

## BUREAU OF RECREATION AND CONSERVATION

<b>Title:</b> Accessibility Policy		
<b>Issued by:</b> Bureau of Recreation and Conservation	<b>Effective Date:</b> 10/5/2009 <b>Scheduled Review:</b> Annual	<b>Document Number:</b> 2300-006
<b>Reviewed:</b> 12/14/23	<b>Revised:</b> 11/22/2013; 12/05/2018, 12/14/23	
<b>Approved By:</b> Tom Ford, Bureau Director	<b>Program Area:</b> All	

### AUTHORITY

Act 18 of 1995, Section 306, Community Recreation and Heritage Conservation. The Department shall have the power to administer Federal and State programs for grants and loans to local governments, municipal authorities and nonprofit organizations for community and regional projects involving the planning, acquisition, rehabilitation and development of public park, recreation and conservation areas, facilities and programs.

### SCOPE

Provides directive for administration of the Community Conservation Partnerships Grant Program.

### PURPOSE

The Department of Conservation and Natural Resources (DCNR) wants to ensure that appropriate accessibility is integrated into all parks and other recreation facilities. Accessibility laws, regulations, and guidelines for accessibility were first developed in the 1960's and have subsequently been updated and enhanced with other guidance. This policy outlines the laws, regulations, and best practices for project design and implementation.

### POLICY

- A. All facilities renovated or developed with DCNR funding must be accessible to persons with disabilities. All site development drawings, plans and specifications funded by DCNR must clearly show that the proposed facilities, use areas and amenities are intended to be accessible to persons with disabilities.
- B. It is the responsibility of the grantee to comply with the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 and the 2010 ADA Standards for Accessible Design (2010 Standards). Compliance with these regulations is required. It is strongly recommended that grant applicants and grantees work with a licensed design consultant to ensure that the project is designed and constructed consistent with the pertinent ADA laws, standards and guidelines.
- C. In general, projects that provide maximum accessibility will take priority over those that follow other guidance.
- D. Park Facilities:
  1. The 2010 ADA Standards for Accessible Design (2010 Standards) apply to all accessible routes in parks which connect park amenities to parking/access. Accessible routes that are developed to connect accessible elements, spaces, and buildings within a site are not a trail, therefore should not use trail standards and guidelines.

2. The current SCORP made loop trails within parks a priority. With the goal of providing accessibility for all, these trails are considered accessible routes and must comply with the 2010 ADA Standards for Accessible Design (2010 Standards).
3. Multi-use paths designed primarily for use by bicyclists and pedestrians, including pedestrians with disabilities, for transportation and recreation purposes. These paths typically have a machined, layered surface (i.e., asphalt, concrete, bonded materials, other), and are located in either an "independent corridor" or public right-of-way. Shared use paths in parks are subject to the 2010 ADA Standards for Accessible Design (2010 Standards).
4. For natural surface "hiking/pedestrian trails" in parks, the Bureau desires at a minimum, they meet the requirements of the 2013 Outdoor Developed Areas Accessibility Guidelines (ODAAG Chapter 1017) - [Trails for All People \(2021 edition\)](#) provides useful interpretation. The Bureau retains the sole authority to determine what standards apply to "hiking/pedestrian trails" in parks.

Additionally, the Bureau requires that a portion of the proposed new or altered trail or another like experience be provided. The objective is to provide an inclusive and equivalent experience to promote equal access and opportunity. This like experience must comply with the 2010 ADA Standards for Accessible Design (2010 Standards). The like experience needs to be in the park where the proposed hiking/pedestrian trail will be constructed. The Bureau retains the sole authority to determine if the like experience proposed is adequate to meet the objective.

E. Trails outside of parks:

1. Shared use paths - A multi-use path designed primarily for use by bicyclists, *pedestrians*, and other authorized motorized and non-motorized users, for transportation purposes, and that may also be used for recreation. *Shared use paths* are physically separated from motor vehicle traffic by an open space or barrier and are either within the *highway* or other *public right-of-way*. Accessibility guidance is found in the [Public Right-of-Way Accessibility Guidelines \(PROWAG\)](#).
2. Trails - New or altered trails that are designed for hiker or pedestrian use and that connect either directly to a trailhead or to another trail must, at a minimum, meet the requirements for trails as outlined in the [Trails for All People: Guidance for Accessibility and Inclusive Design \(2021\) manual](#), which is based on the [Architectural Barriers Act Accessibility Standards, Chapter 10 Outdoor Developed Areas](#).
3. Pedestrian routes that are developed to connect accessible elements, spaces, and buildings within a site (such as trailheads, parking areas, rest rooms, benches, etc.) are considered accessible routes and are required to comply with the [2010 ADA Standards for Accessible Design \(2010 Standards\)](#).
4. Trails that have a designed use other than for hikers or pedestrians and do not meet the definition of a shared use path, (for example mountain bike, equestrian or ATV trail) do not have accessibility requirements regarding the design and construction of the trail and are therefore not required to comply with the technical requirements for trails or shared use paths.

F. Water Access Projects:

1. For water access projects the 2010 ADA Standards for Accessible Design (2010 Standards) apply to marinas, boat boarding docks, gangways and accessible routes which connect site amenities. The 2010 ADA Standards for Accessible Design (2010 Standards) do not apply to carry-in watercraft launches (such as those for canoes and kayaks). In general, projects that provide maximum accessibility will take priority over those that follow other guidance.

G. The following resources are available to assist you and your design consultant in understanding and meeting the ADA Accessibility Standards and Guidelines:

1. [2010 ADA Standards for Accessible Design \(2010 Standards\)](#)
2. [Public Right-of-Way Accessibility Guidelines \(PROWAG\)](#).
3. [Architectural Barriers Act Accessibility Standards, Chapter 10 Outdoor Developed Areas](#).
4. [Trails for All People: Guidance for Accessibility and Inclusive Design \(2021\) manual](#)

H. Technical Assistance can be provided by the United States Access Board at [www.access-board.gov](http://www.access-board.gov) or via E-mail: [ta@access-board.gov](mailto:ta@access-board.gov). The access board develops and maintains design criteria for the built environment under ADA and other laws. It also provides technical assistance on the Architectural Barriers Act.

**DISCLAIMER**

The policies and procedures outlined in this guidance document are intended to supplement existing requirements. The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of DCNR to give the rules in these policies that weight or deference. This document establishes the framework within which DCNR will exercise its administrative discretion in the future.

**PAGE LENGTH**

2 pages

**EFFECTIVE DATE**

Immediately. This policy is to be reviewed and updated every year.

**EXPIRATION**

This policy remains in effect until revised or rescinded.

Tom Ford, Bureau Director

12/14/2023

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Name/Title of Bureau or Office Director

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Date