

## HISTORY OF MEADOWOOD DRAINAGE

### Summary of Physical Creation and Regulatory Status of USGS Blue Line Stream

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#### **Background:**

A member of the public commented during the August 17, 2022 Planning Commission hearing that a blue line stream exists on the property and that the applicant was hiding this from the County, which makes the fire rebuild fish-unfriendly. The USGS maps indicate a blue line stream, which is and was well known to the County and the applicant. Moreover, this information was not hidden and instead is specifically addressed in the Development Agreement now before the County.

There is a long, complicated history related to the drainage that constitutes the USGS blue line as well as a history of applicable federal, state, and local regulations adopted over the past 60 years. A brief explanation of that history is helpful for understanding the drainage and the regulations, which has informed the requirements that are now being codified in the Development Agreement and accompanying project approvals.

The existence of a blue line stream on the USGS maps for Meadowood date back to 1960 and the applicable government regulations governing modifications to a blue line occurred decades after that. But the history of the man-made alterations of the drainage date back to the 1800s.

#### **Physical History of the Drainage at Meadowood:**

In 1868, following Sam Brennan's establishment of the Napa Valley Railroad, Chinese immigrant workers came to Napa County to be a major part of the local workforce in the development of railway.<sup>1</sup> During the 1870s and 1880s, the Chinese workforce were vital to developing vineyards and digging caves in and around St. Helena, including Charles Krug and Shramsberg. St. Helena's Chinatown came into existence at the same time, which was accompanied by an anti-Chinese immigrant sentiment by people in the region.

Around the same time Chinatown in St. Helena came into existence, John Gillam, a man who championed Chinese labor, purchased the property within Meadowood's current boundary. Some of the workforce lived on the property and Gillam allowed the tenants to grow rice and

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<sup>1</sup> For more detail on the history described herein, see *In the Shade of the Vines, A selection of Essays and Photographs with an illustrated history of the Napa Valley* (2005) and related source material and historical research by Lin Weber of St. Helena.

other agriculture, which he also sold to his tenants. As part of the occupancy and the cultivation of the property for rice in the 1860s and 1870s, the Chinese immigrant workers hand-dug a variety of ditches, tunnels and other channels so that the property would drain more efficiently for agricultural purposes. This includes the hand-dug tunnel through rock under which the Meadowood clubhouse was eventually located and the hand-dug drainage channels also in rock that proceed southward past the tennis courts. These channels drained the natural spring and runoff water that would pond on what is now the golf course area.

Unrelated to the agricultural cultivation on the property, the Chinese immigrant population received extremely poor treatment by the other inhabitants in the region. Their residences and gathering places were burned down and, eventually, the workforce left the community. Much of this interesting and dark history is well documented by the St. Helena Historical Society.

From the time of John Gillam's ownership of the property until around 1950, portions of the now Meadowood Estate had a variety of owners. This ranged from George Gibson, the local roadmaster, Gephard Teping, a German tailor, R.H Gans of San Francisco, to Calvin Mary Frances Stevens around 1909. Many of these owners cultivated the property for agriculture and many of them used the property as a San Francisco retreat. In 1954, Freeman and Mildred Nichols began acquiring all of the property, including much of the land that surrounded what is now Meadowood.

In 1954 and 1955, Nichols developed a Christmas Tree farm where the rice-field and other agriculture was located and is now the Meadowood golf course. He continued to make drainage improvements to support the farming operation. Freeman Nichols owned a lumber company and his wife's family were the developers of the Claremont Country Club in Oakland. Around that time, he created the Dutch Flat Developers, a development company. Nichols had a vision to develop homes in three phases around a club.

The County allowed one of the three phases – Madrone Knoll and the club, which became Meadowood. After construction started, Nichols sold the company to his partners at Dutch Flat Developers, which later became Meadowood Development Company. Various modifications to the property and the surrounding drainage were made at this time for the development of the homes, club amenities and golf course.

In 1977, Dutch Flat Developers sold the Meadowood property and in 1979 Pacific Union Company acquired it, led by Bill Harlan and his partners. Additional development occurred on the property after Pacific Union and the County entered into a Development Agreement to govern future development. At the same time, the County and the owners agreed to designate the surrounding lands as "Agricultural" and prohibit the previously planned residential development. During the term of the development, additional improvements were made near the drainage, but the historic drainage created by the Chinese workforce beginning in the 1870s remains.

### **USGS Blue Line History:**

In the late 1800s, the United States Geological Survey was authorized by acts of Congress in 1882. The first map produced by the USGS for St. Helena date back to the first quarter of the 20<sup>th</sup> century. The USGS's drawing of the blue line stream on the Meadowood property has undergone many revisions in depicting the blue line.

No blue line was shown on the maps that included the Meadowood property until 1960. At that time, the blue line appears to originate from a water source higher up on the existing hillside with the line terminating at the southern end of the now Meadowood Resort property. It did not connect to the Napa River.

In 2012, around the same time Meadowood was processing certain renovations and improvements at the property, the USGS map for the first time showed one of the wastewater treatment ponds on the golf course. The same map was reproduced in 2015 and 2018, and none of those maps showed any connection between the blue line and the Napa River.

### **Regulatory History:**

Much of the Meadowood drainage alterations that were completed in the 1800s still exist today and predate USGS' documentation of blue line streams. The resort development at Meadowood began in the early 1960s and predate County, State and Federal regulations related to drainages and watercourses.

Napa County: While the USGS mapping is not regulatory in nature, Napa County, in its adoption of the Conservation Regulations in 1991, included the blue line on the USGS maps as part of its definition of a "stream." If the Conservation Regulations were applicable at the time the drainage was constructed, the work would have fallen under the County's definition of "Drainage ditch" which means "a channel constructed solely for the purpose of providing drainage for agricultural use. A drainage ditch is not a stream as that term is defined in this section."

State and Federal Regulations: The state and federal environmental legislation and regulations governing the integrity of waterways occurred well-after the historic development at the Meadowood site and after the development of the original resort and golf course. The California Fish and Wildlife Code, then the Fish and Game Code, was created in 1870. However, its first regulation of streams did not occur until 1961. The State created the current regulations governing streambed alterations in 1976 (applicable in 1977). California adopted CEQA in 1969. In 1972, Congress adopted the Clean Water Act which included stream regulations, but those federal regulations of non-navigable waters did not occur until the 1980s and were not made applicable to wetlands until after that.

The importance of this history is to clarify that the drainage alterations occurred on the Meadowood property well prior to the federal, state, and location regulations applicable to drainages and streams, and to clarify that the drainage was not altered in any manner that would violate those regulations upon their respective effective dates. The rehabilitation of

Meadowood does not extend the limits of the historic development area and does not further encroach within the drainage on the property.

For reconstruction of facilities prior to the Glass Fire, Meadowood worked with the County to identify the limits of development in relation to the drainage to ensure that no new construction or addition to existing development encroached any closer to the drainage than the prior development. This approach is consistent with County regulations, CEQA policies and the County's protocols for environmental analysis on the impact of new construction or additions to buildings.

**The Development Agreement Regulates Development Near the Drainage:**

Notwithstanding this history, including that the drainage was a man-made creation developed in the 1800s, the County worked with the applicant to document the stream setback requirements that is applicable to the USGS blue line/historic drainage. These regulations are referenced at Development Agreement Section 7.1.1.

The Development Agreement's site-specific regulations do not allow any encroachment beyond previously developed areas and, where no development area previously existed, the Development Agreement requires compliance with the County's Conservation Regulations-based stream setback requirements. In addition, Development Agreement Section 10 recognizes that other permits may be required in certain instances for the project, "including permits for the California Department of Fish and Wildlife and the California regional water quality control board for stream crossings."

**The County and Applicant Have Improved Environmental Conditions:**

The public comment that a stream running through the property is being hidden from the public and not address by the County is simply inaccurate given the long history briefly described above and the practices of the applicant and the County in prior permitting work, which led to the inclusion of setbacks specific to the drainage on the property.

As far as being fish-unfriendly, notwithstanding that nearly 100% of the drainage is man-made in either rock or concrete, over the years the applicant has: (i) promoted riparian and shade growth around the drainage, (ii) not encroached further on to the drainage, (iii) proposed to relocate and significantly improve the long-existing sewer treatment plant and (iv) decommissioned a lawfully compliant leach field developed near the drainage.

Many of these efforts were not and are not required for a fire rebuild. However, the applicant, in working with the County, has planned for and has created environmental improvements over and above existing conditions.