

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 features (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 the features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and
- (e) A copy of the appropriate U.S.G.S. map(s) with the boundaries prominently marked.

Petition

ATF has received a petition from Mr. George Rosenthal, President of Rancho Escondido, Inc., proposing to establish a new viticultural appellation in the Malibu area of Los Angeles County, California, to be known as "Malibu-Newton Canyon." The viticultural area, comprising approximately 850 acres, is located within Newton Canyon which is a bowl shaped valley located on the south facing side of the Santa Monica Mountains. Vineyards currently within the proposed viticultural area are located on the Rancho Escondido Estate. Rancho Escondido is comprised of approximately 157 acres, all of which lies within the proposed "Malibu-Newton Canyon" viticultural area. Approximately, 14 of these acres are planted with premium wine producing vineyards. Varietals include Cabernet Sauvignon, Merlot, Cabernet Franc, Chardonnay and Petite Verdot. Currently, there are no wineries located within the proposed "Malibu-Newton Canyon" area. The petition provides the following information as evidence that the proposed area meets the regulatory requirements discussed previously.

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

According to the petitioner, the origin of the name Malibu comes from the ancient Chumash Indian word MALA I BOO, meaning "Place on the Cliff," and was the name of an Indian village just beyond Malibu Beach. After the Spaniards took control of southern California, the encompassing Chumash ranchera UMALIBO became known as the Malibu Rancho. A Spanish settler, Jose Bartolome Tapia gained control of

the rancho and was later granted the land by the Governor of the Californias. The present day spelling appears on the name of the Topanga Malibu Sequit grant dated July 12, 1805. It originally totalled 13,315 acres, one of the largest southern California Ranchos at that time.

The petitioner further states that throughout the 19th century, Rancho Malibu changed hands many times but remained intact. Until the construction of the Pacific Coast Highway in the 1930's, the privacy of Rancho Malibu had not been invaded. With the burgeoning economy of southern California, conditions greatly changed. This historic rancho was finally subdivided during the same decade. Following soon after, the famous Malibu Beach Colony was established where movie stars and industry moguls began constructing their homes. The Malibu area then quickly developed into the highly recognized community of Los Angeles as it is known today.

Throughout this region there exists topography in the form of roads, a creek, a lake, a canyon, a beach, hiking trails, parks, vistas, etc. which denote the name "Malibu." The region lying roughly from the ridge line of the Santa Monica Mountains to the ocean, and from Topanga Canyon to the Ventura County line is commonly known as Malibu, according to the petitioner. While the city of Malibu was incorporated in 1992, the entire surrounding area described above continues to be recognized as Malibu. "Malibu" could be applied to any of the hills/mountains which drain toward the ocean through the city of Malibu, including Newton Canyon, the location of the proposed viticultural area.

The petitioner provided a 1:250,000 scale Topographic-Bathymetric map of Los Angeles to document the use of the name, "Malibu." An article in the October 15, 1994, issue of the "Wine Spectator," entitled "A Vineyard Grows in Malibu Canyon," refers to the area around "The Malibu Estate" (Rancho Escondido, Inc.) as "Malibu Hills." Also, included as an exhibit was a copy of an article from, "The Underground Wine Journal," 1994, entitled, "Distinctive New Wines." This article refers to "The Malibu Estate" as being located "in the hills above Malibu."

According to the petitioner, the name "Newton Canyon" is generally known as describing the specific area in which the proposed viticultural area is located. This is evidenced by the name of the main street running through the proposed viticultural area—"Newton Canyon Road." In addition, maps of the area, including the U.S.G.S. map

referenced and shown within the petition, label the area as, "Newton Canyon." The petitioner states that, "Newton Canyon alone is not descriptive enough to describe the general location of the proposed viticultural area, and further, might possibly cause public confusion in relation to Newton Vineyards, located in the Napa Valley." Therefore, the petitioner proposed the name, "Malibu-Newton Canyon."

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

The boundaries of the proposed "Malibu-Newton Canyon" viticultural area follow the natural ridge lines which define Newton Canyon and are delineated on the U.S.G.S. Point Dume, California, quadrangle map.

Newton Canyon is a bowl shaped valley located on the south facing side of the Santa Monica Mountains, in the Malibu area of Los Angeles County. The canyon is oriented along an east-west axis. The valley floor lies at an elevation of approximately 1,400 feet. The surrounding ridgeline ranges in elevation from 1,800–2,100 feet on the southern ocean side of the canyon, continuing to 2,100–2,800 feet on the high side of the canyon to the north.

According to the petitioner, the elevation of the southern rim of the canyon is low enough to allow evening fog to sift into the valley, but high enough to keep out the marine layer that shrouds much of the coastline throughout the daytime. The northern rim of the canyon joins the crest of the Santa Monica Mountains that divides oceanside from leese. Lying at the eastern most side of the canyon, Castro Peak is another distinguishing feature which marks one of the highest points in the Santa Monica Mountains at 2,824 feet.

The petitioner further states that approximately two-thirds of the surrounding Malibu area contains slopes greater than 25 percent, with only one-fifth having relatively level terrain. Throughout the past several decades, most of the usable land in the Malibu area has been developed. Because of increasingly high land prices, very little of the land in the general Malibu area is still used for agriculture. The Santa Monica Mountains also have thousands of acres dedicated to State and national parks, with more acreage being aggressively acquired by public conservation agencies.