection, Viticultural areas, Wine.

#### Drafting Information

The principal author of this document is John A. Linthicum, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

## Authority and Issuance

## PART 9—[AMENDED]

27 CFR Part 9—American Viticultural Areas is amended as follows:

1. The authority citation for Part 9 is revised to read as follows:

Authority: 5 U.S.C. 301; 22 U.S.C. 2778; 28 U.S.C. 7602; 27 U.S.C. 205.

2. The table of sections in 27 CFR Part 9 Subpart C is amended by adding the heading of § 9.75 to read as follows:

## Subpart C—Approved American Viticultural Areas

Sec.

*	*	*	*	*
9.75	Central Coast.			
*	*	*	*	*

## § 9.28 [Corrected]

3. Paragraphs (b)(1) and (b)(2) of § 9.28 are corrected by replacing "scale 1:125,000" with "scale 1:250,000".

4. Section 9.75 is added to Subpart C to read as follows:

## § 9.75 Central Coast.

(a) *Name.* The name of the viticultural area described in this section is "Central Coast."

(b) *Approved maps.* The approved maps for determining the boundary of the Central Coast viticultural area are the following 18 U.S.G.S. topographic maps:

(1) Monterey, California (formerly, the Santa Cruz map), scale 1:250,000, NJ 10-12, dated 1974;

(2) Watsonville East, Calif. Quadrangle, Scale 1:24,000, dated 1955, photorevised 1968;

(3) Mt. Madonna, Calif. Quadrangle, Scale 1:24,000, dated 1955, photorevised 1980;

(4) Loma Prieta, Calif. Quadrangle, Scale 1:24,000, dated 1955, photorevised 1968;

(5) Morgan Hill, Calif. Quadrangle, Scale 1:24,000, dated 1955, photorevised 1980;

(6) Santa Teresa Hills, Calif. Quadrangle, Scale 1:24,000, dated 1953, photorevised 1968;

(7) Los Gatos, Calif. Quadrangle, Scale 1:24,000, dated 1953, photorevised 1980;

(8) Castle Rock Ridge, Calif. Quadrangle, Scale 1:24,000, dated 1955, photorevised 1968, photinspected 1973;

(9) San Jose, California, scale 1:250,000, NJ 10-9, dated 1962, revised 1969;

(10) Dublin, Calif. Quadrangle, scale 1:24,000, dated 1961, photorevised 1980;

(11) Livermore, Calif. Quadrangle, scale 1:24,000, dated 1961, photorevised 1968 and 1973;

(12) Tassajara, Calif. Quadrangle, scale 1:24,000, dated 1953, photinspected 1974;

(13) Byron Hot Springs, Calif. Quadrangle, scale 1:24,000, dated 1953, photorevised 1968;

(14) Altamont, Calif. Quadrangle, scale 1:24,000, dated 1953, photorevised 1968;

(15) Mendenhall Springs, Calif. Quadrangle, scale 1:24,000, dated 1956, photorevised 1971;

(16) San Luis Obispo, California, scale 1:250,000, NI 10-3, dated 1958, revised 1969 and 1979;

(17) Santa Maria, California, scale 1:250,000, NI 10-6, 9, dated 1958, revised 1969; and

(18) Los Angeles, California, scale 1:250,000, NI 11-4, dated 1974.

(c) *Boundary.* The Central Coast viticultural area is located in the following California counties: Monterey, Santa Cruz, Santa Clara, Alameda, San Benito, San Luis Obispo, and Santa Barbara. All townships and ranges in this boundary description are derived from Mt. Diablo Base and Meridian. This boundary description includes (in parentheses) the name of the map sheet on which the described point is found.

(1) The beginning point is the point at which the Pajaro River flows into Monterey Bay. (Monterey map)

(2) The boundary follows the Pajaro River inland to its confluence with Salsipuedes Creek. (Watsonville East Quadrangle)

(3) The boundary follows Salsipuedes Creek northerly to its confluence with Corralitos Creek. (Watsonville East Quadrangle)

(4) The boundary follows Corralitos Creek westerly to its intersection with State Route 152. (Watsonville East Quadrangle)

(5) The boundary follows State Route 152 northerly across the Santa Cruz-Santa Clara County line to its intersection with the 800-foot contour line. (Watsonville East Quadrangle)

(6) The boundary follows the 800-foot contour line northerly to its intersection with the section line on the eastern boundary of Section 25 in Township 10 South, Range 2 East. (Mt. Madonna Quadrangle)

(7) The boundary follows this section line north to its intersection with the 800-foot contour line. (Mt. Madonna Quadrangle)

(8) The boundary follows the 800-foot contour line northerly (across the Loma Prieta, Mt. Madonna, Morgan Hill, Santa Teresa Hills, Los Gatos, and Castle Rock Ridge Quadrangles) to its intersection with the 122°00' West longitude meridian on the western boundary of Section 17 in Township 8

South, Range 1 West. (Los Gatos Quadrangle)

(9) The boundary follows the 122°00' West longitude meridian north (across the San Jose map) to its intersection with Interstate Route 580. (Dublin Quadrangle)

(10) From the intersection of 122°00' West longitude meridian with Interstate Route 580, the boundary proceeds in a straight line northeasterly to the intersection of the Contra Costa-Alameda County line with Interstate Route 680. (Dublin Quadrangle)

(11) The boundary follows the Contra Costa-Alameda County line northeasterly (across the Livermore Quadrangle) to its intersection with east-west section line on the northern boundary of Section 16 in Township 2 South, Range 2 east. (Tassajara Quadrangle)

(12) The boundary follows this east-west section line east along the northern boundaries of Sections 16, 15, 14, and 13 in Township 2 South, Range 2 east, and east along the northern boundary of Section 18 in Township 2 South, Range 3 east, to the northeast corner of that Section 18. (Byron Hot Springs Quadrangle)

(13) The boundary follows the north-south section line, which coincides, in part, with Dyer Road, south (across the Altamont Quadrangle) along the eastern boundaries of Sections 18, 19, 30, and 31 in Township 2 South, Range 3 east, south along the western boundaries of Sections 5, 8, 17, 20, 29, and 32 in Township 3 South, Range 3 east, and south along the western boundaries of Sections 5, 8, 17, and 20 in Township 4 South, Range 3 east, to the southwest corner of that Section 20. (Mendenhall Springs Quadrangle)

(14) The boundary follows the east-west section line west along the southern boundary of Section 19 in Township 4 South, Range 3 east, and west along the southern boundary of Section 24 in Township 4 South, Range 2 east, to the southwest corner of that Section 24. (Mendenhall Springs Quadrangle)

(15) The boundary follows the north-south section line north along the western boundary of Section 24 in Township 4 South, Range 2 east, to the northwest corner of that Section 24. (Mendenhall Springs Quadrangle)

(16) The boundary follows the east-west section line west along the southern boundary of Section 14 in Township 4 South, Range 2 east, to the southwest corner of that Section 14. (Mendenhall Springs Quadrangle)

(17) The boundary follows the north-south section line north along the

western boundary of Section 14 in Township 4 South, Range 2 east, to the Hetch Hetchy Aqueduct. (Mendenhall Springs Quadrangle)

(18) The boundary follows the Hetch Hetchy Aqueduct southwesterly to the range line dividing Range 1 East from Range 2 East. (San Jose map)

(19) The boundary follows this range line south to its intersection with State Route 130. (San Jose map)

(20) The boundary follows State Route 130 southeasterly to its intersection with the township line dividing Township 8 South from Township 7 South. (San Jose map)

(21) From this point, the boundary proceeds in a straight line southeasterly to the intersection of the township line dividing Township 7 South from Township 8 South with the range line dividing Range 2 East from Range 3 East. (San Jose map)

(22) From this point, the boundary proceeds in a straight line southeasterly to the intersection of the township line dividing Township 8 South from Township 9 South with the range line dividing Range 3 East from Range 4 East. (San Jose map)

(23) From this point, the boundary proceeds in a straight line southeasterly to the intersection of Coyote Creek with the township line dividing Township 9 South from Township 10 South. (San Jose map)

(24) From this point, the boundary proceeds in a straight line southeasterly to the intersection of the 37° 00' North latitude parallel with State Route 152. (San Jose map)

(25) The boundary follows the 37° 00' North latitude parallel east to the range line dividing Range 5 East from Range 6 East. (Monterey map)

(26) The boundary follows this range line south to the San Benito-Santa Clara County line. (Monterey map)

(27) The boundary follows the San Benito-Santa Clara County line easterly to the San Benito-Merced County line. (Monterey map)

(28) The boundary follows the San Benito-Merced County line southeasterly to the conjunction of the county lines of San Benito, Merced, and Fresno Counties. (Monterey map)

(29) From this point, the boundary proceeds in a southwesterly extension of the Merced-Fresno County line to Salt Creek. (Monterey map)

(30) From this point, the boundary proceeds in a straight line southeasterly to the conjunction of the county lines of Monterey, San Benito, and Fresno Counties. (Monterey map)

(31) The boundary follows the Monterey-Fresno County line southeasterly to the Monterey-Kings

County line. (Monterey and San Luis Obispo maps)

(32) The boundary follows the Monterey-Kings County line southeasterly to the San Luis Obispo-Kings County line. (San Luis Obispo map)

(33) The boundary follows the San Luis Obispo-Kings County line east to the San Luis Obispo-Kern County line. (San Luis Obispo map)

(34) The boundary follows the San Luis Obispo-Kern County line south, then east, then south to the point at which the county line diverges easterly from the range line dividing Range 17 East from Range 18 East. (San Luis Obispo map)

(35) The boundary follows this range line south to the township line dividing Township 28 South from Township 29 South. (San Luis Obispo map)

(36) The boundary follows the township line west to the range line dividing Range 13 East from Range 14 East. (San Luis Obispo map)

(37) The boundary follows this range line south to the boundary of the Los Padres National Forest. (San Luis Obispo map)

(38) The boundary follows the boundary of the Los Padres National Forest southeasterly to the creek of Toro Canyon. (San Luis Obispo, Santa Maria, and Los Angeles maps)

(39) The boundary follows the creek of Toro Canyon southerly to the Pacific Ocean. (Los Angeles map)

(40) The boundary follows the shoreline of the Pacific Ocean and Monterey Bay northerly to the beginning point. (Los Angeles, Santa Maria, San Luis Obispo, and Monterey maps)

Signed: October 2, 1985.

Stephen E. Higgins,  
Director.

Approved: October 10, 1985.

Edward T. Stevenson,  
Deputy Assistant Secretary (Operations).  
[FR Doc. 85-25315 Filed 10-23-85; 8:45 am]

BILLING CODE 4810-31-M

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1952

#### Approved State Plans for Enforcement of State Standards; Approval of Supplements to the Alaska State Plan

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Approval of Supplements to the Alaska State Plan.

**SUMMARY:** This document gives notice of approval of various State plan supplements including a revised Alaska field compliance manual, an industrial hygiene technical manual, an inspection scheduling system, an amendment to the Alaska occupational safety and health legislation, amendments to administrative regulations, as well as several State-initiated changes associated with administrative reorganization, compliance procedure and agreements with other State agencies.

**EFFECTIVE DATE:** October 24, 1985.

**FOR FURTHER INFORMATION CONTACT:** James Foster, Director, Office of Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210, (202) 523-8148.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Alaska Occupational Safety and Health Plan was approved under section 18(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667(c)) (hereinafter referred to as the Act) and Part 1902 of this chapter on August 10, 1973 (38 FR 21628). A determination of final approval was made under section 18(e) of the Act on September 28, 1984 (49 FR 38252). Part 1953 of this chapter provides procedures for the review and approval of State change supplements by the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter referred to as the Assistant Secretary).

##### Description of Supplements

###### A. Alaska Safety Field Operations Manual

The State submitted a revised version of its previously approved manual which details compliance procedures for its occupational safety program on May 11, 1984, with revisions on September 6, 1984, March 28, 1985, April 4, 1985, March 28, 1985, and June 14, 1985. The manual is modeled generally after the Federal manual, and revisions thereto through February 11, 1985.

###### B. Alaska Industrial Hygiene Technical Manual

The State submitted its manual detailing industrial hygiene technical procedures on February 21, 1985. The State manual is modeled after the Federal manual and addresses revisions to the Federal manual through October 29, 1984.