



Parks, Recreation and Historic Preservation

ADA Transition Plan

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Executive Summary

The mission of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) is to provide safe and enjoyable recreational and interpretive opportunities for all New York State residents and visitors while serving as responsible stewards of the state's valuable natural, historic, and cultural resources. OPRHP administers 180 state parks and 35 historic sites, encompassing 333,000 acres of land and numerous marine facilities, beaches, swimming pools, golf courses, cabins, campsites, trails, and nature centers. OPRHP is committed to making all reasonable efforts to ensure that these facilities and their programs are accessible to and usable by visitors of all abilities, including those with limitations.

OPRHP is continually working to increase accessibility and further its compliance with the Americans with Disabilities Act and the New York State Building Code. The Agency promotes accessibility with the expansion of physical access and the use of specialized adaptive recreation equipment, interpretive resources, and reasonable accommodations. All newly-built or renovated facilities and trails, as well as newly developed programs and services, will adhere to the most current standards for accessible design. And the Agency continues to assess all existing facilities, as well as programs and services, for compliance to these standards while it implements a plan to renovate non-compliant features.

OPRHP has already spent more than forty million dollars making great strides toward achieving accessibility for all of its visitors, but there is still a great deal of work to be done. As New York's state park system is among the largest, oldest, and most developed in the nation—with more than 5,000 buildings and structures, many constructed decades ago—there are many challenges to achieving full accessibility at every site. This Transition Plan will create a roadmap for the Office's future efforts and ensure that accessibility remains a priority for OPRHP as it continues its mission to serve New York state and its visitors.

I. Introduction

A. Overview

The Americans with Disabilities Act of 1990 (ADA) provides comprehensive civil rights protections to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. The ADA's purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities as well as assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

Title II of the ADA covers programs and services provided by public entities, including those offered by OPRHP. Under Title II, public entities must take all reasonably possible measures to render their programs accessible to individuals with disabilities and reasonably modify policies, practices, or procedures to avoid discrimination against people with disabilities. Entities must start this process by evaluating the accessibility of their programs and facilities. These evaluations must then be used to create a Transition Plan that aims to achieve accessibility for as many people as reasonably possible.

This Self-Evaluation and Transition Plan has been prepared in compliance with the ADA to assist OPRHP, its Executive Staff, Regional Directors, Bureau Directors, and staff to identify policy, program, and physical barriers to accessibility and develop solutions that will facilitate access for all individuals. As OPRHP administers 215 diverse parks and historic sites with more than 5,000 buildings and structures, total accessibility is a huge undertaking requiring a great deal of coordination and investment. This report describes the process of the Self-Evaluation by which policies, programs, and facilities were evaluated for compliance with the ADA; presents the findings of that evaluation; and identifies actions to maximize accessibility. The Transition Plan found in Part III sets out OPRHP's plans for achieving greater accessibility, method of prioritizing projects, and a timeframe for accomplishing them. The Transition Plan will be revised periodically to reflect OPRHP's progress in this initiative and ensure that accessibility remains a priority for the Agency.

B. Legislative Mandate—The Statutory Framework

Congress first acted to protect the rights of individuals with disabilities in the Rehabilitation Act of 1973. The Act requires all organizations receiving federal funds to make their programs available without discrimination toward people with disabilities. The Act, which has become known as "the civil rights act for persons with disabilities," states:

"No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Rehabilitation Act, Section 504.

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Nearly twenty years after passing the Rehabilitation Act, Congress expanded the protected rights of individuals with disabilities through the Americans with Disabilities Act. OPRHP must observe all requirements of Title I of the ADA in its employment practices; Title II in its policies, programs, and services; relevant provisions of Title IV's telecommunications requirements; relevant provisions of Title V's miscellaneous mandates; and all requirements specified in the ADA Accessibility Guidelines that apply to facilities and other physical holdings.

C. DOJ Implementation—The Regulatory Framework

The ADA's legislative mandate is implemented by the Department of Justice (DOJ), which promulgates regulations and enforces the ADA. Title II's regulatory scheme adopts the general prohibitions of discrimination established under Section 504 of the Rehabilitation Act and adds specific prohibitions of discrimination for public entities.

The regulations specify that OPRHP may not, either directly or through contractual arrangements:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and commissions;
- Deny persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered to others, even if the entity offers permissibly separate or different activities;
- Select the location of facilities that have the effect of excluding or discriminating against persons with disabilities;
- Discriminate in employment practices against qualified persons with disabilities.

In addition, DOJ requires OPRHP to:

- Complete a self-evaluation—identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the programs, activities, and services;
- Develop a Transition Plan if the self-evaluation identifies any structural modifications necessary for compliance and retain the Plan for three years;
- Develop an ADA complaint procedure;
- Designate a person to be responsible for overseeing Title II compliance.

This report sets out the results of OPRHP's ADA Self-Evaluation and establishes its Transition Plan.

D. Standards of Accessibility

The ADA requires public entities to offer two types of accessibility: program accessibility and physical accessibility. The ADA maintains that entities failing to offer both types of accessibility unlawfully discriminate against individuals with disabilities. The ADA defines disability as a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment. There is no set list of

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disabilities; any condition that actually impairs or is perceived to impair an individual's "substantial life function" may qualify as a disability.

1. Program Accessibility

Program accessibility includes physical accessibility, but also incorporates all of the policies, practices, and procedures that allow people with disabilities to participate in programs and access important information. It requires entities to provide individuals with disabilities an equally effective opportunity to participate in or benefit from its programs and services. As such, program accessibility must be achieved by both structural and non-structural methods. Non-structural methods include, but are not limited to, the acquisition or redesign of equipment, provision of aids, and the availability of alternate sites for services. When choosing a method of providing program access, OPRHP will prioritize the option that results in an integrated setting encouraging interaction among all users, including individuals with disabilities.

2. Physical Accessibility

An entity achieves physical accessibility when its facilities are free of barriers and obstacles that restrict their entrances and uses. The requirements for physical accessibility are specified by the Department of Justice's regulations. Prior to March 15, 2012 the Department of Justice required entities to comply with the 1991 ADA Accessibility Guidelines (1991 ADAAG) for new construction and alterations. After that date, DOJ started enforcing the 2010 ADA Accessibility Guidelines for Buildings and Facilities under the new title of ADA Standards for Accessible Design or ADA SAD). The ADA Standards are largely authored by the U.S. Access Board, a federal agency that develops accessibility standards for the built environment, transportation, communication, medical diagnostic equipment and information technology.

In addition to the 2010 ADA Standards, OPRHP is subject to the New York State Building Code, which contains requirements for accessibility and refers to the International Code Council and American National Standards Institute's guide on Accessible and Usable Buildings and Facilities (ICC/ANSI Sections A117.1-2003) for detailed technical standards. The ADA Standards and Building Code cover a wide variety of facilities and establish minimum accessibility requirements for new construction and alterations to existing facilities.

But while the ADA Standards and Building Code cover a wide array of built structures, they do not include standards for many types of outdoor recreation areas. In September 2013, the Access Board finalized its Architectural Barriers Act (ABA) Guidelines for Outdoor Developed Areas. These ABA Guidelines only apply to federal agencies; entities using federal funds; and entities that construct or alter facilities on federal land pursuant to a concession contract, partnership agreement, or similar arrangement. Federal offices that administer recreation sites (namely the Forest Service, Army Corps of Engineers, Bureau of Land Management, Bureau of Reclamation, Fish and Wildlife Service, and National Park Service) had to comply with the ABA Guidelines starting November 25, 2013. In the absence of other guidelines on outdoor developed areas, OPRHP will consider the ABA Guidelines as it strives to make programs and recreational areas at all parks and historic sites accessible to all individuals.

3. Exemptions for Historic Significance, Fundamental Alteration, Undue Burden & Unsuitable Terrain

While OPRHP is committed to making its properties and programs accessible to as many people as possible, its duty to preserve historic and natural resources renders some accessibility measures impracticable. Recognizing that universal accessibility of existing structures is not always possible, the ADA does not require entities to take any actions that would threaten or destroy the historic significance of a historic property; result in a fundamental alteration in the nature of its program or activity; create a hazardous condition; or present an undue financial and administrative burden. The determination that a program or site cannot be made accessible must be made by the Commissioner or her designee and be accompanied by a statement explaining the conclusion.

When an accessibility measure appears to present an undue burden to the Agency or is otherwise impracticable, OPRHP will evaluate all of a program's resources and seek to provide alternative opportunities for individuals with disabilities. For instance, where OPRHP cannot install an elevator in a historic site, it may design an interpretive exhibit on the ground floor illustrating what can be found on the second floor. In this manner, OPRHP will seek to provide individuals with disabilities with access to the many benefits and services of its programs.

Unlike existing structures, new facilities must be built in compliance with DOJ's standards unless doing so is structurally impracticable. DOJ notes that this may be the case where unique terrain precludes accessibility features and requires that structures built on such terrain are constructed to be as accessible as possible.

E. ADA Self Evaluation and Transition Plan Development Requirements

The ADA requires that public agencies perform a self-evaluation of their ability to provide programmatic access to individuals with disabilities.

As part of this Self-Evaluation, OPRHP continues to:

1. Identify all of its programs, activities and services; and
2. Review all of the policies, practices and procedures that govern the administration of its programs, activities and services.

The evaluation is designed to uncover areas that require more attention and policies that may, directly or indirectly, adversely impact accessibility.

In conducting the evaluation, the ADA and DOJ suggest that entities consider:

- Whether any physical barriers prevent access to programs and the steps needed to enable these programs to be accessible, when viewed in their entirety;
- Policy modifications that may provide access to individuals with disabilities, as well as justifications for any exclusionary or limiting policies that will not be modified;
- Methods of communication with the public;
- Alternative communication methods and devices;
- Emergency evacuation techniques;
- Portrayal of individuals with disabilities in written and audio-visual materials;

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- Policies and methods to provide access to historic preservation programs;
- The rationale for any determination that providing access would be an undue financial or administrative burden;
- Employment practices;
- Building and construction policies;
- Measures to familiarize staff with the policies and practices for providing full participation of individuals with disabilities; and
- Whether practices designed to limit participation by individuals engaged in the illegal use of drugs impermissibly discriminate against former drug users.

If a self-evaluation reveals that a public agency must make structural changes to achieve program accessibility, it must create a transition plan providing for the removal of barriers. The ADA requires that transition plans contain at least the following information:

- A list of the physical barriers in the Agency's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be used to remove these barriers and make the facilities accessible;
- A schedule for taking the steps necessary to achieve compliance with the ADA, Title II; and
- The name of the individual responsible for the plan's implementation.

II. ADA Self Evaluation and Transition Plan Development Process

OPRHP used a variety of tools to evaluate New York's State Park and Historic Site system. The Agency formed an Accessibility Team, conducted a statewide survey, reviewed its policies and regulations, and embarked on a partnership with SUNY Cortland's Inclusive Recreation Resource Center. Many of these processes are ongoing as the park system is constantly evolving to meet the recreational and cultural demands of New York State.

A. Accessibility Team

A team led by the ADA Coordinator and including the Director of Regional Programs and Services, the Public Information Coordinator, a Trail Planner, a Senior Counsel, and a Landscape Architect allows its members to contribute their varied perspectives on accessibility. The Team works with Executive Staff, the eleven State Park Regions, and the Albany Office Bureaus to identify and work toward the completion of tasks that will achieve and communicate greater accessibility.

B. Policy and Regulation Review Process

The Accessibility Team reviewed OPRHP's policies, guidance, and regulations to determine whether they have a discriminatory impact on individuals with disabilities and provide sufficient guidance to the Agency's staff. As a result of this process, Commissioner Rose Harvey issued a new Accessibility Policy in September 2011 and the Agency drafted a new protocol for allowing

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the use of other power-driven mobility devices (OPDMDs). The Commissioner's Policy makes several important commitments:

- New construction will adhere to current ADA Standards;
- Existing facilities will continue to be assessed for compliance with the standards;
- New programs will be accessible to the largest extent possible;
- Existing programs will continue to be assessed for accessibility;
- Reasonable accommodation requests will be directed to facility staff and fulfilled to the greatest extent possible;
- Wheelchairs are permitted in any area open to pedestrian use;
- OPDMDs are permitted where safety and conservation needs permit;
- Service animals are allowed in all locations;
- Information regarding accessibility will continue to be made available; and
- Agency employees who deal with the public will be trained to understand their responsibilities to all visitors.

C. Facility Accessibility Assessment Surveys

To obtain current information on accessibility at its Parks and Historic Sites, OPRHP conducted a Preliminary Accessibility Assessment at each facility. Facility Managers or their designees completed the surveys and then Regional Directors reviewed them for accuracy. The survey evaluated the parking, entrance, restrooms, and general use of bathhouses, police stations, boat launches, campsites, swimming pools, beaches, nature centers, concessions, offices, visitor centers, fishing areas, golf courses, picnic areas, trails, and historic sites. The survey also asked about adaptive equipment and the availability of information over the internet and in promotional material.

The results of the survey were then reviewed and organized into a database. The database allows OPRHP to identify which programs and facilities need to be renovated or reorganized for increased accessibility. The data can be organized by region, by site, and by program offering so the Agency can get a comprehensive view of the recreational opportunities and barriers that affect individuals with disabilities.

D. Program Evaluation

OPRHP offers a wide and varied array of programs. Moreover, the Agency's programs are constantly evolving to keep up with recreational trends and visitor demands. For instance, Thacher State Park will soon offer rock climbing and a high ropes course in response to their growing popularity. Major categories of OPRHP's programs were evaluated as part of the facility survey, including:

- Interpretive and educational programs including audio-visual programs, museum exhibits, nature centers, animal exhibits, and historic house tours. These sites are generally open to the public as well as popular destinations for school field trips and fundraising events.
- Outdoor recreation programs including camping, hunting, fishing, hiking, biking, mountain biking, rock climbing, picnicking, horseback riding, playgrounds, tennis, golf,

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volleyball, miniature golf, and disc golf. Athletic fields also allow for free recreation, including soccer and baseball.

- Winter recreation programs including snowmobiling, sledding, snowshoeing, cross-country skiing, ice skating, and ice fishing.
- Water-based activities like swimming, kayaking, canoeing, paddle-boarding, surfing, windsurfing, scuba diving, and boating.
- Indoor recreation such as fitness rooms, exercise classes, and indoor courts allowing for free recreation, including basketball and soccer.
- Events such as concerts, festivals, and competitions.
- Vacation rentals in cabins, campgrounds, and hotels.

E. IRRC Assessments

OPRHP has partnered with the SUNY Cortland's Inclusive Recreation Resource Center (IRRC) to further assess the usability of OPRHP properties and programs for individuals with disabilities. The IRRC will document the day-to-day usability of several state parks (as well as other recreation facilities in New York State) to help people with disabilities plan their recreation. In addition, the assessors will train facility employees to conduct their assessment so program and facility staff will have a greater awareness of how they can maximize the park system's accessibility.

F. Public Input

Information concerning OPRHP's facilities and programs is available on its website and in its promotional materials. The public is encouraged to comment on OPRHP's offerings so the Agency may take all suggestions into consideration. The accessibility mailbox on OPRHP's website allows the public to quickly and easily forward questions or comments about accessible programs and facilities to OPRHP staff. In addition, OPRHP conducts public hearings when it considers major alterations to its sites. These hearings are designed to allow individuals across the state to voice their concerns and suggestions so the Agency may make informed decisions that meet the needs of New York State. Input received by the public helps shape the Agency's priorities for accessibility and contributed to the projects and priorities described in the Transition Plan.

III. Transition Plan

A. Overview

The Transition Plan analyzes the Agency's findings on accessibility, sets out OPRHP's priorities for attaining greater accessibility at its parks and historic sites, and describes upcoming accessibility projects. With the budget constraints and logistical difficulties inherent to the operation of 215 properties, eradicating all barriers to access and ensuring full accessibility at all state parks and historic sites is an iterative process. Although much has been accomplished in the 25 years since the ADA's enactment, additional challenges and opportunities exist. The Agency will continue to remove barriers and aims to ensure a wide range of opportunities for individuals with disabilities across the state park system. In addition, OPRHP will maintain equipment and features that provide access to individuals with disabilities.

The following sections compile the information that OPRHP has gathered from its Team meetings, review process, surveys, and public input regarding the accessibility status of its sites and programs. Later sections will set out the criteria by which OPRHP prioritizes accessibility projects and list projects designed to foster access to the Agency's built environment, outdoor recreation areas, historic properties, recreation facilities, programs, and website.

B. Facility and Program Assessment Findings

Below is a brief summary of issues that need to be addressed across the state park system as well as a brief description of the eleven OPRHP regions, their programs, and their challenges.

1. System-wide Summary

The facility assessment surveys revealed that certain facilities continue to present barriers to accessibility across the state. These recurring facilities include:

- Parking lots
- Comfort Stations
- Paths between facilities
- Trails
- Beaches
- Swimming pools

The barriers at these features vary widely in severity due to natural terrain, the age of existing facilities, and the changing regulatory structure. They have been catalogued by OPRHP employees and are prioritized as described below.

2. Regional Summaries

Long Island Region: Twenty-nine state parks and historic sites provide a wide array of programs to nearly twenty million annual visitors. Known for its beaches, golf courses, and boating opportunities, Long Island's parks also contain trails, athletic fields, horseback riding, playgrounds, scuba diving, cross country skiing, environmental interpretive programs,

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campgrounds, pools, fishing, tennis, concerts, and holiday festivals. Many of the region's parks date back to the Long Island State Park Commission chaired by Robert Moses starting in 1924. Unsurprisingly, facilities at older parks were not built with accessibility in mind and require significant renovations to meet ADA requirements, particularly at bathrooms and paths. Some of the parks' oldest structures, especially those at the Planting Fields Arboretum and Caumsett State Park, cannot be extensively renovated due to their historic nature. In addition, the north shore's hills and south shore's sandy shorelines create natural barriers to beachfront accessibility and limit parking opportunities at several undeveloped parks. To provide beach access, the region has installed mats leading to the waterfront on both north and south shore beaches and will install additional mats every year. Jones Beach is currently in the midst of a \$65 million revitalization that will improve accessibility at the region's most popular park. Where facilities cannot be rendered accessible, the region will provide reasonable accommodations and alternative programming.

New York City Region: The city's seven state parks allow both residents and visitors to relax and engage in recreational opportunities difficult to find elsewhere in the crowded metropolis. The parks offer fishing, picnicking, ice skating, trails, playgrounds, athletic fields and courts, pools, fitness rooms, exercise classes, and theaters. One of the most notable barriers to access is found at the popular Riverbank State Park, where park building doors do not feature an automatic opener. The region is currently working with the Office of General Services to install new doors with automatic openers. In addition, individuals with limitations may have difficulty accessing the park and waterfront at Bayswater State Park and the nature trails at Clay Pits Pond State Park Preserve. The region is likewise working to remedy these issues with projects that include accessibility improvements at the Sharrots Pond Trail and an accessible boardwalk at Clay Pit Ponds State Park, as well as an accessible trail at Bayswater State Park that will run through a saltwater marsh from Sunset Lodge to the beach. As access to these highly-trafficked parks is among the Agency's top priorities, the region is striving to bring each of these projects to fruition.

Taconic Region: The Taconic Region contains vast state parks celebrating the natural beauty and cultural history of the Hudson River Valley. The region's thirteen parks and six historic sites offer hiking, camping, boating, fishing, cross-country skiing, cabin rentals, horseback riding, picnicking, athletic fields, swimming, golf courses, trails, and historic mansions. Recent capital improvement projects have rehabilitated bathhouse facilities, replaced outdated comfort stations, and constructed a ramp at the Staatsburgh State Historic Site to provide accessibility. The Region has also worked with the Walkway Over the Hudson organization to construct an accessible elevator connecting the elevated walkway to the shoreline, its parks, and the Poughkeepsie train station. Parks and sites vary in accessibility as the designs and construction of older facilities did not consider the needs of individuals with disabilities. Pedestrian routes, parking, and access to older buildings such as cabins, cottages, shower buildings, and comfort stations require accessibility improvements. The steep and rugged terrain of Hudson Highlands State Park and Taconic State Park make accessibility difficult and impracticable in some areas. In addition, preservation of the numerous historic and cultural resources of the Region creates accessibility challenges and may require alternative programming.

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Palisades Region: The region is home to Shawangunk Ridge, the busiest climbing region in North America, as well as a portion of the Appalachian Trail. In addition to rock climbing and hiking, the Palisades' twenty-one facilities offer boating, picnicking, fishing, mountain biking, horseback riding, scuba diving, snowshoeing, golfing, camping, swimming, hunting, ice skating, ice fishing, cross-country skiing, snowmobiling, tennis, museums, and a zoo. Many accessibility features have been installed to facilitate use of recreational facilities, and the agency continues to upgrade facilities. For example, the region is planning to build a fully accessible swimming pool at Rockland Lake State Park with a zero-depth entry. Many of the region's parks have large, backcountry areas and Bear Mountain State Park, Harriman State Park, Sterling Forest, Minnewaska State Park Preserve, and Hook Mountain feature rugged mountainsides and terrain. Although providing access to backcountry hiking trails is inherently challenging, the Agency continues to pursue accessibility opportunities.

Central Region: The Central Region's valleys, lakes, streams, mountains, and waterfalls render it a microcosm of New York State. The State Fair, Cooperstown, and a number of Revolutionary War sites mark this region's importance both to New York State and the nation. Programs at the region's twenty-six facilities include horseback riding, picnicking, hiking, fishing, hunting, camping, swimming, boating, biking, golfing, cross-country skiing, snowmobiling, sledding, snowshoeing, disc golf, and museums. While many of the region's sites are generally accessible, parking lots, entranceways, and continuous routes of travel require work in several of the parks. Moreover, the historical nature of some of the region's forts, homes, and battlefields may necessitate alternative programming for individuals with limited mobility.

Saratoga-Capital Region: Home to "the Public's Resort" at Saratoga Spa State Park, the Saratoga-Capital Region has transformed spaces once reserved for the state's elite into recreation opportunities for all New York State residents and visitors. In that tradition, the region is diligently working to ensure that its programs and spaces are accessible to individuals with disabilities. The mineral springs at Saratoga Spa State Park have been a source of rejuvenation to visitors for more than a century. Today, the surrounding Saratoga Performing Arts Center, Gideon Putnam Hotel, swimming pools, golf courses, playgrounds, and trails provide additional opportunities for rest and recreation. Unfortunately, some of the inaccessible features at these older buildings may not be rendered accessible without destroying their historic significance. The region's eighteen other facilities feature waterfalls, rock formations, lakes, hiking, camping, hunting, mountain biking, horseback riding, swimming, picnicking, boating, ice skating, ice fishing, snowshoeing, cross-country skiing, snowmobiling, and museums. The most notable barriers to access in the region are at John Boyd Thacher State Park, where the Agency is moving to replace and upgrade much of the park's 1950's infrastructure, and in the facilities at Saratoga Spa State Park that were constructed by the Works Progress Administration (WPA) in the 1930s.

Finger Lakes Region: Shaped by the glaciers that sculpted the region's river valleys, the Finger Lakes Region features lakeside parks, glens, gorges, waterfalls, canyons, and beaches. These enchanted landscapes are complemented by the region's fertile valleys and cultural focus on agriculture, the arts, and history. The region's twenty-eight facilities offer boating, swimming, camping, golfing, hiking, fishing, biking, playgrounds, hunting, cross-country skiing, snowmobiling, picnicking, and interpretation of Native American history. Some areas of these

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parks, especially the gorge trails, are too steep to meet statutory guidelines. Several areas were rendered accessible in the 1970s but standards have changed and much of the trail work has deteriorated over the past forty years. While OPRHP cannot make all of the region's gorge trails accessible, it will increase trail accessibility to the greatest extent feasible. At Taughannock Falls' scenic overlook, the region is constructing a new accessible bathroom, more accessible parking, and gorge rim access. The overlook will allow individuals with even very limited mobility to view the park's gorge and waterfall all year round. Other recent projects include completion of the Catherine Valley Rail Trail, which is accessible from end to end, and reconstruction of the Seneca Launch boat launch to meet accessibility standards.

Genesee Region: Home to eight parks, including the "Grand Canyon of the East" at Letchworth State Park, the Genesee region includes 958 campsites as well as the restored Glen Iris Inn. The spectacular Letchworth State Park offers views of Letchworth's 600-foot cliffs, waterfalls, museum, and the Genesee River. The region also offers swimming beaches and pools, picnic sites, hiking, camping, horseback riding, biking, playgrounds, fishing, hunting, boating, ice skating, cross-country skiing, snowmobiling, and numerous interpretive programs and special events. Several smaller parks have few facilities and are somewhat inaccessible. One notable project is the development of an accessible route at an existing pier and paved shoreline walk for fishing at Hamlin Beach State Park. As many of the regions' parks were developed decades ago, the Agency is committed to upgrading restrooms, paved surfaces, ramps, and entrance widths to ensure accessibility and compliance with new ADA standards.

Allegany Region: Home to the park system's largest park (65,000-acre Allegany State Park), four lakeside parks, and a historic amusement park, the Allegany region is a family vacation spot known for its outdoor recreation, fishing, bird watching, and camping opportunities. The region offers picnicking, swimming, camping, hiking, boating, hunting, fishing, cross-country skiing, snowmobiling, ice fishing, athletic fields, tennis courts, miniature golf, amusement park rides, vacation cottages, museums, an arcade, and a gift shop. Unsurprisingly, some of the historical attractions at the Midway State Park's 1898 amusement park contain inherent limitations to accessibility. Likewise, some historic structures at Allegany State Park and Lake Erie State Park remain inaccessible. OPRHP continues to improve accessibility as park facilities are rehabilitated, and the Agency is upgrading access to the rugged lands and waters of the Allegany plateau and Lake Erie shoreline to provide quality and diverse vacation opportunities for families with a wide range of abilities.

Niagara Region: In 1885 New York state legislators created the first state park in order to ensure that generations of New Yorkers could marvel at the rushing Niagara River as it drops over 100 feet into its gorge. Niagara Falls State Park and the region's nineteen other facilities thus embody New York's pioneering efforts to provide its residents access to the state's natural treasures. The parks in the Niagara region offer sight-seeing, hiking, fishing, hunting, golfing, boating, swimming, orienteering, camping, disc golf, snowmobiling, ice skating, cross-country skiing, picnic space, theaters, beaches, stores, event spaces, athletic fields and courts, lighthouse tours, trolley rides, visitor centers, three historic sites, the iconic Maid of the Mist boat tour, and one-of-a-kind trip to the base of Niagara Falls via an accessible elevator. Some parks require accessibility improvements to parking areas and restrooms and the regions hopes to improve access for individuals with limited mobility to fishing areas at Wilson-Tuscarora, Fort Niagara,

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and Golden Hill State Parks. As many paths at these parks conform to the delicate environment's natural terrain, park managers will have to determine which areas are suitable for accessible paths. Several of the region's parks, including Niagara Falls State Park, are in the midst of major renovations that comply with the most recent ADA design guidelines. Recent landscape renovations in Niagara Falls State Park have resulted in improved accessibility to Prospect Point, the adjacent upper rapids, and Three Sisters Islands. Improvements to the North Shore Trail included ADA accessibility to Luna Island, providing close up views of the American and Bridal Veil Falls. Future projects include an accessible path to Terrapin Point to view the Horseshoe Falls. Projects are planned to increase access to beaches at Beaver Island and Evangola State Parks. ADA accessible restrooms with showers were recently constructed at Evangola, Four Mile, and Golden Hill State Park campsites. In addition, new floating docks at Big Six Marina provide ADA accessibility for boaters with disabilities, as do recently installed dock ladders at Fort Niagara State Park boat launch.

Thousand Islands Region: The region offers camping, swimming, boating, hiking, fishing, golfing, biking, windsurfing, cross-country, skiing, snowmobiling, snowshoeing, ice fishing, and picnic sites. With 30 state parks, 6 boat launches, and 1 historic site, this region's name indicates its attractions and programs as well as its accessibility challenges. While the unique landscape of the St. Lawrence River, Lake Ontario, and Lake Champlain creates a myriad of opportunities for boating, fishing, and camping on their serene waters, it also limits access. The region is home to over a quarter of OPRHP's campsites. The Agency has replaced a number of campground toilet/shower buildings to provide accessible facilities adjacent to new accessible campsites and OPRHP has upgraded accessible cabin and cottage areas. The region has also replaced several deteriorated playgrounds with new accessible playgrounds and the region's historic site has two elevators allowing patrons to see the upper floors. The recently-opened Rock Island State Park offers accessible walks and ramps and the region is creating a video to allow patrons with limited mobility to see the view from the top of the lighthouse. As several of the Thousand Islands' boat launches and island parks are only accessible by boat, their remote locations pose significant barriers to accessibility. The region nonetheless aims to provide additional accessible swimming and beach areas.

3. Prioritization Process

Enhancing accessibility to state parks and historic sites – particularly at older facilities built decades ago – requires very substantial capital investments. OPRHP is committed to continual improvement, but funding constraints dictate that providing universal access at all facilities must be a long-term process. OPRHP utilizes the following criteria to prioritize facilities and resources for accessibility upgrades:

- Level of Public Use: Facilities with many visitors are prioritized higher.
- Program Uniqueness & Number: Programs that are difficult to find elsewhere may be particularly important to the community.
- Identified Complaints: Facilities with identified accessibility complaints receive consideration over other facilities.

OPRHP schedules physical access projects as part of its overall annual Capital Plan. Enhancing accessibility and assuring ADA compliance are critical factors in the selection of projects programmed for design and construction in the Capital Plan. When a facility manager notices

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the need for a project, he notifies the Regional Capital Facilities Manager and Regional Director. The Capital Facilities Manager and Regional Director then submit a list of their proposed projects to Capital Staff and Executive Staff in Albany. The staff in Albany then compile the regions' requested projects to create OPRHP's Capital Plan. Personnel in OPRHP's eleven regions and Albany headquarters consider the above three factors while they form the Agency's Capital Plan so the Agency can further its accessibility goals and allow individuals with disabilities to experience the state's natural, historical, and recreational resources.

C. Methodology

OPRHP's primary method for enhancing accessibility at its facilities is to ensure that all new construction and renovations comply with the most recent relevant provisions of the ADA STANDARDS and NYS Building Code. In addition, the Agency commences new projects designed to render existing structures accessible. A few projects relating to program accessibility are not directly addressed by any guideline, but are nonetheless important to the Agency. For instance, Watkins Glen State Park will be installing an interpretive program for individuals who cannot access the park's gorge trails and the Agency is constructing a sensory garden at Planting Fields Arboretum State Historic Park.

In rare instances, Regional staff may conclude that full compliance with ADA standards cannot be achieved because the cost of a project is prohibitive or the project would result in unacceptable impacts to historic or natural resources. Whenever a Regional Director believes that an existing feature cannot be made accessible, he or she sends all relevant information to the Commissioner. The Commissioner or her designee makes the final decision on whether rendering a feature accessible would result in a fundamental alteration or undue burden. In making this decision, the Commissioner considers all resources available for the funding and operation of the service, program, or activity. She then produces a written statement explaining why the feature cannot be rendered accessible and what measures the Agency will take to ensure that individuals with disabilities can access OPRHP's programs. Where full accessibility cannot be immediately attained, OPRHP ensures that accessible features are distributed so that visitors across the state may enjoy the Agency's programs. For example, as OPRHP cannot immediately install pool lifts in every swimming pool, it aims to ensure that new pool lifts and zero-slope pool entries are dispersed throughout the park system.

D. Schedule & Funding

The Capital Plan allows the eleven Park Regions to coordinate with the Albany Office to arrange a schedule and funding for barrier removal. In past decades, the state park system suffered from significant under-investment and the system developed a capital improvements backlog exceeding \$1.1 billion. Accessibility improvements suffered alongside other capital needs. Fortunately, the Agency's capital fund has recently been revitalized through annual allocations from Governor Cuomo's NY Works program. This funding allows the Agency to pursue capital projects that improve and expand infrastructure while continuing programs and services in its parks and historic sites across the state. Barrier removal and other accessibility measures are a critical component of the Agency's ongoing revitalization program, with the highest-priority projects selected for immediate attention.

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The Capital Needs by Region spreadsheet, controlled by the Regional Capital Facilities Managers, includes the projected schedule and costs for projects across park system and thus gives a comprehensive view of which projects will be in progress during any given year. Once a project is complete, the Capital Facilities Manager indicates the project's actual cost and completion date. The spreadsheet thus documents the extraordinary progress that has been made in maximizing accessibility across the state park system as well as the substantial amount of resources that have already been expended on accessibility in recent years.

E. Policies and Procedures

Initial policy reviews revealed that OPRHP's policies on service animals and other power-driven mobility devices needed to be formalized. OPRHP has since published its policies on these issues as extensions of the Commissioner's Policy on Accessibility. The Commissioner's Policy ensures that ADA compliance and accessibility will remain agency priorities. Policies and practices are continually reviewed on Agency, region, facility, and programmatic levels. Any noncompliant policies will be directed to the Accessibility Team who will work with the relevant office to adopt a revised policy that complies with the ADA.

In addition, OPRHP seeks to maximize program access by providing auxiliary aids and services wherever possible. This includes the provision of audio descriptions, ASL interpreters, braille, large print documents, scaled models, tactile maps and displays, aphasia guides, and closed captioning wherever they would reasonably increase access to OPRHP's programs and interpretive exhibits.

F. Training Needs

Governor Cuomo has directed all executive branch employees—including all OPRHP employees—to complete a statewide training on reasonable accommodations to ensure they are aware of ADA and New York Human Rights Law requirements as well as the Governor's policies. The facility assessment survey and policy reviews revealed that three groups of people at OPRHP make daily decisions that touch upon accessibility. Individuals who direct capital improvements are instrumental in determining which structures will be renovated or constructed and are often heavily involved in construction planning. Bureau and regional employees who shape program rules and policies determine a program's level of accessibility. And employees who work directly with visitors at state parks and historic sites must be sensitive to the needs of individuals with varied abilities as they often make spontaneous decisions regarding reasonable accommodations.

These three groups of OPRHP employees should therefore be trained in ADA compliance to reinforce their knowledge of the detailed technical standards established by the ADA and ABA, the ADA's program access requirements, and its standards for reasonable accommodations. While many employees have received training in these areas over the years, there is an ongoing need for training as both accessibility standards and the Agency's workforce are subject to frequent changes. In light of this need, statewide capital facility staff, regional capital facility managers, and park and historic site managers across the state are notified of and encouraged to

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participate in online webinar trainings offered through the National Center on Accessibility. In addition, OPRHP is currently working with IRRC to train employees to evaluate the inclusivity and accessibility of recreational sites.

G. Communication—Signage, Website, and Publications

Facility signage, OPRHP's website, and Agency publications should inform the public which facilities are accessible. As improvements are made, the regions submit specific accessibility information to the Agency's webmaster for inclusion in the Agency's website and appropriate social media outlets. For instance, the website for Jones Beach State Park notes which parking lots provide the easiest access for individuals with limited mobility and that Field 6 and the Central Mall offer beach access mobility mats running from the boardwalk to the high tide line. Detailed information about mobility should be offered for facilities and programs across the park system both on the website and on signage at ORPHP facilities. In addition to making information available, the Agency must ensure that the information itself is accessible to individuals with varying abilities. To make this possible, the Agency uses the NY Relay Service to allow individuals with hearing impairments to converse with OPRHP staff over the phone and the Agency follows industry accessibility standards regarding its signage and website.

H. Public Involvement

Interested persons, including individuals with disabilities or organizations representing them, may participate in OPRHP's compliance efforts by submitting comments to this document. To make this possible, the document is made available on the Agency's website. OPRHP is eager to receive input from its visitors so it can improve accessibility at all of its sites while serving as steward of the natural, ecological, historic, cultural, and recreational resources within its system.

I. Responsible Party

Jeffrey Della Rocco serves as ADA Coordinator for New York State Office of Parks, Recreation and Historic Preservation. Jeffrey works with Executive Staff, Regional Offices, and the Bureaus to coordinate OPRHP's accessibility efforts. All grievances, suggestions, and requests for a reasonable accommodation should be submitted to the agency via the accessibility mailbox available through a link on the Agency's website or directed to:

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