

December 4, 1992

Mr. Richard Mascolo
Assistant Chief, Revenue Programs Division
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Petitions to Establish the Viticultural Areas of
Rutherford and Oakville

Dear Mr. Mascolo:

I am a member of the Growers for Meaningful Appellations ("GMA"). Recognizing that petitioners have withdrawn the petition to establish the Rutherford Bench and Oakville Bench viticultural areas, I hereby ask that you delete from your hearing schedule the name of my representative, Donald Patz, who is scheduled to speak on December 9, 1992, at 1:50 p.m. on the Rutherford viticultural area and on December 10, 1992, at 3:05 p.m. on the Oakville viticultural area.

I have decided not to present any further evidence concerning the southwestern boundary of Oakville. As such, I will not participate in or be represented at the upcoming hearings for these viticultural areas nor will I submit to BATF any data concerning the southwestern boundary of Oakville.

Along with the other GMA members, I believe that the floor of the Napa Valley should be divided into contiguous, community-named viticultural areas, including Rutherford and Oakville, and distinct mountain areas such as the Silverado Range and the Mayacamas Range. I do not believe the valley floor viticultural areas should be further subdivided.

GIRARD WINERY

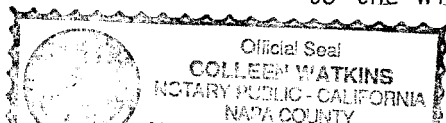
By: Stephen A. Girard

Stephen A. Girard, Jr.
GMA Member

rpm\routhoak\giraratf.ltr

State of California ss
County of Napa

On December 4, 1992, before me the undersigned, a Notary Public for the State of California, personally appeared Stephen A. Girard, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.



Colleen Watkins

November 30, 1992

#2

NOT PART OF
OTHER COMMENTS

Mr. Richard Mascolo
Assistant Chief, Revenue Programs Division
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650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Petitions to Establish the Viticultural Areas of
Rutherford and Oakville

Dear Mr. Mascolo:

The undersigned members of the Growers for Meaningful Appellations ("GMA"), recognizing that petitioners have withdrawn the petition to establish the Rutherford Bench and Oakville Bench viticultural areas, hereby support the pending petition to establish the Rutherford and Oakville viticultural areas. GMA members specifically support the boundaries of Rutherford and Oakville proposed by petitioners and subsequently by BATF in Notice of Proposed Rulemaking No. 728 (Oakville) and No. 729 (Rutherford).

GMA members believe that the floor of the Napa Valley should be divided into contiguous, community-named viticultural areas, including Rutherford and Oakville, and distinct mountain areas such as the Silverado Range and the Mayacamas Range. We do not believe the valley floor viticultural areas should be further subdivided.

GMA MEMBERS

GROTH VINEYARDS & WINERY

By Dennis Groth
Dennis Groth, Chairman

DALLA VALLE WINERY

By Gustav Dalla Valle

FRANCISCAN WINERY

By Agustin Huneus

FREEMARK ABBEY WINERY

By Charles Carpy

By Greg Upton

GIRARD WINERY

By Stephen A. Girard, Jr.

HILLS VINEYARDS

By Austin E. Hills

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ZD WINERY

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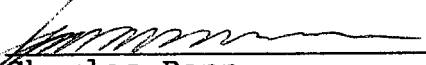
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MT EDEN RANCH

By  _____ *Genl Partner*
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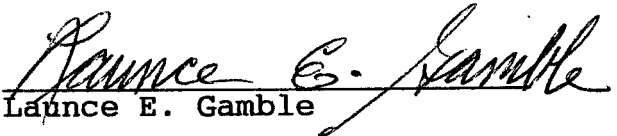
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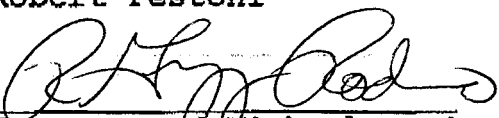
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RICHARD P. MENDELSON

DICKENSON, PEATMAN & FOGARTY
A PROFESSIONAL LAW CORPORATION
809 COOMBS STREET
NAPA, CALIFORNIA 94559-2977
TELEPHONE 707 252-7122

TELECOPIER
707 255-6876

March 8, 1989

VIA AIRBORNE EXPRESS

Mr. Richard Mascolo
Chief, FAA Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

Re: Petition to Establish the Viticultural Areas of
Oakville, Rutherford, Oakville Bench & Rutherford Bench

Dear Rich:

Enclosed please find a copy of the above mentioned viticultural area petition, which I am submitting on behalf of my clients. Two attachments referred to in the petition are being sent under separate cover, also by Airborne Express.

As you will note, the petition requests the establishment of four separate viticultural areas. Oakville and Rutherford are contiguous viticultural areas, located entirely within the Napa Valley viticultural area. Oakville Bench and Rutherford Bench are smaller viticultural areas located entirely within the Oakville and Rutherford areas, respectively.

I would appreciate your acknowledging receipt of both packages and also informing me of which investigator has been assigned to this petition. Please address any correspondence or questions concerning this petition directly to me on behalf of my clients.

Sincerely,



Richard Mendelson

Enclosure:

PETITION TO ESTABLISH THE VITICULTURAL AREAS OF
OAKVILLE, RUTHERFORD, OAKVILLE BENCH AND RUTHERFORD BENCH

Submitted to
Bureau of Alcohol, Tobacco & Firearms
FAA, Wine and Beer Branch
Washington, D.C.

by
Rutherford and Oakville Appellation Committee
Napa Valley, California

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- B. Comparison of Stream Sediments from the West Side of the Napa Valley (Rutherford Bench and Oakville Bench), including data from Conn and Rector Creeks, by Professor Thomas Anderson, Department of Geology, Sonoma State University
- C. Soils Report for Proposed Rutherford, Oakville, Rutherford Bench and Oakville Bench Viticultural Areas, by Associate Professor Deborah Elliott-Fisk, Department of Geography, University of California, Davis
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I. Introduction

Napa County, California presently consists of over 30,000 planted vineyard acres.¹ Within this area there are five existing viticultural areas and one proposed viticultural area. The existing areas are Napa Valley, established in 1981, Napa Valley-Carneros² (1983), Howell Mountain (1983), Napa Valley-Wild Horse Valley³ (1988), Stags Leap District (1989) and the proposed viticultural area of Mt. Veeder.⁴ Exhibit 1 shows the location of these areas.

The undersigned petitioners propose to establish four new viticultural areas wholly contained within the Napa Valley viticultural area. These are Oakville, Rutherford, and, wholly contained within these proposed viticultural areas, Oakville Bench and Rutherford Bench, respectively. These areas satisfy ATF's regulatory criteria, set forth in Title 27 CFR 4.25a(e). When used as appellations of origin on wine labels, they will inform and educate consumers about the wines from these grape growing areas of Napa Valley, in keeping with the Bureau's legislative mandate.

Our group of petitioners comprises seven wineries and seven grape growers from within the four viticultural areas. The Rutherford viticultural area contains approximately 6,650 total acres, of which approximately 2,880 acres are in Rutherford Bench. The Oakville viticultural area contains approximately 5,760 total acres, with approximately 3,200 acres in Oakville Bench. All four

¹ Napa County Agricultural Crop Report, 1987, reports 29,000 acres. We believe this figure is now closer to 31,000 vineyard acres.

² This designation constitutes that portion of the Carneros viticultural area which overlaps the Napa Valley viticultural area.

³ This designation constitutes that portion of the Wild Horse Valley viticultural area which overlaps the Napa Valley viticultural area.

⁴ This viticultural area petition was filed on January 28, 1988. ATF has not yet issued its Notice of Proposed Rulemaking in this matter.

areas are densely planted to vineyards.

We begin with a statement of the principles which have guided our efforts in this viticultural area petition. In this connection, we describe a proposed framework for the viticultural areas (both present and future) of Napa Valley. Although we believe this framework could logically apply to all viticultural areas of Napa Valley, acceptance of it is not a precondition to the establishment of the Oakville, Rutherford, Oakville Bench and Rutherford Bench viticultural areas. Following our introductory statement, we focus directly on the evidence which supports the four proposed viticultural areas.

Our objectives in petitioning to establish the aforementioned viticultural areas include the following:

A. To provide consumers with accurate, meaningful and comprehensible information on grape origin. Consumers should be able to understand and trace the path from Napa Valley through the various viticultural areas situated therein to individual vineyards.

All the major appellation systems of the world offer the consumer a sense of order and perspective through a coherent and integrated appellation framework. For example, in Bordeaux, France, there are several appellation areas, such as the Medoc, which are sub-divided into smaller areas, such as Pauillac. These smaller areas are then broken down into individual vineyards. The same applies in Burgundy, France: Beaune Clos des Mouches is a vineyard designation within the commune appellation of Beaune, which exists as a sub-part of the Cote de Beaune. In Germany and Italy, this same sense of order exists in their wine appellation systems. In these foreign examples, appellation names are understandable and inter-related (or at least not misleading), and the appellation boundaries capture the increasing specificity of the area's geography and viticulture.

Our appellation system, established by the Bureau of Alcohol, Tobacco & Firearms ("ATF") in 1978, is designed to take into account name identification and geographic differences between larger and smaller areas. As in the European appellation systems, one set of criteria for the establishment of viticultural areas can generate appellations of various sizes. As ATF stated in its final rule establishing the San Benito viticultural area:

In establishing a viticultural area based on geographical features which affect viticultural features, ATF recognizes that the distinctions between a smaller area and its surroundings are more refined than the differences between a large area and its surroundings. It is possible for a viticultural area to contain smaller approved viticultural areas, if each area fulfills the

requirements for establishment of a viticultural area.⁵

In fact, our regulations have spawned many such viticultural areas and sub-areas. Examples include San Benito and within it Cienega Valley, Lime Kiln Valley and Paicines; Monterey and its sub-areas - San Lucas, King City, Chalone, Arroyo Seco and Carmel Valley; and Sierra Foothills and the smaller viticultural sub-areas of North Yuba, El Dorado, California Shenandoah Valley and Fiddletown.

B. To afford vintners and growers flexibility to present their various grapes and wines to the marketplace, from a general area of production to a specific site. This stimulates consumer interest by providing numerous entry levels. Consumers can try a Napa County wine (75% Napa County grapes), a Napa Valley wine (85% Napa Valley grapes), a wine from a particular viticultural sub-area of Napa Valley (85% requirement) or a vineyard-designated wine (95%). This selection of wines is viticulturally relevant and meaningful to consumers in that the smaller viticultural areas are generally more viticulturally unique, encompassing a narrower range of geographic variation, than the larger areas.

C. To include all Napa Valley vineyards in one or more viticultural areas. Our proposed framework takes into account the entire Napa Valley, excluding no one, and represents a commonsense, ordered approach to viticultural areas. As residents of Napa Valley, we are interested not only in establishing the viticultural areas of Oakville, Rutherford, Oakville Bench and Rutherford Bench but also in how these viticultural areas will fit into the general appellation framework of Napa Valley. We have endeavored to provide a context in which the viticultural areas of Napa Valley can develop logically (see F, below). At the same time, we respect the interests of all concerned parties and abide by ATF's existing criteria for the establishment of viticultural areas.

D. To preserve and promote Napa Valley as the central focus and point of reference for consumers. We support the efforts of the Napa Valley Vintners Association and Napa Valley Grape Growers Association to require, as a matter of state law, that wine labels bearing the name of a viticultural area which lies totally within Napa Valley also bear the name Napa Valley. Such labeling is voluntary at present.

As applied to the viticultural areas proposed herein, such a rule would require that wine labels read "Napa Valley-Oakville," "Napa Valley-Oakville Bench," "Napa Valley-Rutherford," and "Napa Valley-Rutherford Bench." Under present federal regulations such a name combination for overlapping viticultural areas would be optional. A "Napa Valley-Rutherford Bench" label also would be entitled to read "Napa Valley-Rutherford" (representing the larger,

⁵ T.D. ATF-258, 52 Fed. Reg. 37135 (October 5, 1987).

all-encompassing area) or "Napa Valley-Rutherford-Rutherford Bench." We believe this labeling choice should be left to the vintner, as is presently the case under ATF regulations.

E. To avoid consumer confusion. Any overlaps other than those involving one viticultural area wholly contained within another are potentially confusing to consumers. This is particularly true in the case of viticultural areas which utilize community names. The use of those names must be understandable, accurate and consistent so that consumers are not misled as to the location of the viticultural areas. ATF has been especially sensitive, and properly so, about the misleading use of town names. For example, in the final rule establishing the Temecula viticultural area, ATF concluded that the town name of Temecula did not apply to the town of Murrieta which had a separate identity.⁶

To avoid possible consumer confusion in our proposed viticultural areas, we take into account community names and boundaries. As we shall see, Oakville and Rutherford have their own community identities which, coupled with their geographic and climatic distinctions, allow consumers to better understand the wines of Napa Valley. Oakville Bench and Rutherford Bench share the larger community names and identities but are restricted to only certain parts of these larger areas. If Oakville Bench and Rutherford Bench were not so confined, consumers would be misled as to their location, and any coherent notion of Oakville and Rutherford as viticultural areas would be lost.

We further believe that confusion can result from the piecemeal establishment of viticultural areas. Petitioners tend to examine only their particular viticultural area without considering excluded neighbors. The proposed viticultural area is then like a magnet which attracts those neighbors, who fear they otherwise would fall into an abyss. The proposed viticultural area expands into the vacuum around it. The best way to avoid such confusion is to establish several viticultural sub-areas of Napa Valley at one time or at least to develop a framework within which future viticultural areas can evolve.

F. To be consistent with ATF's other viticultural area decisions in Napa County and to develop a logical context for the development of Napa Valley's future viticultural areas. The Napa Valley viticultural area⁷ was the second viticultural area established in the U.S., following Augusta, Missouri. Napa Valley includes all of Napa County except that portion northeast of Putah Creek and Lake Berryessa which has never been planted to grapes.

⁶ T.D. ATF-188, 49 Fed. Reg. 42564 (October 23, 1984).

⁷ T.D. ATF-79, 46 Fed. Reg. 9061 (January 28, 1981).

ATF's decision was based largely on historical and equitable grounds. The "outlying valleys" such as Pope Valley, Gordon Valley and Wooden Valley, which the original petitioners sought to exclude because they are situated outside of the watershed of the Napa River, were accepted as part of the Napa Valley viticultural area by virtue of their longstanding contribution to the Napa Valley name and Napa Valley wines.

As part of the administrative proceeding which resulted in the establishment of the Napa Valley viticultural area, ATF was presented with several alternative boundaries. The original petitioners asked that Napa Valley be defined and delimited as the watershed of the Napa River. This would have excluded the outlying valleys in the eastern part of Napa County. Another commentator proposed yet another delimitation in an effort to distinguish mountain from valley within the viticultural area. This proposal followed the 400-foot contour on both sides of the valley, thus restricting the Napa Valley to the valley floor and associated hillsides beneath the 400-foot elevation.

ATF's decision followed the broadest proposed boundaries, thus allowing consumers to recognize and experience the broadest range of Napa Valley wines. The aforementioned proposals, however, provide a valuable and meaningful framework within which the smaller viticultural areas of Napa Valley can be established. In fact, ATF has recognized and respected this framework in its decisions to date creating the smaller viticultural areas of Napa Valley.

This framework uses the watershed area and the distinction between mountain and valley as organizing themes for the viticultural areas of Napa Valley. The framework, illustrated graphically on page six and cartographically on Exhibit 2, separates Napa Valley, from west to east, into the Mayacamas Range, the valley floor, the Vaca Range and the outlying valleys. Although ATF may never receive petitions to establish these overarching viticultural areas with these particular names, the rationale behind these distinctions have been (and should be) respected in any viticultural area sub-divisions of Napa Valley.

Carneros⁸ was the second viticultural area established in Napa County. Although a portion of this viticultural area is located in Sonoma County, Napa Valley-Carneros helped to establish the distinction between valley and mountain within the Napa Valley viticultural area. ATF stated in its final rule, "The 400-ft. contour line generally marks the boundary between Carneros Valley

⁸ T.D. ATF-142, 48 Fed. Reg. 37365 (August 18, 1983).

Chart 1
 FRAMEWORK FOR
VITICULTURAL AREAS OF NAPA VALLEY*

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<u>Mayacamas Range</u>	<u>Valley Floor</u>	<u>Vaca Range</u>	<u>Outlying Valleys</u>
Diamond Mtn	Calistoga	Howell Mtn	Pope Valley
	- Larkmead	(1983)	
Spring Mtn	St. Helena	Atlas Peak	Wild Horse Valley
			(1988)
Mt. Veeder (proposed)	Rutherford		
	- Rutherford Bench		
	Oakville		
	- Oakville Bench		
	Yountville		
	- Stags Leap District (1989)		
	Napa		
	- Oak Knoll		
	- Napa Valley- Carneros (1983)		
	- Coombsville		

*This list of viticultural areas includes those established, proposed and presently being discussed. The list is not intended to be all-inclusive. Years indicated in parentheses are dates of viticultural area approval by ATF.

and the Mayacamas Mountains."⁹

The proposed Mt. Veeder viticultural area fits like a puzzle piece above the northeastern portion of Napa Valley-Carneros and uses the same 400-foot contour to divide mountain from valley floor and associated hillsides. Stags Leap District also utilizes the 400-foot elevation to separate the hillside vineyards from the steeper and more rugged mountain elevations to the east.

Both Howell Mountain¹⁰ and Mt. Veeder are situated within larger mountain ranges, the Vaca Range to the east and the Mayacamas Range to the west, respectively. The watershed area of the Napa River is defined by the crest of the Mayacamas Range on the west (located along the Napa-Sonoma County line) and by the westernmost crest of the Vaca Range (located due west of the outlying valleys of the Napa Valley viticultural area).

Between these two ranges, the valley floor is narrow and long, spanning 25 miles north to south and between one and four miles east to west. Because of the pronounced north-south mesoclimatic and elevational variations along the valley floor, it would be inappropriate in subdividing the valley to include the city of Napa in the same viticultural area as the city of Calistoga. This would combine the lower-lying, southern sections of the valley, which experience a very cool climate on account of the marine breezes off San Pablo Bay, with the higher heat summation and higher, more enclosed, continental, northern portions of the valley.

To capture these climatic and elevational differences, we believe that community names and areas -- Calistoga, St. Helena, Rutherford, Oakville, Yountville and Napa -- should be used for the basic north-south valley divisions. These areas would be contiguous, non-overlapping and would cover the entire floor of the Napa Valley. Because of the increasing elevation of the valley floor as one proceeds up valley, the 400-foot contour used by ATF in Napa Valley-Carneros and Stags Leap District is an appropriate division of valley and mountain in the southern portion of the valley; we use the 500-foot elevation in delimiting the Oakville and Rutherford viticultural areas; and the 600-foot elevation would be appropriate in the northern portion of the valley.

These community names are recognized locally, nationally and internationally and also have been used historically to divide Napa Valley into viticultural districts similar to the ones we propose. Although the communities of Napa, Yountville, St. Helena and Calistoga have official limits, whereas Rutherford and Oakville do not, our proposal would recognize the broader geographic,

⁹ Id. at 37367.

¹⁰ T.D. ATF-163, 48 Fed. Reg. 57486 (December 30, 1983).

viticultural and consumer identity of these areas. ATF already has followed such a precedent in the viticultural areas of Clarksburg, Fiddletown, Lodi, Paso Robles, San Lucas, Temecula and Willow Creek (all in California); Sonoita, Arizona; Altus, Arkansas; Fennville, Michigan; and Augusta and Hermann, Missouri. In each of these cases, the viticultural area boundaries exceed the town limits.

The aforesaid principles and objectives are inherent in ATF's appellation program and also are consistent with ATF's viticultural area decisions to date in Napa County. ATF's charge under the Federal Alcohol Administration Act is to provide consumers with accurate and adequate information about wine and to prohibit false and misleading statements on wine labels.¹¹ We believe the establishment of the contiguous viticultural areas of Oakville and Rutherford, and the smaller viticultural areas of Oakville Bench and Rutherford Bench lying totally within these areas, will be understandable and meaningful to consumers.

The sections which follow apply the regulatory requirements for the establishment of viticultural areas to the four proposed areas. These requirements include evidence that the name of the proposed viticultural area is locally or nationally known; historical or current evidence supporting the proposed boundaries of the viticultural area; evidence that the geographical features (climate, elevation, soil, physical features, etc.) of the proposed viticultural area distinguish it viticulturally from surrounding areas; and specific boundaries of the proposed area, based on features found on maps of the United States Geological Survey ("U.S.G.S.").

In Section II below, we discuss the larger viticultural areas of Oakville and Rutherford, their name identification, boundary support, geographic distinctiveness and specific boundaries. As we shall see, these proposed areas follow the logic already used by ATF in establishing the five existing viticultural areas of Napa County. Section III describes the viticultural and historical evidence which supports the establishment of Oakville Bench and Rutherford Bench as viticultural areas lying entirely within Oakville and Rutherford, respectively. These small viticultural areas represent distinctive parts of the larger appellations, and, like the communities themselves, can be differentiated from one another geographically.

II. Oakville and Rutherford Viticultural Areas

A. Name Identification and Boundary Support

The principal pillars of consumer identification within Napa

¹¹ 27 U.S.C. Section 205(e).

Valley are the communities situated on the valley floor. From south to north, they are Napa, Yountville, Oakville, Rutherford, St. Helena and Calistoga. These geopolitical landmarks often are the only geographic references on maps, including wine maps, of Napa County and Napa Valley (Exhibit 3).

For purposes of this discussion, Oakville and Rutherford are referred to as villages, Yountville as a town, and Napa, St. Helena and Calistoga as cities. Collectively, they represent communities of the Napa Valley. Webster's Ninth New Collegiate Dictionary defines community, village, town and city as follows:

Community: a body of persons [or nations] having a common history or common social, economic and political interests.

Village: a settlement usually larger than a hamlet and smaller than a town.

Town: a compactly settled area usually larger than a village but smaller than a city.

City: an inhabited place of greater size, population or importance than a town or village.

Rutherford and Oakville are unincorporated areas of Napa County for which no formal boundaries exist. Perhaps the best way to understand what these villages were in the past and are today is to see them as "centers of well settled fine farming communities,"¹² which was their function in the second half of the nineteenth century.

Yountville, by contrast, is an incorporated area with official boundaries and a local government. In keeping with the distinction between a city and a town noted above, the city council of Yountville in 1980 changed its name from "City of Yountville" to "Town of Yountville" because the smaller, less populated connotation of "town" better fit the city council's image of what Yountville should portray.¹³

Napa, St. Helena and Calistoga are formal cities, with city governments and city boundaries. These boundaries, as well as

¹² "Napa. One of the Greatest Wine-producing Counties in the State," undated newspaper clipping in the "Napa County Scrapbook," California State Library, Sacramento. Surrounding clippings are dated 1885.

¹³ Ordinance No. 133, Yountville Municipal Code, effective October 9, 1980. See also "City Seeking to be a Town," The Napa Register, August 25, 1980.

those of Yountville, are shown at Exhibit 4.

1. Naming and Development of Oakville and Rutherford

The names Oakville and Rutherford have been associated with their respective locales for over 100 years. Lying between the incorporated town of Yountville to the south and the city of St. Helena to the north, Oakville and Rutherford define the unincorporated area in between. From the mid-nineteenth through the early twentieth centuries, Oakville and Rutherford moved from unnamed regions with unknown reputations to become settled and integral parts of Napa County and of the Napa Valley wine industry.

The reputation of these villages for excellent grapes and wines, both historically and presently, has allowed the wine writer, wine consumer and wine historian to understand that these are unique areas of the Napa Valley, distinguishable from the neighboring communities. Wine writers as early as the 1880s wrote highly of particular wines from Oakville and Rutherford, including those of H.W. Crabb's To-Kalon vineyards in Oakville¹⁴ and of Gustave Niebaum, founder of Inglenook Winery in Rutherford.¹⁵ Wine writers today continue to devote attention to the wines of these villages, noting their distinction.

The villages of Oakville and Rutherford came into being in the same way as the town of Yountville. In each instance, a major landholder, who produced grapes and wine, established a center which served as a focal point for other early settlers. These pioneering figures were George Yount in Yountville, H.W. Crabb in Oakville and Thomas Rutherford in Rutherford.

George Yount's settling in Napa Valley is legendary. Historical accounts mark his arrival in 1838 and the planting of his first grapes in the 1850s. His vineyard is reported to be the first planted in Napa County. Its location, in what we would call the Yountville viticultural area, is shown on Exhibit 5.¹⁶ What is less well known and often overlooked is that the bulk of Yount's estate was coterminous with Rancho Caymus, which comprised 11,814 acres, including what later became Oakville and Rutherford.

In 1864, Yount gave 1,040 acres of land to his granddaughter, Elizabeth (Yount) Rutherford and her husband Thomas. According to

¹⁴ "Wine Making, The Season of 1877," St. Helena Star, November 30, 1877; "To-Kalon," San Francisco Examiner, April 6, 1890.

¹⁵ "Visit to the Vicinity of Rutherford," Napa County Reporter, May 16, 1884, p. 4.

¹⁶ "Wine historian pinpoints area of 1st valley grapes," Napa Register, December 23, 1988, p. 1.

historian John Wichels, "The settlement surrounding this ranch was thereafter known as Rutherford."¹⁷ Exhibit 6 shows the extent of the original Rutherford ranch. The southern border of the ranch runs from Silverado Trail to the Napa River along a straight line which incorporates what is now Skellenger Lane. That lane and the Rutherfords' southern property line is used to define part of the southern border of the proposed Rutherford viticultural area.

History suggests that H.W. Crabb is to Oakville as Yount is to Yountville and Rutherford is to Rutherford. While Rutherford's large landholdings created a community bearing his name, H.W. Crabb's landholdings (Exhibit 6), businesses and influence in the region south of Rutherford contributed to the establishment of the village of Oakville. While little is known about the man H.W. Crabb, much is written of his grape growing techniques and the success of his vineyards.¹⁸ Crabb is reported to have established extensive vineyards, a finely regarded wine label (To-Kalon Vineyard), a thriving cuttings business and a wine shipping enterprise.¹⁹ He also donated land for the train station at Oakville, established in 1868.

From 1850 to 1880, when the early settlers such as Crabb and Rutherford were establishing themselves in viticultural and other business pursuits, Napa Valley experienced steady growth in population, planted grape acreage, gallons of wine produced, and reputation for quality wines. Oakville and Rutherford increased in prominence as community centers. One reason for their emergence was the establishment of the rail system from Napa to Calistoga in 1868. Geographer William Ketteringham writes, "With the completion of the [railroad] line in 1868 other settlements along the line such as Rutherford and Oakville sprang up."²⁰ The location of the Oakville and Rutherford stations is shown in Exhibit 7.

The growing identity of Oakville and Rutherford also is evidenced by certain official developments. The Oakville post office was established in 1867 and the Rutherford post office in 1871. In 1884 the Rutherford voting precinct was established in

¹⁷ John Wichels, "Centennial Anniversary of Rutherford," Napa County Historical Society, 1979, p.3.

¹⁸ Wichels, supra, at 12,

¹⁹ Ruth Teiser and Catherine Harroun, Winemaking in California, 1983, pp. 83-84, 88.

²⁰ William Ketteringham, The Settlement Geography of the Napa Valley, thesis submitted to the Department of Geography, Stanford University, 1961, p. 106.

recognition of its expanding population,²¹ followed by the Oakville precinct in 1902.

Oakville and Rutherford also were expanding their vineyard plantings and wine production. In Oakville, H.W. Crabb saw his first plantings of 1868 become the core of over 290 vineyard acres by 1880. During that year he produced over 300,000 gallons of wine or approximately 11% of all the wine produced in Napa Valley. Crabb was the largest vintner in Oakville. In Rutherford, the cellars of E.B. Smith and Charles Krug (which eventually became those of Niebaum) produced 76,000 gallons.²²

A directory of the grape growers, wine makers and distillers of Napa County in 1884 is organized according to the following communities: Napa, Oakville, Rutherford, St. Helena, Yountville, Bale Station, Chile's Valley and Brown's Valley. These listings are set forth in Exhibit 8. Exhibit 9 is an excerpt of the 1876 Official Map of Napa County showing the property holdings of some of these early viticulturalists of Oakville and Rutherford.²³ This exhibit also shows the holdings of those Yountville and St. Helena growers who border Oakville and Rutherford.

Exhibits 10 and 11 go one step further in demonstrating the community identities of this period. The additional information on property holdings and community identity is based on historical sketches contained in Illustrations of Napa County, 1878, excerpts of which are set forth in Exhibit 10. Exhibit 11 summarizes the information from both the 1884 Directory (Exhibit 8) and Illustrations of Napa County (Exhibit 10). This summary map helps to identify the community boundaries of Oakville and Rutherford in the late 1800s when these villages were emerging from the shadow of the larger city of St. Helena and town of Yountville. The boundaries closely parallel those proposed in this petition.

Despite the rapid growth of Oakville and Rutherford in the mid- to late-1800s, St. Helena was the acknowledged center of the commercial wine industry of Napa County. Charles Krug, who is described as an internationally renowned pioneer of wine making in Napa Valley, planted his vines and began commercial wine production

²¹ "Board of Supervisors," St. Helena Star, August 4, 1884, p. 1.

²² St. Helena Star, Jan. 21, 1881, p.1.

²³ There is no map showing the property owners of 1884. The 1876 Official Map of Napa County is the closest available.

in St. Helena in 1861.²⁴ His property is shown on Exhibit 6.

The local St. Helena wine organization, known as the St. Helena Viticultural Association, was organized in 1875 with Krug as its President and Crabb as its Vice President.²⁵ The Association of grape growers met at regular intervals to discuss the latest developments in grape culture.²⁶ In 1878, the grape growing areas represented by the Association extended from the Yountville Hills to Mt. St. Helena and thus included Calistoga, Rutherford and Oakville.²⁷ There were 26 wine cellars and six distilleries within this area.²⁸

A society soon was established in Napa, and Krug urged that similar groups be established in Yountville and Calistoga, presumably to better serve the interests of the growers and vintners in those areas.²⁹ In 1887, Krug, then Commissioner of the State Board of Viticulture, continued to promote decentralization by classifying Napa County into 11 grape growing districts: Conn Valley, Spring Mountain, Berryessa, Chiles Valley, Howell Mountain, Calistoga, St. Helena, Rutherford, Oakville, Yountville and Napa.³⁰ We have no means of ascertaining the precise boundaries of these areas, but all the communities of Napa Valley are represented, with the other areas lying in the mountains and outlying valleys.

The development of Oakville and Rutherford as recognized communities and wine centers occurred at the same time as, and perhaps in part because of, the decline of the St. Helena Viticultural Association. The illness and economic difficulties of its founder Charles Krug were contributing factors to the Association's decline. By 1890 one member of the Association

²⁴ Norton King, Napa County -- An Historical Overview, 1967, pp. 51-3.

²⁵ Lyman Palmer, History of Napa and Lake Counties, California, 1881, p. 204.

²⁶ "A Word to Napa Wine Makers and Grape Growers," St. Helena Star, April 29, 1881, p. 1.

²⁷ "The Winegrowers," St. Helena Star, December 3, 1880.

²⁸ Illustrations of Napa County, California with Historical Sketch, 1878, p. 6.

²⁹ "Charles Krug," St. Helena Star, June 17, 1881, p. 1.

³⁰ "Viticulture," Napa Register, December 23, 1887, p. 4.

complained that there had been no meeting of the group since 1888.³¹ At the same time, partly at the urging of Krug himself, Oakville and Rutherford, along with the other communities of Napa Valley, were establishing their own reputations for grapes and wines.

What developed into Oakville and Rutherford, as both villages and grape growing areas, was based largely on the location of Rutherford's, Crabb's and their contemporaries' vineyards and properties. The proposed Oakville and Rutherford viticultural areas pay tribute to these founders and acknowledge the scope of their property holdings and influence.

2. Recognition and Prominence in the Twentieth Century

Following the wine boom of the 1870s and early 1880s, Napa Valley wineries suffered a significant setback as phylloxera set in. Vineyard plantings decreased 83% over a ten-year period, from 18,177 acres in 1890 to 3,000 acres in 1900.³² This period was followed by Prohibition from 1919 to 1933. Surprisingly, planted acreage during Prohibition increased in Napa Valley to keep pace with the burgeoning demand for grapes used to make medicinal, sacramental and home wines, which remained legal. After Prohibition, planted acreage in Napa County remained at around 10,000 acres through the 1960s. Not until the wine renaissance of the 1970s was the acreage total of 1890 surpassed.

Although the period after Prohibition until the early 1970s was relatively stagnant in the wine sector, the community of Rutherford in particular continued to bolster its reputation for quality grapes and wine. Throughout these years, Beaulieu and Inglenook were regular award winners at the California State Fair.³³ In most cases, their wines were not labeled as Rutherford wines, except for Inglenook's Rutherford Red in the 1930s and the BV Rutherford label, introduced with the 1977 vintage. Inglenook

³¹ "Let us commune," St. Helena Star, December 19, 1890.

³² John Manfreda and Richard Mendelson, U.S. Wine Law, 1988, Table 1, p. 5.

³³ The following is an excerpt of a telephone interview by William Heintz with Louis Gomberg, San Francisco, California, September 1987. Mr. Gomberg came to California in 1938 and worked at Wine Institute before forming his own consulting company serving wine industry clients. "[In the late 1930s and 40s] Rutherford was the center of the finest wine producing region in Napa Valley. The very finest wines came from there, primarily from Inglenook and Beaulieu. They won all the awards at the State Fair." According to William Heintz, during the years 1936-38, Inglenook and Beaulieu combined to win 38 of a total of 69 wine awards granted to Napa Valley wineries.

owner John Daniel prided himself on the fact that all of Inglenook's grapes were estate grown on its vineyards in Rutherford, with the sole exception of Daniels's Napa Nook Ranch located south of the Oakville Bench, on land now owned by the John Daniel Society in Yountville.

Because Oakville and Rutherford are not incorporated townships, there are no municipal boundaries on which to rely in delimiting these areas. Indeed, they are not definable by one means only. In the sub-sections which follow, we examine various current evidence bearing on the parameters of these communities. Commercial and public sector uses of the community names are particularly relevant in establishing the boundaries of the Oakville and Rutherford viticultural areas. Postal and telephone service areas, also discussed below, are less relevant in terms of precise boundaries but do attest to consumer recognition of Oakville and Rutherford as distinct and separate communities. These items of evidence are summarized at Exhibit 12. This summary exhibit, entitled Community Identity of Oakville and Rutherford, helps to confirm the boundaries proposed in this petition.

a. Commercial Uses of Community Names

Many businesses refer directly to the community in which they are located as part of their business or product names. This is true in the wine sector, in the case of winery brand and trade names and vineyard designations, as well as in other commercial endeavors. Such self-identification over the years has helped to establish informal boundaries of Oakville and Rutherford. These uses are summarized at Exhibit 12.

It is worth noting that there are three wineries whose brand names refer directly to Rutherford -- Rutherford Hill, Rutherford Vintners and Round Hill Winery's Rutherford Ranch Brand. All three wineries are located in the proposed Rutherford viticultural area.

b. Public Services and Landmarks

Oakville and Rutherford receive most of their public services from the County of Napa. The County, for example, creates and administers voting districts, solid waste disposal zones, fire response districts and school districts. In most cases, the county's service areas are much larger than the individual communities. For example, Oakville and Rutherford residents are part of either the Napa or St. Helena school districts. The Napa district, known officially as the Napa Valley Unified School District, extends south to the city of Napa, and the St. Helena Unified School District extends to around Bale Lane north of the city of St. Helena. The two school districts meet north of the town of Yountville.

There are certain public uses of community names which are

relevant to community identity and name recognition. The Oakville and Rutherford Crossroads are the most notable examples, along with the villages' respective post offices. The location of these public places is noted in the Community Identity map.

c. Wine Press

As the wine maps of Exhibit 3 illustrate, the six communities along the floor of the Napa Valley are prominent in press accounts of Napa Valley's vineyards and wines. In the chapter on "Wine Geography" in The Connoisseurs' Handbook of California Wines, authors Charles Olken, Earl Singer and Norman Roby include the following entries:

Napa Valley (Napa) . . . Over 20 major subareas have been identified within the Napa Valley; 12 are already important for viticulture and are described in the adjoining pages (see Calistoga, Los Carneros, Napa, Stag's Leap, Rutherford, St. Helena, Yountville, Spring Mountain, Mount Veeder, Silverado Trail, Oakville, and Pope Valley. . . .

Oakville (Napa) Situated in the southern end of the Napa Valley, halfway between Yountville and Rutherford, this way station is the home of several wineries (foremost among them the Robert Mondavi Winery) and adjoins some of the Napa Valley's best Cabernet growing turf. The superb Martha's Vineyard produced by Heitz Cellars and a substantial portion of the Robert Mondavi Cabernet vineyards are in Oakville, along the western edge of the valley floor. Other wineries in the area are Villa Mt. Eden and an Inglenook production and bottling plant.

Rutherford (Napa) Small community located in south-central Napa Valley between Oakville and St. Helena in a temperate Region II climate. . . . The area is home for many important wineries - Beaulieu, Inglenook, Caymus, Rutherford Hill. . . .³⁴

The Wine Spectator also refers to the communities of Napa Valley as grape growing areas. In a recent article entitled "Who Owns Napa Valley?" author James Laube described the vineyard holdings of certain major Napa Valley wineries as follows:

Robert Mondavi . . . Great Cabernet and Chardonnay holdings in Oakville and Stags Leap, plus 480 new unplanted acres in Carneros for Chardonnay and Pinot Noir.

³⁴ Charles Olken, Earl Singer and Norman Roby, The Connoisseurs' Handbook of California Wines, 1984, pp. 50, 51, 53.

Beaulieu . . . Largest Napa Valley Cabernet producer, with key Rutherford area grapes; also strong in Carneros Chardonnay and Pinot Noir.

Beringer . . . Excellent Chardonnay vineyards near Yountville-Oakville area; fine Cabernet sites too.

Domaine Chandon . . . Key Pinot Noir and Chardonnay in cooler Yountville-Napa area and Carneros are ideal.³⁵

Friends of Wine, in a May 1984 article on Napa Valley in a section entitled "Napa Winery Profiles: The Quest for Site" organized Napa Valley wineries into the following regions: Carneros, Yountville, Mayacamas, Stags' Leap on Silverado Trail, Oakville, Rutherford, St. Helena and Calistoga.³⁶

Finally, at least one wine map, "Wine Country Map of the North Bay Counties, 1986," has published boundaries for the St. Helena area which confirm our northern border for Rutherford along Zinfandel Lane (Exhibit 13). This map even includes a street index which has Zinfandel Lane as the southernmost street within St. Helena.

d. Postal Service

There are 10 post offices in Napa County: two offices in the city of Napa and one each in Yountville, Oakville, Rutherford, St. Helena, Calistoga, Pope Valley, Deer Park and Angwin. These represent the cities, town and villages of Napa Valley, two areas in the Vaca Range and one in the outlying valleys.

Oakville and Rutherford have separate zip codes as well as separate post offices. The zip codes, which are 94562 and 94573, respectively, do not apply to physically bounded areas of these communities. (See Exhibit 14 which shows the zip codes within Napa Valley.) Rather the zip codes for Oakville and Rutherford apply to the post offices themselves, located along Highway 29 at the corners of Oakville and Rutherford Crossroads, respectively. Anyone may select a post office box at the Oakville or Rutherford Post Office without proof of residency. There is no physical delivery of mail from these offices.

The Yountville Post Office delivers mail within the town limits

³⁵ James Laube, "Who Owns Napa Valley?" The Wine Spectator, November 15, 1988, p. 38.

³⁶ Ron Fonte, Jonathan Lesser and Penelope Wisner, "American Wines: Napa as Symbol of Revolution," Friends of Wine, May 1984, pp. 31-40.

of Yountville and, outside the town limits, along the Yountville Crossroad and State Lane. By contrast, Oakville and Rutherford residents receive their mail either from a post office box or, in certain locations, directly from the Napa or St. Helena post offices. As shown on Exhibit 15, the city of Napa is responsible for physical delivery of mail as far north as the Rutherford Crossroad along Highway 29, the Silverado Trail, among other roads. The St. Helena rural delivery route picks up where the Napa route leaves off, extending below the city limits to the Rutherford Crossroad. Those individuals in Oakville and Rutherford who are not located along Highway 29, the Silverado Trail or certain other key roads served by the Napa and St. Helena post offices must either place a mailbox along these roads or forego direct postal delivery.

In this regard, it should be noted that, in the final rule establishing the Temecula viticultural area, ATF concluded that postal delivery is not highly relevant evidence.

Evidence of postal delivery is inconclusive since only part of the area receives home postal delivery. . . . ATF recognizes . . . that service areas established by the U.S. Postal Service are based exclusively on the efficient handling of the mail, and may not always be appropriate for determining the boundaries of local place names.³⁷

Because of ATF's position, which we believe is correct, the Community Identity map only shows the locations of the Oakville and Rutherford post offices and of the physical delivery route for the town of Yountville.

e. Bonded Winery Address

Within the Oakville and Rutherford viticultural areas there are 44 bonded wineries, the locations of which are indicated on Exhibit 16. The bonded winery (BW) addresses, listed at Exhibit 17, follow the community boundaries, with several exceptions at the northern border of Rutherford (Conn Creek, Louis Corthay, Napa-Beaucanon, Raymond, Sutter Home and Whitehall Lane, which have St. Helena addresses) and one exception along the Silverado Trail in Rutherford (ZD, which has a Napa address). These exceptions apparently relate to the fact that these wineries have their mail delivered directly from the St. Helena or Napa post offices and do not maintain post office boxes in Oakville or Rutherford.

While these BW addresses generally substantiate the boundaries proposed in the petition (with the exceptions noted above), we do not believe that BW addresses alone should determine the boundaries

³⁷ 49 Fed. Reg. 42564, October 23, 1984.

of viticultural areas. If necessary, ATF could require or permit changes in BW addresses so as to conform to the viticultural area boundaries after the viticultural areas have been established.

f. Telephone Service

Post offices figure into the picture in another way. If a community has (or had) an established post office, it is viewed by Pacific Bell as a telephone community. Oakville and Rutherford are both listed in the Napa Valley telephone book as communities, along with (alphabetically listed) Aetna Springs, Angwin, Calistoga, Deer Park, Imola, Knights Valley, Lake Berryessa, Mt. St. Helena, Napa, Pope Valley, St. Helena, Spanish Flat, Veterans Home and Yountville.

Neither Oakville nor Rutherford, however, has its own telephone exchange. Like the postal delivery system, the telephone exchanges of the incorporated cities to the north and south extend into the unincorporated areas. The approximate area of separation between the St. Helena and Yountville telephone exchanges occurs south of Rutherford Crossroad on the east side of State Highway 29 and south of Oakville Crossroad on the west side of State Highway 29. North of these boundaries, residential and business phone numbers begin with the St. Helena prefix (963). South of the boundaries, the Yountville prefix (944) is utilized. The location of these boundaries is based on the location and accessibility of existing cables and not upon strictly geographic features.

g. Summary of Community Identity

Exhibit 12, entitled Community Identity of Oakville and Rutherford, summarizes the diverse set of variables which contribute to the modern identity of these communities of Napa Valley.

B. Geographic and Viticultural Distinctiveness

1. Geographic Setting and Topography

Napa Valley can be divided into a group of distinct topographical areas: the lowland Napa River valley between the Mayacamas and Vaca Ranges; the mountains themselves; and the intermontane, eastern portions of the county beyond the watershed of the Napa River (Exhibit 2). The elevational differences and relief between these areas are pronounced and influence all aspects of the region's physical geography (climate, geomorphology, hydrology, soils and vegetation). For example, a west-to-east transect running through the middle of the Rutherford viticultural area and extending beyond its boundaries on both west and east reveals that elevations vary from around 2,150 feet near the crest of the Mayacamas Range at the Napa-Sonoma county line to around 140 feet on the valley floor to approximately 2,650 feet at Atlas Peak

in the Vaca Range. Elevations in the intermontane valleys along this transect extend to around 1,000 feet in Capell Valley. As federal meteorologist Ronald Hamilton wrote in a document presented during the Napa Valley viticultural area proceeding, "(I)n terms of elevation, we have a generally low elevation area in the Valley, a higher elevation to the east and west of the Valley, and a mid-plateau elevation over the eastern portion of the County."³⁸

As mentioned earlier in the petition, the floor of the Napa Valley is 25 miles in length south to north and between one and four miles wide. Traversing the entire length of the valley is the Napa River, which commences north of Calistoga and drains into San Pablo Bay. Along its course through the valley, the river elevation drops from around 380 feet near the city of Calistoga to around 20 feet near the city of Napa. The gently sloping valley floor, however, is interrupted by numerous bedrock outcrops which form isolated hills. The Yountville Hills are the highest of these "bedrock islands" and have influenced the geographic evolution of the Oakville and Oakville Bench viticultural areas. In other places, the valley floor features broad alluvial fans extending toward the center of the valley from mountain streams which serve as tributaries to the Napa River. Two distinct fan complexes, discussed in Section III of this petition, help define the proposed Rutherford Bench and Oakville Bench viticultural areas.

Two fundamental geographic distinctions within Napa Valley are particularly relevant to the delimitation of the Oakville and Rutherford viticultural areas: on the east-west axis, mountain versus valley floor, delineating the valley floor viticultural environments; and on the north-south axis, mesoclimatic differences as the result of decreasing maritime incursion into the valley.

These distinctions, which are examined in greater detail below, can be integrated with the community identity of Oakville and Rutherford (and the other communities of Napa Valley) to provide consumers with meaningful and distinctive reference points concerning the viticulture of Napa Valley. To use an artist's expression, these distinctions represent the broad brush strokes which provide the framework or setting for the work of art. From the perspective of a wine consumer, such basic geographic distinctions offer a useful introduction to the complexity of viticulture in Napa Valley.

2. Climate

The major climatic difference between the watershed area of Napa Valley and the outlying valleys is the maritime nature of the

³⁸ Ronald Hamilton, "General Weather and Climatic Differences of Napa County," 1980, submitted with original petition for Napa Valley viticultural area.

former. Whereas the valley as defined by the watershed area is classified as a coastal valley, the outlying valleys are considered interior or inland valleys, representing a different climatic type. This is well evidenced by the vegetation, the distribution of which is primarily controlled by climate. Moderate to high elevations in the interior valleys are covered by chamise chaparral and other plant communities tolerant of summer drought and heat. At these same elevations in the Napa Valley river drainage, mixed forests of douglas fir, oak, madrone and coastal redwood dominate. Bedrock geology and soils act as secondary influences controlling these vegetation distributions.

High elevation, mountainous regions within Napa Valley experience shorter growing seasons (though they may extend longer into early autumn), fewer degree days, lower daily maximum temperatures during the growing season, less fog, increased solar radiation and increased precipitation. These conditions affect the time of wine grape harvest. In the mountainous areas, desirable acid-sugar levels often are reached much after the harvest on the valley floor. In some mountain settings, with small intermontane basins, local cold air drainage may result in marginal conditions for wine grape production. Wild Horse Valley is an example of this, with its climate buffeted by strong winds off San Pablo Bay.

Along the valley floor from Napa to Calistoga, there are pronounced mesoclimatic variations which relate to the penetration of marine influences from San Pablo Bay and, to a lesser extent, to the rise in elevation as one proceeds up valley. These variations are demonstrated in Exhibit 18, produced by the Cooperative Extension at the University of California, and are discussed in petitioners' weather report (Attachment A).

A mesoclimate is a subdivision of a macroclimate. California's Mediterranean climate is considered a macroclimate. Napa Valley's mesoclimates refer to modifications of this macroclimate due to altitude/elevation or distance from the nearest ocean or continentality. Because of the diminution of marine influences as one travels up valley, the northern regions of the valley are characterized by much warmer summers and significantly colder and wetter winters than in the south. That is, summer temperatures and total precipitation increase as one travels north. Summer days down valley often are cool, foggy and breezy. The fog usually dissipates early in the day, clearing first to the north and progressing southward to the bay.

Altitudinal variation also affects temperature distribution. The lower, southern troughs of the valley experience the lowest winter temperatures along the valley floor. As the elevation rises up valley, temperatures also rise, between 1.5 and 2.8 degrees Fahrenheit for each 500 feet.

As a result of these mesoclimatic trends along the valley

floor, wine writers often speak of different climate regions within Napa Valley. The following excerpt from William Masee's Guide to the Wines of America is illustrative of the association of community names with mesoclimatic variations in Napa Valley.

[In the Carneros area] there is a tempering influence from the northern round of bay, San Pablo, a receptacle for rivers - the Sacramento and San Joaquin, the Petaluma and Napa - and many creeks. Cool air currents sweep down from the mountain and in from the ocean, bringing fog. It is a cool Region One,

Around Yountville, it is about one and a half - you can often see the fog line in the morning that marks the difference. Near Oakville, it is a cool Region Two, where Beaulieu grows its Johannisberg Riesling, up behind Bob Mondavi. Rutherford is a solid Region Two but it is warmer in Vineyard No. 3, to the east, because it gets the late sun. Up around Calistoga, it is Region Three.³⁹

Although viticultural area boundaries cannot be drawn on the basis of climate alone, the proposed Oakville viticultural area is cooler than the proposed Rutherford viticultural area. The incursion of fog is especially more pronounced at the southern end of the Oakville area. Our proposed southern boundary follows the elevation and hydrologic divide west of the Yountville Hills and the crest of Rector Canyon fan, along Rector Creek, east of the Yountville Hills. Rector Creek converges with Conn Creek and the Napa River at the southern end of the Oakville viticultural area.

Within this general mesoclimatic context, local relief or topoclimate is significant in determining diurnal temperature patterns within the Oakville and Rutherford viticultural areas. Topoclimate refers to a subdivision of mesoclimates influenced by topography, which may be elevational, topographic blocking by a barrier, or a change in slope or aspect. These topoclimatic variations are discussed more fully in the sections covering the proposed Oakville Bench and Rutherford Bench viticultural areas.

In sum, as opposed to many mountain settings of Napa Valley, the central portion of the valley floor, proposed here as the Oakville and Rutherford viticultural areas, offers desirable climatic conditions for the production of a wide variety of wine grapes. Considerable acreage is planted to several varieties, including Cabernet Sauvignon, Chardonnay, Sauvignon Blanc, among others, throughout this region, yielding consistently high quality wines.

³⁹ William Masee, Masee's Guide to Wines of America, 1974, pp. 46, 66,

3. Geological History

Geological history is an important factor in shaping Napa Valley viticultural environments. Napa Valley is largely a synclinal (down-folded) valley of Cenozoic age. Faulting (accompanied by minor folding) throughout the valley later resulted in the formation of bedrock "islands" (outcrops) across the valley floor. These rock islands have been modified during the last million years through erosion by the Napa River, its tributaries and other erosional slope processes. Sections of the old Napa River channel are still visible here and there in the valley, including in several places within the proposed Oakville and Rutherford viticultural areas.

In this central portion of the valley, much of the old river channel and its alluvial sediments have been buried by more recent Napa River floodplain sediments, but they principally have been covered by alluvial fans emerging from the mountain streams on the western (Rutherford Bench and Oakville Bench fans) and eastern (Conn and Rector Canyon fans) sides of the valley. The age and size of these fan surfaces are a function of climatic change, basin lithology and structure, and basin size, all of which vary among these four major drainage basins, accounting for differences in these fan surfaces.

Generally speaking, the western valley fans are dominated by marine sedimentary lithologies and the eastern fans by volcanic lithologies. However, important north-south differences also are present. The northern fans (Rutherford Bench and Conn Creek) are the larger geomorphic features, have more significantly controlled the course of the Napa River through time, and are geologically more diverse. Both these fans have minor inputs of most of the major rock types found in the valley (volcanics, chert and other metamorphics, serpentine and sedimentary rocks) and are thus unique in their geologic diversity. These geologic features of Oakville, Rutherford, Oakville Bench and Rutherford Bench are examined in greater detail in Section III, below, and in the accompanying report of Thomas Anderson, Professor of Geology, Sonoma State University (Attachment B).

4. Geomorphology, Hydrology and Soils

The occurrence of specific soil types can be related to topography in Napa Valley, as topography is one of the five variables that controls soil formation. In many of its viticultural area decisions, both within the Napa Valley and elsewhere, ATF has distinguished valley from mountain in setting viticultural area boundaries. Examples within the Napa Valley, cited previously, include Napa Valley-Carneros, Mt. Veeder and Stags Leap District. Another example outside of Napa Valley is Lime Kiln Valley in San Benito County, where ATF excluded the

mountainous area which is presently the subject of a separate petition (the proposed Mt. Harlan viticultural area). ATF's rationale has been that the different topographical features affect the areas' respective soils and climate.

The Soil Survey of Napa County, California [hereinafter Soil Survey], published by the U.S. Department of Agriculture Soil Conservation Service in 1978, divides the 11 soil associations of Napa County into two general categories: lowland depositional soils, which account for four of the 11 soil associations and are found on alluvial fans, flood plains, valleys and terraces; and upland residual soils, which account for the remaining seven soil associations on bedrock and colluvially-mantled slopes.⁴⁰ Exhibit 19 is the "General Soil Map" from the Soil Survey which shows the location of these upland and lowland soils. This map as well as the text of the Soil Survey show that the lowland-upland soil break occurs at around the 500-foot elevation.⁴¹ We use this same elevation line to differentiate the Oakville and Rutherford viticultural areas from the mountains to the east and west.

Soils and geomorphic mapping should go hand in hand, as soils usually are mapped according to geomorphic surfaces or units. Within the valley floor area of Napa Valley, there are both alluvial fans and river deposits. The size and location of these fans, their (dis)similarity in terms of geologic parent material and soils, and the course of the Napa River and other drainage systems can help to establish viticultural area boundaries on the valley floor. For example, north of Rutherford is a massive fan emanating from the Sulphur Canyon drainage system in the Mayacamas Range. This fan sweeps across the valley floor in St. Helena from west to east and lies generally north of Zinfandel Lane. Pleasanton loam soils predominate. The Rutherford Bench and Conn Creek fans south of Zinfandel Lane push against the Sulphur Canyon fan from the south. Although the point of convergence of these three fans does not lie along a straight line, Zinfandel Lane does serve to separate these areas. As one proceeds down valley, Zinfandel Lane also marks the widening of the valley floor, which continues until the appearance of the Yountville Hills at the southern end of Oakville.

The distinctions between alluvial fan surfaces and soils in the proposed viticultural areas are explored more fully in the accompanying soils report by Deborah Elliott-Fisk, Associate

⁴⁰ U.S.D.A. Soil Conservation Service, Soil Survey of Napa County, California, 1978.

⁴¹ According to the Soil Survey, "These [lowland] soils are well drained to poorly drained loams to clays that formed in alluvium from sedimentary and igneous rocks. Elevation ranges from slightly below sea level to 500 feet." Id. at 2.

Professor of Geography at the University of California, Davis (Attachment C).

C. Specific Boundaries

Because the Oakville and Rutherford viticultural areas are densely planted, we have endeavored to utilize boundaries which are evident on the ground as well as on U.S.G.S. maps. Our starting premise has been to rely on natural boundaries. However, we also are aware of the need for the boundaries to be administrable. Where a natural boundary is difficult to find on the ground, divides too many properties or where there is a well-known historical boundary nearby, we utilize the more obvious boundary line. This is true for all four viticultural areas petitioned for herein. Enclosed for reference purposes is a property map (Attachment D) which shows the proposed boundaries of the viticultural areas. The boundaries also are shown on U.S.G.S. maps at Attachment E.

The appropriate maps for determining the boundaries of the Oakville and Rutherford viticultural areas are two U.S.G.S. 7.5' series quadrangle maps entitled "Rutherford" and "Yountville." The point of beginning for the description of both viticultural areas is the point where the county road known as the Silverado Trail intersects Skellenger Lane, just outside the southwest corner of Section 12, Township 7 North, Range 5 West of the Yountville quadrangle.

1. Oakville Viticultural Area

1) From the point of beginning, proceed west in a straight line approximately 1.7 miles along Skellenger Lane, past its intersection with Conn Creek Road, to the point of intersection with the main channel of the Napa River.

2) From this point, continue south along the center of the river bed approximately .4 miles to the point where an unnamed stream drains into the Napa River from the west.

3) Follow said stream in a general northwesterly direction past its intersection with State Highway 29 and then paralleling an unnamed road which enters State Highway 29 from the west.

4) At the point at which the unnamed road ends, proceed in a straight line along a drainage channel (not shown on the map) a total of 4,035 feet from Silverado Trail. Turn south (S40° 31' 42"E) and continue to follow the drainage channel 510 feet around Assessor's Parcel Number 27-01-14, then proceed west in a straight line paralleling the unnamed road to the 500-foot contour of the Mayacamas Range in the southwestern corner of Section 21, T.7N., R.5W.

↓ Highway 29?

5) Proceed along the 500-foot contour southeasterly through Sections 21, 28, 29, 20, 33 and 34 of T.7N., R.5W. and Section 3 of T.6N., R.5W. to its intersection with the unnamed stream known locally as Hopper Creek near the middle of Section 3.

6) Follow said stream southeasterly and, at the fork in Section 3, northeasterly to its intersection with the unnamed dirt road in the northwest corner of Section 2, T.6N., R.5W.

7) Proceed in a straight line to the light duty road to the immediate northeast in Section 2, then along said road northeasterly to the point at which the road turns 90 degrees to the left.

8) Follow the light duty road 625 feet, then proceed northeasterly (N40° 43'E) in a straight line 1,350 feet, along the northern property line of Assessor's Parcel Number 27-38-08, to State Highway 29, then in a straight line to the peak of the 320+ foot hill along the western edge of the Yountville Hills.

9) Proceed due east to the 300-foot contour, then follow that contour line around the Yountville Hills to the north to the eastern edge of the Rutherford quadrangle.

10) Proceed northeasterly (N27° 00'E) past the Napa River, then along a fence line (not shown on the map) which coincides in part with an unimproved dirt road, to the intersection of Conn Creek and Rector Creek, then along Rector Creek to the east past Silverado Trail to its point of entry to Rector Reservoir. *→ northeast*

11) Proceed due north to the 500-foot contour and along that contour northwesterly through Sections 19, 24, 13 and 18 to the intersection of the contour line and the southern border of Section 12 in T.7N, R.5W, then in a straight line to the point of beginning.

2. Rutherford Viticultural Area

From the same point of beginning, follow the boundaries set forth in numbers one through four above for the Oakville viticultural area and continue as follows:

5) Proceed along the 500-foot contour in a northwesterly direction in T.7N., R.5W. through Sections 21, 20, 17 and 18 to the center of Section 7 where the 500-foot contour intersects the land grant line, thence in a straight line to the end of the county road (Zinfandel Avenue, known locally as Zinfandel Lane) near the 201-foot elevation marker.

6) Continue northeasterly along Zinfandel Lane approximately 2.75 miles to the intersection of that road and Silverado Trail, then northeasterly along the continuation of that road to the 380-foot *.20 22*

contour.

7) Follow the 380-foot contour southeasterly through Section 33 to the western border of Section 34, T.8N., R.5W., then follow that section line north to the 500-foot elevation.

8) Follow the 500-foot contour southeasterly to the western border of Section 2, T.7N., R.5W, then south along that section line past Conn Creek to its intersection with the 500-foot contour northwest of the unnamed 832-foot peak.

9) Continue southeasterly along the 500-foot contour through Sections 3, 2, 11 and 12 to the intersection of that contour with the southern border of Section 12.

10) From that point proceed in a straight line to the point of beginning.

III. Oakville Bench and Rutherford Bench

A. Name Identification and Boundary Support

1. Historical Genesis

Unlike the communities of the Napa Valley which are historical reference points, both in terms of the individuals who founded or named them (such as Rutherford) and as physical landmarks (train stations, post offices, businesses) which bear the community name, Oakville Bench and Rutherford Bench are more modern creations which are specific to the world of wine. These designations already indicate grape origin to many consumers.

Although the term bench has a precise geomorphologic definition, set forth below, our historical research indicates that its first use in Oakville and Rutherford may not have been as a scientific term. John Wichels, who was born in Yountville over 80 years ago and who is a noted local historian, recalls that when he was a young man, friends used to exclaim, "We're going hunting today up at the benches." According to Mr. Wichels, they were referring to the relatively flat, accessible and grassy clearings, often near creeks, in the hills west of Oakville and Rutherford. Mr. Wichels notes that the benches are not found farther south than Hopper Creek because Hopper Canyon is too densely forested.⁴²

Duncan Campbell, who was born in the hills west of Oakville, believes his grandfather originated the term bench back in the mid to late nineteenth century. Duncan used to be sent by his father "down to the benches" to herd the milk cows back to the farm.

⁴² Conversations with John Wichels, February 1989.

Charles Varozza of St. Helena recalls the benches equally well from his childhood. He knows most of the benches because he has hunted them for many decades. His grandfather settled on Spring Mountain at the turn of the century, and the family still owns lands on Cole Flat in the Mayacamas Range.

The term benches means small mountain meadows, what to a mountaineer would be flat land. The benches themselves come in to the toe of the valley and go back in to where the steep parts of the hills come in. . . .

It was something my Dad used on me, when I first started hunting. He would say "You take the Kennedy bench." Each one of these property owners had their pet bench. . . .

On the other side of the valley, all those people, who spoke English, like up in Chiles Valley, they have never used the word. I do not know why. My only recollection is that it is not an uncommon word. My Dad used it in both English and the Italian-Swiss dialect [which he spoke]. I don't know who else used the word.⁴³

Mr. Varozza identified Cole Flat, Campbell Flat and the area behind Bella Oak Mine as benches. He stated that the people on the eastern side of the valley never used the term bench.

Finally, Keith Bowers, who worked in the Oakville area for 35 years, first as Superintendent of the Oakville Experimental Station and then as Extension Advisor for the University of California, recalls that the benches up in the hills were favorite hunting spots. "They did call those benches, I guess."⁴⁴

Many old-timers have never heard the word "bench." Nevertheless, it is possible that the local hunting term, which has now all but died out, transmogrified into a viticultural term. Just as in Stags Leap District where a local name for a rocky promontory took on a larger regional (and specifically viticultural) meaning over time, the joint usage of the word Bench and community name where the benches are found may have evolved over time or, perhaps more likely, may have been coined in a flash by a clever wine publicist.

⁴³ Excerpted from transcript of taped interview by William Heintz of Charles Varozza, St. Helena, California, September 4, 1987.

⁴⁴ William Heintz telephone interview with Keith Bowers, Napa, California, September 14, 1987.

Whatever its genesis, the Bench designation has now firmly taken hold. This is despite the fact that a classic geomorphologic bench does not exist in the western foothills. A bench is defined by the American Geological Institute as follows:

A strip of relatively level earth or rock, raised and narrow. A small terrace or comparatively level platform breaking the continuity of a declivity.⁴⁵

Classic benches would include river or marine terraces, such as those found along Putah Creek in Napa County or along the Sonoma Coast. While in this case we do not have textbook examples of benches, Oakville Bench and Rutherford Bench are gently sloping alluvial fan surfaces which generally stand above the level of the Napa River floodplain.

2. Modern Uses

We have been unable to pinpoint the first modern use of Oakville Bench or Rutherford Bench in reference to grapes and wine. Andre Tchelistcheff has taken credit for coining the term "Rutherford dust" (but not Rutherford Bench) to describe the aromatic and sensory qualities of the great Inglenook and Beaulieu wines.⁴⁶ Connoisseurs' Guide also referred to the West Rutherford Bench in its January-February 1977 issue.⁴⁷

However and whenever the term entered into our wine parlance, it is now referred to routinely by wine writers and wine consumers. For example, The Connoisseurs' Handbook of California Wines includes the following information under Rutherford in its "Wine Geography" section:

Heat-retaining soils keep the hillsides warm; high clay content along the valley floor near Napa River and Conn Creek provides cooler growing conditions. The area ... yields exceptional (up to ***) Cabernet Sauvignon along benchlands at the western edge and also from scattered sites across the valley floor.... West Rutherford (Benchlands) should become an appellation of origin recognized for its superb Cabernet Sauvignon in the next

⁴⁵ American Geological Institute, Dictionary of Geological Terms, 1962, p. 48.

⁴⁶ James Laube, "The Rutherford Bench: Vintners Debate Who's in Napa's Medoc," The Wine Spectator, July 15, 1987, p. 15.

⁴⁷ "Napa Valley Appellations," Connoisseurs' Guide, January-February 1977, vol. 3, issue 1, p. 10.

decade.⁴⁸

Yet there is no consensus on the name of the area or its exact location. Most commentators refer to the area as Rutherford Bench, encompassing our proposed Rutherford Bench and Oakville Bench viticultural areas. Some commentators refer to the area as Rutherford-Oakville Bench, and others follow our lead in separating these viticultural areas into Rutherford Bench and Oakville Bench. Examples of these various name references are set forth in Exhibit 20.

The best-known attempts to define the Bench areas are those of authors Hugh Johnson and Jancis Robinson and of winemaker Andre Tchelistcheff. They each refer to the area as the Rutherford Bench.

Regarding the northern boundary, Tchelistcheff is the most expansive and uses Zinfandel Lane as the northern border. Ben Giliberti of The Washington Post apparently agrees with this boundary, as evidenced by his statement that Flora Springs Winery is "located on the northern edge of the Rutherford Bench."⁴⁹ Johnson and Robinson are more restrictive and do not go north of Bale Slough, which is a boggy area characterized by serpentine soils which do not favor vineyard growth.

Tchelistcheff and Robinson agree that the eastern boundary of the Bench is the Napa River. Johnson again is more restrictive and uses Highway 29 as the eastern boundary. In the south, Tchelistcheff refers simply to Yountville, while Johnson and Robinson stop at Dwyer Road. Finally, to the west Johnson and Robinson proceed to the toeslopes of the Mayacamas Range. Tchelistcheff refers simply to Mount St. John.

Unlike the designation Stags Leap District, which several vintners had used on wine labels prior to the establishment of ATF's appellation regulations, Oakville Bench and Rutherford Bench have been used very rarely on labels. There is one example of an Oakville Bench label designation (Monticello Cellars, Napa Valley, Cabernet Sauvignon, Corley Reserve 1984, shown at Exhibit 20). Those grapes came from Grgich's vineyard just south of our proposed Oakville Bench viticultural area (see Attachment D).

Because of the geographic distinctiveness between Oakville Bench and Rutherford Bench, discussed below, and by virtue of these areas' ties to the larger Rutherford and Oakville areas, we have petitioned for separate Bench areas, modified by the name of the

⁴⁸ Olken, Singer and Roby, supra at 53.

⁴⁹ Ben Giliberti, "West Coast Tastes Come East," The Washington Post, June 10, 1987.

community in which they are located and of which they form an integral part. To do otherwise would be to ignore the geographic evidence and to mislead and confuse consumers as to the location of these viticultural areas.

Although the history of Oakville Bench and Rutherford Bench is not nearly so long or prominent as that of Oakville and Rutherford, these areas do have a broad consumer following based on the excellence of their grapes and wines, particularly Cabernet Sauvignon. This renown relates to the fact that these areas are particularly distinguished geographically and viticulturally. The geographic and viticultural features of Oakville Bench and Rutherford Bench are discussed below.

B. Geographic and Viticultural Distinctiveness

1. Topography and Geographical Setting

Oakville Bench and Rutherford Bench are large Quaternary alluvial fans which emanate from western tributaries of the Napa River along the east-central Mayacamas Range. They have formed as these tributaries have migrated across the valley floor through time. These fans extend from the mountain-valley slope break to the Napa River, where they interfinger with Napa River flood deposits. The gradients of these fans are relatively gentle and in general less than 2% in slope.

The sediments which compose the fans vary from fine clays and silts derived directly from the sedimentary parent bedrock to cobble size-fragments. Well-sorted deposits are indicative of deposition with running water, whereas poorly-sorted deposits (most often scattered pebbles and cobbles in a finer matrix) are mudflows or debris flows.

The Rutherford Bench is a single, large alluvial fan deriving largely from the Bear Canyon creek watershed west of the community of Rutherford, with contributions along its southern edge from the watershed of an unnamed stream immediately east of Mt. St. John. The convex contour lines on this fan extend clear to the Napa River, suggesting that Bear Canyon creek and the small tributary to the south have produced more deposition of sediments in recent times than the Napa River could transport.

The Oakville Bench is an alluvial fan complex formed from six small streams flowing out of the Mayacamas Range south of Mt. St. John. This fan is thus comprised of several coalescing fans whose gentle gradient is nearly identical to that of the Rutherford Bench fan. These two fans, which help to differentiate Oakville Bench and Rutherford Bench, meet south of Bella Oaks Lane along a stream which flows into the Napa River.

To the east, both fans are bounded by the Napa River and the

generally lower-lying areas east thereof. As shown in Exhibit 21, which tracks the slope along an east-west gradient from the mouth of Bear Canyon to the hills east of Skellenger Lane, there is little, if any, slope east of the Napa River to the Silverado Trail along the valley floor. This profile demonstrates the clear topographic distinction between the alluvial fans (or benches) versus the flatness that reigns over much of the area east of the Napa River.

To the south, the Oakville Bench is bounded by a depositional ridge which lies along the area's proposed southern boundary, projecting perpendicularly across the valley towards the Yountville Hills. This ridge is located at the narrowest point between the Yountville Hills and the Mayacamas Range. To the north of this ridge, streams drain towards the northeast, and to the south of this ridge streams drain to the southeast. The ridge (at an overall elevation of around 200 feet) thus functions as a drainage divide. Its most probable origin is as a sand spit which projected from the Mayacamas Range during a time of higher sea level in the Quaternary, when San Pablo Bay extended north up Napa Valley. It also is conceivably a debris flow levee issuing from the canyon above. Future sedimentological studies will allow determination of which landform it truly is.

To the north, there are various forks of Bale Slough which serve as potential boundaries of the Rutherford Bench fan. (The importance of Bale Slough as an hydrologic feature is discussed in the following sub-section.) We have chosen to capture the characteristic Rutherford Bench soil toposequence (Perkins soils on the toeslopes and Bale loam soils on the larger fan structures) as well as the historical limits of Rutherford Bench by relying in part on roads (Whitehall, Gamay and Zinfandel Lanes) to define our northern boundary.

2. Geomorphology and Hydrology

The topography of the Oakville Bench and Rutherford Bench fans, discussed above, is relevant to the geomorphology and hydrology of these viticultural areas. These surfaces are classic alluvial fans, distinct from one another. As noted by Professor Elliott-Fisk in her attached soil report, fans generally form from shattered, well-bedded sandstone and their deposits are high in gravels (coarser pebbles and cobbles). As such, the soils on the fans are gravelly to very gravelly stratified soils that are generally very well drained, with pockets where clay has formed a durapan beneath the surface.

These fans feed the Napa River principally through groundwater flow, especially as the fan deposits fine and decrease in thickness towards the river. Additionally, a number of small streams radiate outward from their mountain source across the fan surface and feed this flow to the Napa River.

The occurrence of the Bale Slough, which defines in part the northern boundary of Rutherford Bench, is one of the important hydrological features of Napa Valley. It is probably the result of the convergence of three very large fans issuing from important stream basins at this point. These are the Rutherford Bench fan approaching from the southwest, the Sulphur Canyon fan approaching from the northwest and the Conn Creek (Lake Hennessey) fan from the east-southeast. This stream convergence leads to a decrease in streamflow velocity and the deposition of fines (that is, all components of the stream's load). A lake likely existed at one time in geologic history at this site. A small percentage of sediments in the Slough are fine particles (principally clays) derived from serpentine bedrock above the north edge of the Rutherford Bench fan, which also induces water-logging here.

3. Climate

In the climate section for Oakville and Rutherford, we discussed the climatic distinctiveness of the valley floor compared to the adjacent Vaca and Mayacamas Ranges. We also described the general increase in degree day totals and precipitation as one moves up valley. These mesoclimatic differences, which help to distinguish Oakville from Rutherford, also are relevant to the distinction between Oakville Bench and Rutherford Bench.

Within the general mesoclimates of the Oakville and Rutherford viticultural areas, topoclimatic distinctions are more difficult to measure. The data required for such an analysis include temperature, precipitation, wind direction and speed, humidity, evaporation and solar radiation. We would expect the topoclimates of Oakville Bench and Rutherford Bench to vary as the result of their specific topographic profiles. These profiles result in different inputs of direct solar energy to these areas diurnally and seasonally. Topography also influences cold air drainage, preferential slope heating, local wind patterns and relative humidity.

In the attached weather report (Attachment A) prepared and submitted by petitioners, we discuss these topoclimatic distinctions based on the available data.

4. Geology and Soils

The Rutherford Bench fan is dominated by Franciscan marine sedimentary materials with some volcanic deposits. By contrast, the Oakville Bench is dominated by Great Valley marine sedimentary deposits and some volcanic deposits. This division is somewhat unusual in the North Coast of California and is caused both by faulting along the Mt. St. John fault (due west of the boundary between the Rutherford and Oakville areas) and by tectonic uplift of fan sections. The two parent materials and the fault which

divides them are shown on the State of California Geologic Map (Exhibit 22). Although these two formations often are separated along fault lines, the faulting generally is not perpendicular to the trend of the mountain range. Thus many watersheds have sub-basins of both Franciscan and Great Valley formations within them, which is not the case here except for those streams which cut across the transition zone between the Franciscan and Great Valley deposits. Rutherford Bench tributary watersheds are dominated by Franciscan lithology, and Oakville Bench tributaries are dominated by Great Valley lithology.

The relative contribution of serpentine and volcanic deposits to Oakville Bench and Rutherford Bench from the parent materials north and south of the Mt. St. John fault varies, as shown in Exhibit 22 and in Thomas Anderson's report (Attachment B). Although these differences do not alter soil type, they influence soil pH and thus nutrient availability to some extent.

In the Soil Survey of Napa County, soils across the Oakville Bench and Rutherford Bench are shown to be predominantly Bale loams and clay loams, with small stringers of Perkins gravelly loam on the toeslopes (Exhibit 23). These soils contrast sharply with those of the outlying areas to the north and east (across Bale Slough and the Napa River). As shown in the soils report by Deborah Elliott-Fisk (Attachment C hereto), soils across the two benches are fairly uniform in horizonation and profile development and thus should be grouped as the same soil series.

5. Viticultural Environment

The physical geographies of Oakville Bench and Rutherford Bench offer unique vineyard sites within Napa Valley. The deep, gravelly, well-drained nature of the soils, along with their high nutritional content due to the sandstone parent materials, make them excellent sites for the establishment of quality wine grapes.⁵⁰ These soils do not appear to be deficient or excessive in any plant macronutrients. Canopy growth is thus moderate to slightly vigorous and easily manipulated if the viticulturalist so wishes. Vineyards are relatively long-lived, as shown by the continued and sustained production of Cabernet Sauvignon vines.

Climatically, these areas have moderate growing-season conditions, with early morning and spring heat input resulting in increased growth and uptake early to mid-day, and cool mid to late

⁵⁰ In on-going research, D. Elliott-Fisk and G. McIntyre use these soils as the ideal from which other vineyard soils depart in the Napa Valley. Elliott-Fisk and McIntyre, "Methods for Assessing Climate and Soils as Vineyard Parameters," abstract submitted for American Society of Enology and Viticulture Annual Meeting, Anaheim, California, June 28 - July 1, 1988.

afternoon temperatures, which allow a more moderate maturation of grapes to optimum acid-sugar levels.

Although Oakville Bench and Rutherford Bench are valued for the quality of the Cabernet Sauvignon fruit they produce, other varieties are also well-suited to these viticultural environments.

C. Specific Boundaries

1. Oakville Bench Viticultural Area

The appropriate maps for determining the boundaries of the Oakville Bench viticultural area are two U.S.G.S. 7.5' series quadrangle maps entitled "Rutherford" and "Oakville." The point of beginning is the point north of Oakville Crossroad where an unnamed stream drains into the Napa River from the west.

- 1) From the point of beginning, follow the unnamed stream in a general northwesterly direction past its intersection with State Highway 29 and then paralleling an unnamed road which enters State Highway 29 from the west.
- 2) At the point at which the unnamed road ends, proceed in a straight line along a drainage channel (not shown on the map) a total of 4,035 feet from Silverado Trail. Turn south (S 40° 31' 42"E) and continue to follow the drainage channel 510 feet around Assessor's Parcel Number 27-01-14, then proceed west in a straight line paralleling the unnamed road to the 500-foot contour of the Mayacamas Range in the southwestern corner of Section 21, T.7N., R.5W.
- 3) Proceed along the 500-foot contour southeasterly through Sections 21, 28, 29, 20, 33 and 34 of T.7N., R.5W. and Section 3 of T.6N., R.5W. to its intersection with the unnamed stream known locally as Hopper Creek near the middle of Section 3.
- 4) Follow said stream southeasterly and, at the fork in Section 3, northeasterly to its intersection with the unnamed dirt road in the northwest corner of Section 2, T.6N., R.5W.
- 5) Proceed in a straight line to the light duty road to the immediate northeast in Section 2, then along said road northeasterly to the point at which the road turn 90 degrees to the left.
- 6) Follow the light duty road 625 feet, then proceed northeasterly (N40° 43'E) in a straight line 1,350 feet, along the northern property line of Assessor's Parcel Number 27-38-08, to State Highway 29, then in a straight line to the peak of the 320+ foot hill along the western edge of the Yountville Hills.
- 7) Proceed due east to the 300-foot contour, then follow that

contour line around the Yountville Hills to the north to the eastern edge of the Rutherford quadrangle, then northeasterly (N27° 00"E) to the Napa River.

8) Follow the main channel of the Napa River to the north to the point of beginning.

2. Rutherford Bench Viticultural Area

From the same point of beginning on the USGS 7.5' series quadrangle map entitled "Rutherford," follow the boundaries set forth in numbers one and two above and continue as follows:

3) Proceed along the 500-foot contour in a northwesterly direction in T.7N., R.5W. through Sections 21, 20, 17 and 18 to the center of Section 7 where the 500-foot contour intersects the land grant line, thence in a straight line to the end of the county road (Zinfandel Avenue, known locally as Zinfandel Lane) near the 201-foot elevation marker.

4) Continue east along Zinfandel Lane to its intersection with the road, known locally as Gamay Lane, entering Zinfandel Lane from the south.

5) Proceed south 690 feet to and beyond the end of Gamay Lane, then head 78 feet to the northeast (N46° 02' 50"E), and then continue south in a line paralleling Gamay Lane 1,254 feet to its intersection with Whitehall Lane.

6) Proceed west and then south on Whitehall Lane to the 168-foot elevation marker, then continue in a straight line to the intersection of the middle fork of Bale Slough and the land grant line of Rancho Caymus.

7) Follow that fork of Bale Slough past State Highway 29, take the first fork to the left and then into the main channel of the Napa River.

8) Follow the main channel of the Napa River south to the point of beginning.

IV. Conclusion

The purpose of ATF's viticultural area program is to inform consumers about the origin of grapes from which a particular wine derives. In order to achieve this goal, viticultural area names must be accurate, recognizable and informative, and boundaries must be consistent with these names and have geographic and viticultural significance.

As noted in this petition, Oakville and Rutherford are

longstanding communities of Napa Valley, located along the valley floor. Napa, Yountville, Oakville, Rutherford, St. Helena and Calistoga are immediately recognizable to many consumers locally, nationally and internationally.

These communities have historical and current zones of influence. In the case of Oakville and Rutherford, the sense of community identity dates back to the founding of these villages by H.W. Crabb and Thomas Rutherford, respectively. Although Oakville and Rutherford are small communities in relationship to St. Helena and Yountville which surround them, these villages have developed fine reputations for their grapes and wines since the mid-1800s. Today they are firmly a part of the Napa Valley landscape and often are referred to as informal appellations of Napa Valley.

Oakville and Rutherford are distinct from one another and from the surrounding areas. To the east and west are the mountains of the Vaca and Mayacamas Ranges, respectively. On the north-south axis along the valley floor, these communities capture the mesoclimatic and elevational differences which are an important part of the viticultural environment. The wide range of mesoclimates within Napa Valley is now widely understood and appreciated by wine consumers, and the framework of community viticultural areas along the valley floor captures this fundamental fact about our valley.

Our petition for the Oakville Bench and Rutherford Bench viticultural areas within the larger Oakville and Rutherford viticultural areas is in keeping with ATF's established precedent of recognizing geographically and viticulturally unique sub-areas within larger viticultural areas. The bench areas have distinctive soils, geology and topoclimates which distinguish them from the larger viticultural areas. This has been widely recognized by wine writers and consumers. At the same time, the two benches can be distinguished from one another, both in terms of the broader mesoclimatic and elevational factors which differentiate Oakville and Rutherford and in terms of geologic parentage and geomorphology.

This form of multiparameter analysis is common in many of the scientific fields which bear on the establishment of viticultural areas. For example, in the field of climatology, two areas may share the same mesoclimate but experience different topoclimates. Both forms of climate are relevant to viticulture. In soil science, two soils may be classified as the same soil type but may be different in mineralogy, pH, water-holding capacity or any one of a number of other pedological factors which affect vine growth and fruit character. In topography, valleys are distinguished from mountains, and variations in elevation and drainage are identified within each topographic setting.

Our viticultural area proposal strives to capture these

distinctions in a way that will inform rather than confuse consumers. The Oakville and Rutherford viticultural areas exist along the floor of Napa Valley and are named after two of the principal communities of the valley. The community names are used with accuracy and consistency. To do otherwise would invite consumer confusion. For example, an Oakville viticultural area which is located in the community of Rutherford or which, worse yet, overlaps with a Rutherford or a Rutherford Bench viticultural area would be nonsensical to the consumer. Such mixed messages would not promote the consumers' understanding of the origin of the fruit, which is the primary purpose of the viticultural area program.

For all of the foregoing reasons, we have petitioned for four viticultural areas -- Oakville, Rutherford, Oakville Bench and Rutherford Bench -- which are in keeping with the principles of name accuracy and consistency and geographic and viticultural meaningfulness.

Respectfully submitted,

APPELLATION COMMITTEE*

Patrick J. Garvey

Pat Garvey,
Chairman

*Members of the Appellation Committee include Beaulieu Vineyard, Far Niente Winery, Flora Springs Winery, Harlan Winery, Ren Harris, Inglenook Winery, Jerry Komes, Robin Lail, Tom May (Martha's Vineyard), Mondavi Winery, Bob Phillips (Vine Hill Ranch), Pine Ridge Winery, Barney Rhodes (Bella Oaks Vineyard), Shari Staglin.

EXHIBIT 1

EXISTING AND PROPOSED
VITICULTURAL AREAS OF NAPA COUNTY AS OF 3/1/89

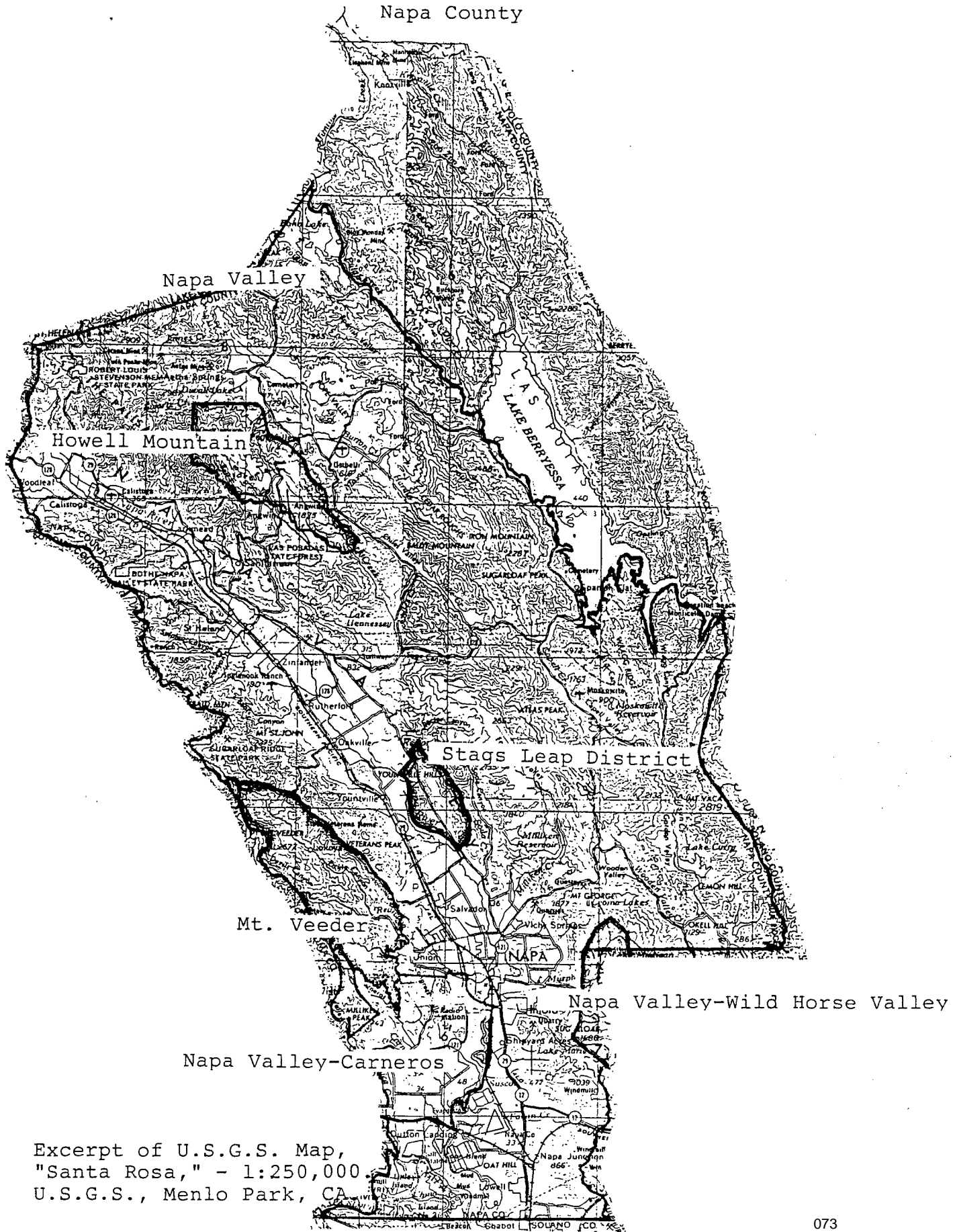
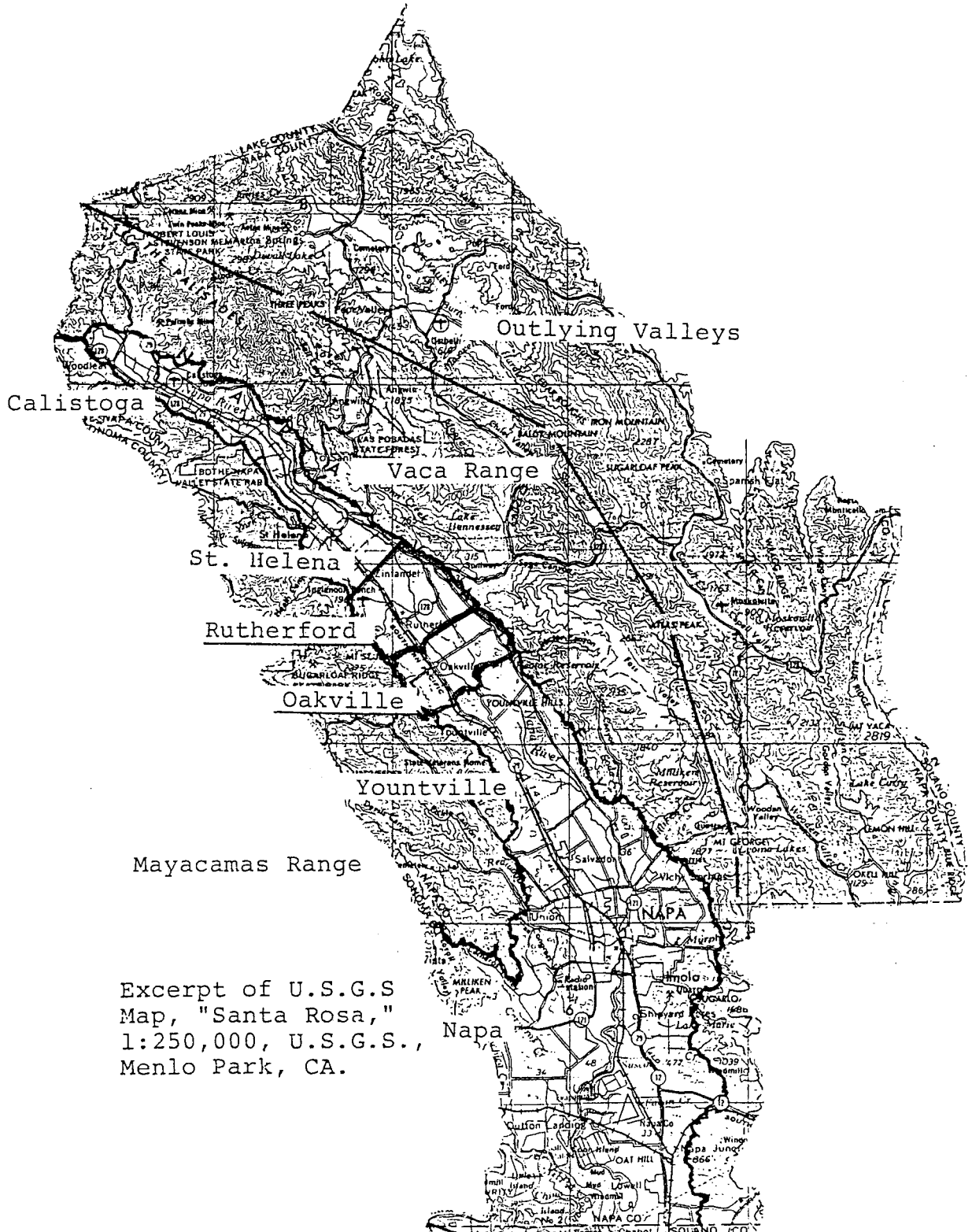
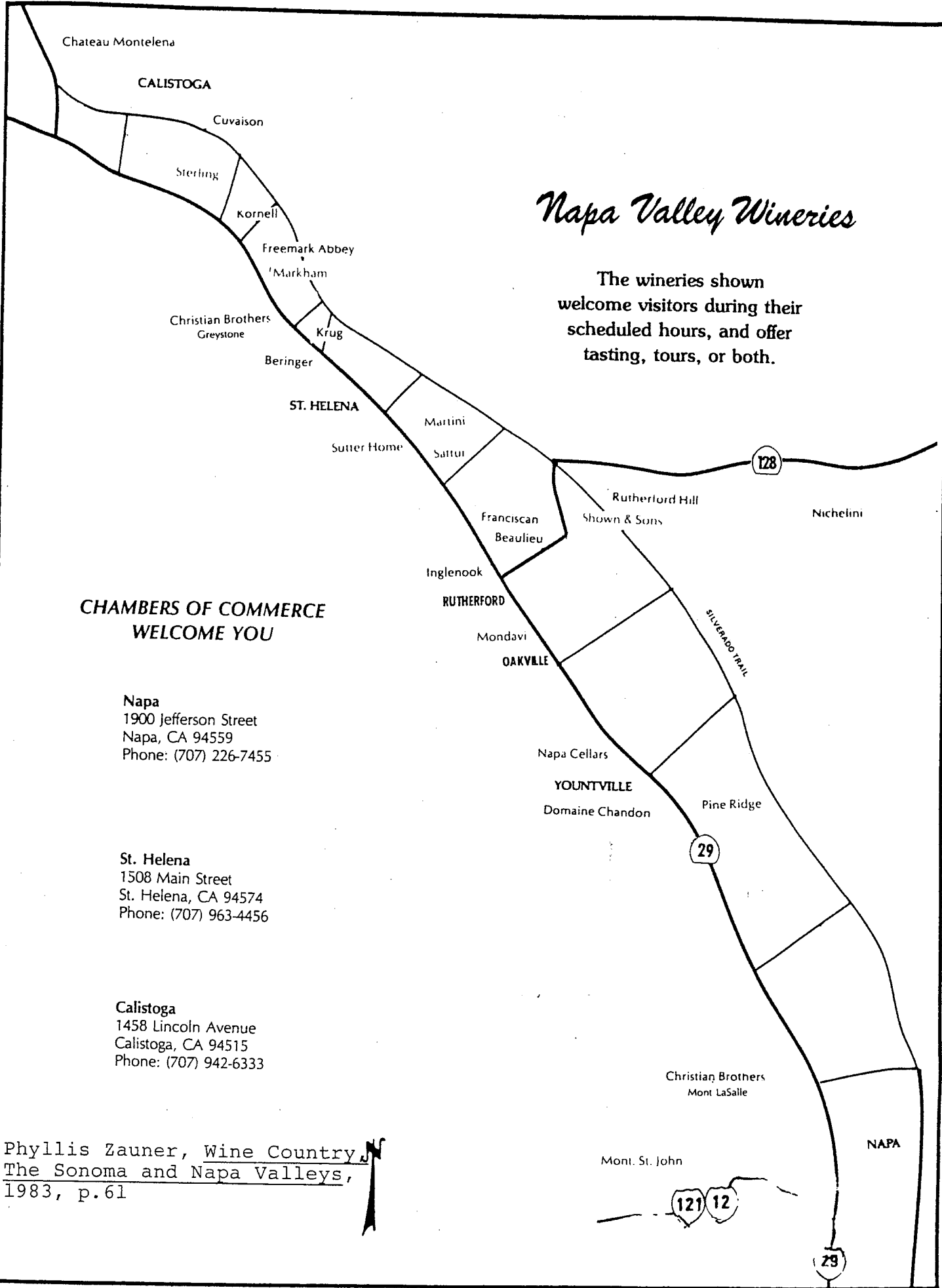


EXHIBIT 2

FRAMEWORK FOR VITICULTURAL AREAS
OF NAPA VALLEY



Excerpt of U.S.G.S
Map, "Santa Rosa,"
1:250,000, U.S.G.S.,
Menlo Park, CA.



Napa Valley Wineries

The wineries shown welcome visitors during their scheduled hours, and offer tasting, tours, or both.

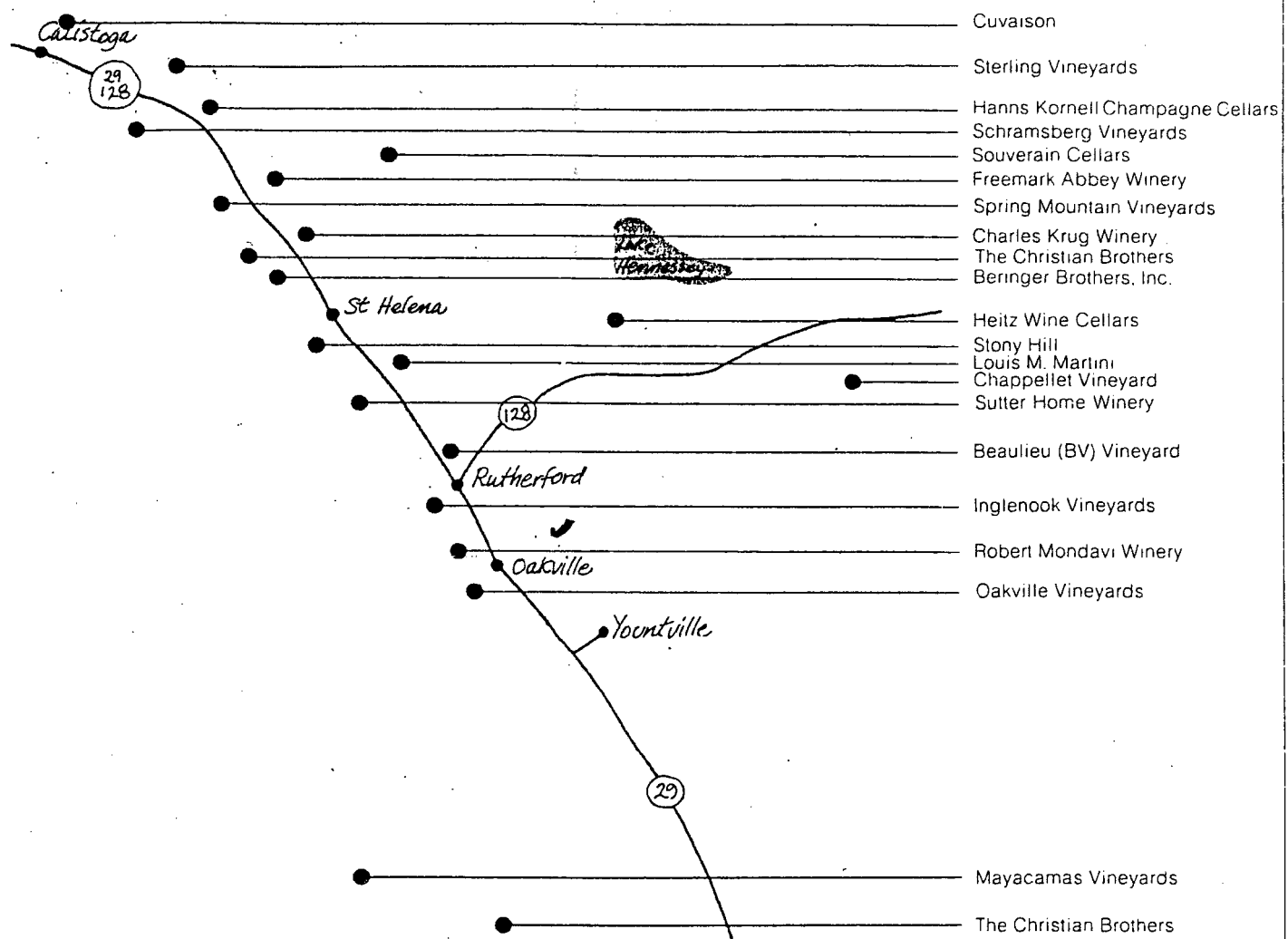
**CHAMBERS OF COMMERCE
WELCOME YOU**

Napa
1900 Jefferson Street
Napa, CA 94559
Phone: (707) 226-7455

St. Helena
1508 Main Street
St. Helena, CA 94574
Phone: (707) 963-4456

Calistoga
1458 Lincoln Avenue
Calistoga, CA 94515
Phone: (707) 942-6333

Phyllis Zauner, Wine Country,
The Sonoma and Napa Valleys,
1983, p.61

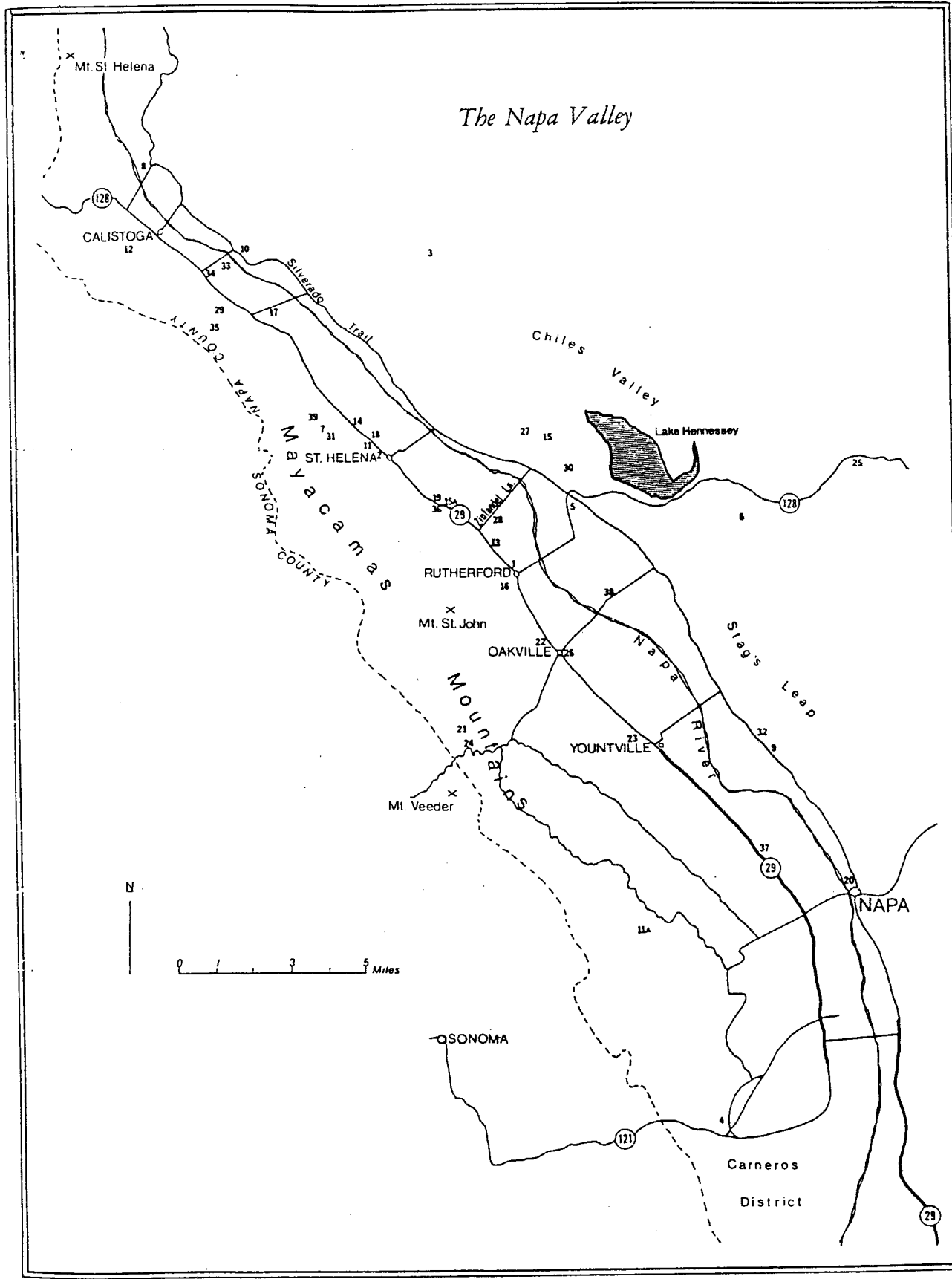


THE NAPA VALLEY

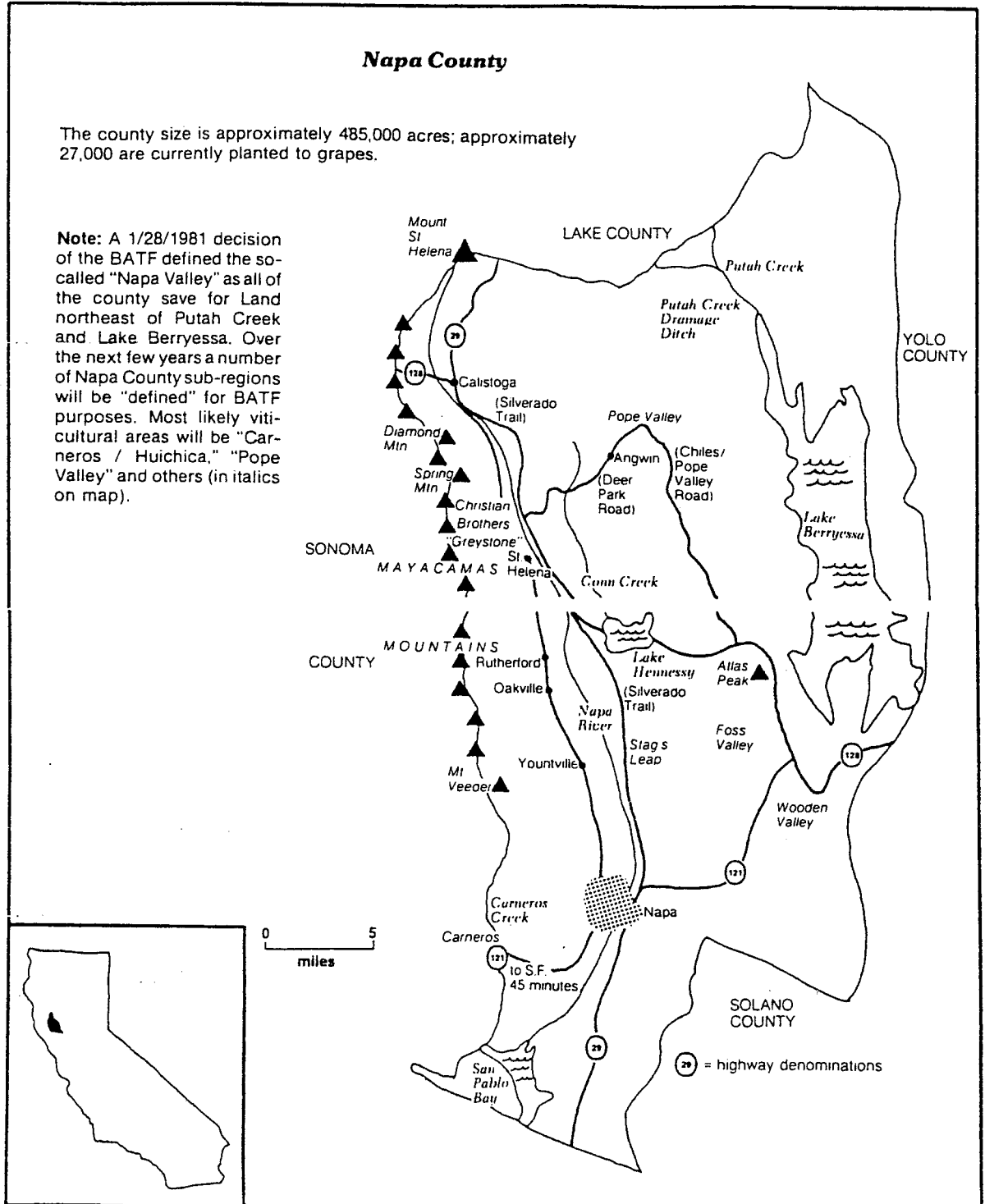
Beaulieu (BV) Vineyard. page 76
 Beringer Brothers, Inc., page 78
 Caymus Vineyards. page 161
 Chappellet Vineyard. page 88
 Château Montelena. page 162
 The Christian Brothers. page 90
 Cuvaision. page 96
 Diamond Creek. page 162
 Freemark Abbey. page 100
 Heitz Wine Cellars. page 106
 Inglenook Vineyards. page 108
 Hanns Kornell Champagne Cellars. page 111
 Charles Krug Winery. page 122
 Louis M. Martini. page 125
 Mayacamas Vineyards. page 129
 Justin Miller & Co.. page 165
 Robert Mondavi Winery. page 133
 Nichelini. page 165
 Oakville Vineyards. page 136
 Schramsberg Vineyard page 145

Souverain Cellars. page 150
 Spring Mountain Vineyards. page 166
 Sterling Vineyards. page 151
 Stony Hill Vineyard. page 152
 Sutter Home Winery. page 154
 Yverdon Vineyard. page 168

Nathan Chroman, The Treasury of American Wines, 1976, p.235.



Bob Johnson and Hugh Johnson,
 The California Wine Book, 1976,
 p.23



Community Identity Map of Oakville and Rutherford

STATE OF CALIFORNIA
GOODWIN J. KNIGHT, GOVERNOR
HARVEY C. BANKS, DIRECTOR OF WATER RESOURCES

ERIOR

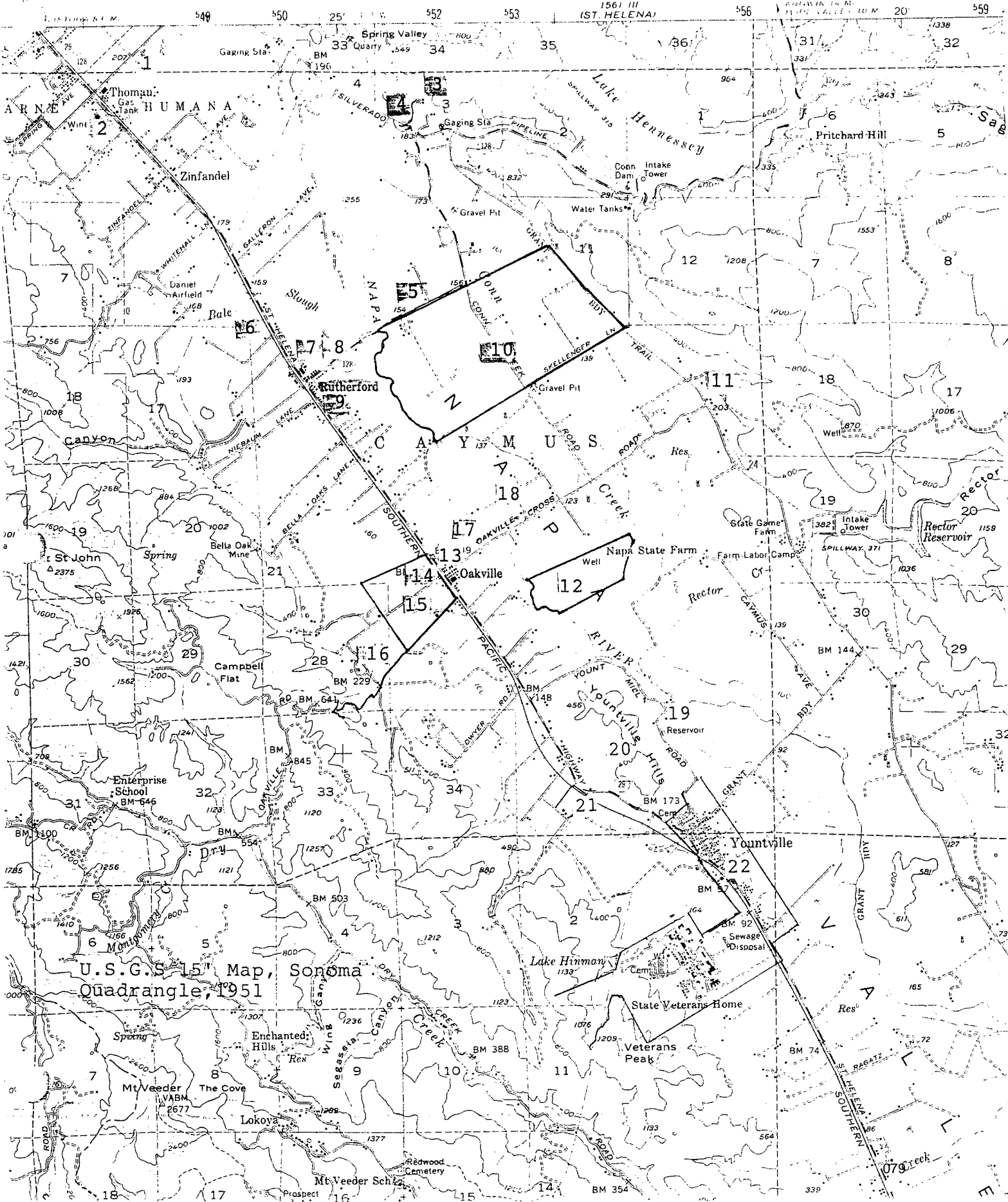


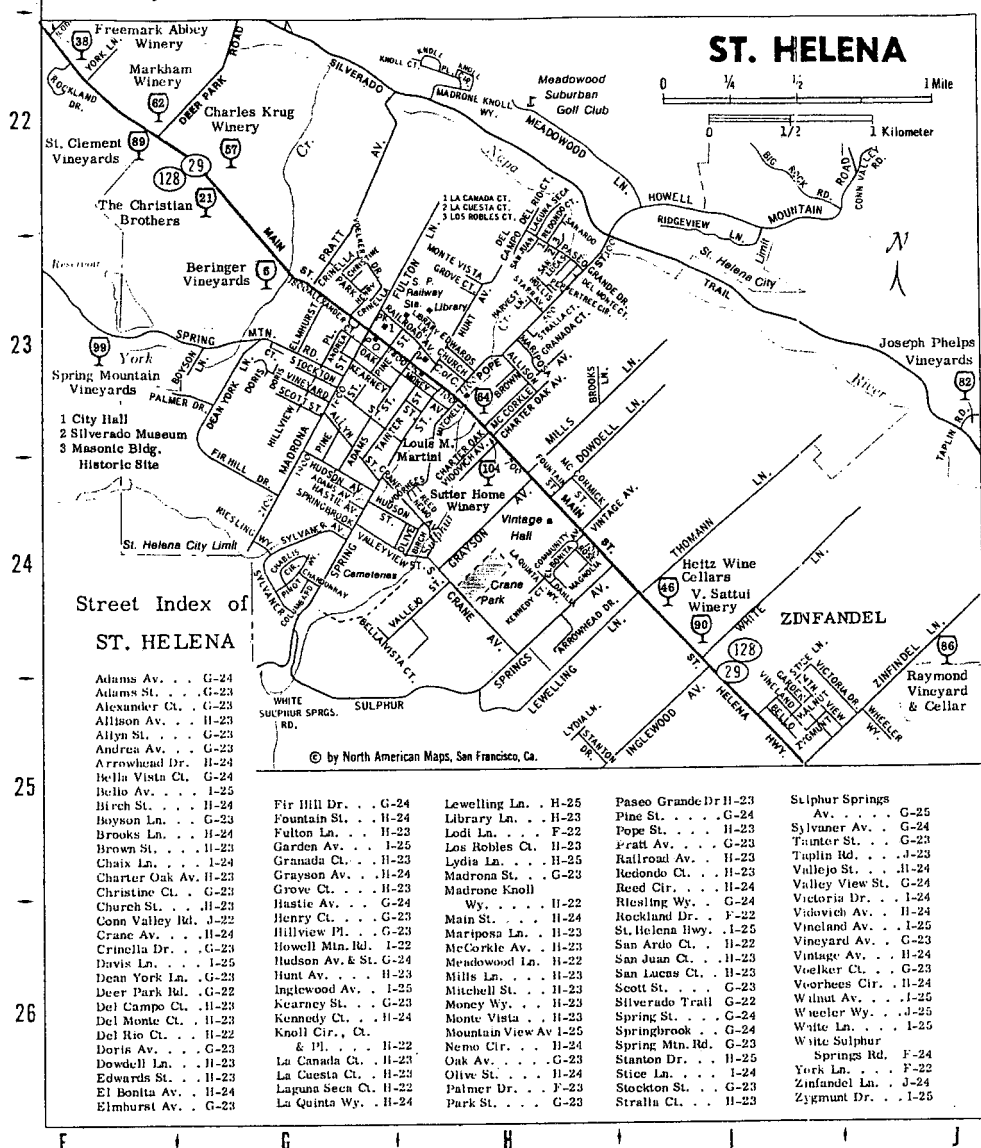
EXHIBIT 12
(page 2 of 2)

KEY TO COMMUNITY IDENTITY MAP OF RUTHERFORD AND OAKVILLE

1. St. Helena City Limit
2. St. Helena Wine Merchants
3. Rutherford Hill Winery
4. Rutherford Hill Road
5. Rutherford Cross Road
6. Rutherford Vintners
7. Rutherford Square
8. Rutherford Post Office
9. Rutherford Grange
10. Property of Thomas L. Rutherford, 1876
11. Oakville Farms Horse Ranch
12. Franciscan's Oakville Estate
13. Oakville Grocery
14. Oakville Pump Station
15. Property of H.W. Gragg, 1876
16. Oakville Grade
17. Oakville Post Office
18. Oakville Cross Road
19. Site of Yount's First Vineyard
20. Yountville Hills
21. Markham's Yountville Vineyard
22. Yountville Town Limits

EXHIBIT 13

Map of the city of St. Helena, excerpted from Wine Country Map of the North Bay Counties, North American Maps, 1986.



Map of wineries within the proposed viticultural areas.

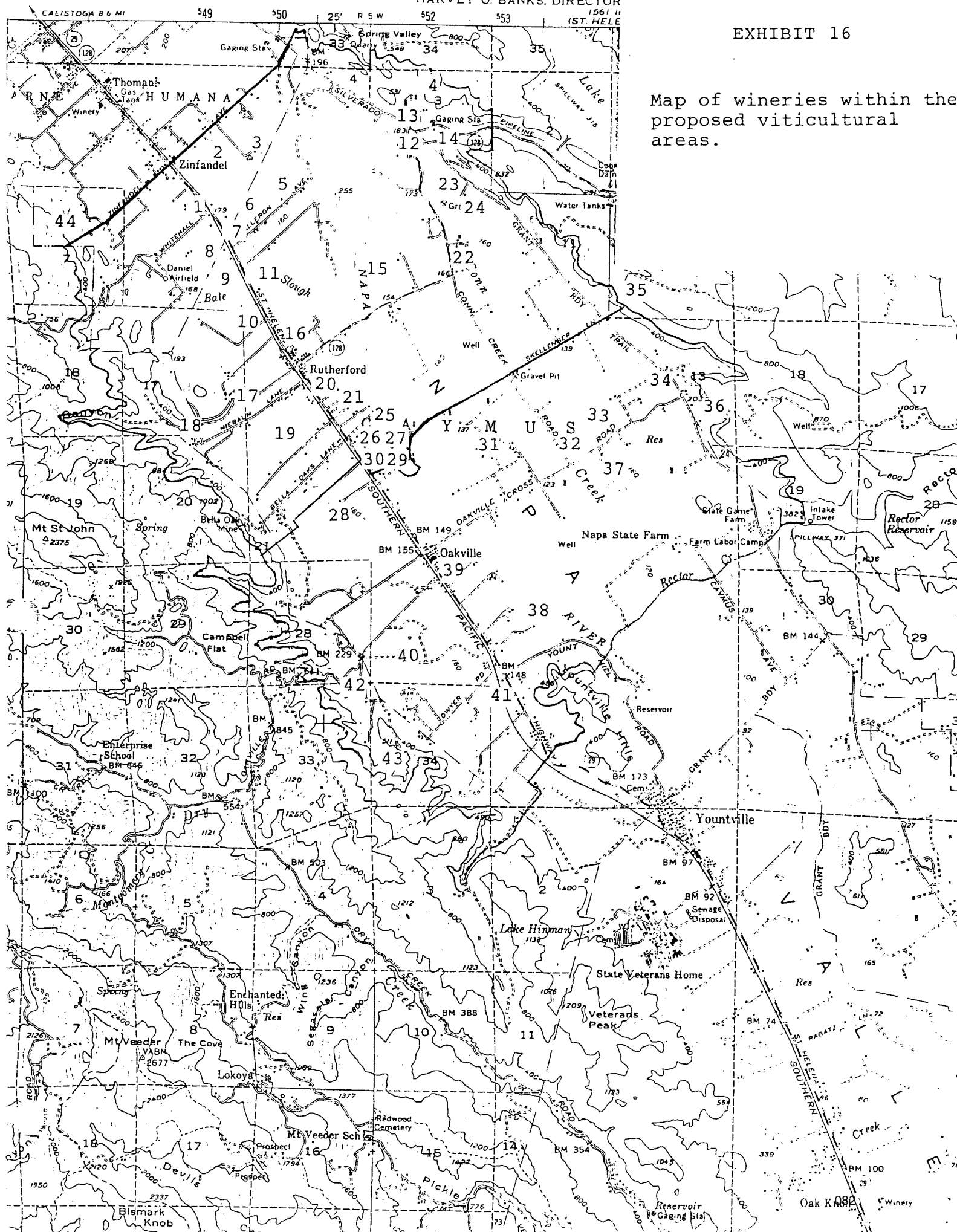


EXHIBIT 17
BONDED WINERY ADDRESSES
Page 1 OF 5

Key to
Exhibit 16

1.

(b)(3) 26 USC 6103

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EXHIBIT 17 (2 of 5)

10.

(b)(3) 26 USC 6103

11.

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16.

17, 39.

18.

EXHIBIT 17 (3 of 5)

19.

(b)(3) 26 USC 6103

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28.

EXHIBIT 17 (4 of 5)

29.

(b)(3) 26 USC 6103

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EXHIBIT 17 (5 of 5)

39. See 17, above.

40. (b)(3) 26 USC 6103

41.

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44.

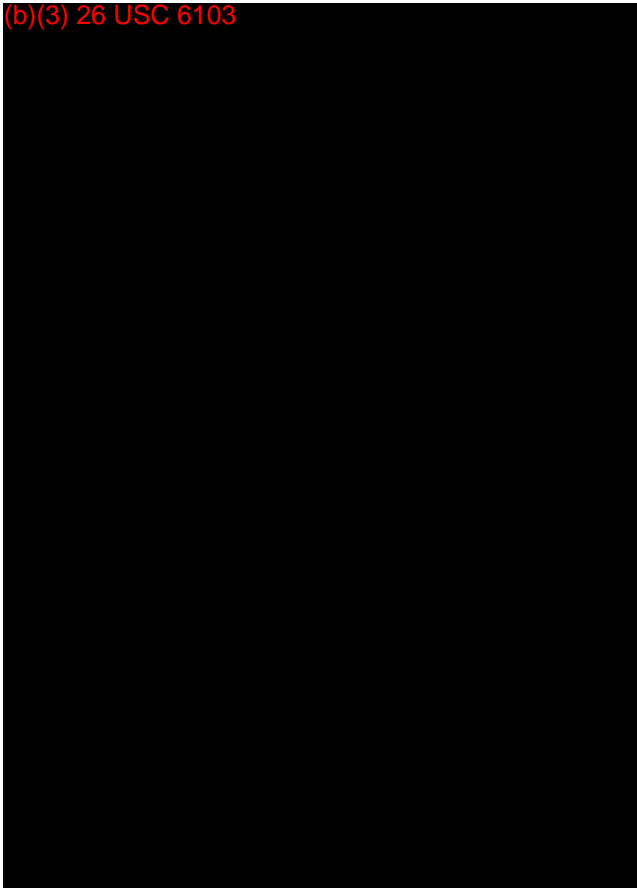
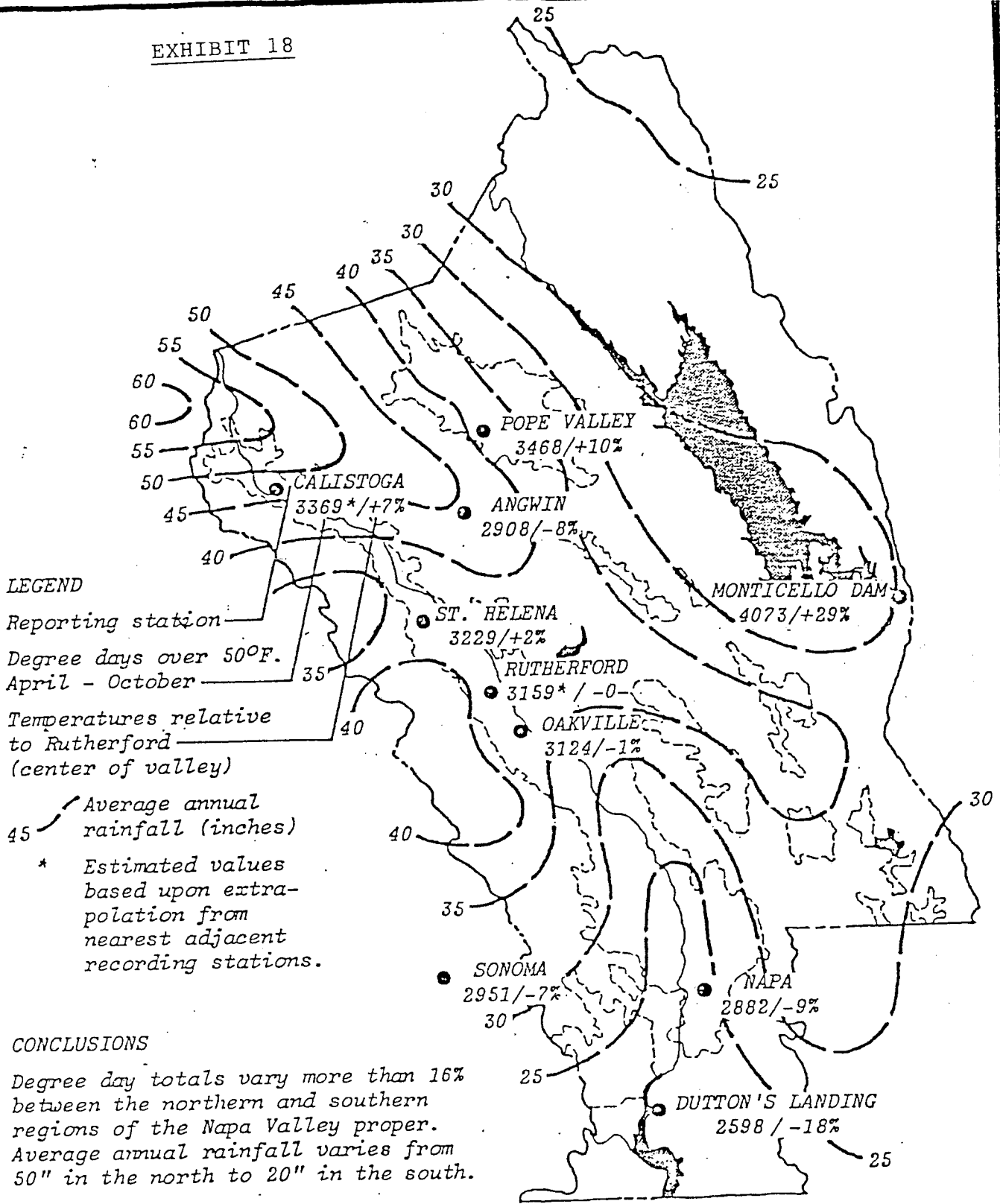


EXHIBIT 18



LEGEND

- Reporting station
- Degree days over 50°F. April - October
- Temperatures relative to Rutherford (center of valley)
- Average annual rainfall (inches)
- * Estimated values based upon extrapolation from nearest adjacent recording stations.

CONCLUSIONS

Degree day totals vary more than 16% between the northern and southern regions of the Napa Valley proper. Average annual rainfall varies from 50" in the north to 20" in the south.

SOURCE

Cooperative Extension, University of California, Napa Valley

The Rutherford Bench

Hugh Johnson, *The World Atlas of Wine*, p. 253.

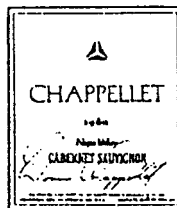
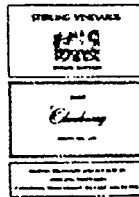
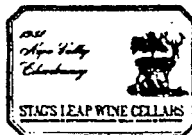
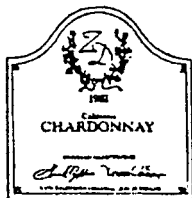
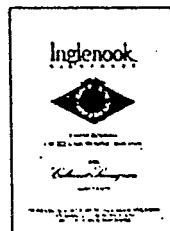
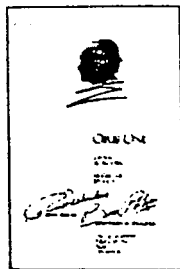
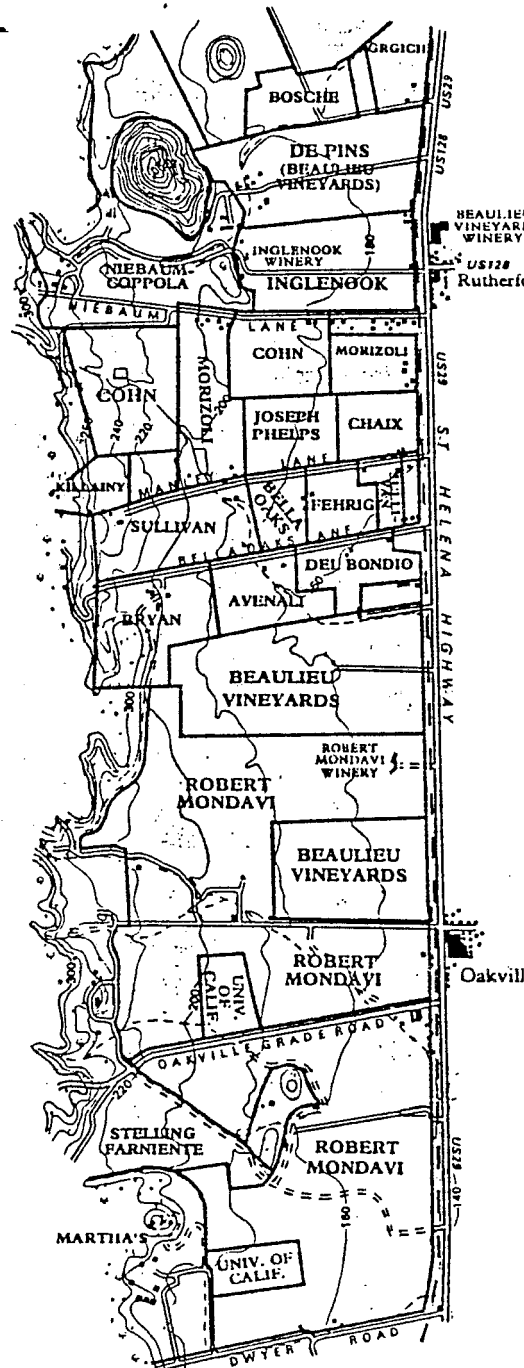
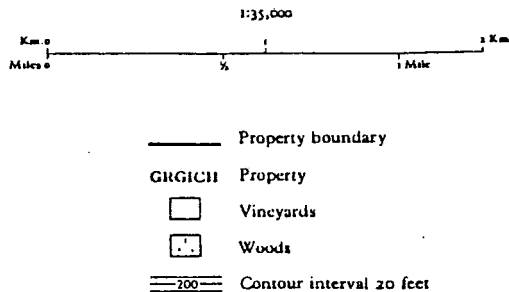
If there is a golden slope in California, one particular locality where wine of a recognizable type and often marvellous quality has been made since records start, it is the gentle foothill slope known as the Rutherford Bench, a length of gritty loam variously defined as starting just north of the village of Rutherford in the Napa Valley, and running south to just beyond Oakville, or going on farther south nearly to Yountville.

The 'Bench' is planted with a very high proportion of Cabernet Sauvignon, vines that have produced most of the long-term classics of Napa winemaking. The famous Inglenooks of John Daniel in the 1940s and 50s, the Georges de Latour Private Reserve of Beaulieu Vineyards in the 1940s, 50s and 60s, Heitz Martha's Vineyard from 1966 on and more recently his Bella Oaks, Cesare Mondavi Selection Cabernet from Charles Krug, Cabernet Bosche from Freemark Abbey, Robert Mondavi Reserve Cabernet from the late 1960s and, since 1979, his Opus One, produced in collaboration with Baron Philippe de Rothschild, all these famous wines were made of grapes grown in this stretch of dirt. Different as their styles of winemaking may have been, they have set a certain standard and evoked in those who have known them the pleasure of recognition. 'Rutherford dust' is one term sometimes used to try to pinpoint a characteristic taste they often share. Allspice is a more precise reference point.

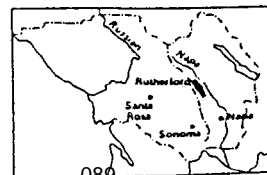
Why this midpoint in the valley should be so ideal is a matter for debate. Efficient soil drainage is certainly a factor. Another is probably the generally northeastern exposure of the gentle slopes, which therefore catch the earliest morning sun in summer. Their soils warm up rapidly, then lose the direct rays of the sun in the afternoon when it is often hottest. As the shadow of the western hills falls over their vines, with soil and air both very warm, they enjoy a long, slow period of cooling. Grapes on an eastern slope ripen more slowly and later. Other things being equal, these are factors that enhance flavour and aromas in the fruit.

Just south of the Bench on Route 29 at Yountville the valley floor is considerably narrowed by two major outcropping eminences. It seems at least possible that these affect the flow of cool air northwards from the Bay. Tucked in under the south flank of one of them, the Yountville Hills, is a famous part of the old Inglenook property that now produces Dominus, the Napa creation of Christian Moueix, the director of Pétrus in Pomerol. Tucked behind the other, on the eastern side, is an area with the name of Stag's Leap (for the cliff edge above it). Stag's Leap Wine Cellars and the neighbouring Clos du Val are both famous for Cabernets in a more delicate style than those of the Rutherford Bench. Both have outstanding winemakers. Time will tell how much is the man, how much the vineyard.

The Napa Valley built its great modern reputation principally on the powerful Cabernet grown in its hillside and benchland soils. Examples here are from the Rutherford Bench and vineyards in the hills (e.g. Chappellet) around. Napa Chardonnays are usually impressively rich, dense, textured wines.



Land ownership in the 'Bench' is fragmented between a score of proprietors, several of them independent growers. On the map above, owners' names appear in red.



OLD BUT ALSO MODERN

One of Napa Valley's oldest wineries is now streamlined

TO LOOK AT the names on the labels, track the number of new wineries added each year since 1968 and look at the previous occupations of the current gurus of wine, one would think the Napa Valley is short on history. But there is one comeback story now worth telling.

More than 100 years ago, Gustave Ferdinand Niebaum retired from the Alaska seal fur trade and settled down with his fortune in the Napa Valley. He purchased Inglenook Vineyards, imported vines from Europe, built a Gothic-style stone winery that still stands and set about making wines to be as fine as those from anywhere else in the world. The architecture, cleanliness and overall approach to quality made Inglenook a visual showplace. Niebaum also delivered on his wines, which gained international fame when they began winning awards at the annual Paris Exposition.

As with most, the winery was forced to close during Prohibition. It reopened with repeal and recaptured some of its earlier glories under a Niebaum shirttail relative, John Daniels. He was one of the first to use both vintage and varietal labeling instead of generic (others were issuing nonvintage gener-

ic wines, such as burgundy, and proclaiming no vintage date was needed because "every year is a vintage year in California") and Inglenook gained respect as one of the premium wineries of the Napa Valley.

The Niebaum tradition continued for some 25 years at Inglenook until Daniels sold it in 1964 to what would become part of the Heublein conglomerate (Beaulieu Vineyard, its prestigious Rutherford neighbor, would be purchased by Heublein in 1969). Inglenook then went through the changes corporations often make to increase the profits of a new subsidiary or division. The production of both varietals and generics increased, including the introduction of the cheaper Navalle line, made at the Italian Swiss Winery in Asti. This created some confusion about the quality of Inglenook wines, particularly as the Napa Valley experienced an explosion of winery development in the 1970s that focused attention on the new quality "boutiques" and away from the old standards, such as Inglenook and Charles Krug.

Interestingly, the premium varietals of Inglenook, though largely ignored by wine writers who came to favor more aggressive

styles, continued to be released in a consistent style. In their estate-bottle wines, the Inglenook winemakers avoided the briefly short-lived trend toward high-alcohol, tannic, herbaceous monsters. Instead they concentrated on balance and finesse, though the quality of the grapes they obtained didn't always seem to be up to their historical standards.

This brings us to the present and a push by Inglenook to reestablish its position as a premium Napa Valley winery. They have issued their traditional estate-bottled wines under a new label—a classic Lafite-style steel engraving rendering of the winery (as it would appear from Highway 29 if the local planners, in all their wisdom, hadn't forced Inglenook to build its contemporary but boring barrel aging facility right in the way). The reserve wines are also released with a new label, a slight modification of the original diamond crest label created by Niebaum to identify his best wines. The first of these, dubbed by Inglenook "limited cask reserve selections", under the new label was the 1980 Cabernet Sauvignon, a nicely styled wine with good balance of fruit and acid, reminiscent to some of a typical wine from the Bordeaux commune of St. Julien.

The renaissance is in more than labels, thankfully. Inglenook has undertaken a major capital program to improve its wine-making facilities, negotiated contracts for continued supplies of higher-quality grapes and will give all its estate-bottled wines sufficient bottle aging before release to the public. Winemaker John Richburg says the winery is capitalized well enough that he can age wines for four years or more, a luxury the boutiques don't have.

Inglenook went after contracts for grapes from what is called the "Rutherford bench" area of the Napa Valley, on both sides of Highway 29 north of Oakville. Some of these contracts include vineyards that were part of the original Niebaum properties. The 1983 Reserve Cabernet Sauvignon, for example, will be the first vintage in 20 years to contain fruit from all three of those vineyards. There is a subregional characteristic to wines from the area. Veteran wine taster



John Richburg, winemaker at Inglenook Vineyards, claims his winery is so well capitalized he can age

ford dust", a background bouquet that cuts through the typical herbaceousness of Napa Valley Cabernet Sauvignon to give it balance and complexity. The same area is the source of grapes for Inglenook's limited reserve Sauvignon Blanc (the 1983 is one of the better examples of that variety, with the subtle Bordeaux-like style and good fruit and acid balance that lends itself to a few years of aging for added enjoyment).

Inglenook offers a complete line of Napa Valley wines, although Richburg says he will concentrate his efforts on six varieties—Cabernet Sauvignon, Charbono, Zinfandel, Chardonnay, Sauvignon Blanc and Pinot Noir. The Chardonnay and Pinot Noir come from the Carneros district, a cooler subregion by San Francisco Bay that produces some of the finest Chardonnays in the state.

In addition to the 1980 cask Cabernet Sauvignon and the 1980 cask Sauvignon Blanc, recent issues worth tasting from Inglenook include its 1980 Cabernet Sauvignon, Lot 2, which is more straightforward than the limited cask version; the 1983 Chardonnay, with good fruit and slight hints of oak aging; and the 1983 Gewurztraminer, a semi-spicy example of this Alsatian-style white wine that is great for picnics, brunches or just sipping in accompaniment with fruit and subtle cheeses.

If you visit the Napa Valley and want to begin learning more about wine and winemaking, visit both Inglenook and Beaulieu vineyards. The latter has a good multimedia presentation in a small theater in the tasting room, if you aren't up for a walking tour.

WINE IMMERSION—The biannual International Wine and Spirits Week, with its concurrent Vinitech and Vinexpo trade show exhibitions, takes place June 17-21 in Bordeaux. The show is labeled as unique by the French, who list it as the only international exhibition that brings together in one place all the products and equipment devoted to wine production. Even if it isn't unique, the show is grandiose. More than 750 companies will exhibit everything from livestock to corks, with all the machinery and supplies in between.

The Vinexpo side of it is oriented toward viticulturists, enologists, distributors, cooperatives, technical directors and wine experts, with displays of wine and other products from all over the world. The 1983 version was a major success, based not only on activity within the huge convention center and tasting rooms but in restaurants, chateaux and public places throughout Bordeaux. If chance or design take you into the area during June, plan a visit. For further information or reservations, write *Loisirs Accueil Gironde*, 21 cours de l'Intendance.

A BUYER'S GUIDE WINE AND SPIRITS

BY ANTHONY DIAS BLUE

Cabernets of the Rutherford Bench

OVER THE PAST 20 YEARS, the American wine industry has shown astonishing growth. And although still in its infancy compared to its grown-up siblings in Europe, the U.S. wine business is fast becoming one of the most important of its kind in the world.

Remarkable advances have taken place on the technological side of things; domestic winemaking techniques are state of the art. Steady progress is also being made in viticulture, especially when it comes to matching varieties to the best soils.

In the more than one hundred years since the first plantings, after much trial and lots of errors, domestic growers are discovering where certain grape varieties thrive. And nowhere is this process further along than in California's celebrated Napa Valley.

Much of the fame of this great growing area can be attributed to the Cabernet Sauvignon produced around the town of Rutherford, in the central part of the valley. In this spot, a sea of grapevines surges across a gradually sloping "bench," or former river floodplain, that drops out of the mountains separating Napa from Sonoma to the west. It rolls all the way to the Napa River, a medium-size waterway flowing north to south. This small vineyard area has become renowned as the Rutherford Bench.

What makes the Cabernets of the Rutherford Bench so exceptional is their superb balance and texture. The best of them show bright and intense fruit, crisp acidity and deep flavors. Very Bordeaux-like in style, these wines generally age magnificently, gaining elegance and complexity.

The serious propagation of Cabernet Sauvignon in this region can be traced back to Captain Gustave Ferdinand Niebaum, a rich fur trader who founded the Inglenook Vineyard in 1879. He loved Bordeaux wines and decided to plant the Cabernet variety in his new holdings. His decision was an extremely praiseworthy one: Within a

few years Inglenook wines were winning medals in Paris in competitions against Europe's best.

Ever since Captain Niebaum's inadvertent discovery of Cabernet's suitability to the loamy and well drained soil of the Rutherford Bench, much of the stretch between Yountville in the south and St. Helena in the north has been planted to Cabernet, Merlot and other Bordeaux varieties. But surprisingly enough, there is still substantial acreage of other types.



Here is where the California wine industry shows its youth and inexperience. In among the Cabernet and Merlot are spreads of Chardonnay, Sauvignon Blanc, Sémillon and, incredibly enough, Chenin Blanc. It is baffling to me how such superb soil could be wasted on such a minor variety, especially considering that Rutherford Bench vineyard land currently brings \$35,000 an acre.

I am certain that as time goes by, inappropriate acreage will shrink as more and more growers convert their plots to Cabernet. Like the Médoc in Bordeaux, the Rutherford Bench will undoubtedly evolve into a region devoted almost exclusively to Cabernet, Merlot and red blending grapes.

There does seem to be some confusion, however, as to the exact boundaries of the region. Does it encompass a tight little area between Dwyer Lane and Zinfandel Lane, or is it a larger stretch, starting at Yountville and extending into the outskirts of St. Helena? More important, does it end at

Highway 29, Napa's main north-south artery, or does it extend across to the east side of the road and as far as the river? Naturally, the answers to these questions carry potentially profound political and economic ramifications. All these issues will be resolved eventually when the appellation is officially delineated by the government. That process is in the works, but no decision is expected for about five years. Until then, the boundaries are open to interpretation.

Because great wines are made throughout the area, I favor a broader definition. Even so, it still turns out to be tiny—smaller even than the diminutive Burgundy region of France. In its broadest definition, the Rutherford Bench runs about six miles north to south and two miles east to west.

Within this bloc there are a number of wineries, most of which have established preeminent reputations for Cabernet Sauvignon. In addition, there are wineries located in other parts of the Napa Valley that own or control important Rutherford vineyards.

Here are the most important wineries making Cabernets from Rutherford Bench grapes. These are the names to look for as you browse in your local wine shop or liquor store.

Beaulieu Vineyard. "BV" has been making great Cabernet Sauvignon on the Rutherford Bench since 1900. In 1938 owner Georges de Latour hired Russian-born winemaker André Tchelistcheff, who produced a succession of brilliant reserve wines from grapes grown in a key vineyard that is still owned by de Latour's descendants. Beaulieu's Private Reserve is still one of Napa's best Cabernets. Across Highway 29, BV controls another large Cabernet Sauvignon vineyard. Just south on the highway are three more important BV vineyards. Beaulieu and neighbor Inglenook are now owned by Grand Metropolitan, a large English hotel, restaurant, wine and spirits conglomerate.

Cakebread Cellars. The Cakebreads have owned this 35-acre plot since 1973. They recently purchased an additional 25 acres adjacent to the winery. Plantings are split between Cabernet Sauvignon and Sauvignon Blanc. They also own another vineyard on the west side of the highway.

Dominus Estate. This winery's grapes come from Napanook, the southernmost vineyard in the Rutherford region, just before Yountville. Wine is being made under the watchful eye of Christian Moueix, scion of the famous Bordeaux firm that controls Château Petrus and many other important properties in France.

Far Niente Winery. Behind owner Gil Nickel's beautifully renovated winery building is the Stelling vineyard. Here grow the Cabernet Sauvignon, Cabernet Franc and Merlot that go into Far Niente's highly successful red.

Flora Springs Wine Company. The Komes family owns this successful vineyard and winery. Its one hundred acres, tucked into the foothills just south of St. Helena, are mostly planted to Bordeaux varieties. Flora Springs produces Cabernet Sauvignon, Merlot and Trilogy, a blend of Cabernet Sauvignon, Merlot and Cabernet Franc.

Freemark Abbey Winery. This long-established winery in St. Helena makes its very best Cabernet Sauvignon from grapes grown by John Bosché in a plot just north of Beaulieu's very successful Private Reserve vineyard.

Grgich Hills Cellar. Mike Grgich and Austin Hills bought their winery and its surrounding Chardonnay vineyard in the late seventies. A few years later, they purchased a nearby Cabernet vineyard and sold those grapes to other wineries. Since 1981 Grgich has produced an estate Cabernet; just released is the 1983 vintage.

Heitz Wine Cellars. The single most famous property on the Rutherford Bench is Martha's Vineyard, owned by Tom and Martha May. Joseph Heitz has been making wine from this plot since the mid-1960s; they are some of America's greatest Cabernets. More recently, Joe has been using grapes from other vineyards further to the north.

Inglennook-Napa Valley. Just south of the BV Private Reserve vineyard is the Inglennook estate, founded by Gustave Niebaum. After a down period in the 1970s, this winery has come back strongly. Currently on a hot streak, Inglennook-Napa Valley is producing world-class Cabernet Sauvignon from its prime acreage in Rutherford.

Livingston Vineyards. This seven-acre vineyard south of Zinfandel Lane has been supplying grapes to some big-name wineries. With the recently released 1984 vintage, John and Diane Livingston will be producing Cabernet Sauvignon under their own label. If the first release is any indication, the Livingston Cabernet is destined to become a legendary wine.

Robert Mondavi Winery. The largest contiguous vineyard in the region belongs to this famous winery. Mondavi has a few other varieties here, but the majority of this big spread is Cabernet Sauvignon. The renowned Reserve comes from here, and across the road is

RUTHERFORD BENCH WINES: YOUR BEST BETS

The following are wines from the Rutherford Bench recently sampled by the *Bon Appétit* Wine Tasting Panel and highly recommended. Look for them at your local wine shop or liquor store.

1985 Beaulieu Vineyard Beau Tour Cabernet Sauvignon, Napa (\$7)
1983 Freemark Abbey Cabernet Bosché, Napa (\$18)
1984 Livingston Vineyards Cabernet Sauvignon, Napa (\$18)
1984 Robert Mondavi Cabernet Sauvignon, Napa (\$14)
1985 Sequoia Grove Vineyards Estate Bottled Cabernet Sauvignon, Napa (\$25)

And for the cellar:

1984 Far Niente Estate Bottled Cabernet Sauvignon, Napa (\$25); 4 to 6 years
1982 Heitz Cellars Martha's Vineyard Cabernet Sauvignon, Napa (\$40); 4 to 6 years
1982 Inglennook-Napa Valley Reserve Cask Cabernet Sauvignon, Napa (\$18.50); 4 to 6 years
1983 Opus One, Napa (\$50); 4 to 6 years
1982 Joseph Phelps Vineyards Insignia, Napa (\$25); 4 to 6 years

Listed prices are approximate and may vary from one state to another.

the Opus One planting that is a joint venture with France's Rothschild family.

Niebaum-Coppola. Just behind the Inglennook spread is the original Niebaum mansion, which was purchased in 1978 by the director of *The Godfather*, Francis Coppola. From the adjacent vineyard, Coppola makes a stunning red named Rubicon, a blend of Cabernet Sauvignon, Cabernet Franc and Merlot grapes.

Joseph Phelps Vineyards. The Phelps winery is across the valley off the Silverado Trail (a major north-south

road), but it does control an important Rutherford vineyard. The grapes from this spread are generally used in Phelps's prestigious Insignia bottlings—a blend of Cabernet Sauvignon, Cabernet Franc and Merlot.

Pine Ridge Winery. This well-respected winery is located south of Yountville in the Stag's Leap district, another proposed appellation. It does own some small plots of prime Rutherford real estate near the Phelps parcel.

Raymond Vineyard and Cellar. This winery is situated between Highway 29 and the Napa River, at the north end of the Rutherford region. Set among 80 acres of estate vineyards, this family operation has been very successful at making Cabernet Sauvignons that are straightforward and highly drinkable when young but that gain complexity and depth with age.

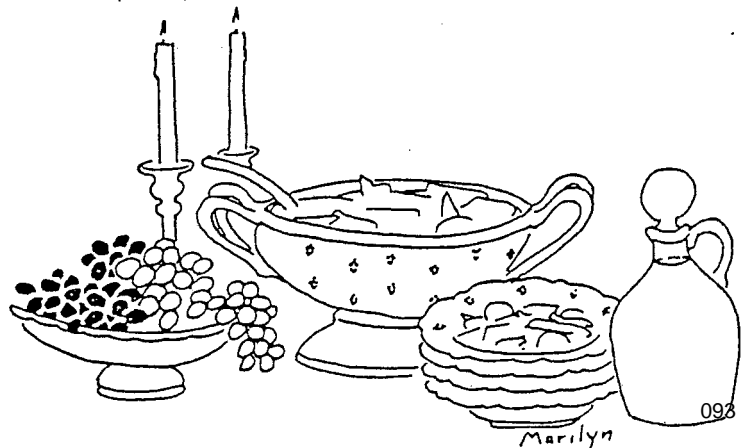
Rutherford Vintners Winery. This winery uses grapes grown in a 25-acre vineyard across the road from Grgich Hills. The plot, owned by Bernard Skoda and Mario Richards, is planted entirely to Cabernet Sauvignon.

Sequoia Grove Vineyards. Founded in 1979, this small winery is adjacent to 22 acres of estate Cabernet Sauvignon and Chardonnay vineyards. The Cabernet is fast gaining a national reputation for Sequoia Grove and the Allen family, which owns it.

Johnson Turnbull Vineyards. With 20 acres located almost directly across the highway from the Mondavi Winery, this operation produces fine Cabernets from its all-Cabernet vineyard.

Whitehall Lane Winery. The Steens and the Finkelsteins started this small winery in 1980. They produce impressive Cabernet Sauvignons.

In addition, many other wineries from all over California regularly buy grapes from the fine vineyards of the Rutherford Bench to enrich their own bottlings. A special appellation, such as the Rutherford Bench, may be the shape of things to come in the wine-growing regions of the Golden State. □



THE WASHINGTON POST

West Coast Tastes Come East

By Ben Gilberti
Special to The Washington Post

Late spring is a slow time in the vineyards, so vintners from prominent California and Oregon wineries seized a golden opportunity to unleash a barrage of exciting new releases on curious Washington palates at several major introductory tastings recently.

First was Inglenook Napa Valley Estate, eager to shed the good-for-hamburgers image of its corporate cousin, Inglenook Napa, introducing its long-awaited 1983 Reunion Cabernet (\$25; fall-release) at the attractive new Samplings restaurant. Reunion is a blend (the first in 20 years) of select grapes from the three original Inglenook vineyards, Napa, Niebaum-Coppola and Home Ranch. Before the first two vineyards were sold off in an ill-fated corporate reorganization in the late 1960s, they, along with the Home Ranch, supplied the masterful Inglenook Cask cabernets of the pre-1970 Gustave Niebaum/John Daniels era.

A key element of early Cask cabernets was the use of large (1,000-1,500 gallon) oak cooperage, which imparted far less oak flavor to the wines than aging in small oak barrels, a now common practice adopted to emulate the supposedly more sophisticated Bordeaux style. Reunion clearly harkens back to the earlier Cask style, and the result is perhaps the least oaky premium California cabernet on the market, one that emphasizes the natural fruit of the cabernet sauvignon unmasked by layers of oak and wood tannins.

Firm, dense, yet immensely fruity, Reunion represents a dramatic and, I predict, trend-setting return to a distinctive, native American style of premium cabernet.

The following week, the spotlight was on the 1984 Trilogy (\$30-\$35) from the Flora Springs Winery, located on the northern edge of the Rutherford Bench. A roughly equal blend of the three major bordeaux red grape varieties—cabernet sauvignon, cabernet franc and merlot, whence the name—Trilogy was presented by Flora Springs owner John Komes at two introductory dinners on succeeding evenings at Le Pavillon.

Despite the French cepage and the French cuisine, however, there was no mistaking Trilogy for anything other than a domestic cabernet made in a robust, rich, high-tannin, high-extract California style. The unusual cepage, however, did provide a layered complexity rare for a Golden State product. To widen distribution of the limited production wine (700 full cases), Trilogy will be sold only in six-bottle half cases, thus creating the world's first \$180 six-pack.

At the Ritz-Carlton Saturday, nearly 400 of the long-time and newly converted California faithful arrived for afternoon and evening sessions of the second-annual California Futures Barrel tasting. The event offered a sneak preview of pre-release barrel samples of highly touted 1985 Napa, Sonoma and other California cabernets offered for sale as futures by the event's sponsor, MacArthur Liquors.

Is this in fact the best cabernet vintage since 1978, and perhaps

1974, as the rave press notices have suggested? I believe it is. But the more important point may simply be how nationally significant this event has become in the space of just two years: 32 of the Golden State's premier cabernet producers made it their business to attend, and the event attracted tasters from 34 states, some as far away as Idaho and California.

Not all the glory was California's, however. Oregon's march to become the American Côte d'Or took an impressive step at the Park Terrace's Chardonnay restaurant with a showing of six of the state's best pinot noirs from the outstanding 1985 vintage.

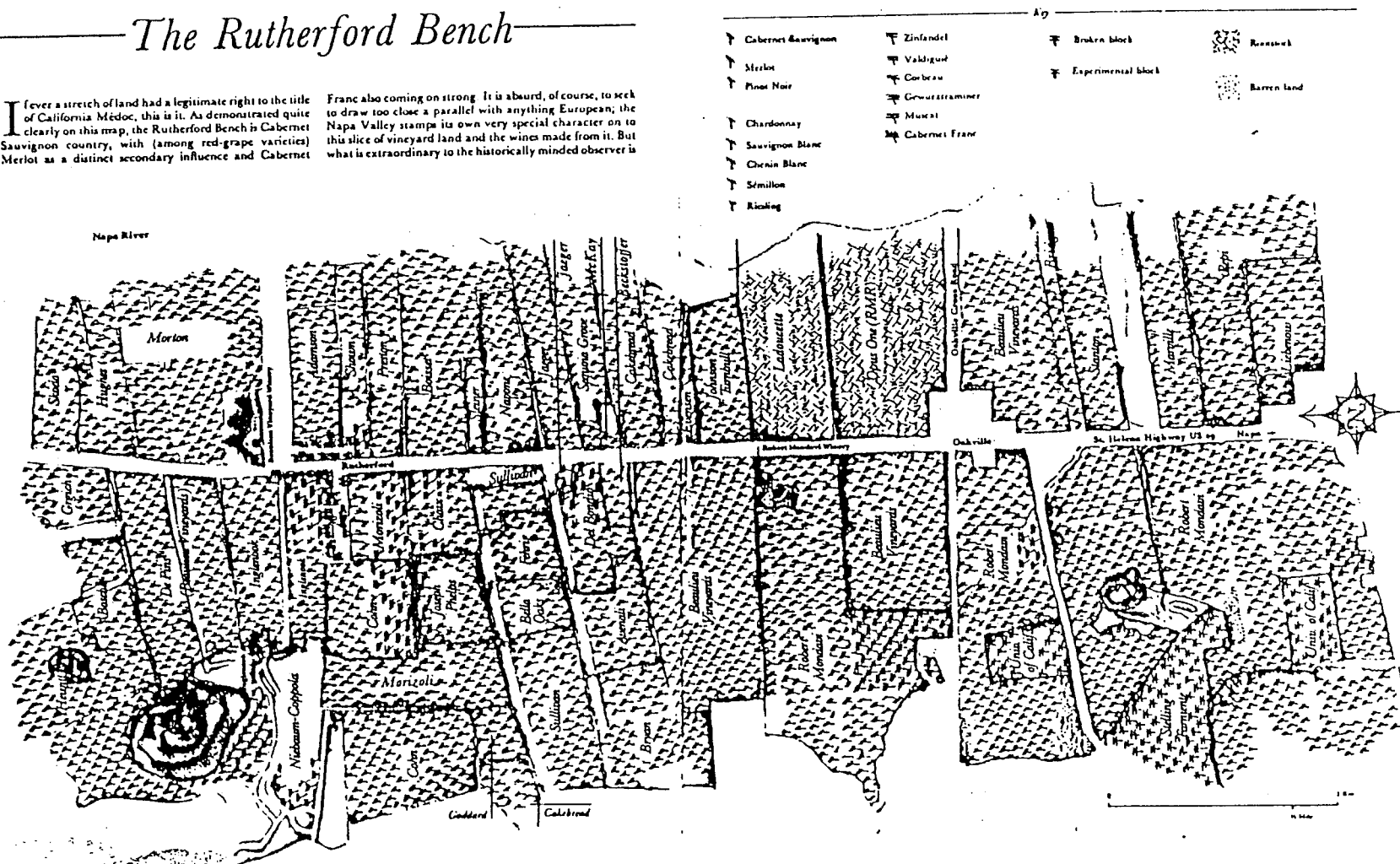
The wines' style was described insightfully by Dick Ponzi, the owner of Ponzi Vineyards, who said that he tastes many of the same components in Oregon pinot noir that he tastes in the state's superb fruits and berries. The wines did indeed display deep, berry-like flavors that were perhaps less subtle in effect than good burgundy, but disarmingly attractive. I might have wished for more distinctiveness among the wines. Six Vosne-Romanées would surely not have tasted so alike. Nor, in fairness, would they likely have been so uniformly good.

Look for the fabulous Côte de Beaune-style Ponzi 1985 Reserve, the rich Knudsen Erath Vintage Select, the oaky, smoky Adams, and the stylish Adelsheim, in that order. Oak Knoll and Amity also showed promise, but are still in barrel and need time to settle down. All will sell in the \$13-\$16 range at MacArthur Liquors, the event's host, and will arrive over the next few months.

The Rutherford Bench

If ever a stretch of land had a legitimate right to the title of California Médoc, this is it. As demonstrated quite clearly on this map, the Rutherford Bench is Cabernet Sauvignon country, with (among red-grape varieties) Merlot as a distinct secondary influence and Cabernet

Franc also coming on strong. It is absurd, of course, to seek to draw too close a parallel with anything European; the Napa Valley stamps its own very special character on to this slice of vineyard land and the wines made from it. But what is extraordinary to the historically minded observer is



BACK TO THE VINEYARDS?

by Bob Thompson

Bob Thompson is a freelance editor and writer whose books on wine include The Pocket Encyclopedia of California Wine, California Wine Country, Guide to California's Wine Country, California Wine, and The California Wine Book (with Hugh Johnson). Bob lives in St. Helena, CA, where he wrote this article for Friends of WINE.

W

here are we here? Square one? Stumbling toward the right variety on property at a time? Hardly.

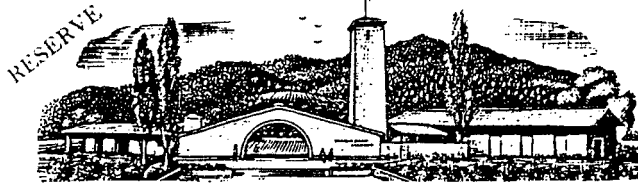
Long again. "We speculate that... great vintages are when maturity and sugar get into line. Just for example, our 1982 Cabernet Sauvignon got really mature, but the Brix never got above 22 degrees. In our 1984, we got the same Brix, but (at that point) the fruit was comparatively immature, underripe tasting."

So, by implication, great vineyards are ones where maturity and sugar get into line more often than not. Such patterns have emerged. More are emerging, especially where vineyards pack tightly together. The Rutherford-Oakville bench on the Napa Valley's west side, grows Cabernet Sauvignon very well indeed from the Bosche vineyard on the north down to Martha's Vineyard on the south. What is more, the bench grows Cabernet with rather more tannic authority than does the Stag's Leap area, over on the east side and farther south. Going one step farther, almost any Napa Cabernet will have more biting tannins than almost any counterpart from the Alexander Valley. Similarly distinct patterns have been found for Chardonnay, Sauvignon Blanc, Pinot Noir, even for Zinfandel.

The troublesome questions are in new

28 Friends of WINE

Bob Thompson, Back to the Vineyards, Friends of Wine, May, 1985, p. 28.



1983

Napa Valley

CABERNET SAUVIGNON

ALCOHOL 13% BY VOLUME

PRODUCED AND BOTTLED BY

ROBERT MONDAVI WINERY

OAKVILLE, CALIFORNIA

In spite of August rains, tough-skinned Cabernet Sauvignon grapes fared well in the Napa Valley. A crop which was reduced 20% from 1982 allowed the fruit to develop increased varietal concentration and structure.

This is a firm, supple Cabernet which displays all the classic aromas and flavors associated with Oakville Bench wines made from this varietal: cassis, mint, and cedar among them. It is a wine of superlative balance which displays all its elements in harmony. Thus, it is an ideal wine to enjoy with food. It will complement any entree based on beef, lamb, pork or game. It's also an excellent accompaniment to aged cheeses or chocolate. This concentrated, complex wine may be enjoyed immediately but it will also evolve in the bottle for decades to come.

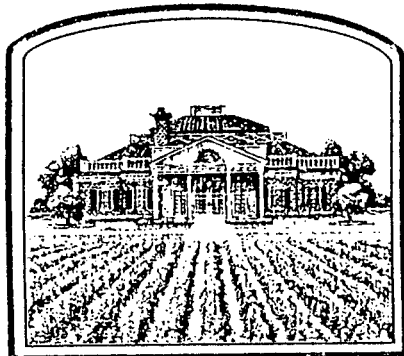
The grapes for this wine were picked at an average sugar content of 22.1° Brix. Acids at harvest were .71 g/100ml, and the pH was 3.35. Final acids were .60 g/100ml, and the final pH was 3.45.

Most of this blend is Cabernet Sauvignon (76.8%), but increments of Cabernet Franc (13.8%) and Merlot (9.3%) were also included. The two latter varietals contributed substantially to the accessibility and depth of the wine; similarly, the 24 months the wine spent aging in new French oak barrels served to increase its roundness, smoothness, and potential longevity.

For maximum enjoyment, this wine should be served at cellar temperature (55°F-60°F).

Corley 1984 *Reserve*

*Monticello*TM
CELLARS



N A P A V A L L E Y
Cabernet Sauvignon

Produced and bottled by
MONTICELLO CELLARS, NAPA, CALIFORNIA, USA
BV 5102 Alcohol 12.5% by volume Contents 750 ml

*Monticello*TM
CELLARS

1984 CORLEY RESERVE
CABERNET SAUVIGNON

This 100% Cabernet Sauvignon was produced from grapes grown on the Cope Ranch. This area on the Oakville Bench is considered to be one of Napa Valley's finest red wine areas. Only the second of our Cabernets to be designated Corley Reserve, this wine is full flavored, intensely colored and has ample fruit. Promising good drinkability as well as long aging potential, it is enjoyable with robust foods such as roast beef, and venison.

Alan Phillips

Jay Corley

Alan Phillips, Winemaker Jay Corley, Proprietor



CONTAINS SULFITES

wine country DATELINE

Local Les Amis du Vin chapter reactivated

By L. PIERCE CARSON
Register Staff Writer

Wine buffs can take heart in the news that the Napa Valley chapter of Les Amis du Vin has been reactivated.

A few members of the local wine industry prevailed upon Bruce Scotland and Bill Craig, respective manager and assistant manager of St. Helena Wine Merchants, to breathe life into the once active wine appreciation organization.

With a flair generally reserved for local wine events, Les Amis du Vin kicked off the year's series of wine tastings this past Tuesday night with a comparison of Rutherford bench cabernet sauvignon bottlings from the 1982 harvest.

The local Les Amis du Vin chapter has been inactive for about four years, notes Scotland, and he and a number of friends felt it was time to revitalize it.

Scotland points out there aren't many public wine tastings here, despite the fact that this is the nation's premier viticultural area. Most wine events are geared toward industry members.

"There's really very little for anyone who has found a new interest in wine — people who may have just moved in the area, for example," he remarked the other evening. "This will fill that niche."

Whether or not the local winetasters' group will continue under the aegis of Les Amis du Vin remains to be seen.

Scotland stated out that the en-

tion "took a hike" and Les Amis du Vin is struggling at the moment just to keep its nose out of the lees.

"We'll clone ourselves to whatever group emerges from the ashes," Scotland added.

Annual membership in the local Les Amis du Vin chapter is \$30. Anyone interested in joining the group can contact Bruce or Bill at St. Helena Wine Merchants, 699 St. Helena Highway, St. Helena 94574. Their phone number is 963-7888.

Craig conducted the Rutherford bench cabernet sauvignon tasting the other evening at the Oakville Garden restaurant. He said the group plans to have six public tastings per year, with the next one planned for April 15.

Special guest for the first event was the dean of California winemakers, Andre Tchelistcheff, winemaker at Beaulieu Vineyard from 1937 to 1973.

"Wine is a beverage of pleasure," Tchelistcheff said at the outset, "rather than one for competition."

Although the approximate 30 individuals present were about to taste and rank seven individual bottlings, Tchelistcheff wanted to point out the event should be one of enjoyment rather than one designed to ascertain which wine would be ranked as crowd favorite.

When Tchelistcheff came to California in the '30s, there were but 120 acres planted to cabernet sauvignon, he pointed out. Half of that acreage

was in the Napa Valley, planted by both Inglenook and Beaulieu.

He defined Rutherford cabernets as those coming from vineyards within the boundaries of Zinfandel Lane on the north, Yountville on the south, Mount St. John on the west and the Napa River on the east — although some vineyards east of the river contain that demarcation's characteristics.

There is both special bouquet and taste in bottlings of grapes harvested from vineyards west of Highway 29, he continued. Tchelistcheff and Dr. Maynard Amerine, former head of UC Davis enology department, labeled this unique common denominator "Rutherford dust." It is that special quality of cherries, plums, steeliness, tannin, et al. that gives these wines their unique character.

Rutherford bench wines have a "strong spine," Tchelistcheff noted. Wines from this area have the longest life in the bottle, he added.

Winemakers have been playing games with cabernet sauvignon wines since his arrival here over four decades ago, Tchelistcheff said.

"But wines are produced in the vineyard, not at the winery. If you don't pay attention to quality in the vineyard, no matter how much you try to patch things up in the winery, you'll never have a great wine."

The seven '82 cabernets tasted the other evening were Inglenook Vineyards Reserve Cask, Beaulieu Vine-

yards Private Reserve-George de Latour, Caymus Vineyards, Pine Ridge Rutherford Cuvee, Luper Reserve (Bouchaine Vineyards), Far Niente Winery and Heitz Wine Cellars Martha's Vineyard.

All were curious to hear what Tchelistcheff had to say about the wines offered for this blind tasting. For example, Tchelistcheff selected the Pine Ridge as his favorite. He felt it was the most harmonious of the lot, although it lacked "velvet."

Of his second and third choices, he commented "this is the dust." The Luper was Tchelistcheff's second choice, while Inglenook was his third. Commenting on the Inglenook, he praised its "complete harmony — this is beautiful, a well-presented nose, although the tannins are a little rough."

Of the Beaulieu, Tchelistcheff said "this is an oldtimer's presentation. This is the way I used to make wines. Although there is a definite market for this wine, I find it too aggressive — half a bottle would put

me under the table."

Nevertheless, it was the Beaulieu that took first place in Tuesday night's tasting, with Caymus, Inglenook and Pine Ridge following in relatively close order.

Scotland said the tastings will move from restaurant to restaurant.

On Tuesday, Oakville Garden chef Steve Taub served up a variety of exquisite terrines and pates, cheeses, escargots in puff pastry and a fiendishly addictive chocolate confection that disappeared within minutes.

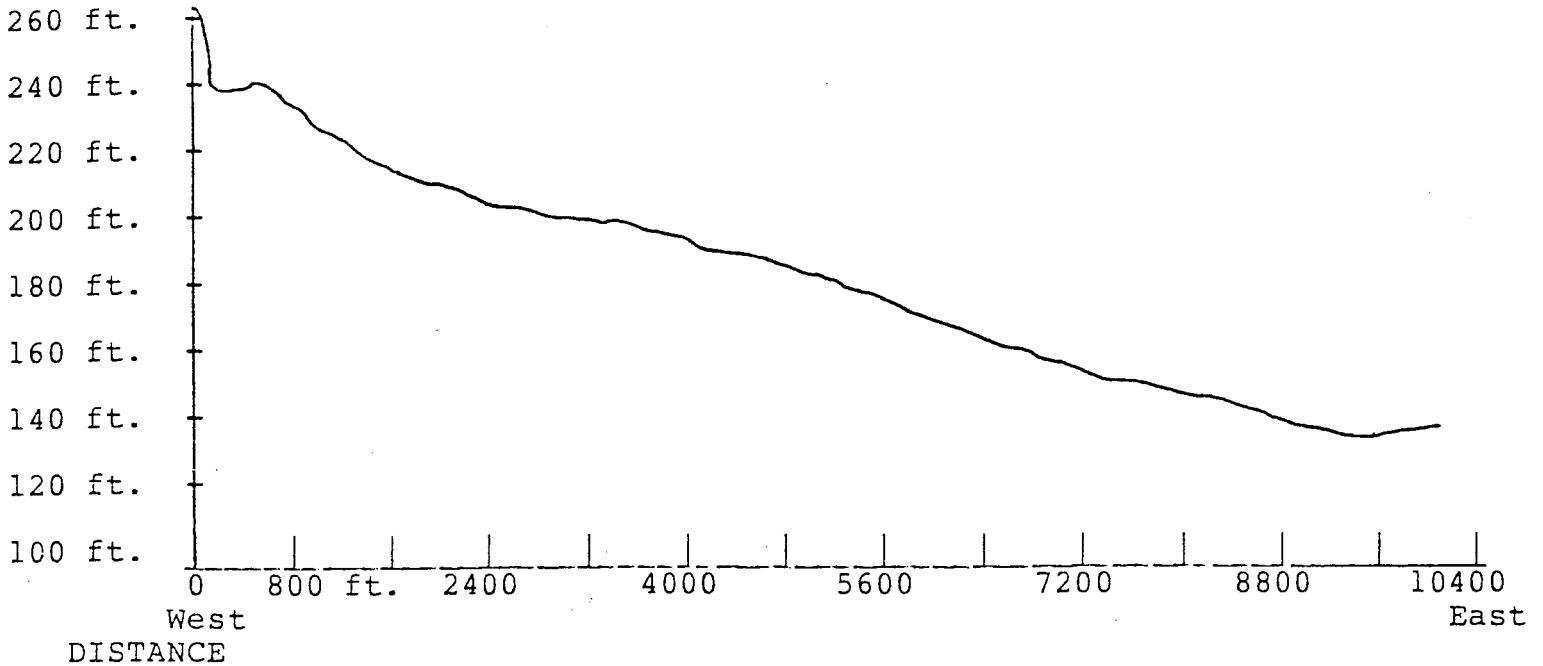
A food and wine experience is planned Sunday at 5 at Joseph Matthews Sherry Oven restaurant, pairing the wines of Bruce Rogers with the cuisine of Staffan Terje.

Courses include a lobster/salmon terrine, smoked duck breast, sautéed sea bass with leeks, rack of lamb with rosemary/mustard and chocolate terrine with raspberry sauce.

Tariff for the special event is \$55. For reservations, phone 226-3777.

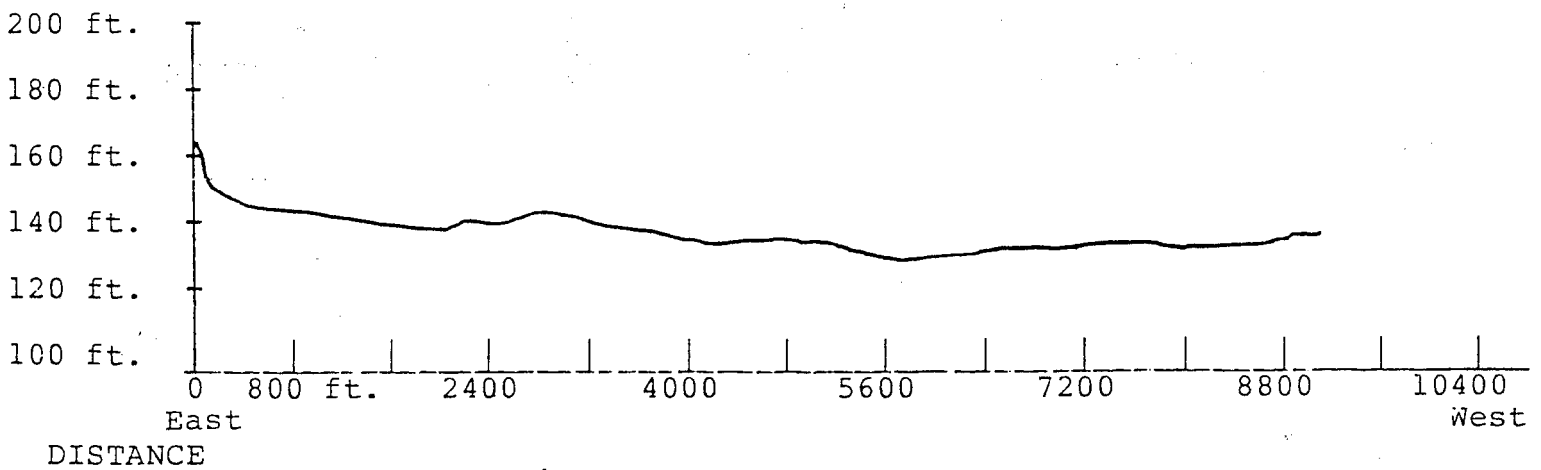
TOPOGRAPHIC PROFILES

ELEVATION



MOUTH OF BEAR CANYON CREEK
TO NAPA RIVER
(5 degrees S. of E.)

ELEVATION



SILVERADO TRAIL TO NAPA RIVER
ALONG SKELLENGER LANE
(AND ITS EXTENSION)

ATTACHMENT A

WEATHER REPORT CONCERNING OAKVILLE, RUTHERFORD, OAKVILLE BENCH AND RUTHERFORD BENCH

by Appellation Weather Sub-Committee
March, 1989

Introduction

A previously published report, prepared by the National Oceanic and Atmospheric Administration and submitted on behalf of the Napa Valley Appellation petition in 1980, established the general weather and climatic differences of Napa County (1).

This report showed that Napa Valley can be divided into two general climatic regions (coastal and inland), and three topographical areas -- the Valley itself lying within the Mayacamas Range to the West and the Vaca Range to the East; the area within the mountains themselves; and the area covering the eastern portion of the County.

Although a detailed climatic analysis would include observational data for temperature, precipitation, wind direction and speed, humidity, evaporation, solar radiation, etc., this report will discuss only temperature in degree days, precipitation to a lesser degree, and relative humidity and daily temperature fluctuations. The reason for this is the difficulty in obtaining routinely collected data from precisely calibrated equipment in representative areas of the Napa Valley. In the past three years modern weather stations have been installed and, with the exception of precipitation data, they are now accumulating accurate, calibrated climatic data, which have been used in the preparation of this report.

The data presented in this report have been accumulated during the period 1985 through 1988. The report does not cover the period before 1985 because reliable, accurate climatic data have not been available. The stations are a combination of National Weather Service stations, manual thermograph stations, and thermologger stations.

Mesoclimate

It is generally accepted within Napa County that elevation increases as one progresses north up the valley. With this increase in elevation there is an increase in precipitation, ranging from 20 inches in the south to 50 inches in the north. Additionally, the coastal influence in the Napa Valley results in a relatively moderate climate in the south (warmer in the winter and cooler in the summer) and a relatively extreme climate in the north (hotter in the summer and colder in the winter). These

precipitation and temperature observations are detailed at Exhibit 18 of the petition.

The data shown in Table I and Graph I focus on the Rutherford and Oakville areas and their immediate neighbors to the north and south, St. Helena and Yountville, respectively. It is evident that these areas experience different mesoclimates based upon their differing elevations, degree days and precipitation. These mesoclimates may be broadly defined as:

Yountville	2,695 degree days
Oakville	3,039 degree days
Rutherford	3,389 degree days
St. Helena	3,575 degree days

The weather stations used to collect this data are generally located within the center of the Valley, where they are subject to similar relative humidity, wind direction and solar radiation conditions. Station locations are shown in Map I.

Whilst climatic data cannot define viticultural boundaries on a precise basis because anomalies exist between specific locations (which in itself gives rise to microclimatic differences between specific vineyard locations), the historic data presented in the attached tables certainly establishes the existence of distinct climatic areas within the Napa Valley.

Topoclimate

Within the viticultural areas defined as Rutherford and Oakville, additional climatic data have been evaluated to determine differences known historically to exist between the broader valley floor and those areas located along the western foothills below the 500-foot elevation, referred to in this petition as the Rutherford Bench and Oakville Bench.

Degree day totals from locations within Rutherford and Oakville and from nearby areas do not indicate a consistent pattern. We do know, however, that there are topoclimatic differences between the Bench areas and the flatter, low-lying areas of the valley floor. Air drainage off the fans at night produce lower temperature readings on the valley floor (as evidenced during the frost season in the bench areas), and the marine air that moves in from San Pablo Bay almost nightly during the growing season moves in along the points of lowest elevation (along the Napa River floodplain) and has the greatest impact there. This air is cooler than the air it is displacing, resulting in cooler temperatures in valley low spots as well as increased humidity. The more elevated fans often will be warmer and the air above them will be drier.

It is our belief that greater differences exist than reflected in the data, as historically vineyard managers and winemakers have noted differences between these locations. Part of the problem appears related to the fact that, within the broad mesoclimatic

data available for Napa Valley, one is attempting to define local climates unique to specific areas.

In order to better define these microclimatic differences one needs to utilize specific hourly data. Unfortunately such data are generally only available from microloggers, and very little of this data exists.

The location of the Napa River in the center of the valley, the prevailing moisture-laden sea breeze in the center of the valley and the early morning fogs prevalent in this area of Napa Valley would certainly show an impact on diurnal data for relative humidity. Solar radiation and daily temperature curves would be expected to show that the Bench areas generally receive more solar radiation earlier in the day than the larger community areas. This would seem evident from the natural progression of the sun from east to west across a valley running south to north.

Historical viticultural experience has shown that vineyards located within the Bench area of the Rutherford and Oakville viticultural areas generally receive the same amount of daytime heat as vineyards located within the broader viticultural areas. However, the timing of the solar radiation, in conjunction with the aspect of the vineyards along the western foothills is such that, unlike vineyards located in the central and eastern portion of the proposed areas, the fruit grown in the Bench areas is not exposed to direct heat for extended periods in the later afternoon. These observations are further evidenced by fruit maturation differences between the eastern and western sides of the valley during the period leading up to harvest.

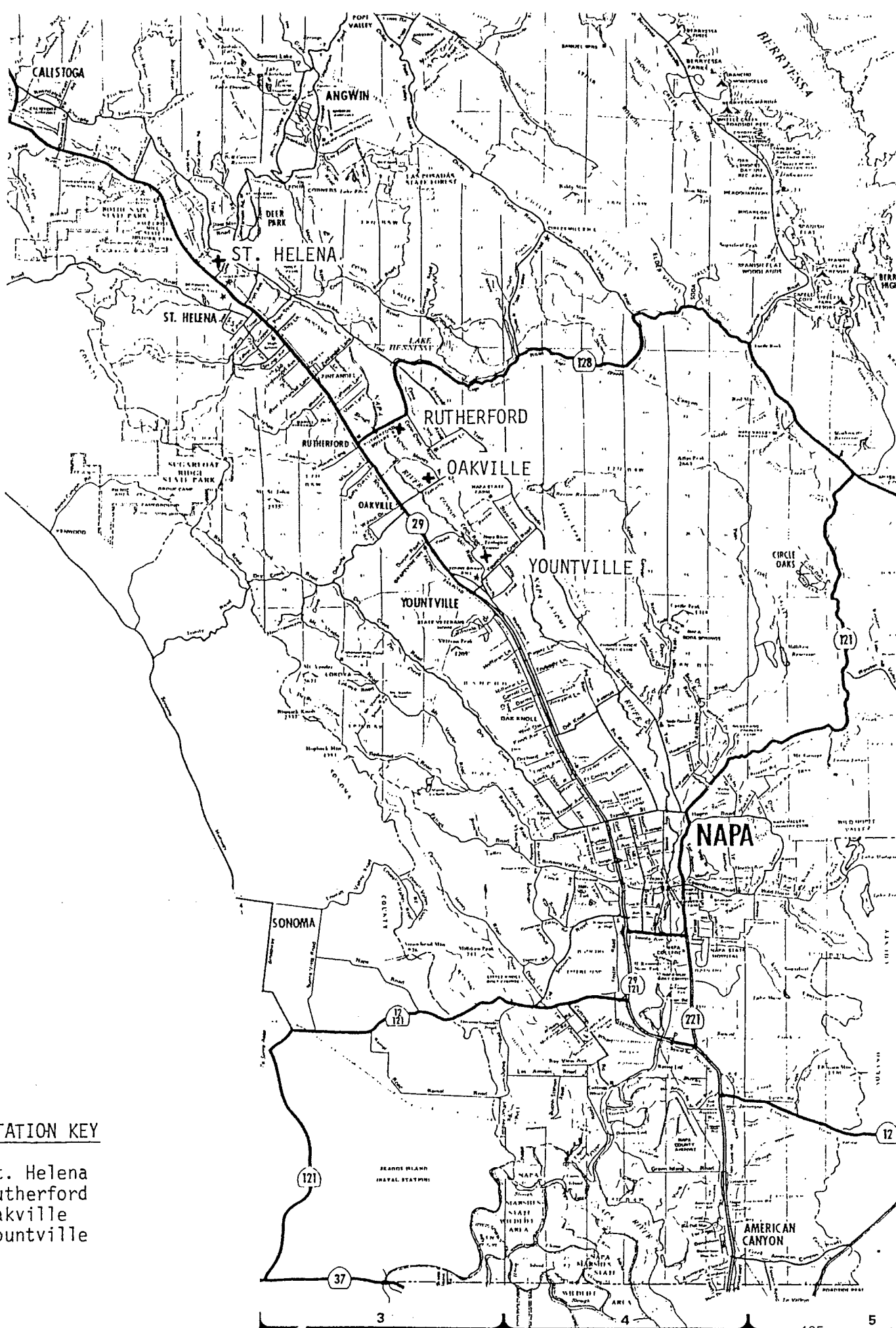
Summary

In summary, historical U.S. Weather Service data and current vineyard data support the claim of this petition that distinct mesoclimatic zones exist within the Napa Valley and that these zones increase in annual mean temperature as one progresses north up the Valley. The data in Table I indicates that St. Helena is 5.5% warmer than Rutherford, and Oakville is 11.5% cooler than Rutherford. These macroclimatic differences support the establishment of the Rutherford and Oakville viticultural areas, although climatic data alone are insufficient to establish the precise boundaries of any proposed viticultural areas.

Within the proposed Rutherford and Oakville viticultural areas, two additional areas exist, the Rutherford Bench and Oakville Bench. Mesoclimatic data supporting these two areas are inconsistent. Local climatic data, specifically diurnal data, are required along with historical viticultural experience. When used in conjunction with geologic, geomorphic and topographic data, the submitted climatic data support the establishment of the proposed viticultural areas.

References

(1) General Weather and Climatic Differences of Napa County. Ronald S. Hamilton. Meteorologist in Charge. National Weather Service Office for Agriculture. Submitted with Napa Valley Appellation of Origin application, 1980.



STATION KEY

- St. Helena
- Rutherford
- Oakville
- Yountville

TABLE I. Summary of degree days, by station location, for the past four years.
Overall Napa Valley Summary.

SITE	1985 DEG DAY :	1986 DEG DAY :	1987 DEG DAY :	1988 DEG DAY :	DATA MEAN
NAPA	3,022	3,155	3,342	3,201	3,180
YOUNTVILLE	2,731	2,503	2,841	2,706	2,695
OAKVILLE	3,024	2,884	3,222	3,025	3,039
RUTHERFORD	3,461	3,177	3,552	3,364	3,389
ST. HELENA	3,531	3,326	3,784	3,660	3,575
CALISTOGA	3,737	3,577	3,918	3,840	3,768

STATION KEY:

Napa
Yountville
Oakville
Rutherford
St. Helena
Calistoga

LOCATION

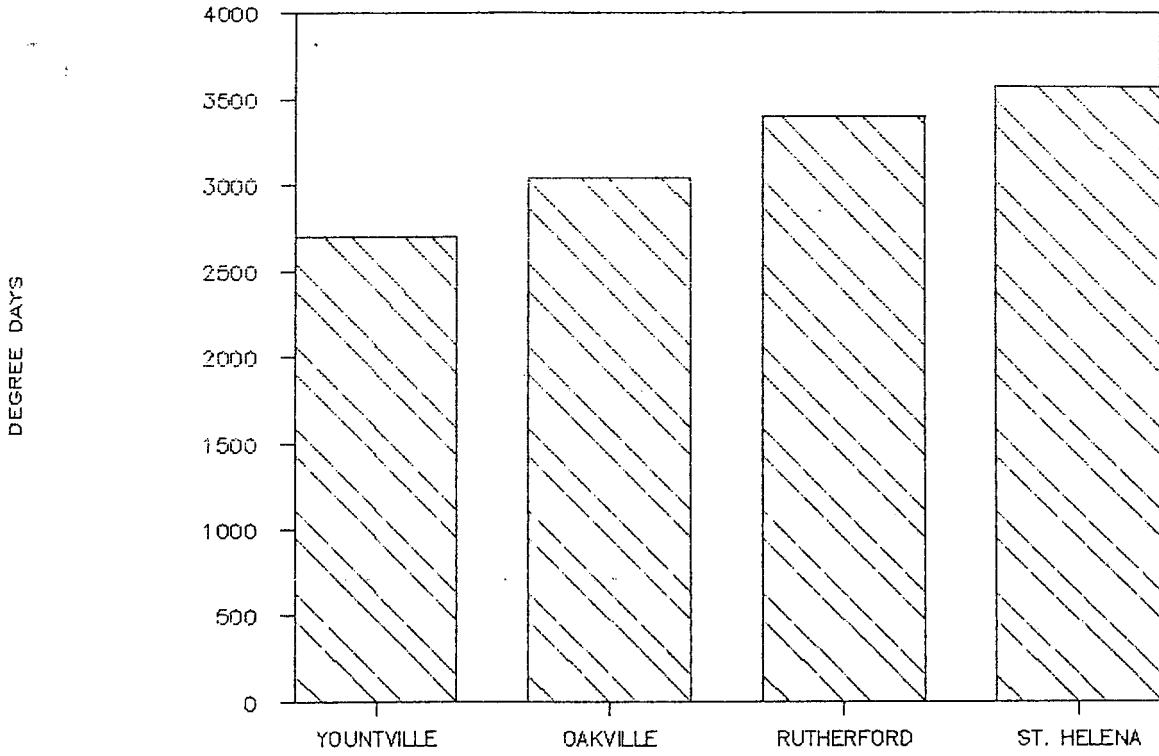
Napa State hospital
DRV vineyard, Yountville
Swanson vyd, Oakville Crossroad
Keig vineyard
US Dept Forestry
Corporation yard, Calistoga

SOURCE

U S Climatological Service
Domaine Chandon, Yountville
Domaine Chandon, Yountville
NVVCo vineyard records.
U S Climatological Service
U S Climatological Service

NAPA VALLEY SUMMARY

FOUR YEAR MEAN DEGREE DAYS



ATTACHMENT B

COMPARISON OF STREAM SEDIMENTS FROM THE WEST SIDE OF THE
NAPA VALLEY (RUTHERFORD AND OAKVILLE BENCHES), CALIFORNIA
(Including data from Conn and Rector Creeks)

Prepared By

Thomas B. Anderson
Professor of Geology
Sonoma State University
February 23, 1989

INTRODUCTION

Four areas in the Napa Valley (Rutherford Bench, Oakville Bench, Rutherford, and Oakville) are being considered for designation as separate wine growing appellations. The present study was done to determine the influence of bedrock geology on the nature of the stream sediments which supply material to two alluvial fan areas in question, the Rutherford Bench to the north and the Oakville Bench to the south. Two samples were taken from the east side of the valley for comparison. Different compositions of stream sediments should produce fans and soils which are characteristically different in the two areas and support the idea of separate appellations for them.

GEOLOGY

The bedrock geology of the Mayacamas Range has been described by Fox et. al. (1973) and more recently by Wagner and Bortugno (1982). Four major rock types are present: the Franciscan Complex, the Great Valley sequence, the Sonoma Volcanics and the Knoxville Formation. Rocks of the Franciscan Complex and the Great Valley sequence generally crop out in the core of the range while the Sonoma Volcanics underlie the flanks. The Knoxville Formation crops out on the eastern flank of the range west of the village of Rutherford. An important component of the geology of the area is the Mount Saint John's Fault (Plate 1) which crops out to the west of the study area south of Mount Saint John. This fault separates Franciscan outcrops to the north from Great Valley outcrops to the south. In general, streams which have produced the Rutherford Bench alluvial fan complex drain the northern area while the fan of the Oakville Bench has been formed by streams which drain the southern bedrock area. Rocks of the Sonoma Volcanics which form the eastern foothills of the central portion of the range occur in the drainage basis of both fan areas. The purpose of this study was to determine the influence of the bedrock types in the drainage basis on the composition of the stream sediments which are the main source of material which compose the alluvial fans. Brief descriptions of the four main rock units are given so that the stream sediment compositions can be compared to them.

The Franciscan Complex (generally of Jurassic-Cretaceous age) (Kjfs on Plate 1) is composed of heterogeneous and intensely deformed assemblage of oceanic rocks. Sedimentary rocks consist predominantly of massive, bedded graywacke sandstone, bedded chert, and highly sheared dark shale. Metamorphic rocks such as glaucophane schist (blueschist) and serpentine are common. Serpentine bodies (sp on Plate 1) have been mapped as separate units on the geologic map because of the characteristic soils and landscapes which form on them and occur in the northern part of the study area. Meta-volcanic rocks such as greenstone (metamorphosed basalt) are also present. Most prominent outcrops

of Franciscan rocks are formed by the resistant rock types: graywacke, chert, greenstone, blueschist, and, in some cases, partially serpentized plutonic igneous rocks. The shales which form the bulk of the Franciscan Complex are poorly resistant, generally do not crop out, and do not contribute significantly to the bed load of streams which drain these bedrock areas. The Franciscan Complex has been called a melange which reflects the heterogeneous lithology and the intensely disrupted nature of the unit.

Rocks of the Great Valley sequence (Kjgvm on Plate 1) generally crop out east of the Franciscan Complex except where faulting has disrupted the pattern such as in the area of the present study. The Great Valley sequence rocks, in contrast to the Franciscan, are a relatively undisturbed, unmetamorphosed, conformable sequence of sandstone, siltstone, shale, and conglomerate. These rocks were deposited at the same time as the Franciscan (Jurassic-Cretaceous) in a setting which prevented the deformation present in the Franciscan.

Rocks mapped as the Knoxville Formation (Jk on Plate 1) crop out west of Rutherford on the flanks of the hills above Rutherford Bench. The Knoxville Formation underlies the Great Valley sequence and is composed of a succession of alternating shales and sandstones which are similar and generally indistinguishable from similar rock types in the Great Valley sequence. For this reason, rocks of potential Knoxville lithology have been included in the Great Valley counts.

The Sonoma Volcanics (Tsa, Tsr, and Ts1t on Plate 1) of Pliocene age are composed of a variety of volcanic and related sedimentary rocks which formed from different volcanic processes in different settings. Basalt, andesite, and rhyolite flows, tuff, breccia, pumice and obsidian were formed during this time interval. Interbedded with these rocks are tuffaceous sandstone and conglomerates as well as pyroclastic materials. The vents from which these lavas erupted have not been identified but, for the most part, are believed to have been local.

Sampling Procedures

Nine streams were sampled in this study (Plate 2). Stations 1-3 are along streams which drain onto the Oakville Bench while Stations 4-7 are more northerly and flow across the Rutherford Bench area. Two streams which drain the hills on the east side of the Napa Valley were also sampled. Station 8 is on Conn Creek and Station 9 is a sample from Rector Creek. Many of the streams presently flow in courses that are obviously man-made, i.e., they flow in very geometric patterns around vineyards and are confined in sand-bagged or rip-rapped channels. Thus, in some cases, the possibility of contamination of the natural stream sediment load exists although sampling localities were chosen in an attempt to

avoid this problem. In the Rutherford and Oakville Bench areas, all streams generally flow to the east into the Napa River.

At each locality, a grid approximately three feet square was laid out, and the rock types which composed the coarse fraction (greater than four centimeters) of the sediment within the grid were determined. Sample numbers at each locality ranged from 26 to 62. Sample counts for each station are shown in Appendix A. In addition a general observation was made of the overall pebble composition at each locality to insure that the sample within the grid was representative of the total stream load. In all cases this was true. The resulting pebble counts were then classified as to the type of source rock which produced them (Table 1) and graphs comparing the different lithologic affinities for each station were construed (Plate 3). At one sampling locality (7), an additional sample (7a) was taken from the stream bank as a check on whether the original stream sample was representative of the rocks in the drainage basin or had been contaminated by stream modification. Counts made on samples 7 and 7a (Table 1) are very similar and, at least in this case, support the idea that the sediments in the stream have not been contaminated by material brought in for stream stabilization.

TABLE 1: Distribution of Rock Types in Stream Sediments

LOCALITIES	<u>Sonoma Volcanics</u>	<u>Franciscan</u>	<u>Great Valley</u>	<u>Non- Diagnostic</u>
<u>Oakville Bench</u>				
Station 1	68	0	32	0
Station 2	27	0	73	0
Station 3	0	67	33	0
<u>Rutherford Bench</u>				
Station 4	3	79(6)	18	0
Station 5	31	65(62)	0	4
Station 6	32	58(34)	5	5
Station 7	17	32(7)	49	2
Station 7a	12	32(4)	56	0
<u>Conn Creek</u>				
Station 8	11	71(17)	16	2
<u>Rector Creek</u>				
Station 9	92	8(8)	0	0

Note: Values in parentheses are percentages of serpentine

Discussion of Data

Samples (Stations 1-3) taken from the Oakville Bench are composed primarily of Great Valley sequence and Sonoma Volcanic rocks (Table 1). The range in contribution from the Great Valley sequence varies from 32 to 73 percent. Two of the samples (Stations 1 and 2) contain high amounts of material derived from the Sonoma Volcanics, 68 and 27 percent respectively. The sample from Station 3 is anomalous in that it contains 67 percent Franciscan material and is the only sample from the Oakville Bench which contains any Franciscan sediment. This stream is the most northerly of the streams sampled from the Oakville Bench and has the largest drainage basin which includes a substantial area north of the Mount Saint John's Fault underlain by Franciscan rocks. In fact, the Franciscan rocks form the largest portion of the drainage basin. Thus, it is not surprising that a large fraction of the sediment in the stream reflects such a source. A notable feature of the sediments from this area is that they are the only samples which contain no serpentine, important components of the stream sediments from the other areas included in this study.

Station 4-7 from the Rutherford Bench consistently contain more Franciscan sediment and less Great Valley sediment than streams contributing to the Oakville Bench (Table 1). Values of Franciscan components range from 58 to 79 percent. An interesting aspect of the Franciscan sediment load at these localities is the presence of serpentine which reflects the outcrops of serpentine which exist in the drainage basin. Small amounts of serpentine are present in the samples from Stations 4 and 7 (6 and 7 percent relatively) while larger amounts are present in the samples from Stations 5 and 6 (62 and 34 percent relatively). Serpentine is a significant component of the stream sediments at these sites and produces the characteristic Maxwell soils which are prevalent in the area. Significant amounts of Sonoma Volcanics are also present (31 and 32 percent in samples from Stations 5 and 6). However, stream bank stabilization using Sonoma Volcanic material was common along these streams and probably has biased the samples in favor of Sonoma Volcanic rock types at these localities. Smaller contributions of Great Valley material is present in samples from Stations 4 and 6. Samples from Stations 4 and 5 also contain some pebbles which could not be assigned to a particular source area.

Samples 8 and 9 are from Conn Creek and Rector Creek respectively on the east side of the Napa Valley. These streams originate in the Vaca Range which bounds the Napa Valley on the east. The bedrock geology of this range is diverse. Generally, rocks of the Sonoma Volcanics crop out immediately to the east of the Napa Valley but local areas underlain by the Franciscan Complex and serpentine bedrock occur in fault-blocks, particularly around Lake Hennessey, a reservoir on Conn Creek.

Higher in the Conn Creek drainage more outcrops of Franciscan occur as well as smaller areas which are underlain by Great Valley sequence rocks.

The sample from Station 8 on Conn Creek reflects this source area geology (Table 1). The majority of the sample is of Franciscan origin (71 percent) with serpentine composing 17 percent of this fraction. Smaller amounts of Sonoma Volcanics (11 percent) and rocks of Great Valley origin (16 percent) are also present.

Rector Creek (Sample 9) has a much smaller drainage basin. As would be expected, the rocks in the stream sample reflect the provenance (Table 1); 92 percent of the sample has an origin in the Sonoma Volcanics. The remainder of the sample (8 percent) is composed of Franciscan serpentine. The serpentine clasts either represent material which made it down the drainage from serpentine outcrops on the high ridges to the east (see Atlas Peak area on the map of Wagner and Bortugno (1982)) or are contamination from fill brought in for the highway grade of the Silverado Trail which crosses Rector Creek immediately to the east of the sampling locality or activity further upstream. Rector Creek contained the largest boulders encountered in the study with the stream bed containing many boulders up to four feet in diameter.

CONCLUSIONS

Analysis of rock types in stream sediments from several streams which drain to the east of the Mayacamas Range and have created the alluvial fans on the west side of the Napa Valley has shown that the stream sediment rock types reflect the type of rocks exposed in the source area. In considering this observation, it should be noted that some rocks in the source area, because of their non-resistant nature, will not show up in the stream sediments. Thus, the shales and mudstone which are common in both the Franciscan and Great Valley sequence rocks as well as the soft tuffs and consolidated material in the Sonoma Volcanics will not be present in the coarse fraction of the resulting stream sediments which are produced by the outcrop areas of these rock units.

More specifically, the two fans which are the focus of this study, Rutherford Bench to the north and Oakville Bench to the south, have been produced by streams carrying different sediment loads. To the south, streams which are supplying sediment to the Oakville Bench carry a coarse sediment fraction which is dominated by rock types from the Great Valley sequence with locally significant contributions from the Sonoma Volcanics. An exception to this pattern is the sediment sample from station 3 which is dominated by Franciscan material, although a third of the sample is still from a Great Valley source. Station 3 is at

the northern edge of the Oakville Bench and is from a larger stream which drains an area to the northwest which contains significant outcrops of the Franciscan Complex. No serpentine is present in the course stream sediments in the Oakville Bench area. To the north, the Rutherford Bench is being supplied with sediment which is dominantly Franciscan in nature with more minor, but significant contributions from the Sonoma Volcanics. In more detail, the Franciscan sediment load of these streams contains important amount of serpentine which is present in the drainage basins of these streams. Thus, two alluvial fans in question have been created by sediment from two generally different sources which contain different types of bedrock that has influenced the composition of the sediments which compose the fans.

The sediment composition of Conn Creek and Rector Creek also predictably reflects the nature of the bedrock in their drainage basins. The sample from Rector Creek shows a generally varied composition, similar to the heterogeneity found in the Rutherford Bench. Both basins show evidence of serpentine which is not generally found to the south. The sample from Rector Creek with its smaller drainage basin consists predominantly of Sonoma Volcanics, the rocks which crop out along the upper reaches of the stream. This is similar to the high percentage of Sonoma Volcanics in the Oakville Bench.

↓ Conn Creek ? ?

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Mines and Geology, Regional Geologic Map Series, Map No. 2A.

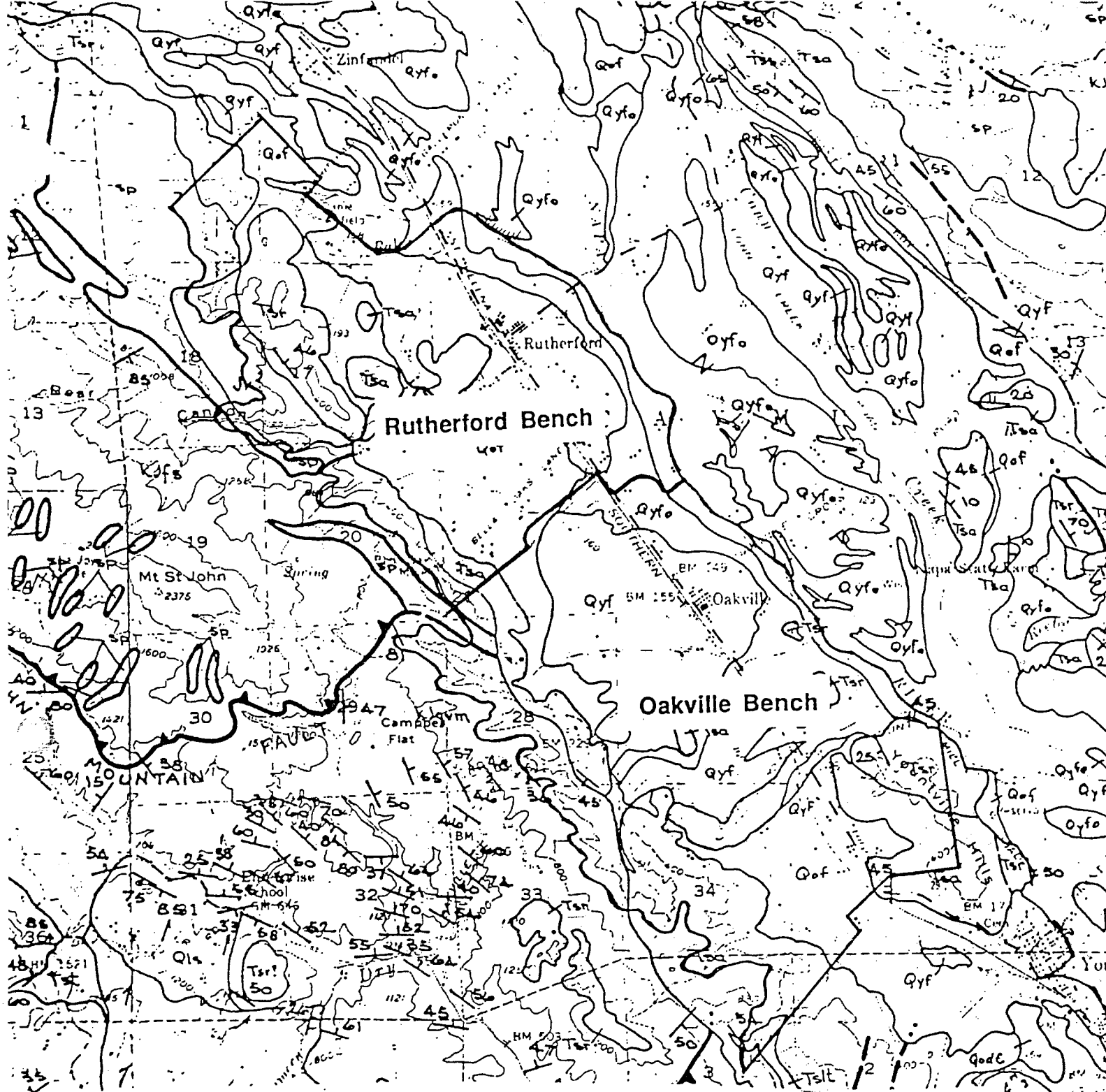
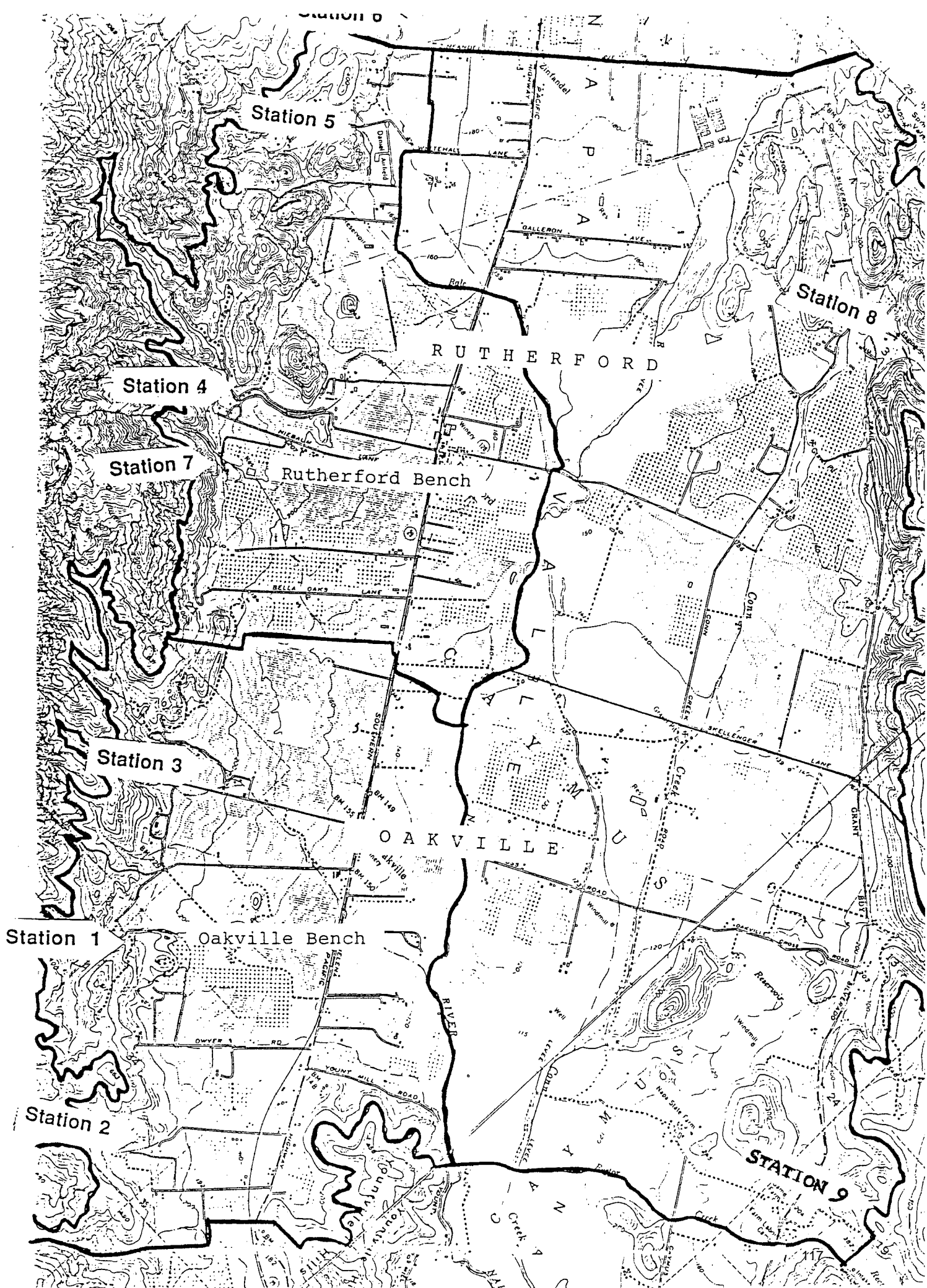


Plate I : Regional Geologic Map (after Fox et. al., 1973). Boundaries of Rutherford Bench and Oakville Bench are approximate.



Station 5

Station 8

Station 4

Station 7

Rutherford Bench

Station 3

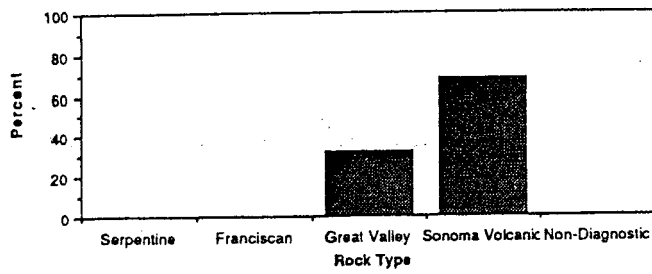
OAKVILLE

Station 1

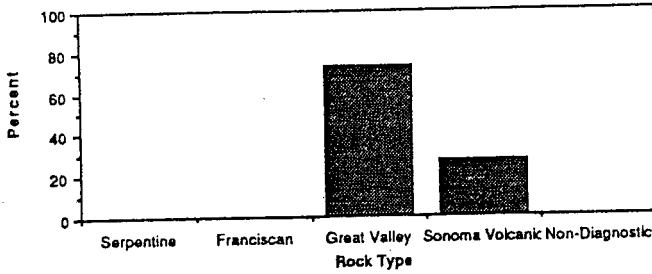
Oakville Bench

STATION 9

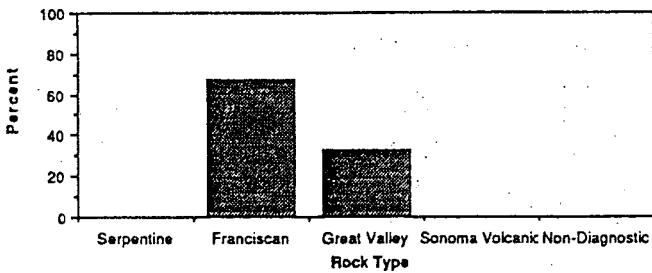
Station 2



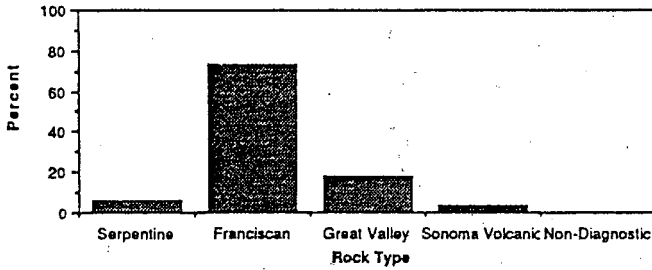
Station 1



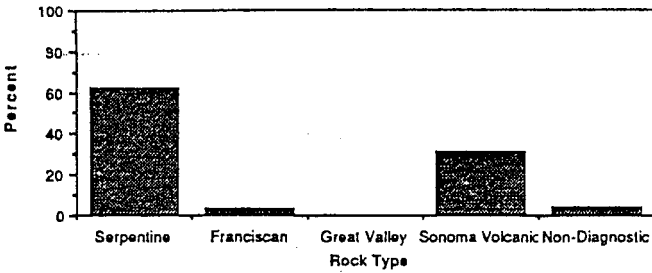
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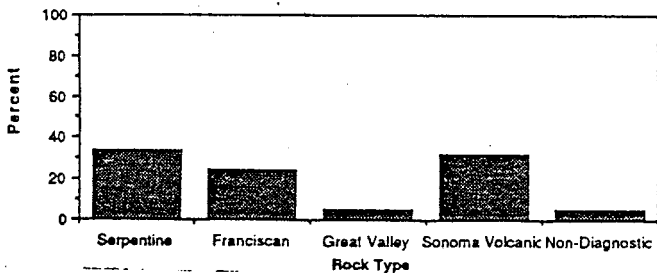
Station 3



Station 4

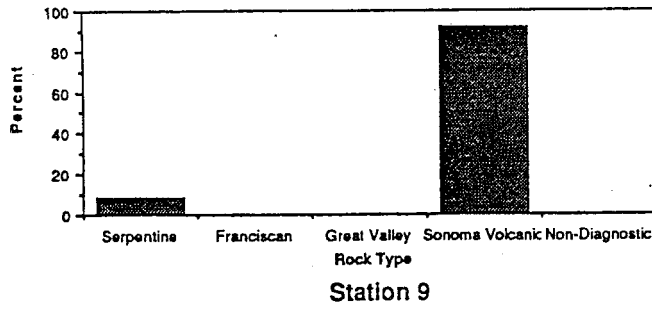
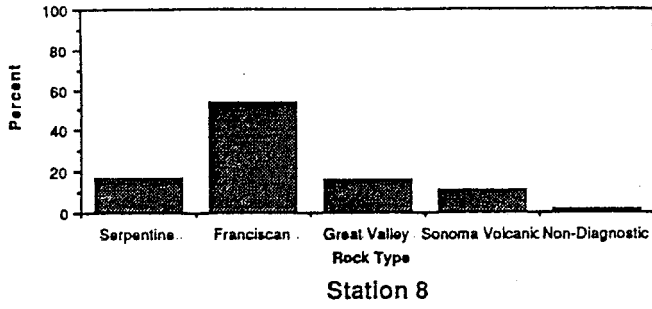
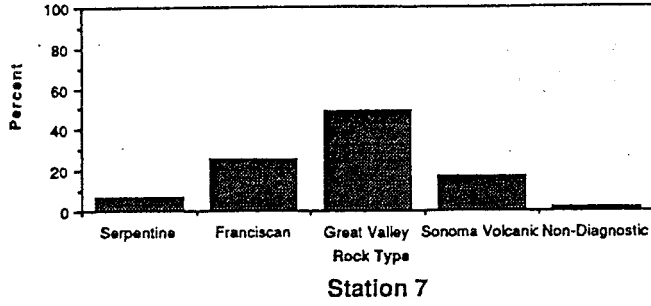


Station 5



OAKVILLE BENCH

RUTHERFORD BENCH



CONN CREEK

RECTOR CREEK

Plate 3 : Graphs showing Bedrock Affinities of Stream Sediments

APPENDIX A

Rock Types in Stream Sediments at Sample Stations

Station 1 (Oakville Bench)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Basalt	16	Sonoma Volcanics
Felsite	3	Sonoma Volcanics
Sandstone	1	Great Valley
Felsite (weathered)	3	Sonoma Volcanics
Mudstone	4	Great Valley
Shale	5	Great Valley
Sandstone (weathered)	1	Great Valley
Basalt (weathered)	1	Sonoma Volcanics

Station 2 (Oakville Bench)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Sandstone	17	Great Valley
Basalt	6	Sonoma Volcanics
Conglomerate	1	Great Valley
Sandstone (weathered)	3	Great Valley
Felsite	1	Sonoma Volcanics
Volcanic Glass	1	Sonoma Volcanics
Mudstone	1	Great Valley

Station 3 (Oakville Bench)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Mudstone	8	Great Valley
Graywacke	14	Franciscan
Greenstone	2	Franciscan
Sandstone	2	Great Valley
Greenstone (weathered)	1	Franciscan
Shale	1	Great Valley
Shale	5	Franciscan

Station 4 (Rutherford Bench)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Serpentine	2	Franciscan
Chert	2	Franciscan
Graywacke	16	Franciscan
Sandstone	4	Great Valley
Graywacke (weathered)	1	Franciscan
Shale	1	Great Valley
Greenstone	5	Franciscan
Felsite	1	Sonoma Volcanics
Gabbro	1	Franciscan
Mudstone	1	Great Valley

Station 5 (Rutherford Bench)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Serpentine	16	Franciscan
Sandstone (weathered)	1	Non-Diagnostic
Felsite	6	Sonoma Volcanics
Sandstone (tuffaceous)	1	Sonoma Volcanics
Basalt	1	Sonoma Volcanics
Graywacke	1	Franciscan

Station 6 (Rutherford Bench)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Felsite	9	Sonoma Volcanics
Serpentine	13	Franciscan
Sandstone	1	Great Valley
Chert	4	Franciscan
Mudstone	1	Great Valley
Sandstone (weathered)	2	Non-diagnostic
Basalt	3	Sonoma Volcanics
Graywacke	5	Franciscan

Station 7 (Rutherford Bench)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Sandstone	16	Great Valley
Tuff	3	Sonoma Volcanics
Slate	3	Franciscan
Felsite	3	Sonoma Volcanics
Graywacke	5	Franciscan
Mudstone	2	Great Valley
Serpentine	3	Franciscan
Chert	2	Franciscan
Basalt	1	Sonoma Volcanics
Siltstone	2	Great Valley
Sandstone(weathered)	1	No Affinity

Station 7a (Rutherford Bench, Stream Bank Deposit)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Graywacke	7	Franciscan
Sandstone	6	Great Valley
Felsite	1	Sonoma Volcanics
Siltstone	7	Great Valley
Serpentine	1	Franciscan
Mudstone	1	Great Valley
Basalt	2	Sonoma Volcanics

Station 8 (Conn Creek)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Serpentine	7	Franciscan
Felsite	3	Sonoma Volcanics
Sandstone	7	Great Valley
Graywacke	15	Franciscan
Chert	8	Franciscan
Tuff	1	Sonoma Volcanics
Sandstone(weathered)	1	No Affinity
Sandstone(tuffaceous)	1	Sonoma Volcanics
Slate	2	Franciscan

Station 9 (Rector Creek)

<u>Rock Type</u>	<u>Count</u>	<u>Affinity</u>
Felsite	12	Sonoma Volcanics
Basalt Porphyry	7	Sonoma Volcanics
Unidentified Volcanic	5	Sonoma Volcanics
Banded Aphanite	7	Sonoma Volcanics
Rhyolite Porphyry	1	Sonoma Volcanics
Serpentine	5	Franciscan
Quartz Porphyry	18	Sonoma Volcanics
Scoria	3	Sonoma Volcanics
Basalt	3	Sonoma Volcanics
Sandstone(tuffaceous)	1	Sonoma Volcanics

ATTACHMENT C
SOILS REPORT FOR THE PROPOSED RUTHERFORD, OAKVILLE,
RUTHERFORD BENCH AND OAKVILLE BENCH VITICULTURAL AREAS

Prepared by Associate Professor Deborah L. Elliott-Fisk
Department of Geography, University of California, Davis

Introduction

During the past fourteen months, I have been involved in intensive soils studies in Napa Valley affiliated with three of my research projects. These studies involve (1) determination of the Quaternary (last two million years) history of Napa Valley as a function of climate change, changes in the hydrology of the Napa River system, and sea-level changes of San Pablo Bay, (2) analysis and mapping of the Stags Leap District soils, and (3) evaluation of differences in the viticultural potential of soils and their potential contribution of soils to grape and wine composition. Projects (1) and (3) are collaborative efforts.

We have described, sampled and analyzed approximately 90 soil profiles during this time throughout Napa Valley. Copies of 8 soil profile description data sheets and graphical views of these soils are attached here for some of the soils we have sampled within the proposed Rutherford-Oakville-Rutherford Bench and Oakville Bench viticultural areas. [This analysis was financially supported by the following wineries: Inglenook-NV, Robert Mondavi, Caymus, and Joseph Phelps.] Information from six additional soils sampled in the Inglenook-NV Home vineyards (on the Rutherford Bench fan) is not included here, as this work is not yet complete. Soil trenches which were opened up, but not described, are not discussed here. The only soil elemental analyses which have been conducted to date are for Inglenook-NV-A4 (#7) and Phelps Backus. This information is also included on the soil description sheets. My interpretation of these 8 soil profiles is presented below, following a brief overview of the classification of soils in Napa County.

The Classification and Mapping of Soils by the Soil Conservation Survey

In the United States, soils are classified according to the Seventh Approximation system developed by the USDA-Soil Conservation Service. Soils are grouped into 10 orders, which then are broken down into suborders, families, series, etc. Soil series and soil phases are used to classify local soils (such as those within Napa County).

According to the SCS, "soils that have a profile almost alike make up a soil series. Except for different texture in the surface layer, all the soils of one series have major horizons that are similar in thickness, arrangement, and other important characteristics. Each soil series is named for a town or other geographic feature near the place where a soil of that series was first observed and mapped. Soils of one series can differ in texture of the surface layer and in slope, stoniness, or some other characteristic that affects use of the soils by man. On the basis of such a difference, a soil series is divided into phases. The name of a soil phase indicates a feature that affects management." (p. 1- Soil Survey of Napa County, California by G. Lambert and J. Kashiwagi).

It is important to consider in some detail two particular soil series within Napa County in regard to this appellation proposal. These are the Bale and Pleasanton

series. Much of the floor of Napa Valley has been mapped as Bale loam and clay loam soils. This soil type covers approximately 16,000 acres within Napa County (p. 6, Soil Survey of Napa County). As excerpted from p. 2 and 8 of the Napa soil survey, "Bale soils are somewhat poorly drained soils on alluvial fans, flood plains, and low terraces. Slope is 0-5%. Elevation is 100-300'. These soils are formed in alluvium derived from rhyolite and basic igneous rock. In a representative profile, the surface layer is dark gray, slightly acid loam 6 inches thick. The subsoil is 18 inches thick. The upper 11 inches is grayish brown, slightly acid loam, and the lower 7 inches is brown, slightly acid loam. Between depths of 24-60 inches or more are stratified layers of gray and pale brown slightly acid loam, gravelly sandy loam and sandy loam. Permeability is moderate. Temporary ponding is common during periods of high rainfall. In places a seasonal water table is at a depth of 3 to 5 feet. The effective rooting depth is 60 inches or more. The available water capacity is 6 to 9 inches."

The representative profile of Bale loam (0-2 % slopes) presented in the Soil Survey is from a site 950 feet south of Silverado Trail from Pickett Road and 100 feet west along a vineyard in the NE1/4, NE1/4, sec. 6, T.8N, R6W. This site is near the Napa River on the toe of the Simmons Canyon alluvial fan on the Calistoga topographic quadrangle in a region surrounded by volcanic bedrock slopes. The soil profile (major horizons) described from this site is as follows:

Ap	0-6"
B21	6-17"
B22	17-24"
A11b	24-33"
A12b	33-44"
IIC1	44-50"
IIIC2	50-60"

The above description suggests a relatively young, alluvial soil, with weak soil formation above (A/B21/B22), a buried, organic-rich A horizon below (A11b, A12b), and buried alluvium of a different age or source at depth (IIC1, IIC2). This soil is a fluvent which formed along the Napa River. It is atypical of this soils series if the mapping units of this soil series by the SCS across the much valley floor are assumed to be correct.

Small sections of the Napa Valley floor have been mapped as Pleasanton loams (less than 7000 acres: p. 6 of Soil Survey). As excerpted from p. 31 of the Napa soil survey, "The Pleasanton series consists of well drained soils on alluvial fans. Slope is 0-5 percent. Elevation is 50-600 feet. These soils formed in alluvium derived from sedimentary rock. In a representative profile the surface layer is grayish brown, strongly acid loam and brown, medium brown and brown, medium acid loam 11 inches thick. The subsoil is dark grayish brown and brown, medium acid heavy loam 49 inches thick. The substratum is dark yellowish brown slightly acid heavy loam to a depth of 66 inches. Permeability is moderately slow. The effective rooting depth is 60 inches or more. The available water capacity is 8-9 inches."

The representative profile (0-2% slopes) given for this soil series is from a site 800' west of State Highway 29 and 1500' south of Darms Lane, R4W, T6N; this is north of the City of Napa and south of Yountville, associated with the Dry Creek fan, which is derived primarily from the marine sedimentary Great Valley Formation, with secondary input of andesite clasts derived from the Sonoma Volcanics. The soil profile (major

horizons) described from this site is as follows:

Ap	0-5"
A12	5-11"
B21t	11-19"
B22t	19-38"
B23t	38-54"
B24t	54-60"
C	60-66"

The above soil is older and better developed than the representative Bale series profile given above, with several, deep textural (clay-rich) B horizons, showing moderately developed structure (subangular blocky). It is interesting to note that according to the soil descriptions, neither of these representative profiles has much gravel in it, which is also atypical for Napa valley-floor soils.

From the above, it is difficult to interpret what should be termed Bale versus Pleasanton series soils, as many areas mapped by the SCS as such are extremely different from their descriptions and representative profiles published in the Soil Survey. The major differences in these soils seem to be a function of parent material (volcanic versus marine sedimentary alluvium) and time (soil age and degree of soil profile development). However, as all classification schemes of natural phenomena are somewhat artificial, this is not of major concern. The questions that need to be addressed here are: (1) What is the correct description of the viticultural soils of the Rutherford-Oakville-Rutherford Bench and Oakville Bench? (2) How do these soils differ from those outside the proposed viticultural areas? (3) Can these soils be used as valuable geographic features to delimit these proposed viticultural areas according to ATF-53? My interpretation of the soil profiles I have sampled and analyzed follows.

Interpretation of Data from Soil Sampling and Analyses

Rutherford Bench

The very gravelly sandy clay loam soils at the Inglenook-Napa Valley Home Vineyard on the Rutherford Bench (map site 1) have been mapped by the SCS as Bale clay loam [104]. My interpretation is that these soils are better classified in the Pleasanton series, as they are very gravelly, deep, moderately drained soils derived from marine sedimentary bedrock (Franciscan formation) clasts brought down from Bear Canyon and deposited as the Rutherford Bench fan. Serpentine clasts are infrequently encountered in these soils, but are more frequent towards the northern edge of the Rutherford fan along Bale Slough. Our Inglenook-NV-7 site (block A-4) soil analysis (description attached) shows that these soils are neutral in pH, have well developed structure (firm, subangular blocky to platy at depth), have great rooting depths (beyond 92"), and moderate permeability. From a plant nutrition perspective, these are excellent soils, with abundant potassium, calcium, manganese, iron, zinc and other macro-micronutrients. The neutral pH values are both a function of the sandstone parent materials and the influence of the alkaline (basic) serpentine clasts, which slightly increase the pH.

Oakville Bench

Data from 4 soil profiles in the Robert Mondavi Tokolon Vineyards on the Oakville Bench (map sites 2, 3, 4 and 5) support the classification of these very gravelly to gravelly alluvial fan soils as Pleasanton sandy clays/clay loams. As for the above Inglenook soils, these soils are deep (over 80"), gravelly, moderately drained soils derived from marine sedimentary bedrock (primarily from the Great Valley Formation, with some occurrence of pebbles and cobbles derived from the Sonoma Volcanics). The pH of these soils is slightly more acidic than those on the Rutherford Bench at Inglenook, with values around 6.0 versus 7.0; this is due to the contribution of the acidic volcanics. It is my belief that these soils are also slightly older than the Inglenook soils, due to their better developed structure. Nutritionally, they should be similar (but not identical) to the Inglenook soils; future completion of elemental analysis of the soil samples will allow us to determine this.

Rutherford

Within the proposed Rutherford viticultural area on the east side of the Napa River, we have sampled two soil profiles (map sites 6 and 7) in the Caymus vineyards. These two profiles are very different, due to their different parent material origins, and different from the above Rutherford Bench and Oakville Bench soils. I would expect, however, that similar soils occur within small portions of the Rutherford Bench.

The block I soil at Caymus is near the lower slopes of a small colluvial/alluvial fan coming off a very small, drainage in the Vaca Range along Silverado Trail. This soil is most likely a Boomer series soil, though some characteristics of it fit the Perkins soil series. The soil parent material is entirely volcanic, with the volcanic alluvium/colluvium (Ap1/Ap2/Bt1/Bt2/2BCt) sitting over rhyolitic bedrock (3BC, 3C). This is a slightly acid (pH ~6.1-6.4), sandy clay with well developed (angular blocky) structure, suggesting moderate age. Rooting depth is limited by the bedrock at 43", such that this soil has relatively low water-holding capacity, yet is moderately permeable. This is an excellent vineyard site, though it is not conducive to vigorous plant growth.

In contrast, the B block soil at Caymus is a relatively young alluvial soil within the floodplain of Conn Creek, which is a major tributary of the Napa River. This soil can be classified as a Cole silty clay - silty loam, and is a fluvial composed of a number of buried soil horizons. The soil is high in plant nutrients, has a near neutral pH, has high water holding capacity, with moderate to slightly less than moderate permeability. Evidence of mottling (seasonal fluctuation of the groundwater table) was seen as high as 40" in the profile, but was minor in extent. Lower horizons show greater age as evidenced by the structure (prismatic). We have not seen any other soil profiles like this in Napa Valley, though they may occur elsewhere along the valley floor and are undoubtedly common along Conn Creek. This site is a vigorous soil for plant growth.

Oakville

A soil from this proposed viticultural area east of the Napa River has been sampled in the Joseph Phelps leased Backus Vineyard. This soil site (map site 8) occurs along a small drainage that is a tributary to Conn Creek and the Napa River. It is part of a very old faulted alluvial fan, and as such is an old, very gravelly, clay-rich, low nutrient soil. This soil is acidic (pH ~5.6), as it has been highly leached through time. Roots extend to the depth we were able to excavate the soil pit (37") and probably

somewhat deeper. This soil is moderately low in some of the essential macronutrients, such as calcium, potassium and zinc, yet high in iron. This unusual site is an excellent vineyard location.

Comments on Other Soils in Proposed Viticultural Areas

The Soil Survey of Napa County shows small inclusion of other soil series within the four proposed viticultural areas. This includes the Maxwell (serpentine-rich, clay) series around Bale Slough, the Clear Lake series in low-lying basins, stringers of Yolo loam around the Napa River, Perkins and Cortina series gravelly loams along the lower hill slopes, and Forward, Boomer, Sobrante, and Felton series residual soils in the hillslopes above. Again, the occurrence of these soil series is principally a function of parent material origin and time. As mentioned in the materials above, the deep, alluvial soils (Bale and Pleasanton series) dominate this central section of the Napa Valley floor.

Conclusion

The proposed Rutherford-Oakville-Rutherford Bench and Oakville Bench viticultural areas are dominated by four large, distinct alluvial fan complexes (the Rutherford Bench fan, the Oakville Bench fan complex, the Conn Creek fan and the Rector Canyon fan), which are dissected along their edges by creeks and the Napa River. Again, these surfaces are classical alluvial fans formed from flashflood mud- and debris-flows and less catastrophic stream deposition. The stream distributaries migrate across the fan surface through time, resulting in the deposition of interfingering, coarse deposits and the flushing of fines out to the fan edges. The fan deposits are high in gravels (coarser pebbles and cobbles), which later form gravelly to very gravelly stratified soils that are generally very well drained and potentially allow plant rooting to great depths (over 100").

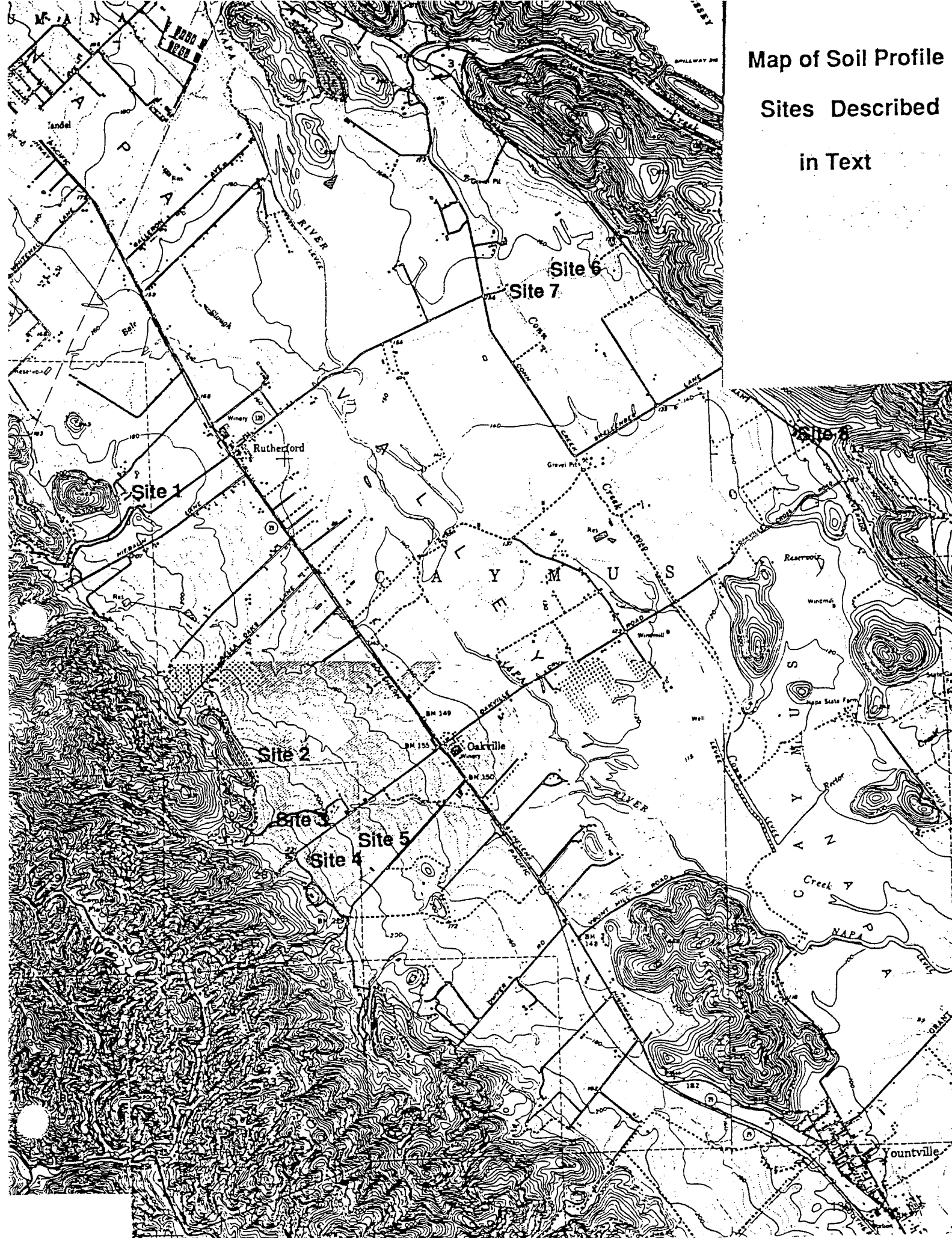
Technically, all of the soils across a particular fan surface should be classified within one soil series, as these geomorphic surfaces integrate the soil forming factors of parent material and time. The gravelly nature of the soils and fan slope results in drainage of water predominantly in a vertical fashion to deep finer-grain deposits and bedrock, with some lateral (interflow) towards the groundwater table. This water feeds the Napa River. With this hydrological variation downfan, soils generally vary in drainage and water-holding capacity from well-drained soils with low soil moisture holding capacity up fan to poorly drained soils with higher soil moisture holding capacity down fan. As time progresses, all of these soils increase in clay content and soil moisture holding capacity as new clay minerals are formed by weathering processes in them.

The four fans can thus be viewed as possessing distinctive soils. The soils on the eastern side of the Napa River in this central portion of Napa Valley are different from those on the western side. This is a function of lithology, with marine sedimentary rocks dominating the central Mayacamas Range on the west side and the Sonoma Volcanics dominating the Vaca Range on the east side. This justifies the delineation of the sub-appellations of Rutherford Bench and Oakville Bench. The contribution of small percentages of metamorphic clasts (such as serpentine and chert) on both the Rutherford Bench and Conn Creek fans contributes to minor soil differences between the Rutherford versus Oakville viticultural areas. This raises pH slightly and alters soil texture and plant nutrition. These northern fans are generally more geologically

diverse and represent larger geomorphic surfaces than the Oakville fans. The high frequency of clasts from Sonoma Volcanics in the Oakville Bench and Rector fan soils unifies the Oakville viticultural area and distinguishes it from Rutherford.

This research shows that soils can be used as a legitimate geographic factor for delimiting the proposed Rutherford-Oakville-Rutherford Bench and Oakville Bench viticultural areas. The subsurface environment of the soils and subsoils develops over long periods of time and is inherited by viticulturalists. Although farming practices can modify the soil structure and horizonation to some extent, with the addition of fertilizers and other chemical products changing the upper foot or so of the soil, the viticulturalist is often forced to accept what the subsurface environment provides, as the vines root to great depths where possible.

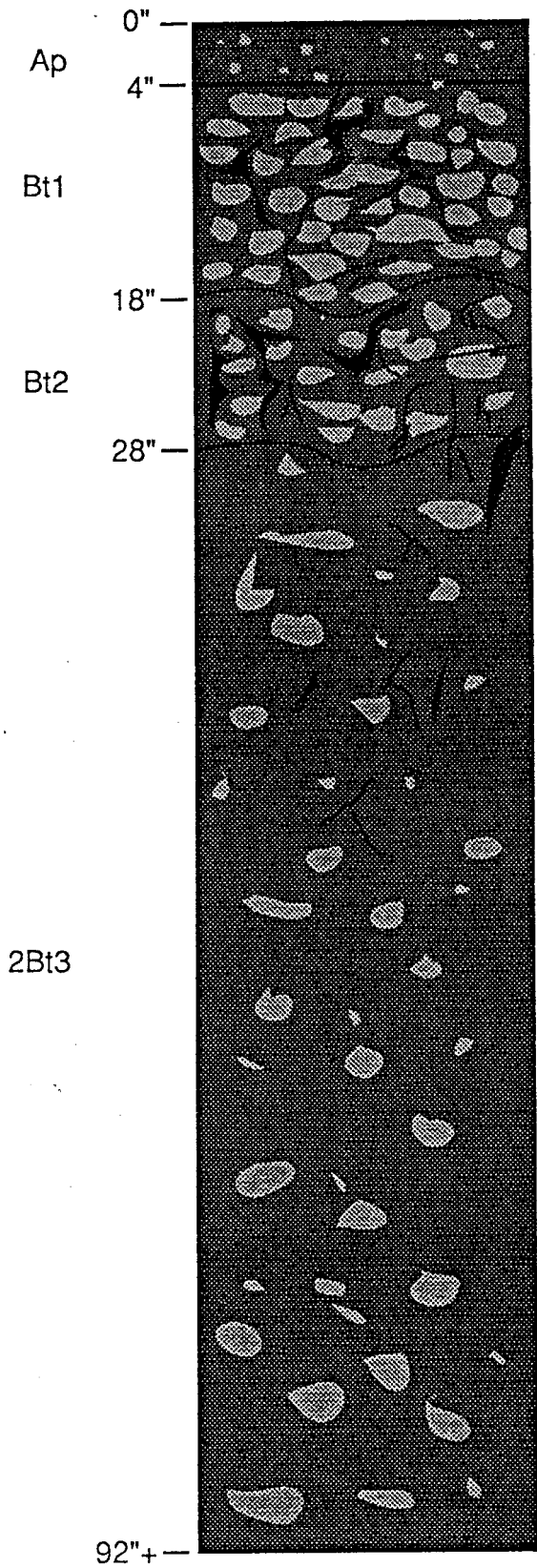
Map of Soil Profile
Sites Described
in Text



MAP SITE 1

No. Inglebrook-NV-7 (block A-4)		Date sampled: 12 July 88										
Soil Series	Pleasanton clay loam (mapped as Bale)											
Location	Inglebrook Napa Valley Home Vineyard, Blk. A-4, Rutherford Bench fan											
Geographical	Landscape	Rutherford Bench alluvial fan										
Elevation	190'											
Slope	2°											
Aspect	E											
Erosion	min.											
Groundwater	-											
Drainage	well											
Parent Rock/Material	fine-med. (gravelly) alluvium, sedimentary (Franciscan, mostly sandstone)											
Climate	Rutherford											
Natural Cover	oak savanna											
Competing Soil Series	Bale, Cole											
Present Use	CS vineyard											
Suitability: Irrigated Crops												
Non-Irrigated Crops												
Remarks												
Horizon	Depth(in.)	Bdry	Wet Color	Dry Color	Field Texture	Structure	Consistence		pH	Roots	Pores	Clay Films
							Dry	Wet				
Ap	0"-4"	cs	10YR 3/3	10YR 5/2	SCL	sg	lo	ss	7.58	-	-	-
Bt1	4"-18"	cw	5Y 2.5/1	10YR 4/3	vgSCL, 50% pebbles	3msbk	h	s	7.2	1vf,1f,2m	1vf &1f t	2mk ped
Bt2	18"-28"	cw	10YR 3/2	10YR 3/3	vgSCL, 30% cobbles	3csbk-2mpl	h	s	6.45	1f,1m,2c,1vc	2f t	2mk pf &po
2Bt3	28"-92+ "		10YR 4/2	10YR 4/3	SCL, 5% cobbles	2mpl	vh	s	6.4	1f,1m	2f t	3k pf & po
PIXE Elemental Analysis (values in ppm)												
Bt2												
Mg	Al	Si	Cl	K	Ca	Tl	V	Cr	Mn	Fe	Co	Cu
0	57783.556	148257.07	140.45	11801.14	5109.6846	2571.5466	177.75	0	551.922	38208.3294	0	0
Zn	As	Br	Rb	Sr	Y	Zr	Pb	Ga				
51.6624	0	0	75.8908	51.7888	0	67.524	0	0				

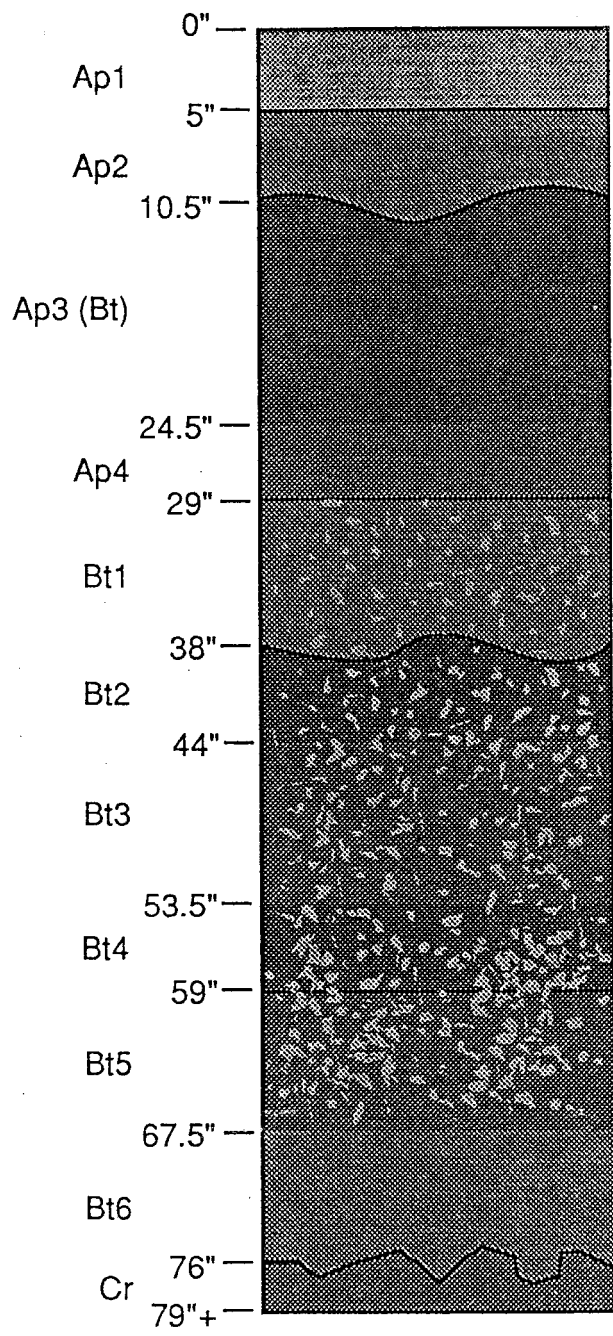
INGLENOOK, NAPA VALLEY-7



MAP SITE 2

No. Robert Mondavi Tokolon - Z block												
Soil Series	Pleasanton, gravelly clay loam (mapped as Bale)											
Location	Mondavi Tokolon Vineyard, Z block, Oakville Bench fan											
Geographical	Landscape: alluvial fan (below Campbell Flat)											
Elevation	195'											
Slope	1°											
Aspect	E											
Erosion	min.											
Groundwater	-											
Drainage	moderate											
Parent Rock/Material: fine alluvium and gravels derived from Great Valley formation (1°), with some Franciscan and Sonoma Volcanic contribution												
Climate	Oakville											
Natural Cover	oak savanna											
Competing Soil Series:	Bale, Cole											
Present Use	CS vineyard											
Suitability: Irrigated Crops	overhead sprinklers											
Non-Irrigated Crops												
Remarks												
Horizon	Depth(In.)	Bdry	Moist Color	Wet Color	Dry Color	Field Texture	Structure	Consistence	pH	Roots	Pores	Clay Films
								<i>Wet</i>				
Ap1	0"-5"	cs	10YR 6/4	10YR 3/3	10YR 6/4	SC	clods-> sg	ss/s	4.78	-	-	-
Ap2	5"-10.5"	cw	10YR 5.5/4	10YR 3/3	10YR 5/4	SC	clods -> sg	s	5.19	-	-	-
Ap3(Bt) *	10.5"-24.5"	d	10YR 4/3	10YR 3/4	10YR 5/3	SC	1m sbk -> 1f gr	s	6.21	2f,2vf	2m,2f,2vf t	1n po,2n pebbles.
Ap4(Bt)	24.5"-29"	cs	10YR 4/4	10YR 3/3	10YR 6/4	SC	1m sbk->1m gr	s/vs	6.38	2m,2f,2vf	2m,2f,2vf t	3mk po & peb.
Bt1	29"-38"	cw	10YR 4/6	10YR 4/3	10YR 5/4	SC, 20% grav.	2m sbk	ss/s	6.47	2m,2f,2vf	1c,2f,2vf t	4k po & peb.
Bt2	38"-44"	d	10YR 3/3	10YR 4/3	10YR 5/4	C, 45% grav.	2m sbk	ss/s	6.49	2m,2f,2vf	2m,1f t and i	4mk po, 2mk peb.
Bt3	44"-53.5"	d	10YR 3/4	10YR 4/3	10YR 5/4	SC, 50% grav.	massive	s	6.57	1m,2f	2m,2f t and i	3mk po, 2n peb.
Bt4	53.5"-59"	cs	10YR 3/3	10YR 3/4	10YR 5/4	SC, 70% grav.	massive	s	6.75	-	2m, t and i	3k peb, 4k po
Bt5	59"-67.5"	d	10YR 4/4	10YR 4/4	10YR 5/4	SC, 80% grav.	massive	s	6.52	-	i	2mk peb, 3mk po
Bt6	67.5"-76"	cs	10YR 5/6	10YR 4/3	10YR 6/4	SC	massive	s	6.53	2vf	i	2n peb, 2mk po
Cr (?)	76"-79"+		10YR 5/4	-	-	-	massive-broken	-	-	-	-	-
*yellow and orange mottling												

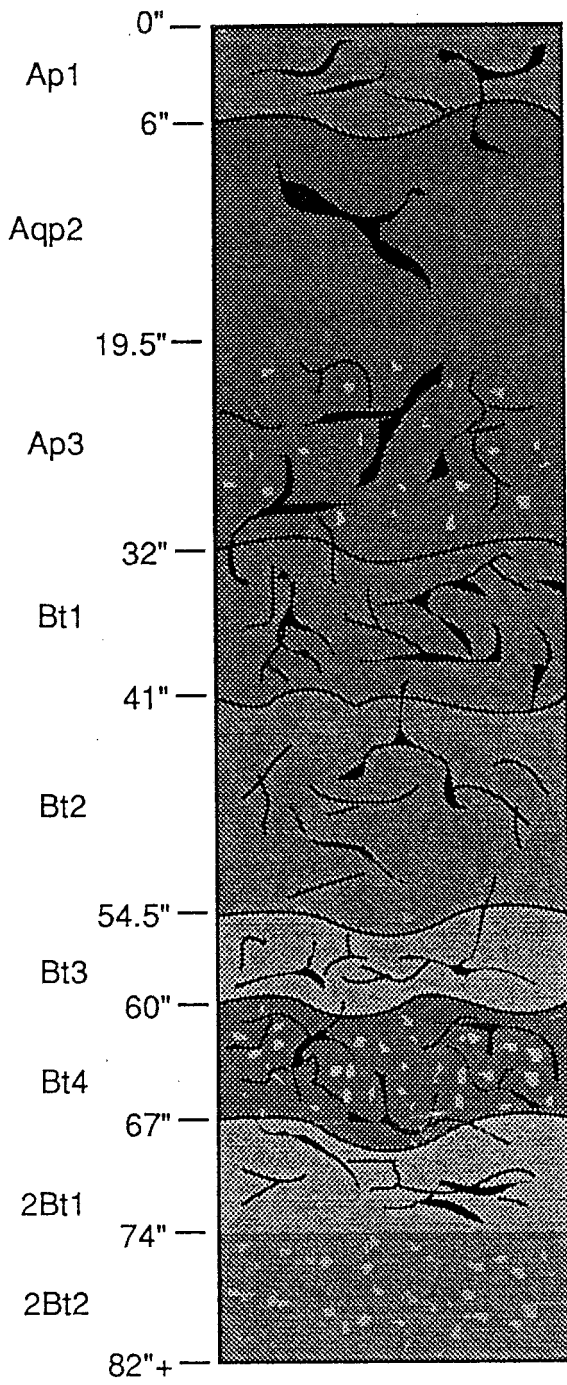
MONDAVI TOKOLON Z-blk



MAP SITE 3

No. Robert Mondavi Tokolon - V blk.											
Soil Series	Pleasanton clay loam (mapped as Bale)										
Location	Mondavi Tokolon Vineyard, V block, Oakville Bench fan										
Geographical	Landscape	Floodplain (within 200') of small creek over Oakville fan.									
Elevation	195'										
Slope	2°										
Aspect	E										
Erosion	min.										
Groundwater	fluctuating										
Drainage	moderate										
Parent Rock/Material	fine alluvium and gravels, sedimentary (Great Valley), with a few volcanics										
Climate	Oakville										
Natural Cover	oak savanna										
Competing Soil Series:	Bale, Cole										
Present Use	CS vineyard										
Suitability: Irrigated Crops	overhad										
Non-Irrigated Crops											
Remarks											
Horizon	Depth(In.)	Bdry	Wet Color	Dry Color	Field Texture	Structure	Consistence	pH	Roots	Pores	Clay Films
							<i>Wet</i>				
Ap1	0"-6"	cw	10YR 3/3	10YR 6/3	SC	clods -> 2c gr	ss	5.04	2m	-	-
Aqp2	6"-19.5"	d	10YR 3/2	10YR 5/3	SC	2c sbk-> 3m gr	s/ss	5.72	1c,1vf	1c,2m,1f t and i	1n br
Ap3	19.5"-32"	cw	10YR 3/2	10YR 5/3	SC, 5% gravels	1m sbk-> 2m gr	ss	6.29	1c,1m,1f,1vf *	1m,1f t and i	1mk po, 1n pf
Bt1	32"-41"	cw	10YR 3/3	10YR 6/3	SC	2f sbk-> 2m gr	s/ss	6.3	2m,1f	2c,2m,1f t	2mk po,1mk pf & peb.
Bt2	41"-54.5"	cw	10YR 4/3	10YR 6/4	SC	2m abk-> 1c gr	ss/s	6.51	1m,1f,1vf	1vc,1c,2m,1f t	3k po, 1mk peb.
Bt3	54.5"-60"	cw	10YR 4/4	10YR 6/4	SC,10% pebbles	1m sbk	s	6.59	1m,1f,1vf	1c,1m, t and i	1n peb, 2mk pf
Bt4	60"-67"	cw	10YR 3.5/3	10YR 6/4	SC, 20% gravels	1m sbk	s	6.6	2m,1f,2vf \$	1c,1m, t and i	2k pebbles,2k po
2Bt1	67"-74"	d	10YR 5/4	10YR 7/3	SC	1m pr-> 3c abk	s	6.78	1m,1f	1m,2f t	3k pf & po
2Bt2	74"-82"+		10YR 4/4	10YR 6/4	SC, 30% pebbles	2m abk	s/vs	6.78	-	1f t	4 mk pf, 4k po *
* pores filled w/ clay.											
\$ most at base, roots not able to penetrate 2Bt1											

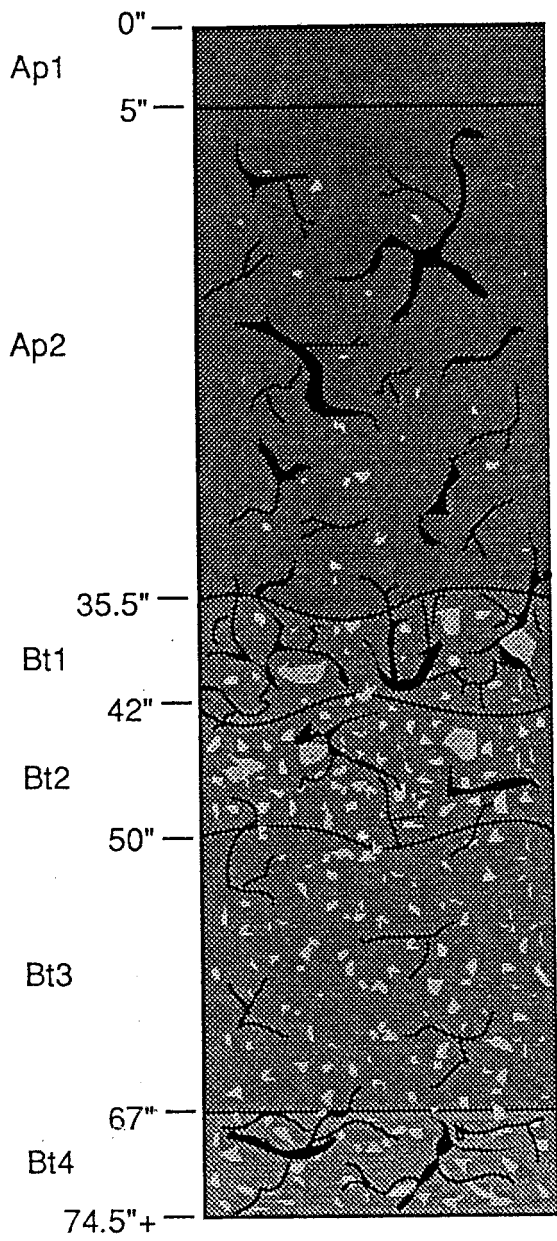
MONDAVI TOKOLON V-bik



MAP SITE 4

No. Robert Mondavi Tokolon - P.-west blk.											
Soil Series	Pleasanton clay loam (mapped as Bale)										
Location	Mondavi Tokolon Vineyard, P.-west block, Oakville Bench fan										
Geographical Landscape	Oakville Bench alluvial fan about 100 ft. downslope from creek										
Elevation	190'										
Slope	2°										
Aspect	NNE										
Erosion	min.										
Groundwater	-										
Drainage	well										
Parent Rock/Material	fine-med. (gravelly) alluvium, sedimentary (Great Valley) and some volcanics										
Climate	Oakville										
Natural Cover	oak savanna										
Competing Soil Series	Bale, Cole										
Present Use	CS vineyard										
Suitability: Irrigated Crops	overhead										
Non-Irrigated Crops											
Remarks											
Horizon	Depth(in.)	Bdry	Wet Color	Dry Color	Field Texture	Structure	Consistence	pH	Roots	Pores	Clay Films
							<i>Wet</i>				
Ap1	0"-5"	cs	10YR 3/3	10YR 6/4	SC	sg	s	4.35	-	-	-
Ap2	5"-35.5"	cw	10YR 3/3	10YR 6/3	SC, 5% gravels	2m gr	s/vs	5.1	2c,2m,2f,2vf *	2m,2f,2vf t	2n po, 1n pebbles
Bt1	35.5"-42"	cw	10YR 4/3	10YR 6/4	SC, 10% grav, 5% cob.	2f sbk-> 2m gr	s	5.68	2m,2f,2vf	2m,2f t	2n po,1n pebbles
Bt2	42"-50"	cw	10YR 4/4	10YR 6/4	SC, 30% peb, 30% grav, 5% cob.	sg	s	5.81	1m,1f,1vf	2m,1f l	1mk,2n pebbles
Bt3	50"-67"	ds	10YR 4/4	10YR 6/4	SC, 10% grav, 40% peb.	2f abk	ss	6.09	1f,1vf	1f t	2mk peb,3mk po
Bt4	67"-74"+		10YR 5/4	10YR 6/4	SC, 25% grav, 30% peb. *	2m abk	vs/s	6.22	1m,2f,2vf	1f t	1n peb, 2n po
*clasts more angular											

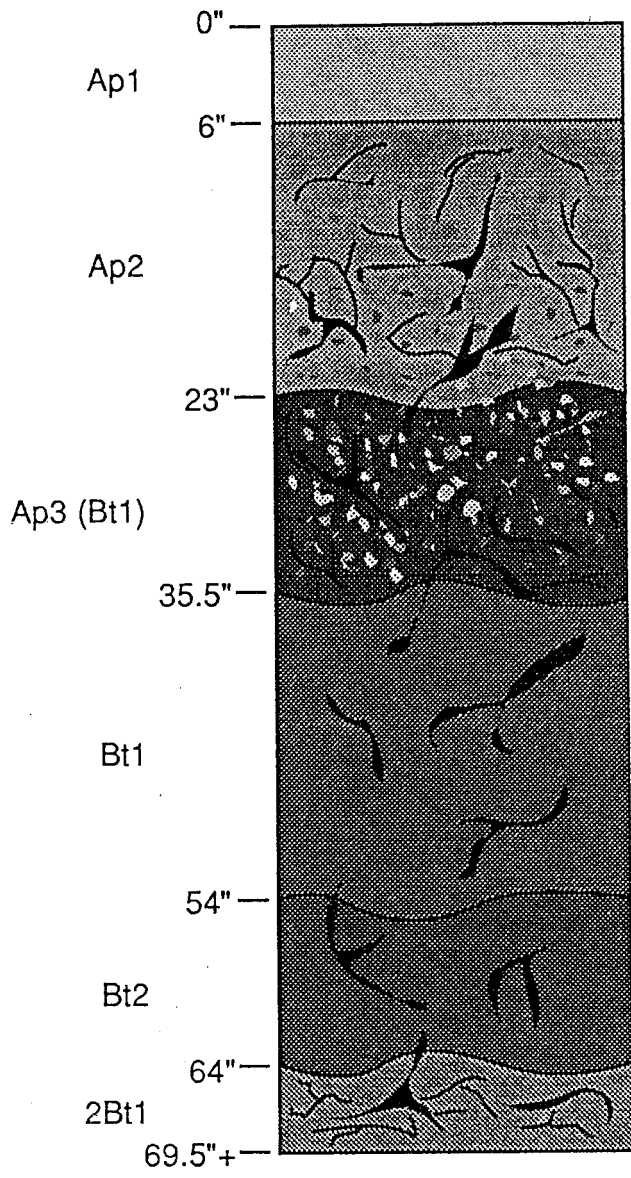
MONDAVI TOKOLON P-WEST



MAP SITE 5

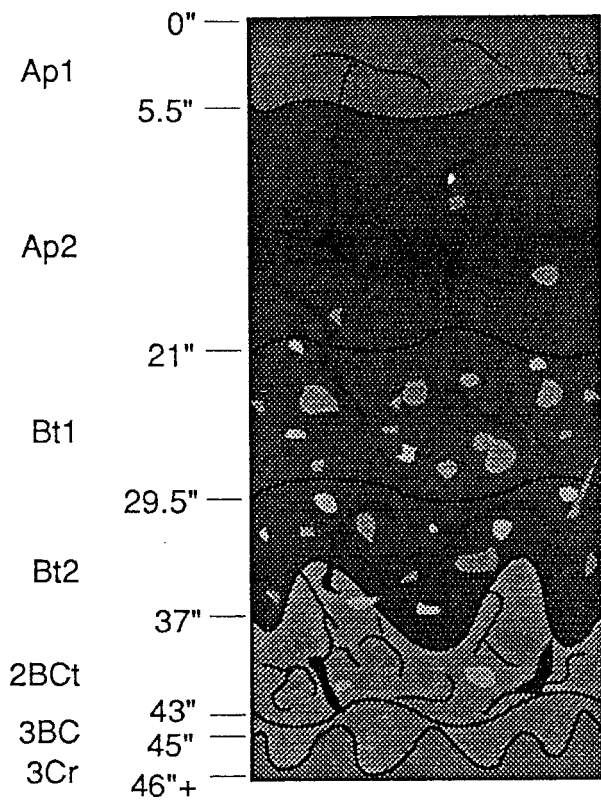
No. Robert Mondavi Tokolon - N.-south blk.												
Soil Series	Pleasanton, clay loam (mapped as Bale)											
Location	Mondavi Tokolon Vineyard, N.-south block, Oakville Bench fan (south of Oakville Grade/Crossroad and east of Far Niente)											
Geographical	Landscape	Oakville Bench alluvial fan										
Elevation	165'											
Slope	1°											
Aspect	NE											
Erosion	min.-mod.											
Groundwater	-											
Drainage	moderate											
Parent Rock/Material	fine alluvium with few gravels, sedimentary(Great Valley) and volcanics (off small hills to NW)											
Climate	Oakville											
Natural Cover	oak savanna											
Competing Soil Series	Bale, Cole											
Present Use	CS vineyard											
Suitability: Irrigated Crops	overhead											
Non-Irrigated Crops												
Remarks	Janice Morrison's sun-shade experiment here.											
Horizon	Depth(In.)	Bdry	Moist Color	Wet Color	Dry Color	Field Texture	Structure	Consistence Wet	pH	Roots	Pores	Clay Films
Ap1	0"-6"	cs	10YR 6/2	10YR 3/2	10YR 5/3	SC	2m gr-> sq	ss	4.99	2vf	-	-
Ap2	6"-23"	cw	10YR 3/2	10YR 2/2	10YR 4.5/2	SC	1vc abk-> 2m gr	ss/s	5.17	2c,2m,2f,1vf	2c,2m,2f,1vf t	2mk po, 2n pebbles
Ap3(Bt1)	23"-35.5"	cw	10YR 3/2	10YR 3/2	10YR 5/3	SC, 20% grav, 30% peb.	1f sbk	s	5.92	2m,1f	1m,1f,1vf t and i	1n pebbles,1mk po
B11	35.5"-54"	gw	10YR 4/3	10YR 3/2	10YR 5/3	C	3f abk	s	6.11	1c,1m,1vf	2m,1f,1vf t and i	1mk pebbles,3mk po
Bt2	54"-64"	cw	10YR 4/2.5	10YR 3/2	10YR 5/3	C	2f abk	vs/s	6.21	1m	1c,2m,2vf t and i	2mk po, 1n peb.
2B11	64"-69.5"+		10YR 5/3	10YR 3/3	10YR 5.5/3	C	3m abk	s	6.38	1m,1f	1c,1m,2f t	2mk po

MONDAVI TOKOLON N-SOUTH



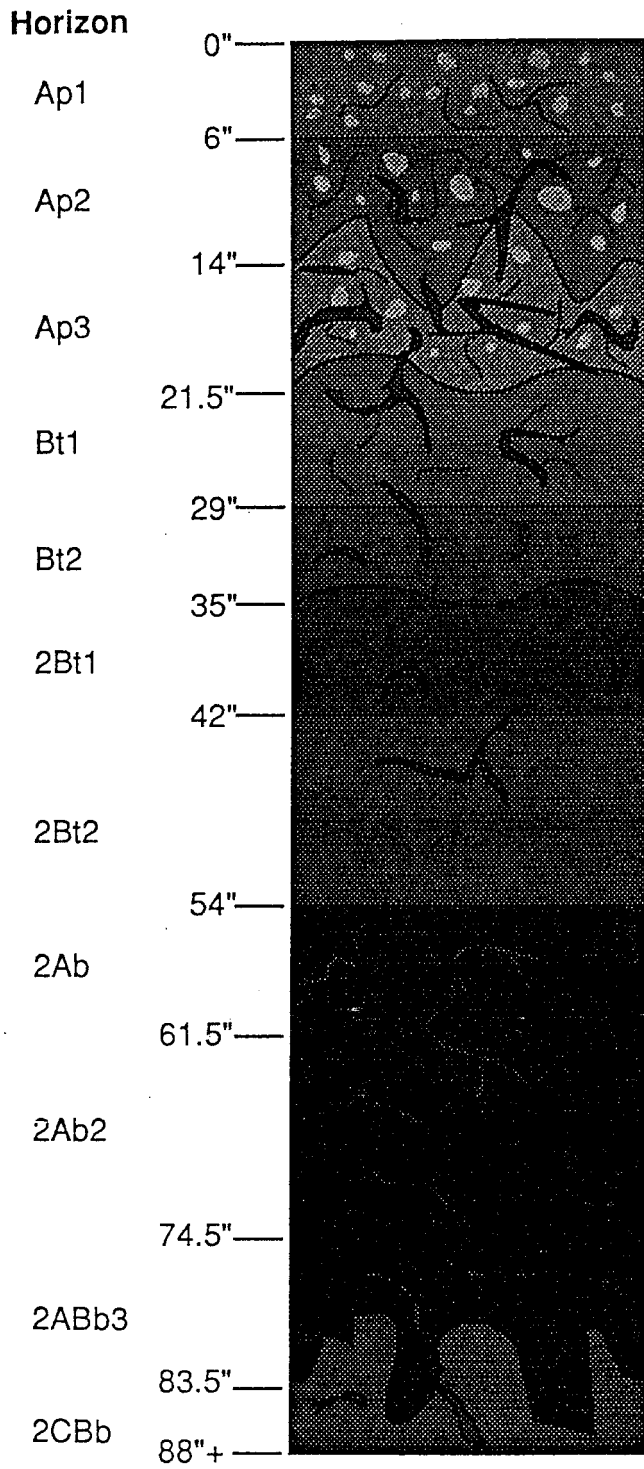
No. 1 Caymus, Rutherford (east) area, 1 blk.														
Soil Series	Boomer													
Location	Caymus estate vineyards, I-block, SE of Conn Creek													
Geographical	Landscape: small alluvial/colluvial fan													
Elevation	180'													
Slope	2%													
Aspect	SW													
Erosion	min.													
Groundwater	-													
Drainage	well													
Parent Rock/Material:	alluvium of volcanic origin and volcanic flows													
Climate:	Rutherford													
Natural Cover:	oak savanna													
Competing Soil Series:	Perkins													
Land Use Capability:	vineyard, orchard, grazing													
Present Use:	CS vineyard													
Suitability:	Irrigated Crops (overhead sprinklers)													
	Non-irrigated Crops													
Soil Management														
Remarks:	Could be ripped deeper.													
Horizon	Depth(In.)	Bdry	Moist Color	Wet Color	Dry Color	Field Texture	Structure	Consistence			pH	Roots	Pores	Clay Films
								Dry	Moist	Wet				
Ap1	0"-5.5"	aw	10YR5/3	10YR 3/3	10YR 5/4	SC	clods -> sq	-	-	s	5.02	1f,2vf	-	-
Ap2	5.5"-21"	aw	10YR 3/3	10YR 3/2	10YR 5/3	SC	3m gr	-	-	s/vs	5.74	2m,2f,3vf	1c,1m,1f t	2mk pf & peb
Bt1	21"-29.5"	cw	5YR 3/4	10YR 3/3	10YR 5.5/3	SC	2m abk	-	-	vs/s	6.1	1m,2f,3vf	1m,1f t	1mk peb,2mk po
Bt2	29.5"-37"	cl	7.5YR 4/4	10YR 3/3	10YR 5/4	SC, 30% grav,20% cob.	2f abk	-	-	s	6.41	1m,1f,1vf	l	3k peb
2BCt	37"-43"	cw	10YR 6/4	10YR 3.5/3	10YR 6/4	SC	massive	-	-	s	6.45	1m,2f	2f,1vf t	3mk pf & po
3BC	43"-45"	dl	-	10YR 3/3	10YR 6/3	SC	massive	-	-	s	6.98	-	1f,1vf t	2mk pf
3Cr	45"-46"+	-	-	10YR 4/6	10YR 6/5	-	massive	-	-	-	7.18	-	-	-

CAYMUS 1, I-BLOCK



No. 2 Caymus, Rutherford (east) area, B blk.															
Soil Series	Cole (silty clay loam)														
Location	Caymus estate vineyard, block B, next to Conn Creek														
Geographical Landscape:	river floodplain, first terrace														
Elevation	150'														
Slope	0%														
Aspect															
Erosion	min.														
Groundwater:	fluctuates with Conn creek														
Drainage:	mod.-poor														
Parent Rock/Material:	fine alluvium (1° volcanic)														
Climate:	Rutherford														
Natural Cover	grass? riparian woodland														
Competing Soil Series:	Pleasanton, Yolo														
Land Use Capability:	vineyard, pasture														
Present Use:	CS vineyard														
Suitability: Irrigated Crops (
Non-Irrigated Crops															
Soil Management:	excessive vigor														
Remarks	More roots than other sites														
	Bottom 4 horizons (buried soil), show lots of development														
	from previous development plus development during 2° phase.														
Horizon	Depth(In.)	Bdry	Moist Color	Wet Color	Dry Color	Field Texture	Structure	Cons			pH	Roots	Pores	Clay Films	Misc.
								Dry	Moist	Wet					
Ap1	0"-6"	cs	10YR 5/2	10 YR 3/3	10YR 5/4	SCL, 15% grav.	sq	-	-	ss/s	6.71	1f,1vf	2m,1f t	-	
Ap2	6"-14"	cl	10YR 4.5/2	10YR 3/3	10YR 5/4	SC, 25%grav,20%peb.	sq	-	-	ss/s	6.28	2m,3f	2m,2f t	1n po	
Ap3*	14"-21.5"	cw	10YR 5/3	10YR 3/3	10YR 5/4	SC,5% pebbles	massive	-	-	s	6.61	2c,2m,2f,3vf	1m,2f,2vf t	1mk po,1n peb.	
Bt1	21.5"-29"	cs	10YR 4/3	10YR 3/3	10YR 5/4	SIC	1f cpr	-	-	s	6.98	1c,2m,1f \$	1f,2vf	2n po	
Bt2	29"-35"	cw	10YR 3/3	10YR 3.5/2	10YR 5/3	SIC	1f cpr ->1m gr	-	-	s	7.2	1m,1f,1vf	1m, 1f,1vf	2mk po, 1n pf & peb.	
2Bt1	35"-42"	cs	7.5YR 3/2	10YR 3.5/2	10YR 5/3	SIC	1m sbk-> 3m gr	-	-	s/vs	7.25	1m,1f	1c,2m,1f,2vf t	3m po,2n pf	some Fe mottling
2Bt2	42"-54"	ds	10YR 3/2	10YR 3/2	10YR 5/3	C	massive-> 1c gr	-	-	s/vs	7.12	1m,1f	1c,2m,1f t	1n po,2n pf	
2Ab	54"-61.5"	ds	10YR 2/1	10YR 3/2	10YR 4/2	C	2f cpr-> 1m gr	-	-	s	7.22	1f	1c,2m,1f,1vf t	3n po, 2n pf	small red pebbles
2Ab2	61.5"-74.5"	ds	10YR 2/1.5	10YR 3/2	10YR 5/3	C	2m cpr->1f gr	-	-	s	7.23	1f	1c,1m t	2mk po, 3mk pf & peb	lots of mottling
2ABb3	74.5"-83.5"	b	10YR 2.5/1	10YR 3.5/2	10YR 5/3	SIC	3f pr->2f abk	-	-	s/vs	7.2	2m,	1m,1vf	2n po,1mk pf	
2CBb	83.5"-88"+		10YR 3/3	10YR 3/3	10YR 5/4	C	3f abk->massive	-	-	vs	7.26	1m	1vf t, 1m v	2mk pf & peb	
* high in organics												\$ many coarse roots at 21.5" at Ap3/Bt1 boundary			

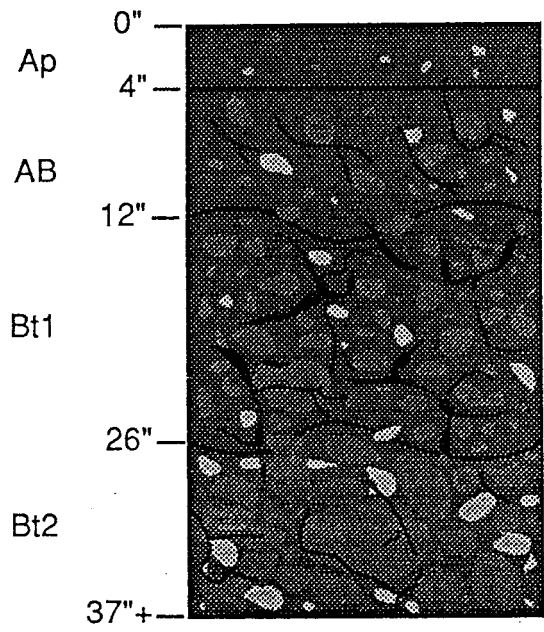
CAYMUS B-block



MAP SITE 8

No. Phelps 3 Backus		Date Sampled: 16 August 88												
Soil Series: Initial interpretation suggests that this soil is an Aiken clay loam.														
Location Phelps: Backus vineyard, block in front of shop, Oakville area (east), Napa Valley.														
Geographical		Landscape: Old, faulted alluvial/colluvial fan												
Elevation		230'												
Slope		2°												
Aspect		WNW												
Erosion		minimal												
Groundwater		- none												
Drainage:		well												
Parent Rock:		andesitic boulders, cobbles and sand; some rhyolite												
Climate:		Oakville												
Natural Cover:		Oak Woodland												
Management:														
Land Use Capability:		vineyard, orchard, grazing												
Present Use		CS vineyard												
Soil Management:														
Horizon	Depth(In.)	Boundary	Moist Color	Wet Color	Dry Color	Field Texture	Structure	Consistence			pH	Roots	Pores	Clay Films
								Dry	Moist	Wet				
Ap1	0-4"	as	7.5YR4/4	5YR3/3	7.5YR4/6	CL	sg	-	-	s	5.61	-	-	-
AB	4-12"	gw	5YR3/4	5YR3/4	5YR3/4	C	1cgr	-	-	s	5.68	1f	1 v f t	-
B11	12-26"	qw	5YR3/4	5YR3/4	5YR4/4	C, 25% cob	2f sbk	-	fi	vs	5.62	2m, 2f	1 v f t	-
B12	26-37+"		5YR4/4	5YR4/5	5YR4/6	SC, 40% cob	2msbk	-	vfi	vs	5.73	1f	1 v f t	-
PIXE Elemental Analysis (values in ppm)														
Mg	Al	Si	Cl	K	Ca	Ti	V	Cr	Mn	Fe	Co	Cu	Zn	As
0	94693.059	100002.7	125.186	2225.735	1528.393	3995.889	221.555	0	1100.274	50767	0	24.32	0	0
Br	Hb	Sr	Y	Zr	Pb	Ce								
0	90.513	0	0	101.728	0	7.956								

PHELPS BACKUS



REPORT NUMBER

W327-12

A & L WESTERN AGRICULTURAL LABORATORIES
1311 WOODLAND AVE. • MODESTO, CALIFORNIA 95351 • (209) 529-4080



SEND TO:

VINEYARD INVESTIGATIONS
4849 EL CEMONTE AVE #136
DAVIS
CA 95616

GROWER:

CAYMUS FLD #1

SAMPLES SUBMITTED BY:

PAUL SKINNER

UCD open pit South Row 39? 77CS

good ripening area

DATE OF REPORT

11-30-88

PAGE

1

SOIL ANALYSIS REPORT

(SEE EXPLANATION ON BACK)

INFO SHEET # 1172

SAMPLE NUMBER	LAB NUMBER	ORGANIC MATTER % ENR RATE lbs./A	PHOSPHORUS		POTASSIUM	MAGNESIUM	CALCIUM	SODIUM	pH		HYDRO-GEN H meq/100g	Cation Exchange Capacity C.E.C. meq/100g	PERCENT BASE SATURATION (COMPUTED)				
			P ₁ (Weak Bray) ppm-P RATE	P ₂ NaHCO ₃ -P ppm-P RATE	K ppm-K RATE	Mg ppm-Mg RATE	Ca ppm-Ca RATE	Na ppm-Na RATE	SOIL pH	BUFFER INDEX			% K	% Mg	% Ca	% H	
1	54107	1.1L 52	47 VH	33 H	310 VH	483 VH	1230M	33 VL	7.0		0.0	11.1	7.2	36.2	55.3	0.0	1
2	54108	1.1L 52	7 L	16 M	850 VH	753 VH	1090L	53 L	6.6		0.9	15.0	14.5	41.7	36.2	6.0	1
3	54109	2.1M 72	16 M	33 H	60 VL	1166 VH	1420L	63 L	6.9		0.0	17.2	0.9	56.3	41.2	0.0	1

SAMPLE NUMBER	NITRATE NO ₃	SULFUR S	ZINC Zn	MANGANESE Mn	IRON Fe	COPPER Cu	BORON B	EXCESS LIME RATE	SOLUBLE SALTS	CHLORIDE Cl	MOLYBDENUM Mo	PARTICLE SIZE ANALYSIS			
	ppm-NO ₃ -N RATE	ppm-S RATE	ppm-Zn RATE	ppm-Mn RATE	ppm-Fe RATE	ppm-Cu RATE	ppm-B RATE		mmhos/cm RATE	ppm-Cl RATE	ppm-Mo RATE	% SAND	% SILT	% CLAY	SOIL TEXTURE
1	14 M	3 VL	1.0 L	5 L	18 H	0.9 M	1.8 H	L	0.6 L		1' →	72	17	11	SANDY LOAM
2	5 L	117 VH	0.4 VL	4 VL	20 H	1.4 H	1.2 M	L	1.3 L		2' →	41	37	22	LOAM
3	4 L	4 L	0.5 VL	4 VL	16 M	1.3 H	2.9 VH	L	0.5 L		3' →	27	49	24	LOAM

This report applies only to the sample(s) tested. Samples are retained maximum of thirty days after testing. Soil Analysis Prepared By

A & L WESTERN AGRICULTURAL LABORATORY

Richard East
RICHARD EAST, AGRONOMIST

By

CODE TO RATING: VERY LOW (VL), LOW (L), MEDIUM (M), HIGH (H), VERY HIGH (VH), AND NONE (N).
ENR - ESTIMATED NITROGEN RELEASE

MULTIPLY THE RESULTS IN ppm BY 4.6 TO CONVERT TO LBS. PER ACRE P₂O₅

REPORT NUMBER

W327-13

A & L WESTERN AGRICULTURAL LABORATORIES

1311 WOODLAND AVE. • MODESTO, CALIFORNIA 95351 • (209) 529-4080



SEND TO:

VINEYARD INVESTIGATIONS
4849 EL CEMONTE AVE #136
DAVIS
CA 95616

GROWER:

CAYMUS FLD #2

UCD open pit North of wind machine
47 CS

SAMPLES SUBMITTED BY:

3 PAUL SKINNER

Poor ripening area

DATE OF REPORT

11-30-88

PAGE

1

SOIL ANALYSIS REPORT

(SEE EXPLANATION ON BACK)

INFO SHEET # 1173

SAMPLE NUMBER	LAB NUMBER	ORGANIC MATTER % ENR RATE lbs./A		PHOSPHORUS		POTASSIUM	MAGNESIUM	CALCIUM	SODIUM	pH		HYDRO-GEN H meq/100g	Cation Exchange Capacity C.E.C. meq/100g	PERCENT BASE SATURATION (COMPUTED)				
				P ₁ (Weak Bray) ppm-P RATE	P ₂ NaHCO ₃ -P ppm-P RATE	K ppm-K RATE	Mg ppm-Mg RATE	Ca ppm-Ca RATE	Na ppm-Na RATE	SOIL pH	BUFFER INDEX			% K	% Mg	% Ca	% H	% Na
4 1	54110	1.5L	60	166 VH	80 VH	249 VH	757 VH	1540L	54 L	6.6		0.9	15.8	4.0	39.8	48.6	6.0	1.
5 2	54111	1.7L	64	62 VH	60 VH	123 M	1073 VH	1280L	54 L	6.7		0.0	15.9	2.0	56.3	40.3	0.0	1.
6 3	54112	1.2L	54	13 L	25 M	119 L	1291 VH	1430L	39 VL	6.8		0.0	18.4	1.7	58.5	38.9	0.0	0.

SAMPLE NUMBER	NITRATE NO ₃ ppm-NO ₃ -N RATE	SULFUR S ppm-S RATE	ZINC Zn ppm-Zn RATE	MANGA-NESE Mn ppm-Mn RATE	IRON Fe ppm-Fe RATE	COPPER Cu ppm-Cu Rate	BORON B ppm-B RATE	EXCESS LIME RATE	SOLUBLE SALTS mmhos/cm RATE	CHLORIDE Cl ppm-Cl RATE	MOLYB-DENUM Mo ppm-Mo RATE	PARTICLE SIZE ANALYSIS			
												% SAND	% SILT	% CLAY	SOIL TEXTURE
4 1	6 L	1.69 VH	1.4 M	3 VL	17 H	1.0 M	0.8 M	L	1.6 L			49	29	22	LOAM
5 2	4 L	3 VL	0.4 VL	8 L	25 VH	1.2 M	0.5 L	L	0.5 L			45	27	28	SANDY CLAY LOA
6 3	3 VL	3 VL	3.0 M	7 L	20 H	1.3 H	0.5 L	L	0.3 L			47	23	30	SANDY CLAY LOA

This report applies only to the sample(s) tested. Samples are retained maximum of thirty days after testing. Soil Analysis Prepared By

A & L WESTERN AGRICULTURAL LABORATORIES

Richard East
By RICHARD EAST, AGRONOMIST

EXPLANATION OF SOIL ANALYSIS REPORT FOR A & L AGRICULTURAL LABORATORIES SOIL ANALYSIS

% ORGANIC MATTER AND ESTIMATED NITROGEN RELEASE (ENR)

The % Organic Matter content is determined chemically on the dried screened soil sample. However, the total organic content may be somewhat higher than reported because larger pieces of plant and animal residues are screened out prior to analysis. Only a part of the total nitrogen in the organic matter of a soil will become available for plant use during the growing season. Many factors such as: soil moisture, soil temperature, the soil's physical condition, and the amount and type of crop residues present all have an effect on bacterial action. Therefore, the ENR value is only a guide to the nitrogen supply available for the growing crop. For additional information on nitrogen release and recommendation guides see Pgs 5-12 in our book "Soil and Plant Analysis".

Results: The results for the major and minor plant food elements are reported in parts per million (ppm) on an elemental basis.

Conversions: To convert to lbs/A, the type of soil and tillage depth should be considered. Most mineral soils weigh approximately 2 million pounds (dry weight) for an acre of soil 6 1/2-7 inches deep. An acre of soil 10 inches deep weighs approximately 3 million pounds. In the past, most laboratories that reported results in lbs. per acre were considering 2 million lbs of soil per acre (results in ppm x 2 = lbs per acre). However, with deeper tillage practices used today many growers are dealing with nearly 3 million lbs of soil per acre.

CONVERSION TABLE:

<table border="0"> <tr> <td style="width: 50%;">Results in ppm</td> <td style="width: 50%;">2 Million lbs of soil per acre 6 1/2-7 in. deep</td> </tr> <tr> <td>P x 2</td> <td>= lbs per acre of P</td> </tr> <tr> <td>K x 4.6</td> <td>= lbs per acre of P₂O₅</td> </tr> <tr> <td>K x 2</td> <td>= lbs per acre of K</td> </tr> <tr> <td>x 2.4</td> <td>= lbs per acre of K₂O</td> </tr> <tr> <td>Mg x 2</td> <td>= lbs per acre of Mg</td> </tr> <tr> <td>Ca x 2</td> <td>= lbs per acre of Ca</td> </tr> <tr> <td>S x 2</td> <td>= lbs per acre of S</td> </tr> <tr> <td>S x 6</td> <td>= lbs per acre of SO₄</td> </tr> <tr> <td>B, Zn, Mn, Fe, Cu, Mo</td> <td></td> </tr> <tr> <td>x 2</td> <td>= lbs per acre of B, Zn, Mn, Fe, Cu, Mo</td> </tr> </table>	Results in ppm	2 Million lbs of soil per acre 6 1/2-7 in. deep	P x 2	= lbs per acre of P	K x 4.6	= lbs per acre of P ₂ O ₅	K x 2	= lbs per acre of K	x 2.4	= lbs per acre of K ₂ O	Mg x 2	= lbs per acre of Mg	Ca x 2	= lbs per acre of Ca	S x 2	= lbs per acre of S	S x 6	= lbs per acre of SO ₄	B, Zn, Mn, Fe, Cu, Mo		x 2	= lbs per acre of B, Zn, Mn, Fe, Cu, Mo	<table border="0"> <tr> <td style="width: 50%;">Results in ppm</td> <td style="width: 50%;">3 Million lbs of soil per acre 9-10 in. deep</td> </tr> <tr> <td>P x 3</td> <td>= lbs per acre of P</td> </tr> <tr> <td>K x 6.9</td> <td>= lbs per acre of P₂O₅</td> </tr> <tr> <td>K x 3</td> <td>= lbs per acre of K</td> </tr> <tr> <td>x 3.6</td> <td>= lbs per acre of K₂O</td> </tr> <tr> <td>Mg x 3</td> <td>= lbs per acre of Mg</td> </tr> <tr> <td>Ca x 3</td> <td>= lbs per acre of Ca</td> </tr> <tr> <td>S x 3</td> <td>= lbs per acre of S</td> </tr> <tr> <td>S x 9</td> <td>= lbs per acre of SO₄</td> </tr> <tr> <td>B, Zn, Mn, Fe, Cu, Mo</td> <td></td> </tr> <tr> <td>x 3</td> <td>= lbs per acre of B, Zn, Mn, Fe, Cu, Mo</td> </tr> </table>	Results in ppm	3 Million lbs of soil per acre 9-10 in. deep	P x 3	= lbs per acre of P	K x 6.9	= lbs per acre of P ₂ O ₅	K x 3	= lbs per acre of K	x 3.6	= lbs per acre of K ₂ O	Mg x 3	= lbs per acre of Mg	Ca x 3	= lbs per acre of Ca	S x 3	= lbs per acre of S	S x 9	= lbs per acre of SO ₄	B, Zn, Mn, Fe, Cu, Mo		x 3	= lbs per acre of B, Zn, Mn, Fe, Cu, Mo
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Two different tests are made and reported for availability of phosphorus in the soil sample.

Weak Bray (P₁) - This method determines the amount of readily available phosphorus in the soil. A level of at least 20 ppm of P is desired for average crop production and a level of 30 ppm of P or more is desired for top yields of most crops.

Strong Bray (P₂) - This method determines the amount of readily available phosphorus plus a part of the active reserve phosphorus in the soil. A level of at least 40 ppm P and preferably 60 ppm of P or more is desired for good yields of most crops.

SODIUM BICARBONATE (P) - This method determines the amount of readily available phosphorus in calcareous soils, (having free lime present.) A level of at least 10 ppm P and preferably 15 ppm of P or more is desired for good yields of most crops. For additional information on phosphorus availability and recommendation guides see pgs. 13-21 in our book "Soil and Plant Analysis".

CATION EXCHANGE CAPACITY (CEC)

The cation exchange capacity (C.E.C.) is a measure of the capacity of a soil to hold exchangeable cations. These include Hydrogen (H⁺), Calcium (Ca⁺⁺), Magnesium (Mg⁺⁺), Potassium (K⁺), and Sodium (Na⁺)

C.E.C. is measured in terms of milliequivalents (meq.) per 100 grams of soil. It depends largely on the amount and type of clay present and the organic matter content. The larger this value, the more cations the soil is able to hold against leaching.

PERCENT BASE SATURATION

The balance for the soil colloid recommended by most soil scientists is 65 to 75 percent calcium, 10 to 15 percent magnesium, and from 2 to 5 percent potassium.

The percent base saturation is calculated from the C.E.C. and percent saturation of Ca, Mg, K, H, and Na is reported to assist you in determining the balance of cations in your soil. For additional information and recommendation guide see pgs 25-29 in our book "Soil & Plant Analysis".

pH

Soil pH: The soil pH is measured on a 1:1 soil to water solution. The soil pH measures the active soil acidity or alkalinity. Mineral soils should have a pH of 6.0 to 7.0 for most crops, while a pH range of 5.0 to 5.5 is adequate for high organic soils.

Buffer Index: The buffer pH is determined with the Shoemaker, McLean, and Pratt (SMP) buffer solution. The lime requirement is determined by the depression of the buffer pH by acidity in the soil sample. The amount of limestone needed to neutralize the acidity present has already been determined and the following table is a general guide, but variations from other published guides may occur due to differences in limestone fineness, neutralizing value, and plow depth.

SALT pH:

In areas where the SMP buffer is not used, a salt pH is determined. The salt pH of the soils is measured by adding 0.01 molar calcium chloride to the soils solution. Soils which are highly leached and sandy soils may have a salt pH value as much as one whole unit lower than the soil pH, (i.e., 6.0/5.0). The soil pH value of soils of average salt content may be lowered from 0.4 to 0.6 units by using the calcium chloride. Depressions of the soil pH amounting to 0.1 units and less upon the addition of calcium chloride occurs when soils are exceedingly high in their content of salts. For additional information on soil pH and liming guide see pgs 30-33 in our book "Soil & Plant Analysis".

LIME REQUIREMENT

Buffer pH	Tons/Acre Limestone			
	Mineral Soils		Organic Soils	
	Plow Depth 6-2/3 Inches	Plow Depth 9 Inches	Plow Depth 6-2/3 Inches	Plow Depth 9 Inches
7.0	none	none	0	0
6.9	none	none	0	0
6.8	1	1.5	0	0
6.7	1.5	2	0	0
6.6	2.0	3	0	0
6.5	2.5	4	0	0
6.4	3.0	4.5	1	1 1/2
6.3	3.5	5	2	3
6.2	4.0	6	2 1/2	3 1/2
6.1	4.5	7	3	4 1/2
6.0	5.5	8	4	6
5.9	6.0	9	4 1/2	6 1/2
5.8	6.5	10	5	7 1/2
5.7	7.0	11	5 1/2	8
5.6	8.0	12	6	9
5.5	9.0	13	6.5	10

If the soil pH is above 6.5, no buffer index will be determined since lime would not be needed for most crops. Crops raised on organic soils (soils containing 20% or more organic matter) usually do not benefit from liming unless the soil pH is less than 5.3.

ADJUSTMENTS FOR TYPE OF LIMING MATERIALS

Two primary factors affect the actual amount of a given liming material required to achieve the desirable effect on soil pH. The total Neutralizing Power (TNP, also referred to as Calcium Carbonate Equivalent) and the Fineness of the liming material are these factors. The following table will serve as a guide to make these adjustments.

Lbs. to equal 1 ton Limestone	Hydrated	Ag-Super-fine	Ag-Pulverized Base	Ag-Ground	AG-Fine Meal	Ag-Course Meal	Ag-Granulate Slag
	TNP	1100 140-160	1900 90+	2000 90+	2300 90+	2900 90+	3400 90+
F %							
I P							
N A	100 MESH	100	80	60%	40	30	5
E S	60 MESH	100	95	70%	50	40	15
N S	20 MESH	100	100	95%	70	60	50
E I							
S N							

If the TNP is less than 90 multiply amount from above by these percentages

TNP	%
80-89	115
70-79	130
60-69	150

LIMING:

Apply lime only after the soil has been tested. Too much lime can be as harmful as too little.

Lime must be thoroughly mixed with the soil for maximum effectiveness.

If both magnesium and calcium are needed, apply dolomite lime to help supply magnesium.

EXCESS LIME--

A visual rating of free lime present. Soils having high amounts of free lime available will have associated problems in the availability of major and minor elements and difference in choice or amount of soil amendments.

SOLUBLE SALTS --

For information refer to page 61 of our book, "Soil and Plant Analysis"

SULFUR

All crops need sulfur. The higher the nitrogen uptake by a crop, the greater the need for sulfur. A level of 15-20 ppm of available sulfur should be maintained for most crops. For additional information on availability of sulfur and making sulfur recommendations see pgs 22-24 in our book "Soil & Plant Analysis".

MICRONUTRIENTS

The available levels of micronutrients are rated from very low to very high. However applying the recommended amount of a certain minor element with a low rating will not necessarily insure a crop response because of the many factors which may influence micronutrient response. Some of the factors which influence response are rapidly changing soil pH, excessive applications of N-P-K, soil physical problems, soil moisture extremes, excessive leaching, crop variety, and plant population. For additional information on why plants need micronutrients, their availability, interactions with other nutrients, and a recommendation guide see pgs 34-45 in our book "Soil & Plant Analysis".

REPORT NUMBER

W327-12

A & L WESTERN AGRICULTURAL LABORATORIES
1311 WOODLAND AVE. • MODESTO, CALIFORNIA 95351 • (209) 529-4080



SEND TO:

VINEYARD INVESTIGATIONS
4849 EL CEMONTE AVE #136
DAVIS
CA 95616

GROWER: CAYMUS FLD #1

UCD open pit South Row 39? 77CS

SAMPLES SUBMITTED BY:

PAUL SKINNER

good ripening area

DATE OF REPORT

11-30-88

PAGE

1

SOIL ANALYSIS REPORT

(SEE EXPLANATION ON BACK)

INFO SHEET # 1172

SAMPLE NUMBER	LAB NUMBER	ORGANIC MATTER % ENR lbs/A	PHOSPHORUS		POTASSIUM	MAGNESIUM	CALCIUM	SODIUM	pH		HYDRO-GEN H meq/100g	Cation Exchange Capacity C.E.C. meq/100g	PERCENT BASE SATURATION (COMPUTED)				
			P ₁ (Weak Bray)	P ₂ NaHCO ₃ -P	K	Mg	Ca	Na	SOIL	BUFFER			% K	% Mg	% Ca	% H	% N
			ppm-P RATE	ppm-P RATE	ppm-K RATE	ppm-Mg RATE	ppm-Ca RATE	ppm-Na RATE	pH	INDEX							
1	54107	1.1L 52	47 VH	33 H	310 VH	483 VH	1230M	33 VL	7.0		0.0	11.1	7.2	36.2	55.3	0.0	1
2	54108	1.1L 52	7 E	16 M	850 VH	753 VH	1090L	53 L	6.6		0.9	15.0	14.5	41.7	36.2	6.0	1
3	54109	2.1M 72	16 M	33 H	60 VL	1166 VH	1420L	63 L	6.9		0.0	17.2	0.9	56.3	41.2	0.0	1

SAMPLE NUMBER	NITRATE NO ₃ ppm-NO ₃ -N RATE	SULFUR S ppm-S RATE	ZINC Zn ppm-Zn RATE	MANGANESE Mn ppm-Mn RATE	IRON Fe ppm-Fe RATE	COPPER Cu ppm-Cu Rate	BORON B ppm-B RATE	EXCESS LIME RATE	SOLUBLE SALTS mmhos/cm RATE	CHLORIDE Cl ppm-Cl RATE	MOLYB-DENUM Mo ppm-Mo RATE	PARTICLE SIZE ANALYSIS			
												% SAND	% SILT	% CLAY	SOIL TEXTURE
1	14 M	3 VL	1.0 L	5 L	18 H	0.9 M	1.8 H	L	0.6 L		1' →	72	17	11	SANDY LOAM
2	5 L	117 VH	0.4 VL	4 VL	20 H	1.4 H	1.2 M	L	1.3 L		2' →	41	37	22	LOAM
3	4 L	4 L	0.5 VL	4 VL	18 M	1.3 H	2.9 VH	L	0.5 L		3' →	27	49	24	LOAM

This report applies only to the sample(s) tested. Samples are retained maximum of thirty days after testing. Soil Analysis Prepared By

A & L WESTERN AGRICULTURAL LABORATORIES

Richard East
RICHARD EAST, AGRONOMIST

By

150

CODE TO RATING: VERY LOW (VL), LOW (L), MEDIUM (M), HIGH (H), VERY HIGH (VH), AND NONE (N).
ENR - ESTIMATED NITROGEN RELEASE

MULTIPLY THE RESULTS IN ppm BY 4.6 TO CONVERT TO LBS. PER ACRE P₂O₅.

REPORT NUMBER

W327-13

A & L WESTERN AGRICULTURAL LABORATORIES
 1311 WOODLAND AVE. • MODESTO, CALIFORNIA 95351 • (209) 529-4080



SEND TO:

VINEYARD INVESTIGATIONS
 4849 EL CEMONTE AVE #136
 DAVIS
 CA 95616

GROWER:

CAYMUS FLD #2

UCD open pit North of wind machine
 47 CS

SAMPLES SUBMITTED BY:

3

PAUL SKINNER

Poor ripening area

DATE OF REPORT

11-30-88

PAGE

1

SOIL ANALYSIS REPORT

(SEE EXPLANATION ON BACK)

INFO SHEET # 1173

SAMPLE NUMBER	LAB NUMBER	ORGANIC MATTER		PHOSPHORUS		POTASSIUM	MAGNESIUM	CALCIUM	SODIUM	pH		HYDRO-GEN H meq/100g	Cation Exchange Capacity C.E.C. meq/100g	PERCENT BASE SATURATION (COMPUTED)				
		%	ENR lbs./A	P ₁ (Weak Bray) ppm-P RATE	P ₂ N ₂ HCO ₃ -P ppm-P RATE	K ppm-K RATE	Mg ppm-Mg RATE	Ca ppm-Ca RATE	Na ppm-Na RATE	SOIL pH	BUFFER INDEX			% K	% Mg	% Ca	% H	% Na
4 1'	54110	1.5L	60	166 VH	80 VH	249 VH	757 VH	1540L	54 L	6.6		0.9	15.8	4.0	39.8	48.6	6.0	1.0
5 2'	54111	1.7L	64	62 VH	60 VH	123 M	1073 VH	1280L	54 L	6.7		0.0	15.9	2.0	56.3	40.3	0.0	1.0
6 3'	54112	1.2L	54	13 L	25 M	119 L	1291 VH	1430L	39 VL	6.8		0.0	18.4	1.7	58.5	38.9	0.0	0.0

SAMPLE NUMBER	NITRATE NO ₃	SULFUR S	ZINC Zn	MANGANESE Mn	IRON Fe	COPPER Cu	BORON B	EXCESS LIME RATE	SOLUBLE SALTS	CHLORIDE Cl	MOLYB-DENUM Mo	PARTICLE SIZE ANALYSIS			
	ppm-NO ₃ -N RATE	ppm-S RATE	ppm-Zn RATE	ppm-Mn RATE	ppm-Fe RATE	ppm-Cu Rate	ppm-B RATE		mmhos/cm RATE	ppm-Cl RATE	ppm-Mo RATE	% SAND	% SILT	% CLAY	SOIL TEXTURE
4 1'	6 L	169 VH	1.4 M	3 VL	17 H	1.0 M	0.8 M	L	1.6 L			49	29	22	LOAM
5 2'	4 L	3 VL	0.4 VL	8 L	25 VH	1.2 M	0.5 L	L	0.5 L			45	27	28	SANDY CLAY LOAM
6 3'	3 VL	3 VL	3.0 M	7 L	20 H	1.3 H	0.5 L	L	0.3 L			47	23	30	SANDY CLAY LOAM

This report applies only to the sample(s) tested. Samples are retained maximum of thirty days after testing. Soil Analysis Prepared By

A & L WESTERN AGRICULTURAL LABORATORIES

Richard East

RICHARD EAST, AGRONOMIST

By

CODE TO RATING: VERY LOW (VL), LOW (L), MEDIUM (M), HIGH (H), VERY HIGH (VH), AND NONE (N).
 ENR - ESTIMATED NITROGEN RELEASE

MULTIPLY THE RESULTS IN ppm BY 4.6 TO CONVERT TO LBS. PER ACRE P₂O₅

EXPLANATION OF SOIL ANALYSIS REPORT

FOR A & L AGRICULTURAL LABORATORIES SOIL ANALYSIS

% ORGANIC MATTER AND ESTIMATED NITROGEN RELEASE (ENR)

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Results: The results for the major and minor plant food elements are reported in parts per million (ppm) on an elemental basis.

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CONVERSION TABLE:

<p>Results in ppm</p> <p>P x 2 = lbs per acre of P x 4.6 = lbs per acre of P₂O₅</p> <p>K x 2 = lbs per acre of K x 2.4 = lbs per acre of K₂O</p> <p>Mg x 2 = lbs per acre of Mg</p> <p>Ca x 2 = lbs per acre of Ca</p> <p>S x 2 = lbs per acre of S</p> <p>S x 6 = lbs per acre of SO₄</p> <p>B, Zn, Mn, Fe, Cu, Mo x 2 = lbs per acre of B, Zn, Mn, Fe, Cu, Mo</p>	<p>2 Million lbs of soil per acre 6 1/2-7 in deep</p>	<p>Results in ppm</p> <p>P x 3 = lbs per acre of P x 6.9 = lbs per acre of P₂O₅</p> <p>K x 3 = lbs per acre of K x 3.6 = lbs per acre of K₂O</p> <p>Mg x 3 = lbs per acre of Mg</p> <p>Ca x 3 = lbs per acre of Ca</p> <p>S x 3 = lbs per acre of S</p> <p>S x 9 = lbs per acre of SO₄</p> <p>B, Zn, Mn, Fe, Cu, Mo x 3 = lbs per acre of B, Zn, Mn, Fe, Cu, Mo</p>	<p>3 Million lbs of soil per acre 9-10 in. deep</p>
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PHOSPHORUS:

Two different tests are made and reported for availability of phosphorus in the soil sample.

Weak Bray (P₁) - This method determines the amount of readily available phosphorus in the soil. A level of at least 20 ppm of P is desired for average crop production and a level of 30 ppm of P or more is desired for top yields of most crops.

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SODIUM BICARBONATE (P) - This method determines the amount of readily available phosphorus in calcareous soils, (having free lime present.) A level of at least 10 ppm P and preferably 15 ppm of P or more is desired for good yields of most crops. For additional information on phosphorus availability and recommendation guides see pgs. 13-21 in our book "Soil and Plant Analysis."

CATION EXCHANGE CAPACITY (CEC)

The cation exchange capacity (C.E.C.) is a measure of the capacity of a soil to hold exchangeable cations. These include Hydrogen (H⁺), Calcium (Ca⁺⁺), Magnesium (Mg⁺⁺), Potassium (K⁺), and Sodium (Na⁺).

C.E.C. is measured in terms of milliequivalents (meq.) per 100 grams of soil. It depends largely on the amount and type of clay present and the organic matter content. The larger this value, the more cations the soil is able to hold against leaching.

PERCENT BASE SATURATION

The balance for the soil cation recommended by most soil scientists is 65 to 75 percent calcium, 10 to 15 percent magnesium, and from 2 to 5 percent potassium.

The percent base saturation is calculated from the C.E.C. and percent saturation of Ca, Mg, K, H, and Na is reported to assist you in determining the balance of cations in your soil. For additional information and recommendation guide see pgs 25-29 in our book "Soil & Plant Analysis"

pH

Soil pH: The soil pH is measured on a 1:1 soil to water solution. The soil pH measures the active soil acidity or alkalinity. Mineral soils should have a pH of 6.0 to 7.0 for most crops, while a pH range of 5.0 to 5.5 is adequate for high organic soils.

Buffer Index: The buffer pH is determined with the Shoemaker, McLean, and Pratt (SMP) buffer solution. The lime requirement is determined by the depression of the buffer pH by acidity in the soil sample. The amount of limestone needed to neutralize the acidity present has already been determined and the following table is a general guide, but variations from other published guides may occur due to differences in limestone fineness, neutralizing value, and plow depth.

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In areas where the SMP buffer is not used, a salt pH is determined. The salt pH of the soils is measured by adding 0.01 molar calcium chloride to the soils solution. Soils which are highly leached and sandy soils may have a salt pH value as much as one whole unit lower than the soil pH, (i.e., 6.0/5.0). The soil pH value of soils of average salt content may be lowered from 0.4 to 0.6 units by using the calcium chloride. Depressions of the soil pH amounting to 0.1 units and less upon the addition of calcium chloride occurs when soils are exceedingly high in their content of salts. For additional information on soil pH and liming guide, see pgs 30-33 in our book "Soil & Plant Analysis".

LIME REQUIREMENT

Buffer pH	Tons/Acre Limestone			
	Mineral Soils		Organic Soils	
	Plow Depth 6-2/3 Inches	Plow Depth 9 Inches	Plow Depth 6-2/3 Inches	Plow Depth 9 Inches
7.0	none	none	0	0
6.9	none	none	0	0
6.8	1	1.5	0	0
6.7	1.5	2	0	0
6.6	2.0	3	0	0
6.5	2.5	4	0	0
6.4	3.0	4.5	1	1 1/2
6.3	3.5	5	2	3
6.2	4.0	6	2 1/2	3 1/2
6.1	4.5	7	3	4 1/2
6.0	5.5	8	4	6
5.9	6.0	9	4 1/2	6 1/2
5.8	6.5	10	5	7 1/2
5.7	7.0	11	5 1/2	8
5.6	8.0	12	6	9
5.5	9.0	13	6.5	10

If the soil pH is above 6.5, no buffer index will be determined since lime would not be needed for most crops. Crops raised on organic soils (soils containing 20% or more organic matter) usually do not benefit from liming unless the soil pH is less than 5.3.

ADJUSTMENTS FOR TYPE OF LIMING MATERIALS

Two primary factors affect the actual amount of a given liming material required to achieve the desirable effect on soil pH. The total Nutritizing Power (TNP, also referred to as Calcium Carbonate Equivalent) and the Fineness of the liming material are these factors. The following table will serve as a guide to make these adjustments.

Lbs. to equal 1 ton Limestone TNP	Hydrated	Ag Super-fine	Ag Pulverized Base	Ag Ground	Ag Fine Meal	Ag Course Meal	Ag Granulate Slag
		1100	1900	2000	2300	2900	3400
F %	140-160	90+	90+	90+	90+	90+	90+
I P							
N A	100 MESH	100	80	60%	40	30	20
S	60 MESH	100	95	70%	50	40	30
N S	20 MESH	100	100	95%	70	60	50
E I							
S N							
S G							

If the TNP is less than 90 multiply amount from above by the percentages

TNP	%
80-89	115
70-79	130
60-69	150

LIMING:

Apply lime only after the soil has been tested. Too much lime can be as harmful as too little.

Lime must be thoroughly mixed with the soil for maximum effectiveness.

If both magnesium and calcium are needed, apply dolomite lime to help supply magnesium.

EXCESS LIME--

A visual rating of free lime present. Soils having high amounts of free lime available will have associated problems in the availability of major and minor elements and difference in choice or amount of soil amendments.

SOLUBLE SALTS --

For information refer to page 61 of our book, "Soil and Plant Analysis"

SULFUR

All crops need sulfur. The higher the nitrogen uptake by a crop, the greater the need for sulfur. A level of 15-20 ppm of available sulfur should be maintained for most crops. For additional information on availability of sulfur and making sulfur recommendations see pgs 22-24 in our book "Soil & Plant Analysis".

MICRONUTRIENTS

The available levels of micronutrients are rated from very low to very high. However applying the recommended amount of a certain minor element with a low rating will not necessarily insure a crop response because of the many factors which may influence micronutrient response. Some of the factors which influence response are rapidly changing soil pH, excessive applications of N-P-K, soil physical problems, soil moisture extremes, excessive leaching, crop variety, and plant population. For additional information on why plants need micronutrients, their availability, interactions with other nutrients, and a recommendation guide see pgs 34-45 in our book "Soil & Plant Analysis".

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Rutherford - p. 47044

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to alter the description of VOR Federal Airway V-157 located in the States of North Carolina and South Carolina. Federal Airway V-157, which extends from Key West, FL, to Albany, NY, has a 130-mile gap between Kinston, NC, and Florence, SC. This action would improve flight planning by eliminating the gap. Section 71.123 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6G dated September 4, 1990.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, VOR Federal airways.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. App. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.123 [Amended]

2. § 71.123 is amended as follows:
By removing the words "Florence, SC. From Kinston, NC," and substituting the words "Florence, SC; Fayetteville, NC; Kinston, NC,"

Issued in Washington, D.C., on September 9, 1991.

William C. Davis,
Acting Manager, Airspace-Rules and
Aeronautical Information Division.

[FR Doc. 91-27298 Filed 9-16-91; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 728]

RIN: 1512-AA07

*** The Oakville Viticultural Area (89F-92P)**

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

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in the State of California to be known as "Oakville." This proposal is the result of a petition from the Rutherford and Oakville Appellation Committee. The committee is composed of seven wineries and seven grape-growers within the Rutherford and Oakville areas of Napa County, California. The establishment of viticultural areas and the subsequent use of viticultural area names in wine labeling and advertising allows wineries to designate the specific areas where the grapes used to make their wines were grown and enables consumers to better identify wines they purchase.

DATES: Written comments must be received by November 18, 1991.

ADDRESSES: Send written comments to: Chief, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221 (Attn: Notice No. 728). Copies of the petition, the proposed regulations, the appropriate maps, and any written comments received will be available for public inspection during normal business hours at: ATF Reading Room, Office of Public Affairs and Disclosure, room 6300, 650 Massachusetts Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert White, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., 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. These regulations allow the establishment of definite viticultural areas. The regulations 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, for the listing of approved American viticultural areas.

Section 4.25a(e)(1), title 27 CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features.

Section 4.25a(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. 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 features (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 the 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. map with the boundaries prominently marked.

Petition

ATF has received a petition from the Rutherford and Oakville Appellation Committee proposing to establish a new viticultural area in Napa County California, to be known as "Oakville." The appellation committee is composed of seven wineries and seven grape-growers from within the Oakville and Rutherford areas of Napa County. The proposed Oakville viticultural area is located in the south-central portion of the Napa Valley approximately 10 miles northwest of the city of Napa. There are approximately 13 bonded wineries located with the Oakville area. The area contains about 5,760 total acres, most of which are densely planted to vineyards.

The petition provides the following information as evidence that the proposed area meets the regulatory requirements discussed above.

Viticultural Area Name

The name Oakville has been associated with the area between Yountville and Rutherford in the Napa Valley for over 100 years. From the mid-nineteenth through the early twentieth centuries, Oakville moved from an unnamed region with an unknown reputation to become a settled and integral part of Napa county and of the Napa Valley wine industry. Wine writers as early as the 1860s wrote highly of wine from H.W. Crabb's Tokalon vineyards in Oakville.

Mr. Crabb's extensive landholdings, business and influence in the region south of Rutherford contributed to the establishment of the village of Oakville. While little is known about the man H.W. Crabb, much is written of his grape-growing techniques and the success of his vineyards. From 1850 to 1880, Oakville steadily increased in prominence as a community center. One reason for its emergence was the establishment of the rail system from Napa to Calistoga in 1868. Geographer William Ketteringham writes, "With the completion of the (railroad) line in 1868 other settlements along the line such as Rutherford and Oakville sprang up."

The Oakville Post Office was established in 1867 and the Oakville voting precinct was established in 1902. During the 1870s and early 1880s, there was rapid expansion in the number of vineyard plantings and wine production. H.W. Crabb saw his first plantings of 1868 become the core of over 290 vineyard acres by 1880. During that year he produced over 300,000 gallons of wine or approximately 11 percent of all the wine produced in Napa Valley. Following the wine boom of the 1870's and early 1880's, Napa Valley wineries suffered a significant setback as phylloxera set in. Vineyard plantings decreased 83 percent over a ten-year period, from 18,177 acres in 1890 to 3,000 acres in 1900. This period was followed by Prohibition from 1919 to 1933. Surprisingly, planted acreage during Prohibition increased in Napa Valley to keep pace with the burgeoning demand for grapes used to make medicinal, sacramental and home wines, which remained legal. After Prohibition, planted acreage in Napa County remained at around 10,000 acres through the 1960s. Not until the wine renaissance of the 1970s was the acreage total of 1890 surpassed.

The name Oakville has a long history of use by wine books and magazines to

describe this prominent Napa Valley wine community. Some examples of these publications include *The Connoisseurs' Handbook of California Wines* by Charles E. Olken, Earl G. Singer and Norman S. Roby, third edition, revised, 1984; *The Wine Spectator* magazine, "The Rutherford Bench" by James Laube, July 15, 1987; the *Friends of Wine* magazine, "Napa Winery Profiles: the quest for Site", May 1984, and "Back to the Vineyards" by Bob Thompson, May, 1985; and the *Modern Encyclopedia of Wine*, by Hugh Johnson, second edition, revised and updated, 1987.

Historical/Current Evidence of Boundaries

Because the village of Oakville is not an incorporated township, there are no municipal boundaries on which to rely in delimiting this area. Consequently, the petitioners to a great extent utilized commercial and public sector uses of the community name in establishing the boundaries of the proposed Oakville viticultural area. The Oakville Crossroads and the Oakville Post Office are the most notable examples of the name's use within the area.

Postal and telephone service areas are less relevant in terms of precise boundaries for the area but do attest to consumer recognition of Oakville as a distinct and separate community.

Also, various wine press accounts have helped to define what is considered to be the Oakville area. One such account from the *Connoisseurs' Handbook of California Wines* includes the following entry:

Oakville (Napa). Situated in the southern end of Napa Valley, halfway between Yountville and Rutherford, this way station is the home of several wineries (foremost among them the Robert Mondavi Winery) and adjoins some of the Napa Valley's best Cabernet growing turf. The superb Martha's Vineyard produced by Heitz Cellars and a substantial portion of the Robert Mondavi Cabernet vineyards are in Oakville, along the western edge of the valley floor. Other wineries in the area are Villa Mr. Eden and an Inglenook production and bottling plant.

Of the approximately 13 bonded wineries located in the proposed area, all but two have Oakville addresses. The only exceptions are one winery east of the Silverado Trail which uses a Napa address and one winery just south of the village of Oakville which uses a Rutherford address, due to its affiliation with a winery in the Rutherford area. The Winery using the Napa address appears to do so because they receive their mail directly from the Napa post office rather than maintaining a post office box in Oakville. These bonded winery addresses (with the exceptions

noted) generally substantiate the boundaries proposed in the petition.

Geographical Features

Napa Valley can be divided into a group of distinct topographical areas: the lowland Napa River valley between the mayacamas and Vaca Ranges; the mountains themselves; and the intermontane, eastern portions of the county beyond the watershed of the Napa River. The elevational differences and relief between these areas are pronounced and influence all aspects of the region's physical geography (climate, geomorphology, hydrology, soils and vegetation).

The floor of the Napa Valley is 25 miles in length south to north and between one and four miles wide. Traversing the entire length of the valley is the Napa River, which commences north of Calistoga and drains into San Pablo Bay. Along its course through the valley, the river elevation drops from around 380 feet near the city of Calistoga to around 20 feet near the city of Napa. The gently sloping valley floor, however, is interrupted by numerous bedrock outcrops which form isolated hills. The Yountville hills are the highest of these "bedrock islands" and have influenced the geographic evolution of the Oakville area. In other places, the valley floor features broad alluvial fans extending toward the center of the valley from mountain streams which serve as tributaries to the Napa River.

Two fundamental geographic distinctions within Napa Valley are particularly relevant to the delimitation of the proposed Oakville viticultural area: On the east-west axis, mountain versus valley floor; delineating the valley floor viticultural environments; and on the north-south axis, climatic differences as the result of a decreasing incursion of maritime air into the valley.

These distinctions can be integrated with the community identity of Oakville (and the other communities of Napa Valley) to provide consumers with meaningful and distinctive reference points concerning the viticulture of Napa Valley. From the perspective of a wine consumer, such basic geographic distinctions offer a useful introduction to the complexity of viticulture in Napa Valley.

Climate

The major climatic difference between the watershed area of Napa Valley and the outlying valleys is the maritime nature of the former. Whereas the valley as defined by the watershed area is classified as a coastal valley, the outlying valleys are considered interior

or inland valleys, representing a different climatic type. This is well evidenced by the vegetation, the distribution of which is primarily controlled by climate. Moderate to high elevations in the interior valleys are covered by chamise chaparral and other plant communities tolerant of summer drought and heat. At these same elevations in the Napa Valley river drainage, mixed forests of douglas fir, oak, madrone and coastal redwood dominate. Bedrock geology and soils act as secondary influences controlling these vegetation distributions.

Higher elevation and mountainous regions within Napa Valley experience shorter growing seasons (though they may extend longer into early autumn), fewer degree days, lower daily maximum temperatures during the growing season, less fog, increased solar radiation and increased precipitation. These conditions affect the time of wine grape harvest. In the mountainous areas, desirable acid-sugar levels often are reached much after the harvest on the valley floor. In some mountain settings, with small intermontane basins, local cold air drainage may result in marginal conditions for wine grape production. Along the valley floor from Napa to Calistoga, there are pronounced mesoclimatic variations which relate to the penetration of marine influences from San Pablo Bay and, to a lesser extent, to the rise in elevation as one proceeds up valley.

A mesoclimate is a subdivision of a macroclimate. California's Mediterranean climate is considered a macroclimate. Napa Valley's mesoclimates refer to modifications of this macroclimate due to altitude/elevation or distance from the nearest ocean. Because of the diminution of marine influences as one travels up valley, the northern regions of the valley are characterized by much warmer summers and significantly colder and wetter winters than in the south. That is, summer temperatures and total precipitation increase as one travels north. Summer days down valley often are cool, foggy and breezy. The fog usually dissipates early in the day, clearing first to the north and progressing southward to the bay.

Altitudinal variation also affects temperature distribution. The lower, southern troughs of the valley experience the lowest winter temperatures along the valley floor. As the elevation rises up valley, temperatures also rise, between 1.5 and 2.8 degrees Fahrenheit for each 500 feet.

As a result of these mesoclimatic trends along the valley floor, wine writers often speak of different climate

regions within Napa Valley. The following excerpt from William Massee's Guide to the Wines of America is illustrative of the association of community names with mesoclimatic variations in Napa Valley.

[In the Carneros area] there is a tempering influence from the northern round of bay, San Pablo, a receptacle for rivers—the Sacramento and San Joaquin, the Petaluma and Napa—and many creeks. Cool air currents sweep down from the mountain and in from the ocean, bringing fog. It is a cool Region One. . . .

Around Yountville, it is about one and a half—you can often see the fog line in the morning that marks the difference. Near Oakville, it is a cool Region Two, where Beaulieu grows its Johannisberg Riesling, up behind Bob Mondavi. Rutherford is a solid Region Two but it is warmer in Vineyard No. 3, to the east, because it gets the late sun. Up around Calistoga, it is Region Three.

According to the petitioners, the proposed Oakville viticultural area is cooler than the area around Rutherford to the north and warmer than the Yountville area to the south. The incursion of fog is especially more pronounced at the southern end of the Oakville area.

The proposed southern boundary of the Oakville area follows the elevation and hydrologic divide west of the Yountville Hills and the crest of Rector Canyon fan, along Rector Creek, east of the Yountville Hills. Rector Creek converges with Conn Creek and the Napa River at the southern end of the proposed Oakville viticultural area. Within this general mesoclimatic context, local relief or topoclimate is significant in determining diurnal temperature pattern within the Oakville viticultural area. Topoclimate refers to a subdivision of mesoclimates influenced by topography, which may be elevational, topographic blocking by a barrier, or a change in slope or aspect.

In sum, as opposed to some mountain settings of Napa Valley, this part of the central portion of the valley floor, proposed here as the Oakville viticultural area, offers the type of climatic conditions necessary for the production of a wide variety of wine grapes. Considerable acreage is planted to several varieties, including Cabernet Sauvignon, Chardonnay, Sauvignon Blanc, among others, throughout this region.

Geological History

Geological history is an important factor in shaping Napa Valley viticultural environments. Napa Valley is largely a synclinal (down-folded) valley of Cenozoic age. Faulting (accompanied by minor folding) throughout the valley later resulted in

the formation of bedrock "islands" (outcrops) across the valley floor. These rock islands have been modified during the last million years through erosion by the Napa River, its tributaries and other erosional slope processes. Sections of the old Napa River channel are still visible here and there in the valley, including in several places within the proposed Oakville viticultural area.

In this central portion of the valley, much of the old river channel and its alluvial sediments have been buried by more recent Napa River floodplain sediments, but they principally have been covered by alluvial fans emerging from the mountain streams on the western and eastern sides of the valley. The age and size of these fan surfaces are a function of climatic change, basin lithology (mineral composition and structure of rocks), and basin size, all of which vary among the four major drainage basins in the Oakville and Rutherford areas, accounting for differences in these fan surfaces.

The northern fans (in the Rutherford area) are the larger geomorphic features, have more significantly controlled the course of the Napa River through time, and are geologically more diverse.

Soils and Hydrology

The occurrence of specific soil types can be related to topography in Napa Valley, as topography is one of the five variables that controls soil formation. The Soil Survey of Napa County, California (hereinafter Soil Survey), published by the U.S. Department of Agriculture Soil Conservation Service in 1978, divides the 11 soil associations of Napa County into two general categories: lowland depositional soils, which account for four of the 11 soil associations and are found on alluvial fans, flood plains, valleys and terraces; and upland residual soils, which account for the remaining seven soil associations, and are found on bedrock and colluvially-mantled slopes. The "General Soil Map" from the Soil Survey shows the location of these upland and lowland soils. This map as well as the text of the Soil Survey show that the lowland-upland soil break occurs at around the 500-foot elevation. This same elevation line has been used to differentiate the proposed Oakville viticultural area from the mountains to the east and west.

As one proceeds down Napa Valley, Zinfandel Lane marks the widening of the valley floor, which continues until the appearance of the Yountville Hills at the southern end of Oakville. Part of the southern boundary of the proposed Oakville viticultural area is a

depositional ridge which projects perpendicularly across the valley towards the Yountville Hills. This ridge is located at the narrowest point between the Yountville Hills and the Mayacamas Range. To the north of this ridge, streams drain towards the northeast, and to the south of this ridge streams drain to the southeast. The ridge, which is at an overall elevation of around 200 feet, thus functions as a drainage divide.

Specific Climatological Information

A previously published report, prepared by the National Oceanic and Atmospheric Administration and submitted on behalf of the Napa Valley Appellation petition in 1980, established the general weather and climatic differences of Napa County. This report showed that Napa Valley can be divided into two general climatic regions (coastal and inland), and three topographical areas—the valley itself lying within the Mayacamas Range to the west and the Vaca Range to the east; the area within the mountains themselves; and the area covering the eastern portion of the county.

The elevation within Napa County increases as one progresses north up the valley. With this increase in elevation there is an increase in precipitation, ranging from 20 inches in the south to 50 inches in the north. Additionally, the coastal influence in the Napa Valley results in a relatively moderate climate in the south (warmer than the northern area of Napa Valley in the winter and cooler in the summer) and a relatively extreme climate in the north (hotter than the southern area of Napa Valley in the summer and colder in the winter).

Two sets of data have been submitted to show the difference in temperature, measured in degree-days, between the different areas in Napa Valley. The first set of data is from the Cooperative Extension, University of California, Napa Valley, and is shown below:

Location	Degree-days	Temperature relative to Rutherford in center of valley (percent)
Calistoga.....	3369	+7
St. Helena.....	3229	+2
Rutherford.....	3159	-0
Oakville.....	3124	-1
Napa.....	2882	-9

The second set of data was collected by the Rutherford and Oakville Appellation Committee. The weather stations used to collect this data are generally located within the center of the Napa Valley, where they are subject

to similar relative humidity, wind direction and solar radiation conditions. This data is shown below and is the average reading for the 4-year period between 1985 and 1988:

Location	Degree-days	Temperature relative to Rutherford in center of valley (percent)
Calistoga.....	3768	+11
St. Helena.....	3575	+5
Rutherford.....	3389	-0
Oakville.....	3039	-10
Yountville.....	2695	-20
Napa.....	3180	-6

Rainfall

The Cooperative Extension, University of California, Napa Valley, has prepared a chart showing that rainfall generally increases as one proceeds up the Napa Valley from Napa to Calistoga. The data is shown below:

Location	Approximate yearly rainfall (inches)
Calistoga.....	45 to 50
St. Helena.....	35 to 40
Rutherford.....	35 to 40
Oakville.....	35
Yountville.....	30
Napa.....	30

Soil

The "General Soil Map" of Napa County, California, prepared by the United States Department of Agriculture (USDA) Soil Conservation Service, shows most of the Napa Valley floor as being generally the same types of soils. These soils are the Bale-Cole-Yolo series which are nearly level to gently sloping, well drained and somewhat poorly drained loams, silt loams, and clay loams on flood plains, alluvial fans, and terraces.

In addition to the Bale series, the Pleasanton soil series dominates much of the central section of the Napa Valley floor. Both of these soil series consist of deep, alluvial soils.

According to Associate Professor Deborah L. Elliott-Fisk, Department of Geography, University of California, Davis the high frequency of clasts from Sonoma Volcanics in the Oakville fan soils unifies the proposed Oakville viticultural area and distinguishes it from Rutherford. The contribution of small percentages of metamorphic clasts (such as serpentine and chert) on the Rutherford fan soils contributes to minor soil differences between the proposed Rutherford viticultural area and

Oakville. The composition of these types of minerals and rocks tends to raise the soil pH slightly in the Rutherford area and alters soil texture and plant nutrition.

Proposed Rutherford Viticultural Area

In today's issue of the Federal Register, ATF is also publishing a notice of proposed rulemaking on the proposed Rutherford viticultural area. This proposed area is in Napa Valley adjacent to the proposed Oakville viticultural area. All interested parties should review this notice and decide if they wish to comment.

Petitions for Oakville Bench and Rutherford Bench Viticultural Areas

The petitions for the Oakville Bench and Rutherford Bench viticultural areas were submitted to ATF by the petitioners at the same time as the Oakville and Rutherford petitions. These additional, smaller areas would each be wholly contained within the respective, larger Oakville and Rutherford areas. ATF is currently analyzing the data submitted with these two petitions. In addition, we are reviewing various letters submitted to us from persons in the area who oppose the Oakville Bench and Rutherford Bench petitions. We will be glad to review any information which is submitted to us concerning the two "Bench" petitions. If such information is received in time, we will take it into consideration before deciding whether to issue a notice of proposed rulemaking. If a notice of proposed rulemaking is published, all interested parties will have an opportunity to submit comments during the comment period.

Proposed Boundary

The boundary of the proposed Oakville viticultural area may be found on two United States Geological Survey maps with a scale of 1:24,000. The boundary is described in proposed § 9.134.

Executive Order 12291

It has been determined that this proposed regulation is not a major regulation as defined in Executive Order 12291 and a regulatory impact analysis is not required because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs 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 United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

It is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required because the proposal, if promulgated as a final rule, is not expected (1) to have secondary, or incidental effects on a substantial number of small entities; or (2) to impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Public Law 96-511, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this notice of proposed rulemaking because no requirement to collect information is proposed.

Public Participation

ATF requests comments from all interested parties. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

ATF will not recognize any comment as confidential. Comments may be disclosed to the public. Any material which a commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting a comment is not exempt from disclosure. During the comment period, any person may request an opportunity to present oral testimony at a public hearing. However, the Director reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

Drafting Information

The principal author of this document is Robert White, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

Administrative practices and procedures, Consumer protection, Viticultural areas, and Wine.

Issuance

Title 27, Code of Federal Regulations, part 9, American Viticultural Areas is proposed to be amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

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

Authority: 27 U.S.C. 205.

Par. 2. The Table of Contents in subpart C is amended to add § 9.134 to read as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *

9.134 Oakville.

Par. 3. Subpart C is amended by adding § 9.134 to read as follows:

Subpart C—Approved American Viticultural Areas

* * * * *

§ 9.134 Oakville.

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

(b) *Approved maps.* The appropriate maps for determining the boundary of the Oakville viticultural area are two U.S.G.S. 7.5 minute series topographical maps of the 1:24,000 scale:

(1) "Yountville Quadrangle, California," edition of 1951, photorevised 1968.

(2) "Rutherford Quadrangle, California," edition of 1951, photorevised 1968, photoinspected 1973.

(c) *Boundary.* The Oakville viticultural area is located in Napa County in the State of California. The boundary is as follows:

(1) Beginning on the Yountville quadrangle map at the point where the county road known as the Silverado Trail intersects Skellenger Lane, just outside the southwest corner of Section 12, Township 7 North (T.7 N.), Range 5 West (R.5 W.), the boundary proceeds southwest in a straight line approximately 1.7 miles along Skellenger Lane, past its intersection with Conn Creek Road, to the point of intersection with the main channel of the Napa River (on the Rutherford quadrangle map);

(2) Then south along the center of the river bed approximately .4 miles to the point where an unnamed stream drains into the Napa River from the west;

(3) Then along the unnamed stream in a generally northwesterly direction past its intersection with State Highway 29 and then paralleling an unnamed road

which enters State Highway 29 from the west;

(4) Then, at the point at which the unnamed road ends, the boundary proceeds in a straight line along a drainage channel (not shown on the map) a total of 4,035 feet from State Highway 29;

(5) Then south (S40° 31' 42" E) and continue to follow the drainage channel 510 feet around Assessor's Parcel Number 27-01-14 (not shown on the map), then southwest in a straight line in a parallel direction to the boundary previously described in paragraph (c)(4) of this section to the 500-foot contour line of the Mayacamas Range in the southwestern corner of Section 21, T.7 N., R.5 W.;

(6) Then proceeding along the 500-foot contour line in a generally southeasterly direction through Sections 28, 29, 20, 29, 28, 29, 28, 33 and 34 of T.7 N., R.5 W. and Section 3 of T.6 N., R.5 W. to its intersection with the unnamed stream known locally as Hopper Creek near the middle of Section 3;

(7) Then along the unnamed stream (Hopper Creek) southeasterly and, at the fork in Section 3, northeasterly along the stream to the point where the stream intersects with the unnamed dirt road in the northwest corner of Section 2, T.6 N., R.5 W.;

(8) Then proceed in a straight line to the light duty road to the immediate northeast in Section 2, then along the light duty road northeasterly to the point at which the road turns 90 degrees to the left;

(9) Then proceed along the light duty road 625 feet, then proceed northeasterly (N40° 43' E) in a straight line 1,350 feet, along the northern property line of Assessor's Parcel Number 27-38-08 (not shown on map), to State Highway 29, then continuing in a straight line approximately 1 mile to the peak of the 320+ foot hill along the western edge of the Yountville Hills;

(10) Then proceed due east to the 300-foot contour line, then follow that contour line around the Yountville Hills to the north to the eastern edge of the Rutherford quadrangle map;

(11) Then proceed (on the Yountville quadrangle map) in a straight line in a northeasterly direction (N27° 00' E) past the Napa River, then continue in the same direction approximately 400 feet along a fence line (not shown on the map), then continue along the fence line (which coincides with an unimproved dirt road shown on the map) approximately 1,000 feet southwest of the intersection of Conn Creek with Rector Creek) in a northeasterly direction to the intersection of Conn

Creek and Rector Creek, then along Rector Creek to the northeast past the Silverado Trail to its point of entry to Rector Reservoir;

(12) Then proceed due north approximately 1,000 feet to the 500-foot contour line and along the contour line in a northwesterly direction through Sections 19, 24, 13, 18, and 13 to the intersection of the contour line with the southern border of Section 12 in T.7 N., R.5 W.;

(13) Then in a straight line in a westerly direction to the intersection of Skellenger Lane with the Silverado Trail, the point of beginning.

Signed: August 1, 1991.

Stephen E. Higgins,
Director.

Approved: August 15, 1991.

John P. Simpson,
Deputy Assistant Secretary, (Regulatory,
Trade and Tariff Enforcement).

[FR Doc. 91-22311 Filed 9-16-91; 8:45 am]

BILLING CODE 4810-31-M

27 CFR Part 9

RIN 1512-AA07

[Notice No. 729]

The Rutherford Viticultural Area (89F-90P)

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

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in the State of California to be known as "Rutherford." This proposal is the result of a petition from the Rutherford and Oakville Appellation Committee. The committee is composed of seven wineries and seven grape-growers within the Rutherford and Oakville areas of Napa County, California. The establishment of viticultural areas and the subsequent use of viticultural area names in wine labeling and advertising allows wineries to designate the specific areas where the grapes used to make their wines were grown and enables consumers to better identify wines they purchase.

DATES: Written comments must be received by November 18, 1991.

ADDRESSES: Sent written comments to: Chief, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221 (Attn: Notice No. 729). Copies of the petition, the proposed regulations, the appropriate maps, and any written

comments received will be available for public inspection during normal business hours at: ATF Reading Room, Office of Public Affairs and Disclosure, room 6300, 650 Massachusetts Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert White, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., 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. These regulations allow the establishment of definite viticultural areas. The regulations 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, for the listing of approved American viticultural areas.

Section 4.25a(e)(1), title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguished by geographic features.

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. 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 features (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 the 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. map with the boundaries prominently marked.

Petition

ATF has received a petition from the Rutherford and Oakville Appellation Committee proposing to establish a new viticultural area in Napa County, California, to be known as "Rutherford."

The appellation committee is composed of seven wineries and seven grape-growers from within the Oakville and Rutherford areas of Napa County. The proposed Rutherford viticultural area is located in the central portion of the Napa Valley approximately 12 miles northwest of the city of Napa. There are approximately 31 bonded wineries located within the Rutherford area. The area contains about 6,650 total acres, most of which are densely planted to vineyards. The petition provides the following information as evidence that the proposed area meets the regulatory requirements discussed above.

Viticultural Area Name

The name Rutherford has been associated with the area between St. Helena and Oakville in the Napa Valley for over 100 years. From the mid-nineteenth through the early twentieth centuries, Rutherford moved from an unnamed region with an unknown reputation to become a settled and integral part of Napa County and of the Napa Valley wine industry. Wine writers as early as the 1880s wrote highly of wines from the Rutherford area, including those of Gustave Niebaum, founder of Inglenook Winery. In 1838 George Yount arrived in the area now called Yountville and planted his first grapes in the 1850s. His vineyard is reported to be the first planted Napa County. In 1864, Yount gave 1,040 acres of land to his granddaughter, Elizabeth (Yount) Rutherford and her husband Thomas. According to historian John Wichela, "The settlement surrounding this ranch was thereafter known as Rutherford." The southern border of the ranch runs from Silverado Trail to the Napa River along a straight line which incorporates what is now Skellenger Lane. That lane and the Rutherford's southern property line is used to define part of the southern border of the proposed Rutherford viticultural area.

From 1850 to 1880, Rutherford steadily increased in prominence as a community center. One reason for its emergence was the establishment of the rail system from Napa to Calistoga in 1868. Geographer William Ketteringham writes, "With the completion of the (railroad) line in 1868 other settlements along the line such as Rutherford and Oakville sprang up."

The Rutherford Post Office was established in 1871 and the Rutherford voting precinct was established in 1884. During the 1870s and early 1880s, there was rapid expansion in the number of vineyard plantings and wine production. The cellars of E.B. Smith and Charles

Krug (which eventually became those of Niebaum) produced 76,000 gallons.

Following the wine boom of the 1870s and early 1880s, Napa Valley wineries suffered a significant setback as *pylloxera* set in. Vineyard plantings decreased 83 percent over a ten-year period, from 18,177 acres in 1890 to 3,000 acres in 1900. This period was followed by Prohibition from 1919 to 1933. Surprisingly, planted acreage during Prohibition increased in Napa Valley to keep pace with the burgeoning demand for grapes used to make medicinal, sacramental and home wines, which remained legal. After Prohibition, planted acreage in Napa County remained at around 10,000 acres through the 1960s. Not until the wine renaissance of the 1970s was the acreage total of 1890 surpassed.

Although the period after Prohibition until the early 1970s was relatively stagnant in the wine sector, the community of Rutherford in particular contained to bolster its reputation for quality grapes and wine, according to the petitioners. Throughout these years, Beaulieu and Inglenook were regular award winners at the California State Fair. Inglenook owner John Daniels prided himself on the fact that all of Inglenook's grapes were estate grown on its vineyards in Rutherford, with the sole exception of Daniel's Napa Nook Ranch located south of the west Oakville area on land now owned by the John Daniel Society in Yountville.

The name "Rutherford" has a long history of use by newspapers, magazines and wine books to describe this prominent Napa Valley wine community. Some examples of these publications include *The Connoisseurs' Handbook of California Wines* by Charles Olken, Earl Singer and Norman Roby, third edition, revised, 1984; *The Wine Spectator* magazine, "The Rutherford Beach" by James Laube, July 15, 1987; *Friends of Wine* magazine, "Napa Winery Profiles: The Quest for Site," May 1984, Volume XXI, Number 2; and the *Modern Encyclopedia of Wine* by Hugh Johnson, second edition, revised and updated, 1987. Numerous newspapers throughout the country have had articles about wine which contain references to the Rutherford area.

Historical/Current Evidence of Boundaries

Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely in delimiting this area.

Consequently, the petitioners to a great extent utilized commercial and public sector uses of the community name in establishing the boundaries of the

proposed Rutherford viticultural area. The Rutherford Crossroads and the Rutherford Post Office are the most notable examples of the name's use within the area. It is also worth noting that there are three wineries whose brand names refer directly to Rutherford—Rutherford Hill, Rutherford Vintners and Round Hill Winery's Rutherford Ranch Brand. All three wineries are located in the proposed Rutherford viticultural area. Postal and telephone service areas are less relevant in terms of precise boundaries for the area but do attest to consumer recognition of Rutherford as a distinct and separate community.

Also, various wine press accounts have helped to define what is considered to be the Rutherford area. One such account from *The Connoisseurs' Handbook of California Wines* includes the following entry:

Rutherford (Napa) Small community located in south-central Napa Valley between Oakville and St. Helena in a temperate Region II climate. The area is home for many important wineries—Beaulieu, Inglenook Caymus, Rutherford Hill

Of the approximately 31 bonded wineries located in the proposed area, most have Rutherford addresses. The main exceptions include approximately 6 wineries at the northern boundary which have St. Helena addresses and one winery along the Silverado Trail in Rutherford that has a Napa address. These exceptions apparently relate to the fact that these wineries have their mail delivered directly from the St. Helena or Napa post offices and do not maintain post office boxes in Rutherford. These bonded winery addresses (with the exception noted) generally substantiate the boundaries proposed in the petition.

Geographical Features

Napa Valley can be divided into a group of distinct topographical areas: The lowland Napa River valley between the Mayacamas and Vaca Ranges; the mountains themselves; and the intermontane, eastern portions of the county beyond the watershed of the Napa River. The elevational differences and relief between these areas are pronounced and influence all aspects of the regions physical geography (climate, geomorphology, hydrology, soils and vegetation).

The floor of the Napa Valley is 25 miles in length south to north and between one and four miles wide. Traversing the entire length of the valley is the Napa River, which commences north of Calistoga and drains into San Pablo Bay. Along its course through the

valley, the river elevation drops from around 380 feet near the city of Calistoga to around 20 feet near the city of Napa. The gently sloping valley floor, however, is interrupted by numerous bedrock outcrops which form isolated hills. In other places, the valley floor features broad alluvial fans extending toward the center of the valley from mountain streams which serve as tributaries to the Napa River.

Two fundamental geographic distinctions within Napa Valley are particularly relevant to the delimitation of the proposed Rutherford viticultural area: On the east-west axis, mountain versus valley floor, delineating the valley floor viticultural environments; and on the north-south axis, climatic differences as the result of a decreasing incursion of maritime air into the valley.

These distinctions can be integrated with the community identity of Rutherford (and the other communities of Napa Valley) to provide consumers with meaningful and distinctive reference points concerning the viticulture of Napa Valley. From the perspective of a wine consumer, such basic geographic distinctions offer a useful introduction to the complexity of viticulture in Napa Valley.

Climate

The major climatic difference between the watershed area of Napa Valley and the outlying valleys is the maritime nature of the former. Whereas the valley as defined by the watershed area is classified as a coastal valley, the outlying valleys are considered interior or inland valleys, representing a different climatic type. This is well evidenced by the vegetation, the distribution of which is primarily controlled by climate. Moderate to high elevations in the interior valleys are covered by chamise chaparral and other plant communities tolerant of summer drought and heat. At these same elevations in the Napa Valley river drainage, mixed forests of douglas fir, oak, madrone and coastal redwood dominate. Bedrock geology and soils act as secondary influences controlling these vegetation distributions.

Higher elevation and mountains regions within Napa Valley experience shorter growing seasons (though they may extend longer into early autumn), fewer degree days, lower daily maximum temperatures during the growing season, less fog, increased solar radiation and increased precipitation. These conditions affect the time of wine grape harvest. In the mountainous areas, desirable acid-sugar levels often are reached much after the harvest on the

valley floor. In some mountain settings, with small intermontane basins, local cold air drainage may result in marginal conditions for wine grape production. Along the valley floor from Napa to Calistoga, there are pronounced mesoclimatic variations which relate to the penetration of marine influences from San Pablo Bay and, to a lesser extent, to the rise in elevation as one proceeds up valley.

A mesoclimate is a subdivision of a macroclimate. California's Mediterranean climate is considered a macroclimate. Napa Valley's mesoclimates refer to modifications of this macroclimate due to altitude/elevation or distance from the nearest ocean.

Because of the diminution of marine influences as one travels up valley, the northern regions of the valley are characterized by much warmer summers and significantly colder and wetter winters than in the south. That is, summer temperatures and total precipitation increase as one travels north. Summer days down valley often are cool, foggy and breezy. The fog usually dissipates early in the day, clearing first to the north and progressing southward to the bay.

Altitudinal variation also affects temperature distribution. The lower, southern troughs of the valley experience the lowest winter temperatures along the valley floor. As the elevation rises up valley, temperatures also rise, between 1.5 and 2.8 degrees Fahrenheit for each 500 feet.

As a result of these mesoclimatic trends along the valley floor, wine writers often speak of different climate regions within Napa Valley. The following excerpt from William Massee's *Guide to the Wines of America* is illustrative of the association of community names with mesoclimatic variations in Napa Valley.

(In the Carneros area) there is a tempering influence from the northern round of bay, San Pablo, a receptacle for rivers—the Sacramento and San Joaquin, the Petaluma and napa—and many creeks. Cool air currents sweep down from the mountain and in from the ocean, bringing fog. It is a cool Region One. . . .

Around Yountville, it is about one and a half—you can often see the fog line in the morning that marks the difference. Near Oakville, it is a cool Region Two, where Beaulieu grows its Johannisberg Riesling, up behind Bob Mondavi. Rutherford is a solid Region Two but it is warmer in Vineyard No. 3, to the east, because it gets the late sun. Up around Calistoga, it is Region Three.

According to the petitioners, the proposed Rutherford viticultural area is warmer than the area around Oakville

to the south and cooler than the St. Helena area to the north. The incursion of fog is also less pronounced in the Rutherford area than in the Oakville area.

Within this general mesoclimatic context, local relief or topoclimate is significant in determining diurnal temperature pattern within the Rutherford viticultural area. Topoclimate refers to a subdivision of mesoclimates influenced by topography, which may be elevational, topographic blocking by a barrier, or a change in slope or aspect.

In sum, as opposed to some mountain settings of Napa Valley, this part of the central portion of the valley floor, proposed here as the Rutherford viticultural area, offers the type of climatic conditions necessary for the production of a wide variety of wine grapes. Considerable acreage is planted to several varieties, including Cabernet Sauvignon, Chardonnay, Sauvignon Blanc, among others, throughout this region.

Geological History

Geological history is an important factor in shaping Napa Valley viticultural environments. Napa Valley is largely a synclinal (down-folded) valley of Cenozoic age. Faulting (accompanied by minor folding) throughout the valley later resulted in the formation of bedrock "islands" (outcrops) across the valley floor. These rock islands have been modified during the last million years through erosion by the Napa River, its tributaries and other erosional slope processes. Sections of the old Napa River channel are still visible here and there in the valley, including in several places within the proposed Rutherford viticultural area.

In this central portion of the valley, much of the old river channel and its alluvial sediments have been buried by more recent Napa River flood plain sediments, but they principally have been covered by alluvial fans emerging from the mountain streams on the western and eastern sides of the valley. The age and size of these fan surfaces are a function of climatic change, basin lithology (mineral composition and structure of rocks), and basin size, all of which vary among the four major drainage basins in the Rutherford and Oakville areas, accounting for differences in these fan surfaces. The northern fans (in the Rutherford area) are the larger geomorphic features, have more significantly controlled the course

of the Napa River through time, and are geologically more diverse.

Geomorphology, Hydrology and Soils

The occurrence of specific soil types can be related to topography in Napa Valley, as topography is one of the five variables that controls soil formation. The Soil Survey of Napa County, California (hereinafter Soil Survey), published by the U.S. Department of Agriculture Soil Conservation Service in 1978, divides the 11 soil associations of Napa County into two general categories: lowland depositional soils, which account for four of the 11 soil associations and are found on alluvial fans, flood plains, valleys and terraces; and upland residual soils, which account for the remaining seven soil associations, and are found on bedrock and colluvially-mantled slopes. The "General Soil Map" from the Soil Survey shows the location of these upland and lowland soils. This map as well as the text of the Soil Survey show that the lowland-upland soil break occurs at around the 500-foot elevation. This same elevation line has been used to differentiate the proposed Rutherford viticultural area from the mountains to the east and west.

According to the petitioners, soils and geomorphic mapping should go hand in hand, as soils usually are mapped according to geomorphic surfaces or units. Within the valley floor area of Napa Valley, there are both alluvial fans and river deposits. The petitioners state that the size and location of these fans, their (dis)similarity in terms of geologic parent material and soils, and the course of the Napa River and other drainage systems can help to establish viticultural area boundaries on the valley floor. For example, north of Rutherford is a massive fan emanating from the Sulphur Canyon drainage system in the Mayacamas Range. This fan sweeps across the valley floor in St. Helena from west to east and lies generally north of Zinfandel Lane. Pleasanton loam soils predominate. The Rutherford and Conn Creek fans south of Zinfandel Lane push against the Sulphur Canyon fan from the south. Although the point of convergence of these three fans does not lie along a straight line, Zinfandel Lane does serve to separate these areas and, according to the petitioners, provides a good northern boundary for the proposed Rutherford viticultural area. As one proceeds down Napa Valley, Zinfandel Lane also marks the widening

of the valley floor, which continues until the appearance of the Yountville Hills at the southern end of Oakville.

Specific Climatological Information

A previously published report, prepared by the National Oceanic and Atmospheric Administration and submitted on behalf of the Napa Valley Appellation petition in 1980, established the general weather and climatic differences of Napa County. This report showed that Napa Valley can be divided into two general climatic regions (coastal and inland), and three topographical areas—the valley itself lying within the Mayacamas Range to the west and the Vaca Range to the east; the area within the mountains themselves; and the area covering the eastern portion of the county.

The elevation within Napa County increases as one progresses north up the valley. With this increase in elevation there is an increase in precipitation, ranging from 20 inches in the south to 50 inches in the north. Additionally, the coastal influence in the Napa Valley results in a relatively moderate climate in the south (warmer than the northern area of Napa Valley in the winter and cooler in the summer) and a relatively extreme climate in the north (hotter than the southern area of Napa Valley in the summer and colder in the winter). Two sets of data have been submitted to show the difference in temperature, measured in degree-days, between the different areas in Napa Valley. The first set of data is from the Cooperative Extension, University of California, Napa Valley, and is shown below:

Location	Degree-days	Temperature relative to Rutherford in center of valley (percent)
Calistoga.....	3768	+ 11
St. Helena.....	3575	+ 5
Rutherford.....	3389	
Oakville.....	3039	- 10
Yountville.....	2695	- 20
Napa.....	3180	- 6

Rainfall

The Cooperative Extension, University of California, Napa Valley, has prepared a chart showing that rainfall generally increases as one proceeds up the Napa Valley from Napa to Calistoga. The data is shown below:

Location	Approximate yearly rainfall (inches)
Calistoga.....	45 to 50
St. Helena.....	35 to 40
Rutherford.....	35 to 40
Oakville.....	35
Yountville.....	30
Napa.....	30

Soil

The General Soil Map of Napa County, California, prepared by the United States Department of Agriculture (U.S.D.A.) Soil Conservation Service, shows most of the Napa Valley floor as being generally the same types of soils. These soils are the Bale-Cole-Yolo series which are nearly level to gently sloping, well drained and somewhat poorly drained loams, silt loams, and clay loams on flood plains, alluvial fans, and terraces.

In addition to the Bale series, the Pleasanton soil series dominates much of the central section of the Napa Valley floor. Both of these soil series consist of deep, alluvial soils.

According to Associate Professor Deborah L. Elliott-Fisk, Department of Geography, University of California, Davis, the contribution of small percentages of metamorphic clasts (such as serpentinite and chert) on the Rutherford fan soils contributes to minor soil differences between the proposed Rutherford viticultural area and Oakville.

The composition of these types of minerals and rocks tends to raise pH slightly in the Rutherford area and alters soil texture and plant nutrition. The high frequency of clasts from Sonoma Volcanics in the Oakville fan soils unifies the proposed Oakville viticultural area and distinguishes it from Rutherford.

Location	Degree-days	Temperature relative to Rutherford in center of valley (percent)
Calistoga.....	3369	+ 7
St. Helena.....	3229	+ 2
Rutherford.....	3159	
Oakville.....	3124	- 1
Napa.....	2882	- 9

The second set of data was collected by the Rutherford and Oakville Appellation Committee. The weather stations used to collect this data are generally located within the center of the Napa Valley, where they are subject to similar relative humidity, wind direction and solar radiation conditions. The data is shown below and is the average reading for the 4-year period between 1985 and 1988:

Proposed Oakville Viticultural Area

In today's issue of the *Federal Register*, ATF is also publishing a notice of proposed rulemaking on the proposed Oakville viticultural area. This proposed area is in Napa Valley adjacent to the proposed Rutherford viticultural area. All interested parties should review this notice and decide if they wish to comment.

Petitions for Rutherford Bench and Oakville Bench Viticultural Areas

The petitions for the Rutherford Bench and Oakville Bench viticultural areas were submitted to ATF by the petitioners at the same time as the Rutherford and Oakville petitions. These additional, smaller areas would each be wholly contained within the respective, larger Rutherford and Oakville areas. ATF is currently analyzing the data submitted with these two petitions. In addition, we are reviewing various letters submitted to us from persons in the area who oppose the Rutherford Bench and Oakville Bench petitions. We will be glad to review any information which is submitted to us concerning the two "Bench" petitions. If such information is received in time, we will take it into consideration before deciding whether to issue a notice of proposed rulemaking. If a notice of proposed rulemaking is published, all interested parties will have an opportunity to submit comments during the comment period.

Proposed Boundary

The boundary of the proposed Rutherford viticultural area may be found on two United States Geological Survey maps with a scale of 1:24,000. The boundary is described in proposed § 9.133.

Executive Order 12291

It has been determined that this proposed regulation is not a major regulation as defined in Executive Order 12291 and a regulatory impact analysis is not required because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs 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 United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

It is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required because the proposal, if promulgated as a final rule, is not expected (1) to have secondary, or incidental effects on a substantial number of small entities; or (2) to impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Public Law 96-511, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this notice of proposed rulemaking because no requirement to collect information is proposed.

Public Participation

ATF requests comments from all interested parties. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

ATF will not recognize any comment as confidential. Comments may be disclosed to the public. Any material which a commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting a comment is not exempt from disclosure. During the comment period, any person may request an opportunity to present oral testimony at a public hearing. However, the Director reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

Drafting Information

The principal author of this document is Robert L. White, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9.

Administrative practices and procedures, Consumer protection, Viticultural areas, and Wine.

Issuance

Title 27, Code of Federal Regulations, part 9, American Viticultural Areas is proposed to be amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

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

Authority: 27 U.S.C. 205.

Par. 2. The table of contents in subpart C is amended to add § 9.133 to read as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *

9.133 Rutherford.

Par. 3. Subpart C is amended by adding § 9.133 to read as follows:

Subpart C—Approved American Viticultural Areas

* * * * *

§ 9.133 Rutherford

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

(b) *Approved maps.* The appropriate maps for determining the boundary of the Rutherford viticultural area are two U.S.G.S. topographical maps of the 1:24,000 scale:

(1) "Yountville Quadrangle, California," edition of 1951, photorevised 1968.

(2) "Rutherford Quadrangle, California," edition of 1951, photorevised 1968, photoinspected 1973.

(c) *Boundary.* The Rutherford viticultural area is located in Napa County in the State of California. The boundary is as follows:

(1) Beginning on the Yountville quadrangle map at the point where the county road known as the Silverado Trail intersects Skellenger Lane, just outside the southwest corner of Section 12, Township 7 North (T.7 N.), Range 5 West (R.5 W.), the boundary proceeds southwest in a straight line approximately 1.7 miles along Skellenger Lane, past its intersection with Conn Creek Road, to the point of intersection with the main channel of the Napa River (on the "Rutherford" map);

(2) Then south along the center of the river bed approximately .4 miles to the point where an unnamed stream drains into the Napa River from the west;

(3) Then along the unnamed stream in a generally northwesterly direction past its intersection with State Highway 29 and then paralleling an unnamed road which enters State Highway 29 from the west;

(4) Then, at the point at which the unnamed road ends, the boundary

proceeds in a straight line along a drainage channel (not shown on the map) a total of 4,035 feet from State Highway 29;

(5) Then south (S40° 31' 42"E) and continue to follow the drainage channel 510 feet around Assessor's Parcel Number 27-01-14 (not shown on the map), then southwest in a straight line in a parallel direction to the boundary previously described in paragraph (c)(4) of this section to the 500-foot contour line of the Mayacamas Range in the southwestern corner of Section 21, T.7 N., R.5 W.;

(6) Then proceeding along the 500-foot contour line in a generally northwesterly direction in T.7 N., R.5 W. through Sections 21, 20, 17, 18, 17, and 18 to the center of Section 7 where the 500-foot contour line intersects the land grant line (land grant line is marked but not identified on the map), thence in a straight line to the end of the county road (Zinfandel Avenue, known locally as Zinfandel Lane) near the 201-foot elevation marker;

(7) Then in a northeasterly direction along Zinfandel Lane approximately 2.12 miles to the intersection of that road and Silverado Trail, then continuing northeasterly in a straight line to the 380-foot contour line;

(8) Then following the 380-foot contour line southeasterly through Section 33 to the western border of Section 34, T.8 N., R.5 W., then following that section line north to the 500-foot contour line;

(9) Then following the 500-foot contour line southeasterly to the western border of Section 2, T.7 N., R.5 W., then south along that section line past Conn Creek to its intersection with the 500-foot contour line northwest of the unnamed 832-foot peak;

(10) Then continuing in a generally southeasterly direction along the 500-foot contour line through Sections 3, 2, 11 and 12 to the intersection of that contour line with the southern border of Section 12 (on Yountville map);

(11) Then proceeding in a straight line in a westerly direction to the intersection of the Silverado Trail with Skellenger Lane, the point of beginning.

Signed: August 1, 1991.

Stephen E. Higgins,

Director.

Approved: August 15, 1991.

John P. Simpson,

Deputy Assistant Secretary (Regulatory, Trade and Tariff Enforcement).

[FR Doc. 91-22312 Filed 9-16-91; 8:45 am]

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March 27, 1989

Messrs. Richard Mascolo and Robert White
Bureau of Alcohol, Tobacco & Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

Re: Petition to Establish the Viticultural Areas of
Oakville, Rutherford, Oakville Bench and Rutherford Bench

Gentlemen:

I am responding to your recent request for (1) a breakdown of the information in the petition which is relevant to each of the four proposed viticultural areas and (2) separate U.S.G.S. maps of each area. The four sets of maps are being sent to you today under separate cover. 222

We believe all the information submitted is relevant to each proposed viticultural area for the following reasons: First, the underlying purpose of the viticultural area program, as set forth in T.D. ATF-53 (August 23, 1978) and the FAA Act (27 USC 205(e)), is to provide the consumer with information on grape origin which is accurate and not misleading. The consistent use of the community identifiers, Rutherford and Oakville, for all four viticultural areas is critical to informing and not confusing the consumer. To refer to Oakville as Rutherford or as Rutherford Bench would be incorrect, inconsistent and incomprehensible. For this reason, the section on the name recognition of Rutherford and Oakville not only is relevant to those two proposed areas but also bears upon the name recognition and consumer comprehension of Rutherford Bench and Oakville Bench as sub-parts of these larger areas. I should note that additional, specific evidence supporting the Rutherford Bench and Oakville Bench names also has been presented in the petition.

Second, the criterion of viticultural distinctiveness (27 CFR 4.25a(e)(2)(iii)) specifically calls for evidence which distinguishes the proposed area from its surroundings. Because the Rutherford and Oakville areas on the one hand, and the

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Rutherford Bench and Oakville Bench areas on the other, are contiguous, each area must be discussed in the context of the other. For example, the boundary between Rutherford Bench and Oakville Bench is based in part on the distinct geomorphology of the two areas, that is, they are separate alluvial fans. Moreover, the fault line between them separates their unique geologic parent materials. This discussion is relevant to both areas and also to Rutherford and Oakville which share this same boundary.

Conversely, the geography of Rutherford and Oakville is relevant to the Rutherford Bench and Oakville Bench areas. As an example, all four areas utilize the 500-foot contour line as a boundary to distinguish mountain from valley.

Finally, the geography of Rutherford Bench and Oakville Bench can only be described within the context of Rutherford and Oakville, respectively. For example, the evidence shows that the mesoclimates of Rutherford and Oakville are different. Specifically, Oakville is 11.5% cooler than Rutherford and also lower in elevation. Within the Rutherford and Oakville areas, however, there are important topoclimatic differences in fog penetration, relative humidity, cold air drainage, solar radiation and diurnal temperature distribution which operate on an east-west axis, thus serving to distinguish both Rutherford Bench and Oakville Bench. In terms of geology, the geologic diversity and serpentine influence in Rutherford and Rutherford Bench differentiate these areas from Oakville and Oakville Bench.

For all of these reasons, the full discussion is relevant to all four proposed areas. However, in accordance with your request, we have outlined below those portions of the text which relate directly to each area.

1. Oakville: Pages 1-27 and 36-37. Please note that the geographic distinctiveness of Oakville Bench compared to Rutherford Bench (discussed at pages 31-35) also helps to distinguish Oakville and Rutherford.
2. Rutherford: Pages 1-27 and 36-37. The geographic distinctiveness of Rutherford Bench compared to Oakville Bench (pages 31-35) also serves to distinguish Rutherford and Oakville.
3. Oakville Bench: Pages 1-8 and 27-37. The mesoclimatic and elevational differences between Oakville and Rutherford (pages 20-22 and related exhibits) also distinguish Oakville Bench from Rutherford Bench. Other geographic factors which distinguish the two Bench areas are discussed at pages 31-35 and in the attachments to the petition.

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Name consistency among the four areas also is important so that the consumer can comprehend the location of these areas. Rutherford Bench located in Oakville, for example, would only confuse the consumer. For this reason the larger community identity (Rutherford, Oakville) also is relevant to the two Bench areas.

4. Rutherford Bench: Pages 1-8 and 27-37. The same comments for Oakville Bench (item 3, above) also apply to Rutherford Bench.

I trust this is responsive to your questions. If not, please don't hesitate to call me for further information.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Richard Mendelson', written in dark ink.

Richard Mendelson

RPM:lo

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March 8, 1993

Via Telefax

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Boundary Descriptions --
Rutherford and Oakville Viticultural Areas

Dear Robert:

Pursuant to our recent conversation, I am submitting for your review petitioners' descriptions of the Rutherford and Oakville viticultural areas. These descriptions include certain "housekeeping" changes in the language used to describe the existing boundaries (without changing the boundary itself) and also incorporate the various boundary modifications (specifically, Komes and BV/Mondavi) which petitioners have supported. This description is silent as to the eastern boundary of Oakville and recites the boundary proposal in the Notice of Proposed Rulemaking.

The descriptions which follow are redlined to show the places where there is new text. The deleted text is not reprinted here.

RUTHERFORD

COMMENTS

BOUNDARY DESCRIPTION

(1) Beginning on the Yountville quadrangle map at the point where the county road known as the Silverado Trail intersects Skellenger Lane, just outside the southwest corner of Section

12, Township 7 North (T.7 N.), Range 5 West (R.5 W.), the boundary proceeds southwest in a straight line approximately 1.7 miles along Skellenger Lane, past its intersection with Conn Creek Road to the point of intersection with the main channel of the Napa River (on the "Rutherford" map);

(2) Then south along the center of the river bed approximately .4 miles to the point where an unnamed stream drains into the Napa River from the west;

Heublein Fine Wine Group's modification; see Petitioners' letter of December 7, 1992.

(3) Then along the unnamed stream in a generally northwesterly direction to its intersection with the west track of the Southern Pacific Railroad Track;

(4) Then southeasterly along said railroad track 1,650 feet to a point which is approximately 435 feet north of the centerline of the entry road to Robert Mondavi Winery (shown on the map) to the southeast corner of Assessor's Parcel Number 27-250-14. Thence southwesterly S 55° 06' 28" W for 3,869 feet along the common boundary between Assessor's Parcel Numbers 27-250-14 and 27-280-50/51 to the southwest corner of Assessor's Parcel Number 27-250-14. Thence northwesterly N 40° 31' 42" W for 750 feet along the westerly property line of Assessor's Parcel Number 27-250-14;

(5) Thence southwesterly S 51°

Komes extension; see
Petitioners' letter of December
28, 1992.

00' W in a straight line to the
500 foot contour line of the
Mayacamas Range in the
northwestern corner of Section
28, T.7 N., R.5 W;

(6) Then proceeding along the
500-foot contour line in a
generally northwesterly
direction in T.7 N., R.5 W.
through Sections 21, 20, 17, 18
to a point in Section 7 where
the 500-foot contour line
intersects a straight line
westward extension of the light
duty road known as Inglewood
Avenue. Then easterly along
that extension to its
intersection with the north
fork of Bale Slough. Thence
south along Bale Slough to its
intersection with the end of
the county road shown as
Zinfandel Avenue near the 201-
foot elevation marker;

(7) Then in a northeasterly
direction along Zinfandel
Avenue approximately 2.12 miles
to the intersection of that
road and Silverado Trail, then
continuing northeasterly in a
straight line to the 380-foot
contour line;

(8) Then following the 380-foot
contour line southeasterly
through Section 33 to the
western border of Section 34,
T.8 N., R.5 W., then following
that section line north to the
500-foot contour line;

(9) Then following the 500-foot
contour line southeasterly to
the western border of Section
2, T.7 N., R.5 W., then south
along that section line past

Conn Creek to its intersection with the 500-foot contour northwest of the unnamed 832-foot peak;

(10) Then continuing in a westerly direction and then a generally southeasterly direction along the 500-foot contour line through Sections 3, 2, 11 and 12 to the intersection of that contour line with the southern border of Section 12 (on Yountville map);

(11) Then proceeding in a straight line in a westerly direction to the intersection of the Silverado Trail with Skellenger Lane, the point of beginning.

OAKVILLE

COMMENTS

BOUNDARY DESCRIPTION

(1) Beginning on the Yountville quadrangle map at the point where the county road known as the Silverado Trail intersects Skellenger Lane, just outside the southwest corner of Section 12, Township 7 North (T.7 N.), Range 5 West (R.5 W.), the boundary proceeds southwest in a straight line approximately 1.7 miles along Skellenger Lane, past its intersection with Conn Creek Road, to the point of intersection with the main channel of the Napa River (on the Rutherford quadrangle map);

(2) Then south along the center of the river bed approximately .4 miles to the point where an

Heublein Fine Wine Group's modification; see Petitioners' letter of December 7, 1992.

unnamed stream drains into the Napa River from the west;

(3) Then along the unnamed stream in a generally northwesterly direction to its intersection with the west track of the Southern Pacific Railroad Track;

(4) Then southeasterly along said railroad track 1,650 feet to a point which is approximately 435 feet north of the centerline of the entry road to Robert Mondavi Winery (shown on the map) to the southeast corner of Assessor's Parcel Number 27-250-14. Thence southwesterly S 55° 06' 28" W for 3,869 feet along the common boundary between Assessor's Parcel Numbers 27-250-14 and 27-280-50/51 to the southwest corner of Assessor's Parcel Number 27-250-14. Thence northwesterly N 40° 31' 42" W for 750 feet along the westerly property line of Assessor's Parcel Number 27-250-14;

(5) Thence southwesterly S 51° 00' W in a straight line to the 500 foot contour line of the Mayacamas Range in the northwestern corner of Section 28, T.7 N., R.5 W.;

(6) Then proceeding along the 500-foot contour line in a generally southeasterly direction through Sections 28, 29, 20, 29, 28, 33 and 34 of T.7 N., R.5 W. and Section 3 of T.6 N., R.5 W. to its intersection with the unnamed stream known locally as Hopper

Creek near the middle of
Section 3;

(7) Then along the unnamed stream (Hopper Creek) southeasterly and, at the fork in Section 3, northeasterly along the stream to the point where the stream intersects with the unnamed dirt road in the northwest corner of Section 2, T.6 N., R.5 W.;

(8) Then proceed in a straight line to the light duty road to the immediate northeast in Section 2, then along the light duty road northeasterly to the point at which the road turns 90 degrees to the left;

(9) Then proceed along the light duty road 625 feet, then proceed northeasterly (N 40° 43' E) in a straight line 1,350 feet, along the northern property line of Assessor's Parcel Number 27-380-08 (not shown on map), to State Highway 29, then continuing in a straight line approximately .1 mile to the peak of the 320+ foot hill along the western edge of the Yountville Hills;

Clarification of description.

(10) Then proceed due east to the second 300-foot contour line, then follow that contour line around the Yountville Hills to the north to the point at which the 300-foot contour exits the Rutherford quadrangle for the second time;

Clarification of description.

(11) Then proceed (on the Yountville quadrangle map) in a straight line in a northeasterly direction

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approximately N 34° 30' E
approximately 1,000 feet to the
90° bend in the unimproved dirt
road shown on the map, then
along that road, which
coincides with a fence line
(not shown on the map) to the
intersection Conn Creek and
Rector Creek, then along Rector
Creek to the northeast past the
Silverado Trail to the Rector
Reservoir spillway entrance;

(12) Then proceed due north
approximately 1,000 feet to the
500-foot contour line and along
the contour line in a
northwesterly direction through
Sections 19, 24, 13, 18 and 13
to the intersection of the
contour line with the southern
border of Section 12 in T.7 N.,
R.5 W.;

(13) Then in a straight line in
a westerly direction to the
intersection of Skellenger Lane
with the Silverado Trail, the
point of beginning.

Please call me if you have any questions.

Sincerely,

DICKENSON, PEATMAN & FOGARTY



Richard Mendelson

RPM/KTH:srw
kth/ruthbelt.des

cc: Pat Garvey
Tim Mondavi

Napa sets the boundaries and sorts out the consequences of its new Oakville and Rutherford appellations.

American democracy is full of surprises. Believe it or not, the same government agency which stormed the Branch Davidian compound in Waco, Texas last March is also responsible for determining the boundaries of American viticultural areas. Strange, but true. On one hand, agents of the U.S. Treasury Department's Bureau of Alcohol, Tobacco, and Firearms (those three inseparable vices) may don bulletproof vests and shoot it out with insane cultists. On the other hand, they may travel to northern California's wine country to hear testimony from vintners on where to draw viticulturally meaningful lines on a map.

It's a toss-up as to which agents have a tougher job. As was demonstrated in recent public hearings to establish the new Napa Valley appellations of Oakville and Rutherford, the BATF representatives often find themselves in a position reminiscent of biblical King Solomon, who, faced with two mothers claiming the same baby, finally suggested cutting the child in half to satisfy both. (In the viticultural case it's usually a matter of placing a vineyard on one side or the other of a proposed appellation boundary.)

Without going into why this particular agency is concerned with regulating the wine industry (it's partly a lingering effect of Prohibition, and wholly connected with revenue), let's look at how it happens.

Under section 5 of the Federal Alcohol Administration Act (FAA), the Secretary of the Treasury is authorized to require certain statements on wine labels. Among them are statements providing the consumer with adequate information about the identity of the

product. Most important of those are appellations of origin, specifying the geographical source of grapes used to make a wine. As of January 1, 1983, the BATF has permitted only the names of countries, states, counties, or accepted and approved American viticultural areas (AVAs) to be used as appellations of origin.

Oakville and Rutherford will be the latest of more than 115 American viticultural areas to be approved for use nationwide under the FAA. Like previously approved appellations, these had to meet certain requirements: being locally or nationally known by the proposed name(s), having specific boundaries supported by historical and/or current evidence, possessing geographical characteristics which distinguish the viticultural characteristics from surrounding areas. The BATF expects to rule on the precise boundaries of the contiguous Oakville and Rutherford appellations within the next few months (with a formal notice in the Federal Register). Meanwhile, petitions are already underway for a St. Helena appellation, beginning at the northern boundary of Rutherford, a Spring Mountain appellation above St. Helena, a Yountville appellation just south of Oakville, and an Oak Knoll appellation between Yountville and Napa.

Defining appellations is a serious matter. Once established, they are all but permanent. An appellation is in a real sense the culmination of an area's human history, and a quantification of its natural history. Geologists use the term terrane to designate a physical unit of the earth's crust in three dimensions, above and below the surface. The equivalent viticultural term is *terroir*, which embraces all the factors influencing grapevines in a specific place. The underlying assumption is that a grapevine is sensitive enough to those factors that they will be sublimated in its fruit, and therefore in wine made from that fruit. The physiological mechanisms of that sensitivity will no doubt be debated by scientists until the end of time, but nobody can dispute centuries of consistent empirical evidence to the effect that pinot noir from, say, Volnay is different than pinot noir from Vosne-Romanée, or that cabernet sauvignon from Pauillac is different than cabernet sauvignon from St. Julian.

Is Oakville cabernet consistently distinct from Rutherford cabernet? That deceptively simple question was debated by three dozen members of the Napa Valley wine community during two days of public hearings before a panel of BATF agents in mid-December, 1992. The debate was inconclusive enough to leave everyone in suspense through ensuing months while the six BATF panelists grappled with an ultimate conclusion.

The casual assumption among wine mavens is, of course, that the two districts and their wines most certainly are different. But explaining the distinction, and specifying exactly where on the face of the earth the presumed sea change from Oakville to Rutherford takes place, is more difficult than it may seem.

At primary issue in the hearings were soil and climate—the environment of the vine's lower half, and that of its upper.

The nature of soil is just quantifiable enough to lure everyone into expressions of expertise, and was thus more hotly debated. Climate, on the other hand, seemed to baffle just about everyone

WRANGLING IN THE RUTHERFORD DUST

by Rod Smith

into reticence. As UC Davis geologist Deborah Elliot-Fisk, a specialist in Napa Valley geology and the petitioners' most effective hired gun, pointed out, "the atmosphere is a mobile moving fluid...it's not something that you can capture in your hand and draw a line through."

In his book *Vintage: the Story of Wine*, writer Hugh Johnson describes the geology of the Cote d'Or as "a layer cake of exposed rocks of different ages, all eroding and mingling to form varying cocktails of soil and subsoil according to the lie of the land." The Napa Valley fits that description pretty well, too.

A sunken basin between two uplifted and pulled-apart mountain ranges (the Mayacamas and the Vaca, or Silverado) the valley is paved with mixtures of decomposed volcanic and sedimentary material washed down from the mountains in streambeds. Those materials appear as alluvial fans which overlay, and eventually mingle with, other soils deposited over a long time by the Napa River, and also by periodic marine incursions.

The most distinctive soils from a viticultural perspective are those in the alluvial fans. The fan complexes most often discussed in the Oakville-Rutherford context are those formed by the outflows of

Sulphur Creek, Bear Canyon, Oakville Grade, Rector Creek, and Conn Creek. Because the mountains are a grand jumble of rock types, the soils washed out of them can vary substantially from place to place. The differences are found in attributes such as mineral content, texture, water retention and drainage characteristics, and acidity. As John McPhee points out in his book *Assembling California*, "The Franciscan melange contains rock of such widespread provenance that it is quite literally a collection from the entire Pacific basin, or even half the surface of the planet...there are sediments from continents (sandstones and so forth) and rocks from scattered marine sources (cherts, graywackes, serpentines, gabbros, pillow lavas, and other volcanics) assembled at random in the matrix clay." The other primary material, the convoluted Great Valley Sequence, is only slightly less varied. The various soil types derived from this "lithic compote" represent the "amassed detritus of several geologies."

Hugh Johnson goes on to describe the Cistercian monks who first mapped Burgundy's crus as "geologists who used their noses and palates to find out the soil and subsoil structure of the region."

Napa Valley wine producers are not so prodigious, nor are their hired experts nor their educated observers. McPhee's geological tasting notes are pure fantasy: "...its bouquet is ophiolitic, its aftertaste slow to part with serpentine's lingering mystery...The stuff is fermented peridotite—a Mohorovicic red with the lustre of chromium."

There are several significant obstacles to the charting of Napa Valley wine geography with Burgundian precision and scope. One is the young wine industry's love affair with manipulative and trend-driven winemaking, which has been well described as the "rockstar winemaker" syndrome. The essence of a meaningful appellation is consistency. Aggressively changeable, even experimental and gratuitous, winemaking techniques (the "sur lees" craze comes to mind, along with compulsive oak abuse) tend to scramble the terroir's signals, lessening the appellation's significance. The concept of a regional winemaking tradition, so important to the distinctive character of an area such as Burgundy or Bordeaux, does not yet apply in the Napa Valley.

Of more fundamental importance is the fact that blending fruit from different sources is a way of life in California wine production. Even the Robert Mondavi family, perhaps the most vigorous champions of precise appellations, blends freely. Mondavi cabernets, while made primarily from vineyards in the heart of Oakville, nonetheless include dollops of fruit from Stag's Leap and other areas of the valley in amounts which vary from vintage to vintage. Most producers mingle grape sources (by law, only 75% of the grapes used in a wine must be from the stated appellation). Beringer Vineyards, a prime mover in the St. Helena appellation petition, stakes much of its reputation on a "Private Reserve" cabernet which is a true Napa Valley wine, incorporating fruit from such diverse locations as the southern valley and Howell Mountain. Opponents of subappellations within the Napa Valley—or, rather, supporters of a global Napa Valley appellation—can base a pretty good case on this point alone. To date, there has not been an overwhelming commitment among the valley's producers to making wines expressive of a single plot of ground, year in and year out.

It appears to come down to a primary philosophical difference between producing wines of a brand as opposed to wines of a place. A devil's advocate may well ask, if the California wine industry is indeed driven by brand, and not terroir, then what is the point of appellations? Granted, an appellation system is an excellent marketing tool, but there must be real substance beyond that. What, after all, do consumers gain from an Oakville or Rutherford appellation if wines being billed as expressions of those viticultural areas owe some of their character to other Napa Valley vineyards?

And then, of course, there's Time: the region's best cabernet vineyards are barely mature, and most of them are currently being replanted due to phylloxera. Meanwhile, the existing vineyards are being actively and more or less experimentally manipulated by humans (the range of activities known collectively as canopy management, for example). Vineyards in Burgundy have been handled pretty much the same way for centuries so that the vines function truly as "tools for extracting flavor from the soil." There is a real question as to whether the vines in Oakville and Rutherford are giving an accurate reading of terroir or of something more complicated and less site-specific.

Charles Wagner, the avuncular founder of Caymus Vineyards (which buys fruit from the greater part of the valley) is adamantly opposed to a system of subappellations within the valley. "It's hog-wash," he said flatly after the hearings, which he did not attend. "These people are looking to foster their own egos. I think this pits one area against another. It changes property values. I think we should all stand on our own in the Napa Valley appellation."

The opposition aside, it's too late for that. The appellation system is happening. As Leo Tolstoy pointed out around the time California's vineyards were just being planted, history has a momentum all its own.

As in most community endeavors, the process of defining AVAs is a rather tricky matter of balancing opinions. The water is muddied by politics, and, in this case particularly, by the perceived potential for impact on real estate values.

The valley is a roughly north-south crescent about 25 miles long and ranging in width from about four miles at the southern end to less than a mile at the northern end. San Pablo Bay, the northern reach of the San Francisco Bay system, laps the Carneros shore, and Mt. St. Helena (4343') towers over Calistoga. The slender crescent is flanked on the west by the Mayacamas mountain range, and on the east by the Vaca range (sometimes called the Silverado).

The valley floor rises gradually going north—from about 40 feet above sea level in Carneros to over 400' just north of Calistoga. The slope increases relatively suddenly in the Oakville-Rutherford area, with a subtle but measurable effect on climate. Airflow, fog intrusion, and local temperature are also affected by great stone baffles called the Yountville and Oakville hills.

The sum of that gently variant climate and the complex geology is a treasure house of terroir—a kind of *vitis vinifera* heaven on earth. The Napa Valley wine community's self-imposed challenge is to divide the valley into viticultural areas in such a way that every square inch of arable ground falls into one or another of the appellations. Everyone, including the BATF, wants to avoid the untidy "swiss cheese" syndrome to which Sonoma County has fallen victim.

Tim Mondavi is the major promoter of an appellation framework. He stated the appellation mission in a presentation to the Napa Valley Vintners in August, 1989, reading, in part: "By evaluating and taking the best of existing foreign appellation systems, by building on the existing and proposed appellations of Napa Valley and by providing a coherent context for the future evolution of our viticultural areas, we can achieve pre-eminence for Napa Valley among the finest wine producing regions of the world."

A modest proposal, indeed. Specifically, the Mondavi plan calls for a cohesive system of increasingly specific appellations which fit together like nesting dolls within the Napa Valley appellation (which probably should have been called Napa County, because mountain vineyards are simply not valley vineyards—but what's done is done). He envisions four levels: Napa Valley, the ranges and townships, the districts, and the vineyards.

The proposed framework would eventually include the following appellations within Napa Valley (dates are given for those

already approved): in the western mountains—Mt. Veeder (1989), Diamond Mountain, Spring Mountain; on the valley floor—Calistoga (including a Larkmead subappellation), St. Helena, Rutherford (including Rutherford Bench), Oakville (including Oakville Bench), Yountville (including Stag's Leap District (1989)), Napa (including Carneros (1983), Oak Knoll, and Coombsville); in the eastern mountains—Howell Mountain (1983) and Atlas Peak; and in the outlying valleys, Wild Horse Valley (1988) and Pope Valley. These are the appellations which are established, proposed, and presently being discussed, but there may well be others proposed in the future.

The appellation system which has developed over the past decade or so is uniquely American. It certainly borrows a good deal of basic sense from European systems, but there are major differences. Most notably, American appellations are not conceived as designations of quality. As Tim Mondavi pointed out, "France, Germany, and Italy have all interrelated the two aspects of statement of origin and statement of quality...I applaud ATF in distinguishing the two. They are different. Our focus is statement of origin. Quality is a result of the philosophy, and it cannot be legislated."

In addition, the BATF has no intention of legislating such things as which grape varieties can be planted where, maximum yield per acre, and other viticultural matters. Mondavi again: "Qualitative restrictions invariably impede research and qualitative advancement...all of these things, have restricted competition (in other countries), have restricted advancement, and I think in the long run have hurt the growers as well as the consumers."

Despite what many consider the bizarre circumstance of an agriculture-driven industry being regulated by the Treasury Department, the process of defining American viticultural areas has turned out in some ways to be democracy at its best. The BATF imposes nothing but a method of determination. Form and content are entirely up to the wine industry, which carries the burden of petition and definition. That means the wine producers in a given area must collectively generate proposals and work out their details prior to requesting direct government involvement, after which the BATF merely arbitrates where necessary before chiseling the consensus into law.

Among other civics lessons, the BATF approval process demonstrates how fast controversy is generated when a commercial community tries to define terms everyone has taken for granted for more than a century. Not surprisingly, when it comes to drawing lines on a map which embrace some properties and exclude others, strong words are heard all over the neighborhood. The Stag's Leap appellation (1989), to cite the most obvious example thus far, was so hotly contested that some embittered petitioners vowed to have nothing to do with appellations in the future.

In 1988 I attended a meeting of the Oakville-Rutherford Appellation Committee at Robert Phillips' Vine Hill Ranch in the Napa Valley. Present were a dozen or so Napa Valley vintners and growers whose vineyards are on the west side of the Napa Valley between Yountville and St. Helena, in a narrow strip of land bounded on the east and west by the Napa River and the Mayacamas Mountains. They were meeting to discuss a formal application to the BATF for official recognition of the Oakville and Rutherford Bench appellations.

The "Benchers" came close to slipping their appellations—Oakville Bench and Rutherford Bench—through the system, but controversy reared its many (ugly) heads. The Benchers dropped their petition in order to gather support for the broader Oakville and Rutherford appellations, and the framework in general. That led to last December's public hearings in a Napa hotel.

The BATF held two hearings on the latest appellations, on

December 9 (Rutherford) and 10 (Oakville). Representing the BATF were Rich Mascolo, Deputy Chief of the Revenue Programs Division; Donald MacVean, Deputy Associate Director, Office of Compliance Operations; Richard Gahagan, Wine Technical Advisor; Barry Orlow, attorney, Chief Counsel's Office; Bill Earle, Chief of Industry Compliance Division; Robert White, Coordinator, Wine and Beer Branch.

Nearly three dozen people testified. There was the potential for real acrimony of the kind already seen in the Stag's Leap hearings, which had the feeling of pre-Civil War congressional debates. In his opening remarks on both days, Don MacVean took pains to head off bickering over subappellations. "We recognize that a subappellation issue is of concern to many in this room," he said. "However, under existing regulations, the Bureau does not distinguish 'appellations' from 'subappellations.' If a petitioned area complies with all of the prescribed requirements, it can be approved as a viticultural area."

Against all odds, the hearings were conducted in a polite, even collegial atmosphere. "We anticipated a lot more animosity, but they were cordial and very professional in presenting their testimony," said Rich Mascolo. "Everyone seemed to realize that this was a difficult situation and they were there to make their cases the best they could. We were pleasantly surprised. And we heard some very interesting testimony we hadn't heard before. It was very worthwhile."

Pat Garvey, chairman of the Rutherford committee since its formation in 1987, expressed satisfaction from the petitioners' side. He believes that the keys to success were open communication and compromise. "I was at the Stag's Leap hearing and you could really feel the opposition—two groups at each others throats," he said. "We thought we did a good job of ameliorating that by working with (Dennis) Groth and (Agustin) Huneus and (Steve) Girard, who were

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opposed to the benches initially. We dropped our bench proposal and gathered their support for our boundaries. We worked for a year and a half for that to occur, and that kind of smoothed things over so there wasn't the kind of tension we saw at the Stag's Leap hearing."

From an observer's viewpoint the hearings were fascinating on several levels. It was fairly amazing simply to see such a cross-section of people debating seriously about such arcane matters. The basic assumption—that a beverage made by fermenting fruit juice can be worthy of such minute analytic scrutiny—is itself profound. And the working assumption that terroir—a reasonably abstract concept with a pronounced mystical element—not only exists but is important enough to be defined and legislated by a government agency, is a kind of koan. ("What is the taste of a Rutherford wine? MU!")

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Somehow, the hearings managed to remain cordial throughout, even when there were serious contentions and strong feelings on every side of an issue.

Virtually every issue focused on a proposed boundary. The fiercest controversy was over the northern boundary of Rutherford, which the petitioners placed at Zinfandel Lane. There were two separate efforts to move the line northward: one by Pat Garvey and John Komes of Flora Springs Winery, whose vineyard (like the child in the King Solomon tale) is cut in two by Zinfandel Lane; and a more radical one by grower Andy Beckstoffer, who, perhaps unwillingly, found himself playing the role of devil's advocate throughout the process.

A TASTING OF OAKVILLE & RUTHERFORD WINES

When I mentioned to a winemaker friend that I was putting together a tasting of cabernets from the Oakville and Rutherford areas, she smiled ruefully and shook her head. "You're going to taste a lot more wine-making than terroir," she said.

And so we did. Through both flights of 1986 cabernets, a total of 27 wines, it seemed as though there were sensory screens between taster and terroir, misinformation emanating from unseen winemakers.

The idea was to gather a few of the most astute palates in town and taste through a reasonable number of wines from the newest Napa Valley appellations. This would not be an exhaustive tasting of all the wines produced in the area or from area grapes. Nor would it be a result-oriented exercise. The wines would not be ranked, or even compared in a competitive way. We were looking for field impressions, a general sense, if we could get one, of whether the wines as a group showed anything that could be called Oakville or Rutherford character.

The tasters were (alphabetically): Gerald Asher, writer; Robert Finigan, writer; Angela Freire, Wine & Spirits; Peter Granoff, MS, Square One; Paul Hodges, restaurateur, The Left Bank; Rod Smith, writer; Tom Valtin, writer and musician; Wilfred Wong, writer and retailer, Ashbury Market.

I chose the 1986 vintage because it was an excellent but not outstanding or otherwise atypical vintage—just a good Napa Valley vintage—and because the '86 mid-valley wines tend to be both accessible and ageworthy. Also, I thought that wines with some bottle age would be more revealing than young wines. To make things even more interesting, I threw in a few slight ringers—a Stag's Leap District wine, and several cross-appellation wines. All the wines were from the Napa Valley.

The wines in Flight #1 were primarily from Oakville and vicinity: Clos du Val (Stag's Leap District), Etude, Far Niente, Franciscan Oakville Estate, Franciscan Oakville Estate Meritage, Freemark Abbey, Livingston (Moffet Vineyard), Markham, Opus One, Robert Mondavi, Robert Mondavi Reserve, Robert Pepi (Vine Hill Ranch), and Trefethen Library Reserve.

Flight #2 was Rutherford-based. The wines included: Cakebread Rutherford Reserve, Inglenook Napa Valley, Cakebread Napa Valley, Beaulieu Vineyards Rutherford, BV Private Reserve, Beringer Private Reserve, Flora Springs Trilogy, Freemark Abbey Sycamore Vineyard, Gustave Niebaum Mast Vineyard, Inglenook Reserve Cask, Niebaum-Coppola Rubicon, Raymond Napa Valley, Terraces Napa Valley, ZD Napa Valley.

Before plunging in, we discussed our expectations of both appellations and of Napa Valley wines in general.

"There is a definite mid-valley style," said Gerald Asher. "Whether there are Oakville and Rutherford distinctions as opposed to distinctions between wineries, I'm not so sure. We've all gotten used to throwing a vocabulary around, and I'm not convinced that it has any basis."

Peter Granoff agreed, saying, "There are so many variables interfering with the identity of the appellation. The sources are blurred across appella-

"What has made the Zinfandel Lane boundary most difficult was the fact that we had to split the vineyard and the middle of our property," Pat Garvey told the panel. He then proposed that the boundary be stretched to include the entire estate in the Rutherford appellation, pointing out that Flora Springs' Trilogy (a meritage blend) comes from grapes grown on both sides of Zinfandel Lane. Strict observation of the boundary, he said, would confer "the unenviable distinction of having the grape source deemed as two distinct viticultural areas while actually coming from one property, truly a consumer nightmare."

Garvey's case was based on geology. He indicated Bale Slough on the USGS Rutherford quadrangle and showed how the north

tion. What's done in the vineyard and the winery overpowers these subtleties anyway. The identity of the vineyards is being obscured by winemaking, particularly oak."

After both flights, the tasters agreed that Rutherford had stolen the show. There was a suggestion, not entirely facetious, that everything from Yountville to St. Helena should be considered Rutherford.

ON OAKVILLE

Robert Finigan said, "If the point of the exercise is to say there's a similar style, I would say there is." He added, "Whether you like the style is another question."

Finigan was bothered by "a voluptuousness verging on blowsiness" in many of the wines, and a consistent impression of sweetness that other panelists noted as well.

There were also several comments about a "metallic" or extremely acidic quality in several wines. Paul Hodges said, "Some of these wines were obviously acidulated. The acid stands apart from the wine."

"In California there's a kind of neurosis about acid," mused Gerald Asher. "Part of that is the fear about microbiological instability that UC Davis has drummed into everyone."

Peter Granoff noted, "The tannins here were not as harsh as I expected." The group agreed that there has recently been a quantum leap in tannin management (long maceration, gentle pressing, etc.)

ON RUTHERFORD

There was much less talk of winemaking, and more discussion of fruit. That in itself indicated consensus that we were seeing more of terroir and less of winemaking in the Rutherford wines.

"The vintners here seem to want to let the fruit shine through," said Wilfred Wong.

Gerald Asher agreed. "I'm prepared to say that there was much more evenness in this lot, much more consistency of style," he said. "In every case the cabernet sauvignon came across with the feeling that it was fully ripe."

The panelists agreed that the general standard in the Rutherford flight was so appealing and consistent that it was hard to say any of the wines were clearly superior, in contrast with the Oakville group, in which a few outstanding wines formed a separate group within the flight.

Still, appellation identity remained elusive. Gerald Asher said, "Without saying it doesn't exist, I think the present state of the art (winemaking) in the Napa Valley so much overrides the sense of the wines that it's very difficult to distinguish."

Nothing was conclusively proven, of course. But the tasting did underline the questions most observers are asking these days: Are Napa Valley subappellations meaningful from a viticultural standpoint? Will brand be increasingly more important than site, despite claims to the contrary?

"They would not have had this problem if there was not so much greed going on when the Napa Valley appellation was established," observed Gerald Asher. Recalling that when the appellation was first proposed "there was a lot of horse-trading going on", resulting in the inclusion of mountain vineyards and outlying valleys in the appellation, he said, "Now 'Napa Valley' doesn't necessarily represent quality, and that's why people now want to establish these smaller areas."

fork cuts across Zinfandel Lane and the Komes property. He then explained that a large body of water probably existed there about 200,000 years ago, combining sediments from the Rutherford, Sulphur Creek, and Conn Creek fans with Napa River sediments to create soils and hydrology which are the same on both sides of Zinfandel Lane. He then advocated extending the boundary 2,750 feet along the north fork of the Bale Slough to Inglewood Avenue.

According to Richard Mascolo, the petition committee voted after the hearings to accept Garvey's proposed boundary extension, so it will probably become official. The outcome is much less certain for the other proposed extension of the same boundary.

Andy Beckstoffer made a case for abandoning Zinfandel Lane entirely and adopting Sulphur Creek as the northern boundary of Rutherford. That surprised just about everybody. Beckstoffer already has about 400 acres safely within the Rutherford appellation (he is the largest grower in the area). At stake in this campaign were another twelve acres he owns near St. Helena, as well as small properties owned by a number of other growers, including St. Helena mayor Bill Hayne.

At the hearing Beckstoffer followed Bob Steinhauer, senior vice president of vineyard operations for Beringer Vineyards and their parent company, Wine World. Steinhauer (who once worked for Beckstoffer) began by questioning the entire appellation proceeding: "In my opinion, it is very difficult to draw distinct viticultural boundaries on the valley floor of the Napa Valley. There are hundreds of mesoclimates and over 60 different soil types." However, he asserted that there is a "general major difference" in soil and climate between the Rutherford and St. Helena areas which is best defined by drawing a line at Zinfandel Lane.

Steinhauer's comments amounted to advance testimony for a St. Helena appellation petition, of which Beringer will be a primary proponent. Steinhauer concluded by saying, "We think that any boundary north of Zinfandel Lane would threaten the integrity of St. Helena geographically, viticulturally, historically, and would be a disservice to the wine consumer."

In response, Beckstoffer came out fighting. He began by advocating a northern boundary for Rutherford which would encompass the southern part the St. Helena township. "I think you can see that Bob's concern is not for the Rutherford area but for the future of the St. Helena area," he told the panel. "Our concern is for the integrity and definition of the Rutherford area. St. Helena can wait."

The thrust of Beckstoffer's argument was that soil material from the Sulphur Creek fan crosses Zinfandel Lane and extends well into the Rutherford district, effectively extending the Rutherford geology two miles north to where Sulphur Creek flows out of the mountains. That seemed to put his consulting geologist, Richard C. Slade, in direct conflict with Deborah Elliot-Fisk, who had said earlier that the Sulphur Creek fan material stopped around Zinfandel Lane. Beckstoffer quoted a remark Elliot-Fisk had made earlier to the effect that the area south of Zinfandel Lane was dominated by the Pleasanton soil type, then quoted Slade's opinion that the soil north of Zinfandel Lane was also Pleasanton. "The petitioners," he said, "in a flaw in their presentation...do not present a soil mapping site to the north to show a change in soils which would serve to create a boundary. They ignore the large Pleasanton foundation which appears like a lake across Zinfandel Lane."

Andy Beckstoffer said flatly, "Zinfandel Lane has no viticultural integrity as a viticultural area boundary." He then gave further climatological and historical testimony to support drawing the line at Sulphur Creek.

Several months after the hearing, Pat Garvey said, "We're trying to get a sense of where Andy is coming from here. St. Helena is underway, and it's an excellent appellation, so we don't understand why he wants to be in Rutherford."

I posed the question to Beckstoffer. He replied, "I'm concerned that the township idea not be just a marketing scheme. It's a good way to define the viticultural areas if the boundaries are properly done. Most of the people who object to my boundary at Sulphur Creek are concerned that it screws up St. Helena. My argument is that you can't violate Rutherford's integrity in light of what may be proposed as the St. Helena appellation. You can't just look at the marketing neatness of dividing the valley by townships. If the Rutherford viticultural area goes up to Sulphur Creek, that's where we should draw the line."

A similar issue focused on Beaulieu Vineyards #2 and #4, located on either side of the Robert Mondavi estate within the proposed Oakville appellation. They are, by all accounts, two of the vineyards which established Rutherford's wider reputation through Beaulieu cabernets made by Andre Tchelistchef, who coined the term "Rutherford dust" to describe the signal quality of their fruit. (BV-1, known as the de Pins estate and the fountainhead of the BV Private Reserve and Rutherford cabernets, is farther north at the heart of the Rutherford appellation, across Highway 29 from the winery; BV-3, east of Highway 29, is now owned by Beckstoffer.) BV vice president Anthony Bell, along with Andy Beckstoffer, proposed that BV-2 be included in Rutherford rather than Oakville.

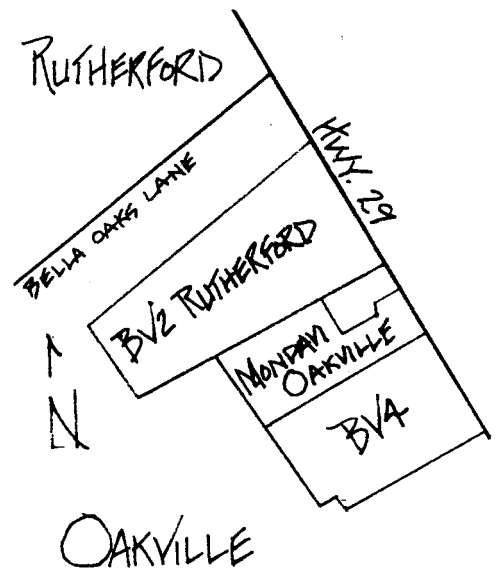
Bell asserted that BV-2 has been associated with Rutherford for over 100 years, and added that "Beaulieu Vineyard has made the modern commercial notion of Rutherford meaningful from a consumer perspective, and we did it using Beaulieu Vineyard #2."

Andy Beckstoffer (who was associated with BV for many years) insisted that both vineyards be included in Rutherford—despite the obvious problem posed by the Mondavi property, which is to Oakville what BV is to Rutherford. Confirming that both BV vineyards helped make Rutherford's reputation, he posed a pointed rhetorical question: "I think you've got to decide what you want to confuse. Are you going to confuse Rutherford by taking them out, or confuse Oakville by putting them in?"

The answer was a compromise. There was nearly unanimous support for stretching the line from between appellations so that BV-2 would be included in Rutherford, balanced by a strong consensus against including #4.

The ultimate solution for BV-4 may involve a precedent-setting compromise within the compromise. It was foreshadowed by an exchange during the hearing. Mr. Orlow asked Bell, "You don't believe that BV-4 has any place in the Rutherford area?" Bell's rather cryptic reply was, "We believe we can deal with BV-4 in ways that do not involve viticultural appellations." Later in the day, a comment from Greg Upton (Franciscan Vineyards winemaker and a leader, with Dennis Groth and Agustin Huneeus, of a group called Growers for Meaningful Appellations—"GMA") was more specific, saying that GMA "would support a position of grandfathering... BV-4 to be considered as if those grapes came from Rutherford ..."

Subsequent rumor had it that fruit from BV-4—though



not the vines themselves—may indeed be grandfathered in as Rutherford fruit on the strength of historical precedent. Anthony Bell wouldn't comment on that, but in late March Rich Mascolo allowed, "It's possible that BV-4 grapes could be used as Rutherford without the vineyard actually being in Rutherford." He added, "Our business is not to impact anyone who's been in business for years doing things a certain way. We're not in business to harm anyone."

Throughout the entire process Andy Beckstoffer found himself alternately opposing and allied with some of the same people. The GMA, for example, came out against his proposed Sulphur Creek boundary for northern Rutherford, but endorsed his request that the BATF establish a rule against subappellations incorporating their parent appellation's name—a move clearly intended to prevent the future reintroduction of the Rutherford and Oakville Bench petitions, as well as possibly confusing appellations such as "Carneros Heights" and "Lower Spring Mountain" (Beckstoffer's examples).

Agustin Huneeus (Franciscan vineyards president) expressed his personal support for Beckstoffer's concept. "In other words," said Huneeus, "if against our recommendations and our hopes in the future a subdivision of Oakville or of Rutherford were to take place, we strongly urge you not to authorize it with the name of 'Rutherford' or 'Oakville' involved."

Beckstoffer concluded, "If somebody has decided that the valley should be split in six little townships for some sort of marketing reasons, well, that's all fine. But it has to have some viticultural integrity or the people are going to lose just what they think they are gaining by that."

The next day's hearing on Oakville offered nothing like the

embrangled Rutherford testimonies. It was fairly straightforward, except for some discussion of the eastern boundary. A representative of Gustave Dalle Valle and several other growers with vineyards above the 500' contour east of the Silverado Trail asked that the line be drawn to include their vineyards in Oakville. Evidence was provided to the effect that the soils and climate were similar from the valley floor through the vineyards in question.

All in all, it was a serious business, as Far Niente winemaker Dirk Hampson pointed out in his testimony: "I don't believe we're going to see these viticultural areas changed once they have been established, and so we have to not make mistakes."

Did they make mistakes? Probably, but it's already history. The names of the sleepy little non-towns Oakville and Rutherford have joined one of humanity's oldest and most mythically invested real estate rosters. Only the names of battlefields, ancient cities, and seaports resonate more strongly than viticultural appellations. Of course, it will take some considerable time before Oakville strikes the same impressive note in the wine lover's ear as Pauillac, or Chambertin, if it ever happens at all. And the historical odds don't favor anyone named Mondavi growing grapes in the area two or three centuries hence. But we can be reasonably certain that the vineyards of Oakville and Rutherford will still be farmed by somebody, and cherished by many, for a long, long, time to come.

Hogwash, marketing scheme, or enlightened vision? It doesn't matter. Grape vines won't be affected by the lines on a map. They will continue to respond to the geological and climatic processes that have nothing to do with the gerrymandering of an appellation boundary. And the basic truth in Robert Louis Stevenson's prediction will still ring true: "...the smack of Californian earth shall linger on the palate of your grandson." ■

BUENA VISTA CARNEROS CHARDONNAY

THE EXPERTS AGREE:

WINE CRITICS

Bargain Chardonnay of the Year—classy fruit, spice and richness—Dan Berger, Los Angeles Times • **One of the best 1991 California Chardonnays**—really special—worth buying and cellaring—The Quarterly Review of Wines • **★★★★ Recommended Chardonnay**—very good value—delicately flavored—Ronn Wiegand, Restaurant Wine • **Winery of the Year—Recommended**—Wine & Spirits Magazine • **One of America's most reliable Chardonnay producers**—Wine & Spirits Magazine • **Recommended**—California Grapevine • **Excellent**—Alexis Bespaloff, New York Magazine •

WINE DRINKERS

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The NAPA VALLEY



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The Complete Information Source For The Premium Wine Industry

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MAJOR HEUBLEIN RESTRUCTURING WILL ELIMINATE NAPA VALLEY JOBS

Sales And Marketing Shift To Conn., More Vineyards, Assets To Be Sold

The Heublein Corporation has started a major consolidation and reorganization that is likely to result in a loss of sales and marketing jobs in the Napa Valley and the sales of vineyards and wineries. According to Heublein officials connected with the company's corporate headquarters near Hartford, Conn., the major features of the moves include:

- The consolidation of the Heublein Wines Group (Almaden, Blossom Hill, Inglenook-Navalle) headed by Mike Cheek and the Heublein Fine Wines Group (Beaulieu Vineyards, Christian Bros., Inglenook-Napa Valley, Quail Ridge) headed by Dick Maher into one business unit headed by Chris Mottern who fills a newly created position of Executive Vice President -- Wines. Mottern is a former Gallo and Heublein executive. Maher and Cheek who used to report directly to Heublein CEO Bob Furek now report to Mottern.
- The transfer of most sales and marketing positions to Hartford and the elimination of duplicate administrative staff. No one connected with Heublein would disclose how many jobs might be eliminated.
- The sale of additional assets such as the company's Oakville winery and vineyards.

Continued on page 2

HEUBLEIN....Cont. from page 1

Heublein spokesman Ron Batori would not comment. Maher was not available for comment.

In an announcement said to be "coincidental," Batori announced on Aug. 19 that he would be leaving Heublein to take a top executive position with ITC Stamford, a company which provides correspondence college courses in Southeast Asia. Batori, who is widely respected, has long been enamored of Thailand where he took extended annual vacations. His first position will be to head the company's Bangkok office where he will oversee 800 people.

While Heublein executives in the Napa Valley declined to comment, other Heublein corporate sources say the moves come as the result of pressures from their parent company, British drinks giant Grand Metropolitan which has been disappointed by a the wine industry's relatively lower return on assets as compared with spirits.

"And it just makes good managerial sense," said the Heublein source. "It just doesn't make sense to have two wine groups operating independently. The consolidation means we can save money without affecting the quality or sales of the wines."

Another company source said that this was not the first step in Grand Met's exit from the wine field, adding that the company was "almost pathological committed" to the wine industry.

Reorg Will Continue Asset Sales Begun In 1990

This new reorganization will continue a process begun two years ago which resulted in the 1991 sales of

- the Zinfandel Ranch Vineyard to UCC Vineyards Group for \$3.5 million and,
- the gift/sale of Christian Bros. Greystone Cellars to the Culinary Institute of America for \$1.68 million. The property had been listed for sale at more than \$10 million.

Wine industry sources say that at least two other properties have been for sale but have had no takers because of a too-high listing price. Those

properties are:

- the Money Lane Vineyard, 261.18 acres north-east of Oakville Crossroad with 234 acres planted with Cabernet sauvignon, Sauvignon Blanc and Chenin Blanc. Heublein has been asking \$8.2 million for the property.
- the Oakville Winery fronting on Hwy 29 on the southeast corner of Oakville Crossroad. The offering includes 76,822 ft.sq. in winery buildings, an additional 24,914 ft.sq. in nine residences and other buildings, a 2.8-million-gallon production capacity along with 87.28 acres of vineyard, 46.53 of which are planted with Cabernet Sauvignon.

The facility was originally offered for about \$14 million, but the price has been steadily dropped and is said to be about \$8 million today.

Sources say that the sales price has been hampered because the facility does not have a bottling line or storage for space goods, and that anti-winery sentiments among the Napa County Board of Supervisors means that any new owner may never get the required permits to expand or modify the facility.

Other Heublein facilities may also go on the block.

Reliable industry sources say that the Christian Brothers facility in St. Helena is the modern workhorse for most of the Heublein wine production, and us used to produce much of wines for Inglenook, Beaulieu, Christian Brothers and even some of the Blossom Hill line.

"Shifting production to this facility means that some of their other production facilities could be sold off," the source said.

Only three years ago, the purchase of Christian Brothers by Heublein resulted in the elimination of more than 200 Napa Valley jobs -- some two-thirds of the local workforce at the time.

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U.S. GOVERNMENT UNVEILS AD CAMPAIGN LINKING ALCOHOL WITH AIDS

\$68 Million Message says, "Get High, Get Stupid, Get AIDS"

The National Institute on Drug Abuse (NIDA), a part of the U.S. Department of Health and Human Services (HHS) has begun a public service advertising campaign that links alcohol and AIDS.

With the theme, "Get High, Get Stupid, Get AIDS," the campaign features a cartoon character

finds a stranger in his bed the morning after and blames getting drunk for the mistake.

The print, radio and television campaign began running nationwide August 13.

The campaign follows up on statements made by Surgeon General Antonio Novello at a news

conference in Washington, D.C. on April 13 at which she told reporters that, "Alcohol is responsible for more pregnancies, for more sexually transmitted diseases and more HIV infection than any other single cultural factor."

The ads were created by the New York advertising agency of Della Femina McNamee and is being funded by \$550,000 from HHS. A representative of the non-profit, New York-based Ad Council said that production costs for this public service advertising campaign is paid for by HHS such as this is relies on publication space and broadcast time which is donated by radio and television stations as well as newspapers and magazines.

A news release from the Ad Council said this campaign had received \$68 million worth of donated media.

GET HIGH, GET STUPID, GET AIDS.

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Customers leaving

As the Marines head for Somalia merchants such as Nathie Knitz of Twentynine Palms wonder how they are going to fare with their main customers overseas.

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130th Year No. 121 Thursday, December 10, 1992 35 Cents

Feds investigate valley appellations

By L. PIERCE CARSON
Register Staff Writer

Federal regulators came to town Wednesday to take a look at proposals aimed at establishing two new viticultural districts within the Napa Valley.

A six-member panel made up of members of the U.S. Treasury Department's Bureau of Alcohol, Tobacco and Firearms had called for public hearings on petitions to recognize both Rutherford and Oakville as new American viticultural areas (AVA) within the larger Napa Valley grape-growing appellation.

The proposals are part of a

long-range plan by some to create sub-appellations based on townships — one day, perhaps, to include St. Helena, Yountville, Calistoga.

Wednesday's hearing was confined to a discussion of the Rutherford proposal. The visitors from Washington, D.C., turned their attention to the Oakville plan today.

Decisions on the proposed appellations of origin aren't expected for at least 90 days.

Many in the local wine industry don't want the Napa Valley divid-

See BATF, Page 6

Key issues

■ A BAFT panel is conducting public hearings on petitions to recognize both Rutherford and Oakville as new American viticultural areas.

■ None of the 20 speakers at Wednesday's hearing asked that the proposals be scrapped.

■ In dispute is the northern boundary of the Rutherford viticultural district — Zinfandel is proposed, Sulphur Creek in St. Helena is suggested by some.

■ The dividing line between the Rutherford and Oakville AVAs is, for the most part, Skellenger Lane.

■ Applications to further subdivide the districts into Rutherford Bench and Oakville Bench have been withdrawn.

BATF

See BATF, Page 6

ed into any more viticultural appellations. Nevertheless, BATF officials have authorized the viticultural districts of Carneros, Stags Leap, Howell Mountain, Wild Horse Valley, Atlas Peak and Mount Veeder since enacting the Napa Valley AVA more than a decade ago.

Regulators and some industry spokesmen maintain that viticultural designations assist consumers in knowing just what's in the wine bottles they buy.

Other than being used as a marketing tool, a distinct appellation assures growers in acclaimed growing regions of getting better prices for their fruit.

That has apparently fueled some of the controversy that continues to rage over the proposed Oakville and Rutherford appellation proposals since they were submitted to BATF two years ago.

Donald C. MacVean, BATF deputy associate director, acknowledged that significant controversy over the boundaries of the two proposed AVAs had prompted the regulatory agency to schedule this week's public hearings at Inn at Napa Valley.

None of the 20 speakers at Wednesday's daylong hearing asked MacVean and his associates to scrap the whole thing.

Instead, they attempted to entice the regulatory team into adopting one of two basic plans:

- A Rutherford viticultural district that recognizes Zinfandel Lane as its northern boundary.

- Drawing the northern

boundary of the proposed Rutherford AVA along Sulphur Creek.

There were a couple of other scenarios, like the Flora Springs partnership's proposal to extend the northwest boundary along Bale Slough and the Heitz family's suggestion their vineyards in Spring Valley also be included.

But the main point of contention regulators will have to resolve is whether to use Zinfandel Lane or Sulphur Creek as the northern limit of the proposed AVA.

The dividing line between the Rutherford and Oakville AVAs is, for the most part, Skellenger Lane.

The hearing also made public a couple of expected compromises.

When the AVA petitions were submitted to BATF, they also contained two proposals to further subdivide the Rutherford and Oakville viticultural districts into areas along the western edge of the valley, to be called Rutherford Bench and Oakville Bench. That proposal drew loud protests from a wealth of area growers and vintners.

At Wednesday's hearing, vintner Dennis Groth, who heads up an opposition group called Growers For Meaningful Appellations, announced the two bench applications had been withdrawn.

In exchange, Groth's 31-member organization heartily endorsed the applications as submitted for the Rutherford and Oakville viticultural appellations - including the proposed northerly boundary of Zinfandel Lane in the Rutherford matter.

The other compromise came in an amended application, which now includes one of Beaulieu's acclaimed vineyards, known as

BV #2, in the Rutherford proposal.

As originally submitted, the BV parcels had been drawn within the Oakville plan.

Tony Bell, Beaulieu Vineyard vice president and general manager, indicated he and the Beaulieu winemaking team are willing to live with the second vineyard known as BV #4, located south of the Robert Mondavi Winery, remaining in the proposed Oakville appellation.

Championing the change in the northern boundary of the Rutherford proposal were St. Helena Mayor Otty Hayne and grower Andy Beckstoffer, who, with 400 plus acres in the proposed viticultural district, contends he's the largest grower in the region.

Maintaining he'll be impacted the most, Beckstoffer offered the most serious challenge to the proposal. He presented panelists with geologic, soils and climatic data he said supported his proposal to include substantial acres of vines between Zinfandel Lane and Sulphur Creek within the Rutherford AVA. Beckstoffer owns 21 acres in the area he says exclusion would turn into a "no man's land."

Beckstoffer said the grape-growing area immediately south of Sulphur Creek and west of Highway 29 has little in common with vineyards in and to the north of St. Helena.

Attempting to quiet critics complaints that pushing the Rutherford AVA farther north would intrude on the St. Helena city limits, Beckstoffer noted that prior to World War II the historic southern city limits of St. Helena had been Sulphur Creek.

Withdrawing his suggestion

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that the entire Rutherford AVA be called Rutherford Bench, he reminded the hearing panel that the charter of BATF "is not to set up marketing programs for Napa Valley wineries."

When he suggested both BV #2 and #4 vineyards be included in the Rutherford appellation based on historic use of that fruit in BV's Rutherford cabernet, BATF counsel Barry Orlow remarked that such an action would effectively "gut" the Oakville AVA as proposed.

Both Beckstoffer and Hayne argued that Zinfandel Lane offered no viticultural integrity to the proposal, that it was just a convenient road selected to mark a boundary line that best suited the applicants.

Hayne felt that a winery's location isn't really significant when it comes to giving consumers information about wines. Rather, he believes vineyard locations are quite important in wine buyers minds.

David Freed, president of UCC

Vineyards Group, said the Zinfandel Lane proposal would split vineyard properties into two distinct appellations, separating wineries also from their vineyard sources.

He claimed it was politically expedient to pick Zinfandel Lane as the northern boundary. He pooh-poohed a suggestion that extending the boundary to Sulphur Creek would lead to consumer confusion.

"I doubt anyone in New Jersey knows where Zinfandel Lane is," he concluded.

But the overwhelming support at Wednesday's hearing came in favor of the application, along with an amended boundary that takes in BV #2 vineyard.

After mapping and studying soils and geologic formations in the region for some time, viticultural geographer Deborah Elliott-Fisk said the Zinfandel Lane boundary made the most sense - unless regulators wanted to adopt a line that matched a fan of alluvial deposits.

Referring to claims of long-term contracts with Rutherford wineries, Far Niente winemaker Dirk Hampson said "the mere fact someone's grown grapes for BV doesn't make their vineyards Rutherford."

"It would be confusing to have the Rutherford boundary come up into the middle of St. Helena."

"When someone gets past Zinfandel Lane, he's thinking he's on the outskirts of St. Helena," Freemark Abbey's Chuck Carpy agreed.

Agustin Huneeus, partner in Franciscan Vineyards, told regulators it made sense to subdivide the Napa Valley along political township lines.

"You see formidable support (for the Rutherford proposal as submitted) from people who want to see the Napa Valley properly subdivided in the future."

"Too bad there are no consumers in this room. You're dealing with subjective matters that we're trying to pretend are very objective."

HOT OFF THE SLED

SPECIALS



Vanna





VINTNERS
ASSOCIATION

July 5, 1990

Mr. Stephen Higgins
Director
Bureau of Alcohol, Tobacco and Firearms
Washington, D.C. 20044-0385

Dear Mr. Higgins:

Pursuant to our January 25, 1990 letter to the Bureau, the Napa Valley Vintners Association wishes to make the following statement. It has now been more than 20 years since the BATF established the program of identifying and giving official recognition to American Viticultural Areas. During the course of processing petitions for specific AVA's, this needed program has been the subject of much discussion and commentary.

While the application of general regulations and interpretations of regulations has been utilized to solve specific problems in the designation of AVA's during this period of time, we feel it is appropriate now to review and evaluate, in a general way, some of the objectives and principles of the program, as well as some of the problems that have arisen. It would also be the time to look forward to the future and to make whatever modifications are necessary to enhance the program's usefulness to the consumer. The following are our major concerns:

I. Overlapping Viticultural Areas

Our most serious concern with the present AVA system centers around the overlap of appellation boundaries for viticultural areas. We request that the BATF regulations be amended to prohibit any future overlap of viticultural or district area boundaries. These appellations define areas of distinctive characteristics. The public looks for appellations in their selection process to obtain wines with these characteristics. Overlapping viticultural areas confuse the public by indicating that two or more different appellations share the identical "distinctive" characteristics but only within the overlapping portion. This illogical supposition erodes consumer confidence in appellations and jeopardizes the meaningfulness of the AVA system.

II. Different Types of Areas Recognized in the AVA Regulations

We request that you identify and clarify the different types of American Viticultural Appellations which have received recognition during the course of the program's history. Detailed discussion of this issue follows below.

III. Viticultural Hierarchy or Ordinality

We request that you review and clarify the relationship between one American Viticultural Appellation and another, especially when one is completely nested in another, i.e., the question of viticultural area hierarchy.

IV. Vineyard Designation

With respect to vineyard designation we believe the 95% grape requirement should be codified and the definition of a vineyard should include language which specifies that the vineyard is on one contiguous piece of land excepting roads, creeks, or other similar natural or man-made interruptions.

V. Label statement of Viticultural Area Percentage Composition

We believe regulation regarding statements on labels of Viticultural Area composition are in need of review or clarification in order to provide the consumer with appropriate information. There appears to be no rule-making which permits listing grape origin by percentages from several viticultural areas on the front label. Only political subdivisions (and percentages) are capable of being listed on the front label. Yet the same viticultural area compositions can be listed on the back label. This appears paradoxical and arbitrary and needs discussion.

We would like to emphasize that while we are petitioning for a review and re-examination of these topics as they apply to future formation of AVA's, we do not anticipate, nor do we seek, an alteration of any existing AVA's. The review is intended as an effort to benefit from the experience of the past looking towards the future.

We would like to provide you, as an example of our concerns, more detail regarding topic II., the question of "types" of viticultural areas. It has been widely observed that in a Viticultural Area as large as the Ohio River Valley (almost 17 million acres) the significance of viticultural distinctiveness must be different than in a viticultural area the size of Cole Ranch, California (about 147 acres).

We suggest that the consumer might be better served if the BATF would recognize that viticulturally significant factors are on

such a different scale of consumer relevance for the two types of Viticultural areas that each type should have a different name. The consumer could then be aware of the appropriate degree of viticultural significance to attach to each type. The consumer would also be able to form a fairly accurate judgment of how the various viticultural entities relate to each other.

We believe an entity as large as the Ohio River Valley has a place in the American effort to organize and define its viticultural structure. However, we think its size and character should merit treating it as something like a "Geographic Area" and giving this kind of area a specific type name.

We also believe that such a differentiation would simplify the rule-making process for the BATF. It would enable the Bureau to form areas using a set of criteria appropriate to each type. At present, we understand BATF applies the same criteria to areas as various in distinctive, viticulturally significant uniformity as e.g., the Ohio River Valley and Cole Ranch.

It is time for the BATF to consider, in the light of 20 years of experience with the AVA program, the evidence which demonstrates the need for not one type of entity in the AVA program, but possibly five types, each with its own set of criteria of increasing stringency and significance. This would be valuable for the domestic and foreign consumer alike. It appears to us that these types or categories are as follows:

Type	Example
1) Geographic type	Ohio River Valley
2) Political type	California, Sonoma County
3) Viticultural type	Alexander Valley
4) District type	Stags Leap District
5) Vineyard type	Carpy Vineyard

1) Geographic Type - The Geographic type is the largest and most broadly constituted. The Ohio River Valley is the example we have been using--crossing county, even state lines, it would be described in general, geographic terms, rather than terms which need to demonstrate viticultural character, uniformity or significance. General historical evidence rather than viticultural history would apply in such a type.

2) Political Type - States, counties or townships.

3) Viticultural Type - The viticultural type is proposed to be constituted not by broad geographic criteria as above, but by strict viticultural ones. Historical or other evidence of significant viticultural identity lines would determine the boundaries of the viticultural type. We believe the principle of distinctiveness excludes the possibility of overlapping areas for the viticultural type.

OAKVILLE BENCH

LEVEL 1 - 6 STORIES

1. Copyright (c) 1989 Chicago Tribune Company; Chicago Tribune, May 25, 1989, Thursday, NORTH SPORTS FINAL EDITION, FOOD GUIDE; Pg. 12; ZONE: S, 212 words, Napa appellations sought, San Francisco Examiner, SAN FRANCISCO, LEAD: If Napa Valley winemakers have their way, four newly designated wine-growing areas will become familiar names to wine lovers.

2. Copyright (c) 1989 The New York Times Company; The New York Times, May 17, 1989, Wednesday, Late City Final Edition, Section C; Page 12, Column 3; Living Desk, 399 words, A Table Wine for Big Spenders, By HOWARD G. GOLDBERG, LEAD: TH 1985 Opus One, a Napa Valley red wine produced by the Baron Philippe de Rothschild organization and the Robert Mondavi Winery, is arriving in wine stores across the United States. It is the seventh vintage released, and a recent tasting suggests it is the best yet.

3. Copyright (c) 1989 Chicago Tribune Company; Chicago Tribune, April 27, 1989, Thursday, NORTH SPORTS FINAL EDITION, FOOD GUIDE; Pg. 5E; ZONE: C, 242 words, Napa Valley seeks 4 new appellations, By Carla Marinucci, San Francisco Examiner SAN FRANCISCO, LEAD: If Napa Valley winemakers have their way, four newly designated wine-growing areas will become familiar names to wine lovers.

4. Copyright (c) 1989 The Times Mirror Company; Los Angeles Times, April 13, 1989, Thursday, Home Edition, Food; Part 8; Page 25; Column 1, 532 words, WINE Esc for Attention, Home to Switch * Capture Off * Numeric

LEVEL 1 - 6 STORIES

NOTES: BRITISH CONCERN PLANS TO BUY BORDEAUX HOUSE, By DAN BERGER, Times Wine Writer, LEAD: Allied-Lyons, the British brewer and distiller, has announced plans to acquire Chateau Latour, one of France's finest top Bordeaux houses., Column

✓ 5. Copyright (c) 1988 Guardian Publication, Ltd.; Manchester Guardian Weekly, October 30, 1988, LE MONDE; Pg. 16, 697 words, Claret faces some up-market competition from California, By Jean-Yves Nau, October 22

✓ 6. Copyright (c) 1988 The Financial Times Limited; Financial Times, October 8, 1988, Saturday, WEEKEND FT; Pg. XXII, 1741 words, Now It's A Wine Rush In California, Edmund Penning-Rowsell

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✓ ~~Copyright (c) 1989 Chicago Tribune Company; Chicago Tribune, May 25, 1989, Thursday, NORTH SPORTS FINAL EDITION, FOOD GUIDE; Pg. 12; ZONE: S, 212 words~~
 Napa appellations sought, San Francisco Examiner, SAN FRANCISCO, LEAD: If Valley winemakers have their way, four newly designated wine-growing areas become familiar names to wine lovers.

✓ ~~Copyright (c) 1989 The New York Times Company; The New York Times, May 1989, Wednesday, Late City Final Edition, Section C; Page 12, Column 3; Living Desk, 399 words, A Table Wine for Big Spenders, By HOWARD G. GOLDBERG, LEAD: 1985 Opus One, a Napa Valley red wine produced by the Baron Philippe de Rothschild organization and the Robert Mondavi Winery, is arriving in wine stores across the United States. It is the seventh vintage released, and a recent tasting suggests it is the best yet.~~

✓ ~~Copyright (c) 1989 Chicago Tribune Company; Chicago Tribune, April 27, Thursday, NORTH SPORTS FINAL EDITION, FOOD GUIDE; Pg. 5E; ZONE: C, 242 words~~
 Napa Valley seeks 4 new appellations, By Carla Marinucci, San Francisco Examiner, SAN FRANCISCO, LEAD: If Napa Valley winemakers have their way, four newly designated wine-growing areas will become familiar names to wine lovers.

✓ ~~Copyright (c) 1989 The Times Mirror Company; Los Angeles Times, April 1, 1989, Thursday, Home Edition, Food; Part 8; Page 25; Column 1, 532 words~~
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LEVEL 1 - 23 STORIES

NOTES: BRITISH CONCERN PLANS TO BUY BORDEAUX HOUSE, By DAN BERGER, Times Wine Writer, LEAD: Allied-Lyons, the British brewer and distiller, has announced plans to acquire Chateau Latour, one of France's finest top Bordeaux houses., Column

✓ ~~Copyright (c) 1989 The Washington Post, March 29, 1989, Wednesday, Final Edition, FOOD; PAGE E1; WINE, 1296 words, Read All About It, Ben Giliberti, Special to The Washington Post, LEAD: The ideal wine book would be packed with detailed notes on every vintage of every wine ever produced. For shopping trips it would be slender enough to slip inside the glove box of your car. In the living room, it would automatically expand to coffee table size to better show off the misty, romantic landscape shots of illustrious vineyards., COLUMN~~

6. Copyright (c) 1988 The New York Times Company; The New York Times, December 14, 1988, Wednesday, Late City Final Edition, Section C; Page 16, Column 3; Living Desk, 1019 words, WINE TALK, By Frank J. Prial, PARIS, LEAD: THE saga of American wine in France is long and undistinguished. Back in the early part of the 19th century, Nicholas Longworth's Ohio sparkling Catawba was said to have stirred up a little interest here and, if you can believe the archives, American wines would now and then win a medal at some exposition or fair over here.

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7. Copyright (c) 1988 The New York Times Company; The New York Times, December 11, 1988, Sunday, Late City Final Edition, Section 6; Page 108, Column 1; Magazine Desk, 1020 words, WINE; A Corker of a Salesman, By FRANK J. PRIAL, LEAD: A couple of famous cork sniffers showed up -Andre Tchelistcheff, for example, and Maynard Amerine and Tom Selfridge - but the rest were salesmen and they had come to honor one of their own. Legh F. Knowles, chairman of Beaulieu Vineyard and one of the best wine salesmen of them all, was packing it in.

8. Copyright (c) 1988 Guardian Publication, Ltd.; Manchester Guardian Weekly, October 30, 1988, LE MONDE; Pg. 16, 697 words, Claret faces some up-market competition from California, By Jean-Yves Nau, October 22

9. Copyright (c) 1988 The Financial Times Limited; Financial Times, October 8, 1988, Saturday, WEEKEND FT; Pg. XXII, 1741 words, Now It's A Wine Rush In California, Edmund Penning-Rowsell

10. Copyright (c) 1988 The Times Mirror Company; Los Angeles Times, February 18 1988, Thursday, Home Edition, Food; Part 8; Page 50; Column 1, 1166 words, ABOUT WINE: BEAULIEU VINEYARD REFLECTS COMPLEXITY, EARTHINESS OF THE NAPA VALLEY, By DAN BERGER, Times Wine Writer, RUTHERFORD, Calif., LEAD: Here, from the alluvia loam of the Napa Valley floor, the prototypal California red wine is made. It is Cabernet Sauvignon, the state's greatest achievement in wine making to date, Esc for ATtention, Home to Switch * Capture Off * Numeric

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it is best seen in the pioneer of the variety, Beaulieu Vineyard., Column

11. Copyright (c) 1988 The Washington Post, February 3, 1988, Wednesday, Final Edition, FOOD; PAGE E1; WINE, 1840 words, The Most Royal of the Reds; Crowning the Best Cabernet Sauvignons, Craig Goldwyn, Special to The Washington Post, LEAD: Cabernet sauvignon is the king of red wine grapes. Some may make a case for pinot noir, but the facts are that there are more great wines made from cabernet in the world than from any other grape, and that it is produced in more wine regions in both hemispheres than any other premium red grape., COLUMN

12. Copyright (c) 1987 The Times Mirror Company; Los Angeles Times, December 13 1987, Sunday, Home Edition, Sports; Part 3; Page 13; Column 1; Sports Desk, 732 words, NBA ROUNDUP; JORDAN DOES MORE THAN SCORE IN BULLS' 112-103 VICTORY OVER ROCKETS, By DAN HAFNER, LEAD: While Michael Jordan was breezing to the scoring title last season with the highest average (37.1) in more than two decades, there were a few detractors., Game Story

13. Copyright (c) 1987 The Washington Post, September 30, 1987, Wednesday, Final Edition, FOOD; PAGE E1; WINE, 1414 words, The Price Is Right; Superb Vintages for Less Than \$ 6 a Bottle, Ben Giliberti, Special to the Washington Post, LEAD Remember when a great wine cost \$ 5.99. Ford was introducing a new car called the Mustang. The president, Lyndon B. Johnson, was baring his scars to the Esc for ATtention, Home to Switch * Capture Off * Numeric

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world. The Senators, the baseball team, had returned, never again to depart, i was said., FEATURE

✓ 14. Copyright (c) 1987 The Times Mirror Company; Los Angeles Times, August 2, 1987, Sunday, Home Edition, Magazine; Page 38; Magazine Desk, 687 words, ON WINE: REUNION AT INGLENOOK; WINERY AGAIN ISSUES PRESTIGE CABERNET, By ROBERT LAWRENCE BALZER, LEAD: IN MORE THAN two centuries of wine making in California there has been no more controversial figure than the late Martin Ray of Saratoga. But the wines that Ray made in the historic Paul Masson La Cresta Vineyard and, later, higher up in those same Santa Cruz Mountain vineyards at Mt. Eden, confirmed his often-declared truth that "fine wines exist" in certain soils., Column

15. Copyright (c) 1987 The Washington Post, June 10, 1987, Wednesday, Final Edition, FOOD; PAGE E4, 745 words, West Coast Tastes Come East, Ben Giliberti, LEAD: Late spring is a slow time in the vineyards, so vintners from prominent California and Oregon wineries seized a golden opportunity to unleash a barrage of exciting new releases on curious Washington palates at several major introductory tastings recently., FEATURE

16. Copyright (c) 1987 The Washington Post, February 18, 1987, Wednesday, Final Edition, FOOD; PAGE E1; WINE, 1616 words, The Australian Challenge, Ben Esc for Attention, Home to Switch * Capture Off * Numeric

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Giliberti, Special to the Washington Post, LEAD: Australians are fierce competitors who relish playing David to the world's Goliaths. No wonder Crocodile Dundee conquered New York. And even if Dundee's yachting countrymen ultimately relinquished their hold on the America's Cup, they proved once again that they can jib and tack with the best of them., COLUMN

✓ 17. Copyright (c) 1987 The Washington Post, January 21, 1987, Wednesday, Final Edition, FOOD; PAGE E1; WINE, 1537 words, Bench Mark Cabernets, Ben Giliberti, Special to the Washington Post, LEAD: Dust is flying once again in Rutherford. In recent years, California's winemakers have brooded in silence as their once loyal followers have come to know cigar box aromas from Pauillac, leather and tobacco tastes from Graves, spicy perfume from Margaux and the distinctive gou de terroir ("taste of the soil") of the other great Bordeaux regions of, COLUMN

18. Copyright (c) 1986 The Washington Post, October 20, 1986, Monday, Final Edition, METRO; PAGE D1, 1107 words, Child Support Arrests Slow; Backlog of Warrants Alarms D.C. Officials, Elsa Walsh, Washington Post Staff Writer, LEAD: When a District bus driver was hauled into a D.C. Superior courtroom recently on charges of failing to pay child support, the arresting police officer was at his side. She also happened to be the mother of his child., DC NEWS

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19. Copyright (c) 1984 The New York Times Company; The New York Times, March 7, 1984, Wednesday, Late City Final Edition, Section C; Page 1, Column 5; Living Desk, 1508 words, CALIFORNIA VINEYARDS LURE FOREIGN MONEY, By FRANK J. PRIAL, LEAD: IT'S not often that a lot of people get together in a place like the Four Seasons to celebrate an invasion. They did yesterday, but there wasn't a traitor in the lot. Writers, wine experts and wine industry figures, they gathered to celebrate the release of Opus One, the new wine created, if that's the word, through the combined efforts of Robert Mondavi, of Oakville, Calif., and Philippe de Rothschild, of Paris and Pauillac,

20. Copyright (c) 1984 The Washington Post, January 8, 1984, Sunday, Final Edition, Food; Flashes in the Pan; L4, 180 words, Cooking Classes East and West By Phyllis C. Richman, MAGIC

21. Copyright (c) 1982 The New York Times Company; The New York Times, March 24 1982, Wednesday, Late City Final Edition, Section C; Page 12, Column 1; Living Desk, 464 words, NAPAMEDOC AUCTION OFFERING WILL NOT BE REPEATED IN JUNE, By Terry Robards, LEAD: A further offering of the California wine that brought a record price of \$24,000 for a case of 12 bottles at the Napa Valley Wine Auction last June will not be made at the Napa auction this year, according to a spokesman for the Robert Mondavi Winery, which produced the record-setting wine

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22. Copyright (c) 1981 The Washington Post, November 19, 1981, Thursday, Final Edition, Food; E1, 2550 words, California Cuisine; The Latest--Pizza With a French Connection; The Coastal Cooking Cult, By Phyllis C. Richman

23. Copyright (c) 1981 The Washington Post, August 2, 1981, Sunday, Final Edition, Book World; Hawkins On Wine; Pg. 41, 530 words, In WINES, AUCTIONS DON'T ALWAYS MEAN BARGAINS, Jo Hawkins

24. Copyright (c) 1981 The New York Times Company; The New York Times, June 10 1981, Wednesday, Late City Final Edition, Section C; Page 1, Column 1; Living Desk, 1015 words, IN THE UNITED STATES, A COTTAGE INDUSTRY, LEAD:

----- Eunice
Fried is a freelance food and wine writer. By EUNICE FRIED

25. Copyright (c) 1981 The New York Times Company; The New York Times, May 17, 1981, Sunday, Late City Final Edition, Section 1; Part 2; Page 63, Column 1; Society Desk, 323 words, Miss Zeeman, Eric T. Deane Are Married, LEAD: Andrea Lily Zeeman, daughter of Joan Javits Zeeman of Larchmont, N.Y., and John Huibe Zeeman 3d of Monroeville, Pa., was married yesterday to Eric Taylor Deane, son of Mr. and Mrs. Thomas Deane of New York. The Rev. William A. Weisenbach, vice president of the New York Theological Seminary, performed the nondenominational ceremony in the garden at Mrs.

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OAKVILLE W/10 WINE

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1. Copyright (c) 1989 Newsday, Inc.; Newsday, May 31, 1989, Wednesday, NASSAU AND SUFFOLK EDITION, FOOD; ON WINE; Pg. 15 Other Edition: City Pg. 13, 576 words Stretching Rules On Burgundy., ROBERT SCHOOLSKY, WINE; COLUMN, LEAD: STORIES THAT growers in Burgundy are producing more than they're supposed to, thus violating the strict regulations about overproduction, circulate constantly through the wine world.

2. Copyright (c) 1989 Chicago Tribune Company; Chicago Tribune, May 25, 1989, Thursday, NORTH SPORTS FINAL EDITION, FOOD GUIDE; Pg. 12; ZONE: S, 212 words, Napa appellations sought, San Francisco Examiner, SAN FRANCISCO, LEAD: If Napa Valley winemakers have their way, four newly designated wine-growing areas will become familiar names to wine lovers.

3. Copyright (c) 1989 The New York Times Company; The New York Times, May 17, 1989, Wednesday, Late City Final Edition, Section C; Page 12, Column 3; Living Desk, 399 words, A Table Wine for Big Spenders, By HOWARD G. GOLDBERG, LEAD: THE 1985 Opus One, a Napa Valley red wine produced by the Baron Philippe de Rothschild organization and the Robert Mondavi Winery, is arriving in wine stores across the United States. It is the seventh vintage released, and a recent tasting suggests it is the best yet.

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4. Copyright (c) 1989 Chicago Tribune Company; Chicago Tribune, April 27, 1989, Thursday, NORTH SPORTS FINAL EDITION, FOOD GUIDE; Pg. 5E; ZONE: C, 242 words, Napa Valley seeks 4 new appellations, By Carla Marinucci, San Francisco Examiner SAN FRANCISCO, LEAD: If Napa Valley winemakers have their way, four newly designated wine-growing areas will become familiar names to wine lovers.

5. Copyright (c) 1989 The Times Mirror Company; Los Angeles Times, April 5, 1989, Wednesday, Home Edition, Business; Part 4; Page 3; Column 1; Financial Desk, 345 words, PURCHASERS OF MONDAVI FUTURES FACE WINDFALL, By BRUCE KEPPEL, Times Staff Writer, LEAD: While Paul Masson, the 19th-Century California wine pioneer, vowed that he would "sell no wine before its time," Robert Mondavi, his 20th-Century counterpart, did just the opposite two years ago by selling some of his best wines before their time.

6. Copyright (c) 1989 The New York Times Company; The New York Times, April 5, 1989, Wednesday, Late City Final Edition, Section C; Page 1, Column 2; Living Desk, 2636 words, Savory Marriages Made in California, By MARIAN BURROS, LEAD: THROUGHOUT California's wine country, food is becoming an integral part of vineyard life. From Calistoga to Yountville and beyond, wineries are sponsoring food and wine symposiums and food and wine contests. They are opening cooking schools and restaurants, and each year the vintners are entertaining more and more guests at luncheons and dinners prepared by resident chefs to showcase

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their wines.

7. Copyright (c) 1989 The Times Mirror Company; Los Angeles Times, March 23, 1989, Thursday, Home Edition, Food; Part 8; Page 34; Column 1, 1495 words, ABOUT WINE: TIGHTENING THE SCREWS ON TANNIN, By DAN BERGER, Times Wine Writer LEAD: The tannin found in most red wines has been the bugaboo of wine evaluato: for decades. Many wine evaluators ignore it. They make believe it's not there, or they alibi for the wine by saying the wine has "ample tannin to age well.", Column

8. Copyright (c) 1989 The New York Times Company; The New York Times, March 15 1989, Wednesday, Late City Final Edition, Section C; Page 14, Column 3; Living Desk, 923 words, WINE TALK, By Frank J. Prial, LEAD: THE three best-known red wine regions of France are Bordeaux, Burgundy and the Rhone Valley. The best r wines of California have been fashioned after the wines of Bordeaux and to a lesser extent Burgundy.

9. Copyright (c) 1989 The Financial Times Limited; Financial Times, February 21 1989, Saturday, WEEKEND FT; Pg. XX, 1272 words, Diversions; Franco-American Ventures In The Vineyard, Edmund Penning-Rowsell

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10. Copyright (c) 1989 The New York Times Company; The New York Times, Februar 10, 1989, Friday, Late City Final Edition, Section D; Page 4, Column 1; Financial Desk, 403 words, COMPANY NEWS; U.S.-French Wineries In Stock-Swap Accord, By LAWRENCE M. FISHER, Special to the New York Times, SAN FRANCISCO, Feb. 9, LEAD: In a marriage of a California wine maker with one of the France' most prestigious vineyards, Chalone inc. and Domaines Barons de Rothschild sai today that they had agreed to invest in each other.

11. Copyright (c) 1988 Guardian Publication, Ltd.; Manchester Guardian Weekly, October 30, 1988, LE MONDE; Pg. 16, 697 words, Claret faces some up-market competition from California, By Jean-Yves Nau, October 22

12. Copyright (c) 1988 The Times Mirror Company; Los Angeles Times, April 28, 1988, Thursday, Home Edition, Food; Part 8; Page 35; Column 1, 1742 words, ABO WINE: AFTER AN IDENTITY CRISIS, BELVEDERE WINERY GETS A NEW IMAGE AND LABEL, DAN BERGER, Times Wine Writer, LEAD: Wineries change . . . , Column

13. Copyright (c) 1987 The New York Times Company; The New York Times, Novembe 22, 1987, Sunday, Late City Final Edition Correction Appended, Section 10; Pag 9, Column 1; Travel Desk, 2153 words, California Spa Town With an Earthy Touch By RITA D. JACOBS; RITA D. JACOBS, an English professor at Montclair State College, was the editorial and research coordinator for "A Day in the Life of

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America," published last year by Collins., LEAD: SEVENTY-FIVE miles north of San Francisco, Mount St. Helena looms over the northern Napa Valley town that the Wappo Indians called "Colaynomo," or "oven place," because underground heat warmed the local hot springs.

14. Copyright (c) 1987 The Times Mirror Company; Los Angeles Times, November 8, 1987, Sunday, Home Edition, Magazine; Part 2; Page 58; Magazine Desk, 2199 word COOKING & ENTERTAINING WITH STYLE; CONNOISSEURS' CHOICES, By ROBERT LAWRENCE BALZER, Balzer writes a wine column for Los Angeles Times Magazine., LEAD: Our 14th-annual wine tasting -- of Cabernets and Chardonnays at Alexander Valley Vineyards -- uncovered some surprising but highly satisfying selections

15. Copyright (c) 1987 The Times Mirror Company; Los Angeles Times, August 16, 1987, Sunday, Home Edition, Magazine; Page 26; Magazine Desk, 905 words, ON WINE: THE SWEET LIFE AT FAR NIENTE; A FORMER OKLAHOMA NURSERYMAN AND GUIDED-MISSILE PHYSICIST MAKES WORLD-CLASS CHARDONNAYS AND CABERNETS IN THE NAP VALLEY, By ROBERT LAWRENCE BALZER, LEAD: THERE IS SOMETHING wistfully charming about both the sound and the meaning of the old Italian phrase, dolce far ni. I has been translated, with poetic freedom, to mean "the good life, sweet, without a care." Far Niente was already the name of the 60-acre Napa Valley vineyard when John Benson, an uncle of American painter Winslow Homer, bought it in 1870
Column

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LEVEL 1 - 28 STORIES

16. Copyright (c) 1987 The New York Times Company; The New York Times, March 11 1987, Wednesday, Late City Final Edition, Section C; Page 10, Column 3; Living Desk, 559 words, MONDAVI WILL OFFER A FUTURES PROGRAM, By FRANK J. PRIAL, LEAD: PAY now, drink later. That is the message Michael Mondavi delivered in New York Monday when he announced a new futures program for the Robert Mondavi Winery. Between mid-March and the end of April, the winery will offer some of the best red wine from 1985 and 1986 for advance purchase.

17. Copyright (c) 1986 Crain Communications, Inc.; Advertising Age, April 7, 1986, SPECIAL REPORT; Wine & Beer Marketing; Pg. S-7, 1371 words, What's in a name?, By Richard Paul Hinkle; Richard Paul Hinkle is wine columnist for the Sa Francisco Examiner and San Diego Tribune, and is the author of "The Napa Valley Wine Book."

18. Copyright (c) 1984 The New York Times Company; The New York Times, June 6, 1984, Wednesday, Late City Final Edition, Section C; Page 15, Column 1; Living Desk, 859 words, WINE TALK, By Frank Prial, SONOMA, Calif., June 3, LEAD: It's few minutes before 10 A.M. on a typical spring day and the first tour buses are pulling into the parking lot at the Sebastiani Winery in this town 60 miles north of San Francisco. The passengers alight. They are elderly women in blue-rinsed hair and pastel pants suits, their male counterparts in sport shirt and bolo ties.

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LEVEL 1 - 23 STORIES

19. Copyright (c) 1986 The Washington Post, October 5, 1986, Sunday, Final Edition, WASHINGTON POST MAGAZINE; PAGE W84; GLASS ACT, 893 words, Palatable Wines, Pumped-Up Prices, James Conaway, LEAD: American wine competitions have proliferated so that wine bottles are beginning to resemble the chests of Balka generals. The medals awarded are not limited to bronze, silver and gold; they include platinum, and even "double gold." It is a poor wine indeed that can't pick up some kind of medal somewhere, in one of hundreds of tasting skirmishes around the country., REVIEW

20. Copyright (c) 1986 The Washington Post, September 3, 1986, Wednesday, Final Edition, FOOD; PAGE E1; WINE, 1600 words, Plotting The \$ 100 Binge, Ben Giliberti, Special to The Washington Post, LEAD: Last year, a successful wine buying strategy for getting good value could have been summed up rather succinctly: buy French. This year, the plan will have to be a bit different., FEATURE

21. Copyright (c) 1986 The Washington Post, July 2, 1986, Wednesday, Final Edition, Food; E3, 448 words, Dominus Lot Is Tops At Napa Wine Auction, By Ben Giliberti, Special to The Washington Pos, ST. HELENA, Calif., DOMINU

22. Copyright (c) 1986 The Washington Post, May 11, 1986, Sunday, Final Edition Washington Post Magazine; Pg. 29, 513 words, Conaway on Wine; CABERNETS WORTH Esc for Attention, Home to Switch * Capture Off * Numeric

LEVEL 1 - 23 STORIES

THE COST, James Conaway, WINE

23. Copyright (c) 1982 The New York Times Company; The New York Times, August 29, 1982, Sunday, Late City Final Edition, Section 6; Page 64, Column 1; Magazine Desk, 1114 words, Wine; Enjoying Martha's (California) Vineyard, By Terry Robards, LEAD: She is dressed all in crisp cotton, a purple and white checked blouse and a lavender cotton skirt, and she is seated at a wooden picnic table near a rectangular swimming pool set in an expanse of lawn. Nearby is an arbor festooned with jasmine, and the fragrance hangs in the warm afternoon of the Napa Valley here in northern

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LEVEL 1 - 28 STORIES

26. Copyright (c) 1981 The New York Times Company; The New York Times, April 19 1981, Sunday, Late City Final Edition, Section 1; Part 2; Page 39, Column 1; Society Desk, 300 words, Miss Zeeman Will Be Bride Of Eric Deane, LEAD: Andrea Lily Zeeman and Eric Taylor Deane plan to be married on May 16 in Larchmont, N.Y.

27. Copyright (c) 1981 The Washington Post, March 1, 1981, Sunday, Final Edition Washington Post Magazine; Wine; Pg. 25, 620 words, THE AMERICAN ROTHSCHILD, Jo Hawkins

28. Copyright (c) 1978 The Washington Post, August 20, 1978, Sunday, Final Edition, The Washington Post Magazine; Richman on Restaurants; Pg. 44, 230 words, Eagle Wine & Cheese 3345 M St. NW. 333-6655., Phyllis C. Richman

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Copyright (c) 1988 The Washington Post

February 3, 1988, Wednesday, Final Edition

SECTION: FOOD; PAGE E1; WINE

LENGTH: 1840 words

HEADLINE: The Most Royal of the Reds;
Crowning the Best Cabernet Sauvignons

BYLINE: Craig Goldwyn, Special to The Washington Post

BODY:

Cabernet sauvignon is the king of red wine grapes. Some may make a case for pinot noir, but the facts are that there are more great wines made from cabernet in the world than from any other grape, and that it is produced in more wine regions in both hemispheres than any other premium red grape.

Most of the great red bordeaux wines from the prestigious Medoc region are blends with cabernet responsible for 75 percent or more of the blend. Among them are Cha_teaux Lafite-Rothschild, Latour, Mouton Rothschild and the reigning Esc for ATtention, Home to SWitch * Capture Off * Numeric

(c) 1988 The Washington Post, February 3, 1988

king of bordeaux, Cha_teau Margaux.

Cabernet is widely planted in the United States, with some stunning examples occasionally being made in Washington state and Maryland as well as California. But year in and year out, Napa Valley demonstrates that it has the best climate and soil in the U.S. for this preeminent red wine.

Recently 223 cabernets from eight states were pitted against each other in the cabernet sauvignon category of the American Wine Competition. Sixty percent of the wines winning silver medals or better came from California's Napa Valley. Wines from Washington state won one silver and one bronze medal, Maryland wines won two bronzes, and Virginia won one bronze. Shut out of the medal winning were Oregon, New York, New Jersey and North Carolina.

Although the top wines were excellent, most of the tasters, including this one, were not as overwhelmed by the entire field of wines as a group as we have been impressed with recent tastings of French bordeaux or even American chardonnays. Most of us were bothered by the powerful tannin in most of the wines, a harsh, powdery tactile sensation that is common in great young reds. Tannin is a good sign if one plans to age the wine because this natural product of the grape skins, seeds and barrels acts as a preservative.

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But tannins can obliterate the essence of grape extract in the flavor, sometimes called the "fruit" of the wine. The best young reds have sturdy tannin, and obvious fruit to stand up to it. Many of the judges felt, however, that with the exception of a few at the top, most of these American cabernets, all now available on the U.S. market, are just too young and harsh, and some even questioned if they would ever smooth out.

With five wines entered from four different vintages, Sequoia Grove Winery of Napa Valley won an unprecedented four medals: the only platinum medal awarded, and three of the 19 gold medals. This was the second time a Sequoia Grove cabernet has won top honors in the American Wine Competition. Surely Sequoia Grove Vineyards has established itself as one of America's finest wineries.

The Best American Cabernet Sauvignon award, with 96 of 100 possible points, went to Sequoia Grove's 1985 Estate Bottled, Napa Valley. It was described by the judges as "a powerhouse that still maintains an elegant balance of components. The nose is still tight but shows minty, cedary qualities and some vanilla and toast. On the palate, a marvelous rush of deep, rich, cabernet fruit is well supported with acidity and perfectly complemented with oak. Medium-high tannin calls for five or more years of aging, though the fruit flavors are tempting now." Two thousand sixty-four cases were produced, and the wine's price is \$ 16 at the winery. It should be arriving in the East soon, and the price

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will probably be slightly higher.

Another Sequoia Grove wine, its 1985 Napa County, tied for second place. Its 1984 Napa Valley and 1983 Napa/Alexander Valley also won golds. This follows a series of gold medal Sequoia Grove cabernets in the 1983, 1984 and 1986 American Wine Competitions, as well as a platinum and Best American Cabernet Sauvignon award in the 1984 judging. Clearly this winery is the reigning champion of American cabernet.

Sequoia Grove's rustic, 1860 barn-cum-winery is located in the shadow of a grove of towering redwoods. Here the Allen family set up shop in 1978. James Allen is the wine maker and general manager; his brother Steven manages the 24-acre estate vineyard. Four other family members work at the winery.

The location is Napa Valley's " Rutherford Bench, " long regarded as one of the best subregions for cabernet in Napa Valley. Beaulieu Vineyards, another fine cabernet producer, borders the property on the north. The Robert Mondavi Winery, home of more fine cabernets, is across the road.

A few cabernet grapes are also purchased from the Stag's Leap Vineyards, sometimes from the St. Regis Vineyards (both in Napa County) and from Redwood Ranch Vineyards in the Alexander Valley in neighboring Sonoma County.

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(c) 1988 Financial Times, October 8, 1988

What is extraordinary to most European fine-wine growers, whose production comes exclusively from their own delimited property, is that part - and often most - of a California winery's output will come from grapes bought-in not only locally but from properties perhaps hundreds of miles south. Single vineyards - of which Joe Heitz's, Martha's and Bella Oaks probably are known most widely - are rare, although on the increase.

Some well-known properties in Napa - such as Trefethen, which owns 600 acres of vines - may also sell grapes as well as marketing wines under their own label; in addition, there is a trend towards branded wine such as Phelps' Insignia, Trefether's Eschol, Mondavi Rothschild's Opus One and Moueix's Dominus.

The speed with which a new estate can achieve success is typical. Whereas Europeans are rather cagey about new wines (it took Rioja about 10 years to establish itself in the UK) it is chic in the US to serve wines from "the new kid on the block." Publicity is secured by awards at fairs, tastings, and recommendations by newsletters and wine writers (who carry much more clout than they do in Britain, particularly Robert Parker).

In this context, some of the old, big names of the '60s such as Bellevieu, Charles Krug, Inglenook and Louis Martini, who between them made the best

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(c) 1988 Financial Times, October 8, 1988

Cabernet-Sauvignon, have fallen behind in public esteem. How the new wineries will maintain their momentum is another matter, for there are too many names on wine store shelves already.

This structure rules out any prospect of adopting the French or Italian controlled appellation systems. There is, nevertheless, a trend towards what might be called appellisation. Increasingly, wineries are not content just to have county or valley names on their labels; instead, they are supporting a new official designation of "viticulatural areas" which have to be approved by a curiously-named government agency, the Bureau of Alcohol, Tobacco and Firearms (BATF).

Sonoma led the way and has 11 while Napa has three, although Carneros covers both counties. Some of these viticultural areas are political, such as Sonoma County and Napa Valley, but most represent geographically-determined districts such as Alexander Valley, Russian River and Dry Creek Valley in Sonoma, and Howell Mountain in Napa. The most organised viticultural area is Carneros, dating from 1983; the Carneros Quality Alliance now includes 50 wineries, among them the new Taittinger sparkling wine property, Domaine Carneros. Its managing director and wine-maker, Eileen Crane, is president of the group, which released a 1985 Carneros Pinot Noir under the Alliance label recently.

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There is no doubt that the trend towards viticultural area appellations will continue; in Napa, other names under discussion include Mount Veeder, Spring Mountain, Mount Diamond, Rutherford Bench and Oakville. Although there are no restrictions on the grape varieties employed, on yields, or on how the wines are made, 85 per cent of grapes in a designated area must have come from within that area.

A traditional rivalry exists between Napa and Sonoma; the former is credited generally with producing the best Cabernet-Sauvignons, the latter the finer Chardonnays. With so much experimentation going on, though, such generalisations mostly are invalid (and, anyhow, arguably the best California Cabernet-Sauvignon is made at the Ridge Montebello winery, 2,600 ft above sea level in the Santa Cruz mountains south of San Francisco).

Despite all this prosperity, there are fears it will not last. In recent California wine history, boom has been followed by bust. The first real boom, in which the qualities of its wines were recognised seriously and widely, occurred in 1977 with the release of the fine 1974 vintage. It was at that time that California wines began to appear on other-than-specialist lists in Britain. Then, the dollar rose against the franc and a record crop in 1982 resulted in reduced prices, a drop in sales, and a slump that led to wineries changing hands or being re-financed. In addition, widespread publicity for the fine 1982

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August 29, 1982, Sunday, Late City Final Edition

SECTION: Section 6; Page 64, Column 1; Magazine Desk

LENGTH: 1114 words

HEADLINE: Wine;
Enjoying Martha's (California) Vineyard

BYLINE: By Terry Robards

BODY:

She is dressed all in crisp cotton, a purple and white checked blouse and a lavender cotton skirt, and she is seated at a wooden picnic table near a rectangular swimming pool set in an expanse of lawn. Nearby is an arbor festooned with jasmine, and the fragrance hangs in the warm afternoon air of the Napa Valley here in northern California.

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(c) 1982 The New York Times, August 29, 1982

'I prefer red wines -they're more fun,' says Martha May, perhaps the most famous woman in the world of American wine, although few people know her last name and even fewer have ever met her or spoken with her. She is the Martha of Martha's Vineyard, one of the best patches of cabernet sauvignon grapes in the nation.

The vines surround the swimming pool and the nearby house, and the property slopes gently uphill from the eucalyptus trees along Lincoln Creek toward the Mayacamas Mountains, which make up the western boundary of the Napa Valley. Cool nights contrast with hot, sunny days, enabling the grapes to achieve the near-perfect ripeness needed to make wines of superb flavor.

In an unusual combination of talents, Martha and her husband, Thomas May, intensely private people who shun publicity, grow the grapes here and sell all of them to Joe Heitz, who turns them into wine at Heitz Cellars, across the valley in St. Helena. It has been that way each year since the Mays produced their first commercial crop in 1966.

When connoisseurs speak of the best American red wines, they invariably mention the Heitz Martha's Vineyard, a cabernet that is lush with fruit, that is complex, spicy and minty, vintage after vintage. (It has no connection with the island called Martha's Vineyard that lies off the coast of Massachusetts.)

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(c) 1982 The New York Times, August 29, 1982

It was the Heitz Martha's 1974 that the White House chose to accompany President Reagan to Paris to be served at a state dinner at the American Embassy during the European summit conference last June.

The 1974 was a bench-mark vintage in California, but Joe Heitz makes superior wine every year from Martha's grapes. It is the minty quality that sets the wine apart from other great cabernets, yet the origins of this special flavor remain a mystery.

'We've discussed this at great length, but we honestly don't know the answer,' says Tom May. 'I don't think it's the eucalyptus,' he quips, 'but Martha does throw a few eucalyptus pods into the gondolas as they go through the gate.' He adds that there is no truth to the rumor that he and Martha have the only eucalyptus press in the Napa Valley.

Joe Heitz also has been unable to solve the mystery of the mint. 'I don't know where it comes from,' he says. 'If I did, I'd reproduce it in other areas.'

Tom May says the mystery has to do with the soil. Martha's Vineyard lies at the northern end of the so-called Rutherford Bench on the west side of the valley, a geological structure that runs southward toward Yountville. All
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(c) 1982 The New York Times, August 29, 1982

along the bench, the soil is regarded as superior for cabernet.

Tom, a former teacher in Santa Barbara County, and Martha, whose family grew citrus fruits and avocados in southern California, bought the original 12 acres of their vineyard in 1962 from Dr. and Mrs. Bernard Rhodes, who had planted the vines in 1960 but never harvested a commercial crop.

The Mays bought 28 more acres and planted them in 1968-69, half in cabernet sauvignon and half in riesling in anticipation of a need for white-wine grapes. At that point, nobody knew that Martha's Vineyard would regularly produce such extraordinary cabernet sauvignon.

Earlier this year, the riesling vines were eliminated and cabernet sauvignon was grafted onto the stalks, potentially increasing cabernet production by 14 acres. Now Martha's Vineyard consists of 40 acres of cabernet in all, with the final 14 acres likely to bear their first commercial crop in three to four years.

The yield from the vines is modest by Napa Valley standards, amounting to as little as three-quarters of a ton of grapes per acre in some vintages and never more than two tons - compared with the average of 3.4 tons for the Napa region as a whole. The Mays keep the yield low by paring their vines religiously. Low
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(c) 1982 The New York Times, August 29, 1982

yields result in greater flavor intensity.

The Mays also do not irrigate their vines. They installed a drip irrigation system during the drought of 1976-77, but it has never been used because the roots of the vines are so deep that they have always proved capable of extracting sufficient moisture from the soil.

Nevertheless, production fell off sharply during the drought, and Joe Heitz was able to produce only 32,400 bottles in the 1977 vintage, compared with about 55,000 in a normal year. (This amount will expand by roughly one-third when the newly grafted plot comes on stream.)

The arrangement by which the Mays sell their production exclusively to Heitz Cellars is a throwback to the more relaxed days prior to the American wine boom. "It's done with a handshake - there's no written contract," says Tom May.

The price paid by Heitz Cellars is not disclosed, although it is widely assumed to be the highest in the nation for cabernet sauvignon grapes, and possibly the highest in the world. This means somewhere above \$2,000 a ton. "It's very secret," says Tom May.

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(c) 1982 The New York Times, August 29, 1982

But Joe Heitz gets top prices for the wine from Martha's Vineyard - for example, \$60 a bottle at the winery for the 1974 vintage, which can be found in some restaurants for \$150 and up.

"I was one of the early ones who started charging what wine was worth," he recalls. "People said it's only California wine. I said taste it -that's what it's worth."

Joe Heitz, who worked for Gallo and Beaulieu Vineyard in his early years, also was among the first in this country to name individual bottlings after the vineyards that produce the grapes, so long as the wine is exceptional. Besides Martha's Vineyard, Heitz Cellars produced a Fay Vineyard cabernet through the 1978 vintage and it still makes a Bella Oaks cabernet from grapes grown by the same Dr. and Mrs. Rhodes who planted the first 12 acres of Martha's Vineyard.

Heitz Cellars also produces chardonnay and grignolino as well as generic chablis and burgundy. But there is nothing like the Martha's Vineyard cabernet, with the mysterious minty flavor that seems to come from the soil tilled by Tom and Martha May above Lincoln Creek in the Mayacamas foothills.

STEVEN GUARNACCIA

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Copyright (c) 1988 The Times Mirror Company;
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February 18, 1988, Thursday, Home Edition

SECTION: Food; Part 8; Page 50; Column 1

LENGTH: 1166 words

HEADLINE: ABOUT WINE: BEAULIEU VINEYARD REFLECTS COMPLEXITY, EARTHINESS OF THE NAPA VALLEY

BYLINE: By DAN BERGER, Times Wine Writer

DATELINE: RUTHERFORD, Calif.

BODY:

Here, from the alluvial loam of the Napa Valley floor, the prototypical California red wine is made. It is Cabernet Sauvignon, the state's greatest achievement in wine making to date, and it is best *seen in the pioneer of the variety, Beaulieu Vineyard.*

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(c) 1988 Los Angeles Times, February 18, 1988

Beaulieu, BV to its friends, has made classically structured wine from the Cabernet grape for more than a century, and its strength in the 1980s is that it hews to a house style that rarely varies, except for minor vintage variations. It is a style that emphasizes the warmth, herbal complexity and lean earthiness of this region.

A Richer Style Emerged

In recent years, however, a bigger, richer, more concentrated style of Cabernet has captured the fancy of wine lovers. Usually produced from mountain-grown grapes, wines of this style are tannic and astringent, and, in my view, age erratically. Some improve; many die a painful death while still in youth.

BV could have adopted this brawny style, but has assiduously avoided it, partly for fear of alienating the loyalties. Meanwhile, Cabernets like Dunn Vineyards, William Hill, Diamond Creek, and Mayacamas win applause and are in great demand.

I heard a wine maker recently say, "If they (wine lovers) want big chewy wines, maybe I ought to give it to them." And I shuddered at the thought of more tannic monsters wilting stemware.

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(c) 1988 Los Angeles Times, February 18, 1988

Thank goodness the Hess Collection Winery came along to assuage my feelings, and to convince me that Cabernet producers aren't all being led down a dead end street. Tasting the first three vintages of Hess wines, I was drawn to the style that wine maker Randle Johnson has fashioned: very concentrated fruit flavors hinting at berries and cassis, unlike the more delicate, herbal, nuanced BVs.

A key thread linking these two most different wines is finesse. The Hess wines are harder than BVs, but both are far more approachable than so many other new, "hot" Cabernets. And wine makers for both wineries say they both aim to avoid the harsh tannins that can produce a hard edge and teeth-jarring astringency.

That thin link between these wines runs against the dissimilarities, which are obvious.

For one thing, BV grows its best Cabernet in the valley floor, in an area called the Rutherford Bench, which has been compared with the greatest growing regions of France. Hess gets all its grapes from volcanic soil on rocky, steeply sloped Mt. Veeder to the west and south of here. There, the soil yields far more deep, dark, opaque wines.

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#7

December 11, 1988, Sunday, Late City Final Edition

SECTION: Section 6; Page 108, Column 1; Magazine Desk

LENGTH: 1020 words

HEADLINE: WINE;
A Corker of a Salesman

BYLINE: By FRANK J. PRIAL

BODY:

A couple of famous cork sniffers showed up -Andre Tchelistcheff, for example, and Maynard Amerine and Tom Selfridge - but the rest were salesmen and they had come to honor one of their own. Legh F. Knowles, chairman of Beaulieu Vineyard and one of the best wine salesmen of them all, was packing it in.

Most of the men at the Four Seasons Clift Hotel, in San Francisco, bore titles such as chairman, or president, of one company or another, but like Mr. Esc for Attention, Home to Switch * Capture Off * Numeric

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Around the time Mr. Knowles joined the winery, Beaulieu hired a succession of prominent wine makers: Joe Heitz, the founder of Heitz Cellars, and himself a producer of great cabernet; Mike Grgich, now of Grgich-Hills; Richard Peterson, now with the new Atlas Peak winery, and Thomas Selfridge, now president of Beaulieu.

Beaulieu Vineyard was acquired by Heublein Inc. in 1969.

Heublein currently is a subsidiary of International Distillers and Vintners, which in turn is owned by Grand Metropolitan Ltd. Initial concerns that corporate types would tinker with Beaulieu proved mostly unfounded. Still, Mr Knowles often relates how Marquise de Pins wept when she announced the sale to Heublein.

Beaulieu makes other wines, both red and white, but since Mr. Tchelistcheff's time, the emphasis has been on cabernet sauvignon, especially cabernet made from grapes grown on the legendary Rutherford Bench, across the road from the winery in the Napa Valley.

Through the 1970's and early 1980's, when America was going through the white-wine revolution, Mr. Knowles and Beaulieu concentrated resolutely on reds Mr. Knowles once explained; 'I'm not arguing with those who like white wine.

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Manchester Guardian Weekly

October 30, 1988

SECTION: LE MONDE; Pg. 16

LENGTH: 697 words

HEADLINE: Claret faces some up-market competition from California

BYLINE: By Jean-Yves Nau

DATELINE: October 22

BODY:

WITH THE single European internal market on the way, France's wine-growing community continues to scare itself with the thought of the coming tidal wave of Spanish wines. Two recent events have come as a sharp reminder to wine-lovers that there are also countries far away from Europe which have long been striving to make quality wines. The two events both underlined France's quite symbolic position in international winemaking and the ambiguous relations that foreign

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(c) 1988 Manchester Guardian Weekly, October 30, 1988

lovers of France's wine culture have with this country.

The first was a somewhat sacrilegious ceremony that took place in the Chateau Mouton-Rothschild's cathedral-like winery in Pauillac. It was a more American than Bordeaux ceremony in honour of the partnership which has bound the house of Philippe de Rothschild to the famous American wine broker, Robert Mondavi, since 1979, an association which has produced Opus One. No one, or practically no one, in France has heard of this wine which is grown in the Oakville-Rutherford Bench region of California's Napa Valley.

More than 10,000 cases of Opus One are produced every year and the growers say they are planning to "attack the European market." Fifty-five hectares planted in Bordeaux fashion (85 per cent Cabernet-Sauvignon, 10 per cent straight Cabernet and 5 per cent Merlot), new oak barrels and the wine precipitated using egg-white (3,000 eggs, American, of course, used every year) Opus One's producers make no secret of their intention to turn their young Californian product into, if not the inaccessible Mouton-Rothschild's first cousin, at least the twin brother of the best that the Medoc produces in top-grade wine (F350 (L35) -- a bottle, retail price, 1985 vintage).

Are they about to attain their goal? The monumental meal and wine-tasting session on October 12 unfortunately did not permit giving a categorical

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LEVEL 1 - 4 OF 21 STORIES

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April 13, 1989, Thursday, Home Edition

SECTION: Food; Part 8; Page 25; Column 1

LENGTH: 532 words

HEADLINE: WINE NOTES: BRITISH CONCERN PLANS TO BUY BORDEAUX HOUSE

BYLINE: By DAN BERGER, Times Wine Writer

BODY:

Allied-Lyons, the British brewer and distiller, has announced plans to acquire Chateau Latour, one of France's finest top Bordeaux houses.

Allied-Lyons has had a 25.2% stake in Chateau Latour for 26 years and now aims to acquire the 53.5% held by Pearson, the conglomerate that owns the Financial Times of London, for \$94.4 million in cash.

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(c) 1989 Los Angeles Times, April 13, 1989

Now that the controversial Stag's Leap appellation fight is over and that name has been approved for wines coming from an area in the southeastern sector of the Napa Valley, a new appellation application has been filed with the government and it figures to create at least as much controversy.

Applications were submitted recently to the Bureau of Alcohol, Tobacco and Firearms to certify regions called Rutherford and Oakville. And within each of the areas, the applications seek approval for smaller regions called Rutherford Bench and Oakville Bench.

It is Rutherford Bench that may cause problems, say growers and wineries, who say defining the boundaries of just what is benchland and what is not is at the heart of the problem.

For years, wine lovers have heard there is a special quality to Cabernet Sauvignons of the Rutherford area, and an even more special quality to Cabernet of the Rutherford Bench. But until now no one has known precisely where the boundaries of this "bench" are located.

Said Phyllis Van Kriedt, writing in the California Wineletter, "The filing . . . is already causing plenty of controversy in the (Napa) Valley."

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May 17, 1989, Wednesday, Late City Final Edition

SECTION: Section C; Page 12, Column 3; Living Desk

LENGTH: 399 words

HEADLINE: A Table Wine for Big Spenders

BYLINE: By HOWARD G. GOLDBERG

BODY:

THE 1985 Opus One, a Napa Valley red wine produced by the Baron Philippe de Rothschild organization and the Robert Mondavi Winery, is arriving in wine stores across the United States. It is the seventh vintage released, and a recent tasting suggests it is the best yet.

At \$52.95 for a regular-sized bottle in New York City - \$317.70 for a six-bottle wooden case - Opus One may well be the most expensive red table wine made in America. H. Stuart Harrison Jr., the project manager, explained why.

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(c) 1989 The New York Times, May 17, 1989

ery

proliferated in recent years. The '85, '84 and '82

One reason for the high quality of the '85 is that the vintage is widely considered Napa's finest. A second reason is that the wine makers, Patrick Leon of Chateau Mouton-Rothschild, in the Medoc, and Tim Mondavi, have been refining their Opus One style year by year.

The lustrous, ruby-colored '85 possesses an elegant ripe cassis bouquet and flavor. The varietal character of cabernet sauvignon grapes (90 percent of the blend) dominates the taste, which is heightened by 4 percent cabernet franc and softened by 6 percent merlot.

Tannic and still not wholly ready for drinking, the '85 is well knit, firm and velvety. It shows restrained oak and vanillin flavors from the new French barrels used to age the wine for 17 months. Properly stored, it is likely to mature handsomely for years. About 11,300 cases of the '85 vintage - the most in any year - were made at the Mondavi winery. Most of the grapes are grown in an

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FRANCISCAN
OAKVILLE ESTATE



August 28, 1989

Mr. Robert L. White
Specialist, Beer & Wine Branch
Bureau of Alcohol, Tobacco & Firearms
1200 Pennsylvania Avenue N.W.
Washington, D. C. 20226

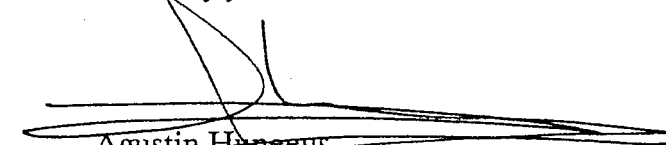
Ref.: Application for Rutherford/Oakville Bench Appellation -- Napa Valley

Dear Mr. White:

Following my letter to you of July 27th, and your suggestions as per your letter dated August 3rd, I wish to register my opposition to the requested Rutherford Bench/Oakville Bench Appellation proposal. My opposition is based on the following:

1. The term "bench" has never been utilized to denominate any area of Oakville. The Rutherford Bench has been used only very recently and only at the instigation of the proponents of the "bench" appellation. It is a term that denotes a geophysical phenomenon that does not exist in the area which it proports to designate.
2. While there are many different areas within the Napa Valley Appellation, there are no consistent differences between the Oakville and Rutherford areas, and there are certainly no differences between the proposed "bench" area of Rutherford and the "bench" area of Oakville.
3. The boundaries, as proposed, have no true meaning except to include some growers and vintners who form part of the group that is requesting the appellation.
4. A large group of growers and vintners of the area is conducting a serious soil study to prove the inadequacy of the proposed appellation.

Sincerely yours,


Agustin Hancus
President

GIRARD



WINERY

August 29 1989

Mr. Robert White
BATF Wine and Beer Division
1200 Pennsylvania Ave. NW
Washington, D.C. 20226

Dear Mr. White,

I hereby protest the proposed Oakville Bench and Rutherford Bench appellations. This proposal was conceived to allow the proponents to increase wine prices. It does not pass the test of viticultural distinctiveness required for BATF approval.

SOIL

The Napa Valley is a long narrow bowl. Over the ages, soil has eroded from the hills and deposited in the center of the valley near the Napa river. The hillsides are generally well drained, shallow, rocky soils whereas the center of the valley has deep, rich, poorly drained soils. Generally the hillsides yield less fruit but with more complexity whereas the valley floor yields more fruit but with less complexity. The proposed bench appellations make little sense since they basically cut the valley in half; the half a bowl that ranges greatly in soil from thin, well drained to deep, heavy soils. Even cursory examination bears this out. The BATF should take a 15 minute walk across the proposed bench to see that this is so. Has the BATF done this?

CLIMATE

The climate of the Napa Valley varies as you go up and down it. In summer the marine influence from San Francisco Bay cools the south part of the valley and temperatures rise as you go north. The proposed benches go east to west. There is no temperature variance running east to west.

HISTORICAL

Proponents used their PR departments to create press on the Rutherford Bench, then used this press in their justification to the BATF. My inspection revealed that all the press included in their proposal was generated AFTER the filing of the proposal. Therefore, the BATF should disregard this in your decision.

QUALITATIVE

Proponents have attempted to establish in the press that the proposed benches are superior to the non-benches. BATF approval would be confirmation of this erroneous qualitative claim.

COVERAGE

Proponents have proposed appellations covering the full width of the valley, yet have no members who own property exclusively on the east side of the valley. Is it possible to establish appellations for neighboring areas without these neighbors approval?

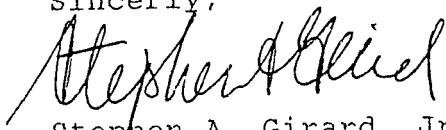
BENCH AS A NAME

Benches have always been raised level areas on the hillsides. Hunters referred to benches because there the deer rested between night feeding trips to the valley floor. The proposed benches descend to 123 feet above sea level at the Oakville crossroad, or the lowest point in the valley. How can a bench be the lowest spot in the valley? Since the non-bench runs from 123 feet above sea level to 400 feet, it is possible to stand anywhere in the non-bench area and look down at the bench. This is misleading and will only serve to confuse the consumer.

It is obvious to me that the proposed bench appellations were created solely to increase wine prices by creating the misconception that grapes grown in the bench are better than those grown outside the bench. This proposal is the result of greed, not the result of grape growers trying to highlight an area with viticultural distinctiveness.

I am in the process of gathering additional proof that this proposal is political and not based on the criteria required by the BATF. In that the proponents have had several years to submit their proposal, I request sufficient time to document my findings.

Sincerely,



Stephen A. Girard, Jr.
President

ROBERT WHITE
Bureau of ATF
Washington, DC 20226

August 8, 1989

Dear Robert,
Attached is a written description of each numbered picture I took on the helicopter ride we took over the Napa Valley a few months ago. I tried to be explicit as I could in the descriptions but it isn't easy. It would probably help if you had a good map of the area showing the roads and the wineries.

Assume that Hwy. 29 runs directly north and south.

I made the Raymonds a copy of the petition for their use.

Let me know if I can be of further help.

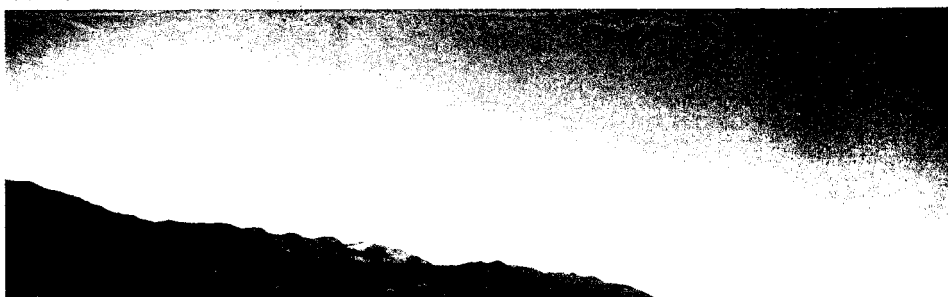
George

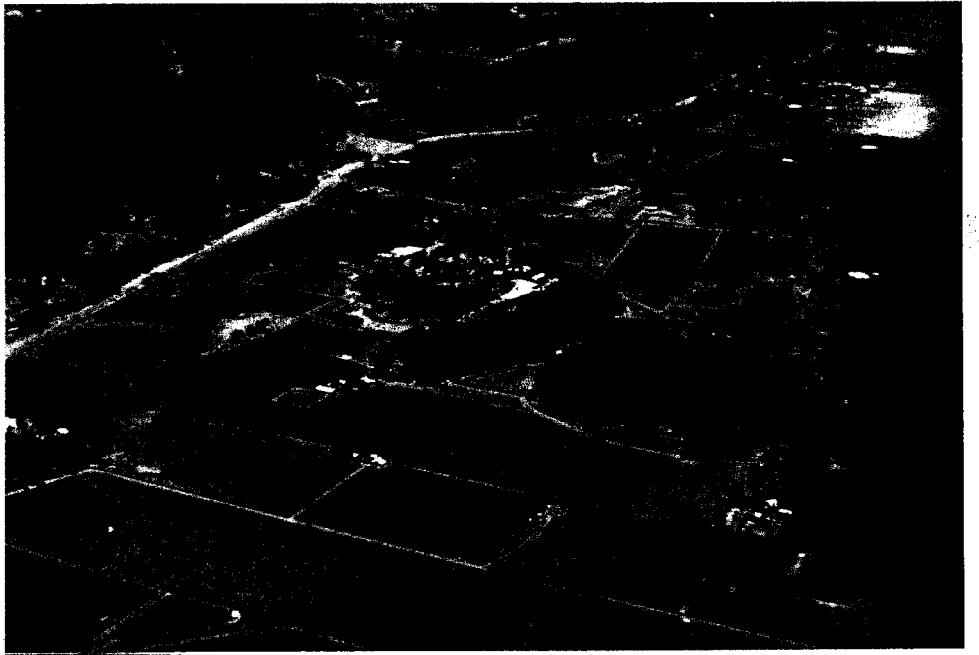
DESCRIPTIONS OF AIR PHOTOS OVER NAPA VALLEY

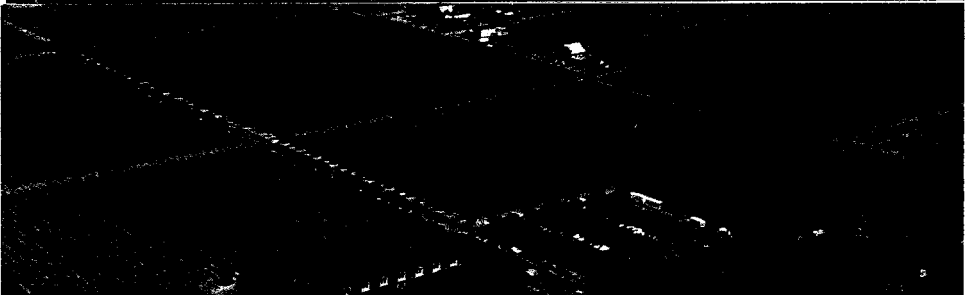
<u>Picture No.</u>	<u>Description</u>
1.	Northern side of Robert Mondavi Winery looking south down Hwy. 29.
2.	Look west at the intersection of Zinfandel Lane and Hwy. 29 with Raymond Winery in the left center and Floral Springs Winery at the end of Zinfandel Lane in the foothills - the northern boundary of Rutherford Bench.
3.	Looking west. The large building with the white roof is Beaulieu Vyd. and directly across Hwy. 29 and back off the road is Inglenook. I think the chopper hanger is the little white building south of the trees in the lower left side of the picture - on Rutherford Crossroad.
4.	Yountville Hills just north of the town of Yountville looking south-east across Hwy. 29.
5.	Crossing over the northern end of the Yountville Hills looking north with Hwy. 29 on the left. I think the area where the tree line runs north and leaves the hills is where we could not follow the boundary because of the dogs in the yard.
6.	Same as above except we are looking north-west instead of north as in picture #5.
7.	Looking at the south-east side of Sterling Vyd. from a position over the Silverado Trail. Hwy. 29 curves along the tree line from the left (south) side of the picture and fades out of sight at the top right (north) side of the picture. Dunaweal Lane crosses in front of the two blue holding ponds in the top center of the picture. The low building with the peaked roof is Clos Peageas Winery.
8.	Looking west to the Mayacamus Mtns. The winery with large brown roof is C. Mondavi and Sons. Directly across Hwy. 29 and nestled in the hill side is Christian Bros. Greystone Cellars.
9.	Looking down at the east side of Sterling Vyd. with Hwy. 29 running along the top of the picture.
10.	Looking south down the Valley. Sterling is out of sight at the bottom left. One can see how the Valley narrows north of the city of St. Helena.
11.	Looking east at Christian Bros. St. Helena plant (the large cluster of buildings with the white and silver roofs) and Louie Martini Winery south of there on the same side of Hwy. 29.

12. Looking at the north-west side of Inglenook Vyds. The road running to the top left corner of the picture leads to Hwy. 29.
13. The west side (back side) of Robert Mondavi Winery with Hwy. 29 crossing from left to right thru the middle of the picture.
14. Looking down on the front (east) side of Far Niente Winery just south of the Oakville Grade.
15. Looking at the city of St. Helena from the south-~~west~~^{east}. Hwy. 29 runs directly thru the center of the picture,
16. Various vineyards west of the city of St. Helena on Spring Mountain.
17. Looking east and slightly north over the abandoned vineyards behind Chateau Napa Beaucaanon. Across Hwy. 29 is Franciscan Vyds. The next driveway north from Ch. Napa Beaucaanon is Bernard Skoda's place. His winery is in the square clump of trees west of his house. This is where the boundary line cuts across the Hwy.
18. Same general area as in the picture above. We were circling around the abandoned vineyard area behind Chateau Napa Beaucaanon - the green roofed building in the center of the picture.
19. More of the same general area as in #17 and #18 above. I think we parked on the Hwy. near the clump of trees and you and the others crossed the road where the green line heads directly for the white buildings in the background. Hwy. 29 cuts directly across the picture. Look at the difference in the vineyards in the picture! Some of that could be because of the age of the vines, etc. but it could also be because the soils are different.
20. Winery under construction on Oakville Crossroad. Looking south and a little west at the north-east side of the Yountville Hills.
21. Robert White exits the aircraft after another grueling mission over the hazardous Napa Valley. Count the bullet holes!
22. Northern end of the Yountville Hills looking west. The creek marked by the trees leaves the hills and runs north-west back to the Mayacamas Range near Martha's Vineyard. I think the house we had the conference in is on the hill north of the split in the line of trees.

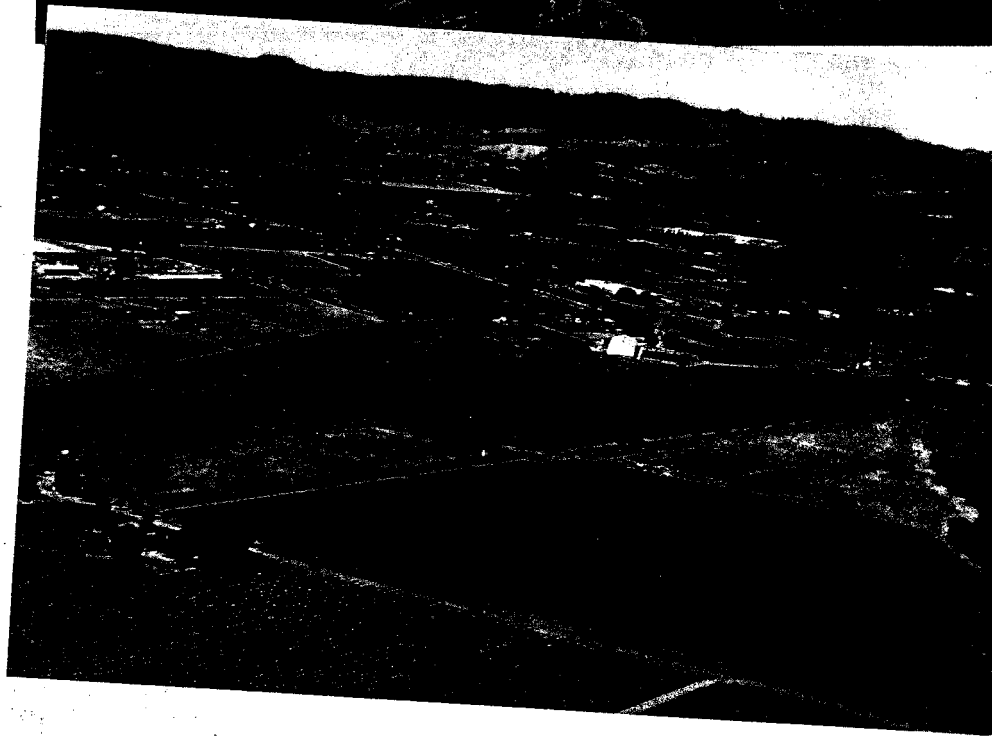
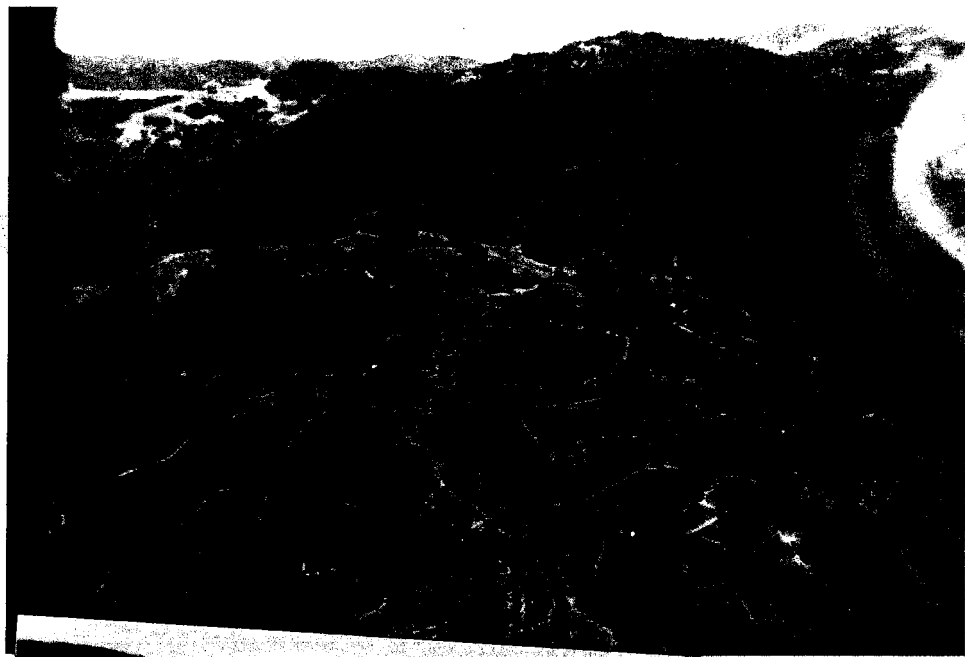


















DEPARTMENT OF GEOGRAPHY

DAVIS, CALIFORNIA 95616

(916)752-8559/0790

22 November 1989

Mr. Robert White
FAA, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

RE: Rutherford, Oakville, Rutherford Bench and Oakville Bench
Viticultural Areas

Dear Mr. White:

I am pleased to provide you with some additional information on the soils of the proposed Rutherford-Oakville-Rutherford Bench-Oakville Bench viticultural areas. I believe these materials, in addition to my soils report submitted by the Appellation Committee as part of the original petition, clearly show that soils can be consistently identified and mapped in Napa Valley through knowledge of the soils geomorphology of the area. These soil differences are relevant viticulturally and can be used in the delimitation of viticultural areas.

I would like to preface my statements with a reminder to you that the USDA-Soil Conservation Service's soils taxonomy and resolution of soils mapping has changed dramatically during this century. The resolution of the mapping of Napa Valley's soils has increased from the 1938 survey (and the old Marbut soil classification scheme) to the newer 1977 survey (using the new 7th Approximation system of soil classification) to my more detailed depiction of Napa Valley's soils based on our increased understanding of the environmental history of the valley and the importance of soil parent material and time as soil-forming factors. The existence of a Napa County soil survey published in 1977 leads many agriculturalists and engineers to at least initially believe this classification and mapping of soils to be the most accurate available information. It is important to point out, however, that this mapping was done in the early 1960s solely from the perspective of broad-scale agriculture along the valley floor. Very few soil pits and trenches were excavated in this work. As I

have excavated and analyzed well over 200 soil trenches in Napa Valley's vineyards, my view of the soils is at a higher resolution than the SCS maps. I believe there are many more soil types (or potential soil series) in Napa County than the Napa County soil survey depicts. My perspective is also from a geographical and geological viewpoint, as my broadly based research across the State of California deals with the evolution of the landscape (with soils a part of this landscape) over time. One of my primary concerns in Napa Valley is how these soils will influence plant growth, fruit production, and potentially wine composition.

A geomorphic (landscape) surface of a given age will have soils of the same type across it. This is because soil formation is controlled by five factors (known as the soil-forming factors; see p. 93 of the Soil Survey of Napa County, California and standard soil texts): climate, biota (plants and animals), parent material, relief (topography) and time. As noted in the Appellation Committee's petition, much of the variation of soil types in Napa County is due to variation in the parent material and time factors. Different soil types will be derived from sedimentary bedrock versus volcanic bedrock, whether or not these soils are upland residual soils (with weathering and soil formation in place or *in situ*) or transportation/depositional soils (with soil formation beginning once river or other sediments are deposited). Alluvial soils of different ages (old versus young) will also differ significantly.

On any particular geomorphic surface (such as the Rutherford Bench fan or the Rector Canyon fan), the parent material, relief and time factors are held constant. Because of this, soils and geomorphic mapping go hand in hand (hence the field of soils geomorphology). Soils are usually mapped according to geomorphic surfaces or units. Thus an alluvial fan or an active river floodplain or a stable bedrock ridge will be dominated by one soil type, and by one soil series.

In Napa Valley, a number of alluvial fans of various lithologies, textures, and sizes emerge from tributary watersheds towards the Napa River. Although it is possible that two or more of these fans could have the same primary soil type (series) across them if they were formed during the same time interval from watersheds of similar lithologies and structures, tremendous contrasts between the soils on different fans are seen in Napa Valley. This contrast is most obvious between the western and eastern valley slopes where marine sedimentary versus volcanic bedrock dominates, respectively. The soil scientist then expects to find one soil series on fans derived from sedimentary bedrock and another on fans derived from volcanic bedrock.

The Napa County Soil Survey lists and defines soil series that depict these differences. According to their soil series definitions and descriptions (p. 8), Bale series soils are "somewhat poorly drained soils on alluvial fans, flood plains, and low terraces." They form from "alluvium derived from rhyolite and basic igneous rock." [Note: The only basic igneous rock in Napa Valley is

serpentine.] According to the geological maps of Napa Valley, Bale soils should dominate the alluvial fans on the entire eastern side of the valley (east of the Napa River) and in the northern valley near Calistoga.

In contrast, Pleasanton series soils form from "alluvium derived from sedimentary rock" (p. 31) and are "well drained soils on alluvial fans." All of the Pleasanton soils are also noted to be loams, with no clay loams listed as for the Bale series. Pleasanton soils should dominate the central and southern portions of the western Napa Valley floor, according to the geology of the area.

The Bale and Pleasanton soils are thus very different physically and chemically, with these soil differences influencing the vigor or lack of it in all plants. The Bale soils are classified as Xerolls and the Pleasanton as a Xeralf, indicating a tremendous difference in soil chemistry and structure. This influences the viticultural potential of these soils, particularly as the Xerolls (e.g. Bale series) contain silica at some depth which cements the soil and restricts rooting depths.

As was noted in my earlier report, the Rutherford Bench fan, the Oakville Bench fan, the Rector Canyon fan, and the Conn Creek fan complex are all distinct geomorphic surfaces. The two attached federal flood insurance maps for Napa County clearly depict the river floodplain and bordering fans. The age and size of these fan surfaces is a function of climatic change, basin lithology and structure, and basin size, all of which vary among these four major drainage basins, accounting for the differences in these fan surfaces and the soils that have developed on them. Soils on these fans are identified and mapped as follows:

- (1) The Rutherford Bench fan is a single, large alluvial fan deriving largely from the Bear Canyon creek watershed west of Rutherford. Its primary parent material is the marine sedimentary Franciscan formation. This bedded material is easily weathered into pebble and gravel size clasts. According to the SCS soil classification and the text in the Napa County soil survey, these soils should be Pleasanton where moderately drained and Cole where somewhat poorly drained. The data from sampled soils in my previously submitted soils report notes that according to USDA-SCS soil classification regulations, these must be classified as Pleasanton clay loams.
- (2) The Oakville Bench fan is a fan complex issuing from the mountains west of Oakville and is composed primarily of marine sedimentary rocks of the Great Valley sequence (formation). As the bedding and structure of these rocks is not totally unlike that of the adjacent Franciscan Formation, they too provide abundant gravel and pebble size particles, and according to the Napa County soil survey, these soils should also be Pleasanton and Cole.
- (3) The Rector Canyon fan east of the Napa River is formed from volcanic clasts of rhyolite (primarily), dacite and andesite flushed out of the deeply incised canyon. These volcanics weather primarily to sand and clay size fragments,

and will form sandy clay to eventually clay loam soils. According to the Napa County soil survey, these should be Bale loam and clay loam soils, which they are mapped as, along with Cortina stony stringers. Although soils here do not match the description from the representative (but somewhat atypical) profile given for the Bale series (p. 8), they still best fall within the Bale series as defined in the survey. What is a typical Bale soil in Napa Valley is very questionable, as the representative profile is very different from many other places along the valley floor.

- (4) The Conn Creek fan complex is an interfingering sequence of Conn Creek and Napa River sediments with fan sediments. The primary mapped units on this complex are the Cole silt loam and the Pleasanton loam, although the parent material is mixed, with volcanics and sedimentary rocks in the upper part of the Conn Creek watershed above present Lake Hennessey. I have not encountered any soils here in my field research that I would consider Pleasanton. I have sampled Cole silt loams, Yolo loams, Boomer gravelly loams and Perkins loams from this region. Soil diversity here is very high. There are many buried soils in this region, increasing viticultural diversity.

In conclusion, I believe the fans and the floodplains and their associated soils can be reliably mapped in the Rutherford-Oakville area and that the distinctions in soils and geomorphology east and west of the Napa River are viticulturally relevant. The Rutherford Bench, Oakville Bench, Rector Canyon and Sulphur Canyon fans are such dominant, significant geomorphic surfaces in the area that they have controlled the location of the Napa River in recent time. Their soils differ as they are distinct geomorphic units, providing different viticultural environments.

Our understanding and mapping of Napa Valley soils will no doubt continue to be finer-tuned in the future, and the Appellation Committee with my assistance intends to continue its research on soils and soils nomenclature. The existing SCS soils map, based on soils sampling in the early 1960s, shows distinct east-west soil differences. Our analysis will build on that work and go further. If I can provide you with additional information, do not hesitate to contact me.

Sincerely,


Deborah L. Elliott-Fisk
Associate Professor

cc: Mr. Pat Garvey, Appellation Committee

UNIVERSITY OF CALIFORNIA, DAVIS

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SANTA BARBARA • SANTA CRUZ

DEPARTMENT OF GEOGRAPHY

DAVIS, CALIFORNIA 95616

Mr. Robert White
FAA, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

Dear Mr. White:

I will be in Washington D.C. from February 3 - 9 (as a member of a National Science Foundation panel) and would like to meet with you if possible. I am available Monday, Tuesday or Friday Feb. 9 all day.

As you may know, I am involved in a lot of viticultural research in California and specialize in the geography of vineyards (from an ecological and geological perspective) and the influence of soils on wine composition. I have read many of the viticultural area petitions (and will do more of this during my visit) and served as a consultant on the Stags Leap District (Napa Valley) petition and the Rutherford-Oakville-Rutherford Bench-Oakville Bench petition. Richard P. Mendelson (wine and beverage attorney) is a close associate of mine.

I would be happy to discuss the Rutherford-Oakville petition with you in a confidential manner, if you'd find that useful, or any other viticultural area issues. I am doing this as an educator who wants to help the ATF learn more about geography and viticulture to improve the viticultural area approval processes.

If you could phone (916-752-8559) or FAX (916-752-6363) me Friday about an appointment, I'd appreciate it. I've had no luck reaching you on the phone, but will keep trying. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Deborah L. Elliott-Fisk'.

Deborah L. Elliott-Fisk
Associate Professor



DEPARTMENT OF GEOGRAPHY

DAVIS, CALIFORNIA 95616


(916)752-8559/0790

Mr. Robert White
Chief
FAA - Wine and Beer Board
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 385
Washington, D.C. 20044-0385

Attn.: Rutherford Bench Viticultural Area

Dear Mr. White:

I have been asked by the Rutherford Bench Appellation Committee to provide you with some additional information on the viticultural soils of the proposed Rutherford-Oakville-Rutherford Bench-Oakville Bench viticultural areas. Our academic quarter has just begun, and I am teaching two full courses and two group studies this term. As such, it will take me a little while to prepare this additional report. I hope to provide you by the end of the month with information that clearly shows that soil types (e.g., series, such as the Napa County Pleasanton loams and Bale clay loams) can be consistently identified and mapped in Napa Valley and in particular in the Rutherford and Oakville area through knowledge of the soils geomorphology of the area.

Sincerely,

Deborah L. Elliott-Fisk
Associate Professor

cc: Mr. Pat Garvey

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VS100

GIRARD



WINERY

March 13, 1990

Run 3/20/90
Mr. Stephen Higgins
Director
Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, N.W.
Room 4000
Washington, D.C. 20044-0385

Dear Mr. Higgins,

The Napa Valley Vintners Association, of which I am a member, feels that the unchecked proliferation of subappellations within Napa Valley will harm the image of the Napa Valley and will only confuse the wine drinking public. We believe that appellation requests based on narrow self-interests rather than on viticultural distinctiveness are harmful instead of beneficial.

We are working on ways to help the BATF make the AVA program even more meaningful. In the meantime, we have requested that you declare a moratorium on all new appellations within the Napa Valley until we have had time to investigate this problem and propose solutions for your review.

We will have to live with the appellations that are established forever. I urge you to help us by immediately granting this moratorium.

Best Regards,

Stephen A. Girard
President

SAG/cfw

HOWARD G. DICKENSON
JOSEPH G. PEATMAN
WALTER J. FOGARTY, JR.
DAVID W. MEYERS
C. RICHARD LEMON
FRANCIS J. COLLIN, JR.
DAVID B. GILBRETH
CHARLES H. DICKENSON
PAUL G. CAREY
RICHARD P. MENDELSON
PAUL A. NEUMILLER
FRANK G. TOLLER
XAVIER A. M. LAVOPIERRE
CATHY A. ROCHE
JONATHAN P. DYER

DICKENSON, PEATMAN & FOGARTY
A PROFESSIONAL LAW CORPORATION
809 COOMBS STREET
NAPA, CALIFORNIA 94559-2977
TELEPHONE 707 252-7122

OF COUNSEL
JAMES D. BOITANO
ROGER D. PETERSON

TELECOPIER
707 255-6876

August 24, 1990

Mr. Robert White
Bureau of Alcohol, Tobacco & Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

Re: Oakville Viticultural Area

Dear Mr. White:

I am responding to your recent inquiry to Mr. Pat Garvey regarding the southern boundary of the proposed Oakville viticultural area. Yesterday I walked this boundary and believe that any uncertainty or confusion can be removed by a clearer boundary description rather than a change in the boundary itself. The unimproved dirt road which leads from the Napa River to Conn Creek Levee still exists and is now paved between the two groups of homes and outbuildings. Beyond that point the road remains unimproved and serves to separate two distinct vineyards and parcels. This is the boundary feature on which we rely to describe the southern boundary.

For greater clarity, we would recommend that the specific boundaries of the Oakville viticultural area (nos. 9 and 10 at page 26 of the petition submitted on March 8, 1989) be revised as follows:

9) Proceed due east to the 300-foot contour, then follow that contour line around the Yountville Hills to the north to the eastern edge of the Rutherford quadrangle at 122°22'30".

10) Proceed northeasterly (N27° 00'E) past the Napa River, onto and along an unimproved dirt road to the intersection of Conn Creek and Rector Creek, then along Rector Creek to the east past Silverado Trail and onto and along the road leading to the southwest corner of Rector Reservoir.

There are no vineyards between the 300' contour of the Yountville

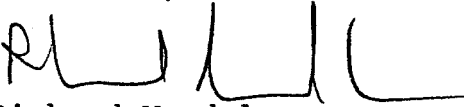
Mr. Robert White
August 24, 1990
Page 2

Hills and the unimproved dirt road. There are, however, vineyards to the north and south of the unimproved dirt road. This distinct road separation also divides two parcels as shown on the attached parcel map.

Please let us know if you have any further questions concerning this boundary or any other portion of the petition.

Sincerely,

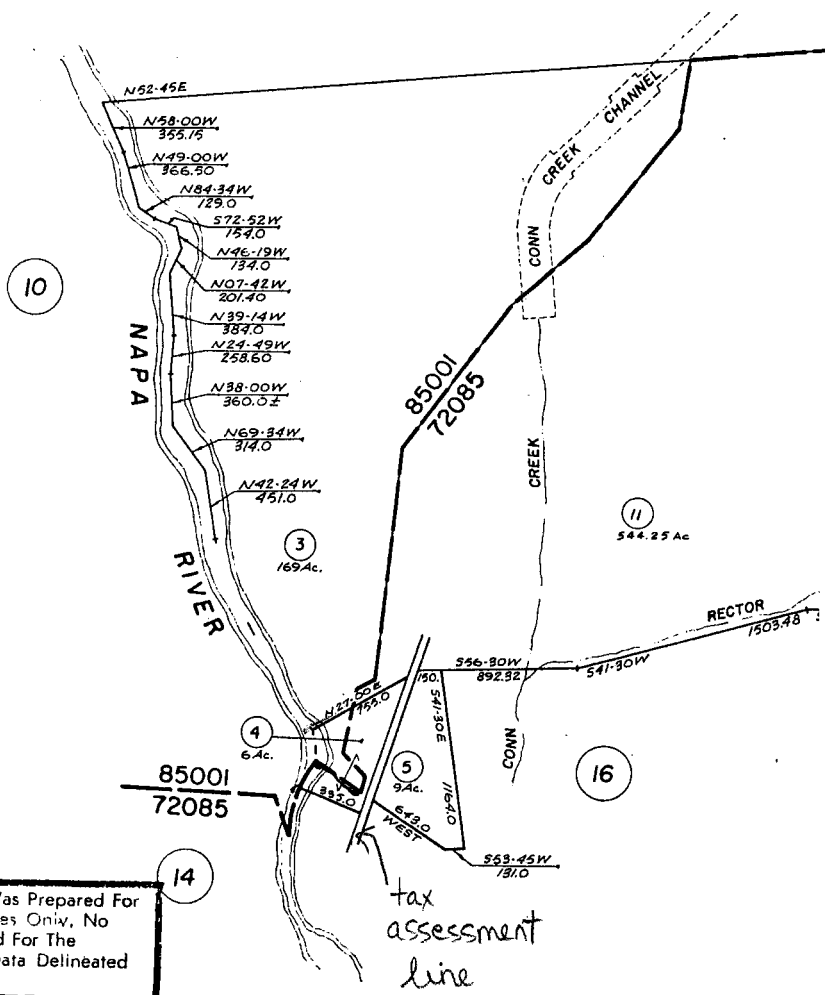
DICKENSON, PEATMAN & FOGARTY



Richard Mendelson

RPM:srw
Enclosures

08



NOTE: This Map Was Prepared For Assessment Purposes Only, No Liability Is Assumed For The Accuracy Of The Data Delineated Hereon.

Assessor of Napa County
REVISIONS 1969



CAYMUS RANCHO RM BK I PG 75

accounting for bad debts to regulatory accounting. The temporary regulations affect banks that have made or intend to make an election under § 1.166-2(d)(3). The text of the temporary regulations also serves as the comment document for this notice of proposed rulemaking.

DATES: Written comments and requests for a public hearing must be received by November 30, 1992.

ADDRESSES: Send comments and requests for a public hearing to Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Attn: CC:CORP:T:R (FI-49-92), room 5228.

FOR FURTHER INFORMATION CONTACT: Bernita L. Thigpen, 202-622-4016 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The temporary regulations published in the Rules and Regulations portion of this issue of the *Federal Register* amend § 1.166-2(d)(3) of part 1 of Title 26 of the Code of Federal Regulations (CFR). For the text of the new temporary regulations, see T.D. 8441, published in the Rules and Regulations portion of this issue of the *Federal Register*. The preamble to the temporary regulations explains the regulations.

Special Analysis

It has been determined that these proposed rules are not major rules as defined in Executive Order 12291. Therefore, a Regulatory Impact Analysis is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) and the Regulatory Flexibility Act (5 U.S.C. chapter 6) do not apply to these regulations, and, therefore, an initial Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, these regulations will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on their impact on small business.

Comments and Requests for a Public Hearing

Before these proposed regulations are adopted, consideration will be given to any written comments that are timely submitted (preferably a signed original and eight copies) to the Internal Revenue Service. All comments will be available for public inspection and copying in their entirety. A public hearing will be scheduled and held upon written request by any person who submits written comments on the proposed rules. Notice of the time and

place for the hearing will be published in the *Federal Register*.

Drafting Information

The principal author of the proposed regulations is Bernita L. Thigpen, Office of the Assistant Chief Counsel (Financial Institutions & Products), Internal Revenue Service. However, other personnel from the Service and Treasury Department participated in their development.

Proposal of Regulations

The temporary regulations (T.D. 8441), published in the Rules and Regulations section of this issue of the *Federal Register*, are hereby also proposed as final regulations under section 166 of the Internal Revenue Code of 1986.

Shirley D. Peterson,
Commissioner of Internal Revenue.
[FR Doc. 92-23916 Filed 10-1-92; 9:45 am]
BILLING CODE 4830-01-M

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 756; Re: Notice Nos. 728, 729 and 738]

RIN 1512-AA07

Oakville and Rutherford Viticultural Areas; Public Hearings

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

ACTION: Notice of public hearings on two proposed rules.

SUMMARY: This notice announces the time and place of public hearings to be held by the Bureau of Alcohol, Tobacco and Firearms concerning the establishment of two viticultural areas in Napa County, California, to be known as "Oakville" and "Rutherford." In Notice Nos. 728 and 729 (56 FR 47039 and 47044), published in the *Federal Register* on September 17, 1991, ATF detailed a proposal for the establishment of these two viticultural areas and requested comments. Due to the extent and controversy of the comments received, ATF published another notice, Notice No. 738 (57 FR 14681), in the *Federal Register* on April 22, 1992, which reopened the comment periods for the proposed Oakville and Rutherford viticultural areas. In consideration of the continued controversy expressed in the comments to Notice No. 738 concerning the boundaries of the two areas, ATF has determined that the public interest

would be best served by the holding of public hearings on these matters. The purpose of the hearings is to gather additional information and to receive evidence with respect to the establishment of these viticultural areas, the proposed boundaries, and other possible boundaries.

DATES: The hearing for Rutherford will be held on December 9, 1992, beginning at 9 a.m. The hearing for Oakville will be held on December 10, 1992, beginning at 9 a.m. Persons desiring to make oral comments at the hearings should submit a letter notifying ATF of their intent to comment on or before November 9, 1992.

ADDRESSES: The hearings will be held in the conference room at the Inn at Napa Valley, 1075 California Boulevard, Napa, California 94559.

Letter notifications and written comments are to be submitted to: Chief, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221, Attn: Notice No. 756.

FOR FURTHER INFORMATION CONTACT: Robert White, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226, (202) 927-8230.

SUPPLEMENTARY INFORMATION:

Background

On September 17, 1991, ATF published two notices of proposed rulemaking, Nos. 728 and 729 (56 FR 47039 and 47033), in the *Federal Register*. In the notices, proposals were made for the establishment of two viticultural areas in Napa County, California, to be known as "Oakville" and "Rutherford."

As specified in Notice No. 728, the proposed Oakville viticultural area is located just north of the town of Yountville, and approximately 10 miles northwest of the city of Napa. In very general terms, the proposed Oakville boundary goes as far north as Skellenger Lane, as far east as the 500-foot contour line on the western side of the Vaca Mountain Range, as far west as the 500-foot contour line on the eastern side of the Mayacamas Mountain Range, as far south as approximately one mile northwest of the town of Yountville.

As specified in Notice No. 729, the proposed Rutherford viticultural area is located just south of the city of St. Helena and approximately 12 miles northwest of the city of Napa. In very general terms, the proposed Rutherford boundary goes as far north as Zinfandel Lane, as far east as the 500-foot contour line on the western side of the Vaca Mountain Range, as far west as the 500-foot contour line on the eastern side of

operators may modify the slide assembly of the rudder power control valve. The actions would be required to be accomplished in accordance with the service bulletin described previously.

There are approximately 1,950 McDonnell Douglas Model DC-9 and DC-9-80 series airplanes, MD-88 airplanes, and C-9 (Military) airplanes of the affected design in the worldwide fleet. (The previously issued AD affected 120 McDonnell Douglas Model DC-9-80 series airplanes and Model MD-88 airplanes.) The FAA estimates that 1,150 airplanes of U.S. registry would be affected by this proposed AD. (The previously issued AD affected 60 U.S. registered airplanes.) The FAA estimates that it would take approximately 1 work hour per airplane to accomplish the proposed inspection requirement, and approximately 2 work hours per airplane to accomplish the proposed inspection and modification requirements. The average labor rate is \$55 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be between \$63,250 and \$126,500. (This is an increase over the total cost of the previously issued AD of between \$59,950 and \$123,200; however, the cost per airplane remains approximately the same.) This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-8006 (56 FR 41058, August 19, 1991), and by adding a new airworthiness directive (AD), to read as follows:

McDonnell Douglas: Docket 92-NM-142-AD. Supersedes AD 91-18-03, Amendment 39-8006.

Applicability: Model DC-9 and C-9 (Military) airplanes; as listed in McDonnell Douglas DC-9 Alert Service Bulletin A27-327, Revision 1, dated March 9, 1992; and Model DC-9-80 series airplanes and Model MD-88 airplanes; as listed in McDonnell Douglas MD-80 Alert Service Bulletin A27-317, Revision 2, dated May 22, 1992; certificated in any category.

Compliance: Required as indicated, unless accomplished previously. To prevent loss of rudder control, accomplish the following:

(a) For airplanes on which the retention nut on the slide assembly of the rudder power control valve has not been inspected in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-327, dated December 2, 1991; or McDonnell Douglas MD-80 Alert Service Bulletin A27-317, dated June 17, 1991, or Revision 1, dated January 14, 1992, or Revision 2, dated May 22, 1992: Within 90 days after the effective date of this AD, inspect the retention nut on the rudder power control valve slide assembly to determine if a lockwire is installed, in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-327, Revision 1, dated March 9, 1992; or McDonnell Douglas MD-80 Alert Service Bulletin A27-317, Revision 2, dated May 22, 1992; as applicable.

(1) If a lockwire is installed, no further action is required by this AD.

(2) If a lockwire is not installed, prior to further flight, adjust the retention nut, install a lockwire, and functionally check the rudder power control valve in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-327, Revision 1, dated March 9, 1992; or McDonnell Douglas MD-80 Alert Service Bulletin A27-317, Revision 2, dated May 22, 1992; as applicable.

(b) For airplanes on which the retention nut on the slide assembly of the rudder power control valve has been inspected prior to the effective date of this AD in accordance with

McDonnell Douglas DC-9 Alert Service Bulletin A27-327, dated December 2, 1991; or McDonnell Douglas MD-80 Alert Service Bulletin A27-317, dated June 17, 1991, or Revision 1, dated January 14, 1992: Within 90 days after the effective date of this AD, retighten the end cap to the specified torque, in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-327, Revision 1, dated March 9, 1992; or McDonnell Douglas MD-80 Alert Service Bulletin A27-317, Revision 2, dated May 22, 1992; as applicable.

(c) Modification of the rudder power control valve by replacing the lockwire with a locking tab washer, in accordance with McDonnell Douglas Service Bulletin 27-321, dated May 18, 1992, constitutes terminating action for the requirements of this AD.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(e) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on September 8, 1992.

Darrell M. Pederson,
Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.
[FR Doc. 92-23940 Filed 10-1-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[F1-49-92]

RIN 1545-AR02

Bank Bad Debts, Conclusive Presumption

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: In the Rules and Regulations portion of this issue of the Federal Register, the Internal Revenue Service is issuing temporary regulations to clarify the scope of the express determination that is required under § 1.166-2(d)(3) in order for a bank to elect to use a method of accounting that conforms tax

the Mayacamas Mountain Range, and as far south as Skellenger Lane with the exception of one area going approximately .5 mile south of Skellenger Lane.

It is important to note that the proposed southern boundary of Rutherford coincides exactly with the proposed northern boundary of Oakville.

In response to the two notices of proposed rulemaking, ATF received a total of 19 comments. These comments were thoroughly discussed in the reopening notice (Notice No. 738).

The reopening notice was published in the *Federal Register* (57 FR 14681) on April 22, 1992. ATF received 62 comments in response to this reopening notice.

After reviewing these 62 comments, it appears there is controversy concerning the northern, northeastern, northwestern, eastern, and southern boundary of Rutherford, and the southwestern boundary of Oakville.

Twenty-five commenters disagree with the proposed northern boundary of Rutherford. These commenters feel that the Rutherford boundary should extend further north either to Sulphur Creek or to the southern city limits line at St. Helena.

One of the commenters requesting an extension of the northern boundary of the proposed Rutherford viticultural area submitted geographical information in support of his position that there is little or no difference in the geographical features of the area between Zinfandel Lane and Sulphur Creek as compared to the proposed Rutherford viticultural area. The commenter also requests that the proposed Rutherford viticultural area, including his requested northern extension to Sulphur Creek, be named Rutherford Bench instead of Rutherford.

Ten commenters agree with the proposed northern boundary of Rutherford and state that there is no historical or current evidence which would suggest that the area north of Zinfandel Lane has ever been considered to be within the Rutherford area.

One commenter disagrees with the northeastern boundary of Rutherford. He feels that the northeastern boundary should continue to be the 500-foot contour line (which would include the Spring Valley area) rather than changing to the 380-foot contour line which would exclude the Spring Valley area.

One commenter disagrees with the northwestern boundary of Rutherford. He feels that the Rutherford boundary should be extended along the northern fork of Bale Slough approximately 2,750 feet to a point intersecting the straight

line westward extension of the light-duty road known as Inglewood Avenue, then following that line to the west to the 500-foot contour line.

Two commenters disagree with the eastern boundary of Rutherford. These two commenters state that the eastern boundary of Rutherford should be extended beyond the currently proposed 500-foot elevation line to the 1200-foot elevation line to include the area south of Lake Hennessey known as Pritchard Hill.

Five commenters, plus petitions containing the names of 56 additional interested persons within the Napa Valley, disagree with the southern boundary of Rutherford. These commenters and petitioners feel that any boundaries for Rutherford must include Beaulieu Vineyard properties No. 2 and No. 4 which have historically been associated with Beaulieu Vineyard and its Cabernet Sauvignon wines, and which have contributed greatly to the development and consumer recognition of the Rutherford name. These two Beaulieu Vineyard properties are currently within the proposed Oakville viticultural area.

One of the commenters suggests that these two Beaulieu Vineyard properties can be included in the Rutherford area by extending the 500-foot elevation line western boundary at the extreme southwestern corner of the proposed Rutherford viticultural area in a generally southerly direction to its point of intersection with an unnamed creek flowing in a generally easterly direction. Thence along this unnamed creek to its point of intersection with Walnut Lane, thence east along Walnut Lane to Highway 29, thence north on Highway 29 to the originally proposed southern boundary of Rutherford, and thence continuing in the same manner as the originally proposed Rutherford boundary.

This same commenter also submitted geographical information which he feels indicates little or no difference between Beaulieu Vineyard properties No. 2 and No. 4; and between these two vineyard properties and the proposed Rutherford viticultural area.

Six commenters state that they agree with the originally proposed southern boundary of Rutherford and do not feel that it should be changed to include Beaulieu Vineyard properties No. 2 and No. 4. These commenters state that these two vineyard properties are located in the Oakville area. These commenters refer to the information submitted in the original Rutherford and Oakville petitions as evidence for their position.

Sixteen commenters disagree with the proposed southwestern boundary of Oakville. These commenters feel that the southwestern boundary extends too far south into what they feel is Yountville. According to these commenters, the Oakville/Yountville boundary has always been known by the locals to be Dwyer Road to Highway 29, then Yount Mill Road to Rector Creek. These commenters submitted evidence which suggests that one winery and several other businesses located south of Dwyer Road have Yountville addresses and consider themselves to be in the Yountville area. These businesses are currently within the boundaries of the proposed Oakville viticultural area.

Eleven commenters agree with the proposed southwestern boundary of Oakville. These commenters state that they have lived and worked in the area for thirty years or more and that they have never heard of Dwyer Road (Lane) and Yount Mill Road being used as the boundary line between Oakville and Yountville. Some of these commenters submitted historical information in support of their position that Dwyer Road and Yount Mill Road have never been used as the dividing line between Oakville and Yountville.

One commenter states that the Rutherford Bench designation should be expanded to include the entire area delimited by the original petitioners as Rutherford. This commenter states that if his proposal is adopted, the word "Bench" in the appellation should not be required on the wine label. The bottling winery with grapes from this area would be allowed to place either Rutherford or Rutherford Bench on the label. According to this commenter, there is no geographic distinction between the Rutherford and Rutherford Bench areas, including soil, rainfall, heat summation, or geologic formation.

And finally, one commenter states that she objects to an Oakville appellation since she is not convinced that more appellations are needed in the Napa Valley.

Hearings

Based on the information presented in the comments, it is apparent that disagreement exists on a boundary for both the Oakville and Rutherford viticultural areas. Therefore, ATF desires to obtain more information on the establishment of these two viticultural areas, their proposed boundaries, and other possible boundaries.

For these reasons, ATF has determined that public hearings are

necessary and would serve the public interest. The purpose of the hearings is to obtain evidence for the record and to afford interested parties an opportunity to express their views. Evidence obtained and views expressed will be considered in the preparation of any final rules concerning the Oakville and Rutherford viticultural areas.

Participation

Any person desiring to participate in the hearings should notify ATF by submitting a letter specifying which viticultural area hearing they intend to participate in, and the name, address and daytime telephone number of the individual who will present oral comments. Any preference a person may have as to the time of day for presentation of comments should also be stated. The letter must be accompanied by an outline which briefly summarizes the topics the commenter will discuss and the information to be presented. Each topic to be discussed should be separately numbered and each numbered topic should specify the information to be presented. Assurance of having the opportunity to be heard is given only to those persons notifying ATF prior to the scheduling cutoff date of November 9, 1992.

Any person unable to attend the hearings or who prefers not to present oral comments may submit written comments before or after the hearing. ATF will accept written comments until December 28, 1992. In written comments, each topic to be discussed should be separately numbered and each numbered topic should specify the factual basis supporting the views, data, or arguments presented. All written comments received will be considered in the development of a decision on this matter.

ATF wants to make it clear that this public hearing is being held for the sole purpose of obtaining information and/or evidence concerning the possible establishment of a Rutherford and/or Oakville viticultural area. ATF is not considering during these hearings the establishment of a Rutherford Bench or an Oakville Bench viticultural area within the currently proposed Rutherford and Oakville viticultural areas. However, since several commenters submitted comments concerning use of the name Rutherford Bench in place of or in addition to the name Rutherford, ATF will accept testimony concerning the best name for the Rutherford area. Nevertheless, ATF wishes to reiterate its position that testimony or information in support of or in opposition to the original proposed

Rutherford Bench and/or Oakville Bench petitions is not appropriate during these hearings.

General Information on Hearing Procedures

The hearings will be conducted under the procedural rules contained in 27 CFR 71.41(a)(3) and will be open to the public, subject to the limitations of space. In the event attendance exceeds available seating space, persons scheduled to present oral comments will be given preference in respect to admission. Time limitations make it necessary to limit the length of oral presentations to a maximum of ten (10) minutes. However, this allotted time per commenter may have to be reduced depending on the number of persons wishing to make oral presentations. Commenters will not be permitted to trade their time to obtain a longer presentation period. However, the hearing officer may allow any person additional time after all other commenters have been heard. To the extent that time is available after presentation of oral comments by those who are scheduled to comment, others will be given an opportunity to be heard.

In order to ensure that ATF will have the full benefit of their views even if time constraints limit an oral presentation, persons presenting oral comments are urged to supplement their oral statement with a more complete written statement. A written statement submitted to the hearing officer at the time of presentation of the oral statement will be considered part of the hearing record.

After making an oral presentation, a person should be prepared to answer questions from the hearing panel on not only the topics presented but also on matters relating to any written comments which he or she has submitted. Other persons will not be permitted to question a commenter. However, questions may be submitted, in writing, to the hearing officer who will evaluate their relevance. If the hearing officer determines that elicitation of further discussion would be beneficial, the questions may be presented to a commenter for a response.

Persons will be scheduled, if possible, according to the time preference mentioned in their letter notification to ATF. ATF will confirm by telephone the time a person is scheduled to present oral comments. A letter notification received by ATF prior to the cutoff date ensures that a person will be scheduled to comment. Letter notifications received after the cutoff date and up to one (1) working day preceding the

hearing, will be honored to the extent practicable on a first-come-first-serve basis. Any scheduled commenter not present at the hearing when called will lose his or her place in the scheduled order, but will be recalled after all other scheduled commenters have been heard.

ATF will prepare an agenda listing the persons scheduled to comment and copies will be available at the hearing. In addition, copies of the petitions and all received written comments will be available at the hearing for public inspection.

Comments

Any person participating in the hearing or submitting written comments may present such data, views, or arguments as the person so desires. Comments that provide the factual basis supporting the views or suggestions presented will be particularly helpful in developing a reasoned regulatory decision on this matter. However, comments consisting of mere allegations or denials are counterproductive to the rulemaking process.

ATF specifically requests that commenters consider making comments on the following questions:

1. What are the historical and current boundaries (north, south, east, and west) of the areas known as "Oakville" and "Rutherford?"

2. Why, and how, should the boundaries of "Oakville" and "Rutherford," as proposed in Notice Nos. 728 and 729 respectively, be modified?

3. What geographical or climatic features, or evidence of name, or other current or historical evidence, support the extension of the Rutherford area north of Zinfandel Lane into the Sulphur Creek area, or northeast of the 380-foot contour line, along the proposed northeastern boundary of Rutherford, into the Spring Valley area? In addition, what such features or evidence support the extension of the Rutherford area northwest of the currently proposed northwestern boundary of Rutherford to include the northern fork of Bale Slough and continuing along this northern fork approximately 2,750 feet north to a point intersecting the straight line westward extension of the light-duty road known as Inglewood Avenue, then following that line to the west to the 500-foot contour line?

4. What geographical or climatic features, or evidence of name, or other current or historical evidence, support the extension of the southern boundary of the proposed Rutherford viticultural area to include Beaulieu Vineyard properties No. 2 and No. 4, which are

currently within the proposed Oakville viticultural area? In addition, what such features or evidence support the extension of the eastern boundary of the proposed Rutherford viticultural area to include the area south of Lake Hennessey known as Pritchard Hill?

5. What geographical or climatic features, or evidence of name, or other current or historical evidence, support using Dwyer Road and Yount Mill Road as the southwestern boundary of the proposed Oakville viticultural area? Currently, the proposed southwestern boundary extends south of Dwyer Road approximately 1 mile.

6. Is there any additional evidence, other than what is currently in the Oakville and Rutherford petitions, which supports the boundaries of the proposed Oakville and Rutherford viticultural areas as proposed in Notice Nos. 728 and 729 respectively?

7. Is there evidence that the name of the proposed Rutherford viticultural area is locally or nationally known as including the area north of Zinfandel Lane to include the Sulphur Creek area, or northeast of the 390-foot contour line along the northeastern boundary into the Spring Valley area, or south of Skellenger Lane along the southern border to include the Beaulieu Vineyard properties Nos. 2 and 4? In addition, is there evidence that the name of the proposed Rutherford viticultural area is locally or nationally known as including the area northwest of the currently proposed northwestern boundary of Rutherford (as previously described in number 3 above), or east of the proposed eastern boundary of Rutherford to include the area south of Lake Hennessey known as Pritchard Hill?

8. Is there evidence that the name of the proposed Oakville viticultural area is locally or nationally known as including the area approximately 1 mile south of Dwyer Road and Yount Mill Road?

9. What do wineries outside of the proposed Oakville and Rutherford areas consider to be the "Oakville" and "Rutherford" grape growing areas?

10. To what extent have wineries in the "Oakville" and "Rutherford" areas, as proposed in Notice Nos. 728 and 729, as well as those wineries located in the controversial areas, identified themselves as being in either "Oakville" or "Rutherford"?

11. To what extent have grapes grown in the proposed "Oakville" or "Rutherford" areas, or in the previously mentioned controversial areas, been or not been marketed as either "Oakville" or "Rutherford" grapes?

12. Is there any evidence to suggest that the name Rutherford Bench is an appropriate designation of the entire Rutherford area?

Drafting Information

The author of this document is Robert White, Coordinator, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

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

Authority: This notice of public hearings is issued under the authority of 27 U.S.C. 205.

Approved: September 18, 1992.

Stephen E. Higgins,
Director.

[FR Doc. 92-23701 Filed 10-1-92; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 151

[CGD 91-066]

RIN 2115-AD80

Ballast Water Management For Vessels Entering the Great Lakes

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes regulations to implement the regulatory requirements of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990. The proposed regulations, if adopted, would require ballast water management practices for each vessel entering the Great Lakes. These requirements, which would replace voluntary guidelines published on March 15, 1991, would prevent the additional introduction of nonindigenous aquatic nuisance species through the ballast water of vessels entering the Great Lakes.

DATES: Comments must be received on or before November 16, 1992.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 91-066), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the above address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477. Comments on collection of information requirements must be mailed also to the Office of Information and Regulatory

Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attn: Desk Officer, U.S. Coast Guard.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters.

FOR FURTHER INFORMATION CONTACT: Lieutenant Jonathan C. Burton, Project Manager, Division of Marine Environmental Protection (G-MEP-1), (202) 267-6714.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their name and address, identify this rulemaking (CGD 91-066) and the specific section of this proposal to which each comment applies, and give a reason for each comment. Persons wanting acknowledgement of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Marine Safety Council at the address under "ADDRESSES". If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Drafting Information

The principal persons involved in drafting this document are Lieutenant Jonathan C. Burton, Project Manager, and Ms. Helen Boutrous, project Counsel, Office of Chief Counsel.

Background and Purpose

Historical records suggest that over 100 non-native species have been introduced into the Great Lakes. The introduction of non-native fish and other aquatic organisms through the discharge of ballast water alters the balance of the ecosystem, often to the detriment of the system. In the 1980's alone, ballast water discharges are believed to have been the cause for the introduction of four nuisance species to the Great Lakes: The zebra mussel (*Dreissena polymorpha*); the European ruffe (*Gymnocephalus cernuus*); the spiny

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October 8, 1992

WILLIAM F. DEMAREST, JR.

Robert White
Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: ATF hearing procedures

Dear Robert:

This letter is a follow-up on our recent conversation regarding the proposed hearings in connection with designation of "Rutherford" and "Oakville" viticultural areas. I have discussed the hearing procedures which you outlined with my clients, the Growers for Meaningful Appellations ("GMA"). We have also discussed the procedural observations and suggestions that I made informally to you. The purpose of this letter is to outline those suggestions in writing for your review and consideration. Prior to doing so however, I wish to emphasize again that these recommendations are not intended to be critical of ATF's normal procedures. Rather, I hope these comments will be received as constructive suggestions that might improve the administrative process for the benefit of all concerned.

GMA is concerned that a hearing involving a series of witnesses, speaking for 5-10 minutes each, may not assure that overarching policy questions are addressed in a comprehensive or coordinated manner. It may be more difficult for ATF to discern whether it is dealing with a forest, a grove, or an orchard, based on testimony from a series of witnesses each describing individual trees.

Moreover, even if persons who share a common view on a particular issue testify in sequence, the treatment of that issue may not be as comprehensive as might be obtained through a single coordinated presentation for which a more substantial block of time is allocated. Such a format would afford ATF an opportunity to pursue lines of questioning and to direct follow-up questions so as to develop a full and complete record while permitting coherent and comprehensive testimony addressing the interrelated

HOLLAND & HART
ATTORNEYS AT LAW

Robert White
October 8, 1992
Page 2

application of all aspects of ATF's regulatory criteria to the facts and circumstances of the Rutherford and Oakville areas.

GMA believes that affording representatives of major interest groups an opportunity to make a coordinated presentation will actually shorten the total hearing time by eliminating the perceived need for each member of these groups to request to be heard individually and by eliminating the repetition inherent in attempting to present coordinated testimony through a series of ostensibly unrelated witnesses. For example, I anticipate that as many as twenty or more GMA members could request to testify under the format being considered by ATF (at 5-10 minutes each, 20 witnesses would require a minimum of 2-3 hours of testimony). On the other hand, the leaders of GMA believe that a substantial number of GMA's members would chose not to testify if the GMA were afforded an opportunity to make a coordinated presentation. The leaders of GMA also believe that, if GMA were permitted to make a formal, coordinated presentation, GMA members still desiring to present individual testimony would address narrower issues, such as specific boundary questions, rather than the generic issues to which GMA's group testimony would be directed. GMA believes the same is likely to be true of the Petitioners and perhaps of other less formalized groups which nonetheless share a common concern or view.

Accordingly, GMA urges the ATF to consider reserving blocks of time for coordinated presentations by the major interest groups as identified by the comments previously filed or by the response to ATF's hearing notice.

In addition, GMA suggests that there may be merit to ATF inviting particular witnesses to testify in a panel format on a particular topic, e.g., the northern boundary of Rutherford or the southwestern boundary of Oakville. Obviously this approach might be enhanced by separate panels favoring and opposing a given proposition, e.g., one panel of witnesses favoring northerly extension of the northern boundary of Rutherford followed by a panel opposed to doing so. These panels would not necessarily involve a formalized "group" presentation, although it is entirely possible that ATF could invite a representative of one of the formal comment groups to participate in topic-specific panels where appropriate. GMA believes these panels might produce far more useful discussion of the specific topic than would otherwise result from disjointed testimony by individuals.

Finally, GMA questions the practicality of designating one day of hearings on "Rutherford" and one day on "Oakville." Very few issues are specific to one or the other proceeding, but in those cases such a division is not objectionable. However,

HOLLAND & HART
ATTORNEYS AT LAW

Robert White
October 8, 1992
Page 3

several major issues are common to both petitions and an arbitrary bifurcation of the hearing by area is neither logical or desirable with respect to these issues. For example, by definition, questions relating to the proposed boundary between the two viticultural areas are common to both.

GMA has assumed that designating a particular day for each area does not mean it would be necessary for witnesses to present repetitive testimony. Nevertheless, the designation of a particular day for a particular area necessarily introduces an undesirable degree of inflexibility into the process, particularly where, as here, the proposed areas are physically adjacent to one another and much of the evidence respecting the designation of these areas is common to both. GMA suggests that ATF can impose order and structure on the hearings by designating topic-specific panels and scheduling these panels in conjunction with scheduling of formalized, coordinated presentations by the comment groups active in the rulemaking and the scheduling of testimony by individual witnesses.

As you know, GMA respects the fact that ATF has very wide latitude under the Administrative Procedure Act respecting the structuring of hearings in informal rulemaking proceedings such as those involving designation of the Rutherford and Oakville viticultural areas. In prior appellation-of-origin proceedings, including the 1980 hearings pursuant to which the "Napa Valley" viticultural area was originally designated, ATF has permitted formalized presentations by opposing groups and has also employed the panel format. Panels have also been employed by other agencies and have proved to be highly successful. GMA urges ATF to bear these precedents and experiences in mind as it develops hearing procedures tailored to the peculiar issues presented by the Petitions to designate these adjacent, closely related viticultural areas.

We hope these thoughts and comments prove to be useful to you as you plan for the forthcoming hearings. If you have any questions, please do not hesitate to contact me at (202) 638-5500.

Sincerely,



William F. Demarest, Jr.

Attorney for
Growers for Meaningful Appellations

①

Ruth. P Oak,

Wine World Estates

2000 Main Street (Box 111) • St. Helena, Ca. 94574 • (707) 963-7115

October 8, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D. C. 20091-0221

Attention: Notice No. 756

Gentlemen:

I wish to provide oral comments at both the Rutherford, December 9th and Oakville, December 10th public hearings.

Please provide me with a time allotment at your earliest convenience. Thank you for having a public hearing regarding these two proposed viticultural areas.

Sincerely,



ROBERT E. STEINHAUER
Senior Vice President

RES/rvn

CC: Walt Klenz

②
Ruth
&
Ruth/Out,
boundary

Beckstoffer Vineyards

Post Office Drawer 990
St. Helena, Napa Valley
California 94574
(707) 963-9471

W. ANDREW BECKSTOFFER
President

October 30, 1992

Mr. Robert White
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: NOTICE 756

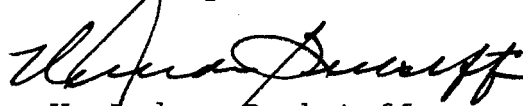
Dear Mr. White:

In re-reading your Notice 756, I note you request a listing of the topics which I propose to discuss in my oral presentation at the public hearing on December 9th in Napa. On October 22nd I wrote you requesting an opportunity to speak.

I would propose to discuss...

- 1) the extension of the Northern boundary of the proposed Rutherford Viticultural Area to Sulphur Creek and how my proposal varies from that of the Petitioners,
- 2) the extension of the Southern boundary of the proposed Rutherford Viticultural Area to include Beaulieu Vineyard #2 and 4 and how history and geographic features support that extension,
- 3) the naming of the entire Rutherford Viticultural Area as Rutherford Bench and the geographic and viticultural support for that designation.

Sincerely,


W. Andrew Beckstoffer

WAB:ow

②
fwh.

Beckstoffer Vineyards

Post Office Drawer 990
St. Helena, Napa Valley
California 94574
(707) 963-9471

W. ANDREW BECKSTOFFER
President

October 22, 1992

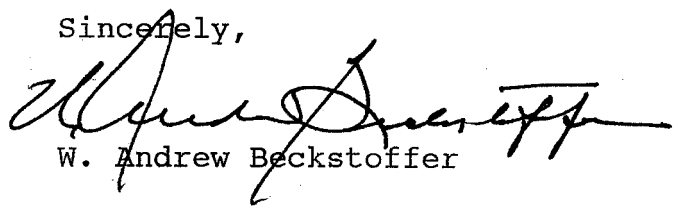
Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
P. O. Box 50221
Washington D. C. 20091-0221

ATTN NOTICE 756

Dear Sir:

I hereby request the opportunity to make oral comments at the Rutherford Viticultural Area Public Hearing in Napa, on December 9, 1992. I further request to speak immediately after the Petitioners, assuming they speak first, as my comments will form the base analysis for a series of other commenters.

Sincerely,



W. Andrew Beckstoffer

WAB/km

3

Oakville

October 13, 1992

Bureau of Alcohol, Tobacco & Firearms
Chief - Wine & Beer Branch
P.O. Box 50221
Washington, D.C., 20091-0221

Attn: Notice #756

Dear Sir:

I respectfully request the opportunity to make a statement at the hearing for the Oakville appellation on December 10, 1992.

I would also like to add the following comments to your file on the Oakville matter.

My name is Rennick J. Harris, my wife Marilyn, and I have owned three parcels totaling 52 acres at 1307 Dwyer Road in Oakville since 1976. Our address is P.O. Box 323, Oakville, California, 94562. Our property includes fifty acres of vineyard and our winery which we have named Paradigm. The property is located on the south side of Dwyer Road and would not be included in Oakville according to the terms in your notice Vol. 57 No. 192. if it were to be implemented.

Our property is and has always been located in Oakville. We get our mail in Oakville because it's closer than Yountville. Children living on our property went north to school in Oakville when there was a school there because it was closer than Yountville; today they still go north to St. Helena not south to Yountville. My parents who live in a house on our vineyard get their mail in Oakville because it's closer than Yountville. The label on the back of our wine bottles reads Oakville, because that's where we are located. The McCord family, from whom we purchased our property in 1976 got their mail in Oakville and sent their children north to school starting in 1961. Lastly, if you turn off Dwyer Road and head south towards Yountville you travel 1.8 miles before you reach the Yountville City limits and 2.5 miles before you hit the Yountville post office. If one turns north towards Oakville you are at Oakville and the Oakville post office in 1.1 miles.

Initially I was part of the "Oakville Bench" advocates, but dropped out in May of 1989 when it became obvious that former friends and neighbors were about to get into a dispute. I can identify with one of your commenters stance of no more appellations. The bickering going on is stupid and

causes ill feelings. If I'm to be in an appellation it should be Oakville; if there are to be no more appellations that's OK as well.

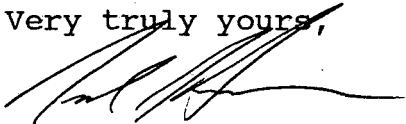
My wife was born near our property in 1942, her father was born nearby in 1907; they have never considered Oakville to end on the north side of Dwyer road nor have they ever heard anyone who has until this notice (#756) was dropped on Oakville's residents.

Page 45589 of the register talks about numbers of people taking positions. Sixteen people are said to be in support of stopping Oakville at Dwyer Road. The letter in support of this position was sent to several people saying that unless told otherwise they would be included as supporters of this position in a letter to your bureau. Two individuals, Clarke Swanson and Jean Phillips, I believe are included in the North of Dwyer Road position. Both individuals are very much opposed and there are probably others. I suggest that unless you have letters actually signed by the supporters that they not be included or counted. The "notice of automatic inclusion" were either after the fact (Jean Phillips case) or were asked to be excluded and included anyway (Clarke Swanson's case).

There are some people who don't belong to either clique, who haven't paid dues to any group, or who purchased their property after the lines were drawn; these individuals have fallen through the cracks. Patrick O'Dell purchased 58 acres on the Silverado Trail in Oakville (in the proposed appellation); he also purchased 55 acres at the 400' elevation in Oakville next door to an included vineyard (out of the appellation). Clarke Swanson has two properties in Oakville, one in one out. I'm sure there are others.

I think you know, but it might bear repeating. Appellations can become of prime importance both for the value of wine and for property values. If appellations must exist and it appears they must, they should be painted with a broad brush. Certainly, in the case of Oakville, those areas always considered part of Oakville should be included.

Very truly yours,



Rennick J. Harris
P.O. Box 323
Oakville, California, 94562

4

Beckstoffer Vineyards

Post Office Drawer 990
St. Helena, Napa Valley
California 94574
(707) 963-9471

W. ANDREW BECKSTOFFER
President

November 1, 1991

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Ave., N.W.
Washington, D.C. 20226

Dear Mr. White:

On October 11, 1990 I wrote to Mr. Busey about my concerns regarding the Rutherford/Oakville, Rutherford Bench/Oakville Bench viticultural area petitions. On October 25, 1990, you responded and we now have a copy of the September 17, 1991 Notice of Proposed Rulemaking. Thank you very much.

My purpose in this letter is to respond to Notice No. 729, Rutherford Viticultural Area. We own significant vineyard acreage in and around the proposed area. Our acreage is as follows:

<u>PARCEL NO.</u>	<u>ACREAGE</u>
030-200-072	70.59
030-200-068	51.18
030-200-067	40.14
030-200-070	40.00
030-200-071	44.63
030-280-026	26.59
030-050-021	8.04
030-050-029	71.69
030-070-012	33.56
027-570-005	2.61
027-570-006	2.44
027-570-007	7.36
09-670-002	<u>24.81</u>
	423.64 Acres

All of these parcels except 09-670-002 are located within the proposed boundaries of the Rutherford Viticultural Area. Parcel 09-670-002 is located to the north of the proposed viticultural area. It's inclusion will be discussed later in this letter. All of these properties are planted to vineyard. While the total vineyard acreage within the Rutherford Area is uncertain, I suspect that we represent approximately 10% of that total. We have owned portions of this property since 1973.

Our concerns regarding the proposed rulemaking are several:

1. There should be a public hearing regarding this matter held here in Napa County. The boundary lines between Rutherford and Oakville and Rutherford and the remainder of the county must, by the nature of the physical terrain and climatic patterns and the historical use of the grapes produced, be somewhat arbitrary. The Rutherford Appellation has significant value to the land holders included therein. Exclusion will bring depreciation of land values. All the property owners of this affected area, big and small, should be given truly adequate opportunity to comment. Publication of your Notice in the Federal Register does not adequately accomplish that. There is significant controversy here regarding these boundaries. Only a public hearing held here would adequately serve the needs of our community, the wine drinking consumer and the BATF.
2. The vineyards historically owned by Beaulieu Vineyard must be located in the Rutherford Area. (See map) As your Notice indicates, the wines which have historically defined the Rutherford Area for the consumer are those of Beaulieu and Inglenook. The two vineyards currently owned by Beaulieu and located south of the proposed Rutherford Area (see map) were purchased by the Beaulieu (de Latour) family in the 1930's and have produced the grapes from which the major Beaulieu wines have been made historically. Exclusion of these vineyards from the Rutherford Area defies reality, cheapens this entire process, and significantly affects the creditability of the viticultural area that is defined as Rutherford. Any rulemaking which defines the Rutherford Area must take into its boundaries the grapes from these historic Rutherford vineyards.

3. The proposed Rutherford boundaries do not include other vineyards that have historically produced "Rutherford" wines. As you state in your proposed Rulemaking, "It is also worth noting that there are three wineries whose brand names refer directly to Rutherford; Rutherford Hill, Rutherford Vintners and Round Hill Winery's Rutherford Ranch Brand." While you state that these wineries are located in the proposed Rutherford Viticultural Area, you miss a major point. The Appellation refers to where the grapes are grown not where the winery is located. The owner of Round Hill and their Rutherford Ranch brand is Ernie Van Asperen. The "Wulbern" ranch he refers to in the attached letter is Parcel No. 09-670-002 currently owned by us. The attached labels for Petite Sirah and Zinfandel are for wines produced 100% from grapes grown on this ranch. Historical precedent and use demand that this ranch be included in the Rutherford Viticultural Area. Further, we believe that grapes from vineyards located south of this property, north of the proposed northern boundary of the Rutherford Viticultural Area, west of Route 29 and east of the 500 ft. elevation contour have historically produced grapes for "Rutherford" wines. Additionally, there is no adequate support to evidence a soil or climatic change between the proposed northern boundary of the Rutherford area and the geological feature of Sulphur Creek. We will present additional evidence to support a Sulphur Creek boundary at the public hearing.
4. The Rutherford Bench Viticultural Area is totally inappropriate and ill defined. Since you have not proposed rulemaking on this area, I will not comment further except to say that such a proposal will engender major controversy.

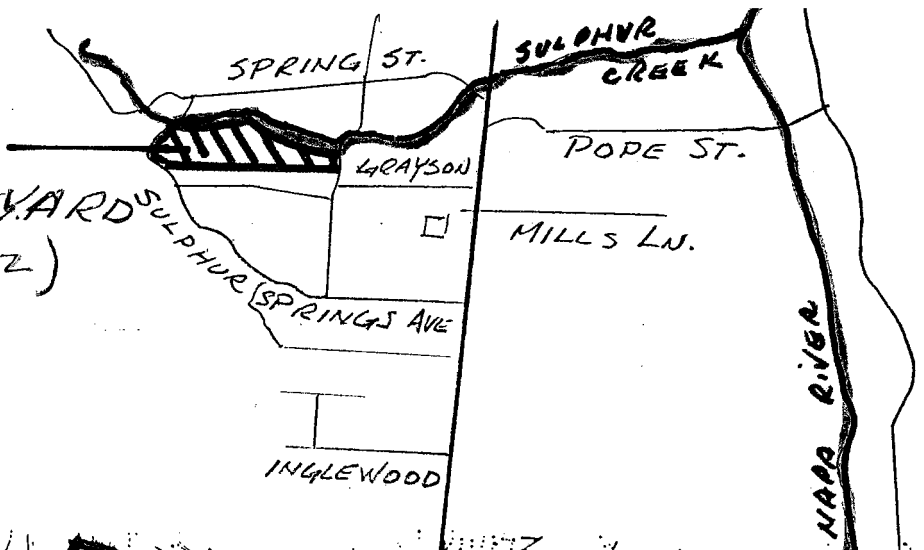
Thank you very much for your careful consideration of the contents of this letter.

Sincerely,

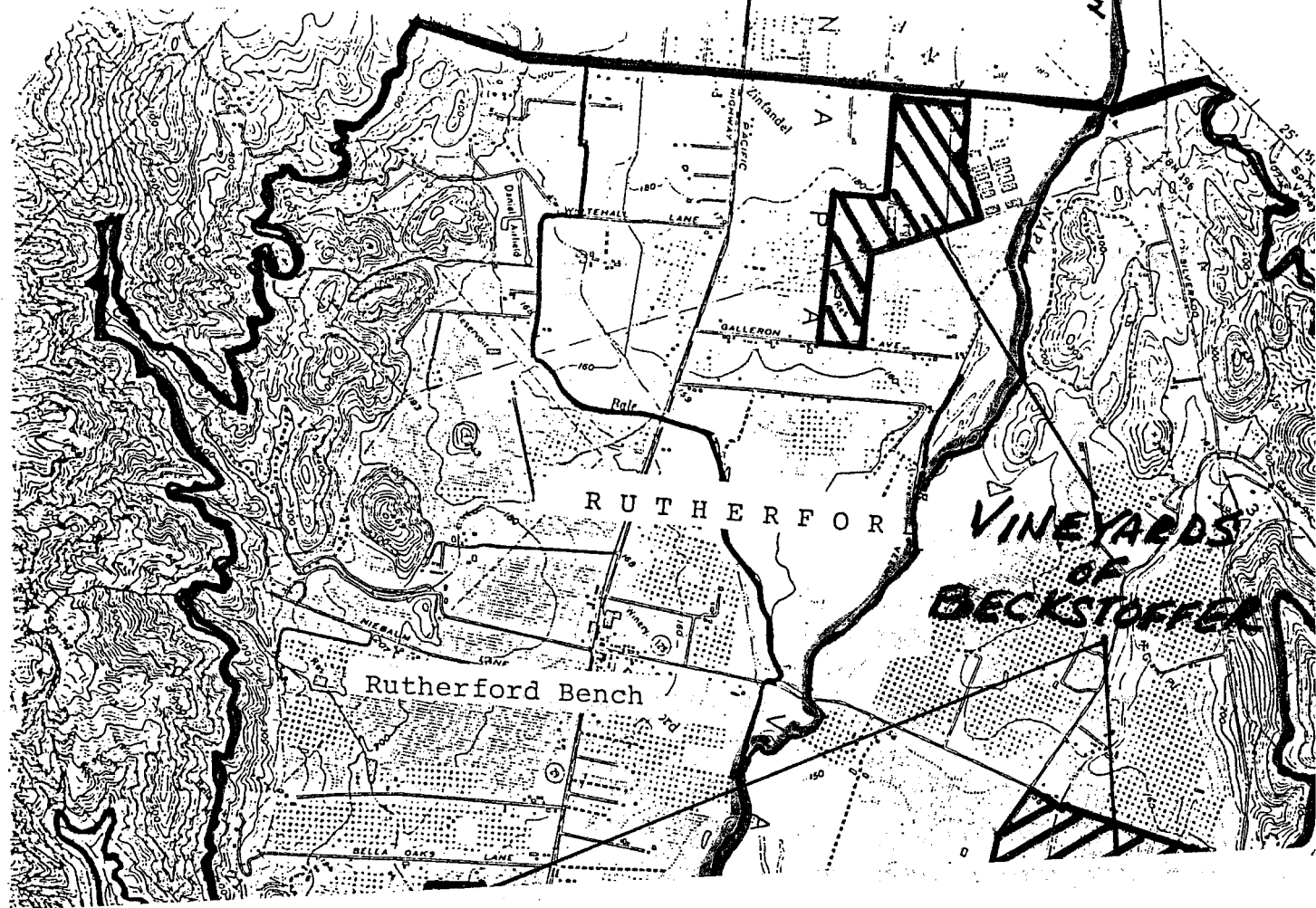

W. Andrew Beckstoffer

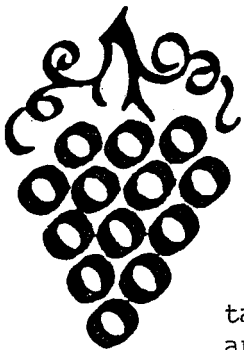
WAB:ow
Enclosures

BECKSTOFFER
"RUTHERFORD
RANCH" VINEYARD
(09-670-002)



VINEYARDS OF BEAULIEU





JAN 17 1990

Jan. 14 1990

W. A. BECKSTOFFER

ERNIE VAN ASPEREN

Dear Andy: Sorry to be so slow in getting back to you, I had taken my notes to the winery -----but really don't have spare time around there now as V & I have taken a house in Palm Springs for two months ---rough!

"Wulbern" Ranch was purchased during the ~~latter part~~ ^{SPRING} of 1971 The ranch had about 20 acres of vines Carignane, Zinfandel, Petite Sirah and Green Hungarian.

We replanted everything to Cabernet, except for a small lot of Zinfandel and one of Petite Sirah

Our planting was all done over the three years following purchase. One large block by river, we planted and lost 90% of the vines because of lack of dirt (all river rocks) next year went back in and put dirt into each hole --worked fine. As you know these plants now look like small trees, with 6 In. trunks.

Most of the grapes went to Bob Mondavi, the Zin to Joe Phelps, some custom crushed at Rutherford Hill for our Ernie's wine ships and for our Rutherford Ranch label

Round Hill Winery started up in 1978 and we then worked some of the grapes into Round Hill on Lodi lane for the Rutherford Ranch brand. For many years everything going into Rutherford Ranch came from Wulbern ranch -- today we use a blend, with mostly all the Cabernet from this ranch.

Very little of these grapes went into Round Hill brand

Repeat --as long as I can remember 100% of our Cabernet, Zinfandel and Petite Sirah came from this ranch for our Rutherford Ranch brand -- for exact blends you are free to check with Mark, our winemaker for the exact blends.

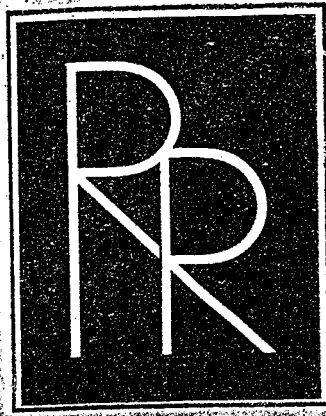
(Mark is very fond of these grapes)

Sales where nation wide.

You will have to see Lee Hodo for award records --- there are many!

Hope this does your job.

Regards, Ernie



Petite Sirah

NAPA VALLEY

1983

BECKSTOFFER VINEYARD

Rutherford Ranch Brand

ALCOHOL 13.7% BY VOLUME
PRODUCED & BOTTLED BY RUTHERFORD RANCH VINEYARDS
ST. HELENA CALIFORNIA U.S.A.



Zinfandel

NAPA VALLEY

1983

BECKSTOFFER VINEYARD

Rutherford Ranch Brand

ALCOHOL 14.3% BY VOLUME
PRODUCED & BOTTLED BY RUTHERFORD RANCH VINEYARDS
ST. HELENA CALIFORNIA U.S.A.



January 25, 1990

JAN 26 1990
W. A. BECKSTOFFER

W. Andrew Beckstoffer
Beckstoffer Vineyards
P.O. Box 990
St. Helena, CA 94574

Dear Mr. Beckstoffer:

In response to your letter I have compiled all of the awards for Rutherford Ranch Cabernet, going back to 1978.

If there is any other information that you would like, please call or write anytime.

Yours very truly,


Shelly Hickox



RUTHERFORD RANCH CABERNET AWARDS

- 1978 Cabernet Steward's Award, San Diego National Wine Comp.
- 1979 Cabernet Director's Award, San Diego National Wine Comp.
- 1980 Cabernet Silver Medal, San Francisco Fair Wine Competition
- 1981 Cabernet Bronze Medal, San Diego National Wine Competition
- 1982 Cabernet Gold Medal, American Wine Competition
Gold Medal, Riverside Farmer's Fair
Bronze Medal, San Jose Mercury News
Bronze Medal, San Diego National Wine Competition
Bronze Medal, Atlanta International Wine Fest.
Bronze Medal, San Francisco Fair
#84, Wine Spectator
- 1983 Cabernet Gold Medal, Eastern International Wine Comp.
Silver Medal, Riverside Farmer's Fair
Bronze Medal, Dallas Morning News Wine Competition
Bronze Medal, Hilton Head Spring Wine Fest.
Bronze Medal, 11th Annual Mercury News Awards
- 1984 Cabernet Gold Medal, Dallas Morning News Wine Comp.
Gold Medal, National Orange Show
Silver Medal, Orange County Fair
Silver Medal, Atlanta International Wine Fest.
Silver Medal, Los Angeles County Fair
Bronze Medal, San Francisco National Wine Comp.
Bronze Medal, Reno Wine Competition
#85, Wine Spectator

(This wine also placed #3 out of all Cabernets entered into competitions in 1989)

California GRAPEVINE

Vol. 15, No. 4

August-September 1989




1989 WINE COMPETITION RESULTS The Top Performing Wines

THIS UPDATE REPORT summarizes the top medal-winning wines from seven major wine competitions held so far this year. Using weighting factors of 5 points for a gold medal, 3 points for a silver medal, and 1 point for a bronze medal, we've ranked the top performing wines. Only wines having ten or more points are listed.

The Top Performing Wines

CABERNET SAUVIGNON										
	PRICE	DA	NO	SD	RI	WC	SF	OC	PTS	
1986 Robert Keenan Napa Valley	18.00	G	S	S	B	G	S	B	21	
1985 Clos Du Val Napa Valley	16.00	B	S	G	S		G		17	
1984 Rutherford Ranch Brand Napa Valley	12.50	G	G	B		B	B	S	16	
1986 A. Rafanelli Dry Creek Valley	9.75			G		G	S		13	
1983 Adelaida Paso Robles	12.50	B		B	G		S	S	13	
1986 J. Lohr California	7.00		G	S	G				13	
1984 Beringer Private Reserve, Napa Valley	24.00	B	S	S	G				12	
1985 Carol's Vineyard Reserve, Napa Valley	15.00	B			G	G			11	
1986 Castoro Cellars Paso Robles	8.50	S	G			B	B	B	11	
1986 Gan Eden Alexander Valley	18.00			G		G		B	11	
1986 Hanna Sonoma County	16.00		S	S	S			B	B	11
1985 Kendall-Jackson Cardinale, California	45.00	G			B			G	11	
1985 Silverado Vineyards Napa Valley	12.50		S		S		G		11	
1986 Sterling Vineyards Napa Valley	12.95	S		B		B	B	G	11	
1985 Clos Du Bois Briarcrest Vyrd, Alexander Valley	16.00	G		S	B	B			10	
1986 Clos Du Bois Alexander Valley	11.00			G	G				10	
1984 Estrella River Winery Paso Robles	9.00	S		B	G		B		10	
1985 Gundlach-Bundschu Rhinefarm Vyrds, Sonoma Valley	12.00		B		S		G	B	10	
1985 Richardson Vineyards Sonoma Valley	12.00						G	G	10	
1984 Rodney Strong Alexander's Crown, Alex. Valley	15.00			S	B		G	B	10	
1986 Stratford California	11.00			S	S		S	B	10	
1986 Whitehall Lane Napa Valley	16.00	S	B	B	G				10	

1984 Rutherford Ranch Brand
Napa Valley 12.50 | G | G | B | | B | B | S | 16

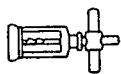


Cabernet Sauvignon
NAPA VALLEY
1984

Rutherford Ranch Brand

ALCOHOL 14.2% BY VOLUME
PRODUCED & BOTTLED BY RUTHERFORD RANCH VINEYARDS
ST. HELENA, CALIFORNIA U.S.A. CONTAINS SULFITES

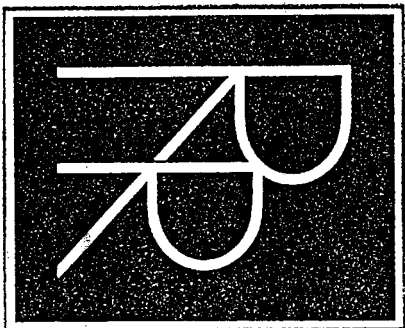
Robert M. Parker, Jr.'s



The WINE ADVOCATE.

RUTHERFORD RANCH
1984 CABERNET SAUVIGNON
This wine may well be one of the best values for high quality Cabernet on the market. It has big, fleshy, robust flavors that are in balance despite a good dosage of alcohol. The bouquet is highly scented with the smell of blackcurrants and spicy oak, and the wine has an opulently long, rich finish. It should be drunk over the next 4-5 years.
Excellent Value.

NAPA



Cabernet Sauvignon

NAPA VALLEY

1984

Rutherford Ranch Brand

TOP CABERNET AND MERLOT VALUES

1984 ARCADIA
1987 BV "BEAUTOUR"
1985 BERINGER "KNIGHT'S VALLEY"
1986 BERINGER "KNIGHT'S VALLEY"
1985 COLUMBIA CREST

1985 COLUMBIA CREST MERLOT
1986 DRY CREEK
1985 FRANCISCAN "ESTATE"
N.V. LIBERTY SCHOOL "LOT 18"

1986 J. LOHR
1985 J.W. MORRIS
1984 PARDUCCI
1984 RUTHERFORD RANCH
1985 STE. MICHELLE

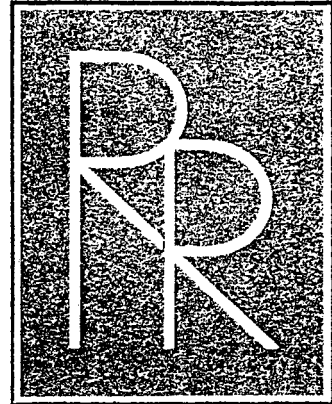
ALCOHOL 14.2% BY VOLUME
PRODUCED & BOTTLED BY RUTHERFORD RANCH VINEYARDS
ST HELENA, CALIFORNIA U.S.A. CONTAINS SULFITES

THE WINE SPECTATOR

B U Y I N G G U I D E

DEC. 31, 1987

PULL-OUT SECTION



Cabernet Sauvignon

83

**RUTHERFORD RANCH
BRAND**

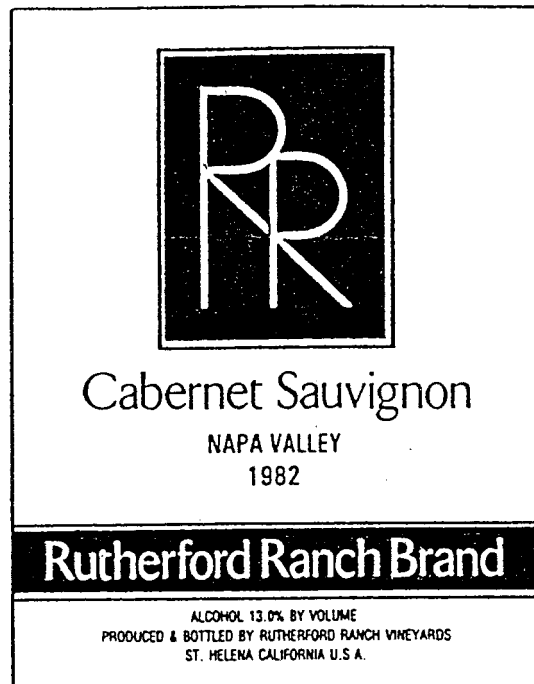
**Cabernet Sauvignon Napa
Valley 1983**

Rutherford Ranch Brand

Big, ripe and full-bodied, with currant, blackberry and tobacco flavors, a powerful structure and a healthy dose of tannin.



THE WINE SPECTATOR



RUTHERFORD RANCH BRAND

Cabernet Sauvignon Napa Valley
1982

84 Ripe plum and cedar aromas, rich and chewy with sweet plum flavors and lots of extract. Finishes with tart cherry and a slight stemmy quality and intense but soft tannins.

5

ALFRED S. WILSEY
P.O. Box 3532/San Francisco, California 94119-3532
Telephone (415) 391-4150

November 6, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Ave., N.W.
Washington, D.C. 20226

Re: The Oakville Viticultural Area
(89F-92P)
The Rutherford Viticultural Area
(89F-90P)

Dear Sir:

I am the owner of Assessors parcel 030-140-014, consisting of 260.18 acres of vineyard, located from a point of intersection of Skellinger Lane and Conn Creek Road, from thence west to the centerline of the Napa River, thence north along the river about 1500 feet and then east to Conn Creek Road and then south to the point of beginning. This property is on part of the boundary between the proposed Oakville and Rutherford appellations and is included in Rutherford. I believe that this is where it belongs.

I have no objections to the proposed boundaries because of my lack of knowledge as to exactly how they were established.

I strongly object to the establishment of sub appellations in both Rutherford and Oakville such as are mentioned in the Federal Register of September 17, 1991, on page 47047. To me this infers that one is superior and the other inferior and this would lead to a perception of different land values with the same area on even contiguous properties. This is capricious and arbitrary, particularly when land across the Napa River, in the same geological and climatic condition carries different designations.

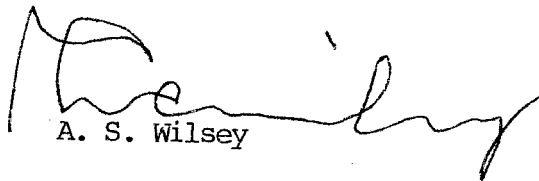
I have just very recently become aware that this matter was under your consideration and have just this week received material which enables me to write this letter. I am sure that this is also the case with many of the other vineyard owners in both Oakville and Rutherford.

November 6, 1991
Bureau of Alcohol, Tobacco and Firearms

I respectfully request that public hearings with due notice to all property owners be held where this subject can be completely discussed in an open and public forum.

Thank you for your consideration.

Very truly yours,



A. S. Wilsey

/pb

November 6, 1991

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 385
Washington, D.C. 20044-0385

ATTN: Notice #729 "Rutherford"

Re: The Rutherford and Oakville Appellation Committee Petition
Dated March 1, 1986

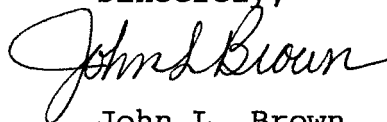
Dear Sir:

I am the owner of a 24 acre parcel on 1156 Ponti Lane, Rutherford, California. I have reviewed the referenced petition and have several serious concerns. They include:

1. There should be a public hearing in Napa Valley on this petition before a decision is made. All property owners and citizens should be given the opportunity to comment on such an important and potentially costly issue.
2. The proposed boundaries have no historical creditability and appear to be the result of wine marketing decisions rather than anything geographical or viticultural. The Rutherford Bench and Oakville Bench Viticultural Areas make even less historical sense and appear to be solely a marketing ploy.
3. The creation of these appellation areas may create artificially high land values for the petitioners at the expense of their neighbors.

I appreciate your consideration of these comments and look forward to having the opportunity of having the petition thoroughly discussed by all property owners, wineries, growers and concerned citizens at a public hearing!

Sincerely,

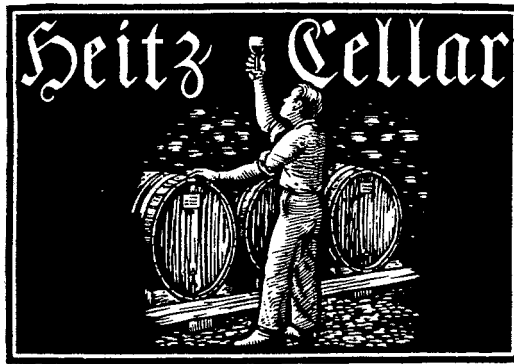


John L. Brown

7

HEITZ WINE CELLARS

500 TAPLIN ROAD
ZIP CODE 94574



ST. HELENA, CALIF.

TELEPHONE: 707 963-3542
FAX: 707 963-7454

November 7, 1991

Thomas B. Busey, Chief Wine and Beer Branch
Bureau of Alcohol Tobacco and Firearms
1200 Pennsylvania Avenue, Room 2633
Washington, DC 20226

Dear Mr. Busey:

I am enclosing copies of our past correspondence with regard to the proposed Rutherford appellation for your convenience.

Again, let me repeat that I feel that we are unjustly excluded from the Rutherford appellation because of the arbitrary decision to lower the elevation to the 380 contour which happens to correspond to our property line, whereas elsewhere it follows the 500 foot contour.

Spring Valley is an interesting valley in that it drains both to the north along Taplin Road to the Napa River and in part to the south through our neighbor's property which is part of the Rutherford appellation. Therefore, Spring Valley is not so much a separate entity but rather a logical extension of the Rutherford appellation as proposed. Our neighbor's soils are very similar to ours because over the centuries erosion from our property has deposited soils on theirs. Also, I refer you to the soils map of Napa County issued in 1978 by the United States Department of Agriculture Soil Conservation Service, numbers 27 and 24 which shows that we share soils 139, 155, 140, and 141 with our immediate neighbors as well as other neighbors who are included in the Rutherford appellation.

As far as climate, I would again state that a barbed wire fence is not a climatic barrier and that is what separates us from our neighbors who are in the Rutherford appellation.

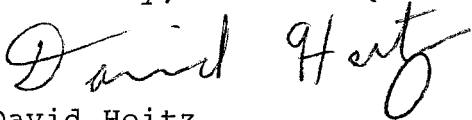
I have no historical documentation showing our property belongs to the Rutherford area. In addition, I have read the petitions and find no historical documents which support the inclusion of our neighbors either and they are included. We own 17 acres of vineyards on the south side of Zinfandel Lane and have no historical evidence of its belonging to the Rutherford appellation, but it is included in that appellation.

Page 2.

We "Heitz Wine Cellars" were once partners in a group, Zinfandel Associates, who owned both the 17 acres of vineyards south of Zinfandel Lane which we purchased, and a larger vineyard directly across Zinfandel Lane to the north. And, I can tell you for all practical purposes these two properties produced identical wines. I bring this up to show you the complete arbitrary and unfair nature of the boundaries of this appellation. I would urge you to include us in the appellation and not to exclude us on some arbitrary basis. Please see my letter dated September 26, 1990, outlining what we feel would be appropriate boundaries.

I would urge you not to make your final decision on the Rutherford/Oakville appellation without first holding public hearings so that the truth would have a better chance to come to the full public view.

Sincerely,

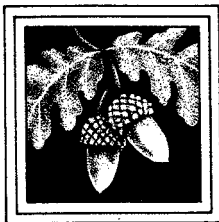
A handwritten signature in cursive script that reads "David Heitz". The signature is written in dark ink and is positioned above the typed name.

David Heitz
Heitz Wine Cellars

GIRARD

9

Oakville



W I N E R Y

November 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
Box 50221
Washington, D.C. 20091-0221

ATN: Notice 756

Dear Sirs,

I hereby request to comment at the public hearing for the creation of the Oakville appellation scheduled for December 10, 1992.

As I must be out of town for the hearing, Mr. Donald Patz, Director of Sales for my winery will be presenting my comments.

Best Regards,

Stephen A. Girard
President

SAG/cfw

(10)
Rutherford

November 3, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

RE: Notice No. 756

Dear Sir:

I am planning to attend the hearing for the establishment of the Rutherford Viticultural Area on December 9, 1992 at the Inn at Napa Valley. I plan to make oral comments regarding this proposal, and am hereby notifying you of my intent to do so.

Sincerely,



Signature

Printed Name: David I. Freed, President, UCC vineyards Group

Address: 1776 2nd St.

Napa, CA. 94559

Property Owned: APN 030-260-005

APN 030-260-004

APN 030-240-180

APN 030-250-019

APN 030-260-030



(11)
Rutherford and
Oakville
(See next page)

Far Niente

November 4, 1992

Mr. Robert White
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Dear Mr. White:

I am Winemaker and Managing Director of Far Niente winery located in Oakville.

I would like to testify at the upcoming hearing on the Oakville viticultural area on the afternoon of December 10th, 1992. I plan to discuss the following topics which are listed in the Notice of Public Hearings:

Wine Identification and other name evidence

I will also introduce written evidence at that time. If needed, you can reach me at Far Niente.

Sincerely yours,

Dirk Hampson

DH/hw



(12)
Rutherford



November 4, 1992

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D. C. 20226

Re: ATF Notice No. 756

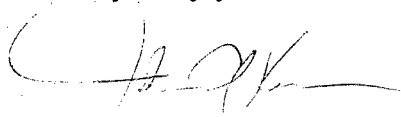
Dear Mr. White:

I am President and co-owner of Flora Springs Wine Company. I would like to testify at the upcoming hearing on the Rutherford viticultural area on the morning of December 9, 1992. I will discuss the following topics which are listed in the Notice of Public Hearings:

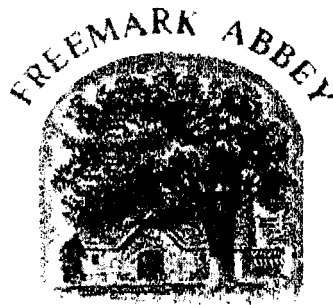
1. Historical Evidence of Rutherford name recognition: the information presented includes various historical documents.
2. Historical evidence which differentiates the boundaries suggested by others.

You can reach me at the address and telephone number noted below.

Very truly yours,



John A. Komes



13
For information
Jan 1992

November 11, 1992

Beer Branch
Alcohol, Tobacco and Tax Division
Room 50221
Washington, DC 20091-0221

File No. 156

Member of the Greater Wine Meaningful Appellations ("GWA")
participated in filings comments in this proceeding. I
request time to testify in connection with the proposed
for the Rutherford and Oakville viticultural areas.
Address and fax: [redacted] telephone number are as follows:

Name: [redacted]

Telephone: [redacted] 415-437-1894

I prefer to testify in conjunction with other witnesses
GWA's position. Attached is the outline required by
in the Federal Register.

Sincerely,

FREEMARK ABBEY WINERY

Richard Karp
Richard Karp

Wine for Meaningful Appellations
Dennis Groth

OUTLINE OF TESTIMONY

1. Use of the Rutherford name

Discussion concerning historical and current use of "Rutherford" in connection with production of Napa Valley wines.

2. Use of Oakville name

Discussion concerning historical and current use of "Oakville" in connection with production of Napa Valley wines.

3. Boundary between Rutherford and Oakville

Discussion of historical uses of Rutherford and Oakville and appropriateness of proposed boundary

Historical patterns of grape production used by Rutherford and Oakville vintners

Discussion of historical and current commercial relationships within Rutherford and Oakville areas between vintners producing "Rutherford" or "Oakville" wines and grape production in Rutherford and Oakville areas.

Climate Factors

Discussion of climatologic factors common to Rutherford and Oakville and viticultural significance of differences in those factors, including in particular, temperature and rainfall

Soil Factors

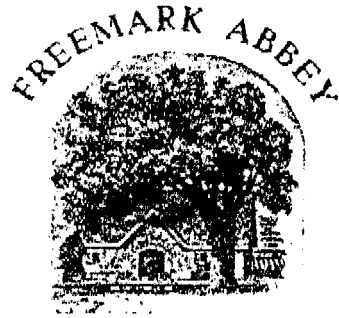
Discussion of soil factors common to Rutherford and Oakville and viticultural significance of differences in soil types

7. Proposal to establish "Rutherford Bench" as appellation for entire proposed Rutherford area.

Discussion of use of "Rutherford Bench" as appellation of origin for proposed Rutherford area.

8. Other boundary issues.

Discussion concerning appropriateness of proposed Northern boundary of "Rutherford" and/or proposed SW boundary of "Oakville"



FACSIMILE COVER SHEET

DATE: 11/11/92

THE FOLLOWING TRANSMITTAL IS FOR THE ATTENTION OF

BATF - Chief - Wine & Beer Products

AT FACSIMILE NUMBER: 202/927-8602

This transmittal consists of 3 page(s) including this cover sheet.

You are receiving this FAX from Freemark Abbey Winery
located at P.O. Box 410, St. Helena, CA 94574

If you have any problems concerning this transmission, contact
our office at telephone (707) 963-9694 or facsimile (707) 963-0554.

THANK YOU

Wine & Beer (for Lab. Copy)

Comments _____

(14)
Oakville

TADDEI RANCH

November 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

RE: Notice No. 756

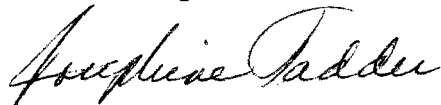
Dear Sir;

This letter is my request to be allowed to participate in the oral hearings for the Oakville Viticultural Area scheduled for December 10, 1992 at the Inn at Napa Valley. It is my intention to discuss the following topics:

1. BATF Paragraph 1: Historical and Current boundary of area known as Oakville.
 - a. Discussion of school district lines, polling places, mail delivery and other data.
2. BATF Paragraph 5: Geographical or climate features, or evidence of name, or other current or historical evidence, supporting using Dwyer Road and Yountville as the southwestern boundary of the Oakville Viticultural Area.
 - a. As a resident of the area for over 44 years, I have never known Dwyer Road to be the Oakville/Yountville boundary. Soil types and climate should be the determining factor for the originally suggested boundary and not Dwyer Road.

Thank you for allowing me to participate in these upcoming hearings.

Sincerely,



JOSEPHINE TADDEI
7391 St. Helena Hwy.
Napa, Ca 94558
(707) 944-2482

15
Oakville

November 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

RE: Notice No. 756

Dear Sir,

This letter is my request to give an oral presentation at the hearing scheduled for December 10, 1992 in support of the proposed boundaries of the Oakville Viticultural Area.

It is my intention to discuss the utilization of grapes grown south of Dwyer Road near the proposed boundary in the wines of Robert Pepi Winery. It is also my intent to discuss the national prominence of the Cabernet Sauvignons from Vine Hill Ranch which are produced by our Oakville winery.

I wish to speak in opposition of placing the southern boundary at Dwyer Road instead of further south as proposed in the petition.

Sincerely yours,



JOHN ENGLSKIRGER
Robert Pepi Winery
P. O. BOX 320
Oakville, CA 94562

JE/krq

HAYNE RANCH

1832 Sulphur Springs Avenue • St. Helena, California 94574 • 707-963-5180

(16)

Rutherford

November 5, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

Ref: Notice 756

Sir/Madam:

In response to the referenced notice, this is to inform you that I wish to make an oral statement at the December 9th hearing in favor of the expansion northward of the proposed Rutherford viticultural area to the natural boundary of Sulphur Springs Creek.

As I will emphasize in my comments, there is no geographical, geological or climatic reason to select an artificial line such as a street or political division as the northern boundary of a viticultural area.

Yours truly,

W. A. Hayne
Wm. A. Hayne

WAH:vg

①7
Rutherford

November 3, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

RE: Notice No. 756

Dear Sir:

I am planning to attend the hearing for the establishment of the Rutherford Viticultural Area on December 9, 1992 at the Inn at Napa Valley. I plan to make oral comments regarding this proposal, and am hereby notifying you of my intent to do so.

Sincerely,


Signature

Printed Name: JOHN F. GRECH

Address: 239 Verano Drive
Daly City, CA 94015

Property Owned: 10 acre vineyard @ 1709 Indevood
Avenue, St. Helena, Ca 94574

18
Oakville

November 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

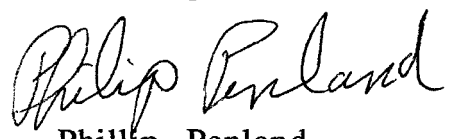
RE: Notice 756

Dear Sir,

I would like to request being permitted to speak at the hearing in support of the southern boundary of the Oakville Viticultural Area as proposed.

I have been informed that there is a proposal to place this boundary line at Dwyer Road. As a long-time resident of the immediate area, my father having moved here in 1887, I feel that there is absolutely no justification for such an idea as all of the historical and recent information supports the position of the petitioners.

Best regards,



Phillip Penland
P. O. Box 356
Oakville, CA 94562

PP/krq

Etude

19
Oakville

November 4, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

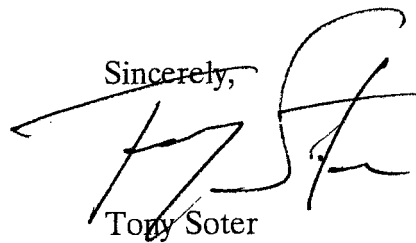
RE: Notice 756

Gentlemen:

The intent of this letter is to request an opportunity to appear at the hearings concerning the Oakville Viticulture Area on December 10, 1992. It is my intent to speak in support of the boundaries as proposed.

I plan to address the climate and geography of Vine Hill Ranch from which I have purchased grapes for more than 10 years. It is also my intention to discuss the appropriateness of including vineyards south of Dwyer Road in the proposed Oakville Viticultural Area.

Sincerely,



Tony Soter

Richard J. Duarte Vyds.

P. O. Box 348
Rutherford, CA 94573

20
Oakville

November 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DE 20091-0221

RE; Notice No. 756

Dear Sir;

In this letter I am requesting to be allowed to give an oral presentation at the hearings in support of the boundaries of the Oakville viticultural area scheduled for December 10, 1992 at the Inn at Napa Valley. It is my intention to discuss the following topics:

1. BATF Paragraph 1: Historical and Current boundary of area known as Oakville...
 - a. Writer is a second generation resident in the community and has never heard of any geographical line delineating the southwestern boundary of Oakville.

2. BATF Paragraph 5: Geographical or climate features, or evidence of name, or other current or historical evidence, supporting using Dwyer Road as the southwestern boundary of the Oakville Viticultural Area ...
 - a. Writer has worked in vineyards for over 40 years and managed vineyards for over 20 years. All are in the Dwyer Road area and writer finds no legitimate reason to use the Dwyer Road boundary as suggested. All geographic and climate conditions support the selection of the boundary originally suggested.

Richard J. Duarte Vyds.

P. O. Box 348
Rutherford, CA 94573

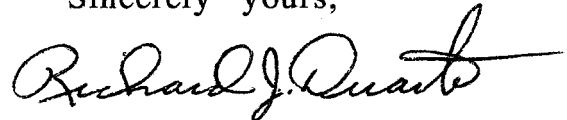
- 2 -

3. BATF Paragraph II - To what extent have grapes grown in Oakville and Rutherford areas or in the previously mentioned controversial areas been or not been marketed as Oakville grapes...

- a. Writer has managed three of the six vineyards on the suggested southwest boundary and has always delivered most of the grapes to the Oakville/Rutherford area.

Thank you for your courtesy in allowing me to participate in these hearings.

Sincerely yours,



RICHARD DUARTE
P. O. Box 348
Rutherford, CA 94573
(707) 944-2864

RD/krq



Martha's Vineyard

November 7, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

RE: Notice NO. 756

Dear Sir,

The purpose of this letter is to request time to participate in the area hearings for the Oakville Viticultural Area scheduled for December 10, 1992 at the Inn at Napa Valley. It is my intention to discuss the following topics in support of the proposed boundaries:

BATF Paragraph 1: Historical and Current boundary of area known as Oakville ...

Presentation of data both historical and current supporting the southern boundary of Oakville as proposed.

BATF Paragraph 5: Geographical or climate features, or evidence of name, or other current or historical evidence, supporting using Dwyer Road and Yountville as the southern boundary of the Oakville Viticultural Area ...

Presentation of observation evidence supporting southern boundary as proposed.

BATF Paragraph 11: To what extent have grapes grown in Oakville and Rutherford areas or in the previously mentioned controversial areas been or not been marketed as Oakville grapes.

Grape purchases by wine and oil grapes in area.

Thank you for allowing me the opportunity to participate in these hearings.

Sincerely yours,

Thomas H. May
THOMAS H. MAY

THM:kls

(22)
Rutherford &
Oakville

MAHER & ASSOCIATES

Management Consultants

ART L. MAHER

P.O. Box 1009
St. Helena, Ca. 94574

Telephone (707) 963-8266
Facsimile (707) 963-1280

Mr. Robert White
BAFF
Facsimile (202) 927-8602

November 9, 1992

Dear Bob

It is to alert you that I would like to testify at your AVA hearings on
the Napa and Oakville which will be held in Napa on December 9-10, 1992

My thanks


Art L. Maher

(23)
Oakville

HERBERT C. MOFFITT
1170 SACRAMENTO STREET
SAN FRANCISCO, CALIFORNIA 94108

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

November 6, 1992

re Notice No. 756

Gentlemen:

I request my participation in the hearing for the Oakville Viticultural Area to be held December 10, 1992 at the Inn at Napa Valley. I plan to discuss the following topics:

1. BATF - "Geographical or climatic features, or evidence of name, or other current or historical evidence, supporting Dwyer Road as the southwestern boundary of the Oakville Viticultural Area."

a. As a vineyard owner for over 30 years, I deny that "everybody knows that Dwyer Road should be the southern boundary". Nor do I believe that various business cards from the area constitute reasons for defining the agricultural area.

b. For over 30 years our grapes have gone to Robert Mondavi, usually at Oakville (R. Mondavi Winery and Opus One).

c. As previously submitted, our vineyard is at the southern edge of a natural change in climate defined by the neighboring hills and our alluvial fan, which provides a fog barrier.

If permitted to speak, I request that it might be at morning's end (10 AM to Noon).

Thank you for your consideration.



Herbert C. Moffitt
(707) 944-2391
(415) 771-7339

(24) Oakville
(17-37)

HOWARD G. DICKENSON
JOSEPH G. PEATMAN
WALTER J. FOGARTY, JR.
DAVID W. MEYERS
C. RICHARD LEMON
FRANCIS J. COLLIN, JR.
DAVID B. GILBRETH
CHARLES H. DICKENSON,
PAUL G. CAREY
RICHARD P. MENDELSON
FRANK G. TOLLER
STEPHEN D. NUTT
ROBERT M. FANUCCI
CATHY A. ROCHE
JONATHAN P. DYER
J. MURRY BARIA JR.
JOHN G. FISCHER

DICKENSON, PEATMAN & FOGARTY
A PROFESSIONAL LAW CORPORATION
809 COOMBS STREET
NAPA, CALIFORNIA 94559-2977
TELEPHONE 707 252-7122

OF COUNSEL
ROGER D. PETERSON

TELECOPIER
707 255-6876

November 5, 1992

VIA AIRBORNE EXPRESS

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Rutherford and Oakville Viticultural Areas
Notice of Hearing, ATF Notice No. 756

Dear Mr. White:

I am writing you on behalf of myself, certain other experts representing the petitioners for the Rutherford and Oakville viticultural areas and certain of the petitioners who wish to testify at the upcoming hearings. The following individuals, whose individual letters are attached hereto, wish to testify sequentially (in the following order) at the beginning of the respective hearings on the viticultural areas of Rutherford (December 9) and Oakville (December 10).

In addition to my comments as the first speaker on December 9, I would like to testify at the end of the day on Thursday, December 10, on the Oakville area. I am listed as speaker #7 on that day in the list which follows:

Wednesday, December 9, 1992 - Rutherford

1. Richard Mendelson, counsel for petitioners, 9:00 a.m.
 - A. How and why Rutherford meets the regulatory criteria for the establishment of viticultural areas: information will include various exhibits and reports which are part of the public record in this proceeding concerning name, boundary and geography.
 - B. How this viticultural area is consistent with ATF's past viticultural area decisions in Napa Valley.

Mr. Robert White
November 5, 1992
Page 2

2. Deborah Elliott-Fisk, Associate Professor of Geography,
University of California at Davis, 9:10 a.m.

A. Presentation of geographic evidence (geology,
geomorphology, soils, hydrology, climate) in support of the
Rutherford viticultural area.

B. How these factors differentiate the boundaries
suggested by others.

3. Charles Sullivan, historian, 9:20 a.m.

A. Historical evidence of Rutherford name recognition and
boundary evidence: the information to be presented includes
various historical documents.

B. Historical evidence which differentiates the boundaries
suggested by others.

4. Phil Freese, Vice President, Winegrowing, Robert Mondavi
Winery, 9:30 a.m.

A. Geographic features and viticultural characteristics of
Rutherford compared to surrounding areas.

B. Evidence of name recognition of these areas among
wineries and growers.

5. Pat Garvey, Flora Springs Winery, 9:40 a.m.

A. Viticultural characteristics of Rutherford and
surrounding areas.

B. Winery and consumer perceptions of Rutherford and
surrounding areas.

Thursday, December 10, 1992 - Oakville

1. Robert Mondavi, Chairman, Founder & Owner, Robert Mondavi
Winery, which owns Vichon Winery and, in partnership with
Chateau Mouton-Rothschild, Opus One Winery, 9:00 a.m.

A. Importance of the Oakville viticultural area in the
context of Napa Valley.

2. Deborah Elliott-Fisk, Associate Professor of Geography, University of California at Davis, 9:10 a.m.

A. Presentation of geographic evidence (geology, geomorphology, soils, hydrology, climate) in support of the Oakville viticultural area.

B. How these factors differentiate the boundaries suggested by others.

3. Charles Sullivan, historian, 9:20 a.m.

A. Historical evidence of Oakville name recognition and boundary evidence: the information to be presented includes various historical documents.

B. Historical evidence which differentiates the boundaries suggested by others.

4. W. Robert Phillips, Owner, Vine Hill Ranch, 9:30 a.m.

A. Name recognition and boundary evidence, historical and modern, in support of the southwestern boundary of Oakville.

5. Tim Mondavi, Co-Chief Executive Officer and co-owner, Robert Mondavi Winery, which owns Vichon Winery and, in partnership with Chateau Mouton-Rothschild, Opus One Winery, 9:40 a.m.

A. Name, boundary and geographic evidence in support of the Oakville viticultural area.

B. How Oakville is distinguished from surrounding viticultural areas and fits into an overall Napa Valley appellation context.

C. Discussion of evidence regarding alternative boundary proposals.

6. Nina Wemyss, Assistant to Cultural Affairs, Robert Mondavi Winery, afternoon.

Historical name recognition of Oakville, with information presented on the area's viticultural and non-viticultural history.

Mr. Robert White
November 5, 1992
Page 4

7. Richard Mendelson, counsel for petitioners, late afternoon.

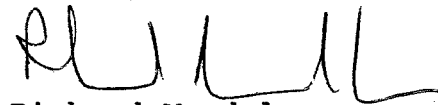
A. Name, boundary and geographic evidence in support of the Oakville viticultural area as presented by petitioners in the initial petition and other documents.

B. Distinguishing features of the Oakville viticultural area and comments on alternative boundary proposals.

We would appreciate your confirming the above schedule at your earliest convenience.

Sincerely,

DICKENSON, PEATMAN & FOGARTY



Richard Mendelson

RPM:srw
Enclosures

rpm\ruthoak\experts.atf

(25) Rutherford #
Oakville

Deborah Elliott-Fisk
Interim Director
Natural Reserve System
Office of the President
University of California
300 Lakeside Dr., 6th Floor
Oakland, CA 94612-3560
telephone 510/987-0593
telefax 510/763-6436

November 1, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
Post Office Box 50221
Washington, D.C. 20091-0221

Re: Notice No. 756

Dear Mr. Busey:

I request an opportunity to comment on both the Rutherford and Oakville viticultural areas on December 9 and 10, 1992, preferably during the morning on each of these two days as stated in Mr. Mendelson's letter. I am Associate Professor of Geography at the University of California at Davis and also serve as Interim Director of the U.C. Natural Reserve System. I will testify on the following topics:

Rutherford

1. Evidence of geographical features, as set forth in 27 CFR §4.25a(e)(2), which distinguish petitioners' proposed Rutherford viticultural area: the information to be presented covers geology, geomorphology, soils, hydrology and climate. I may also comment on viticulture and wines as they relate to this geography.

2. Evidence of geographical features pertaining to the proposed extensions of the Rutherford area north of Zinfandel Lane into the Sulphur Creek area, northeast of the 380 foot contour line into Spring Valley and northwest of Zinfandel Lane to include the northern fork of Bale Slough: the same types of information discussed above will be presented.

3. Evidence of geographical features pertaining to the proposed extension of the Rutherford area south to include Beaulieu Vineyards properties No. 2 and No. 4: the same types of information discussed above will be presented.

4. Evidence of geographical features pertaining to the proposed extension of the Rutherford area to the east to include Pritchard Hill: the same types of information discussed above will be presented.

Oakville

1. Evidence of geographical features, as set forth in 27 CFR 4.25a(e)(2), which distinguish petitioners' proposed Oakville viticultural area: the information to be presented covers geology, geomorphology, soils, hydrology and climate. I may also comment on viticulture and wines as they relate to this geography.

2. Evidence of geographical features pertaining to the proposed southwestern boundary of Oakville at Dwyer Road and Yount Mill Road: the same types of information discussed above will be presented.

My name, address and daytime telephone number are noted above. Please confirm my comment times on these two days.

Sincerely,

Deborah Elliott-Fisk/KHH

Deborah Elliott-Fisk
Associate Professor of Geography
University of California at Davis

Charles L. Sullivan
107 Belvale Drive
Los Gatos 95032
(408) 356-9957

R6 RUTHERFORD &
OAKVILLE



November 4, 1992

BATF
Beer and Wine Branch
650 Massachusetts Avenue NW
Washington DC 20226

Dear sirs:

In accordance with ATF Notice 756 I should like to comment on the petition to establish the Rutherford and Oakville viticultural districts of the Napa Valley, at both your hearings, scheduled December 9 and 10, 1992.

I am a viticulture and wine historian and I concentrate my work on California, particularly on the coastal wine districts of the North and Central Coasts. I have previously testified at other ATF hearings and have prepared the historical documentation for several successful petitions. My book, *Napa Wine, a History from Mission Days to the Present*, will be released in early 1993, sponsored by the Napa Valley Wine Library Association. It is the only such work covering the complete scope of Napa wine history.

At your December hearings I should like to comment on the historical development of the Oakville and Rutherford wine districts, and the public and industry perception of the development since the 1870s. I shall speak to the history of the wines from these areas and their historical reputation. Finally, I should like to discuss briefly the historical basis for determining the possible boundaries to these districts.

Sincerely,

ROBERT MONDAVI WINERY



OAKVILLE, CALIFORNIA

ZIP CODE 94562
P. O. BOX 106
TELEPHONE (707) 963-9611

November 4, 1992

BY TELEFAX

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

RE: ATF Notice No. 756

Dear Mr. White:

I am Vice President, Winegrowing of Robert Mondavi Winery. I would like to testify at the upcoming hearing on the Rutherford viticultural area on the morning of December 9, 1992, preferably following the presentations of Mr. Mendelson, Ms. Elliott-Fisk and Mr. Sullivan. I will discuss the following topics which are listed in the Notice of Public Hearings:

1. Evidence related to geography and viticulture in Rutherford and surrounding areas.
2. Why these boundaries should not be modified.
3. Grape marketing and winery perceptions of Rutherford and surrounding areas.

The evidence to be presented includes our winery's experiences as an extensive vineyard owner (1,300 acres) in the Napa Valley and as a buyer of grapes from throughout the valley.

I can be reached at the winery during working hours.

Sincerely,

Phil Freese

Komes Ranch

2006 West Zinfandel Lane
St. Helena, CA 94574
(707) 963-1659

November 4, 1992

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: ATF Notice No. 756

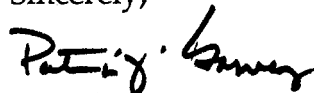
Dear Mr. White:

I am co-owner and vineyard manager of Flora Springs Wine Company. I would like to testify at the upcoming hearing on the Rutherford viticultural area on the morning of December 9, 1992, preferably following the presentations of Mr. Sullivan and Dr. Freese. I will discuss the following topics which are listed in the Notice of Public Hearings:

1. Viticultural characteristics of Rutherford and surrounding areas.
2. Winery and consumer perceptions of Rutherford and surrounding areas.

Should you wish to contact me I can be reached at the telephone number noted above.

Sincerely,


Patrick J. Garvey

(29) Oakville

ROBERT MONDAVI WINERY

OAKVILLE, CALIFORNIA



ZIP CODE 94562
P. O. Box 106
TELEPHONE (707) 963-9611

November 5, 1992

BY TELEFAX

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

RE: ATF Notice No. 756

Dear Mr. White:

I am Chairman, founder and owner of Robert Mondavi Winery, which owns Vichon Winery and, in partnership with Chateau Mouton-Rothschild, Opus One Winery. I would like to testify at the upcoming hearing on the Oakville viticultural area on December 10, 1992, at 9:00 a.m. I will discuss the importance of the Oakville viticultural area in the context of Napa Valley and why that viticultural area should be established.

Please confirm my scheduled comment time at the address and telephone number noted above.

Sincerely,

Robert Mondavi

RM:mja

(30) Oakville

VINE HILL RANCH

November 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

RE: Notice No. 756

Gentlemen:

This letter is my request to be allowed to participate in the oral hearings for the Oakville Viticultural Area scheduled for December 10, 1992 at the Inn at Napa Valley. It is my intention to discuss the following topics in support of the proposed boundaries:

1. **BATF Paragraph 1: Historical and Current boundary of area known as Oakville...**
 - a. Presentation of data, school district lines and polling places, both historical and current supporting the southern boundary of Oakville as proposed.

2. **BATF Paragraph 5: Geographical or climate features, or evidence of name, or other current or historical evidence, supporting using Dwyer Road and Yountville as the southwestern boundary of the Oakville Viticultural Area...**
 - a. Presentation of evidence, and also critique of written evidence heretofore submitted by others supporting Dwyer Road boundary in view of certain factual errors.

3. **BATF Paragraph 8: Evidence that the name of the proposed Oakville Viticultural Area is locally or nationally known as including the area approximately 1 mile south of Dwyer Road...**
 - a. Utilization at Oakville winery of highly regarded vineyard designation for grapes grown approximately 1 mile south of Dwyer Road.

4. **BATF Paragraph II:** To what extent have grapes grown in Oakville and Rutherford areas or in the previously mentioned controversial areas been or not been marketed as Oakville grapes.

a. Of the six growers in the area southwest of Dwyer Road, five sell their production to Oakville or Rutherford wineries.

Thank you in advance for your courtesy in allowing me to participate in these hearings.

Sincerely yours,



W. ROBERT PHILLIPS
(707) 944-2868

WRP/krp

(3) Oakville

ROBERT MONDAVI WINERY

OAKVILLE, CALIFORNIA



ZIP CODE 94562
P. O. BOX 106
TELEPHONE (707) 963-9611

November 5, 1992

BY TELEFAX

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: ATF Notice No. 756

Dear Mr. White:

I am Co-Chief Executive Officer and co-owner of Robert Mondavi Winery. Robert Mondavi Winery also owns Vichon Winery and, in partnership with Chateau Mouton-Rothschild, Opus One Winery. All three wineries are located in Oakville.

I would like to testify at the upcoming hearing on the Oakville viticultural area on the morning of December 10, 1992, preferably following the presentations of Messrs. Sullivan and Phillips. I will discuss the following topics which are listed in the Notice of Public Hearings:

1. The historical and current boundaries of Oakville.
2. Why these boundaries should not be modified.
3. Evidence related to geography, viticulture and wines in support of the boundaries of Oakville.
4. Winery perceptions of the Oakville area.

I will introduce evidence covering our family's history in the Napa Valley, the Napa Valley's distinctive geography and the need for an appellation context in the Napa Valley which is meaningful and understandable to consumers.

You can reach me at the address and telephone number noted above.

Sincerely,

Tim Mondavi

(32) Oakville

ROBERT MONDAVI WINERY

OAKVILLE, CALIFORNIA



ZIP CODE 94562
P. O. Box 106
TELEPHONE (707) 963-9611

November 4, 1992

BY TELEFAX
Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

RE: ATF Notice NO. 756

Dear Mr. White:

I am Assistant to Cultural Affairs, Robert Mondavi Winery. I would like to testify at the upcoming hearing on the Oakville viticultural area in the afternoon of December 10, 1992.

I will discuss the following topic which is listed in the Notice of Public Hearings: historical evidence concerning the Oakville area. The evidence will include the viticultural as well as non-viticultural history of Oakville.

I can be contacted at the Robert Mondavi Winery, Post Office Box 106, Oakville, CA 94562, telephone number 707 963-9611.

Sincerely,

Nina Wemyss

Nina Wemyss

Signed by

NW/jp

Margot Brewer
(Vice president cultural affairs)

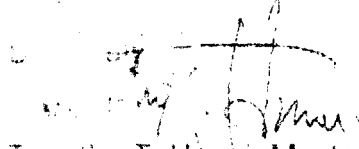
BERINGER VINEYARDS
2000 Main Street
St. Helena, California 94574
707-963-7115 / FAX 707-963-8251

(33)
Rutherford &
Oakville

DATE: November 8, 1992
TO: Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue
Washington D.C. 20226
FROM: Timothy T. Hanni MW
SUBJECT: Intent to comment on ATF Notice #756

I would like to participate in the hearings for the proposed Oakville and Rutherford
vintner areas on December 9 and 10, 1992 in regards to the establishment of
boundaries and present viticultural, geographical and geological information
pertinent to the issue.

I would prefer to present my comments in the morning of both days if convenient.


Timothy T. Hanni, Master of Wine

(34) Oakville

ROBERT MONDAVI WINERY

OAKVILLE, CALIFORNIA



ZIP CODE 94562
P. O. BOX 106
TELEPHONE (707) 963-9611

November 9, 1992

BY TELEFAX

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

RE: ATF Notice No. 756

Dear Mr. White:

I am Co-Chief Executive Officer and co-owner of Robert Mondavi Winery. Robert Mondavi Winery also owns Vichon Winery and, in partnership with Chateau Mouton-Rothschild, in Opus One Winery. All three wineries are located in Oakville.

I would like to testify at the upcoming hearing on the Oakville viticultural area on December 10, 1992. I would like to speak to the importance of developing Oakville as a specific appellation and its position within the Napa Valley.

You can reach me at the address and telephone number noted above.

Sincerely,

R. Michael Mondavi
Managing Director

RMM:sk

35

VICHON

FROM: M. Weis	TO: R. White
VICHON WINERY	AT: BATF
PH: 707/976-8024-2813	PH:
FAX: 707/976-8024-9224	FAX: 202/927-8602
# OF PAGES: 1	DATE: 11-9-92

November 9, 1992

BY TELEFAX

Mr. Robert White
 Wine & Beer Branch
 Bureau of Alcohol, Tobacco & Firearms
 650 Massachusetts Ave NW
 Washington DC 20226

RE: ATF Notice No. 756

I am General Manager of VICHON Winery which is owned by Robert Mondavi Corporation. I would like to testify at the upcoming hearing on the Oakville viticultural area on the afternoon of December 10, 1992.

I will discuss the differences of the blends (grape and wine characteristics) of the Oakville and Rutherford areas.

I can be contacted at VICHON Winery at the address and telephone number listed below.

Sincerely,



BY: VICHON Winery

:11- 9-92 ; 4:16PM ;

VICHON Winery-

2029278602:# 1

VICHON

FROM: M. Weis	TO: R. White
VICHON WINERY	AT: BATF
PH: 707/978-2811	PH:
FAX: 707/978-9224	FAX: 927-8602
# OF PAGES: 1	DATE: 11-9-92

November 9, 1992

BY TELEFAX

Mr. Robert White
 Wine & Beer Branch
 Bureau of Alcohol, Tobacco & Firearms
 650 Massachusetts Ave NW
 Washington DC 20226

RE: ATF Notice No. 756

I am General Manager of VICHON Winery which is owned by Robert Mondavi Corporation. I would like to testify at the upcoming hearing on the Oakville viticultural area on the afternoon of December 10, 1992.

I will discuss the differences of the blends (grape and wine characteristics) of the Oakville and Rutherford areas.

I can be contacted at VICHON Winery at the address and telephone number listed below.

Sincerely,



Michael Weis
 General Manager
 Director of Winemaking

Sincerely,



32
Kramlich
Oakville

November 6, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

Attn: Notice No. 756

Gentlemen:

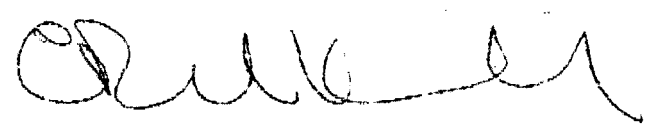
I am a member of the Growers for Meaningful Appellations ("GMA") which participated in filing comments in this proceeding. I hereby request time to testify in connection with the proposals to establish the Rutherford and Oakville viticultural areas. My name, address and daytime telephone number are as follows:

Name. Richard & Pamela Kramlich
Address. 235 Montgomery Street Suite 1025
San Francisco, CA 94104

Daytime Telephone: (415) 956-1579

I would prefer to testify in conjunction with other witnesses who support GMA's position. Attached is the outline required by ATF's notice in the Federal Register.

Sincerely,



cc: Growers for Meaningful Appellations
Attn: Dennis Groth

Attachment

OUTLINE OF TESTIMONY

1. Use of the Rutherford name.

Discussion concerning historical and current use of "Rutherford" in connection with production of Napa Valley wines.

2. Use of Oakville name.

Discussion concerning historical and current use of "Oakville" in connection with production of Napa Valley wines.

3. Boundary between Rutherford and Oakville.

Discussion of historical uses of Rutherford and Oakville and appropriateness of proposed boundary.

4. Historical patterns of grape production used by Rutherford and Oakville vintners.

Discussion of historical and current commercial relationships within Rutherford and Oakville areas between vintners producing "Rutherford" or "Oakville" wines and grape growers in Rutherford and Oakville areas.

5. Climate Factors.

Discussion of climatologic factors common to Rutherford and Oakville and viticultural significance of differences in those factors, including in particular, temperature and rainfall.

6. Soil Factors.

Discussion of soil factors common to Rutherford and Oakville and viticultural significance of differences in soil types.

7. Proposal to establish "Rutherford Bench" as appellation for entire proposed Rutherford area.

Discussion of use of "Rutherford Bench" as appellation of origin for proposed Rutherford area.

8. Other boundary issues.

Discussion concerning appropriateness of proposed Northern boundary of "Rutherford" and/or proposed SW boundary of "Oakville".

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 310
1001 PENNSYLVANIA AVENUE N.W.
WASHINGTON, D.C. 20004-2505

TELEPHONE (202) 638-5500
FACSIMILE (202) 737-8998

(51)
Rutherford &
Oakville

SP# 39

November 6, 1992

WILLIAM F. DEMAREST, JR.

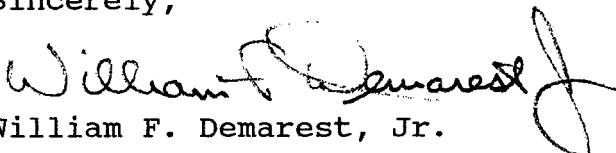
Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

Attn: Notice No. 756

Gentlemen:

I represent the Growers for Meaningful Appellations ("GMA") and have filed comments on behalf of GMA in this proceeding. I hereby request time to testify on behalf of GMA in connection with the proposals to establish the Rutherford and Oakville viticultural areas. My address and daytime telephone number appear on the letterhead above. I would prefer to testify in conjunction with other witnesses who support GMA's position. Attached is the outline required by the Bureau's Federal Register notice.

Sincerely,


William F. Demarest, Jr.

Attachment

OUTLINE OF TESTIMONY

1. Use of the Rutherford name.

Discussion concerning historical and current use of "Rutherford" in connection with production of Napa Valley wines.

2. Use of the Oakville name.

Discussion concerning historical and current use of "Oakville" in connection with production of Napa Valley wines.

3. Boundary between Rutherford and Oakville.

Discussion of historical uses of Rutherford and Oakville and appropriateness of proposed boundary.

4. Historical patterns of grape production used by Rutherford and Oakville vintners.

Discussion of historical and current commercial relationships within Rutherford and Oakville areas between vintners producing "Rutherford" or "Oakville" wines and grape growers in Rutherford and Oakville areas.

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Discussion of climatologic factors common to Rutherford and Oakville and viticultural significance of differences in those factors, including in particular, temperature and rainfall.

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Discussion of soil factors common to Rutherford and Oakville and viticultural significance of differences in soil types.

7. Proposal to establish "Rutherford Bench" as appellation for entire proposed Rutherford area.

Discussion of use of "Rutherford Bench" as appellation of origin for entire proposed Rutherford area.

8. Other boundary issues.

Discussion concerning appropriateness of proposed Northern boundary of "Rutherford" and/or proposed SW boundary of "Oakville".

#384239

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 310
1001 PENNSYLVANIA AVENUE N.W.
WASHINGTON, D.C. 20004-2505

TELEPHONE (202) 638-5500
FACSIMILE (202) 737-8998

WILLIAM F. DEMAREST, JR.

November 9, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

Attn: Notice No. 756

Gentlemen:

The Growers for Meaningful Appellations ("GMA") has actively participated as a commenter in the Rutherford and Oakville viticultural area proceedings on behalf of numerous grape growers and vintners in Napa Valley. GMA desires to present comprehensive testimony respecting the proposed "Rutherford" and "Oakville" appellations. To this end, the undersigned and each of the individuals named below (along with numerous other members of GMA) have separately requested an opportunity to present oral comments. The purpose of this letter is to request an opportunity for each of the named individuals and the undersigned to testify on behalf of GMA in a panel or other format as you deem appropriate. Alternatively, the named individuals and the undersigned request that you schedule us to testify in sequence, starting with Mr. Groth and concluding with the undersigned. We would also appreciate your scheduling other members of GMA, who have separately requested an opportunity to testify, immediately following the testimony of the undersigned as this would facilitate coordination of the common points of view shared by GMA members, reduce repetition and streamline the hearing process.

The leadership of GMA on whose behalf this request is made are:

- Mr. Dennis Groth — #38
- Mr. Greg Upton — #38
- Mr. Augustin Huneeus — #39
- Mr. Steve Girard — #39

You may contact the undersigned at the above address and telephone number regarding this request. As required by the

OUTLINE OF TESTIMONY

1. Use of the Rutherford name.

Discussion concerning historical and current use of "Rutherford" in connection with production of Napa Valley wines.

2. Use of the Oakville name.

Discussion concerning historical and current use of "Oakville" in connection with production of Napa Valley wines.

3. Boundary between Rutherford and Oakville.

Discussion of historical uses of Rutherford and Oakville and appropriateness of proposed boundary.

4. Historical patterns of grape production used by Rutherford and Oakville vintners.

Discussion of historical and current commercial relationships within Rutherford and Oakville areas between vintners producing "Rutherford" or "Oakville" wines and grape growers in Rutherford and Oakville areas.

5. Climate Factors.

Discussion of climatologic factors common to Rutherford and Oakville and viticultural significance of differences in those factors, including in particular, temperature and rainfall.

6. Soil Factors.

Discussion of soil factors common to Rutherford and Oakville and viticultural significance of differences in soil types.

7. Proposal to establish "Rutherford Bench" as appellation for entire proposed Rutherford area.

Discussion of use of "Rutherford Bench" as appellation of origin for entire proposed Rutherford area.

8. Other boundary issues.

Discussion concerning appropriateness of proposed Northern boundary of "Rutherford" and/or proposed SW boundary of "Oakville".

Groth

November 9, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Attn: Notice No. 756

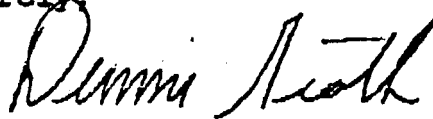
Gentlemen:

I am a member of the Growers for Meaningful Appellations ("GMA") which participated in filing comments in this proceeding. I hereby request time to testify in connection with the proposals to establish the Rutherford and Oakville viticultural areas. My name, address and daytime telephone are as follows:

Name: Dennis Groth
President
Address: Groth Vineyards & Winery
P.O. Box 390
Oakville, CA 94576
Daytime Telephone: (707) 944-0290

I would prefer to testify in conjunction with other witnesses who support GMA's position. Attached is the outline required by ATF's notice in the Federal Register.

Sincerely,



OUTLINE OF TESTIMONY

1. Use of the Rutherford name.

Discussion concerning historical and current use of "Rutherford" in connection with production of Napa Valley wines.

2. Use of the Oakville name.

Discussion concerning historical and current use of "Oakville" in connection with production of Napa Valley wines.

3. Boundary between Rutherford and Oakville.

Discussion of historical uses of Rutherford and Oakville and appropriateness of proposed boundary.

4. Historical patterns of grape production used by Rutherford and Oakville vintners.

Discussion of historical and current commercial relationships within Rutherford and Oakville areas between vintners producing "Rutherford" or "Oakville" wines and grape growers in Rutherford and Oakville areas.

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Discussion of use of "Rutherford Bench" as appellation of origin for entire proposed Rutherford area.

8. Other boundary issues.

Discussion concerning appropriateness of proposed Northern boundary of "Rutherford" and/or proposed SW boundary of "Oakville".

40
JOURNAL &
BUREAU

MERRYVALE



November 9, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

RE: Notice #756

Sir:

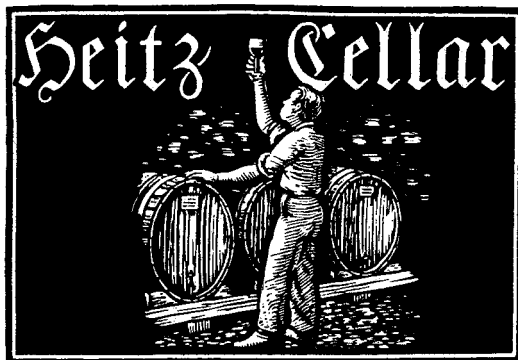
I am a winery owner in St. Helena and vineyard owner in Oakville. I would like to testify at the hearings on the 9th and 10th of December 1992 regarding the proposed Rutherford and Oakville appellations. My comments will concern appropriate names of these areas and other evidence in support of proposed boundaries.

I can be reached at the following number (707) 963-2225.

Regards,

H. William Harlan

MERRYVALE VINEYARDS
1000 MAIN STREET
ST. HELENA
CALIFORNIA 94574
707 963 2225 FAX 707 963 1949



(41)
Rutherford

HEITZ WINE CELLARS

500 TAPLIN ROAD

ST. HELENA, CALIF.

TELEPHONE: 707 963-3542
ZIP CODE 94574

November 4, 1992

Robert White, Chief Wine and Beer Board
Bureau of Alcohol, Tobacco & Firearms
Washington, D.C. 20226

Dear Mr. White:

I would like to give testimony with regard to the proposed boundaries of the Rutherford Appellation on December 9, 1992. This will include the Spring Valley boundary as well as the Sulfur Creek, Napa River boundaries as proposed by Mr. Beckstoffer. I will be speaking for Heitz Wine Cellars. My phone number at home is (707)963-2829 and at work (707)963-3542.

Sincerely,

David Heitz
David Heitz

DH/bd

(42)

Rutherford &
Oakville

November 6, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: Notice No. 756


Gentlemen:

I am a member of the Growers for Meaningful Appellations ("GMA") which participated in filing comments to this proceeding. I hereby request time to testify in connection with the proposed regulations for the Rutherford and Oakville viticultural areas. My name, address and daytime telephone number are as follows:

Name: Nils & Dianna Venge
Address: P.O. Box 141
Oakville, Ca 94562

Daytime Telephone: (707) 963-4982

I would prefer to testify in conjunction with other witnesses who support GMA's position. Attached is the outline required by ATF's notice in the Federal Register.

Sincerely,


cc: Growers for Meaningful Appellations
Attn: Dennis Groth

Attachment

Antelope Valley

R. White

43

Fast-A brand
Fax Transmittal Memo 7672

To: *Chief Wine and Beer Branch*
Company: *Bureau of Alcohol, Tobacco, Firearms*
Location: *Washington DC*
Fax #: *202-927-8601* Telephone #: *202-927-7777*

Comments: *Re: Notice 756*

No. of Pages	1	Today's Date	11/9/92	Time	9:00
From	<i>Anthony Bell</i>				
Company	<i>Beaulieu Vineyard/Henderson Inc</i>				
Location	<i>St. Helena CA</i>	Dept. Charge	<i>Operations</i>		
Fax #	<i>707-963-5920</i>	Telephone #	<i>707-967-5224</i>		
Original Disposition:	<input type="checkbox"/> Destroy	<input type="checkbox"/> Return	<input type="checkbox"/> Call for pickup		



Beaulieu Vineyard

November 6, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
Post Office Box 50221
Washington, D. C. 20091-0221

Attention: Notice No. 756

Dear Sir:

Please be advised that Beaulieu Vineyard requests the ability to make oral comments at the public hearing scheduled for December 9th and 10th, 1992.

Thank you for your attention and consideration.

Very Truly Yours,

Anthony A. Bell
Anthony A. Bell
Vice President/General Manager

- cc: C. Mottern
- D. Scott
- R. Walton
- W. Wathan



(44)
Rutherford &
Oakville

November 6, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

Attn: Notice No. 756

Gentlemen:

I am a member of the Growers for Meaningful Appellations ("GMA") which participated in filing comments in this proceeding. I hereby request time to testify in connection with the proposals to establish the Rutherford and Oakville viticultural areas. My name, address and daytime telephone number are as follows:

Name: **NORMAN DE LEUZE**
Address: 8383 Silverado Trail
Napa, CA 94558

Daytime Telephone:

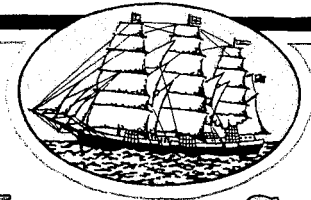
I would prefer to testify in conjunction with other witnesses who support GMA's position. Attached is the outline required by ATF's notice in the Federal Register.

Sincerely,

Norman C deLeuze
ZD WINES

cc: Growers for Meaningful Appellations
Attn: Dennis Groth

Attachment



 **WESTERN SHORE**
O R C H A R D

45

Rutherford

November 9, 1992

Bureau of ALCOHOL, TOBACCO & FIREARMS
ATTN: CHIEF, WINE & BEER BRANCH
PO BOX 50221
WASHINGTON, D.C. 20091-0221

RE: NOTICE NO. 738

DEAR SIR;

IN RESPONSE TO MY LETTER TO YOU ON AUGUST 3, 1992, AND THAT OF MY HUSBAND, MICHAEL SIMPSON, ON OCTOBER 31, 1992, I WISH TO MAKE ORAL COMMENT AT THE HEARING FOR RUTHERFORD ON DECEMBER 9, 1992 at: THE INN AT NAPA VALLEY
1075 CALIFORNIA BLVD.
NAPA, CA 94559

IN MY COMMENTS I WISH TO STATE:

1. I AM THE OWNER OF PARCEL NO. AP 009 350-032-000 LOCATED IN NAPA COUNTY NORTH OF ZINFANDEL LANE, EAST OF THE 500 FT. CONTOUR LINE ON THE WEST, AND WEST OF HWY. ROUTE 29.
2. THIS LAND WAS PLANTED TO THE ZINEFANDEL WINEGRAPE BY MY GRANDFATHER IN 1906. CUTTINGS FROM THIS LONG-LIVED VINEYARD HAVE BEEN SHARED WITH GRAPE GROWERS THROUGHOUT THE NAPA VALLEY.
3. I SUPPORT THE PETITION OF BECKSTOFFER VINEYARDS (July 17, 1992) TO EXTEND THE NORTHERN BOUNDARY OF THE RUTHERFORD VITICULTURE AREA TO SULPHUR CREEK.
4. SULPHUR CREEK IS A NATURAL GEOGRAPHICAL FEATURE FOR THE RUTHERFORD BENCH AREA. HEADING AT SULPHUR CREEK, THE LAND FLOWS OVER WARM ROCK STREWN LAND DOWN THE VALLEY LIKE AN "ALLUVIAL FAN".
5. ZINFANDEL LANE IS A LINE ACROSS THE FLOOR OF NAPA VALLEY, IT IS NOT A GEOGRAPHICAL FEATURE OF THE LAND BY ANY STRETCH OF THE IMAGINATION.
6. I AM PLEASED YOU ARE "COMING TO CALIFORNIA" TO REVIEW THIS BEAUTIFUL LAND AND THE REALITIES OF THE PROPOSED VITICULTURAL AREA FOR YOURSELF.

Sincerely,

Sarah Simpson

WESTERN SHORE ORCHARD, INC.

11155 Highway 160 • Post Office Box 75 • Hood, CA 95639 • (916) 775-1637



X
November 16, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
PO Box 50221
Washington DC 20091-0221
Attn.: Notice No. 756

Dear Sir:

I wish to comment on the northern boundary of the proposed Rutherford viticultural area and on the comments of two Napa Valley grapegrowers who argue for additions to the area. These arguments are utterly without merit.

I have been Winemaker and General Manager of Silverado Vineyards since 1980. Since 1983 I have lived at the corner of Sulphur Springs Avenue and Crane Avenue in St. Helena, in or near the proposed additions. In the late 1980s I was a member of the steering committee whose work resulted in the establishment of the Stags Leap District viticultural area in 1989. I believe I am qualified to comment.

Let me add that Silverado Vineyards neither owns nor contracts for vineyards in the proposed Rutherford area. My interest is only in maintaining the historical and geographical integrity of viticultural areas. Without this they are meaningless.

W. A. Beckstoffer proposes Sulphur Creek as the northern boundary of the Rutherford viticultural area, presumably because he owns a small vineyard at the end of Sulphur Springs Avenue, bordering the creek. His proposal would result in the entire southern part of the city of St. Helena being included in Rutherford. This is as preposterous as saying the South Bronx is part of Manhattan.

The suggestion of UCC Vineyards Group that the boundary be the St. Helena city limits, while not as outlandish as Beckstoffer's, is equally without merit, although it would certainly be in UCC's interest to have the viticultural area include as much territory as possible.

Let me comment on these proposals with the agency's own guidelines in mind.

Name Recognition: No reasonable person can argue that a large part of the incorporated city of Saint Helena is, in fact, known as Rutherford. It would be a great surprise to me and my neighbors along Sulphur Springs Avenue, which happens to be the city limit. During the recent election I canvassed registered voters on Sulphur Springs Avenue, Vallejo Street, and Crane Avenue, all of which are inside Beckstoffer's proposed addition. The polling place for our precinct was St. Helena High School, not the Rutherford Grange.

Furthermore, even the area south of the city limits, perhaps as far as Whitehall Lane and Bale Slough, is presently and has always been known as part of greater St. Helena. My neighbors to the south, on the other side of Sulphur Springs Avenue, on Inglewood Avenue, and even on Zinfandel Lane, while technically in the unincorporated area of the county, consider themselves residents of St. Helena.

Historical Evidence: There is not a trace of evidence that any of the area north of Zinfandel Lane was ever known as Rutherford. Just the opposite, much of the territory south of Zinfandel Lane was actually considered part of St. Helena.

The Directory of the Grape Growers and Wine Makers of California, published by the state in 1888, lists 193 growers in St. Helena and 21 in Rutherford; obviously St. Helena was a much larger area. Among the St. Helena growers listed were W. B. Bourn, who owned property on both sides of Sulphur Springs Avenue west of Crane; Dr. G. B. Crane, whose property was north of Sulphur Springs between the highway and Crane Avenue, and who had a small wine cellar there; H.J. Lewelling, with land on the south side of Sulphur Springs; John Thomann, whose winery was on the site of the present Sutter Home winery; and the Edge Hill Vineyard Company, which owned 200 acres at the end of Sulphur Springs Avenue and whose winery is now the home of Louis P. Martini.

Also listed as St. Helena growers were T.H. Ink, whose property was at Whitehall Lane, and George Mee, who owned land near the present Mee Lane. Both ranches were south of Zinfandel Lane, but were considered part of St. Helena, not Rutherford.

Further, when the San Francisco, Napa & Calistoga Railroad operated, there were two stations between Rutherford and St. Helena. They were Zinfandel, located at Zinfandel Lane, and Thomann, near the winery of that name. It can't be argued that the area between the town of Rutherford and the city limits of St. Helena must be called Rutherford, because other names have been used.

By the way, when Round Hill Cellars established its Rutherford Ranch Brand in the 1970s, Ernie Van Asperen owned a vineyard in Rutherford, just south of town on the east side of the highway, north of what is now Peju Province. I believe this is the ranch he

named the brand after, not the St. Helena vineyard that Mr. Beckstoffer now owns.

Geographical Features: According to the USDA Soil Survey of Napa County, the soils of Rutherford are quite distinct from those in the proposed expansions. The principal soil type of the vineyards just south of Sulphur Creek is Cortina very gravelly loam. Just south of the city limits the principal soil is Pleasanton loam. Bale loam is the principal soil type south of Bale Slough and west of the Napa River.

As many have shown, there is also a significant climate gradient between the town of Rutherford and Sulphur Creek. In general, elevation, temperature summation, and annual rainfall increase from south to north. These features result in significant differences in viticultural characteristics between the proposed additions and Rutherford, and they suggest strongly that the northern limit of the viticultural area should, if anything, be moved further south.

I have directly observed the differences in soils, climate, vine growth, and grape ripening between my neighborhood and the vineyards of Rutherford. For nearly ten years I have walked my dog in the vineyards between my home and Sulphur Creek. I've tried to dig through the cobblestones in my garden. I've driven between St. Helena and Rutherford with the top down on a summer afternoon. The vineyards near my home have very little in common with those of Rutherford. They are St. Helena vineyards.

In the interest of preserving the meaning and integrity of viticultural areas, I urge you to reject any proposal to expand Rutherford north of Zinfandel Lane. I also request to testify at the December 9 hearing.

Sincerely,



John Stuart
Winemaker & General Manager



Flora Springs

WINERY & VINEYARDS

December 17, 1992

Mr. Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D. C. 20226

Re: Rutherford Viticultural Area

Dear Mr. White:

I realize that both of us have been working on this project for a number of years and as the project draws to a close I wanted to express my appreciation to you and the panel for the professional manner in which this case was handled.

A number of questions were raised during my presentation and I would like to respond to them as well as furnish more data that directly ties Flora Springs to the Rennie property known then as Rutherford and provide support for name recognition.

A. Name Recognition

1. The one fear that petitioners have is the possibility that moving the Komes Ranch line beyond Zinfandel Lane will cause a leap frog toward the City of St. Helena. To dispel this concern, two things were clear from the public hearing. First, there was no name recognition provided by Messrs. Beckstoffer, Hayne, Freed or Heitz tying their proposed expansion to "Rutherford". Secondly, Mr. Beckstoffer was the only presenter of this group that provided geological data. However, instead of providing information that tied the Sulphur Springs fan to Rutherford, it supported evidence that helped define the viticultural area of St. Helena.

2. Beginning with Flora Springs' 1984 Trilogy we have continued to receive name recognition with all of our wines. In each case Flora Springs is referred to as being a part of Rutherford. For documentation I have included articles by San Francisco Chronicle beat writer, Mr. Larry Walker; Los Angeles Times and The Santa Rosa Press Democrat wine writer, Mr. Dan Berger; wine

correspondent Mr. John Meredith; international wine writer and author, Mr. Jim Laube and the wine correspondent for the Washington Post, Mr. Ben Giliberti.

Each expert has recognized the Rutherford Viticultural area and Flora Springs Wine Company as one in the same. Not once did I hear Rutherford synonymous with the vineyards of Beckstoffer, Hayne, Freed or the winery of Heitz.

B. Historical Relevance

1. After my presentation, Mr. Bill Earle asked for the exact location of the Rennie property. In a section of the 1895 Napa County property owners map, the Rennie's are shown to have a total of 210 acres. The Rennie acreage including their winery is all on the north side of Zinfandel Lane. (See enclosed map.)

"The Vineyards of Napa County" report of E.C. Priber, to the Board of State Viticultural Commissioners, 1893, indicates that the Rennie's property is in Rutherford. For your information, none of the other property owners north of Zinfandel Lane are identified as being in Rutherford.

As you may have noticed, there is a discrepancy between the 210 acres shown by Rennie and 220 acres shown by Komes for parcel 27-100-31. Rennie's purchase from Mr. Martin Furstenfeld included only land north of Zinfandel Lane. Louis P. Martini purchased the land from J.Y. Eccleston in 1933. Between 1933 and the time of his death in 1974, Louis Martini had purchased other parcels of land contiguous to his. One parcel was 27-430-06 of 79.2 acres; another was 27-120-09 of 10 acres and the third was 10 acres on the south side of Zinfandel Lane that Martini combined with the 210 acres that currently make up the 220 acres.

C. Geology and Soils

1. The north fork of the Bale Slough cuts across Zinfandel Lane and bisects the Komes property and Flora Springs Winery. I recommend following that fork of Bale Slough north 2,750 feet to a point intersecting the straight line westward extension of the light-duty road known as Inglewood Avenue, west of the 227-foot elevation marker, then following that line to the west to the 500-foot contour.

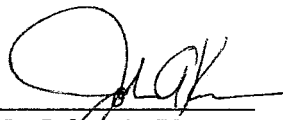
2. Trilogy, our finest red wine comes from both sides of Zinfandel Lane. Without clarification, a bottle of Trilogy would have the unenviable distinction of having grape sources originate from two separate viticultural areas, St. Helena and Rutherford, while actually coming from one property.

3. Our vineyard blocks E, F and L are north and south of Zinfandel Lane as well as west of Bale Slough. As indicated in the enclosed report by geographer, Deborah Elliott-Fisk, the soils from these blocks are very similar in

texture and contain soils high in magnesium and low in calcium. As a result they are all influenced by the marine sedimentary Franciscan fan that formed in the Mayacamas Range to our west. These soils and this location distinguishes our area from its surroundings - it's this serpentine influence that differentiates this area from Oakville and St. Helena.

4. We own vineyard in the proposed St. Helena viticultural area east of Highway 29 and north of Zinfandel Lane as well as in Oakville. This serpentine influence relates only to the soils west of this north fork of Bale Slough. Our other vineyard locations as well as 30% of the Komes property that falls on the east side of Bale Slough is viticulturally distinct and this impacts decisions having to do with growing and producing grapes.

In conclusion, we do not request that our property east of Highway 29 and north of Zinfandel Lane be included in Rutherford nor do we ask that the entire parcel west of Highway 29 (27-100-31) be included in Rutherford. We request only that the portion of property 27-100-31 that is west of Bale Slough and south of Inglewood Avenue be included in the Rutherford viticultural area. We believe there is strong name and geographical evidence to support this while denying any further expansion to the north.



Mr. John A. Komes



Mr. Patrick J. Garvey

WALKER'S CHOICE

New Wine From Flora Springs Rates a Perfect 10

BY LARRY WALKER

I sometimes am asked the question, "Is this wine really worth \$15 (or \$25, or \$100, or whatever)?" "Well," I reply, "there really isn't an answer to that. Wine, like many things, is worth whatever the buyer is willing to pay for it." Of course, that answer doesn't satisfy anyone, especially me.

One always looks for a scale of value; even in works of art. A Picasso and a Miro are valued on some sort of intrinsic scale, even if no one understands the terms of the scale.

The value question has come up more often in the past few years because of Opus One and a raft of similar super-hyped wines. Opus One has an image, a patina that has nothing to do with its value as a bottle of wine. The combination of Mondavi/Rothschild could sell a bottle of

mouthwash for \$50.

There is another Napa red wine coming out in September that is getting its share of promotional hype, special dinners around the country, press conferences and the like. It's from Flora Springs and is called Trilogy. It's going to sell for about \$30 a bottle, and it is worth it!

The Komes and Garvey families have been making terrific wine at Flora Springs since 1978. A few years ago, they decided to have a go at making the best possible red wine

A NAPA VALLEY
RED TABLE WINE



TRILOGY
1984

*A classic blend
of three traditional
claret varietals
specially selected
for this bottling.*

Flora Springs

Estate Grown, Produced and Bottled by
Flora Springs Wine Co. St. Helena, CA

they could produce. And they thought they could do that by blending Cabernet Sauvignon, Merlot and Cabernet Franc with the grapes coming from their vineyards in the Rutherford Bench area of Napa County.

In the blend, the Merlot adds to the perfumy/brambly nose of the wine, while the Cabernet Franc contributes a distinct coffee element both in the nose and in the finish. The Cabernet Sauvignon adds a touch of black cherry and raspberry to finish out the wine.

The blend for the first release is about one-third of each variety, but that can change for future releases, depending on how the vintage develops.

Whatever the Garveys do in the future with Flora Springs Trilogy, I hope it measures up to the first offering, which is one of the best, anywhere, anytime. It has an intense, smoky nose with an underlying layer of fruit that runs straight through the taste. There is that typical Rutherford "dusty" quality in the center that is hard to define but

so easy to identify on the palate. The finish is long and complex, with the opening fruit coming back to wrap up the flavors. This is a very special wine. Price: \$30. Rating: 10. Drinkability, now and into the next century. (And for those of you with a scorecard, that's the first 10 I've ever given.)

TRILOGY

The Press Democrat

October 21, 1987

DAN BERGER'S WINE CELLAR

To splurge, or not to splurge, on Trilogy

When should you spend \$30 for a bottle of wine? ... I tasted a wine the other day that sells for \$30....It is called **Trilogy** and it is made by Flora Springs Winery in the Napa Valley and it is a **great** wine. It ranks with the best Cabernet Sauvignon type wines I have tasted. And I personally find it to be worth the \$30 being charged for it.

Trilogy was named for the three grape varieties that were used in equal proportions to make it. Cabernet Sauvignon, Merlot and Cabernet Franc. Winemaker Ken Deis uses grapes only from the Komes Ranch, where Flora Springs is located and that may be one key reason for the wine's quality.

It has long been felt that the best Cabernet Sauvignon comes from so-called "benchland" that sits above the Napa Valley floor by a few feet. In particular, the area around Rutherford, south of St. Helena in the Napa Valley, and along the western foothills seems to have some spectacular vineyards.

It is now being called the Rutherford Bench, responsible for great wines in the past and present by Inglenook, Mondavi, Beaulieu, Freemark Abbey "Bosche", Heitz "Martha's Vineyard," "Bella Oaks" and Far Niente's Stelling Ranch.

The Komes ranch sits right on the bench at the end of Zinfandel Lane, hard against the hills. Thus these grapes don't yield the same "jammy" or heavier-flavored intensity of grapes grown farther up the mountain.

What this does for the grapes is produce an aroma that is more black cherries and spice than currants or earthy-peppery scents often associated with high mountain fruit. And the taste is fleshy, round and rich, but with softer tannins so the wine is approachable. The finish is very complex.

What separates this wine from a lot of others is a certain finesse, a drinkability that gives the wine some immediate interest...

wine country

DATELINE

Flora Springs enters proprietary wine game

By L. PIERCE CARSON
Register Staff Writer

The making of proprietary wines has become big business ever since Opus One made such a big splash in the consumer market a few years ago.

But Bob Mondavi and the Baron Rothschild weren't the first to make waves in the wine industry with the release of a special blend.

Since the late '70s, Joseph Phelps has been pleasing palates with his rich blend of cabernet sauvignon and merlot, bottled and released under the Insignia label.

Francis Ford Coppola has his rubicon and the joint venture between Chateau Petrus and Robin Lail resulted in Dominus, one of the big ticket items at the 1986 Napa Valley Wine Auction.

Now comes Flora Springs Winery with Trilogy, a blend of cabernet sauvignon, cabernet franc and merlot that is due for release this coming fall.

With grapes harvested from 350 acres of vines on five different Napa Valley locations, Flora Springs has been producing outstanding chardonnay, sauvignon blanc and cabernet sauvignon bottlings for the past decade.

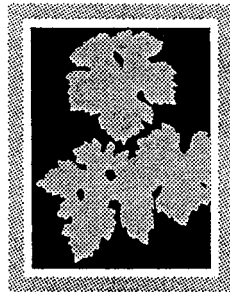
To celebrate the 10th anniversary of its first release next year, Flora Springs president John Komes felt it was time to produce "the very best red wine that Flora Springs could make."

With winemaker Ken Dels, Komes tasted through many old and new combinations in the Flora Springs library of experimental lots.

The upshot of five years of "pains-taking monitoring" is Trilogy.

Grapes for this blend come from the family's vineyards along the Rutherford Bench, including eight acres of hillside cabernet franc and cabernet sauvignon and merlot that stretch out below the winery which is located at the end of West Zinfandel Lane.

A NAPA VALLEY
RED TABLE WINE



TRILOGY
1984

*A classic blend
of three traditional
claret varietals
specially selected
for this bottling.*

Flora Springs

Estate Grown, Produced and Bottled by
Flora Springs Wine Co. St. Helena, CA

"An exciting blend of one-third cabernet sauvignon, one-third cabernet franc and one-third merlot had an almost magical relationship that excited the best from each of the components while promoting a marriage that kept any one element from dominating the blend," he pointed out.

"We are always seeking perfection and each year sees us doing some experimentation to eke out a little more from our grapes," says winemaker Dels. "I am pleased that the family has made a commitment to quality rather than quantity. It would be easy for them to use all their grapes and be a very large winery, but instead, they seek perfection."

On the Trilogy blend, Dels said that he has "always wanted to make a wine like this. By allowing ourselves the opportunity to blend, we are like an artist with a full palette of colors — we can shade, color and add nuance in a wide spectrum."

In tasting the 1985 blend, one is treated to the coffee and cassis of the cabernet franc nose, with its astringency allowing for the assertive palate, plus the black cherry/chocolate nose and taste of the cabernet sauvignon, blended perfectly with the rich merlot, which, in itself, displays big, ripe fruit and a desired tea-like finish.

Trilogy has great promise and the release of the 1984 blend allows for yet another prestigious proprietary wine to be added to cellars at home and in restaurants nationwide.

"I'm proud of what we have accomplished in such a short time at Flora Springs," says marketing director Julie Komes Garvey, "and the exciting thing is that we plan to continue to improve. We have a great team at the winery and in the vineyards. It's like an extended family and we share the goal of making Flora Springs the best."

"The plantings around the century-old stone winery provide many different nuances due to the variety of soils and exposure provided the undulations of the hillside and benchland, as well as by clonal variations," Komes points out.

suggested for the wine enthusiast

Jancis Robinson's beautifully illustrated, prize-winning work, "Wines, Grapes, and Wines" (\$29.95), an in-depth, highly informative look at the world's grape varieties and their characteristics, leads this year's list of The Wine File's holiday gift suggestions for the food and wine enthusiast — a compilation of books and accessories designed to add that special touch to the pleasures of wine and fine cuisine.

"Wines, Grapes, and Wines" is available through the 1987 holiday catalog of Wine in Print, P.O. Box 5514, North Dartmouth, Mass. 02747, as are William Sokolin's excellent "Liquid Assets: How to Develop an Enjoyable and Profitable Wine Portfolio" (\$22.50), a comprehensive investment guide to wine by a prominent New York wine broker, and "Wine With Food: A Guide to Entertaining Through the Seasons" (\$17.50), a superb introduction to the successful pairing of wine with food, by the highly regarded Barbara Ensrud.

The 1988 Wine Enthusiast holiday catalog of the Lord Winston Collection of Food and Wine Accessories, 404 Irvington St., P.O. Box 39, Pleasantville, N.Y. 10570 (toll-free 800-231-0100), showcases a fine selection of items that range from custom-built, temperature-controlled wine storage systems and brass-and-mahogany decanting cradles to wine luggage and sweat suits for the wine enthusiast. The collection includes a pair of stunningly designed hand-blown glass decanters from Sweden (\$59.95 and \$69.95), an Italian ribbed crystal-and-brass ice bucket (\$79); the "Vino Violin," an authentic black violin case complete with two wineglasses, a waiter's corkscrew, and sculptured compartments for two bottles of wine (\$89.95); a two-piece set of French antique reproduction wine-motif playing cards (\$27.95); a Bellini Cocktail Set from Harry's Bar in Venice, featuring a hand-blown Italian glass decanter with glass stirrer and a 12-ounce jar of Bellini concentrate (\$49.95); a selection of seven 6-ounce jars of stone-ground, American varietal wine mustards (\$29.95); and the "Vintage Keeper," a self-contained wine preservation system consisting of a disposable nitrogen canister (preserves 25 bottles of wine), a regulator, a stopper-dispenser, a disconnect valve with tubing. The system will preserve a single bottle of wine for two to three weeks and comes in various upgraded models, ranging from an oak cabinet (\$149.95 with keeper) to a six-bottle oak or brass "professional"



THE WINE FILE

JOHN MEREDITH

system (\$1,295).

The "Vintage Keeper" is one of several popular home wine preservation systems on the market. "The Winekeeper" (\$75), another nitrogen wine preservation system similar to the Vintage Keeper, is available through the 1988 catalog of International Wine Accessories, P.O. Box 821683, Dallas, Texas 75382 (toll-free 800-527-4372). The catalog offers a wide variety of first-class wine accessories, including an antique reproduction of one of the most unusual and popular corkscrews ever designed — the French Can-Can corkscrew (\$24.95); a gold-plated, waiter-style "fluggler" corkscrew (\$16.95); and the "Thermocool," a well-designed, acrylic, double-sided wine chiller that comes in two styles: Contemporary (\$20) and Crystal Cut (\$24). The catalog also offers the "Vacu-Vin" wine saver, an ingenious, new wine preservation system that removes up to 95 percent of the oxygen from a bottle of wine with a revolutionary, reusable \$19.95 device consisting of a "vacu-stopper" and a "vacu-pump." The system, which includes two stoppers, is an effective and less-expensive alternative to nitrogen-based preservation systems. For those who wish to preserve their opened wines for a week or two, with minimum loss of quality, the Vacu-Vin is the accessory/gift buy of the season.

Finally, for the adventuresome wine enthusiast, a unique experience: a five-day wine class/white water rafting trip down the Salmon River in Idaho. Gary Eberle, owner/winemaker of California's Eberle Winery, has joined with four-time national white water champion Les Bechdel of Idaho's Canyons Inc. to offer 25 food and wine lovers specially prepared menus with wines while floating through the stunning River of No Return Wilderness. For more in-

formation, contact Canyons Inc. P.O. Box 823, McCall, Idaho 83638 or call Susan at 208-634-4303.

CALENDAR

Saturday: The Hospice of St. John hosts a wine-tasting fund-raiser at St. Thomas Episcopal Church, 2201 Dexter, from 4 to 6 p.m., featuring Susan Sullivan, star of "Falcon Crest." Tickets are \$20 per person; for reservations or information, call 232-7900.

Monday and Tuesday: The Wine Co. and Le Central host a pair of wine dinners featuring the champagnes of Piper-Heidsieck (Monday) and the sparkling wines of Piper-Sonoma (Tuesday) at 7 p.m. at Le Central, 112 E. Eighth Ave. Tickets are \$35 and \$28 per person, respectively, and reservations may be made by calling 863-8094 or 830-8282.

Dec. 9: Southgate Liquors hosts a vertical tasting of Caymus Cabernet Sauvignon from the 1977 through 1984 vintages plus 1983 Ferreira port and Warre ports from the 1977 and 1963 vintages at The Fish Market, 2222 E. Arapahoe Road, at 7 p.m. Tickets are \$20 per person, and reservations must be prepaid; for information, call Steve at 770-4037.

Dec. 11: The Wine Co. hosts its second annual sparkling wine tasting, featuring 20 wines and champagnes from around the world, at the Cherry Hills Country Club from 7 to 9 p.m. Tickets are \$15 per person, and proceeds will benefit the Aspen School for the Deaf. For more information, call 795-1313.

WINE RECOMMENDS

Flora Springs' 1984 Trilogy (\$30.94), a blend of Cabernet Sauvignon, merlot and Cabernet Franc from estate vineyards along the Napa Valley's famed Rutherford Bench, is a wine of rare structure, balance and complexity, offering an exquisitely perfumed bouquet of tea and vanilla, mouth-filling flavors of black cherry and cassis, and a rich, lingering finish. In limited distribution, the wine will age beautifully with time and is not to be missed.

Wine ratings

The tasting notes are accompanied by a rating based on a 10-point scale which is a modified version of the 20-point scoring system developed at the University of California at Davis sensory wine evaluation.

- 9-10 — Outstanding
- 8-9 — Excellent
- 7-8 — Very good
- 6-7 — Good, above average
- 5-6 — Fair, average

6/10/87

THE WASHINGTON POST

West Coast Tastes Come East

By Ben Giliberti
Special to The Washington Post

Late spring is a slow time in the vineyards, so vintners from prominent California and Oregon wineries seized a golden opportunity to unleash a barrage of exciting new releases on curious Washington palates at several major introductory tastings recently.

First was Inglenook Napa Valley Estate, eager to shed the good-for-hamburgers image of its corporate cousin, Inglenook Napa, introducing its long-awaited 1983 Reunion Cabernet (\$25; fall release) at the attractive new Samplings restaurant. Reunion is a blend (the first in 20 years) of select grapes from the three original Inglenook vineyards, Napanook, Niebaum-Coppola and Home Ranch. Before the first two vineyards were sold off in an ill-fated corporate reorganization in the late 1960s, they, along with the Home Ranch, supplied the masterful Inglenook Cask cabernets of the pre-1970 Gustave Niebaum/John Daniels era.

A key element of early Cask cabernets was the use of large (1,000-1,500 gallon) oak cooperage, which imparted far less oak flavor to the wines than aging in small oak barrels, a now common practice adopted to emulate the supposedly more sophisticated Bordeaux style. Reunion clearly harkens back to the earlier Cask style, and the result is perhaps the least oaky premium California cabernet on the market, one that emphasizes the natural fruit of the cabernet sauvignon unmasked by layers of oak and wood tannins.

Firm, dense, yet immensely fruity, Reunion represents a dramatic and, I predict, trend-setting return to a distinctive, native American style of premium cabernet.

The following week, the spotlight was on the 1984 Trilogy (\$30-\$35) from the Flora Springs Winery, located on the northern edge of the Rutherford Bench. A roughly equal blend of the three major bordeaux red grape varieties—cabernet sauvignon, cabernet franc and merlot, whence the name—Trilogy was presented by Flora Springs owner John Komes at two introductory dinners on succeeding evenings at Le Pavillon.

Despite the French cepage and the French cuisine, however, there was no mistaking Trilogy for anything other than a domestic cabernet made in a robust, rich, high-tannin, high-extract California style. The unusual cepage, however, did provide a layered complexity rare for a Golden State product. To widen distribution of the limited production wine (700 full cases), Trilogy will be sold only in six-bottle half cases, thus creating the world's first \$180 six-pack.

At the Ritz-Carlton Saturday, nearly 400 of the long-time and newly converted California faithful arrived for afternoon and evening sessions of the second-annual California Futures Barrel tasting. The event offered a sneak preview of pre-release barrel samples of highly touted 1985 Napa, Sonoma and other California cabernets offered for sale as futures by the event's sponsor, MacArthur Liquors.

Is this in fact the best cabernet vintage since 1978, and perhaps

1974, as the rave press notices have suggested? I believe it is. But the more important point may simply be how nationally significant this event has become in the space of just two years: 32 of the Golden State's premier cabernet producers made it their business to attend, and the event attracted tasters from 34 states, some as far away as Idaho and California.

Not all the glory was California's, however. Oregon's march to become the American Côte d'Or took an impressive step at the Park Terrace's Chardonnay restaurant with a showing of six of the state's best pinot noirs from the outstanding 1985 vintage.

The wines' style was described insightfully by Dick Ponzi, the owner of Ponzi Vineyards, who said that he tastes many of the same components in Oregon pinot noir that he tastes in the state's superb fruits and berries. The wines did indeed display deep, berry-like flavors that were perhaps less subtle in effect than good burgundy, but disarmingly attractive. I might have wished for more distinctiveness among the wines. Six Vosne-Romanées would surely not have tasted so alike. Nor, in fairness, would they likely have been so uniformly good.

Look for the fabulous Côte de Beaune-style Ponzi 1985 Reserve, the rich Knudsen Erath Vintage Select, the oaky, smoky Adams, and the stylish Adelsheim, in that order. Oak Knoll and Amity also showed promise, but are still in barrel and need time to settle down. All will sell in the \$13-\$16 range, at MacArthur Liquors, the event's host, and will arrive over the next few months.

ARTICLE FROM ROBERT BENSON'S BOOK, GREAT WINEMAKERS OF CALIFORNIA, ANDRE TCHELISTCHEFF DEFINES THE RUTHERFORD BENCH:

"We went to Yountville and we are almost touching Oakville. Now we are starting from Oakville and we are going to Zinfandel Lane. I divide this area into two subsections, starting from Oakville and going to Zinfandel Lane on the left side of Highway 29. In other words, your eastern boundary is Highway 29 and your western boundary is Mountain Ridge, Mount St. John, which dominates that section. This is the greatest region for production of Cabernet Sauvignon in California."

WINE AND SPIRITS

BY ANTHONY DIAS BLUE

Cabernets of the Rutherford Bench

OVER THE PAST 20 YEARS, the American wine industry has shown astonishing growth. And although still in its infancy compared to its grown-up siblings in Europe, the U.S. wine business is fast becoming one of the most important of its kind in the world.

Remarkable advances have taken place on the technological side of things; domestic winemaking techniques are state of the art. Steady progress is also being made in viticulture, especially when it comes to matching varieties to the best soils.

In the more than one hundred years since the first plantings, after much trial and lots of errors, domestic growers are discovering where certain grape varieties thrive. And nowhere is this process further along than in California's celebrated Napa Valley.

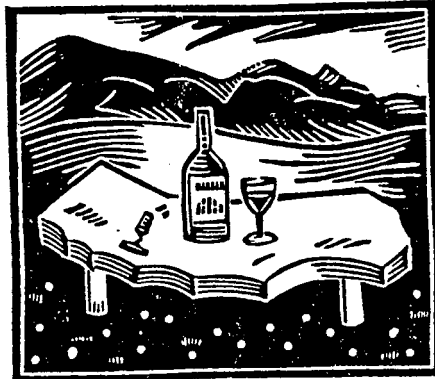
Much of the fame of this great growing area can be attributed to the Cabernet Sauvignon produced around the town of Rutherford, in the central part of the valley. In this spot, a sea of grapevines surges across a gradually sloping "bench," or former river floodplain, that drops out of the mountains separating Napa from Sonoma to the west. It rolls all the way to the Napa River, a medium-size waterway flowing north to south. This small vineyard area has become renowned as the Rutherford Bench.

What makes the Cabernets of the Rutherford Bench so exceptional is their superb balance and texture. The best of them show bright and intense fruit, crisp acidity and deep flavors. Very Bordeaux-like in style, these wines generally age magnificently, gaining elegance and complexity.

The serious propagation of Cabernet Sauvignon in this region can be traced back to Captain Gustave Ferdinand Niebaum, a rich fur trader who founded the Inglenook Vineyard in 1879. He loved Bordeaux wines and decided to plant the Cabernet variety in his new holdings. His decision was an extremely propitious one: Within a

few years Inglenook wines were winning medals in Paris in competitions against Europe's best.

Ever since Captain Niebaum's inadvertent discovery of Cabernet's suitability to the loamy and well drained soil of the Rutherford Bench, much of the stretch between Yountville in the south and St. Helena in the north has been planted to Cabernet, Merlot and other Bordeaux varieties. But surprisingly enough, there is still substantial acreage of other types.



Here is where the California wine industry shows its youth and inexperience. In among the Cabernet and Merlot are spreads of Chardonnay, Sauvignon Blanc, Sémillon and, incredibly enough, Chenin Blanc. It is baffling to me how such superb soil could be wasted on such a minor variety, especially considering that Rutherford Bench vineyard land currently brings \$35,000 an acre.

I am certain that as time goes by, inappropriate acreage will shrink as more and more growers convert their plots to Cabernet. Like the Médoc in Bordeaux, the Rutherford Bench will undoubtedly evolve into a region devoted almost exclusively to Cabernet, Merlot and red blending grapes.

There does seem to be some confusion, however, as to the exact boundaries of the region. Does it encompass a tight little area between Dwyer Lane and Zinfandel Lane, or is it a larger stretch, starting at Yountville and extending into the outskirts of St. Helena? More important, does it end at

Highway 29, Napa's main north-south artery, or does it extend across to the east side of the road and as far as the river? Naturally, the answers to these questions carry potentially profound political and economic ramifications. All these issues will be resolved eventually when the appellation is officially delineated by the government. That process is in the works, but no decision is expected for about five years. Until then, the boundaries are open to interpretation.

Because great wines are made throughout the area, I favor a broader definition. Even so, it still turns out to be tiny—smaller even than the diminutive Burgundy region of France. In its broadest definition, the Rutherford Bench runs about six miles north to south and two miles east to west.

Within this bloc there are a number of wineries, most of which have established preeminent reputations for Cabernet Sauvignon. In addition, there are wineries located in other parts of the Napa Valley that own or control important Rutherford vineyards.

Here are the most important wineries making Cabernets from Rutherford Bench grapes. These are the names to look for as you browse in your local wine shop or liquor store.

Beaulieu Vineyard. "BV" has been making great Cabernet Sauvignon on the Rutherford Bench since 1900. In 1938 owner Georges de Latour hired Russian-born winemaker André Tchelistcheff, who produced a succession of brilliant reserve wines from grapes grown in a key vineyard that is still owned by de Latour's descendants. Beaulieu's Private Reserve is still one of Napa's best Cabernets. Across Highway 29, BV controls another large Cabernet Sauvignon vineyard. Just south on the highway are three more important BV vineyards. Beaulieu and neighbor Inglenook are now owned by Grand Metropolitan, a large English hotel, restaurant, wine and spirits conglomerate.

Cakebread Cellars. The Cakebreads have owned this 35-acre plot since 1973. They recently purchased an additional 25 acres adjacent to the winery. Plantings are split between Cabernet Sauvignon and Sauvignon Blanc. They also own another vineyard on the west side of the highway.

Dominus Estate. This winery's grapes come from Napanook, the southernmost vineyard in the Rutherford region, just before Yountville. Wine is being made under the watchful eye of Christian Moueix, scion of the famous Bordeaux firm that controls Château Petrus and many other important properties in France.

Far Niente Winery. Behind owner Gil Nickel's beautifully renovated winery building is the Stelling vineyard. It grows the Cabernet Sauvignon, Cabernet Franc and Merlot that go into Far Niente's highly successful red.

Flora Springs Wine Company. The Komes family owns this successful vineyard and winery. Its one hundred acres, tucked into the foothills just south of St. Helena, are mostly planted to Bordeaux varieties. Flora Springs produces Cabernet Sauvignon, Merlot and Trilogy, a blend of Cabernet Sauvignon, Merlot and Cabernet Franc.

Freemark Abbey Winery. This long-established winery in St. Helena makes its very best Cabernet Sauvignon from grapes grown by John Bosché in a plot just north of Beaulieu's very successful Private Reserve vineyard.

Grgich Hills Cellar. Mike Grgich and Austin Hills bought their winery and its surrounding Chardonnay vineyard in the late seventies. A few years later, they purchased a nearby Cabernet vineyard and sold those grapes to other wineries. Since 1981 Grgich has produced an estate Cabernet; just released is the 1983 vintage.

Heitz Wine Cellars. The single most famous property on the Rutherford Bench is Martha's Vineyard, owned by Tom and Martha May. Joseph Heitz has been making wine from this plot since the mid-1960s; they are some of America's greatest Cabernets. More recently, Joe has been using grapes from other vineyards further to the north.

Inglennook-Napa Valley. Just south of the BV Private Reserve vineyard is the Inglennook estate, founded by Gustave Niebaum. After a down period in the 1970s, this winery has come back strongly. Currently on a hot streak, Inglennook-Napa Valley is producing world-class Cabernet Sauvignon from its prime acreage in Rutherford.

Livingston Vineyards. This seven-acre vineyard south of Zinfandel Lane has been supplying grapes to some big-name wineries. With the recently released 1984 vintage, John and Diane Livingston will be producing Cabernet Sauvignon under their own label. If the first release is any indication, the Livingston Cabernet is destined to become a legendary wine.

Robert Mondavi Winery. The largest contiguous vineyard in the region belongs to this famous winery. Mondavi has a few other varieties here, but the majority of this big spread is Cabernet Sauvignon. The renowned Reserve comes from here, and across the road is

RUTHERFORD BENCH WINES: YOUR BEST BETS

The following are wines from the Rutherford Bench recently sampled by the *Bon Appétit* Wine Tasting Panel and highly recommended. Look for them at your local wine shop or liquor store.

1985 Beaulieu Vineyard Beau Tour Cabernet Sauvignon, Napa (\$7)

1983 Freemark Abbey Cabernet Bosché, Napa (\$18)

1984 Livingston Vineyards Cabernet Sauvignon, Napa (\$18)

1984 Robert Mondavi Cabernet Sauvignon, Napa (\$14)

1985 Sequoia Grove Vineyards Estate Bottled Cabernet Sauvignon, Napa (\$25)

And for the cellar:

1984 Far Niente Estate Bottled Cabernet Sauvignon, Napa (\$25); 4 to 6 years

1982 Heitz Cellars Martha's Vineyard Cabernet Sauvignon, Napa (\$40); 4 to 6 years

1982 Inglennook-Napa Valley Reserve Cask Cabernet Sauvignon, Napa (\$18.50); 4 to 6 years

1983 Opus One, Napa (\$50); 4 to 6 years

1982 Joseph Phelps Vineyards Insignia, Napa (\$25); 4 to 6 years

Listed prices are approximate and may vary from one state to another.

the Opus One planting that is a joint venture with France's Rothschild family.

Niebaum-Coppola. Just behind the Inglennook spread is the original Niebaum mansion, which was purchased in 1978 by the director of *The Godfather*, Francis Coppola. From the adjacent vineyard, Coppola makes a stunning red named Rubicon, a blend of Cabernet Sauvignon, Cabernet Franc and Merlot grapes.

Joseph Phelps Vineyards. The Phelps winery is across the valley off the Silverado Trail (a major north-south

Rutherford vineyard. The grapes from this spread are generally used in Phelps's prestigious Insignia bottlings—a blend of Cabernet Sauvignon, Cabernet Franc and Merlot.

Pine Ridge Winery. This well-respected winery is located south of Yountville in the Stag's Leap district, another proposed appellation. It does own some small plots of prime Rutherford real estate near the Phelps parcel.

Raymond Vineyard and Cellar. This winery is situated between Highway 29 and the Napa River, at the north end of the Rutherford region. Set among 80 acres of estate vineyards, this family operation has been very successful at making Cabernet Sauvignons that are straightforward and highly drinkable when young but that gain complexity and depth with age.

Rutherford Vintners Winery. This winery uses grapes grown in a 25-acre vineyard across the road from Grgich Hills. The plot, owned by Bernard Skoda and Mario Richards, is planted entirely to Cabernet Sauvignon.

Sequoia Grove Vineyards. Founded in 1979, this small winery is adjacent to 22 acres of estate Cabernet Sauvignon and Chardonnay vineyards. The Cabernet is fast gaining a national reputation for Sequoia Grove and the Allen family, which owns it.

Johnson Turnbull Vineyards. With 20 acres located almost directly across the highway from the Mondavi Winery, this operation produces fine Cabernets from its all-Cabernet vineyard.

Whitehall Lane Winery. The Steens and the Finkelsteins started this small winery in 1980. They produce impressive Cabernet Sauvignons.

In addition, many other wineries from all over California regularly buy grapes from the fine vineyards of the Rutherford Bench to enrich their own bottlings. A special appellation, such as the Rutherford Bench, may be the shape of things to come in the wine-growing regions of the Golden State. □



THE UNDERGROUND
Wine Journal™

A DEFINITIVE GUIDE TO THE FINEST WINES OF THE WORLD

1988 Trilogy

The Komes Ranch Trilogy vineyard is on the Rutherford Bench and has both old and young Cabernet Sauvignon, Merlot and Cabernet Franc vines. The hillside plantings are on thin soil with several micro-climates. The 1988 Trilogy is a lovely well-crafted wine that is medium-dark in color and has a perfumed nose of black cherry fruit with hints of cassis, currants and spicy vanilla with light chocolate tones. There are identical flavors on the palate and it is very finessful, tight and complex. The wine has a good, fine elegance, is well-balanced, rounded and has good depth. Unlike previous Trilogy vintages, the Cabernet (38%) is more evident than the Merlot (33% and 29% Cabernet Franc) which gives it a greater degree of intensity. This is certainly the best Trilogy to date. (18).

FLORA SPRINGS WINE CO.

Trilogy, Rutherford, Napa Valley
Estate, Napa Valley

CLASSIFICATION: FIFTH GROWTH

COLLECTIBILITY RATING: Not rated

BEST VINTAGES:

Trilogy: 1985

Estate: 1985

With Trilogy, a Bordeaux-style blend of Cabernet Sauvignon, Merlot and Cabernet Franc, Flora Springs hopes to break into the top echelon of California proprietary wines. The first three vintages, 1984, 1985 and 1986, have been very good but short of outstanding, lacking the kind of richness, concentration and complexity one expects for \$30 or more. Of the three vintages, the 1985 is best.

The 1985 Estate Cabernet shows more richness and depth than previous bottlings, a good sign that this winery has found a style that can accommodate more flavor and character. The winery has 156 acres of Cabernet, making it one of Napa Valley's largest Cabernet vineyard owners.

TASTING NOTES

FLORA SPRINGS WINE CO., Trilogy, Rutherford, Napa Valley

1986 FLORA SPRINGS WINE CO. TRILOGY: Similar in style and character to the 1985, with layers of fresh black cherry, currant, earth and raspberry flavors, but it's lean and acidic, without the concentration for greatness. Drink 1993-1998. 1,400 cases produced. Release: \$33. Current: \$33. 85

1985 FLORA SPRINGS WINE CO. TRILOGY: A crisp, lean, elegant and complex wine of moderate depth and intensity, displaying layers of dark chocolate, currant and spice, supported by firm, dry tannins. A much better wine than the 1984, this one will be ready to drink within the next two years and should gain complexity for the next decade. Drink 1992-1998. 1,200 cases produced. Release: \$30. Current: \$30. 88

AT A GLANCE

FLORA SPRINGS WINE CO.
1978 W. Zinfandel Lane
St. Helena, CA 94574
(707) 963-5711

Owners: The Komes and Garvey families

Winemaker: Ken Deis (9 years)

Founded: 1978

First Cabernet vintage: 1978

Trilogy: 1984

Estate: 1978

Cabernet production: 4,700 cases

Trilogy: 1,200 cases

Estate: 3,500 cases

Cabernet acres owned: 156

Average age of vines: 15 years

Vineyard makeup: Cabernet Sauvignon (74%), Merlot (19%), Cabernet Franc (7%)

Average wine makeup:

Trilogy: Cabernet Sauvignon (33%), Merlot (33%), Cabernet Franc (33%)

Estate: Cabernet Sauvignon (92%), Merlot (7%), Cabernet Franc (1%)

Time in oak: 22 months

Type of oak: French (Limousin, Nevers, Tronçais)

Score	Vintage	Appellation/Vineyard	Case Prod.	Release Price	Current Price	Drink
92	1983	Napa Valley Howell Mountain	1,600	\$18.00	\$90.00	1995-2005
95	1982	Napa Valley Howell Mountain	1,800	\$15.00	\$130.00	1992-2000
90	1981	Napa Valley Howell Mountain	940	\$14.00	\$150.00	1991-1996
92	1980	Napa Valley Howell Mountain	825	\$13.00	\$170.00	1993-2000
91	1979	Napa Valley Howell Mountain	660	\$12.50	\$160.00	1990-1997
93	1986	Napa Valley	2,000	\$27.00	\$27.00	1993-2000
94	1985	Napa Valley	2,000	\$20.00	\$45.00	1992-2000
93	1984	Napa Valley	2,100	\$18.00	\$55.00	1994-2004
95	1983	Napa Valley	1,500	\$15.00	\$60.00	1994-2004
94	1982	Napa Valley	1,250	\$13.00	\$85.00	1992-2000

EBERLE WINERY

95	1986	Paso Robles	4,196	\$12.00	\$12.00	1993-1997
99	1985	Paso Robles	2,814	\$12.00	\$14.00	1992-1998
96	1984	Paso Robles	3,013	\$12.00	\$17.00	1992-1996
94	1983	Paso Robles	2,800	\$10.00	\$18.00	1991-1994
72	1982	Paso Robles	2,500	\$10.00	\$24.00	1990-1994
71	1982	Paso Robles Reserve	76	\$25.00	\$30.00	1991-1996
95	1981	Paso Robles	2,500	\$10.00	\$24.00	1990-1994
80	1981	Paso Robles Reserve	191	\$25.00	\$35.00	1991-1995
78	1980	Paso Robles	2,000	\$10.00	\$24.00	1990-1994
82	1979	San Luis Obispo	1,000	\$10.00	\$25.00	1990-1995

FIENTE WINERY

91	1986	Napa Valley Oakville	12,000	\$30.00	\$30.00	1995-2003
92	1985	Napa Valley Oakville	10,000	\$28.00	\$28.00	1994-2002
92	1984	Napa Valley Oakville	8,500	\$25.00	\$30.00	1994-2002
87	1983	Napa Valley Oakville	5,500	\$25.00	\$32.00	1993-2000
82	1982	Napa Valley Oakville	3,000	\$25.00	\$35.00	1993-1999

FISHER VINEYARDS

90	1986	Sonoma County Coach Insignia	1,500	\$20.00	\$20.00	1993-2000
90	1985	Sonoma County Coach Insignia	1,200	\$18.00	\$20.00	1993-2000
89	1984	Sonoma County Coach Insignia	1,200	\$18.00	\$25.00	1992-1999

FLORA SPRINGS WINE CO.

85	1986	Napa Valley Rutherford Trilogy	1,400	\$33.00	\$33.00	1993-1998
88	1985	Napa Valley Rutherford Trilogy	1,200	\$30.00	\$30.00	1992-1998
84	1984	Napa Valley Rutherford Trilogy	700	\$30.00	\$35.00	1992-1998
77	1986	Napa Valley	3,500	\$15.00	\$15.00	1990-1994
88	1985	Napa Valley	4,000	\$15.00	\$15.00	1991-1999
85	1984	Napa Valley	3,000	\$13.00	\$18.00	1990-1996
85	1980	Napa Valley	1,200	\$12.00	\$20.00	1990-1996

FORMAN VINEYARD

93	1986	Napa Valley	1,800	\$20.00	\$20.00	1995-2004
93	1985	Napa Valley	1,600	\$18.00	\$30.00	1994-2002
92	1984	Napa Valley	1,000	\$18.00	\$35.00	1992-2000
90	1983	Napa Valley	600	\$15.50	\$45.00	1994-2001

FRANCISCAN VINEYARDS

88	1985	Napa Valley Oakville Library Selection	2,000	\$17.50	\$17.50	1990-1996
89	1985	Napa Valley Oakville Meritage	450	\$20.00	\$20.00	1993-2000
87	1985	Napa Valley Oakville Reserve	1,800	\$18.00	\$18.00	1991-1997
87	1984	Napa Valley Oakville Private Reserve	5,400	\$9.00	\$12.00	1990-1996
85	1983	Napa Valley Oakville Private Reserve	3,000	\$8.50	\$14.00	1993-1998
79	1979	Napa Valley Oakville	9,000	\$8.50	\$18.00	1990
79	1978	Napa Valley Oakville Reserve	4,000	\$15.00	\$20.00	1990-1992
6	1975	Napa Valley Oakville Reserve	3,000	\$12.00	\$32.00	1990

FREEMARK ABBEY WINERY

90	1986	Napa Valley Rutherford Bosche	4,000	NR		1994-2002
93	1985	Napa Valley Rutherford Bosche	3,500	\$24.00	\$24.00	1995-2005
88	1984	Napa Valley Rutherford Bosche	3,076	\$20.00	\$20.00	1995-2003

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1984 Carmenet Vineyard, Sonoma: A blend of 85 percent Cabernet Sauvignon, 10 percent Merlot, 5 percent Cabernet Franc. Very deep ruby. Slightly overripe, berryish aroma, with lovely overtones of blackcherry, smoky-vanilla oak, and a hint of mint. Big, tannic, chewy fruit, with great extract and blackcherry flavors. Slightly coarse, alcoholic finish, yet still very rounded and precise flavor in the mid-palate. In need of 8-10 years, this should be a lovely wine. VERY GOOD TO EXCELLENT. (\$16)

1984 Dehlinger Russian River Estate: Black purple-ruby. Very young and intense brooding wine of great power! Deep, intense, spicy, ripe berry-anise aroma, with plummy scents and a touch of mint. Big, fruity, straightforward ripe flavors, with lots of tannin, good acidity, but no real style as yet. Somewhat of a "monster" now, the crisp finish and intense concentration of fruit would indicate that 8-10 years should see a very good wine. GOOD. (\$11)

1982 Hacienda Selected Reserve, Sonoma: Full ruby. Elegant, strong vanilla-cassis aroma, not overdone, with a fine touch of smoky oak and some cedary scents as well. Sweet, forward cedary fruit flavors, with lots of pepper and spices. Moderately firm tannins, with good cassis fruit in the finish. The claret-like balance of this wine adds structure and depth. Needs 5-6 years. VERY GOOD. (\$15)

1982 Sebastiani, Sonoma: Full ruby. Big,

toasty earthy aroma, lacking a bit in fruit character. Yet the flavors are warm and ripe, with anise, berries, and a strong hint of chocolate and blackcherries. Intense pepper and spice, with good acidity and firm tannin. The style would indicate a lot of hillside fruit in the wine. Very well made, and in need of 5-8 years. Good value. VERY GOOD. (\$8.25)

1983 Boeger Estate, El Dorado: Full ruby-black. Fine, complex aroma of blackcurrants and spice, with a great tar-cedar overlay. Relatively rich, soft and supple earthy-currant flavors. Lots of ripe fruit combined with smoky oak, with moderately intense tannins and good acid. A beautifully structured wine which bears an uncanny resemblance to a fine St. Emillion. Needs 5-8 years. EXCELLENT. (\$10)

1982 Beringer Vineyards Private Reserve, Napa: Deep ruby. Fine toasty, slightly berryish-curranty aroma, with complex hints of citrus, orange peel and chocolate. Quite intense, rich, and concentrated flavors, sort of like a young Pauillac; very focused. Rich, spicy fruit, chocolate and herbs, creamy oak, and firm acid and tannin. This classy wine needs 8-10 years. EXCELLENT. (\$19)

1984 Silverado Winery, Napa: Deep ruby. Big ripe vanilla-smoke and berry aroma, with hints of chocolate and plums, complex and rich. Simpler, more open-knit, fruity-spicy flavors than above. Good oak, ok tannin, clean cherry-vanilla finish. Well-balanced flavors. Not as thick as the above, but should age well for 5-7 years. GOOD. (\$11)

1984 Glen Ellen Winery Estate, Sonoma: Deep ruby black. Concentrated spicy-minty cassis and herbs aroma, with earthy overtones; very youthful. Heady, rich and round blackberry flavors; with full smoky oak, solid fruit, excellent texture and firm tannin. Riper and rounder than the Beringer, with similar extract, but more earthy and spicy. An excellent wine, which needs 7-10 years. (\$12)

1983 Robert Mondavi, Napa: Full ruby, though lighter than the above. Lighter, more elemental nose, with mint and herbs overlaying sweet curranty fruit. Fleshy, ripe flavors are nicely spicy, with good vanilla oak in the finish, and only moderate tannins. A relatively complex wine, it does want for a little extract. GOOD. (\$13)

1984 Fisher Coach Insignia, Sonoma: Dark ruby-black. Dense smoky-cassis aroma, similar to St. Emillion, but less herbal than the Glen Ellen above. Rich, sweet Cabernet fruit, with lots of currants, berries, firm tannin, and good extract. Slightly alcoholic in the finish, and just a bit sharp. Though a bit lacking in the mid-palate now, the overall balance of this wine suggest 7-8 years aging will knit it together nicely. GOOD TO VERY GOOD. (\$16)

1984 Sequoia Grove, Napa: Purple ruby. Delightful smoky-vanilla aroma, with a hint of cassis. Ripe sweet fruit flavors, with firm tannin, good acid, and a pleasantly earthy finish. Good extract and balance, though a

bit coarse and hard now. Needs 7-8 years. VERY GOOD. (\$15)

1984 La Jota Howell Mountain, Napa: Full ruby-purple. Ripe, cherryish-blackberry aroma, very sweet and almost jammy, yet with a fine earthy-smoky oak character which adds complexity and keeps the fruit from cloying. Very big, concentrated, deeply fruity and earthy flavors, with cedar and black fruit dominant. Very tannic, spicy and extracted with good acidity, however. Quite dry in the finish from the astringency. This wine needs at least 8 years to resolve itself, but should be worth the wait! GOOD TO VERY GOOD. (\$15)

1984 Christian Brothers Estate Bottled, Napa: Full ruby. A terrific wine and value! Fresh cranberry-spicy licorice aromas, with earthy scents and a nice toasty vanilla overlay. Lovely cassis-herb, anise and vanilla flavors. Softer than some of the other wines, it is well balanced without being harsh or heavy, but ripe and fleshy in a stylish bordeaux manner, with good acidity and supple tannins. EXCELLENT. (\$7.75)

1984 Newton, Napa: Full ruby, with a slightly garnet edge. Cherryish, mildly sweet and jammy aroma, different than the previous wines. Good ripe fruit, but fairly soft, with balanced acidity and moderate tannin. A bit simpler in the finish, but sleek and well-proportioned, with an elegant blackcherry finish. Should develop well over 4-5 years. GOOD TO VERY GOOD. (\$14)

1984 San Pasqual Winery, Sonoma Mountain, Steiner Vd.: It is a long way from Sonoma Mountain to San Pasqual near San Diego, but the fruit is worth it. Full ruby, with some purple. Ripe berryish, earthy aromas, with lots of fruit, some herbs, and hints of cassis and jam. Lush, grapy blackberry-anise fruit on the palate, with chocolate adding complexity. Moderately tannic herbal finish, which gives the wine some edge and keeps it from being too jammy. Not too heavy, well made, and with a nice touch of mint in the finish. GOOD TO VERY GOOD. (\$10)

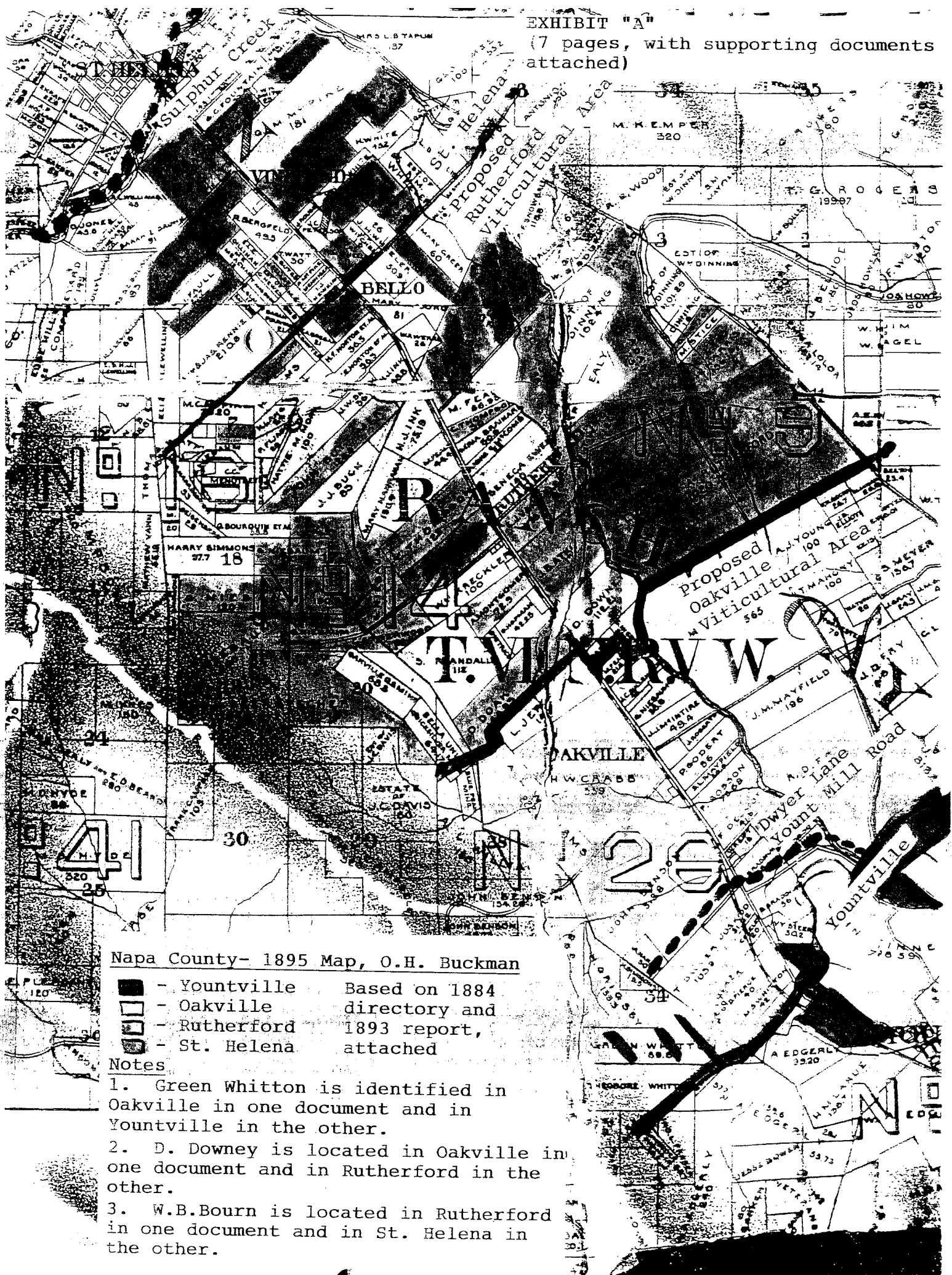
1983 Flora Springs Napa: Medium dark ruby. Rich berry-currant aroma, with hints of mint, earth and spices, very much in the style of classic Rutherford area Cabs. Nicely smoky oak overlays the chewy, firmly fruity flavors that show blackberry, anise, and a bit of pepper. Moderate tannins give balance to the soft texture of the fruit, making this a wine to age for 5-8 years, or drink now with grilled meats. VERY GOOD. (\$13.50)

1983 Beringer Knights Valley Estate: Full ruby color. Elegant, cassis and mint aroma, with ripe, soft, minty-blackberry flavors. The supple fruit is balanced by mild tannins, lovely use of oak, and good acidity to add balance and complexity. Not as big as the Flora Springs, but a delicious Cabernet to drink over the next 5-6 years, and firmly structured. GOOD. (\$10.50)

1984 Monticello Cellars Corley Reserve,



Available through our U.S. Representative-New World Wine Co. Ltd.
Tel: 215-829-WINE Telex: 271051.



Napa County- 1895 Map, O.H. Buckman

- - Yountville Based on 1884
- - Oakville directory and
- ▨ - Rutherford 1893 report,
- ▩ - St. Helena attached

Notes

1. Green Whitton is identified in Oakville in one document and in Yountville in the other.
2. D. Downey is located in Oakville in one document and in Rutherford in the other.
3. W.B.Bourn is located in Rutherford in one document and in St. Helena in the other.

Mrs. Manning, Rutherford.—Total, 55 acres; in bearing, 45 acres; infested by phylloxera 30 acres, of which 20 acres will bear but one crop more; soil gravelly loam; vineyard low lying; no special care given vines attacked; crop, 53 tons.
This vineyard is fast going.

A. Fochetti, Rutherford.—Total, 13 acres; all in bearing; infested by phylloxera, 5 acres, of which 1 acre will bear but one crop more; soil gravelly; vineyard low lying; crop, 30 tons; cooperage, 50,000 gallons, of which 5,000 is oak and 45,000 is redwood.

H. H. Harris, Napa (Vineyard in Rutherford).—Total, 60 acres; in bearing, 41 acres; infested by phylloxera, 20 acres, of which 10 acres is good for but one crop more; planted to Riparia, 19 acres, none of it grafted; soil gravelly; vineyard upland; crop, 138 tons; cooperage, 185,000 gallons, all redwood.
The Riparia is doing finely.

H. W. Helms, Rutherford.—Total, 25 acres; all in bearing; planted to Riparia, 6 acres; none grafted; soil gravelly loam; vineyard upland; exposure east; crop, 40 tons; cooperage, 60,000 gallons, of which 10,000 is oak and 50,000 redwood.

Kinkle Bros., Rutherford.—Total, 20 acres; in bearing, 15 acres; soil reddish loam; vineyard upland; exposure west and south; crop, 30 tons.

J. Lacase, Rutherford.—Total, 10 acres; in bearing, 7 acres; infested by phylloxera, 8 acres, of which 4 acres will bear but one crop more; soil loam; vineyard mountain; exposure south and east; all attacked vines succumb alike; crop, 15 tons.

J. M. Mayfield, Rutherford.—Total, 65 acres; in bearing, 60 acres; infested by phylloxera, 25 acres, of which 5 will bear but one crop more; soil gravelly; vineyard low lying; no difference in attacked vines, as all alike go; no special care given attacked vines; crop, 186 tons; cooperage, 100,000 gallons, of which 25,000 is oak and 75,000 redwood.
This vineyard is gradually dying.

J. J. McIntyre, Rutherford.—Total, 10 acres; all in bearing; soil loam; vineyard low lying; crop, 15 tons.

M. Porter, Rutherford.—Total, 60 acres; in bearing, 40 acres; infested by phylloxera, 30 acres; soil gravelly loam; vineyard low lying; all attacked vines succumb alike; crop, 50 tons.
This vineyard can last but two or three years longer.

Rennie Bros., Rutherford.—Total, 60 acres; in bearing, 55 acres; infested by phylloxera, 20 acres, of which 5 will bear but one crop more; will replant a few acres this winter; planted to Riparia, 3 acres, and to Lenoir, 2 acres; none grafted; soil loam; crop, 80 tons; cooperage, 80,000 gallons, of which 40,000 is oak and 40,000 redwood.

T. L. Rutherford, Rutherford.—Total, 55 acres; in bearing, 53 acres; infested by phylloxera, 2 acres, of which 1 will bear but one crop more; soil gravelly loam; vineyard low lying; all European varieties succumb alike; crop, 110 tons.

Charles Scheggia, Rutherford.—Total, 60 acres; in bearing, 50 acres; infested by phylloxera, 10 acres, of which 5 will bear but one crop more; soil black and gravelly; vineyard upland; exposure southwest; Tokay has resisted fairly well; no special care given attacked vines; crop, 80 tons; cooperage, 70,000 gallons, of which 5,000 is oak and 65,000 redwood.

George Seidberg, Rutherford.—Total, 15 acres; all in bearing; soil loam; vineyard low lying; crop, 25 tons.

Snowball Estate, Rutherford.—Total, 70 acres; in bearing, 60 acres; infested by phylloxera, 20 acres, of which 10 will bear but one crop more; soil thin, light loam; vineyard upland; exposure northeast; no care given attacked vines; crop, 90 tons.
This vineyard is very badly infested.

D. C. Stice, Rutherford.—Total, 5 acres; in bearing, 3 acres; infested by phylloxera, 4 acres, all of which will be pulled up this winter; soil gravelly; vineyard upland; crop, 8 tons.

M. Stice, Rutherford.—Total, 20 acres; all in bearing; infested by phylloxera, 5 acres, of which 2 acres will bear but one crop more; crop, 18 tons.
This vineyard is fast going.

F. J. Van Fleet, Rutherford.—Total, 20 acres; in bearing, 25 acres; in wine grapes, 18 acres; in table grapes, 12 acres; soil loam; vineyard low lying; Tokay has proved fairly resistant; crop, 45 tons.

L. H. Wakefield, Rutherford.—Total, 20 acres; in bearing, 15 acres; infested by phylloxera, 15 acres, all of which will be pulled up this winter; soil gravelly; vineyard low lying; no difference in attacked European vines; no extra pains taken with same; crop, 48 tons.

D. Wood, Rutherford.—Total, 15 acres; in bearing, 10 acres; planted to Riparia, 5 acres, which are not yet grafted; soil loam; vineyard low lying; crop, 16 tons; cooperage, 50,000 gallons, of which 10,000 is oak and 40,000 is redwood.

Rennie's Property

27-430-06

79.2 ac

27-100-31

220.0 ac

**Flora
Springs
Winery**

Block I

Block F

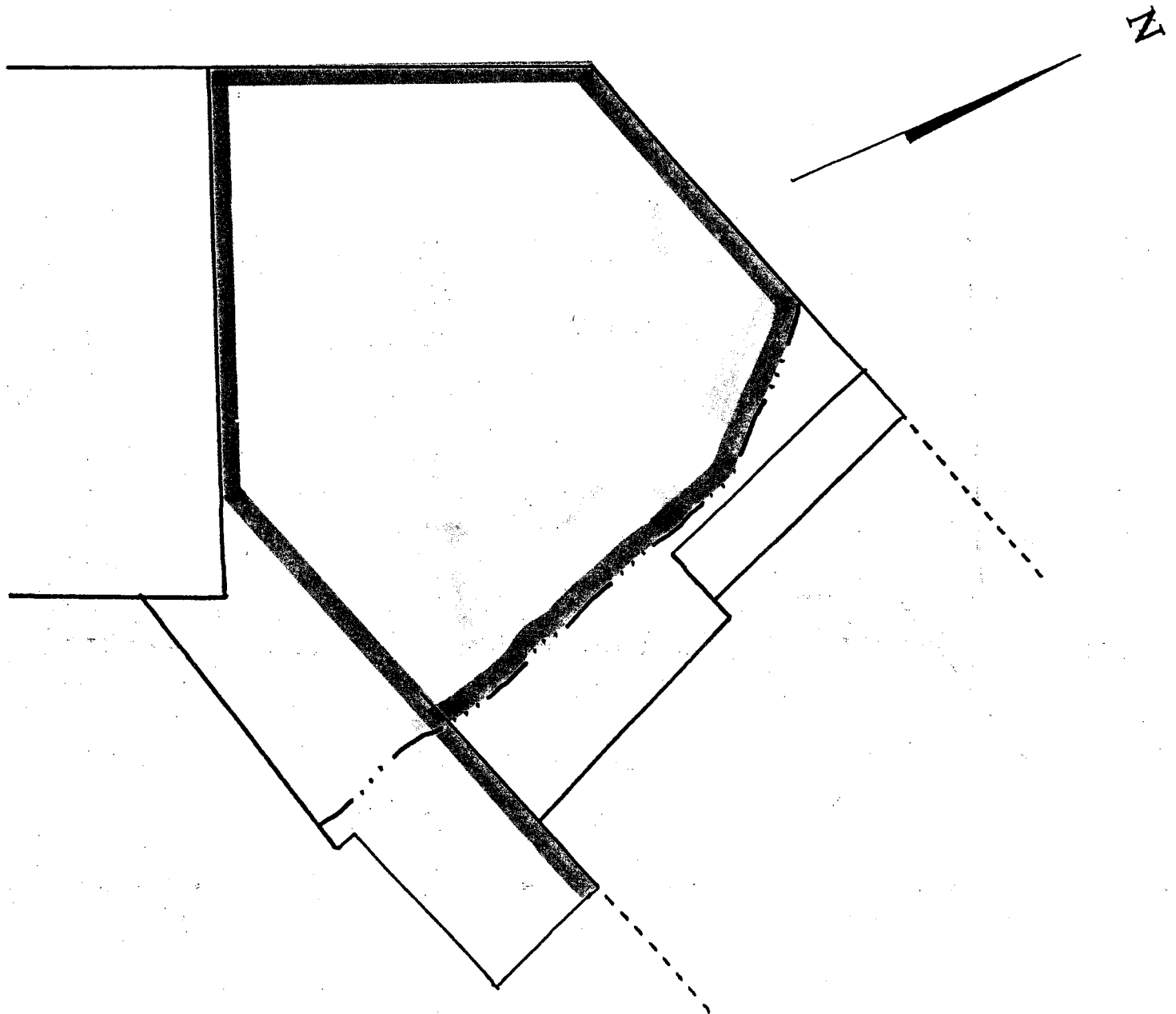
Block E

27-100-31

Zinfandel Lane

Inglewood Ave.

Proposed Expansion of the Rutherford Viticulture Area



Bale Slough/North Fork - - - - -

December 20, 1992

SOILS REPORT FOR THE PROPOSED INCLUSION
OF THE KOMES/GARVEY PROPERTY (FLORA SPRINGS WINE CO.)
IN THE RUTHERFORD VITICULTURAL AREA

by Dr. Deborah L. Elliott-Fisk

Introduction

The Komes and Garvey families have proposed that a small portion of their vineyards excluded from the petitioner's proposed Rutherford viticultural area be included in that appellation. I will comment here only on the geographic distinctiveness of the property in question, following the BATF's definition of geography as one of three criteria used in the establishment of viticultural areas (ATF-53).

Interpretation of Data from Soil Sampling and Geologic Studies

Mr. Komes and Mr. Garvey propose that two of their vineyard blocks (blocks F and L) located immediately west of the N. Fork of the Bale Slough and immediately north of Zinfandel Lane be included in the Rutherford viticultural area. As they show in their exhibits submitted to BATF, the N. Fork of the Bale Slough is a critical boundary used by the petitioner's to help define the northern and northwestern extent of the proposed Rutherford viticultural area. My field work has shown that the Bale Slough soils, and hence Bale Slough as a geomorphological feature, are included in the Rutherford appellation except for the Komes/Garvey property in question. My recommendation is that the Bale Slough be in Rutherford, and the Sulfur Canyon Fan (as closely as can be approximated across property lines) be in St. Helena (a viticultural area that will be proposed in the very near future).

The Komes/Garvey blocks F and L wrap around the front (eastern side) of a small hill where the Flora Springs Wine Co. is sited. Both color-infrared vineyard photos submitted by Mr. Garvey and my soil analyses show that these two blocks are Bale Slough soils, darker in color and heavier in texture than the residual bedrock hillside soils to the west and the alluvial fan soils of the Sulphur Canyon Fan to the east. The N. Fork of the Bale Slough appears to have been confined to the area between the base of the hills and its current channel in recent geologic times, providing the parent material for the Bale Slough soils of blocks (E), F and L that we see today. These soils are a variant of the Maxwell series, with parent material primarily serpentinite alluvium with minor inputs of sandstone and volcanic alluvium.

On December 16, 1992, I sampled four soil trenches in the Komes/Garvey property. I will describe each of these soils here:

Soil 1 was sampled in block E within the proposed Rutherford viticultural area and immediately south of Zinfandel Lane, west (~ 8 m) of the N. Fork of the Bale

Slough, and immediately south of Block F. The soil is a Maxwell sandy clay soil characteristic of the Slough, and buries a section of Bear Canyon fan soil which is intermediate in nature between the Bale and Pleasanton series, with clasts and fines derived from serpentinite, Franciscan rocks, and volcanics. The profile horizationation is as follows:

0-24"	A	sandy clay, massive to prismatic structure
24 - 54+"	IIBt	sandy clay loam, strong subangular blocky.

Both horizons may be classified as fine alluvial, as the IIBt horizon is the fine sieve deposits at the front edge of the Bear Canyon Fan (Rutherford Fan Complex). Nutritional status of the soils is adequate for low-moderate vine vigor, with water holding capacity moderately high, but good drainage to 50" (the present location of the seasonal groundwater table). About 3% pebble size gravel is present throughout the profile. This is not a youthful floodplain soil like the Yolo series soils along the Napa River, as clay films are very strongly developed, and clay percentage high in the IIBt horizon.

Soil 2 is in the south-central section of block F, immediately north of Zinfandel Lane and west of the N. Fork of the Bale Slough by about 45 m. This section is about 5 m higher in elevation than the terrace immediately along the Bale Slough channel, and in the highest portion of the block closest to the winery buildings. As the soils are solely composed of Bale Slough alluvial sediments, this shows that the Bale Slough migrated between its current channel position and the hillside to the west, filling this section with its sedimentary load through time. This soil would also be classified as the Maxwell clay characteristic of the Bale Slough, with the profile horizationation as follows:

0-12"	A	clay with increased organics, massive to subangular blocky
12-24"	Bt1	clay, with increased clay films, prismatic - platy structure
24-58+"	Bt2	clay, with increasing clay films and platy structure.

This soil has about 15% gravel throughout the profile (most likely as a function of the higher gradient of the Slough stream when it deposited across this elevation), with one-third of the gravel very weathered volcanic clasts and the other two-thirds very weathered serpentine. Vine vigor here (as in block E) is moderately low. The soils has a moderately high water holding capacity, but good drainage. No standing groundwater was encountered at depth, as drain tiles have been installed here.

Soil 3 is at the northern part of block F about 10 m west of the N. Fork of Bale Slough. It is almost identical to Soil 1, and again the characteristic Maxwell clay soil of the Bale Slough. The profile horizationation is as follows:

0-24"	A	sandy clay with increased organics, massive structure to subangular blocky
24-56+"	IIBt	sandy clay loam, structure coarse subangular blocky.

As for Soil 1, both horizons are classified as fine alluvial, with the IIBt horizon fine sieve deposits at the front edge of the Bear Canyon Fan as reflected in the sandstone, serpentine and volcanic gravel lithologies. Groundwater was present at 50". Nutritional status of the soils is adequate for low-moderate vine vigor, with water holding capacity moderately high, but good drainage to 50". About 5% large gravels are present throughout the profile.

Soil 4 is at the southern part of block L, immediately north of block F and about 30 m west of the N. Fork of the Bale Slough. This is again a Maxwell clay soil. The profile horizonation is as follows:

0-13"	A	sandy clay, subangular block, large subangular blocky to massive
13-24"	AB	sandy clay, some mottling (due to groundwater seepage from upslope), increased clay
24-43"	Bt1	clay loam (increased clay, decreased sand), prismatic structure
43-53+"	Bt2	clay loam (increasing clay), prismatic-platy.

Again, this soils has moderately high water holding capacity, good drainage (with some seepage at 24"), and about 3% pebble sized gravels composed primarily of serpentine and secondarily of volcanics. Vine vigor is low-moderate.

Summary

The vineyards Komes/Garvey propose to include in the Rutherford viticultural area are Bale Slough vineyards with characteristic Bale Slough geology and soils. These vineyards have soils identical to vineyards immediately to the south, as in Komes/Garvey block E, which is included in the petitioner's proposed Rutherford viticultural area. It should be noted that Soil 1 (block E) and Soil 3 (northern block F) are identical, and that the IIBt horizon in these soils is fine sieve deposits at the front edge of the Bear Canyon Fan (Rutherford Fan Complex). I recommend the inclusion of the Komes/Garvey acreage proposed by Mr. Komes and Mr. Garvey at the December 9, 1992 Rutherford public hearing in the Rutherford viticultural area.

Contrast to Sulphur Canyon Fan in St. Helena

On December 16, 1992, I also examined soils immediately adjacent to the eastern bank of the N. Fork of the Bale Slough (including Komes/Garvey blocks not proposed by them to be included in the Rutherford viticultural area) and areas further eastward to and across Highway 29. Even surficial examination shows these soils to be very different, as these are the soils of the Sulphur Canyon bouldery alluvial fan. Gravel content is 30% or greater, with gravels primarily boulder-sized and secondarily cobbles. The dominant clasts (over 60% of the gravels) are rhyolite, rhyolitic tuff, dacite and andesite from the Sonoma Volcanics formation that dominates the surficial geology of the Sulphur Canyon basin.

My research over the last 5 and 1/2 years in the proposed Rutherford viticultural area and to the north into St. Helena, consisting of over 95 sampled trenches and many shallow, hand-dug pits, shows that the surficial geology of the Sulphur Canyon drainage basin (the source area for the Sulphur Canyon alluvial fan soils) is approximately 70% Sonoma Volcanics (e.g., rhyolitic tuff and dacite), 20% metamorphic units (with a high diversity of rock types, including chert), and 10% Franciscan sedimentary lithologies (primarily massive marine sandstones). This shows that the Fox et al. (1973) preliminary geologic maps (scale 1:62,500 or 15' topo quad) used by Richard Slade (see Mr. Beckstoffer letters and supporting documents) to be inaccurate. Despite this inaccuracy, and Mr. Slade's analyses from these maps, Mr. Slade noted that the soils of the Bale Slough were mineralogically different than those on the Sulphur Canyon fan. The key to determining both the identity of soils and geologies in the Napa Valley is detailed, extensive, accurate field work, especially in areas that are forests with recent tectonic activity, as the Sulphur Canyon section of the Napa Valley is. Accurate mapping of such areas from aerial photos and limited field sampling is almost impossible to do. I do not know anyone who has done more field research in this region than I personally have. I am confident that my analyses of the Bale Slough, the Sulphur Canyon drainage basin, and the Sulphur Canyon fan are more accurate than any other maps and documents I have seen.

Viticultural Distinctiveness of the Komes/Garvey Proposed Addition

This research shows that soils can be used as a legitimate geographic factor for delimiting the proposed Rutherford viticultural area. The subsurface environment of vine (i.e., the soils) develops over long periods of time and is inherited by viticulturalists. Although farming practices can modify the soil structure and horizonation to some extent, with the addition of fertilizers and other chemical products changing the upper foot or so of the soil, the viticulturalist is often forced to accept what the subsurface environment provides, as the vines root to great depths where possible.

In Napa Valley, geology, soils and geomorphic surfaces are key geographic factors to use in determining the geographical distinctiveness of proposed viticultural areas. The integrity of distinct units should be maintained as much as is feasible within the constraints of the other criteria used by the BATF in delimiting viticultural areas. The proposed addition of part of the Komes/Garvey vineyards maintains the integrity of the Bale Slough and Bear Canyon Fan units.

Summary

As Mr. Pat Garvey and Mr. John Komes both noted in their presentations to the BATF at the Rutherford public hearing on December 9, 1992 in Napa, the vineyard lands in question are (1) historically known as Rutherford, (2) have contributed grapes to their 'Trilogy' red Bordeaux blend wine, which has been characterized as Rutherford by many in the wine trade, and hence have name recognition as Rutherford origin vineyards, and (3) are geographically similar to other vineyards within the proposed appellation (including blocks that they own), while different from other vineyards they own that are outside the proposed

appellation, and not requested to be included here. As a professional scientist specializing in viticultural geography and the influence of site (especially soil) on wine characteristics, I support the Komes/Garvey proposal.

PINE RIDGE

344

①
K. White

May 5, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, DC 20091-0221

Attn: Notice N0738

Dear Sir:

I am responding to notice number 738 and your request for comments. While I am responding for Pine Ridge Winery, please be advised that I have discussed the matter with Bertha Fahrig, our landlord for the property that Pine Ridge Winery leases on Manley Lane, and she concurs totally with this letter. Further, my wife, Nancy, and I are the individual owners of property within the proposed Rutherford Appellation and we also concur with this response. I make this distinction because we are not the majority equity owners of Pine Ridge Winery, and we would respond if Pine Ridge Winery was not doing so on our behalf.

Pine Ridge owns parcel 31-050-35, located on the Silverado Trail. It is the second parcel south of Skellenger Lane and borders the Swanson property.

Pine Ridge Winery leases parcel 27-250-01 and has a life estate with the landlord. This parcel is located between Manley Lane and Bella Oaks Lane. We have all viticultural rights to the property.

Nancy F. and R. Gary Andrus owns parcel 27-160-36, located at 1885 Cabernet Lane and the parcel runs between Cabernet Lane and Whitehall Lane.

Pine Ridge Winery leases via estate grape leases the McCrohan parcel 27-160-35, located at 1871 Cabernet Lane and the Malcherek parcel 27-160-34, located at 1863 Cabernet Lane.

Since 1978 Pine Ridge Winery has bottled a Cabernet Sauvignon with Rutherford on the label. We sell in 50 states and 14 foreign countries. The wine has received much acclaim. Enclosed note the James Laube book "California's Great Cabernets". Pine Ridge was a

founder of the Stags Leap District appellation. Pine Ridge Winery and I personally understand the unique requirements of historical and viticultural uniqueness required to establish viticultural areas.

We concur with the rule proposed. While one of our vineyards may not be in the Rutherford appellation, we believe in the boundaries as submitted.

Further, as to the questions listed in your request for response we answer the questions as follows:

1. As proposed.
2. They should not be modified.
3. None. I believe that historical data supports only Zinfandel as the northern boundary. This was documented in the submittal.
4. No opinion.
5. I believe that the historical northern boundary of Yountville is Yount Mill Road and Dwyer Road. I do not think it should be extended.
6. Probably, but Pine Ridge Winery does not have the resources to contribute data other than that included in the petition.
7. None known to Pine Ridge or the included interested parties.
8. No. None of which I am aware.
9. Pine Ridge Winery is located out of the Oakville and Rutherford areas and consider the boundaries historical as proposed.
10. See the enclosed Pine Ridge label identification and brochure.

Bureau of Alcohol, Tobacco and Firearms
May 5, 1992
Page 3

11. Unknown to us.

I appreciate your soliciting comments. I am available for an interview, should you desire.

Very truly yours,



R. Gary Andrus
Managing Partner

California's Great Cabernets

*The Wine Spectator's
Ultimate Guide for Consumers,
Collectors and Investors*

By James Laube

Author of California's Great Cabernets

2

Guenoc Winery



April 8, 1992

P.O. Box 1146
21000 Butts Canyon Road
Middletown, California 95461
Telephone: 707-987-2385
Facsimile: 707-987-9351
Telex: 5106007055
Photo: LILLIE LANGTRY

Robert White
Wine and Beer Branch, BATF
650 Massachusetts Ave., N.W.
Washington D.C. 20001

Dear Mr. White,

I am writing to you with regard to notice #729 concerning the Rutherford viticultural area.

Guenoc Winery has purchased Cabernet Sauvignon yearly beginning with the harvest of 1987 from Beckstoffer's parcel #09-670-002. Currently this is north of the proposed boundary of the Rutherford viticultural area and is located at the end of Sulfur Springs Road. I believe Mr. Beckstoffer wrote a letter to you in November 1991 which probably goes into more details regarding this particular parcel.

As Guenoc has purchased Cabernet from several areas of the North Coast in search of particular characters specifically suited to our products, we are in a position to compare and contrast the characteristics of many vineyard locations. The Cabernet which we purchase from what we refer to as Beckstoffer IV (parcel #09-670-002) is unique and has characters which exemplify the Rutherford Bench more clearly than some other vineyards now included in the proposed Rutherford Viticultural area from which we have made wine. In describing the characters of our Beckstoffer Reserve Cabernet Sauvignon, we've included Rutherford Bench as a descriptor which explains this unique and intense set of characteristics to our consumers.

With these considerations in mind, I would like to support Andrew Beckstoffer's request to include this vineyard in the "Rutherford Bench".

Sincerely,

Orville Magoon for Orville Magoon

Orville Magoon
Proprietor,
Guenoc Winery

xc: AB
OTM

3

18 June 1992

Chief, Wine & Beer Branch
BATF
P O Box 50221
Washington DC 20091-0221

**ATTN: Notice #738 Notice of Proposed Amendments to Regulations in 27 CFR
Part 9, #728: Proposal to Establish OAKVILLE, CA Viticultural Area**

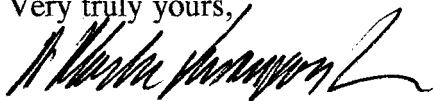
Dear Sir;

This letter is to oppose any change in the previously established southern boundary of the Oakville, CA Viticultural Area.

Swanson Vineyards owns its principal vineyard, a 100-acre ranch, on Oakville Cross Road plus two other vineyards in the Oakville area; one a 60-acre ranch on the Silverado Trail located adjacent to and immediately north of Girard Vineyards. The other, a 40-acre ranch located south of Dwyer Road and north of the previously proposed boundary of the Oakville Viticultural area, was purchased last summer for \$1.6 million. All of our estate wines are produced from grapes grown in this area and are promoted to the trade as being from the Oakville Viticultural area. Any change which would put our latest vineyard acquisition outside the district would seriously injure the promotional value of that property. This ranch was purchased, in part, upon reliance on the originally proposed boundaries for the Oakville district.

Consequently, I respectfully ask that you deny the requested amendment to the original boundaries for the Oakville Viticultural Area.

Very truly yours,



W. Clarke Swanson, Jr.
Proprietor



SILVER OAK CELLARS

P.O. BOX 414, OAKVILLE, CALIFORNIA 94562

(707) 944-8808 FAX (707) 944-2817

June 18, 1992

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

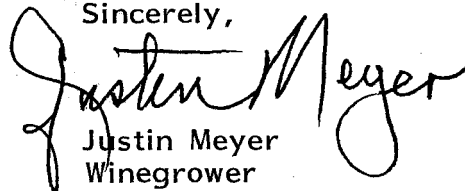
Subject: Notice No. 738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south, such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville ...otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,


Justin Meyer
Winegrower

JM:pt

R. White

5

Thomas W. Moore
1740 Conn Valley Road
St. Helena, Ca. 94574

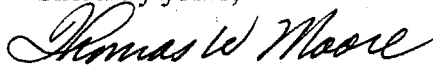
Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
P.O.Box 50221
Washington, DC 20091-0221

Re: Notice Number 729
Notice of Proposed Rule making (#729)
Rutherford Viticultural Area (89F-90P)

You are conducting hearings and are about to make a decision on the boundaries of the Rutherford Viticultural Area. As a grape grower for 20 years, I strongly support the creation of viticultural appellations. The Rutherford appellation is a most important one. I am not in the area but I have sold my grapes to Beaulieu Winery for 11 years. I have studied the proposed boundaries.

It is essential that the southern boundary between Rutherford and Oakville include ranches #2 and #4 which are owned and operated by Beaulieu. To do otherwise will lead to confusion and be a disservice to this outstanding winery and its program of producing and selling the best Cabernet Sauvignon in California. For years these two vineyards have been associated with the production of Rutherford Cabernet. The entire appellation program is to judicially and fairly designate areas that will be of assistance in marketing, but primarily to assist the public in selecting wines which carry a label of integrity. To leave the boundaries without including these two vineyards would be a public disservice. Your decision should first be made for the public interest and the integrity of your decision must include these two vineyards.

Sincerely yours,



Thomas W. Moore
Grape Grower
Retired President of ABC-tv Network

6

6/2/92

CHIEF, WINE AND BEER BRANCH
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
POST OFFICE BOX 50221
WASHINGTON, DC 20091-0221

ATTENTION: NOTICE NUMBER 729

RE: NOTICE OF PROPOSED RULEMAKING (NUMBER 729)
RUTHERFORD VITICULTURAL AREA (89F-90P)

DEAR SIR:

THIS LETTER IS WRITTEN IN RESPONSE TO THE REQUEST FOR COMMENTS REGARDING THE NOTICE OF PROPOSED RULEMAKING (NOTICE NO. 729), REGARDING THE RUTHERFORD VITICULTURAL AREA (89F-90P).

I HAVE BEEN A BEAULIEU VINEYARD GRAPE GROWER FOR MANY YEARS. THIS LETTER IS WRITTEN TO EXPRESS MY CONCERN ABOUT THE LOCATION OF THE SOUTHERN MOST BOUNDARY BETWEEN RUTHERFORD AND OAKVILLE. IT APPEARS TO ME THAT THE BEAULIEU VINEYARD RANCHES NUMBER 2 AND NUMBER 4, WHICH HAVE BEEN HISTORICALLY ASSOCIATED WITH THE BEAULIEU VINEYARD RUTHERFORD CABERNET SAUVIGNON, ARE NOT INCLUDED IN THE PROPOSED RUTHERFORD APPELLATION.

THE BEAULIEU VINEYARD CABERNET SAUVIGNON PROGRAM, AND IN PARTICULAR THE BEAULIEU VINEYARD RUTHERFORD CABERNET SAUVIGNON, HAVE FOR MANY YEARS PROMOTED BOTH THE VITICULTURAL APPELLATION, AND NAPA VALLEY CABERNET SAUVIGNON.

I AM AWARE THAT BEAULIEU VINEYARD HAS CONTACTED THE BUREAU WITH REGARD TO THE LOCATION OF THE SOUTHERN BOUNDARY LINE. I SUPPORT THIS REQUEST AND AM WRITING THIS LETTER TO ASK THAT YOU CONSIDER THEIR REQUEST FAVORABLY.

VERY TRULY YOURS



TOM P. TRIPODES
TRIPODES VINEYARDS
PARCEL NO. 0021 352 001
CONSISTING OF 25 ACRES



2

DALLA VALLE
VINEYARDS

June 24, 1992

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O.Box 50221
Washington, D.C.
20091-0221

SUBJECT: NOTICE NO. 738

Dear Sirs,

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville... otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,

Gustav Dalla Valle

nm/GDV

8

MRS. C. FRED HOLMES, JR.
POST OFFICE BOX 325
OAKVILLE, CALIFORNIA 94562

June 24, 1992

Chief, Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

(Attention: Notice 738)

Reference Rutherford & Oakville Viticultural Areas, notice 738

Dear Sirs,

Since early 1958 when we purchased the 100 acres known as the Dewyer property we have considered ourselves in the Oakville area. This is located immediately south of the western extension of Dewyer Road.

The Oakville area probably extends half way north to the town of Rutherford and south to the southern base of the Yumbwill hill where there appears to be a climatic continuity.

There are Dewyer papers that show Oakville as this location, ^{and} which go to the last century.

Sincerely yours,

C. Fred Holmes



June 24, 1992

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

Subject: Notice No.738

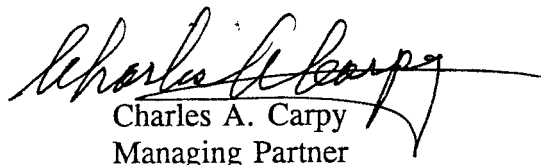
Dear Sirs:

We at Freemark Abbey object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to Oakville...otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: Viticultural distinctiveness and historical acceptability.

In addition we understand there has been some advocates for pushing the upvalley boundary past Zinfandel Lane. We strongly oppose that effort as well. Anything upvalley of Zinfandel Lane is and has historically been in the sphere of influence of St. Helena, the next logical appellation upvalley from Rutherford.

Sincerely,


Charles A. Carpy
Managing Partner

10

MARKHAM

VINEYARDS

June 26, 1992

Chief, Wine and Beer Division
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
Post Office Box 50221
Washington, D.C. 20091-0221

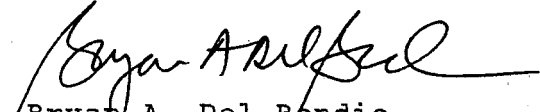
Subject: Notice No. 738

Dear Sirs:

I am writing this letter to express my objection to the southern boundary of the proposed Oakville Appellation. I have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. I certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville...otherwise they would have been called the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,


Bryan A. Del Bondio
President



R. white



(11)

June 26, 1992

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, D.C.
20091-0221

Subject: Notice No. 738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville... otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability. It was already bad enough with the approval of the northern boundary of the Stags Leap District. What makes an area viticulturally distinctive is the combination of soil and climate, not the convenience of an existing highway.

Very sincerely yours,

Bernard M. Portet
President

BMP: smh

CLOS DU VAL WINE CO., LTD.

(R)

June 8, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
Box 50221
Washington, DC 20091-0221

RE: Rutherford and Oakville Viticultural Areas
Notice 738

To whom it may concern:

We consider the southwest boundary of the Oakville Viticultural Area as proposed to be appropriate. In response to your request for written comments, we submit the following, separately numbered and with factual basis. We shall be very pleased to elaborate on any of these points should you so request.

1. When we first bought our property over thirty years ago, we used the Oakville Post Office.

2. Our vineyard, situated on an alluvial fan, seems by geography and geology to be the natural southern boundary of the Oakville viticultural area as originally planned.

3. For over thirty years, our grape crop has been delivered to Robert Mondavi, originally at Krug Vineyard, and then to his present location in Oakville when he moved there.

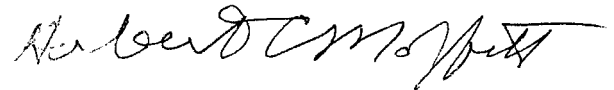
4. Our vineyard, located opposite the Yountville Hills, is at the southern end of a natural change in climate. Often at 7 or 8 a.m. fog will have cleared over our vineyard and areas to the north but still be present south of the Yountville Hills which, together with our alluvial fan, make a natural gateway for fog.

5. It is also important to note that adjacent to our vineyards on the south is a natural drainage divide which provides a very natural geological delineation of the boundary.

The 200 acres we sold to Girard some six or seven years ago are above the contour line proposed for the Oakville viticultural area and are therefore not included in the proposed appellation.

We hope you will approve the Oakville viticultural area as originally submitted.

Sincerely,



HERBERT C. MOFFITT

HCM/krp

Dr. Herbert C. Moffitt
1170 Sacramento Street
San Francisco, CA 94111
(405) 771-7339

13

June 25, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
Box 50221
Washington, DC 20091-0221

RE: Notice 728 "Oakville"

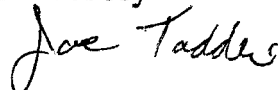
To whom it may concern:

I strongly support the Oakville-Rutherford boundaries as proposed.

I am a second generation farmer at this location which is approximately 1/4 mile from the southern boundary of the proposed Oakville appellation. I have lived here since the 1930s. Never during this time have I heard Dwyer Road (Lane) discussed as being a boundary between Yountville and Oakville.

In the past grapes from our ranch have been sold to Beaulieu and Vichon, which is located in Oakville. In order to determine if there had indeed been a perception of Dwyer Road as the boundary, I have had discussions with Mr. Arthur Schmidt, who has lived adjacent to us since the early 1900s. Mr. Schmidt informs me that he has no knowledge of Dwyer Road ever having been known as the boundary between Oakville and Yountville.

Sincerely



JOE TADDEI

VINE HILL RANCH

14

June 25, 1992

Chief , Wine and Beer Branch,
Bureau of Alcohol, Tobacco and Firearms
Box 50221
Washington, DC 20091-0221

To whom it may concern:

I am writing this letter in support of the proposed boundaries of the Oakville and Rutherford agricultural areas generally, but I would more specifically like to address the southern boundary in proximity to which I reside and farm.

My family and I have grown grapes in this area for over 35 years and never in this time have we ever heard of Dwyer Road (Lane) as being a boundary between Oakville and Yountville. As part of my property adjoins Dwyer Road, I think I would be aware if such a distinction ever has existed in the minds of most of the citizens of this community.

Historically, our grapes have been sold to such wineries as Beaulieu, and Robert Mondavi Winery in Oakville. None have ever been sold south of the Oakville area. In the time that I have been farming here I have observed no distinctions in soil types or climate between vineyards on the south side of Dwyer Road and the north side of Dwyer Road. As explained in the report issued proposing the boundaries, very distinctive alluvial fans provide identical soil types and the climate is identical. As the report indicates, there is a very major change in soil types south of my property which is clearly defined by a drainage divide providing a distinctive break in the flow of water to the south on the south side and to the north on the north side. The hills near the town of Yountville provide a very effective barrier for some of the cold air coming from the San Pablo

Page 2

Bay area to the south and this is quite obvious when there is fog in our valley as it can very often be seen south of the hills with clear weather to the north. This can afford as much as a 5 degree difference in temperature between the north and south areas.

In summary, my observations are in agreement with the conclusions of the report in that the historical boundaries, the geography and soil types, and the climate are all properly defined. I sincerely hope that you will adopt the boundaries as proposed.

Sincerely,

A handwritten signature in cursive script that reads "Rawson Kelham". The signature is written in dark ink and has a long horizontal flourish extending to the right.

RAWSON KELHAM

RK/krq

CHAPPELLET



VINEYARD

15

June 26, 1992

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, D. C. 20091-0221

Subject: Notice Number 738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly DO NOT consider areas to the south such as Mustards Grill, the S Claus shop the Yountville hills and south of the Yountville hills to be Oakville...otherwise they would be Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,

Donn Chappellet

2/2/78

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C.
20091-0221

Subject: Notice No. 738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville... otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,
ROBERT PECOTA

June 29, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, DC 20091-0221

RE: Oakville/Rutherford Boundary
Notice 728

Gentlemen:

I am writing this letter to support the proposed boundaries of the Oakville and Rutherford viticultural areas. I am a second generation Napa resident and for approximately 30 years have been managing the farming of Vine Hill Ranch, Martha's Vineyard, Kelham Vineyard, and Moffitt Vineyards. In this capacity I would like to state that I have found a great commonality of soil type and climate conditions in all of these properties. The grapes from all of these ranches are sold to the north in the Oakville and Rutherford areas and none move south into the Yountville and Napa region.

It is has come to my attention that there are some who suggest that the dividing line between Yountville and Oakville should be at Dwyer Lane and I can find absolutely no justification for such a decision. As previously indicated, I have been intimately associated with this area for approximately 50 years and have farmed these properties for 30 years. During this period I have never heard any mention of this being a dividing line, and in my own opinion this should be close to where the proposed boundary has been set.

In addition to the soil and climate changes which occur at the proposed boundary, historical evidence points to its correctness. The school district going back many years split between Yountville and Oakville, not at Dwyer Lane, but well south of it towards the

Page 2

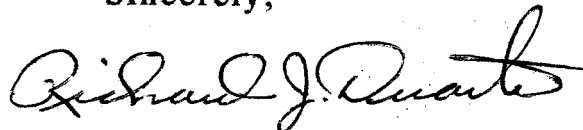
boundary. At that time there was a public school on the Oakville Grade near what is now Pomettas and families north of that line sent their children to Oakville and south of it sent their children to Yountville. When that school was subsequently closed, families north of the line sent their children to St. Helena and families south of the line sent their children to Napa. Never was Dwyer Lane considered a boundary in setting school districts.

It is also important to note that the residents south of Dwyer Lane to almost the proposed boundary have their polling place in Oakville, not in Yountville. Again, Dwyer Lane has never been a factor.

While Post Office boxes are an unreliable guide as an individual may have his Post Office box wherever he may choose to pay the fee, I believe that many of the ranches and individuals south of Dwyer Lane use either Oakville or Napa addresses.

It seems to me that all of the historical, geographical and climate conditions are met by adopting the proposed boundaries. I sincerely hope that they will be adopted as submitted.

Sincerely,



RICHARD DUARTE

18



Joseph Phelps Vineyards

June 29, 1992

Chief, Wine & Beer Division
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

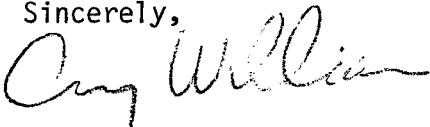
RE: Notice #738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustard's Grill, the S. Claus shop, the Yountville hills and south of the Yountville hills to be Oakville - otherwise they would be the Oakville hills.

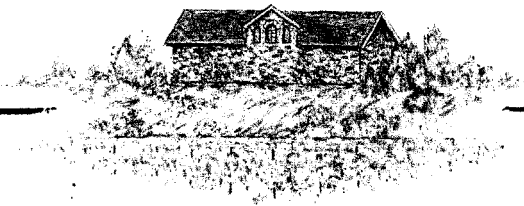
Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,



Craig Williams

CW/cy



ROBERT PEPI WINERY

Junw 29, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

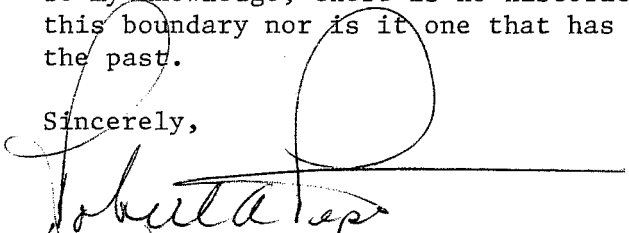
RE: Oakville Boundaries - Notice 728

Gentlemen:

This letter is being written in support of the boundaries as proposed. One of the criteria for which you seek information concerns the buyer of grapes grown in proximity to the S. W. boundary. I would like to inform you that since 1981, all of the Robert Pepi Cabernet Sauvignon has been produced from grapes supplied by Vine Hill Ranch, which is close to the southern boundary as proposed. The wines from these grapes have received great notoriety nationally and since our winery is located in Oakville, I am sure the perception has generally been that the grapes are grown in Oakville.

It is my understanding that there is an effort to establish Dwyer Lane as a boundary between Oakville and Yountville. To my knowledge, there is no historical credibility for this boundary nor is it one that has gained recognition in the past.

Sincerely,


Robert A. Pepi

"STAGS' LEAP"



June 30, 1992

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C.
20091-0221

Subject: Notice No. 738

Dear Sirs:

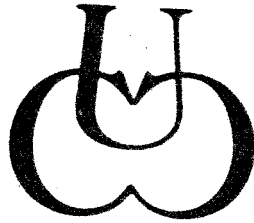
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Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,

Carl K. Doumani
STAGS' LEAP WINERY

CKD/cw



21

UCC VINEYARDS GROUP

July 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No 738

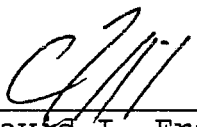
RE: The Rutherford Viticultural Area

Gentlemen:

We wish to again comment upon the geographical boundaries of the proposed Rutherford Viticultural Area. Specifically, we question the logic of establishing the northern boundary of the proposed area along Zinfandel Lane (Sec. 9.133(c)(7)). Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely on delimiting this area (Historical/Current Evidence of Boundaries 56 FR 47044 page 3). We would again suggest that a more logical northern boundary is the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as it runs from the 500 ft. contour line on the eastern side of the Mayacamas Mountain range and as far east as the westerly bank of the Napa River.

We believe that utilizing Zinfandel Lane as the northern boundary of the proposed Rutherford area is not substantiated by any natural phenomena. There is no difference in the soils to the north versus the south of Zinfandel Lane, nor is there any difference in the basic geologic history of the area. Clearly there are no significant temperature variations moving up-valley (northerly) at the Zinfandel Lane latitude. There has also been substantial history of the grapes from vineyards north of Zinfandel Lane being utilized in bottlings bearing the Rutherford appellation of origin.

For all of the foregoing reasons, we again respectfully request that the northern boundary of the proposed Rutherford Viticultural area be the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as specified above.

Respectfully submitted,	<u>Property Owned</u> (address or APN)	<u>Acres</u>
 <hr/> David I. Freed, President	030-260-005	13.07 ac
	030-260-004	34.29 ac
	030-240-180	42.60 ac
	030-250-019	52.63 ac
	030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:


 Signature

Printed Name: John P. Grech.

Address: 239 Verano Dr.
Daly City, Ca. 94015

Property Owned: 1709 Inglenood Ave.
St. Helena, Ca.
APN 027-120-022 (10 acres)

Handwritten mark

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C.
20091-0221

Subject: Notice No. 738

Dear Sirs:

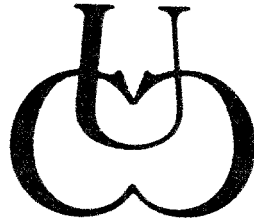
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Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,

*Virginia Van Asperen
Round Hill Winery
Rutherford, California*

*Actually, I don't agree with even the
Oakville appellation. I'm not convinced
we need more appellations*



UCC VINEYARDS GROUP

July 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No 738

RE: The Rutherford Viticultural Area

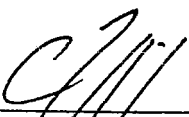
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For all of the foregoing reasons, we again respectfully request that the northern boundary of the proposed Rutherford Viticultural area be the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as specified above.

Respectfully submitted,



David I. Freed, President

Property Owned
(address or APN)

Acres

030-260-005	13.07 ac
030-260-004	34.29 ac
030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:

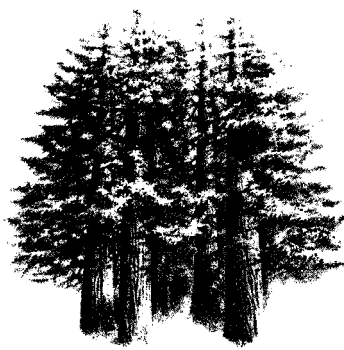
Signature

Printed Name: _____

Address: _____

Property Owned: _____

(24)



SEQUOIA GROVE

V I N E Y A R D S

8338 St. Helena Highway Napa, California 94558
707/944-2945 Fax 707/963-9411 Telex 650 353 8328

7/2/92

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C.
20091-0221

Subject: Notice No. 738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville... otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.



25

RUTHERFORD HILL

FINE NAPA VALLEY WINES
P.O. BOX 410, ST. HELENA, CALIFORNIA 94574

June 30, 1992

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

Re: Notice No. 738

Dear Sirs:

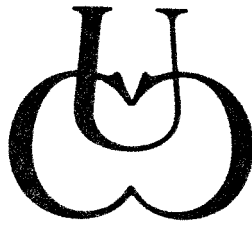
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Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on its own criteria: viticultural distinctiveness and historical acceptability.

Very truly yours,

Stephen T. Buehl
General Counsel



26

UCC VINEYARDS GROUP

July 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No 738


RE: The Rutherford Viticultural Area

Gentlemen:

We wish to again comment upon the geographical boundaries of the proposed Rutherford Viticultural Area. Specifically, we question the logic of establishing the northern boundary of the proposed area along Zinfandel Lane (Sec. 9.133(c)(7)). Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely on delimiting this area (Historical/Current Evidence of Boundaries 56 FR 47044 page 3). We would again suggest that a more logical northern boundary is the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as it runs from the 500 ft. contour line on the eastern side of the Mayacamas Mountain range and as far east as the westerly bank of the Napa River.

We believe that utilizing Zinfandel Lane as the northern boundary of the proposed Rutherford area is not substantiated by any natural phenomena. There is no difference in the soils to the north versus the south of Zinfandel Lane, nor is there any difference in the basic geologic history of the area. Clearly there are no significant temperature variations moving up-valley (northerly) at the Zinfandel Lane latitude. There has also been substantial history of the grapes from vineyards north of Zinfandel Lane being utilized in bottlings bearing the Rutherford appellation of origin.

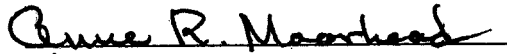
For all of the foregoing reasons, we again respectfully request that the northern boundary of the proposed Rutherford Viticultural area be the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as specified above.

Respectfully submitted,


 David I. Freed, President

<u>Property Owned</u> (address or APN)	<u>Acres</u>
030-260-005	13.07 ac
030-260-004	34.29 ac
030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:



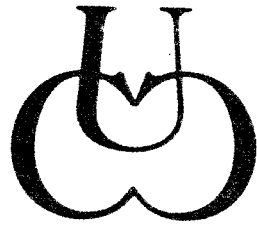
 Signature

Printed Name: Anne R. Moorhead, Trustee, Anne R. Moorhead 1990 Trust

Address: 2212 Moorhead Ln.

St. Helena, CA 94574

Property Owned: 027-120-026 27.24 A. 7.15 A. in vineyard



UCC VINEYARDS GROUP

July 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No 738

RE: The Rutherford Viticultural Area

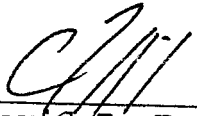
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For all of the foregoing reasons, we again respectfully request that the northern boundary of the proposed Rutherford Viticultural area be the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as specified above.

Respectfully submitted,



David I. Freed, President

Property Owned
(address or APN)

Acres

030-260-005	13.07 ac
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030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:



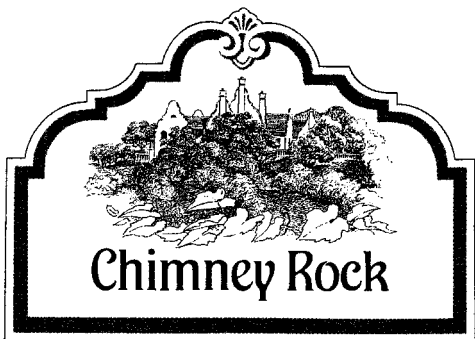
Signature

Printed Name: WILLIAM J. DICKERSON, MD.

Address: 1044 SIR FRANCIS DRAKE
KENTFIELD, CA 94904

Property Owned: 027-160-052-000 10.50 ac.
027-160-053-000 10.50 ac.

28



7/7/92

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C.
20091-0221

Subject: Notice No. 738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville... otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,

Gordon C. Anderson
1541 Sage Canyon Road
St. Helena, California 94574

July 9, 1992

Chief Wine Bureau Branch
Bureau of Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: Notice 738
Oakville/Rutherford Proposed Viticultural Areas

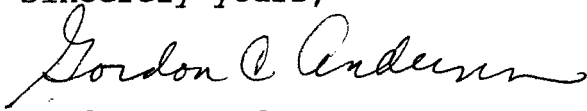
Dear Sirs:

I'm writing you with respect to the proposed boundaries for the Oakville and Rutherford Viticultural Areas. I have been a grape farmer and wine producer in the Rutherford area for some 10 years and have always considered my properties as being part of the Rutherford area because of it's geographical location, historical relationship with the town of Rutherford, current post office box location in Rutherford, similar soils and climatic conditions as those in Rutherford.

I believe that an arbitrary line of 500 feet in elevation does not adequately take into consideration our property, which consists of vineyards and agricultural land between 800 feet and 1200 feet in elevation. In as much as the difference between the arbitrary 500 foot elevation and my property is less than 200 to 300 yards, I believe that the oversight of not including the area south of Lake Hennessey known as Prichard Hill would be an extreme oversight. The vineyards of my neighbors such as Chappellet, Harrison, Taylor, Long and Anderson, as well as that of Oakville Ranch are all vineyards that I believe should be included within this geographical area. To exclude them would be completely arbitrary and inappropriate.

Should you require any additional information regarding this, please feel free to contact me.

Sincerely yours,



Gordon C. Anderson

THE LAW FIRM OF

Douglas A. Long

ATTORNEYS AT LAW

A PROFESSIONAL LAW CORPORATION

DOUGLAS A. LONG
JENNIFER S. SHANNON
PAUL A. NEUMILLER
PAUL JAMISON DOHRING

1244 SPRING STREET
ST. HELENA, NAPA VALLEY, CALIFORNIA 94574

TELEPHONE (707) 963-4824
FACSIMILE (707) 963-5735

July 9, 1992

Chief Wine Bureau Branch
Bureau of Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: Notice 738
Oakville/Rutherford Proposed Viticultural Areas

Dear Sirs:

I'm writing you with respect to the proposed boundaries for the Oakville and Rutherford Viticultural Areas. I have been a grape farmer and wine producer in the Rutherford area for some 10 years and have always considered my properties as being part of the Rutherford area because of it's geographical location, historical relationship with the town of Rutherford, current post office box location in Rutherford, similar soils and climatic conditions as those in Rutherford.

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Should you require any additional information regarding this, please feel free to contact me.

Sincerely yours,



Douglas A. Long
Attorney at Law

VINE HILL RANCH

R. White

(31)

June 25, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

RE: Oakville Boundary Notice 728

To whom it may concern:

This letter is written in support of the proposed boundaries of the Oakville and Rutherford viticultural areas. The writer is a member of the committee organized to develop the proposed boundaries and is convinced that the task was approached in a professional and objective manner and that this report should stand as submitted.

In discussions of these boundaries, those property owners directly impacted withdrew from the deliberations in order to assure that subjective concerns would not enter into decisions. As an indication of this it should be noted that all of the lands of one committee member on the southern boundary were excluded from the final proposal and the majority of the lands of another member on the northern boundary were likewise excluded.

The following comments are submitted in response to your specific request. The numbers refer to the paragraphs as delineated in your notice of April 22, 1992.

1. Historical and Current Boundaries:

The boundaries as proposed are well supported by all of the historical evidence submitted. The following is offered for your consideration.

a. School Districts - Historically the demarcation line between the Oakville School District and the Yountville School

District was well south of Dwyer Lane in proximity to the proposed boundary. In the early 1900s there was a school in Oakville on Oakville grade in proximity to what is now the Pometta property attended by students north of the line with those south of the line going to Yountville. The Oakville School was subsequently closed and students north of the line attended St. Helena schools and those south of the line went to Yountville and Napa. It should be noted that Dwyer Lane was never considered as a boundary in the eyes of the school districts.

b. Polling Places -- The individuals on the southern boundary have their polling place in either Oakville or Rutherford, not in Yountville. Again, Dwyer Lane has had no historical significance in the determination of where individuals vote.

c. Post Office Box Addresses -- This is not a reliable guide as individuals and businesses may receive their mail wherever they may choose following the payment of a fee. (Please see letter attached from former postal worker, Josephine Taddei)

Unfortunately, some rather misleading information has been presented to the Bureau in a letter from Mr. Stephen Girard, dated November 4, 1991 (copy enclosed). I feel that the issues raised by Mr. Girard must be dealt with in the order presented. Since considerable weight seems to be placed on Post Office box location, I am enclosing a copy of a letter from Mrs. Josephine Taddei, former postal employee. This letter should shed some light on this matter.

Statement: *"Unfortunately, a few monied people owning vineyards in Yountville consider it more prestigious to say that they are in Oakville. They also realize that this will allow them to raise grape prices. And so an otherwise meaningful boundary has been stretched like a rubberband to accommodate their desires."*

Comments: It must be presumed that Mr. Girard is referring to the growers between Dwyer Road and the proposed southern boundary. The identities of these growers are as follows: Mrs. C. Fred Holmes, resident since early 1950s and a Robert Mondavi Oakville grower; Rawson Kelham and Robert Phillips, residents since 1955 and co-owners of Vine Hill Ranch, and Robert Mondavi growers as well as for

other Oakville wineries; Ren Harris, second generation grower; Joe Taddei, resident since 1933 and Vichon/ Oakville grower; Herbert Moffitt, resident since 1956 and Robert Mondavi, grower; Clarke Swanson recently purchased land from Arthur Schmidt with grapes supplied to Swanson Winery/Oakville.

Mr. Girard's statement questioning the integrity of these most respected growers is reprehensible and completely out of order.

Statement: *"Exhibit B is the business card of the S. Claus gift shop located on exhibit A as number 1. As you can see, they consider themselves clearly in Yountville. This location has supported a business for over fifteen years and has always been Yountville. Take a minute to call Linda Greene, the owner to confirm this."*

Comments: This business specializes in selling Christmas ornaments to the tourist trade. It is obviously to their best business interest to associate themselves with the commerce of Yountville rather than Oakville which has minimal commerce. It should be noted that mail is not received in Yountville but is delivered to their mailbox from Napa. Please note enclosed letter from former postal service employee.

Statement: *"Exhibit C is a business card from Mustards Grill, located on exhibit A by number 2. Although they omitted the township from their card, you may contact Michael, the manager who will confirm that the restaurant has indeed (been) in Yountville, and has been, under this name and others for eleven years."*

Comment: Michael Ouellotte, the manager, has been contacted and denied the claim for association with Yountville. Mail is not received in Yountville but received in their mail box from Napa. Please see comment from the former postal service employee.

Statement: *"Exhibit D is a brochure from Cosentino Winery, located by number 3 on Exhibit A. It indicates on the cover and in the text that they are clearly in Yountville. Exhibit E is a photo of the Cosentino sign proudly proclaiming their location."*

Comment: As an owner resides in Yountville, it is quite logical that for convenience purpose he would receive his mail in Yountville.

Statement: *"Exhibit F is a business card from Oleander House B&B, located by number 4 on exhibit A. This card also clearly indicates that this business is in Yountville."*

Comment: Again, this is a commercial business catering to the tourist trade. It is in their best interest to associate themselves with Yountville rather than Oakville.

Statement: *"Exhibit G is a map indicating where the petitioners would like you to place the southern boundary of Oakville and the dotted line is where us old timers know it has always been."*

Comment: This is an unfounded statement. There is no evidence that locals have ever considered Dwyer Road as the boundary. While the writer attempts to represent himself as an "old timer," he indeed is the "newcomer" as may be seen from the previous biographies.

It should be further noted that Mrs. C. Fred Holmes (grower), Mr. Clarke Swanson (grower) and Mr. Ren Harris (grower) all have Oakville Post Office addresses. This was also the case for Herbert Moffitt who recently changed to Yountville in order that he could pick up his mail while doing additional shopping.

The writer apologizes for taking the space to rebut Mr. Girard's statements but it was felt that this should be done to try and set the record straight.

2. **BATF Paragraph 5 -- Geographical, Climate and Historical Evidence:**

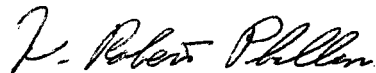
The writer knows of no geographical, climate or historical factors to support the Dwyer Road boundary.

3. BATF Paragraph II -- Grapes Marketed as Oakville:

As indicated previously the large majority of the grapes from the area of the proposed southern boundary are sold to Oakville wineries. The grapes from our property, 1/4 miles from the S.W. boundary have achieved national recognition as being the source of all of Robert Pepi Winery's Vine Hill Cabernet Sauvignon. The Robert Pepi Winery is located in Oakville. Additional grapes are sold to the Robert Mondavi Winery in Oakville.

This letter is written with the sincere hope that all of the boundary areas will be accepted as proposed. A great deal of time and effort was spent on the professional proposal, the conclusions of which could give a solid start to an organized approach to appellations in the Napa Valley.

Sincerely,



W. ROBERT PHILLIPS

WRP/krp

June 25, 1992

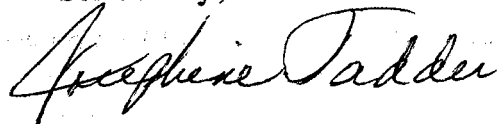
Chief, Beer and Wine Branch
Bureau of Alcohol, Tobacco and Firearms
Box 50221
Washington, DC 20091-0221

To whom it may concern:

As a retired postal employee, I would like to comment on the availability of postal services to those of us residing in the area which is normally served by the Napa Post Office. Some of my neighbors receive their mail at the Yountville Post Office while others in this area receive their mail at the Oakville Post Office. Any resident may receive his mail at Oakville, Rutherford, Yountville or any other post office by simply renting a post office box. For this reason, it is quite obvious that a post office box listing does not necessarily mean that an individual or business resides in that location.

Other neighbors receive their mail in a mail box and all of this mail is delivered from Napa. This is done as a matter of convenience but does not indicate that the individual lives in the City of Napa. In view of this, it would seem to be a mistake to use post office boxes as a guide as to where individual or business may reside.

Sincerely,



JOSEPHINE TADDEI

GIRARD



WINERY

November 4, 1991

Chief, Wine and Beer Branch
B.A.T.F.
PO Box 385
Washington, D.C. 20044-0385

Subj: Notice No. 728 "Oakville"

Dear Sir,

As a vineyard owner in Oakville for seventeen years, I support the proposed Oakville township appellation. I cannot, however accept the southern boundary of this appellation which includes much of what we all know is Yountville, and has always been Yountville.

The Oakville/Yountville border has always been known to be Dwyer Road to highway 29 then Yount Mill Road to Rector Creek. Everybody knows this who lives here, you need just ask a few locals.

① Unfortunately, a few monied people owning vineyards in Yountville consider it more prestigious to say that they are in Oakville. They also realize that this will allow them to raise grape prices. And so an otherwise meaningful boundary has been stretched like a rubberband to accommodate their desires.

1) Exhibit A is a map of the appellation as proposed. Although this area is rather sparse of businesses, I have indicated the position of them.

② 2) Exhibit B is the business card of the S. Claus gift shop located on exhibit A as number 1. As you can see, they consider themselves clearly in Yountville. This location has supported a business for over fifteen years and has always been Yountville. Take a minute to call Linda Greene, the owner to confirm this. *NO P.O. BOX - 562130 NAD*

③ 3) Exhibit C is a business card from Mustards Grill, located on exhibit A by number 2. Although they omitted the township from their card, you may contact Michael, the manager who will confirm that the restaurant is indeed in Yountville, and has been, under this name and others for eleven years.

DELINO FRASH NAD.

*ATTORNEY COSENTINO
LIVES IN YOUNTVILLE*

- ④ 4) Exhibit D is a brochure from Cosentino Winery, located by number 3 on Exhibit A. It indicates on the cover and in the text that they are clearly in Yountville. Exhibit E is a photo of the Cosentino sign proudly proclaiming their location.
- ⑤ 5) Exhibit F is a business card from Oleander House B&B, located by number 4 on exhibit A. This card also clearly indicates that this business is in Yountville. *PO YOUNT*
- ⑥ 6) Exhibit G is a map indicating where the petitioners would like you to place the southern boundary of Oakville and the dotted line is where us old timers know it has always been.

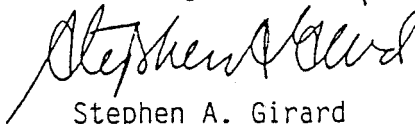
These businesses have always been located in Yountville. How then can the southern boundary of Oakville extend one mile SOUTH of them? How can Oakville extend SOUTH of both Yount Mill Road and the Yountville Hills? What will happen to the credibility of the BATF if they take what has always been known as Yountville and decree it Oakville?

You have the difficult task of defining appellations. And whenever appellations are concerned, greed can take over and some landowners seeking an opportunity to prosper from altering an historic boundary will try to fool you into deviating from what the locals have always known are the boundaries of townships.

Should you accept the boundaries as proposed, you will be invalidating the entire AVA process and sending landowners the message that by spending money on hired consultants and compiling impressive amounts of paper that they can dupe the BATF into approving ludicrous boundaries that the landowners will profit from.

Since your decision will impact the credibility of the BATF, I urge you to contact the business owners above or the vintners or growers in the area. Send out a questionnaire asking them where the Oakville/Yountville boundary is and you will get the real historic boundary that we, the landowners in the Napa Valley recognize.

Best regards,



Stephen A. Girard
President



HEITZ WINE CELLARS

500 TAPLIN ROAD

ST. HELENA, CALIF.

TELEPHONE: 707 963-3542

ZIP CODE 94574

July 8, 1992

Robert White, Chief Wine and Beer Branch
Bureau of Alcohol Tobacco and Firearms
1200 Pennsylvania Avenue, Room 2633
Washington, D.C. 20226

Dear Mr. White:

This letter is in response to the proposed Oakville and Rutherford appellations. Again, I would urge you if you wish to continue towards the approval of these petitions in one form or another, that you hold public hearings here in the Napa Valley.

These appellations will have far reaching future implications for the grape growers and wine producers in the valley because of the real or perceived quality differences of the grapes and wines grown and produced in these areas. A decision of this magnitude with its potential for divisiveness, and increases or decreases in relative property values, can only be fairly evaluated through the public hearing process with proper public notice given to the wineries and land owners, as well as the general public.

I stand by my letters of September 26, 1990, January 16, 1991, and November 7, 1991. I am enclosing copies of these letters for your review. Again I believe that our Taplin Ranch was arbitrarily excluded from the Rutherford appellation and I further believe that we have just as much right to be included as our neighbors, for reasons as stated in my previous letters, so I will not repeat them here.

Thank you for sending me the comments you have received on the Rutherford and Oakville appellations. I found the letter from Beckstoffer Vineyards most interesting. He is quite right that the soils and climate do not change as you cross Zinfandel Lane. Please refer to the soils survey of Napa County by the U.S. Department of Agriculture Soil Conservation Service. If you except his northern boundary as Sulfur Creek (a natural geographic feature!) then it would only be fair and reasonable to follow Sulfer Creek to the Napa River (another geographic feature), then follow the Napa River to its intersection with Zinfandel Lane, then follow Zinfandel Lane to the Silverado Trail (the petitioner's line), then extending it along that line to the 500 foot contour line, then follow that line southeasterly till it joins the petitioner's line, then continue

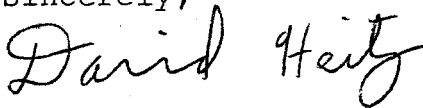
as their description states (enclosed is a map with a red line for the proposed new boundaries). This would be consistent with the 500 foot contour line used elsewhere in their petition.

In further support of Mr. Beckstoffer's position, the city of St. Helena has never taken a position on appellations, and I dare ever will. We are a city providing services to our citizens and that is all. We are not in the grape and winemaking businesses. The city of St. Helena and other cities can expand their boundaries and sphere of influences can change. Therefore, boundaries as proposed by the petitioners are based on that which is fluid. I know somewhat of what I speak, since I serve on the St. Helena City Council.

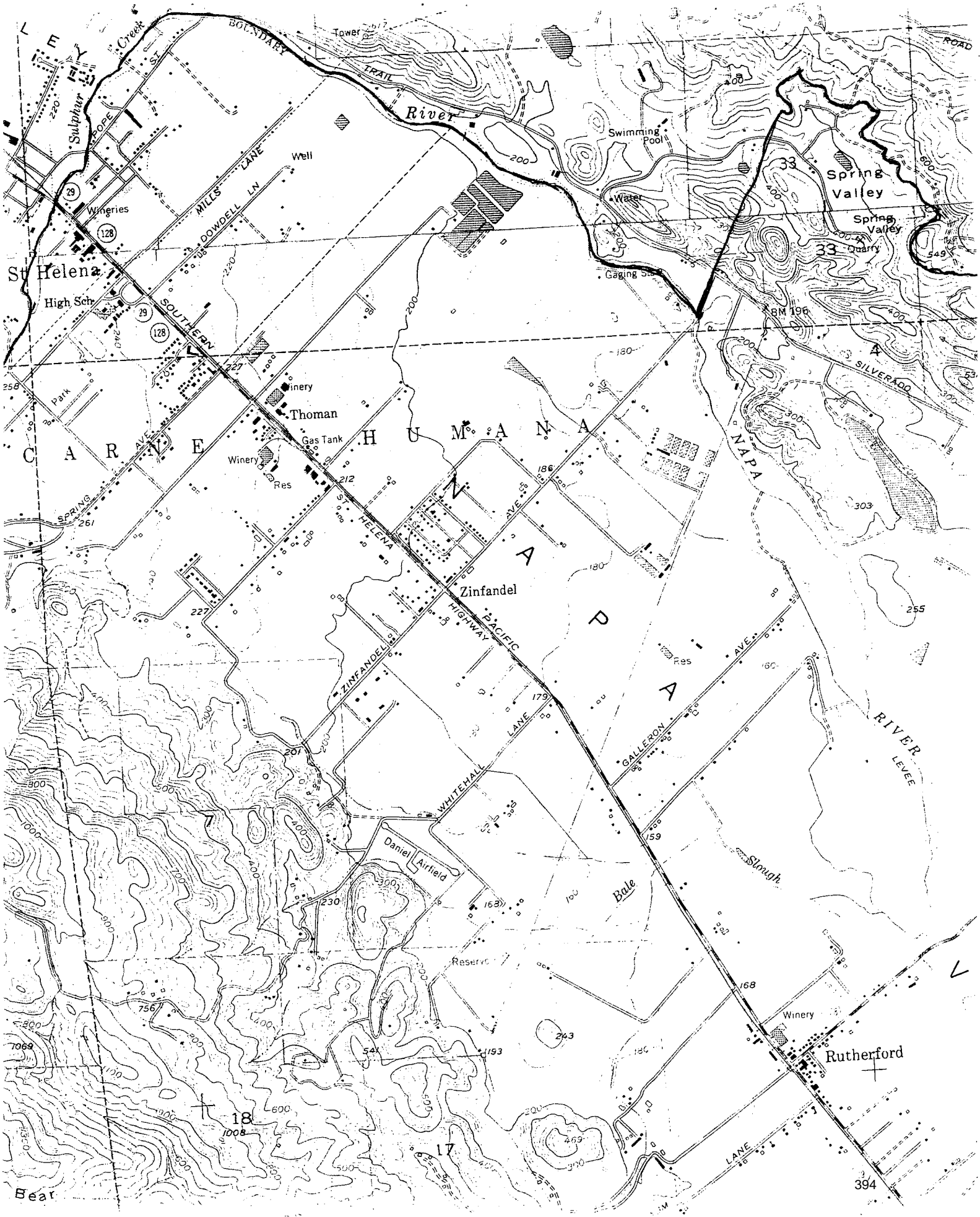
To answer your questions No. 11, Vol 57, No. 78. Over the years, we at Heitz Cellars have used grapes from quite a number of vineyards located in the Rutherford and Oakville areas, and we have never referred to these vineyards as in a Rutherford or Oakville area, on our label, or in our advertising, but have always referred to them as Napa Valley grapes and wines.

I look forward to hearing from you in regards to the comments and suggestions outlined in this letter.

Sincerely,

A handwritten signature in cursive script that reads "David Heitz". The signature is written in dark ink and is positioned above the typed name and title.

David Heitz
Heitz Wine Cellars



St Helena

Spring Valley

C A R R I E

H U M A N A

Zinfandel

N A P A

R I V E R

Bear

394

18

17

V

L

M

ROAD

High Sch

Park

SPRING

227

800

7068

1008

1000

500

Tower

TRAIL

River

Well

200

220

200

212

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212

212

212

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212

212

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212

212

212

212

212

212

Swimming Pool

Water

Gaging

180

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186

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BM 196

SILVERADO

303

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RIVER

Slough

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Winery

Rutherford

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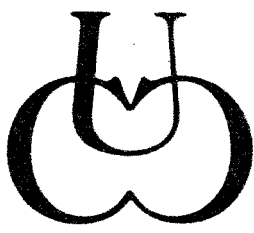
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UCC VINEYARDS GROUP

July 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No 738

RE: The Rutherford Viticultural Area


Gentlemen:

We wish to again comment upon the geographical boundaries of the proposed Rutherford Viticultural Area. Specifically, we question the logic of establishing the northern boundary of the proposed area along Zinfandel Lane (Sec. 9.133(c)(7)). Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely on delimiting this area (Historical/Current Evidence of Boundaries 56 FR 47044 page 3). We would again suggest that a more logical northern boundary is the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as it runs from the 500 ft. contour line on the eastern side of the Mayacamas Mountain range and as far east as the westerly bank of the Napa River.

We believe that utilizing Zinfandel Lane as the northern boundary of the proposed Rutherford area is not substantiated by any natural phenomena. There is no difference in the soils to the north versus the south of Zinfandel Lane, nor is there any difference in the basic geologic history of the area. Clearly there are no significant temperature variations moving up-valley (northerly) at the Zinfandel Lane latitude. There has also been substantial history of the grapes from vineyards north of Zinfandel Lane being utilized in bottlings bearing the Rutherford appellation of origin.

For all of the foregoing reasons, we again respectfully request that the northern boundary of the proposed Rutherford Viticultural area be the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as specified above.

Respectfully submitted,




David I. Freed, President

Property Owned
(address or APN)

Acres

030-260-005	13.07 ac
030-260-004	34.29 ac
030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:



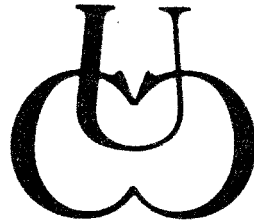
Signature

Printed Name: JOE V. CRISCIONE

Address: 1500 INGLEDWOOD

ST. HELENA, CA. 94574

Property Owned: _____ 8.5 AC.



UCC VINEYARDS GROUP

July 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No 738

RE: The Rutherford Viticultural Area

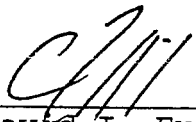
Gentlemen:

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We believe that utilizing Zinfandel Lane as the northern boundary of the proposed Rutherford area is not substantiated by any natural phenomena. There is no difference in the soils to the north versus the south of Zinfandel Lane, nor is there any difference in the basic geologic history of the area. Clearly there are no significant temperature variations moving up-valley (northerly) at the Zinfandel Lane latitude. There has also been substantial history of the grapes from vineyards north of Zinfandel Lane being utilized in bottlings bearing the Rutherford appellation of origin.

For all of the foregoing reasons, we again respectfully request that the northern boundary of the proposed Rutherford Viticultural area be the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as specified above.

Respectfully submitted,



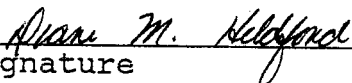
David I. Freed, President

Property Owned
(address or APN)

Acres

030-260-005	13.07 ac
030-260-004	34.29 ac
030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:



Signature

Printed Name: DIANE HELFOND

Address: 1777 Ingwood Ave
St. Helena

Property Owned: _____

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 027 160-001-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Michael R. Melt

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 027 120-026-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Genne R. Moorhead

The Rutherford Bench is a natural physical feature on the west side of the Napa Valley, tapering to an end as it meets Sulphur Creek. Zinfandel Lane is an arbitrary man-made road, and to use it as a boundary is simply stupid.

A.R.M.

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009 362-015-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely, *R. R. Paladini*
2425 Brent St
Calistoga CA 94515

67-21
None

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009 350-047-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Edward J. Salvestrin
Richard J. Salvestrin
SALVESTRINI VINEYARD
397 MAIN ST.
ST. HELENA, CA. 94574

HAYNE RANCH

39

1832 Sulphur Springs Avenue • St. Helena, California 94574 • 707-963-5180

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

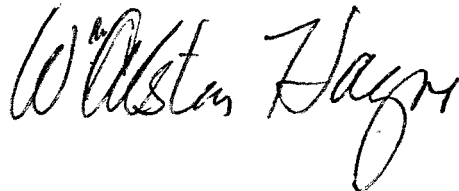
ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009 350-046-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,



40

Beckstoffer Vineyards

Post Office Drawer 990
St. Helena, Napa Valley
California 94574
(707) 963-9471

W. ANDREW BECKSTOFFER
President

July 13, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D. C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

On October 11, 1990 and again on November 1, 1991, I wrote to Messrs. Busey and Robert White regarding NOTICE NO. 729, Rutherford Viticulture Area. Please review and incorporate those comments with this letter which will serve to support and amplify those comments and my petition.

- i. The far reaching importance of this proposed rule making demands that a public hearing be held here in Napa County. No other procedure can adequately serve the needs of the wine consumer for controversial Controlled Appellations. You seek to define the grape producing activities of many small grapegrowers NOT define the location of major wineries. Only a public hearing in the local area can adequately do this. Reg.# 27CFR Part 4 Paragraph 4.85(c) requires a winery to state their post office address on wine labels. Viticultural area designations are not involved in this regulation. The fact that a winery has historically used a town name pursuant to Reg.# 27CFR Part 4 neither defines that viticultural area nor gives that winery special status in defining the viticultural area which may take the name of a township or municipality. I am sure you are aware that wineries in Sonoma County produce wines from the viticultural area Napa Valley and vice versa. Only a public hearing can give adequate opportunity to the local small grapegrower who is critical to this process.

II. THE NORTHERN BOUNDARY OF THE RUTHERFORD VITICULTURAL AREA MUST BE EXTENDED TO SULPHUR CREEK.

A. The proposed boundary at Zinfandel Lane presents no distinguishable geographical features.

1. Geologic Features

Enclosed herewith please find a study prepared by RICHARD C. SLADE, Consulting Geologist. This study compares the geological features of the area north of Zinfandel Lane to the area south of Zinfandel Lane. It analyzes climate, drainage characteristics, geologic characteristics and geologic history to state its summary and conclusions:

- a) The general climatic conditions, including annual rainfall and seasonal temperatures, appear to be very similar throughout the site and study area.
- b) The topography is similar from St. Helena to Rutherford; mountains form highland areas to the west, while gently sloping alluvial sediments and fans form the Valley floor from the northwest to the southeast along the southwestern side of the Napa Valley (and including the project site). Land surface gradients are also very similar across the project site.
- c) Alluvial fans comprise the predominant topographic landform along the southwestern border of the Napa Valley, between St. Helena to Rutherford. These fans form by deposition from streams emanating from highland areas to the west of the entire project site.
- d. The predominant type of source rock material comprising the alluvial fans along the southwestern border of the Napa Valley are rhyolite and andesite of the Sonoma Volcanics and also shale, sandstone, greenstone, and serpentinite of the Franciscan assemblage.

- e. Sulphur Creek drainage is the major influence on alluvial sediments across the entire site. The predominant mineralogic composition of alluvial fans underlying the site appears to be derived from Franciscan assemblage shale, sandstone, and greenstone bodies, along with Sonoma Volcanics.
- f. The major influence on alluvial sediments in the Bale Slough area, adjacent to and north of Rutherford appears to be streams draining largely Franciscan assemblage serpentinitic rocks, located in a highland area southwest of Zinfandel Lane. Alluvial sediments in the Bale Slough area appear to be composed largely of material derived from this serpentinitic rock.
- g. The entire project site and other alluviated areas to the north, east, and south all lie within the Napa Valley Groundwater Basin.

The geologic map is presented on the enclosed large mapping of the area. This map and Dr. Slades' study show clearly that the Zinfandel Lane boundary has no distinguishable geographic features in the Quarternary, Tertiary or Jurassic-Cretaceous Systems.

2. Soils

This mapping shows clearly that the Zinfandel Lane boundary has no distinguishable soil boundaries. Pleasanton loam (170), Cortina very gravelly loam (124) and Riverwash (174) soils either cross the Zinfandel Lane or are found throughout the petitioner's proposed Rutherford area and the extension we propose.

3. Rainfall

The attached mapping reference: 1971 VSGS Basic Data Contribution 32: Napa County Flood Control and Water Conservation District, Isohyetae May 1975 shows clearly that no distinguishable rainfall boundaries occur at Zinfandel Lane.

4. HEAT SUMMATION

The attached mapping reference Cooperative Extension University of California, Napa Valley, shows no distinguishable heat summation boundary occurring at Zinfandel Lane.

B. Given that Zinfandel Lane presents no delimited grapegrowing region distinguishable by geographical features, the Northern boundary of the Rutherford Viticultural Area should be set at the first distinguishable geographical feature, Sulphur Creek, north of the primary Rutherford Area.

1. The area north of Zinfandel Lane to Sulphur Creek is similar from a geologic, soil, rainfall and heat summation point of view to the area south of Zinfandel Lane.
2. The political subdivision boundaries of the City of St. Helena are not relevant to Controlled Appellations. The boundaries of the City of St. Helena are not fixed in time. There is currently a controversy which would extend the St. Helena boundaries southward but separate that new area from the current City limits with a small strip of County land. How could BATF distinguish that annexation or future unanticipated City boundary movements.

C. Grapes grown in the area south of Sulphur Creek and north of Zinfandel Lane have produced wines which have been marketed as Rutherford.

1. January 14, 1990 letter - Ernie Van Asperen, owner of Round Hill and Rutherford Ranch wineries and supporting labels and awards. The Rutherford Ranch grapes were grown on our parcel 09-670-002 located south of Sulphur Creek and north of Zinfandel Lane.
2. April 8, 1992 letter to BATF from Orville Magoon, proprietor, Guenoc Winery. These grapes are grown in the same vineyard.
3. Beaulieu Vineyard will submit a letter evidencing their purchase of grapes from this vineyard and their belief that the grapes are of Rutherford character.

- D. The setting of Sulphur Creek at the Northern boundary of the Rutherford Viticultural Area has broad support among the vineyard owners in the area between Zinfandel Lane and Sulphur Creek. BATF has and will continue to receive letters of support from other vineyardists in the subject area.
- E. The Western boundary of the Rutherford Viticultural Area should be the extension of the 500 ft. contour proposed by the petitioner. This is a reasonably distinguishing geographic feature.
- F. The Eastern boundary of the Rutherford Viticultural Area, North of Zinfandel Lane should be the Napa River. The River is a strong and distinguishable geographic feature which is approached directly by its tributary, Sulphur Creek.
- G. We would further support the eastward extension of Zinfandel Lane to the 500' contour line to include the land of Heitz Vineyards.

III. THE VINEYARDS HISTORICALLY OWNED BY BEAULIEU VINEYARD MUST BE LOCATED IN THE RUTHERFORD AREA. As the enclosed maps show, there is no Soils, Rainfall or Heat Summation integrity to the Oakville/Rutherford boundary line drawn North of Beaulieu Vineyard No. 2 as the petitioner's request. Georges de Latour, the founder of Beaulieu Vineyard, purchased Vineyard No. 2 in 1904 and Vineyard No. 4 in 1937 long before now existing wineries were even thought of. Wineries located in the Post Office area of the town of Oakville are required by Reg.#27CFR Part 4, Paragraph 4.85(c), Form of Address, to state Oakville as their location. This has nothing to do with viticultural area and has never been presented to the consumer as such. As your Reg. #27 CFR Part 4, Paragraph 4.6 dictates, political subdivision boundaries have no bearing in determining boundaries of CONTROLLED APPELLATIONS. The historical knowledge of the wine drinking consumer and the long history of Beaulieu Vineyard wines defining the Rutherford characteristics by using grapes produced from these vineyards does have significant bearing, however. The integrity of the Rutherford Viticultural Area, of which I am perhaps the largest single vineyard owner, demand that these two vineyards be included in the Rutherford Area and excluded from the Oakville Area.

July 13, 1992

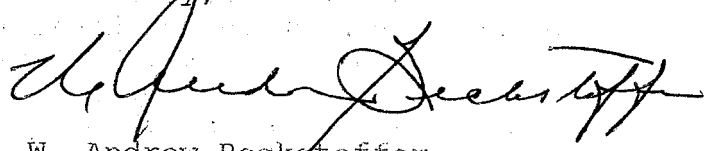
IV. RUTHERFORD BENCH

I propose that the entire area delimited by the petitioner and extended by the proposal contained herein be named "Rutherford Bench." As is the case with Appellation of Origin, however, the winery should not be required to put the word "Bench" on the wine label. (The word "County" is not required on Appellation of Origin labeling.)

There are no distinguishing geographic features or historical precedence that distinguishes the petitioned Rutherford Bench Area from the Rutherford Area. Only political gerrymandering and bureaucratic administration could set such a line and unleash the furor and legal actions which would accompany it. By taking this action now the BATF could avoid an inappropriate and unreasonable action in the future when it does decide to consider the petitionee's initial request for Bench designations.

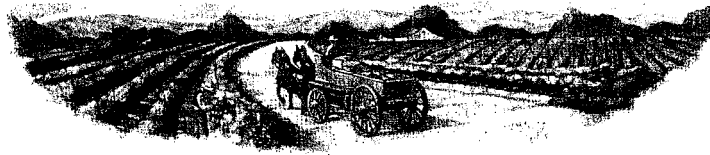
I will await your advice as to the setting of the public hearing and your advice as to my request to make a statement at that hearing.

Sincerely,



W. Andrew Beckstoffer

WAB:ow



41

LOUIS ^M MARTINI

July 13, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington D.C., 20081-0221

re: ATF Notice # 57 FR 14681

I am writing this letter in support of a ruling to establish Zinfandel Lane south of the town of St. Helena as the northern boundary of the Rutherford Appellation for wine grapes in the Napa Valley of California.

We do not have vineyards directly affected by this ruling, but I am a locally born citizen and feel the Zinfandel Lane boundary to be more correct with relation to our understanding of the viticultural areas. Any area larger than this such as the suggested Sulphur Creek boundary in St. Helena I feel reflects marketing interests of the parties involved and not the technical accuracy of the grape growing appellation.

It was pointed out to me that this change was being considered without the benefit of public hearing. I would like to encourage the BATF to use public hearings in all such cases concerning local appellations in order that accuracy concerns can be aired.

Thank you.

Sincerely,

LOUIS M. MARTINI


Carolyn A. Martini
President

Louis M Martini

42

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

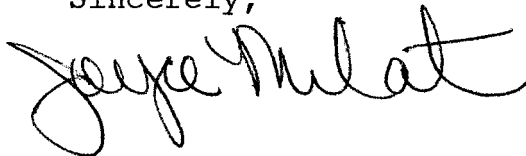
ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 027 160-002-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,





Wine World Estates

43

2000 Main Street (Box 111) • St. Helena, CA 94574 • (707) 963-7115

July 10, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 50221
Washington, D. C. 90081-0221

Dear Sirs:

This letter is in response to the two proposed viticultural areas of Oakville and Rutherford, located in the Napa Valley (ATF Notice, 57 F.R. 14681).

We, at Beringer Vineyards, believe there is a preponderance of evidence both viticulturally and historically to support the two proposed appellations within the Napa Valley and that they are, in fact, distinct from the surrounding vineyards. We have vineyards in the districts of "Napa," "Yountville," "Oakville," and "St. Helena" and believe the sites all produce wines distinctly different due to the terroir of each site. However, where the boundaries are placed will require major study and documentation.

First, we have concerns about the southern boundary of the proposed Oakville appellation, including what everyone in the Napa Valley has always considered, historically, a part of Yountville. We believe the southern Oakville boundary would be more appropriate at Yount Mill and Dwyer Roads.

We are most concerned about maintaining the northwestern Rutherford boundary at the line as proposed by the Rutherford petition. We are diametrically opposed to any suggestions that the northern boundary be moved further northwest than the proposed Zinfandel Lane. We are aware of a proposal to move the boundary to Sulphur Springs Creek. This boundary would place the Rutherford viticultural area within the city limits of St. Helena. The original petition relied on the community names to avoid possible consumer confusion. We submit that allowing a town name Rutherford to dissect the city limits of St. Helena is totally inappropriate and would definitely be confusing. Further, the use of Rutherford past the proposed boundary of Zinfandel Lane cannot be historically substantiated.

ATF has long taken the position that substantial historical evidence must be shown to support the area of a proposed viticultural area, especially when a name is proposed for an area outside its historical context:

Mr. Busey states in a February 11, 1991 letter to David Heitz that "in addition, we need written evidence that the area in question has historically been considered a part of the Rutherford area."

Mr. Busey states in a letter to Mr. Fletcher, dated September 6, 1991 (related to a proposed Santa Barbara Coast Appellation) as follows: "as Mr. Browkaw pointed out Santa Barbara Coast is in San Luis Obispo County. Since the proposed name is Santa Barbara Coast, the name evidence, both locally and/or nationally, showing that the area is known by that name must be substantial."

We believe there is no evidence to support a Sulphur Springs Creek line, or any other line north of Zinfandel Lane.

There is a preponderance of evidence that clearly demarks this area as being historically part of St. Helena. The St. Helena city limits would be compromised (map attached). Hundreds of homes and businesses with St. Helena addresses are located in this area, along with the St. Helena High School and a number of wineries with St. Helena addresses.

The climatic conditions of St. Helena are somewhat different when compared to Rutherford and Oakville. It is generally warmer during the summer months in St. Helena compared to Rutherford. The original petition recorded the following:

Yountville	2695 degree days	II
Oakville	3039 degree days	III
Rutherford	3389 degree days	III
St. Helena	3575 degree days	IV

The temperature differences are a gradient from Napa to Calistoga and we believe the proposed Zinfandel Lane line is an appropriate split between the cooler Rutherford and the warmer St. Helena.

The elevation of St. Helena is between 240 and 300 feet on average, while the Rutherford average is between 140 to 180 feet. This small difference in elevation causes an earlier degradation of fog and higher solar radiation occurs. The Zinfandel Lane elevation is a good approximate break between these elevation differences.

We see no strong viticultural evidence which would justify changing the northern boundary of Rutherford, as proposed in the original petition. The Zinfandel Lane line as a common boundary between the two communities is non-controversial with the several wineries and growers with whom I have spoken. In the strongest terms, please do not consider moving the northern boundary. If you do consider moving this boundary, we request a local public hearing where detailed testimony may be given.

My background for your review is as follows:

Bachelor of Science in Viticulture
M. S. in Plant Science
I have farmed in the Napa Valley since 1971.

I worked for Napa Valley Vineyard Company, where I was responsible for Beaulieu, Inglenook and other vineyards located near the towns of Rutherford and Oakville. In 1979, I was employed by Beringer, who also has vineyards in the vicinity of the proposed appellations.

This issue is extremely important to the long-term goal of establishing Viticultural Appellations within Napa Valley, which the public may rely on in discerning a given wine. Please give every consideration to a local public hearing if substantial changes to the original petitions are to be entertained. I would be happy to testify should a public hearing be granted.

Very truly yours,

Robert E. Steinhauer ^{eyes}

Robert E. Steinhauer
Senior Vice President
Vineyards Operations

RES:es

Enclosure

44

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

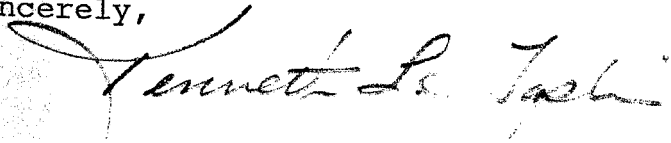
ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 027 100-005-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,



Kenneth L. Tash

415

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009 350-040-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,



ALBERT BUTALA

46

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009 350-039-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,



ALBERT-FRANK BUTALA

47



Beaulieu Vineyard

July 17, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
Post Office Box 50221
Washington, DC 20091-0221

Attention: Notice Number 729

RE: Notice of Proposed Rulemaking (Number 729)
Rutherford Viticultural Area (89F-90P)

Dear Sir:

This letter is in response to the request for comments regarding Notice of Proposed Rulemaking (Notice No: 729) regarding the Rutherford Viticultural Area (89F-90P).

Beaulieu Vineyard has previously submitted comments during the earlier public comment period (letter dated November 15, 1991, attached).

As stated in earlier communications with the Bureau, the proposed viticultural area does not include the Beaulieu Vineyard properties No.2 and No.4 which have historically been associated with Beaulieu Vineyard. These two vineyard properties have contributed greatly to production of our Cabernet Sauvignon wines. Beaulieu Vineyard is generally regarded by the industry and the wine press to produce benchmark Napa Valley Cabernet Sauvignons', and the two vineyard properties have played an important role in the establishment of this reputation.

For the following reasons, we request again incorporation of the two Beaulieu Vineyard properties into the Rutherford Viticultural Area:

- 1) The proposed Rutherford Viticultural Area contains approximately 6,650 acres. Within this area, Beaulieu Vineyard owns, leases, or purchases under long-term contract grapes from 1,394 acres, or 20.9% of the proposed total viticultural area. This makes Beaulieu Vineyard one of the major winegrowers in the proposed viticultural area, and reinforces the role Beaulieu Vineyard has played in the development of the Rutherford name among American wine consumers.
- 2) Attached to this letter is an exhibit detailing the geologic, soil, rainfall, and heat summation characteristics of the area under discussion. The information indicates little difference between the geographic and micro-climatic conditions experienced between Beaulieu Vineyard No.2 and Beaulieu Vineyard No.4; and between these two vineyard properties and the proposed Rutherford Viticultural Area.



Chief, Wine, and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
July 17, 1992
Page Two

- 3) Beaulieu Vineyard has been producing wines from grapes grown in these two vineyards since 1943 -- 49 vintages. In our practical winemaking experience, we have found greater differences to exist between those vineyards located West of Highway 29 and to the Napa River (all within the proposed Rutherford Appellation Area), than exists between the Beaulieu Vineyard No.2 and No.4 vineyard properties, or between these two properties and the proposed Rutherford Viticultural Area.

The differences between Beaulieu Vineyard No.2 and No.4, or between these two properties and the proposed Rutherford Viticultural Area, are more attributable to viticultural practices (irrigation, training, clones, rootstock, etc.) than unique micro-climatic differences.

The vineyard located directly north of Beaulieu Vineyard No.2, and located on the southern-most boundary of the currently proposed Rutherford Appellation has been a Beaulieu Vineyard grape contract for 6 years. Our experience has indicated no unique micro-climatic differences between this vineyard and Beaulieu Vineyard No.2 and No.4; nor have we seen any difference in wine style or wine quality.

- 4) Attached to this letter, is a petition signed by 56 grape growers, vineyard managers, and interested parties, in the Napa Valley, supporting the Beaulieu Vineyard position as stated in both Beaulieu Vineyard comment letters submitted to the Bureau. Napa Valley industry statistics generally calculate approximately 33,000 acres of plantable vineyard land in the Napa Valley. The attached petition represents 3,668 acres (11.1%) of gross vineyard acreage in the Napa Valley.
- 5) The Beaulieu Vineyard Cabernet Sauvignon is an important wine type amongst the wines produced in the Napa Valley, and produced by Beaulieu Vineyard.

On December 17, 1979, Beaulieu Vineyard was granted a Certificate of Label Approval for a Cabernet Sauvignon wine called Rutherford Cabernet Sauvignon, covering the 1977 vintage. This wine has been produced under this name from 1977 until 1990, fourteen vintages released to the consumer. Prior to 1977, this wine was sold as Beaulieu Vineyard Cabernet Sauvignon, and has been produced since approximately the 1920's. Along with the Georges de Latour Private Reserve Cabernet Sauvignon, the BV Rutherford Cabernet Sauvignon has become known as one of the benchmark Napa Valley Cabernet's, with much of its style attributable to the vineyard location in Rutherford.

Exclusion of the two vineyard properties could impact the growth, development, and profitability of Beaulieu Vineyard. In addition, the grower community within the Napa Valley could be negatively impacted. Many of the grapes used for this wine are purchased from growers under long-term contract to Beaulieu Vineyard. By excluding



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Bureau of Alcohol, Tobacco, and Firearms
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our own grown grapes and requiring the winery to purchase additional vineyard land within the Rutherford Area, or to purchase additional grapes at high grape prices, will negatively impact the winery and place Beaulieu Vineyard at a competitive disadvantage in the marketplace.

The importance of the Rutherford Viticultural Area to Beaulieu Vineyard from both a historic, as well as economic standpoint, is substantial. Beaulieu Vineyard, its wines, its viticulturists, and its winemakers have done much to create the historical significance, and consumer recognition of the name Rutherford.

The regulatory requirements for the establishment of viticultural areas include evidence that the name of the proposed viticultural area is locally or nationally known; historical or current evidence supporting the proposed boundaries of the viticultural area; evidence that the geographical features (climate, elevation, soil, physical features, etc.) of the proposed viticultural area distinguish it viticulturally from surrounding areas; and specific boundaries of the proposed area, are based on features found on maps of the United States Geological Survey ("U.S.G.S."). We believe that in the key areas of historical significance, geographically recognizable boundaries, and viticultural/climate/geologic attributes, Beaulieu Vineyard No.2 and No.4 qualify for inclusion in the Rutherford Viticultural Area.

Beaulieu Vineyard has 90 years of experience producing wines grown from grapes in the Rutherford area. Our wines have indicated a thorough understanding of the area and our technical winemaking experience indicates that no viticultural, climatic, or geological differences exist, sufficient to exclude our two properties. While we do not question the expert data submitted in the original petition, one could argue the application of such data to the previous establishment of boundaries. It is not our intention to dissect this data as we do not feel it is in the best interests of our local community and industry. Most importantly, ninety (90) years of winemaking within the area have shown no difference in wines produced from the vineyards under question with regard to the appellation boundaries that can be attributed to viticultural appellation.

We request that Beaulieu Vineyard No.2 and No.4 be included in the proposed Rutherford Viticultural Area.

We propose that the Southern boundary line of the Rutherford Appellation Viticultural Area be adjusted as follows:

Commencing at the extreme Southwest corner of the proposed appellation Southerly boundary: follow the 500 foot contour line in a generally Southerly direction to its point of intersection with an unnamed creek flowing in a generally Easterly direction, to its point of intersection with Walnut Lane, thence East along Walnut Lane to Highway 29 thence North on Highway 29 to



Chief, Wine, and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
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Page Four

the unnamed stream flowing in a general Northwesterly direction from State Highway 29 East to the Napa River. (This unnamed stream being part of the original Southerly boundary in the original petition submitted).

Given the importance of the proposed viticultural area to the Napa Valley, we request that a public hearing be held to review this application, and that such public hearing be held in the Napa Valley.

We will be pleased to provide you with any additional information you may require as you consider this request and the Rutherford Viticultural Area.

Thank you for your attention and consideration.

Very truly yours,

Anthony A. Bell
Vice President/General Manager

AAB:cas

Attachments

cc: Richard L. Maher
David Scott
Richard Walton
Bill Wathen

June 17, 1992

Chief, Wine, and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
Post Office Box 50221
Washington, DC 20091-0221

Attention: Notice Number 729

RE: Notice of Proposed Rulemaking (Number 729)
Rutherford Viticultural Area (89F-90P)

Dear Sir:

This petition is submitted in response to the request for comments regarding the Notice of Ruling Making (Notice No. 729), regarding the Rutherford Viticultural Area (89F-90P).

The undersigned property owners wish to express their support for the application by Beaulieu Vineyard to have the Bureau consider the inclusion, in the Rutherford Viticultural Area, of the two vineyard properties known in the Napa Valley as Beaulieu Vineyard No. 2 and Beaulieu Vineyard No.4.

These two vineyard properties have been associated with the Beaulieu Vineyard Cabernet Sauvignon program for many decades. Within the Napa Valley, the properties have been considered to be located within Rutherford, and have contributed significantly to the development, over time, of the recognition by the press and consumers, of the Rutherford Bench and Rutherford area.

In recent years, the Beaulieu Vineyard Rutherford Cabernet Sauvignon has helped re-enforce the reputation of this area. We are concerned with the thought that these two historic vineyard properties may become associated with an Oakville appellation.

Beaulieu Vineyard is the largest purchaser, and producer, of Estate Bottled Cabernet Sauvignon in the Napa Valley. The Beaulieu Vineyard Rutherford Cabernet Sauvignon plays an important role in the growing of Cabernet Sauvignon grapes in the Napa Valley. Exclusion of the two vineyard properties could impact the growth and development of the Beaulieu Vineyard Rutherford Cabernet Sauvignon wine, and could also impact the grower community in the Napa Valley.

Napa Valley industry statistics generally calculate approximately 33,000 acres of plantable vineyard land in the Napa Valley. The undersigned represents a significant proportion of the vineyard acreage in the Napa Valley.

The undersigned request that you favorably consider the request of Beaulieu Vineyard.

Name and Address

Signature

BARRY BEDWELL 3475 W. SHAW FRESNO, CA Barry Bedwell

Margie Miller 1171 Ragatz Lane Napa CA Margie Miller

Joseph R. Miller 1171 Ragatz Ln. Napa CA Joseph R. Miller

STEPHEN HAWKES 14255 CHAIR HILL HEALDSBURG CA Stephen Hawkes

JAMES D. BOITANO, PO # 505, NAPA CA 94559 J. D. Boitano

Alvina Morgan 1250 Bella Oaks Lane Rutherford CA

ROYAL VOLLM 3241 SLIPPER LANE, ST. HELENA, CA

PRISCILLA TISAY - 400 McGRUE Circle, Vallejo, CA 94589

Scott McLeal - 680 Crystal Springs St. Helena

Rafael Rodriguez 1291-Viveland Ave St. Helena, Cal

KELLY MAHAFF 307 Deer Park Rd. St. Helena Kelly Mahaffey

BENJAMIN FALK P.O. 3255 Yountville 94599 Benjamin Falk

Roberto Gomez 7820 SPRINGMILL Rd ST HELENA CA

DAUL P YBARRA P.O. Box 127 POPEVALE, CA 94567 Paul Ybarra

Bernabe Morales Chavez 500 3rd St. Helena 94558 Bernabe Morales

JEAN R. PELLERIN 1860 W. TOWNSEND ST. HELENA 94574 Jean R. Pellerin

Andrew Langemann P.O. Box 165 Pope Valley

Armond Rest Jr - 20 Upland Circle St Helena Armond Rest Jr

JIMMY STAN 1406 Fourth St. Calistoga CA 94515 Jimmy Stan

Name and Address

Signature

Walt Charoer 4242 Big Ranch Rd, Napa

Walt Charoer

Chris Pedemonte P.O. Box 99 Ruthred CA

Chris Pedemonte

Duncan Hays 4047 E Third Ave Napa CA

Duncan Hays

GARY MORISOKI P.O. Box 234 Ruthred CA

Gary Morisoki

JOEL AIKEN 971 Stone Ln, St. Helena

Joel Aiken

PAUL GARY 925 VIKING CT

Paul Gary

JOE VOTEK 500 Wall Rd. NAPA

Joe Votek

Stevie Joffe 6710 West Yountville

Stevie Joffe

TOM TRIPLES 2101 SILVERADO TRAIL SEAH

Tom Triples

Sam Turner 3157 Hwy 128, Calistoga

Sam Turner

Charles Shee 77 El Nido Napa CA

Charles Shee

Juth Laird 76 E. Nido Napa CA

Juth Laird

Kenneth Laird 1175 Bayview Napa

Kenneth Laird

Kullerma Medina 1735 South Ave napa

Kullerma Medina

Donald Ayala BX 4354 NAPA

Donald Ayala 94558

John Bantosa 1546 ST. HELENA HWY

John Bantosa 94579

Napa Valley industry statistics generally calculate approximately 33,000 acres of plantable vineyard land in the Napa Valley. The undersigned represents a significant proportion of the vineyard acreage in the Napa Valley.

The undersigned request that you favorably consider the request of Beaulieu Vineyard.

Name and Address

Signature

LOU ANN HOYT 1261 Spring Oak Ct St. Helena Lou Ann Hoyt

C.P. Thacher 542 West Rd, Napa Carter Thacher

Josephine Rasmussen 3928 Chiles Valley Rd St Helena ca

Alfred Seelbach 525 Zionswood Ln. St. H.

JOHN CROSSLAND 1370 Grace St. St. Helena John Crossland

Volker Enck St. Helena Calif 94574

Lu Buhn 1130 Lake Ct Napa 94558

Craig Root 744 Sunnyside Rd. St. Helena Craig Root

James Decker 936 Allison Ave St. Helena James M. Decker

Eel Chair 1204 Manley Lane Richwood Eel Chair

MICHAEL JUDAS 559 TROUT WAY NAPA 94558 MICHAEL JUDAS

Lothar Laf 953 mehn St Helena 94574

Frederickmann 1104 Stonybrook Napa CA 94558

Napa Valley industry statistics generally calculate approximately 33,000 acres of plantable vineyard land in the Napa Valley. The undersigned represents a significant proportion of the vineyard acreage in the Napa Valley.

The undersigned request that you favorably consider the request of Beaulieu Vineyard.

Name and Address

Signature

Richard J. Duarte P.O. Box 348 Rutherford CA 94573 *Richard J. Duarte*

Gary McConnell 1750 Conn Vly. Rd. St. Helena 94574 *Gary W. McConnell*

Thomas W. Moore 1740 Conn Valley Rd St. Helena 94574 *Thomas W. Moore*

HAROLD HILKER 996 GALLERON ST HELENA 94574 *Harold Hilker*

HARRY DIVER 3468 Highway 128 CAUSTOGA *Harry Diver*

K.G. WOLFE 3761 SILVERADO TR ST HELENA *K.G. Wolfe*

Patricia Haynes 3305 Highway 128 Calistoga *Patricia P. Haynes*

Ernest Schenk 2740 Laughlin Rd Windsor, Ca *Ernest Schenk*

Beaulieu Vineyard

ESTATE BOTTLED NAPA VALLEY WINES • ESTABLISHED 1900
GEORGES DE LATOUR, FOUNDER
VINEYARDS AND WINERY • RUTHERFORD, NAPA COUNTY, CALIFORNIA 94573

November 15, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
Post Office Box 50221
Washington, DC 20091-0221
Attention: Notice Number 729

Re: Notice of Proposed Rulemaking (No. 729)
Rutherford Viticultural Area (89F-90P)

Dear Sir:

This letter is written in response to the request for comments regarding the Notice of Proposed Rulemaking (Notice No. 729) regarding the Rutherford Viticultural Area (89F-90P).

Beaulieu Vineyard requests consideration of the following two issues:

- a) Given the importance of the proposed viticultural area to the Napa Valley, we request that a public hearing be held to review this application, and that such public hearing be held in the Napa Valley.
- b) The proposed viticultural area (see Exhibit I) does not include the Beaulieu Vineyard properties No. 2 and No. 4 (see Exhibit II) which have historically been associated with Beaulieu Vineyard and its Cabernet Sauvignon wines, and which have contributed greatly to the development and consumer recognition of the Rutherford name.

Because of the historical significance of these two properties to Beaulieu Vineyard, the important role these two properties have played in the development of the Rutherford name to the wine consumer, the economic importance of the viticultural area to the Beaulieu Vineyard Rutherford Cabernet Sauvignon and the geographic location of the two properties, we therefore request incorporation of the two Beaulieu Vineyard properties into the Rutherford Viticultural Area, and consideration of the following two options:

John A. Komes

July 20, 1992

Mr. Robert White
Bureau of Alcohol Tobacco and Firearms
1200 Pennsylvania, D.C. 20226

Re: Rutherford Viticultural Area - Notice No. 738

Dear Mr. White:

After analyzing the petition to establish the Viticultural areas of Oakville and Rutherford we would propose a slight modification to the northwesterly boundaries.

The petitioners proposed a Rutherford Viticultural area that proceeds along a 500 foot contour in a northwesterly direction in T. 7N., R. 5W., through Sections 21, 20, 17 and 18 to the center of Section 7 where the 500 foot contour intersects the land grant line, and continues in a straight line to the end of the county road known as Zinfandel Lane. We concur with the present boundaries but feel that Section 7 should be modified as follows:

1. Zinfandel Lane and the center line of Section 7 bisects our 320 acre ranch and includes only 16 acres of Cabernet Sauvignon in the proposed petition. The excluded acreage includes identical varieties planted in identical soils to those acres included in the proposed Rutherford Appellation. The Perkins soils on the toeslopes and Bale loam soils on the valley floor characterize the make-up of our soils in Section 7 and both sides of Zinfandel Lane. We have farmed these vineyards for the past 15 years and know this for a fact.
2. The petitioners used the northern fork of Bale Slough for a reference point, and we believe this justifies a slight extension of the boundary north of Zinfandel Lane. We recommend following that fork of Bale Slough north approximately 2,750 feet to a point intersecting the straight line westward extension of the light-duty road known as Inglewood Avenue, west of the 227-foot elevation marker, then following that line to the west to the 500-foot contour. This boundary expansion is shown on the enclosed U.S.G.S. map.
3. Flora Springs Winery is only 900 feet from the current petitioned Rutherford boundary at Zinfandel Lane. Therefore, under the current petition a small portion of the vineyard would be included yet the Winery as well as a majority of its grapes would be excluded.

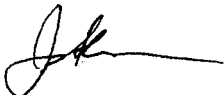
4. Ben Giliberti of the The Washington Post in his June 10, 1987 article agrees that Flora Springs belongs in the Appellation when he states that "Flora Springs Winery is located on the northern edge of the Rutherford Bench."
5. Flora Springs' world renown proprietary wine 'Trilogy' is a rare blend of three different Cabernet Sauvignon vineyards from the ranch. To leave out an irreplaceable vineyard and component from this blend due to BATF boundary oversights could place an economic hardship on our family run business.
6. With our modification, only 70% of our vineyards would be included in the proposed Rutherford Appellation. We think we would compromise the integrity of the petitioners proposed boundaries if we included the remaining 30%.

As we know the philosophy behind the BATF's regulatory criteria is to educate and inform consumers about the origin of grapes from which a wine is made. In our case, Trilogy could be an example of a Viticultural overlap whereby one-third of the grapes are grown in Rutherford, two-thirds of the grapes are grown in St. Helena and the consumer confused about the origin of wine and winery.

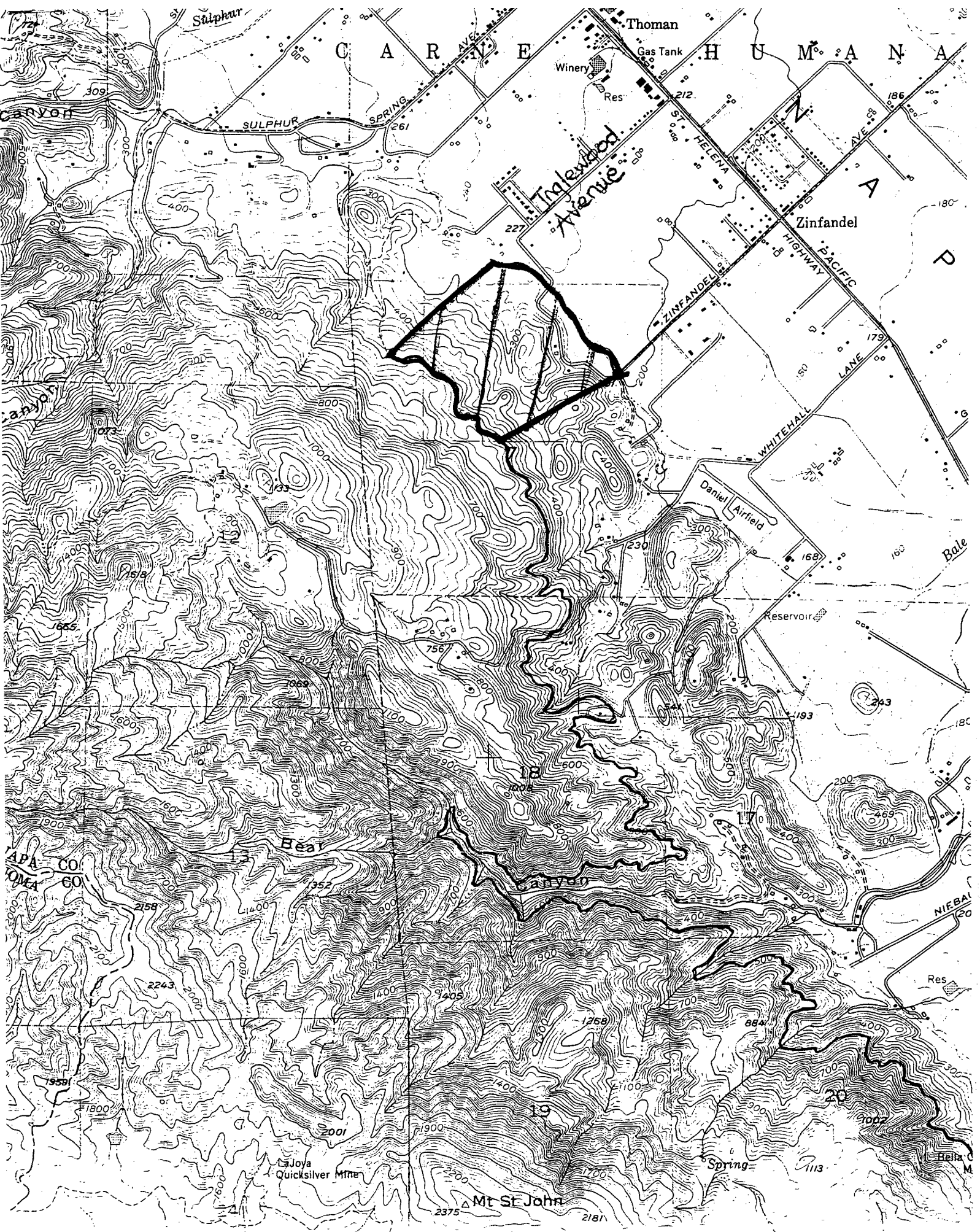
The need to be accurate and consistent with vineyards and wineries that have geographic and viticultural significance is paramount and we're confident that after careful review of our situation you will agree to our modification.



Very truly yours,



For: John A. Komes



50

Heublein Fine Wine Group
100 South St. Helena Highway • P.O. Box 391
St. Helena, California 94574
Tel: (707) 963 4480

20 July 1992

Beaulieu Vineyard
Rutherford, CA 94573

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221

Christian Brothers
St. Helena, CA 94574

Gustave Niebaum
Collection
Rutherford, CA 94573

Attn: Notice 738

Dear Sir:

Ingleneok-Napa Valley
Rutherford, CA 94573

Since the early 1900's, Beaulieu Vineyard has owned vineyards and purchased grapes in the Rutherford area of the Napa Valley. Since 1987, we have purchased grapes from Beckstoffer Vineyards, AP 09-670-002, which is located just south of Sulphur Creek and north of the City of Rutherford.

Quail Ridge
Cellars & Vineyards
Napa, CA 94558

We consider that the wine from these grapes, grown on the Beckstoffer property, have all the characteristics of wine produced from grapes grown throughout the Rutherford area.

VERY TRULY YOURS,

Richard L. Maher
President

RLM:sdd

cc: Mr. Anthony Bell



HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 310
1001 PENNSYLVANIA AVENUE N.W.
WASHINGTON, D.C. 20004-2505

TELEPHONE (202) 638-5500
FACSIMILE (202) 737-8998

WILLIAM F. DEMAREST, JR.

July 30, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Notice No. 738

Gentlemen:

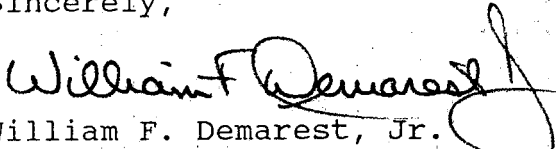
On July 21, 1992, Comments were filed by the Growers for Meaningful Appellations ("GMA"). Attached to those Comments as "Exhibit A" was a list of GMA members. That list erroneously included the name of Swanson Vineyards. Swanson Vineyards Winery filed its own comments and has requested that its name be deleted from Exhibit A to GMA's Comments. Accordingly, we would appreciate your substitution of the enclosed revised Exhibit A for the original and noting this change for the record.

In addition, the description of the membership of GMA set forth on page 1 of GMA's Comments should be revised to reflect this deletion as follows:

GMA represents 30 growers who own and operate more than 3196 acres of cultivated vineyards within the area of the proposed Oakville and Rutherford appellations, representing nearly 50% of the cultivated vineyard acreage of the area outside the area of the proposed "Benches" but within the proposed boundaries of Rutherford and Oakville viticultural areas.

We apologize for any inconvenience this mistake may have created.

Sincerely,


William F. Demarest, Jr.

Enclosure

cc: W. Clarke Swanson, Jr.
Swanson Vineyards Winery

EXHIBIT A

GROWERS FOR MEANINGFUL APPELLATIONS

<u>LEGAL OWNER</u>	<u>ACRES OWNED</u>	<u>AFFILIATION</u>
GAMBLE, LAUNCE E., ETAL	912.43	GROWER
HUNEEUS-CHANTRE PROP.	525.28	FRANCISCAN WINERY
WILSEY, ALFRED S.	260.18	GROWER
ROUND POND (MacDONNELL)	255.97	GROWER
FREEMARK ABBEY (CARPY)	254.82	FREEMARK ABBEY WINERY
OAKCROSS VINEYARDS (GROTH)	123.00	GROTH VINEYARDS & WINERY
RAYMOND VINEYARD	88.08	RAYMOND WINERY
WOOD, FRANK & ROBERTA	84.00	GROWER
PHILLIPS, ARLIE JEAN	73.13	GROWER
TENCH, L. JOAN	60.86	GROWER
FARROW, STEPHEN & MARIA	57.71	GROWER
VILLA MT. EDEN WINERY	57.43	VILLA MT. EDEN WINERY
TONELLA, RAYMOND L.	54.95	GROWER
GIRARD, STEPHEN A., JR. TRUST	54.43	GIRARD WINERY
PESTONI, ROBERT	36.00	GROWER
HILLS VINEYARDS	34.40	GRIGCH HILLS WINERY
OSHAUGHNESSY, ROGER & BETTY	30.16	GROWER
SULLIVAN VINEYARDS	26.17	SULLIVAN WINERY
RODENO, GREGORY & MICHAEL	25.33	GROWER
DALLA VALLE, AMERICO M/M	24.61	DALLA VALLE WINERY
SILVER OAK CELLARS	21.84	SILVER OAK WINERY
KRAMLICH, C. RICHARD & PAMELA	21.30	GROWER
LINTON, GEORGE & PERI	19.04	GROWER
ROUND HILL CELLARS	17.37	ROUND HILL WINERY
VENGE, NILS AND DIANNA	16.96	SADDLEBACK WINERY
VERHEY, JAMES F & ANN	16.00	GROWER
GREEN, ROBERT L.	15.25	GROWER
WILSEY, GARY & LANETTA	15.00	GROWER
HARRISON, WILLIAM M.	8.80	GROWER
ZD WINES (deLEUZE)	5.75	ZD WINERY

TOTAL: ³¹ ₃₀ OWNERS	3196.25 acres	

(51)

HOWARD G. DICKENSON
JOSEPH G. PEATMAN
WALTER J. FOGARTY, JR.
DAVID W. MEYERS
C. RICHARD LEMON
FRANCIS J. COLLIN, JR.
DAVID B. GILBRETH
CHARLES H. DICKENSON
PAUL G. CAREY
RICHARD P. MENDELSON
FRANK G. TOLLER
STEPHEN D. NUTT
ROBERT M. FANUCCI
CATHY A. ROCHE
JONATHAN P. DYER
J. MURRY BARIA JR.

DICKENSON, PEATMAN & FOGARTY
A PROFESSIONAL LAW CORPORATION
809 COOMBS STREET
NAPA, CALIFORNIA 94559-2977
TELEPHONE 707 252-7122

OF COUNSEL
ROGER D. PETERSON

TELECOPIER
707 255-6876

July 20, 1992

Via Airborne Express

Messrs. Tom Busey and Robert White
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
Post Office Box 50221
Washington, D.C. 20091-0221

Re: Rutherford and Oakville Viticultural Areas
Notice No. 738

Gentlemen:

Our office represents the petitioners for the Rutherford and Oakville viticultural areas, as proposed in Notice Nos. 728 and 729. We believe the evidence submitted to date by the petitioners as well as the other commenters supports the establishment of these two viticultural areas with the same name and boundaries as set forth in the aforementioned notices.

Our goal in these comments is not to restate the evidence in the initial petition but rather to respond to the specific questions in Notice No. 738 and to the alternative boundaries proposed by others.

Name and Boundary Evidence - Historical and Current

1. Oakville-Yountville Boundary

The historical boundaries of Rutherford and Oakville are best indicated by the Napa County viticultural inventories of 1884 and 1893, published by the State Board of Viticultural Commissioners and the San Francisco Wine Merchant, respectively. These historical documents are focused on viticulture and contain specific geographic references, which are summarized on the property owners map of 1895 (Exhibit A).

This map supports the boundaries which petitioners proposed. Specifically, in the southwestern corner of Oakville, Messrs. Dwyer, Kidd, Bradshaw, Locker and Pierce -- all south of Dwyer Lane -- are clearly identified as being in Oakville, not Yountville. The properties of M.S. Whiton and M.L. Hahn appear to be the transition zone between Oakville and Yountville. The 1884 directory places "G. Whitton" in Oakville and "Joseph Hahn" in Yountville. The 1893 list places a "Mr. Whitton," as well as "Green Whitton," in Yountville. The properties of Messrs. Ellis and Fawver to the south are considered to be part of Yountville in both historical documents. In sum, the proposed southern boundary of Oakville accords with these historical associations. The alternative proposal of a Dwyer Lane-Yount Mill Road boundary is simply not supported by the historical facts.

The published boundaries of the 1890 Oakville School District (Exhibit B) lie south of Dwyer Lane but slightly north of petitioners' proposed boundary.

The alternative boundary proposed by Messrs. Girard and Meyer is not supported by the current facts either. The property owners south of Dwyer Lane -- Holmes, Harris, Moffitt, Kelham, Phillips, Swanson, Taddei -- regard themselves as part of Oakville, as do many members of the wine press (see, e.g., Exhibit C). The vineyardists in this area sell their grapes to Oakville wineries. This includes Ms. Holmes and Messrs. Phillips, Kelham and Moffitt who sell their grapes to Robert Mondavi Winery and Mr. Taddei who sells to Vichon Winery, also in Oakville.

By contrast, the promotional material for the Markham Winery refers to Yountville (Exhibit D). The Van Löben Sels property referred to therein is due south of the proposed boundary (second page of Exhibit D). The winery once used the designation "Yountville Vineyard" for this parcel.

One other winery out of the area, Monticello Cellars, used the Oakville (Bench) designation for grapes from the Cope Ranch (Exhibit E). These parcels are south of petitioners' southern boundary of Oakville and is excluded from that viticultural area.

Finally, Messrs. Girard, Meyer and others who signed their form letter (Exhibit F) have not supported any of their contentions with facts, nor have they called into question any of the evidence previously submitted by the petitioners. Additionally, they are incorrect that the Yountville Hills have been included in the proposed Oakville viticultural area. In fact, the Oakville boundary skirts around the lower slopes of the Yountville Hills, leaving that area within Yountville, not

Oakville.

2. Oakville-Rutherford Boundary

Moving to the Rutherford-Oakville boundary and the BV2 and 4 vineyards of Beaulieu Vineyards, the history of this area again supports the presently proposed boundary. The best new evidence is the boundary between the old Oakville School District and the Rutherford School District, as reported by the Napa Register on December 12, 1890 (Exhibit G). This boundary is outlined on an old parcel map, which shows BV2 and 4 to be in Oakville, not Rutherford. The boundary coincides exactly with the proposed viticultural area boundary.

Modern winery perceptions of community identity follow the same line (Exhibit H). Cakebread Cellars (Rutherford) and Johnson-Turnbull (Oakville) are on opposite sides of the Rutherford-Oakville boundary, east of Highway 29.

3. Rutherford-St. Helena Boundary

To the north of Zinfandel Lane, historical and current facts indicate that this area is part of St. Helena. Exhibit A does not support a more northerly boundary for Rutherford. This would place Messrs. G.B. Crane and H.J. Lewelling, the historical leaders of the St. Helena (Wine) District and St. Helena Vinicultural Association, in Rutherford, which makes no historical sense (see historical documents in Exhibit I). In modern terms, innumerable references, viticultural and otherwise, rely on the Zinfandel Lane boundary (Exhibit J).

Clearly the Sulphur Creek boundary proposed by Andrew Beckstoffer for Rutherford cannot be used because this northern area is within the city limits of St. Helena. Consumers would be misled if a viticultural area bearing one community name were located in a city (and likely future viticultural area) by another name. The name evidence flies in the face of such a contention. See Temecula Final Rule, T.D. ATF-188 (49 Fed. Reg. 42563-7); the area in the town of Murietta was removed from the Temecula viticultural area.

The southern boundary of the city of St. Helena proposed by David Freed and others who signed his petition avoids this obvious confusion but does not accord with historical or current realities (Exhibit K). How can the St. Helena Wine Merchant (see Exhibit 12 of initial petition) be in the Rutherford area? Do Louis Martini (Martini Winery), Darryl Sattui (Sattui Winery), Bob Trincherio (Sutter Home Winery), Bill Jaeger (Jaeger Vineyards) and others in St. Helena know that this proposal would

place them in the Rutherford viticultural area? This is not how they view their own location or community identity.

The northeastern extension proposed by David Heitz also has its own identity, Spring Valley, as shown on the U.S.G.S. maps and in the promotional material of wineries in that area (Exhibit L). Similarly, Pritchard Hill is recognized as such (e.g., on the U.S.G.S. maps), not as Rutherford.

Distinguishing Geographic and Climatic Features

1. Oakville-Yountville Boundary

There is perhaps no boundary in the entire petition with as much geographical justification as the proposed southwestern boundary of Oakville. As is evident on the U.S.G.S. map, this boundary represents the narrowest gap between the Yountville Hills and the Mayacamas Range to the west, with wind and fog patterns affected on both sides of this line. It also is a high point, with the valley leveling out both to the north and south. As such, this boundary constitutes a drainage divide between Oakville and Yountville.

2. Oakville-Rutherford Boundary

The Rutherford-Oakville boundary protested by BV is justified by the distinct alluvial fans emanating from distinct bedrock material. No one has disputed these expert studies.

3. Rutherford-St. Helena Boundary

St. Helena is distinguished from the neighboring Rutherford viticultural area by soil, geography and geology, all of which are interrelated, as well as by elevation and climate. None of these items has been discussed by any of the commenters to date. The Sulphur Creek drainage area sweeps across the valley floor from west to east, covering the entire city of St. Helena down to, and slightly beyond, Zinfandel Lane. This is shown by the contour lines of the U.S.G.S. map as well as by the soil maps.

To the northeast, Spring Valley leads into St. Helena, not Rutherford. And Pritchard Hill is part of the Vaca Mountain Range, not the valley floor.

Petitioners reiterate their willingness to comment on any geographic or climatic data submitted by any of the commenters during the present comment period.

BV Grandfathering

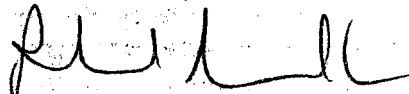
We understand that one of BV's proposals is to "grandfather" its BV2 and 4 vineyards into the Rutherford viticultural area in recognition of their contribution to the "BV Rutherford" brand. Petitioners believe that such a "grandfather" rule already exists under 27 CFR §4.39(i) and that this regulation on geographic brand names applies to the "BV Rutherford" label. "BV Rutherford," in petitioners' view, is no different than "BV Beautour," "BV Beaufort" or "BV Georges de la Tour" (Exhibit M). All these wines are recognized by consumers as specific brands, and each bears a separate and distinct appellation of origin. We urge ATF to recognize BV's rights under this section. If any prior decision has been made by ATF on this issue, petitioners urge the Bureau to reconsider it in light of all of the facts.

Conclusion

At this point, petitioners have only innuendo and bare assertions to which to respond. No substantive challenge to the proposed boundaries has been presented, and we reserve the right to respond if any such facts are presented during the comment period. If ATF has any intention of altering the boundaries in any material respect, petitioners respectfully request that the new boundaries be the subject of another Notice of Proposed Rulemaking so that petitioners and others have a full opportunity to comment. We do not believe a public hearing is necessary.

Sincerely,

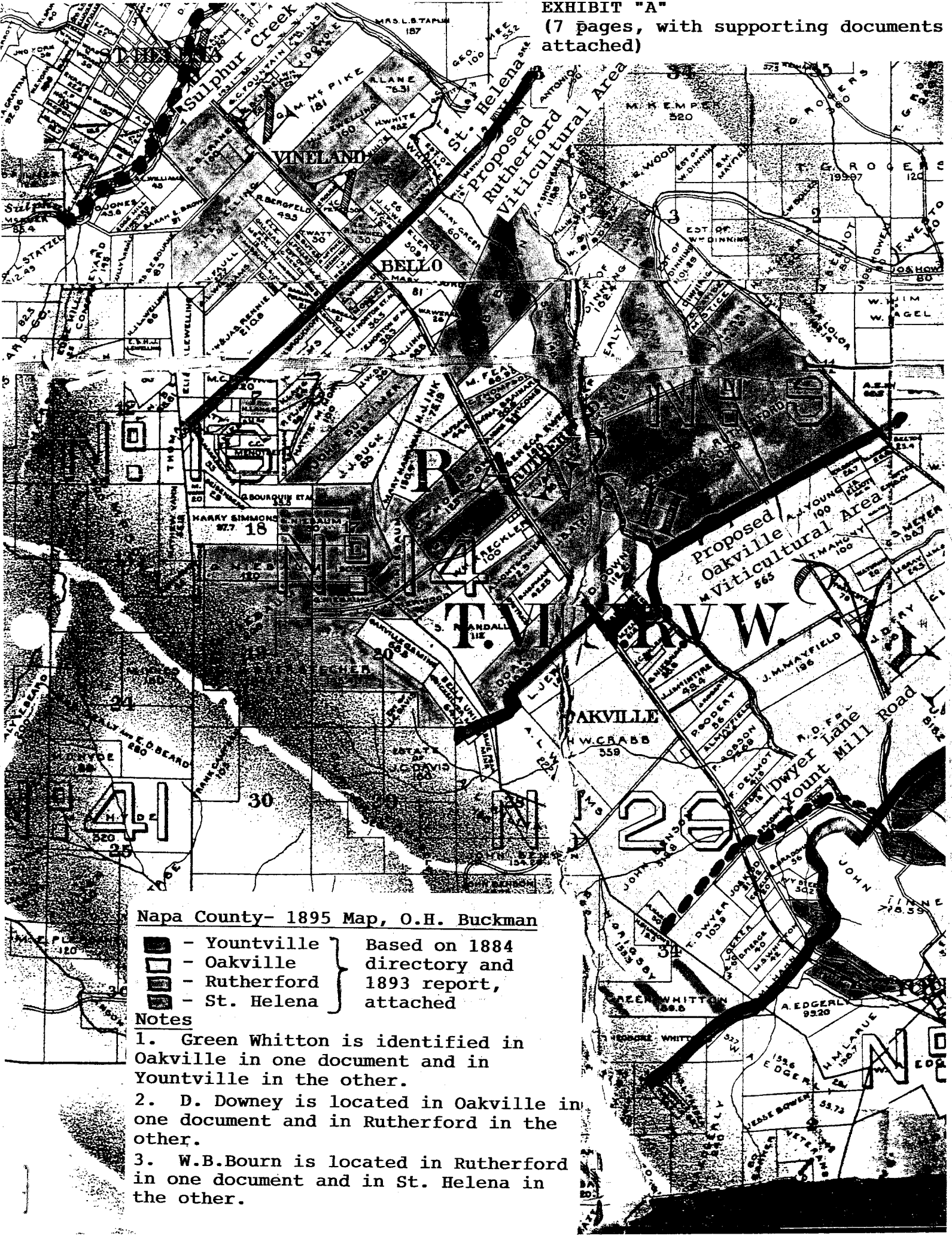
DICKENSON, PEATMAN & FOGARTY







Richard Mendelson

RPM:srw
Enclosures

rpm\viticult.ltr



Napa County- 1895 Map, O.H. Buckman

-  - Yountville
 -  - Oakville
 -  - Rutherford
 -  - St. Helena
- } Based on 1884 directory and 1893 report, attached

Notes

1. Green Whitton is identified in Oakville in one document and in Yountville in the other.
2. D. Downey is located in Oakville in one document and in Rutherford in the other.
3. W.B.Bourn is located in Rutherford in one document and in St. Helena in the other.

NAPA COUNTY.

BALE STATION.

Napa Valley R. R., C. M. Hitchcock.

BROWN'S VALLEY.

J. Mansfield, C. Robinson,
T. R. Davis, C. Dell,
James Fay, Mrs. Bailey.

CALISTOGA.

S. Kellett, C. N. Pickett,
D. C. Ingram, R. Panan,
Mrs. Schramm, A. Whitehead,
Grieve, H. Gettelson,
Anderson & Partig- A. L. Tubbs,
ins, L. M. Lane,
Jno. P. Lang, G. K. Garnett.
Chas. A. Blom,

CHILE'S VALLEY.

Giles.

NAPA.

W. Reed, Miss Pogue,
W. J. Clayton, J. Folger,
M. Buhmen, E. Ryan,
W. A. Fisher, J. H. Wilcox,
A. Hoak, T. J. Read,
R. B. Woodward, T. B. McClure,
Mrs. Yount, K. Sackett,
Mrs. Evans, George Husmann,
Mrs. M. J. Blanchard, William Castle,
Jos. Franks, Henry Canarie,
M. M. Estee, Thomas Byrne,
Gen. John F. Miller, J. F. Kneif,
C. Arford, T. H. Epley,
†Dreyfus & Co., †C. Anduran & Co.,
†H. Hagen, Coates & Tool.

OAKVILLE.

*John Benson, Wm. Locker,
†W. Crabb, G. E. Kenney,
J. C. Davis, A. G. Beardsley,
*Jeannod, G. Whitton,
*Bran & Chair, Steckler,
D. Pierce,

RUTHERFORD.

*Capt. G. Neibaum, Mrs. M. E. Pritchard
Judge Hastings, J. B. Atkinson,
E. J. Van Fleet, D. A. Scrimgeour,
C. J. Beerstecher, J. M. Mayfield,
H. W. McIntyre, Wm. Denning,
Wm. Krekeler, H. H. Harris,
*C. P. Adamson, W. T. Bradley,
Wm. Fealey, T. L. Rutherford,
Tom Fealey, John Dent,
John Fealey, D. C. Stice,
Storey Bros., D. Downey,
John Buttimer, E. C. Catherwood,
W. B. Bourn, P. G. Hottel,
Doscher & Grayloch, George S. Meyer,
Jose Marie, T. B. Edington,
Jose Ortish, D. Doak,
Chas. Thompson, John Steckler,
R. McComb, J. M. Morton,

ST. HELENA.

Thos. Amsbury, George Mee,
J. H. Allison, H. A. Merriam,
Asa B. Atwood, *Merriam Bros.,
†Beringer Bros., James McFarling,
Chas. E. Bell, John W. McFarling,
Jas. Booker, F. G. Merchant,
M. S. Barry, John M. McPike,
G. H. Brodbeck, J. M. Morton,
G. L. Benner, H. M. Meacham,
W. B. Bourn, David Martinelli,
Mrs. S. E. Bourn, A. K. Maguire,
Miss May Bourn, G. J. Mosely,
Paul Bieber, Jacob Meily,
Fred. Behnken, *J. H. McCord,
Geo. Breitenbuecher, Chas. Memminger,
A. H. Buehren, I. J. Newkirk,
*G. B. Crane, John Norton,
Geo. Chase, George Osborn,
W. H. Castner, *H. A. Pellet,
M. D. Church, W. P. Pinkham,
G. E. Church, G. L. Pratt,
Jas. Crucey, William A. Pratt,

*David Cole, A. Potterton,
*D. B. Carver, Mrs. A. W. Preston,
H. Gulkou, Mrs. A. J. Pope,
B. O. Carr, H. M. Pond,
Thos. Chojson, Mrs. M. A. Penwell,
†G. Crochat & Co., *F. Pohndorf,
Connally Conn, Wm. Peterson,
*L. Cortray, Palmer,
James Dowd, John Pellett,
†N. Degouy, *F. H. Rosenbaum,
S. Larr, A. C. Rampendahl,
*G. C. Fountain, H. Rampendahl,
F. Mathias Focchetti, David Rutherford,
*Martin Furstenfeld, *Louis Roulett,
Mrs. Fulton, Mrs. D. S. Bohlwing,
Pietro Fajada, *A. Rossi,
W. P. Fuller, †Wm. Scheffler,
Chas. A. Gardner, George Siedenburgh,
*Geo. Greer, M. Spear,
Thos. Greer, P. K. Stockton,
J. M. Graham, George Schamwald,
J. N. Grant, R. Y. Snowball,
C. C. Griffith, L. N. Shepardson,
G. K. Gluyas, Oliver Smith,
Joseph Gaggetta, W. A. C. Smith,
Louis Gaudon, A. J. Smith,
Mrs. Gibson, Charles P. Smith,
Hasenmaier, Charles E. Smith,
Mrs. S. T. Ham- N. Sawyer,
monds, A. Schroepfer,
Martin Hudson, Mrs. Soberanes,
A. H. Heidhoff, †G. A. Stamer,
H. W. Helm, B. Sheehan,
Frank Hewes, *Jacob Schram,
J. K. Hall, †Albert Schranz,
S. C. Hastings, Mrs. Shamp,
H. W. Hackney, E. T. Starr,
Dr. C. M. Hitchcock, George Spratt,
†E. Heymann, *Louis Sander,
A. Howe, *Scheggia,
Jno. Hauna, R. L. Spurr,
T. H. Ink, John Trampler,
M. F. Inman, Mrs. Tainter,
*Wm. H. Jordan, A. Tonello,
†Chas. Krug, John Tyehson,
J. S. Kister, †John Thomann,
J. R. Kettlewell, Trefethen,
M. Kemper, Miss L. Thompson,
*Frank Kraft, *M. Yahn,
F. W. Krosber, †Mrs. J. C. Weinberger,
M. Kilduff, Charles Wheeler,
*W. W. Lyman, †Rollo Wheeler,
F. E. Lockwood, Conrad Weisker,
H. J. Lewelling, G. B. Worrell,
Eli Lewelling, W. C. Ward,
F. W. Loeber, *Ward & Worrell,
†J. Laurent, *W. P. Weaks,
Henry Lange, J. W. Williams,
*E. L. Larr, Owen Wade,
†Rudolph Lemme, *A. L. Williams,
Mrs. Chas. Lemme, *Fred. West,
E. Lazarus, E. R. Wood,
*Mrs. Wm. Lenthold, B. E. Wood,
George Lander, C. F. Yeaton,
George M. Lander, *E. M. York,
*G. Meredith, John York,
Chris Mills, W. E. York,
Mrs. Mills, Emil Zange.

YOUNTVILLE.

†G. Groezinger, Veterans Home,
George K. Drew, Col. Benson,
*E. J. ... A. Caldwell,
†Louis Debanne, Mrs. M. Volz,
Emil Brésard, Mrs. M. G. Blanchard,
W. B. Graves, James Davis,
T. B. Hopper, G. K. Drew,
W. Johnson, Fred. Frash,
R. Long, E. Gates,
Lydencker & W. H. Gibbs,
Skillinger, Chas. Stiefel,
H. T. McGeorge, W. A. Trubody,
D. R. McLennan, J. Utz,
Geo. Osborne, Joseph Hahn.

NEAR YOUNTVILLE.

De Bane, Skagier,
Bassard, Frash,
Smith, Downey,
Dent, Volz.

San Francisco Merchant, A Directory of Grape Growers, Wine Makers and Distillers of California: 1884

THE
VINEYARDS IN NAPA COUNTY;

BEING

THE REPORT OF E. C. PRIBER, COMMISSIONER FOR
THE NAPA DISTRICT,

TO THE

BOARD OF STATE VITICULTURAL COMMISSIONERS OF CALIFORNIA.

PUBLISHED BY THE BOARD OF STATE VITICULTURAL
COMMISSIONERS.

WINE INSTITUTE
65 SECOND ST
SAN FRANCISCO.



SACRAMENTO:

STATE OFFICE, : : : A. J. JOHNSTON, SUPT. STATE PRINTING.
1893.

Name and address,
 Total acres in vines,
 Acres in bearing,
 Acres in wine grapes,
 Acres in table grapes,
 Acres in raisin grapes,
 Will be replanted, and how many acres,

Acres at present infested by Phylloxera. (Good for only one crop more, acres.
 Total, acres. (Good for more than one crop more, acres.

Acres planted to Resistants. { Riparia, acres.
 Total, acres. { Rupestris, acres.
 { Lenoir, acres.
 { Other varieties, acres.
 { On Riparia, acres. { Which varieties succeed best?
 { On Rupestris, acres. { Which varieties have not succeeded?
 { On Lenoir, acres. { Which varieties succeed best?
 { On other varieties (name { Which varieties have not succeeded?
 them), acres. { Which varieties succeed best?

Character of the soil of the vineyard:
 How is the vineyard situated—low lying, upland, or mountain?
 What is exposure to sun and wind?
 Which of the European varieties have proved most resistant?
 How have the vineyards that have been attacked been handled?

Crop in 1892?
 Stock of wine on hand, in gallons? gallons.
 Total quantity of cooperage, gallons: { Oak cooperage, gallons.
 { Redwood cooperage, gallons.
 Remarks:

In tabulating the returns thus obtained, the counties are divided into five districts: first, in and around Napa; second, farther up, from Yountville to Rutherford; third, in and about St. Helena; fourth, Chiles and Conn Valleys; and fifth, in and about Calistoga.
 The recapitulation of the total is as follows:

NAPA COUNTY.

Total number of vineyards, 307
 Vineyards reporting phylloxera, 244
 Total acres in vines, 16,651 1/2 acres.
 Acres in bearing, 14,240 1/2 acres.
 Will be replanted this season, 406 1/2 acres.
 Will be dug up for causes other than phylloxera, 184 acres.
 Infested by phylloxera, 2,246 acres.
 Same good for but one crop more, 766 acres.
 Planted to Resistants, 2,007 1/2 acres, as follows:
 Riparia, 1,698 1/2 acres.
 Lenoir, 245 1/2 acres.
 Rupestris, 31 acres.
 California, 35 acres.
 Bastivals, 9 acres.
 Planted to Resistants (same as above), 2,007 1/2 acres, as follows:
 Grafted and in bearing, 842 1/2 acres.
 Grafted and not bearing, 501 acres.
 Not yet grafted, 573 1/2 acres.
 Crop, 1892, 27,083 tons.
 Cooperage, 12,889,000 gallons: { Oak 3,662,500 gallons.
 { Redwood 9,326,500 gallons.

The recapitulation of the different districts in the county is as follows:
 NAPA DISTRICT.

Total number of vineyards, 91.
 Vineyards reporting phylloxera, 63.
 Total acres in vines, 3,636.
 Acres in bearing, 2,715.
 Will be replanted this season, 103 acres.
 Will be dug up other than for phylloxera, 75 acres.
 Infested by phylloxera, 455 acres; of which 154 will bear but one crop more.
 Planned to resistants, 1,157 acres; of which 1,000 acres are in Riparia, 138 Lenoir, and 19 Rupestris.
 Planted to resistants (same as above), 1,157 acres; of which 515 1/2 are grafted and bearing, 451 1/2 are grafted and not bearing, and 190 not yet grafted.
 Crop 1892, 5,578 tons.
 Cooperage, 3,101,000 gallons; of which 506,000 is oak and 2,595,000 redwood.

YOUNTVILLE DISTRICT.

Total number of vineyards, 31.
 Vineyards reporting phylloxera, 34.
 Total acres in vines, 2,706.
 Acres in bearing, 2,054.
 Will be replanted this season, 142 acres.
 Will be dug up for reasons other than phylloxera, 75 acres.
 Infested by phylloxera, 701 acres; of which 261 will bear but one crop more.
 Planned to resistants, 497 acres; of which 431 acres are in Riparia, 31 acres in Lenoir, and 35 acres in California.
 Planted to resistants (same as above), 497 acres; of which 306 are grafted and bearing, 61 grafted but not bearing, and 227 not yet grafted.
 Crop 1892, 4,605 tons.
 Cooperage, 2,489,000 gallons; of which 411,000 is oak and 2,078,000 redwood.

ST. HELENA DISTRICT.

Total number of vineyards, 219.
 Vineyards reporting phylloxera, 119.
 Total acres in vines, 7,451 1/2.
 Acres in bearing, 6,784.
 Will be replanted this season, 108 1/2 acres.
 Will be dug up for causes other than phylloxera, 34 acres.
 Infested by phylloxera, 1,042 acres; of which 835 will bear but one crop more.
 Planned to resistants, 209 1/2 acres; of which 145 acres are in Riparia and 64 1/2 in Lenoir.

YOUNTVILLE DISTRICT.

John Benson, Oakville.—Total, 35 acres; in bearing, 30 acres; will replant 5 acres; infested by phylloxera, 10 acres, all to be uprooted; planted to Riparia, 25 acres, which is grafted to Semillon, Mondeuse, Cabernet Franc, and all succeed about alike; soil loam, bordering on adobe; vineyard low lying; European varieties most resistant, Zinfandel and Burger; vineyard replanted as vines become diseased; crop, 50 tons; cooperage, 10,000 gallons, of which 5,000 is oak and 85,000 redwood.

W. P. Bolz, Oakville.—Total, 15 acres; in bearing, 12 acres; all will be dug up; soil gravelly loam; vineyard upland; all European varieties succumb alike; crop, 35 tons.

W. T. Bradley, Oakville.—Total, 25 acres; all in bearing; infested by phylloxera, 12 acres, of which 4 acres are good for only one crop more; soil gravelly loam; vineyard low lying; European varieties all succumb alike; crop, 43 tons.

B. Bradshaw, Oakville.—Total, 5 acres; in bearing, 4 acres; infested by phylloxera, 4 acres, of which 2 acres are good for only one crop more; soil gravelly; vineyard upland; exposure northwest; European varieties all succumb alike; crop, 8 tons.
Vineyard will be gone in two years.

George Brainard, Oakville.—Total, 50 acres; in bearing, 48 acres; infested by phylloxera, 5 acres, of which 2 acres are good for only one crop more; vineyard low lying; all European varieties succumb alike; crop, 14 tons.

Brun & Chair, Oakville.—Total, 115 acres; in bearing, 113 acres; will plant 15 or 20 acres; soil loam; vineyard low lying and mountain; exposure south; crop, 350 tons; cooperage, 300,000 gallons at Howell Mountain and 150,000 in valley at Oakville, mostly redwood.
One vineyard and cellar is on Howell Mountain. Have escaped phylloxera so far, but expect it before long.

Duncan Campbell, Oakville.—Total, 10 acres; in bearing, 6 acres; infested by phylloxera, 5 acres, of which 2 acres are good for only one crop more; soil loam; vineyard upland; exposure east; all European varieties succumb alike; crop, 12 tons.
Vineyard going fast.

Thomas Dwyer, Oakville.—Total, 10 acres; all in bearing; infested by phylloxera, 2 acres, of which 1 acre is good for only one crop more; soil loam; vineyard low lying; crop, 6 tons.

H. W. Crabb, Oakville.—Total, 120 acres; in bearing, 90 acres; infested by phylloxera, 20 acres; planted to resistants, 100 acres, of which 70 are Riparia and 30 Lenoir, and all of which are doing well; soil loam; vineyard low lying; exposure south and east; Tokay has proved most resistant; vines dug out as soon as diseased; crop, 100 tons; cooperage, 650,000 gallons, all of which is redwood.

This is one of the several vineyards in this vicinity that were very flourishing four years ago, but have rapidly decayed. The destruction was surprisingly rapid and very discouraging. Mr. Crabb is planting out resistants year by year, to a considerable extent, both Lenoir and Riparia, the former on the high drier soil, the latter on the lower, stiffer land. Success seems to attend the growth of resistants. Experience in this vicinity shows plainly that resistants (cuttings or rooted vines) should be planted early in the season, especially if the season should prove to be a dry one. In two or three years more definite views can be given as to bearing of resistants.

Davis Estate, Oakville.—Total, 55 acres; in bearing, 50 acres; infested by phylloxera, 15 acres, of which 6 acres are good for only one crop more; soil gravelly; vineyard low lying; crop, 120 tons; cooperage, 40,000 gallons, all of which is redwood.

F. Delmont, Oakville.—Total, 10 acres; all in bearing; infested by phylloxera, 5 acres, of which 1 acre is good for one year more; soil gravelly; vineyard low lying; crop, 22 tons.

Dietrich Bros., Oakville.—Total, 15 acres; all in bearing; planted to Riparia, 2 acres, which are grafted and bearing; vineyard upland; exposure east; Tokay and Malvoisie have proved most resistant; crop, 30 tons.

D. Darnen, Oakville.—Total, 46 acres; in bearing, 40 acres; infested by phylloxera, 16 acres, of which 10 acres are good for only one crop more; soil loam; vineyard low lying; all European varieties succumb alike; diseased vines have received no care; crop, 105 tons; stock of wine on hand, 10,000 gallons; cooperage, 20,000 gallons, of which 1,000 is oak and 29,000 redwood.

A. Dwyer, Oakville.—Total, 30 acres; in bearing, 23 acres; infested by phylloxera, 20 acres, of which 10 are good for only one crop more; soil gravelly loam; vineyard upland; exposure southwest; all European varieties succumb alike; diseased varieties have received no special care; crop, 50 tons.

John Forrester, Oakville.—Total, 6 acres; in bearing, 5 acres; infested by phylloxera, 4 acres, of which 2 acres are good for only one crop more; soil loam; vineyard low lying; all European varieties succumb alike; crop, 15 tons.

C. H. Hill, Oakville.—Total, 6 acres; in bearing, 5 acres; very little infested by phylloxera; soil loam; vineyard upland; exposure southeast; all European varieties succumb alike; crop, 24 tons.

P. G. Hottle, Oakville.—Total, 20 acres; in bearing, 15 acres; infested by phylloxera, 10 acres, of which 2 acres are good for only one crop more; crop, 30 tons.
Vineyard is going fast.

A. Jeanmonod, Oakville.—Total, 20 acres; all in bearing; infested by phylloxera, 5 acres, of which 1 acre is good for only one crop more; soil gravelly; vineyard low lying; all European varieties succumb alike; crop, 32 tons; cooperage, 60,000 gallons, of which 10,000 is oak and 50,000 is redwood.

T. Julian, Oakville.—Total, 12 acres; in bearing, 10 acres; infested by phylloxera, 2 acres, of which 1 acre is good for only one crop more; planted to Riparia, 2 acres; soil clayey loam; vineyard mountain; exposure southeast; all European varieties succumb alike; crop, 40 tons.

M. Kemper, Oakville.—Total, 60 acres; in bearing, 50 acres; infested by phylloxera, 20 acres, of which 5 acres are good for only one crop more; soil loam; vineyard low lying; crop, 90 tons.

Jos. Kidd, Oakville.—Total, 40 acres; in bearing, 30 acres; soil heavy loam; vineyard low lying; crop, 60 tons.

W. Locker, Oakville.—Total, 25 acres, all of which are in bearing; infested by phylloxera, 10 acres, of which 3 acres are good for only one crop more; soil gravelly; vineyard low lying; crop, 60 tons; cooperage, 20,000 gallons, of which 5,000 is oak and 15,000 redwood.

J. J. McIntyre, Oakville.—Total, 20 acres, all of which are in bearing; infested by phylloxera, 8 acres, of which 3 acres are good for only one year more; soil loam; vineyard low lying; all European varieties succumb alike; crop, 75 tons.

C. Minion, Oakville.—Total, 10 acres; in bearing, 8 acres; infested by phylloxera, 3 acres, of which 2 acres are good for only one crop more; soil loamy; vineyard upland; exposure southeast; crop, 30 tons.

A. Mono, Oakville.—Total, 20 acres; in bearing, 10 acres; will replant 10 acres; infested by phylloxera, 15 acres, of which 8 acres are good for only one crop more; planted to Riparia, 10 acres, of which 5 acres are in bearing; grafted Bouschet, which is doing very well; soil loamy and gravelly; vineyard low lying; Tokays proved most resistant; much care has been taken to dig out as soon as possible and replant; crop, 27 tons; cooperage, 40,000 gallons, of which 5,000 is oak and 35,000 redwood.

Bouschet grafts do exceedingly well. One graft, 8 months old, on a 2-year old resistant Riparia root, yielded 8 pounds.

A. C. Montgomery, Oakville.—Total, 60 acres; in bearing, 50 acres; infested by phylloxera, 40 acres, of which 20 acres are good for only one crop more; soil loam; vineyard low lying; all European varieties succumb alike; crop, 132 tons.

A. Reinder, Oakville.—Total, 5 acres; in bearing, 4 acres; nearly all infested by phylloxera; 2 acres are good for only one crop more; soil loam; vineyard upland; exposure east; crop, 8 tons.

This is one of the several vineyards on the hills to the west of Oakville. Phylloxera is as destructive there as in any place in the lower lands. Vineyards are fast disappearing, and the outlook discourages many vineyardists, especially those having small holdings.

R. Stier, Oakville.—Total, 40 acres; in bearing, 30 acres; infested by phylloxera, 25 acres, of which 8 acres will be good for only one crop more; vineyard upland; exposure west; all European varieties succumb alike; diseased vines have received little care; crop, 63 tons.

A. Wright, Oakville.—Total, 10 acres; in bearing, 8 acres; infested by phylloxera, 3 acres; of which 1 acre is good for only one crop more; soil loam; vineyard upland; exposure east; Tokay and Zinfandel have proved most resistant of European vines; crop, 25 tons.

C. J. Bearstecher, Rutherford.—Total, 100 acres; in bearing, 80 acres; infested by phylloxera, 15 acres, of which 5 acres are good for only one crop more; soil loam; vineyard mountain; crop, 210 tons; cooperage, 75,000 gallons, of which 5,000 is oak and 70,000 is redwood.

H. Lang, Rutherford.—Total, 20 acres; in bearing, 15 acres; infested by phylloxera, 10 acres, of which 3 acres will be good for only one crop more; soil gravelly; vineyard low

lying; crop, 25 tons; cooperage, 80,000 gallons, of which 5,000 gallons is oak and 75,000 is redwood.

Chas. Mennener, Rutherford.—Total, 8 acres; all in bearing; infested by phylloxera, 3 acres, of which 1 acre is good for only one crop more; soil gravelly loam; vineyard low lying; crop, 20 tons.

W. M. [redacted], Rutherford.—Total, 68 acres; in bearing, 60 acres; infested by phylloxera, 20 acres, of which 10 acres are good for only one crop more; soil gravelly; vineyard low lying; all European varieties succumb alike; diseased vines have received no special treatment; crop, 75 tons.

J. M. Morton, Rutherford.—Total, 20 acres; all in bearing; planted to Riparia, 7 acres, not grafted; soil gravelly; vineyard low lying; crop, 60 tons; cooperage, 14,000 gallons, all of which is redwood.

Capt. G. Niebaum, Rutherford.—Total, 300 acres; in bearing, 250 acres; will replant considerable; planted to Riparia, 50 acres, of which 20 acres are grafted and not bearing and 30 acres are not grafted; all grafts are doing well; soil gravelly loam; vineyard low lying and upland; crop, 408 tons; cooperage, 350,000 gallons, of which 100,000 is oak and 250,000 is redwood.

Considerable pains have been taken in this vineyard with resistants. Riparia are most in favor; they have done well and given satisfaction. Will continue to replant. Phylloxera is working in the old European vines and a considerable amount will be dug up and replanted each year. The grafted vines are flourishing and doing well.

William Porter, Rutherford.—Total, 50 acres; all in bearing; infested by phylloxera, 10 acres, of which 2 acres are good for only one crop more; soil gravelly; vineyard low lying; crop, 115 tons.

Mrs. Rutherford, Rutherford.—Total, 60 acres; in bearing, 55 acres; infested by phylloxera, 5 acres; soil gravelly loam; vineyard low lying; Golden Chasselas and Tokay have proved most resistant; crop, 125 tons; cooperage, 50,000 gallons, of which 10,000 is oak and 40,000 is redwood.

Very little phylloxera.

N. Sawyer, Rutherford.—Total, 30 acres; all in bearing; infested by phylloxera, 10 acres, of which 3 acres are good for only one crop more; soil gravelly loam; vineyard low lying; crop, 75 tons.

C. E. Smith, Rutherford.—Total, 5 acres; in bearing, 3 acres; soil loam; vineyard upland; exposure west; all European varieties succumb alike; crop, nothing to speak of; cooperage, 30,000 gallons, all of which is redwood.

The vines are going fast.

Chas. Thompson, Rutherford.—Total, 40 acres; all in bearing; planted to Riparia, 8 acres; all grafted and not bearing; soil gravelly; vineyard low lying; crop, 75 tons.

Resistants grafted to Tokays have not proved entirely successful, because of failure to remove the rootlets from the scions; they were grafted too deep.

B. Wagon, Rutherford.—Total, 27 acres; in bearing, 24 acres; infested by phylloxera, 10 acres, of which 3 acres are good for only one crop more; soil gravelly; vineyard low lying; all European varieties succumb alike; crop, 35 tons.

A. Borel & Co., Yountville (Groezinger Vineyard).—Total, 125 acres; in bearing, 65 acres; will replant 25 acres; infested by phylloxera, 42 acres, 30 of which will bear but one crop more; planted to resistants, 83 acres, of which 52 are in Riparia, 30 in California, 1,150 more; of these resistants, 30 acres are grafted and not bearing, and 41 acres not yet grafted; on Riparia all bearing, 12 acres grafted but not bearing, and 41 acres not yet grafted; on California all varieties did well, and the same is true with the few Rupestris vines tried; Petite Syrah has done well on Lenoir, but all others have failed, while on California and Arizona all varieties did well for the first two or three years, and then all failed; soil is shallow, and on the low land heavy, cold, and wet; one fourth of the vineyard is upland, and the soil is deep and rich; exposure northeast, north, and east; Tokay and Lenoir have resisted well; attacked vines have been treated with all known and proposed remedies; crop, 152 tons; cooperage, 320,000 gallons, of which 210,000 is oak and 110,000 redwood.

Mr. Greninger, the Superintendent, has experimented for the past eight years with all the different varieties of resistant vines, and finds that the Lenoir and California others did fairly well in certain places only. Riparia has done the best on all kinds of soil, and has succeeded best with different kinds and varieties of grafts. The original vineyard was of 402 acres, with 21 varieties of grapes. All the hill vineyard is now being abandoned, on account of being too expensive to care for and work.

E. Breseind, Yountville.—Total, 30 acres; in bearing, 25 acres; will replant 5 acres; infested by phylloxera, 5 acres, of which 2 acres are good for only one crop more; soil loam; vineyard low lying; exposure northwest; all European varieties succumb alike; crop, 45 tons; cooperage, 15,000 gallons, all of which is oak.

M. Eckmyer, Yountville.—Total, 35 acres; in bearing, 17 acres; infested by phylloxera, 20 acres, of which 10 acres will be good for only one crop more; soil gravelly loam; vineyard upland; exposure east; all European varieties succumb alike; crop, 16 tons.

Vineyards in this vicinity are fast decaying.

[redacted] Total, 15 acres; in bearing, 8 acres; will replant 2 acres; planted to Riparia, 10 acres, half grafted and not bearing, and half not yet grafted; crop, 48 tons.

There are some diseased vines, which will all come up this winter.

[redacted] Total, 30 acres; in bearing, 20 acres; soil loam; vineyard low lying; all European varieties succumb alike; the diseased vines have been neglected; crop, 60 tons.

This vineyard four years ago was most flourishing, but now is five sixths gone, and all vines will be dug out next spring. This is very discouraging. Several vineyards in this vicinity are entirely gone.

Mrs. Flager, Yountville.—Total, 20 acres; in bearing, 15 acres; infested by phylloxera, 4 acres, of which 2 acres are good for only one crop more; soil gravelly loam; vineyard upland; exposure east; all European varieties succumb alike; diseased vines have received little care; crop, 4 tons.

A. Franco, Yountville.—Total, 30 acres; infested by phylloxera, 5 acres; soil loam; vineyard upland; exposure northeast; all European varieties succumb alike; diseased vines have received no special care; crop, 50 tons.

Fred. Frast, Yountville.—Total, 15 acres; in bearing, 11 acres; planted to Riparia, 4 acres; half grafted but not bearing, and half not yet grafted; soil loam; vineyard low lying; crop, 50 tons.

[redacted] Total, 70 acres; in bearing, 30 acres; will replant several acres; planted to Riparia, 20 acres, not yet grafted; soil gravelly; vineyard upland; exposure east; all European varieties succumb the same; crop, 40 tons; cooperage, 110,000 gallons, of which 50,000 is oak and 60,000 is redwood.

Riparia has proved the best resistant. It is difficult to ascertain definitely the acreage planted, for resistants are planted in spots. The original vineyard is going fast. The vines on light soil go first, and then those on damp soil. In a vineyard not far from this one the manager thinks phylloxera attacks vines quicker that are over underground watercourses.

Levi George, Yountville.—Total, 18 acres; in bearing, 15 acres; infested by phylloxera, 5 acres, of which 3 will be good for only one crop more; soil loam; vineyard low lying; exposure southwest; all European vines succumb alike; the vines have been dug out as soon as decayed; crop, 125 tons.

Mrs. Gibbs, Yountville.—Total, 30 acres; in bearing, 28 acres; very little has been infested by phylloxera; vineyard low lying; all European varieties succumb alike; no extra care has been given to the attacked vineyards; crop, 65 tons.

J. Hahn, Yountville.—Total, 90 acres; in bearing, 10 acres; infested by phylloxera, about 10 acres, all of which will be uprooted this winter; planted to Riparia, 85 acres, of which 5 are grafted and in bearing, 5 acres are grafted and not bearing, and 75 not yet grafted; Mondeuse graft has succeeded best; soil loam; vineyard low lying and upland; exposure east; Malvoisie and Tokay have proved most resistant; the attacked vines have been dug up soon after infested; crop, 27 tons.

Great pains have been taken with resistants in this vineyard, and the grafts are growing well, and will yield well from appearances. Californicas (resistant) are regarded here as too soft to be used; Riparia does best in this vicinity.

A. Hansen, Yountville.—Total, 15 acres; all in bearing; soil loam; vineyard low lying; crop, 22 tons.

Ex-Governor Johnson, Yountville.—Total, 15 acres; in bearing, 10 acres; infested by phylloxera, 5 acres, of which 3 acres are good for only one crop more; soil gravelly loam; vineyard upland; exposure east; all European varieties succumb alike; crop, 38 tons.

W. L. Johnson, Yountville.—Total, 10 acres; in bearing, 8 acres; infested by phylloxera, 5 acres, of which 2 acres are good for only one crop more; soil gravelly loam; vineyard upland; exposure west; all European varieties succumb alike; not much care has been given the attacked vineyards; crop, 18 tons.

This vineyard will be dug up in a year or so.

W. P. Kelly, Yountville.—Total, 15 acres; in bearing, 10 acres; infested by phylloxera, 8 acres, of which 4 acres are good for only one crop more; soil gravelly; vineyard low lying; exposure northwest; all European varieties succumb alike; crop, 30 acres.

C. Lambert, Yountville.—Total, 20 acres; in bearing, 10 acres; infested by phylloxera, 15 acres; of which 15 acres are good for only one crop more; soil gravelly; vineyard upland; exposure west; all European varieties succumb alike; crop, 10 tons.

This vineyard is going fast.

C. L. Larue, Yountville.—Total, 110 acres; in bearing, 45 acres; will replant 20 acres; infested by phylloxera, 30 acres, of which 5 are good for only one crop more; planted to

... acres, and to California, 5 acres; of which 25 acres are grafted and 5 acres are grafted and not bearing, and 40 acres are not yet grafted. The grafts Mondouze, Burgundy, Semillon, and Bouschet have succeeded alike; soil gravelly loam; vineyard low lying; exposure east; of the European varieties, Malvoisie, Zinfandel, and Chasselas have proved about equally resistant; great care has been taken to replant resistants as soon as vines are attacked; crop, 220 tons.

Mr. Larue has given much time and close attention to the planting of resistants, and has met with considerable success. Neither Lenoir nor California are favored here. The resistants in bearing do well and promise good results. Mr. Larue is satisfied that Riparia will do exceedingly well, but can tell more in the course of a year or two. They seem to give general satisfaction as far as he has seen, and he thinks this is the only way to preserve our vineyards, and advises planting them, for they have proved a very good resistant. It is doubtful if there is any better or as good. Rupestris and Californicas are of not much account. We evidently have to choose between Riparia and Lenoir, and the former has been found to stand the test, but the latter will fail in some situations.

Mrs. Lucan, Yountville.—Total, 5 acres; in bearing, 4 acres; infested by phylloxera, 4 acres, of which 1 acre is good for only one crop more; soil loam; vineyard low lying; all European varieties succumb alike; the attacked vines have received no care; crop, 10 tons. This is one of the many vineyards in this vicinity that are going fast.

L. H. McGeorge, Yountville.—Total, 10 acres; in bearing, 9 acres; infested by phylloxera, 2 acres, of which 1 acre is good for only one crop more; soil loam; vineyard upland; exposure east; all European varieties succumb alike; attacked vines have been neglected; crop, 20 tons.

Jacob Metz, Yountville.—Total, 15 acres; in bearing, 12 acres; infested by phylloxera, 7 acres, of which 2 acres are good for only one crop more; soil loam; vineyard low lying; crop, 30 tons.

Mrs. Meyers, Yountville.—Total, 75 acres; in bearing, 60 acres; infested by phylloxera, 15 to 20 acres, of which 8 acres are good for only one crop more; crop, 80 tons; cooperage, 60,000 gallons, of which 5,000 is oak and 55,000 is redwood.

This vineyard is going fast. It is very uncertain how long these infested vineyards will last, but to all appearances not more than three years.

Frank Morris, Yountville.—Total, 10 acres; in bearing, 8 acres; infested by phylloxera, 10 acres, of which 5 acres are good for only one crop more; soil gravelly; vineyard upland; exposure northwest; all European varieties succumb alike; attacked vines have received little care; crop, 15 tons.

This vineyard is going fast.

Nauer Bros., Yountville.—Total, 25 acres; in bearing, 24 acres; infested by phylloxera, 4 acres, of which 2 acres are good for only one crop more; soil gravelly loam; vineyard low lying; all European varieties succumb alike; attacked vines have received no special care; crop, 68 tons.

William Nunn, Yountville.—Total, 30 acres; in bearing, 28 acres; infested by phylloxera, 5 acres, of which 1 acre is good for only one year; soil gravelly; vineyard upland; Zinfandel has proved most resistant; crop, 58 tons.

J. Ohl, Yountville.—Total, 22 acres; in bearing, 10 acres; will replant 25 acres; planted to Riparia, 12 acres, which are not yet grafted; soil rocky; vineyard upland; exposure west; Burger and Zinfandel have proved most resistant; crop, 15 tons.

J. R. Pedlar, Yountville.—Total, 12 acres; in bearing, 8 acres; infested by phylloxera, 10 acres, of which 3 acres are good for only one crop more; soil gravelly loam; vineyard upland; exposure east; all European varieties succumb alike; crop, 20 tons.

M. Pedro, Yountville.—Total, 10 acres; in bearing, 5 acres; infested by phylloxera, 5 acres, of which 2 acres are good for only one crop more; planted to Riparia, 5 acres, which are not grafted; soil reddish light loam; vineyard upland; exposure west; all European varieties succumb alike; attacked vines receive no special treatment; crop, 10 tons.

This vineyard is going fast. Mr. Pedro finds it far more profitable to sell the cuttings from his resistant vines than to graft them.

W. T. Ross, Yountville.—Total, 20 acres; in bearing, 12 acres; infested by phylloxera, 10 acres, of which 5 acres are good for only one crop more; soil loam; vineyard upland; exposure west; all European varieties succumb alike; crop, 16 tons.

This vineyard is going very fast. It will last only two or three years.

B. Saffold, Yountville.—Total, 10 acres; in bearing, 5 acres; infested by phylloxera, 5 acres, of which 2 acres are good for only one year more; soil loam; vineyard upland; exposure east; crop, 38 tons.

Mrs. Schofield, Yountville.—Total, 12 acres; all in bearing; soil loam; vineyard low lying; exposure southwest; all European varieties succumb alike; crop, 50 tons.

C. Stiel, Yountville.—Total, 12 acres; all in bearing; infested by phylloxera, 6 acres, 2 of which will bear but one crop more; soil loam; vineyard low lying; crop, 35 tons.

H. Tiederman, Yountville.—Total, 11 acres; in bearing, 10 acres; soil black loam; vineyard low lying; exposure southeast; crop, 35 tons.

Mrs. Van Winkle, Yountville.—Total, 15 acres; in bearing, 5 acres; infested by phylloxera, 3 acres, of which 2 acres are good for only one crop more; planted to Riparia, 2 acres; Zinfandel grafts succeed best; soil loam; vineyard low lying; all European varieties succumb alike; crop, 29 tons.

Veterans' Home, Yountville.—Total, 35 acres; in bearing, 26 acres; infested by phylloxera, 15 acres, of which 10 acres are good for only one crop more; soil gravelly loam; vineyard upland; exposure east; all European varieties succumb alike; crop, 75 tons.

The attacked vines will be uprooted this winter.

John Walker, Yountville.—Total, 26 acres; in bearing, 25 acres; infested by phylloxera, 1 acre; soil loam; vineyard low lying; the Tokay and Zinfandel varieties have proved most resistant; crop, 50 tons.

Jesse Walters, Yountville.—Total, 30 acres; in bearing, 25 acres; infested by phylloxera, 20 acres, of which 3 acres are good for only one crop more; soil loam; vineyard low lying; exposure to wind southwest; all European varieties succumb alike; the attacked vines have received no care; crop, 45 tons.

[REDACTED] Total, 10 acres; all in bearing; soil loam; vineyard upland; cooperage, 50,000 gallons, 10,000 of which is oak and 40,000 redwood.

G. Whitton, Yountville.—Total, 20 acres; all in bearing; infested by phylloxera, 2 acres, of which 2 acres are good for only one crop more; soil gravelly; vineyard upland; exposure south and east; crop, 32 tons.

[REDACTED] Total, 16 acres; in bearing, 12 acres; infested by phylloxera, 12 acres, of which 6 acres are good for only one crop more; vineyard upland; exposure east; all European varieties succumb alike; crop, 25 tons.

The Napa Register.

Friday, December 12, 1890.

Board of Supervisors.

[CONTINUED.]

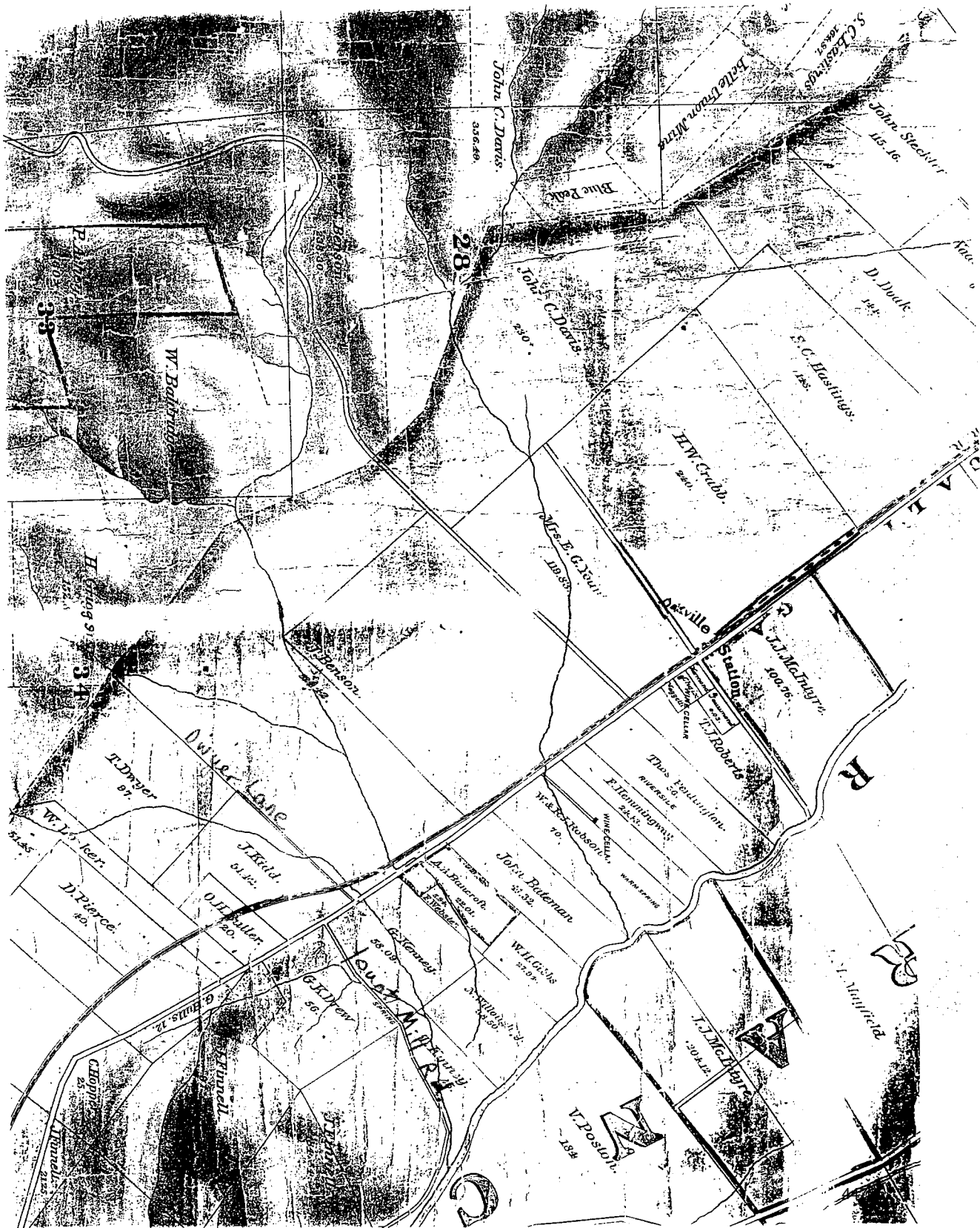
Monday, Dec. 1st, 1890.

The Board of Supervisors met in regular session. Present, S. W. Collins (Chairman), W. A. Trubody, J. H. Wilcox, Z. W. Garfield and J. W. Smith.

In the matter of the establishment of boundaries of the School Districts of Napa County, E. G. Huskey, County Superintendent of Schools, having submitted to the Board his report harmonizing and describing the boundaries of the various School Districts of the county under previous order of the Board, and such report having at the last meeting been received, and now fully considered, the same is now by the Board ratified and adopted, and it is by the Board further ordered that, in accordance with said report, the boundaries of all the School Districts of Napa County be and they are established and declared to be respectively as follows, viz:

Oakville No. 26.

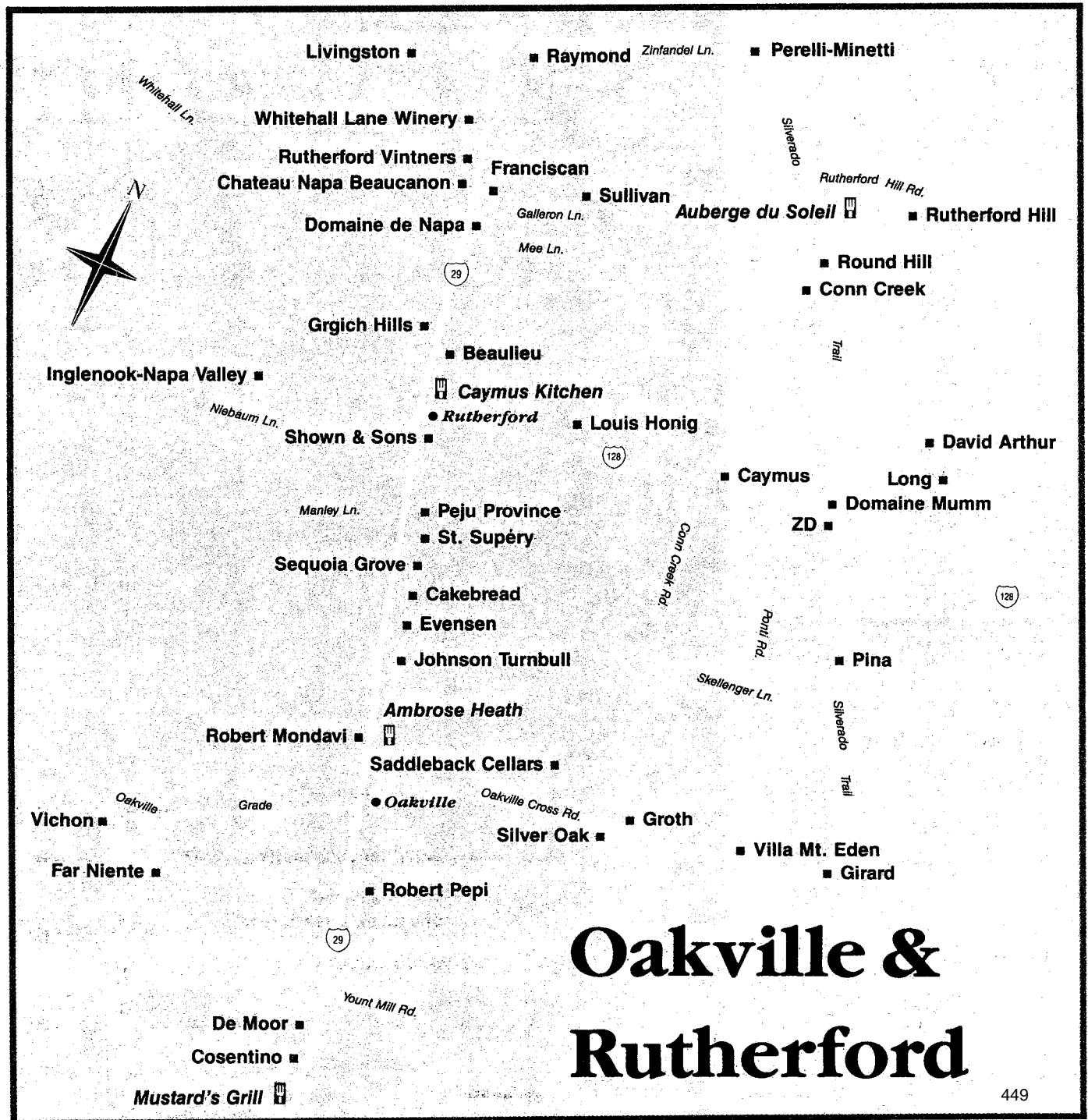
Beginning in Napa river at the S E corner of land of J. C. Sollenberger, thence southwesterly on the line between lands of Sollenberger and Martin Miller on the north and C. Nicholson on the south to the county road, thence north westerly along the county road to the most easterly corner of land of David Dock, thence southwesterly along the easterly boundary thereof to the westerly boundary of the Caymus Rancho, thence south along said boundary to the south line of Sec. 21, T. 7 N., R. 5 W. thence due west along the south line of Sections 21 and 20 to the S W corner of said Sec. 20, thence south $\frac{1}{2}$ mile, thence east one mile, thence south $\frac{1}{2}$ mile, thence southeasterly to the S W corner of lot 8 of Sec. 33 of said township, thence northeasterly along the southerly line of said lot 8 and lot 7 to the southeasterly corner of said lot 7, thence south $\frac{1}{2}$ mile to the center of said Sec. 33, thence northeasterly $\frac{1}{4}$ mile to the $\frac{1}{4}$ section corner on the east line of Sec. 33, thence south $\frac{1}{2}$ mile; thence east $\frac{1}{2}$ mile; thence north about $\frac{1}{2}$ mile to the westerly boundary line of the Caymus Rancho; thence southeasterly along said line to the most southerly corner of lot No. 4 of block E of said Rancho, thence along the southeasterly boundary of lots 4 and 5 of said block E to the county road, thence northerly along said county road to the southerly line of lot 6 of block E of said Rancho; thence easterly along the southerly boundary of lots 6 and 7 of said block E to the middle of Napa river, thence up the river northwesterly to the place of beginning.



California's 'First Growth' Wine District

*The
wine estates of
Rutherford
and Oakville
make
Cabernets to
rival
the best of
Bordeaux*

By Jim Gordon
Rutherford, Calif.



MARKHAM VINEYARDS

Markham Vineyards' stone cellar, fourth oldest in Napa County, was constructed in the 1870s by a Frenchman from Bordeaux. More than 100 years later, Markham Cabernet Sauvignon, Merlot, Chardonnay, and Sauvignon Blanc are aged within the walls of this venerable cellar.

The diversity of Markham's Calistoga, Yountville, and Napa ranches provides ideal varietal, soil, and microclimatic combinations for the production of outstanding fruit. Cabernet Sauvignon, Cabernet Franc, and Merlot are grown at Yountville in the historic van Löben Sels vine-



yard as well as on the rocky Calistoga ranch at the headwaters of the Napa River.

The white varieties are grown at Markham's Napa Ranch at Oak Knoll, on the valley's western flank, where more moderate conditions allow for the development of superb fruit intensity. Barrel fermenting of the Chardonnay and sur lie aging complete the wine's flavor spec-

trum in harmonious balance.

President Bryan Del Bondio and vice president and winemaker Bob Foley have worked together for fourteen years with devotion to these vineyards and to the wines they produce. ■



WINE DESCRIPTION

VINTAGE

CABERNET SAUVIGNON

1982, 1983, 1984, 1985, 1986, 1987

Estate bottled, this vertical selection offers the best of Markham's Cabernets.

186 6-3L bottles, 1 each vintage

per lot \$900



DINNER WITH ANTHONY TERLATO

When a popular publication profiled noted wine merchant Anthony J. Terlato of Chicago-based Paterno Imports, it wrote that a wine-tasting dinner prepared by Mr. Terlato is one of Chicago's most coveted invitations. Another said such an invitation is as desired as a table at Taillevent.

You are invited by Bryan Del Bondio, president, and Bob Foley, winemaker, of Markham Vineyards to join Mr. Terlato at the winery for a memorable evening of food-and-wine pairings. Experience a wine-and-food event which international culinary aficionados have lauded as an unparalleled four-star attraction.

Dinner for ten people with mutually agreeable scheduling during 1992

187

per lot \$2,000

CAYMUS RANCHO
T 7N., R 5W., M.D.B.&M.

Tax Area Code
72085

27-41

27-41

PROPOSED OAKVILLE
VITICULTURAL AREA
YOUNTVILLE

BK.34
03

BK.31
12

"Vanlobensels"

411

412

SBE 866-28-15

2
1.83AC.

1
86.25AC

4
52.35AC

1
26.71AC

42

5-5-66
NOTE—Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles.

1962
BK.27 Pg.41

RE-DRAWN FROM BK 27 PAGE 45




4-25-66

Monticello
CELLARS

**1984 CORLEY RESERVE
CABERNET SAUVIGNON**

This 100% Cabernet Sauvignon was produced from grapes grown on the Cope Ranch. This vineyard on the Oakville Bench is considered to be one of Napa Valley's finest red wine areas. Only the second of our Cabernets to be designated Corley Reserve, this wine is full flavored, intensely colored and has ample fruit. Promising excellent drinkability as well as long aging potential. Enjoyable with robust foods such as roast beef and venison.

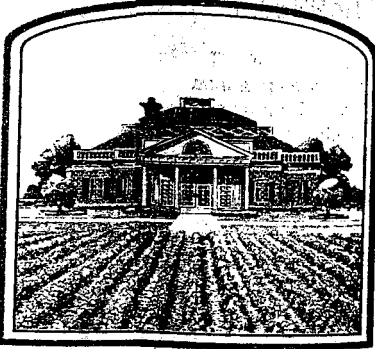
Alan Phillips *Jay Corley*
Phillips, Winemaker Corley, Proprietor



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CONTAINS SULFITES

Corley 1984 Reserve

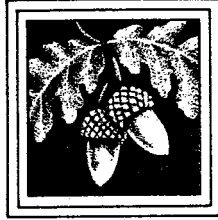
Monticello
CELLARS



NAPA VALLEY
Cabernet Sauvignon

Produced and bottled by
MONTICELLO CELLARS, NAPA, CALIFORNIA
B.W. 5102 Alcohol 12.5% by volume Contents 750ml

GIRARD



WINERY

Dear Fellow Vintner:

As you are probably aware, the Oakville appellation has been applied for and will very likely be approved by the BATF this fall. Although we did not instigate this appellation, neither do we object to it. We do strongly object to the proposed southern boundary of Oakville as defined in the petition.

Many of us feel that historically the line between Oakville and Yountville would likely be Rector Creek to Yount Mill Road to Dwyer Road to the Western hills. In the petition the southern boundary has been stretched to the south to include the areas of Mustards Grill, S. Claus, the Yountville hills and areas south of the Yountville hills.

We are not convinced of the need for more appellations. In fact some time ago at a Vintners meeting, the group voted against further division of the valley. If there are to be more appellations, we believe they should be meaningful based on viticultural significance (soils, climate, etc.) and historical acceptance...the criteria established by the BATF. We think the proposed southern boundary fails the historical criteria miserably. If you do not express your opinion, we will see another appellation stretched until all significance is lost. We need your help to prevent this from happening again.

Please write your own letter or have the attached letter copied on your letterhead and send it to the BATF prior to June 30th.

Steve Girard, Girard Winery
Justin Meyer, Silver Oak Cellars

RECEIVED

JUN 24 1992

Abs'd.....

Chief, Wine and Beer Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, D.C.
20091-0221

Subject: Notice No. 738

Dear Sirs:

We object to the southern boundary of the proposed Oakville appellation. We have always considered the division between Oakville and Yountville to be from the east Rector Creek, continuing westerly along Yount Mill Road to Dwyer Road and along Dwyer Road to some point on the western hills. We certainly do not consider areas to the south such as Mustards Grill, the S Claus shop, the Yountville hills and south of the Yountville hills to be Oakville. otherwise they would be the Oakville hills.

Approval of the Oakville southern boundary as proposed will render the appellation less meaningful and will erode confidence in the BATF's ability to define appellations based on their own criteria: viticultural distinctiveness and historical acceptability.

Sincerely,

Friday, December 12, 1890.

Board of Supervisors.

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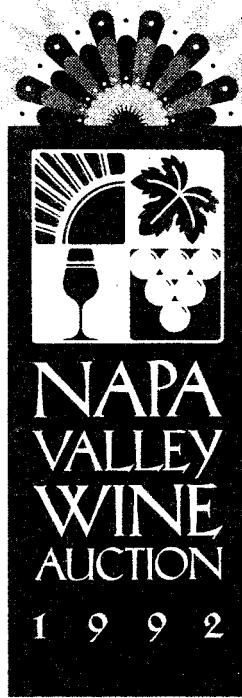
MONDAY, Dec. 1st, 1890.

The Board of Supervisors met in regular session. Present, S. W. Collins (Chairman), W. A. Trubody, J. H. Wilcox, Z. W. Garfield and J. W. Smith.

In the matter of the establishment of boundaries of the School Districts of Napa County, F. G. Huskey, County Superintendent of Schools, having submitted to the Board his report harmonizing and describing the boundaries of the various School Districts of the county under previous order of the Board, and such report having at the last meeting been received, and now fully considered, the same is now by the Board ratified and adopted, and it is by the Board further ordered that, in accordance with said report, the boundaries of all the School Districts of Napa County be and they are established and declared to be respectively as follows, viz:

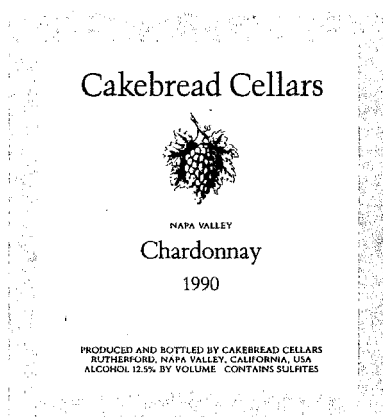
Rutherford No. 14.

Beginning at a point in Napa river at S E corner of land of J. O. Sullenger; thence southwesterly on the line between lands of Sullenger and Marzinger on the north and G. Niebaum on the south to the county road; thence northwesterly along the county road to the most easterly corner of D. Donk's land; thence southwesterly along the southerly boundary thereof to the westerly boundary of the Caymus Rancho; thence south along said boundary to the south line of Section 21, T 7 N, R 5 W; thence due west along the south line of Sections 21, 20 and 19 to the S W corner of the said Section 19 on the township line; thence north along the township line to the N E corner of Section 13, T 7 N, R 6 W; thence north to the S W corner of land belonging to the estate of W. P. Pinkham; thence southeasterly and east along the southerly boundary of lands of the said Pinkham and B. G. Creelman to the western boundary of the Carne Humana Rancho; thence east along the south boundary of said Rancho to the corner No. 17 of the said Caymus Rancho; thence northeasterly along the line of said Caymus Rancho to Napa river; thence down Napa river to the place of beginning.



CAKEBREAD CELLARS

Cakebread Cellars was founded in 1973 by Jack and Dolores Cakebread. Located near Rutherford, the heart of the Napa Valley, Cakebread Cellars has developed a reputation for producing balanced, flavorful wines. The family-owned winery includes sons Bruce, the



winemaker, and Dennis, who is responsible for operations and marketing. Cakebread Cellars produces Sauvignon Blanc, Chardonnay, Chardonnay Reserve, Cabernet Sauvignon and Rutherford Reserve Cabernet Sauvignon, all made exclusively from Napa Valley grapes. ■



WINE DESCRIPTION

VINTAGE

CABERNET SAUVIGNON

1982, 1983, 1984, 1985, 1986

A vertical selection of some of Napa Valley's best vintages.

161 5-3L bottles, 1 each vintage

per lot \$1,000



CABERNET SAUVIGNON

1991

This vintage is offered in the tradition of Cakebread Cellars annual barrel offering at the auction. To be bottled in conventional sizes to the specifications of the winning bidder(s). Estimated release February 1994.

162 2 cases

per case \$250

163 3 cases

per case \$250

164 5 cases

per case \$250



CABERNET SAUVIGNON

1973

Joseph Phelps Vineyards

This is the first Cabernet released by Joseph Phelps. The winemaker was Walter Schug.

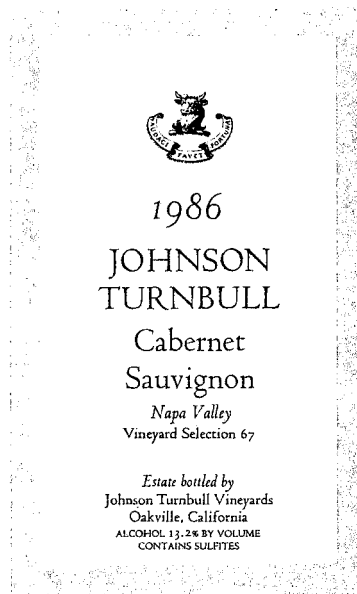
165 9 four-fifths quart bottles

per lot \$900

Mr. and Mrs. William D. Maus, Jr., St. Helena, California

JOHNSON TURNBULL VINEYARDS

Johnson Turnbull Vineyards was founded by Reverdy Johnson and Bill Turnbull fifteen years ago. Their first eight vintages, 1979 through 1986, were produced in a classic turn-of-the-century barn on their Oakville property that they renovated for winery use. In 1987 they completed a major addition, designed by Turnbull that has received several notable architectural awards. Winemaker Kristin Belair joined Johnson Turnbull in 1985.



Two Cabernets are produced from the Oakville property: the Estate Cabernet Sauvignon, which incorporates Cabernet Franc as part of the blend, and Vineyard Selection 67, which is made from a 5-acre block of vines that are the last of the original planting in 1967. The Turnbills' hillside vineyard in Knights Valley, Teviot Springs Vineyard, is the source of the Johnson Turnbull Chardonnay. ■



WINE DESCRIPTION

VINTAGE

CABERNET SAUVIGNON - Vineyard Selection 67

1990

Estimated release March 1994.

- 57** 2 cases
- 58** 3 cases
- 59** 5 cases

- per case \$275
- per case \$275
- per case \$275



CABERNET SAUVIGNON Diamond Creek Vineyards

1982

One double magnum of 1982 Gravelly Meadow and a picture of Flying B Farms' stakes horse Gravelly Meadow winning one of his many races.

- 60** 1 double magnum

per lot \$900

Gail and David Bloom, Thousand Oaks, California

NAVA VALLEY WINE HISTORY, AND STATISTICS FOR THE PAST SEASON.

(From the St. Helena Star.)

The manufacture of wine in some form in this valley, as in the entire State, antedates the discovery of gold, but at that early period had not risen to the dignity of a business. In those days wine was made in the most crude manner in mere drabets, and according to the old Spanish custom was manufactured and stored in cowhides. Such things as casks and tanks were then unknown in wine-making on this coast, or at least they were not available.

About the years 1856 or 1857 Mr. Charles Krug of this place, then a young man residing in San Francisco, at the solicitation of a friend who had a small vineyard in Sonoma valley, went up into that valley and manufactured a small quantity of wine simply as a business experiment, but with no very marked results. In the year 1858 he came to this valley and began the manufacture of wine as a business, and on the shares at a place of Mr. John Patchett, of Napa, who also had a small vineyard—as, indeed, there were many in the State, but all of what is known as the Mission grape. The following year he manufactured a small quantity on the same terms as before, for Mr. Louis Bruck, on the old flour mill ranch between St. Helena and Calistoga, and the succeeding year, 1860, he manufactured a quantity of wine on the shares for old Mr. Yount, of Yountville. He thus found by experience that the entire valley was well adapted to the culture of the grapes and manufacture of wine. With this knowledge, he located himself where he now lives, and has continued to extend his business up to the present time.

In the meantime Mr. Krug was followed by Mr. H. A. Pellet, who manufactured wine at Patchett's vineyard, in Napa, till about the year 1863, when he came to this locality, and manufactured wine for Dr. Crane, from a small vineyard of mission grapes, to the year 1866, when he entered into a copartnership with Mr. D. B. Carver, of this place, and has since continued his chosen occupation, under the well-known firm name of Pellet & Carver, up to the present year, when the firm dissolved, both gentlemen, however, continuing in the business.

Messrs. Krug and Pellet are therefore the pioneers in the business in this valley, and in this day of their success it sounds somewhat romantic to hear them tell of their struggles and trials in developing what is now the principal business of the valley, and especially of the upper portion; a business which has justly attracted the attention of the entire commercial world to this favored locality.

With the keen sagacity of their kind, they saw that a profitable business would result from their humble efforts, but little could they have dreamed of the magnitude of the industry they were so assiduously striving to develop.

Quickly upon their heels followed several other gentlemen in further development of the wine business, but though great quantities could be produced the wine proved to be of an inferior quality.

Dr. G. B. Crane, in 1860, set out the first vineyard in St. Helena district for the express purpose of wine making. This was the first vineyard of foreign grapes in the valley, and was in full bearing about 1867. In 1861 occurred the great excitement in the wine business in this vicinity, everybody rushed pell-mell into the business and a great extent of vineyard was set out. Among the early planters with a view to the business of wine making were Messrs. Hudson, Pellet, York, Dr. Rule, Dr. Crane and others whom we do not recall, but they made the mistake of putting out the mission grape, a mistake which has only been rectified after years of labor and vast expenditure of capital, not to speak of the imperiling of the entire business and the loss occurred through the depreciated reputation of wines manufactured. The rush in this district extended to the lower portions of the valley, and they soon began to plant vineyards on an extensive scale at Napa and Yountville, but continued the mistake begun here.

Instigated by the success of Dr. Crane's vineyard of foreign grapes, by the failure to produce a readily marketable wine from the Mission grape, and by the personal efforts of Mr. Pellet in this direction, the wholesale planting of foreign grapes began in this district in 1867-8, about the time Dr. Crane's vineyard had come in full bearing, and the Mission grape was as hastily deserted as it had been eagerly adopted. Most of the foreign cuttings were obtained from Green Valley, then a noted wine producing point in Solano county, and from Sonoma valley.

In order to promote a business of the ultimate success of which they now felt thoroughly assured, and in which their entire energies were now enlisted, the more prominent wine growers of this district decided among themselves to pursue a liberal policy toward those who desired to set up in the business, and needed aid, by furnishing them cuttings, without charge, of the foreign grapes, then not so readily obtained as now, a course which they have never had cause to regret, and which will never fail of ample reward in any business.

With 1870-1 came a period in the history of wine growing in this district that will long be remembered by those directly interested. It was the period of the great depression in the California wine business, and especially of the wine business of this valley and district. The Mission grapes planted in 1860-1 had now come into abundant bearing, and when it was thought that the most sanguine hopes would be fully realized, the wines, as we have already noticed, proved almost worthless, or at least of very inferior quality. Several circumstances conspired to produce this unfavorable result, the first of which was the inferior quality of the grape. Inexperience in the business, imperfection of tools and want of proper accommodations were other deteriorating circumstances.

Great quantities of these inferior wines had been shipped to the Eastern States, and, proving comparatively unsaleable, the relapse was immediate and well-nigh fatal. Aside from this, the business was compelled to battle against the prejudices of European wine drinkers in California, (as well as in the

East; indeed, we could scarcely call it prejudice then, though it would be now in the full sense of the word, did such a feeling exist at all.

Now began the real struggle of the business; the struggle for character, for a favorable reputation, for a place in the commercial world. Even in the face of these overwhelming difficulties and most disastrous reverses, the three or four pioneers of the district never flinched from the struggle, though they knew it must be long and fought inch by inch. They saw where the difficulty was, they knew well the resources of soil and climate, they were willing to trust to time and their own dauntless energies to right what had gone so far astray. They now lacked the necessary capital, and what was more, they lacked credit. San Francisco capitalists had ever regarded them with suspicion and now were shyer than ever. It seemed almost impossible to raise funds for the improvements that were known to be necessary to the success of the business. Little by little these many difficulties were last surmounted, till finally, about 1876-7, the wines of St. Helena District began to attract the attention of the business, and found much more ready sale, but, of course, were still of a somewhat suspicious character, and therefore submitted to the severest and most scrutinizing tests. They came through the ordeal all that had been hoped for them by our anxious wine growers, and to-day St. Helena District stands head and shoulders above any other wine-producing district on the continent, for the quality, if not the quantity, of its wines, and its products are peer in the market to the best European wines. Napa county, with Sonoma, has thus gained the general reputation of a high position among wine producing countries, for these counties have also made general progress in the business, though, perhaps, not to the extent St. Helena has gone. These results have been brought about, here, by the better knowledge of the business which experience has given, for it was found that the processes of other countries were ineffectual in our peculiar locality, and experience had to produce processes more suitable, by better varieties of grapes, which are now essentially European, by improved and more commodious cellars, and by the abundance of capital which now seeks investment in the business, a certain evidence of its prosperity.

In this district orders from the Eastern wholesale houses now come, in most cases, directly to the producer, an indication of the confidence of Eastern dealers in the business here.

Of the nearly one million gallons manufactured in St. Helena District this season, scarcely seventy-five thousand are from Mission grapes, and that used for the manufacture of brandy exclusively. Owing to the fact that the Mission grape has not been more than half a crop throughout the entire State, the aggregate wine manufacture of the past season will fall much below what it would have been with a full crop of Mission. After careful inquiry and visits to many of the cellars of the valley during the past two months we are able to give what we believe to be a quite accurate statement of the wine manufacture of Napa Valley, during the season just closed, though it is possible there may be some unintentional omissions of small quantities. This plan of wine statistics was originally intended to extend to other wine producing counties of the State, but failing to elicit any response from parties in those counties on whom we were compelled to depend for investigation, we can but give the figures for our own valley, which we separate into three districts, named in order of the quantity of wine production, each individual manufacturing the number of gallons as below tabulated.

ST. HELENA DISTRICT.	
Charles Krug	225,000
William Sheffler	140,000
Beringer Brothers	100,000
John Thomas	90,000
T. A. Gagne	60,000
J. C. Weinberger	55,000
J. Lewelling	45,000
J. Laurent	45,000
F. & A. Spiaroni	42,000
Metzner & Co.	42,000
B. Tosek	25,000
B. S. Heath	20,000
J. H. McCord	20,000
J. Schraut	15,000
J. J. H. Medean	15,000
Rossi & Co.	9,000
Conrad Wegeley	7,500
W. W. Lyman	6,000
Trusler & Lenthold	5,000
C. T. McEachran	3,000
L. Ronlet & Co.	1,100
Mr. Klotz	1,000
Total	971,600
YOUNGVILLE DISTRICT (INCLUDING OAKVILLE).	
G. Grozinger	180,000
H. W. Crabb	165,000
G. Pampel	150,000
Terrill Grigaby	55,000
Brun & Co.	30,000
Jeanmonod	25,000
Total	605,000

NAPA DISTRICT.	
P. Van Bever	250,000
G. Barth	100,000
G. Migliavacca	70,000
Hagen Brothers	35,000
B. Samorile	25,000
Salmi	15,000
Mathew	5,000
F. Borreo	5,000
S. A. Hovey	3,000
Dr. Pettehgill	2,000
Total	510,000

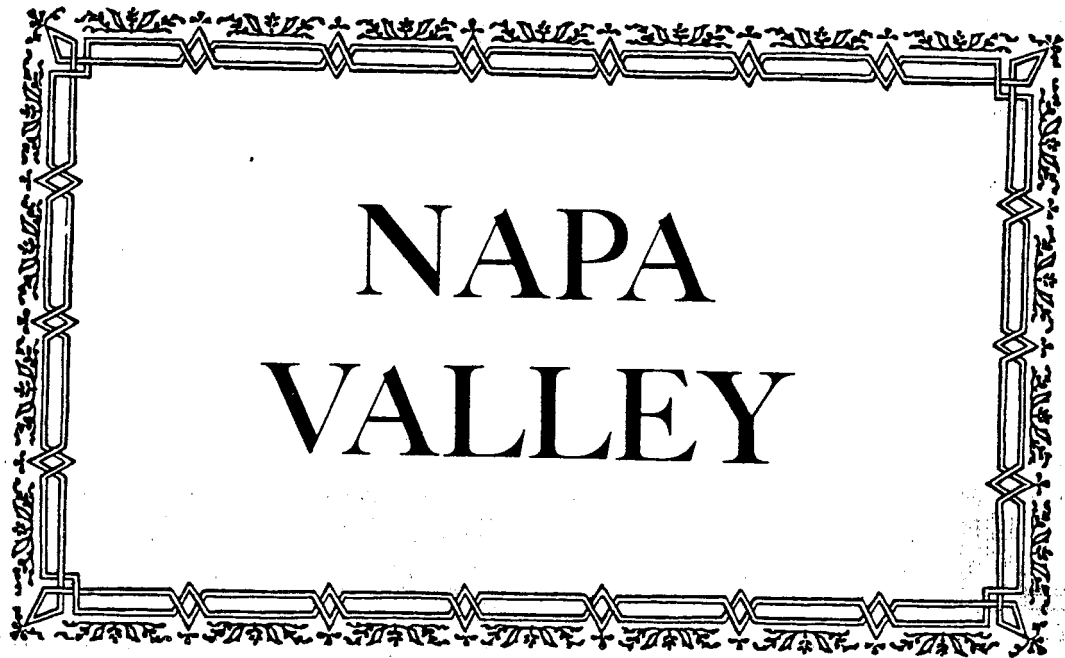
SUMMATION BY DISTRICTS.	
St. Helena	971,600
Youngville, incl. Oakville	605,000
Napa	510,000
Grand Total	2,086,600

Gallons manufactured in the valley the past season. What is encouraging is that the entire quantity of wine manufactured in the valley the past season is of excellent quality. We have not been able to find a single lot of poor wine anywhere. The invariable answer has been to our question of what success this season, "Never better; haven't lost a gallon; nor have we a gallon of poor wines of this season's vintage, in the cellar." The valley has been overrun with purchasers of the new vintage; and most of our manufacturers have standing offers for the contents of their cellars, especially in this district. The prospect of the business for the future could scarcely be better, nor are our wine men of the stuff that would ask for anything better than a fair showing for their products in the markets and a favorable season.

EXHIBIT "J"

Various references using Zinfandel Lane boundary

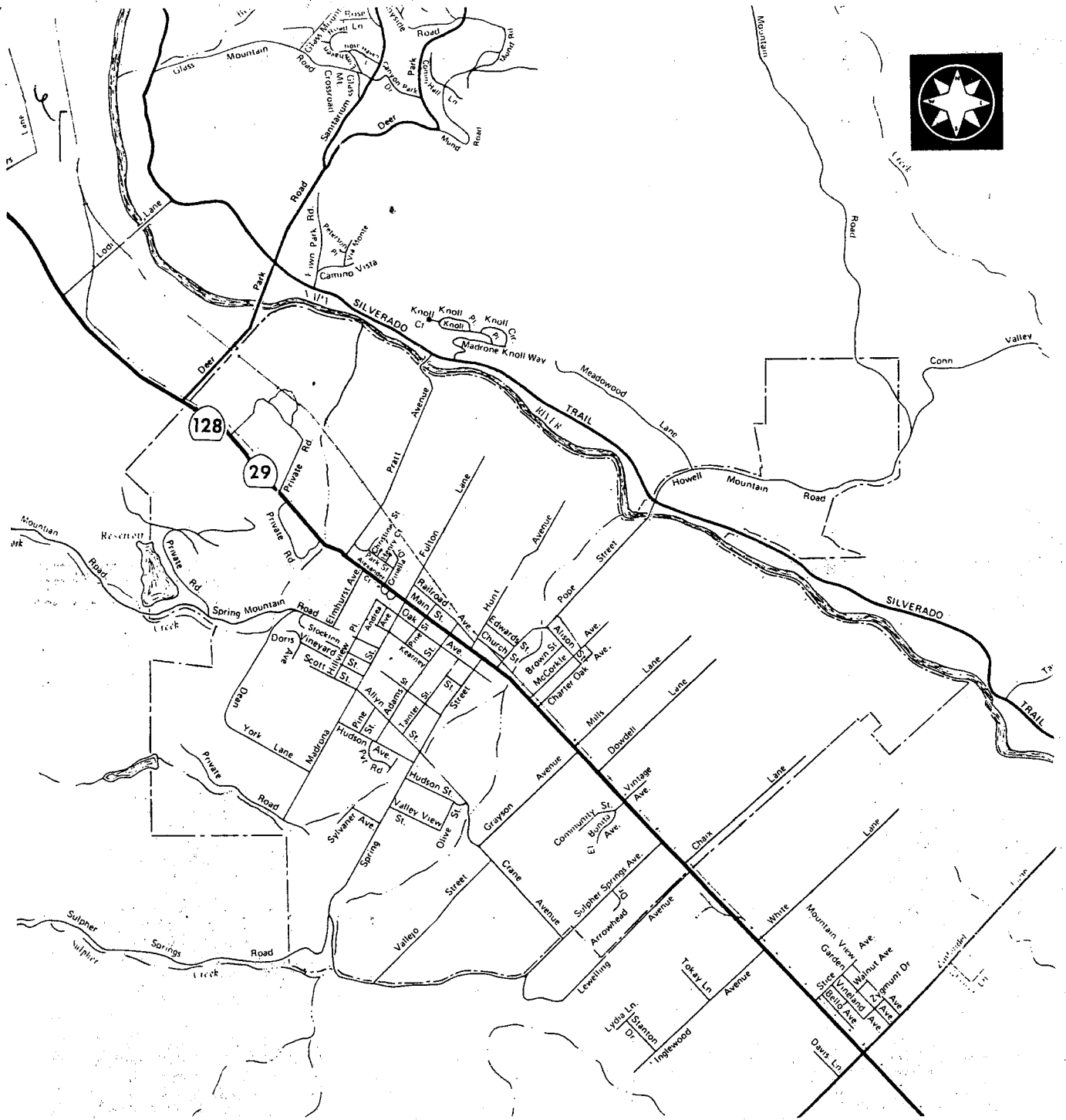
Wine Tour



Jeffrey Caldewey

A Vintage Image Book

Published by The Wine Appreciation Guild



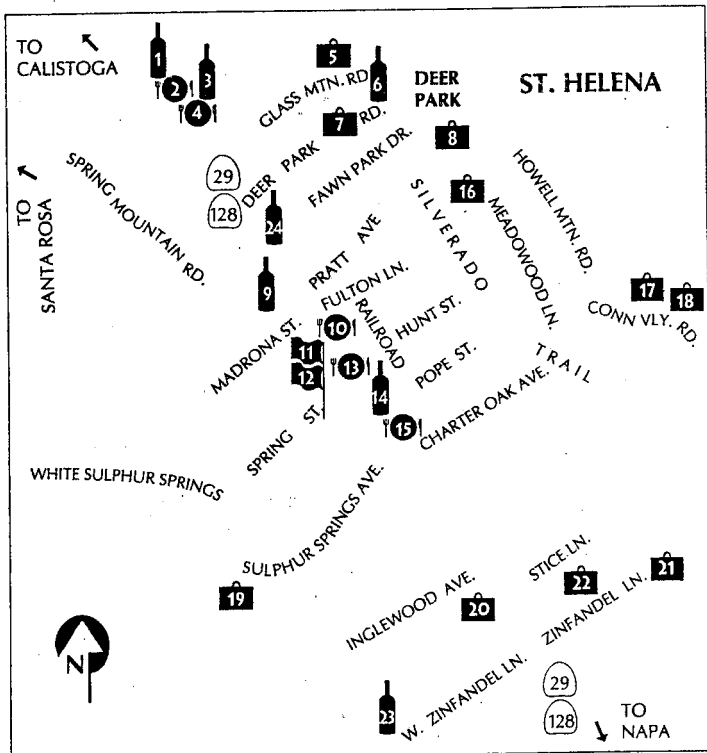
St. Helena

THE CALIFORNIA EXPERIENCE

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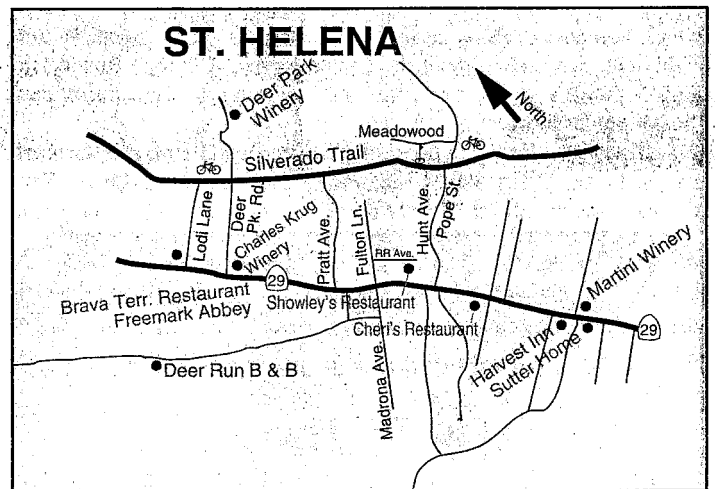
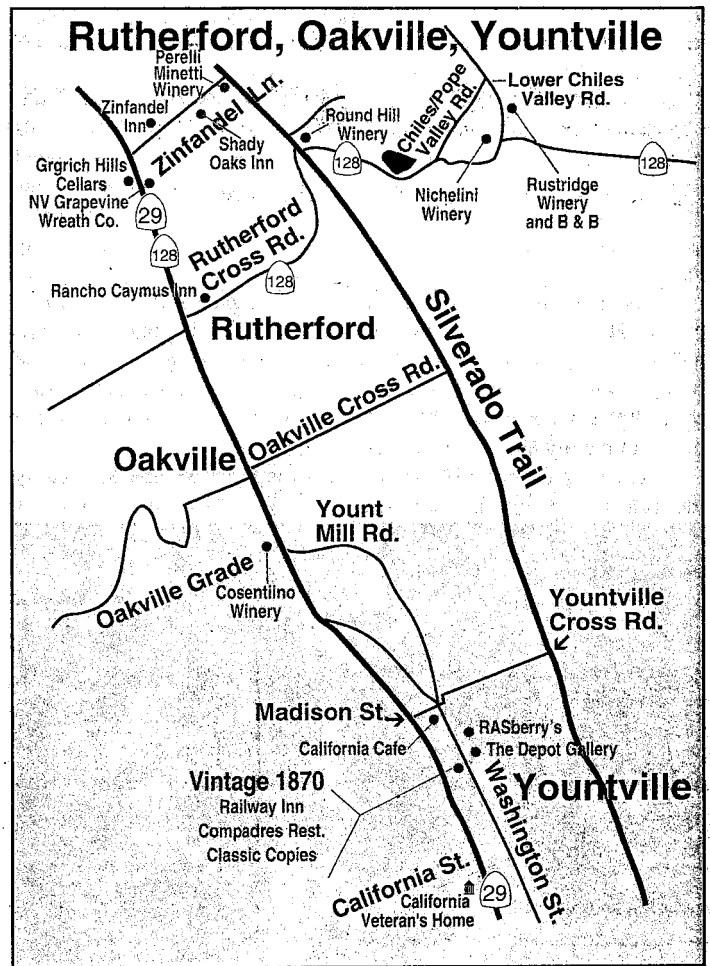
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July 1992



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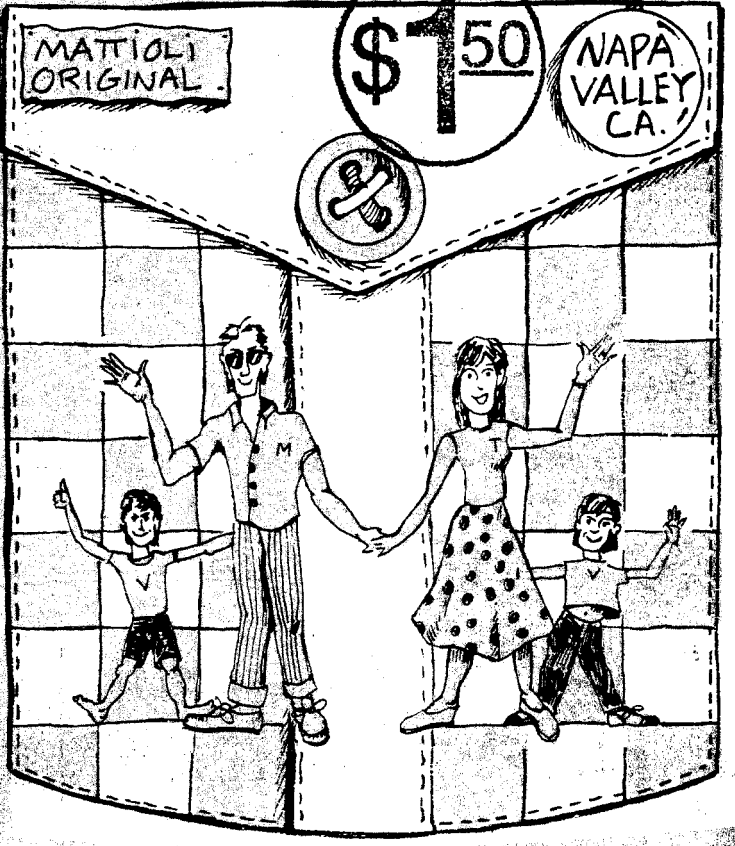


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YOUNTVILLE
OAKVILLE
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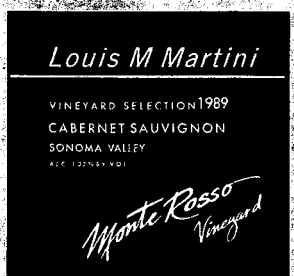
WINERIES
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LOUIS M. MARTINI WINERY

The Louis M. Martini Winery of St. Helena is a family enterprise founded in 1922 by Louis M. Martini. His son, Louis P. Martini, after operating the winery for more than 30 years, has semi-retired to chairman of the board. The founder's granddaughter, Carolyn, has assumed the position of president; grandson Michael is vice president and winemaker.

The family owns 1,500 acres of vineyard land, 1,000 of which are currently in production. Its heart is the Monte Rosso Vineyard high in the Mayacamas Mountains, in whose red volcanic soil Martini's Cabernet Sauvignons and Zinfandels grow to perfection. Other important acreage includes two Carneros appellation ranches planted to Pinot Noir and Chardonnay; vineyards on the Russian River south of Healdsburg, planted to Chardonnay, Merlot, and Gewurztraminer; and a Chiles Valley ranch featuring Zinfandel, Petite Sirah, and Cabernet



Sauvignon. Recent acquisitions include acreage in Pope Valley and southern Lake County. It is anticipated that these areas will prove ideal for Cabernet Sauvignon and Barbera.

Martini's basic philosophy is one of slow controlled growth of both vineyards and winery. This allows time to study the micro-

climates and soil types of the vineyard locations so that each variety of grape is grown in the environment that is best suited to its characteristics. Winemaking at Martini is a combination of modern scientific technique, old fashioned care and attention to detail.

Traditionally, Martini wines have shown strong varietal characteristics, relatively free of dominant outside flavors, except for the subtle complexity added by aging first in wood, then in the bottle. The wines are styled to be drinkable when released, but balanced to age well. ■



WINE DESCRIPTION	VINTAGE
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CABERNET SAUVIGNON - Monte Rosso	1987
PINOT NOIR - La Loma	1988
MERLOT - Los Vinedos Del Rio	1987
CHARDONNAY - Las Amigas	1989

A beautiful presentation of Louis Martini's Vineyard Selection wines. The lot represents an outstanding example of each vineyard's forte, presented in an attractive wooden box.

192 24-750ml bottles, 6 each varietal per lot \$500

CABERNET SAUVIGNON - Napa Valley Reserve	1988
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Three double magnums of the 1988 Napa Valley Reserve Cabernet Sauvignon, introducing the new reserve label, packaged in handsome wooden boxes. An excellent example of Napa Valley's finest varietal in its classic style.

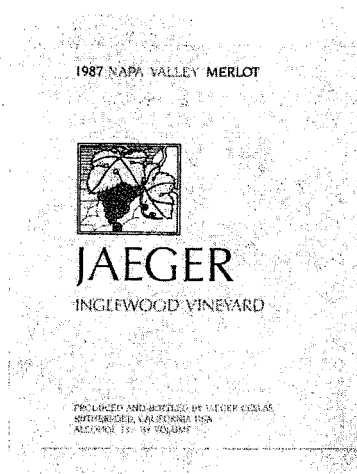
193 3 double magnums per lot \$100

JAEGER INGLEWOOD

Grapes first flourished at Inglewood Estate, St. Helena, in the early 1880s. Located in an ancient river bed at the foot of the western Napa Valley hills, this beautiful estate is known today for Jaeger Inglewood Merlot.

Bill Jaeger became a fan of Merlot while visiting the Pomerol region in Bordeaux in the 1960s. Although very little Merlot was planted in the Napa Valley at that time, Bill was sure that Americans would eventually share his enthusiasm for this varietal because of its richness and early drinkability, and was convinced that the future of Inglewood lay with Merlot.

Inglewood soil is very deep gravel loam with unique water conditions. During the early growing season, ample water helps establish the vines,



but then drains away when the fruit must ripen, putting the vines under stress. This is ideal for producing fine Merlot grapes of intense, berry-like flavor, which are characteristics of fine Merlot. Trusting his instincts and knowledge of wines, Bill began planting Merlot, as well as Cabernet Sauvignon and Cabernet Franc, in 1968.

Jaeger Inglewood Estate Merlot is vinted by winemaker Joe Cafaro in the Bordeaux tradition,

blending Cabernet Sauvignon and Cabernet Franc for depth, complexity, and suppleness. The wine ages in small French oak barrels in hillside caves for nearly two years, followed by two years of bottle age before release. Ruby purple in color, it has rich aromas and flavors, excellent balance, robust tannins, and a long finish.



WINE DESCRIPTION

VINTAGE

MERLOT

1980, 1981, 1982

Three imperials of Jaeger Inglewood Merlot, produced in the estate tradition, from the winery's first three vintages. The imperials are signed by the Jaeger family and presented in individual wooden boxes.

47 3-6L imperials

per lot \$1,000



MERLOT

1990

Produced entirely from grapes grown at the Jaeger family's Inglewood Estate, whose deep gravel loam soil and excellent drainage are ideal for the cultivation of outstanding Merlot. Estimated release fall 1994.

48 2 cases

per case \$150

49 3 cases

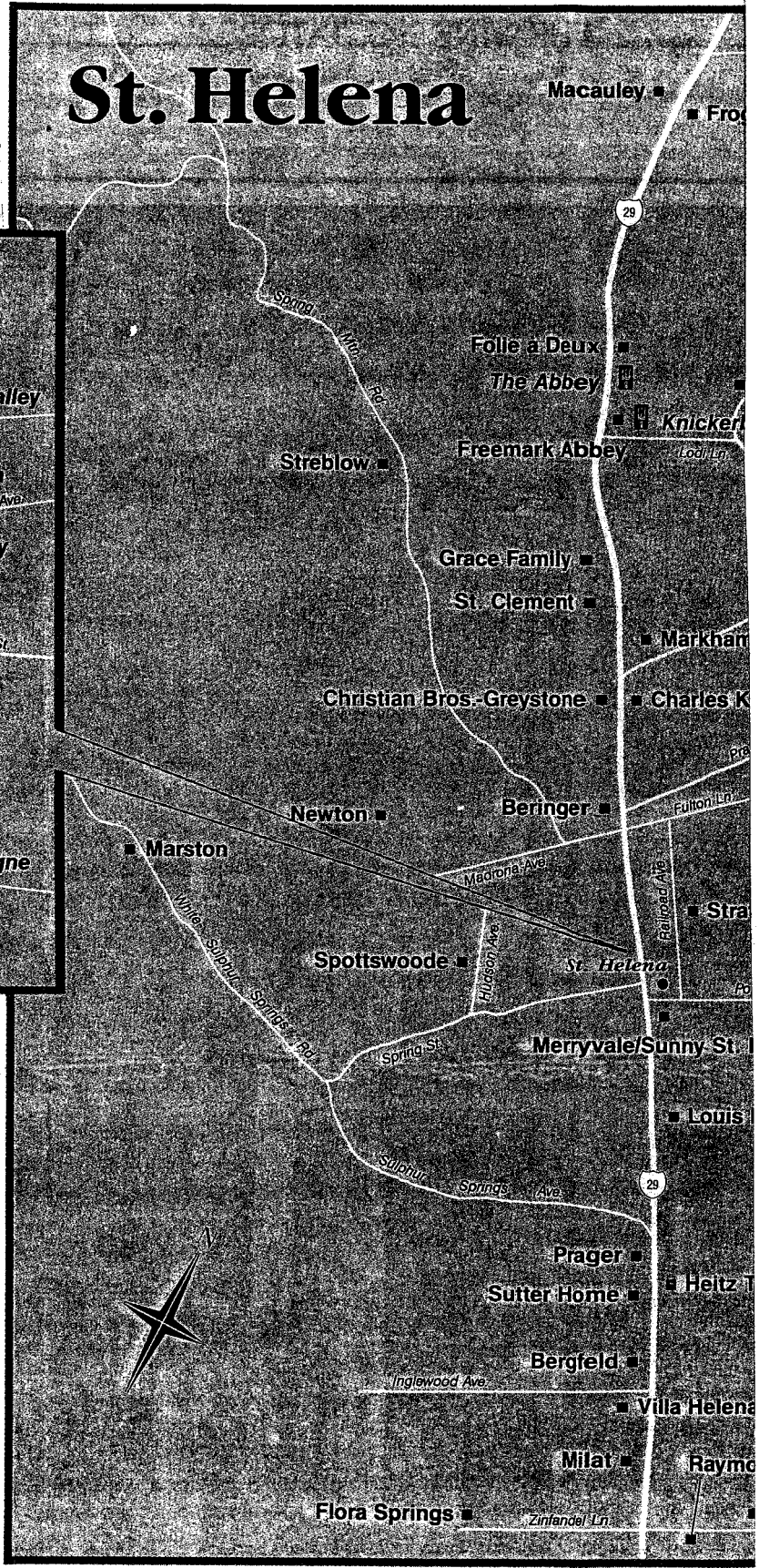
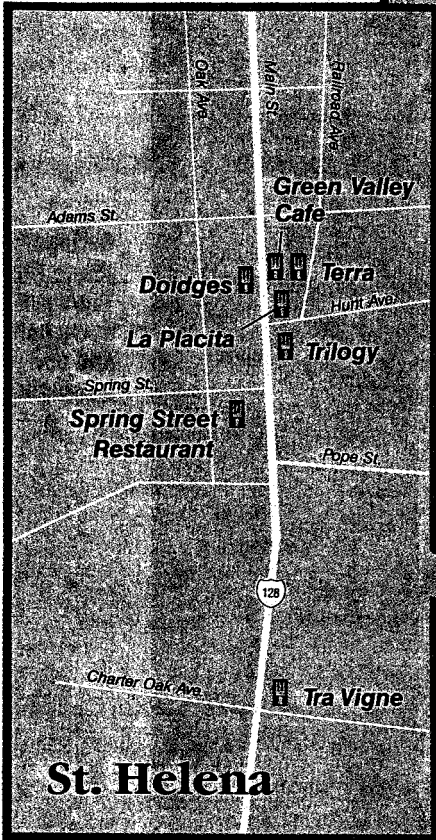
per case \$150

50 5 cases

per case \$150

Something for Everyone In St. Helena

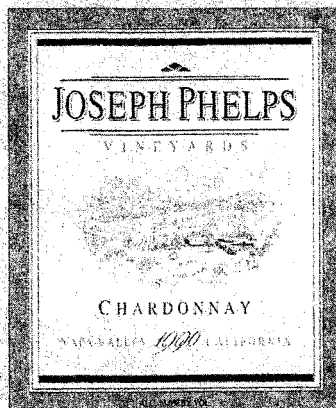
St. Helena



JOSEPH PHELPS VINEYARDS

The wines of Joseph Phelps Vineyards made their debut with the vintage of 1973, just one year after Phelps purchased the former Connolly Hereford Ranch with the intention of creating his own winery and vineyards. The property lies in Spring Valley, a small fold in the hills east of St. Helena. In planting just 175 of the ranch's 625 acres to grapes, Phelps achieved the objective of preserving Spring Valley's natural appearance and also succeeded in adapting the site to the specific needs of the varieties.

In addition to the St. Helena area ranch, the winery owns vineyards in Carneros and Yountville where Chardonnay is grown, as well as in the Stags Leap District and Rutherford area where Cabernet Sauvignon, Cabernet Franc, and Merlot have been planted.



Even these diverse plantings cannot satisfy every requirement necessary to produce the wines Phelps wants. Recognizing this, the winery also purchases grapes from selected growers, the finest of which are sometimes identified on the labels.

The key figures associated with the winery are proprietor Joseph Phelps, president Bruce Neyers, and vice-president and winemaker Craig Williams.

They are responsible for a list of varieties that includes Chardonnay, Sauvignon Blanc, Cabernet Sauvignon, and Merlot. In addition, four Rhone-style wines are produced under the newly developed Vin du Mistral label. They include Syrah, Viognier, Grenache, and a blend of Mourvedre, Grenache and Syrah called simply *Le Mistral*. ■



WINE DESCRIPTION

VINTAGE

VIN DU MISTRAL VIOGNIER

1989, 1990, 1991

A vertical selection of our first three vintages of estate-grown Viognier, the rare white grape of France's northern Rhone Valley. Never sold in this large format, these magnums are offered in a wooden box, hand-painted by San Francisco artist Carole Lansdown.

105 3-1.5L magnums

per lot \$200

DESSERT WINE MAGNUMS:

**JOHANNISBERG RIESLING -
Late Harvest**

1989

**JOHANNISBERG RIESLING -
Special Select Late Harvest**

1989

**SCHEUREBE -
Special Select Late Harvest**

1989

The September rains of the 1989 harvest provided us with one of the best crops of botrytis-infected Riesling and Scheurebe we've seen in a decade. These magnums are offered in a handcrafted, wood presentation case.

106 3-1.5L magnums

per lot \$300

52

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WILLIAM F. DEMAREST, JR.

July 21, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
5th Floor
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Notice No. 738

Gentlemen:

Enclosed are the written comments of the Growers for Meaningful Appellations in response to the Bureau's Notice No. 738 published in the Federal Register of April 22, 1992. Please direct any communications regarding these comments or any further proceedings in connection with the Rutherford and Oakville appellation of origin proceedings to the undersigned at the above address.

Please acknowledge the filing of these comments by stamping and returning the copy enclosed for this purpose.

Sincerely,

William F. Demarest, Jr.
William F. Demarest, Jr.

Enclosure

COMMENTS OF GROWERS FOR MEANINGFUL APPELLATIONS
ON
PROPOSED OAKVILLE AND RUTHERFORD
VITICULTURAL AREAS

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
DEPARTMENT OF THE TREASURY

ATF NOTICE NO. 738

JULY 21, 1992

These Comments are filed by the Growers for Meaningful Appellations ("GMA") in response to the Notice of the Bureau of Alcohol, Tobacco and Firearms ("ATF") published in the Federal Register of April 22, 1992 (57 Fed. Reg. 14681) (Notice No. 738).

INTRODUCTION

Growers for Meaningful Appellations is an ad hoc organization financially supported by ^{30 R&W} ~~21~~ growers of premium wine grapes located in the Napa Valley. These growers own and operate more than ^{3196 R&W} ~~3091~~ acres of cultivated vineyards within the area of the proposed Oakville and Rutherford appellations. This acreage represents ^{near 4 R&W} ~~more than~~ 50% of the cultivated vineyard acreage of the area outside the proposed boundaries of the "Benches" but within the boundaries of the proposed Oakville and Rutherford appellations. Several of the members of GMA are also vintners who produce wine within the proposed boundaries of the Rutherford and Oakville viticultural areas. The membership of GMA is identified on Exhibit A to these Comments.

GMA was formed in 1990 principally to oppose the companion Requests for Rulemaking on the Rutherford and Oakville "Benches" filed simultaneously with the Requests for Rulemaking on the

Rutherford and Oakville appellations which are the subject of this rulemaking. With the reservations noted below, GMA supports the proposed designation of the Rutherford and Oakville viticultural areas. Nevertheless, aspects of the designation of the Rutherford and Oakville viticultural areas raise issues of special concern to GMA because of their potential precedential effect on the pending Request for designation of the Rutherford and Oakville "Benches" as "subappellations" within the proposed Rutherford and Oakville viticultural areas.

RELATIONSHIP OF PROPOSED RUTHERFORD AND OAKVILLE APPELLATIONS TO THE PROPOSED "BENCHES" APPELLATIONS

GMA is strongly opposed to any action by the ATF which could favor designation of the Rutherford and Oakville "Benches." GMA has reviewed the Requests for designation of the "Benches" as viticultural areas and believes that, unlike the pending proposals to designate the Rutherford and Oakville viticultural areas, the proposals for designation of the "Benches" are fatally deficient in four respects:

(1) The areas proposed to be designated as the Rutherford and Oakville "Bench" viticultural areas do not possess sufficient viticultural distinctiveness to warrant designation as an appellation separate from the Rutherford and Oakville viticultural areas which entirely subsume the areas of the proposed "Benches."

(2) The distinctive viticultural characteristics of the proposed Rutherford and Oakville viticultural areas are

common to both the areas proposed for inclusion within the "Benches" and areas not included within the proposed "Benches."

(3) There is virtually no evidence of historical use of the "Bench" moniker in connection with wines produced from grapes grown within the proposed area. To the contrary, the limited "evidence," scant as it may be, offered in support of the proposed designation of the "Benches," is the use of the term "Rutherford dust" to describe a taste characteristic of wines produced from grapes grown in the general mid-valley area encompassed by the proposed Rutherford and Oakville appellations. This evidence supports the proposed designation of Rutherford and Oakville as evidence of viticultural distinctiveness. It is most emphatically not, however, evidence of historical use of the "Rutherford Bench" appellation. Absolutely no independent evidence¹ has been offered to connect the distinctive taste described by the term "Rutherford dust" exclusively with wine produced from grapes grown within the proposed "Rutherford Bench" viticultural area (as distinguished from wines produced from grapes grown generally within the proposed boundaries of the encompassing "Rutherford" and "Oakville" viticultural areas). Moreover,

¹ In this regard, GMA cautions ATF to be cautious not to be misled by self-serving "evidence" of historical use generated by the public relations agents of the proponents of the designation of the "Benches" as separate viticultural areas.

no evidence at all has been offered in support of the newly-coined appellation "Oakville Bench," which appears to be the product of Madison Avenue rather than of genuine historical use.

(4) Finally, the proposed designation of the "Benches" as separate viticultural areas does not comport with the statutory consumer-protection charter of the ATF. The wine labeling responsibilities of ATF were intended by Congress to protect consumers from false and misleading labeling and advertising in connection with the sale of alcoholic beverages. ATF was never charged with promoting the competitive position of any one group of growers or vintners vis-a-vis that of any other group of growers or vintners in connection with exercise of ATF's wine labeling authority. Yet that is precisely what ATF would do if it were to entertain the proposal to designate the "Benches" as viticultural areas. Designation of the Rutherford and Oakville viticultural areas supplies the consumer with meaningful information regarding distinctive viticultural characteristics of the wine. To add the "Benches" as subdivisions of Oakville and Rutherford is confusing and misleading!

Accordingly, GMA urges the ATF in the strongest possible terms to summarily **REJECT** the pending proposals for designation of the "Benches" as viticultural areas before taking final action

on the proposals for designation of the Rutherford and Oakville viticultural areas. At minimum it is incumbent that ATF explicitly provide that any favorable action by ATF in connection with the proposals to designate the Rutherford and Oakville viticultural areas shall not be given weight in connection with designation of the proposed "Benches."

SUPPORT FOR DESIGNATION OF THE RUTHERFORD AND OAKVILLE VITICULTURAL AREAS

GMA supports the designation of the proposed "Rutherford" and "Oakville" viticultural areas. GMA generally concurs in the assertions in the Application that the mid-valley areas of the floor of the Napa Valley known as Rutherford and Oakville are viticulturally distinct from grape producing areas of the Napa Valley north and South of the proposed contiguous viticultural areas, as well as from the grape producing areas of the higher elevations to the east and west of the proposed viticultural areas.² The basis for GMA's assertions respecting the viticultural distinctiveness of the proposed areas is the cumulative product of literally hundreds of man-years of experience in growing wine grapes and in producing fine wines.

GMA believes it important to note that the primary basis for distinguishing between the Rutherford and Oakville viticultural

² There may be limited exceptions necessary where the proposed boundary line, especially a boundary line based solely on elevation crosses a single vineyard.

areas is historical use³ rather than unique soil, climatic, or other viticultural characteristics. Thus, while GMA believes that significant viticultural differences exist between Rutherford and Oakville on the one hand, and the grape growing regions within the valley floor to the north and south, or the grape growing areas of the higher elevations to the east and west of the proposed viticultural areas, GMA does not believe that significant soil, climatic, or other viticultural factors distinguish the proposed Rutherford and Oakville viticultural areas from one another.

That does not mean that these two areas should not be designated as separate viticultural areas, however. The ATF's regulations place equal emphasis upon historical use in establishing a wine appellation. Indeed, the original "Napa Valley" appellation was largely defined by historical use rather than by other viticultural characteristics. Obviously a balancing of several factors is required under the regulations of the ATF. In this case, that balance favors designation of the Rutherford and Oakville viticultural areas based upon:

- (1) viticultural characteristics which distinguish the proposed viticultural areas from the surrounding grape growing areas; and
- (2) historical and current uses which distinguish these areas from one another.

³ With the exceptions of Beaulieu Vineyard No. 2 and No. 4, the significance of which is discussed below.

The foregoing analysis also affords a rational basis for a limited "grandfathering" of the use of the Rutherford appellation in connection with wines produced from grapes grown in Beaulieu Vineyards No. 2 and No. 4 notwithstanding the location of these vineyards within the boundaries of the Oakville viticultural area. To do anything else would actually produce a greater potential for confusion of consumers.

PROPOSED BOUNDARIES

Except as noted below, GMA generally supports the boundaries of the Rutherford and Oakville viticultural areas as proposed.⁴ In particular, GMA does not believe that viticultural characteristics and/or historical use support extension of the proposed northern boundary of the Rutherford viticultural area north of Zinfandel Lane. On the other hand, GMA agrees with the submission of the commenters who disagree with the proposed southwestern boundary of the Oakville viticultural area. Based upon the evidence submitted by those commenters and the experience of the members of GMA with viticultural characteristics of the proposed Oakville viticultural area and/or with the historical and current use of the Oakville appellation, GMA believes the southwestern boundary of the Oakville viticultural area should be Dwyer Road to Highway 29, then Yount

⁴ As previously noted, in addition some alterations of the proposed elevation-based eastern and western boundaries may be appropriate, especially where existing vineyards would be bisected by the proposed elevation-based boundary.

Mill Road to Rector Creek. GMA notes that no substantive evidence has been offered by the Petitioners in favor of a more southerly southwestern boundary for the Oakville viticultural area. GMA opposes any extension of the southwestern boundary of the Oakville viticultural area south of Dwyer Road or Yount Mill Road.

NEED FOR PUBLIC HEARING

Although ATF has indicated that it does not anticipate a public hearing on the proposals to designate the Rutherford and Oakville viticultural areas, GMA urges ATF to reconsider. Many of GMA's members desire to present oral testimony and to respond to questions regarding the proposed designations. In this regard, the nature of the issues is likely to benefit from oral testimony addressing viticultural characteristics and historical use based on the personal, practical experience of the witness.

The designation of these two viticultural areas is second in economic significance only to the original designation of the "Napa Valley" viticultural area. The Rutherford and Oakville areas are recognized throughout the world by experts and ordinary consumers alike as the premiere grape growing area within the Napa Valley. The decision made by ATF will have profound economic and competitive consequences and may directly affect land values in much the same way as a local zoning decision.

Accordingly GMA believes it is not only appropriate, but

essential, that ATF conduct a hearing before any final action on

the proposed Rutherford and Oakville viticultural areas.

Respectfully Submitted,

GROWERS FOR MEANINGFUL APPELLATIONS

Dennis Groth

Dennis Groth

Stephen Girard / Bf.

Stephen Girard

Gregory Upton / DA

Gregory Upton

EXHIBIT A

GROWERS FOR MEANINGFUL APPELLATIONS

<u>LEGAL OWNER</u>	<u>ACRES OWNED</u>	<u>AFFILIATION</u>
GAMBLE, LAUNCE E., ETAL	912.43	GROWER
HUNEEUS-CHANTRE PROP.	525.28	FRANCISCAN WINERY
WILSEY, ALFRED S.	260.18	GROWER
ROUND POND (MacDONNELL)	255.97	GROWER
FREEMARK ABBEY (CARPY)	254.82	FREEMARK ABBEY WINERY
OAKCROSS VINEYARDS (GROTH)	123.00	GROTH VINEYARDS & WINERY
RAYMOND VINEYARD	88.08	RAYMOND WINERY
WOOD, FRANK & ROBERTA	84.00	GROWER
PHILLIPS, ARLIE JEAN	73.13	GROWER
TENCH, L. JOAN	60.86	GROWER
FARROW, STEPHEN & MARIA	57.71	GROWER
VILLA MT. EDEN WINERY	57.43	VILLA MT. EDEN WINERY
TONELLA, RAYMOND L.	54.95	GROWER
GIRARD, STEPHEN A., JR. TRUST	54.43	GIRARD WINERY
PESTONI, ROBERT	36.00	GROWER
HILLS VINEYARDS	34.40	GRIGCH HILLS WINERY
OSHAUGHNESSY, ROGER & BETTY	30.16	GROWER
SULLIVAN VINEYARDS	26.17	SULLIVAN WINERY
RODENO, GREGORY & MICHAEL	25.33	GROWER
DALLA VALLE, AMERICO M/M	24.61	DALLA VALLE WINERY
SILVER OAK CELLARS	21.84	SILVER OAK WINERY
KRAMLICH, C. RICHARD & PAMELA	21.30	GROWER
LINTON, GEORGE & PERI	19.04	GROWER
ROUND HILL CELLARS	17.37	ROUND HILL WINERY
VENGE, NILS AND DIANNA	16.96	SADDLEBACK WINERY
VERHEY, JAMES F & ANN	16.00	GROWER
GREEN, ROBERT L.	15.25	GROWER
WILSEY, GARY & LANETTA	15.00	GROWER
HARRISON, WILLIAM M.	8.80	GROWER
ZD WINES (deLEUZE)	5.75	ZD WINERY

TOTAL: ³¹ OWNERS

3196.25 acres

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 310
1001 PENNSYLVANIA AVENUE N.W.
WASHINGTON, D.C. 20004-2505

TELEPHONE (202) 638-5500
FACSIMILE (202) 737-8998

WILLIAM F. DEMAREST, JR.

July 30, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Notice No. 738

Gentlemen:

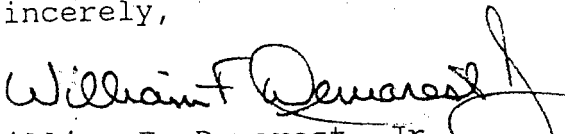
On July 21, 1992, Comments were filed by the Growers for Meaningful Appellations ("GMA"). Attached to those Comments as "Exhibit A" was a list of GMA members. That list erroneously included the name of Swanson Vineyards. Swanson Vineyards Winery filed its own comments and has requested that its name be deleted from Exhibit A to GMA's Comments. Accordingly, we would appreciate your substitution of the enclosed revised Exhibit A for the original and noting this change for the record.

In addition, the description of the membership of GMA set forth on page 1 of GMA's Comments should be revised to reflect this deletion as follows:

GMA represents 30 growers who own and operate more than 3196 acres of cultivated vineyards within the area of the proposed Oakville and Rutherford appellations, representing nearly 50% of the cultivated vineyard acreage of the area outside the area of the proposed "Benches" but within the proposed boundaries of Rutherford and Oakville viticultural areas.

We apologize for any inconvenience this mistake may have created.

Sincerely,


William F. Demarest, Jr.

Enclosure

cc: W. Clarke Swanson, Jr.
Swanson Vineyards Winery

EXHIBIT A

GROWERS FOR MEANINGFUL APPELLATIONS

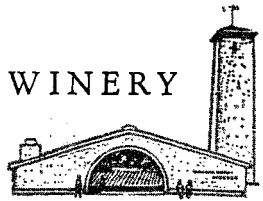
<u>LEGAL OWNER</u>	<u>ACRES OWNED</u>	<u>AFFILIATION</u>	
GAMBLE, LAUNCE E., ETAL	912.43	GROWER	
HUNEEUS-CHANTRE PROP.	525.28	FRANCISCAN WINERY	
<i>7/30/92</i> <i>per letter</i> <i>from</i> <i>William F.</i> <i>remarvest,</i> <i>representing</i> <i>these</i> <i>commentary</i> <i>dated</i> <i>2/30/92.</i> <i>R&W</i>	WILSEY, ALFRED S.	260.18	GROWER
ROUND POND (MacDONNELL)	255.97	GROWER	
FREEMARK ABBEY (CARPY)	254.82	FREEMARK ABBEY WINERY	
SWANSON VINEYARDS	195.00	SWANSON WINERY	
OAKCROSS VINEYARDS (GROTH)	123.00	GROTH VINEYARDS & WINERY	
RAYMOND VINEYARD	88.08	RAYMOND WINERY	
WOOD, FRANK & ROBERTA	84.00	GROWER	
PHILLIPS, ARLIE JEAN	73.13	GROWER	
TENCH, L. JOAN	60.86	GROWER	
FARROW, STEPHEN & MARIA	57.71	GROWER	
VILLA MT. EDEN WINERY	57.43	VILLA MT. EDEN WINERY	
TONELLA, RAYMOND L.	54.95	GROWER	
GIRARD, STEPHEN A., JR. TRUST	54.43	GIRARD WINERY	
PESTONI, ROBERT	36.00	GROWER	
HILLS VINEYARDS	34.40	GRIGCH HILLS WINERY	
OSHAUGHNESSY, ROGER & BETTY	30.16	GROWER	
SULLIVAN VINEYARDS	26.17	SULLIVAN WINERY	
RODENO, GREGORY & MICHAEL	25.33	GROWER	
DALLA VALLE, AMERICO M/M	24.61	DALLA VALLE WINERY	
SILVER OAK CELLARS	21.84	SILVER OAK WINERY	
KRAMLICH, C. RICHARD & PAMELA	21.30	GROWER	
LINTON, GEORGE & PERI	19.04	GROWER	
ROUND HILL CELLARS	17.37	ROUND HILL WINERY	
VENGE, NILS AND DIANNA	16.96	SADDLEBACK WINERY	
VERHEY, JAMES F & ANN	16.00	GROWER	
GREEN, ROBERT L.	15.25	GROWER	
WILSEY, GARY & LANETTA	15.00	GROWER	
HARRISON, WILLIAM M.	8.80	GROWER	
ZD WINES (deLEUZE)	5.75	ZD WINERY	
TOTAL: 31 OWNERS	3391.25 acres		

R. White

53

ROBERT MONDAVI WINERY

OAKVILLE, CALIFORNIA



ZIP CODE 94562
P. O. BOX 106
TELEPHONE (707) 963-9611

July 21, 1992

Mr. Tom Busey
Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
650 Massachusetts Avenue, N.W.
Washington, D.C. 20226

Re: Rutherford and Oakville Viticulture Areas - Notice No. 738

Dear Mr. Busey:

Robert Mondavi Winery reiterates its support for the Rutherford and Oakville viticultural areas as proposed in Notice Nos. 728 and 729. We buy grapes from both viticultural areas, including the area south of Dwyer Lane.

The proposed Rutherford and Oakville areas accord with historical and modern perceptions of community identity and also are geographically distinctive. As you know, Robert Mondavi Winery believes that it is critical that Napa Valley be subdivided into contiguous township viticultural areas on the valley floor. This will provide consumers with an integrated appellation system and promote consumer understanding and recognition of Napa Valley's unique geography and viticulture.

We would be pleased to respond to any questions you may have.

Sincerely,

Phil Freese
Vice President of Winegrowing

PF:bf

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009-350-003-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Robert N. Reich

55

Beckstoffer Vineyards

Post Office Drawer 990
St. Helena, Napa Valley
California 94574
(707) 963-9471

W. ANDREW BECKSTOFFER
President

July 21, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D. C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

On July 13th I sent you a letter regarding the Rutherford Viticultural Area. In Paragraph IV, RUTHERFORD BENCH, I proposed that the entire area delimited by the petitioner as RUTHERFORD be named RUTHERFORD BENCH. The petitioner had previously designated only a portion of the overall RUTHERFORD area as RUTHERFORD BENCH. The word Bench in this Controlled Appellation should not be required on the wine label. The bottling winery with grapes from this area would be allowed to either put RUTHERFORD or RUTHERFORD BENCH on his wine label. The precedent for this is in the Appellation of Origin rules where the bottling winery can, for example, put either Napa or Napa County on his wine label.

Further to the proposal stated in my letter of July 13th, I would like to submit:

1. The detailed map which was submitted with our July 13th letter shows that there are no geographic distinctions between the RUTHERFORD and RUTHERFORD BENCH areas as suggested by the petitioners. Our maps showed that there were no soils, rainfall, heat summation or geologic formation distinctions between the two areas.

July 21, 1992

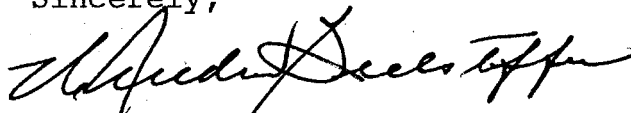
2. There is no historical precedent for the RUTHERFORD vs. RUTHERFORD BENCH distinction which the petitioner draws. For example, our vineyard is located between Conn Creek Road and Silverado Trail; is in the petitioners RUTHERFORD area; is designated on the map attached to our July 13th letter and was purchased and planted to grapes by Georges de Latour of Beaulieu Vineyard in 1933. It has been planted to vineyard and producing grapes that make the Rutherford wines of Beaulieu Vineyard ever since. Charles Wagner's Caymus Winery and the grapes that supply this well known Rutherford winery are located next to our vineyard on Silverado Trail. Should this RUTHERFORD/RUTHERFORD BENCH distinction be advanced to proposed rule making, I am certain you will find that other neighbors to our vineyard can show similar history of supplying grapes to some of the best known and highest quality Rutherford wineries.

3. Any request to separate RUTHERFORD and RUTHERFORD BENCH as the petitioners suggest would immediately result in the most divisive issue to hit this area ever, lawsuits, and a demand from us and our non-RUTHERFORD BENCH neighbors that we be included in RUTHERFORD BENCH. The petitioner would have little argument as evidenced in 1) and 2) above to exclude us. The result will be as suggested in my July 13th letter, i.e., the entire area designated RUTHERFORD BENCH. The only difference is that a larger amount of our time and money and the Bureau's time and money would be expended with no appreciably different result.

The BATF has delayed consideration of the RUTHERFORD/RUTHERFORD BENCH designation. Even if the current petitioner agreed to an indefinite delay there is always a possibility that someone else will petition for a RUTHERFORD/RUTHERFORD BENCH split, with the resulting chaos, unless the matter is handled now.

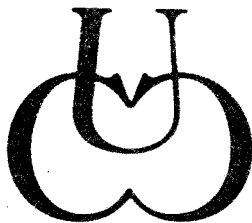
Thank you very much for your consideration. I look forward to testifying on this matter at a public hearing here in the Napa Valley.

Sincerely,



W. Andrew Beckstoffer

WAB:ow



56

UCC VINEYARDS GROUP

July 2, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No 738

RE: The Rutherford Viticultural Area

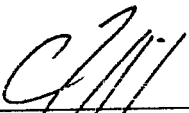
Gentlemen:

We wish to again comment upon the geographical boundaries of the proposed Rutherford Viticultural Area. Specifically, we question the logic of establishing the northern boundary of the proposed area along Zinfandel Lane (Sec. 9.133(c)(7)). Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely on delimiting this area (Historical/Current Evidence of Boundaries 56 FR 47044 page 3). We would again suggest that a more logical northern boundary is the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as it runs from the 500 ft. contour line on the eastern side of the Mayacamas Mountain range and as far east as the westerly bank of the Napa River.

We believe that utilizing Zinfandel Lane as the northern boundary of the proposed Rutherford area is not substantiated by any natural phenomena. There is no difference in the soils to the north versus the south of Zinfandel Lane, nor is there any difference in the basic geologic history of the area. Clearly there are no significant temperature variations moving up-valley (northerly) at the Zinfandel Lane latitude. There has also been substantial history of the grapes from vineyards north of Zinfandel Lane being utilized in bottlings bearing the Rutherford appellation of origin.

For all of the foregoing reasons, we again respectfully request that the northern boundary of the proposed Rutherford Viticultural area be the southern city limits line of St. Helena or the southerly boundary of Sulphur Creek as specified above.

Respectfully submitted,



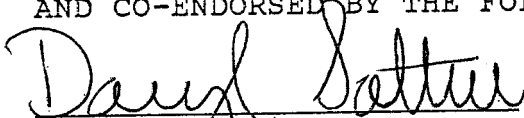
 David I. Freed, President

Property Owned
 (address or APN)

Acres

030-260-005	13.07 ac
030-260-004	34.29 ac
030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:



 Signature

Printed Name: DARYL SATTUI

Address: V. SATTUI WINERY
WHITE LANE, ST. HELENA, CA. 94574

Property Owned: 030-260-004 #3

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

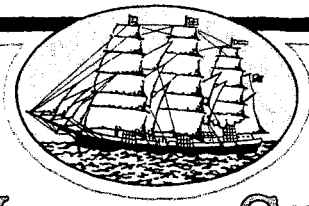
Dear Sir:

The undersigned is the owner of Parcel No. AP 009 350-048-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Mrs. Nellie Zagar



WESTERN SHORE
O R C H A R D

August 3, 1992

Bureau of ALCOHOL, TOBACCO & FIREARMS
ATTN: CHIEF, Wine & Beer Branch
PO Box 50221
WASHINGTON, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir;

I am the owner of Parcel No. AP 009 350-032-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west, and west of Route 29. This vineyard land was planted to the Zinfandel winegrape by my grandfather in 1906. Though not the highest in yield after so many years, these noble vines make a beautiful, full-bodied wine. Cuttings from this vineyard have been shared with grape growers throughout the Valley.

I wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. The vineyard land falls--like a natural 'alluvial fan' from Sulphur Creek down the Valley toward Rutherford. We have always considered this growing area to be part of the Rutherford Bench Area.

I invite you to "come to California" to review this beautiful land and proposed viticultural area for yourself. Sulphur Creek is a natural geographic feature, with the vineyards undulating down the warm rock strewn alluvial fan down the Valley. Zinfandel Lane is a line across the floor of the Valley; and is not a geographic feature by any stretch of the imagination.

Thank you for giving this petition your concerted serious review.

Sincerely,

SARAH H. SIMPSON, owner, 2252 Sulphur Springs Ave.

cc: A. Beckstoffer WESTERN SHORE ORCHARD, INC.

11155 Highway 160 • Post Office Box 75 • Hood, CA 95639 • (916) 775-1637

59

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009 350-041-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Ernie Butola
453 CRANE AVE.
ST. HELENA CALIF
94574

Robert White —

(60)

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 027 110-010-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Vera Lewelling

Mrs. R.

Spring Lane Vineyard

61

July 16, 1992

Chief
Wine & Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 738

Dear Sir:

The undersigned is the owner of Parcel No. AP 009 350-042-000 located in Napa County north of Zinfandel Lane, east of the 500 ft. contour line on the west and west of Route 29. Our property is planted to winegrape vineyards.

We wish to support the petition of Beckstoffer Vineyards (July 17, 1992) to extend the Northern Boundary of the Rutherford Viticulture Area to Sulphur Creek. We have always considered our grapes and growing area to be part of the Rutherford Bench Area.

Sincerely,

Margaret L. Hendricks

62



HILLS VINEYARDS, INC.

Suite 1049, 490 Post Street, San Francisco, California 94102 • Telephone (415) 398-0480

August 26, 1992

Chief
Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
Post Office Box 50221
Washington, D.C. 20091-0221

RE: Notice Number 738

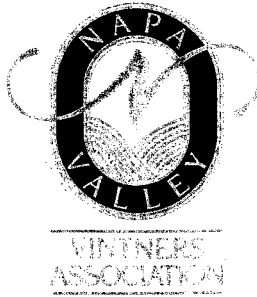
Dear Chief,

We believe that the Rutherford Bench designation should be expanded to include the entire area delimited by the petitioner as Rutherford. The word "Bench" in the appellation should not be required on the wine label. The bottling winery with grapes from this area would be allowed to place either Rutherford or Rutherford Bench on the label. There is no geographic distinction between the Rutherford and Rutherford Bench areas, including soil, rainfall, heat summation, or geologic formation.

Thank you for your consideration. I look forward to testifying at the public hearing in Napa Valley.

Very truly yours,


Austin E. Hills
President



63

July 8, 1992

Chief, Wine and Beer Branch
Bureau of Alcohol Tobacco and Firearms
P.O. Box 385
Washington, D.C. 20044-0385

The 105 vintner members of the Napa Valley Vintners Association request that the Bureau of Alcohol Tobacco and Firearms hold a public hearing at a site in the Napa Valley on the application for the two proposed new viticultural areas of "Rutherford" and "Oakville".

We believe it is in the best interest of the BATF and all Napa Valley wineries to conduct public hearings locally before making a final ruling on these viticultural areas.

We thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Michael Mondavi".

R. Michael Mondavi, President
Napa Valley Vintners Association
Robert Mondavi Winery

HEITZ WINE CELLARS

500 TAPLIN ROAD
ZIP CODE 94574



ST. HELENA, CALIF.

TELEPHONE: 707 963-3542
FAX: 707 963-7454

September 26, 1990

Mr. Robert White
Bureau of Alcohol Tobacco and Firearms
1200 Pennsylvania Avenue, Room 2633
Washington, D.C. 20226

Dear Mr. White:

We feel that the proposed boundries for the Rutherford appellation area are somewhat unfair. The boundries for the Rutherford area in general, in the hillside area, are at the 500 foot elevation. However, for us (Heitz Cellars) there seems to be an exception. Starting on page 26, No.6, the last paragraph on the page states:

- (6) Continue northeasterly along Zinfandel Lane approximately 2.75 miles to the intersection of that road and Silverado Trail, then northeasterly along the continuation of that road to the 380-foot contour.

And continuing on page 27, the first and second paragraph states:

- (7) Follow the 380-foot contour southeasterly through Section 33 to the western border of Section 34, T.8N., R.5W, then follow that section line north to the 500-foot elevation.
- (8) Follow the 500-foot contour southeasterly to the western border of Section 2, T.7N., R.5W, then south along that section line past Conn Creek to its intersection with the 500-foot contour northwest of the unnamed 832-foot peak.

Our property is in section 33. If the 500 foot elevation is appropriate for our neighbors, why is it not appropriate for us? We think it would be more consistent if the boundries followed North along the Silverado Trail to the 32 section line where it intersects the Silverado Trail, then follow it to the 500-foot contour on the eastern side of Spring Valley, then followed that 500-foot contour in a southeasterly direction as stated in the rest of the boundry definition.

We would appreciate your consideration and comments in regards to the above proposal.

Sincerely,

David Heitz
Heitz Wine Cellars

DH/bd



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

OCT 9 1990

C:R:W:RLW
5120

Mr. David Heintz
Heitz Wine Cellars
500 Taplin Road
St. Helena, California 94574

Dear Mr. Heintz:

This is in response to your letter dated September 26, 1990, concerning the petition for the Rutherford viticultural area.

You state that a portion of the eastern boundary in the hillside area is unfair because it stops at the 380-foot contour line rather than extending up to the 500-foot contour line, as does most of the eastern boundary of the Rutherford area.

You state that your property is excluded if the boundary stops at the 380-foot contour line but that your property would be included if the boundary extends up into the hills to the 500-foot contour line as you propose in your letter.

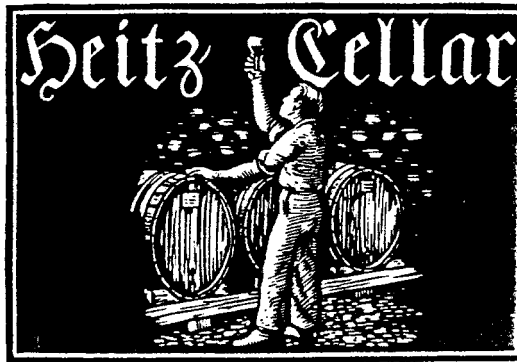
Please be advised that before we can take further action on your request, we will need a United States Geological Survey (U.S.G.S.) map of the new area, 7.5 minute series, with your proposed boundaries prominently marked. We will also need a detailed description of how you wish the petitioner's original boundaries to be amended. In addition, we will need information concerning climate, temperature, rainfall, soil, elevation, etc., which will support your conclusion that the area in question is essentially the same as the rest of the Rutherford area.

We will also need evidence that the area in question has historically been known as the Rutherford area or has historically been considered a part of the Rutherford area. This evidence should include publications, such as newspaper articles, magazine articles, books, etc., which will support your position that the area is part of the Rutherford area.

You can submit the requested information either now or wait until the comment period of the notice of proposed rulemaking on the Rutherford viticultural area, once it is published in the Federal Register. You will have 60 days

HEITZ WINE CELLARS

500 TAPLIN ROAD
ZIP CODE 94574



ST. HELENA, CALIF.

TELEPHONE: 707 963-3542
FAX: 707 963-7454

January 15, 1991

Mr. Robert White
Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, Room 2633
Washington, D.C. 20226

Dear Mr. White:

I have enclosed the 7.5. minute series map that you requested in your letter dated October 9, 1990. Sorry it has taken me so long to reply, but I became very involved with the crush and never got back to the project.

As far as how we would like the petitioner's original boundaries amended, I believe the last paragraph of my letter dated September 26, 1990, should do this. I have enclosed a copy of that letter for your review.

Now as far as climate, temperature, and rainfall are concerned, we are only separated from our neighbor by a bobbed-wire fence. Obviously, this does not change the climate, rainfall, temperature, or soils between us. Therefore, we should be included with our neighbors.

In regards to the history, there is no historical significance to our fence line and I would say to you that if history applies to our neighbors to be in the Rutherford area than that same history should apply to us. As far as the history, I would suggest that you refer to their applications for it, as it is equally valid for us as it is for them.

I trust the above answers the questions you posed in your letter dated October 9, 1990.

Sincerely,

David Heitz
Heitz Wine Cellars



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

FEB 11 1991

C:R:W:RLW
5120

Mr. David Heitz
Heitz Wine Cellars
500 Taplin Road
St. Helena, California 94574

Dear Mr. Heitz:

This is in response to your letter dated January 15, 1991, in which you responded to our letter of October 9, 1990, concerning the proposed establishment of the Rutherford viticultural area.

You submitted a map of the area you want included in the proposed Rutherford viticultural area but you did not submit any supporting documentation which indicates that the area in question has historically been considered a part of the Rutherford area.

You question why the petitioners used the 500-foot elevation line as their boundary up to a certain point but then used some other boundary which excludes the area you want included in the Rutherford area. The petitioners used the 500-foot elevation line because they felt this was the proper elevation that should be used in the Rutherford area to delineate a valley from a mountain. Since the Rutherford area is located on the floor of the Napa Valley, the petitioners felt that the boundaries should not extend higher than the 500-foot elevation line in the mountainous area immediately to the east of the Napa Valley floor in the Rutherford area.

However, the petitioners used boundaries lower than the 500-foot elevation line in the area in question because if they had used the same 500-foot elevation line in this area, it would have resulted in the inclusion of a separate valley (Spring Valley) in the Rutherford area. Obviously, the petitioners feel that the Spring Valley area is neither geologically a part of the Rutherford area nor historically considered to be a part of the Rutherford area. Consequently, the petitioners did not include this area in their petition for a Rutherford viticultural area.

Mr. David Heitz

The petitioners also presented evidence that the Rutherford area should not extend further north than Zinfandel Lane. The evidence presented suggests that anything immediately north of Zinfandel Lane is considered to be part of the St. Helena area. Since most of the area in question appears to be northeast of Zinfandel Lane, we need written evidence which indicates that this area is part of the Rutherford area rather than the St. Helena area.

In addition, we need written evidence that the area in question has historically been considered a part of the Rutherford area. We also need written evidence that indicates that the area in question has the same type of soil, climate, rainfall, etc., as the Rutherford area.

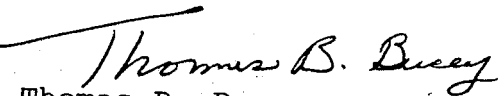
Unless you can provide us with at least some written documentation to support your position, we cannot take further action on your request.

We are going to continue to process the original petition for the Rutherford viticultural area. Consequently, it is possible that we will publish a notice of proposed rulemaking (NPRM) on the Rutherford area prior to the time we receive your written documentation in support of your position. If this turns out to be the case, you will still be able to submit evidence in support of your position during the 60-day comment period of the Rutherford NPRM.

If we receive your additional information prior to the close of the comment period, we will thoroughly analyze such data and take it into consideration prior to making a final decision concerning the proper boundary for the Rutherford area.

If you have any questions or wish to discuss this matter further, please contact Robert White at (202) 566-7626.

Sincerely yours,


Thomas B. Busey
Chief, Wine and Beer Branch

Robert -

8

GIRARD



W I N E R Y

November 4, 1991

Chief, Wine and Beer Branch
B.A.T.F.
PO Box 385
Washington, D.C. 20044-0385

Subj; Notice No. 728 "Oakville"

Dear Sir,

As a vineyard owner in Oakville for seventeen years, I support the proposed Oakville township appellation. I cannot, however accept the southern boundary of this appellation which includes much of what we all know is Yountville, and has always been Yountville.

The Oakville/Yountville border has always been known to be Dwyer Road to highway 29 then Yount Mill Road to Rector Creek. Everybody knows this who lives here, you need just ask a few locals.

Unfortunately, a few monied people owning vineyards in Yountville consider it more prestigious to say that they are in Oakville. They also realize that this will allow them to raise grape prices. And so an otherwise meaningful boundary has been stretched like a rubberband to accommodate their desires.

1) Exhibit A is a map of the appellation as proposed. Although this area is rather sparce of businesses, I have indicated the position of them.

2) Exhibit B is the business card of the S. Claus gift shop located on exhibit A as number 1. As you can see, they consider themselves clearly in Yountville. This location has supported a business for over fifteen years and has always been Yountville. Take a minute to call Linda Greene, the owner to confirm this.

3) Exhibit C is a business card from Mustards Grill, located on exhibit A by number 2. Although they omitted the township from their card, you may contact Michael, the manager who will confirm that the restaurant is indeed in Yountville, and has been, under this name and others for eleven years.

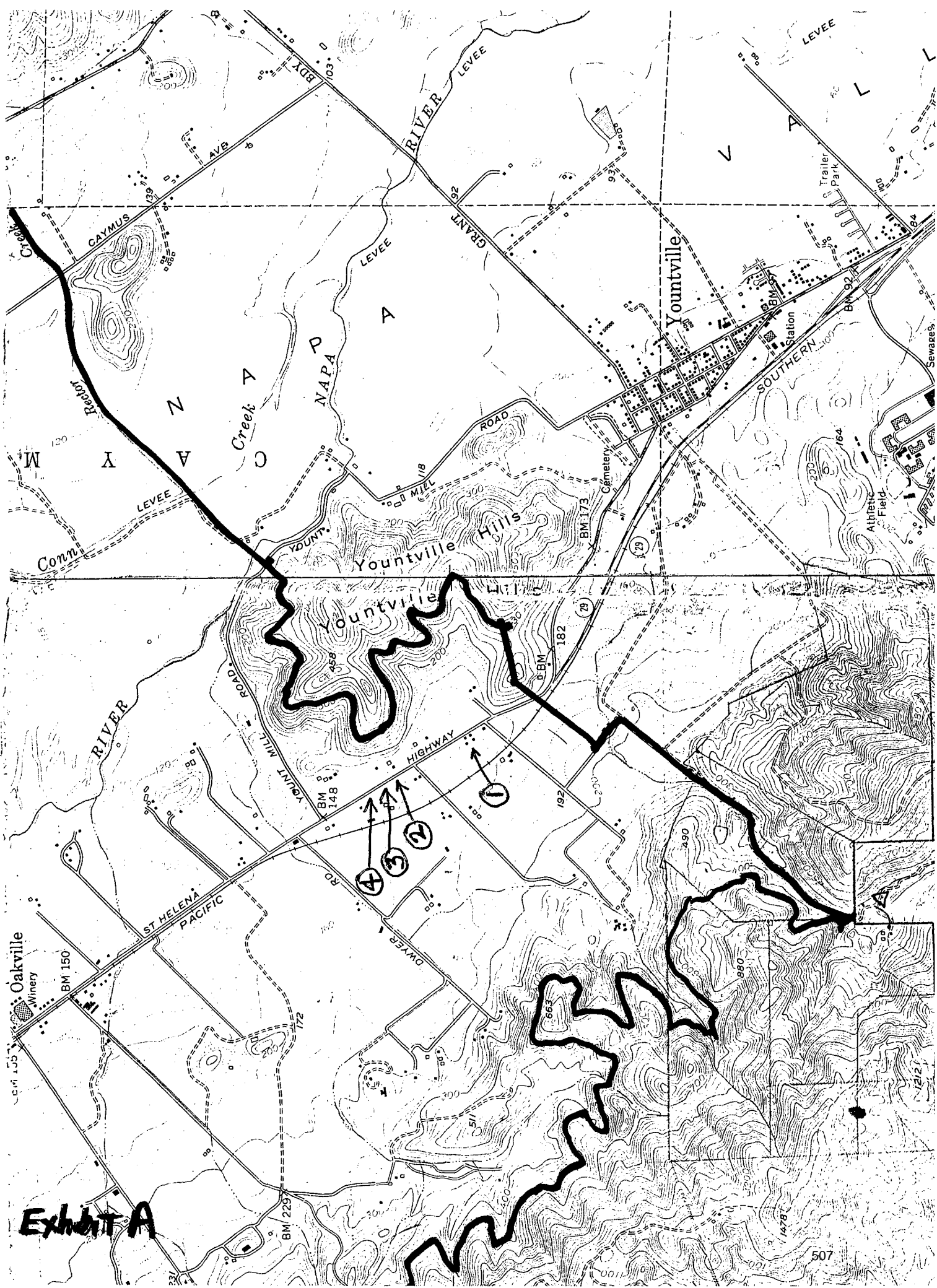
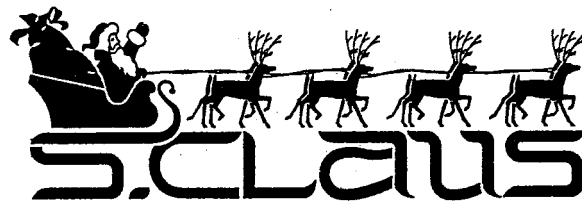


Exhibit A



7331 St. Helena Hwy. Yountville, CA 94599
(707) 944-XMAS

LINDA GREENE
Owner

EDY ALLEN
Manager

Exhibit B

7399 ST. HELENA HWY.
NAPA VALLEY, CA 94558.
707 • 944 • 2424

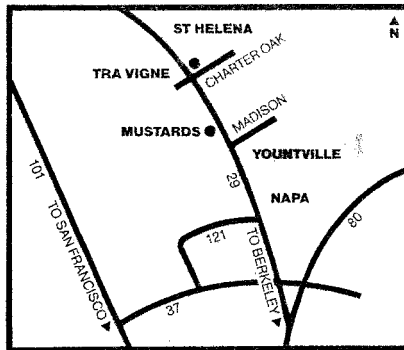


Exhibit C

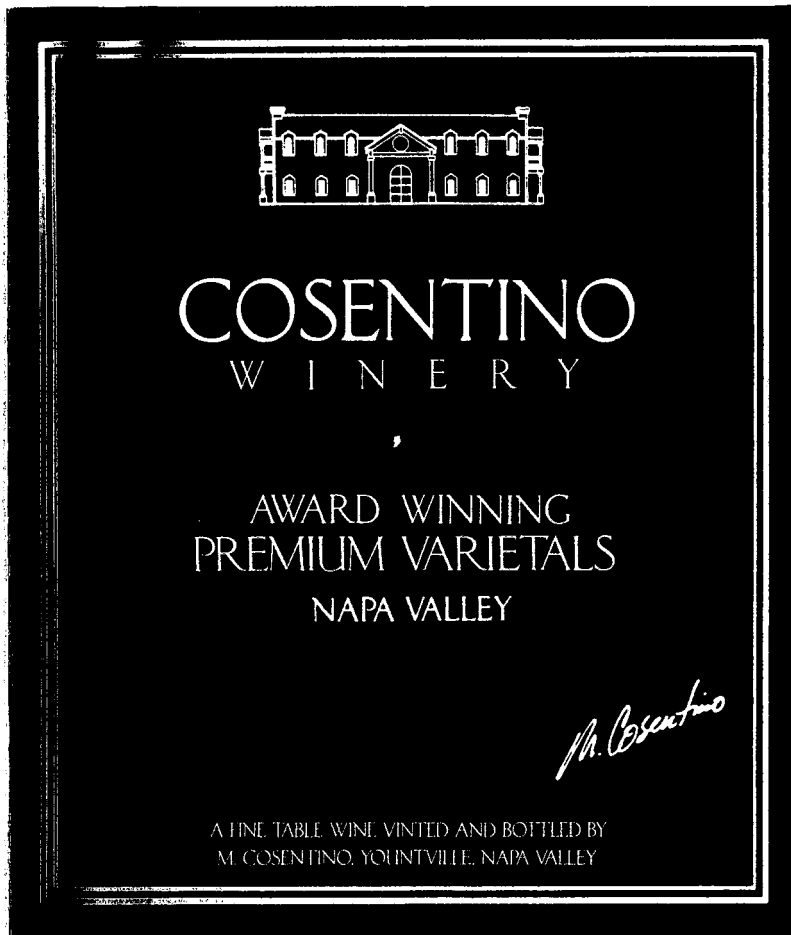


Exhibit D

COSENTINO WINERY

The move from Modesto to Yountville was completed in the Spring of 1990 after five years in development. Cosentino, the first winery on Highway 29 North of Yountville, is located in the heart of the Napa Valley and surrounded by the most famous vineyards in California.

Cosentino Wines are carefully crafted using chosen fruit from California's best vineyards. It is the winery's belief that balance and true varietal character provide wines of timeless distinction, elegance and breeding.

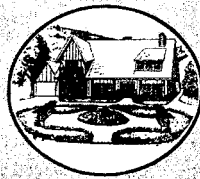
The majority of grapes used today come from the Napa Valley with selected lots from Sonoma County.

In ten vintages of production, Cosentino wines have won nearly 400 medals including over 20 "Best of Show", "Best of Class", "Best American", and "Best of California" for its Cabernet Sauvignon, Merlot, Cabernet Franc, Meritage, and Chardonnay.





Exhibit E



OLEANDER HOUSE
Bed & Breakfast Inn

7433 St. Helena Hwy.
Yountville, CA 94599

John & Louise Packard
(707)944-8315

Exhibit F

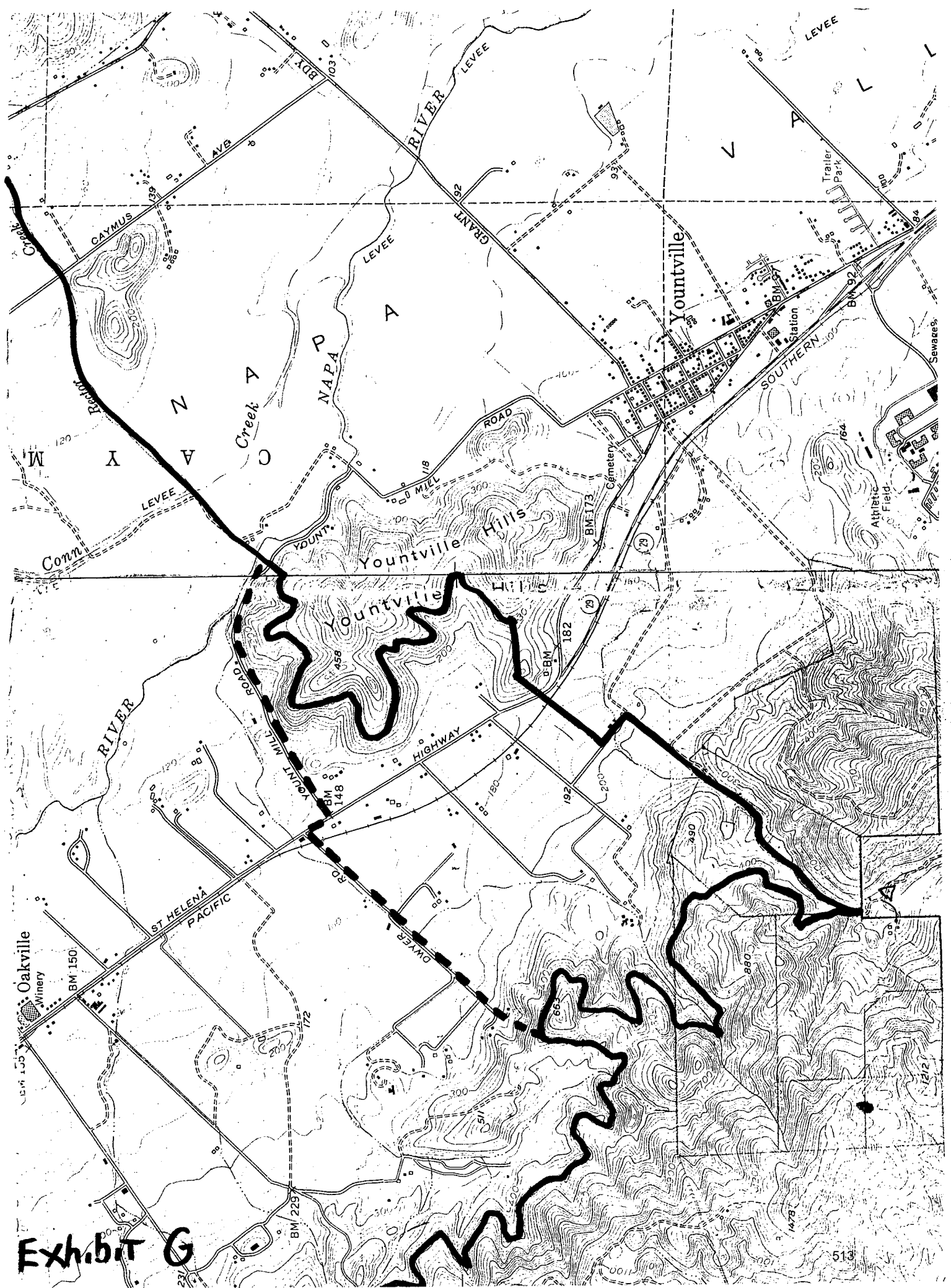


Exhibit G

UCC VINEYARDS GROUP

November 13, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221
(Attn: Notice No. 729)

RE: The Rutherford Viticultural Area

Gentlemen:

We wish to comment upon the geographical boundaries of the proposed Rutherford Viticultural Area. Specifically, we question the logic of establishing the northern boundary of the proposed area along Zinfandel Lane (Sec. 9.133 (c)(7)). Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely in delimiting this area (Historical/Current Evidence of Boundaries 56 FR 47044 page 3). We would suggest that a more logical northern boundary is the southern city limits line of St. Helena.

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The Petition concludes "The purpose of ATF's viticultural area program is to inform consumers about the origin of grapes from which a particular wine derives. In order to achieve this

goal, viticultural area names must be accurate, recognizable and informative, and boundaries must be consistent with these names and have geographic and viticultural significance." (Petition, page 36) To arbitrarily set the northern boundary of the proposed Rutherford area at Zinfandel Lane is to create a "no-man's land" north of Zinfandel Lane and south of the city limits of St. Helena which can only lead to confusion on the part of consumers.

For all of the foregoing reasons, we respectfully request that the northern boundary of the proposed Rutherford Viticultural Area be the southerly city limits line of St. Helena.

Respectfully submitted,

UCC VINEYARDS GROUP

412

David I. Freed, President

<u>PROPERTY OWNED</u> (address or APN)	<u>ACRES</u>
030-260-005	13.07 ac
030-260-004	34.29 ac
030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:
(Please sign and print your name as above)

_____	_____
_____	_____
_____	_____
_____	_____

10

UCC VINEYARDS GROUP

November 13, 1991

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Bureau of Alcohol, Tobacco & Firearms
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AND CO-ENDORSED BY THE FOLLOWING:
(Please sign and print your name as above)

John P. Grech
John P. Grech

027-120-022-00 10 Acres

Nancy Grech
Nancy Grech

(as above)

UCC VINEYARDS GROUP

November 13, 1991

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Bureau of Alcohol, Tobacco & Firearms
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030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:
(Please sign and print your name as above)

A. Bernard McPartay

A. BERNARD MC PARTAY
1577 INGLEWOOD AVE.
ST. HELENA, CA 94574

APN 037-120-024 (7.75AC.)

12

UCC VINEYARDS GROUP

November 13, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221
(Attn: Notice No. 729)

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AND CO-ENDORSED BY THE FOLLOWING:
(Please sign and print your name as above)

Dean R. Pollard

DEAN R. POLLARD
1860 W. ZINFANDEL LANE
ST. HELENA, CALIFORNIA 94574

1860 W. ZINFANDEL LN.

1860 W. ZINFANDEL LN. 17.45 ac

UCC VINEYARDS GROUP

November 13, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
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Washington, D.C. 20091-0221
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UCC VINEYARDS GROUP

4/12

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 (address or APN)

ACRES

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AND CO-ENDORSED BY THE FOLLOWING:
 (Please sign and print your name as above)

Joe V. Criscione

 JOE V. CRISCIONE

27-120-34 8.5 AC.

14

UCC VINEYARDS GROUP

November 13, 1991

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Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221
(Attn: Notice No. 729)

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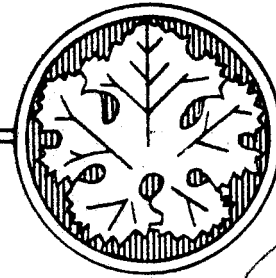
Anne R. Moorhead 14 Nov '91
Anne R. Moorhead

A.P.N. 027-120-026 27.24A.

114

Napa Valley Grape Growers Association

"Napa Valley . . . the premier winegrowing region of the world."



15

November 33, 1991

Chief Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Dear Sirs,

We are concerned with the activity in the Napa Valley to establish additional viticultural areas without public hearings, the most recent being the "Oakville" proposal.

Representing the independent winegrape growers of Napa County, our organization believes the grape and wine community should be given the opportunity to air its concerns at a public hearing. This is the only way BATF can fully expect to understand the impacts and concerns surrounding the creation of another viticultural area.

We ask that you hold a public hearing for the "Oakville" proposal and any future proposals for the establishment of viticultural areas within our valley. Thank you.

Sincerely,

Robert Lee Hudson
President



Napa County Farm Bureau

11/15
16

November 14, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Dear Sirs,

On behalf of the Napa County Farm Bureau, I am writing to request that any proposal to establish additional viticultural areas in the Napa Valley involve a public hearing. It is our belief that the concerns of those of us within the industry are critical to the overall understanding of the impacts of such proposals as the "Oakville" viticultural project, and any others, on our industry and community.

Sincerely,

Volker Eisele, Chairman
Land Use Committee

UCC VINEYARDS GROUP

November 13, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221
(Attn: Notice No. 729)

RE: The Rutherford Viticultural Area

Gentlemen:

We wish to comment upon the geographical boundaries of the proposed Rutherford Viticultural Area. Specifically, we question the logic of establishing the northern boundary of the proposed area along Zinfandel Lane (Sec. 9.133 (c)(7)). Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely in delimiting this area (Historical/Current Evidence of Boundaries 56 FR 47044 page 3). We would suggest that a more logical northern boundary is the southern city limits line of St. Helena.

The petition of the Rutherford and Oakville Appellation Committee dated March 8, 1989 (herein "Petition") suggests "...that community names and areas - - Calistoga, St. Helena, Rutherford, Oakville, Yountville and Napa - - should be used for the basic north-south valley divisions. These areas would be contiguous, non-overlapping and would cover the entire floor of the Napa Valley...These community names...have been used historically to divide Napa Valley into viticultural districts...Although the communities of Napa, Yountville, St. Helena and Calistoga have official limits, whereas Rutherford and Oakville do not..." (Petition, page 6)

The Petition notes "Lying between the incorporated town of Yountville to the south and the city of St. Helena to the north, Oakville and Rutherford define the unincorporated area in between." (Petition, page 10) It would seem that the best evidence of the boundary between the city of St. Helena to the north and the unincorporated area of Rutherford to the south is the southern city limits line of St. Helena.

The Petition concludes "The purpose of ATF's viticultural area program is to inform consumers about the origin of grapes from which a particular wine derives. In order to achieve this

goal, viticultural area names must be accurate, recognizable and informative, and boundaries must be consistent with these names and have geographic and viticultural significance." (Petition, page 36) To arbitrarily set the northern boundary of the proposed Rutherford area at Zinfandel Lane is to create a "no-man's land" north of Zinfandel Lane and south of the city limits of St. Helena which can only lead to confusion on the part of consumers.

For all of the foregoing reasons, we respectfully request that the northern boundary of the proposed Rutherford Viticultural Area be the southerly city limits line of St. Helena.

Respectfully submitted,

UCC VINEYARDS GROUP

412 /
David I. Freed, President

<u>PROPERTY OWNED</u> (address or APN)	<u>ACRES</u>
030-260-005	13.07 ac
030-260-004	34.29 ac
030-240-180	42.60 ac
030-250-019	52.63 ac
030-260-030	15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:
(Please sign and print your name as above)

David Sattui, CEO

DARYN SATTUI

Tom C. Davies Pres.

TOM C. DAVIES

Beaulieu Vineyard

ESTATE BOTTLED NAPA VALLEY WINES • ESTABLISHED 1900
GEORGES DE LATOUR, FOUNDER
VINEYARDS AND WINERY • RUTHERFORD, NAPA COUNTY, CALIFORNIA 94573 •

November 15, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
Post Office Box 50221
Washington, DC 20091-0221
Attention: Notice Number 729

Re: Notice of Proposed Rulemaking (No. 729)
Rutherford Viticultural Area (89F-90P)

Dear Sir:

This letter is written in response to the request for comments regarding the Notice of Proposed Rulemaking (Notice No. 729) regarding the Rutherford Viticultural Area (89F-90P).

Beaulieu Vineyard requests consideration of the following two issues:

- a) Given the importance of the proposed viticultural area to the Napa Valley, we request that a public hearing be held to review this application, and that such public hearing be held in the Napa Valley.
- b) The proposed viticultural area (see Exhibit I) does not include the Beaulieu Vineyard properties No. 2 and No. 4 (see Exhibit II) which have historically been associated with Beaulieu Vineyard and its Cabernet Sauvignon wines, and which have contributed greatly to the development and consumer recognition of the Rutherford name.

Because of the historical significance of these two properties to Beaulieu Vineyard, the important role these two properties have played in the development of the Rutherford name to the wine consumer, the economic importance of the viticultural area to the Beaulieu Vineyard Rutherford Cabernet Sauvignon and the geographic location of the two properties, we therefore request incorporation of the two Beaulieu Vineyard properties into the Rutherford Viticultural Area, and consideration of the following two options:

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco, and Firearms
November 15, 1991
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- (i) The creation of an overlapping viticultural area to permit the two Beaulieu Vineyard properties presently included in the proposed Oakville Viticultural Area to be included in the Rutherford Viticultural Area (BATF has established a similar precedent in other areas),
or
- (ii) The grandfathering of the two Beaulieu Vineyard properties into the Rutherford Viticultural Area. This latter option would not detract from the township approach adopted by the petitioners, while permitting Beaulieu Vineyard to continue to produce its wines, from the same vineyard locations, as it has done for almost 91 years.

Background:

Beaulieu Vineyard is located within the proposed Rutherford viticultural area. The winery was established in 1900, by a Frenchman, Georges de Latour, who had a desire to produce world class Cabernet Sauvignon wines in California. He located the winery in the Rutherford area of Napa Valley, and named his estate and winery, Beaulieu, which means "Beautiful Place" in his native French language.

Georges de Latour purchased four vineyard properties in the central part of the Napa Valley during the early days of the winery between 1900 and 1940.

Beaulieu Vineyard No. 1, 132 Acres, ca. 1900
Beaulieu Vineyard No. 2, 146 Acres, 1907
Beaulieu Vineyard No. 3, 198 Acres, 1920 - 1930's
Beaulieu Vineyard No. 4, 90 Acres, 1943

These properties have always been an important part of the Beaulieu Vineyard Cabernet Sauvignon program. Much of the rootstock retail operation Georges de Latour established at the turn of the century was located on Beaulieu Vineyard No. 4. In addition, in 1980 Beaulieu Vineyard established a Cabernet Sauvignon grapevine clone trial at Beaulieu Vineyard No. 4 -- this trial was established with the express purpose of providing Beaulieu Vineyard with Cabernet Sauvignon information for the Beaulieu Vineyard Rutherford Cabernet Sauvignon.

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The property known as Beaulieu Vineyard No. 3, was subsequently sold in the early 1970's, although the grapes have remained under long-term contract to Beaulieu Vineyard, and remain an important part of the Beaulieu Vineyard Cabernet Sauvignon wines.

The proposed Rutherford Viticultural Area contains approximately 6,650 acres. Within this area, Beaulieu Vineyard owns, leases, or purchases under long-term contract grapes from 1,394 acres, or 20.9% of the proposed total viticultural area (see Exhibit III). This makes Beaulieu Vineyard one of the major winegrowers in the proposed viticultural area, and explains the role Beaulieu Vineyard has played in the development of the Rutherford name among wine consumers.

On December 17, 1979, Beaulieu Vineyard was granted a Certificate of Label Approval for a Cabernet Sauvignon wine called Rutherford Cabernet Sauvignon, covering the 1977 vintage. This wine has been produced under this name from 1977 until 1989, thirteen vintages released to the consumer. Prior to 1977, this wine was sold as Beaulieu Vineyard Cabernet Sauvignon, and has been produced since approximately the 1920's. Along with the Georges de Latour Private Reserve Cabernet Sauvignon, the BV Rutherford Cabernet Sauvignon has become known as one of the benchmark Napa Valley Cabernet's, with much of its style attributable to the vineyard location in Rutherford.

The name "*Rutherford*", and its association with Napa Valley Cabernet Sauvignon, can be closely associated with Beaulieu Vineyard. In the 1930's, Andre Tchelitscheff described what he called the "*Rutherford dust*" in the taste of Beaulieu Cabernet Sauvignon's (see Exhibit IV). A recent article in the Napa Register describes Tchelitscheff's boundaries of Rutherford to include the properties known as Beaulieu Vineyard No. 2 and Beaulieu Vineyard No. 4 (see Exhibit V). In addition, several wine journalists have described the Rutherford/Rutherford Bench Viticultural Area as including the two Beaulieu Vineyard properties (see Exhibit VI).

Beaulieu Vineyard has been producing Cabernet Sauvignon wines from grapes grown in the central area of the Napa Valley for many decades. Historical winery records indicate that on December 3, 1933, the San Francisco Chronicle advertised a selection of Beaulieu Vineyard wines that included a Cabernet Sauvignon. In October 1990, the winery celebrated the release of the 50th vintage of the Georges de Latour Private Reserve Cabernet Sauvignon; a wine produced from grapes grown in the area considered by Beaulieu Vineyard to be the Rutherford Viticultural Area.

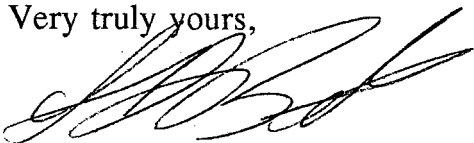
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The importance of the Rutherford Viticultural Area to Beaulieu Vineyard from both a historic, as well as economic standpoint, is substantial. Beaulieu Vineyard, its wines, its viticulturists, and its winemakers, have done much to create the historical significance, and consumer recognition of the name Rutherford. This name is now proposed as a viticultural area name that excludes two of the vineyards that participated in the development, and historic significance, of the name, and the viticultural area.

I will be pleased to provide you with any additional information you may require as you consider this request.

Thank you for your attention and consideration.

Very truly yours,



Anthony A. Bell
Vice President/General Manager
Beaulieu Vineyard

AAB:cas

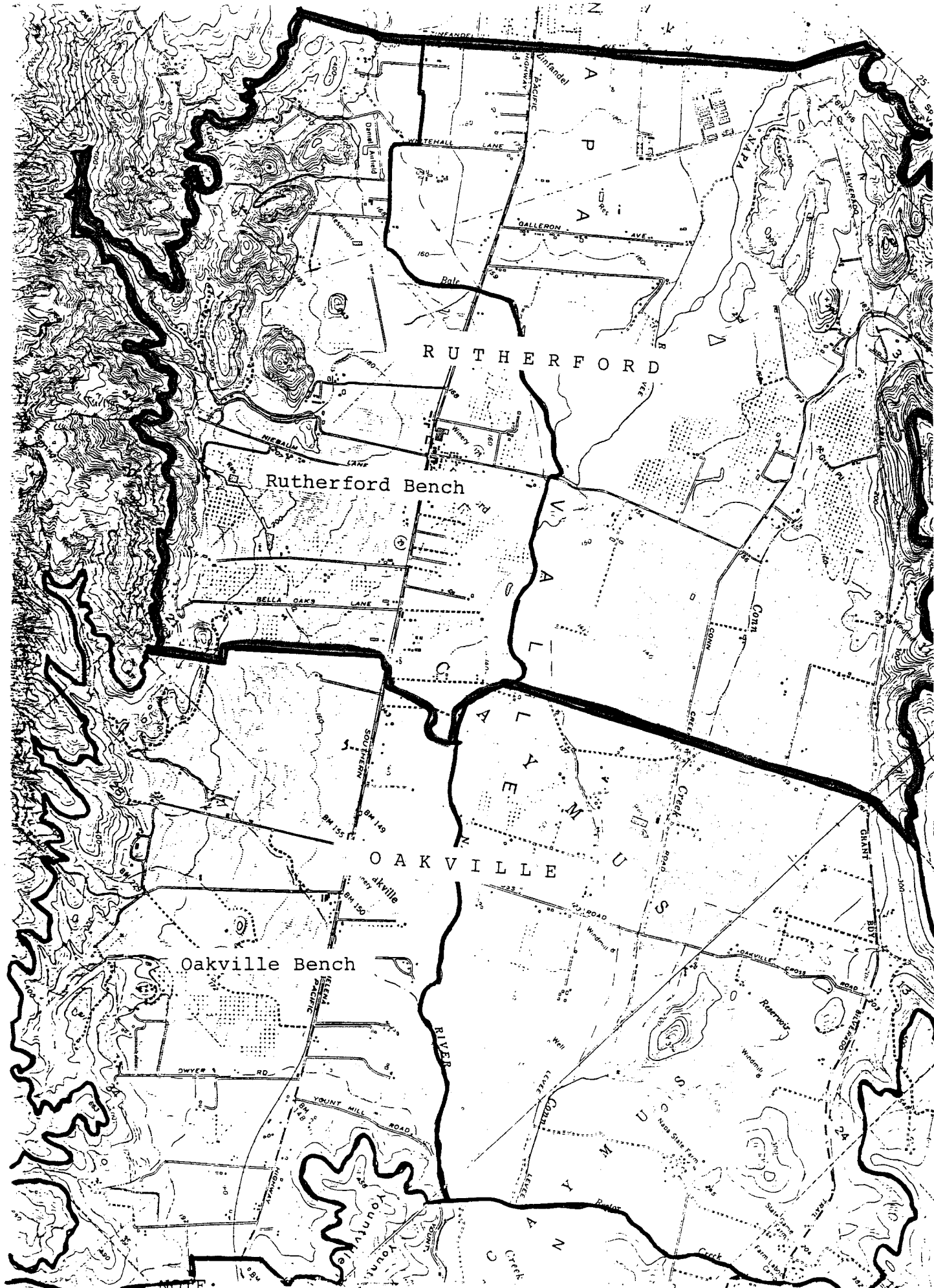
Attachments

cc: Richard L. Maher
David J. Scott
Richard E. Walton
William B. Wathen

EXHIBIT I

RUTHERFORD VITICULTURAL AREA

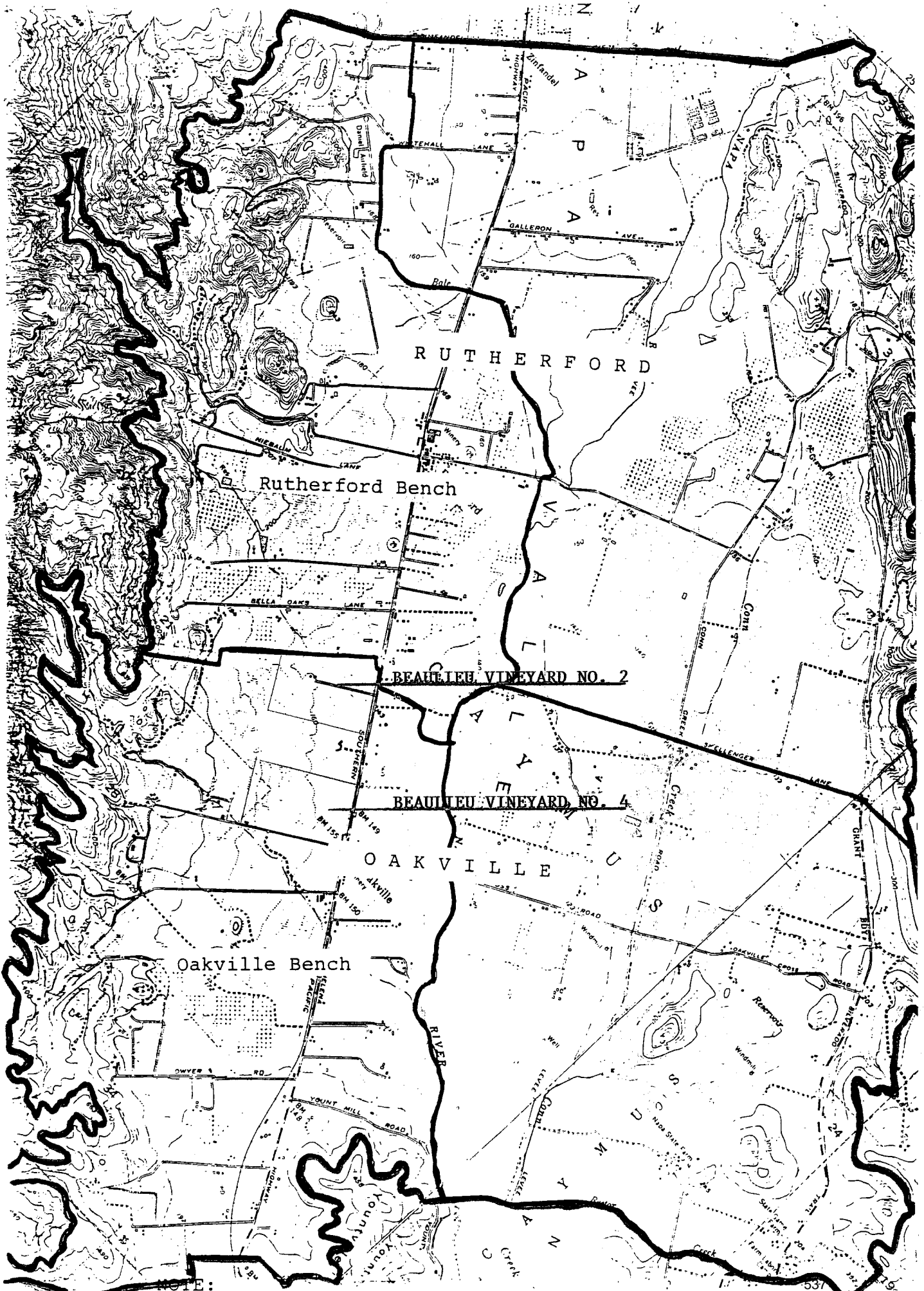
AS PROPOSED BY NOTICE NO. 729



NOTE: These boundaries have been reduced from U.S.G.S 7.5' quadrangle maps. The full size

EXHIBIT II

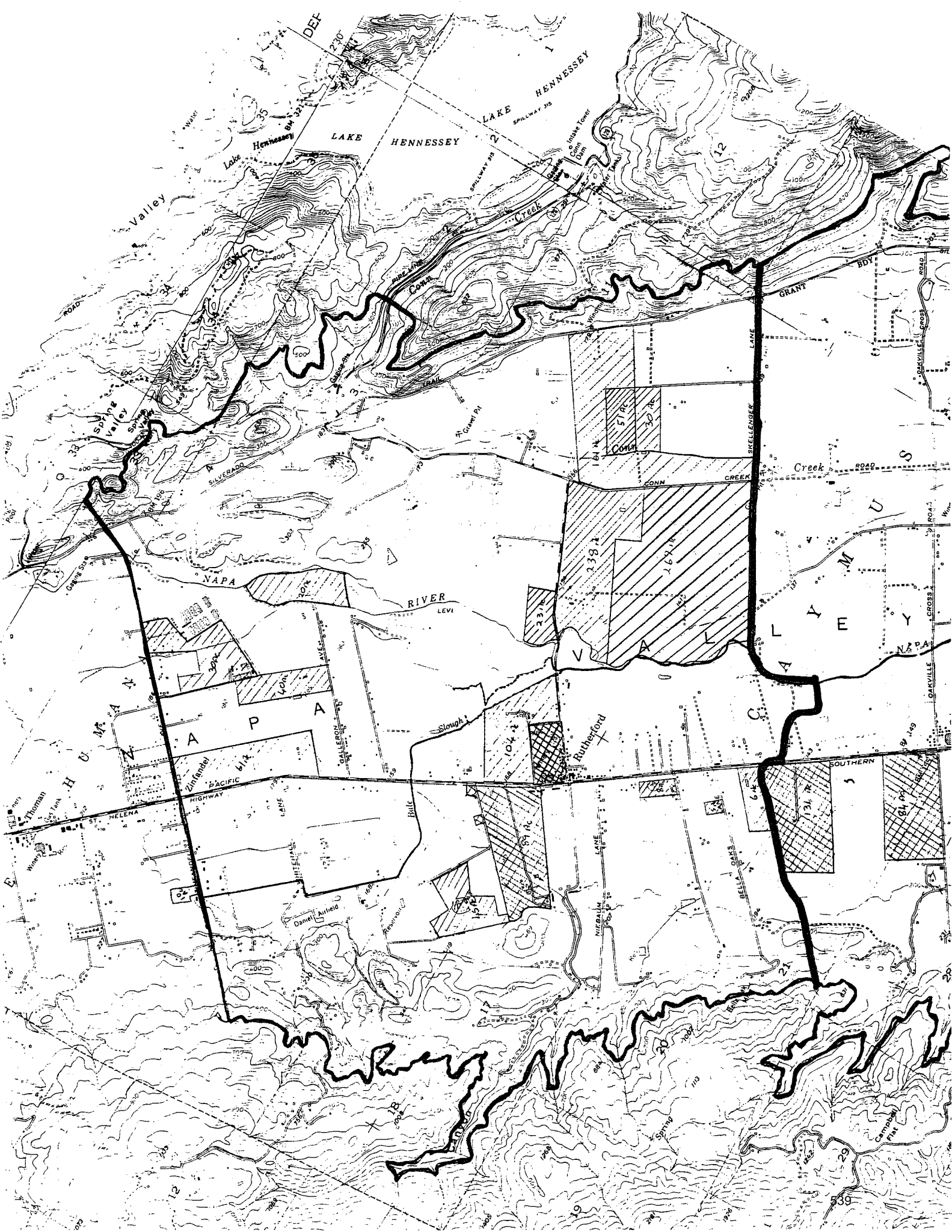
**LOCATION MAP OF BEAULIEU VINEYARD NO.2 AND BEAULIEU
VINEYARD NO. 4 IN RELATION TO THE SOUTHERLY BOUNDARY OF THE
PROPOSED RUTHERFORD VITICULTURAL AREA**



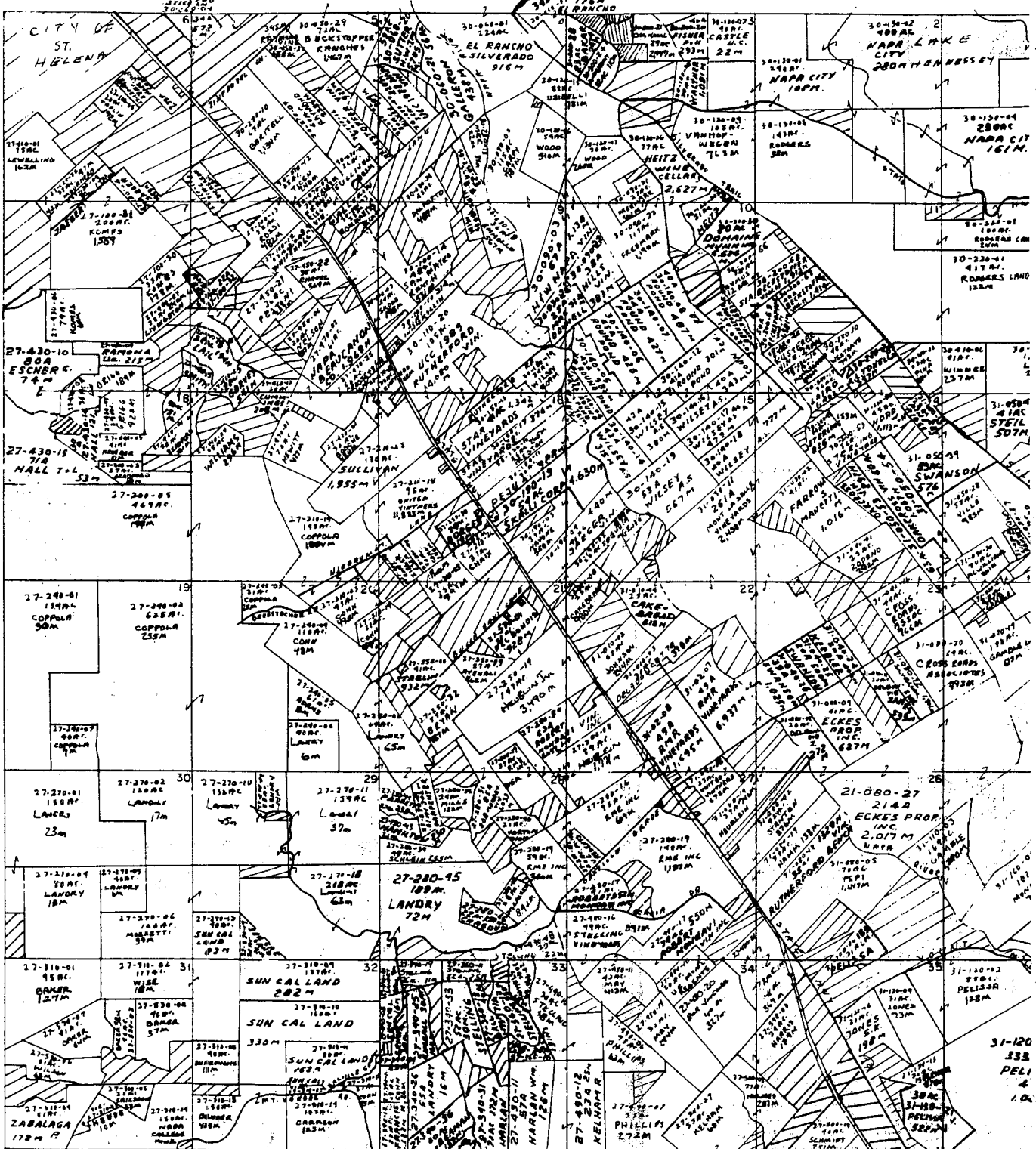
NOTE: These boundaries have been reduced from U.S.G.S

EXHIBIT III

**LOCATION OF BEAULIEU VINEYARD GRAPE SOURCES WITHIN THE
PROPOSED RUTHERFORD VITICULTURAL AREA**



19



T7N R5W

30

PL.

23

22

2

EXHIBIT IV



MAY 26 1993

Wine

BY FRANK J. PRIAL

NAPA'S BENCH MARKS

PAUILLAC, CHATEAUNEUF-du-Pape, Vosne-Romanée and the Rutherford Bench.

The Rutherford Bench?

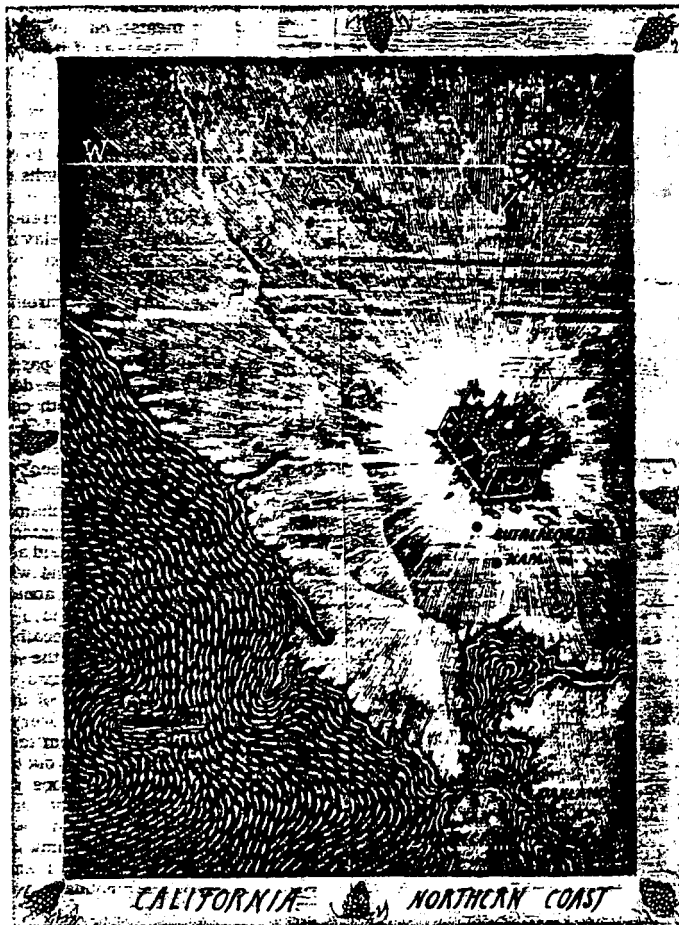
Yes, the Rutherford Bench, in California, boasts one of the more exceptional concentrations of great wine producers in the world. Pauillac has Lafite-Rothschild, Mouton-Rothschild, Latour, Pichon-Lalande and Lynch-Bages, to name a few; Vosne-Romanée has Romanée-Conti, Romanée-Saint-Vivant, La Tâche and Richebourg; Châteauneuf-du-Pape has Beaucastel, Rayas — but you get the point. These are towns or communes that produce very few, if any, common wines.

The Rutherford Bench is a stretch of the Napa Valley, about three miles long, ranging north from Oakville along the west side of Route 29 to Rutherford. Among the wineries to be found in that rather small tract of real estate are Beaulieu, Inglenook, Niebaum-Coppola, Grgich-Hills, Far Niente and Vichon; vineyard properties include the renowned Martha's Vineyard and Bella Oaks Vineyard, whose grapes are used by Heitz Cellars, the Bosche Vineyard, which supplies Freemark Abbey, and parcels owned by the Robert Mondavi, Pine Ridge and Joseph Phelps wineries.

Route 29 informally denotes the western boundary of the vine-covered flatlands that make up the bulk of the Napa Valley. The vineyards to the west of the highway lie on a gentle incline leading up toward the Mayacamas Mountains, which loom a mile or two away.

There is little question that the soils here are special; they rest on a gravelly bed deposited by an old stream, providing excellent drainage. But whether there is any geologically identifiable "bench" — a terrace formed along the bank of a river or stream — is arguable. "The only bench around here," a skeptical grower once said, "is the one sitting out in front of the Oakville Grocery."

Back in the 1930's, Beaulieu Vineyard's enologist, Andre Tchelistcheff, described what he called "Rutherford dust" in the taste of Beaulieu's top-of-the-line Private Reserve cabernet sauvignon. But even Tchelistcheff, now 89 years old, cannot recall where the term "bench" came from. It seems to



Vineyards, which is also beyond the pale — on the other side of the highway, that is — the winery's president, Agustin Huneeus, took a more lighthearted approach. He had a huge wooden bench placed in front of his winery and called it — what else? — his Rutherford Bench.

In fact, the Government, specifically the Bureau of Alcohol, Tobacco and Firearms, is considering proposals that would create even more A.V.A.'s in the Napa Valley, including two adjoining Rutherford and Rutherford Bench to the south. They would be Oakville and Oakville Bench, and would pick up some of the wineries and vineyards now loosely associated with the Rutherford region. Among the strongest advocates of this further Balkanization of the valley are the Mondavis, who own the Robert Mondavi and Vichon wineries, both in what would become the Oakville Bench. Again, wineries entitled only to the Oakville name claim they would be relegated to second-class status.

And, in fact, the creation of ever-more exclusive viticultural regions is more of a marketing tool than anything else. An A.V.A. designation carries with it no requirements as to the types of grapes that must be grown or the style of wine to be made from them; as do appellations in Europe. Before a Bordeaux can use the Pauillac appellation, it must adhere to a list of stringent regulations meant to control not only its authenticity but its quality.

The best that can be said about American viticultural regions is that they represent — some would say at long last — a recognition that the vineyards, and particularly the soil, are important to good wine. Once, climate and technical skill in winery were considered the essentials of California wine-making.

In France, the viticultural areas have evolved over centuries. A Gevrey-Chambertin is not the same as an Aloxe-Corton, made only a few miles away, any more than a Saint-Julien is like a Margaux from a vineyard three miles distant. Presumably, American viticultural areas will one day develop their own characteristics, their own styles.

Until then, with few exceptions, A.V.A.'s will be more important for what they imply than what they

on it want the land to be formally recognized by the Federal Government. For almost two decades, the Government has been busy designating viticultural areas around the country, based principally on geography, climate and historical precedent.

The Napa Valley was one of the earliest American Viticultural Areas, or A.V.A.'s. Some A.V.A.'s fall within larger regions. The Stags Leap district, for example, lies entirely within the Napa Valley A.V.A. Proponents of the Rutherford Bench seek this same status. In fact, they have proposed two subregions: Rutherford and the even more exclusive Rutherford Bench.

Some neighbors of the Rutherford Bench properties see "Rutherford" as a put-down that would make them second-tier wineries. Many of them —

PETER SIS

wine country DATELINE

Local Les Amis du Vin chapter reactivated

By L. PIERCE CARSON
Register Staff Writer

Wine buffs can take heart in the news that the Napa Valley chapter of Les Amis du Vin has been reactivated.

A few members of the local wine industry prevailed upon Bruce Scotland and Bill Craig, respective manager and assistant manager of St. Helena Wine Merchants, to breathe life into the once active wine appreciation organization.

With a flair generally reserved for local wine events, Les Amis du Vin kicked off the year's series of wine tastings this past Tuesday night with a comparison of Rutherford bench cabernet sauvignon bottlings from the 1982 harvest.

The local Les Amis du Vin chapter has been inactive for about four years, notes Scotland, and he and a number of friends felt it was time to revitalize it.

Scotland points out there aren't many public wine tastings here, despite the fact that this is the nation's premier viticultural area. Most wine events are geared toward industry members.

"There's really very little for anyone who has found a new interest in wine — people who may have just moved in the area, for example," he remarked the other evening. "This will fill that niche."

Whether or not the local winetasters' group will continue under the aegis of Les Amis du Vin remains to be seen.

tion "took a hike" and Les Amis du Vin is struggling at the moment just to keep its nose out of the leas.

"We'll clone ourselves to whatever group emerges from the ashes," Scotland added.

Annual membership in the local Les Amis du Vin chapter is \$39. Anyone interested in joining the group can contact Bruce or Bill at St. Helena Wine Merchants, 699 St. Helena Highway, St. Helena 94574. Their phone number is 963-7888.

Craig conducted the Rutherford bench cabernet sauvignon tasting the other evening at the Oakville Garden restaurant. He said the group plans to have six public tastings per year, with the next one planned for April 15.

Special guest for the first event was the dean of California winemakers, Andre Tchelistcheff, winemaker at Beaulieu Vineyard from 1937 to 1973.

"Wine is a beverage of pleasure," Tchelistcheff said at the outset, "rather than one for competition."

Although the approximate 30 individuals present were about to taste and rank seven individual bottlings, Tchelistcheff wanted to point out the event should be one of enjoyment rather than one designed to ascertain which wine would be ranked as crowd favorite.

When Tchelistcheff came to California in the '30s, there were but 120 acres planted to cabernet sauvignon, he pointed out. Half of that acreage

was in the Napa Valley, planted by both Inglenook and Beaulieu.

He defined Rutherford cabernets as those coming from vineyards within the boundaries of Zinfandel Lane on the north, Yountville on the south, Mount St. John on the west and the Napa River on the east — although some vineyards east of the river contain that demarcation's characteristics.

There is both special bouquet and taste in bottlings of grapes harvested from vineyards west of Highway 29, he continued. Tchelistcheff and Dr. Maynard Amerine, former head of UC Davis enology department, labeled this unique common denominator "Rutherford dust." It is that special quality of cherries, plums, steeliness, tannin, et al. that gives these wines their unique character.

Rutherford bench wines have a "strong spine," Tchelistcheff noted. Wines from this area have the longest life in the bottle, he added.

Winemakers have been playing games with cabernet sauvignon wines since his arrival here, over four decades ago, Tchelistcheff said.

"But wines are produced in the vineyard, not at the winery. If you don't pay attention to quality in the vineyard, no matter how much you try to patch things up in the winery, you'll never have a great wine."

The seven '82 cabernets tasted the other evening were Inglenook Vineyards Reserve Cask, Beaulieu Vine-

yards Private Reserve-George de Latour, Caymus Vineyards, Pine Ridge Rutherford Cuvee, Luper Reserve (Bouchaine Vineyards), Far Niente Winery and Heitz Wine Cellars Martha's Vineyard.

All were curious to hear what Tchelistcheff had to say about the wines offered for this blind tasting. For example, Tchelistcheff selected the Pine Ridge as his favorite. He felt it was the most harmonious of the lot, although it lacked "velvet."

Of his second and third choices, he commented "this is the dust." The Luper was Tchelistcheff's second choice, while Inglenook was his third. Commenting on the Inglenook, he praised its "complete harmony — this is beautiful, a well-presented nose, although the tannins are a little rough."

Of the Beaulieu, Tchelistcheff said "this is an oldtimer's presentation. This is the way I used to make wines. Although there is a definite market for this wine, I find it too aggressive — half a bottle would put

me under the table."

Nevertheless, it was the Beaulieu that took first place in Tuesday night's tasting, with Caymus, Inglenook and Pine Ridge following in relatively close order.

Scotland said the tastings will move from restaurant to restaurant.

On Tuesday, Oakville Garden chef Steve Taub served up a variety of exquisite terrines and pates, cheeses, escargots in puff pastry and a fiendishly addictive chocolate confection that disappeared within minutes. *****

A food and wine experience is planned Sunday at 5 at Joseph Matthews Sherry Oven restaurant, pairing the wines of Bruce Rogers with the cuisine of Staffan Terje.

Courses include a lobster/salmon terrine, smoked duck breast, sautéed sea bass with leeks, rack of lamb with rosemary/mustard and chocolate terrine with raspberry sauce.

Tariff for the special event is \$55. For reservations, phone 226-3777.

EXHIBIT VI

The Rutherford Bench

Hugh Johnson, The World Atlas of Wine, p. 253.

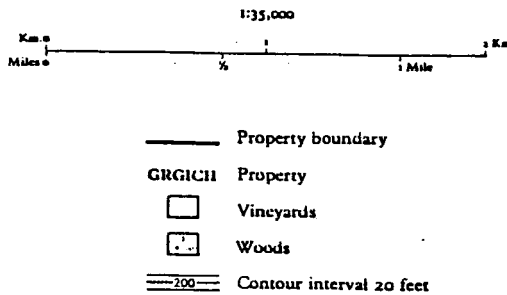
If there is a golden slope in California, one particular locality where wine of a recognizable type and often marvellous quality has been made since records start, it is the gentle foothill slope known as the Rutherford Bench, a length of gritty loam variously defined as starting just north of the village of Rutherford in the Napa Valley, and running south to just beyond Oakville, or going on farther south nearly to Yountville.

The 'Bench' is planted with a very high proportion of Cabernet Sauvignon, vines that have produced most of the long-term classics of Napa winemaking. The famous Inglenooks of John Daniel in the 1940s and 50s, the Georges de Latour Private Reserve of Beaulieu Vineyards in the 1940s, 50s and 60s, Heitz Martha's Vineyard from 1966 on and more recently his Bella Oaks, Cesare Mondavi Selection Cabernet from Charles Krug, Cabernet Bosche from Freemark Abbey, Robert Mondavi Reserve Cabernet from the late 1960s and, since 1979, his Opus One, produced in collaboration with Baron Philippe de Rothschild, all these famous wines were made of grapes grown in this stretch of dirt. Different as their styles of winemaking may have been, they have set a certain standard and evoked in those who have known them the pleasure of recognition. 'Rutherford dust' is one term sometimes used to try to pinpoint a characteristic taste they often share. Allspice is a more precise reference point.

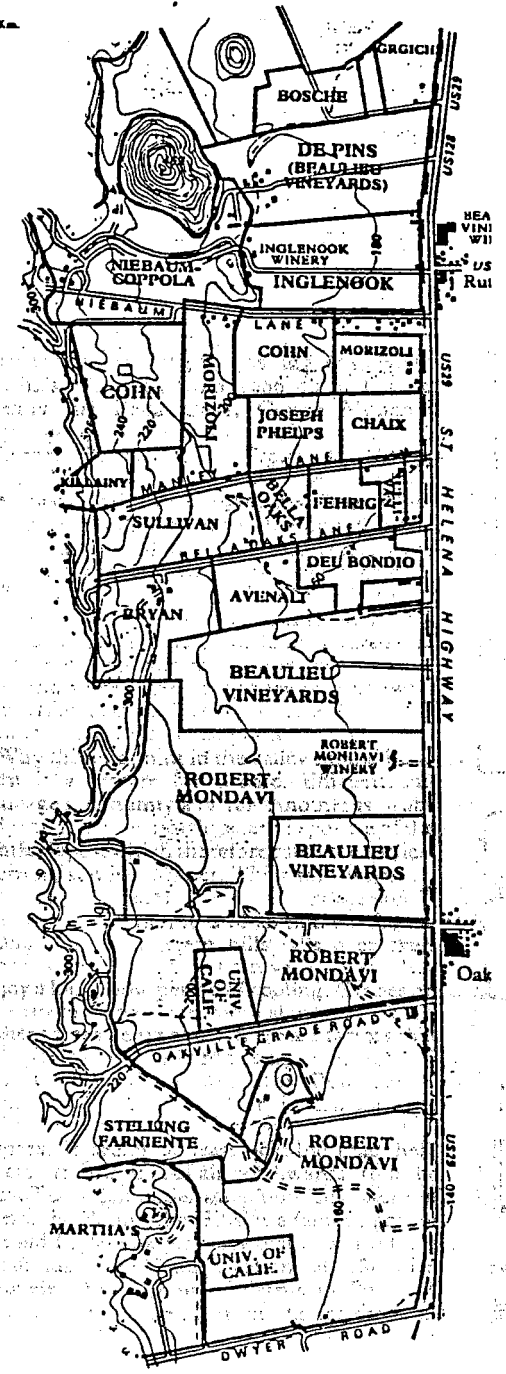
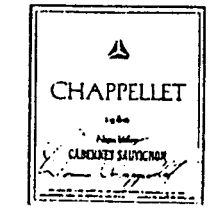
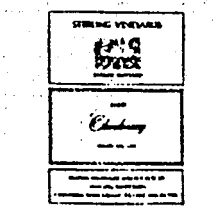
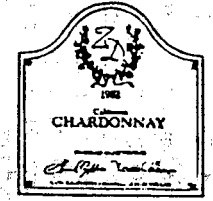
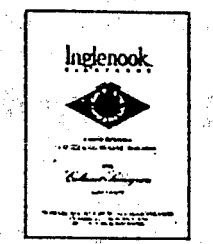
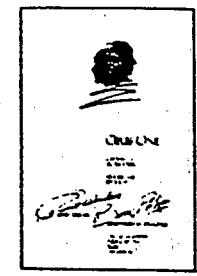
Why this midpoint in the valley should be so ideal is a matter for debate. Efficient soil drainage is certainly a factor. Another is probably the generally northeastern exposure of the gentle slopes, which therefore catch the earliest morning sun in summer. Their soils warm up rapidly, then lose the direct rays of the sun in the afternoon when it is often hottest. As the shadow of the western hills falls over their vines, with soil and air both very warm, they enjoy a long, slow period of cooling. Grapes on an eastern slope ripen more slowly and later. Other things being equal, these are factors that enhance flavour and aromas in the fruit.

Just south of the Bench on Route 29 at Yountville the valley floor is considerably narrowed by two major outcropping eminences. It seems at least possible that these affect the flow of cool air northwards from the Bay. Tucked in under the south flank of one of them, the Yountville Hills, is a famous part of the old Inglenook property that now produces Dominus, the Napa creation of Christian Moueix, the director of Pétrus in Pomerol. Tucked behind the other, on the eastern side, is an area with the name of Stag's Leap (for the cliff edge above it). Stag's Leap Wine Cellars and the neighbouring Clos du Val are both famous for Cabernets in a more delicate style than those of the Rutherford Bench. Both have outstanding winemakers. Time will tell how much is the man, how much the vineyard.

The Napa Valley built its great modern reputation principally on the powerful Cabernet grown in its hillside and benchland soils. Examples here are from the Rutherford Bench and vineyards in the hills (e.g. Chappellet) around. Napa Chardonnays are usually impressively rich, dense, textured wines.



- Property boundary
- GRGICH Property
- Vineyards
- Woods
- 200— Contour interval 20 feet



Land ownership in the 'Bench' is fragmented between a score of proprietors, several of them independent growers. On the map above, owners' names



A BUYER'S GUIDE

WINE AND SPIRITS

BY ANTHONY DIAS BLUE

Cabernets of the Rutherford Bench

OVER THE PAST 20 YEARS, the American wine industry has shown astonishing growth. And although still in its infancy compared to its grown-up siblings in Europe, the U.S. wine business is fast becoming one of the most important of its kind in the world.

Remarkable advances have taken place on the technological side of things; domestic winemaking techniques are state of the art. Steady progress is also being made in viticulture, especially when it comes to matching varieties to the best soils.

In the more than one hundred years since the first plantings, after much trial and lots of errors, domestic growers are discovering where certain grape varieties thrive. And nowhere is this process further along than in California's celebrated Napa Valley.

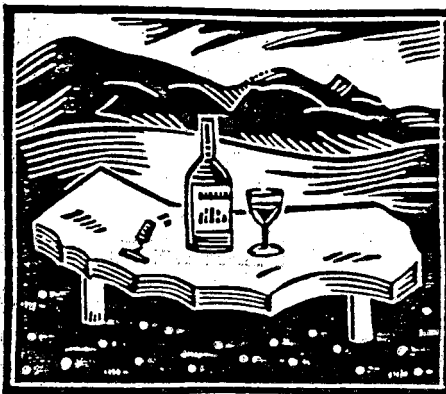
Much of the fame of this great growing area can be attributed to the Cabernet Sauvignon produced around the town of Rutherford, in the central part of the valley. In this spot, a sea of grapevines surges across a gradually sloping "bench," or former river floodplain, that drops out of the mountains separating Napa from Sonoma to the west. It rolls all the way to the Napa River, a medium-size waterway flowing north to south. This small vineyard area has become renowned as the Rutherford Bench.

What makes the Cabernets of the Rutherford Bench so exceptional is their superb balance and texture. The best of them show bright and intense fruit, crisp acidity and deep flavors. Very Bordeaux-like in style, these wines generally age magnificently, gaining elegance and complexity.

The serious propagation of Cabernet Sauvignon in this region can be traced back to Captain Gustave Ferdinand Niebaum, a rich fur trader who founded the Inglenook Vineyard in 1879. He loved Bordeaux wines and decided to plant the Cabernet variety

few years Inglenook wines were winning medals in Paris in competitions against Europe's best.

Ever since Captain Niebaum's inadvertent discovery of Cabernet's suitability to the loamy and well drained soil of the Rutherford Bench, much of the stretch between Yountville in the south and St. Helena in the north has been planted to Cabernet, Merlot and other Bordeaux varieties. But surprisingly enough, there is still substantial acreage of other types.



Here is where the California wine industry shows its youth and inexperience. In among the Cabernet and Merlot are spreads of Chardonnay, Sauvignon Blanc, Sémillon and, incredibly enough, Chenin Blanc. It is baffling to me how such superb soil could be wasted on such a minor variety, especially considering that Rutherford Bench vineyard land currently brings \$35,000 an acre.

I am certain that as time goes by, inappropriate acreage will shrink as more and more growers convert their plots to Cabernet. Like the Médoc in Bordeaux, the Rutherford Bench will undoubtedly evolve into a region devoted almost exclusively to Cabernet, Merlot and red blending grapes.

There does seem to be some confusion, however, as to the exact boundaries of the region. Does it encompass a tight little area between Dwyer Lane and Zinfandel Lane, or is it a larger stretch, starting at Yountville and ex-

Highway 29, Napa's main north-south artery, or does it extend across to the east side of the road and as far as the river? Naturally, the answers to these questions carry potentially profound political and economic ramifications. All these issues will be resolved eventually when the appellation is officially delineated by the government. That process is in the works, but no decision is expected for about five years. Until then, the boundaries are open to interpretation.

Because great wines are made throughout the area, I favor a broader definition. Even so, it still turns out to be tiny—smaller even than the diminutive Burgundy region of France. In its broadest definition, the Rutherford Bench runs about six miles north to south and two miles east to west.

Within this bloc there are a number of wineries, most of which have established preeminent reputations for Cabernet Sauvignon. In addition, there are wineries located in other parts of the Napa Valley that own or control important Rutherford vineyards.

Here are the most important wineries making Cabernets from Rutherford Bench grapes. These are the names to look for as you browse in your local wine shop or liquor store.

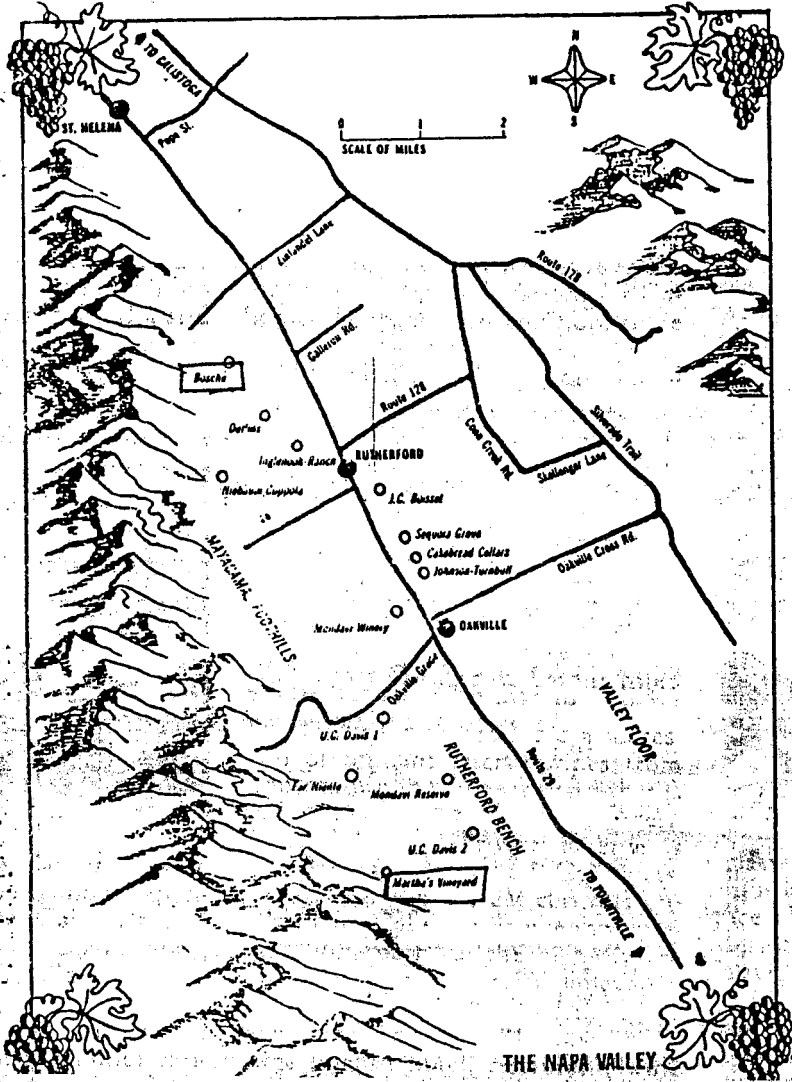
Beaulieu Vineyard. "BV" has been making great Cabernet Sauvignon on the Rutherford Bench since 1900. In 1938 owner Georges de Latour hired Russian-born winemaster André Tchelistcheff, who produced a succession of brilliant reserve wines from grapes grown in a key vineyard that is still owned by de Latour's descendants. Beaulieu's Private Reserve is still one of Napa's best Cabernets. Across Highway 29, BV controls another large Cabernet Sauvignon vineyard: just south on the highway are three more important BV vineyards. Beaulieu and neighbor Inglenook are now owned by Grand Metropolitan, a large English hotel, restaurant, wine and spirits conglomerate.

Cakebread Cellars. The Cakebreads have owned this 35-acre plot since 1973. They recently purchased an additional 25 acres adjacent to the winery. Plantings are split between Cabernet Sauvignon and Sauvignon Blanc. They also own another vineyard on the west side of the highway.

Dominus Estate. This winery's grapes come from Napanook, the southernmost vineyard in the Rutherford region, just before Yountville. Wine is being made under the watchful eye of Christian Moueix, scion of the famous Bordeaux firm that controls

WINE

Tasting Along Rutherford Bench



...-mile stretch of gravelly loam in the heart of Napa. With every step along Highway 29, Napa's famous tourist wine road that separates the Bench from the rest of the valley floor, one seems to come upon another member of California's cabernet aristocracy: Beaulieu George de Latour Private Reserve, Robert Mondavi Reserve, Heitz Martha's Vineyard, Freemark Abbey Bosché, the Inglenook Reserve Cask Cabernets and, most recently, Rubicon, from the Niebaum-Coppola vineyard.

But forget the names. What's special there is the soil. Much, indeed, too much, California wine is not vineyard designated. Such wines can be excellent, but will always lack the extra dimension, the sense of place, of wines from specific *terroirs*. The Bench's magnificent profusion of superb cabernets from vineyards in close quarters provides an opportunity that is all too rare among California wines, the chance to explore the interplay of soil and winemaking in determining the ultimate style and quality of a wine. One could hardly imagine a better way to study this venerable matter than to undertake a tasting tour of this unique strip of vineyards. The tasting notes pertain to the current releases of each wine, and the prices are approximate.

We begin with what is perhaps the most famous single American vineyard, Martha's Vineyard, which hugs the foothills of the Mayacamas Mountains, far back from the wine road. The crusty Joe Heitz has made the wine here since 1966, and the Heitz 1981 Martha's Vineyard (\$35) displays every bit of the famous, some might say notorious, Martha's Vineyard eucalyptus and mint bouquet. Very ripe and loaded with tannin, this is one to lay down.

Martha's gnarled old cabernet vines came initially from cuttings from two tiny experimental plots superbly positioned between Martha's and the nearby Robert Mondavi Reserve vineyards. The two experimental plots (which belong to the University of,

California-Davis wine school) supplied the grapes for the still unreleased 1984 Long Cabernet Sauvignon (\$30;

UCC VINEYARDS GROUP

November 13, 1991

Chief, Wine and Beer Branch
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 50221
Washington, D.C. 20091-0221
(Attn: Notice No. 729)

RE: The Rutherford Viticultural Area

Gentlemen:

We wish to comment upon the geographical boundaries of the proposed Rutherford Viticultural Area. Specifically, we question the logic of establishing the northern boundary of the proposed area along Zinfandel Lane (Sec. 9.133 (c)(7)). Because the village of Rutherford is not an incorporated township, there are no municipal boundaries on which to rely in delimiting this area (Historical/Current Evidence of Boundaries 56 FR 47044 page 3). We would suggest that a more logical northern boundary is the southern city limits line of St. Helena.

The petition of the Rutherford and Oakville Appellation Committee dated March 8, 1989 (herein "Petition") suggests "...that community names and areas - - Calistoga, St. Helena, Rutherford, Oakville, Yountville and Napa - - should be used for the basic north-south valley divisions. These areas would be contiguous, non-overlapping and would cover the entire floor of the Napa Valley...These community names...have been used historically to divide Napa Valley into viticultural districts....Although the communities of Napa, Yountville, St. Helena and Calistoga have official limits, whereas Rutherford and Oakville do not..." (Petition, page 6)

The Petition notes "Lying between the incorporated town of Yountville to the south and the city of St. Helena to the north, Oakville and Rutherford define the unincorporated area in between." (Petition, page 10) It would seem that the best evidence of the boundary between the city of St. Helena to the north and the unincorporated area of Rutherford to the south is the southern city limits line of St. Helena.

The Petition concludes "The purpose of ATF's viticultural area program is to inform consumers about the origin of grapes from which a particular wine derives. In order to achieve this

goal, viticultural area names must be accurate, recognizable and informative, and boundaries must be consistent with these names and have geographic and viticultural significance." (Petition, page 36) To arbitrarily set the northern boundary of the proposed Rutherford area at Zinfandel Lane is to create a "no-man's land" north of Zinfandel Lane and south of the city limits of St. Helena which can only lead to confusion on the part of consumers.

For all of the foregoing reasons, we respectfully request that the northern boundary of the proposed Rutherford Viticultural Area be the southerly city limits line of St. Helena.

Respectfully submitted,

UCC VINEYARDS GROUP

4/12

David I. Freed, President

PROPERTY OWNED
(address or APN)

ACRES

030-260-005 13.07 ac
030-260-004 34.29 ac

030-240-180 42.60 ac
030-250-019 52.63 ac
030-260-030 15.40 ac

AND CO-ENDORSED BY THE FOLLOWING:
(Please sign and print your name as above)

Diiane Morris Heldfond
DIANE MORRIS HELDFOND

27-120-11
10.97 acres at purchase date

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 738; Re: Notice Nos. 728 and 729; 89F-92P and 89F-90P]

RIN 1512-AA07

Reopening of the Comment Periods of the Proposed Oakville and Rutherford Viticultural Areas

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

ACTION: Reopening of the written comment periods on two proposed rules.

SUMMARY: This notice announces the reopening of the written comment periods for the proposed Oakville and Rutherford viticultural areas. The two proposed areas are immediately adjacent to each other and are both located in Napa County, California. In Notice Nos. 728 and 729 (56 FR 47039 and 47044), published in the *Federal Register* on September 17, 1991, ATF detailed proposals for the establishment of these two viticultural areas and requested comments. In consideration of the comments received, ATF has decided to reopen the comment periods of both notices to give all interested persons more time to submit additional written evidence (comments) concerning whether these two proposed viticultural areas should be established and, if so, what boundaries should be adopted. ATF feels this additional comment period is necessary since it was obvious from the comments received that there was an expectation that a public hearing would be held. ATF is not contemplating holding a public hearing on this matter.

DATES: Written comments must be received by July 21, 1992.

ADDRESSES: Send written comments to: Chief, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221 (Attn: Notice No. 738). Copies of the petitions, the proposed regulations, the appropriate maps, and any written comments received will be available for public inspection during normal business hours at: ATF Reading Room, Office of Public Affairs and Disclosure, room 6390, 650 Massachusetts Avenue NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert White, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226, (202-927-8230).

SUPPLEMENTARY INFORMATION:

Background

On September 17, 1991, ATF published two notices of proposed rulemaking, Nos. 728 and 729 (56 FR 47039 and 47044), in the *Federal Register*. In the notices, proposals were made for the establishment of two viticultural areas in Napa County, California, to be known as Oakville and Rutherford.

As specified in Notice No. 728, the proposed Oakville viticultural area is located just north of the town of Yountville, and approximately 10 miles northwest of the city of Napa. In very general terms, the proposed Oakville boundary goes as far north as Skellenger Lane, as far east as the 500-foot contour line on the western side of the Vaca Mountain Range, as far west as the 500-foot contour line on the eastern side of the Mayacamas Mountain Range, and as far south as approximately one mile northwest of the town of Yountville.

As specified in Notice No. 729, the proposed Rutherford viticultural area is located just south of the city of St. Helena and approximately 12 miles northwest of the city of Napa. In very general terms, the proposed Rutherford boundary goes as far north as Zinfandel Lane, as far east as the 500-foot contour line on the western side of the Vaca Mountain Range, as far west as the 500-foot contour line on the eastern side of the Mayacamas Mountain Range, and as far south as Skellenger Lane with the exception of one area going approximately .5 mile south of Skellenger Lane.

It is important to note that the proposed southern boundary of Rutherford coincides exactly with the proposed northern boundary of Oakville.

In response to the two notices of proposed rulemaking, ATF received a total of 19 comments. After reviewing the comments, it appears there is controversy concerning the northern and northeastern boundary of Rutherford, the southern boundary of Rutherford, and the southwestern boundary of Oakville. In addition, one commenter is against any further subdivision of Napa Valley.

Nine commenters disagree with the northern boundary of Rutherford. These commenters feel that the Rutherford boundary should extend further north either to Sulphur Creek or to the southern city limits line of St. Helena.

One commenter disagrees with the northeastern boundary of Rutherford. He feels that the northeastern boundary should continue to be the 500-foot contour line (which would include the Spring Valley area) rather than changing

to the 380-foot contour line which would exclude the Spring Valley area.

Two commenters disagree with the southern boundary of Rutherford. Both commenters feel that any boundaries for Rutherford must include Beaulieu Vineyard properties No. 2 and No. 4 which have historically been associated with Beaulieu Vineyard and its Cabernet Sauvignon wines, and which have contributed greatly to the development and consumer recognition of the Rutherford name. These two vineyard properties are currently within the proposed Oakville viticultural area. One of the commenters suggests that these two vineyard properties either be "grandfathered" into the Rutherford viticultural area or else allow part of the Rutherford viticultural area to overlap with part of the Oakville viticultural area so as to include these two vineyard properties in both the Rutherford and Oakville areas.

Two commenters disagree with the southwestern boundary of Oakville. Both commenters feel that the southwestern boundary extends too far south into what they feel is Yountville. According to one of these commenters, the Oakville/Yountville border has always been known by the locals to be Dwyer Road to Highway 29, then Yount Mill Road to Rector Creek. This commenter submitted evidence which suggests that one winery and several other businesses located south of Dwyer Road have Yountville addresses and consider themselves to be in the Yountville area. These businesses are currently located within the boundaries of the proposed Oakville viticultural area.

Request for Additional Comments

Based on the information presented in the comments, it is apparent that disagreement exists as to whether these two viticultural areas should be established and, if so, what boundaries should be adopted for these two areas.

Therefore, ATF desires to obtain more information on the establishment of these two viticultural areas, their proposed boundaries, and other possible boundaries.

For these reasons, ATF has determined that the reopening of the comment periods of the two notices is necessary and would serve the public interest. The purpose of the reopening is to obtain additional evidence for the record and to afford interested parties an additional opportunity to express their views. Evidence obtained and views expressed will be considered in the preparation of any final rules

concerning the Oakville and Rutherford viticultural areas.

It is extremely important that all interested parties submit any additional evidence which they want considered concerning the establishment of these two viticultural areas during this additional comment period since it is not currently contemplated that a public hearing will be held.

In all written comments, each topic to be discussed should be separately numbered and each numbered topic should specify the factual basis supporting the views, data, or arguments presented. Comments submitted which are not supported by factual evidence will not be particularly helpful in developing a reasoned regulatory decision. However, all written comments received, both during the original comment period and during this additional comment period, will be considered in the development of a decision on this matter.

ATF specifically requests that commenters consider making written comments on the following questions:

1. What are the historical and current boundaries (north, south, east, west) of the areas known as Oakville and Rutherford?

2. Why, and how, should the boundaries of Oakville and Rutherford, as proposed in Notice Nos. 728 and 729 respectively, be modified?

3. What geographical or climatic features, or other current or historical evidence, support the extension of the Rutherford area north of Zinfandel Lane into the Sulphur Creek area, or northeast of the 360-foot contour line, along the proposed northeastern border of Rutherford, into the Spring Valley area?

4. What geographical or climatic features, or other current or historical evidence, support the extension of the southern boundary of the proposed Rutherford viticultural area to include Beaulieu Vineyard properties No. 2 and No. 4, which are currently within the proposed Oakville viticultural area?

5. What geographical or climatic features, or other current or historical evidence, support using Dwyer Road and Yount Mill Road as the southwestern border of the proposed Oakville viticultural area? Currently, the proposed southwestern border extends south of Dwyer Road approximately 1 mile.

6. Is there any additional evidence, other than what is currently in the Oakville and Rutherford petitions, which supports the boundaries of the proposed Oakville and Rutherford viticultural areas as proposed in Notice Nos. 728 and 729 respectively?

7. Is there evidence that the name of the proposed Rutherford viticultural area is locally or nationally known as including the area north of Zinfandel Lane to include the Sulphur Creek area, or northeast 360-foot contour line along the northeastern border of Rutherford to include the Spring Valley area, or south of Skellenger Lane along the southern border of Rutherford to include Beaulieu Vineyard properties Nos. 2 and 4?

8. Is there evidence that the name of the proposed Oakville viticultural area is locally or nationally known as including the area south of Dwyer Road and Yount Mill Road up to a distance of approximately 1 mile?

9. What do wineries outside of the proposed Oakville and Rutherford areas consider to be the Oakville and Rutherford grape growing areas?

10. To what extent have wineries in the Oakville and Rutherford areas, as proposed in Notice Nos. 728 and 729, as well as those wineries located in the previously mentioned controversial areas, identified themselves as being in either Oakville or Rutherford?

11. To what extent have grapes grown in the proposed Oakville or Rutherford areas, or in the previously mentioned controversial areas, been or not been marketed as either Oakville or Rutherford grapes?

Drafting Information

The author of this document is Robert White, Coordinator, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

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

Authority: This notice reopening the comment periods of the proposed Oakville and Rutherford viticultural areas is issued under the authority of 27 U.S.C. 205.

Approved: April 18, 1992.

Stephen E. Higgins,
Director.

[FR Doc. 92-8365 Filed 4-21-92; 8:45 am]

BILLING CODE 4310-31-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 162

[CGD 85-096]

RIN 2115-AC03

Navigation on Certain Waterways Tributary to the Gulf of Mexico

AGENCY: Coast Guard, DOT.

ACTION: Notice of public hearings;
Extension of comment-period.

SUMMARY: On September 26, 1991, the Coast Guard published a notice of proposed rulemaking (NPRM) concerning navigation on certain waterways tributary to the Gulf of Mexico (56 FR 46773); on December 18, 1991, the Coast Guard extended the comment-period through March 26, 1992 (56 FR 65720). In response to several requests, the Coast Guard held public hearings in Corpus Christi, TX, Galveston TX, and New Orleans, LA, and extended the comment-period through April 27, 1992. In response to several more requests, received after the first three hearings were scheduled, the Coast Guard will hold one more hearing, in Saint Louis, MO. Also, to allow time for any written comments that may arise from the final hearing, the Coast Guard will extend the comment-period by another month.

DATES: The comment-period for the proposed rulemaking is extended to, and comments must be received on or before, May 28, 1992. The date of the public hearing is May 15, 1992, as further explained in **SUPPLEMENTARY INFORMATION** below.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA-2, 3406) [CGD 85-096], U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the above address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477. Comments will become part of the public docket for this rulemaking and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters.

The site of the public hearing is Saint Louis, MO. The time and place of the public hearing are specified in **SUPPLEMENTARY INFORMATION**, below.

FOR FURTHER INFORMATION CONTACT: Mr. Harry C. Robertson, Short Range Aids to Navigation Division, U.S. Coast Guard Headquarters, (202) 267-0405; or Mr. Monty Ledet, Aids to Navigation Branch, Eighth Coast Guard District, (504) 589-4686.

SUPPLEMENTARY INFORMATION: The Coast Guard is holding another public hearing and extending the comment-period for the NPRM, which concerns navigation on certain waterways tributary to the Gulf of Mexico. The Coast Guard has received several requests for a hearing in Saint Louis, MO. There are corporations, barge lines,