



Vineyard and Cellars

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June 03, 2005

Chief  
Regulations and Procedures Division  
Alcohol and Tobacco Tax and Trade Bureau  
Attn: Notice No. 39  
**P.O. Box 14412**  
**Washington, DC 20044-4412**

**Dear Sir or Madam:**

**Please accept** this letter as my opposition in response to Notice No 39 in the Federal Register/Vol. 70, No. 67 Friday April 8, 2005/Proposed Rules.

Along with my husband, I am the owner, operator, chief cook and bottle washer of Monte Alegre Vineyard established in 1995 in Carbondale, Illinois. I object to the establishment of the Shawnee Hills AVA on the following points within Section 9.3(b) of the TTB regulations.

*Evidence that the proposed viticultural area is locally and/or nationally known by the name specified in the petition.*

In actuality the name Shawnee Hills is know as a small, five or six winery, wine trail. It is private and restricted and represents a very small geographic area. Its approximately 10-mile by 15-mile area is only about 7% of the proposed AVA.

All of the background data submitted relevant to the use of this **name** in this area does not change the fact that the name already represents something other than the proposed AVA. Shawnee Hills is a very small fraction of the proposed area and the proposal does not take into account that the reputation of southern Illinois for grape growing and wine making already accepted by the public is a much broader area which includes all of southern Illinois.

- Historical** or current evidence that supports setting the **boundary** of the **proposed** viticultural area as the petition specifies.

The information in Notice No. 39 states, "The proposed area contained 1,250 acres of vineyards in 1890, and vintners produced 19,750 gallons of wine in 1891, the petition adds, citing "Grape and Wine Production in Illinois from 1983 to Present," by R.M. Skirvin, et. al., in "Illinois Grape Growers and Vintners Association conference proceeding," (2000). However, in the article "History of grape and wine production in Illinois since 1893" by R.M Skirvin, A.G. Otterbacher, Daniel and Sheryll Clegg, I. Dami and S. Menke from the Proceedings 2000 Illinois Small Fruit and Strawberry Schools. Univ. of Illinois NRES 2:1-9; the 19,750 gallons of wine were produced in the much broader southern Illinois region. As defined in the article, "Illinois has 102 counties (Figure 1) that are historically divided into three climatic zones: north, central, and south (Dunlap1893a,b;Http://www.growit.com/bin/USDAZoneMaps.exe?MyState=IL)...and the southern region is that zone south of Interstate 70 to the Ohio River." In **addition**, the **article** lists **grape production broken** down by county for the southern region and many of those counties with the highest production have been only partially included in the proposed AVA and many have been left out entirely. For example, less than 25% of Pulaski County is included in the proposed AVA; however, they produced 3,000,000 pounds of grapes in 1893 and accounted for over *half* of the production of the region in 1900. Therefore, the historical context requires a broader more representative area for the AVA.

Evidence of the past ten years will show that vineyards through out the broader southern Illinois region provide grapes to the wineries within the restricted boundaries of the proposed AVA. There is no evidence of distinguishing features to the wine in relation to the location in southern Illinois where the grapes were grown. And more importantly there is no distinguishing separation in the mind of the consumer.

- Evidence relating to the geographical features, such as climate, soils, elevation, and physical features that disinguish the proposed viticultural area from the surrounding areas;*

In my review of the data provided in the proposal in relation to the referenced source, Midwest Climate Center, I noted that the web address [Mpil/mcc.sws.uicu.edu/summary](http://mpil/mcc.sws.uicu.edu/summary) did not easily yield the required references. Also the heat summation data was not in the summary as referenced and I could not find it through several attempts utilizing their search engine. And there are several discrepancies in the information. First, the only data shown in the prposal is for the extremes; Anna within the proposed AVA and Mt. Vernon and Cairo, excluded areas 40 miles to the north and 20 miles to the south of the proposed AVA boundaries respectively. However, a more thorough review of the data yielded information for many additional surrounding, but excluded, communities such as Benton, DuQuoin,

and Harrisburg indicating no substantial differentiation of climate. For example:

	Mean Average Annual Temperature in degrees Fahrenheit	Length of Growing Season 10%
Anna	56.6	174
Benton	55.9	176
DuQuoin	56.2	163
Harrisburg	55.9	170

Secondly, the current available information at the web site for the years 1971 to 2000 showed growing season information for Anna that was several days different from the older, 1961 to 1990 data used in the application. The updated information placed the Anna data much closer to that given for the surrounding excluded areas.

Thirdly, information that showed greater similarity across the region was not given in the application. For example, I found precipitation data for twenty measuring sites in southern Illinois. The eight sites within the proposed AVA had average sites annual precipitation from 34.93 in. to 48.70 in. with an average of 44.16 inches. Data for the 12 sites excluded from the AVA had levels ranging from 39.02 in. to 47.84 in. with an average of 43.71 inches.

There are many more comparisons to be made and different conclusions could be drawn but the bottom line is that there is no significant variation in climate to justify the **proposed** boundaries of the AVA. In **addition**, the required length of growing season for grapes is exceeded through out the southern Illinois region.

Also please note that the rolling hilly topography also provides good drainage and air flow through the vineyards located outside the proposed AVA. Soil information varies widely throughout the region and is at best very generalized.


Again southern Illinois is described as the area south of I-70 and is designated as having similar climate and geological characteristics in **answer.com** an on-line **encyclopedia** by **Houghton Mifflin Co.** "The **third** division is Southern Illinois, or Little Egypt, distinguished from the other two by its warmer climate, different mix of crops (including some cotton farming in the past), more rugged unglaciated topography, coal mining, and proximity to the juncture of the Mississippi River and Ohio River. ... This division comprises the area generally along and south of Interstate 70."

It is important to note the many vineyards and wineries in close proximity to the proposed AVA which will be excluded should this Shawnee Hills AVA be

approved. They would be unfairly disadvantaged while the character of the grapes grown and the wine produced does not vary from that of the area within the proposal. Our vineyard, for example, is excluded by approximately **one quarter** of a mile.

In addition, I respectfully request that **the information in the proposal be** reviewed by the ATTB for accuracy, as I was not able to access all of the references. Some of the points, which I noticed in my review, previously mentioned, are the many discrepancies in the climate data, the use of outdated information and the use of historical regional production data incorrectly as coming from the proposed AVA. Dr. Imed Dami, who also co-authored this AVA proposal, took this data from his own work. Although Dr. Dami was the Illinois State Viticulturist from ~1999 to 2003, it is my understanding that he has not been for approximately the last two years yet he is titled as such in the April 8, 2005 Federal Register. All of this leads me to question the care with which this proposal was prepared.

In conclusion, in reviewing the historical and current boundaries of the grape and wine industry in the southern Illinois region it becomes obvious that it encompasses a larger area than the proposed Shawnee Hills AVA. I thank you for the opportunity to comment and respectfully request that the petition be denied.

  
Very truly yours,

Beth Ponce, Owner  
Monte Alegre Vineyard