

AMERICAN VITICULTURE AREA PETITION FOR

**MALIBU COAST
CALIFORNIA**

WRITTEN & SUBMITTED BY

RALPH JENS CARTER

ON BEHALF OF

THE WINE GRAPE GROWERS OF THE AREA

INTRODUCTION

The Malibu Coast proposed AVA is in southwestern Los Angeles County and southeast corner of Ventura County, California, and much of it lies within the Santa Monica Mountain National Recreational Area (SMMNRA) It is bounded on the north by Newbury Park, Greenwich Village, Thousand Oaks, Westlake Village, Agoura Hills and a total of about 20 urban development exits along the Highway 101 corridor. On the east lie the cities of Beverly Hills and Hollywood. To the south is the Pacific Ocean and on the west are the cities of Oxnard and Camarillo. The area is approximately 46 miles long and 8 miles wide. The Malibu Coast proposed AVA is comprised of privately owned lands evenly scattered throughout the SMMNRA and amounts to less than 53% of the land area within the Recreational Area. There are two pre-existing AVA's in the general area: Saddle Rock Malibu (2090 acres) and Malibu-Newton Canyon (850 acres).

The Malibu Coast proposed AVA comprised approximately 94,060 acres of privately owned lands evenly scattered throughout the 182,000 acre Santa Monica Mountain Recreational Area. This equates to less than 53% of the land area within the Recreational Area. The Santa Monica Mountains are unique example of a mediterranean ecosystem. Mediterranean areas are close to the sea but usually also close to a considerable land mass.

The Santa Monica Mountains have a history of continuous human occupation dating back more than 8000 years. Large Native American villages with foot traffic, use of fire, disposal of bones and shells impacted the soil, probably resulted in fewer shrubs and more grasses, annual herbs and bulbs than are typical of these soils today.

The first European explorer in the area was Cabrillo in 1542. During the 1700s and early 1800s, Franciscan friars established missions to claim the territory for Spain, which later granted tracts of land called "ranchos" to army veterans for raising cattle. In 1821, California became Mexican territory. Los Angeles businessman, Mathew Keller purchased 13,300 acres of the Rancho in 1857 and 17 years later gained title to Topanga Malibu Sequit. In 1891, Frederick and May Rindge purchased a large parcel of this ranch and it was their resistance to urban development that resulted in a legacy of open space in the Santa Monica Mountains, which continues today.

All of the land in the Santa Monica Mountain Recreation Area has burned at least once in the last 100 years. Some areas have burned as many as 6 times. Currently the vineyards in the area are small and often act as a effective fire buffer around homes thus coexisting with the flammability of the natural vegetation and the annual Santa Ana winds while assisting in the protection of lives and property in this area of historically repetitious wild fires.

The first documented vineyard in the area was planted on the Rancho Topanga Malibu Sequit by Jose Bartolome Tapia, who left it to his wife, Maria, in 1824. Matthew Keller, who purchased the land in 1857, planted hundreds of acres of grape vines in

Solstice Canyon and named it the Rising Sun Vineyard. The first modern day vineyard, The Malibu Vineyard, was planted in 1985 by Michael and Kim McCarty.

Today there are 48 commercial wine grape growers in the proposed viticulture area who have a combined total of 82.05 acres in production with several growers committed to expanding. There are no wineries in the area and five commercial tasting rooms. Although each vineyard is small, by most commercial standards, these growers have been utilizing nearby custom crush facilities and wineries, entering wine competitions, winning accolades, promoting and selling their wines.

The name Malibu appears to have originated in a Chumash word (*bu-*) *mal-iwu* meaning 'it makes a loud noise all the time over there', referring to the surf. Today it refers to a section of coast line, the adjacent land mass and 31 separate places in Los Angeles County, CA. Malibu Coast Fault is identified on the Geological Map of California. There are four businesses that utilize "Malibu Coast" in their names. Finally, one vineyard is known as "Malibu Coastal" Vineyard.

The boundaries take into careful consideration the marked differences in climate, soil, geology, elevation, topography, sun aspect and population density inside the proposed viticulture area from the surrounding area and are drawn accurately at this point of sharp contact.

The climate of the proposed Malibu Coast AVA is a unique transition zone, influenced by the proximity of the Pacific Ocean and the Santa Monica Mountains, placing it under occasional ocean influence and occasional hilltop influence. In Sunset Western Garden Book, Zone 20, which is the Santa Monica Mountains, adjacent to the coastal strip, is a climate made up of cold air and hilltops, and the adjacent Zone 21, comprises a thermal belt. In this transitional area, weather is influenced by both marine and interior air. In these transitional areas, climate boundaries often move 20 miles in 24 hours with the movement of air masses. The coastal strip, Zones 23 and 24, have ocean influence about 85% of the time, interior air rules only 15% of the time. Zones 23 and 24 both have a 12 month frost free growing season.

The close proximity to the ocean dramatically influences the grape growing conditions in the proposed area in two very notable ways: reflected light and increased humidity. The inland valleys, north of the Santa Monica Mountains (coastal hills) are very dry, especially during the afternoon in summer, when the relative humidity typically drops to 20% or 30% or lower, while the proposed area is often affected by coastal fog and typically higher humidity 50% to 70% even on summer afternoons. The inland areas by distance and intervening mountains do not receive the additional reflected light.

The heat summations, for the Malibu Coast proposed viticultural area, place it in a high Category II or low Category III of Amerine and Winkler's California Climatic Zones for wine-grape growing.

Precipitation in the area is 12" to 16" near the coast and increases with elevation to 30" per year on some of the Santa Monica Mountain peaks.

The parent material, from which the soils of the Malibu Coast proposed AVA are formed, are dominated by Conejo Volcanic rock with Diabase intrusions and is dated at 16.6 to 13.4 million years old. The geology north of the proposed area is Detrital Sediments of the Lindero Canyon, Monterey and Modelo Formations and is believed to be 5 million years old.

Elevation alone is a distinguishing feature as the proposed area is markedly higher in elevation than land in all surrounding directions. In the proposed area, elevations range from sea level to 3111' on Sandstone Peak. Outside the proposed area, about 10 miles to the north in Ventura County, lie the Simi Hills, a much lower elevation physical feature, in the 1800' to 2400' range. Simi Hills comprise about one third of the surrounding area to the north. The combined low lands of San Fernando Valley and Los Angeles Basin, in the easterly one third of the surroundings, have elevation ranges from sea level to 1000'. The entire southern half of the AVA is bounded by the Pacific Ocean, all at sea level. The westerly end of the proposed AVA, comprising about one sixth of the surroundings, is the very low Santa Clara River delta. The elevations here range from sea level to 100'.

In general, the topography of the proposed area is primarily a spectacular east-west oriented formation, which predominantly tilts southward, whereas the Simi Hills formation, north of the proposed area, does not have this tilting southward trend. Aspect is also traditionally regarded as viticulturally important. The soils of east, south and west facing slopes, in the northern hemisphere, receive more direct insolation (solar radiation) resulting in higher soil temperatures and greatest radiation of warmth to the vines either in early morning or at night and under cloud cover.

HISTORY & DEVELOPMENT

The Santa Monica Mountains have a history of continuous human occupation dating back more than 8000 years. They were home to two of the largest Native American tribes in California – the Chumash and Garielino/Tongva. Large villages existed throughout the range, as evidenced by more than 1,000 archeological sites within the National Recreation boundaries. The proposed Malibu Coast AVA is comprised of privately owned lands located within a portion of the National Recreational Area, which extends north of US Highway 101 into Simi Hills. The density of archeological sites in this mountain range is one of the highest in the world. The most significant impact on the soils occurred in areas of large villages where anthropic epipedons were formed and as a result of the use of fire as a management tool. Anthropic epipedons have a dark surface layer that formed as a result of long, continued use by humans. The disposal of bones and shells has supplied calcium and phosphorus to the soils; thus, the level of these elements is higher in these soils than in adjacent soils. Use of fire by Indians (Native Americans) probably resulted in fewer shrubs and more grasses, annual herbs and bulbs than are typical of these soils today. (Exhibit: 1-A, p. 1)

The first European explorer in the area was Juan Rodriguez Cabrillo, in 1542. It was colonization in the 1700s and early 1800s, by Franciscan padres, who brought settlers and established missions to claim the territory for Spain. The King of Spain rewarded veterans for faithful service by granting them “ranchos”. In 1802, Jose Bartoleme Tapia was given permission to graze his livestock and develop the Rancho Topanga Malibu Sequit as much as he could. In 1821, California became Mexican territory. Tapia's grand daughter, Maria and her husband Leon Prudhomme signed the title to this property in 1848, ironically on the same day that gold was discovered in California. After California became US territory, the Prudhomme's lost title and, in 1857, Irish immigrant and Los Angeles businessman, Matthew Keller (Don Mateo) purchased the 13,300 acres in the Santa Monica Mountains. His title too was disputed, but on August 19, 1872, President Ulysses S. Grant did “give and grant” the Rancho Topanga Malibu Sequit to Keller, since that time, all deeds to Malibu real estate are traceable to that grant. Mr. Keller left the land to his son, Henry W. Keller, who sold it to Frederick and May Rindge in 1891. This family's resistance to urban development resulted in a legacy of open space in the Santa Monica Mountains, which is still apparent today. (Exhibits: 1-A, pp. 1-2; 2-A; 2-B; 2-C)

The Santa Monica Mountains are dominantly steeply sloping mountain ranges with a few intervening flatter “valleys “ and ocean terraces. Building site development is dominantly in these flatter areas, although houses have been built on the steeper slopes in a few areas, such as on the mountains above the Malibu area, where the vineyards of the proposed area are located, which alone makes this proposed AVA very unique. Most other viticultural areas are comprised of at least a mix of mountain side as well as flat or nearly level vineyards, planted in large acreages well away from homes. Malibu Coast is comprised of nearly 50, small commercial growers, which is another extreme uniqueness on a different geographical order: statistics. And this is actually rather common in the Old World, Europe has several appellations where

historically small commercial growers have dominated the scene, usually selling their produce through a cooperative. The Malibu Coast growers use the services of custom crush facilities in a similar fashion. Alteration of the soil has occurred in these areas. (Exhibit: 1-A, pp. 1,2)

All of the land in the Santa Monica Mountains has burned at least once in the last 100 years. Some areas have burned as many as 6 times. Fanned by the high Santa Ana winds, fire reduces most native shrubs to charred stumps and ash. The dominant plant community, in the mountains, is chaparral, which is particularly susceptible to fire because of its thick growth and high concentration of volatile oils. Vineyards, which have displaced the chaparral thickets, sometimes provide an effective vegetative fire break near homes as attested to by homeowner and wine grape grower, John Gooden. Some are not as lucky. According to The Malibu Vineyard website, wine grape growing pioneers of the area, Michael and Kim McCarty, lost their home and two vineyard blocks to the Great Malibu Fire of 1993, but three of their vineyard blocks did survive. (Exhibits: 1-A, pp. 1, 2; personal conversation, John Gooden, Montage Vineyard; 3-B, The Malibu Vineyard)



Vineyard as a firebreak. Photo courtesy of Gabrielle Harris.

Portions of the Malibu Coast AVA are under the jurisdiction of the California Coastal Zone Conservation Commission, which was created in 1972 by Proposition 20 and later made permanent by the Legislature through adoption of the California Coastal Act of 1976. "It is the basic policy for coastal zone development to support natural resources of the coastal zone" and those lands of potential productive agriculture are included and identified as one such resource. (I-f2) The coastal commission further maps key resources including four agriculture categories: #3 of which is described as "areas supporting coastal related crops. "These are non-prime agriculture lands of any soil class other than I or II (prime agricultural land) currently supporting crops that may grow elsewhere but grow better in areas influenced by the coastal climate". The many wine tasting awards garnered by the growers of the proposed Malibu Coast AVA attest to this "growing better in a coastal climate" category. (See pages 8 & 9 for Malibu wines awards list) According to the USDA Soil Survey of the Santa Monica Mountains, less than 1% of the land is in the Prime I or II classification. The Coastal Commission's boundary generally is 1000 yards (.7 mile) inland from the high tide mark but may be up to 5 miles wide in some rural areas. Growers in the Coastal Zone are required to apply for a permit before building, planting or altering the ground in anyway. This permit can be costly. The fee is based on either Gross Square Footage or Development Cost, whichever is greater. An additional charge for Grading is also levied. (Exhibits: 4-A pp. 247, 326; 4-B; 4-C; 4D; 4-E; 1-A, p.144)

The level of resolve and perseverance required to build a vineyard, indicate that the growers have the dedication, conviction and passion, deserving AVA designation. It is certain that these growers would use an AVA appropriately, continuing to educate the public regarding the unique growing conditions of the Malibu Coast. With so many individual growers involved and the prevalence of hand selling would afford

many opportunities for this continuing education, thus giving the AVA the respect it deserves for many years to come.

In 1978, Congress established the Santa Monica Mountains National Recreation Area (SMMNRA) as part of the national park system. About 15% of the land in the Recreation area is administered by the Federal Government, about 22% is administered by the California Department of Parks and Recreation and about 53% is privately owned. The proposed AVA includes only the privately owned lands. It is in norm in portions of the nation, with high population densities, that the natural domain of land is regulated by many overlapping jurisdictions, where parks are governed by state or county while simultaneously located in City Corp. boundaries, which contains privately owned lands as well. An AVA classification for the Malibu Coast should meet with great acceptance from nearby and distant factions since the growers are numerous and have substantial history of cooperation with all authorities. The local Chamber of Commerce welcomed the idea of the Malibu Coast AVA as it was presented by John Gooden as one of their recent meetings. There is also the precedent of two AVAs already within the SMMNRA: Malibu Newton Canyon and Saddle Rock - Malibu. (Exhibits: 1-A, pp.1-2; 2-G)

Adjacent to the Santa Monica Mountain National Recreation Area (SMMNRA) are the major metropolitan areas of Los Angeles, the San Fernando Valley and cities such as Beverly Hills, Hollywood, Thousand Oaks and Ventura, with an approximate total population of 14 million, nearly five percent of the Nations population. A large number of California State parks and beaches are within the SMMNRA as well as many city, county, State and private parks and conservancy land. (Exhibit: 1-A, p. 2)

Currently, the SMMNRA protects the largest expanse of mediterranean ecosystem in the National park system. It is generally considered the world's largest "urban park", because it is bounded by urban development. (Exhibit: 1-A, p. 2)

Today, other notable agriculture in the Santa Monica Mountain Recreation Area includes Broome and Thornehill Ranches, which manage cattle on the mountains at the west end of the area. Several ranches in Hidden Valley produce grass hay and raise horses. In Las Virgenes Canyon, the water district raises a small acreage of corn and allows sheep to graze the land after harvest. Avocados and grapes are grown on hill sides in several small areas. Small areas scattered throughout the Recreational Area are used as nursery farms for ornamental and native plants. Many of the valleys throughout the area have historically been under agriculture at some time. An AVA designation would be a natural evolution to the persistent grape growing in the area. (Exhibit: 1-A, p. 2)

The first mention of vineyards in the Rancho Topanga Malibu Sequit, was Jose Bartholome Tapia's will, in 1824, bequeathing to his wife, Maria Francisca (Villalobos) Tapia, "...the vineyard with the little planting ground, and it is from where it is fenced to the ditch of the deceased Mariano Verdugo; to carry on the vineyard let her have the still, the kettle, two yoke of oxen, two pipes and three barrels." (Exhibit: 2-C))

Matthew Keller was instrumental in bringing agriculture to Los Angeles, both wine grapes and cotton. He imported winegrape stock from France and engaged in wine making. He planted many hundreds of acres of wine grapes near Solstice Canyon between 1857 and 1881, which he called the Rising Sun Vineyard. (Exhibits: 2-A; 2-B)

The Los Angeles Viticultural District was the foremost wine-producing region in California from the introduction of the wine grape at Mission San Juan Capistrano in 1779 through 1945 at which time there was a major shift from agriculture to industry and subsequent urban development. The majority of vineyards were in Pasadena, Pomona, Santa Ana and San Gabriel, but the 1888 report from the Secretary of the Board of State Viticultural Commissioners, entitled *Grape Growers and Wine Makers*, lists one grower in Santa Monica, a General Day. (Exhibit: 2-D)

Today there are forty eight commercial wine grape growers in the proposed viticulture area who have a combined total of 82.05 acres in production, with plans for 6.5 more acres. Vineyards range in size from one half to seven acres. These forty eight growers and this manner of small commercial grower style agriculture represents a new direction in agriculture and viticulture, one that exemplifies a marriage between a passion for growing premium wine in a locale of high priced land, beautiful setting and an inborn knowledge that by dotting over a small private vineyard each grower is likely to create quality and rewarding wine. (Exhibit: 3-A)

The current era of commercial vineyards began with The Malibu Vineyard, which was planted in 1985. There are no wineries in the proposed area. Prohibition closed wineries in Los Angeles County until the turn of this century. Recent revisions to the Zoning Ordinances allow wineries with vineyards in remote areas in order to support local agriculture, but there are continued restrictions prohibiting wineries within the boundaries of a National Recreation Area or 1 mile beyond those boundaries. There are five commercial tasting rooms, Cielo Malibu Estate, Malibu Family Wines, Rosenthal Family Estate, Malibu and Vine and Cornell Winery, which sells wines for many of the growers in the proposed area. Malibu wines are on the wine lists of a number of world class restaurants such as Nobu, Geoffrey's, Charlies, The Sunset, Michael's, Malibu Café and the Daily Grill. Some vineyards will schedule tastings by appointment but much of the wine produced is sold online, an adaptation to modern times. (Exhibits: 3-B, The Malibu Vineyard; 2-J)

Each vineyard is small, by most commercial standards ranging in size from one half to seven acres. These small vineyards receive close attention to all aspects of growing: site / variety / clone / rootstock selection, trellis, irrigation, fertilization, pruning and picking, often by the owner, placing these vineyards in the "boutique wines" classification, some even gaining cult status among collectors. These growers have been utilizing custom crush facilities in nearby Camarillo and Westlake Village or accessing world class facilities in the California Central Coast wine growing region for fermentation and wine making. Many of the growers have entered wine competitions, winning medals near home and at some of the country's largest, most

prestigious competitions as well as recognition in the leading wine magazines. These awards give credence to wine grapes growing better in this coastal climate. (Exhibit: 3-B)

VINEYARD	AWARD / RECOGNITION
Black Hills Farm	Lodi International 2009 - Silver – Private Reserve SF Chronicle 2009 - Bronze – Private Reserve SF Chronicle 2009 - Bronze - Cabernet
Bodegas Gomez de Malibu	Orange County Fair, 2009 – Bronze – '06 Syrah
Calabasas Vineyard	-Santa Barbara Co Fair 2011 - Best of Show - '09 Quatro Ninos -Santa Barbara Co. Fair 2011 -Gold – '08 Quatro Ninos - Orange Co. Fair 2011 -Gold - '08 Quatro Ninos -Ventura Co. Fair 2010 - Double Gold – '09 Quatro Ninos - Ventura Co. Fair 2010 - Gold – '08 Quatro Ninos -Orange Co. Fair 2010 - 2 nd Place – '08 Quatro Ninos -Ventura County Fair 2009 -Gold – '08 Quatro Ninos - Ventura County Fair 2009 - 2 nd Place – '07 Quatro Ninos
Church Estate Vineyards	97 points – Anthony Dias Blue The Tasting Panel magazine highest rating
Colcanyon Estate Wines	SF Chronicle 2011 - Double Gold - Meritage
Dolin Malibu Estate Vineyards	Finger Lakes International 2012 - Silver – Chardonnay 2010 SF Chronicle 2011 - Silver – Chardonnay SF Chronicle 2012 - Double Gold - Chardonnay
Los Robles Hill Winery	Central Coast Competition. 2010 - Silver – '08 Veritas Central Coast Competition. - Bronze – '08 Merlot West Coast Wine Competition 2011 - Bronze – '09 Trinity
Malibu Rocky Oaks	<u>Wine Enthusiast Buyers Guide 2012</u> 91 Points – '09 Reserve Cabernet Sauvignon
Malibu Sanity	SF Chronicle 2011 - Bronze – Chardonnay SF Chronicle 2011 - Bronze – Pinot Noir
Malibu Vineyards	<u>SF Chronicle International 2011</u> Best of Class – '08 Bordeaux Blend Gold – '08 Cabernet Franciscans Gold – '08 Vortex <u>SF Chronicle International 2010</u> Gold – '07 Cabernet Franciscans Gold – '07 Cabernet Meritage Silver – '07 Sangiovese Vortex <u>SF Chronicle International 2009</u> Double Gold – '07 Cabernet Franc <u>LA International Tasting 2009</u> Gold – '07 Meritage <u>LA International Tasting 2008</u> Gold – '06 Bordeaux Blend Silver – '05 Bordeaux Blend

Triunfo Canyon Vineyard

SF International 2011 - Bronze - '09 Syrah

NAME EVIDENCE

The wine grape growers of the proposed area unanimously and enthusiastically selected the name “Malibu Coast” to designate their area. They believe this name best identifies their location and the area's unique set of climate, soil, geology, topography and elevation conditions.

The word “Malibu” is believed to be derived from the name of a rancheria “Umalibo, which was under the jurisdiction of Mission San Buenaventura. The present spelling was first noted on a grant, dated July 12, 1805 as Topanga Malibu Sequit. It appeared with variations on other documents until the 1881 county map and has remained consistent since then. The original Chumash word may have been *(hu) mal-iwu*, meaning “it makes a loud noise all the time over there”, referring to the surf. (Exhibit 6-A)

According to the USGS Geographic Names Information System (GNIS) there are 31 places in this area of Los Angeles County, California, bearing the name “Malibu”, including:

7 populated places	1 cliff
6 schools	1 lake
4 parks	1 beach
2 buildings	1 cape
2 reservoirs	1 trail
2 locales	1 airport
1 stream	1 civil facility

(Exhibit: 6-B)

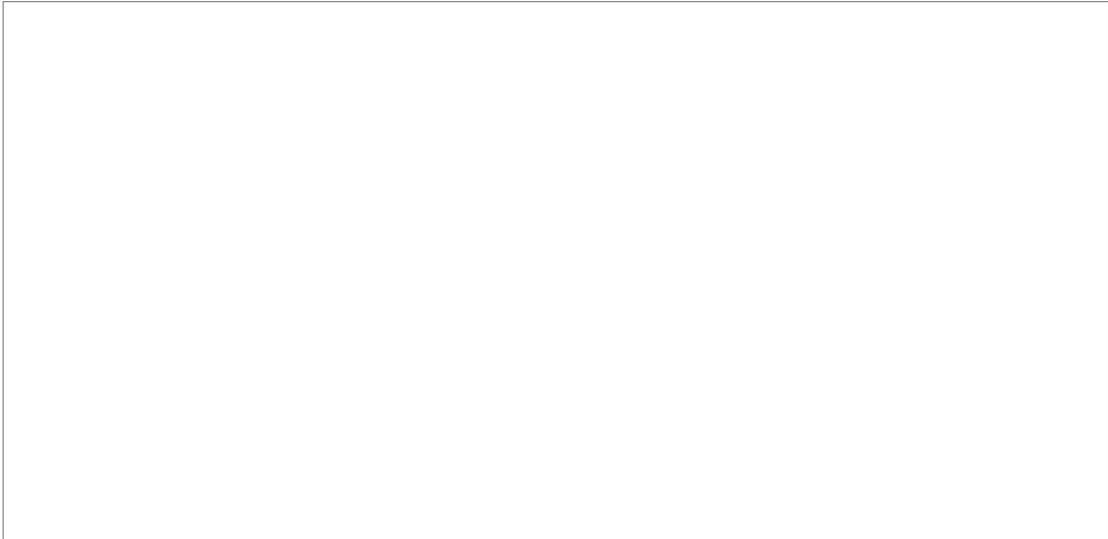
Supporting the concept that the entire area is known as the “Malibu Coast”, Yellow Pages. com lists four businesses located throughout the proposed area which utilize “Malibu Coast” in their name:

1. Malibu Coast Animal Hospital on the Pacific Coast Highway in Malibu, CA
2. Malibu Coast Nursery & Landscaping on Latigo Canyon Road in Malibu, CA
3. Malibu Coast Nursery Division on Troutdale Drive in Agoura Hills, CA
4. Malibu Coast Nursery Division on Agoura Road in Agoura Hills, CA

(Exhibit: 6-C)

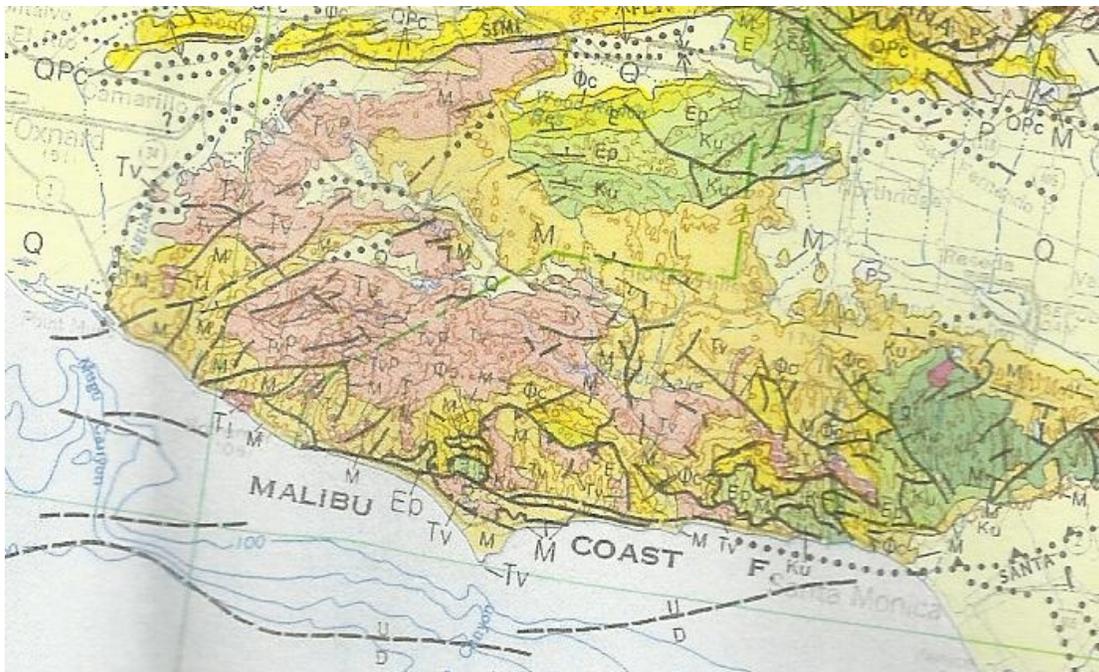
The following maps document the current usage of the name “Malibu Coast”:

The Geology of the Santa Monica Mountains from the National Park Service indicates a fault line running through the shoreline portion of the proposed viticulture area in an east – west direction, labeled in two places as “Malibu Coast” fault line. (Exhibit: 9-C)

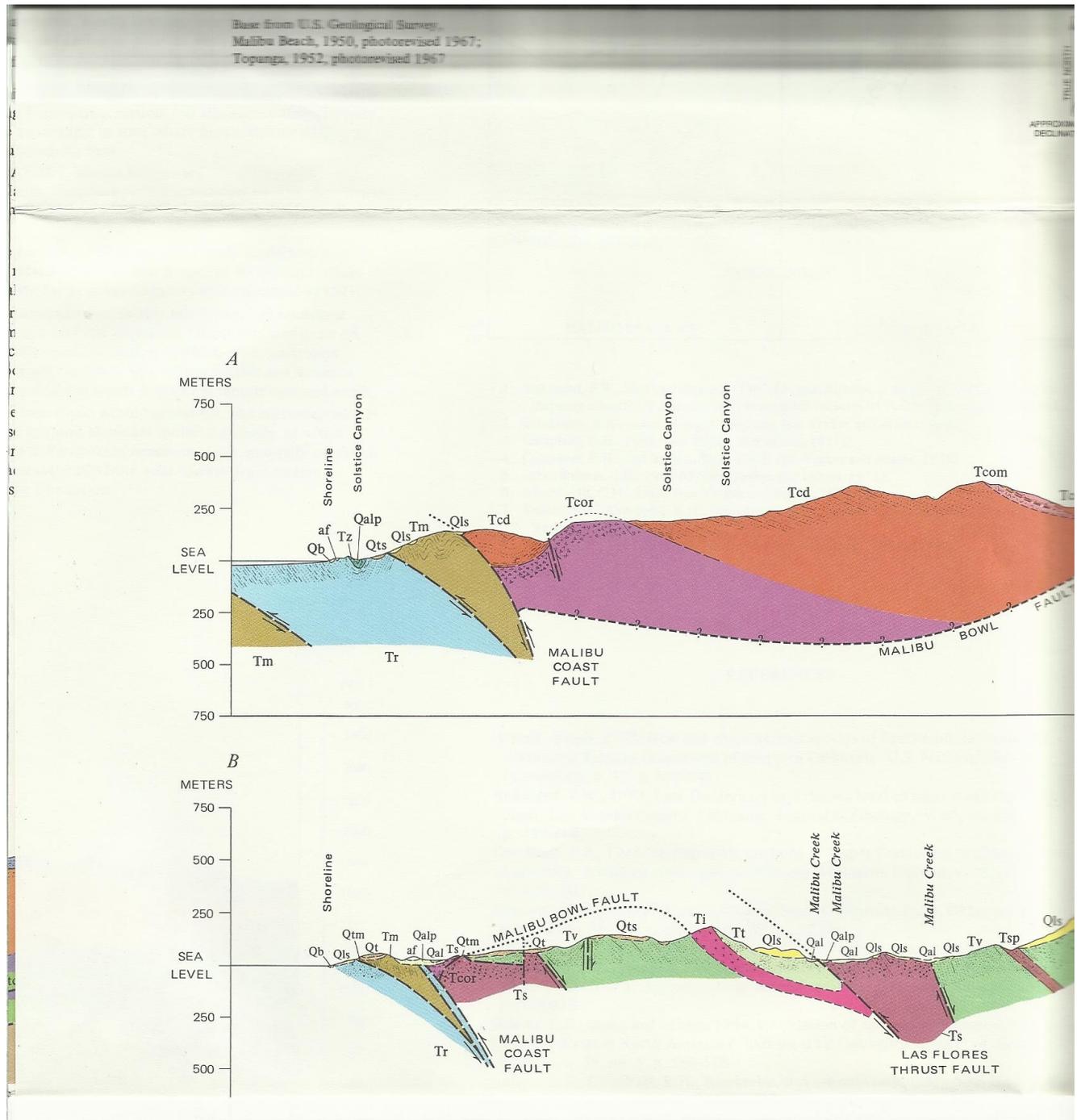


US Dept. of the Interior, National Park Service: Geology of the Santa Monica Mountains

The Geologic Map of California a 1977 compilation by Charles Jennings, also labels the "Malibu Coast Fault". (Exhibit: 9-B)



The USGS map of East-Central Santa Monica Mountains, Los Angeles County, California also lists the “Malibu Coast” Fault. (Exhibit 9-D)



Finally, there is one vineyard with a slight variation on the name: Malibu Coastal Vineyard. (Exhibit: 3-B, Malibu Coastal Vineyard)

BOUNDARY EVIDENCE

The proposed Malibu Coast AVA boundary lines are drawn to best identify the sharp contrast between the lands in the proposed AVA and the surrounding lands taking into consideration climate, proximity to water, geology, soils, elevation, topography and urban development differences. The boundaries also exclude all Federal, State, County and City Parks and Beaches. Although they are encompassed by the proposed Malibu Coast AVA, the two pre-existing American Viticultural Areas: Malibu-Newton Canyon and Saddle Rock - Malibu, are also excluded. They share many similarities, but each has identified their own unique meso-climate and soil differences from the more encompassing proposed area.

The perimeter of the proposed viticultural area is almost exactly 100 miles. The southern, coastal section comprises 47%. The west end, with the river delta outside and mountain inside, is 11%. The northern side covers 28% of the boundary and divides areas of differing elevations and geology while excluding heavily populated areas. Finally, the adjacent east end, with its remaining 14%, is designated for urban and recreational land use. (Exhibits: 9-F; 9-G)

The southern area surrounding the proposed Malibu Coast AVA is just that; the Pacific Ocean and beach parks. The following State and County Beach Parks were excluded: Topanga, Las Tunas, Big Rock, La Costa, Carbon, Malibu Lagoon, Malibu Bluff, Amarillo, Puerco, Dan Blocker, Escondido, Point Dume, Zuma, Trancas and Robert H. Meyer Memorial. Also excluded are Leo Carrillo State Beach, Malibu Creek and Point Mugu State Parks, which have large tracts inland as well as their beaches. This area extends from the Pacific Missile Range and Mugu Lagoon on the west to the urban development of Santa Monica, Pacific Palisades and Parker Mesa and the east. (Exhibits: 9-K; 9-M; 9-N; 9-P; 9-Q)

The surrounding area on the west end of the proposed area is comprised of the Pacific Missile Range and in Pleasant Valley: Oxnard Air Force Base, Camarillo Airport and the City of Camarillo. Also on the west end are Point Mugu State Park and Camarillo State Hospital grounds, which were excluded from the proposed area. Other than this human land use, the nearly level terrain of the Rio de Santa Clara delta, including Mugu Lagoon, differs dramatically from the uplands of the proposed area so that the boundaries were placed at the toe, or foot slope, of the Santa Monica Mountains. (Exhibits: 9-I; 9-N)

The northern boundary line is positioned properly as it takes into consideration urban development as well as elevation, geology and climate. The densely populated areas of the Conejo Valley (Newbury Park), Greenwich Village, Thousand Oaks, Russell Valley / Russell Oaks, Lindero, Agoura and in San Fernando Valley, Calabasas, Woodland Hills and most of Hidden Hills were excluded. These areas of human development were excluded from the proposed AVA in order to keep the AVA concise; unified by privately owned lands in rural settings rather than urban areas. The boundary is at this point of contact between urban and rural land uses. (Exhibits: 9-H; 9-I; 9-J; 9-L; 9-O)

Along the northern boundary, the elevations, within the proposed area are higher, up to 3111' in the Santa Monica Mountains, than in the Simi Hills, outside, with 2401' as the highest promontory. The Santa Monica Mountains are oriented east-west where as the Simi Hills are more mufti-faceted. Highway 101 serves a good line of demarcation as the highway department engineers followed the natural separation between these two physical features. The exception to this line of separation, is Las Virgenes Canyon, which has a direct southward flow into the Pacific Ocean allowing this area to receive marine influence that other areas north of Highway 101 do not experience. Also included in the proposed AVA is the adjacent, western part of Hidden Hills where there the quality potential is demonstrated by several vineyards, which have also been winning awards. These growers are enthusiastic about being included in the Malibu Coast proposed AVA. (Exhibits: 9-H; 9-I; 9-J; 9-L; 9-O)

The boundaries of this proposed AVA are best as they are placed at a separation of two different geological units. North of the boundary, geology is dominated by the relatively young, 5 million year old, detrital sediments of Lindero Canyon, Monterey and Modelo Formations. The proposed area is dominated by Conejo Volcanics and Diabase Intrusions, which are 16.6 to 13.4 million years old. This geology affects the soils with the proposed area producing soils derived from volcanic rock while the soils of the Simi Hills are sedimentary rock from detrital sediments. (Exhibits: 9-B; 9-C)

The closer proximity of the proposed area to the ocean also modulates the climate with cooler summers and warmer winters than the Simi Hills. That proximity also provides higher relative humidity than the more inland area. The wine grape growers of Hidden Hills also benefit from the cooling ocean breezes at night. (Exhibits: 9-H; 9-I 9-J; 9-L; 9-O; 7-B; 2-F)

Outside the eastern end of the proposed Malibu Coast AVA are the large Topanga State Park and the City of Los Angeles. As with all publicly held park lands in the Santa Monica Mountain National Recreational Area, Topanga State Park is excluded from the proposed AVA as commercial agriculture is not an appropriate use of park land nor is it a feasible activity in metropolitan areas. (Exhibits: 9-J; 9-P)

DIRECTION	IN THE PROPOSED AVA	OUTSIDE THE PROPOSED AVA
SOUTH	Mountainous Terrain	Ocean / Coastline
WEST	Mountainous Terrain	River Delta / Park / Human Developments
NORTH	Higher Elevations / Older	Lower Elevations / Younger Detrital

	Volcanic Soils / Volcanic Soils / South-facing / Less Temperature Variations / More Humid / Rural	Sediments / Non-Volcanic Soils / Multi-faceted Sun Aspect / Greater Temperature Variation / More Arid / Urban
EAST	Rural / Privately Owned	Urban / Public Lands

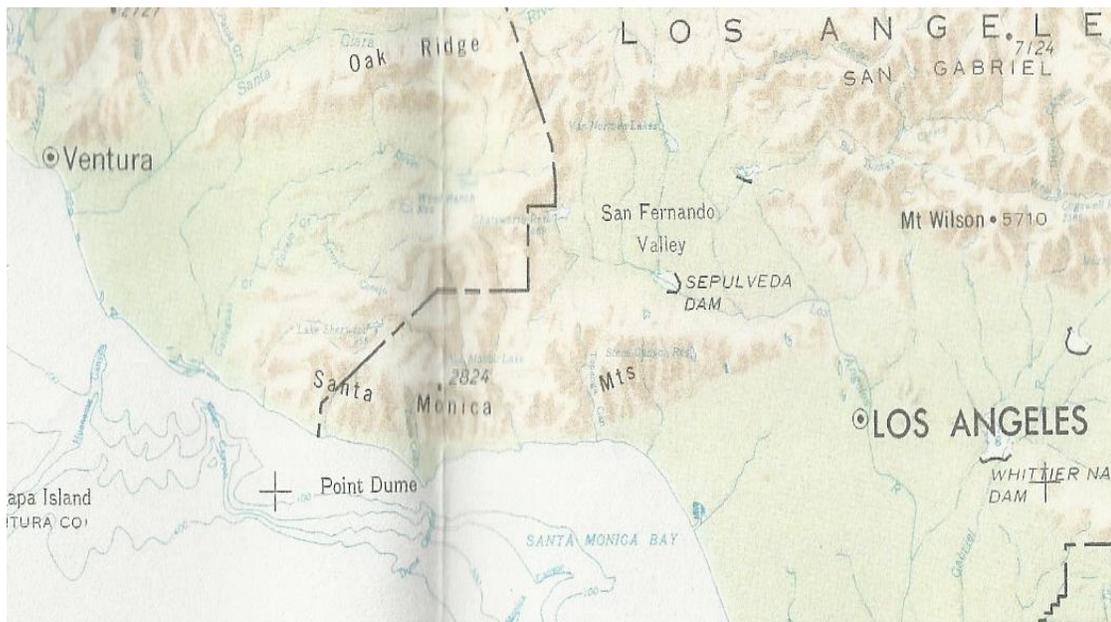
In conclusion, the boundaries are best because they are the lines of demarcation between distinct changes between ocean and land, rural or urban, public or private lands, climate, geological, elevation or topography differences around every mile of the proposed boundary. The proposed viticulture area includes about 94,060 acres.

DISTINGUISHING FEATURES (CLIMATE / GEOLOGY / SOILS / PHYSICAL FEATURES / ELEVATION)

Beyond varietal selection, many factors influence the flavor and quality of wine: climate, proximity to a large body of water, geology, soils, elevation and topography. All of these factors contribute to the unique growing conditions of the Malibu Coast proposed viticulture area. (Exhibit 8-1, p. 49 & 199)

Physiography, Relief and Drainage - Geographic Location

The Malibu Coast proposed AVA is in southwestern Los Angeles County and southeast corner of Ventura County, California. It is bounded on the north by Newbury Park, Greenwich Village, Thousand Oaks, Westlake Village, Agoura Hills with a total of about 20 exits to urban development along the US Highway 101 corridor. On the east lie the cities of Hollywood, Beverly Hills, Santa Monica and the greater Los Angeles metropolitan area. To the south is the Pacific Ocean. Finally, on the west are the cities of Oxnard and Camarillo and the low elevation, nearly level Rio de Santa Clara delta and Mugu Lagoon. The proposed Malibu Coast viticultural area is approximately 46 miles long and 8 miles wide and comprises approximately 94,060 acres of privately owned lands evenly scattered throughout the 182,000 acre Santa Monica Mountain Recreational Area. This is less than 53% of the land area within the Recreational Area. There are two pre-existing AVA's within the proposed boundaries: Malibu-Newton Canyon (850 acres) and Saddle Rock - Malibu (2090 acres). (Exhibits: 1-A, p. 3; 9-A, p. 91, 92; 9-E; 5-A; 5-B)



See Exhibit 9-E for complete USGS State of California, 1:100,000 topographic map.

The dominant land forms (physiography) in the proposed Malibu Coast AVA portion

of the SMMNRA are steep, rugged mountains and hills, marine terraces and intervening valleys. Wine grapes prefer such growing sites as it provides favored, beneficial sun aspects and optimal air drainage. The only other part of the shoreline that has these south facing slopes is at Santa Barbara 50 miles to the northwest. A narrow belt of marine terraces extend west from Malibu to Ventura County line along the ocean front. Small valleys are interspersed throughout the area. Included in the proposed AVA are the two small valleys: Hidden and Portrero. The third small valley to the east, Russell is excluded due to the dense population of Thousand Oaks. Simi Valley, further inland, is much warmer and drier than the proposed area and thus not included. (Exhibits: 1-A, pp. 8, 9; 9-H through 9-Q)

The steep, rugged mountains are part of the Transverse Range Geomorphic Province of California. Because of the steepness of the terrain, most of this land is open country. The marine terraces along the Pacific Ocean are dissected by 49 coastal drainageways originating in the adjacent hills and mountains. There are marine terraces along the ocean, which are generally used for building sites. Localized flooding can occur at the mouth of drainageways during periods of high rainfall. The intervening valleys are used as building sites or for agriculture. Watersheds in the area include Calleguas Creek and Malibu Creek. There are several reservoirs in the area including Encino, Stone Canyon, Malibu Lake and Franklin Canyon Reservoirs. There are also salt marshes at Mugu and Malibu Lagoons. (Exhibit 1-A, p. 4)



Mist over the steep, rugged terrain. Photo courtesy of Ray Stewart, Triunfo Creek Vineyards.

The Santa Monica Mountains, in which the Malibu Coast proposed AVA is located, is a unique example of a mediterranean ecosystem. Mediterranean areas are close to

the sea but also close to a considerable land mass. It consists of large, connected areas of habitat critical to the survival of the larger mammals. More than 450 vertebrate species live within the Recreational Area, including 50 mammals, 384 birds and 36 amphibians and reptiles. The abundance and diversity of wildlife in the area is especially unique given its proximity to one of the worlds largest urban centers. (Exhibit 1-A, p. 150)

The pre-existing AVA's in the area are not included as they each have established differences from their surroundings. Those differences are:

The Malibu-Newton Canyon AVA, was certified to be distinct from it's surroundings in June, 1996. It is in a bowl shaped valley located on the south-facing side of the Santa Monica Mountains, in the Malibu area of Los Angeles County. The AVA comprises approximately 850 acres of Newton Canyon. According to the petitioner: "the elevation of the southern rim of Newton Canyon is low enough to allow evening fog to sift into the valley, but high enough to keep out the marine layer that shrouds most of the coastline throughout the daytime". (Exhibit: 5-A, Vol. 61, No. 115 / Thursday, June 13, 1996, pp. 29949-29952)

The Saddle Rock – Malibu AVA was certified to be distinct from it's surroundings in August, 2006, based primarily on the following distinguishing viticultural features: " the Saddle Rock – Malibu area includes it's high elevation (between 1800 and 2000 feet) and location, as well as it's orientation within the Santa Monica Mountains, which limits it's exposure to the cooling the Pacific Marine inversion layer, according to the petitioner. As a result, the Saddle Rock – Malibu area receives more solar radiation and is warmer than it's neighboring areas with more marine influence during the growing season. (Exhibit 5-B, Vol. 61. No. 115 / Thursday, June 13, 1996)

These two AVA's ,that are surrounded by the proposed area, are each separately unified by growing conditions of a protected nature. This has been carried to the extreme in some vineyard specific wine of old-world Europe where artificial shelter belts, called *clos*, built of rock walls, were used. They are quite different from the broader geographic area of the proposed Malibu Coast AVA. (Exhibits: 5-A; 5-B)

Malibu-Newton and Saddle Rock-Malibu share many similarities with the proposed Malibu Coast AVA. All three share the south facing slopes of the east-west trending Santa Monica Mountains. They all benefit from the proximity to water with it's influence on climate and humidity. The mediterranean climate with its warm, dry summers and cool damp winters affect all three. The elevations of the proposed AVA begin lower and extend higher, including the elevations of the Malibu-Newton and Saddle Rock-Malibu AVAs. (Exhibits: 9-H through 9-Q; 5-A; 5-B)

Other American Viticultural Area's in this part of Southern California include Santa Barbara, 50 miles to the west. Leona Valley, Sierra Pelona Valley and Antelope Valley of the California High Desert are all in northeastern Los Angeles County with the final one, extending on into Kern County. (Exhibit 5-C)

CLIMATE

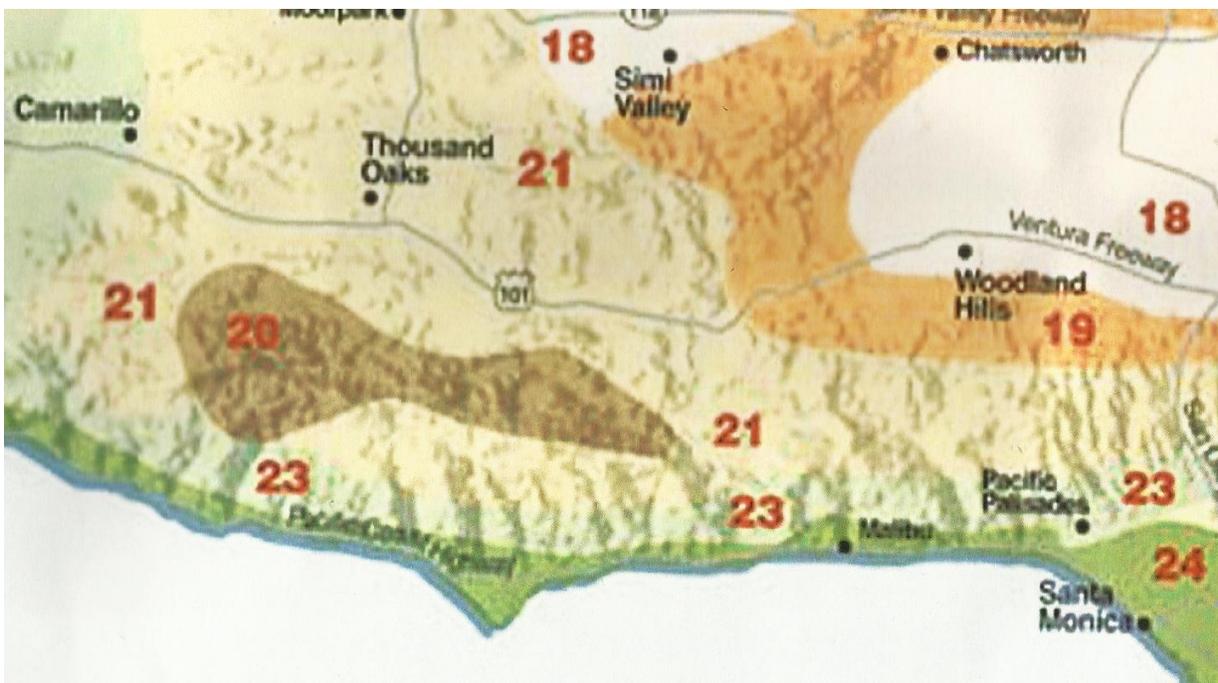
Climate is the long term result of temperature, moisture and winds. It greatly influences soil through the growth of plant types and the rate at which organic matter decomposes and minerals weather, especially rainfall and heat.

According to a recent study out of the University of Bordeaux, climate accounts for more than 50% of the variation in wine quality. (Exhibits: 8-G, p. 31; 8-C, Vol. 12, N. 2, February 2005, p. 52)

Weather is what is happening in the 5-day forecast and the vintage year on the wine label is an index to how the weather treated the grapes for that wine season. (Exhibit: 8-G, pp. 31 & 33)

The climate of the proposed Malibu Coast AVA is a unique transition zone, influenced by the proximity of the Pacific Ocean and the Santa Monica Mountains, placing it under occasional ocean influence and occasional hilltop influence. It includes four of the Sunset Western Garden Book climate zones:

- Zone 20, the tops of the Santa Monica Mountains, adjacent to the coastal strip, is a climate made up of cold air and hilltops, and the adjacent
- Zone 21, is a thermal belt. In this transitional area, weather is influenced by both marine and interior air, which often moves 20 miles in 24 hours with the movement of air masses.
- Zones 23 and 24, the coastal strip, have ocean influence about 85% of the time, interior air rules only 15% of the time. Zones 23 and 24 both have a 12 month frost free growing season. (Exhibit: 7-A, pp. 50 – 53, 56)



Sunset Western Garden Book Climate Map for Santa Monica Mountains. (Exhibit 7-A pp. 50-51)

This particular set of side by side climate zones doesn't occur anywhere else, nearby or distant - a unique climate situation, set in motion by the Santa Monica Mountains, set in close proximity to the ocean. (Exhibit: 7-A , pp. 50 - 53)

To the north of the proposed area, the climate is identified as Zone 18, above and below the thermal belts in Southern California's interior valleys. This is classified as an interior climate, primarily influenced by the continental air mass and by marine influence, not more than 15% of the time. (Exhibit: 7-A, p. 49 – 51)

The USDA Soil Survey characterizes the climate as “mediterranean”, with warm dry summers and cool, moist winters. Rainfall occurs primarily November through April and native plant growth ceases by June or July as the moisture runs out and air temperature increases. (Exhibit: 1-A, p. 221)

Temperatures

The coastal, mediterranean climate influences the temperatures. North of the coastal mountains and proposed Malibu Coast AVA, the inland region is considerably warmer in the daytime during the warmest months than is the coastal strip. In summer, the average temperature is 74.6°F. at Canoga Park, Pierce College; 64.9°F. at Santa Monica Pier; 68.0°F at UCLA. The average daily maximum temperature in summer at these locations is 92.8°F, 68.8°F and 75.6°F respectively. (Exhibit: 1-A, p. 8)

An investigation begun in 1935 by Amerine and Winkler found that factors, which had served well for locating table and raisin grapes, did not delineate the effects of climate sharply enough to serve similarly for wine grapes. They found that the only factor of climate that proved to be of predominant importance was temperature. Other factors, such as rainfall, fog, humidity and duration of sunshine, may have effects, but those are much more limited than the effect of heat summation. (Exhibits: 8-A, p.61; 8-F, p. 239)

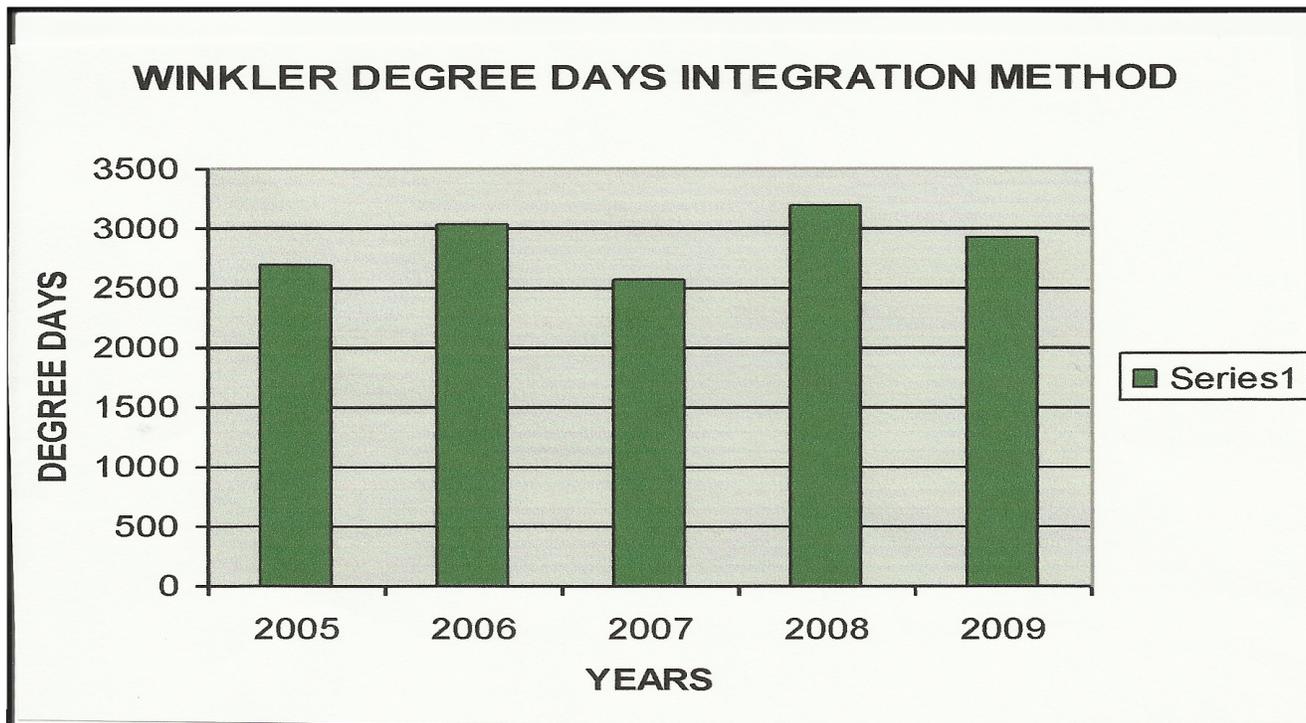
In 1944, this finding led University of California Davis, Professors Amerine and Winkler to use heat summation as a basis for segregating California into five climate regions for grape production. They calculated heat summation as the sum of the mean monthly temperature above 50° F during the growing season from April through October. It is expressed as degree-days. (Exhibit 8-A, p. 61)

The heat summations for the climatic regions are:

- I – less than 2500 degree days
- II – 2501 to 3000 degree days
- III – 3001 to 3500 degree days
- IV – 3501 to 4000 degree days
- V – 4001 or more degree days

(Exhibit: 8-A, p. 61)

The following data was collected by Charles Schetter at his Malibu Sanity Vineyard over a 5 year period of time between 2007 and 2011 (Exhibit 7-C):



near-coastal location gives the vine potentially the best of both worlds: predominantly dry land winds at night and in the morning, to minimize the risk of fungal diseases; and mild, moderately humid, sea breezes in the afternoon when they can do the most good. Water stores heat so raises the temperature of the surrounding area; the evening fall in temperature is usually slow. A typical summer or

Proximity to bodies of water

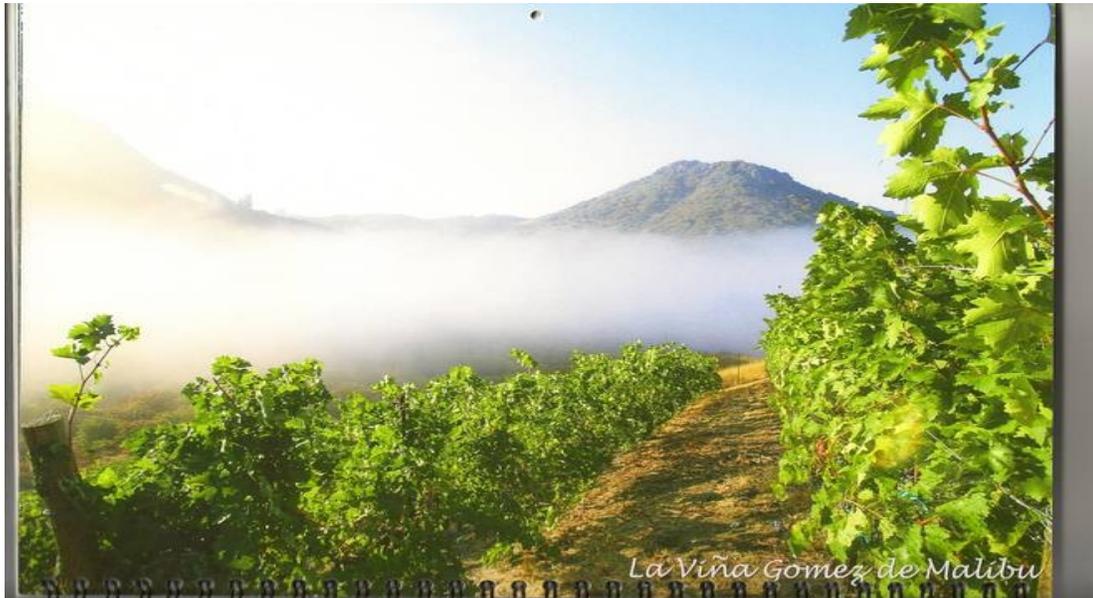
This near-coastal location gives the vine potentially the best of both worlds: predominantly dry land winds at night and in the morning, to minimize the risk of fungal diseases; and mild, moderately humid, sea breezes in the afternoon when they can do the most good. Water stores heat so raises the temperature of the surrounding area; the evening fall in temperature is usually slow. A typical summer or

autumn day therefore has prolonged periods through the afternoon and evening, and again in the morning when conditions are close to optimal for photosynthesis and physiological ripening. The very best vineyards often will be found in close proximity to water bodies: lakes, oceans, rivers. This feature is associated with a reduced temperature variability as well as reflecting sunshine onto nearby slopes, which is of great viticultural significance. (Exhibits: 8-H, pp. 30, 41, 43, 46, 210; 8-D, pp. 14, 15)



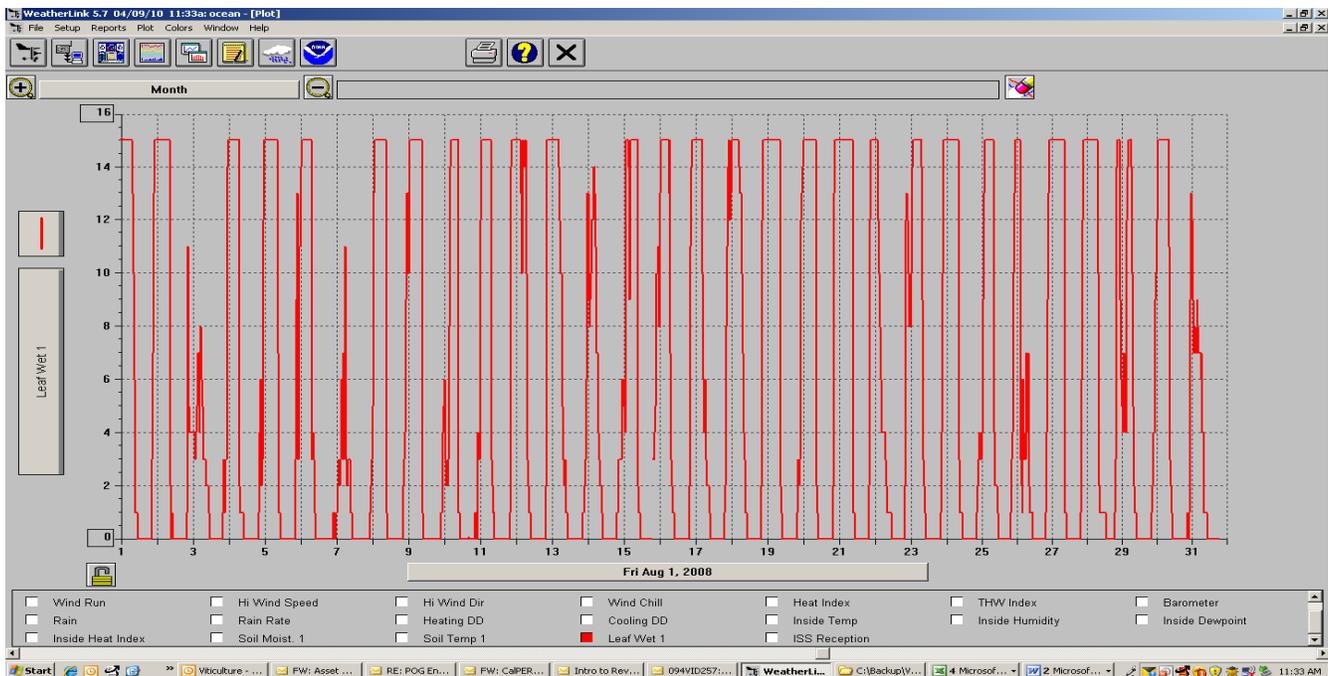
View of Pacific Ocean from Sage Hill Malibu Vineyard, photo courtesy of Gabrielle Harris.

The average relative humidity is dependent on location. In general, the highest **humidity** occurs along the ocean. In areas slightly inland, the average relative humidity in mid-afternoon is about 50%. The inland valleys, north of the coastal hills, are very dry, especially during the afternoon in summer, when the relative humidity typically drops to 20% to 30% or lower. All of the world's acknowledged, great table wines come from area of low altitude as well as fairly high relative humidity. (Exhibits: 1-A, p. 9; 7-B; 8-H, p. 45)



Clouds moving into La Viña Gomez de Malibu Vineyard.
 Photo by Tricia Griffin, Griffin Family Vineyard.

This marine influence, in the form of fog, has been documented in the proposed area by wine grape grower, Charles Schetter. Using Leaf Wetness as a measure of nightly coastal fog, which he noted, usually lasted into the mornings, the maximum leaf wetness was recorded 27 out of 31 nights, in August, 2009. (Exhibit 7-C, Table @ A and B., Leaf wetness)



Leaf Wetness Chart, August, 2008. Chart used by permission of Charles Schetter. (Exhibit 7-C)

Fog is also noted in the name of the ranch on which the La Viña Gomez De Malibu Vineyards are located: El Corazon en las Nubes (The Heart in the Clouds). Ruth Gomez further right notes that "the fog is dependable". (Exhibit: 2-H)



Fog in La Viña Gomez de Malibu. Photo by Caitlin Gomz.

Humidity can have a noticeable influence on the quality of wine. For example, humidity is, on average, 3% higher in the southern Barossa, Australia. Wines from southern Barossa taste different than those from northern Barossa having finer, slightly sweeter aromatics and those from northern part, which have a garrigue-like earthiness rather than sweetness. (Exhibit: 8-E, p. 27)

The Malibu Coast proposed AVA shares these growing conditions from its near-coast location and since it does not extend inland it does not include the areas where these conditions have played out.

Precipitation

The average annual rainfall varies considerably depending on elevation and location. The coastal strip receives 12" to 16" each year and precipitation increases with inland elevation. Areas near Malibu receiving about 30" in an average year while the rest of the coastal mountains receive 20" to 27" per year. Thunder storms occur about 6 times each year and can happen in any month. Snow is extremely rare in the proposed area and has been recorded only on the mountain tops about once each decade. This lack of frost and snow makes the proposed AVA very unique among AVAs near and distant. (Exhibit 1-A, p.8)

GEOLOGY

Geology is the scientific study of the origin, history and structure of the earth including the material that composes it. A geologic map provides information that allows one to read a story, whereas a soil map simply records the distribution of soil types. Bedrock and the sediments derived from it, however, are the parent materials of soil, and geologic factors are the primary influence on soil character. To understand *terroir* and its effect on wine quality, character, and diversity, we must look both at the soils and at the substrate on which they form. (Exhibits : 8-G, p. 60; 8-I, p. 79)

The parent material, from which the soils of the Malibu Coast proposed AVA are formed, are dominated by tertiary volcanic flow rocks; minor pyroclastic deposits and uplifted sedimentary rock, known as Conejo Volcanics. The next closest volcanic flow rock deposits are 110 miles to the northwest in Santa Maria, 50 miles to the west on Santa Cruz Island of the Channel Islands, 57 miles south on Santa Catalina and 80 miles to the north in Tehachapi. Also included in the proposed AVA are quaternary alluvium, lake, playa and terrace deposits; unconsolidated and semi-consolidated and lastly, Miocene sedimentary. This combination of soils derived from the ancient volcanoes and marine sediments is unique to this area. (Exhibit: 9-B)

The geology of the proposed area is much older than the adjacent area. North of the boundary, geology is dominated by the relatively young, 5 million year old, detrital sediments of Lindero Canyon, Monterey and Modelo Formations. The Conejo Volcanics and Diabase Intrusions, which are in the proposed area, are 16.6 to 13.4 million years old. (Exhibits: 9-B; 9-D)

Many of the world's oldest known vineyards lie on volcanic terrain. The inhabitants of Pompei, before they were buried beneath volcanic ash and lava in 79 A.D., originally planted their vineyards on the fertile slopes of Vesuvius. Grapes continue to be grown on volcanic soils today. The Aegean Islands of Greece and most famously on the island of Santorini, vineyards are grown on volcanic soils. Volcanic *terroirs* also support the Sicilian vineyards of southern Italy. Many other great wines come from volcanic origins including *Cotes d' Auvergne* in central France, the Canary Islands, the Serra

Gaucha in Brazil and from Tokaj to Lake Balaton in Hungary (Exhibit: 8-B, pp. 219-228)

Some of the best known of California's vineyards, Napa Valley, in particular, are partly in volcanic soils derived from Miocene magma, specifically Mount Howell, Atlas Peak and Mount Veeder. Further to the north, the vineyards of Oregon lie on vast expanses of basaltic formations, where the Pinot Noir performs so well. (Exhibit: 8-B, pp. 211, 219-228)



Red lava and basalt granite vineyards of La Viña Gomez de Malibu, photo courtesy of Ruth Gomez

A clay, known as Halloysite, is found in weathered volcanic ash soils. Other minerals in this group are imogolite, allophane, most commonly found in relatively young soils (1000 to 2000 years old) formed on volcanic ash and pumice. The minerals of the clay soil fraction, because of their large specific surface area and surface charges provide very important sites for reactions with nutrients and water in the soil. This aides in the prevention of moisture and plant food-nutrient loss, usually brought on by the leaching / rinsing effect of rainwater and irrigation. (Exhibit: 8-F, pp. 36, 37)

SOILS

In as much as the soils are a combination of slope wash and weathered bedrock, a knowledge of overall geology allows for a reasonable estimate of the soil mix. The soils of the proposed area differ from the soils from the surrounding area which are not of volcanic origin. (Exhibits: 8-G, p.24; 9-B; 9-C; 9-D; 1-B)

The Santa Monica Mountains are dominantly steeply sloping mountain ranges with a few intervening flatter "valleys" and ocean terraces. Building site development is primarily in these flatter areas, although houses have been built on the steeper slopes in a few areas, such as on the mountains above the Malibu area. Alteration of the soil has occurred in these areas. Many of the vineyards are planted adjacent to these building sites. (Exhibit: 1-A, p. 4; 3-B)

The combination of volcanic parent rock with sandstone and shale parent rock create a unique soil origin set. There are areas along California's coast where soils are commonly formed on marine sedimentary shale / sandstone terraces, but without the addition of a volcanic soil parent rock accompaniment. Seventy five percent of the general soils of the proposed area, presented in the order of most to least common, are:

Cotharin – Talepop – Rock Outcrop complex, which has steep to very steep slopes (30 – 75%) with shallow, well-drained soils on hills and mountains. These soils are formed from igneous volcanic rock and contain rock outcrops of this same parent material. (Exhibits: 1-A, p. 15; 1-B)

Mipolomol – Topanga – Sapwi association, which has steep to very steep slopes (30 – 75%) with shallow to moderately deep well-drained soils on hills and mountains. These soils are formed in shale, sandstone and slate. (Exhibits: 1-A, p. 16; 1-B)

Chumash - Malibu – Boades association, which has steep to very steep slope (30 - 75%) with very shallow to moderately deep, well drained to moderately well-drained soils on hills and mountains. These soils are derived from shale and sandstone. (Exhibits: 1-A, p. 14; 1-B)

Zumaridge - Rock Outcrop – Kawenga association, which has steep to very steep slopes (30 – 75%) with shallow to deep, well-drained soils on hills and mountains. These soils are derived from sandstone and contain rock outcrops of sandstone and shale. (Exhibits: 1-A, p. 17; 1-B)

The soils outside the western edge of the proposed area are Sulfic Fluvaquents – Camarillo - Pacheco association, which is level to nearly level terrain with very deep, somewhat to very poorly drained soils on flood plains and tidal flats. These soils formed from mixed alluvium. (Exhibits: 1-A, p. 13)

Northwest of the proposed area the Camarillo – Hueneme - Pacheco association,

which is level or nearly level, very deep, poorly drained soils of the Oxnard Plain. These soils are stratified alluvium derived predominantly from sedimentary rocks. North of the proposed area is Rincon – Huerhuero – Azule association which is level to moderately steep, very deep, well drained soils derived from sedimentary rock without volcanic intrusions. (Exhibit 1-C)

The soils to the east are not discussed as they are either park land or urban development, nor are the soils to the south, as they are all under the ocean.

SOIL NAME	SITE	SLOPE	DEPTH	DRAINAGE	PARENT MATERIAL
Cotharin - Talepop - Rock outcrop	in	steep to very steep	shallow	well-drained	igneous volcanic rock
Mipolomol - Topanga - Sapwi	in	steep to very steep	shallow to moderately deep	well-drained	shale, sandstone slate
Chumash - Malibu- NewtonBoades	in	steep to very steep	very shallow to moderately deep	well-drained to moderately well-drained	shale, sandstone
Zumaridge - Rock outcrop - Kawenga	in	steep to very steep	shallow to deep	well-drained	sandstone with rock outcrops
Sulfic Fluvaquents – Camarillo - Pacheco	out W	nearly level and level	very deep	somewhat poorly to very poorly	mixed alluvium
Camarillo - Hueneme - Pacheco	out NW	level and nearly level	very deep	poorly drained	sedimentary rocks
Rincon - Huerhuero ' Azule	out N	level to moderately steep	very deep	well-drained to moderately well-drained	alluvium from sedimentary rocks

(USDA Soil Survey. Exhibit: 1-A; 1-B)

ELEVATION

Elevation does influence temperature and precipitation. Precipitation tends to increase with elevation with the coastal strip receiving 12” to 16” per year while the highest elevations near Malibu receive about 30 inches in an average year. and a few inches of snow every decade or so. Snow is extremely uncommon in the lower elevations, where the temperatures are warmer. The mid-slope areas are a thermal belt that generally will have less temperature variability than the peaks or lowest elevations due to cold air sinking or warm air rising past this zone. (Exhibits: 1-A, p. 8; 7-A, pp. 50-53)

Elevation alone is a distinguishing feature as the proposed area is markedly higher in elevation than land in all surrounding directions. Sea level dominates the long

southern side of the Malibu Coast proposed AVA, while to the west, the Mugu Lagoon and the Santa Clara River delta, in the 0 to 20' range, are both significantly lower than the proposed area. To the north, the separate physical feature of the Simi Hills, although hilly is generally lower with a maximum altitude of 2401', while within the proposed area the highest point is 3111' on Sandstone Peak. The other prominent peaks within the area are Castro Peak at 2824' and Saddle Peak at 2805'. Thousands of acres of ridge land and other peaks span this higher elevation range. Finally, outside to the east, the elevation is tapering downward into West Hollywood and the Los Angeles basin. Topanga State Park, also on the eastern end, is dedicated as public land use. (Exhibits: 1-A, pp. 3, 4, 8; 9-R; 9-D through 9-Q)

TOPOGRAPHY

The majority of the the proposed AVA is on strongly sloping land edged by marine terraces on the south and interspersed with valleys.

Almost all of the vineyards in the proposed area lie on sloping land resulting in excellent draining soils, which are ideal for grape growing. While mountain side and steep slope viticulture requires about twice the labor effort, in the Malibu Coast area this is managed successfully because the work load is divided among many small, enthusiastic commercial growers who, collectively, amount to significant acreage. Each small vineyard is given individual attention resulting in very select "boutique" wines. This is actually an intriguing and admirable accommodation to the challenging physical labor of the slopes and bringing high quality products to the marketplace. (Exhibits: 3-B)



Steep hillside vineyards. Photo courtesy Carol Hoyt, Hoyt Family Vineyards.

In general, the topography of the proposed area is primarily a spectacular east-west oriented formation, which predominantly tilts southward, whereas the separate Simi Hills formation, north of the proposed area, does not have this tilting southward trend. Aspect is also traditionally regarded as viticulturally important. The soils of east, south and west facing slopes, in the northern hemisphere, receive more direct insolation (solar radiation) resulting in higher soil temperatures and greatest radiation of warmth to the vines either in early morning or at night and under cloud cover. (Exhibits: 8-H, pp. 30, 44, 227; 8-G, p. 22)

This seaward draining relief is viticulturally significant, especially in this case where the compass orientation equates to a huge southward facing slope in close proximity to a large water body. World wide there is a long history of wine grape growing preference for such sites. It provides favored, beneficial sun aspect. The only other part of the shoreline that has a south facing slopes is at Santa Barbara 50 miles to the northwest. (Exhibits: 9-A; 9-D through Q; 9-R; 8-H, p. 44; 8-D, 14, 15)

The most ideal vineyards, world wide, are those known to be “in sight” of water. The presence of a nearby body of water can be a river, lake or ocean. It's imparted advantages to viticulture are those of climate modulating and reflecting sunshine onto nearby slopes, sometimes referred to as a second sun. (Exhibit: 8-G, p. 14)

CONCLUSIONS

Flavor is the only reason for growing wine grapes in the Malibu Coast proposed viticultural area, not tonnage. This relatively large group of wine grape growers with their very small acreages provide close personal attention to their vineyards resulting in a very high percentage of prestigious awards and a “cult” following for many of their wines. These vineyards also provide an effective fire break to the homes in this fire plagued area.

Today there are forty eight commercial wine grape growers in the proposed viticulture area who have a combined total of 82.05 acres in production, with plans for 6.5 more acres. Vineyards range in size from one half to seven acres. These forty eight growers and this manner of small commercial grower style agriculture represents a new direction in agriculture and viticulture, one that exemplifies a marriage between a passion for growing premium wine in a locale of high priced land, beautiful setting and an inborn knowledge that by dotting over a small private vineyard each grower is likely to create quality and rewarding wine.

The body of this petition has demonstrated that the Malibu Coast proposed viticulture area is significantly different from the surrounding mountains in its climate, geology / soil parent material elevations and population densities.

Climate

Temperatures – less variability throughout the year due to the ocean's influence: winter frost and summer triple digit temps, both very, very rare. Very unusual for a grape growing area.

Degree-days – High Region II or Low Region III

Humidity - higher relative humidity near the coast than in Simi Valley and other inland valleys, north of the proposed AVA, during the summer growing season, reducing the stress on the vines. In California, only a couple of other coastal grape growing areas enjoy this benefit.

Geology / Soil Parent Material

The geology of surrounding area differs from the proposed area most significantly on the north, as ocean occupies the long southern side. Multiple geology maps substantiate that the proposed area origins are dominantly volcanic flows, while to the north, the terrain is dominated by younger detrital material.

Elevations

Sea level dominates the long southern side of the proposed area, while to the west, Mugu Lagoon and the Santa Clara River delta, at the 0 to 20' range are both significantly lower than the proposed area. To the north, the Simi Hills are generally lower with a maximum altitude of 2401', whereas the proposed area's highest point, Sandstone Peak, is 3111', with many other promontories above 2400' and thousands of acres of ridge land and other peaks in this higher elevation range, which of course effects the climate. Finally to the east, the elevation is tapering down into West Hollywood and the Los Angeles Basin. Also excluded is the large Topanga State Park, that has a dictated public land use.

Topography / Sun Aspect

Almost all of the vineyards in the proposed area lie on sloping land resulting in excellent draining soils, which are ideal for grape growing. While mountain side and steep slope viticulture requires about twice the labor effort, here this is managed successfully because the work load is divided among so many small enthusiastic commercial growers who, collectively, amount to significant acreage. This is an important, intriguing and admirable accommodation

method in the marketplace. The topography of the proposed area is dominated by a spectacular east-west oriented formation, which tilts predominantly southward. The most ideal vineyards, world wide are those known to be "in sight" of water. The presence of a nearby body of water can be a river, lake or ocean. It's imparted advantages to viticulture are those of climate modulating or reflecting sunshine onto nearby slopes. Sometimes referred to as a second sun.

BOUNDARY DESCRIPTION

The appropriate maps for determining the boundaries of the Malibu Coast proposed viticulture area are ten 1:24,000 scale quadrangle USGS Topographic maps (listed in order of boundary description):

Point Dume	(Exhibit: 9-Q)
Point Mugu	(Exhibit: 9-N)
Carmarillo	(Exhibit: 9-I)
Newberry Park	(Exhibit: 9-L)
Thousand Oaks	(Exhibit: 9-O)
Calabasas	(Exhibit: 9-H)
Canoga Park	(Exhibit: 9-J)
Topanga	(Exhibit: 9-P)
Malibu Beach	(Exhibit: 9-K)

Also used are two 1:100,000 scale USGS Topographic maps:

Los Angeles, California, 1979	(Exhibit: 9-F)
Santa Barbara, California, 1982	(Exhibit: 9-G)

Further boundary clarification is found on a raised relief map of Los Angeles, California, 1:250,000 scale, from Hubbard Scientific. (Exhibit: 9-R)

Only the privately owned lands, within the Santa Monica Mountains National Recreation, are the acreages which comprise the proposed Malibu Coast AVA in the following description.

1. Beginning on the **Point Dume, California**, 7.5 minute topographic map at the western side of Point Dume in the Malibu Riviera Community at the southern end of Westward Beach Road, excluding the Point Dume State Beach (400' inland from the high tide mark) (latitude 34° 00' and longitude 118°52'33" west); then
2. northwestward to its intersection with Roosevelt / Pacific Coast Highway (BM 30' – 1800' inland from the high tide mark); then
3. northwest along Roosevelt / Pacific Coast Highway (staying 400' to 800' inland from the high tide mark while passing and excluding Zuma Beach County Park, Trancas Beach and Robert H. Meyer State Beach); then
4. onto the **Triunfo Pass** topographic map, staying 400' to 1000' inland of the Pacific Ocean high tide mark, continue westward on the Roosevelt / Pacific Coast Highway, excluding all lands in the 532 acre Charmlee County Park in Sections 28 and 29, which is just inland from the highway, to its intersection with the southeast corner of

the Leo Carillo State Beach Park (approximately 1 mile east of Sequit Point); then

5. northward along the Leo Carillo State Park boundary to its corner, in Section 19 (Nicholas Flat); then

6. northwestward along the grant boundary to marked elevation 1609' in Section 23; then

7. southward along the shared Leo Carillo State Beach and Los Angeles / Ventura County line to its intersection with Roosevelt Highway; then

8. westward along Roosevelt / Pacific Coast Highway, which stays 200' to 600' inland from the Pacific Ocean, to its intersection with southeast corner of Point Magu State Park / Grant boundary line at the mouth of Big Sycamore Canyon (BM25) in Section 19 on the **Point Mugu** topographic map; then

9. northeastward along the Point Magu State Park / Grant boundary line, 2.1 miles, to its corner in Section 8 on the **Triunfo Pass** topographic map; then

10. switching to the 100,000 **scale Los Angeles and Santa Barbara** topographic maps, for better representation of the Park boundary line, that corner in Section 8 is now identified as Serrano Canyon on the **Los Angeles 100,000** topographic map; then

11. westward, approximately 1.6 miles, jogging around the upper reaches of Serrano Canyon, following the Point Magu State Park boundary; then

12. north, .6 miles; then

13. west, 1 mile into Section 4; then

14. northwest, 2.8 miles into Section 35, approximately .6 miles northwest of Sandstone Peak; then

15. north, 1 mile where Big Sycamore Creek turns 90°; then

16. west, 4.75 miles, following the Point Magu State Park boundary line to Wood Canyon; then

17. proceed generally southwest, 4 miles following the "indefinite boundary line" to a point on Roosevelt / Pacific Coast Highway .4 mile southeast of Calleguas Creek; then

18. returning to the **Point Mugu** 7.5 minute topographic map .4 mile southeast of Calleguas Creek on Roosevelt / Pacific Coast Highway, proceed northwest, .25 miles, along Roosevelt Highway to the Broome Ranch driveway; then

19. northward, along the Broome Ranch driveway, following the toe of the hill where there is a distinct change in topography, 1.2 miles to its intersection with a jeep trail on the **Camarillo** 7.5 minute topographic map; then
20. westward, northward and eastward following the jeep trail, around the isolated hill with an elevation marked 350' to the Broome Ranch buildings, marked elevation 67'; then
21. eastward on the jeep trail .2 mile, to its intersection with the 80' elevation line where the jeep trail turns southward; then
22. eastward along the 80' elevation line up and unmarked creek passing another driveway at the mouth of Wood Canyon, .2 mile east of the labeled "well"; then
23. westward, 1 mile, along the 80' elevation line, rounding the toe of the projecting ridge; then
24. eastward, 1.5 miles; then
25. northward, .7 miles along the 80' elevation line, to Portrero Road; then
26. eastward, .5 mile along Portrero Road to its intersection with the 200' elevation line; then
27. northward, .75 mile follow the 200' elevation line to its intersection with an unnamed creek; then
28. follow the creek downstream, to the Camarillo State Hospital driveway; then
29. follow the State Hospital driveway around the toe of the projecting ridge to its intersection with driveway marked "water tank" at Lewis Levy; then
30. eastward, .75 mile, on the "water tank" access road to its intersection 100' elevation line; then
31. follow the 100' elevation line around the projecting ridge to its intersection with Rancho Road; then
32. southward on Rancho Road to its intersection with the 120' elevation line; then
33. northward on the 120' elevation line to Ventura Boulevard / US Highway 101 on the **Newbury Park** 7.5 minute topographic map (the Camarillo Oak Grove County Park, .2 mile east of this point is excluded from the proposed AVA); then
34. eastward on Ventura Boulevard / US Highway 101, over Conejo Grade, to its intersection with Conejo Road; then

35. south, .75 mile, on Conejo Road to its intersection with Borchard Road, excluding the urban area; then
36. east on Borchard Road to its intersection Ventura Highway / US Highway 101; then
37. eastward on Ventura Boulevard / US Highway 101, excluding the Greenwich urban area to the north, to its intersection with the 920' elevation line in Section 14, 1.1 miles northwest of Triunfo Corner on the **Thousand Oaks** 7.5 minute topographic map; then
38. southward along the 920' elevation line to its intersection with Potrero Valley Creek (excluding the Russell Valley flatter land and urban area); then
39. downstream along the Potrero Valley Creek to the 900' elevation line; then
40. eastward along the 900' elevation line, skirting Russell Valley, to the Triunfo Canyon power line; then
41. northeastward, .4 mile, along the power line crossing Triunfo Canyon to the 1000' elevation line; then
42. west, north and east, along the 1000' elevation line, around a projecting ridge with a marked elevation of 1180', to its intersection with the power line, .2 miles south of Ventura Boulevard / US Highway 101; then
43. north .2 mile to its intersection with Ventura Highway / US Highway 101; then
44. eastward, 4.5 miles along Ventura Highway / US Highway 101 to its intersection with the south side of Section 19 at Brent's Junction the **Calabasas** 7.5 minute topographic map; then
45. west, about .75 mile, along the south side of Section 19 to its intersection with the 1000' elevation line; then
46. northward along the 1000' elevation line, around the west side of Las Virgenes Canyon, crossing into Ventura County, to its intersection with Las Virgenes Creek; then
47. southward along the 1000' elevation line, around the east side of Las Virgenes Canyon and into Los Angeles County at Gate's Canyons to its intersection with the west side of Section 21; then
48. north along the west side of Sections 21 and 16 to its intersection with the Los Angeles / Ventura County line; then
49. east along the Los Angeles / Ventura County line, about .75 mile, to a marked elevation 1135' (when the county line turns northward); then

50. north along the Los Angeles / Ventura County line, about .1 mile, to its intersection of Long Valley Road; then
51. southeast along Long Valley Road to its intersection with Ventura Highway / US Highway 101; then
52. westward along Ventura Highway / US Highway 101 .1 mile to its intersection with Los Angeles City boundary line (west side of Section 23); then
53. south .1 mile, then east .3 mile following the Los Angeles City boundary line to the point where it intersects and joins the Grant Boundary line: then
54. southeastward , 1.5 miles, along the Grant Boundary / Los Angeles City Boundary line to marked elevation 1011'; then
55. eastward, .75 mile along the Grant Boundary / Los Angeles City Boundary line to BM 1126' in Section 24 on the **Canoga Park** 7.5 minute topographic map; then
56. southeastward, 3.25 miles, along the Grant Boundary / Los Angeles City Boundary line to a marked elevation 1718'; then
57. southwestward, 1.8 miles, along the Los Angeles Corp Boundary / State Park Boundary / Grant Boundary line to the corner of the State Park Boundary, where it no longer shares the Los Angeles Corp Boundary in Section 5 on the **Topanga** 7.5 minute topographic map; then
58. north, west then south along the Topanga State Park Boundary, skirting the Topanga urban area, returning to the shared Los Angeles Corp Boundary / State Park Boundary at Trippett Ranch; then
59. southwestward, 1.3 miles, along the shared Los Angeles Corp Boundary / State Park Boundary to the southwest corner of Topanga State Park at the south end of Fernwood; then
60. east, .7 mile, along the shared Los Angeles Corp Boundary / State Park Boundary to the next corner of the Topanga State Park; then
61. south, 1.3 miles, along the shared Los Angeles Corp Boundary / State Park Boundary to the Indef Boundary intersection at Parker Mesa; then
62. southwest, .7 mile, along the Indef Boundary, skirting Parker Mesa urban area, to its intersection with Topanga Canyon Boulevard (Highway 27); then
63. south, .25 miles, along Topanga Canyon Boulevard to its intersection with the Pacific Coast Highway in Section 32; then

64. west, 11.5 miles, along the Pacific Coast Highway crossing the **Malibu Beach California** 7.5 minute topographic map to its intersection with Walnut Canyon (Zuma Fire Station) on the **Point Dume** 7.5 minute topographic map; passing and excluding the following coastal Parks and Beaches: Topanga State Beach, Las Tunas State Beach, Big Rock Beach, Lacosta Beach, Carbon Beach, Malibu Pier, Malibu Lagoon State Beach (which is on each side of the highway), Malibu Bluff State Park, Amarillo Beach, Puerco Beach, Dan Blocker State Beach, Escondido Beach, and the inland Parks: the Malibu Creek State Park (MCSP) 7000+ acres located at the center of the **Malibu Beach California** topographic map comprising much of Sections 29,19,16,17 and 18 and in the northwest quarter of the **Malibu Beach** topographic map Sections 14, 12, 11, 2, 3 and 10, with the remaining portion of the park in the northeast corner of the **Point Dume** topographic map in Sections 9, 10 and 15 and Solstice Canyon County Park, ; then

65. south from the Zuma Fire Station, .1 mile, along Walnut Canyon to its intersection with the 100' elevation line; then

66. southwestward, along the 100' elevation line as it points upstream and downstream three times, on its way to Dume Cove where it intersects with the northernmost boundary of the Point Dume State Beach ; then

67. southwestward, follow the Point Dume State Beach boundary half way around the marked elevation 203' to the west side of the State Beach where the State Beach is its closest to the south end of Westward Beach Road; then

68. northwest, .1 mile to the south end of Westward Beach Road, which was the starting point.

Within the perimeter of the proposed Malibu Coast AVA are the following parks, which are excluded:

- Charmlee Regional Park
- Leo Carrillo State Beach
- Point Mugu State Park
- Topanga State Park

The two, pre-existing AVAs, Malibu Newton Canyon and Saddle Rock-Malibu are also excluded.

SUPPORTING EVIDENCE

- 1-A. Soil Survey of Santa Monica Mountains National Recreation Area, California, by Alan R. Wasner, Natural Resources Conservation Service, United States Department of Agriculture, Natural Resources Conservation Service in cooperation with United States Department of the Interior, National Park Service, 2006
- 1-B. General Soil Map of Santa Monica Mountains National Recreation Area, California
- 1-C. General Soil Map of Ventura County, California, Cooperative Extension Ventura County, University of California Davis, 2012

- 2-A. Don Mateo Keller: the Prince of Malibu, Duke Dukesherer, South Bay Examiner
- 2-B. Laying the Foundation: How Los Angeles Became the Commercial Wine Capital of America, Judi Gerber, Los Angeles Agriculture, February 26, 2011
- 2-C. From Chumash to Hard Cash, Ben Marcus, Malibu Magazine, October 20, 2009
- 2-D. A History of The Los Angeles Viticultural District, With Grape Acreage Statistics and Directories of Grape Growers, An Unpublished Manuscript, Ernest P. Peninou, 2000
- 2-E. Cornell Winery
- 2-F. Behind the Scenes in the Culinary World, The Culinary Image, Ric o Mandel, September 12, 2010
- 2-G. Personal communication from John Gooden, April 4, 2012
- 2-H. Personal communication from Ruth Gomez, May 27, 2012
- 2-J. Los Angeles County, Department of Regional Planning: Winery Report, Evaluation of Current Zoning and Recommendations, 8/25/08

- 3-A. Malibu Coast Vineyards / Growers list with acreage per grower
- 3-B. Grower web pages / published information – arranged alphabetically
- 3-C. Grower's letters: Support for the proposed Malibu Coast AVA and Compliance

with the 85% Rule – arranged alphabetically

- 4-A. California Coastal Commission Preliminary Plan, 1976
- 4-B. California Coastal Commission: Program Overview, ca.gov
- 4-C. California Coastal Commission, Wikipedia
- 4-D. California Coastal Commission, Zone Boundaries for Los Angeles and Ventura Counties
- 4-E. California Coastal Commission, Permit Application and Fee Schedule

- 5-A. Malibu-Newton Canyon Viticultural Area, Department of the Treasury, TTB, Federal Register, pp. 29949-29952, June 13, 1996
- 5-B. Saddle Rock-Malibu Viticultural Area, Department of the Treasury, TTB, Federal Register, pp. 15000-15004, January 10, 2006
- 5-C. Authorized Wine Appellations of Origin – U.S. Viticultural Areas, Alcohol and Tobacco Tax and Trade Bureau, U.S. Department of the Treasury

- 6-A. California Place Names, The Origin and Etymology of Current Geographical Names, Erwin G. Gudde, 4th Edition, 1998
- 6-B. Geographic Names Information System, United States Geological Survey, geonames.usgs.gov
- 6-C. Yellow Pages for Los Angeles Area, yellowpages.com

- 7-A. Sunset Western Gardens Book, 8th Edition, edited by Kathleen Norris Brenzel, 2007
- 7-B. Remote Automatic Weather Stations (RAWS), Inter-agency weather data
- 7-C. Personal correspondence, Charles Schetter

- 8-A. *General Viticulture*, A. J. Winkler, J. A. Cook, W. M. Kliewer, L. A. Lider, 1974
- 8-B. *Great Wine Terroirs*, Jacques Fanet, 2001, English translation, 2004
- 8-C. How Hot is Too Hot?, Wine business Monthly, Vol. 12, No. 2, p. 52, February 2005

- 8-D. *Oz Clarke's New Wine Atlas*, Oz Clarke, 2002
- 8-E. *The Science of Wine, From Vine to Glass*, Jamie Goode, 2005
- 8-F. *Soils for Fine Wines*, Robert E. White, 2003
- 8-G. *Terroir, The Role of Geology, Climate and Culture in Making French Wines*, James E. Wilson, 1998
- 8-H. *Viticulture and the Environment*, John Gladstones, 1994
- 8-I. *The Winemaker's Dance, Exploring Terroir in the Napa Valley*, Jonathan Swinchatt and David G. Howell, 2004

- 9-A. *Atlas & Gazetteer, Southern & Central California*, DeLorme, 2005
- 9-B. *Geologic Map of California*, Compilation by Charles Jennings, Department of Conservation, Division of Mines and Geology, State of California, 1977, 5th printing California Department of Conservation, 2000
- 9-C. *Geology of the Santa Monica Mountains*, National Park Service, US Department of the Interior, Santa Monica Mountains National Recreation Area, November, 2007
- 9-D. *USGS Geologic Map of East-Central Santa Monica Mountains, Los Angeles County, California*, by R.R. Yerkes and R.H. Campbell, 1980
- 9-E. *State of California, USGS 1:100,000-scale Topographic Map*,
- 9-F. *Los Angeles, California, USGS 1:100,000-scale metric topographic map*, 1979
- 9-G. *Santa Barbara, California, USGS 1:100,000-scale metric topographic map*, 1982
- 9-H. *Calabasas Quadrangle, California, 7.5 Minute Series Topographic Map*, USGS, 1952
- 9-I. *Camarillo Quadrangle, California - Ventura Co., 7.5 Minute Series Topographic Map*, USGS, 1950
- 9-J. *Canoga Park Quadrangle, California – Los Angeles Co., 7.5 Minute Series Topographic Map*, USGS, 1952
- 9-K. *Malibu Beach Quadrangle, California – Los Angeles Co., 7.5 Minute Series Topographic Map*, USGS, 1995

- 9-L . Newbury Park Quadrangle, California – Ventura Co., 7.5 Minute Series Topographic Map, USGS 1950
- 9-M . Point Dume Quadrangle, California. 7.5 Minute Series Topographic Map, 1995
- 9-N . Point Mugu Quadrangle, California – Ventura Co., 5 X 10 Minutes Topographic Map, 1949 – Photo-inspected 1974
- 9-O . Thousand Oaks Quadrangle, California, 7.5 Minute Topographic Map, 1950, Photo-revised 1981
- 9-P . Topanga Quadrangle, California – Los Angeles Co., 7.5 Minute Quadrangle, 1991
- 9-Q . Triunfo Pass Quadrangle, California, 7.5 Minute Quadrangle, 1994
- 9-R . Los Angeles, California, 1:250,000 Scale, Raised Relief Map, 4th Edition, 1975, Hubbard Scientific Inc.