

National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Room 10276, at the address listed above.

This proposal does not constitute a "major rule", as that term is defined in section 1(b) of Executive Order 12291 issued by the President on February 17, 1981. Analysis of the proposal indicates that it does not (1) have an annual effect on the economy of \$100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) have a significant adverse effect 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.

Under the Regulatory Flexibility Act (5 U.S.C. 601), the Undersigned hereby certifies that this proposal does not have a significant economic impact on a substantial number of small entities. Since the proposal is intended to have the effect of containing development costs for Indian housing and CIAP projects, it may have an economic impact on builders or developers of such housing, some of whom may constitute small entities, but it is not believed that the number of small entities affected will be substantial.

This proceeding was listed as item 962 in the Department's Semiannual Agenda of Regulations published October 27, 1986 (51 FR 38424, 38468) in accordance with Executive Order 12291 and the Regulatory Flexibility Act.

The information collection requirements contained in this proposal have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520). The OMB control number is 2577-0101.

The Catalog of Federal Domestic Assistance Program numbers and titles are 14.850, Public and Indian Housing, 14.851, Low-Income Housing Homeownership Opportunities for Low Income Families and 14.852, Public Housing—Comprehensive Improvement Assistance Program.

#### List of Subjects

##### 24 CFR Part 905

Grant program: housing and community development, Loan programs: housing and community development, Low and moderate income housing, Public housing, Homeownership.

##### 24 CFR Part 968

Loan programs: housing and community development, Public housing, Reporting and recordkeeping requirements, Grant programs: housing and community development, Indians.

**Authority:** United States Housing Act of 1937 (42 U.S.C. 1437-1437q); sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

**Dated:** October 6, 1986.

**J. Michael Dorsey,**

*Assistant Secretary for Public and Indian Housing.*

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#### DEPARTMENT OF THE TREASURY

##### Bureau of Alcohol, Tobacco and Firearms

##### 27 CFR Part 9

[Notice No. 620]

##### Stags Leap District Viticultural Area

**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 Napa County, California, to be known as "Stags Leap District." This proposal is the result of a petition submitted by the Stags Leap District Appellation Committee. ATF feels that the establishment of viticultural areas and the subsequent use of viticultural area names as appellations of origin in wine labeling and advertising will help consumers identify the wines they may purchase.

**DATE:** Written comments must be received by April 13, 1987.

**ADDRESS:** Send written comments to: Chief, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044-0385, (Notice No. 620).

Copies of the petition, the proposed regulations, the appropriate map, and the written comments will be available for public inspection during normal business hours at: ATF Reading Room, Room 4406, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** James P. Ficaretta, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, DC 20226 (202-566-7826).

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37872, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite viticultural areas. The regulations also 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, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features, the boundaries of which have been delineated in Subpart C of Part 9.

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 characteristics (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 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 proposing an area in Napa County, California, as a viticultural area to be known as "Stags Leap District." The proposed area, located east of the city of Yountville and five to eight miles north of the city of Napa, consists of approximately 2,550 acres. It includes eight bonded wineries and approximately 30 vineyards, with approximately 1,250 acres of grapes. If approved, Stags Leap District would be the third viticultural area within the

Napa Valley viticultural area, along with Los Carneros and Howell Mountain.

#### Name

Evidence that the name of the proposed area is locally and/or nationally known as referring to the area specified in the petition includes:

(a) Copies of recent wine labels (1979 Pine Ridge Chardonnay, 1980 Pine Ridge Merlot, 1979 Steltzner Vineyards, Cabernet Sauvignon, 1980 Markham Merlot), each of which indicates the grapes as having come from the Stags Leap District.

(b) Excerpts from articles appearing in *Trumpetvine Wines*, *San Francisco Chronicle*, *Academie Du Vin*, *San Francisco Examiner*, and *Ashbury Market*, which consistently make references to the proposed "Stags Leap District."

(c) Articles showing that the term "Stags Leap" was in use since Horace and Minnie Chase first used the phrase in reference to their summer manor house, constructed in 1890, and their winery, built in 1893.

(d) U.S.G.S. field report dated 1951 using the name "Stags Leap" to indicate the mountains and mountain formations along the eastern boundary of the proposed viticultural area.

(e) A shipping label dating from the mid-1920's identifying table grapes produced and shipped east under the name "STAG LEAP."

(f) Description of a U.S. Post Office branch called "Stag's Leap" which was located in the basement of Stag's Leap Manor (referred to in paragraph c above), from 1927 to 1944.

#### Boundaries

Evidence that the boundaries of the proposed area are as specified in the petition includes the following:

(a) In the April/May (1984) issue of *Friends of Wine*, the proposed viticultural area is described as being "east of Yountville, at the Silverado Trail," and includes Stag's Leap Wine Cellars, Shafer Vineyards, Pine Ridge, and Silverado Vineyards. The locations of these vineyards and wineries closely approximate the parameters of the proposed Stags Leap District viticultural area.

(b) Similar references to the above wineries and vineyards as being in the proposed viticultural area are found in Alexis Lichine's *New Encyclopedia of Wines & Spirits* (1984). In addition, reference is made to Clos du Val winery as being within the proposed viticultural area. This winery is located just inside the southern boundary of the proposed Stags Leap District area.

(c) In the March 9, 1983 issue of the *S.F. Examiner*, the proposed viticultural area is described as being on the east side of the Napa Valley where, "[T]wo famous wines from this region are Stags' Leap Wine Cellars . . . and Clos du Val. . . . Dick Steltzner's vineyard, . . . is here. Robert Mondavi has vineyards here. You should also be hearing about Silverado Cellars in coming years."

(d) Further references to Silverado Vineyards as being included in the proposed viticultural area can be found in the January 1-15, 1982 issue of *The Wine Spectator*, where the winery, then under construction, was described as being "located . . . in the Stags' Leap area."

Collectively taken, this evidence describes the proposed viticultural area as being south of the Yountville Cross Road, 4 to 6 miles north of the city of Napa, bounded on the west by the Napa River, and on the east by the Mayacamas Mountains (also called "Stags Leap").

#### Geography

Evidence that the geographical features of the proposed viticultural area are different from the surrounding areas includes the following:

(a) The combination of low hills and mountains, west or southwest facing slopes, and the resulting westerly to southerly water drainage within the proposed area creates a climatic zone that is different from the surrounding areas of the Napa Valley.

(b) Throughout the proposed viticultural area Bale clay loam is the predominant soil, common from north to south. Conversely, west of the Napa River, Cole silt loam predominates, while the soils to the east of the proposed area consist of rock out-crops.

(c) The topography and soils of the proposed area also influence drainage and water-holding capacity. Generally speaking, the soils west of the Napa River are deeper, richer and hold more water than those within the proposed Stags Leap District.

(d) With respect to water-holding capacity, Bale clay loam (soil within the proposed viticultural area) contains only 0.08-0.11 inches of available water per inch of soil, while the Cole silt loam contains 0.16-0.21 inches of water per inch of soil, or approximately double the water-holding capacity.

(e) The low hills and west-facing exposure contribute to air flow patterns and temperature profiles that result in days that are warmer earlier and nights that are cooler than the surrounding areas. The proximity of the proposed viticultural area to San Pablo Bay

(located south of the proposed area), and its prevailing winds, moderated by the hills, also influences the climate in the proposed Stags Leap District.

(f) The configuration of the proposed viticultural area favors an inflow of cool air from San Pablo Bay. The air then exits to the mountain elevations to the north, or moves to the main valley floor through the narrow passes at the northern boundary of the proposed Stags Leap District.

(g) Due to the hilliness of the proposed area, fog and low clouds clear earlier in this area when compared to the lower elevations to the west of the Napa River.

#### Boundaries of the Area

The boundaries of the proposed Stags Leap District viticultural area may be found on one United States Geological Survey (U.S.G.S.) map of the 7.5 minute series, titled Yountville, California.

The boundaries, as referred to in the petition, are described in § 9.117.

#### Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this notice of proposed rulemaking because the proposal is not expected (1) to have significant secondary or incidental effects on a substantial number of small entities; nor (2) to impose, nor otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Accordingly, it is hereby certified under the provisions of Section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)) that the notice of proposed rulemaking, if promulgated as a final rule, will not have a significant economic impact nor compliance burdens on a substantial number of small entities.

#### Compliance With Executive Order 12291

It has been determined that this proposed rulemaking is not classified as a "major rule" within the meaning of Executive Order 12291, 46 FR 13193 (1981), 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 the United States-based enterprises to compete with foreign-

based enterprises in domestic or export markets.

#### Paperwork Reduction Act

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

#### Public Participation—Written Comments

ATF requests comments from all interested persons concerning this proposed viticultural area. This document proposes possible boundaries for the Stags Leap District viticultural area. However, comments concerning other possible boundaries for this viticultural area will be given consideration.

Comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future ATF action.

ATF will not recognize any material in comments as confidential. Comments may be disclosed to the public. Any material which the 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.

Any interested person who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his or her request, in writing, to the Director within the 60-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

#### List of Subjects in 27 CFR Part 9

Administrative Practice and Procedure, Viticultural Areas, Consumer Protection, and Wine.

#### Drafting Information

The principal author of this document is James P. Ficaretta, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

#### Authority and Issuance

#### PART 9—AMERICAN VITICULTURAL AREAS

Accordingly, the Director proposes the amendment of 27 CFR Part 9 as follows:

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

Authority: 27 U.S.C. 205.

**Par. 2.** The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.117 to read as follows:

#### Subpart C—Approved American Viticultural Areas

Sec.

9.117 Stags Leap District.

**Par. 3.** Subpart C of 27 CFR Part 9 is amended by adding § 9.117 to read as follows:

#### § 9.117 Stags Leap District.

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

(b) *Approved map.* The appropriate map for determining the boundaries of the Stags Leap District viticultural area is one U.S.G.S. topographic map in the 7.5 minute series titled "Yountville, Calif.," 1951 (photorevised 1968).

(c) *Boundaries.* The proposed Stags Leap District viticultural area is located in Napa County, California, within the Napa Valley viticultural area. The exact boundaries of the proposed area, based on landmarks and points of reference on the approved map, are as follows:

(1) Commencing at the intersection of the intermittent stream with the Silverado Trail at the 60 foot contour line in T6N/R4W, approximately 7 miles north of the city of Napa.

(2) Then southwest in a straight line, approximately 900 feet, to the Napa River.

(3) Then in a northwest direction, at an angle of 212 degrees, along the Napa River until it intersects the intermittent stream in T7N/R4W, approximately 1,500 feet southeast of the secondary highway, Grant Body (Yountville Cross Rd.).

(4) Then northeast in a straight line to the summit of the adjacent hill, approximately 330 feet in elevation, west of the Silverado Trail, in T7N/R4W.

(5) Then northeast in a straight line to the summit of the adjacent hill, approximately 310 feet in elevation.

(6) Then northeast in a straight line to the summit of the adjacent hill, approximately 210 feet in elevation.

(7) Then southeast in a straight line, across the Silverado Trail, to the summit of the adjacent hill, approximately 290 feet in elevation, located in the southwest corner of Section 29 in T7N/R4W.

(8) Then east in a straight line to the summit of the adjacent hill, approximately 270 feet in elevation.

(9) Then northeast in a straight line, at an angle of 47 degrees, to the 400 foot contour line in Section 29 of T7N/R4W.

(10) Then in a generally southeast direction, following the 400 foot contour line through Sections 32, 33, 4, and 3, until it intersects the intermittent stream in the southwest corner of Section 3 in T6N/R4W.

(11) Then in a generally southwest direction along that intermittent stream to the beginning point, at the intersection with the Silverado Trail.

Signed: January 9, 1987.

Stephen E. Higgins,  
Director.

Approved: January 15, 1987.

John P. Simpson,

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

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#### ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

#### 36 CFR Part 1190

#### Minimum Guidelines and Requirements for Accessible Design

**AGENCY:** United States Architectural and Transportation Barriers Compliance Board (ATBCB).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** Public comment is invited on a proposal that would amend the *Minimum Guidelines and Requirements for Accessible Design (MGRAD)*. MGRAD is issued by the ATBCB pursuant to section 502(b)(7) of the Rehabilitation Act of 1973, to establish minimum guidelines and requirements for standards issued by the four standard-setting agencies under the Architectural Barriers Act of 1968. First, the amendment would add requirements for standards to be applied to leased facilities at the time of leasing. Due to litigation which was pending when the MGRAD was adopted and which was concluded in early 1986, the ATBCB had deferred the adoption of MGRAD provisions on this subject. Second, the amendment would add an advisory paragraph concerning detectable tactile surface treatments that may be used as warnings for visually impaired people. Because information on detectable tactile surface treatments was limited at the time MGRAD was published in 1982, the section on detectable warnings was reserved. Research has now been completed on this subject and the ATBCB has made a determination based on these findings and other information.