

the proposed viticultural area. Land below 200 feet and above 800 feet will be excluded due to soil and climate differences with land between those elevations. A precedent does exist for such a viticultural area. Within the boundaries of the Mendocino Ridge viticultural area, only land at and above the 1200 foot elevation line is included in the viticultural area (See 27 CFR 9.158 and T.D. ATF-392 at 62 FR 55512, October 27, 1997). However, because of the unusual nature of such boundaries, TTB is particularly interested in public comments on the proposed McMinnville boundaries. Specifically, does the evidence regarding elevation support the exclusion of some of the land lying within the proposed area's outer boundaries?

#### *What Evidence of Distinctive Geographical Features Has Been Provided?*

The petitioner asserts that the geographic and climatic features of the proposed McMinnville viticultural area distinguish it from surrounding areas of the Willamette Valley.

#### *Temperature and Precipitation*

According to the petitioner, the proposed viticultural area's location just east of the Coast Range and northeast of the Van Duzer Corridor greatly affects its growing season temperatures and precipitation. He submitted temperature and precipitation data from the Oregon Climate Service comparing McMinnville with two other sites in the western Willamette Valley—Dallas, Oregon, to the south of McMinnville, and Scoggins Dam, Oregon, to the north. This data shows that McMinnville is, on average, warmer and drier than Dallas and Scoggins Dam. McMinnville averaged 2178 degree growing days above 50 degrees during the growing season for the years 1971–2000, with average yearly precipitation of 41.66 inches. Dallas, for the same period, averaged 2116 degree growing days above 50 degrees, with precipitation of 49.13 inches. Scoggins Dam, for the period, averaged 1974 degree growing days above 50 degrees, with precipitation of 50.68 inches.

The petitioner explains that cooler and wetter conditions south of McMinnville are due to the Van Duzer Corridor, a pass through Oregon's Coast Range. Cool, wet marine air flows inland through this pass, causing cooler, wetter growing conditions in areas east of the pass. North and west of McMinnville, at Scoggins Dam for example, the petition states that the land makes a rapid transition to the slopes of the Coast Range, which has

much cooler temperatures and greater rainfall.

#### *Soils and Geology*

According to the petitioner, the soils and geology of the proposed McMinnville viticultural area are different from those in surrounding areas, thus providing distinctive growing conditions for the area's grapes. To demonstrate the soil differences, the petitioner submitted soil survey maps published by the Soil Conservation Service of the U.S. Department of Agriculture. The soils of the McMinnville area are characterized by several types of shallow (less than 40 inches deep) silty clay and clay loams that exhibit low total available moisture. These soils, primarily Yamhill, Nekia, Peavine, Willakenzie, and Hazelair, all have a typical depth to base materials of between 20 and 40 inches, while the average total available moisture for these soils ranges from 4.8 to 6.3 inches.

To the west and northwest of the proposed area, the petition notes, the soils transition to those of the Olyic and Hembre associations. While these soils are also shallow silty clay and clay loams, they tend to be acidic. To the north of the area (within the proposed Yamhill-Carlton viticultural area), a greater percentage of the soils are of the Woodburn-Willamette association. These soils are of greater depth (60 inches) and have a higher total available moisture (12 to 13 inches). The Woodburn-Willamette soils also predominate to the south and southwest of the proposed area.

The petitioner states that the most distinctive geological feature within the proposed area is the Nestucca Formation, a 2000-foot thick bedrock formation that extends west from the city of McMinnville to the slopes of the Coast Range. This formation contains marine sandstone and mudstone with intrusions of marine basalts. These intrusions differentiate the formation from the pure basaltic parent materials found under the Red Hills and Chehalem Mountains and the pure marine sedimentary materials of the Yamhill Formation found on the valley floor.

Because of these marine basalts, the petition notes that the ground water composition of the McMinnville area is significantly different from that in areas to the east. According to data obtained from Oregon State University's Drinking Water Program, it contains greater dissolved sodium (66 mg/L vs. 16 mg/L), less dissolved potassium (.9 mg/L vs. 3.8 mg/L), and greater dissolved boron (230 ug/L vs. 20 ug/L) than the ground water east of McMinnville. The

petitioner asserts that significant variations in these component materials can result in grapes with unique flavor and development characteristics.

#### *Boundary Description*

See the narrative boundary description of the petitioned viticultural area in the proposed regulation published near the end of this notice.

#### **Public Participation**

##### *Comments Sought*

We request comments from anyone interested. Please support your comments with specific information about the proposed area's name, growing conditions, or boundaries. Due to the unusual nature of the proposed boundaries, we are particularly interested in comments regarding the proposed area's elevation limitations. All comments must include your name and mailing address, reference this notice number, and be legible and written in language acceptable for public disclosure.

Although we do not acknowledge receipt, we will consider your comments if we receive them on or before the closing date. We will consider comments received after the closing date if we can. We regard all comments as originals.

##### *Confidentiality*

We do not recognize any submitted material as confidential. All comments are part of the public record and subject to disclosure. Do not enclose in your comments any material you consider confidential or inappropriate for disclosure.

##### *Submitting Comments*

You may submit written comments in any of four ways:

- *By mail:* You may send written comments to TTB at the address listed in the **ADDRESSES** section.
- *By facsimile:* You may submit comments by facsimile transmission to 202–927–8525. Faxed comments must—
  - (1) Be on 8.5 by 11 inch paper;
  - (2) Contain a legible, written signature; and
  - (3) Be five or less pages long. This limitation assures electronic access to our equipment. We will not accept faxed comments that exceed five pages.
- *By e-mail:* You may e-mail comments to [nprm@ttb.gov](mailto:nprm@ttb.gov). Comments transmitted by electronic-mail must—
  - (1) Contain your e-mail address;
  - (2) Reference this notice number on the subject line; and
  - (3) Be legible when printed on 8.5 by 11 inch paper.