

5-21-1999

BY FAX

Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P O BOX 50221
Washington, D C 20091-0221
Attn.: Notice No. 874
Proposed Rules, Page 24308-24311

Re: Establishment of "Applegate Valley" Viticultural area
within the Jackson/Josephine Counties, Oregon

Gentlemen:

This letter is a statement of strong disapproval of the petition for the establishment of the Applegate Valley as a separate viticultural area within Southern Oregon. The petition, as published in the Federal Register on May 6, 1999, appears to have several misrepresentation of facts and minimizes the impact of carving out this new appellation would have on the remaining Rogue River Valley Appellation.

First as to what appear to be facts presented in the application. The petitioner notes that that the ✓ "Applegate Valley" has six bonded wineries in the proposed viticulture region; I'm aware of three (the petitioner, Valley View and Troon) and that some have multiple names for marketing purposes. Of the wineries, the petitioner is the smallest, with the smallest established vineyards. If the establishment of the Applegate were of genuine importance why are the other wineries and vineyard owners not joining in the petition? The lack of additional advocates would suggest that they're not interested, they've rejected the idea of joining in the petition, or for reasons unknown the petitioner did not bring this request to their attention for fear of rejection.

The petitioner states that the "Applegate" has 235 acres of established vineyards. This number sounds excessive but if true would, again, point to the fact that the petitioners planted properties are a tiny fraction of the whole. The majority of vineyards in the Applegate are either owned directly by other Rogue Valley Appellation wineries or sell their grapes to wineries out side of the Applegate. With this in mind the establishment of an Applegate Appellation would have a strong negative impact on their ability to combine Appellation recognition in selling their fruit as well as the purchasing wineries ability to provide nationally known Appellation labeling recognition.

I also note that the description of the boundaries of the Appellation is so vague as to be almost unrecognizable. The description provided strongly suggest that the new Appellation would effectively cut the older established Rogue Valley Appellation in to two separate, unconnected pieces (Illinois Valley -Cave Junction area and Bear Creek Valley/Medford areas). To approve this concept would be tantamount to agreeing to cut the Napa Valley or Sonoma Valley in to two distinct unconnected geographical areas (rather than cutting out a small sub-section).

As to climatic and soil differences within the present Rogue Valley Appellation these exist without doubt in any viticultural region. However, it is these differences which provide for the Rogue Valley's uniqueness. The climatic differences allow for the growing of distinct types of fruit in its

different areas. To suggest that each climatic area should be separated from the whole would again suggest that the Napa Valley/Sonoma Valley be carved up in to 5 mile wide bands as "soil, climate, elevation, topography (differences) distinguish (it) from surrounding areas.

To keep this short, regardless of the fact that "any interested person may petition ATF to establish a grape-growing region as a viticultural area" it appears that one of the most minor 'players' in the Applegate (and Rogue River Appellation) is trying for a fiat a'compleat. This petition does not appear to contain the signature, or written support, of any of the other wineries or local growers. Approval of this petition will only benefit the petitioner to the detriment of all the other growers, wineries, or purchasers of wine grapes with in the Rogue Valley. As stated earlier the majority of the fruit produced in Applegate Valley vineyards is owned by wineries outside of the Applegate or the 'private' fruit is sold to wineries outside of Applegate Valley.

Approval of this petition will have a noticeable negative financial impact on the other established wineries and growers. Approval of this petition will 'stroke the ego' of one individual.

Very truly yours,


Fred Evans


Medford, OR 97501


6/16/99

Chief Regulations Division
Bureau of Alcohol, Tobacco and Firearms
PO Box 50221
Washington, DC 20091-0221

Dear Sir,

As a realtor in Southern Oregon, I would like to see the proposed new appellation of "Applegate" take effect.


The Southern part of Oregon has a number of different wine grape growing areas, all of which currently fall under the "Rogue" appellation. There are three different valleys in which grapes are grown:

the "Rogue Valley"
the "Applegate Valley"
the "Illinois Valley"

All three of these valley have different and distinct weather and growing patterns, much as you would find in Napa, California. Since the "sub-appellations" of Napa have been granted their own distinct appellation (i.e. Carneros, Rutherford, etc.), prices of wine grapes (and hence, vineyards property) has increased dramatically.

With the growth in the number of vineyards in Southern Oregon, and the increased demand for grapes from Southern Oregon (particularly for Merlot from the "Applegate Valley"), granting a distinct appellation to the "Applegate Valley" will create a Napa style demand for vineyard property.

We hope that you will consider granting the proposed new appellation of "Applegate".

 Assoc.
Broker
Century 21 Harris & Taylor
Cane Junction, Ore 97523

BRIDGEVIEW VINEYARDS

6/16/99

Chief Regulations Division
Bureau of Alcohol, Tobacco and Firearms
PO Box 50221
Washington, DC 20091-0221

Dear Sir,

Bridgeview Vineyards would like to go on record as being "In favor" of the proposed new appellation of "Applegate".

We feel that as it is currently stated, the "Rogue" appellation is incorrectly named. We feel that should be named the "Southern Oregon" appellation, which would include the "Rogue Valley" (Medford, Talent, Ashland, Grants Pass, Rogue River, and Gold Hill), the "Applegate Valley" (which is a completely separate drainage, but drains into the Rogue River 11 miles north west of Grants Pass), and the "Illinois Valley", which is again a separate drainage and also approx. 600 feet higher in elevation (it also drains into the Rogue River, but some 80 miles downriver, closer to the coast).

PREMIUM OREGON WINES

PINOT NOIR

MERLOT

CHARDONNAY

RIESLING

PINOT GRIS

GEWÜRZTRAMINER

The Illinois Valley is known for Burgundian style grapes, like Pinot Noir (because of a shorter and cooler growing season)– whereas the Applegate Valley is known for Bordeaux style grapes Merlot, Syrah and Cabernet Sauvignon because of the longer growing season and more prolific heat units (warmer climate).

Of the three valleys, each with its own microclimate and drainage, there are two wineries in the Rogue Valley (figures are from the Oregon Liquor Control Commission report of Dec. 1998, or estimated where not available);

Weisingers	5,983 gallons
Ashland Vineyards	5,137 gallons

In the Applegate Valley (where our company has a new 100 acre vineyard), there are three wineries;

Valley View	18,376 gallons
Troon Vineyards	2,500 gallons (est.)
Academy of Wine	331 gallons

In the Illinois Valley there are three wineries, consisting of:

Bridgeview	153,954 gallons
Foris	53,892 gallons
Bear Creek	7,000 gallons (est.)

Of these three valleys, the best producer of Bordeaux variety grapes is the Applegate Valley, an area from which this company has been purchasing grapes from various growers over the last 10 years. The quality of the grapes coming from the Applegate Valley is so great that our company has invested over one million dollars to plant our new vineyard in the Applegate Valley.

P.O. Box 609 • 4210 Holland Loop Road • Cave Junction, OR 97523 • Email: e300458@cdsnet.net

Phone: 541.592.4688

Fax: 541.592.2127

BRIDGEVIEW VINEYARDS

(Page 2)

Most of the award winning wines that have come out of the Rogue region in the past ten years have come from either the Applegate Valley or the Illinois Valley. Seeing that our company makes some 12% of the wine produced in Oregon, I feel that we have been the main winery in proving the wine potential of the grapes growing in the Applegate Valley.

I feel the time has come for an appellation of the "Applegate Valley" (the same as Napa has "sub-appellations" of Rutherford, St. Helena, Carneros, etc.- which has been done for quality reasons.

I hope that you will feel free to contact me directly for any additional comments or clarifications.

PREMIUM OREGON WINES

PINOT NOIR

MERLOT

CHARDONNAY

RIESLING

PINOT GRIS

GEWÜRZTRAMINER

Sincerely,



Robert Kerivan
President- Bridgeview Vineyards



P.O. Box 835 • 221 South Redwood Highway • Cave Junction, Oregon 97523 • (503) 592-4146

June 19, 1999

Chief Regulations Division
Bureau of Alcohol Tobacco & Firearms
PO Box 50221
Washington, DC 20091-0221

Dear Sir:

As a real estate broker in Southern Oregon, I would like to see the proposed new appellation of "Applegate" take effect.

The Southern part of Oregon has a number of different wine grape growing areas, all of which currently fall under the "Rogue" appellation. There are three different valleys in which grapes are grown:

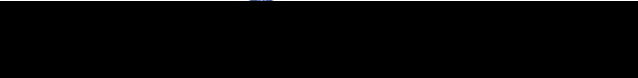
the "Rogue Valley"
the "Applegate Valley"
the "Illinois Valley"

All three of these valleys have different and distinct weather and growing patterns, much as you would find in Napa, California. Since the "sub-appellations" of Napa have been granted their own distinct appellation (i.e. Carneros, Rutherford, etc.), prices of wine grapes (and hence, vineyards property) have increased dramatically.

With the growth in the number of vineyards in Southern Oregon, and the increased demand for grapes from Southern Oregon (particularly for Merlot from the "Applegate Valley"), granting a distinct appellation to the "Applegate Valley" will create a Napa style demand for vineyard property.

We hope that you will consider granting the proposed new appellation of "Applegate".

Sincerely,



Debi Buchanan
Oregon Mountain Real Estate

•
•
•
•
•
•
•
•
•
•

STEELHEAD RUN VINEYARD, LLC

June 21, 1999

Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Attn.: Notice No. 874 (Applegate Valley Viticultural Area)

We have reviewed the Application submitted by Mr. Barnard E. Smith and have the following comments:

- A) The current Rogue Valley AVA in Southern Oregon is made up of three distinctly different sub-regions, the Applegate Valley being one of them.
- B) The proposed Applegate Valley AVA now contains 25 vineyards with 348 acres planted, (an increase over the data previously submitted by Mr. Smith). This compares with 82 vineyards and 1163 acres in the entire Rogue Valley AVA.
- C) We are in agreement with the Name Evidence, Boundary Evidence and Geographical Evidence submitted by Mr. Smith.
- D) We believe the addition of the Applegate Valley AVA will benefit the grape growers located within the proposed AVA as well as the wineries who process and market the wines made from these grapes. Establishment of the proposed AVA would be a timely and just recognition of the efforts put forth by the wineries and growers in the Applegate Valley to produce *terroir* unique wines.
- E) We further believe the addition of the Applegate Valley AVA will not be a detriment to any other wineries or growers in the Rogue Valley, the State of Oregon, or the United States.
- F) Our largest customer, Eola Hills Wine Cellars (Willamette Valley AVA) purchases grapes from eight growers in the Rogue Valley AVA, all of them within the proposed Applegate Valley AVA. They too have recognized the uniqueness of the Applegate Valley.

June 21, 1999

Page 2

Sincerely,



Ronald P. Burley
Owner Steelhead Run Vineyard, LLC
Director, Oregon Winegrowers Association

Bear Creek Winery Inc.

P.O. BOX 609
Caves Hwy.
Cave Junction, OR 97523

6/21/99

Chief Regulations Division
Bureau of Alcohol, Tobacco and Firearms
PO Box 50221
Washington, DC 20091-0221

Dear Sir,

Bear Creek Winery of Oregon would like to go on record as being "In favor" of the proposed new appellation of "Applegate".

Although my winery is located in Southern Oregon's "Illinois Valley", we purchase grapes from various growers in the Applegate Valley. Most of the award winning wines that have come out of the Rogue region in the past ten years have come from either the Applegate Valley or the Illinois Valley, a fact that is lost on most consumers because both valleys currently fall under the "Rogue" appellation.

I feel the time has come for an appellation of the "Applegate Valley". I hope that you will feel free to contact me directly for any additional comments or clarifications.

Sincerely,

A black rectangular redaction box covers the signature area, obscuring the name and any handwritten notes.

Rene Eichmann
Owner- Bear Creek Winery of Oregon

6/22/99



<http://www.move2oregon.com/ramsay>

Chief Regulations Division
Bureau of Alcohol, Tobacco and Firearms
PO Box 50221
Washington, DC 20091-0221

Dear Sir,

As a realtor in Southern Oregon, I would like to see the proposed new appellation of "Applegate" take affect.

The Southern part of Oregon has a number of different wine grape growing areas, all of which currently fall under the "Rogue" appellation. There are three different valleys in which grapes are grown:

the "Rogue Valley"
the "Applegate Valley"
the "Illinois Valley"

All three of these valleys have different and distinct weather and growing patterns, much as you would find in Napa, California. Since the "sub-appellations" of Napa have been granted their own distinct appellation (i.e. Carneros, Rutherford, ect.), prices of wine grapes (and hence, vineyards property) has increased dramatically.

With the growth in the number of vineyards in Southern Oregon, and the increased demand for grapes from Southern Oregon (particularly for Merlot from the "Applegate Valley"), granting a distinct appellation to the "Appelgate Valley" will create a Napa style demand for vineyard property.

We hope that you will consider granting the proposed new appellation of "Applegate".

Thank you,
Clare Stevens



7604 Hwy. 238, Jacksonville (Ruch), Oregon 97530 • Office: (541) 899-1184 • Fax: (541) 899-1772
Downtown Jacksonville • Office: (541) 899-7969 • Fax: (541) 899-3706
E-Mail: ramsay@mind.net





ALA MOANA HOTEL
HONOLULU, HAWAII

Chief, Reg. Div, BATT
Box 50221
WASHINGTON DC 20091-0221

24 JUNE 1999

ATTN: NOTICE #874

REGARDING PETITION FOR APPELATE AVA

Please approve Barney Smith's application for an AVA designation for the Applegate Valley.

As a retired Air Force Officer and Pilot, and a current international airline pilot, I have spent 25 years travelling the world in service to my country and occupationally.

But I grew-up in Southern Oregon and recently moved back to the Applegate Valley, where after 2 years of research, I established Jacksonville Vineyards with my wife.

I am uniquely qualified to testify to you that the Applegate Valley, defined by its watershed, climate and geographic boundaries is unique from the Rogue Valley. It is precisely because of my personal knowledge and professional experiences, as well as my extensive research, that I determined that the Applegate Valley was the unique location I wished to establish my vineyard.



ALA MOANA HOTEL
HONOLULU, HAWAII

Any political or economic arguments against establishing a separate AVA from or within the Regener AVA are inappropriate. As you know, an AVA is a climatological and geographically defined region. Individuals or business entities who argue against the Applegate as an AVA designation surely do so for personal or selfish business reasons.

The distinction of the Applegate Valley on the merits of its unique climate and geography, soils and viticultural history are the only definitive and valid points you should consider on the issue of a separate AVA in the Applegate Valley.

Political, economic or personal pleas have no place in this issue.

In the years to come the validity of an Applegate AVA will become apparent to those less far-sighted individuals who argue against it now.



ALA MOANA HOTEL
HONOLULU, HAWAII

In closing, please ignore my rough hand written format.

But do not ~~my~~ miss my valid arguments in favor, in fact, demanding an Applegate AVA!

This is a natural progression in the future growth and expansion of our Oregon state vineyard and winery industry.

The Applegate Valley will one day be recognized as a unique and desirable tourist destination, much like Napa Valley of 20 years ago.

The Rogue Valley, Applegate Valley, and Illinois Valley, ~~with~~ are in fact distinct from each other in every way required by accepted definitions and knowledge to be so designated as distinct and unique AVAs.

I thank you for your time and patience in reviewing my letter in support of an Applegate AVA.

Respectfully,

DAVID M. PRIMER
[REDACTED] 238

Jacksonville OR 97530

Jacksonville Vineyards

June 25, 1999

Chief of Regulations Division
Bureau of Alcohol, Tobacco, and Firearms
P.O. Box 50221
Washington D.C. 20091-0221


Dear Regulations Division Chief,

In regard to Notice #874 and the establishment of the Applegate Appellation in Southern Oregon, I wish to record my support in favor of its establishment.

I am a wine grape grower with an established vineyard within the Rogue River/Bear Creek Appellation. Should this request be approved, my vineyard would still remain within the Bear Creek Appellation.

I feel that it makes sense to establish the Applegate Appellation because of its geographical and climatic differences to those of the Bear Creek Appellation. It's the right thing to do for those seeking the new appellation.

Respectfully Yours,


Russell E. Lyon
Daisy Creek Farm
P.O. Box 421
Jacksonville, OR 97530

Roger Huffman

[REDACTED]
White City, OR 97502

June 25, 1999

Attn: Notice No. 874
Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: Notice No. 874
Proposed Applegate Valley viticultural area

Dear Sir,

I have lived in the Rogue Valley for 13 years. Also I am an avid wine drinker and regularly attend wine tastings. At one time I owned a restaurant and wine shop.

In my opinion, the proposed Applegate Valley wine appellation is unjustified. The grape growers and wineries in the Applegate Valley have not produced a distinctive wine style which would distinguish it from other Rogue Valley wine. In fact I would describe Applegate Valley wine as bland and uninteresting.

Regardless of the geologic and climatological arguments being made, the bottom line is that Applegate Valley wine does not reveal any viticultural features which stand out as different from other Rogue Valley wine. If they did, then the wine would be better in the Applegate than in the rest of the Rogue, which is not the case. The French concept of *terroir* (the idea that good wine tastes of its geographic origin) is not well represented today in the Applegate Valley.

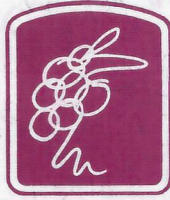
I am writing this letter of opposition in hopes that the winegrowers in the Applegate Valley will try harder in the future to make better wine. I believe the potential is there for quality production, but I must see evidence before I would support an appellation.

Please do not create an Applegate Valley viticultural area.

Sincerely yours,

[REDACTED]

Roger Huffman



EOLA HILLS

June 28, 1999

Chief
Regulations Division
BATF
P.O. Box 50221
Washington, D.C. 20091-0221

Attention: Notice #874

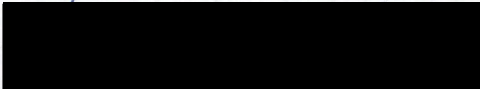
Dear Sir or Madam:

Eola Hills Wine Cellars would like to register its support of the proposed legislation regarding a separate appellation for the Applegate Valley of southern Oregon, which is currently considered a part of the Rogue Valley appellation.

We are one of the largest wineries in Oregon, and we buy a significant amount of wine grapes from the Applegate Valley. The Applegate fruit has a unique character which we like and which we believe adds value to our wine. We look forward to the opportunity of identifying the source of these grapes on the label.

Please feel free to call or write if you have any questions.

Yours truly,


Kerry M. Norton
Winemaker

June 28, 1999

Chief Regulations Division, B.A.T.F.
PO Box 50221
Washington, D.C. 20091-0221
Attn.: Notice #874

To Whom It May Concern:

I am writing in support of the proposed Applegate Valley Viticultural area located within the Rogue Valley Appellation of Southern Oregon.

I currently own and operate a vineyard in the Applegate Valley, and intend to develop a small winery in the near future. It is my sincere belief that this grape-growing area is very different from other areas within the Rogue Valley Appellation and should be further delineated. In this age of consumer information, it is a disservice to winegrowers, winemakers, and especially wine consumers, to not provide the best possible product information.

Given the fact that this proposed viticultural area will serve to improve marketing through improved product information, there is no reason why it should be denied.

If you have any questions, please call me at [REDACTED]

Sincerely,

[REDACTED]

Garry L. Wood
Stepping Stone Vineyard
[REDACTED]
Jacksonville, OR 97530

Kern, Nancy M.

From: Sandi Garoutte [REDACTED]
Sent: Tuesday, June 29, 1999 8:02 PM
To: nprm@atfhq.atf.treas.gov
Subject: '874 '

name=Rex Garoutte
name=Rosella's Vineyard
Address14 Missouri Flat Rd
Address2=
City=Grants Pass
State=OR
Zip Code 527

Comments= I'm writing to express my support for the creation of the Applegate Valley Appellation (notice 874 rin 1512-AA07).

Most of the Oregon winemakers are already aware of the uniqueness of the area and the quality of the grapes that are grown here. With our own appellation, the consumer will also be made aware if the wine is made from Applegate Valley grapes.

As the owner of a 10 acre vineyard on the Missouri Flat, I've come to know that our climate and soil are unique to the rest of the Rogue Valley viticulture area. During the growing season we can see swings in temperature of 45'f from day to night. This wide swing in temperature and our soil makes our Merlot grapes second to none.

I see this new appellation as a win for the grapegrowers in the Applegate valley and a win for consumers. Other vineyards within the Rogue Valley Viticulture area may have expressed their dissatisfaction with the request to give the Applegate Valley its own viticultural area, but I submit that their concerns are nothing more than "Sour Grapes".

Rex Garoutte
Rosella's Vineyard
184 Missouri Flat Rd
Grants Pass, OR 97527
[REDACTED]

*South Hill Vineyard
578 Missouri Flat Road
Grants Pass, Or 97527
541-846-6898*

June 29, 1999

*Chief, Regulations Division
BATF
Box 50221
Washington, D.C. 20091-0221*

ATTN: Notice No. 874

Dear Sir/s,

In regards to this subject I would like you to strongly consider our appeal for acceptance.

Our area is a unique climatory environment and should be recognized as such.

We trust that you will accept our application. Thank you for your consideration.

Regards,



Elaine Lewelllyn

**Layne Vineyards
1100 Kubli Road
Grants Pass, Or 97527
541-846-6613**

June 29, 1999

Chief, Regulations Division
BATF
Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 874

Dear Sir/s,

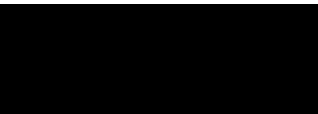
This letter is to express our strong support for the proposed "Applegate Valley" viticultural area.

We operate a 35 acre vineyard producing approximately 140 tons of grapes in the Applegate Valley. We sell grapes to wineries located up and down the state of Oregon. Several of these wineries have expressed interest in using the Applegate appellation in order to better inform their consumers. Much of this wine is in the higher price range where consumers are asking for more information on the label as this appellation would allow.

We have lived on this 600 acre property since 1972 and have suitable acreage to triple the amount of the vineyard.

We see no reason to deny approval of Mr. Barnard Smith's application. Thank you for your consideration.

Regards,



Roger and Barrie Layne
Owners

**Cuervo Vineyards
1139 Missouri Flat Road
Grants Pass, Or 97527
541-846-9123**

June 29, 1999

Chief, Regulations Division
BATF
Box 50221
Washington, D.C. 20091-0221

ATTN: Notice No. 874

Dear Sir/s,

We live in Southern Oregon's Applegate Valley, where we grow wine grapes for a living. This letter is to express strong support for the proposed Applegate Valley Viticultural area.

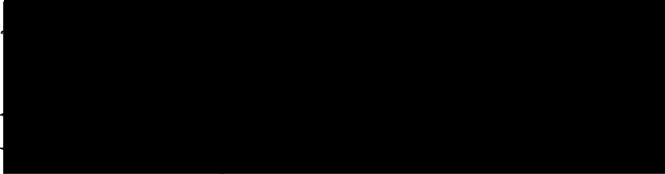
We live and operate a 110 acre property, currently growing 8 acres of Cabernet and Merlot Grapes and soon to be expanded to 40-acres.

It is extremely important to us to express the uniqueness of our region due to the soils and climate. Properly naming the region will further improve the salability and recognition of the area.

We are being opposed by growers outside our growing area. They are in a completely different soil and climate zone. Feel free to contact us at the number listed above.

Please give this matter your attention.

Regards,



Dwain and Paz Wright
Proprietors



Silver Stars Vineyard

1277 Kubli Road, Grants Pass, Oregon 97527

(503) 846-7023

541

29 June 1999

Chief Regulation Division
BATF
PO BOX 50221
Washington DC, 20091-0221

Attn.: Notice #874

Dear Sir:

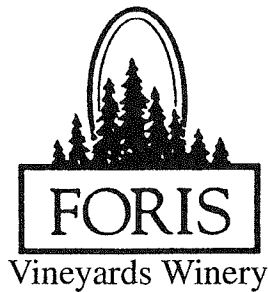
I am writing in support of the effort to make the Oregon Applegate Valley a separate wine appellation. I am a grower in the area and my goal is to produce a good enough grape that the winery that purchases the grapes will recognize the wine as from my vineyard in the Applegate Valley and to so designate it on the label.

I hope you recognize from the application that our region is unique in many ways even from the Rogue Valley. Having an Oregon Applegate Valley designation will enhance the marketability of our products as well as bring recognition to the area for other economic benefit.

I ask you to favorably consider the application.

Sincerely yours,

David S. Trump, M.D.
MajGen, USAF, MC, (Ret)



July 1, 1999

From: Foris Vineyards Winery
Oregon BW OR118

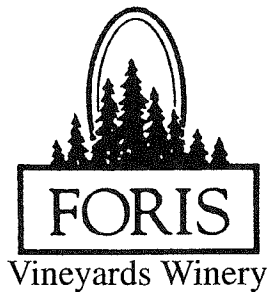
Attn: Notice No. 874
Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: 27 CFR Part 9 (Notice No. 874)
Proposed Applegate Valley AVA

To whom it may concern:

As one of the Rogue Valley's oldest and largest and nationally marketed wineries, we oppose creation of the proposed Applegate Valley American Viticultural Area for several reasons.

1. The petitioner does not have sufficient grounds to distinguish the Applegate Valley, geographically, from the other areas of the Rogue Valley. The Rogue Valley is a jigsaw puzzle of soil types which occur repeatedly in all parts of the region. Citing a slight pH difference between soil types is insignificant viticulturally. The temperature and rainfall differences between the easternmost valleys of the region are insignificant viticulturally. Rainfall is predominantly in the winter, when vines are dormant. With very few exceptions, all vineyards in the Rogue Valley require supplemental summer irrigations. It can be generalized that the marine influence on the western reaches of the region results in different ideal varieties, than for the eastern reaches, for that small part of the appellation. The eastern reaches, however, cannot be generalized as geographically distinct for certain varieties. Varietal suitability for the eastern reaches is site specific: elevation, soil types, underground water influences, aspect of the land, cold air pockets, etc.
2. The wines produced from the eastern reach valleys are not distinctively different.



3. The Rogue Valley Viticultural Appellation is in its infancy of development. There are very few, and mostly very small vineyards in production, and even fewer wineries producing wine. The petitioner is essentially a home-winemaker, producing only a few hundred cases of wine from his own small vineyard, and marketing it only locally. He is essentially trying to declare his small piece of land as superior and distinctively different from the rest of the Rogue Valley. Until there is much more development of a wine industry, it is not only premature to subdivide the appellation, but also potentially harmful to the region as a whole. Of 130 wineries in Oregon, there are less than 10 in the Rogue Valley, and only three of which are commercially sized and market their wines nationally. It is a tremendous burden to educate people about and promote the wines from such an obscure appellation. Until there is a great deal more development of vineyards and wineries to teach us the real differences within our region, and to help educate and promote the region, we need to stand as one simplified entity. It is entirely inappropriate for an amateur home-winemaker who does not understand the burden of promoting our region in the national marketplace, to attempt to redefine our appellation, based on his self-interest of self-promoting his few hundred cases of wine. And while Bridgeview, the largest winery in our region, apparently supports the petition, it should be noted that they recently purchased land in the Applegate Valley and without valid viticultural reasons, are also seeking to portray the area as superior for their marketing interests. In the end, we are not opposed to the region, some day, being redefined. Without adequate vineyard and winery development, however, we do not have enough information to do it right.

We request that ATF deny the subject petition.

Sincerely,

Ted Gerber, Owner Foris Vineyards Winery and Gerber Ranch and Maple Ranch vineyards

[REDACTED]

Sarah Powell, Winemaker Foris Vineyards

[REDACTED]



V A L L E Y V I E W V I N E Y A R D

FAX

Dear sirs,

I am writing in support of the proposed Applegate Valley appellation. As the first winery (in modern time) in the Applegate Valley we are well aware of the climatic and soil difference in the Applegate Valley especially as compared to the Illinois Valley to the west. The differences to the Bear Creek Valley to the east are not as dramatic but certainly justify the creation of a distinct appellation.

Most of the negative comments I have heard are based on marketing and political reasons which I believe should not play a part in the decision to create a new viticulture region.

Valley View currently plans to continue using the Rogue Valley appellation even if the Applegate Valley appellation is approved but may use it in the future if we believe it is in the best interests of the winery and the region.

Thank you for your attention.

Sincerely,

Mark Wisnovsky
President
Valley View Winery, Inc.

6/30/99

Verdezza Vineyard Management

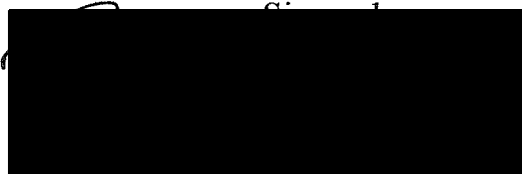
Richard & Mary Lorelli
1601 Slagle Cr. Rd.
Grants Pass, Or 97527

July 02, 1999

Chief
Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221 Washington, D.C. 20091-0221

Dear Chief,

We, Richard and Mary Lorelli, have lived and worked in the Applegate Valley since 1972. We have been growing winegrapes in this region for the past 17 years. We have a small vineyard of our own, and Richard manages 70 acres of winegrapes for various neighbors. We would like to express our favor for making the Applegate Valley a distinct area of viticulture. We strongly believe that although it is in the Rogue River region of Oregon, it has a markedly different climate as well as soil type from the Illinois and Bear Creek Valleys. Like many other small owner/operators, we dream of having a small winery and would be proud to use the Applegate Valley appellation on our label.



Jim Clover
Annette Parsons
[REDACTED]
Grants Pass, OR 97527

Chief, Regulatory Division
Bureau of Alcohol, Tobacco, and Firearms
P.O. Box 50221
Washington, DC 20091-0221

July 2, 1999

RE: SUPPORT OF WINE GRAPE APPELLATION FOR APPLGATE VALLEY, OREGON

Dear Sir or Madam:

We own 120 acres of farm and forestland in the Applegate Valley in southern Oregon. We grow 5 varieties of wine grapes on 8 acres of it. We are writing to let you know that we support the designation of the Applegate Valley as an appellation, separate and distinct from the Rogue Valley Appellation.

The micro-climate of the Applegate Valley provides a unique setting for growing wine grapes, and our valley is increasingly becoming known for the quality grapes that are grown here, and the quality wines they produce. Designation of an Applegate Valley appellation help will identify our valley as the unique setting for quality wine grapes that it is.

Please let us know of your decision.

Thank you.

Sincerely,

Jim Clover
[REDACTED]

Annette Parsons
[REDACTED]

GREATER APPLGATE COMMUNITY DEVELOPMENT CORPORATION

Communities Developing Community

July 5, 1999

Regulations Department
Bureau of Alcohol, Tobacco, and Firearms
650 Massachusetts Ave., NW
Washington, DC 20226

Dear Sir or Madam:

This is a letter to support the designation of the "Applegate Valley" as a specific viticultural area by the Greater Applegate Community Development Corporation. We advocate sustainable development that is compatible with our unique rural lifestyle and is desired by the local community. Enabling the Applegate Valley to have its own wine label would be a wonderful benefit to wine growers in the area as well as the local businesses that sell their products. The Applegate Valley is truly a unique area and this designation would be a wonderful marketing tool to help support the residents of this Valley.

In talking to local wine growers in the area, we feel there is a strong support for the establishment of this viticultural area with the State of Oregon. This level of support is important to our organization as we will only promote ideas that are backed by other community members in the Valley. We hope in reading the many letters of support, including our own, generated by residents and wine growers of this Valley and respond in the affirmative to this request.

If you require any further information please feel free to contact me.

Sincerely,



Miranda Shapiro
Community Liaison

Kern, Nancy M.

From: Karen Sinclair [REDACTED]
Sent: Tuesday, July 06, 1999 12:39 AM
To: nprm@atfhq.atf.treas.gov
Subject: '874 '

name=Karen Sinclair and Alan Miller
name=Sinclair-Miller Vineyard
Address10 2 Slagle Creek Road
Address2=
City=Grants Pass
State=OR
Zip Code 527
Comments=Re: Notice No. 874

We have owned and operated a commercial wine grape vineyard in the Applegate Valley for 16 years. We grow cabernet sauvignon and merlot varieties, both characteristic of the Applegate Valley.

We are writing to support the proposal to designate the Applegate Valley as a distinct viticultural area. Through our own experience, and through contact with other growers and winemakers, it is clear to us that the Applegate Valley is in fact widely recognized within and outside of our region as a unique grape-growing area. The petition, as printed in the proposed rule, outlines clearly the geographic and climatic features that distinguish the Applegate Valley within the larger Rogue Valley area.

We believe that the designation of the Applegate Valley as a viticultural area will benefit growers, wineries, and consumers. Through the growth of vineyards and the wine industry, the differences between areas within the Rogue Valley have become more and more evident. From an economic perspective, the proposed designation will benefit the Rogue Valley wine industry by enhancing its ability to promote the uniqueness of grape-growing areas within the region.

The proposed designation recognizes that the Applegate Valley has matured and demonstrated a unique character as a grape-growing region.

Thank you for considering our comments.

--Karen Sinclair & Alan Miller

TROON
VINEYARDS

PER ARDUA AD ALTA

1475 Kubli Road • Grants Pass, OR 97527 • 503/846-6562

CHIEF, REGULATIONS DIVISION
BUREAU OF ALCOHOL TOBACCO & FIREARMS
ATTN: NOTICE # 874
FAX # 202-927-8525

DEAR SIR:

Mr. B. SMITH is to be commended on his application for The Applegate Valley Appellation. His application appears to meet the ATF requirements.

I have been growing grapes in the Applegate Valley since 1972 and have had a bonded winery since 1993.

I would hope that you would rule in favor of this appellation.
THANK YOU FOR YOUR CONSIDERATION.

Yours Truly

RICHARD D. TROON
OWNER BW-OR-176

July 6, 1999

Attention: Notice No. 874
Chief, Regulations Division,
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

RE: PROPOSED APPLGATE VALLEY, AVA

Dear Chief:

I am writing this letter in response to the summary statement for the proposed AVA described above. There are some discrepancies that need to be addressed.

1. That the Applegate Valley subregion has separately defined soils from the Bear Creek Valley subregion. The petitioner states that the soil types within the Applegate Valley are generally granitic in origin versus the volcanic origin of the Cascade Mountains. This is a very broad and generalized statement. The Bear Creek Valley includes both origins of soil depending on which side of the valley you are located. There are numerous locations of granitic based soils within the Bear Creek Valley. One can not make such generalized comments in regards to soil differentiation.

The petitioner also states that the most of the vineyards are planted on stream terraces and alluvial fans. This is true, because if you go outside of these areas you will be within forested lands with moderate slopes. There are also numerous vineyards within the Bear Creek Valley that are planted on stream terraces and alluvial fans. It is my opinion that these are excellent soils for growing many crops in both subregions including jug wine. However, for wine quality it is not necessarily the best choice.

Attached are soil survey maps, for areas within the Applegate Valley and Bear Creek Valley, conducted by Natural Resource Conservation Service, formerly known as Soil Conservation Service. Also are attached are descriptions of a couple soil types that are commonly found in both subregions. Please note the similarities, there are no significant distinguishable differences.

2. That the Applegate Valley subregion, Region II temperature range, is better suited for Cabernet Sauvignon, Merlot, and Chardonnay than the Illinois Valley. The petitioner fails to note that the Bear

Creek Valley is also within the Region II temperature range and is located even farther west of the Illinois Valley than the Applegate Valley. The majority of the Rogue Valley AVA is within the Region II temperature range. I do not dispute that the Illinois Valley may be within Region I temperature range, however, I do dispute that the Applegate Valley subregion is significantly different from the Rogue Valley AVA.

My background is in agriculture with a degree in Agronomy, 5 years of experience in growing grapes in California and 13 years of experience advising farmers in crop production. I was a licensed Agricultural Pest Control Advisor for the State of California. To summarize these discrepancies it is my opinion that there are no significant differences in regards to soil types and climate from the Applegate Valley in comparison to the Rogue Valley AVA as a whole to justify the proposed Applegate Valley AVA.

Sincerely,

A large black rectangular redaction box covering the signature of Clark Stevens.

Clark Stevens

A small black rectangular redaction box covering the first line of the address.

Medford, OR 97501



CENTRAL POINT

VALEE

Seven Oaks

Four Corners

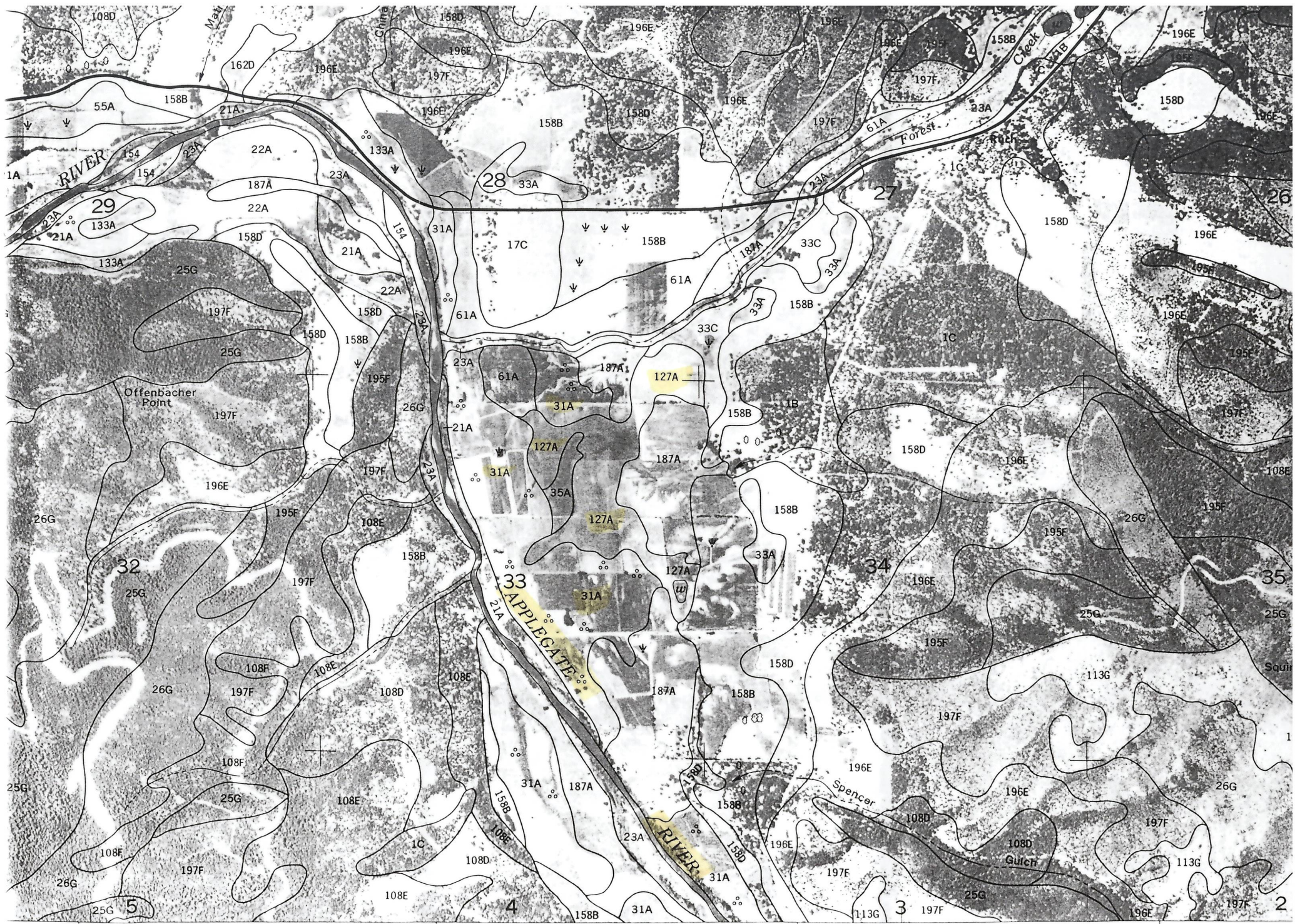


CENTRAL POINT

VALEE

Seven Oaks

Four Corners



cobbly clay in the Carney soil, the slope, droughtiness, and the included areas of Rock outcrop. The plants selected for seeding should be those that meet the seasonal requirements of livestock or wildlife, or both.

Suitable management practices on this unit include proper grazing use, deferred grazing, rotation grazing, and brush control. Areas that support a large amount of competing vegetation can be improved by chemical or mechanical treatment. In places the use of ground equipment and access by livestock are limited by the slope, the cobbles on the surface, and the included areas of Rock outcrop.

This unit is limited as a site for livestock watering ponds and other water impoundments because of the slope of both soils and the depth to bedrock in the Carney soil.

If this unit is used for recreational development, the main limitations are the high content of clay, the surface layer of cobbly clay in the Carney soil, the slope, and the included areas of Rock outcrop. The Rock outcrop should be avoided unless it is to be highlighted in the development. Revegetating as soon as possible helps to control erosion in disturbed areas around construction sites. A plant cover can be established and maintained through applications of fertilizer and through seeding, mulching, and shaping of the slopes. Gravel and cobbles should be removed, particularly in picnic areas and on playgrounds. The soils are sticky and plastic when wet. As a result, trafficability is restricted.

The vegetative site in areas of the Carney soil is Droughty Foothill Slopes, 18- to 22-inch precipitation zone, and the one in areas of the Tablerock soil is Droughty Fan, 18- to 26-inch precipitation zone.

31A—Central Point sandy loam, 0 to 3 percent slopes. This very deep, well drained soil is on stream terraces. It formed in alluvium derived dominantly from granitic and metamorphic rock. Elevation is 1,000 to 2,000 feet. The mean annual precipitation is 18 to 40 inches, the mean annual temperature is 50 to 54 degrees F, and the average frost-free period is 140 to 180 days. The vegetation in areas that have not been cultivated is mainly grasses and forbs.

Typically, the surface layer is black and very dark brown sandy loam about 30 inches thick. The upper 12 inches of the subsoil is very dark grayish brown sandy loam. The lower 7 inches is dark brown sandy loam. The upper 10 inches of the substratum is dark brown gravelly sandy loam. The lower part to a depth of 67 inches is dark brown gravelly loamy sand.

Included in this unit are small areas of Evans, Newberg, and Camas soils on flood plains; Barron soils on the higher parts of the landscape; Gregory and Clawson soils on concave slopes; Kubli and Medford

soils; and soils that are similar to the Central Point but have very gravelly layers below a depth of 30 inches. Also included are small areas of Central Point soils that have slopes of more than 3 percent. Included areas make up about 20 percent of the total acreage.

Permeability is moderately rapid in the Central Point soil. Available water capacity is about 6 inches. The effective rooting depth is 60 inches or more. Runoff is slow, and the hazard of water erosion is slight. The water table fluctuates between depths of 4 and 6 feet from December through March.

This unit is used mainly for irrigated crops, such as grass seed, onions, alfalfa, and tree fruit. Other crops include strawberries, small grain, and sugar beets. Some areas are used for homesite development or pasture.

This unit is well suited to irrigated crops. It has some limitations. In summer, irrigation is needed for the maximum production of most crops. Furrow, border, corrugation, trickle, and sprinkler irrigation systems are suitable. The system used generally is governed by the crop that is grown. For the efficient application and removal of surface irrigation water, land leveling is needed. To prevent overirrigation and the leaching of plant nutrients, applications of irrigation water should be adjusted to the available water capacity, the rate of water intake, and the needs of the crop. Because the soil is droughty, the applications should be light and frequent. The use of pipe, ditch lining, or drop structures in irrigation ditches reduces water loss and the hazard of erosion.

Returning all crop residue to the soil and using a cropping system that includes grasses, legumes, or grass-legume mixtures help to maintain fertility and conserve moisture and control erosion.

A tillage pan forms easily if this unit is tilled when wet. Chiseling or subsoiling breaks up the pan. Soil crusting and compaction can be minimized by returning crop residue to the soil.

Solid-set sprinkler irrigation is the best method for controlling frost and providing adequate moisture for tree fruit. Compaction can be minimized by limiting use of equipment when the soil is wet. A permanent cover crop helps to control runoff and erosion.

Proper stocking rates, pasture rotation, and rest grazing during wet periods help to keep pastures in good condition and protect the soil from erosion. Grazing when the soil is wet results in compaction of the surface layer, poor tilth, and excessive runoff. Periodic mowing and clipping help to maintain uniform plant growth, discourage selective grazing, and reduce the extent of clumpy growth. Fertilizer is needed to ensure the optimum growth of grasses and legumes.

yarding paths, skid trails, and firebreaks are subject to rilling and gullying unless they are protected by a plant cover or adequate water bars, or both. Skid trails and unsurfaced roads may be impassable during rainy periods. Logging roads require suitable surfacing for year-round use.

The Medco soil, which occurs throughout the unit, is subject to severe slumping. Road failure and landslides are likely to occur after road construction and clearcutting. Slumping can be minimized by constructing logging roads in the less sloping areas, on better suited soils if practical, and by installing properly designed road drainage systems.

A high temperature in the surface layer and an insufficient moisture supply in summer increase the seedling mortality rate, especially on south- and southwest-facing slopes. To compensate for the expected high mortality rate, the larger seedlings or a greater number of seedlings should be planted. When the timber is harvested, leaving some of the larger trees unharvested provides shade for seedlings. Reforestation can be accomplished by planting Douglas fir and ponderosa pine seedlings.

Undesirable plants limit natural or artificial reforestation unless intensive site preparation and maintenance measures are applied. Mulching around seedlings helps to maintain the moisture supply in summer and minimizes competition from undesirable understory plants.

The vegetative site in areas of the Medco soil is Loamy Hills, 20- to 35-inch precipitation zone, and the one in areas of the McNull soil is Pine-Douglas Fir-Fescue.

127A—Medford silty clay loam, 0 to 3 percent slopes. This very deep, moderately well drained soil is on stream terraces. It formed in alluvium derived dominantly from metamorphic rock. Elevation is 1,000 to 4,000 feet. The mean annual precipitation is 18 to 35 inches, the mean annual temperature is 50 to 54 degrees F, and the average frost-free period is 125 to 180 days. The vegetation in areas that have not been cultivated is mainly grasses and forbs.

Typically, the surface layer is very dark brown silty clay loam about 12 inches thick. The upper 10 inches of the subsoil is very dark brown silty clay. The next 31 inches is dark brown and dark yellowish brown silty clay loam and clay loam. The lower part to a depth of 71 inches is dark yellowish brown sandy clay loam. In some areas the surface layer is gravelly or cobbly.

Included in this unit are small areas of Abin, Evans, Newberg, and Camas soils on flood plains; Gregory soils on the lower terraces and on concave slopes; Coleman soils on the higher terraces; and Central Point

soils. Also included are small areas of Medford soils that have slopes of more than 3 percent. Included areas make up about 15 percent of the total acreage.

Permeability is moderately slow in the Medford soil. Available water capacity is about 10 inches. The effective rooting depth is 60 inches or more. Runoff is slow, and the hazard of water erosion is slight. The water table fluctuates between depths of 4 and 6 feet from December through April.

This unit is used mainly for irrigated crops, such as alfalfa hay, tree fruit, and small grain. Other crops include corn for silage and sugar beet seed. Some areas are used for homesite development, grass-legume hay, or pasture.

This unit is well suited to irrigated crops. It is limited mainly by the moderately slow permeability and wetness in winter and spring. In summer, irrigation is needed for the maximum production of most crops. Furrow, border, corrugation, trickle, and sprinkler irrigation systems are suitable. The system used generally is governed by the crop that is grown. For efficient application and removal of surface irrigation water, land leveling is needed. To prevent overirrigation and excessive erosion, applications of irrigation water should be adjusted to the available water capacity, rate of water intake, and the needs of the crop. The use of pipe, ditch lining, or drop structures in irrigation ditches reduces water loss and the hazard of erosion.

A subsurface drainage system can lower the water table if a suitable outlet is available. Land smoothing and open ditches can reduce surface wetness.

Returning all crop residue to the soil and using a cropping system that includes grasses, legumes, or grass-legume mixtures help to maintain fertility and conserve moisture and control erosion. Leaving crop residue on or near the surface helps conserve moisture and control erosion.

A tillage pan forms easily if the soil is tilled when Chiseling or subsoiling breaks up the pan. Surface crusting and compaction can be minimized by returning crop residue to the soil.

Solid-set sprinkler irrigation is the best method for controlling frost and providing adequate moisture for tree fruit. Compaction can be minimized by limiting use of equipment when the soil is wet. A permanent cover crop helps to control runoff and erosion.

Proper stocking rates, pasture rotation, and rest grazing during wet periods help to keep pastures in good condition and protect the soil from erosion. Grazing when the soil is wet results in compaction of the surface layer, poor tilth, and excessive runoff. Periodic mowing and clipping help to maintain uniform plant growth, discourage selective grazing, and reduce the extent of clumpy growth. Fertilizer is needed to ensure the optimum growth of grasses and legumes.

Kenneth R. Corliss

Medford, OR 97501

July 6, 1999

ATTN: Fed. Resister Notice No. 874
Chief, Regulations Division
Bureau of Alcohol Tobacco & Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: Notice No. 874
Applegate Valley viticultural area

Gentlemen,

I am writing to oppose the creation of a wine appellation in the Applegate Valley.

In my opinion there is no meaningful difference between the climate and soils of the Applegate Valley and the rest of the Rogue Valley. The temperatures in Grants Pass to the west and Medford to the east are very similar. Since the Applegate Valley lies in between these 2 cities, there is certainly no argument that the Applegate has any important temperature difference. There are differences in precipitation as you move around the Rogue Valley. But since all the agriculture here is based on irrigation (due to summer drought), including grapegrowing, I can't see any important differences arising as to precipitation.

The different soils in the Rogue Valley are widely spread around the valley, including the Applegate area. Soils found in the Applegate are also found in other areas.

I have lived in the Medford, Oregon area for 70 years. I grew up on a ranch in Phoenix, Oregon where my family grew pears and I am well familiar with the climate and soils of this area. I have a casual interest in Oregon wine, but I find the Applegate wines to be brash and unattractive.

The notion that the Applegate Valley has special geographical features is without substance.

Respectfully submitted,



Kenneth R. Corliss

DAVID R. BEAUDRY

ACTUARY & PENSION CONSULTANT

228 EAST MAIN STREET, SUITE B
MEDFORD, OR 97501
(541) 773-6705

MEMBER, AMERICAN SOCIETY
OF PENSION ACTUARIES
MEMBER, AMERICAN ACADEMY
OF ACTUARIES
U.S. TREASURY ENROLLED ACTUARY

July 6, 1999

Attn: Notice No. 874
Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: 27 CFR Part 9 [Notice No. 874]
Proposed Applegate Valley, AVA

Dear Sirs:

I oppose the creation of the proposed Applegate Valley American Viticultural Area. My opposition is based on the fact that the petitioner has completely failed to provide any evidence of geographical features that distinguish the proposed area's viticultural features from the viticultural features of the surrounding Rogue Valley, AVA as required by 27 CFR Section 4.25a (e) (2) (iii).

My opposition is partly based on the petition's false and misleading statements contained in the above Federal Register Notice of May 6, 1999. The quoted passages below are from the Federal Register Notice, except where indicated.

I have enclosed a map showing the various sub-regions of the Rogue Valley, AVA that I've referred to in this letter.

PETITIONER'S EVIDENCE CONCERNING SOILS

"The petitioner states that soil types [in the Applegate Valley] are generally granite in origin as opposed to the volcanic origin of the Cascade Mountains to the east."

This statement is false. Many of the soil series found in the Applegate Valley are also found in abundance in adjoining areas of the Rogue Valley, AVA. Some common examples include the following soil series: Ruch, Shefflein, Vannoy, Selmac, Medford, Manita, Central Point. Many more exist.

The west side of the Bear Creek Valley, Gold Hill, areas along the Rogue River, lower Evans Valley, the Grants Pass Basin, and many areas of the Illinois Valley all have soils which are granitic in origin. The proposed area is not different as to the origin or composition of the soils. Furthermore the petitioner has failed to demonstrate any viticultural effects caused by the granite-based soils as opposed to the volcanic soils.

Chief, Regulations Division-BATF
July 6, 1999
Page 2.

No scientific research has ever correlated a viticultural effect of granite vs volcanic soils.

"According to the petitioner, the leaching of the more basic soil components found in the Illinois Valley have left the soil slightly more acidic than the soils in the proposed boundaries. The petitioner further states that the soils outside the proposed boundaries to the east near Bear Creek Valley tend to be less acidic than the soils in the proposed boundaries. The soils in the Applegate Valley have a pH between 6.1 and 6.5 which are more ideal."

This statement is false. Also petitioner offers no proof of this statement. Many decades of scientific research has failed to correlate any "ideal" pH level with any viticultural effect or feature as called for in the regulations. In other words any variation in soil pH anywhere within the Rogue Valley is viticulturally insignificant.

"...soil pH does not have much influence on the quality of wines, since quality wines are [known to be] produced on acidic, neutral and alkaline soils."

"At the moment, not one single soil constituent or element may be said to be an absolutely decisive factor in wine quality"

Both quotes from: *Experientia* 42 (1986) page 862, by Gerard Sequin of the Institute of Enology at the University of Bordeaux II

Concerning wine quality: "Soil chemistry and vine nutrition, within the bounds of normal vine health and growth, play little role that has yet been discerned..."

John Gladstones, Ph D & Richard E. Smart, Ph D, *The Oxford Companion to Wine* (1994), page 886

"Despite the common opinion to the contrary, there seems to be little connection between nutrition of the vine and wine character or quality..."

Richard E. Smart, Ph D, *The Oxford Companion to Wine* (1994), page 1036

PETITIONER'S EVIDENCE CONCERNING CLIMATE

Petitioner states that "The precipitation in the Illinois Valley at Cave Junction is 58.9 inches per year. The precipitation decreases to 31.1 inches, at Grants Pass, in the northeast and to 25.2 inches at Applegate. In the Bear Creek Valley at Medford, the precipitation decreases further to 18.3 inches per year."

Chief, Regulations Division-BATF
July 6, 1999
Page 3.

The petitioner's precipitation evidence is misleading. The petitioner has failed to disclose that nearly all the vineyards in the Rogue Valley are irrigated. This includes all the vineyards in the Illinois Valley, which has the highest precipitation. Irrigation is also common in the Applegate Valley, Grants Pass and Rogue River areas that have the medium precipitation amounts. The petitioner fails to disclose that most of the extra precipitation occurs in winter when the grapevines are dormant. The petitioner fails to disclose that all of the Rogue Valley, AVA (and most of the West Coast) suffers drought conditions during the growing season, hence the need for irrigation.

The petitioner fails to demonstrate how precipitation variation within the Rogue Valley causes a difference in the viticultural features of the proposed area as required by the regulations. I submit that precipitation variation within the various areas of the Rogue Valley, AVA are irrelevant to any observed viticultural effect or feature.

"According to the petitioner, the average temperature in the Illinois Valley during the growing season (April to October) is 2.5 degrees lower than in the eastern valleys. The petitioner states that, cumulatively this means that the degree-days rise from 4971 degree-days in Cave Junction to 5602 degree-days in Grants Pass. This temperature data is from a soil survey for Jackson and Josephine Counties and does not compare with Winkler's values since it is based on temperature of 40 degrees Fahrenheit instead of 50 degrees Fahrenheit. According to the Oregon Winegrape Grower's Guide, "As one moves from west to east, or from the Illinois River Valley including Selma to the Applegate Valley and into the Rogue Valley, good grape growing sites generally become warmer due to the lessening of the marine air influence." The Oregon Winegrape Grower's Guide goes on to point out that earlier ripening varieties such as Pinot noir, Early Muscat, and Gewurztraminer, do well in the Illinois Valley. In contrast, the Applegate Valley with its Region II temperature range can ripen Cabernet Sauvignon, Merlot, and Chardonnay two to three weeks earlier than is possible in the Illinois Valley."

The petitioner's temperature figures are misleading and tend to **disprove** his contention that the proposed area is different from the surrounding Rogue Valley, AVA as required by the regulations.

By quoting the cooler temperature figures for the Illinois Valley, the petitioner is proving that it's the Illinois Valley that's different and not the proposed Applegate Valley. Scientific research has shown conclusively that temperature variation has important viticultural effects on ripening and wine quality.

Unlike the Illinois Valley, the Applegate Valley has a typical Rogue Valley, AVA temperature pattern. The proof of this can be found in petitioner's statement: "...the Applegate Valley with its Region II temperature range can ripen Cabernet Sauvignon, Merlot, and Chardonnay two to three weeks earlier than is possible in the Illinois Valley." The

Chief, Regulations Division-BATF
July 6, 1999
Page 4.

petitioner fails to disclose that nearly all the Rogue Valley, AVA has UCD Region II temperature conditions and can and does "...ripen Cabernet Sauvignon, ..." etc. It is a long established fact that Cabernet Sauvignon (Oregon's longest-season winegrape) ripens well in all parts of the Applegate Valley, in lower Evans Valley, in the Agate Desert, in East Medford, in Talent, and in the west hills of Ashland. The petitioner's claim that the heat distribution in the proposed area is different from the surrounding Rogue Valley, AVA is false. The demonstrated ripening characteristics of Cabernet Sauvignon prove this point better than any mere temperature figures.

For the record, the Josephine County Soil Survey, page 170 lists average temperatures at Cave Junction (Illinois Valley), which convert to 2,273 grape-growing degree-days using Prof. Winkler's U.C. Davis formula. This means that the Illinois Valley is UCD Region I (up to 2500 grape-growing degree-days).

The same calculations for Grants Pass and Medford yields 2,729 and 2,648 grape-growing degree days respectively. This puts most of the Rogue Valley, AVA at UCD Region II (between 2500 and 3000 grape-growing degree-days). The petitioner agrees that the proposed area has UCD Region II temperature conditions. See above petitioner's quote.

A CONCLUSIVE PROOF

Arguments concerning the effects of geographical features are useless if the resulting wines are of poor quality. I am of the opinion that the lowest quality winegrapes in the Rogue Valley, AVA are coming from the proposed area. The best red wines in the Rogue Valley are coming from Evans Valley (world class Merlot), Talent (fine Merlot) and East Medford (Cabernet Sauvignon). The best white wines are coming from the Illinois Valley (Gewurztraminer, Pinot Blanc).

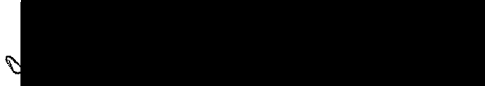
The ultimate proof that the Applegate Valley is producing low quality grapes is the long-standing blending practices of Valley View Winery. At Valley View Winery none of their current wines would be entitled to the proposed Applegate Valley appellation because none of their wines contain at least 85% Applegate Valley fruit. This is true even though Valley View Winery has been bottling Rogue Valley wine for over 20 years, they own a 25+ acre vineyard in the Applegate Valley near Ruch and their winery is located in the Applegate Valley itself! The marketplace, along with the good judgement of Valley View's winemaker, has determined that the best Rogue Valley wines are blends of grapes (which may include some Applegate fruit) with grapes grown in Talent, Jacksonville, East Medford, the Agate Desert, Grants Pass, etc. Some of Valley View Winery's most expensive and award-winning wines contain no Applegate Valley fruit at all. No better proof exists that there are no distinguishing viticultural features to the Applegate Valley.

Chief, Regulations Division-BATF
July 6, 1999
Page 5.

I accept that ATF does not have jurisdiction to rule in matters of wine quality. But the marketplace does. And the objective evidence is that the marketplace has shown a clear preference for Rogue Valley, AVA wines over Applegate Valley wines.

The petitioner has failed to provide any credible evidence of geographic features that distinguish the viticultural features of the proposed area. Also, the marketplace appears to have substantially rejected the product of those alleged viticultural features regardless. Therefore, I suggest that ATF have no choice under law but to deny the subject petition.

Sincerely,

A large black rectangular redaction box covers the signature area.

David R. Beaudry

Enclosure: Map

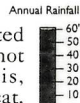
FORIS VINEYARDS WINERY

ROGUE VALLEY APPELLATION

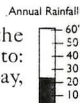
OREGON

Situated at a higher elevation than the other winegrowing areas of Oregon, the Rogue Valley appellation is comprised of several distinct growing climates. The western boundary of the district is just 25 miles from the Pacific Ocean. Rainfall within the region diminishes from west to east and increases with elevation, with only about 15% occurring during the grape growing season, early April to late October. In comparison to Oregon's other winegrowing appellations the days are hotter, nights cooler and the varieties grown more diverse.

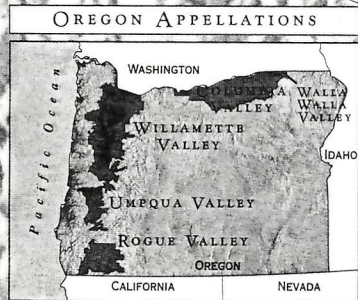
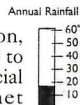
ILLINOIS RIVER VALLEY
 The westernmost and coolest valley, suited to growing cooler climate varieties: Pinot Noir, Gewurztraminer, Pinot Gris, Chardonnay, Pinot Blanc, Early Muscat, Gamay Noir.



APPLEGATE RIVER VALLEY
 This valley is drier and warmer than the Illinois Valley and is presently planted to: Merlot, Cabernet Sauvignon, Chardonnay, Zinfandel.

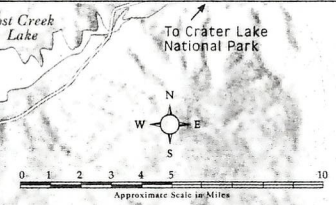
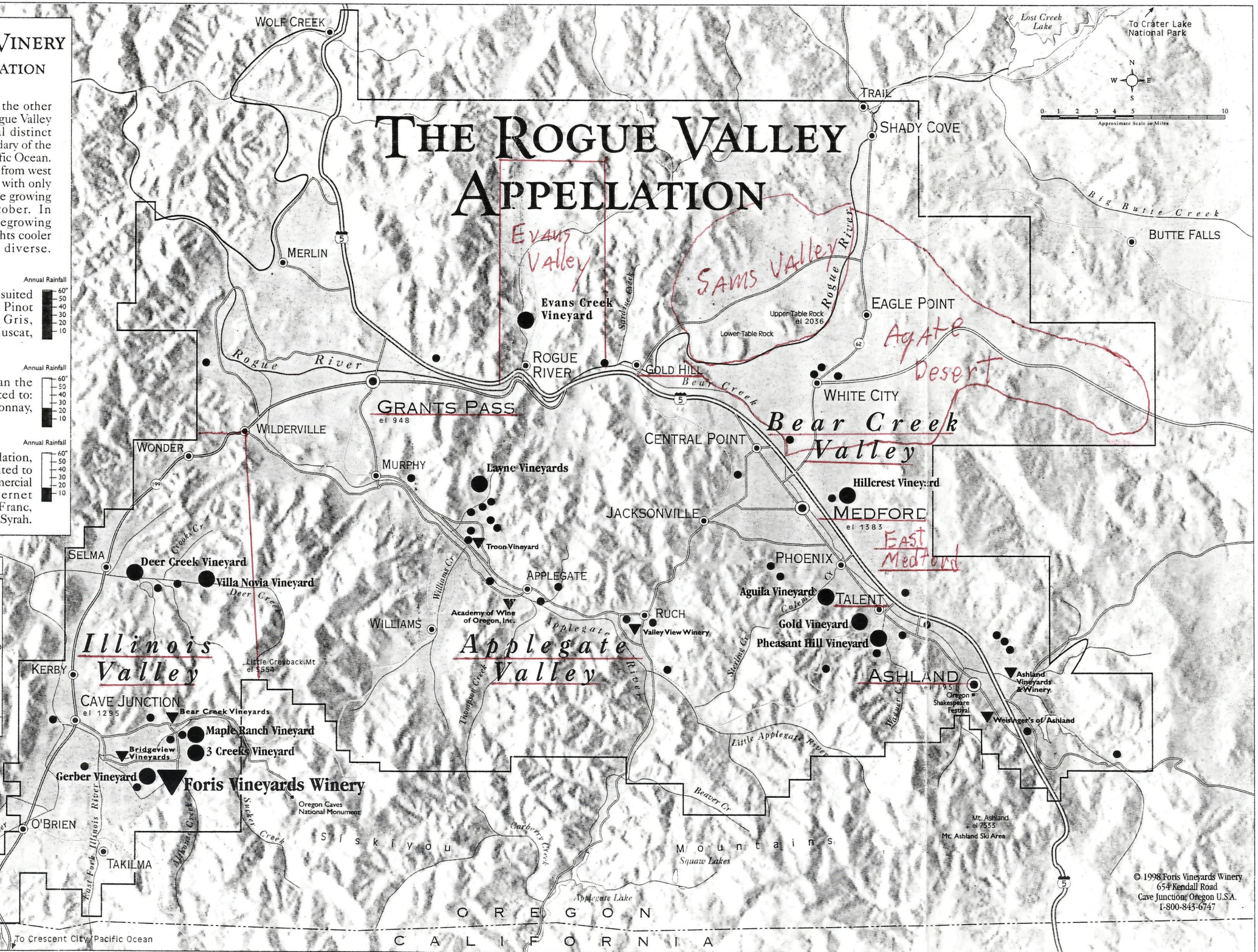


BEAR CREEK VALLEY
 The warmest area within the appellation, widely planted to pears, is highly suited to warmer climate grape varieties. Commercial plantings include: Merlot, Cabernet Sauvignon, Chardonnay, Cabernet Franc, Pinot Gris, Sauvignon Blanc, Malbec, Syrah.



- Foris grape sources
- Vineyards
- ▼ Wineries
- Appellation boundary

THE ROGUE VALLEY APPELLATION



DAVID R. BEAUDRY

ACTUARY & PENSION CONSULTANT

228 EAST MAIN STREET, SUITE B
MEDFORD, OR 97501
(541) 773-6705

MEMBER, AMERICAN SOCIETY
OF PENSION ACTUARIES
MEMBER, AMERICAN ACADEMY
OF ACTUARIES
U.S. TREASURY ENROLLED ACTUARY

July 6, 1999

Attn: Notice No. 874
Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: 27 CFR Part 9 [Notice No. 874}
Proposed Applegate Valley AVA

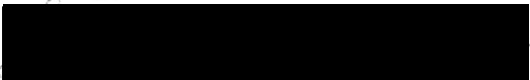
Dear Sirs:

I am writing to ask a question concerning the effect of the proposed Applegate Valley American Viticultural Area on the existing Rogue Valley American Viticultural Area (27 CFR 9.132) which it overlays.

If the Applegate Valley viticultural area is approved, will the underlying Rogue Valley viticultural area be erased or in any way modified? In other words, will a winery lose the right to use the Rogue Valley appellation for grapes grown the Applegate Valley?

Please respond to the above address.

Sincerely,


David R. Beaudry, Petitioner
Rogue Valley, AVA



Wooldridge Creek Vineyard
Wooldridge Creek Wines

818 Slagle Creek Road
Grants Pass, OR 97527
(541) 846-6310

7 July 99

Chief, Regulations Division
Bureau of Alcohol, Tobacco, and Firearms
P.O. Box 50221
Washington, DC 20091-0221

ATTN: Notice No. 874

Dear Ladies and/or Gentlemen:

We are writing to express our strong support for the petition of Mr. Bernard E. Smith to establish a vitacultural area within the State of Oregon to be known as "Applegate Valley".

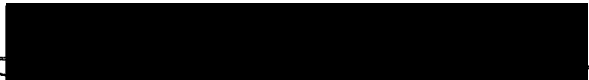
We have lived in the Applegate Valley since 1976 and have been raising wine grapes since 1979. We own 180 acres, 50 of which are dedicated to the growing of grapes. We normally produce between 140 and 160 tons of grapes. We market these grapes under the name "Wooldridge Creek Vineyard" and have produced approximately 1000 cases of wine yearly under a grower's privilege sales license. We market the wine under the label "Wooldridge Creek". We are, we believe, currently the largest producing vineyard in the Applegate Valley.


We have read Mr. Smith's petition and agree with his conclusions that enough soil, climatic, and geographic distinctions exist as to consider the Applegate Valley a separate vitacultural area within the Rogue Valley appellation.

We understand there has been some opposition to the proposal. This we find hard to fathom. From a marketing standpoint, approval of this petition would not preclude any winery, utilizing all Applegate Valley grapes, from using the appellation "Rogue Valley" on the label. It would give the winery the option of using "Applegate Valley" on the label if, in fact, all the grapes originated from the Applegate Valley.

We find no reason not to approve Mr. Smith's petition. Approval can only be beneficial to the entire winegrape growing industry in Southern Oregon. This would allow wineries to stress the unique growing areas within the Rogue Valley Appellation. Perhaps the Illinois Valley and the Bear Creek Valley should also be established as separate vitacultural growing areas.

Sincerely,


Theodore D. Warrick


Mary L. Warrick

DAVID R. BEAUDRY

ACTUARY & PENSION CONSULTANT

228 EAST MAIN STREET, SUITE B
MEDFORD, OR 97501
(541) 773-6705

MEMBER, AMERICAN SOCIETY
OF PENSION ACTUARIES
MEMBER, AMERICAN ACADEMY
OF ACTUARIES
U.S. TREASURY ENROLLED ACTUARY

January 23, 2000

Attn: Notice No. 874
Chief, Regulations Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 50221
Washington, DC 20091-0221

Re: 27 CFR Part 9 [Notice No. 874}
Proposed Applegate Valley, AVA

Dear Sirs:

I understand that ATF has or will be receiving additional evidence and information from the petitioner concerning the above viticultural area petition.

This new evidence and information was not contained in the Federal Register Notice of May 6, 1999 (Vol 64, Number 87), which deals with this petition.

I filed a comment in July, 1999 concerning this Federal Register Notice and **I am requesting an opportunity to comment also on any new, unpublished additional evidence, which the petitioner has submitted.**

Please send me copies of any newly submitted documents from the petitioner, and please allow a further comment period to deal with this new evidence.

Respectfully,



David R. Beaudry

Analysis of the Objections Raised to the Petition to Designate the Applegate Valley as an AVA

Barnard Smith 8/4/99

Mr. Gerber is well known and well respected in the Oregon wine industry. He operates both a winery and a vineyard. His comments deserve careful consideration particularly as they are echoed by other writers. Essentially, he says while there are differences in the soils and climate among the various valleys in the Rogue Valley AVA there are also similarities. Mr. Gerber wrote one of the articles cited in the petition (Gerber, T., Site Selection in the Rogue Region, in Winegrape Growers' Guide, 4th edition, The Oregon Winegrowers Association, Portland, OR 1992.). In it, Mr. Gerber stresses the importance of the differences he now says are insignificant. [Please note the side bar on the map provided by Foris Vineyards Winery. The earlier views of Mr. Gerber are reiterated on this 1998 map.]

His third paragraph contains his real concern (with some side comments which detract). He feels that marketing one AVA is better than trying to market several. He will be able to make that decision in any case. Letters from others did not agree.

Mr. Corliss follows a similar path. He argues that since Applegate Valley is between Grants Pass and Medford it's climate must be between the two. By ignoring Cave Junction the argument appears plausible but he presents no facts to support his position.

Mr. Huffman is confusing viticultural methods with soil and climate differences. These were not the subject of the BATF regulations nor of the petition.

Both Mr. Corliss and Mr. Huffman deride the wines from the Applegate Valley. One sees them as brash, the other as bland. Unwittingly, they may have admitted that differences exist.

Mr. Stevens has a significant background in this field. Had I known of his background I would have included him among the soil scientists I consulted in preparing the petition. His theme is that some similarities exist between some soils around Medford to some soils within the Applegate Valley. In preparing the petition I compared soils of current vineyards in each valley. However, in the petition, I limited myself to comparisons provided by the soil scientists who had conducted the soil surveys of both counties (Jackson and Josephine). He appears to have slipped in topic 2 where he places Bear Creek the west of Illinois Valley. Thankfully, he admits that Illinois Valley is Region I Vs Region II for the remainder of the Rogue AVA.

Mr. Beaudry's letter deserves special consideration. Ten years ago he was a member of a committee of local grape growers concerned with designating some area in Southern Oregon as an AVA. Members included Ted Gerber, Nancy Tappan and Robert Kerivan (whose letter you have not received). Also Mr. Beaudry was the author of petition for Rogue Valley AVA. Unfortunately, his connection with the industry continues to be somewhat tenuous. He is not connected with a winery or does he grow grapes

commercially. He has found experts who apparently disagree with the experts I have relied on. In his desire to "protect" the Rogue Valley AVA he is challenging the BATF program of identifying wine regions based on soil and climatic differences. He and his references say that soil and climate do not affect wine quality even though the rest of the world feels that they do and he must have felt they did when he wrote the earlier petition.

Mr. Evans letter was written in haste. No area will be removed from the Rogue Valley AVA if this petition is accepted. The wineries referred to in the petition were Troon Vineyard and Winery, Valley View Winery, John Michael Champagne Cellars, The Academy of Wine of Oregon, Wooldridge Creek Wines and Drobney Vineyard & Winery(since deceased and the winery closed). The twenty letters of support are mainly from vineyard owners in the Applegate Valley. See the letter from Ron Burley for the official acreage in vineyards in the valley.

As an after comment, I have a doctor's degree in engineering from Stanford and have a forty year track record in teaching, research and consulting.