



DEPARTMENT OF NATURAL RESOURCES

RECREATIONAL TRAILS PROGRAM

Trail Accessibility

This form is to serve as record of the RTP project's planning and review of the trails for accessibility and the factors that lead to the trail construction plans.

The project sponsor has referenced the *Architectural Barriers Act (ABA) Accessibility Guidelines for Outdoor Developed Areas*, Chapter 2 (Scoping Requirements) and Chapter 10 (Recreational Facilities) as the guiding principles for construction of the trails for accessibility.

Name of Trail: _____ Length of Trail: _____

Location (nearest town, city, county, state):

Check all boxes that apply:

- Designed use by pedestrian/hiker
- Connects directly to trailhead or accessible trail that complies with all the technical requirements in 1017 without any exceptions.
- New Construction
- Alteration

Check the box that applies:

- This project and the trails identified or proposed in this project are in accordance to the requirements of ABA Chapter 10, section 1017.
- This project and the trails identified or proposed in this project are not in accordance to the requirements of ABA Chapter 10, section 1017.

Exceptions:

If you are unable to construct the trail in accordance with the guidelines of ABA Chapter 10, section 1017, then an exception must be documented.

1017.1-

1. When an entity determines that a condition in 1019 does not permit full compliance with a specific provision in 1017 on a portion of a trail, the portion of the trail shall comply with the provision to the extent practicable.
2. After applying Exception 1, when an entity determines that it is impracticable for the entire trail to comply with 1017, the trail shall not be required to comply with the 1017.

Mark all that apply. Provide documentation or narrative that supports your determination that the specific provision is applicable to your project.

Condition 1 - Compliance is not practicable due to terrain.

Complying with the technical provisions, particularly running slope, in areas of steep terrain may require extensive cuts or fills that would be difficult to construct and maintain, or cause drainage and erosion problems. Also, to construct a trail on some steep slopes, a trail may become significantly longer causing a much greater impact on the environment. Certain soils are highly susceptible to erosion. Other soils expand and contract along with water content. If compliance requires techniques that conflict with the natural drainage or existing soil, the trail would be difficult, if not impossible to maintain. This condition may also apply where construction methods for particularly difficult terrain or the presence of an obstacle would require the use of equipment other than that typically used throughout the length of the trail. One example is requiring the use of a bulldozer to remove a rock outcropping when hand tools are commonly used.

Several of these conditions for departures are consistent with other exceptions for trails. For example, it may be impracticable in new construction to follow these provisions where soil and terrain pose obstacles which cannot be remedied. Compliance with the provision for a firm and stable surface might conflict with the prevailing construction practices by requiring the importation of a new surfacing material that would otherwise not have been used. For example, if the prevailing construction practices would not include the importation of a new surface material and the natural surface material could not be made firm and stable, the trail may not be able to comply with that specific provision.

The term “not feasible” is used in this situation to specify what is “reasonable do-able”. It does not refer to the technical feasibility or possibility of full compliance with the technical provisions. For example, it may be feasible to provide a trail with a 1:20 slope or less up a 1,500-foot-tall mountain using heavy construction equipment, but the trail would be at least 5.8 miles long (rather than 2 miles long under a traditional back-country layout), and may cause inappropriate environmental and visual impacts. The intent of this conditional departure is to recognize that the effort and resources required to comply would not be disproportionately high relative to the level of access created. Although technically feasible, the effort and resources required are not “reasonable.”

Response:

2 MARTIN LUTHER KING JR. DR. SE SUITE 1370, EAST | ATLANTA, GEORGIA 30334
404.463.1779 | WWW.GADNR.ORG

□ Condition 2 – Compliance cannot be accomplished with the prevailing construction practices.

Trail construction practices vary greatly, from the use of volunteer labor and hand tools, to professional construction with heavy, mechanized equipment. For alterations to an existing trail, the “prevailing construction practices” are defined as the methods typically used for construction or maintenance of the trail, for new trails, it is recognized that the land manager determines the construction practices to be used on each trail. However, the choice of construction practices is primarily determined by the available resources (e.g., machinery, skilled operators, finances) and the environmental conditions (e.g., soil type and depth, vegetation, natural slope). The intent of this condition is to ensure that compliance with the technical provisions does not require the use of construction practices which are above and beyond the skills and resources of the trail building organization. It is not intended to automatically exempt a trail from the technical provisions simply because of a construction practice, (e.g., the use of hand tools or to suggest that hand tools should be used to avoid compliance) when more expedient methods and resources are available.

Where specified, the presence of the conditions may also prevent full compliance with some of the technical provisions for elements in picnic, camping, and beach facilities. While the conditions for departures may be more limited with these outdoor elements, the committee included the option for exceptions based on the conditions in several provisions. In most cases, these are limited to technical provisions for clear floor or ground space, surface slope, and accessible surfacing.

Where designers or operators apply an exception from a specific technical provision because of one or more of the conditions, the other technical provisions should be applied. For example, a significant cultural feature may prohibit a 36-inch trail tread width. However, all other provisions could be met because they would not be affected by the conditions.

Response:

□ Condition 3 – Compliance would fundamentally alter the function or purpose of the Facility or the setting.

This condition includes trails intended to provide a rugged experience such as a cross county training trail with a steep grade or a challenge course with abrupt and severe changes in level. If these types of trails were flattened out or otherwise constructed to comply with the technical provisions for accessible trails, they would not provide the intended and desired level of challenge and difficulty to users. Trails that traverse over boulders and rocky outcrops, are another example. The purpose of such trails is to provide people with the opportunity to climb the rocks. To remove the obstacles along the way or reroute the trail around the rocks would destroy the purpose of the trail. The nature of the setting may also be compromised by actions such as widening a trail using imported surfaces in a remote location or removing ground vegetation in meadows or alpine areas.

Trails and other outdoor elements such as picnic and camping areas are designed to provide an opportunity for the user. Throughout the discussions regarding these outdoor elements, many committee members were concerned that complying with the technical provisions could change the nature of some recreation opportunities. Further, compliance could negatively impact the unique characteristics of the natural setting, the reasons why people choose to recreate in the outdoors rather than an indoor environment. People using primitive trails or camping areas, for example, often experience the outdoor environment in a more natural state with limited or no development. Evidence or manufactured building materials or engineered construction techniques in such a setting can change its primitive character, survival skills. Compliance with the technical provisions, particularly those related to surface and obstacles could destroy the “natural” or “undeveloped” nature of the setting. This condition addresses these concerns.

Response:

□ **Condition 4 – Compliance is limited or precluded by any of the following laws, or by decisions or opinions issued or agreements executed pursuant to any of the following laws:**

- **Endangered Species Act (16 U.S.C. §§ 1531 et seq.);**
- **National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.);**
- **National Historic Preservation Act (16 U.S.C. §§ 470 et seq.);**
- **Wilderness Act (16 U.S.C. §§ 1131 et seq.); or**
- **Other federal, state, or local law the purpose of which is to preserve threatened or endangered species; the environment; or archaeological, cultural, historical, or other significant natural features.**

Federally designated and some State Designated Wilderness Areas prohibit use of mechanized equipment, limiting construction methods to hand tools. Imported materials may be prohibited to maintain the integrity of the natural ecosystem. Construction methods and materials employed in designated wetlands or coastal areas are also strictly limited. For traditional, historic, or other reasons, many trails are built using only the native soil for surfacing, which may not be firm and stable. Federal statutes such as the Wilderness Act and the Endangered Species Act, and State and local statutes often impose restrictions to protect or address environmental concerns. Many aquatic features are protected under Federal or State laws. Some constructed water crossings, which would be required to provide accessibility, may not be permitted under certain laws or regulations.

“Local regulations and statutes” have been included to address conditions where “conservation easements” or “development rights” programs have prohibited or restricted construction methods and practices. For example, where land is purchased from farms, certain use restrictions may prohibit the importation of surfacing. On the other hand, local regulations or statutes may not be developed or initiated with the sole purpose of prohibiting use by people with disabilities. For example, initiating a new local regulation that arbitrarily restricts trail width to a dimension that would not allow passage of wheelchairs or other mobility devices from accessing a trail is not permitted under this condition.

Response: