



PLACER COUNTY GRAND JURY

All American Speedway Noise

Placer County Oversight Failure

Report Date: February 1, 2011

ALL AMERICAN SPEEDWAY NOISE

Summary

The Placer County Fair Association, a non-profit organization under contract with Placer County, operates the All American Speedway at the Placer County Fairgrounds in Roseville. An unapproved expansion of the race track in 2007, which now accommodates National Association for Stock Car Auto Racing (NASCAR) sanctioned racing events, has resulted in numerous noise complaints and other safety concerns for the residents in the immediate vicinity of the fairgrounds.

Three years of non-action by the Placer County Board of Supervisors led to a complaint to the Placer County Grand Jury. In investigating the complaint, it has been determined that in addition to the noise issues, no permits were obtained by the Fair Association for the expansion of the Speedway. Also, Placer County's contract with the Fair Association expired in 2007, and has not been renewed as of January 2011.

Background

The Placer County Fair Association, a non-profit organization, operates the Placer County Fairgrounds by way of a written agreement between the County of Placer and the Placer County Fair Association. The Placer County Fair Association has operated the All American Speedway since 1955, which is located on the fairgrounds. The racing events occur at the Speedway to help generate funds that are used to pay for the fairground's yearly operational costs.

In a letter dated December 13, 2006, the Fair Association notified the Placer County Executive Officer, the Placer County Board of Supervisors, and the City of Roseville, of planned "safety" repairs/upgrades to the Speedway. In addition to repairing safety walls, safety fencing and on/off ramps, they extended the race track seventy feet in one direction and widened another portion thirty feet. The "pits" were torn down and rebuilt at another track location. This notification was made after the City of Roseville discovered a significant amount of work in progress at the fairgrounds. After the Speedway was modified, it qualified for NASCAR-sanctioned racing events.

None of the above actions by the Fair Association were approved by the County of Placer, which owns the property. County officials testified that no permits or environmental impact studies/reports were obtained by the Fair Association for this project.

Investigation Methods

Individual members of the Placer County Sheriff's Department, the Roseville Police Department, and the Roseville City Government were interviewed.

Placer County officials testified before the Grand Jury.

Documents and copies of emails were obtained from the Placer County Sheriff's Department, Placer County Facilities, Roseville Police Department, and the City of Roseville.

The Grand Jury also researched the Speedway on the Internet.

Facts

- California State law requires each county to have an annual agricultural fair (Government Code §25905). The Placer County Board of Supervisors has chosen the Placer County Fair Association to operate the fairgrounds. There is a written agreement signed by the Fair Association and the County. That agreement covered the period from January 1, 2002 to December 31, 2007, which allows the Fair Association to continue operations on a year-to-year basis until the contract is renewed.
- Placer County Facilities Department has attempted to enter into a new written agreement with the Fair Association which would give the County more oversight of the fairgrounds/Speedway operations. County officials have testified the Fair Association has refused to sign a new agreement because of the increased oversight.
- There were complaints from nearby residents of excessive Speedway noise. The City of Roseville received written complaints from 26 residents and several homeowners associations about excessive noise coming from the public address system and racing vehicles, since the race track was enlarged in 2007. Complaints also encompassed traffic congestion, quality of life degradation and reduced property values. The majority of the complaints were submitted in 2007. The management at the Speedway has made some improvements with sound attenuation. There were repeated complaints recorded from 2008 through 2010. Additional telephone complaints were not documented.
- County officials testified that no permits or environmental impact studies/reports were obtained by the Fair Association for the Speedway expansion project.

- A written contract between the County and fairgrounds officials has not been renewed since 2007.
- The Speedway exists on county property.
- The City of Roseville does not have jurisdiction to enforce city noise ordinances related to county-owned property.
- The Fair Association did not follow the requirements of the Placer County Zoning Ordinances nor the contract terms as they pertain to the planning, approval, construction, or modification of facilities located within the fairgrounds. No permits were issued by the county.
- Per the All American Speedway website, as of December 5, 2006, the Fair Association announced that they recently received a NASCAR-sanctioned agreement for review and approval.
- The Board of Supervisors was notified by letter from the CEO of the Fair Association dated, December 13, 2006, that the Speedway improvement project was for only “safety and maintenance” and “would have minimal impact on Speedway operations and the community.”
- After lengthening the track by 70 feet on one end and widening it by 30 feet on the other end, as well as increasing banking on two turns, it qualified the Speedway to hold NASCAR-approved races. The Speedway modification allows vehicles to increase speeds which generate more noise, as well as air pollution from un-combusted fuel and worn brake linings. This pollution source is across the street from a primary school and residential area.
- The Fair Association conducted improper grading operations during this project and contaminated drainage was allowed to enter the City of Roseville storm drainage system.

Findings

- F1. The Fair Association violated their written agreement by enlarging and modifying the All American Speedway without permission from Placer County. The changes at the Speedway have caused increased noise, air, and storm water run-off pollution, as well as parking and traffic congestion. The nearby residents complain that the value of their homes has decreased because of the Speedway noise, and their quality of life suffers during racing season.
- F2. By not addressing the noise and air pollution created by the Speedway, Placer County has failed to protect the health and safety of the citizens living near the All American Speedway.
- F3. When the Board of Supervisors was notified that construction was planned at the location, they failed to initiate an investigation which would have revealed that the Fair Association did not obtain county and state permits as required by law and as stipulated in the terms of the contract. The Board of Supervisors should have ensured that all permits had been filed and approved, and environmental and engineering studies were conducted by the appropriate agencies.
- F4. The Placer County Facilities Department has failed to demonstrate fiduciary responsibility by not executing a new operating agreement with sufficient oversight language to ensure the Fair Association adheres to their written agreements.
- F5. It is clear that the Fair Association's intent was to qualify for NASCAR-sanctioned racing events under the guise of "safety and maintenance improvements."
- F6. Modern race vehicles (NASCAR) capable of higher engine speeds, combined with the extended length of the Speedway, continue to generate more noise than existed before the track was enlarged.
- F7. When residents complained to the City of Roseville, they were told that the fairground was County property and that they were unable to enforce Roseville's noise ordinances at the Speedway. The residents were referred to the County. The County directed the complaints to the Fair Association.

Recommendations

The Grand Jury recommends:

- R1. The Board of Supervisors ensure the entire All American Speedway has been examined by county building inspectors, and/or engineers so that all portions of the Speedway are brought up to current county and state codes, regulations and noise ordinances. Also ensure the facility has obtained all county and state permits, including an Environmental Impact Report (EIR), as required.
- R2. The Board of Supervisors give the Fair Association 90 days upon the publication of this report to accept and sign a new operating agreement, which includes addressing resolution of the aforementioned Speedway issues.

Request for Responses

Placer County Board of Supervisors, #R1, R2
175 Fulweiler Ave.
Auburn, CA 95603

Due by April 1, 2011

Michael Johnson, Director, #R1
Community Development Resource Agency
3091 County Center Drive, Ste. 280
Auburn, CA 95603

Due by May 1, 2011

Jim Durfee, Director, #R2
Department of Facilities
11476 C Avenue
Auburn, CA 95603

Due by May 1, 2011

Copies Sent To

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Tom Miller, CEO
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Roseville City Council
311 Vernon St.
Roseville, CA 95678

Mike Blair, Chief of Police
Roseville Police Department
1051 Junction Blvd.
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