

TOMBS CREEK VINEYARDS

Office: 1329 Solano Avenue, Albany, CA 94706 Tel: 510-524-4820 Fax: 510-524-5632

June 27, 2001

Ms. Nancy Sutton
Regulations Division
Bureau of Alcohol, Tobacco and Firearms
221 Main Street, 11th floor
San Francisco, CA 94105

RE: Proposed Rockpile Viticultural Area (2000R-436P), Notice No. 916

Dear Ms. Sutton;

We have reviewed the proposed Rockpile Viticultural Area (2000R-436P) and noted that its proposed boundaries directly border 2 additional vineyards. On behalf of Tombs Creek Vineyards and Sonoma Royale Vineyard, we request that the current petition for a Rockpile AVA (Notice No. 916) be amended to include our respective vineyard locations.

Tombs Creek Vineyards was established in 1988 and the first grapes planted in 1997. The vineyard is located within Sections 15 and 22 of the Tombs Creek Quadrangle. We have five acres planted in Cabernet Sauvignon with an additional thirty acres cleared and being prepared for planting over the next four years.

Tombs Creek Vineyards directly borders the southwestern boundary of the proposed Rockpile AVA.

Sonoma Royale Vineyards was established in 1997 and the first grapes planted in 1997. Its present vineyard occupies approximately 26 acres of which 14 acres are in Cabernet Sauvignon and 12 acres of Merlot. It is located within Section 7, USGS map Tombs Creek Quadrangle.

Sonoma Royale Vineyards directly borders the southwestern boundary of the proposed AVA.

Both our vineyards are located at elevations ranging from 1000 to 1900 feet and are subject to a climate that is distinguished from surrounding areas by Spring daytime temperatures that run five to ten degrees cooler than the nearby Healdsburg and Dry Creek Valley areas. The cool prevailing northwesterly spring breezes, which are not as prevalent at the lower elevations of the protected valley floors, increase the cooling effect and this in turn creates a delayed bud break and slower growth, resulting in delayed bloom and fruit set. Our summer weather is slightly warmer than the area valleys due to

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TOMBS CREEK VINEYARDS

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less fog and more clear weather, resulting in increased sunshine and warmer temperatures. On days when the marine inversion is shallower than 1,000 feet, our vineyards are well above the fog. Fall night temperatures, as stated in the petition, can be warmer than in the surrounding areas, with less fog at 800' and above than at lower elevations. The crucial grape ripening period of September and early October is generally warmer and drier in our locality than in surrounding viticultural areas.

Our soils are characterized by a relative absence of silt and sand, higher oxidized iron properties (red color), and clay subsoil. The topsoil, generally loam to clay loam with a red to brown color has areas of small rock and gravel mixed in the topsoil, some with outcroppings of larger rock. The subsoil is more clay-like in texture; but the topography and the presence of shale and sandstone, results in well-drained vineyard conditions.

Growing grapes on the steep hillsides of the hinterlands of Sonoma County is not an easy proposition. We feel that our unique climate and location gives us a unique and highly prized wine grape that will be treasured.

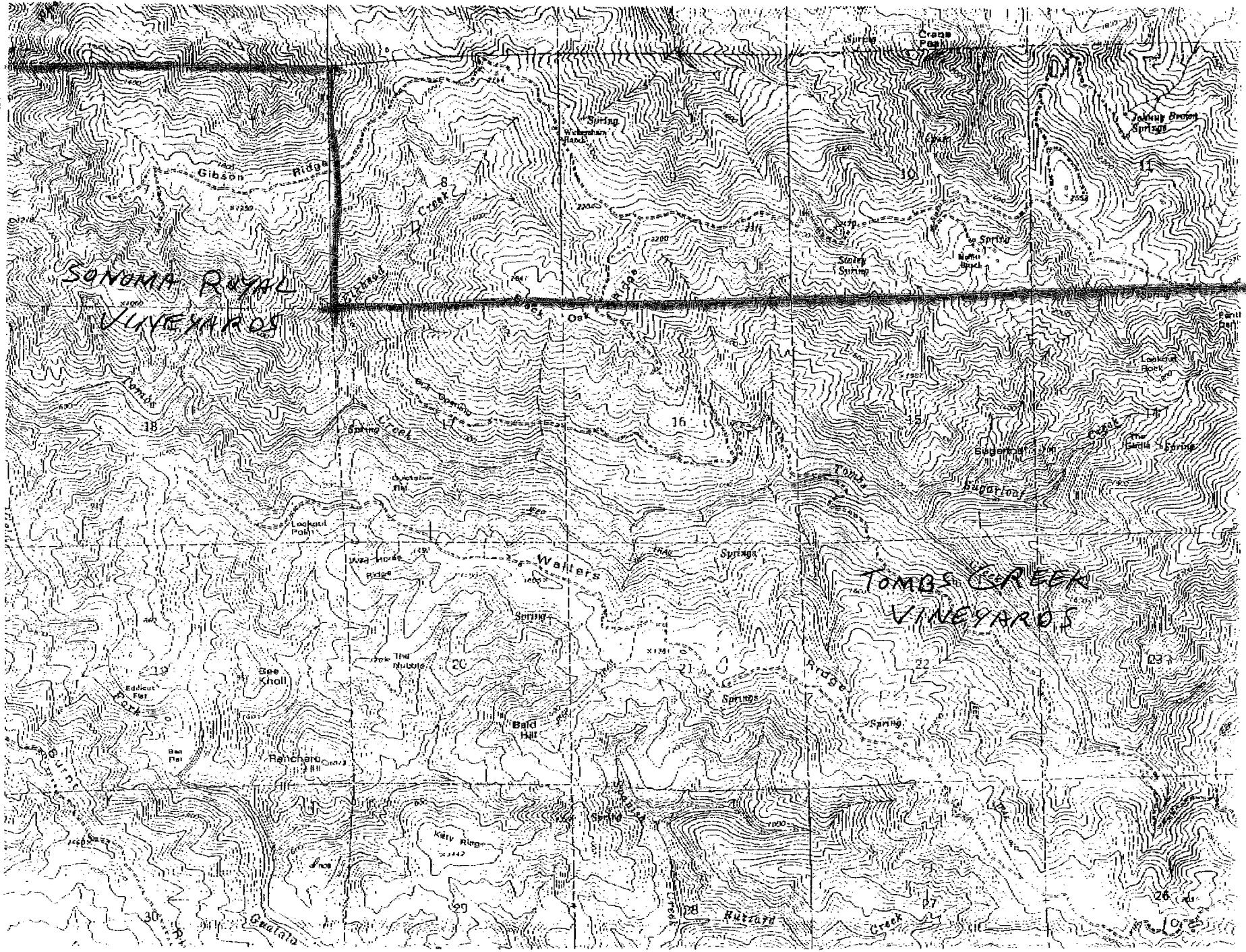
Inasmuch as both vineyards directly border the proposed Rockpile AVA boundaries and share all the characteristics of soil, climate, elevation and geographic features we respectfully request that the southern boundaries of the proposed Rockpile viticultural area be extended so that Tombs Creek Vineyards and Sonoma Royale Vineyards are included in the proposed Rockpile viticultural area.

The boundaries set forth in the proposed Rockpile AVA run on the north and east side of Section 7 (Tombs Creek Quadrangle) and on the north side of Section 15. Tombs Creek Vineyards lies in Section 15 and in Section 22 (which is the Section on the south side of Section 15.) Sonoma Royale Vineyard lies in Section 7. I would suggest that the boundary be changed to include these three sections. For the sake of simplicity and uniformity the boundary could be drawn as shown on the enclosed map, which would encompass the Walters Ridge area or in the alternative just to include Sections 7, 15 and 22.

Thank you for your consideration,



Peter Beall
Tombs Creek Vineyards



T 1
P 3 of 3

Notice # 916 - Comment # 2

ART VIRAMONTES
SONOMA ROYALE VINEYARD, LLC
P. O. BOX 35
CLOVERDALE, CA 95425

NANCY SUTTON
REGULATIONS DIVISION
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
221 MAIN STREET, 11TH FLOOR
SAN FRANCISCO, CA 94105

JUNE 26, 2001

RE: PROPOSED ROCKPILE VITICULTURE AREA (2000R-436P)

~~DEAR MS. SUTTON,~~

I am joining Peter Beall of Tombs Creek Vineyards in requesting that the proposed Rockpile Viticultural Area be amended to include our two vineyards.

Both of our vineyards border the proposed Rockpile AVA and share the same soil, climate and elevation features as set forth in the AVA petition.

The elevation of Sonoma Royale Vineyard runs from a low of 1600 feet to a high of 1900 feet. We have planted 12 acres in Merlot and 14 acres in Cabernet Sauvignon since we started in 1997. We share the commitment of the other vineyards in the Rockpile AVA to the production of super-high quality grapes as demanded by our unique climate and rugged hillside terrain.

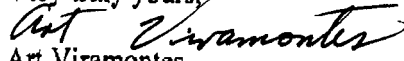
The boundaries as set in the petition as they pertain to us state: "(9) Then proceed east along the south boundary of Section 6 to the intersection with Section 8, Township 10N, Range 11 W (Tombs Creek and Warm Springs Dam Quadrangles); (10) Then proceed south along the west boundary of Section 8, turning east at its southwest corner and continuing east..."

Sonoma Royale is located in Section 7 of the Tombs Creek Quadrangle. The proposed boundaries run on the north side of Section 7 and turn to run along the east side of Section 7.

I propose that the boundaries of the Rockpile AVA be amended to include Section 7 along with Sections 15 and 22 where the Tombs Creek Vineyards are located.

I am available for any questions that you may have. I can be reached at 707 477-4792.

Very truly yours,


Art Viramontes

TOMBS CREEK VINEYARDS

Office: 1329 Solano Avenue, Albany, CA 94706 Tel: 510-524-4820 Fax: 510-524-5632

July 10, 2001

Ms. Nancy Sutton
Regulations Division
Bureau of Alcohol, Tobacco and Firearms
221 Main Street, 11th floor
San Francisco, CA 94105

RE: Proposed Rockpile Viticultural Area (2000R-436P), Notice No. 916

Dear Ms. Sutton:

I must inform you that I have made a major mistake. I am guilty of miss-reading the maps and the listed boundaries in the proposed Rockpile AVA application.

I was acting under the incorrect assumption that the proposed boundaries of the Rockpile AVA directly bordered my neighbor Art Viramontes and came within one-half of a mile from my vineyard. I incorrectly assumed that one-half of the area known as the Wickersham Ranch was included in the proposed AVA.

While I did not intend to make this mistake, I am still responsible for any and all additional burdens that this mistake may have caused all the participants.

Please retract my earlier letter, which requested the change in boundaries. It does not make any sense to have the proposed boundaries as set forth in the original application changed to include my vineyard.

Please also note that I continue to be a supporter of the Rockpile AVA and must add that I have greatly enjoyed the unique Zinfandel and Petit Syrah wines produced by Rosenblum with the Rockpile designation.

Very truly yours,



Peter Beall

-----Original Message-----

From: Gary Branham [REDACTED]
Sent: October 31, 2001 9:23 PM
To: nprm@atfhq.atr.treas.gov
Subject: <no subject>

To whom it may concern,
From: Gary Branham
[REDACTED] Calistoga, Ca 94515
E- mail [REDACTED]
Notice No. 916

Dear BATF, I am writing to you in regards to the proposed new AVA "Rockpile". I own a small vineyard on a ranch I own in or near the proposed AVA. I realize the date for comments has passed but I just heard of the proposal today, Oct. 31 2001. I ask you to please consider my comments as I have a vested interest in the proposed AVA. I purchased my 250 Ac. ranch in 1989, this parcel was one of many that were part of the original "Rockpile Ranch". I began ground work in 1993 and planted my vineyard in 1994. The first wine was made in 1999 and I called my vineyard "Branham Rockpile" as a vineyard designation. The wine brand that produced and bottled the wine from my vineyard only makes vineyard designated wines. On June 21 2001 the BATF approved the label . The label is GALLERON Sonoma County Zinfandel Branham Rockpile. My concern is that I can continue to call my vineyard "Branham Rockpile". This concern exists regardless on whether I am in or out of the AVA. I hope you will give my concern your consideration.

Sincerely,
Gary Branham

Sutton, Nancy A.

From: (b) (6)
Sent: Thursday, November 01, 2001 12:42 PM
To: Sutton, Nancy A.
Subject: FW: Rockpile AVA

Here is another comment on Rockpile.

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Regulations Division
(b) (6)

-----Original Message-----

From: Gary Branham
Sent: November 01, 2001 3:34 PM
To: nprm@atfhq.atf.treas.gov
Subject: Rockpile AVA

To whom it may concern,
From: Gary Branham
Calistoga, CA, 94515
E-mail
Notice No. 916

Dear BATF, This note is a follow up to my comments about the proposed Rockpile AVA. I realize the comment period has expired but I do feel I have legitimate concerns. I feel there are several inconsistencies that I would like to address.

1. This AVA would impact at least two small entities: Galleron Signature Wines and Branham Rockpile Vineyard.
 2. The name Rockpile has been used for many years, this would essentially remove it from some previous uses. I have been calling my ranch Rockpile since 1989 when I purchased part of the original Rockpile Ranch.
 3. The overlapping of Rockpile AVA and Dry Creek AVA seems misleading.
 4. The statement that the Rockpile 3 Ranch was 18000 acres and the Rockpile AVA of 14000 acres encompasses Rockpile 3 seems misleading.
 5. That the elevation of 800' is the low point of the AVA seems arbitrary.
- I thank you for your consideration and look forward to continued dialog.

Sincerely,
Gary Branham

To whom it may concern:

From: Gary Branham

██████████ Calistoga, CA 94515

E-mail ██████████

Notice No. 916

Dear BATF,

I am sending you a copy of the letter I sent to the Chief, Regulations Division. I would like you to consider these comments in regards to the proposed AVA Rockpile.

Dear Chief, Regulations Division,

I am writing to you to petition a change in a proposed new AVA. The new AVA is Rockpile, located in NW Sonoma Co. CA. I understand it is in the queue to be published in a short time. I did not hear of this proposal until Oct. 31 2001. I have sent comments to the BATF and I hope they will be considered.

My petition to change the proposed AVA concerns the name but I have several general considerations as well.

The name Rockpile referees to the original Rockpile Ranch, it does not refer to the area along Rockpile road, which traverses approximately twelve miles from the end of Dry Creek road to the Rockpile Ranch. All of the proposed AVA is along Rockpile road with only part of the proposed AVA located within the boundaries of the Rockpile Ranch.

I purchased part of the original Rockpile Ranch [referred to in the proposal] in 1989; I planted a vineyard in 1994 and referred to my vineyard as Branham Rockpile. This was done to distinguish my vineyard from the rest of the Rockpile Ranch, which is now divided into many parcels with many owners.

In 1999 Galleron Signature Wines of Rutherford CA produced the first commercial wine from Branham Rockpile. This wine brand only produces vineyard designated wines and used the name Branham Rockpile as the designation of my vineyard. The label was approved by the BATF June 21 2001; the wine was released soon after and now is in the marketplace. Two more vintages are in the pipeline with the 2000 to be bottled in Jan. 2002.

If the name Rockpile is approved for the AVA and made into a rule will I be able to continue to use my name Branham Rockpile and retain my intellectual property? If I were allowed to continue using Branham Rockpile, would the use of the AVA Rockpile and Branham Rockpile not cause confusion to the very consumer the AVA rule tries to educate? If I am unable to continue using my name Branham Rockpile, I feel this would have a significant impact on at least two small entities, Galleron Signature Wines and Branham Rockpile.

As for general considerations to the proposed new AVA I have several. 1. The overlapping of Rockpile AVA and Dry Creek AVA would dilute both AVA's and question any special significance of the area which is overlapped. 2. The lower elevation requirement of 800' seems arbitrary. 3. It is stated in the proposal that with an increase in

elevation of 1000' the temperature decreases by six degrees. This would lead one to believe that the higher elevations [1900'] of the new AVA would be significantly cooler than the lower elevations [800']. If this is true then the proposed AVA has major climatic differences from the higher elevation to the lower elevation. 4. The erroneous statement the AVA encompasses Rockpile 3 [a ranch of 18000 Ac.] yet only contains 14000Ac. The ranch I purchased was part of Rockpile 3 yet my parcel is out of the AVA. 4. The erroneous statement that the proposed boundary encircles the Rockpile Ranch area.

I have been a commercial winemaker for 25 years and understand the desire of many to put our viticulture on a par with France and other winemaking regions of the world by establishing appellations. The appellations we try to emulate are decades, often centuries old. Are we being presumptuous in trying to legitimize a viticultural region that is barely 10 years old?

I thank you for taking the time to read my petition

Sincerely,
Gary Branham

[REDACTED]
Calistoga, CA 94515

[REDACTED]
E-mail [REDACTED]

Fax [REDACTED]

Chief, Regulations Division
Bureau of ATF
Washington, DC
Notice No. 916

Nov. 6, 2001

WHT
12/2

Dear Sir or Madam,

I am writing to you to petition a change in a proposed new AVA. The new AVA is Rockpile, located in NW Sonoma Co. CA. I understand it is in the queue to be published in a short time. I did not hear of this proposal until Oct. 31 2001. I have sent comments to the BATF and I hope they will be considered.

My petition to change the proposed AVA concerns the name, but I have several general considerations as well.

The name Rockpile refers to the original Rockpile Ranch, it does not refer to the area along Rockpile road, which traverses approximately twelve miles from the end of Dry Creek road to the Rockpile Ranch. All of the proposed AVA is along Rockpile road with only part of the proposed AVA located within the boundaries of the Rockpile Ranch.

I purchased part of the original Rockpile Ranch [referred to in the proposal] in 1989; I planted a vineyard in 1994 and referred to my vineyard as Branham Rockpile. This was done to distinguish my vineyard from the rest of the Rockpile Ranch, which is now divided into many parcels with many owners.

In 1999 Galleron Signature Wines of Rutherford CA produced the first commercial wine from Branham Rockpile. This wine brand only produces vineyard designated wines and used the name Branham Rockpile as the designation of my vineyard. The label was approved by the BATF June 21 2001; the wine was released soon after and now is in the marketplace. Two more vintages are in the pipeline with the 2000 to be bottled in Jan. 2002.

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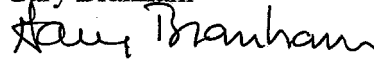
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I thank you for taking the time to read my petition

Sincerely,
Gary Branham



[REDACTED]
Calistoga, CA 94515

E-mail [REDACTED]

Fax [REDACTED]



Chief, Regulations Division
Bureau of ATF
Washington, DC

Nov. 6, 2001

WWT
11/8/02

Dear Sir or Madam,

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I thank you for taking the time to read my petition

Sincerely,
Gary Branham

Gary Branham

[REDACTED]
Calistoga, CA 94515
[REDACTED]

E-mail [REDACTED]

Fax [REDACTED]

received

N.A. Sutton,
Specialist, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
San Francisco, CA.
Fax: 415-947-5191

Dear Nancy,

Regarding the location and conditions of my ranch and vineyard I submit this information and state to you it is true and accurate to the best of my experience and knowledge.

The ranch is located entirely inside the boundaries of the original Rockpile Ranch #3. The access road is Rockpile road and the ranch is located 3.1 miles by road from the north boundary of Rockpile Vineyard.

The ranch has an elevation of 860 ft. at the lowest point and 1700 ft. at the highest point.

The ranch is mostly of southern exposure with some southwest and southeast.

The climate would be similar to the Rockpile Vineyard. The summer temperature is approximately 5-10 degrees F cooler than Healdsburg CA. Due to the higher elevation, the temperature often varies inversely to the lower Dry Creek Valley. When it is cold and foggy in the lower elevation it is usually sunny and warmer at Branham Rockpile. When it is very hot in the lower elevation it is usually cooler at Branham Rockpile. These climatic conditions lead to a budbreak about two to three weeks later than the valley with harvest occurring one to two weeks later than the lower valley locations.

In regards to the soils at the ranch I would state that they are similar to the proposed Rockpile AVA. The soil is mostly light brown to dark red brown loam with some shale loam and silt loam. It is moderately acidic to strongly acidic, contains small and large rock, shale, gravel and is well drained. There are many large rock outcroppings and the ranch would be considered rocky by most standards.

Sincerely,



Gray Branham