

Elliot Graham
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[REDACTED]
Somerset, CA 95684

Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
Attn: Notice No. 900
P.O. Box 50221
Washington, DC 20991-0221

September 14, 2000

This comment is in regard to the proposed establishment of a viticultural area to be known as "Fair Play," located in southern El Dorado County, California. Brian Fitzpatrick, President of the Fair Play Winery Association, is correct in asserting that the petitioned area is well defined and can be easily distinguished from other areas by its soil, elevation, climate, terrain, and topography.

The characteristics of the "Fair Play Appellation" listed above are in and of themselves part of the reason why it would be beneficial for included vineyards and wineries to have a distinction within the larger and existing "El Dorado" and "Sierra Foothills" viticultural areas. The purpose of this comment is not to contend name, geographic, or general boundary evidence, but rather to support an amendment to a specific boundary.

The petitioned boundary to the north is the middle fork of the Cosumnes River. The proposed boundary then branches out northeast around the middle fork to include the area between the north and middle fork of the Cosumnes. More specifically, the northernmost boundary is Grizzly Flat Road. Mr. Fitzpatrick is again correct in his assessment that the Cosumnes River Canyon is not suitable for vineyards. However, defining the centerline of Grizzly Flat Road as the border excludes a small section of land which is indeed suitable for viticulture.

We own a 34 acre vineyard parcel bordering the north side of Grizzly Flat Road. Directly behind our parcel begins the steep descent to the Cosumnes River. Specifically, our parcel is the last section of land suitable for wine grapes bordering the petitioned "Fair Play" area. It shares *all* qualities (soil, elevation, topography, etc.) with the proposed "Fair Play" area, but because it falls on the opposite side of Grizzly Flat Road, is not included in the defined area. Furthermore, just 40 years ago the "old" Grizzly Flat Road ran approximately 1500 feet north of its current location; effectively including our parcel in the geographic region currently petitioned as "Fair Play".

For these reasons, the amendment we are seeking is a specific change to the Grizzly Flat Road boundary. A boundary designated as "2000 feet to the north of the centerline of Grizzly Flat Road" would include in the petition the last few parcels which share *all* of the qualities of the proposed "Fair Play" viticultural area.

Respectfully,

[REDACTED]
Elliot Graham

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Sherrie Busby-Graham

FAIR PLAY WINERY ASSOCIATION

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Fair Play, California 95684

Bureau of Alcohol, Tobacco and Firearms
ATF Regulations Division
650 Massachusetts Avenue Room 5000
Washington, D.C. 20226
Attn: Richard A. Mascolo

September 28, 2000

Re: Public comment received on Fair Play AVA

ATF's Lisa Gesser informed me of a comment submitted requesting inclusion within the proposed Fair Play AVA boundaries. The land in the comment is immediately adjacent to the proposed northern boundary along Grizzly Flat Road. Actually I was made aware of the possibility of comment ahead of time by the young couple who have made the comment. The couple informed me that they just purchased this property and intend to plant vineyards and want to be included in the Fair Play AVA. I discussed the matter with them in detail. Their land and approximately 200+ acres on the northern side of Grizzly Flat Road is relatively flat to gently sloping land with exactly the same granitic sandy loam soil that is across the road and is the benchmark of the Fair Play AVA. At the time of the public meeting no one showed any interest from this adjacent area with much of the land already being farmed in walnuts. However the commentors' parcel was then on the market for sale. This land was part of the historical Meyers Ranch which ran on both sides of Grizzly Flat Road part of the same ridge top, most of which is already included in the Fair Play AVA.

Looking at the Camino, California Quadrangle map affirmed the need to include the entire plant able ridge top. To include this area would require the use of the 2200 foot topo line starting where it adjoins Grizzly Flat Road east of Somerset, thence following that 2200 foot line north, and east until it intersects the section line between Sections 9 and 10, thence southerly back to Grizzly Flat Road where it adjoins the existing boundary line of the proposed Fair Play AVA. This inclusion makes complete sense without any dilution or compromising of the points of soil, climate, topography, etc. set forth in our Fair Play AVA application. Had we heard any interest in this matter beforehand, our proposed boundaries would have reflected such.

Thank you Ms. Gesser for discussing this matter with me and I hope our position to include this additional acreage meets the approval of the ATF.

Sincerely,

Brian Fitzpatrick