

# EL DORADO COUNTY GRAND JURY 2014-2015

## *SARATOGA WAY: ROAD TO NOWHERE?*

Case GJ-14-09

The Saratoga Way Extension Project came to the attention of the Grand Jury amid controversy. It would purportedly relieve traffic on US 50, primarily between El Dorado Hills and Folsom if completed.

Preliminary investigation determined there was, in reality, very little reason to further investigate the road project, *per se*, and there was little substantive evidence to be found related to the physical changes the road project would entail. This report is limited to what the investigation did find - the project's current status and why it has not yet been completed.

### **BACKGROUND**

Saratoga Way travels a short distance generally westward from El Dorado Hills Boulevard, closely paralleling the north edge of Highway 50 before coming to a dead end about 2,500 feet from the El Dorado County-Sacramento County line. The Saratoga Way Extension Project would extend it the remaining one-half mile to connect with Iron Point Road in Folsom at the county line.

The Saratoga Way Extension Project became a priority in the El Dorado County Capital Improvement Program in about 2004. It is divided into two phases: the first phase would acquire land for right-of-way and build the needed one-half mile of two-lane roadway to Folsom. The second phase would build out the roadway to a four-lane divided arterial. Both phases depended upon prior completion of the Saratoga Way Realignment Project, which would realigned the west end of existing Saratoga Way to increase efficiency and accommodate traffic on El Dorado Hills Boulevard.

The realignment project became the subject of litigation brought by Citizens Against Roadway Encroachment, which resulted in a writ of mandate in 2002 ordering mitigation of noise impact primarily affecting the El Dorado Hills Townhouses to the north of Saratoga Way. The county complied with the writ by constructing a sound wall and installing double-glazed upper-floor windows where needed and the realignment project was completed in about 2005.

The extension phase one project initially was scheduled to begin construction in fiscal year 2007. The 2007 Capital Improvement Program anticipated that the Environmental Impact Report would be completed in the summer of 2007, and construction was scheduled to begin as soon as funding became available, which was anticipated to be in fiscal year 2010. Total phase one project costs was estimated at slightly more than \$10.5 million, including about \$4.5 million for right-of-way acquisition.

The project was designated to be 100 percent funded from Traffic Impact Mitigation fees. However, at that time, mitigation fee revenue was dropping dramatically with the decline of new housing construction to nearly a standstill. High foreclosure rates drove down property values,

seriously impacting property tax revenues to public agencies. Consequent unemployment and business stress further reduced sales tax and fuel tax revenues.

The 2009 Capital Improvement Program showed impacts to both phases of the Saratoga Way Extension Project. It increased first phase costs to about \$15 million and rescheduled completion of planning and environmental review to fiscal 2010. Design was planned to resume in fiscal 2013, and all other work was moved out to later years.

## **METHODOLOGY**

The following persons were interviewed:

1. Employees of the county Department of Transportation whose responsibilities in 2010 included the Saratoga Way Extension project
2. County Supervisors who were involved with the key decisions in 2010 for the Saratoga Way Extension project and oversight of County fiscal issues

The following documents were reviewed in their relevant sections of contents:

1. Audio/video recordings of the 6/29/2010 and 7/26/2010 Board of Supervisors meetings
2. Board packets and minutes of the 6/28/2010, 6/29/2010, 7/20/2010 and 7/26/2010 Board of Supervisors meetings.
3. County Department of Transportation Capital Improvement Program documents for years 2004 through 2014.

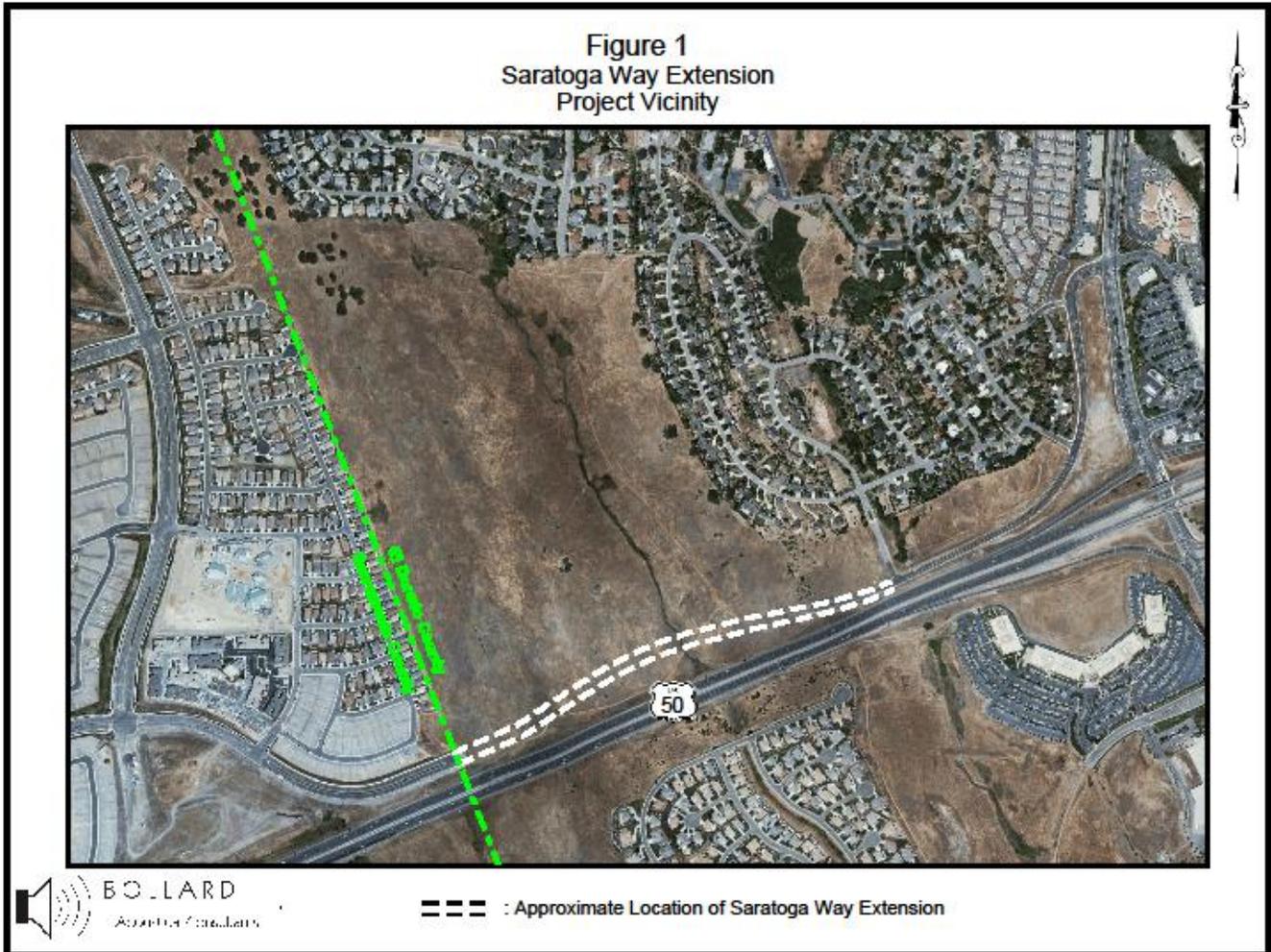
## **DISCUSSION**

The Board of Supervisors certified the first phase of the project's Environmental Impact Report at its meeting on June 29, 2010, along with the related findings of fact, adopting the report's mitigation monitoring plan and approving the project to go forward. A credible threat of litigation was growing and in addition to opponents' comments on the public record, the Board of Supervisors meeting minutes for four meetings in June 2010 and July 2010 reported that closed sessions included: "Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Issues relating to Saratoga Road Connection." No action was reported from any of them.

Apprehension of litigation led the board to decertify the Saratoga Way Extension Project Environmental Impact Report on July 26, 2010, effectively putting the project on hold for an indefinite time. The decertification eliminated the risk of a lawsuit over the report. Multiple witnesses described the cause as simply *no money*. The funding was not available to defend a lawsuit, acquire right-of-way and build the project.

The Saratoga Way Extension project remains on hold at the time of this report; the second quarter of 2015.

## SARATOGA WAY EXTENSION LOCATION



### RESPONSES

Responses are not required

This Report has been provided to the El Dorado County Board of Supervisors.