agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number. This final rule does not include any additional information collection requirements.

Environmental Impact

In accordance with 40 CFR 1508.4 of the regulations of the Council on Environmental Quality and 24 CFR 50.20(c)(2) of the HUD regulations, this rule amends an existing document, the regulations at 24 CFR part 1000, which as a whole would not fall within an exclusion, but the amendment by itself would do so. Therefore, this rule is categorically excluded from the requirements of the National Environmental Policy Act.

Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that the policies contained in this rule have no federalism implications, and that the policies are not subject to review under the Order.

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks

This rule will not pose an environmental health risk or safety risk on children.

Unfunded Mandates Reform Act

The Secretary has reviewed this rule before publication and by approving it certifies, in accordance with the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532), that this rule does not impose a Federal mandate that will result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year.

Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)) has reviewed and approved this rule, and in so doing certifies that this rule would not have a significant economic impact on a substantial number of small entities.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance number for this program is 14.867.

List of Subjects in 24 CFR Part 1000

Aged, Community development block grants, Grant programs—housing and community development, Grant programs—Indians, Indians, Individuals with disabilities, Low and moderate income housing, Public housing, Reporting and recordkeeping requirements.

Accordingly, for the reasons described above, in title 24 of the Code of Federal Regulations, part 1000 is amended as follows:

PART 1000—NATIVE AMERICAN HOUSING ACTIVITIES

1. The authority citation for part 1000 continues to read as follows:

Authority: 25 U.S.C. 4101 *et seq.*; 42 U.S.C. 3535(d).

2. Section 1000.516 is revised to read as follows:

§ 1000.516 What reporting period is covered by the annual performance report?

For the first annual performance report to be submitted under NAHASDA, the period to be covered is October 1, 1997, through September 30, 1998. This first report must be submitted by January 31, 1999. Subsequent annual performance reports must cover the period that coincides with the recipient's program year.

Dated: January 12, 1999.

Harold Lucas,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 99–1195 Filed 1–19–99; 8:45 am]

BILLING CODE 4419–01–M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

RIN 1512–AA07

[T.D. ATF–407; Ref Notice No. 856]

Establishment of the San Francisco Bay Viticultural Area and the Realignment of the Boundary of the Central Coast Viticultural Area (97–242)

ACTION: Treasury decision, final rule.

SUMMARY: This Treasury decision establishes a viticultural area in the State of California to be known as "San Francisco Bay," under 27 CFR part 9. The viticultural area is located mainly within five counties which border the San Francisco Bay and partly within two other counties. These counties are: San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, and partly in Santa Cruz and San Benito Counties. The "San Francisco Bay" viticultural area encompasses approximately 2,448 square miles total and contains nearly 5,800 acres planted to grapes and over 39 wineries. In conjunction with establishing the "San Francisco Bay" viticultural area, ATF is amending the boundaries of the Central Coast viticultural area to include the "San Francisco Bay" viticultural area. The previous boundaries of the Central Coast viticultural area already encompassed part of the "San Francisco Bay" viticultural area. Approximately 639 square miles is added to Central Coast with an additional 2,827 acres planted to grapes.

EFFECTIVE DATE: March 22, 1999.

FOR FURTHER INFORMATION CONTACT: David Brokaw, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226, 650 Massachusetts Avenue, NW, Washington, DC., 20226, (202) 927–8199.

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF–53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definitive viticultural areas. The regulations allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements. On October 2, 1979, ATF published Treasury Decision ATF–60 (44 FR 56692) which added a new Part 9 to 27 CFR, for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

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

Section 4.25a(e)(2) outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include:

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical characteristics (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area,

based on features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and

(e) A copy (or copies) of the appropriate U.S.G.S. map(s) with the boundaries prominently marked.

Petition for the San Francisco Bay Viticultural Area

A consortium of nearly 75 growers and vintners led by Wente Bros., petitioned ATF to establish a new viticultural area in Northern California known as "San Francisco Bay," that will be included within the Central Coast viticultural area. The "San Francisco Bay" viticultural area is located mainly within five counties which border the San Francisco Bay and partly within two other counties. These counties are: San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, and partly in Santa Cruz and San Benito Counties. Santa Cruz County, although it has no Bay shoreline, has traditionally been associated with the place name "San Francisco Bay." The portion of the Santa Clara Valley located in San Benito County has been included. The viticultural area encompasses approximately 2,448 square miles total containing nearly 5,800 acres planted to grapes and over 39 wineries.

ATF has determined that the area is distinguished by a marine climate which is heavily influenced by the proximity of the San Francisco Bay and the Pacific Ocean. Specifically, the San Francisco Bay and the local geographical features surrounding it permit the cooling influence of the Pacific Ocean to reach farther into the interior of California in the Bay Area than elsewhere along the California coast.

The waters of the San Francisco Bay as well as urban areas, particularly the City of San Francisco, have purposely been included since San Francisco Bay is the source of the viticultural area's weather and the focal point of its history. Although it is not a likely vineyard site, the city has long been a wine industry hub.

Comments

On October 20, 1997, ATF published a notice of proposed rulemaking, Notice No. 856, in the **Federal Register** soliciting comments on the proposed viticultural area. Given the scope of the proposals and the wide range of interests that were likely to be affected by the establishment of a San Francisco Bay viticultural area, ATF solicited specific public comment with respect to certain questions raised by the petition. ATF asked the following questions in Notice No. 856:

(1) Is there sufficient evidence that the name, "San Francisco Bay," can be associated with regions south and east of the bay such as Santa Clara Valley and Livermore? Do these regions have climatic or geographic differences with other regions of the proposed area to such a degree that they cannot be considered as one viticultural area?

(2) Does the evidence support exclusion from the proposed viticultural area of the regions north of the Bay, *i.e.*, Marin, Napa, Solano, and Sonoma Counties?

(3) Can the regions where grapes cannot be grown in the proposed viticultural area, such as the dense urban settings and the Bay itself, be easily segregated from the rest of the proposed area? Does it undermine the notion of a viticultural area to keep them included?

ATF received 49 comments in response to Notice No. 856. Basically, the comments fall into five categories. These categories are as follows: those in support (9), those in support for expanding the "San Francisco Bay" area (1), those that oppose "San Francisco Bay" but support the Central Coast expansion (3), those that oppose being associated with another viticultural area (33), and those that oppose the creation of "San Francisco Bay" (3).

Those in support felt that the appellation clearly defines a unique area influenced by San Francisco Bay weather patterns. Among the favorable comments were statements indicating that approval of the area would align the boundaries between coastal appellations, would recognize a historic wine growing region, would reinforce the economic impact of wine growing in the area, and would be of benefit in educating the wine consumer.

One respondent, the Allied Grape Growers, disagreed that the coastal climatic influences stop at the crest of the hills of Altamont. This respondent felt that the Brentwood-Byron area is now considered by most independent observers as a part of the "San Francisco Bay" area. While this respondent believed that Brentwood-Byron corridor should be included, no specific evidence was provided.

Three respondents opposed the "San Francisco Bay" viticultural area but supported the expansion of the Central Coast viticultural area. Among these respondents was the Sonoma County Grape Growers Association. The Association claimed that the petitioners have taken reference works out of context with "preposterous" results. The Association cited dramatic differences in climatic conditions (San Francisco and Livermore), conflicting definitions of the area (disagreement over what constitutes the Bay area), the fact that the climate of San Francisco cannot sustain winegrape growing, and that the proposal was for marketing purposes only. The Association believed that it is not a meaningful viticultural area and will undermine the integrity of the American viticultural area system. On the other hand, the Association believed that there seems to be no reason to oppose expanding the Central Coast viticultural area. The remaining two respondents in this category generally felt that it is too broad an appellation to have climatic integrity and seemed to have been proposed for marketing and convenience considerations. One of the respondents felt that the Central Coast appellation needs to be reexamined while the other respondent felt that the Santa Cruz Mountains viticultural area should be included in the Central Coast viticultural area.

Thirty-three respondents opposed being associated with either the "San Francisco Bay" viticultural area or the expansion of the Central Coast viticultural area. These respondents were from the Santa Cruz Mountains viticultural area. They felt that they have worked hard to establish the distinctiveness of their wines and inclusion in either the "San Francisco Bay" viticultural area or the expanded central coast viticultural area will do them "incalculable damage." These respondents claimed that the soils, rainfall, climate, and physical features of Livermore differ completely from those of the Santa Cruz Mountains viticultural area. They stated that their vineyards are, for the most part, above the fogs. The average temperatures are in the 2140 to 2880 degree-day zone while Livermore is 3400. Rainfall for Livermore is listed in the petition at 18 inches. These respondents stated that the Santa Cruz Mountains viticultural area averages more than double that amount of rainfall at a minimum of 36 to 40 inches. Further, the Santa Cruz Mountains viticultural area shares virtually none of the soil types of Livermore with the soils producing average yields dramatically smaller than the average yields in Livermore, resulting in a different style of wine entirely. These respondents claimed that the excluded areas in the "North Bay" and "East Bay" share far more geographical and climatic features with Livermore than does the Santa Cruz Mountains viticultural area. In addition, these respondents felt that it would

undermine the meaning of American viticultural areas by including large, dissimilar areas where grapes cannot be grown. Specifically, these areas include the northern half of the San Francisco Peninsula which is too cold to grow grapes, the heavy urban populations of Oakland and the East Bay, and the Bay itself, which is not an inland lake but a large bay of the Pacific Ocean. These respondents also felt that including areas like southern Santa Clara County, and parts of San Benito County would mislead the American public since residents of these areas, as well as Santa Cruz County, historically have not been considered and do not consider themselves to be living in the San Francisco Bay area. Similarly, these respondents opposed the inclusion of the Santa Cruz Mountains viticultural area in the expanded Central Coast viticultural area since the Santa Cruz Mountains viticultural area does not share the same soils, climate or geographical characteristics. These respondents also felt that the Central coast is a recent construct having only limited validity from Monterey Bay south.

Three respondents generally opposed the creation of the viticultural area. One of these respondents, Mr. William Drake, claimed that anyone who has spent any time at all in the Bay Area is well aware that there are extreme differences in the various climates between the areas included in the petition. In addition, Mr. Drake claimed that the topography of this nearly two million acre proposed area differs dramatically as one travels from the eastern portion westward to, and over the coastal mountains. Mr. Drake also believed that while there may be a Bay Area, that area is understood to include a number of distinctly different areas, some of which are even outside of the Bay Area, let alone the "San Francisco Bay Area." Another respondent in opposition was the Association of California North Coast Grape Growers. Regarding the name evidence, the Association stated that Santa Clara, Santa Cruz, and San Benito are nowhere near the San Francisco Bay. If anything, Santa Cruz is associated with Monterey Bay. The Association further stated that the petitioner provided no supporting evidence that the San Benito area is locally or nationally known to be affiliated with San Francisco. Regarding the exclusion of areas north of the Bay, *i.e.*, Marin, Napa, Solano, and Sonoma Counties, the Association felt that there was not supporting evidence, on the one hand to exclude these areas, while, on the other hand, there was not supporting evidence that the "San Francisco Bay" area should be included with regions north of the bay. The Association felt that the most important question revolves around the purpose of appellation names, *i.e.*, to identify and distinguish grape growing regions which are unique from other growing regions based on geographic, altitude, climate, and soil conditions. The Association believed that the fact that the City of San Francisco is "not a feasible vineyard site" seemed to be a prima facie case for immediate disqualification of the appellation name. The Association also believed that the fact that the "San Francisco Bay is a locally, nationally or internationally recognized place name" is completely irrelevant to the issue of whether that place is known for growing wine grapes. The City of San Francisco, and certainly its bay, are not viticultural areas, according to the Association. The Association went on to state that the petitioner might do just as well calling the viticultural area "Golden Gate Region" if name recognition is to be the litmus test for approving an appellation petition. The Association further believed that if this area is approved, it would set a precedent that would allow specific city or location names to be used to describe very large geographic areas. According to the Association, the North Coast appellation could be renamed "Napa Area," Central Coast could be called "Santa Barbara," and the Central Valley might be named "Yosemite." The Association felt that should the petitioned area be found to be unique, and a qualified appellation area, the name of the region should be more generalized (*i.e.*, Central Bay Area) as opposed to the specific city name of San Francisco. The Association claimed that misstatements and irrelevant evidence was provided by the petitioner. As examples, excerpts from Hugh Johnson's book The World Atlas of Wine and Robert Lawrence Balzer's Vineyards and Wineries: Bay Area and Central Coast Counties were cited to illustrate that the "Bay Area" is not accepted by these authors and industry experts as a viticultural region as claimed by the petitioners. The Association further claimed that the petitioners have provided extraneous historical and current evidence. The Association cited the use of grape pricing districts as setting a bad precedent to be used as a determinant for appellation designation approval. The Association pointed out that San Benito is clearly not listed as a part of the Grape Pricing District which includes San Francisco, San Mateo, Santa Cruz, Santa Clara, Alameda and Contra Costa.

ATF Analysis of Comments

ATF has reviewed both the comments and the petitioner's response to them and has concluded that, with one exception, the petitioner has demonstrated that the proposed area represents a continuum of coastal climate that is moderated and altered by San Francisco Bay creating a distinct and recognizable area known as "San Francisco Bay." The exception is the Santa Cruz Mountains viticultural area. According to the comments from members of the Santa Cruz Mountains Winegrowers Association, the Santa Cruz Mountains vineyards, in the vast majority, are located above the coastal fogs. The Santa Cruz vintners believe that the Santa Cruz Mountains viticultural area is based primarily on altitude and is not affected by the climates below. They also point out that their viticultural area does not share the soils, climate, or geographical characteristics of other viticultural areas in the State. The Santa Cruz Mountains viticultural area is characterized by a climate which is greatly influenced in the western portion by the Pacific Ocean breezes and fog movements, and in the eastern portion by the moderating influences of the San Francisco Bay. These two influences tend to produce weather which is generally cool during the growing season. Temperatures in the slopes of the hillsides where most of the vineyards are located appear to vary from that at the lower elevations. This is caused by the marine influence coming off the Pacific Ocean which cools the mountains at night much more than the valley floor. ATF has concluded that the Santa Cruz Mountains viticultural area exhibits features and characteristics unique to its boundaries when compared to the surrounding areas and should not be included within the "San Francisco Bay" viticultural area. Accordingly, The Santa Cruz Mountains viticultural area has been excluded from the "San Francisco Bay" viticultural area.

ATF further believes that there is no significant or substantive evidence at this time that would warrant holding hearings on this issue as requested in some of the comments from the Santa Cruz Mountains vintners.

Finally, ATF is not including the Brentwood—Byron area as requested by the Allied Grape Growers. While this respondent believed that the coastal climatic influences extended into the Brentwood—Byron corridor, no specific evidence was provided to support this request.

Evidence That the Name of the Area Is Locally or Nationally Known

"San Francisco Bay" is a locally, nationally and internationally recognized place name. ATF has concluded that "San Francisco Bay" is the appropriate name for the area. San Francisco Bay is widely recognized as the well-known body of water by that name and, by inference, the land areas that surround it.

The counties of San Francisco, Contra Costa, Alameda, Santa Clara and San Mateo—within which the area is located—border the San Francisco Bay. Santa Cruz County, although it has no Bay shoreline, has traditionally been associated with the place name "San Francisco Bay." Also included is the portion of the Santa Clara Valley located in San Benito County.

The names "San Francisco Bay area" or "San Francisco Bay region" sometimes refer to an area that is different than the area discussed in the petition. Although sources differ in how broadly they define the San Francisco Bay region, the various definitions—without exception—include the counties mentioned above. The following sources were cited by the petitioner as being representative of the consensus among experts that the petitioned area is widely known by the name San Francisco Bay.

The name San Francisco Bay is more frequently and more strongly associated with the counties lying south and east of the San Francisco Bay than with nearby counties to the north. For example, the 1967 Time Life book entitled The Pacific States, describes the San Francisco Bay Area as a megalopolis with the city [of San Francisco] as the center, stretching 40 miles south to San Jose and from the Pacific to Oakland and beyond.

The weather expert Harold Gilliam, in his book Weather of the San Francisco Bay Region, discusses an area including San Francisco, San Mateo, Alameda, Contra Costa, and Santa Cruz Counties. James E. Vance, Jr., Professor of Geography at the University of California, Berkeley, studied the same area in his book entitled Geography and Urban Evolution in the San Francisco Bay Area. Also, climatologist Clyde Patton studied the same region in his definitive work Climatology of Summer Fogs in the San Francisco Bay Area. Mr. Vance's and Mr. Patton's maps of "Bay Area Place Names" were included with the petition.

A final source is Lawrence Kinnaird, University of California Professor of History, who wrote a History of the Greater San Francisco Bay Region. Mr. Kinnaird's book also covers the counties of San Francisco, Santa Clara, Alameda, Contra Costa, San Mateo, and Santa Cruz.

Historical or Current Evidence That the Boundaries of the Viticultural Area Are as Specified in the Petition

Within the grape growing and winemaking community, the name San Francisco Bay has always been identified with the "San Francisco Bay" viticultural area. Several references reflect the industry's perception of this place name.

For example, wine writer Hugh Johnson, in his book The World Atlas of Wine, devotes a separate section ("South of the Bay") to the winegrowing areas of the San Francisco Bay and Central Coast. Mr. Johnson describes the traditional centers of wine-growing in this area as concentrated in the Livermore Valley east of the Bay; the western foot-hills of the Diablo range; the towns south of the Bay, and along the slopes of the Santa Cruz mountains down to a cluster of family wineries round the Hecker Pass. Mr. Johnson repeatedly distinguishes the winegrowing region south and east of the Bay from areas to the north of the Bay. A statement in Mr. Johnson's book points out that the area just south and east of San Francisco Bay is wine country as old as the Napa Valley.

Another writer, Robert Lawrence Balzer devotes a chapter to "Vineyards and Wineries: Bay Area and Central Coast Counties" in his book Wines of California. This chapter and the accompanying map include wineries and vineyards in Alameda, Contra Costa, San Mateo, Santa Clara, and Santa Cruz Counties. Throughout his book, Mr. Balzer makes it clear that he differentiates the San Francisco Bay area grape growing areas from those north of San Francisco Bay and south of Monterey Bay. In support of this claim are several quotes from the book. For example, Mr. Balzer states that, "Logic, as well as geography, dictates our division into these unofficial groups of counties: North Coast, Bay Area and Central Coast, South Central Coast, Central Valley, and Southern California. The vineyard domain south of San Francisco is as rich and colorful in its vintage history as the more celebrated regions north of the Bay Area." This author does not consider Napa and Sonoma Counties as part of the Bay Area. The following statement is evidence of this. "Alameda County does not have the scenic charm of * * * Napa and Sonoma.* * *" The same book contains a photograph showing the Golden Gate Bridge and San Francisco Bay with the caption, "San Francisco Bay divides the North Coast from the other wine areas of California."

Another source in support of the "San Francisco Bay" viticultural area boundaries is "Grape Intelligence," a reporting service for California winegrape industry statistics. Grape Intelligence issues a yearly report for grape varieties in the San Francisco Bay Area. Reports for this region cover San Francisco, San Mateo, Santa Cruz, Alameda and Contra Costa Counties.

As historical evidence, the San Francisco Viticultural District, defined by the State Viticultural Commissioners at the end of the last century, comprised the counties of San Francisco, San Mateo, Alameda, Santa Clara, Santa Cruz, San Benito, and Monterey—but no areas north of the Bay.

The California Department of Food and Agriculture currently considers the area as a single unit. The Grape Pricing Districts established by the State of California reflect the joined perception of the six San Francisco Bay counties, by grouping San Francisco, San Mateo, Santa Cruz, Santa Clara, Alameda, and Contra Costa together in District 6.

A list of "Largest Bay Area Wineries" from a chart which appeared in the San Francisco Business Times of November 21, 1988, includes 21 wineries in Alameda, Contra Costa, San Francisco, and San Mateo Counties. No wineries from the North Coast counties of Sonoma, Napa, Mendocino, or Lake are included.

Evidence Relating to the Geographical Features (Climate, Soil, Elevation, Physical Features, Etc.) Which Distinguish Viticultural Features of the Area From Surrounding Areas

Climate

The unifying and distinguishing feature of the coastal climate of the "San Francisco Bay" viticultural area is the influence of both the Pacific Ocean and the San Francisco Bay. Coastal areas north of the appellation area are influenced by the Pacific Ocean and by the San Pablo and Richardson Bays, while areas south of the appellation area are influenced by the Pacific Ocean and by Monterey Bay. In addition, the ocean influence enters each region through different routes—through the Estero Gap in the North Coast, through the Golden Gate in the San Francisco Bay region, and through Monterey Bay in the southerly portion of Central Coast.

West to east flowing winds named the westerlies, which bring weather systems in California onshore from the ocean, prevail in the "San Francisco Bay" viticultural area. Directly affecting the

weather in the area is the Pacific high pressure system, centered a thousand miles off the Pacific Coast. During winter months, its location south of San Francisco allows the passage of westward moving, rain producing, low pressure storms through the area.

During the summer months the high is located closer to the latitude of San Francisco. It then deflects rain, producing storms to the north, producing a dry summer climate in the San Francisco area. The winds from the high (which flow onshore from the northwest to the southeast) produce a cold southward flowing surface water current (called the California Current) off the California coast by a process called upwelling, in which cold deep water is brought to the surface. When moist marine air from the Pacific High flows onshore over this cold water, it cools, producing fog and/or stratus cloud areas which are transported inland by wind.

Climatic Affect and Boundaries

From a meteorological perspective, the northwesterly windflow through the Estero Gap (near Petaluma in Sonoma County) into the Petaluma Valley, provides the major source of marine influence for areas north of the Golden Gate. Airflow inland from San Pablo Bay also affects the climate of southern Napa and Sonoma Counties. San Francisco Bay has little impact on the weather in the region to its north. The onshore prevailing northwesterly flow direction, in combination with the coastal range topographic features of counties north of the Bay and the pressure differential of the Central Valley, minimize a northward influence from the air that enters the Golden Gate. The higher humidity, lower temperatures, and wind flow that enter the Golden Gate gap do not flow north of the San Francisco Bay.

As a result of the different air mass sources, grape-growing sites immediately north of the Bay are cooler than corresponding sites in the Bay Area. As an example, General Viticulture lists Napa with 2880 degree-days, while Martinez (directly south of Napa on the Carquinez Strait) has 3500 degree-days. Calistoga is listed as 3150 degree-days, while Livermore (approximately equidistant from the Carquinez Strait, but to the south) has 3400. The degree-day concept was developed by UC Davis Professors Amerine and Winkler as a measure of climate support for vine growth and grape ripening; large degree-day values indicate warmer climates.

The "San Francisco Bay" viticultural area is also distinguished from the counties north of the San Francisco Bay by annual rainfall amounts. Most winter storms that hit the Central California coast originate in the Gulf of Alaska. Thus, locations in the North Coast viticultural area generally receive more rain than sites in the "San Francisco Bay" viticultural area.

This effect is illustrated by Hamilton Air Force Base on the northwest shore of the San Pablo Bay in Marin County. The base gets 25 percent more rain in a season than does San Mateo, which has a corresponding bayshore location 34 miles to the south. San Francisco gets an average of 21 inches of rain annually, but nine miles north of the Golden Gate, Kentfield gets 46 inches—more than double the amount of rain. Average rainfall over the entire south bay wine producing area is only 18 inches, while the City of Napa averages 25 inches, Sonoma County (average of 5 sites) averages 35 inches, and Mendocino County averages 40 inches.

It should be noted that the California North Coast Grape Growers advanced a position that is consistent with the petitioner's current position. In a letter to the Bureau of Alcohol, Tobacco and Firearms dated September 14, 1979, they asked that the term North Coast Counties be applied only to Napa, Sonoma and Mendocino Counties. Part of their reasoning was the observations of Professor Crowley of the Geography Department at Sonoma State University who said that the counties north of the San Francisco Bay have different climates from the counties south of the bay.

Thus, the main determinants of the northern boundary of the viticultural area include the: (1) natural geographic/topographic barriers, (2) lack of direct San Francisco Bay influence in areas to its north, and (3) different predominant coastal influences in the northern area. These factors lead to significant wind flow, temperature, and precipitation differences between the areas north and south of San Francisco Bay. Thus, it is logical to draw the northern boundary of the proposed area at the point where the Golden Gate Bridge and San Francisco Bay separate the northern counties, *i.e.,* Marin, Napa, Solano, and Sonoma of the North Coast viticultural area from the counties of San Francisco and Contra Costa.

The eastern boundary of the "San Francisco Bay" viticultural area matches the existing boundary of the Central Coast viticultural area and is located at the inland boundary of significant coastal influence, *i.e.,* along the hills and mountains of the Diablo Range that form a topographical barrier to the intrusion of marine air.

East of the Diablo Range lies the Central Valley, distinguished from the "San Francisco Bay" viticultural area by its higher temperature, lower humidity, and decreased rainfall. The Central Valley has a completely continental climate, *i.e.,* much hotter in summer and cooler in winter. Amerine & Winkler categorize the grape growing areas in the Central Valley (Modesto, Oakdale, Stockton, Fresno) as Region V (over 4000 degree-days), while sites in the "San Francisco Bay" viticultural area range from Region I to III. This is illustrated on a "Degree Day Map" provided by the petitioner.

North of Altamont, the viticultural area boundary continues to follow the inland boundary of coastal influence. (This portion of the boundary matches the boundary extension for the Central Coast Viticultural area.) Like the existing eastern boundary of the Central Coast, this extension excludes the innermost range of coastal mountains. The eastern boundary includes Martinez and Concord, but excludes Antioch, and the eastern portion of Contra Costa County.

The average precipitation in the Central Valley is lower than in the "San Francisco Bay" viticultural area. Following are thirty year average rainfall statistics in inches for locations in the Central Valley: Modesto 10.75, Fresno 10.32, Los Banos 7.98, Lodi 12.74, Antioch 12.97.

Thus, the main determinants of the eastern boundary of the viticultural area include the (1) historic existing eastern boundary of the Central Coast viticultural area, (2) natural geographic/topographic climatic barrier created by the Diablo Range, and (3) the inland boundary of the coastal marine influence. These factors lead to significant temperature, humidity and precipitation differences between the areas east and west of the eastern boundary.

The southern boundary matches those of the Santa Cruz and Santa Clara viticultural areas. As discussed in the section on climate, the San Francisco Bay influence is diminished and the Monterey Bay influence is felt south of the "San Francisco Bay" viticultural area. The regional northwestern prevailing wind flow direction generally prevents the Monterey Bay influence from affecting the climate in the viticultural area.

Monterey Bay has a very broad mouth with high mountain ranges to both the north and south. Fog and ocean air traveling along the Pajaro River do on rare occasions reach the south end of the Santa Clara Valley to the north, but most of the Monterey Bay influence

travels to the east and south (borne by the prevailing northwest wind) into the Salinas Valley and up against the eastern coastal hills.

Coast climate thus gradually warms with increased distance from the San Francisco Bay, as air traveling over land areas south of the bay accumulates heat and dries out. The warming trend reverses, however, at the point where the south end of the Santa Clara Valley meets the Pajaro River. Here wind and fog from the Monterey Bay, flowing westward through the Pajaro River gap, begins to assert a cooling influence.

The decrease of San Francisco Bay influence, and the concurrent increase of Monterey Bay influence, is demonstrated by the difference in heat summation between Gilroy and Hollister. Central Coast sites warm with increasing distance from the San Francisco Bay, but this pattern reverses at the southern boundary of the Santa Clara Valley viticultural area, between Gilroy and Hollister, as the influence of the Monterey Bay becomes dominant. This produces significantly cooler temperatures in Hollister than in Gilroy, even though Hollister is farther from San Francisco Bay.

Petition Table 2 "Decrease in San Francisco Bay Influence," indicates a gradual warming trend as one travels southward from the San Francisco Bay. Past Gilroy to Hollister, however, a new cooling trend is observed due to the influence of the Monterey Bay.

Hollister is significantly cooler than Gilroy even though its location is sheltered by hills from the full influence of Monterey Bay. The weather station near coastal Monterey shows the strongest cooling from the Monterey Bay. Continuing south in the Salinas Valley, the climate again grows warmer with increasing distance from Monterey Bay.

In summary, the southern boundary of the "San Francisco Bay" viticultural area has been defined to match the southern boundary of the Santa Clara Valley and Santa Cruz viticultural areas because this is the location of the transition from a climate dominated by flow from the San Francisco Bay to one dominated by flow from Monterey Bay.

The western boundary of the "San Francisco Bay" viticultural area follows the Pacific coastline from San Francisco south to just north of the City of Santa Cruz. This area is greatly influenced by Pacific Ocean breezes and fog. The western hills of the Santa Cruz Mountains are exposed to the strong prevailing northwest winds. The climate of the eastern portion of these hills is affected by the moderating influences of the San Francisco Bay.

Just north of the City of Santa Cruz, the western boundary turns east excluding a small portion of Santa Cruz County from the viticultural area, as it was from the Santa Cruz Mountains viticultural area. The Santa Cruz Mountains viticultural area has been excluded from the "San Francisco Bay" viticultural area as discussed above. The area around Santa Cruz and Watsonville is close to sea level, and is sheltered from the prevailing northwesterly Pacific Ocean winds by the Santa Cruz mountains. Therefore, fog and bay breezes from Monterey Bay impact the area, while the San Francisco Bay does not influence the area.

Thus, the main determinant of the western boundary of the proposed viticultural area includes the (1) natural geography of the coastline, (2) Pacific Ocean and San Francisco Bay influence, and (3) historical identity as part of the San Francisco Bay Area.

Topography

The weather in the bay region is a product of the modification of the onshore marine air masses described above by the topography of the coast ranges, a double chain of mountains running north-northwest to south-southeast. Each chain divides into two or more smaller chains, creating a patchwork of valleys.

As the elevation of the western chain of the coastal ridge is generally higher than the altitude of the inversion base, the inversion acts as a lid to prevent the cool onshore flowing marine air and fog from rising over the mountains and flowing inland. Because of this, successive inland valleys generally have less of a damp, seacoast climate and more of a dry, continental climate.

This pattern is modified by a few gaps and passes in the mountain ranges that allow marine influences to spread farther inland without obstruction. These inland areas are, however, somewhat protected from the Pacific fogs, which are evaporated as the flow is warmed by passage over the warmer land surfaces.

The three largest sea level gaps in the central California coastal range mountainous barrier are (north to south): Estero Lowland in Sonoma, Golden Gate into San Francisco Bay, and Monterey Bay. Several smaller mountain pass gaps (San Bruno and Crystal Springs) sometimes also allow for the inland spread of coastal climate in the Bay Area when the elevated inversion base is high enough.

The Bay Area climate is greatly modified by San Francisco Bay, whose influence is similar to that of the ocean, *i.e.*, it cools summer high temperatures and warms winter low temperatures. The narrowness of the Golden Gate limits the exchange of bay and ocean waters, and thus Bay waters are not quite as cold as the coastal ocean currents during the summer.

Marine air exits the San Francisco Bay (without having experienced the normal drying and heating effects associated with over-land travel) in several directions. The predominant outflow is carried by the onshore northwesterly winds toward the south through the Santa Clara Valley to Morgan Hill and to the east via the Hayward Pass and Niles Canyon.

Temperatures at given locations in the Bay Area are thus dependent on streamline distance (actual distance traveled) from the ocean, rather than its "as the crow flies" distance from the ocean. Livermore Valley temperatures show this phenomenon. Ocean air flows across San Francisco Bay, through the Hayward Pass and Niles Canyon, and into the Livermore Valley, causing a cooling effect in summer and a warming effect in winter.

In summary, because of the interaction of topography with the prevailing winds in the Bay Area, the Pacific Ocean and San Francisco Bay are the major climatic influences in the "San Francisco Bay" viticultural area. This interaction has two principal effects: (1) to allow the coastal influence of the Pacific Ocean to extend farther east than otherwise possible, and (2) to modify that coastal influence because of the moderating effects of Bay waters on surrounding weather.

Boundaries

In the original proposal, a small part of the east end of the Livermore Valley was omitted. This newly described area most accurately completes the description and designation of the climatic and geographic zones for Livermore Valley and has been added to the new "San Francisco Bay" viticultural area by ATF. This area adds less than three square miles to the viticultural area and approximately 350 acres of wine grapes.

Amendment of the Boundaries of the Central Coast Viticultural Area

In conjunction with establishing the "San Francisco Bay" viticultural area, ATF is amending the boundaries of the Central Coast viticultural area to encompass the "San Francisco Bay" viticultural area as proposed by the petitioners and discussed in Notice No. 856.

An examination of the three large viticultural areas on the California coast reveals a gap between Monterey and

Marin, where many acres of existing and potential vineyards are not represented by any viticultural area. The revised Central Coast viticultural area continues the logical pattern already established in the organization of viticultural areas on the California coast. The expanded Central Coast viticultural area is a larger area that ties together several smaller sub-appellations (Santa Clara Valley, Ben Lomond Mountain, Livermore Valley, San Ysidro District, Pacheco Pass, San Benito, Cienega Valley, Mount Harlan, Paicines, Lime Kiln Valley, Monterey, Carmel Valley, Chalone, Arroyo Seco, Paso Robles, York Mountain, Edna Valley, Arroyo Grande Valley, Santa Maria Valley, Santa Ynez Valley, and the "San Francisco Bay" viticultural area), all of which are dominated by the same geographic and general marine influences that create their climate. The evidence presented in the petition establishes that the well-known Central Coast name and the general marine climate extend north and northwest beyond the previous Central Coast boundaries.

The Name, Central Coast, as Referring to the Counties Surrounding San Francisco Bay

The name Central Coast, as used by wine writers and the state legislature, extends north and west into Santa Cruz County and five counties that surround the San Francisco Bay, beyond the area previously recognized as the Central Coast viticultural area. In support of this, are the following references.

Patrick W. Fegan's book Vineyards and Wineries of America, contains a map of "Central Coastal Counties" designating Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, Monterey, San Benito, San Luis Obispo and Santa Barbara.

Another example is Central Coast Wine Tour, published by Vintage Image in 1977 and 1980, which covers the area from San Francisco to Santa Barbara and specifically describes past and present wineries in San Francisco, Alameda, Contra Costa, Santa Clara, San Mateo and Santa Cruz Counties.

The Connoisseurs' Handbook of California Wines defines "Central Coast" in the section entitled "Wine Geography" as: "The territory lying south of San Francisco and north of the city of Santa Barbara—San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey, San Luis Obispo, and Santa Barbara Counties."

Bob Thompson and Hugh Johnson, in their book The California Wine Book, describe the "Central Coast" as an indeterminate area between San Francisco and Santa Barbara, including San Francisco, Contra Costa, Alameda, Monterey, Santa Clara and Santa Cruz Counties.

In Wines of California, by Robert Balzer, the wine producing areas on the California coast are categorized into three groups: North Coast counties, Bay Area and Central Coast counties, and South Central Coast counties. The section on "Bay Area and Central Coast" features a map, included with the petition, illustrating the counties surrounding San Francisco Bay. Finally, a vineyard and winery map published by Sally Taylor and Friends in the 1980's includes Santa Cruz County on the map entitled "North Central Coast."

In addition to the numerous viticultural writings, government and scholarly studies on the climate and geography of the California Central Coast also include the counties around the San Francisco Bay in the area.

The historic San Francisco Viticultural District in 1880 grouped the counties of San Francisco, San Mateo, Alameda, Santa Clara, Santa Cruz and Contra Costa together. The 1930 University of California monograph "Summer Sea Fogs of the Central California Coast" by Horace R. Byers focuses on an area "from Point Sur to the entrance of Tomales Bay, including San Francisco and Monterey Bays: Santa Clara, San Ramon, Livermore, San Benito, and Salinas valleys.* * *" These valleys are located in Santa Clara, Contra Costa, Alameda, San Benito and Monterey Counties, respectively.

Section 25236 of the 1955 California Alcoholic Beverage Control Act allowed the use of the description "central coastal counties dry wine" on wine originating in several counties including Santa Clara, Santa Cruz, Alameda, Contra Costa, Monterey, San Luis Obispo Counties. While "central coastal counties" is not a recognized viticultural area under the Federal Alcohol Administration Act, this law is mentioned solely to support the fact that the counties surrounding San Francisco Bay have been accepted in California as belonging within the place name "Central Coast."

The California Division of Forestry's "Sea Breeze Effects on Forest Fire Behavior in Central Coastal California" summarizes the results of several fireclimate surveys conducted in the 1960's in several counties surrounding San Francisco Bay. Currently, the National Oceanic and Atmospheric Administration/National Climatic Data Center publishes monthly summaries of climatological data grouped into geographical divisions. The "Central Coast Drainage" division includes locations in San Francisco, Alameda, Contra Costa, San Mateo, Santa Clara, Santa Cruz, Monterey and San Luis Obispo Counties.

The sources discussed above demonstrate that the counties included in the revised Central Coast boundaries are commonly and historically known as being within the place-name "Central Coast."

The Santa Cruz Mountains viticultural area has been excluded from the revised Central Coast viticultural area for the same reasons cited above for excluding it from the "San Francisco Bay" viticultural area.

Evidence Relating to the Geographical Features (Climate, Soil, Elevation, Physical Features, etc.) Which Distinguish the Viticultural Features of the Area From Surrounding Areas

Coastal Climate and Marine Influence

The coastal climate of the Central Coast viticultural area is the principal feature which unifies the area and distinguishes it from surrounding areas. An indication of the "coastal climate" effect on the area is the difference between July and September temperatures. September (fall) is usually warmer than July (summer) in coastal areas, while the reverse is true in continental areas. This unique coastal characteristic results from two factors: fogs and air flows. Fogs keep summer coastal temperatures low while the interior regions absorb all of the sun's summer energy. These fogs diminish in strength and frequency in the fall allowing more coastal solar gain and the resultant temperature rise, while interior temperatures begin their relative decline. This seasonal fluctuation comes about when, (1) the pressure differential between the Pacific high and the Central Valley is reduced which eliminates the inversion cap over the coast ranges, and (2) the temperature of the Pacific Ocean reaches its highest level in the fall which reduces the cooling of onshore air flows. These air flows from the Pacific Ocean invade the land mass through gaps in the coast range. Thus, a location's climate is dictated primarily by its position relative to the windstream distance from the Pacific—the greater the windstream distance the greater the July/October temperature differential and the greater the degree day accumulation as the windstream will be increasingly warmed by the ground it passes over.

Table 1 in the petition lists California cities in windstream groups from the most coastal (initiation) to the most continental (terminus). This table lists the difference (in degrees) between the average July and September

temperatures in each city, which constitutes the measure of "coastal" character. Continental cities (Antioch to Madera), which are outside the previous and revised boundaries of the Central Coast, exhibit the highest July temperatures and the greatest difference in temperature from July to September. Also, included are accumulated degree-days for April through October following Winkler's system. This chart demonstrates that within the coastal region—north and south—there is a continuum of coastal influence and the ensuing heat gradient during the growing season (degree-days).

Within the extension, the climate acts in an identical manner to the area in the previous Central Coast viticultural area. This claim is supported by Table I, demonstrating that locations within the revision to the Central Coast viticultural area (San Francisco, Richmond, Oakland, Berkeley, Half Moon Bay, Martinez, San Jose, Ben Lomond, Palo Alto) share the same coastal character (*i.e.*, (1) higher September temperatures, and (2) an airstream continuum of degree-day temperatures correlated with the airstream distance from the Pacific Ocean) as found at the current Central Coast cities (Monterey, Salinas, Hollister, King City, Livermore, Gilroy). A Coastal Character Map showing this data was attached to the petition. Accordingly, the data presented above establishes that the Central Coast boundary should be revised to accurately reflect the extent of the Central Coast climate.

The "San Francisco Bay" viticultural area and the Central Coast viticultural area lie within the same botanic zone according to the Sunset Western Garden Book published for 55 years by the editors of Sunset Magazine. This comprehensive western plant encyclopedia has become a leading authority regarding gardening in the western United States. The Western Garden Book divides the region from the Pacific Coast to the eastern slope of the Rocky Mountains into twenty-four climate zones. The Central Coast viticultural area lies within Zones 7, 14, 15, 16, and 17.

The climate zones established by Sunset Magazine demonstrate that the main distinguishing feature of Central Coast—the coastal climate—extends west to the Santa Cruz coastline and north to the Golden Gate. The revision to the Central Coast viticultural area also lies within these zones.

The characteristic cool Mediterranean climate of the Central Coast viticultural area extends north and west of the current boundaries. This coastal Mediterranean climate is cool in the summer and the marine fog which penetrates inland makes the coast very oceanic, with little difference in temperature between mild winters and cool summers. The Mediterranean climate classification is so called because the lands of the Mediterranean Basin exhibit the archetypical temperature and rainfall regimes that define the class. The Climatic Regions Map from Atlas of California supports the Mediterranean climate claim. This map is based on the Koeppen classification, which divides the world into climate regions based on temperature, the seasonal variation of drought, and the relationship of rainfall to potential evaporation. The Koeppen system uses letters based on German words having no direct English equivalents. The Climatic Regions Map depicts the extent of cool Mediterranean climate both north and west of the current Central Coast boundary and within it.

The map shows that Alameda, Contra Costa, Santa Clara, San Mateo, and Santa Cruz Counties in the revision to the Central Coast viticultural area, like Monterey, San Benito, San Luis Obispo, and Santa Barbara Counties in the current Central Coast viticultural area, are mostly classified as Csb Mediterranean climates (average of warmest month is less than 22 C), with partial Csbn climate (more than thirty days of fog) along the coast.

It is due to this coastal climate (mainly fog and wind), that the degree of marine influence in the revised Central Coast viticultural area is similar to the degree of marine influence found at other places inside the previous boundaries of the Central Coast viticultural area. A map of central California, submitted with the petition, shows the extent of marine fog in the area. This map shows that the fog pattern in the revised viticultural area is similar to other areas included in Central Coast. The fog extends inland to approximately the same extent throughout the revised viticultural area. The "Retreat of Fog" map submitted with the petition also shows the similarity in the duration of fog in the previous and revised Central Coast viticultural area. The similar fog pattern is most evident along the coastal areas of Big Sur, Monterey Bay and San Francisco.

Topography

Santa Cruz and the other San Francisco Bay Counties share the Central Coast's terrain. One of the major California coast range gaps which produces the climate within the previous Central Coast boundaries lies within the revision to the Central Coast. The three largest sea level gaps in the central California coastal range mountainous barrier are (north to south): Estero Lowland in Sonoma County, Golden Gate into San Francisco Bay, and Monterey Bay. The Golden Gate and Monterey Bay allow the ocean influence to enter into the previous Central Coast viticultural area creating its coastal climate which is the unifying and distinguishing feature of the area. The main gap in the previous Central Coast viticultural area, the Monterey Bay allows marine air and fog from the Pacific Ocean to travel south and inland, into the Salinas Valley. This feature creates the grape-growing climate that exists in the Salinas Valley, but from a meteorological perspective, it has comparatively little influence on the portion of Central Coast viticultural area lying north of it. The on-shore prevailing North-Westerly flow direction, combined with the coastal range topographical features north of the Bay's mouth, minimize northward influence from the air that enters the Monterey Bay. The Golden Gate gap introduces a cooling marine influence and the San Francisco Bay allows marine air and fog to travel much further inland and south through the Santa Clara and Livermore Valleys and provides most of the coastal influence affecting the northern portion of the Central Coast viticultural area.

Although the Golden Gate and San Francisco Bay are primary influences on the previous Central Coast climate, neither shoreline was included in the previous Central Coast boundary. The revision to the Central Coast viticultural area logically extends the previous Central Coast boundaries to include the shores of the Golden Gate and San Francisco Bay.

Boundaries

The extension of the Central Coast viticultural area would include the currently excluded portions of five counties which border the San Francisco Bay. These counties are San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, and all of Santa Cruz County with the exception of the Santa Cruz Mountains viticultural area. The "San Francisco Bay" viticultural area adds approximately 639 square miles to Central Coast. This area contains 2,827 acres planted to grapes. In the original proposal, a small part of the east end of the Livermore Valley was omitted. This newly described area most accurately completes the description and designation of the climatic and geographic zones for Livermore Valley and has been added to the revised

Central Coast viticultural area. This area adds less than three square miles to the viticultural area and approximately 350 acres of wine grapes.

The revision to the Central Coast boundary follows the Pacific coastlines of Santa Cruz, San Mateo, and San Francisco Counties, crosses San Francisco Bay, follows the northern boundary of Contra Costa County to Concord, and then follows the inland boundary of coastal influence along straight lines between landmarks in the Diablo Mountain Range to the current Central Coast boundary.

The southern boundary of the Central Coast viticultural area remains unchanged. The changes to the western boundary, the California coastline, consists of extending the boundary north to the Golden Gate. The eastern boundary is extended to include the area northwest of Livermore up to the San Pablo Bay. From Altamont (just east of Livermore) south, the eastern boundary follows the previous boundary of the Central Coast viticultural area. North of Altamont, the boundary extension excludes the easternmost range of coastal mountains. The eastern boundary includes Martinez and Concord, but excludes Antioch, and the eastern portion of Contra Costa County.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, and its implementing regulations, 5 C.F.R. Part 1320, do not apply to this final rule because there is no requirement to collect information.

Regulatory Flexibility Act

It is hereby certified that this regulation will not have a significant impact on a substantial number of small entities. The establishment of a viticultural area is neither an endorsement nor approval by ATF of the quality of wine produced in the area, but rather an identification of an area that is distinct from surrounding areas. ATF believes that the establishment of viticultural areas merely allows wineries to more accurately describe the origin of their wines to consumers, and helps consumers identify the wines they purchase. Thus, any benefit derived from the use of a viticultural area name is the result of the proprietor's own efforts and consumer acceptance of wines from that region.

No new requirements are proposed. Accordingly, a regulatory flexibility analysis is not required.

Executive Order 12866

It has been determined that this regulation is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

Drafting Information

The principal author of this document is David W. Brokaw, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

Administrative practice and procedure, Consumer protection, Viticultural areas, and Wine.

Authority and Issuance

Title 27, Code of Federal Regulations, part 9, American Viticultural Areas, is amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

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

Authority: 27 U.S.C. 205.

Subpart C—Approved American Viticultural Areas

Par. 2. Section 9.75 is amended by removing the word "and" from paragraph (b)(17), by adding paragraphs (b)(19) through (b)(41), by revising the introductory text of paragraph (c), by removing paragraphs (c)(2) through (c)(13) and adding new paragraphs (c)(2) through (c)(16) and, redesignating existing paragraphs (c)(14) through (c)(40) as paragraphs (c)(17) through (c)(43).

§ 9.75 Central Coast.

* * * * *

(b) Approved maps. * * *

(19) Diablo, California, scale 1:24,000, dated 1953, Photorevised 1980;

(20) Clayton, California, scale 1:24,000, dated 1953, Photorevised 1980;

(21) Honker Bay, California, scale 1:24,000, dated 1953, Photorevised 1980;

(22) Vine Hill, California, scale 1:24,000, dated 1959, Photorevised 1980;

(23) Benicia, California, scale 1:24,000, dated 1959, Photorevised 1980;

(24) Mare Island, California, scale 1:24,000, dated 1959, Photorevised 1980;

(25) Richmond, California, scale 1:24,000, dated 1959, Photorevised 1980;

(26) San Quentin, California, scale 1:24,000, dated 1959, Photorevised 1980;

(27) Oakland West, California, scale 1:24,000, dated 1959, Photorevised 1980;

(28) San Francisco North, California, scale 1:24,000, dated 1956, Photorevised 1968 and 1973;

(29) San Francisco South, California, scale 1:24,000, dated 1956, Photorevised 1980;

(30) Montara Mountain, California, scale 1:24,000, dated 1956, Photorevised 1980;

(31) Half Moon Bay, California, scale 1:24,000, dated 1961, Photoinspected 1978, Photorevised 1968 and 1973;

(32) San Gregorio, California, scale 1:24,000, dated 1961, Photoinspected 1978, Photorevised 1968;

(33) Pigeon Point, California, scale 1:24,000, dated 1955, Photorevised 1968;

(34) Franklin Point, California, scale 1:24,000, dated 1955, Photorevised 1968;

(35) Año Nuevo, California, scale 1:24,000, dated 1955, Photorevised 1968;

(36) Davenport, California, scale 1:24,000, dated 1955, Photorevised 1968;

(37) Santa Cruz, California, scale 1:24,000, dated 1954, Photorevised 1981;

(38) Felton, California, scale 1:24,000, dated 1955, Photorevised 1980;

(39) Laurel, California, scale 1:24,000, dated 1955, Photoinspected 1978, Photorevised 1968;

(40) Soquel, California, scale 1:24,000, dated 1954, Photorevised 1980; and

(41) Watsonville West, California, scale 1:24,000, dated 1954, Photorevised 1980.

(c) Boundary. The Central Coast viticultural area is located in the following California counties: Monterey, Santa Cruz, Santa Clara, Alameda, San Benito, San Luis Obispo, Santa Barbara, San Francisco, San Mateo, and Contra Costa. The Santa Cruz Mountains viticultural area is excluded. (The boundaries of the Santa Cruz Mountains viticultural area are described in 27 CFR § 9.31.)

* * * * *

(2) The boundary follows north along the shoreline of the Pacific Ocean (across the Watsonville West, Soquel, Santa Cruz, Davenport, Año Nuevo, Franklin Point, Pigeon Point, San Gregorio, Half Moon Bay, Montara Mountain and San Francisco South maps) to the San Francisco/Oakland Bay Bridge. (San Francisco North Quadrangle)

(3) From this point, the boundary proceeds east on the San Francisco/Oakland Bay Bridge to the Alameda County shoreline. (Oakland West Quadrangle)

(4) From this point, the boundary proceeds east along the shoreline of Alameda County and Contra Costa County across the Richmond, San Quentin, Mare Island, and Benicia maps to a point marked BM 15 on the shoreline of Contra Costa County. (Vine Hill Quadrangle)

(5) From this point, the boundary proceeds in a southeasterly direction in a straight line across the Honker Bay map to Mulligan Hill elevation 1,438. (Clayton Quadrangle)

(6) The boundary proceeds in southeasterly direction in a straight line to Mt. Diablo elevation 3,849. (Clayton Quadrangle)

(7) The boundary proceeds in a southeasterly direction in a straight line across the Diablo and Tassajara maps to Brushy Peak elevation 1,702. (Byron Hot Springs Quadrangle)

(8) The boundary proceeds due south, approximately 400 feet, to the northern boundaries of Section 13, Township 2 South, Range 2 East. (Byron Hot Springs Quadrangle)

(9) The boundary proceeds due east along the northern boundaries of Section 13 and Section 18, Township 2 South, Range 3 East, to the northeast corner of Section 18. (Byron Hot Springs Quadrangle)

(10) Then proceed south along the eastern boundaries of Sections 18, 19, 30, and 31 in Township 2 South, Range 3 East to the southeast corner of Section 31. (Byron Hot Springs Quadrangle)

(11) Then proceed east along the southern border of Section 32, Township 2 South, Range 3 East to the northwest corner of Section 4. (Altamont Quadrangle)

(12) Then proceed south along the western border of Sections 4 and 9. (Altamont Quadrangle)

(13) Then proceed south along the western border of Section 16 approximately 4275 feet to the point where the 1100 meter elevation contour intersects the western border of Section 16. (Altamont Quadrangle)

(14) Then proceed in a southeasterly direction along the 1100 meter elevation contour to the intersection of the southern border of Section 21 with the 1100 meter elevation contour. (Altamont Quadrangle)

(15) Then proceed west to the southwest corner of Section 20. (Altamont Quadrangle)

(16) Then proceed south along the western boundaries of Sections 29 and 32, Township 3 South, Range 3 East and then south along the western boundaries of Sections 5, 8, 17, 20, Township 4 South, Range 3 East to the southwest corner of Section 20. (Mendenhall Springs Quadrangle)

* * * * *

Par. 3. Subpart C is amended by adding § 9.157 to read as follows:

§ 9.157 San Francisco Bay.

(a) Name. The name of the viticultural area described in this section is "San Francisco Bay."

(b) Approved maps. The appropriate maps for determining the boundary of the San Francisco Bay viticultural area are forty-two U.S.G.S. Quadrangle 7.5 Minute Series (Topographic) maps and one U.S.G.S. Quadrangle 5 x 11 Minute (Topographic) map. They are titled:

(1) Pacheco Peak, California, scale 1:24,000, dated 1955, Photorevised 1971;

(2) Gilroy Hot Springs, California, scale 1:24,000, dated 1955, Photoinspected 1978, Photorevised 1971

(3) Mt. Sizer, California, scale 1:24,000, dated 1955, Photoinspected 1978, Photorevised 1971

(4) Morgan Hill, California, scale 1:24,000, dated 1955, Photorevised 1980

(5) Lick Observatory, California, scale 1:24,000, dated 1955, Photoinspected 1973, Photorevised 1968

(6) San Jose East, California, scale 1:24,000, dated 1961, Photorevised 1980;

(7) Calaveras Reservoir, California, scale 1:24,000, dated 1961, Photorevised 1980;

(8) La Costa Valley, California, scale 1:24,000, dated 1960, Photorevised 1968;

(9) Mendenhall Springs, California, scale 1:24,000, dated 1956, Photoinspected 1978, Photorevised 1971;

(10) Altamont, California, scale 1:24,000, dated 1953, Photorevised 1981;

(11) Byron Hot Springs, California, scale 1:24,000, dated 1953, Photorevised 1968;

(12) Tassajara, California, scale 1:24,000, dated 1953, Photoinspected 1974, Photorevised 1968;

(13) Diablo, California, scale 1:24,000, dated 1953, Photorevised 1980;

(14) Clayton, California, scale 1:24,000, dated 1953, Photorevised 1980;

(15) Honker Bay, California, scale 1:24,000, dated 1953, Photorevised 1980;

(16) Vine Hill, California, scale 1:24,000, dated 1959, Photorevised 1980;

(17) Benicia, California, scale 1:24,000, dated 1959, Photorevised 1980;

(18) Mare Island, California, scale 1:24,000, dated 1959, Photorevised 1980;

(19) Richmond, California, scale 1:24,000, dated 1959, Photorevised 1980;

(20) San Quentin, California, scale 1:24,000, dated 1959, Photorevised 1980;

(21) Oakland West, California, scale 1:24,000, dated 1959, Photorevised 1980;

(22) San Francisco North, California, scale 1:24,000, dated 1956, Photorevised 1968 and 1973;

(23) San Francisco South, California, scale 1:24,000, dated 1956, Photorevised 1980;

(24) Montara Mountain, California, scale 1:24,000, dated 1956, Photorevised 1980;

(25) Half Moon Bay, California, scale 1:24,000, dated 1961, Photoinspected 1978, Photorevised 1968 and 1973;

(26) San Gregorio, California, scale 1:24,000, dated 1961, Photoinspected 1978, Photorevised 1968;

(27) Pigeon Point, California, scale 1:24,000, dated 1955, Photorevised 1968;

(28) Franklin Point, California, scale 1:24,000, dated 1955, Photorevised 1968;

(29) Año Nuevo, California, scale 1:24,000, dated 1955, Photorevised 1968;

(30) Davenport, California, scale 1:24,000, dated 1955, Photorevised 1968;

(31) Santa Cruz, California, scale 1:24,000, dated 1954, Photorevised 1981;

(32) Felton, California, scale 1:24,000, dated 1955, Photorevised 1980;

(33) Laurel, California, scale 1:24,000, dated 1955, Photoinspected 1978, Photorevised 1968;

(34) Soquel, California, scale 1:24,000, dated 1954, Photorevised 1980;

(35) Watsonville West, California, scale 1:24,000, dated 1954, Photorevised 1980;

(36) Loma Prieta, California, scale 1:24,000, dated 1955, Photoinspected 1978, Photorevised 1968;

(37) Watsonville East, California, scale 1:24,000, dated 1955, Photorevised 1980;

(38) Mt. Madonna, California, scale 1:24,000, dated 1955, Photorevised 1980;

(39) Gilroy, California, scale 1:24,000, dated 1955, Photorevised 1981;

(40) Chittenden, California, scale 1:24,000, dated 1955, Photorevised 1980;

(41) San Felipe, California, scale 1:24,000, dated 1955, Photorevised 1971; and

(42) Three Sisters, California, scale 1:24,000, dated 1954, Photoinspected 1978, Photorevised 1971.

(c) Boundary. The San Francisco Bay viticultural area is located mainly within five counties which border the San Francisco Bay and partly within two other counties in the State of California. These counties are: San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa and partly in Santa Cruz and San Benito Counties. The Santa Cruz Mountains viticultural area is excluded (see 27 CFR 9.31.) The boundaries of the San Francisco Bay viticultural area, using landmarks and points of reference found on appropriate U.S.G.S. maps, are as follows:

(1) Beginning at the intersection of the 37 degree 00' North latitude parallel with State Route 152 on the Pacheco Peak Quadrangle.

(2) Then proceed in a northwesterly direction in a straight line to the intersection of Coyote Creek with the township line dividing Township 9 South from Township 10 South on the Gilroy Hot Springs Quadrangle.

(3) Then proceed in a northwesterly direction in a straight line to the intersection of the township line dividing Township 8 South from Township 9 South with the range line dividing Range 3 East from Range 4 East on the Mt. Sizer Quadrangle.

(4) Then proceed in a northwesterly direction in a straight line (across the Morgan Hill Quadrangle) to the intersection of the township line dividing Township 7 South from Township 8 South with the range line dividing Range 2 East from Range 3 East on the Lick Observatory Quadrangle.

(5) Then proceed in a northwesterly direction in a straight line to the intersection of State Route 130 with the township line dividing Township 6 South from Township 7 South on the San Jose East Quadrangle.

(6) Then proceed in a northeasterly direction following State Route 130 to its intersection with the range line dividing Range 1 East from Range 2 East on the Calaveras Reservoir Quadrangle.

(7) Then proceed north following this range line to its intersection with the Hetch Hetchy Aqueduct on the La Costa Valley Quadrangle.

(8) Then proceed in a northeasterly direction in a straight line following the Hetch Hetchy Aqueduct to the western boundary of Section 14 in Township 4 South, Range 2 East on the Mendenhall Springs Quadrangle.

(9) Then proceed south along the western boundary of Section 14 in Township 4 South, Range 2 East to the southwest corner of Section 14 on the Mendenhall Springs Quadrangle.

(10) Then proceed east along the southern boundary of Section 14 in Township 4 South, Range 2 East to the southeast corner of Section 14 on the Mendenhall Springs Quadrangle.

(11) Then proceed south along the western boundary of Section 24 in Township 4 South, Range 2 East to the southwest corner of Section 24 on the Mendenhall Springs Quadrangle.

(12) Then proceed east along the southern boundary of Section 24 in Township 4 South, Range 2 East and Section 19 in Township 4 South, Range 3 East to the southeast corner of Section 19 on the Mendenhall Springs Quadrangle.

(13) Then proceed north along the western boundaries of Sections 20, 17, 8, and 5 on the Mendenhall Springs Quadrangle in Township 4 South, Range 3 East, north (across the Altamont Quadrangle) along the western boundaries of Sections 32, 29, to the southwest corner of Section 20, in Township 3 South, Range 3 East.

(14) Then east along the southern boundary of Sections 20, and 21, in Township 3 South, Range 3 East on the Altamont Quadrangle to the 1100 meter elevation contour.

(15) Then, along the 1100 meter contour in a northwesterly direction to the intersection with the western boundary of Section 16, Township 3 South, Range 3 East on the Altamont Quadrangle.

(16) Then north along the eastern boundary of Sections 17, 8, and 5 in Township 3 South, Range 3 East to the northeast corner of Section 5.

(17) Then proceed west along the northern border of Section 5 to the northwest corner of Section 5.

(18) Then north along the eastern boundaries of Sections 31, 30, 19, and 18 in Township 2 South, Range 3 East to the northeast corner of Section 18 on the Byron Hot Springs Quadrangle.

(19) Then proceed due west along the northern boundaries of Section 18 and Section 13 (Township 2 South, Range 2 East) to a point approximately 400 feet due south of Brushy Peak on the Byron Hot Springs Quadrangle.

(20) Then proceed due north to Brushy Peak (elevation 1,702) on the Byron Hot Springs Quadrangle.

(21) Then proceed in a northwesterly direction in a straight line (across the Tassajara and Diablo Quadrangles) to Mt. Diablo (elevation 3,849) on the Clayton Quadrangle.

(22) Then proceed in a northwesterly direction in a straight line to Mulligan Hill (elevation 1,438) on the Clayton Quadrangle.

(23) Then proceed in a northwesterly direction in a straight line (across the Honker Bay Quadrangle) to a point marked BM 15 on the shoreline of Contra Costa County on the Vine Hill Quadrangle.

(24) Then proceed west along the shoreline of Contra Costa County and Alameda County (across the Quadrangles of Benicia, Mare Island, Richmond, and San Quentin) to the San Francisco/Oakland Bay Bridge on the Oakland West Quadrangle.

(25) Then proceed west on the San Francisco/Oakland Bay Bridge to the San Francisco County shoreline on the San Francisco North Quadrangle.

(26) Then proceed along the San Francisco, San Mateo, and Santa Cruz County shoreline (across the Quadrangles of San Francisco South, Montara Mountain, Half Moon Bay, San Gregorio, Pigeon Point, Franklin Point, Año Nuevo and Davenport) to the place where Majors Creek flows into the Pacific Ocean on the Santa Cruz Quadrangle.

(27) Then proceed northeasterly along Majors Creek to its intersection with the 400 foot contour line on the Felton Quadrangle.

(28) Then proceed along the 400 foot contour line in a generally easterly/northeasterly direction to its intersection with Bull Creek on the Felton Quadrangle.

(29) Then proceed along Bull Creek to its intersection with Highway 9 on the Felton Quadrangle.

(30) Then proceed along Highway 9 in a northerly direction to its intersection with Felton Empire Road.

(31) Then proceed along Felton Empire Road in a westerly direction to its intersection with the 400 foot contour line on the Felton Quadrangle.

(32) Then proceed along the 400 foot contour line (across the Laurel, Soquel, Watsonville West and Loma Prieta Quadrangles) to its intersection with Highway 152 on the Watsonville East Quadrangle.

(33) Then proceed along Highway 152 in a northeasterly direction to its intersection with the 600 foot contour line just west of Bodfish Creek on the Watsonville East Quadrangle.

(34) Then proceed in a generally east/southeasterly direction along the 600 foot contour line (across the Mt. Madonna and Gilroy Quadrangles), approximately 7.3 miles, to the first intersection of the western section line of Section 30, Township 11 South, Range 4 East on the Chittenden Quadrangle.

(35) Then proceed south along the section line approximately 1.9 miles to the south township line at Section 31, Township 11 South, Range 4 East on the Chittenden Quadrangle.

(36) Then proceed in an easterly direction along the township line (across the San Felipe Quadrangle), approximately 12.4 miles to the intersection of Township 11 South and Township 12 South and Range 5 East and Range 6 East on the Three Sisters Quadrangle.

(37) Then proceed north along the Range 5 East and Range 6 East range line approximately 5.5 miles to Pacheco Creek on the Pacheco Creek Quadrangle.

(38) Then proceed northeast along Pacheco Creek approximately .5 mile to the beginning point.

Signed: November 19, 1998.

John W. Magaw,

Director.

Approved: December 24, 1998.

John P. Simpson,

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

[FR Doc. 99–1209 Filed 1–19–99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9 and 761

[OPPTS–66009D; FRL–6048–8]

RIN 2070–AC01

Confirmation of Approval and Technical Amendment To Update the EPA Listing of OMB Approval Numbers Under the Paperwork Reduction Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final Rule; technical amendment.

SUMMARY: This technical amendment updates the table that lists the control numbers issued by the Office of Management and Budget (OMB) to indicate the approval of an information collection related activity pursuant to the Paperwork Reduction Act (PRA). Specifically, this technical amendment confirms the effective date and incorporates into 40 CFR part 9 the OMB approval number for the information collections contained in the final rule on the disposal of polychlorinated biphenyls (PCBs), which published in the **Federal Register** on June 29, 1998 (63 FR 35384)(FRL–5726–1), and became effective on August 28, 1998. EPA announced the approval of this ICR on October 26, 1998 (63 FR 57123)(FRL–6180–2).

DATES: This technical amendment is effective January 20, 1999. The information collection requirements of 40 CFR 761.30, 761.35, 761.40, 761.60, 761.61, 761.62, 761.65, 761.71, 761.72, 761.77, 761.79, 761.80, 761.125, 761.180, 761.205, 761.253, 761.274, 761.295, 761.314, 761.357, 7761.359, 761.395 and 761.398 became effective on September 9, 1998.

ADDRESSES: To obtain copies of EPA Form 7710–53, Notification of PCB Activity, and EPA Form 7720–12, PCB Transformer Registration, contact the TSCA Hotline by phone at (202) 554–1404, TDD (202) 544–0551, or by e-mail: TSCA–Hotline@epa.gov. For additional sources of these EPA Forms, see "SUPPLEMENTARY INFORMATION."

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (Mail Code: 7408), Office of Pollution Prevention and Toxics, Rm. E–543B, Environmental Protection Agency, 401 M St. SW, Washington, DC 20460, (202) 554–1404, TDD (202) 544–0551, e-mail: TSCA-Hotline@epa.gov. For technical information: Peggy Reynolds, U.S. Environmental Protection Agency, (7404), 401 M St., SW., Washington, DC 20460; telephone: (202) 260–3965; fax: (202) 260–1724; e-mail: "reynold.peggy@epa.gov".

SUPPLEMENTARY INFORMATION:

I. Does this Technical Amendment Apply to Me?

You may be affected by this technical correction if you are required by the final PCB disposal rule to report certain PCB activities either to EPA or a third party and/or to maintain certain PCB records, if you own or operate a PCB Transformer and must register your transformers with EPA, or if you manage PCB waste and must notify EPA of your PCB waste activities. Regulated categories and entities may include, but are not limited to:

Category	Examples of Regulated Entities
Industry	Chemical manufacturers, electroindustry manufacturers, end-users of electricity, PCB waste handlers (e.g., storage facilities, landfills and incinerators), waste transporters, general contractors
Utilities and rural electric cooperatives.	Electric power and light companies
Individuals, Federal, State, and Municipal Governments.	Individuals and agencies which own, process, distribute in commerce, use, and dispose of PCBs

This table is not exhaustive, but lists the types of entities that could potentially be regulated by this action. Other types of entities may also be interested in this technical correction. To determine whether your entity is regulated by this action, carefully examine the provisions in the disposal of polychlorinated biphenyls rule (63 FR 35384, June 29, 1998). If you have any questions regarding the applicability of this action to a particular entity, you should consult the applicable regulations, or the technical contact listed in the "FOR FURTHER INFORMATION CONTACT" section.

II. How Can I Get Additional Information, Copies of this Document, and Support Documents?

1. *Electronically.* You may obtain electronic copies of this document and EPA Forms 7710–53 and 7720–12 from the EPA Home Page at http://www.epa.gov/fedrgstr/EPA-TOX/1998/ under the "Federal Register--Environmental Documents" listing and the date of publication of this document in the **Federal Register**. You may also obtain copies of the EPA Forms from EPA's PCB Home Page (http://www.epa.gov/opptintr/PCB) under PCB Waste Handlers.

2. *Fax-on-Demand.* You may request to receive a faxed copy of the EPA forms by using a faxphone to call 202–401–0527 and selecting item 4047 for a copy of EPA Form 7710–53--Notification of PCB Activity, and item number 4048 for EPA Form 7720–12--PCB Transformer Registration.

3. *In person.* The official record for this technical amendment, including the public version, has been established under docket control number OPPTS–66009D. The official record also includes all material and submissions filed under docket control number OPPTS–66009C, the record for the referenced final rule. The public version of the record, including printed, paper versions of any electronic comments, which does not include any information claimed as confidential business information (CBI), is available for inspection in the TSCA Nonconfidential Information Center, Rm. NE B–607, 401 M St., SW., Washington, DC. The Center is open from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number of the Center is (202) 260–7099.

III. What Does this Technical Correction Do?

EPA is amending the table of currently approved information collection request (ICR) control numbers issued by OMB for various regulations,