a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(I) Related Information


Issued in Renton, Washington, on April 29, 2012.

Michael Kaszycki,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

FOR FURTHER INFORMATION CONTACT:
Karen A. Thornton, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G St. NW., Box 12, Washington, DC 20005; phone 202–453–1039, ext. 175.

See the Public Participation section of this notice for specific instructions and requirements for submitting comments, and for information on how to request a public hearing.

You may view copies of this notice, selected supporting materials, and any comments that TTB receives about this proposal at http://www.regulations.gov within Docket No. TTB–2012–0003. A link to that docket is posted on the TTB Web site at http://www.ttb.gov/wine/wine_rulemaking.shtml under Notice No. 128. You also may view copies of this notice, all related petitions, maps, or other supporting materials, and any comments that TTB receives about this proposal by appointment at the TTB Information Resource Center, 1310 G Street NW., Washington, DC 20005. Please call 202–453–2270 to make an appointment.

DEFINITIONS

Ancient Lakes of Columbia Valley Viticultural Area

The Alcohol and Tobacco Tax and Trade Bureau (TTB) proposes to establish the 162,762-acre “Ancient Lakes of Columbia Valley” viticultural area in Douglas, Grant, and Kittitas Counties in central Washington. The proposed viticultural area lies within the larger Columbia Valley viticultural area. TTB designates viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase. TTB invites comments on this proposed addition to its regulations.

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 9

[Docket No. TTB–2012–0003; Notice No. 128]

RIN 1513–AB85

Proposed Establishment of the Ancient Lakes of Columbia Valley Viticultural Area

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau (TTB) proposes to establish the 162,762-acre “Ancient Lakes of Columbia Valley” viticultural area in Douglas, Grant, and Kittitas Counties in central Washington. The proposed viticultural area lies within the larger Columbia Valley viticultural area. TTB designates viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase. TTB invites comments on this proposed addition to its regulations.

DATES: We must receive your comments on or before July 9, 2012.

ADDRESSES: Please send your comments on this notice to one of the following addresses:

 Internet: http://www.regulations.gov (via the online comment form for this notice as posted within Docket No. TTB–2012–0003 at “Regulations.gov,” the Federal e-rulemaking portal);

 U.S. Mail: Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044–4412; or

 Hand delivery/courier in lieu of mail: Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 200E, Washington, DC 20005.

 See the Public Participation section of this notice for specific instructions and requirements for submitting comments, and for information on how to request a public hearing.

You may view copies of this notice, selected supporting materials, and any comments that TTB receives about this proposal at http://www.regulations.gov within Docket No. TTB–2012–0003. A link to that docket is posted on the TTB Web site at http://www.ttb.gov/wine/wine_rulemaking.shtml under Notice No. 128. You also may view copies of this notice, all related petitions, maps, or other supporting materials, and any comments that TTB receives about this proposal by appointment at the TTB Information Resource Center, 1310 G Street NW., Washington, DC 20005. Please call 202–453–2270 to make an appointment.

FOR FURTHER INFORMATION CONTACT:
Karen A. Thornton, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G St. NW., Box 12, Washington, DC 20005; phone 202–453–1039, ext. 175.

SUPPLEMENTARY INFORMATION:

Background on Viticultural Areas

TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (FAA Act), 27 U.S.C. 205(e), authorizes the Secretary of the Treasury to prescribe regulations on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) sets forth standards for the preparation and submission of petitions for the establishment or modification of American viticultural areas and lists the approved American viticultural areas.

Definition

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region having distinguishing features as described in part 9 of the regulations and a name and a delineated boundary as established in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to its geographic origin. The establishment of viticultural areas allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of a viticultural area is neither an approval nor an endorsement by TTB of the wine produced in that area.

Requirements

Section 4.25(e)(2) of the TTB regulations outlines the procedure for proposing an American viticultural area and provides that any interested party may petition TTB to establish a grape-growing region as a viticultural area. Section 9.12 of the TTB regulations (27 CFR 9.12) prescribes standards for petitions for the establishment or modification of American viticultural areas. Such petitions must include the following:

 Evidence that the area within the proposed viticultural area boundary is nationally or locally known by the viticultural area name specified in the petition;

 An explanation of the basis for defining the boundary of the proposed viticultural area;

 A narrative description of the features of the proposed viticultural area that affect viticulture, such as climate, geology, soils, physical features, and elevation, that make the proposed viticultural area distinctive and distinguish it from adjacent areas outside the proposed viticultural area boundary;

 A copy of the appropriate United States Geological Survey (USGS) map(s) showing the location of the proposed viticultural area, with the boundary of...
the proposed viticultural area clearly drawn thereon; and

• A detailed narrative description of the proposed viticultural area boundary based on USGS map markings.

Ancient Lakes of Columbia Valley Petition

TTB received a petition from Joan R. Davenport, a professor of soil sciences at Washington State University, and Cameron Fries of White Heron Cellars, on behalf of the vintners and grape growers in the Ancient Lakes region of central Washington, proposing the establishment of the “Ancient Lakes of Columbia Valley” viticultural area. The proposed viticultural area contains 162,762 acres, 1,399 acres of which are dedicated to commercially-producing vineyards. The petition states that there are six wineries and six commercially-producing vineyards located within the proposed viticultural area. The petition also includes a map showing that the vineyards and wineries are dispersed throughout the proposed viticultural area. According to the petition, the distinguishing features of the proposed viticultural area include its topography, soils, climate, and geology. Unless otherwise noted, all information and data contained in the below sections concerning the name, boundary, and distinguishing features of the proposed viticultural area are from the petition for the proposed Ancient Lakes of Columbia Valley viticultural area and its supporting exhibits.

TTB notes that the proposed Ancient Lakes of Columbia Valley viticultural area lies completely within the existing Columbia Valley viticultural area (27 CFR 9.74). The proposed viticultural area does not overlap with any other existing or proposed viticultural area.

Name Evidence

The USGS Babcock Ridge map shows the “Ancient Lake” place name marking a cluster of three lakes located in the western half of the proposed Ancient Lakes of Columbia Valley viticultural area. According to the USGS Geographic Names Information System (GNIS), the “Ancient Lake” geographical name is also used for two other areas in Oregon. Given the multiple locations with the same name, TTB requested that the petitioners provide a geographical modifier to the “Ancient Lakes” name originally proposed by the petitioners. In response to TTB’s request, the petitioners changed the proposed viticultural area name to “Ancient Lakes of Columbia Valley” to clarify the location of the proposed viticultural area and avoid any potential confusion with any other locations referred to as “Ancient Lakes.” Additionally, TTB notes that GNIS shows no other area located within the Columbia Valley region, including within the existing Columbia Valley viticultural area, that is designated as “Ancient Lake” or “Ancient Lakes.”

“Ancient Lakes” is a name commonly used by local residents and businesses for the general region near the cluster of three lakes appearing on the Babcock Ridge map. The petitioners submitted a newspaper article, area maps, and printed documentation of online news articles that demonstrate such usage. The newspaper article concerned a geological tour of the Quincy Valley and listed one of the tour stops as the “incised coulees of the Ancient Lakes area” (“Geological touring.” Quincy Valley Post-Register, September 10, 2005). An online news article on desert recreation in Washington State from the Web site of The Oregonian newspaper is titled “Ancient Lakes provide water for wildlife in Washington’s sagebrush desert” (OregonLive.com, March 31, 2010). The Wenatchee Area Wine Trail Map denotes an area surrounding several wineries as the “Ancient Lakes Area.” Also, a vacation guide map of Grant County, Washington, designates a cluster of three lakes within the proposed viticultural area as “Ancient Lakes.” The petition also includes a series of letters submitted by county and State government officials, a Member of Congress, and businesses within the general region of the proposed viticultural area, and area winemakers that support both the establishment of the proposed viticultural area and the use of the Ancient Lakes name.

Boundary Evidence

The proposed Ancient Lakes of Columbia Valley viticultural area is located within a bowl-shaped formation known as the Quincy Basin, which lies within the larger Columbia Valley region of central Washington. Most of the proposed viticultural area is within Grant County, with small parts in Douglas and Kittitas Counties. The proposed Ancient Lakes of Columbia Valley viticultural area is 12 miles from east-to-west and 22 miles from north-to-south, according to USGS maps. The Columbia River forms the western portion of the proposed boundary line. The Babcock Bench and Babcock Ridge formations, which run north and south along the eastern side of the river within the proposed viticultural area, rise sharply before descending to the lower slopes of the floor. The Potholes Coulee, a distinctive feature within the proposed viticultural area, juts from the Babcock Bench into the floor of the Quincy Basin. The coulee consists of two parallel, steep-sided canyons running west to east, perpendicular to the Babcock Bench. When viewed from above, the coulee has a horseshoe shape, with the Babcock Bench forming the bottom of the horseshoe. The coulee is dotted with lakes, including the cluster of three lakes identified as Ancient Lake on the USGS Babcock Ridge map.

Two east-to-west mountain ranges, Beezley Hills and Frenchman Hills, define the respective northern and southern edges of the Quincy Basin. These ranges also form the north and south portions of the boundary line of the proposed Ancient Lakes of Columbia Valley viticultural area.

The USGS maps show that the eastern portion of the proposed boundary line closely follows the north-to-south Frenchman Hills Wasteway. TTB notes that the wasteway is a manmade irrigation canal. The proposed eastern boundary line is in the region where the Beezley Hills begin to curve to the north and the Frenchman Hills begin to curve to the south, pulling away from their basin-forming shape and marking the eastern edge of the Quincy Basin.

The western portion of the proposed boundary line follows the western shoreline of the Columbia River in Kittitas County. The mountainous landscape to the west of the Columbia River (outside of the proposed viticultural area) marks the western edge of the Quincy Basin. Much of the land to the west of the Columbia River outside of the proposed viticultural area is designated as a wildlife refuge by the Washington State Department of Game and Wildlife, and, according to the petitioners, is unlikely to be available for agricultural purposes.

Distinguishing Features

The distinguishing features of the proposed Ancient Lakes of Columbia Valley viticultural area are topography, soils, and climate.

Topography

The proposed viticultural area is located within a distinctive landform locally referred to as the Quincy Basin. The basin has elevations lower than the surrounding area and slopes gently to the east. As previously noted the foothills of the Beezley Mountains and the Frenchman Hills form the northern and southern portions of the proposed boundary. The foothills of the Beezley Hills within the proposed viticultural area start at around 1,300 feet near the town of Quincy and rise to around 1,600 feet at the northern portion of the proposed boundary line. In the foothills
The floor of the basin comprises most of the proposed viticultural area and is much flatter than most of the surrounding region. The Babcock Bench, Babcock Ridge, and the Potholes Coulee provide the only significant elevation changes and slope gradients within the basin. The Babcock Bench begins as a narrow band of nearly flat land within the proposed viticultural area, with an elevation of 570 feet at the edge of the river, and quickly rises to the east to form a steep and rugged terrain. At about the 1,100-foot elevation, the slopes of the Babcock Bench become even steeper and higher, forming the Babcock Ridge, with elevations up to 1,586 feet. A map submitted with the petition shows slope gradients of 54 to 63 percent on the Babcock Ridge. The eastern slopes of Babcock Ridge are less steep than the western slopes, with slope gradients of approximately 27 percent, and descend to the lower elevations of the Quincy Basin floor. The highest elevation on the Potholes Coulee is a 1,328-foot peak on the rim. The three lakes identified as Ancient Lake on the USGS map have an elevation of 821 feet at water level, which is the lowest elevation in the coulee. The floor of the Quincy Basin has a nearly flat topography and slopes downward gently and gradually towards the east from the Potholes Coulee and Babcock Ridge, with a sloping gradient of less than 4 percent.

To the north of the proposed viticultural area, the slope gradient is much steeper and the elevations are much higher. The Beezley Hills rise from the foothills to an elevation of 2,882 feet at Monument Hill. Slope gradients in the hills range from 27 to 54 percent, much steeper than the floor of the Quincy Basin within the proposed viticultural area.

To the east of the proposed viticultural area, the topography is nearly flat, similar to the floor of the Quincy Basin within the proposed viticultural area. However, the slight elevations of the region to the east of the proposed viticultural area have mostly western-facing slopes, in contrast to the mostly eastern-facing slopes of the basin floor within the proposed viticultural area. The terrain east of the proposed viticultural area also develops an upward slope with a gradient of approximately 11 percent. The change in slope and the increase in gradient mark the eastern edge of the Quincy Basin.

To the south of the proposed viticultural area are the Frenchman Hills, which form the southern edge of the Quincy Basin. Outside of the proposed viticultural area, the elevations of the Frenchman Hills begin to descend from a height of around 1,740 feet, transitioning into the feature known as the Royal Slope. The Royal Slope descends to approximately 1,000 feet and has slope gradients ranging from 4 to 11 percent.

To the west of the Babcock Bench and Columbia River, beyond the boundary of the proposed viticultural area, the terrain is rugged and steep, with slope gradients of between 27 to 54 percent. Elevations in this region start at 580 feet along the banks of the Columbia River and quickly rise to 2,765 feet at a peak on the West Bar map.

Soils

The proposed Ancient Lakes of Columbia Valley viticultural area contains 65 soil types (United States Department of Agriculture-Natural Resources Conservation Service (USDA–NCRS), http://datagateway.nrcs.usda.gov), with the most common 17 soils within the proposed viticultural area covering 88 percent of the land surface. The Ancient Lakes region soils are classified as Aridisols, which were formed in arid conditions and have a low presence of organic matter. Soils with low levels of organic matter are important in viticulture because they release less nitrogen, resulting in less vigorous vine growth and a more favorable fruit-to-canopy ratio.

The petition includes two tables that describe the soil composition of the proposed Ancient Lakes of Columbia Valley viticultural area and the areas due north, east, south, and west. The first table lists the seven most common soil series in the proposed viticultural area and the percentage (and rank) of the series in areas due north, east, south, and west. The second table lists the top five soil series in the areas surrounding the proposed viticultural area. The tables show significant contrasts in soils within and outside of the proposed Ancient Lakes of Columbia Valley viticultural area.

<table>
<thead>
<tr>
<th>Soil Series</th>
<th>Proposed viticultural area</th>
<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quincy fine sand</td>
<td>18.49 (1)</td>
<td>0.71 (40)</td>
<td>36.5 (1)</td>
<td>7.41 (5)</td>
<td>0</td>
</tr>
<tr>
<td>Warden very fine sandy loam</td>
<td>11.65 (2)</td>
<td>0.07 (92)</td>
<td>0.11 (20)</td>
<td>0.42 (26)</td>
<td>0</td>
</tr>
<tr>
<td>Taunton silt loam and loamy fine sand</td>
<td>9.91 (3)</td>
<td>0</td>
<td>7.75 (4)</td>
<td>9.76 (3)</td>
<td>0</td>
</tr>
<tr>
<td>Sagehill very fine sandy loam</td>
<td>8.92 (4)</td>
<td>0</td>
<td>1.76 (11)</td>
<td>7.55 (4)</td>
<td>0</td>
</tr>
<tr>
<td>Shano silt loam</td>
<td>6.63 (5)</td>
<td>0</td>
<td>0</td>
<td>3.69 (9)</td>
<td>0</td>
</tr>
<tr>
<td>Malaga gravelly sandy loam</td>
<td>5.36 (6)</td>
<td>0</td>
<td>0.06 (22)</td>
<td>0.42 (25)</td>
<td>0</td>
</tr>
<tr>
<td>Adkins very fine sandy loam</td>
<td>3.36 (7)</td>
<td>0</td>
<td>0</td>
<td>4.76 (7)</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rank</th>
<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ...</td>
<td>Toler ashy fine sandy loam</td>
<td>Quincy fine sand</td>
<td>Malaga gravelly sandy loam</td>
<td>Pits</td>
</tr>
<tr>
<td>2 ...</td>
<td>Esquatzel silt loam</td>
<td>Malaga loamy fine sand</td>
<td>Timmerman coarse sandy loam</td>
<td>Taunton silt loam and loamy fine sand.</td>
</tr>
<tr>
<td>3 ...</td>
<td>Ritzville silt loam</td>
<td>Taunton loamy fine sand</td>
<td>Quincy fine sand</td>
<td>Scoon silt loam</td>
</tr>
<tr>
<td>4 ...</td>
<td>Argaback very cobbly loam</td>
<td>Thomson very fine sandy loam</td>
<td>Prosser very fine sandy loam</td>
<td>Adkins very fine sandy loam</td>
</tr>
<tr>
<td>5 ...</td>
<td>Bagdad silt loam</td>
<td>Esquatzel silt loam</td>
<td>Tekson very fine sandy loam</td>
<td>Malaga very fine sandy loam</td>
</tr>
</tbody>
</table>

To the north of the proposed Ancient Lakes of Columbia Valley viticultural area, the five most common northern soils are all Mollisols, which have high levels of organic matter that can contribute to more vigorous vine growth than the Aridisols of the proposed viticultural area. The most common northern soil series shows influence...
from volcanic activity. Volcanic soils tend to have water repellant characteristics and provide irrigation challenges.

To the east, Quincy fine sand and Taunton loamy fine sand are two of the five most common soils, similar to the proposed Ancient Lakes of Columbia Valley viticultural area. However, there are fewer soil types to the east than within the proposed viticultural area, and a higher percentage of the soils to the east are sandy soils. Soils high in sand have lower water holding capacities than less sandy soils.

To the south, all of the seven most common soils in the Ancient Lakes region are present; however, these soils account for only 24.72 percent of the soil composition. Schawana complex soils, which are not present within the proposed viticultural area, are the most dominant in the area to the south of the proposed viticultural area, comprising 15.43 percent of the soils. Schawana complex soils are described as very weakly developed soils with very shallow depths that are not particularly well suited for viticulture.

The region to the west contains none of the seven most common soils found within the proposed viticultural area. Two of the most common soils to the west are of volcanic origin, as indicated by the presence of ash. These soils, like the volcanic soils to the north of the proposed viticultural area, have low water holding capacities. The most common soils to the west also contain large quantities of stones and cobbles, which also have low water holding capacity.

Climate

The proposed Ancient Lakes of Columbia Valley viticultural area lies entirely within, and is approximately 0.01 percent the size of, the Columbia Valley viticultural area. The 11.6 million acre Columbia Valley viticultural area was established by T.D. ATF–190, which published in the Federal Register on November 13, 1984. T.D. ATF–190 describes the Columbia Valley as a large, treeless basin surrounded by the Yakima, Snake, and Columbia Rivers in portions of Washington and Oregon. The topography of the Columbia Valley viticultural area was described as a rolling terrain, cut by rivers and broken by long, sloping, basaltic, east-west uplifts. In addition, T.D. ATF–190 states that the Columbia Valley viticultural area is dominated by major rivers and has a long, dry growing season characterized by an average growing season of 150 days or more; 2,000 GDD units or more; and 15 inches of rainfall or less annually.

The information submitted in the petition shows that the smaller proposed Ancient Lakes of Columbia Valley viticultural area generally has a climate that fits within the climate range of the larger Columbia Valley viticultural area as described in T.D. ATF–190, with low annual precipitation, a growing season of 180 days, and 2,570 GDD units. However, TTB notes that the relatively uniform distinguishing features of the smaller proposed Ancient Lakes of Columbia Valley viticultural area contrast to the more varied topography, soils, and climate of the expansive Columbia Valley viticultural area.

Like the Columbia Valley viticultural area, the proposed Ancient Lakes of Columbia Valley viticultural area is also a basin, ringed by the steep slopes of the Beezley Hills, the Babcock Bench, and the Frenchman Hills. However, the Columbia Valley viticultural area is marked by three major rivers, whereas data included in the tables is for the only two complete years available from that station.

Comparison of the Proposed Ancient Lakes of Columbia Valley to the Existing Columbia Valley Viticultural Area

The proposed Ancient Lakes of Columbia Valley viticultural area is shorter in duration than the proposed viticultural area and drop below 50 degrees F frequently. Number of GDD units, temperatures also climb high enough above 50 degrees, the minimum temperature required for grapevine growth ("General Viticulture," by Albert J. Winkler, University of California Press, 1974, pages 61–64.)

<table>
<thead>
<tr>
<th>Location</th>
<th>Proposed viticultural area</th>
<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precipitation in inches</td>
<td>6.49</td>
<td>10</td>
<td>7</td>
<td>7.03</td>
<td>8.18</td>
</tr>
<tr>
<td>GDD units</td>
<td>2,570</td>
<td>2,640</td>
<td>2,551</td>
<td>2,784</td>
<td>2,169</td>
</tr>
<tr>
<td>Number of continuous GDD days</td>
<td>182</td>
<td>186</td>
<td>175</td>
<td>153</td>
<td>152</td>
</tr>
</tbody>
</table>

1 In the Winkler climatic classification system, annual heat accumulation during the growing season, measured in annual GDD, defines climatic regions. One GDD accumulates for each degree Fahrenheit that a day’s mean temperature is above 50 degrees, the minimum temperature required for grapevine growth ("General Viticulture," by Albert J. Winkler, University of California Press, 1974, pages 61–64.)

2 According to the petitioner, the Wenatchee Heights weather station went online in December 2008. The data included in the tables is for the only four complete years available from that station.
believes that a determination of Oregon as well as Washington, so TTB Information Service, the "Ancient (1) According to Geographic Names or "Columbia Valley," would have proposed viticultural area name believe that any single part of the viticultural area's name as an a brand name, including a trademark, or Consequently, wine bottlers using area, its name, "Ancient Lakes of the wine's true place of origin. If TTB indicates or implies an origin other than any label reference on a wine that approved as a viticultural area * * * ." Therefore, the proposed part 9 regulatory text set forth in this document specifies only "Ancient Lakes of Columbia Valley" as a term of viticultural significance for purposes of part 4 of the TTB regulations. For a wine to be eligible to use a viticultural area name as an appellation of origin or a term of viticultural significance in a brand name, at least 85 percent of the wine must be derived from grapes grown within the area represented by that name or term, and the wine must meet the other conditions listed in 27 CFR 4.25(e)(3). If the wine is not eligible to use the viticultural area name as an appellation of origin and that name or other term of viticultural significance appears in the brand name, then the label is not in compliance and the bottler must change the brand name and obtain approval of a new label. Similarly, if the viticultural area name or other term of viticultural significance appears in another reference on the label in a misleading manner, the bottler would have to obtain approval of a new label. Different rules apply if a wine has a brand name containing a viticultural area name or other term of viticultural significance that was used as a brand name on a label approved before July 7, 1986. See 27 CFR 4.39(i)(2) for details.

Maps
The petitioner provided the required maps, and TTB lists them below in the proposed regulatory text.

Impact on Current Wine Labels
Part 4 of the TTB regulations prohibits any label reference on a wine that indicates or implies an origin other than the wine’s true place of origin. If TTB establishes this proposed viticultural area, its name, “Ancient Lakes of Columbia Valley,” will be recognized as a name of viticultural significance under 27 CFR 4.39(i)(3). The text of the proposed regulation clarifies this point. Consequently, wine bottlers using “Ancient Lakes of Columbia Valley” in a brand name, including a trademark, or in another label reference as to the origin of the wine, will have to ensure that the product is eligible to use the viticultural area’s name as an appellation of origin.

On the other hand, TTB does not believe that any single part of the proposed viticultural area name standing alone, that is, “Ancient Lakes” or “Columbia Valley,” would have viticultural significance in relation to this proposed viticultural area because: (1) According to Geographic Names Information Service, the “Ancient Lakes" area name refers to locations in Oregon as well as Washington, so TTB believes that a determination of “Ancient Lakes” as a term of viticultural significance could lead to consumer and industry confusion and should be avoided; and (2) “Columbia Valley,” standing alone, is locally and nationally known as referring to the established Columbia Valley viticultural area (27 CFR 9.74), which is already a term of viticultural significance under 27 CFR 4.39(i)(3), which states that “[a] name has viticultural significance * * * when approved as a viticultural area * * * .” Therefore, the proposed part 9 regulatory text set forth in this document specifies only “Ancient Lakes of Columbia Valley” as a term of viticultural significance for purposes of part 4 of the TTB regulations.

Your comments must reference Notice of Proposed Rulemaking Page 1 of 10 27005

TTB Determination
TTB concludes that the petition to the proposed viticultural area will have on an existing viticultural enterprise. TTB is also interested in receiving suggestions for ways to avoid conflicts, for example, by adopting a modified or different name for the viticultural area.

Submitting Comments
You may submit comments on this notice by using one of the following three methods:
• Federal e-Rulemaking Portal: You may send comments via the online comment form posted with this notice within Docket No. TTB--2012--0003 on “Regulations.gov,” the Federal e-rulemaking portal, at http://www.regulations.gov. A direct link to that docket is available under Notice No. 128 on the TTB Web site at http://www.ttb.gov/wine/wine_rulemaking.shtml. Supplemental files may be attached to comments submitted via Regulations.gov. For complete instructions on how to use Regulations.gov, visit the site and click on the “Help” tab at the top of the page.
• U.S. Mail: You may send comments via postal mail to the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044–4412.
• Hand Delivery/Courier: You may hand-carry your comments or have them hand-carried to the Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW, Suite 200E, Washington, DC 20005.

Please submit your comments by the closing date shown above in this notice. Your comments must reference Notice
an appointment or to request copies of comments or other materials.

**Regulatory Flexibility Act**

TTB certifies that this proposed regulation, if adopted, would not have a significant economic impact on a substantial number of small entities. The proposed regulation imposes no new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of a viticultural area name would be the result of a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no regulatory flexibility analysis is required.

**Executive Order 12866**

This proposed rule is not a significant regulatory action as defined by Executive Order 12866. Therefore, no regulatory assessment is required.

**Drafting Information**

Karen A. Thornton of the Regulations and Rulings Division drafted this notice.

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

Wine.

**Proposed Regulatory Amendment**

For the reasons discussed in the preamble, TTB proposes to amend title 27, chapter I, part 9, Code of Federal Regulations, as follows:

**PART 9—AMERICAN VITICULTURAL AREAS**

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


**Subpart C—Approved American Viticultural Areas**

2. Subpart C is amended by adding § 9.12 to read as follows:

   (a) Name. The name of the viticultural area described in this section is "Ancient Lakes of Columbia Valley".
   For purposes of part 4 of this chapter, "Ancient Lakes of Columbia Valley" is a term of viticultural significance.
   (b) Approved maps. The United States Geological Survey (USGS) 1:24,000 scale topographic maps used to determine the boundary of the Ancient Lakes of Columbia Valley viticultural area are titled:
   (1) West Bar, Washington, 1966;
   (2) Rock Island Dam, Washington, 1966;
   (4) Monument Hill, Washington—Grant County, 1966;
   (5) Ephrata SW, Washington—Grant County, 1956;
   (6) Winchester, Washington—Grant County, 1966;
   (8) Royal City, Washington—Grant County, provisional edition 1986 (formerly named Smyrna);
   (9) Beverly NE, Washington—Grant County, 1965;
   (11) Ginkgo, Washington, 1953, photoinspected 1978; and

   (c) Boundary. The Ancient Lakes of Columbia Valley viticultural area is located in Douglas, Grant, and Kittitas Counties in central Washington. The boundary of the Ancient Lakes of Columbia Valley viticultural area is as described below:

   (1) The beginning point is on the West Bar map where the western shoreline of the Columbia River in Kittitas County intersects with the north boundary line of section 8, T20N/R22E. Proceed east along the section boundaries for approximately 4.35 miles, over the Columbia River and into Douglas County, to the intersection of the line with the Grant and Douglas Counties common boundary line (concurrent with the R22E and R23E common line) at the northwest corner of section 12, T20N/R22E; then

   (2) Proceed north along the Grant and Douglas Counties common boundary line for approximately 2.25 miles, onto the Rock Island Dam map, to the northwest corner of section 31, T21N/R23E; then

   (3) Proceed east in a straight line along the section boundaries for approximately 12.1 miles, over the Appledale and Monument Hills maps, onto the Ephrata SW map to the intersection of the line with the R24E and R25E common line at the northwest corner of section 36, T21N/R24E; then

   (4) Proceed south along the R24E and R25E common line for approximately 22.5 miles, over the Winchester and Winchester SW maps, onto the Royal City map, passing over the West Canal and into the Frenchman Hills, to the southwest corner of section 12, T17N/R24E (concurrent with the intersection of the R24E and R25E common line and a single transmission line); then

   (5) Proceed west in a straight line along the section boundaries (marked for 3 sections by the single transmission line) for approximately 4 miles, onto the Beverly NE map, to the southwest corner of section 9, T17N/R24E; then...
DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 162
[Docket No. USCG–2011–1086]
RIN 1625–AB84

Inland Waterways Navigation Regulations

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would amend the inland waterways navigation regulations. Specifically, this rule proposes to redefine the geographical points which currently demarcate an area of the Detroit River in which certain vessels are restricted to speeds not greater than 12 statute miles per hour (10.4 knots).

DATES: Comments and related materials must reach the Coast Guard on or before July 9, 2012.

ADDRESSES: You may submit comments identified by docket number USCG–2011–1086 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) Online: http://www.regulations.gov.


(3) Hand delivery: Room W12–140 on the Ground Floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.


FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or email LT Adrian Palomeque, Prevention Department, Sector Detroit, Coast Guard; telephone (313) 568–9508, email Adrian.F.Palomeque@uscg.mil. If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to http://www.regulations.gov and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT’s “Privacy Act” paragraph below.

Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG–2011–1086), indicate the specific section of this document to which each comment applies, and give the reason for each comment. We recommend that you include your name and a mailing address, an email address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission. You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under ADDRESSES; but please submit your comments and material by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov at any time. Enter the docket number for this rulemaking (USCG–2011–1086) in the “Keyword” box, and click “Search.” You may also visit either the Docket Management Facility in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays; or the U.S. Coast Guard Sector Detroit, 110 Mount Elliott Avenue, Detroit, MI 48207, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation’s Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477), or you may visit http://DocketsInfo.dot.gov.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one to the Docket Management Facility at the address under ADDRESSES explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

Basis and Purpose

Recently, representatives from the Lake Carriers’ Association, the Lakes Pilots Association, the International Shipmasters Association, and the Canadian Shipowners Association made a request of the Coast Guard regarding 33 CFR part 162. Particularly, these groups requested that the Coast Guard amend, via federal rulemaking, 33 CFR 162.138(a)(1)(ii), which requires vessels on the Detroit River north of the Detroit River Light to operate at no more than 12 statute miles per hour. In response to the request, the Coast Guard’s Ninth District Commander, in consultation with the Captain of the Port, Sector Detroit, Windsor Port Authority, Transport Canada, and the Canadian Coast Guard, assessed the necessity and utility of the aforementioned regulatory provision and determined that the southern point of the restricted speed area in 33 CFR 162.138(a)(1)(ii) should