

PETITION TO SHIFT PART OF THE COMMON BOUNDARY
BETWEEN THE ALEXANDER VALLEY AND
THE CHALK HILL VITICULTURAL AREAS

by
William K. Crowley
Professor of Geography
Sonoma State University

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 - D. Frederick P. Furth
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 - G. Robert A. Young
 - H. Michael G. Dacres Dixon

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This petition seeks to shift southward part of the common boundary between the Alexander Valley Viticultural Area and the Chalk Hill Viticultural Area. If accepted, the petition would add roughly 1000 acres of territory and 76 acres of vineyard to the Alexander Valley while subtracting an equal amount from Chalk Hill. The underlying bases for the requested change are that: (1) vineyardists in this area felt (and still do feel) themselves to be part of the Alexander Valley, (2) part of one of the properties in this petition is already within the Alexander Valley, (3) wineries and vineyard owners in the Alexander Valley consider the area to be part of Alexander Valley, (4) climatically, the area is very similar to the southern, cooler end of Alexander Valley along Franz and Maacama Creeks, and (5) the general alignment of topography and the layout of viticultural areas in this portion of Sonoma County suggest the petitioned area should be in the Alexander Valley. Since Martin Creek is the principal named physical feature within the petitioned territory I will refer to it throughout this document as the "Martin Creek" area.

General Characteristics of the Area

The Martin Creek area lies to the south of Bell Mountain and incorporates two vineyards, that of Richard Godwin and that of H. T. and Willi Hilliard. The northwestern corner of the Godwin property is already within the Alexander Valley (see Exhibits 1 and 2), and the rest of its northern limit is contiguous with the eastern segment of the southern boundary of Alexander Valley as presently defined by ATF. The Hilliard property (two parcels) lies immediately south of the Godwins, and the two properties were once one, the Hilliards having sold a piece of their holdings to the Godwins in 1981. The Godwins planted 21 acres of Chardonnay in 1983, and first harvested them in 1986. The Hilliards have 55 acres of vineyard, planted in 1981, and first harvested in 1984 (Exhibit 3). The acreage is divided among Cabernet Sauvignon (40 acres) Chardonnay (10 acres) and Sauvignon Blanc (5 acres). The varieties grown, all premium varietals, are consistent with the predominant varieties in the presently defined Alexander Valley. Both of these vineyards are closer to vineyards in the Alexander Valley than they are to vineyards in either the Russian River Valley or Chalk Hill, the other viticultural areas in the region (Exhibit 3). Please note that the proposed boundaries do not include a small northeastern chunk of the Hilliard's property-- this land is not plantable to grapes.

Evidence Concerning the Name and Viticultural History of the
Area

The boundaries for the Alexander Valley have been debated and argued since it was first proposed as a viticultural area. Much of the material submitted by sides "A" and "B" in the original conflict over defining the Alexander Valley revolved around the question of the historical and present sense of the place--just how much territory is included. ATF is well aware that different folks identified the boundary differently, particularly at different historical periods. Placing exact boundaries for the present limits was no easy task. Unfortunately, no maps demonstrate that the area defined in this petition is part of the Alexander Valley. On the 7.5 minute U.S.G.S. Healdsburg quadrangle the lowland flats along Maacama and Franz Creeks are identified as "Alexander Valley," areas that lie within one mile of the vineyards proposed in this petition for inclusion in the Alexander Valley. The area proposed has no topographic name identifying it, however.

As declarations A and B by Mrs. Hilliard and Mr. and Mrs. Godwin demonstrate they believed that the area described in this petition was Alexander Valley land when they purchased it. Declaration C (by Mr. Flora), indicates that one of their neighbors, a relatively longtime resident of the area, also perceives the Martin Creek area as part of the Alexander Valley. Declaration D (Fred Furth) is submitted by the person who petitioned for the "Chalk Hill" viticultural area (where the Martin Creek area presently sits) indicating that he, too, believes the Hilliard and Godwin properties are within Alexander

Valley. Equally important, declaration E, F, and G, provide evidence that grape growers in the Alexander Valley area as it is now defined understand that the Martin Creek properties are part of Alexander Valley, and these are growers who have demonstrated great concern that the valley be carefully defined. Additionally, Declaration H (as does Declaration E) exhibits winery support for this petition.

The vineyards on both properties are very young, the oldest planted in 1981. Since vineyards were not previously planted on these properties, there really is no history of wine production connected with the Martin Creek area. In recent years vineyards have appeared in many areas around the state of California where grapes were not previously grown. In this case, these new vineyards are most closely associated with the Alexander Valley, both by people living in the area and by their proximity to other Alexander Valley vineyards. Although the Martin Creek area presently sits within the Chalk Hill Viticultural area, the vineyards here are farther from other Chalk Hill vineyards and are more separated topographically from other Chalk Hill vineyards than they are from the nearest Alexander Valley vineyards.

Climate

In 1981 the Hilliards took thermograph readings on their property which suggest that their vineyards lie on the boundary between Region I and Region II, since a total of 2475 heat summation units were recorded. This total is similar to locations in the southern end of Alexander Valley, though obviously cooler than the central and northern portions. Because the property is in the boundary area of regular summer fog intrusions, readings

could vary considerably from one year to the next, with the best guess being that the above reading is a relatively cool year. To judge climate properly, obviously one prefers to have readings over a period of years. Location of the instrument is also key as data from Alexander Valley Vineyards indicates. Their readings averaged 2579 heat summation units from 1974-1977 when their instrument was sited in the vineyards. Their average is very close to the 1981 reading for the Hilliards. When the Alexander Valley Vineyards thermograph was moved near the winery (where building heat could affect its readings), its annual average over the seven years from 1978 to 1984 increased to 3248! (Exhibit 3).

Soils

The most widespread soils in the Martin Creek area are Felta very gravelly loams, followed by Spreckels loam and Yolo silt loam (Exhibit 4). The Felta very gravelly loams are also widespread between Bell Mountain and Chalk Hill inside the present Alexander Valley boundaries, and those of the Martin Creek area are simply a continuation of the same soils. The Spreckels loams are also found just west of Bell Mountain inside Alexander Valley, while soils of the Yolo series are common further to the northwest within the Alexander Valley. Thus, the soils of the Martin Creek area represent soils series and associations common to the existing Alexander Valley. There is no abrupt change on the two sides of the boundary as it is now defined.

Topographical Considerations

South of Franz Creek, within the present Alexander Valley, the topography changes rather quickly and low hills rise from the flat valley floor. The southern boundary of the valley in this area now runs between two prominent low peaks in these hills, Bell Mountain and Chalk Hill. The Martin Creek area lies just to the south of Bell Mountain (in fact, the Godwin's property includes the southern slope of Bell Mountain). While separated from other Alexander Valley vineyards by this topographic interruption, the terrain to the south and west that separates the Martin Creek area from the rest of the Chalk Hill Viticultural Area is generally higher and more rugged than the terrain between Bell Mountain and Chalk Hill that separates Martin Creek from the Franz Creek portion of Alexander Valley. Bell Mountain itself reaches over 600 feet, but most of the land along the present boundary is less than 350 feet above sea level. The closest Chalk Hill vineyards to the Martin Creek area are more distant than are those of the southeastern Alexander Valley.

In sum, topography here offers no easy answers and could be argued various ways. However, the Martin Creek area "fits" better with the Alexander Valley than it does with Chalk Hill. The creek that forms the reservoir in the northwestern portion of the proposed addition flows directly into Franz Creek. Martin Creek itself, which flows generally north to south across the petitioned area, joins Barnes Creek which flows northwesterly into the Russian River. Thus, part of the petitioned area is within the Franz Creek drainage, part is within the Brooks Creek drainage, and both of these streams are tributaries of the Russian (though

Franz Creek actually joins Maacama Creek a short distance before it reaches the Russian).

Conclusions

1. A small portion of one of the two properties with vineyards that this petition seeks to add to the Alexander Valley is already a part of the Alexander Valley (and a few years ago these two properties were, in fact, one property, having been split in 1981).

2. The perceptions of the owners of these two properties, of neighbors, of the major force behind the Chalk Hill Viticultural Area, and of some of the principal grape growers behind the initiation of the Alexander Valley Viticultural Area is that the Martin Creek area belongs in the Alexander Valley.

3. The limited climatic evidence indicates that the Martin Creek area is consistent with the cool southern end of the Alexander Valley.

4. The soils of the Martin Creek area belong to the same soil series and associations as those at the southern end of the Alexander Valley or of series and associations found commonly elsewhere in the valley.

5. Topographically, the area is more isolated from the rest of the Chalk Hill area than it is from the Alexander Valley as presently defined. The gross topography of the area argues for Martin Creek's inclusion in the Alexander Valley.

The Specific Boundaries of the Amended Area

If the present petition is approved it will result in a realignment of part of the common boundary between the Chalk Hill Viticultural Area and the Alexander Valley Viticultural Area, subtracting land from the former and adding land to the latter. The land described herein is found on the U.S.G.S. 7.5' Quadrangles of Healdsburg and Mark West Springs, California (Exhibit 1).

The following description defines the newly proposed common boundary. This description begins with 9.53 of Subpart C of Title 27, Code of Federal Regulations, Part 9, paragraph [c][27] as described in T.D. ATF-233, published in the Federal Register of August 26, 1986. The proposed boundary is the black line. The starting point is the peak identified as Chalk Hill, located just 1000 feet to the northeast of the northeastern boundary of Section 29, T. 9 N., R. 8 W. on the Healdsburg 7.5' Quadrangle:

1. Then easterly for a distance of approximately 5750 feet along the present boundary, as described in the above noted paragraph [c][27], to the point in the northeastern corner of Section 28 of T. 9 N., R. 8 W. where it intersects an unnamed, unimproved road that runs along the westside of a reservoir;

2. then southeasterly along the unimproved road for approximately 3500 feet to the point where said road makes a sharp turn toward the west;

3. then due south from this point for a distance of approximately 400 feet to Martin Creek;

4. then southwestward along Martin Creek for approximately 3250 feet to the point in Section 33, T. 9 N., R. 8 W. where it joins Brooks Creek;

5. then eastward along Brooks Creek to the point where it is joined by an unnamed ephemeral tributary;

6. then eastward along said unnamed tributary to the boundary between Sections 34 and 35 of T. 9 N., R. 8 W.;

7. then northward along the section line approximately 3500 feet (now the boundary between Sections 26 and 27) to the point that it intersects an unimproved road just south of Martin Creek;

8. then west, northwestward along said road to the point that it intersects the boundary between Sections 28 and 27;

9. then north along the section line to the intersection of Sections 21, 22, 27 and 28, which is the southeastern corner of the Alexander Valley as it is presently defined.