

wine grapes. For these reasons, the proposed Yamhill-Carlton District viticultural area is limited to lands at or above 200 feet in elevation and below 1,000 feet in elevation.

#### Climate

The climate of the proposed Yamhill-Carlton District viticultural area is distinct from the surrounding areas in a number of ways. The area is bordered on the west by the Coast Mountains, which have far fewer degree-days (at 50° F) and are unsuitable for production of vinifera varieties. According to data obtained from the Oregon Climate Service, average rainfall for the proposed Yamhill-Carlton District is 42 inches, while the Coast Range receives between 80 and 110 inches per year. Further, the proposed Yamhill-Carlton District averages 18.3 days with temperatures above 90° F, while the Coast Range has 2 days.

The petitioner also submitted evidence that the areas immediately south of the proposed Yamhill-Carlton area are influenced by the cooling effect of weather systems flowing east from the Pacific Ocean through the Van Duzer Corridor, a mountain gap in the Coast Range. The corridor funnels cooling, marine, summer breezes inland toward Salem, which substantially lowers the average temperature achieved during the growing season.

However, the petitioner contends this effect quickly moderates as you move north through the proposed Yamhill-Carlton District from the Van Duzer Corridor entry into the Willamette Valley near Dallas, Oregon. For example, the petitioner submitted evidence from the Oregon Climate Service which demonstrated that the 30 year average rainfall for Dallas, Oregon (south of the proposed Yamhill-Carlton District) was 49.1 inches compared to 42 inches for the proposed viticultural area. Further, the Oregon Climate Service data on average temperatures shows that Dallas, Oregon has 51 fewer degree-days than McMinnville, Oregon (which is at the southern border of the proposed Yamhill-Carlton District) and 186 fewer degree-days than Forest Grove, Oregon (which lies 6 miles north of the proposed viticultural area).

The Patton Valley, a vast low area just north of the proposed Yamhill-Carlton District, has an annual rainfall average difference of slightly more than 2 inches when compared with the proposed viticultural area. However, the 30-year average temperature data from the Oregon Climate Service shows the area north of Patton Valley to have 135 more degree-days than the proposed Yamhill-Carlton District.

#### Boundary Description

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

#### Maps

The petitioner provided the required maps, and we list them in the proposed regulation.

#### 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. All comments must include this notice number and your name and mailing address. They must 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 public disclosure.

##### Submitting Comments

You may submit 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.
- *By online form:* We provide a comment form with the online copy of this notice on our Web site at <http://www.ttb.gov/alcohol/rules/index.htm>.

[www.ttb.gov/alcohol/rules/index.htm](http://www.ttb.gov/alcohol/rules/index.htm). Select the "Send comments via email" link under this notice number.

You may also write to the Administrator before the comment closing date to ask for a public hearing. The Administrator reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

#### Public Disclosure

You may view copies of this notice, the petition, the appropriate maps, and any comments received by appointment in our library at 1310 G Street NW., Washington, DC 20202. You may also obtain copies at 20 cents per 8.5- x 11-inch page. Contact our librarian at the above address or telephone 202-927-8210 to schedule an appointment or to request copies of comments.

For your convenience, we will post this notice and the comments received on the TTB Web site. We may omit voluminous attachments or material that we consider unsuitable for posting. In all cases, the full comment will be available in our library. To access the online copy of this notice, visit <http://www.ttb.gov/alcohol/rules/index.htm>. Select the "View Comments" link under this notice number to view the posted comments.

#### Regulatory Analyses and Notices

##### Paperwork Reduction Act

We propose no requirement to collect information. Therefore, the provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507, and its implementing regulations, 5 CFR part 1320, do not apply.

##### Regulatory Flexibility Act

We certify that this regulation, if adopted, will not have a significant economic impact on a substantial number of small entities, including small businesses. The proposal imposes no new reporting, recordkeeping, or other administrative requirements.

The establishment of viticultural areas represents neither our endorsement nor approval of the quality of wine made from grapes grown in the designated areas. Rather, this system allows us to identify areas distinct from one another. In turn, identifying viticultural areas lets wineries describe more accurately the origin of their wines to consumers and helps consumers identify the wines they purchase. Thus, any benefit derived from using a viticultural area name results from a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no regulatory flexibility analysis is required.