

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

[Notice No. 607]

**Establishment of Sonoma Coast Viticultural Area; Revision of Russian River Valley Viticultural Area**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.  
**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** ATF is proposing to establish a viticultural area in Sonoma County, California, to be known as "Sonoma Coast," and to revise the boundary of the approved Russian River Valley viticultural area. This notice is based on a petition submitted by Ms. Sara Schorske, a wine industry consultant residing in Santa Rosa, California. The establishment of viticultural areas and the subsequent use of viticultural area 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.

**DATES:** Written comments must be received by January 22, 1987.

**ADDRESSES:** Send written comments to: Chief, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044-0385.

Copies of the petition, maps, and written comments received in response to this notice will be available during normal business hours at:

ATF Reading Room, Disclosure Branch, Room 4406, Ariel Rios Federal Building, 12th and Pennsylvania Avenue, NW., Washington, DC.

**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, 54624) revising regulations in 27 CFR, Part 4. These regulations allow the establishment of definitive 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, the boundaries of which have been delineated in Subpart C of Part 9. Section 4.25a(e)(2), outlines the procedures for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include—

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

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

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

(d) A description of the specific boundaries of the viticultural area, based on features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and

(e) A copy of the appropriate U.S.G.S. maps with the boundaries prominently marked.

**Petition**

Ms. Sara Schorske, a wine industry consultant residing in Santa Rosa, California, petitioned ATF to establish a viticultural area in Sonoma County, to be known as "Sonoma Coast," and to revise the boundary of the approved Russian River Valley viticultural area.

**Sonoma Coast****General Description**

The size of the petitioned area is approximately 750 square miles. It includes 35 bonded wineries and 11,452 acres of grapevines, approximately one-third of the total grapevine acreage in the county.

ATF has established 10 viticultural areas in Sonoma County: Sonoma Valley, Los Carneros, Chalk Hill, Alexander Valley, Sonoma County Green Valley, Dry Creek Valley, Russian River Valley, Northern Sonoma, Knights Valley, and Sonoma Mountain. In addition, all of Sonoma County is within the approved North Coast viticultural area.

**Name**

"Sonoma Coast" is the name of a State beach located north of Bodega

Bay. The mountain ranges located within sight of the Pacific Ocean, although known by many proper names throughout the State, are generically called the Coast Ranges.

In addition, the petitioner claims that variants of the name "Sonoma Coast" have also applied to the petitioned area historically. Most of the petitioned area is located in the Fifth Supervisory District of Sonoma County. This area has been called "the coastal region of the county" since an agriculture census taken in 1893. Most of the petitioned area is also located in the Coastal Planning Area, established by the Sonoma County Planning Department. In addition, tourism pamphlets refer to part or all of the petitioned area as "the coastal region."

**Geographical Features Which Affect Viticultural Features**

The petitioned area includes only the portion of the county which is under very strong marine climate influence. The climate of the area is manifested by persistent fog and the classification "Coastal Cool," under Robert L. Sisson's microclimate classification system. This system defines a "Coastal Cool" area as an area having a cumulative duration of less than 1,000 hours between 70° and 90° Fahrenheit, during the months of April through October.

The inland limit of the area under persistent fog varies greatly. Thermograph readings supporting the Coastal Cool classification are taken at finite points. Therefore, the establishment of the proposed inland boundary is difficult, since it could be established anywhere between the locations of thermographs with readings above and below the threshold described above.

In addition to the "Coastal Cool" versus "Coastal Warm" climate classification, the petition contains other evidence that the proposed boundary corresponds approximately with geographical features which affect viticultural features. The Environmental Resources Management section of the Sonoma County General Plan contains a map of the marine fog intrusion which shows that it corresponds approximately with the proposed boundary.

The proposed boundary corresponds approximately with four vegetation regions which are distinctively coastal: Coastal Cypress/Pine, Redwood, Coastal Prairie/Scrub Mosaic, and Coastal Saltmarsh, according to A.W. Kuchler's *Natural Vegetation of California*.

The proposed boundary corresponds approximately with the maximum July temperature of 84° F. isobar in Robert Elwood's *Climate of Sonoma County*. It is noteworthy that the maximum July temperature of 86° F. isobar is much farther inland, and the lower maximum July temperature isobars are closely spaced. This implies that the proposed boundary corresponds with a significant change in microclimate.

#### Russian River Valley

The Russian River Valley viticultural area was established in T.D. ATF-159, published in the *Federal Register* of October 23, 1983, at 48 FR 48813. Russian River Valley final rule, ATF concluded that the entire area was "Coastal Cool" and that this microclimate distinguished it from the neighboring Alexander Valley which was classified as "Coastal Warm." The petition for establishment of the "Sonoma Coast" viticultural area challenges the accuracy of the boundary between "Coastal Cool" and "Coastal Warm" at the inland limit of the Russian River Valley viticultural area.

Mr. Sisson has never tested the microclimate in the eastern one-third of the approved Russian River Valley viticultural area. Throughout most of this area, the terrain is too steep for practical grape-growing. However, there are a few isolated, but well-established vineyards in this area. The selection of grape varieties and viticultural practices at these vineyards more closely resemble "Coastal Warm" characteristics than "Coastal Cool."

Mr. Louis Foppiano participated in drafting the petition for establishment of the Russian River Valley viticultural area. He stated that Franz Valley Road was chosen as the eastern boundary for convenience, and not on the basis of specific historical or geographical evidence. He believes that the area to be excluded in this proposal is probably warmer than the rest of the approved area.

Mr. Mark Lingenfelder is Vineyard Manager of Chalk Hill Winery, formerly Donna Maria Vineyards, located in the relatively undeveloped area between Chalk Hill Road and Brooks Creek. He believes that it would be reasonable to remove this area from the Russian River Valley viticultural area since it is probably warmer than the rest of the approved area.

Inland to the east of the Russian River Valley and the proposed "Sonoma Coast" boundaries, the approved Knights Valley area was classified as Region III on the basis of thermograph readings located in the approved area. This classification is warmer than either "Coastal Cool" or "Coastal Warm."

In T.D. ATF-233, published in the *Federal Register* of August 26, 1986 at 51 FR 30352, ATF extended the southern boundary of the "Coastal Warm" Alexander Valley viticultural area to include a transitional area east of Healdsburg. Sometimes this area is under persistent fog and is "Coastal Cool," and at other times it is not. Since the purpose of the proposed revision of the Russian River Valley is to curtail it to areas which are "Coastal Cool," ATF is also proposing to eliminate this northeasternmost area from the approved Russian River Valley.

Based on the foregoing discussion, ATF is proposing to revise the eastern and northeastern inland boundary of the approved Russian River Valley viticultural area by removing areas which are not persistently "Coastal Cool." This revision would remove approximately one-third of the area, most of which is too mountainous for practical grape-growing.

#### Proposed Boundaries

##### *Sonoma Coast*

Along the outer limit of places known by the name "Sonoma," the proposed boundary of the "Sonoma Coast" area follows the shorelines of the Pacific Ocean and San Pablo Bay, and the county lines between Sonoma County and Mendocino County, Marin County, and Napa County.

The proposed inland boundary follows approximately the inland limit of the very strong marine climate influence. South of the City of Santa Rosa, it follows the boundaries of the Los Carneros and Sonoma Valley viticultural areas. Between the cities of Santa Rosa and Healdsburg, the proposed inland boundary follows (1) straight lines connecting Taylor Mountain, a point near the town of Mark West Springs, and the headwaters of Brook Creek, (2) Brooks Creek to the Russian River, and (3) the revised southern boundary of Alexander Valley to the beginning point of the boundary of the Russian River Valley area, south of Healdsburg. Between Healdsburg and Monte Rio, the proposed inland boundary follows the boundary of the Russian River Valley area. From Monte Rio, the proposed inland boundary follows the boundary of the Northern Sonoma viticultural area to the peak of Big Oat Mountain. The proposed inland boundary proceeds in a straight line, through steep terrain, from the peak of Big Oat Mountain to the Sonoma County-Mendocino County line.

##### *Russian River Valley*

Between the cities of Santa Rosa and Healdsburg, the proposed revision of the boundary of the Russian River Valley coincides with the proposed inland boundary of the "Sonoma Coast" area between these two cities, as described in the previous paragraph.

#### Public Participation—Written Comments

ATF requests comments from all interested persons concerning this proposed viticultural area. This notice proposes one possible boundary for the "Sonoma Coast" viticultural area. However, comments concerning other possible boundaries for this viticultural area will be given consideration. ATF is particularly interested in comments on the following two issues:

1. The petitioner and ATF have attempted to propose the inland boundary of the "Sonoma Coast" area and the proposed revision of the boundary of the Russian River Valley area at the approximate limit between areas which are classified Coastal Cool versus areas which are classified Coastal Warm. Public comments suggesting modification of either proposed boundary should include thermograph readings or other data showing that the suggested modification divides Coastal Cool areas from Coastal Warm areas more accurately than the proposed boundary.

2. Each of the eleven approved areas in, or including, Sonoma County was established on the basis of marine climate influence, among other geographical features. ATF is concerned that the name "Sonoma Coast" might erroneously imply that portions of the county which are not included in this proposed area are not under the marine climate influence. ATF would like to receive comments on this issue.

Comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future ATF action.

ATF will not recognize any material in comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comments. The name of the person submitting a comment is not exempt from disclosure.

Any interested person who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his or her requests, in writing, to the Director

within the 90-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

#### Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this proposal because the notice of proposed rulemaking, if promulgated as a final rule, will not have a significant economic impact on a substantial number of small entities. The proposal will not impose, or otherwise cause, a significant increase in reporting, recordkeeping, or other compliance burdens on a substantial number of small entities. The proposal 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 notice of proposed rulemaking, if promulgated as a 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 proposal 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 affect 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 notice because no requirement to collect information is proposed.

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

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

#### Authority and Issuance

#### PART 9—[AMENDED]

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

**Paragraph 1.** The authority citation for Part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

**Par. 2.** The table of sections for 27 CFR Part 9 is amended by adding the heading of § 9.116 to Subpart C to read as follows:

Sec.

\* \* \* \* \*

9.116 Sonoma Coast.

**Par. 3.** Section 9.66 is amended—  
by revising paragraph (b),  
by revising introductory paragraph (c),  
by revising paragraphs (c)(1) through (c)(5),  
by revising paragraphs (C)(12) through (c)(20), and  
by removing paragraphs (c)(21) through (c)(24).

As amended, § 9.66 reads as follows:

#### § 9.66 Russian River Valley.

\* \* \* \* \*

(b) The appropriate maps for determining the boundary of the Russian River Valley viticultural area are ten U.S.G.S. topographic maps in the 7.5-minute series, as follows:

- (1) Healdsburg, California, dated 1955, photorevised 1980;
- (2) Guerneville, California, dated 1955;
- (3) Cazadero, California, dated 1978;
- (4) Duncan Mills, California, dated 1979;
- (5) Camp Meeker, California, dated 1954;
- (6) Valley Ford, California, dated 1954, photorevised 1971;
- (7) Sebastopol, California, dated 1954, photorevised 1968;
- (8) Santa Rosa, California, dated 1954, photorevised 1968 and 1973;
- (9) Mark West Springs, California, dated 1958, photoinspected 1978; and
- (10) Jintown, California, dated 1955, photorevised 1975.

(c) *Boundary.* The Russian River Valley viticultural area is located in Sonoma County California. Begin on the *Healdsburg map*, at the bridge (known locally as the Healdsburg Avenue Bridge) at which a light-duty, hard or improved surface road, identified on the map as Redwood Highway, crosses the Russian River, immediately south of the city of Healdsburg.

(1) Follow the Russian River southerly to a point, near the confluence with Dry Creek, opposite a straight line extension of a light-duty, hard or improved surface road (known locally as Foreman Lane).

(2) Proceed in a straight line to that road and follow it westerly, then south, then westerly, onto the *Guerneville map*, across a secondary highway, hard surface road (known locally as Westside Road), and continue westerly, then northwesterly to the point at which it crosses Felta Creek.

(3) Follow Felta Creek approximately 18,000 ft. westerly to its headwaters, at the confluence of three springs, located approximately 5,800 feet northwesterly of Wild Hog Hill.

(4) Proceed in a straight line southwesterly to the southwest corner of Section 9, Township 8 North, Range 10 West.

(5) Proceed in a straight line southwesterly, onto the *Cazadero map*, to the point in, Section 24, Township 8 North, Range 11 West, at which Hulbert Creek crosses the 160 ft. contour line.

\* \* \* \* \*

(12) Follow Mark West Road across the *Santa Rosa map* onto the *Mark West Springs map* to the point, near the benchmark at 184 ft. elevation in Section 34, Township 8 North, Range 8 West, at which Mark West Road crosses an unnamed stream which flows northwesterly into Mark West Creek.

(13) Proceed northerly in a straight line to the headwaters of Brooks Creek, in Section 4, Township 8 North, Range 8 West.

(14) Follow Brooks Creek northwesterly, onto the *Healdsburg map*, to its confluence with the Russian River.

(15) Proceed southwesterly in a straight line to an unidentified peak at elevation 672 ft.

(16) Proceed northwesterly in a straight line to the peak identified as Black Peak.

(17) Proceed northwesterly in a straight line to an unidentified peak at elevation 857 ft.

(18) Proceed northwesterly in a straight line to the peak of Fitch Mountain at elevation 991 ft.

(19) Proceed northwesterly, onto the *Jintown map*, in a straight line to the intersection, near a benchmark at elevation 154 ft. in the town of Chiquita, of a light-duty, hard or improved surface road (known locally as Chiquita Road) and a southbound primary highway, hard surface road (known locally as Healdsburg Avenue).

(20) Follow that road (known locally as Healdsburg Avenue) southerly, onto the *Healdsburg map*, through the city of

Healdsburg to the beginning point described in paragraph (c)(1) of this section.

Par. 4. Subpart C of 27 CFR Part 9 is amended by adding § 9.116 to read as follows:

**§ 9.116 Sonoma Coast.**

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

(b) *Approved map.* The approved maps for determining the boundary of the Sonoma Coast viticultural area are, as follows:

(1) The U.S.G.S. Topographic Map of Sonoma County, California, scale 1:100,000, dated 1970; and

(2) Five U.S.G.S. topographic maps in the 7.5-minute series, as follows:

(i) Mark West Springs, California, dated 1958, photoinspected 1978;

(ii) Healdsburg, California, dated 1955, photorevised 1980;

(iii) Jintown, California, dated 1955, photorevised 1975;

(iv) Guerneville, California, dated 1955; and

(v) Cazadero, California, dated 1978.

(c) *Boundary description.* In general, the boundary description of the Sonoma Coast viticultural area is found on the U.S.G.S. Topographic Map of Sonoma County, California, scale 1:100,000, dated 1970. When a point of the boundary description is found on one of the 7.5-minute quadrangles, the boundary description indicates this in parentheses. The boundary description is as follows:

(1) The beginning point is the point at which the Sonoma County-Mendocino County line meets the shoreline Pacific Ocean.

(2) The boundary follows the shoreline of the Pacific Ocean southerly to the Sonoma County-Marin County line.

(3) The boundary follows the Sonoma County-Marin County line southeasterly to San Pablo Bay.

(4) The boundary follows the shoreline of San Pablo Bay easterly to the Sonoma County-Napa County line.

(5) The boundary follows the Sonoma County-Napa County line northerly to the peak of Arrowhead Mountain.

(6) From the peak of Arrowhead Mountain, the boundary proceeds in a straight line westerly to the peak of Sonoma Mountain.

(7) From the peak of Sonoma Mountain, the boundary proceeds in a straight line northwesterly to the peak of Taylor Mountain.

(8) From the peak of Taylor Mountain, the boundary proceeds in a straight line

northwesterly to the point, near the benchmark at 184 ft. elevation in Section 34, Township 8 North, Range 8 West, at which Mark West Road crosses an unnamed stream which flows northwesterly into Mark West Creek. (Mark West Springs map)

(9) From this point, the boundary proceeds northerly in a straight line to the headwaters of Brooks Creek, in Section 4, Township 8 North, Range 8 West. (Mark West Springs map)

(10) The boundary follows Brooks Creek northwesterly to its confluence with the Russian River. (Healdsburg map)

(11) The boundary proceeds southwesterly in a straight line to an unidentified peak at elevation 672 ft. (Healdsburg map)

(12) The boundary proceeds northwesterly in a straight line to the peak identified as Black Peak. (Healdsburg map)

(13) The boundary proceeds westerly in a straight line to an unidentified peak at elevation 857 ft. (Healdsburg map)

(14) The boundary proceeds westerly in a straight line to the peak of Fitch Mountain at elevation 991 ft. (Healdsburg map)

(15) The boundary proceeds northwesterly in a straight line to the intersection, near a benchmark at elevation 154 ft. in the town of Chiquita, of a light-duty road (known locally as Chiquita Road) and a southbound primary highway, hard surface road (known locally as Healdsburg Avenue). (Jintown map)

(16) The boundary follows that road (known locally as Healdsburg Avenue) southerly through the city of Healdsburg to the point at which it is a light-duty, hard or improved surface road, identified on the map as Redwood Highway, which crosses the Russian River, immediately south of the city of Healdsburg at a bridge (known locally as the Healdsburg Avenue Bridge). (Healdsburg map)

(17) The boundary follows the Russian River southerly to a point, near the confluence with Dry Creek, opposite a straight line extension of a light-duty, hard or improved surface road (known locally as Foreman Lane) located west of the Russian River. (Healdsburg map)

(18) The boundary proceeds in a straight line to that road and follows it westerly, then south, then westerly, onto the Guerneville map, across a secondary highway, hard surface road (known locally as Westside Road), and continues westerly, then northwesterly to the point at which it crosses Felta Creek. (Guerneville map)

(19) The boundary follows Felta Creek approximately 18,000 ft. westerly to its

headwaters, at the confluence of three springs, located approximately 5,800 feet northwesterly of Wild Hog Hill. (Guerneville map)

(20) The boundary proceeds in a straight line southwesterly to the southwest corner of section 9, Township 8 North, Range 10 West. (Guerneville map)

(21) The boundary proceeds in a straight line southwesterly to the point in, section 24, Township 8 North, Range 11 West, at which Hulbert Creek crosses the 160 ft. contour line. (Cazadero map)

(22) The boundary follows Hulbert Creek southerly to its confluence with the Russian River.

(23) The boundary follows the Russian River southwesterly to its confluence with Austin Creek.

(24) From this point, the boundary proceeds in a straight line northwesterly to the peak of Pole Mountain.

(25) From the peak of Pole Mountain, the boundary proceeds in a straight line northwesterly to the peak of Big Oat Mountain.

(26) From the peak of Big Oat Mountain, the boundary proceeds in a straight line northwesterly to the peak of Oak Mountain.

(27) From the peak of Oak Mountain, the boundary proceeds in a straight line northwesterly approximately 14.5 miles to the Sonoma County-Mendocino County line at the northeast corner of section 25, Township 11 North, Range 14 West.

(28) The boundary follows the Sonoma County-Mendocino County line west, then southwesterly to the beginning point

Approved: October 16, 1986.

Stephen E. Higgins,

Director.

[FR Doc. 86-24103 Filed 10-23-86; 8:45 am]

BILLING CODE 4810-31-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[A-5-FRL-3099-1]

### Approval and Promulgation of Implementation Plans; Indiana

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed approval rulemaking.

**SUMMARY:** Today's proposed rulemaking pertains to rules developed by Indiana to satisfy the Clean Air Act's (ACT) Reasonably Available Control Technology (RACT) requirements for