

BEFORE THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
STAGS LEAP DISTRICT VITICULTURAL AREA

PUBLIC HEARING

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Volume II

December 2, 1987, 9:35 a.m.

Veterans Home of California

Veterans Home Station

Yountville, CA

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PANEL:

WILLIAM DRAKE	Associate Director, Compliance Operations
VIKKI RENNECKAR	Chief, Product Compliance Branch
ART LIBERTUCCI	Chief, Revenue Programs Division
JIM FICCARETTA	Coordinator, Wine & Beer Branch
JEANETTE SLATTERY	Attorney, Chief Counsel's Office
JOE DIVINEY	Regional Director, Western Region
RICHARD GAHAGAN	Wine Technical Advisor

Hearing Reporter: KAREN I. LILLARD, CSR

Certificate No. 3091

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Stanley Anderson }	56

Wife
Carol

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1 WEDNESDAY, DECEMBER 2, 1987 at 9:35 A.M.

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3 P R O C E E D I N G S

4 MR. DRAKE: The meeting is officially in
5 session. For the record, I am Bill Drake the Associate
6 Director for Compliance Operations, Bureau of Alcohol,
7 Tobacco and Firearms.

8 The purpose of the hearing is to receive
9 evidence concerning the proposed viticultural area
10 known as Stag's Leap. Copies of the notice, Number 620,
11 the notice of the hearing, and notice Number 647 the
12 amended notice of the hearing, and the petition, and
13 pre-hearing comments are available at the registration
14 desk.

15 Written comments will be received, and the
16 record will stay open until January 15, 1989.

17 The hearing recorder today is Doris Levine.
18 We will have copies of the transcript, which will be
19 available to you.

20 Again I will ask that any of the questions
21 to be asked of any of the commenters, do not ask them
22 from the floor. Direct them to me, and I will determine
23 whether or not we will ask the question.

24 The panel consists of: Vikki Renneckar, Chief of the
25 Products Compliance Branch. Art Libertucci, Division

1 Chief of the Revenue Program Division. Jim Ficaretta,
2 who is orchestrating this hearing. On my left is
3 Jeannette Slattery, from our Chief Counsel's Office.
4 Josephy Deviney, who is the Regional Director for the
5 Western Region. Richard Gahagan, who is the Wine
6 Advisor to the Director.

7 I am sorry. Did I say, 1989? It is January 15,
8 1988.

9 On the agenda today will be: Bernard M. Portet,
10 William Crowley, John Anderson, Stanley Anderson,
11 Gerald and Mimi Simonson, Bud Dulinsky, Richard Chambers,
12 Robert Sinskey, Joanne and Newell De Puy, William M. Weeks,
13 Dorothy and Ben Barboaza, M. Kendall Hillman, Andrew
14 Beckstoffer, Ronald J. Wicker, Carl Doumani, James Seff,
15 and Charles L. Sullivan.

16 There are others who wish to testify today.
17 If we have time, we will hear them at the end of that.
18 I believe, Mr. Mendelson, you wish to conclude at
19 the end of that also.

20 As, yesterday, this is a no-smoking area.
21 As of today, I have not quit smoking, so we will have
22 periodic breaks for that.

23 We were asked not to congregate in
24 front of the library. Apparently the noise was
25 bothering the Librarian. So during the breaks, if you

1 would stay away from the library, we would appreciate it. 4

2 The first witness is Bernard M. Portet.

3 If I mispronounce names, I apologize.

4 MR. PORTET: My name is Bernard M. Portet.

5 I am the General Manager of Clos Du Val Wine Company, Ltd.

6 I have been involved with Clos Du Val since the project
7 was conceived, back in 1970.

8 Within the few minutes that I have been allocated
9 for my presentation, I shall approach the following

10 topics:

11 The reasons why I came to select the Stag's
12 Leap District as an area where develop 145 acres of
13 vineyards planted to Bordeaux grapes and a winery to
14 process those grapes;

15 My understanding, from a French point of view,
16 of the value of the appellation, and of how it came to
17 existence;

18 The reasons why certain topics, as harvest
19 dates and grape prices have nothing to do with the
20 determination of an appellation.

21 1 - Personal Qualifications.

22 I was born in France. I was raised at the
23 Chateau Lafite Rothschild where my father has been
24 the General Manager and winemaker between January 1955, and
25 November 1975; nearly 21 years. I spent many hours,

*Clos
Du Val
started
in
1970*

1 alongside my father, checking the vineyards, overseeing
2 the maturation of the grapes, tasting the wines in
3 the caves, as they were ageing in the barrels, and, later,
4 in the bottles. I participated actively in the harvest,
5 both in the vineyards and in the cellars.

6 I graduated from the School of Agronomy
7 of Toulouse, France, with a B.S. in Agronomy, and
8 received the equivalent of a Master's Degree in Enology
9 and Viticulture from the School of Agronomy of Montpellier,
10 France, which is the equivalent of U.C. Davis in
11 California.

12 11 Section of the Clos Du Val Vineyard's Site

13 Back in 1970, I was hired by an American
14 gentleman who asked me, among other things, to travel
15 all the major quality grape growing areas of the
16 world and to try to find a spot where one could
17 develop a top quality wine based on Cabernet Sauvignon
18 Grapes.

19 Of all the places that I visited: North-America,
20 Australia, South America, South Africa; etcetra, the
21 one place that retained my attention most was Napa
22 Valley. Why?

23 The reason is: That I could taste some
24 excellent wines, like the old Bealieu Cabernet
25 Sauvignon, Private Reserve, the Old Inglenook Cabernet

1 Sauvignons, and so on.

6

2 However there was one thing that kept bothering
3 my French palate is the fact that the wines were very
4 generous, and very powerful. I wanted a place where
5 the grapes would produce some fruity wines, but
6 without that much power. I believed, by intuition,
7 that such a place existed in the Napa Valley, but
8 I would have to find a spot where the nights and mornings
9 would be cooler, in order to temper the effects of the
10 hot days.

11 At the same time, two things happened, although
12 I do not remember in what order. I met first, Richard,
13 Steltzner, who was, and still is, an owner and vineyard
14 manager in the area of what is now commonly referred to as
15 the Stag's Leap District. He told me of the reputation
16 of his grapes. He also told me of the reputation of
17 vineyards like that of Mr. Nathan Fay's, and how they
18 were appreciated by such winery as Charles Krug,
19 for their particular fruity taste and style that were
20 different from what was produced in other areas of
21 the valley.

22 The other event that really struck me
23 occurred as I was driving down the Silverado Trail,
24 in the late afternoons or evening of summer days.
25 I had my window rolled down. And everytime the same

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phenomenon occurred; Driving South, every time that
I went passed the knoll where the Stag's Leap Wine
Cellars Winery is now located, the outside air
became noticeably cooler than around a mile North of
this Point. That was the type of information that
I was looking for. Although there no statistics,
if I could feel such a drastic change of temperature,
the vines that could be growing in the area would
feel this and react to that fact in an appropriate
way.

cooler
further down
south trail you
go

The above mentioned fact, coupled with the
fact that, during the summer days, the fog burns slower
here than in the upper Napa Valley lead me to select
the area as a place to develop what is now 145 acres
of vineyards.

111 Other Climatiologic Facts.

Since those days, after 16 harvests of grapes
grown in the Stag's Leap District, I have come to realize
that several other factors are affecting this area
and are making it different from other surrounding areas.
I shall limit myself to climatic observations.

As I mentioned earlier, the nights in the area
are cooler during the growing season, and especially in
summer and later summer, which is really when the
grapes are maturing and fixing within themselves the

1 character of the vintage.

2 When there is fog, which is a phenomenon
3 which occurs regularly in the summer, and here I have
4 the picture.

5 (Whereupon Mr. Portet presented picture
6 to the Panel).

7 This is the slide of the picture that has
8 been given. This picture is taken from the cross
9 road. You see the fog in the area that of course
10 belongs to the areas that you are looking at right now.

11 Now after a streak of hots days, one can see,
12 and one does not need to be an expert to see it,
13 that the skies are already blue North of the hills where
14 the Shafer Vineyards are, while it is barely burning off,
15 if at all, in our area. This burning off generally
16 occurs between 10:30 and noon, depending on the
17 intensity of the fog. This has the effect of
18 delaying the amount of direct sun rays on the vineyard
19 leaves, and, therefore, of slowing down the burning
20 of the acids of the berries. The temperature is maintained
21 around the mid-sixties all the way until the fog
22 has totally disappeared.

23 Then, around 1:30 P.M., or about an hour, an hour
24 and a half, after the fog has burned off, a cool
25 breeze starts to blow, gently first, and then stronger.

1 This breeze comes from the South-West, directly from
2 the Bay, and is caught between the hills on the
3 East side, diverted by what is known as Wappo Hill
4 (Where Mr. Robert Mondavi lives), on the South side,
5 and engulfs itself in the Chase Creek Valley to hit the
6 Shafer's Hills. And even though the thermometer in a
7 weather station might read temperatures as high as
8 that read in a Yountville Station, the fact of the matter
9 is that the breeze has a cooling effect on the surface
10 of the leaves, and produces the equivalent of a
11 cooler climate.

12 The above explains very well that, in the
13 evenings, when the breeze has stopped, and the air is
14 calm, the temperature feels cooler in what is known as
15 Stag's Leap District; because it effectively already was
16 cooler that afternoon. Please remember that
17 a weather station thermometer is totally shielded
18 from the cooling effect of the wind.

19 One has to consider that common sense and a
20 keen observation of nature have always carried a great
21 importance in the decision making process of all
22 peasants, and, in our case, viticulturists. That was
23 the case back in France, back in the thirties. Intrestingly
24 enough, those facts are now corroborated by the more
25 up to date findings done through satellite.

1 observations, methods presently used by the INAO
2 for the determination of new zones of appellation.

3 That is why I believe that the Stags Leap
4 District, defined as submitted to BATF by the Stags
5 Leap District Committee, has great value not only
6 because of the climatologic factors described to you
7 above, but also, because of the wines that have been
8 made from grapes grown in this area.

9 IV SOUTHERN BOUNDARIES

10 As the Southern End of the proposed zone of
11 appellation, the geographical and physical facts are
12 obvious. We have there a massive range of hills
13 that comes down abruptly at its junction with Silverado
14 Trail, a few hundred feet from the Napa River. South
15 of those hills, the soils are totally different; lighter,
16 rockier, with gravels by places in the Southern end
17 much more permeable than what we have anywhere in
18 the proposed SLD Zone.

19 As to the climate, it is so much cooler than
20 our proposed area, that mostly Chardonnay and Pinot
21 Noir are planted there. I do not have any knowledge
22 of Cabernet Sauvignon planted in that area.

23 If such an area were to be included in the SLD
24 Appellation Territory, this would certainly, in my
25 humble view, jeopardize the respect of the public at

1 large for the American system of appellation, however
2 excellent the wines made from the grapes grown in that
3 area are.

4 V - HISTORIC REASONS FOR AND VALUE OF AN
5 APPELLATION.

6 In France, as here, all decisions are made
7 in view of a better protection of the consumer.

8 All areas are defined so that a certain area would produce
9 wines of a certain type. And if that means that a property
10 is split in two or more appellations because of variations
11 of soils, climate or otherwise, this is done.

12 I understand that Mr. Missimer stated yesterday
13 that, although his vineyard might not be in Stags Leap
14 District, his home and the portion of his property
15 South of our proposed boundary would be. That is
16 correct, and I do not see anything outrageous with this.
17 If you at ATF do not wish to divide Mr. Missimer's
18 property, (I have provided you with a boundary
19 description, which follows the property lines as the
20 cross the Northern hills.)

21 At this time I would like to introduce several
22 exhibits.

23 First, the boundary description by property lines.

24 Second, a map showing how similar the property
25 line and the Committee's proposed boundary actually are.

1 In blue on the map is the hilltip to hilltop boundary 12
2 contained in your Notice of Proposed Rulemaking. In
3 red is the Committee's revised line which does not split
4 any vineyards, as shown on the attached survey.

5 In green are the property lines. These lines are
6 very similar.

7 In the event a parcel line would be close to
8 a geographical feature, I suggest that common sense
9 should prevail and the limit of the appellation will
10 follow the parcel limits closest to the geographical features.

11 As the BATF is facing the tough challenge
12 of defining small appellations, it must consider
13 that, unless it follows some rigid guidelines, where
14 the climatologic conditions, the soil types, the
15 character of the wines produced from this small
16 appellation are paramount, it will face the great risk
17 of losing respect from the public, while trying to
18 maintain a local, political consensus.

19 Indeed, pure common sense, even if not backed
20 by scores of statistics, dictates that hills are going
21 to be much more of a factor in affecting the climate
22 of an area than a county road, and, therefore, will
23 definitely influence the boundaries of a zone of
24 appellation.

25 Once again, what is foremost in the definition

1 of a zone of appellation is not the welfare of a B.
2 particular winery, however politically unpopular
3 this might be, but the protection of the consumer
4 who believes that if he or she gets a bottle of wine
5 from a specific area, he or she will get a wine of a
6 certain character; character which is produced by
7 the multi-combination of the criteria defined
8 above.

9 Therefore, a winery the vineyards of which
10 sit on two or more different appellations is required
11 to produce the wines reflecting those two or more different
12 appellations. And I do not see anything outrageous
13 with this.

14 This process of definition of an appellation
15 is still going on in France. Some zones that were
16 created in the early years are being redefined, and
17 some smaller appellations zones are created out of
18 bigger appellations. It is not because a pauillac
19 appellation has been created within a haut-medoc
20 appellation zone, that the haut-medoc appellation
21 is losing the respect that it has gained through the
22 years from the public. It is indeed very important
23 never to lose sight of the fact that the public is
24 the entity to be satisfied, and protected by the
25 BATF's ruling.

1 It is the same thing with the definition
 2 of the Stags Leap District Appellation. It is
 3 dangerous and detrimental to the consumer to broaden
 4 too much of an area, because the risks are great that
 5 that the broader defined zone will be much less uniform
 6 than a more restricted zone.

7 As the BATF is facing the tough challenge
 8 of defining appellations within an already existing
 9 appellation, it must consider that, unless it follows
 10 some rigid guidelines for the determination of the
 11 smaller appellation boundaries, where the climatologic
 12 conditions, the soil types, the character and the quality
 13 of wines produced from this smaller appellation are
 14 paramount, it will face the great risk of losing
 15 respect from the public while trying to maintain a
 16 local political consensus.

17 VI - CLONES

18 Another factor that could be presented as having
 19 a bearing on the type of wine produce in an area is
 20 clones. It is certainly true that different clones of
 21 the same variety could produce wines with different
 22 shades in the bouqet, or the taste of those wines.
 23 However, any grape grower who has been involved
 24 for many years, if not generations, in the growing
 25 of a certain grape variety in a specific area will

1 will tell you that the soil characteristics
2 are really a very important factor of the quality
3 of the wine. It is a fact recognized by the wine-
4 makers the world around when they describe some
5 wines as having "Gout de Terroir". This earthy tones
6 will always prevail and be the basis for the
7 quality of the wines of a certain area, and this
8 has absolutely nothing to do with the particular
9 varital clone used.

10 VII - HARVEST DATES AND GRAPE PRICES

11 In addition to the above, I would like
12 to be precise that the way I see the creation
13 of an appellation is not at all to try to pit
14 an area against another, nor to try to rank an
15 area as being of higher quality than another. This is
16 up to the consumer to buy what he or she prefers.
17 Once again, it is the integrity of an area that is
18 at stake.

19 Many things, indeed, can influence the
20 wines produced within a small area. Even a minor
21 change in viticultural practices will affect such
22 thing as harvest dates. It is common local observation
23 that Warren Winiarsky, whose Stage Leap Vineyards are next
24 to Clos Du Val's does never harvest at the same time
25 as we do. We know for a fact, because we have been used

1 as a public weighmaster, that Mr. Fay's Cabernet Sauvignon
 2 grapes were usually harvested ten days to two weeks
 3 after our own Clos Du Val's Cabernet Sauvignon, a
 4 mere 300 feet to the South. Was it because the
 5 winemaker wanted a higher sugar content than we,
 6 at Clos Du Val, do want? Was it because of
 7 cultural practices? Different clones? A combination
 8 of any one or all of the above? It certainly cannot
 9 have been because of a great difference of climate.

10 In fact BAIF, in its final ruling for the
 11 definition of the temecula viticultural area, decided
 12 that "harvest dates and differences in sugar and
 13 acid levels in grapes measured at the same time are
 14 not related to geographical features."

15 Finally, I would like to say that I do not
 16 believe that the price that a winery offers for the
 17 grapes grown in an area or another does depend on
 18 the definition of an appellation. It rather reflects
 19 the desirability of those grapes on the free market.
 20 One fact has absolutely nothing to do with the
 21 other. What have the forces of the market have to do
 22 with the climate or the soils?

23 VI CONCLUSION

24 So, Ladies and Gentlemen, I really appreciate
 25 having the opportunity to express my opinions.

1 I do hope that you will recognize that common
2 sense is the only way to define an appellation. And I
3 certainly do hope that you will approve the definition
4 of the Stags Leap District Appellation as submitted
5 to you by the Stags Leap District Appellation
6 Committee.

7 Thank you.

8 MR. DRAKE: Thank you.

9 You were discussing the Southern boundary,
10 and you indicated that the soils differed.

11 MR. PORTET: Yes.

12 MR. DRAKE: Would you show me on there about
13 where that change takes place.

14 MR. PORTET: It is right behind here.
15 You have the area. Then you have the soil which is
16 much more yellow with the broken rocks. And if you
17 go further down here, then you will start to have
18 gravel (indicating).

19 If you look here, on this property, they are
20 much greyer and lighter than any of the soil that
21 you have in that particular area.

22 MR. DEVINEY: If you are talking about the
23 line that goes from the top of that first hill to the
24 West, to the Napa River, is there any difference
25 above, or below, no matter where you go?

1 MR. PORTET: Well --

2 MR. DEVINEY: -- You have three lines there
3 now. Is there anything that will make a difference
4 there, above or below any of them?

5 MR. PORTET: I would say that in the lower
6 part of the area, the soil would be deeper in color
7 and richer than those that would be further up
8 the hill. There would be some variations due to the
9 topography.

10 MR. DRAKE: Mr. Portet, on another one of
11 your maps, and it is not with the colored lines,
12 but with the elevations. The area to the left of the
13 hill here is sort of a marsh area. Is that an accurate
14 statement? Is it a marsh area?

15 MR. PORTET: It is a wet area.

16 MR. DRAKE: Thank you.

17 MR. CROWLEY: My name is William K. Crowley.

18 I am Professor and Chair of the Geography Department
19 at Sonoma State University. I have been teaching
20 Wine Geography courses for thirteen years now.

21 One thing I might say, by the way as a teacher,
22 that it is fascinating having someone sitting there,
23 writing every word that I say (indicating the Court
24 Reporter). If I had students like that I would be
25 delighted. As a matter of fact, I have to teach tonight.

= Crowley
A fam

1 yesterday for example, presented by Mr. Andrus or Mr.
2 Phelps, clearly talks about the boundaries proposed
3 by the Stags Leap District, something like twenty-one
4 hundred references. I have to say that I am greatly
5 impressed by that kind of interpretation. Clearly
6 none of that referred to the area proposed by Dr.
7 Anderson.

8 I saw no significant evidence that the area
9 known -- the area proposed by Dr. Anderson to be
10 also called Stags Leap, has in fact been referred
11 to by that name, not in his petition, and not in
12 testimony, at least to this point.

13 If we look at the second criteria that
14 ATF judges boundaries by, it says that "historical
15 or current evidence that the boundaries of the
16 viticultural area are specified in the petition."

17 Now there was a very good question, I thought,
18 asked by the panel yesterday. Referring to the fact
19 that the Stags Leap District over time seems to have
20 grown. It started out as a ranch back in the
21 nineteenth century, and today what the actual
22 boundaries are, is the subject of discussion.

23 So it obviously has changed and grown over
24 time. You have all seen this kind of thing happen
25 in other viticultural decisions that you have made, such

1 as out in Alexander Valley.

2 Alexander Valley, for example, Alexander Ranch
3 started out as a very small part of what it is today
4 recognized as Alexander Valley.

x 5 In both the Alexander Valley and Temecula (sic)
6 cases there were disputes about where those boundaries
7 ought to go.. Both of those cases agreed upon more
8 generous boundaries.

9 Also in both of those cases there was
10 abundant evidence both in terms of wine labelling
11 and in references in terms of all kinds of maps,
12 that the more generous set of boundaries accurately
13 represented Alexander Valley.

14 In this case, significant evidence simply
15 has not been presented that the Anderson addition,
16 if we can call it that, is part of the Stags Leap
17 District that has not been referred to in that sense.

18 The Hinkle article seems to have generated
19 a lot of interest. I would like to simply reintroduce
20 the Hinkle article and have you look at it.

21 With all due respect to wine journalists,
22 that wine journalists article should not be given
23 this much attention. But, nevertheless, it has been.
24 I simply ask you to look at the map, and see on
25 the map you see the territory proposed by the Anderson

1 Anderson addition. It is a difficult map to read, 22..-
2 I admit. The Northern end of the map indicates the
3 Stags Leap District. The Anderson addition is not
4 present on that map.

5 I think in terms of this historical criterion
6 that it is important to realize that whatever historical
7 evidence you want to talk about, there has been a real
8 wine revolution in California since 1967. Anyone who
9 who has listened to Leon Adams, or read his stuff knows
10 that he is one of the real figures in wine journalism,
11 and the California Wine Industry. If you look
12 at this whole area, in terms of what was going on in
13 the 19th century; the kinds of grape varieties that
14 were being grown; Zinfindel, Burger. Nobody buys
15 Burger wine anymore, early burgundy. The whole
16 situation has changed. You are really talking about
17 1890's and 1980's. I do not think that it is necessarily
18 all that valuable.

19 The varieties in the whole areas have changed
20 so much. Interrupted by prohibition. A lot of
21 vineyards of today were in prunes, a generation or
22 two ago. So it is really a different world today than
23 it was at that point.

24 I think that the historical
25 criterion can be rather easily misinterpreted and misused.

1 Then, if we look at the third criterion --
2 Just one more point on the historical issue. There
3 seems to be a lot of substantial amounts of interest
4 being paid to Mexican landgrants down here.
5 That is the Yountville crossroad, which was the
6 Northern boundary of the Yajome Rancho; Mexican landgrant.

7 I do not think that the Mexican land grants were
8 ever intended, when their property lines were developed,
9 as viticultural boundaries. I think that it weighs
10 heavily, as hey, this is the Mexican boundary, land grant
11 boundary, it ought to be a viticultural area boundary.

12 I do not see the connection between the two at all.
13 It does not make a sense.

14 Then we get to the third criterion. Evidence
15 relating to the geographical features; climate; soil;
16 elevation; physical features; etcetra, which distinguish
17 the viticultural features of the proposed area
18 from surrounding areas.

19 The evidence, I think, relating to geographical
20 features -- Yesterday I missed the presentation, but
21 I talked to Professor Elliott Fisk extensively about
22 our presentation. There are a couple of slides that
23 I want to go over.

24 You have a lot of new evidence there that
25 you did not have before that I think will help you

1 make a decision in favor of the Stag's Leap District. 2
2 Everything supports that it was there before.
3 I think that if you find it of great assistance, you
4 might use that. I put great faith in what Professor
5 Elliott Fisk says.

6 Let us review a couple of slides for a second,
7 just in terms of boundaries.

8 I think that it is important to realize here
9 that we are talking about different kinds of sediments.
10 In the cases of the Southern and Northern end of the
11 proposed Stags Leap District, these are alluvial
12 fan sediments. That the proposed Stags Leap
13 District is dominated by this former Napa River
14 Channel.

15 The point about this Northern area up here,
16 the Rector Canyon Fan, it does not stop at the
17 Yountville crossroad. This is the Yountville
18 crossroad here. It does not stop here. It continues
19 over to the group of hills at the Stags Leap District
20 proposes as its Northern boundary.

21 It is important to realize that both sides
22 of the Yountville crossroad are dominated by the
23 same kinds of material.

24 If you want to look at the USDA Soil Map,
25 the major slope is the major difference between those

1 two kinds of soil; 104 and 105.

2 Again, here is the Yountville crossroad.

3 104 continues across that road. 105 continues
4 across that road. There is no change along that
5 boundary.

6 There is however, distinctive change along
7 the hills proposed by the Stags Leap District.

8 How can this boundary be justified on the basis
9 of soil types? I think that those maps clearly indicate
10 that it cannot be.

11 Let me show you another item here, and I will
12 put the projector up. I think that that is good
13 enough.

14 This summer I was flying over the Napa Valley
15 in my U-2. This is a 1982 U-2 image infared. So what
16 you see in red is in fact green, and the real world
17 of colors always get confusing here. We need to tilt
18 it a little bit to get North to the top. So that North
19 is really in that direction.

20 The reason that I wanted to show you this is
21 that here we are not biased by the map we have up there
22 which shows boundaries on it. And everybody starts to
23 think in terms of those boundaries. When this image
24 was taken no boundaries were on the ground. So we can
25 look at it and get a feeling of topography that is not

1 influenced by maps that humans make. To me it is very
2 clear on this map that you have -- Let me point things
3 out in case you have trouble reading it.

4 This is Napa Valley proper out here. Here
5 is the Napa River. Here are the hills that are
6 being proposed by the Stags Leap District as the
7 Northern boundary. Here is the heart of the
8 Stags Leap Valley, over through here.

9 I think that you can see that this represents
10 geographically a termination of the Stags Leap Valley.

11 Here is the Yountville crossroad, this green
12 line. Roads on here show up as grey. The topography
13 continues the same. Here are vineyards on this
14 side of the road. Vineyards on this side of the road.

15 I rode along that road this morning.
16 Geographers like to field check aerial data.
17 There are vineyards within fifty feet of each
18 other on either side of the road. So there is no
19 viticultural termination here. It goes across the
20 road. There is one here (indicating).

21 Mr. Drake asked a question yesterday with
22 respect to the wind that was howling away when he
23 standing there on one of the peaks, or somewhere
24 up on the boundary area. It seemed to refute some
25 of the climatic evidence presented. I thought it was a

1 good question. I think that the important point
2 to realize is that what you were experiencing was
3 weather phenomena in the off season, when it is not
4 the growing season. What we usually talk about in
5 terms of weather data and what is important, in
6 terms of the viticultural areas. This is particularly
7 what happens in the growing season which begins
8 roughly in October.

9 So that the kinds of things that happen here
10 in the winter are somewhat, I would suggest, less
11 significant. Obviously if it was thirty below zero
12 it would be significant, but that does not happen here.

13 Also the weather patterns that dominates our
14 North Coast area in general, not just Stag Leap, not
15 just Napa Valley, are massive air masses that come
16 in, off the North Pacific and bring North Pacific
17 conditions to the whole North Coast area in the wintertime.
18 That does not happen in the summer time. In the summer,
19 those air masses are puffing up around Alaska.

20 We do not get them. We are dominated by a different
21 weather system off the coast. So that winter weather,
22 summer weather, we talked about a two season kind of
23 weather pattern in much of California. What goes on
24 in winter is totally different than what goes on
25 during the summer, in growing season.

1 To sum up my views here, I think that if you
2 look at the Yountville Crossroads as a viticultural
3 area boundary, I do not see any way that it will
4 fulfill any of the three criteria that ATF-53 offers
5 us. And that ATF-53 must make its decisions by.
6 It does not separate topography. It does not
7 separate soil. There has been absolutely no evidence
8 presented that it does not separate climate.

9 I think that if you accept that as a boundary,
10 you will open yourselves to future amendments such as
11 suggested by Mr. Egan yesterday. You know, if those
12 guys get in, I am going to want to get in. And I don't
13 see how you will stop it because there is not any
14 topographic barrier. A road is not a topographic
15 barrier. And land grant boundary is not necessarily
16 a topographic barrier, although it could be.

17 I think that the point here is to stop at the
18 hills at the North end of the Stags Leap area proposed
19 by the Stags Leap District, whether you are talking
20 about the item presented by Mr. Portet, which was
21 part of Exhibit Six of information provided by
22 Stags Leap District in its May 28, 1987 report.
23 Any of those three sets of boundaries on that page
24 are relatively acceptable. Depending if you want to
25 look at property lines, vineyard lines, or contour lines.

[Handwritten initials and a circled signature]

1 I think that you can see that they are pretty much
2 in the same ballpark. I will stop there.

3 MR. DRAKE: Mr. Crowley, thank you.

4 Are you familiar with the soils in the Southern part
5 of the proposed district?

6 MR. CROWLEY: I would not say that I was
7 intimately familiar with them, no. Simply looking
8 at them -- We have been a district -- no.

9 MR. DRAKE: The bottom line there, where the
10 Southern boundary is, is that soil --

11 MR. CROWLEY: -- This area is dominated by the
12 Soda Canyon. So the soils have been deposited by
13 water carrying them out of the adjacent mountains here.
14 As opposed to the soil that is continually being deposited
15 by the Napa River formerly going through there.

16 You have to sort of understand that both the
17 Soda Canyon and the Rector Canyon, to the North,
18 are solely comprised of volcanic material. The old
19 types of river channel is a mix of volcanic and
20 sedimentary material.

21 MR. DRAKE: They are filling in the river.

22 MR. CROWLEY: Yes, indeed.

23 MS. RENNECKAR: Now following that logic,
24 along the range of hills and the Napa River according
25 to Professor Elliott's map, that is also a different fan.

1 MR. CROWLEY: Yes, this area over here is
2 going to be more recent river channel deposits.

3 MS. RENNECKAR: On the other hand, that is
4 included. You can include that in the Stags Leap
5 District even though you are looking at the geography
6 angle.

7 MR. CROWLEY: Clearly there are different
8 kinds of geographic boundaries to be considered.

9 I think that in this case the Napa River is a
10 pretty solid geographic boundary. That is the basic
11 justification for picking that. There is a fair
12 amount of documentation of the differences in the
13 soils in the two sides of the river. So there is
14 a fair amount of justification for drawing the boundary
15 there.

16 Also, as you have heard some of the growers
17 state, and I think you will hear it again today, ~~that~~
18 Cabernet ~~does not predominate over there, the way~~
19 that it does in the Stags Leap District, if you
20 cross the Napa River.

21 MR. FICARETTA: I have two questions.
22 The first one is more of an observation which deals
23 with the map and the articles you submitted. This is
24 the one which is West of the Silverado Trail.

25 MR. CROWLEY: That was stated in part of the text.

1 But if you read the text carefully it also mentions 31
2 winerys and growers that are to the West of the
3 Silverado Trail. The text is variable in terms
4 of where the Western boundaries.

5 MR. FICARETTA: The point between September
6 1981 and 1985, it seems that they have gone further
7 South and further West. I was wondering if ATF-53
8 was not around, and we had a few more years, how much
9 further it would have gone.

10 MR. CROWLEY: I guess my point there was to
11 refute the claim in the Anderson petition that
12 Hinkle was including his territory. Not that things
13 might not have changed since then, but Anderson
14 claims that Hinkle includes his territory in his
15 article. I think that map makes it pretty clear
16 that he did not. That is the only point that I was
17 trying to make.

18 MR. FICARETTA: The other question I had
19 relates to the climatic zone. I don't know if you
20 are familiar with it. But it was my understanding
21 that there are five climate regions in California.
22 That the Napa area was in Region One. I think that
23 Region One has more than one across there. If you are
24 not familiar with that.

25 MR.CROWLEY: I think that you would have to have

1 some pretty extensive thermographic data over
 2 a period of five to ten years minimum to draw that
 3 kind of boundary. Those boundaries proposed by
 4 Emery and Winkler and very general kinds of boundaries.
 5 To base this kind of decision on the basis of what has
 6 been presented here would be a mistake because they
 7 simply did not have that kind of data to draw that
 8 fine line.

9 The Napa River Channel over here is right
 10 to the present Napa River Channel. There is some
 11 distinction there. I do not think that anybody is
 12 saying that there is total soil uniformity throughout
 13 the Stags Leap District. Just as there is not any
 14 other ninety or so viticultural areas that have been
 15 approved. You can look at the soils maps in any of
 16 those decisions.

17 MS. SLATTERY: It was said that the Northern
 18 Hills are more important than the Western Hills.

19 MR. CROWLEY: Well I guess at this point, it
 20 was my understanding that this is the only boundary
 21 that is being disputed, the Western boundary. Either
 22 by Anderson, or by the Stags Leap District. That is
 23 what we are discussing. Is there some dispute over
 24 where the Western boundary is?

25 MS. SLATTERY: I am not saying that there is a

1 dispute, I am just curious. This is in terms of
2 extending that out to the Napa River.

3 MR. CROWLEY: Again I think that there is a
4 point here that there are three criterion, not just
5 one. There is a historical record of wines being
6 made in this area. They are being referred to in
7 publicity on wine labels as Stags Leap. There is not
8 any record of that sort of thing up here.

9 MS. SLATTERY: Thank you.

10 MR. DRAKE: Thank you, Mr. Crowley.

11 I particularly appreciated your comments on ATF-53.

12 We will now hear from Mr. John Anderson.

13 MR. ANDERSON: Good morning. My name is
14 John Anderson. My family owns a forty-eight acre
15 vineyard and winery in the proposed northern extension.

16 I have helped in the creation of our vineyard
17 and winery since its purchase in 1971, and now
18 serve in the capacity of Director of Marketing.

19 One can understand the broad nature of such a title
20 when you realize that S. Anderson Vineyards consist
21 of my father and mother, myself and my wife, and only
22 two other employees. We are the proverbial small
23 family winery.

24 Essentially the Appellation Committee
25 Members make it sound as though my father alone is

1 the Northern extension. It is actually a group
2 of eight farmers and their vineyards. One must
3 always remember that it is vineyards and grapes,
4 not wineries that make a true appellation.

5 Richard Mendelson speaks of the need for
6 all of us to know that viticultural distinctiveness
7 (it is a very often used term) should be our primary
8 concern when considering any appellations.

9 It seems to have been quite difficult for the
10 Appellation Committee to determine exactly what this
11 viticultural distinctiveness is, where it should be
12 contained, and then sticking to these boundaries.

13 In spite of Jack Stuart's contention
14 that Stag's Leap District had already been defined
15 by the early 1980's, a great deal of lingering
16 doubt has remained.

17 John Shafer, Chairman of the Stag's Leap
18 District Appellation Committee, commented in a
19 Wine Spectator issue January 1 --31, 1985, dealing
20 in depth with the Stag's Leap question contained on
21 page eight, and I quote:

22 "My understanding is the Ridge, or

23 Palisades, has long been known as Stag's
24 Leap. Over the years, people have come
25 to know it as Stag's Leap, and that is

1 why some of us think that is
2 what we should call the
3 appellation. Warren is right
4 that no one has ever defined what
5 Stags Leap area is, but this area
6 has always become known as Stags
7 Leap nonetheless."

8 Dick Stelzner in the same Wine Spectator
9 issue, on page twenty, talks about the roughly
10 450 acres Stag's Leap viticultural area that may
 eventually be established.

11 We are all aware of what has eventually
12 been proposed, an area of over 2,500 acres. With
13 change in size, the meaning of the area also changed.
14 The Committees first proposed boundary, shown in
15 red, excluded Silverado Vineyards and a number
16 of other growers to the North. It also excluded the
17 Western lands of Robert Mondavi, that you expressed
18 concern over yesterday, and also today. It was
19 this first set of boundaries that are discussed and
20 substantiated by way of climate, soils, topography,
21 notoriety, and history into an area of viticultural
22 distinctiveness in the Committee's petition.

23 The Committee then seems to have a change
24 of heart as to the viticultural distinctiveness of their
25 area and with an amendment from Silverado Vineyards

1 they moved their Northern and Western boundaries
2 to the purple line. Silverado contends that
3 due to the historical significance of the Yajome
4 grant, among other reasons, these new lines are more
5 correct. These new boundaries included the
6 Western lands of Robert Mondavi and the area to the North,
7 ending at two small knolls.

8 The Committee has now proposed an alternative
9 set of Northern lines that they feel does not harm
10 their viticultural distinctiveness, and which carefully
11 follows property lines, turning some sixteen times
12 often at sharp angles as it makes its way West to the
13 Napa River.

14 The following series of talks by our group
15 of vineyard owners will discuss, and show by means
16 of history, recognition, soil, climate and topography
17 that the Yountville crossroad is a far more meaningful
18 boundary than the jagged one now proposed.

19 The Stags Leap Appellation Committee has
20 continually stated that a road is not a significant
21 boundary for the purposes of an appellation. We
22 will demonstrate that the Yountville crossroad
23 is much more than a lane of transportation. The
24 Committee makes use of the Silverado trail as a
25 boundary of viticultural distinctiveness in both

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their first and final set of boundaries.

In their first boundary, and their final boundary, I think it goes about six hundred and eighty one feet along Silverado Trail out there.

The Committee also questions the use of a Spanish land grant, the Yajome Grant as part of our reasoning concerning the Yountville crossroad.

We think, the Yajome Grant line is a very important boundary that has divided our area and appeared on maps since 1841; nine years before California entered the Union, and just fifty years before the term Stags Leap was associated with anything in the Napa Valley.

Silverado Vineyards found the Yajome Grant line an important reasoning in justifying their inclusion in the proposed appellation. This reasoning satisfied the Appellation Committee then, and became a part of their petition. In fact, in the Wine Spectator Issue of January 1-31, 1985, on page nine, the name Yajome was listed as an alternative name for the proposed Stags Leap District, but was dismissed for the esthetic reasons by Nate Fay, "Yajome" is not as nice as Stags Leap."

Exhibit A23

In the same Wine Spectator issue as used above, Warren Winiarsky states of the modern history

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of Stags Leap, on page nine.

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"The rock and the ranch had no significance for the wine trade, and I don't think that the people give two hoots about the name "Stags Leap," if it were not for the wine events like Paris. That, and we have been making good wines. Before those things occurred, there was nothing known as Stags Leap Wines. I don't think there is any history of Stags Leap Wines before we started producing. There are no wines up there on the rocks."

The Silverado amendment to the Committee's Petition also street this point that Stags Leap as a viticultural area is a modern phenomenon primarily after the 1970's.

The grapes of the proposed Northern extension may not have been used in wines labeled "Stags Leap District," but they certainly add to the reputation of wineries in the proposed district.

My family has sold Chardonnay to Shafer for three years, Clos Du Val for two years, and once to Pine Ridge.

In 1978, Clos Du Val was made up of roughly onw half of my families grapes, and half from Charles See, which is now Silverado Vineyards. John Shafer's

1 1984 Chardonnay was roughly one third our grapes,
2 (21 tons and 4,000 CS).

3 The Appellation Committee stress their
4 cabernet, but one must remember that it is the
5 dominant, but only one of the eight or nine red
6 varieties planted in the proposed area. And that
7 white grapes, led by Chardonnay, compose some 40%
8 of the total plantings. To associate the proposed
9 district with only one type of grape is incorrect.

10 The De Puys have also sold to John Shafer.
11 Richard Chambers continues to sell to him. Northern
12 extension grapes added to the reputation of these wineries,
13 as they were building, and later as they proclaimed
14 themselves "Stags Leap."

15 My families winery has chosen not to trumpet
16 ourselves as Stags Leap. We have always known
17 that it was against BATF Regulations to use an
18 unapproved area on a label or in advertising.
19 We have always considered ourselves in the Stags
20 Leap District, but are simply waiting for proper
21 approval to use their name.

22 The wineries and vineyards of the Northern
23 extension have few examples of our grapes as Stags
24 Leap simply because we have complied with BATF Regulations.
25 Are we to be punished because we rightly chose

1 not to use the term "Stags Leap" in our public
2 relations, labels and advertising?

3 It was mentioned yesterday that the Napa
4 Register in their recent appellation issue listed
5 S. Anderson Vineyard as being in the Yountville
6 Appellation. This is obviously in error.

7 The next issue of the Napa Register carried
8 a retraction stating that S. Anderson Vineyard is in
9 the Napa Valley Appellation. It was also inferred
10 that the Napa Register had an opinion as to Appellations
11 and the placement of wineries within them. This is
12 also false.

13 Yesterday I spoke to Pierce Carson, Editor
14 of the Napa Register. He said that the information
15 contained in the Appellation Issue of the Napa Register
16 is solely the opinion of each winery, so stated on the
17 questionnaire filled out by each winery.

18 Expanded listings, beyond basic information,
19 are also solely the opinion of each winery, and are a
20 reward for the placement of a one-quarter inch add.

21 The Napa Register makes no effort to assign
22 information to wineries, nor to alter the content
23 of the expanded listing. The listing of S. Anderson
24 in Yountville was simply an error, and retracted.

25 Following my remarks, each vineyard owner

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owner in the proposed Northern extension will discuss the merits of our boundary in person, on in letter.

My father, Stanley Anderson, will discuss the proposed boundary, and the history of S. Anderson Vineyard.

Mim Simonson will discuss her recently sold properties characteristics, the general climate and wind currents.

Bud Dulinsky will speak about the history and soils of the proposed appellation, its Northern extension, and surrounding areas. Bud has been operating a backhoe in the area for some 37 years, and brings a knowledge of what soils in the area are really like that is second to none. His remarks will focus on the true nature of the soils immediately North and South of the Crossroad, and why they are so different as well as why the lands of the Northern extension are substantially similar to the proposed appellation. I encourage you to take advantage of his extraordinary first hand knowledge.

He will discuss this area, and you can look at the photographs that are in front of you.

This is a photograph that was taken in August of 1976. It is looking South to Stags Leap. This is



1 Yountville crossroad. You can see the basic lane 42
2 here. You can see a drainage canal. You can
3 see my parent's two vineyards. The rest of the area
4 with the exception of Mr. Chambers property and the
5 Sinskey property are also in grapes that are producing
6 viticultures.

7 You can also see where the other parts of the
8 proposed appellation are also in viticulture.

9 This is John Shafer's hill, which was Sinskey
10 I think it was cleared and is about ready for planting.

11 Richard Chambers will discuss the climate and the
12 winds that play such a vital role in developing a
13 Stags Leap District. How the relative sizes of the
14 hills, South of the Crossroad do not block the South
15 wind but in fact accelerate it through the gap as
16 they are the base of the so-called funnel.

17 I think that Mr. Figerata (sic) can certainly
18 tell you how the South wind whistled through that area
19 in July.

20 This is our chart of relative hillsides.
21 I will explain a little bit how this is done.
22 It is divided into two sections. The lower sections
23 are basically East-West Sections of the hills.
24 You would be looking straight across them this way
25 (indicating).

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The Mondavi Hill, that is the Hill that I am calling Seltzner (sic) Hill, across from Pine Ridge and behind is this property, to the North of John Shafer's property.

This I am calling our East Knoll, and this I am going to call our West Knoll. You can see the enormity of the Mondavi Hill. You can see the Seltzner Hill. You can see the relative size of the two hills that are the ring of hills.

These are facing basically North bound, but not quite (indicating). I was there Wednesday, and they showed it. They showed it coming through this gap. I drew those cross sections, and how these hills would oppose that wind.

Mondavi Hill, going up to 611 feet.
Seltzner Hill going up 495 feet, and our two hills.
Both around 300. One is right around 300, and the other is about 220.

Deborah Elliott-Fisk talks about this old channel circling around here, in this gap and around. She also talks about it was that river that cut some 250 feet into the hill, above the other properties.

I would point out again the relative size of our two homes, how they fall down at the sides.

And ask you how a river that can cut up hills at 250 feet

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could be stopped by these two homes?

Sinskey Winery will discuss their role in the Stags Leap area Community, and press acceptance of their winery in the Stags Leap District.

I looked at the walls at the Napa Register article saying, "Winery clears over objections." It has a map of the Stag Leap area, which you have in front of you.

Exhibit 24

It includes the Sinskey Winery with a star. It includes the Anderson Winery with a star.

The beginning paragraph says:

"A new winery in the Stags Leap area was approved Tuesday by the Napa Valley Planning Commission."

It further says in the article, "This winery in the world famous Stags Leap area will produce 2,400 gallons of wine a year, and offer a tasting tour."

Joanne De Puy will discuss her wine tours, and how they have enabled her to teach great numbers of wine enthusiasts about the Stags Leap area, and the Northern extensions part in it. As well as the need for an easily defined boundary.

Bill Weeks will comment on press definitions of the Stags Leap District, and his vineyards role in the creation of the Stags Leap area reputation. He will also discuss the areas north of the Yountville

1 crossroad.

2 Dorothy and Ben Barboza will discuss the
3 true limits of Napa and Yountville as well as their
4 significance. Ben's great experience with the climate
5 and the soils of his property. The area in general
6 and specifically about the Stags Leap Ranch and resort.
7 It should be taken advantage of.

8 I think it will prove to be an interesting
9 and enlightening day. Our speakers will show
10 without a doubt that the proposed Northern Extension
11 deserves to be included in the proposed Stags Leap
12 District in every way. We will have and will continue
13 to have and bring honor to the area.

14 I welcome your questions, as will all of
15 our speakers.

16 Thank you.

17 MR. LIBERTUCCI: Would you please explain
18 again the chart, relative to the map.

19 MR. ANDERSON: Sure, I am sorry that you
20 found it confusing. I made it, so I can explain it.
21 Let me grab a USGF Map. It was taken off the 7.5
22 USGF map. I am sure that you have one. If you
23 take that map and basically hold it in an East-
24 West direction(demonstrating). What I did was
25 simply measure the peaks, and how the contours of

1 those mountains and knolls changed. I extrapolated
 2 that into a graph. There are no changes in scale.
 3 The ground scale and the elevation scales on both
 4 are identical. Each line is hundreds of feet.
 5 The green lines are five hundred and one thousand.

6 You are looking at an East-West sideview
 7 of the hill. That is the shadow that you create
 8 East-West of each of these hills.

9 The upper is the shadow that each of these
 10 hills would create the wind direction. It is on the
 11 USGS 7.5 map. Put in there (sic) there, coming
 12 through.

13 Then from that line of theirs, determine
 14 the North-South shadow of each of these hills,
 15 as it is turned into the wind. Those are also done
 16 with the scale that has lines of 100 feet; the green
 17 at 500 feet. The vertical scale, and the horizontal
 18 scale are identical.

19 I think that it shows the relative sizes of
 20 the hill. Also, more importantly how those relative
 21 hills are turned into the wind.

22 MR. LIBERTUCCI: I am sorry. I still do not
 23 understand what message I am supposed to get from
 24 the chart.

25 MR. ANDERSON: Well you raised a lot of questions

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1 about this area, West of this area of Mr. Montavi's
2 hill. I think that there is some question as to
3 why that property was included. You have questions
4 as to why this area was included.

5 I am simply showing that they proposed an
6 addition to that area. We proposed the addition
7 of our area. And how the hill in the vicinity affect
8 the climate in that area.

9 To say that this land is somehow not shadowed,
10 or for other reasons should be included. And this land
11 because of these grand ring of hills in the North.
12 You can see the relative size. Turns the wind, excluding
13 that area. I think that it is perfectly shown by the
14 relative size. Which do you think is going to
15 block the wind?

16 MR. LIBERTUCCI: Okay.

17 MR. DRAKE: Anything else?

18 MS. SLATTERY: Would you explain for us why
19 you believe that the Andersons, and the other properties
20 to the Northern extension have not received
21 as much recognition and articles and press as being
22 part of Stags Leap.

23 MR. ANDERSON: Certainly. You have to remember
24 that we, my family, represents that only winery that
25 has been in the area for any length of time.

1 We bought the property in 1971 and did not
2 start putting out under our own label until
3 the 1979 vintage, which you have to remember
4 would have come out in 1981, or 1982. The
5 rest our growers with the exception of the Sinskey
6 Winery which has yet to release any wine.

7 So we have 82, 87. We have five years.
8 We know in that proposed time, specifically since
9 you came down in 1983, and enforced your regulations
10 regarding advertising and under labels, we simply
11 voided the term.

12 The growers in our area, unless they are
13 selected, as Mr. Fay has been to put out a specific
14 wine, or a specific label, really very little attention
15 is paid to them.

16 The Barbozas took out a long term contract
17 with Allied Growers to sell their grapes to Inglenook.
18 So Inglenook is not going to put out a Stags Leap
19 Label with the size of their winery,

20 Mr. Chambers has gone to Shafer. Ours has
21 gone to Shafer. Ours has gone to other wineries.
22 They simply chose not to use Stags Leap. It is hard
23 for a vineyard to promote itself as a specific area.

24 As a winery we choose not to do it because we knew it
25 was against regulations.

1 MS. SLATTERY: Other than that article,
2 and map, do you have any articles which would refer
3 specifically to Stags Leap?

4 MR. ANDERSON: There are some others, and
5 they are going to be presented by Mr. Weeks.
6 Just remember a little bit about Wine Press too.

7 I make no comments about wine writers
8 other than to say that a lot of information that
9 is published as researched is simply that they buy
10 the wine themselves. Maybe there was a conscious
11 decision as a group that they were going to be Stags
12 Leap. And they started dessiminating the title
13 Stags Leap. Obviously people are going to pick
14 up on it.

15 MR. GAHAGAN: Mr. Anderson, you mentioned
16 that you sold grapes to Pine Ridge, Shafer, do you
17 know what Appellation that they use?

18 MR. ANDERSON: They told us that they have not
19 used Stags Leaps Appellation. I can only assume
20 that they are put under a Napa Valley Appellation.

21 MR. LIBERTUCCI: One more question. Can you
22 point out where the Sinskey Winery is.

23 MR. ANDERSON: The Sinskey Winery is here,
24 going up through this canyon

25 MR. GAHAGAN: Is it North or South of the

1 proposed lines?

Simskey

2 MR. ANDERSON: It is North of their proposed
3 line, and South of our proposed line. It is right
4 in the middle.

5 MR. GAHAGAN: Thank you.

6 MR. LIBERTUCCI: I have a question regarding
7 this noticed error. Do I take it that you, or
8 someone from your winery completed this form?

9 MR. ANDERSON: We completed it, and we
10 obviously completed it incorrectly and/or they
11 typeset it incorrectly. I do not have a copy
12 of that submission. When it came out, we were
13 startled to see that it was Yountville.

14 We called the paper and told them that was
15 in error. They agreed with us, and published
16 another one.

17 I cannot say that someone at the winery
18 might not have written Yountville at some time.
19 But if you notice on that it says, "Vineyard area/
20 Appellation." As I know it, the form used to say
21 "Vineyard area." I know for a fact that we did not
22 fill out this form this year. They were using a form
23 from two years ago. The form, as I recall, used to
24 say "Vineyard area."

25 We have always considered ourselves closest

1 to the City of Yountville rather than Napa.

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2 So I thought it would be a service for us to
3 say Yountville.

4 BATF, if you will recall, under their
5 common licensing for each winery asks them to list
6 the City which is the closest to their post office,
7 to their winery. They came out to our property,
8 when we first started out. He drove up from the
9 City of Napa. He measured that. Then he drove
10 from the City of Yountville and decided that our
11 particular property was closer to the Yountville
12 Post Office, and told us Yountville. And we have
13 gone on that assumption ever since.

14 MR. DRAKE: I have a similar question.

15 The Napa Register correction was in 1987?

16 MR. ANDERSON: Correct.

17 MR. DRAKE: Then in 1986, you also showed
18 Yountville.

19 MR. ANDERSON: I am sorry that we did not
20 have it cleared at that time. I think that for now,
21 and forward, that certainly has been corrected.

22 MR. DRAKE: Yesterday Mr. Egan, who has a
23 a vineyard to the South of the proposed area, also
24 has a vineyard across the Yountville crossroad.

25 MR. ANDERSON: Yes.

1 MR. DRAKE: About 450 feet I think he stated.

2 MR. ANDERSON: I am not entirely certain
3 where the property is. I was not here for his
4 talk.

5 MR. DRAKE: If you take the far right-hand
6 corner of that green line isn't Chambers, I believe,
7 up there?

8 MR. ANDERSON: Correct.

9 MR. DRAKE: If you draw that straight across,
10 you might pick up Mr. Egan too.

11 MR. ANDERSON: I honestly don't know.
12 Again, I would say, that I am not certain where his
13 property is.

14 The reason why Mr. Egan was picked up, and
15 my father will explain more, is the reason that when
16 we filed our comments, Mr. Chambers was not holding
17 title to that piece of land. It stops up where there
18 is the line.

19 Subsequent to that, he performed a land
20 swap with his neighbor North of him. At which
21 point he took title to those grapes--took title
22 to that area, and began planting it.

23 We were concerned at that time that splitting
24 the properties and this canyon here which goes down,
25 it is a fairly substantial canyon.

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1 Again I will state as they have stated that
2 certain accommodations must be made when one draws a
3 line.

4 From what we know of people North of the
5 crossroads, we will show that that land is different.
6 But even if those people were to be shown to be part
7 of Stags Leap, my father speaking to Mike Moon,
8 who is the President of the vineyards which control
9 a great portion of the land. It is absolutely
10 enormous.

11 MR. DRAKE: The Yajome land grant, as I
12 understand, the Western boundary is the Napa River.

13 MR. ANDERSON: Correct, and then the land
14 grant kind of zig zags. They have chosen the 400 foot
15 which we do not have any conflict. It also follows
16 the Napa River.

17 MR. DRAKE: The Napa River is geographically
18 identifiable.

19 MR. ANDERSON: Yes, it is. And they also
20 made some statements about the soil ^{being} ~~between~~ different
21 on one side of the river, and the other side of the river.
22 I think if you look at your soil map, you are going to
23 find that that really is not the case.

24 Here is that, I think, coal, silt loam that
25 Ms. Elliot-Fisk said specifically delineated the Western

1 boundary. Extending into their boundary. Here it is
2 extending into their boundary, again. Here is 181
3 on both sides. Here is 118 and here is 118.

4 So I think that trying to say that is specifically
5 a perfect soil boundary is untrue.

6 MR. DRAKE: It never really is a geological --

7 MR. ANDERSON: -- Certainly, it is there.

8 MR. DRAKE: Is the Yountville crossroad at
9 the top of the area?

10 MR. ANDERSON: It is right here.

11 MR. DRAKE: Is that the geological --

12 MR. ANDERSON: -- We will prove that it is.

13 We will prove that it is quite definitely.

14 MR. DRAKE: While you are by your soil
15 map, is that pink up there?

16 MR. ANDERSON: The pink certainly extends.

17 It extends from 104 to the North. It extends from
18 105 to the North. We are going to prove that these
19 are general terms.

20 Specifically as top soils go, when you look
21 at the subsoils, from a man who has been digging with
22 a backhoe, and his admission on every property in the
23 district, the Northern boundaries and surrounding
24 areas, but two. I think that he can tell you
25 what is underneath the ground.

Bud Dulinsky

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MR. FICARETTA: I have a question.

MR. ANDERSON: Certainly.

MR. FICARETTA: I don't know whether it was raised yesterday, but there was talk about land to the North of the crossroad being marshy. Are you going to address that, or will somebody else address that?

MR. ANDERSON: Mr. Dulinsky will certainly address it. And Mr. Heintz's discussion of the myth of duck hunting there, he will talk about as well.

MR. FICARETTA: As well as the other soil West of the ^{State} Estate Lane?

MR. ANDERSON: Right, he can talk to any of that. He and the man that owns this property Mr. Pajohnni (sic), who by the way was one of the men that USGS used to name Stags Leap. Owned this property just to the North. They were quite good friends for a number of years, and they discussed the area in depth.

MR. FICARETTA: That chart there can you leave it there for us?

MR. ANDERSON: Certainly, and I would be happy to have you take it with you.

MR. DRAKE: Are there any more questions?
(No response from the Committee Members).

Let us take a ten minute recess.

1 Thank you, Mr. Anderson.

2 MR. ANDERSON: Thank you.

3 (Whereupon there was a short recess taken).

4 MR. DRAKE: Back on the record.

5 MR. ANDERSON: Thank you for the opportunity
6 to present materials to you that we think is important.

7 I am Stanley Anderson; A-n-d-e-r-s-o-n.

8 My wife and I own and farm a forty-eight acre
9 piece of vineyard with the presence of a small family
10 winery and champagne, located at 1473 Yountville
11 Crossroads in Napa County.

12 Strange as it may seem, and part of the reasons
13 that we may not give you all the particular data at this
14 particular time is along with our six employees we have
15 no copying machines. Some day, when our office gets
16 built, we will be able to move out of the kitchen,
17 and be able to have a copying machine. So that you
18 will get a little better data on us.

19 My professional training and career in
20 clinical dentistry occupied thirty-five years of my
21 life including private practise, adjunct with both
22 local and State dental offices and the association
23 as well as several consulting, both with the Department
24 of Health, and as a Member of the California
25 State Board of Examiners. That is all behind me.

*Stanley
Anderson*

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I left that a few years ago, and have not ;
looked back.

The last twenty years, actually more,
we have been interested in wine. But in the last
twenty years my wife and I have been able to hone
and amplify some of our interests in wine by our
Membership in the American Society of Viticulture,
and anology. We both hold professional membership
in this organization.

Carol is also blessed with the opportunity
to jump on PSA, and take part in the educational
projects at the University of California, Davis in
1977 and 1978. And a graduate of the Department of
Viticulture and Anology in preparation for establishing
our small winery. Her education is both hands on,
as well as didactic. I must say she did well in the
classes. She had the whole time on the airlines to
study.

At any rate we have to some degree feel
that we have paid our dues to enter the wine business.

In 1971, after a period of three years of
research, and quandy, we finally acquired a twenty-
eight, plus or minus, depending on whose survey
you accept, piece of land on the crossroads.

Which had been formerly a prune orchard, and subsequent

1 to that had been a vineyard. We were told that it
2 dates from the 1870's.

3 Again, much of this is very, very hard to
4 discern. I have a wonderful book here called the
5 "Illustrated History of Napa County." It was
6 published in 1974, but it was originally published
7 in 1878.

8 There are references to a number of people
9 in what they call the Yountville Township, or the
10 Yountville Community, which in many references date
11 back to the 1880's and 189's and certainly to the
12 1870's.

13 The Yountville Township, many of the descriptions
14 in here will tell you, originated from somewhere

15 far South, or three to four miles above the City
16 of Napa. And at one time extended quite a ways
17 above the Jacome grant for the City of Oakdale.

18 Many of these barriers, or boundaries are quite
19 obscure, but they are referenced in this text.

20 I will refer to that later. If I digress from my
21 written speech I will be in trouble. So if you will
22 excuse me, I will go with it.

23 We acquired this vineyard. We ripped, fumigated,
24 proceeded with our replanting program to about twenty
25 acres of Chardonnay.

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1 We found very, very great comfort and
2 help from several of our congenial neighbors,
3 who were most helpful in our early struggle.
4 Some of those being: Nate Fay, Richard Steltzner,
5 Jim Wire, Andre Telechief, and almost anybody who
6 would listen to us for fifteen minutes when we
7 asked a question. Some of the answers we found
8 helpful, and other answers we found a little bit
9 confusing. But this process of grape growing is
10 a synthesis of all sorts of things anyway.

11 We decided to kind of go in an unique
12 way, which was to go against the University's
13 recommendation of eight by twelve plantings.

14 But to plant on a six by ten grid. Allowing each
15 vine to occupy just the sixty square feet suggested
16 in Professor Almo's textbook as necessary to grow
17 a grapevine.

18 There are certainly in our particular
19 viticulture variations. I am sure that the plantings
20 in France that are basically metered by a meter
21 fit their viticultural situation. Just as eight by
22 twelve and eight by ten and all these various
23 configurations may suit ours.

24 We also basically drive farm our vineyards
25 once the vines have become established. And we limit the

1 fruiting wood by choice. And have as a wonderful
 2 consequence of our farming practises have been
 3 able to in the past years sell our grapes to
 4 what we feel are fine wineries. Such as St. Clement,
 5 Clos de Vault, Robert Keenan, Shafer, Pine Ridge,
 6 and others. With which many, many times we have
 7 received premium bonuses. At least we received a
 8 very, very good return for our efforts.

9 I do not tell you that the vineyard
 10 business is a profitable business. But I will tell
 11 you that we probably got what we deserved in terms
 12 of our efforts, in terms of the dollar return.

13 I remember that Bernard was a pretty tough
 14 negotiater and he got our grapes for a reasonably
 15 good fee at that time. And fees, of course, as he
 16 mentioned, are really not a consideration, but they
 17 do make you feel better when you try to balance
 18 your books at the end of the year.

19 In 1978, we purchased an adjoining twenty
 20 acre parcel, a bit more, which lies to the West
 21 of our original plantings. It is located at 1451
 22 on the Crossroad. To which we planted approximately --
 23 In fact it was originally planted all the Chardonnay
 24 discerning in 1974.

25 We wanted to bud over to some Pinot Noir.

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We found it grows very nice Pinot Noir. Half of
that vineyard devoted to Pinot Noir, with good
results.

61.

If I may I think I will try to point
out that this, I think, is what they call the
Yountville Quad; going way up here, and going
down there.

Our property is basically here. We abut
this area here. We are cradeled in this little
area of the mountain. We go down here to the 100
foot bud line. Mr. Missimer's property is to our
West. The Barboza property is here. The Chambers
property is here. As I say, I really had to admit
innocence when we formulated our first filing.
I knew that they were terracing up there. And
I felt that maybe it was someone else. But it turns
out that Dick had made a property exchange with
some other neighbors, and they were utilizing
this rather difficult area to plant, but doing
a successful and wonderful job on it. His
property goes from here, roughly to this point
here. Then the Sinskey property goes through here.
Then there is the Wicker property. I have never had
a chance to research. I do not know the details
because they are in our appellation. It kinds of

1 depends on the border, or the boundaries, but they
2 apparently are out now. The Shafer Property is here.
3 We looked at the Shafer property, and it was a little
4 more than we could handle financially. So I have
5 to think that John made a good choice because it is
6 nice old grounds. He has wonderful vineyards.

7 Building our kind of winery in 1979, we
8 processed some lots of grapes for both still
9 Chardonnay Wine as well as for Champagne sparkling
10 wine product.

11 The Champagne was entirely produced from
12 our estate grown grapes, as is our Chardonnay.

13 This is why in some regard it is a little different
14 to equate our Chardonnay and taste with any other
15 winery in the proposed appellation. Except I think
16 that Pine Ridge does make an estate Chardonnay.
17 So we might want to possibly compare some tasting
18 notes on that.

19 With patient, but with adequate bottle
20 aging, we were not pressed at that time because
21 of the tax laws by having to make an incredible
22 profit because the Internal Revenue Service had
23 provided in its act some advantage for not making
24 all the money you would want to make in a given
25 profession. So we were able to utilize some of this

1 against our vineyard losses. So we chose to
2 release our wine a year after bottling.

3 In 1983, with the second release of our
4 Chardonnay, which was in 1981, in the Connoisseur's
5 Guide we received a three designation. The same
6 held true for our champagne which was mind boggling
7 because we only made 200 cases. Our Chardonnay was
8 the matter of (1,400 to 1,500 cases). My wife is the
9 expert on numbers, so if she wants to stand up and
10 correct me, I would appreciate it.

11 Anyway all this was being done while we
12 were commuting on weekends from Los Angeles.

13 Admittedly some very long hours were used on those
14 Saturday and Sunday evenings, and Friday afternoons.
15 We were still commuting from Los Angeles at that
16 time.

17 Admittedly these long hours seemed to be
18 somewhat tiring, but the effort was well worth it
19 when we could see that moon rise over the Stags Leap
20 Range there. Occasionally we saw the sunrise come over
21 that Stags Leap. We thought we had just a small
22 little bit of heaven on earth. And felt that is why
23 we wanted to work so hard to be out of the Los
24 Angeles basin, to be honest with you.

25 My retirement was dear to me. I started it in

1 my forties, and finally effectuated it when I was
2 almost sixty. So here we are. We are in the
3 business.

4 Quite by chance at a meeting that I
5 attended, I learned in late Spring of 1986 that
6 a Committee had been formed to limit and propose
7 a Stage Leap Appellation.

8 I have a reason for that. If you want to,
9 I will go into that. But I was not reading a great
10 deal of the Wine Press in those days because I
11 suffered a rather serious medical setback, and just

12 did not have the time.

13 We always felt a part of the Stags Leap area.
14 We were taken aback by the answer to my questions
15 from one of the committee members to why we were
16 not included in the formative processes of the proposed
17 appellation.

18 The answer that I was given was that
19 "We didn't want you to know." That was a big shock.
20 But when you are only spending three days in the
21 valley, and the jungle drums don't beat heavily in
22 your area, you maybe miss a few things.

23 At any rate, my son and I in August of 1986,
24 were invited to a meeting at the Silverado Vineyard
25 with part of their committee, and their legal counsel.

1 Only to learn that we were to serve as basically
2 a buffer zone to the properties to the North,
3 and we kind of wondered why. So at this point
4 in time we really learned something about this
5 proposed appellation. And from our own simple,
6 but dedicated efforts tried to learn what was
7 going on.

8 Yesterday the words Sauvignon was probably
9 used 150 times. I did not count them, but it had
10 to have been used several times. The discussions
11 about its merits and so forth were quite lengthy.

12 The proposed Stags Leap District, as it is
13 constituted by the Committee is composed, and my
14 figures are only based on statistical data.

15 All the wines, and I am certainly available for
16 correction, produced both red and white wines.
17 These wines have a great reputation and have great
18 consumer interest. I am concerned about what the
19 status of the white grape will be in different
20 appellations when one is decided upon.

21 Secondly, I want to point out, that within
22 our proposed Northern addition both types of grapes
23 are doing quite well. The red being the Pinot Noir
24 Cabernet Sauvignon Merlot. And the whites are the varitel
25 Chardonnay Pinot Blanc, Sauvignon Blanc, Chenin Blanc,

1 and (sic) in approximately equal proportions.

65A

2 And as in the proposed site making appellation,
3 there are probably have to be some mention along the
4 line of the white grapes.

5 If you like, I have a couple of references here,
6 and I will refer at times to my submissions with
7 items 1, 2 and 3 in our comments to the proposed rule
8 making.

9 I commented in there quite considerably
10 about the picking dates differences over a four
11 year period and with the wines within the page

12 Q-2 of our files. I am sorry that I don't have a
13 copy for you, because it would have helped. But we
14 don't have a copier. So I will make sure that you
15 receive all the additional copies referencing our
16 testimony.

17 In 1981 I had just two records of white grapes.
18 Those were in our vineyard picked from the 26th to the
19 30th. And the total of them all were picked on the 30th.
20 I don't know exactly where I got those numbers.

21 This was on the 30 th of August.

22 1981 turned out to be a very hot year,
23 if you remember. I think that is about when the
24 vines were picked.

25 In 1982, I remember that it was a rather
unpleasant year in that it rained like the Dickens.

1 John Shafer was the smart one. He picked
2 his grapes before the 20th on our property.
3 Or on the day of the 20th. I think that it rained
4 the 22nd and 23rd which decimated the crop and really
5 made a whole different type of Chardonnay out of the
6 1982 vintage. But in those years, Shafer picked them
7 on the 22nd and 23rd in his vineyards. I would have
8 to admit that he picked them in a little bit of the
9 rain.

10 We picked on the 20th to the 23rd. We
11 definitely picked in the rain.

12 Pine Ridge, I am not exactly sure when they
13 picked, but I know that they sold us some grapes.
14 We picked very late. In fact, it was the last day
15 that we were able to pick. I think that we got
16 off about five or six tons, just about to suffer
17 some major changes because of the weather.

18 It is kind of funny, my son told you that he
19 was in the wine business. At seven he was learning
20 to drive a truck and tractor on the property, taking
21 down fences as he went. But you know he does not
22 get stopped that much anyways. It is kind of
23 typical.

24 Finally during that rainy 1982 season,
25 I called him up on the phone. He was attending the

1 Clairmont College. And I asked him to bring a
2 couple of his frineds to pick for 48 hours.
3 And for 48 hours straight we were up, picking,
4 processing and praying to get those grapes in
5 before they started to suffer severe damage and
6 mold, actually.

7 In 1983, it was a lot nicer year.
8 We picked on the 13th and 22nd of September.

9 Jim picked on the 14th and 15th. And the Barboza
10 Winery was picked on the 12th to 14th.

11 So I think that if picking dates are to be
12 used as any criteria as perhaps weather similarity,
13 these have to follow too.

14 In 1985, and 1986, we compared two vineyards
15 within the North and the South area of this rather
16 maligned border. A little less than a half a mile
17 here is a vineyard, which is the only winery in
18 that area that uses that address. In 1985 they
19 picked on the 27th of August. Where we picked from
20 the 11th to the 20th. of September. A full three weeks
21 difference in timing.

22 On 1986, the same held true. They picked on
23 the 12th of August. And we picked on the 7th of
24 September. Now that is a full month delay virtually.

25 So there are chronological differences that

1 do occur, across this little, funny burm here.

2 One aside, that may not meah much, but
3 many of you know that I dug a little tunnel in the
4 hillside. The tunnel generated about 6,000 cubic
5 yards of what one would think would be wonderful
6 rock. I had to go out and buy rock to finish
7 portal around the entrance to my building there.
8 What happened is that this rock is so hard on this
9 particular hillside, given the fact that it is there
10 after all those eons of water have been over it.

11 It is a type of wild lime that is unique in this
12 area of the Valley. I think that there is some over
13 at the Valley of the Moon, but I am not sure.

14 I am not a geologist. I do not want to get into that.

15 But we generated about 6,000 cubic yards of dirt
16 which was piled outside of the barn on the property
17 line. Most of it is gone now, and hopefully by
18 the first of the year it will all be gone. It will
19 be used for building roads, and a pad for our new
20 winery.

21 My neighbor moved across the road at this
22 point right here (indicating). This is mostly
23 homes here, until you get down to the Northern
24 boundary of our property. Below that, there are
25 two lots available. One which goes back to the vineyard

1 here, and the rest of it goes down to this operation.

2 He took a half of this material and covered it
3 a small area with earth there. About a third of an
4 acre, about three feet, and built it up to almost the
5 level of the highway.

6 So there is 3,000 cubic yards of dirt to get
7 it up to the level of the Yountville Crossroad.

8 We are basically above the level of the
9 Yountville crossing. So there are definite lines,
10 and they all mean something to somebody. There is a
11 definite demarcation in height across the road.

12 It is not striking, but it is definitely there.

13 You will also note that along Dick Chamber's
14 property, which is basically this piece hanging there
15 which presents any further difficulty here, to a row
16 above the Rictor Dam with one very small exception up
17 here. This piece of property follows a bunch of
18 points here. And points to a man that studies maps
19 says that there has got to be a creek here. Sure
20 enough, when I look at the picture that Bill Weeks
21 gave me about ten years ago. Flying over our vineyard
22 one day, I noticed that that there were bald spots.
23 There is this black line that runs about 200 feet to the
24 North of the property. That black line is an old
25 creek. That black line is a channel that is dug in to

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drain this properties right in here, which are now homes because they found it very, very difficult to do anything. I think that you need about eighteen inches of soil here. But the soil is apparently very, very thin and is quite difficult to use agriculturally.

Behind there is a whole different story. This is all full of springs. And these springs were generating a considerable amount of water.

Part of which still flows under the old ~~Estates~~^{Stakes} Lane to quite a boggy, wet area. I am not saying that part of my property is not in this boggy, wet area.

This is a dairy farm. We purchased it to put on tons of lime to change the ph of the soil, so that we could use it and continue to put on lime. This was quite a wet part here, and they kept the calves and it was green year around.

Right now I used the drainage pump and a pump to remove part of the water that still affects the table.

So we are talking about some things that I think do have relative bearing and merits in terms of viticulture. Now after having testified and been a witness several times as far as dental things are

1 concerned. Obviously expert witnesses have a
2 great deal of prestige.

3 I think that unless you have lived
4 through a winter and a summer, unless you dug
5 in the soil -- Many, many times you could be
6 confused by generalities. I bow to the wonderful
7 presentations that have been given. But I do have
8 to think that many times the generalities will
9 contravene in the real true nature of very specific
10 areas.

11 As we know the specifics of this viticultural
12 area are so sensitive that they do not include
13 this little part here right now. But some, if you
14 notice, has the same viticultural sort of situations
15 as this area, down at Silverado. Where the wind
16 comes roaring through there, and affects this
17 area quite considerably because of its drafts.
18 As John points out, on this little flow pattern
19 areas. I think that I am going over my head.
20 I am sure that you will ask me questions about it.
21 So I better have my mind clear.

22 Beyond the picking dates we also have some
23 interests in, and express concern for why. And
24 I discussed the weather pattern going through
25 there. Obviously several people of the panel have noticed

1 them as they occurred in about the same manner.

2 The only time this pattern changes at all
3 is if you get a North wind, and you have an entirely
4 different micro-climate, and it is not an usual
5 situation.

6 Back to the soils characteristics. And I am
7 sorry to be jumping around a little bit. Back to the
8 soils characteristics, we have within our property
9 what are termed -- We have this 104, 105, which is
10 basically ~~loam~~ ^{loam}. ~~loam~~ ^{loam}, I think, probably
11 represents a quarter of Napa Valley. I am not an
12 expert. I am just testifying from what I think.

X

13 We do have a letter in our original submission
14 from the Department of Agriculture, of Soils Service.
15 They suggest that there is not a great deal of
16 difference in soil types. That is our submission.
17 I would refer you to our letter.

18 Finally, as we go further into this,
19 the fact that over the years one must make some
20 trenching, and digging across one's property.
21 In digging both fairly deep irrigation ditches
22 to put in piping, and to establish both septic
23 tanks and deep ribbing prior to planting. We never
24 experienced these large ^{boulders} bulbs, rolling up, out of the
25 soil.

1 Perhaps the Soils Service is more
2 correct than Dr. Elliot Phipps (sic) assumes.
3 But I am not exactly sure.

4 Finally, I want to get into a couple of
5 matters that I feel very concerned about.

6 One is a perception of what the Stags
7 Leap area is in the minds of some, and what is
8 in the minds of others. I would refer you to our
9 Exhibit J-2. Mr. Wood is unfortunately in Hawaii
10 and could not attend the meeting. But I think
11 he submitted written comments, and expressed the
12 Bureau in that regard. So that will be forthcoming.
13 He goes on and describes the Stags Leap District
14 as historically those vineyards that occupy the
15 Stags Leap Ranch and resort itself, and several
16 of the surrounding vineyards.

17 We have moved into more contemporary times.
18 The current Stags Leap has grown into a much
19 broader geographical district rather than a single
20 ranch.

21 Stags Leap District includes various
22 land formations and soil types. Each are complimentary
23 and substantially similar. The type of basin surrounding
24 the original Stags Leap Ranch on three sides and resort
25 is probably the warmest area in the district.

1 and the area surrounding itself, Robert Mondavi,
 2 Chimney Rock Vineyard, and North to the S. Anderson
 3 Vineyard, and the proposed additional appellation
 4 to the North seemed to have a slightly cooler
 5 weather pattern. There are some mitigating
 6 influences from the valley floor. But the heating
 7 influences of the hills to the East are still the
 8 overriding factor in the climatology of Stags Leap.



9 If you notice, a good share of this property is
 10 influenced by less than a mile of these hill sides.
 11 This is influenced by, depending on how you look
 12 at the magnitude of this hillside, and this hillside,
 13 and this hillside.

14 So there is some similarity. Now the fact
 15 that we are the only winery there, or the only ones
 16 that make estate wines for that particular region
 17 should not have any great bearing on the fact that
 18 we still feel that we are very, very close in
 19 weather patterns. The soils are varied from a light,
 20 and I am quoting Mr. Wood again, from a light more
 21 volcanic, better grained red soil of the Stags
 22 Leap Ranch itself to the Stags Leap District more to
 23 the Yountville Crossroads. And the weather and the
 24 soil are certainly unique in that particular region.
 25 The soil is pink at 104, 105 (indicating).

1 Again quoting from Mr. Wood, "The purpose
2 of any viticultural area is to outline a logical
3 and easily identifiable geographical great growing
4 area." An area with similarities in climate and
5 soil of easy reference to vineyards, winemakers,
6 and to the consuming public. The current commonly
7 held definition of the Stag Leap area includes the
8 original Stag Leap Ranch and Resort as its core
9 with the expanded areas going South to the unnamed
10 creek at the bottom, and West to the Napa River,
11 North to the crossroads. It probably has an easy
12 area of similar climate, soil and viticulture."
13 Now this gentleman has been farming in the Napa Valley
14 probably 50 years. At one time did operate and farm
15 and he felt it was relatively similar.

16 I have always taken great pride in those
17 wineries particularly with the caliber and the status
18 that purchased grapes from me.

19 Frankly I turned down offers from wineries
20 that I felt were basically not as prestigious in
21 regard to the wine press, and the consuming public.

22 I feel without question that they play
23 a significant part in the reputation in the early
24 Shafer Chardonnay Wines of '82, '83 and '84
25 vintage.

1 There is a kind of an interesting book
2 that I came across yesterday entitled the
3 American Dictionary of Wines. It was published
4 in 1985 by Dr. Ralph Christensen, Richard (sic),
5 and Ted Meredith. The statement here is kind
6 of unique, it says here:

7 "The Shafer family run vineyards or a
8 winery founded in 1980 by a 50 year
9 old vineyards, 65 acres of Shafer Vineyards
10 of Cabernet Sauvignon, Cabernet Blanc,
11 Chardonnay, Merlot! And it says; that some
12 of the grapes are purchased from Stanley
13 Anderson."

14 Now I grant you that we did not see this,
15 and we did not know it was in there until yesterday,
16 but it is kind of interesting. It mentions the fact
17 that we were in there.

18 We provided a moderate production. In one
19 instance about fifty percent.

20 There are also issues that I would like to
21 bring up pertaining to the taste of the wine;
22 the taste of the Chardonnay. Since we only had
23 two pure examples, all I can do is cite the
24 recent publications, the publication of Les Amis
25 Du Vins, August, 1987. The article is entitled

1 " California Wines: A Fine New Vintage Crop."

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2 They are referring to not the vintage crop so much
3 because they discuss quite a number of vintages,
4 1983 to 1985. They discuss in here both my
5 Chardonnay, and to Mr. Anderson's Chardonnay,
6 The Pine Ridge Estate, Pine Ridge Knoll, and to
7 my estate bottle. I will read them to you, and
8 then I will comment.

9 MR. DRAKE: Mr. Anderson, are you getting
10 close to the end?

11 MR. ANDERSON: I am very close to the end,
12 yes.

13 "1985 S. Anderson Napa Estate:

14 A stylish lovely wine! Fresh,

15 biscuity toasty aroma, with hints

16 of apricot, green apples and

17 cinnamon/mace like spiciness.

18 Beautiful, creamy-vinilla oak,

19 lots of ripe, succulent fruit, firm

20 acidity, and a beautifully proportioned

21 peachy-appley finish add up to a superbly

22 balanced, very finely done wine which will

23 age nicely for 3-5 years.

24 They also list Mr. Anderson's Wine, and this

25 is the only print where I have these two particular

1 wine types to compare. It says 1985 -- Knolls,

2 I won't read that.

3 I will refer to 1985 Pine Ridge Estate, Napa
4 Stags Leap Vineyard. It says:

5 "Bigger, more oaky nose and less overtly
6 defined than the above, but with rich
7 creamy-custard oak dominating. Brighter
8 bigger fruit and richness on the palate
9 however. Dense pineapple-citrus apricot
10 flavors, full toasty oak, good acid,
11 and very full concentrated finish. A
12 very good wine in the big bold style."

13 Now I think that that is a very good review.

14 I think that the two of them would compliment the
15 appellation that did have white grapes.

16 They also mentioned Mr. Anderson's Knoll
17 type. The one comment is that it is unfair to
18 synopsis the the industry.

19 So there are similarities between the taste
20 of the grapes grown within our boundaries and the
21 grapes that are grown within the entire operation.

22 I want to thank you very much. I apologize
23 for rambling. Thank you so much for your concerns
24 as it relates to the basic interests of the consumer,
25 and his best information of where things occur.

1 MR. DRAKE: You mentioned Mr. Wood, and
2 his declaration, I guess.

3 MR. ANDERSON: Yes, Sir.

4 MR. DRAKE: Are you aware that he also made
5 a declaration to the original petition?

6 MR. ANDERSON: Yes, I am. The second declaration
7 is the correction of the first declaration, if you will
8 read the subject J-2.

9 He felt that there should be some clarification.
10 Because in his first declaration he said that,
11 "Stags Leap was the Stags Leap Ranch," which he does in
12 his first paragraph.

13 He wanted to correct that impression that
14 he may have given. He is a very precise gentleman
15 running about 800 to 900 acres.

16 MR. DRAKE: The point that you are making is
17 that your grapes, and the wine from them have made a
18 contribution to the name of Stags Leap general area.

19 MR. ANDERSON: I think so in the area of
20 white varietal.

21 MR. DRAKE: I understand, at least I think
22 I do, that other growers on each side of the area,
23 also contribute grapes to Stags Leap Wineries for
24 production use; also contribute to the fame.

25 MR. ANDERSON: I am sure that they do.

1 Finally, I want to prevail upon you to
2 relate boundary choice to what is logical and
3 seeing that you have an express, almost honest
4 opinion of every speaker must be easily administered
5 and certainly relevant.

6 Thank you very much.

7 MR. DRAKE: Thank you.

8 Is the crossroad a geological boundary,
9 in your estimation? And if so, what kind?

10 MR. ANDERSON: I would say that it is a
11 geological boundary in the basic term, of the basic
12 context of the term. It does provide, and has
13 provided for many, many years a differential in heights
14 of land. There is about a five foot drop, believe it
15 or not because roads affected at one time the Silverado
16 Ranch through here. And when we bought our property
17 we had to have a hole line removed for that district.
18 I know that I am not answering the question.

19 Also when this crossroad was developed they
20 used tons, and tons of materials to build up a Northern
21 side so that it would be a level road. They did not
22 want it running down hill about four feet. If you drive
23 along the crossroads as you go from west to east,
24 if you notice on the left side there is a three to four
25 foot drop. Part of this is that in order to make this

1 fillable at all, they had to move a lot of dirt around
2 here.

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3 The soil depths, from what I understand,
4 are relatively thin and vary considerably. So that
5 you may have cut off some high spots here, for low
6 spots, which gives you a little bit of difference
7 in the topography. It also allows you to have a
8 vineyard.

9 There is a material difference from one side
10 to the other. There is also a creek that runs down
11 here. This creek drains a good portion of the property
12 running along here. Filling the reservoir every year
13 at the Simonson, and the Silverado property. And
14 eventually running down through here, and exiting down
15 here at the river, at about this point.

16 Also there is another creek that ran along,
17 down here. It has been partially mitigated by
18 drainage tiles and things. It exits out here.

19 This supplies a creek of about a five foot depth,
20 which has been cut over here.

21 We do have, I would say, both creeks and
22 elevations to support our contention that the viticulture
23 on the other side is quite different. I am being very
24 honest with you.

25 I hope that I have answered your question.

1 But this is why I was only able to support two distinct⁸²
2 wine styles obtained from specifically the Stags Leap,
3 or the proposed Stag Leap areas. The grapes from
4 several other wineries are blended, the grapes South
5 of the boundary, and the grapes East and North of
6 the boundaries.

7 So we are kind of talking about apples and
8 oranges here. Even though I am trying to make a point
9 here that we would like to be able to talk about
10 grapes. But we cannot specifically because there are
11 no wines that are made specifically from the grapes.

12 I think the closest to that is John Shafer's Wines that
13 were made in the 80's, which case came from three
14 specific vintners within that area.

15 There is certainly within our appellation
16 a citrusy characteristic, a very fruity, elegant
17 type of apricot flavors in that regard.

18 I feel that the colors are usually medium,
19 light yellow.

20 The perfume nose that is spoken of in ever
21 so many articles, and I have about six of them which I
22 will send to you. It has a ripe, rich, full citrusy
23 flavor on the palate, with slight tropical fruit

24 nuances. It has a vanilla quality. Now that, of course,
25 is from the barrel. The finish is always long and

1 lingering. It essentially hugs the tongue.

2 There is reference made quite a number of years
3 ago about our wines hugging the tongue. Know whether
4 hugging the tongue, or having a velvet glove are two
5 similiar quotations, I am not sure.

6 I do think that we do have a rather full,
7 complete balanced, lovely open wine that we produce
8 out of our Chardonnays in that area. Does that
9 help you?

10 MR. DRAKE: One question, and quoting back
11 from a previous speaker there was reference to managing
12 one of your vineyards?

13 MR. ANDERSON: That is my only vineyard.

14 MR. DRAKE: He made reference to your
15 Yountville Vineyard, I think.

16 MR. ANDERSON: This is because you see
17 there was no Stags Leap Vineyard. We are deciding
18 the point of the Stags Leap District.

19 MR. DRAKE: We hope.

20 MR. ANDERSON: We hope. This is why my son
21 did not lean on it as heavily as you might have wished.
22 The fact that we have never felt we could use a name
23 that was applied to two wineries a short distance
24 from us. We should not go against the publications in
25 any reference to Stags Leap. We did it in one piece of

1 our information.

2 MR. DRAKE: I asked your son, relative
3 to Mr. Egan's property above the cross road.

4 MR. ANDERSON: Yes.

5 MR. DRAKE: It looks like that it is pretty
6 close to being on part with the Chambers property.
7 Would you include Mr. Egan?

8 MR. ANDERSON: I wish that my son had colored
9 those. The colors of the soil structures in the Chambers
10 are in here. This is 155, 110, 119, 156, all of which
11 occur up in this area. It is a hillside vineyard.

12 I have seen Dick many, many nights up there
13 with his tractor, after working during the day,
14 cutting terraces in there. This is a terraced vineyard.

15 I had an opportunity to buy that property.
16 I turned it down because I could not see how you could
17 run a tractor on it, other than this way.

18 Having been to Switzerland and to Germany, I felt
19 that I did not want to learn how to run one of those
20 things with a rope, up and down with a bobsled.

21 This is a wonderfully well terraced vineyard.
22 It works beautifully.

23 The property that Mr. Egan has down here, and
24 I am not sure, and am available for corrections.
25 I think that that is leased to Vander Brothers.

1 The family choose not to describe or make a comment
2 on the appellation. They also own the Chenin Blanc
3 property across the street from us.

4 We felt that it was kind of strange that
5 there was only one comment, and a short letter
6 from another person, commenting about this whole
7 Northern area.

8 Does that answer your questions?

9 MR. DRAKE: Yes, it does. Thank you.

10 MS. REENECKAR: I have a question. I know you
11 talked about the Chardonnay. I do have questions about
12 the Cabernet. Were there any Cabernet vines planted
13 when you purchased the property?

14 MR. ANDERSON: On our property, or on properties
15 adjacent?

16 MS. REENECKAR: No, on your property.

17 MR. ANDERSON: No, actually we had a very,
18 very small plot of less than a quarter of an acre. We
19 tried those vines for about five or six years.

20 Number one, we had such a small crop that it was
21 not commercially viable to have a ton and a quarter of
22 Cabernet.

23 Number two, the bud wood was quite affected
24 with (sic) and it did not flourish there terribly well.
25 The bud wood is not perfect right at the moment.

1 It was not his fault, obviously. We went over there 85
2 and pleaded with him for a little of the bud wood,
3 because we loved the taste of the grapes.

4 We did make a wine in 1978 out of that,
5 about a barrel and a half, maybe two barrels. We
6 knew nothing about making a red wine at that time.
7 The state of the barrels were about a year and a half
8 to two years. Toppings were never done in the proper
9 orientation. So I would have to say that the wine is
10 very amaturish. We never sold it. We are still drinking
11 it up. We had about sixty cases at the beginning, and
12 I think that we are down to thirty. So it is not a wine
13 that we find on our table every day.

14 Those vines were taken out when we replanted the
15 area in our twenty acres acquisition here. For the
16 simple reason being that this made good, economic sense
17 to do that.

18 The vineyard of Mr. Weeks' which is in this
19 area right here is planted to Cabernet. It serves
20 the purpose for several of the Cabernets that are
21 put on the market today.

22 MR. FICARETTA: Wasn't there something mentioned
23 about a central wine tasting?

24 MR. ANDERSON: When?

25 MR. FICARETTA: When you sent it over with reference.

1 MR. ANDERSON: Oh, actually it was a PR
2 piece that we handed to several. They are just
3 compilations of what our awards had been. My son
4 said he would provide a copy of it.

5 All the piece said, and it was sent to England.
6 All it said was S. Anderson Vineyard was located in
7 at the Northern end of Stags Leap. It did not use the
8 word district. It did not refer to a specific appellation.

9 MR. FICARETTA: Was that about a year ago?

10 MR. ANDERSON:; No, actually the tasting
11 was held October 13. I still have the piece on my
12 computer, and I shall send it to you.

13 The references historically go to considering
14 the Yountville property going from the crossroads,
15 down to two or three miles of the City of Napa.
16 Because in those days, Yountville was a fairly
17 important City.

18 Our area out here was always known as the
19 Yount area.

20 Right down the road here, there is a plaque
21 that came off the red school house that said,

22 "This is the site of the Yount School." There
23 are a couple in this room, I think, that attended that
24 school. This would be the Yount School, which is
25 quite a distinction from Yountville.

1 This as Oakville has a small post office. 18
2 I think that it has about 100 boxes. Though at one
3 time, it was a resort up here. And I think that some
4 people did get mail. It was a long, arduous road to get
5 to before they pushed in the Silverado Trail to any
6 extent.

7 Currently I received a notice on the 16th of
8 November, which is not particularly happy. We have
9 to change all our stationery because the Post Master
10 has seen fit to find that the mail delivered only
11 on this cross-street, these little seven houses
12 here have to change all their stationery. They are
13 in the 599 area. Even though it was funny because our
14 BATF, basic permit says "Yountville because of the
15 proximity to the Post Office."

16 The Post Office Department until the 16th of
17 this last month choose to deliver our mail from the
18 central station down on Trancas Boulevard. We got
19 better mail service than we are now getting from
20 Yountville. Don't ask me why. This is the vagueness
21 of the mail service.

22 MS. SLATTERY: Another question. In your
23 declaration it says that the hills to the East are
24 still the overriding factor?

25 MR. ANDERSON: That I think is correct.

1 With the heat reflecting off of these hillsides in 1988
2 the afternoon, after the fog lifts, We also get fog
3 and mildew up here. We get the same things that
4 everybody gets, and in the same proportions.

5 MS. SLATTERY: Can you explain why the
6 Yountville Crossroad is not the place --

7 MR. ANDERSON: -- I don't think -- Well, other
8 than this factor. I wanted to ask some questions of
9 the kind of policies. I asked him. Remember his drawings.

10 I was a sailor for about twelve years. And I
11 sailed in competition. I am terribly competitive.

12 When I noticed that there was a great line,
13 going up the center of the valley, I never identified
14 wind speed there. We have a presentation that will
15 address the fact. The wind speed up the central part
16 of the valley, because it broadens the central part of
17 the valley -- The wind speed is probably seven or eight
18 knots coming off San Pablo Bay does become amplified
19 here.

20 I cannot imagine from this hill that
21 tops at about 280 feet, if I am not mistaken, and has
22 an incredibly small profile would stop this rapid wind,
23 which was being compressed mixed with, down to here.
24 It had an arrow going this way, into the valley.
25 If this wind is cropped, I just can not hardly believe

1 that because of the dynamics of the amount of air that
2 has to go through there. We do know that we get
3 tremendous winds. We get tremendous winds around
4 this place. Simply because that air has to go
5 someplace. Air does not stop going. That is why
6 jet airplanes, I guess, work.

7 MS. SLATTERY: Well wouldn't the winds
8 then cross over?

9 MR. ANDERSON: I think that they do.
10 As a sailer I will tell you about Catalina Eddy
11 Catalina Eddy sounds like a guy that drinks at Avalon.
12 Catalina Eddy refers to a fact that the Island of
13 Catalina goes to somewhere up around 6,000 feet.
14 in its central portion. The winds there are
15 basically from West to East. Catalina Eddy provides
16 a slough which is about eleven miles directly out
17 from the land.

18 So when we raced we had two choices.
19 If we knew that there was an on-shore breeze,
20 we went very close to Catalina. If there wasn't
21 we sailed up to Newport, and back up the coast.
22 Because this Catalina Eddy would have you sitting
23 there, with the sails going back and forth, getting
24 a little seasick. Catalina Eddy caused the wind
25 to go up, and then drop down. It may go up because

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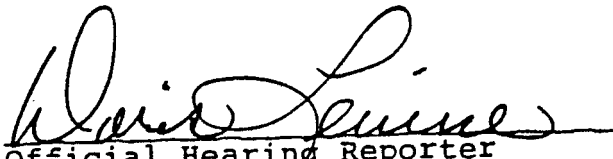
STATE OF CALIFORNIA)
CISTY AND COUNTY OF SAN FRANCISCO)

I, the undersigned, DORIS LEVINE, hereby certify that I am a Notary Public in and for the County of Marin, State of California, and that on the within-mentioned date I reported in shorthand the testimony given and proceedings had, fully, truly and correctly;

That I thereafter caused my said shorthand to be transcribed into typewriting and that the foregoing constitutes said transcript;

That the same is a full, true and correct transcription of my shorthand notes as aforesaid, and of the testimony given and proceedings had in said entitled cause.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of Dec 1987.


Official Hearing Reporter