

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *
9.52 Chalk Hill

Par. 2. Subpart C is amended by adding § 9.52 to read as follows:

Subpart C—Approved American Viticultural Areas**§ 9.52 Chalk Hill.**

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

(b) *Approved maps.* The appropriate maps for determining the boundary of the Chalk Hill viticultural area are the U.S.G.S. topographic maps titled:

"Mark West Springs Quadrangle, California", 7.5 minute series, 1958; and, "Healdsburg Quadrangle, California", 7.5 minute series, 1955 (Photorevised 1980).

(c) *Boundary.* The Chalk Hill viticultural area is located near the town of Windsor in Sonoma County, California. From the beginning point on the south line of Section 2, Township 8 North (T. 8 N.), Range 9 West (R. 9 W.) at the intersection of Arata Lane and Redwood Highway (a.k.a. Old Highway 101), on the "Healdsburg Quadrangle" map, the boundary proceeds—

(1) Southeasterly along Redwood Highway through Section 11, T. 8 N., R. 9 W., to the point of intersection with Windsor River Road;

(2) Then westerly along Windsor River Road on the south boundary of Section 11, T. 8 N., R. 9 W., to the point of intersection with Starr Road;

(3) The southerly along Starr Road to the point of intersection with the south line of Section 14, T. 8 N., R. 9 W.;

(4) Then easterly along the south line of Sections 14 and 13, T. 8 N., R. 9 W. and Section 18, T. 8 N., R. 8 W., to the point of intersection with the Redwood Highway;

(5) Then southeasterly along the Redwood Highway to the intersection with an unnamed road that intersects the Redwood Highway at a right angle from the northeast near the southwest corner of Section 28 near Mark West Creek, T. 8 N., R. 8 W.;

(6) Then northeast approximately 500 feet along the unnamed road to its intersection with the Pacific Gas and Electric power transmission line;

(7) Then northeast approximately 1,000 feet along the power transmission line (paralleling the unnamed road) to the point where the power transmission line turns in a northerly direction;

(8) Then in a northerly direction along the power transmission line to the point

of its intersection with the south line of Section 17, T. 8 N., R. 8 W.;

(9) Then east along the south line of Sections 17, 16 and 15, T. 8 N., R. 8 W. to the point of intersection with Mark West Road on the "Mark West Quadrangle Map";

(10) Then northerly for approximately 1.3 miles along Mark West Road (which becomes Porter Creek Road), then northeasterly for approximately 1.7 miles on Porter Creek Road to its intersection with the unnamed medium duty road that parallels Porter Creek in Section 12, T. 8 N., R. 8 W.; then northeasterly on the Franz Valley Road over the Tarwater Grade and continuing along the Franz Valley Road for approximately 3 miles to its intersection with Franz Creek (approximately 2,000 feet west of the range line common to R. 7 W. and R. 8 W. in T. 9 N. and approximately 1,150 feet north of the north line of Section 25, T. 9 N., R. 8 W.);

(11) Then westerly along Franz Creek to its point of intersection with the east line of Section 21, T. 9 N., R. 8 W.;

(12) Then southerly along the east line of section 21 to the southeast corner thereof;

(13) Then westerly along the south line of Section 21 to the point of intersection with longitude line 122 degrees 45 minutes, near Bell Mountain;

(14) Then southwestwardly in a straight line on the "Healdsburg Quadrangle" map to the point at the center of a hill identified as "Chalk Hill";

(15) Then west-northwesterly in a straight line to the confluence of Brooks Creek and the Russian River;

(16) Then westerly along the Russian River to the point of intersection with the range line common to R. 8 W. and R. 9 W. in T. 9 N.;

(17) Then southwestwardly in a straight line to the point of a hill identified as having an elevation of 737 feet;

(18) Then south-southwesterly in a straight line to the point at the easterly terminus of Reiman Road;

(19) Then southwestwardly in a straight line to the point at the intersection of the township line common to T. 8 N. and T. 9 N. in R. 9 W. and the frontage road (a.k.a. Los Amigos Road) for U.S. Highway 101;

(20) Then west approximately 3,000 feet along the township line common to T. 8 N. and T. 9 N. in R. 9 W.;

(21) Then southerly for approximately 2,000 feet in a straight line to the point of intersection with an unnamed stream drainage;

(22) Then east in a straight line to the point of intersection with Eastside Road;

(23) Then northeasterly along Eastside Road to the point of intersection with Redwood Highway;

(24) Then southeasterly along Redwood Highway to the point of beginning.

Signed: September 23, 1983.
Stephen E. Higgins,
Director.

Approved: October 13, 1983.
David Q. Bates,
Deputy Assistant Secretary (Operations)
[FR Doc. 83-28768 Filed 10-20-83; 8:45 am]
BILLING CODE 4810-31-M

27 CFR Part 9**[T.D. ATF-159; Re: Notice No. 450]****Russian River Valley Viticultural Area**

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule establishes a viticultural area in Sonoma County, California, to be known as the "Russian River Valley." The Bureau of Alcohol, Tobacco and Firearms (ATF) believes the establishment of "Russian River Valley" as a viticultural area and subsequent use as an appellation of origin on wine labels and in wine advertisement will allow wineries to better designate the specific grape-growing area where their wines come from and will enable consumers to better identify the wines they may purchase.

EFFECTIVE DATE: November 21, 1983.

FOR FURTHER INFORMATION CONTACT: James A. Hunt, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226 (202-566-7626).

SUPPLEMENTARY INFORMATION:**Background**

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4 allowing the establishment of definite American viticultural areas. These regulations also allow the name of an approved viticultural area to be used as an appellation of origin in wine labeling and advertising.

Section 9.11, Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical characteristics. Section 4.25a(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.

ATF received a petition from "The Appellation Committee" proposing a large area of approximately 150 square miles located in Sonoma County, California, as a viticultural area to be known as "Russian River Valley." In response to this petition, ATF published a notice of proposed rulemaking, Notice No. 450, in the *Federal Register* on February 4, 1983 (48 FR 5280), on the establishment of Russian River Valley as a viticultural area. Only one comment was received and it favored the Russian River viticultural area.

Historical and Current Evidence of the Name

In a "History of Sonoma County, California," published in 1880, mentions made of the four "great valleys" comprising Sonoma, Petaluma, Santa Rosa, and the Russian River. The use of the name "Russian River Valley" on wine labels began in 1970 and is now used by four wineries in the viticultural area.

Geographical Features

The Russian River viticultural area includes those areas through which flow the Russian River or some of its tributaries and where there is a significant climate effect from coastal fogs. The specific growing climate is the principal distinctive characteristic of the Russian River Valley viticultural area. The area designated is a cool growing coastal area because of fog intruding up the Russian River and its tributaries during the early morning hours. The results of these coastal fog intrusions give growing temperatures that are normally Region I or cooler. This area herefore is distinguished from the warmer neighboring valleys such as Dry Creek Valley, Alexander Valley and Sonoma Valley.

The petitioner submitted detailed information on how the climate in the Russian River Valley viticultural area is different from surrounding areas. The data was mostly compiled by the Office of the Sonoma County Farm Adviser. The neighboring Alexander Valley is termed "coastal warm" with a range of accumulated heat units between 2800 and 3500 as calculated according to the Winkler and Amerine formula for degree days. The Russian River Valley viticultural area is termed "coastal cool" with a range of 2000 and 2800 accumulated heat units.

Change in the Boundary

F. Korb and Bros, a winery in Guerneville, California, requested an extension in the Russian River Valley viticultural area boundary to the west of Guerneville to include their 105 acre

vineyard inadvertently excluded from the original petition. Korb and Bros stated the geographical features described for the Russian River Valley are the same for their 105 acre vineyard. ATF has accepted this minor extension requested by F. Korb and Bros. and the boundary description in 27 CFR 9.66 reflects this change.

Miscellaneous

ATF does not wish to give the impression by approving Russian River Valley as a viticultural area that it is approving or endorsing the quality of the wine from the area. ATF is approving this area as being distinct and not better than other areas. By approving the area, wine producers are allowed to claim a distinction on labels and advertisements as to origin of the grapes. Any commercial advantage gained can only come from consumer acceptance of Russian River Valley wines.

Executive Order 12291

In compliance with Executive Order 12291, 46 FR 13193 (1981), ATF has determined that this final rule is not a "major rule" since it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in cost or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a final regulatory flexibility analysis (5 U.S.C. 604) are not expected to apply to this final rule because it will not have a significant economic impact 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.

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.

Disclosure

A copy of the petition and the comments received are available for inspection during normal business hours at the following location: ATF Reading Room, Rm. 4405, Office of Public Affairs and Disclosure, 12th and Pennsylvania Ave, NW, Washington, DC.

Drafting Information

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

List of Subjects in 27 CFR Part 9

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

Authority

Accordingly, under the authority contained in Section 5 of the Federal Alcohol Administration Act (49 Stat. 981, as amended; 27 U.S.C. 205), 27 CFR Part 9 is amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to include the title of § 9.66 as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *
9.66 Russian River Valley.

Par. 2. Subpart C is amended by adding § 9.66 to read as follows:

Subpart C—Approved American Viticultural Areas

§ 9.66 Russian River Valley.

(a) *Name.* The name of the viticultural area described in this section is "Russian River Valley."

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Russian River Valley viticultural area are the 1954 U.S.G.S. 7.5 minute series maps titled:

"Healdsburg Quadrangle, California"
"Guerneville Quadrangle, California"
"Cazadero Quadrangle, California"
"Duncans Mills Quadrangle, California"
"Camp Meeker Quadrangle, California"
"Valley Ford Quadrangle, California"
"Sebastopol Quadrangle, California"
"Santa Rosa Quadrangle, California"
"Mark West Springs Quadrangle, California"
"Jimtown Quadrangle, California"

(c) *Boundaries.* The Russian River Valley viticultural area is located in Sonoma County, California.

(1) *Starting point Healdsburg map*—Healdsburg Avenue Bridge over the Russian River at Healdsburg. Proceed south along Russian River to where Foreman Lane meets the river at mouth of Dry Creek.

(2) Proceed west along Foreman Lane to where it crosses Westside Road and becomes Felta School Road.

(3) Proceed west on Felta School Road to the point where it crosses Felta Creek.

(4) Proceed 18000' up Felta Creek to its headwaters as shown on the *Guerneville, map* as "Springs."

(5) Proceed southwest in a straight line 58 degrees W 27000' to an intersection with Hulbert Creek on the *Cazadero map*.

(6) Proceed south and southeast along Hulbert Creek to the point where it intersects California Hwy 116 on the *Duncan Mills map*.

(7) Proceed west along California Hwy 116 to Monte Rio where it intersects the Bohemian Hwy.

(8) Proceed south along the Bohemian Hwy onto the *Camp Meeker map* and then the *Valley Ford map* to the town of Freestone where it intersects the Bodega Road.

(9) Proceed east along the Bodega Road onto the *Sebastopol map* to the city of Sebastopol where it becomes California Hwy 12 then along California Hwy 12 to its intersection with Wright Road.

(10) Proceed north along Wright Road to where it becomes Fulton Road and into the town Fulton to where in intersects River Road.

(11) Proceed east along River Road to its intersection with Mark West Springs Road.

(12) Proceed north east along Mark West Springs Road through the *Santa Rosa map* and onto the *Mark West map* to where it becomes Porter Creek Road and onto its intersection with Franz Valley Road.

(13) Proceed north along Franz Valley Road to the northerly most crossing of Franz Creek.

(14) Proceed west along Franz Creek until it intersects the line separating Section 21 and Section 22.

(15) Proceed south on this line separating Section 21 and 22 to the corner common to Section 21 and 22 and Section 27 and 28.

(16) Proceed west from the common corner of Section 21 and 22 and 27 and 28 and in a straight line to the peak of Chalk Hill on the *Healdsburg map*.

(17) Proceed west from the peak of Chalk Hill in a straight line to the point

where Brooks Creek joins the Russian River.

(18) Proceed north west in a straight line 8000' to a peak marked 772' elv. on the *Jimtown map*.

(19) Proceed north west in a straight line from hill top 772' elv. to hill top 596' elv.

(20) Proceed north west in a straight line from hill top 596' elv. to hill top 516' elv.

(21) Proceed north west in a straight line from hill top 516' elv. to hill top 530' elv.

(22) Proceed west in a straight line from hill top 530' elv. to hill top 447' elv.

(23) Proceed west in a straight line from hill top 447' elv. to the point where Alexander Valley Road meets Healdsburg Avenue.

(24) Proceed south along Healdsburg Avenue through the city of Healdsburg on the *Healdsburg map* to the point where it crosses the Russian River at the point of beginning.

Signed: September 23, 1983.

Stephen E. Higgins,
Director.

Approved: October 13, 1983.

David Q. Bates,
Deputy Assistant Secretary (Operations).

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27 CFR Part 9

[T. D. ATF-158; Ref: Notice No. 454]

Knights Valley Viticultural Area

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule establishes a viticultural area in northeastern Sonoma County, California, to be known as "Knights Valley." This final rule is the result of a petition submitted by the Knights Valley Wine-Growers Committee, an organization of grape-wine industry members in the viticultural area. The Bureau of Alcohol, Tobacco and Firearms (ATF) believes that the establishment of this viticultural area and the subsequent use of the name "Knights Valley" as an appellation of origin will allow wineries to designate precisely the area in which the grapes are grown and will enable consumers to identify more clearly and to differentiate between wines offered commercially.

EFFECTIVE DATE: November 21, 1983.

FOR FURTHER INFORMATION CONTACT: Michael J. Breen, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue,

NW., Washington, D.C. 20226 (202-566-7626).

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in Part 4 of Title 27, Code of Federal Regulations. These regulations provide recognition of definite viticultural areas within the United States and 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 amended Title 27, Code of Federal Regulations, by adding a new Part 9 entitled "American Viticultural Areas." This part lists all approved American viticultural areas which may be used as appellations of origin on wine labels and in wine advertisements.

Section 4.25a(e)(1) of Title 27, Code of Federal Regulations, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. In accordance with the procedure prescribed in 27 CFR 4.25a(e)(2) for proposing a viticultural area, a petitioner must submit:

(a) Evidence that the name of the viticultural area is locally and/or nationally known as referring to the area specified in the application;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the application;

(c) Evidence relating to the geographical features (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;

(d) The specific boundaries of the viticultural area, based on features which can be found on U.S.G.S. maps of the largest applicable scale; and,

(e) Copies of the appropriate maps with the boundaries prominently marked.

The Knights Valley Wine-Growers Committee, an organization of grape/wine industry members, filed a petition, signed by 16 persons, to establish a viticultural area in northeastern Sonoma County, California, under the name "Knights Valley." In response to the petition, ATF published in the *Federal Register* of February 9, 1983, a notice of proposed rulemaking (Notice No. 454, 48 FR 5961) concerning the establishment