



COUNTY of
DEL NORTE
★ CALIFORNIA ★



County of Del Norte ADA Self-evaluation & Transition Plan

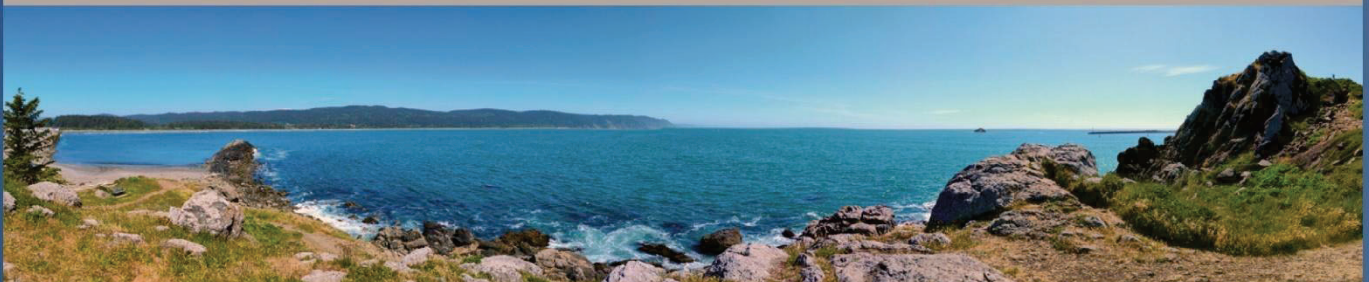


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1) Executive Summary

A. Background

The county is located in the northwest corner of California between the southwest border of Oregon and the Pacific Ocean. Del Norte County is home to the world's tallest trees, scenic rivers, and a rugged coastline with spectacular beaches and rocky shorelines.

Historically, Del Norte County was inhabited by the Tolowa and Yurok tribes when, in 1828, the American Jedediah Smith and his exploration party first encountered the Native Americans. Within a few decades, the Gold Rush initiated California into statehood in 1849. The first settlement of pioneers was Klamath City in April of 1850. Shortly thereafter, in 1854, Crescent City was incorporated as the county seat of Klamath County, which became Del Norte County in 1857. Within a few short years, Crescent City had become a major shipping and trading center that drew new settlers from the Oregon Trail and the gold fields in the Willamette Valley. The logging and lumber industry in Del Norte County began in 1870, and farming communities grew along the Smith and Elk river valleys as the gold rush puttered out.



In the same year that Del Norte became a county, the city of Gasquet was developed as a resort town and became the first tourist area popular with travelers going to Oregon. That first tourist development included a lodge, store, dance hall, butcher shop, and winery inland within the forested areas of the County. Today, that tradition carries on in the County as a major tourist destination for outdoor recreation, camping, hiking, fishing, and beachcombing experiences.

Today, the County has an estimated population of 27,293 according to the 2023 census. The programs, services and activities (PSAs) provided by the County take place within facilities that the County leases and owns, including, buildings, parking lots, parks, trails, shared-use



paths, and pedestrian networks within the public right-of-way (PROW) shared by vehicles, cyclists, and pedestrians traveling by foot or other means.



The County is committed to providing an inclusive and vibrant community for all residents, including individuals with disabilities. As a result, the County has undertaken the process to develop a Self-evaluation and Transition Plan pursuant to the Americans with Disabilities Act (Plan), which reviews the policies and practices governing PSAs while correlating information collected to identify physical

barriers to access for a comprehensive approach in determining their impact on residents accessing these public services provided.

B. Overview

This report describes the Plan required under the Americans with Disabilities Act (ADA). The intent is to ensure that when each County PSA is viewed in its entirety¹, it is accessible to and usable by people with disabilities. **Disability is not a barrier to success — it's an alternate path to it². Physical barriers to access or technology must be remediated so that this path can be provided to everyone.**

Under the 1990 ADA legislation, every state and local government was required to either demonstrate that their facilities providing space for PSAs were fully compliant to existing federal and state access requirements, or to develop a Plan to document the existing barriers, establish methods of remediation for each barrier, and create a schedule to remediate as documented within the Plan.

This report is intended to ensure that the County of Del Norte remains in compliance with the ADA by remediating barriers to access over time, until a point at which all barriers to access have been removed.

The County worked in partnership with an ADA Access Compliance consultant (SZS) who provided the breadth of knowledge and expertise necessary to successfully navigate the

¹ <https://www.ada.gov/comprob.htm>

² Adapted from **Shawn Dobbs**, Sr. VP of Administration & Communications at The Lighthouse for the Blind, Inc. from an email addressed as **Engage@lhblind.org**



multitude of state and federal requirements, statutes and pertinent case law that govern ADA Access Compliance.

This partnership allowed SZS to perform field assessments correlating the physical barriers to access identified within physical locations where each PSA takes place and a review of written County policies and practices. The County was provided with the results of these efforts in the form of this report to allow a focus on recommendations for policy and practice development under the ADA Self-evaluation, as well as the prioritization of barriers for remediation to determine the schedule of the Plan that implements efforts to improve physical access to PSAs under the ADA Transition Plan (referred to as the Plan).

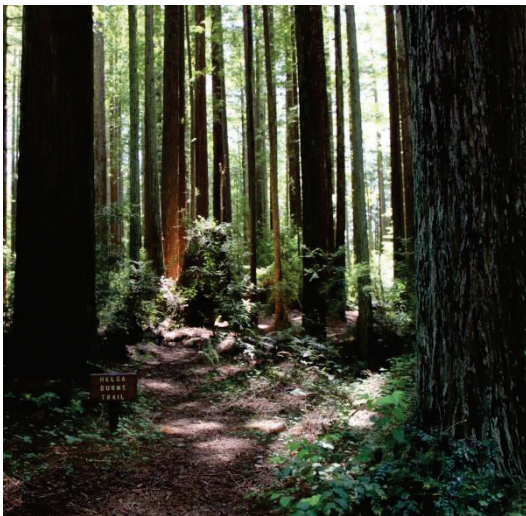
This County was identified with the following County-owned and leased locations, which have been assessed for program access as part of this process.

Table 1: County Facilities

FACILITY	ADDRESS
Recreation Gymnasium	1005 H Street, Crescent City
Pyke Field	202 E Macken Ave, Crescent City
Florence Keller County Park & Campground	3400 Cunningham Lane, Crescent City
Ruby Van Deventer County Park	CA-197 Crescent City
Clifford Kamph Memorial Park	15100 US-101 Smith River
Klamath Townsite Boat Ramp and Park	41°31'52.6"N 124°02'37.4"W, Highway 101 in Klamath
Agricultural Commissioner	236 Williams Drive, Crescent City
Veteran Memorial Hall	810 H Street, Crescent City
Manual Arts	840 9th Street Suite #12, Crescent City
Flynn Administration Center	981 H Street, Crescent City
Farm Advisor Office (Co-Op Extension)	586 G Street, Crescent City
Sheriff's Office/Jail	650 5th Street, Crescent City
Del Norte County Courthouse	450 H Street, Crescent City
Community Development Dept: Roads Division Office	500 E Cooper Ave, Crescent City
Juvenile Hall	1115 Williams Drive, Crescent City
Child Support Services	1225 Marshall Street Suites #8 and #18, Crescent City
Wavecrest Beach Access and Parking Lot	120 Wavecrest Drive, Smith River
Animal Services	2650 W Washington Blvd, Crescent City
Department of Health and Human Services	880 Northcrest Drive, Crescent City
DHHS Behavioral Health Service Center	1125 Burtchell Street, Crescent City
DHHS Behavioral Health Branch	455 K Street, Crescent City

FACILITY	ADDRESS
DHHS Public Health Branch	400 L Street, Crescent City
DHHS Coastal Connections	475 K Street, Crescent City
DHHS WIC	440 K Street, Crescent City
DHHS Medication Support Services- Telepsychiatry	405 K Street, Crescent City

Standards applied to these facilities include the 2010 ADA standards, the California Access Compliance Standards contained in the California Building Code (California Code of Regulations, Title 24 Part 2, Chapter 11B referred to here as the CBC), the California Manual on Traffic Control Devices (CA MUTCD), the Public Rights-of-Way Accessibility Guidelines (PROWAG), pertinent case law and additional applicable state standards.



Manual measurements and digital documentation were collected within exterior paths of travel and interior spaces. Sidewalk and associated pedestrian facilities maintained by the County were not assessed as part of this process. All sidewalks and associated facilities are currently being evaluated and prioritized by the Roads Division. Upon completion those findings, by others, will be attached as Appendix 5.

An important part of the process involved applying a proprietary [Barrier Severity Rating](#) and ranking system to systematically facilitate the process to [Prioritize Barrier Remediation](#) projects over the years during which the Plan will be implemented.

Methods used to remediate physical barriers include in-house improvements and maintenance, physical alterations including rehabilitation, renovation and future programming within the County's Capital Improvement Projects (CIP). Other planned obsolescence and the replacement of facilities over time has also been considered. Some barrier removal will be performed as exclusively part of the Plan, but much of the work included in the schedule is likely to be carried out as part of other planned alterations. Coordination between the information on barrier data contained in this Plan and future alterations is essential to make the most cost-effective improvements possible.

The County website also plays an important part in providing PSAs to the public by providing many forms of communication and information, such as broadcasting Board of Supervisors meetings, providing public service announcements, and providing an access point for many PSAs.



Please see [Section 5: ADA Transition Plan](#) for details on the present version of the Plan to improve accessibility. This Plan is not set in stone; it is a living document that is expected to evolve over time, due to the changing nature of ADA Access Compliance requirements and the County's schedule of capital improvements or replacement of facilities. These changes may necessitate revisions to the Plan or schedule.

The County reserves the right to modify barrier removal priorities to allow for flexibility in accommodating community requests, requests for accommodations from persons with disabilities, changes in program locations, on-going evaluations, updates as additional facilities are acquired (leased or owned), and for future funding constraints and opportunities. Future remediation phases may be shortened or lengthened, as needed.

The County website will be used to make the public aware of alterations and new construction projects that include accessibility improvements. The Plan will be updated by County Staff over time to reflect the completion of remedial actions based on the Plan's recommendations.

2) Introduction

The Center for Disease Control and Prevention estimates that 1 in 4 Americans have a disability³, which means that 61 million people live with a disability in our country. State and federal laws have been in place for decades that prohibit discrimination. For over 50 years, the US DOJ Civil Rights Division has worked to provide state and local governments, and the public, with guidance and requirements intended to help public entities improve access for people with disabilities by implementing civil rights protections.

The Federal Access Board was established by Section 502 of the Rehabilitation Act of 1973 (Rehab Act)⁴ to develop requirements intended to ensure that people with disabilities are integrated into everyday life.

The Board consists of 25 total members, 13 of which are appointed by the US President from among the general public of which the majority of those members must be individuals with disabilities. The remaining 12 members are the heads of 12 Federal departments and agencies specified by statute, including the heads of the Department of Justice and the Department of Transportation (DOT). Originally, the Access Board (Board) was established to develop and maintain accessibility guidelines for facilities designed, constructed, altered, or leased using Federal funds under the Architectural Barriers Act of 1968 (ABA)⁵. Other laws have been passed to extend that coverage to all facilities used by the public, regardless of the funding source.

³ <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html>

⁴ 29 U.S.C. 792

⁵ 42 U.S.C. 4151 *et seq*



The Americans with Disabilities Act (ADA) is known as the integration mandate. The passage of the ADA in 1990 expanded the Board's responsibilities to *"issue minimum guidelines...to ensure that buildings, facilities, rail passenger cars, and vehicles are accessible, in terms of architecture and design, transportation, and communication, to individuals with disabilities"*.⁶

The ADA requires the US DOJ to issue enforceable accessibility standards applicable to facilities subject to ADA Title II that are consistent with the *'minimum guidelines'* issued by the Board⁷. Translated into common language, this clause means that the US DOJ is required to enforce the standards that the Board adopts, although no timeframe for enforcement is mandated. It also means that the Standards set are considered minimum guidelines, which may not ensure access for all people with disabilities.

The ADA became effective on July 26, 1992 and extended legislation intended to eliminate discrimination against individuals with disabilities in federally funded facilities under the Rehab Act to all activities of State and local government, regardless of the funding source. It prohibits the denial of equal access and equal opportunities to individuals with disabilities who participate in programs, services, and activities provided by public entities.

The ADA is divided into five sections, which are referred to as titles. Title I establishes civil rights in employment for individuals with disabilities. Title II prohibits discrimination in the provision of programs and services of state and local governments, such as the County. Title III prohibits discrimination in public accommodations and commercial facilities, including virtually all nonresidential, privately owned and operated buildings used by the public, such as restaurants, retail establishments, hotels, etc. Title IV prohibits discrimination in the provision of telecommunications and Title V contains miscellaneous provisions related to enforcement of the law.

In 1994, the Board began updating their 1990 standards to provide clarification for questions and concerns raised by entities attempting to comply with the order. An advisory committee composed of members of the design and construction industry, the building code community, and State and local government entities, as well as individuals with disabilities was established. In 1998, the Board added specific guidelines on State and local government facilities⁸ and building elements designed for use by children. Other updates to the 1990 ADA Standards have been made with the final version being compiled in the 1994 ADA/ABA Guidelines.

The 1994 ADA/ABA Guidelines were the culmination of a long-term effort to facilitate ADA compliance by eliminating inconsistencies among Federal accessibility requirements (ADA & ABA Standards) and between Federal accessibility requirements and State and local building codes. In support of this effort, the US DOJ amended its regulation implementing Title II and adopted

⁶ 42 U.S.C. 12204

⁷ 42 U.S.C. 12134(c); 42 U.S.C. 12186(c)

⁸ 63 FR 2000 (Jan. 13, 1998)



standards consistent with 1994 ADA/ABA Guidelines, renaming them the 2010 ADA Standards for Accessible Design.

On March 15, 2012, the final rule on the 2010 ADA Standards for Accessible Design became effective, revising the 1990 regulations. The final rule was issued to adopt enforceable accessibility standards under the ADA that were more consistent with the minimum guidelines and requirements issued by the Board, and to update or amend provisions of the Title II regulation so that they better reflected the practical experience the US DOJ had gained enforcing the ADA since 1991.

New laws take time to play out in practical application, with interpretations and an evolutionary process that can either strengthen the law or identify necessary changes. The 2010 ADA Standards provide a higher degree of clarity for state and local agencies to facilitate their efforts to comply with the spirit and intent of the ADA.

The requirements that determine the contents of this report are contained in the Americans with Disabilities Act US DOJ Technical Assistance Manual, sections II-8.1000 and II-8.2000⁹. Even though this Plan is mandated by federal regulations, the County is also subject to the state mandated statutes and regulations. California statutes and regulations have adopted the ADA and include the requirement (and benefit) of developing an ADA Self-evaluation and Transition Plan.

These two parts of the process are intended to be complimentary; the Self-evaluation process is intended to analyze all PSAs provided by the entity to determine whether policy or practices that govern them may create conditions that could discriminate. The Transition Plan is intended to identify physical barriers to access that require some form of remediation to ensure that programs, services, and activities are accessible. Together, they facilitate improvements in accessibility within a comprehensive effort.

A. California Statutes and Regulations

Civil rights statutes and regulations are provided in numerous sections of California government code, civil code, health and safety code, vehicle code and building code. For instance, Government Code (GC) 4451-4460 requires facilities to be usable by and accessible to people with disabilities¹⁰, which is a far higher standard than the minimum requirements contained in the CBC or the 2010 ADA Standards. In addition, California state accessibility requirements contained in what is now referred to as the CBC have been in place since 1981, predating the ADA. The Unruh Act codified in civil code §51 and §52, have prohibited discrimination in California since 1959.

⁹ <https://www.ada.gov/taman2.html>

¹⁰ California Government Code 4450b. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=04001-05000&file=4450-4461>

Since 1968, GC §4450 has required the Division of State Architect (DSA) to ensure that California building code requirements were at least as stringent as federal accessibility requirements, which at that time included the ABA and Rehab Act. Since 1981, California has also enforced accessibility requirements for the built environment through the building code although state and federal requirements have differed in many ways.

To establish boundaries for jurisdictions and better define their responsibilities under the ADA, the State Attorney General issued a ruling in 2002 that instructed cities and counties, under GC §4450, only to enforce the California Code of Regulations/Title 2 (CBC). This ruling assumed that since GC §4450 required state accessibility regulations to be at least as stringent as the federal standards, DSA would have complied with that mandate.

The Attorney General could not have anticipated then that DSA would not complete the certification process and submit CBC Chapter 11B to the US DOJ until 2013 to ensure that the CBC was at least as stringent as the ADA Standards. The certification process was nearing completion with the enforcement of the 2013 California Code of Regulations/Title 2 (CBC) Section 11A and 11B but still has not been completed. To be clear, the CBC has still not been certified by the US DOJ as equally as stringent as the 2010 ADA Standards, which leaves design professionals and building owners in a difficult position when attempting to comply with all state and federal accessibility requirements.

California GC Section §11135 also requires entities using state funds to provide facilities that are accessible to people with disabilities by incorporating the ADA into California law and Section §12926 broadens the definition of disability under the ADA or the ADA Amendments Act of 2008 to cover a larger population.

The definition of a facility under regulations from the US DOJ, Federal Highway Administration (FHWA), the US Department of Transportation (DOT/Caltrans) and under case law (Barden) includes a broad array of various physical locations where PSAs are provided. Examples of a facility include a sidewalk, a parking lot, a park, recreation area or open space such as hiking trails, amusement rides, a beach or camping site, as well as many other types of physical structures that the average American would consider typical like the civic center or Todos Santos Plaza.

One common misperception is the notion that if a facility or building built under regulations preceding the enforcement of the ADA can be considered compliant now, after the ADA has long been enforced. This process is referred to under building code as the *grandfathering* of built elements that complied with prior code requirements. While grandfathering is allowed for typical code requirements, where barriers to access present civil rights violations in facilities, grandfathering is prohibited under the ADA. Building code and civil rights laws are quite different in their intent and application.

Under state and federal civil rights laws, discrimination exists when a facility is not accessible to or usable by a person with a disability. This common scenario is defined by the courts as a



violation of the civil rights of a person with a disability. Civil rights violations are vastly different from building code violations, in that:

1. No statute of limitation exists for physical elements that cause discrimination.
2. The age of a building has no bearing on the violation.
3. Alterations to the facility, or a lack of alterations, does not affect liability.
4. No local ordinance can supersede state or federal civil rights law.

Another important civil rights law under GC §12900-12996 is defined as the California Fair Employment and Housing Act (FEHA) and provides additional definitions and requirements that affect people with disabilities. This law is one of the most significant state requirements, as it fundamentally changes the qualifying definition of disability under FEHA.

The ADA defines a disability as a physical or mental impairment that **substantially** limits one or more major life activities (such as walking, hearing, seeing, caring for oneself, speaking, breathing, learning, and working).

Under the FEHA, a disability is defined as a physical or mental impairment that only *limits* (**not substantially limits**) one or more major life activity, which is a far broader definition. Disabilities that limit a major life activity are identified on an individual basis and are based not on the *existence* of a disability, but rather the *impact* that the disability has on an individual.

Impairment is defined as when the conditions, manner, or duration under which a major life activity can be performed by an individual are limited when compared to most people. Some general types of disabilities or impairments are visual, hearing, mobility, cognitive, psychiatric, speech, learning-based, in addition to numerous non-visible impairments. GC Section §11135 and §12926 reinforce these more stringent state requirements.

B. Access Terminology

The use of the term *disability* instead of *handicap* or the phrase *individual with a disability* instead of "handicapped individual" represents an effort by the US Congress and others to make use of up-to-date, currently accepted terminology that does not define people by their disabilities.

As with racial and ethnic epithets, the choice of terms to apply to a person with a disability is overlaid with stereotypes, patronizing attitudes, and other emotional connotations. For example, since 1990 when the ADA became law, California vehicle code 22511.9 has prohibited use of parking signage that contains the term *handicapped*.

Many individuals with disabilities, and organizations representing such individuals, object to the use of terms such as *handicapped* or *the handicapped*. In other recent legislation, Congress also recognized this shift in terminology and a recognition of meaning, e.g., by

changing the name of the National Council on the Handicapped to the National Council on Disability (Pub. L. 100- 630). Other comparative illustrations include use of the antiquated term “crippled” rather than *disabled* or “mentally retarded”, rather than *learning impaired*.

Descriptions are provided below of a person who has an impairment, in comparison to a person with conditions that do not limit one or more major life activities:

Seasonal hay fever:

- A general nuisance for the sufferer
- Treated with over-the-counter medication
- Duration of condition is limited (seasonal)
- Does not significantly curtail activities

Multiple Chemical Sensitivities

- Severe, debilitating symptoms
- Individual unable to be in public places with new paint or carpeting, etc. or be around people wearing perfumes
- Activities significantly curtailed

This person has a disability.

A sprained leg with a sling or cast

- Duration of injury limited
- Activities only moderately curtailed
- Normal activities can be performed with certain simple modifications

A severe leg fracture

- Individual unable to care for themselves
- Requires surgery and extensive physical therapy
- Lengthy duration of treatment
- Activities significantly curtailed

This person has a disability.

The ADA, FEHA and GC §12926 define three general categories of disabilities which can be applied to an employee or to the general public who access PSAs:

- Individuals with commonly regarded disabilities such as mobility impairments, blindness, low vision, speech or hearing impairments, chronic medical illnesses, heart disease, cancer, cerebral palsy, multiple sclerosis, HIV/AIDS, arthritis, and a

mental, psychological disorder or condition that requires special education or related services or alcoholism (non-active),

Individuals with a history or record of having such an impairment including cancer survivors, people who use prescription glasses for vision correction, etc. or individuals with a history of treatment for mental illness, or such a condition which is known to the employer or other entity covered by these regulations. Drug addiction is considered a disability, but to be protected by the ADA, the individual must be either successfully rehabilitated or currently participating in a treatment program. Persons who use methadone as a part of a treatment program are protected, as well as individuals who use controlled substances under the care of a licensed physician.

Persons who currently engage in the use of illegal drugs can be denied access to programs, services, or activities,

Individuals perceived or regarded as having a disability. These individuals generally have no disability but are discriminated against due to fear, myth or stereotyping. An example of this type of disability is an individual who has severe facial scars as a result of burns, who repeatedly experiences rejection when applying for employment due to their physical appearance. This person experiences discrimination and is protected by the ADA.

Typical physical characteristics, such as eye color or skin color are not considered to be physical or mental impairments, but physical disfigurement that may result in discrimination is covered. Disadvantages of an environmental, cultural, or economic nature are also not considered to be physical or cognitive impairments. Age, in and of itself, is not impairment although the elderly comprise the largest percentage of persons with disabilities in the US. The ADA also extends its protection to people who do not have disabilities themselves but are discriminated against on the basis of their association with a person with a disability.

The above-mentioned information is not intended to be an all-inclusive list of disabilities that are covered under the ADA or state laws and statutes. It is recognized that other conditions may be identified that would fall under these definitions. California GC §11135 and the Unruh Act provide additional definitions of disability.

C. Qualified Individuals and Eligibility

The presence of a disability is not, in and of itself, an automatic qualification for use of or admittance to any or all programs, services or activities offered by the County. Persons with disabilities must also possess the qualifications required for participation by other individuals in each specific program, service or activity where they exist.



A *qualified individual* with a disability is defined as an individual who meets the **essential eligibility requirements** that the entity has set forth as required to receive benefits and services or participate in its programs or activities.

The individual should also be eligible to receive the same benefits and services or participate in those same programs or activities with or without reasonable modifications made to policies, practices, or procedures by the entity.

Reasonable modifications that will enable an individual with a disability to participate in a program, service or activity that the entity provides may include the removal of structural, architectural, communication, or transportation barriers, or the provision of auxiliary aids and assistive devices. But before modifications are considered, a person must first qualify for the basic requirements for participation in the program, service or activity provided.



An example of a typical scenario in which this definition of a *qualified individual* applies is as follows:

A program is provided for single parents who are looking for a job and are having difficulty juggling their parental responsibilities and their job search. The program is highly successful, and many people apply to use the program. One person interested in joining the program is a person who is Deaf or Hard of Hearing. This person applies to use the job placement program created for use by single parents. While this person with a hearing impairment has a verified disability, but is not a single parent, they are not a *qualified individual* with the right to participate in this program. They are not protected by the ADA because the person must possess the qualification of being a single parent to make use of a program created for single parents, regardless of whether they have a disability.

3) Self-Evaluation

A. Regulations

Original regulations contained in Section 35.105 of the ADA require Title II entities to ensure that existing policies and practices do not constitute discrimination through the performance of a Self-Evaluation.

The regulations governing this Self-Evaluation are based on those originally found in Section 504 of the Rehabilitation Act of 1973 and again in the 1991 ADA Standards. According to the US DOJ ADA Title II Regulations published on September 15, 2010, a Self-Evaluation must provide the following basic requirements:

- A public entity shall evaluate its current services, policies, and practices, and the effects thereof and to the extent that modification of any such services, policies, and practices is required, the public entity shall proceed to make the necessary modifications.
- A public entity shall provide an opportunity to interested individuals, including individuals with disabilities and organizations representing individuals with disabilities, to participate in the Self-Evaluation process by submitting comments.
- A public entity, which employs 50 or more individuals, shall, for at least three years following completion of the Self-Evaluation, maintain on file and make available for public inspection:
 1. A list of the interested individuals consulted,
 2. A description of areas examined and any problems identified,
 3. A description of any modifications made.
- If a public entity has already complied with the Self-Evaluation requirement mandated when implementing Section 504 of the Rehab Act, then the requirements of this section shall apply only to those policies and practices that were not included in the previous Self-Evaluation.

The development of an ADA Transition Plan and Self-Evaluation as both a legal requirement, and a good faith effort to comply with ADA Title II requirements, can serve as a useful tool as a legal defense.

The information compiled in the updated ADA Transition Plan is essential to the development of an ADA Self-Evaluation. Physical barrier data has been correlated with the PSAs provided in those same physical locations to create a comprehensive review of how they function in these facilities to systematically determine where physical alterations must take place, where changes to policies and procedures could be useful, or where program access can be applied to provide people with disabilities an improvement in access to PSAs. The intent of the ADA was to ensure that public entities combine an evaluation of their physical environment with an evaluation of the associated policies and procedures that govern the use of those spaces, so that a public entity could be seen as a functioning whole.

Policies and procedures that govern PSAs may not be discriminatory, but when the facilities in which the PSAs are located are not accessible, people with disabilities may be excluded from participation. That concept is also true in the reverse; if facilities are physically free of barriers, there still may be discriminatory policies or practices in place that prevent persons with disabilities from making use of facilities that are otherwise accessible.

This Self-Evaluation contains a list of PSAs, along with the policies and practices that allow the application of programmatic accessibility where physical barrier removal may not be the best solution to improve access. Barriers to access identified within the updated ADA Transition Plan are prioritized and organized into mitigation phases within a paper document in binder format for use as a public document, as requested, and within the ADA Transition Plan Database (TPD) or other facilities management software to correlate physical barrier removal over a period of annual phases that correspond to existing and anticipated budgetary constraints.



Once the development process is complete and the ADA Self-Evaluation and Transition Plan are in place, implementation of the plan and documentation of progress in implementation is essential to maintain safe harbor under state and federal access requirements.

Compliance is not a static condition; PSAs change and grow, and facilities are altered, leased, or sold and acquired over time. Change is expected and it

requires on-going monitoring and review to ensure continued compliance with new PSAs or existing physical facilities added over time.

(i) Programmatic Accessibility

The cost of improving access for public entities has always been a concern for the US Congress and the US DOJ. Any new federal legislation that requires physical access improvements must be accompanied by real-time estimates of the cost that public entities will incur in their compliance efforts.

The focus on improving access for people with disabilities within an ADA Transition Plan has always been on what happens in facilities within PSAs overall, rather than on buildings or facilities. When each program, service or activity is examined, looking at each physical location where it is provided, it becomes possible to plan for physical barrier removal to make at least one location accessible without going through the effort and cost of making all locations physically accessible.

This practice is known as programmatic accessibility, or more commonly known as *program access*. The ADA as a civil rights law requires public entities to operate each program, activity, or service in such a manner that, when viewed in its entirety, it is readily

accessible to and usable by individuals with disabilities, unless achieving accessibility would cause a fundamental alteration in the nature of the program, service, or activity.

In the process of providing access, the ADA does not require public entities to provide access to programs, services, or activities where the mitigation of barriers would result in an undue financial or administrative burden, or either threaten or destroy the historic significance of a historic facility. The practice of applying program access presents an important opportunity for an ADA Title II public entity because the cost of removing every physical barrier in every facility is unsustainable for any existing entity. With this understanding, the importance of identifying each physical location where a PSA takes place early in the ADA Transition Plan development process is clear; the result can mean a reduction in barrier remediation obligations.

Where more than one location exists for each PSA, the group of locations should be examined to determine which location(s) can be altered to comply in a cost-effective manner. As long as those locations are served by public transportation and are on an accessible route from points of arrival such as sidewalks where transit stops exist and accessible parking on-street or off-street, the locations should satisfy the requirement to provide program access and become the basis for the barrier remediation schedule.

In practical terms, pursuing physical barrier removal to improve accessibility without performing a Self-evaluation will likely result in barrier removal efforts that are not legally required.

Additional methods used to achieve program accessibility include but are not limited to relocating services to accessible locations, providing new equipment, redesigning existing equipment, assigning aids to individuals with disabilities, providing home visits, making alternative formats available, delivering services at alternate accessible sites, altering existing facilities, pursuing physical barrier removal and/or constructing new facilities.

When the time comes to renew a lease at an existing non-compliant facility where PSAs take place, the move could be seen as an opportunity to find a facility that provides access to people with disabilities, or one which would be less costly to mitigate. It is important to note that some alternatives, like home visits, may present an administrative burden over time that should be taken into consideration when establishing these practices implementing program access. Such practices may only be of temporary benefit to an entity.

An example of how program accessibility can be provided is as follows:

A Health and Human Services Department (HHS) provides services for Women/Infant/Children (WIC) at five different physical locations. This WIC program is sponsored and funded by the state and federal government, and two of the physical buildings where the WIC program is offered are in parts of the

geographical region where no public transportation exists. Applying program access, the entity is not required to make each of the five facilities physically accessible, but instead, is required to make sure that the WIC program, when seen in its entirety, is accessible. This means that the entity must ensure that at least one, but not necessarily all the locations where the program is offered, are physically accessible to everyone, including people with disabilities. Prioritizing locations served by public transportation is strongly recommended, where public transportation is available and a pedestrian access route exists from the transit stop to the building site, and an accessible route is provided to at least one building entrance.

The goal of the ADA is to achieve full integration of individuals with disabilities into the fabric of society, not to establish preferences for persons with disabilities, as might be perceived by the public at large. Public entities are obligated to provide the most integrated setting possible. People with disabilities cannot be restricted from participating in general activities, even where separate programs, services, or activities are provided expressly for them because that could defeat the integration mandate under the ADA. People with disabilities should be allowed to participate in programs, services, and activities with people who have no disabilities; the expectation is that individuals with disabilities will be given a choice as to which program, service, or activity they want to participate in.

When choosing a method (or methods) to provide program access, a public entity must give priority to the method or methods that result in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities.

(ii) Discrimination in Policies and Practices

Discrimination is prohibited by the ADA and numerous California state statutes and regulations. Discriminatory policies and practices may manifest within written or unwritten policies, as well as actual practices. Using US DOJ guidance, discrimination must be considered in the form of direct action, actions taken on behalf of the entity under a contractual relationship by a contractor or others, or by actions taken by another Title II entity, such as a local or regional transit authority that operates PSAs or enforces their ordinances within the facilities owned or leased by the County.

Discriminatory practices or policies can be explicitly exclusionary, although policies that may appear to be neutral can also discriminate. For example: Many people with vision impairments cannot obtain a driver's license. Since a driver's license has become the most common form of personal identification, this poses a problem for anyone who cannot obtain a license. Therefore, if a policy is instituted that requires a driver's license as the only form of identification that persons can use to be allowed to participate in any PSA,

the policy will exclude people who, due to their disability, are unable to obtain such a license. Other forms of ID must be allowed for use in such situations.

When a public entity engages in licensing or certification, an individual cannot be denied licensure or certification if the person can meet the eligibility criteria. Also, public entities cannot establish criteria for licensing or certification, which have the effect of limiting participation.

If examinations are administered for the certification licensing process, they must take place in a location that is physically accessible to persons with disabilities and in a manner to ensure that persons with vision, hearing or other impairments are provided the opportunity to take the examination as other non-disabled persons are provided.

Eligibility criteria, which screen out or tend to screen out persons with disabilities, are prohibited unless such eligibility criteria are vital to providing the PSA. As an example, a program may be discriminatory that requires people with disabilities to be accompanied by an attendant to participate.

Neutral rules such as safety requirements are generally allowed even if they screen out individuals with disabilities. As an example, a minimum level of vision is acceptable as a prerequisite for participation in an archery class or other activities where safety constraints exist, and vision is required.

Surcharges to offset the costs of providing accessibility are prohibited when a public entity provides PSAs for people with disabilities.

Access to Information and Communications Technology (ICT) must also be provided for persons with disabilities, including website accessibility. The definition of Information technology is complex and includes equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples of ICT include but are not limited to: computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment; multifunction office machines; software; applications; websites; videos; and electronic documents¹¹. Digital access means that people can access PSAs at any time, which makes the provision of an accessible website and accessible formats of digital documentation posted on the website essential for people with disabilities. When necessary, individual accommodations must be made to offer PSAs that satisfy this requirement. Accessible PSAs must be provided, but are not limited to excursions, seminars, or courses necessary to complete instruction. New technologies that facilitate

¹¹ US Access Board, 2017 Information and Communication Technology (ICT) Guidelines, Section E103 Definitions.

electronic accessibility are to be evaluated on a regular basis, as they become available on the market for implementation.

(iii) Effective Communication and Alternate Formats

The requirement to provide equally effective communication is often one of the greatest challenges that state and local agencies face in the ADA Self-evaluation process. Section 35.106 of the ADA requires all public entities to take steps that may be necessary to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communication with others. Appropriate auxiliary aids and services must be provided, when necessary, to afford people with disabilities an equal opportunity to participate in and enjoy the benefits of the programs, services, or activities offered. A basic tenant of accessible information is this:

When information provided is visual, it also must be audible.

When audible information is provided, it must also be provided in a visual format.

Software can assist people who are blind or visually impaired to access information only when that information is in a proper format. Public entities also must allow people with disabilities to request an auxiliary aid or service of their choice, and the express choice



must be given primary consideration¹². Furthermore, the entity must honor the requesters first choice of an alternate format, unless it can demonstrate that another effective means of communication exists, or that use of the means chosen by the person is not required under the ADA. A good way to determine what the needs of local constituents are, in terms of

alternate formats, is to post a notice on each advertisement that is made public for PSAs that asks people to request accommodations under the ADA. This notice is a requirement under the ADA intended to reduce or prevent discrimination, but it will also help to anticipate the needs of the community through the experience of fulfilling these requests.

Honoring the first request of the person with disabilities is important because of the range of types of disabilities, the variety of auxiliary aids and services available and different circumstances that require effective communication. For example, many courtrooms are

¹² See 35.160(b)(2)

now equipped with computer-assisted transcription (closed captioning) which can be a particularly useful auxiliary aid for people that are deaf or hard of hearing but can use speech to communicate. However, closed captioning is not useful for those who communicate only by using American Sign Language (ASL) or reading Braille.

Two major categories of programs, services, and activities covered by the ADA are:

- Programs, services, and activities involving general public contact, as part of ongoing operations of the entity, and
- Programs, services, and activities directly administered by the entity for program beneficiaries and participants.

Activities in both categories involve direct communication with the public during public use of facilities. These activities can include telephone contacts, office walk-ins, interviews, or web-based interfaces such as online submissions, etc.

This requirement to provide equally effective communication for people with disabilities facilitates the goal of inclusion for persons with disabilities, but it can be complex. In practical terms, public entities are required to make and provide all the documents that it provides to the public in formats that are accessible to people with disabilities to ensure equally effective communication for all groups. Common types of alternative formats provided by public entities include large print format with min. 18 point in a simple font, audio format (WP3 files), Braille, electronic text documents that are in HTML (hypertext markup language) format¹³ online, as an audible digital file, CD or other form of portable digital device for those without internet access.

PDF (portable document format) is in broad use as a type of document posted to websites or sent as an email attachment, but the format is not always accessible to people who are blind or who have low vision. A PDF appears as a flat, blank page to screen reader software or similar devices. Major modifications are required to each PDF document to provide alt tags, etc. described in the ADA/CBC Tool Kit Chapter 5 Guidance. Access to the alt tagged information is also dependent on software, hardware, or assistive devices to access information. PDF documents can also be accompanied by a document containing the same information in an accessible format. This list of possible alternate formats is not all-inclusive and almost constant technological developments will mean that new options become available on a regular basis.

At times, providing persons who serve as readers or note-takers at public meetings and videotaping with real-time captioning may also be an accessible option, when interaction such as providing public comment is not an option at the meetings. Where public

¹³ Documents that are intended to be read by the visually impaired using software require alt tags that the software can read and audibly communicate to the user. These tags cannot currently be added to documents saved in PDF but can be usable when posted in HTML.

meetings allow public comments, people with disabilities must be given the opportunity to submit comments, but this type of communication can happen only when they are first given access to the information being presented or discussed in an accessible format.

The use of oral and manual interpreters is also an integral part of producing an accessible environment. Qualified interpreters must be used and must be able to interpret effectively, accurately and impartially. Interpreters should be able to receptively and expressively interpret as well as possess expertise in any necessary specialized vocabulary.

An interpreter is necessary when the information imparted is complex or lengthy in nature. Factors to take into consideration when deciding whether to provide an interpreter are, the context of the event, the number of people involved, and the importance of the information involved. An example of when an interpreter is necessary is where a patient with a disability in a health clinic has a serious medical condition that must be discussed. Other situations may not require an interpreter, such as that of a visitor with a hearing impairment who purchases food at a cafeteria or persons who must pay for a parking ticket who can be adequately served using a paper and pencil, even when the particular person normally uses sign language to converse.

(iv)Public Outreach

The ADA requires public entities to obtain input from interested persons within the development process of the Plan. Multiple options are available, but public meetings are one of the most common ways to gain public input, when circumstances permit. Advertising the public outreach process can involve publishing ads for the meetings as radio announcements on local stations, in local newspapers, posters or flyers posted in conspicuous locations at social gathering areas such as community centers, recreation facilities, local senior centers and at other local agencies that serve people with disabilities including Independent Living Centers (ILC).

A public outreach meeting was held on Thursday, June 4th, 2026, at 5:30 pm to present the final SETP Plan to the public for input. SZS presented the Plan during the meetings and designated County staff were present to answer questions and provide input.

The questionnaire developed to gather public input was provided in a web-based format with alternate formats provided, including large print paper format and MS Word files available on flash drives for those who requested the materials to be mailed. Braille format questionnaires were also made available, upon request.

The public outreach processes and questionnaires were also advertised on the County website and made available to the public by use of flyers provided in conspicuous locations within buildings, including alternate formats.

The questionnaire was made available through a 45-day comment period from June 4th to July 17th, 2026. The public outreach meetings were advertised with local citizens and organizations that serve the needs of people with disabilities.

The following list provides information on the local groups and interested individuals that are recommended for inclusion in this public outreach process. Invitations to join the online public outreach meetings were extended to these groups, among others:

Table 2: Community Based Disability Access Groups

ORGANIZATION	WEBSITE	ADDRESS	PHONE/EMAIL
Pinnacle of Independent Support Experiences	N/A	N/A	Steven@poiseils.com
Tri-County Independent Living	www.tilinet.org	286 M Street, Suite C Crescent City, CA 95531	(707) 445-8404
Redwood Coast Regional Center	www.redwoodcoastrc.org	1301-A Northcrest Drive, Crescent City, CA 95531	(707) 464-7488

(v) ADA/CBC Tool Kit

After the passage of the 1990 ADA Standards, the US DOJ Civil Rights Division began working with communities across the United States to increase knowledge about and application of these new regulations and thereby, improve access to PSAs provided by state and local governments for people with disabilities.

The Division found that, despite good intentions, many communities lacked the knowledge or skills needed to identify barriers to access in their programs, services, and activities. Public entities did not know how to survey buildings to identify physical barriers or found it difficult to review policies and practices for compliance with the ADA or state statutes and regulations. Communities nationwide turned to the US DOJ to help fill this knowledge gap.

Give a person a fish, and you provide food for a day. Teach a person to fish, and you provide food for a lifetime.

-- Asian Proverb

The US DOJ Civil Rights Division assembled the ADA Tool Kit to give entities the necessary background on the regulations and convey the importance of evaluating their policies and practices in place to help ensure equal access for people with disabilities. The intent was to educate state and local government officials the following:

- How facilities can be investigated to identify common architectural barriers for people with disabilities.
- How to identify red flags indicating that their programs, services, activities, and facilities may have common ADA Access Compliance problems; and
- How to remove the barriers and fix common problems

California is on the cutting edge of technology and innovation, and the field of ADA Access Compliance is part of that culture. SZS has updated the ADA Tool Kit by broadening the scope to include California requirements to ensure that the public entities we work with are aware of the most stringent requirements from both state and federal statutes and case law when evaluating programs, services, and activities, along with the policies and practices that facilitate public use. Significant differences exist between state law and federal law.

The original US DOJ version of the toolkit can be found at <https://www.ada.gov/pcatoolkit/toolkitmain.htm>. The updated ADA/CBC version was provided to the County online, and offered in alternate formats, in 2022.

SZS completed updates to chapters 1, 5 & 6 of the original Tool Kit. Chapter 1 now includes California statutes and regulations that are both very different and more stringent than federal standards. In this information age, with almost constant innovation in information and communication technology, SZS teamed with industry experts on web accessibility to modify Chapter 5 to reflect the most current US, worldwide web consortium and accessible technology standards.

The focus in accessible information and communication technology is now on providing access within functional performance criteria, rather than setting standards based on specific devices that could become obsolete in the near future, such as TTY. Tool Kit Chapter 6 covers curb ramps, for which California requirements and the PROWAG are far more stringent than the federal standards in place in 2006 when the original Tool Kit was developed.

Each ADA/CBC Tool Kit chapter is organized into two components: 1) an educational component and 2) a quiz to test the knowledge gained and provide information necessary to review policies and practices. The following sections are included:

- **ADA Basics – Statute and Regulations:** This updated section is purely instructional and provides the knowledge base for all following checklists. This information can be useful for all staff who have public interaction, as well as for those who administer or manage those positions.
- **ADA Coordinator and General Grievance Procedure Checklist:** This checklist teaches about the basic state and federal requirements and helps public entities

to determine whether they are acting in compliance with basic ADA administrative requirements. It also includes a sample “ADA Notice” that agencies can adapt for their use as a public Statement of Commitment in complying with basic ADA administrative requirements for Transition Plans.

- **General Effective Communication Requirements under Title II of the ADA:** This checklist explains what it means for communication to be “effective” for people with disabilities, what type of auxiliary aids and services can potentially provide effective communication, and when those auxiliary aids and services are required.
- **9-1-1 and Emergency Communications Services:** This checklist explains how the ADA’s effective communication requirements apply to 9-1-1 and emergency communications services. It also helps to identify common accessibility problems with 9-1-1 and emergency communications services.
- **Website Accessibility:** This updated checklist explains how web access under Title II of the ADA applies to state and local government websites, describes functional performance criteria within various groups of people with disabilities and what must be considered when providing information online. Website design practices are described that pose barriers to people with disabilities, and action items are identified that can help to eliminate these online barriers.
- **Curb Ramps:** This updated checklist provides information on the most stringent requirements for curb ramp design and inspection from the ADA Standards, California Building Code and Public Rights-of-Way Accessibility Guidelines (PROWAG).
- **Emergency Management:** This checklist explains requirements on providing emergency policies and procedures for ADA Title II entities. The Checklist can also be used to review existing policies and services for evacuation, training of first responders and emergency shelter management.

B. Self-Evaluation: Summary of Findings

The Self-evaluation creates the foundation of the Transition Plan by reviewing existing policies and practices, completing and providing input from the ADA/CBC - Best Practices Tool Kit for State and Local Governments (Tool Kit), interviews with key staff, a public outreach process, and prioritization of facilities for remediation by identifying and correlating locations for PSAs after applying programmatic accessibility.

(i) ADA Public Notice of Compliance

The first step in this process required by the US DOJ, Civil Rights Division that enforces the ADA¹⁴, is a public statement that an entity is starting the process to improve access. When this ADA Transition Plan process begins, a public entity is required to make their intent to comply with the ADA known through publishing a public notice as a Statement of Commitment. Considering the fact that the ADA is enforced through litigation, the act of making this effort highly visible notice is a prudent step in reducing risk while complying with the federal regulations. The publication of this Statement also serves as the start of a period of safe harbor for the ADA Title II entity during which the Plan is implemented.

The following ADA Notice is posted online on the County's website¹⁵. The language contained in the document is as follows:

PUBLIC NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the County of Del Norte will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: County of Del Norte does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The County of Del Norte will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in County's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

¹⁴ The Americans with Disabilities Act Title II Technical Assistance Manual Covering State and Local Government Programs and Services: Section II-8.4000 Notice to the public. See: <http://www.usdoj.gov/crt/ada/taman2.html#II-8.2000>

¹⁵ <https://www.co.del-norte.ca.us/ADACompliance>

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity provided by the County of Del Norte, should contact the office of the Risk Manager who serves as the ADA Coordinator at Risk.Management@co.del-norte.ca.us as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the County of Del Norte to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the County of Del Norte is not accessible to persons with disabilities should be directed to the County the Risk Manager at Risk.Management@co.del-norte.ca.us.

The County of Del Norte will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

(ii) Programs, Services and Activities

The County collaborated with SZS to produce this ADA Self-Evaluation as an update to the existing documentation in compliance with both the ADA and the California statutes and regulations. Official programs, services, and activities provided were detailed by the organization and researched by SZS. An inventory of the PSAs provided is presented below.

The following list is intended to be complete, but as additional facilities may have been added, or existing facilities may have been closed since the completion of this evaluation, it is considered a snapshot in time. The following list contains facilities included in the ADA Transition Plan and Self-evaluation (SETP) process.

Table 3: List of Programs, Services, and Activities

Location	Address	Programs, Services and Activities
Recreation Gymnasium	1005 H Street, Crescent City	• Recreation Department • Men's Open Gym Basketball • Women's Open Gym Basketball • Middle School Open Gym Basketball • Volleyball Leagues • Basketball Leagues • Baseball/Softball Leagues • Summer Kids Camp



Location	Address	Programs, Services and Activities
		• Golf Simulator and Indoor Putting Green • Rental Space for Misc. Activities/Sports/Parties
Pyke Field	202 E Macken Ave, Crescent City	• Recreation Department • Field Reservation • Baseball/Softball Leagues • Playgrounds • Concessions
Florence Keller County Park & Campground	3400 Cunningham Lane, Crescent City	• 49 Campsites (RV and tent) • Trails • Picnic Areas • Play Area • Toilet Rooms (no showers)
Ruby Van Deventer County Park	CA-197 Crescent City	• 17 Campsites (Small RV and tent) • Trails • Picnic Areas • Fishing Access • Swimming Access • Toilet Rooms (no showers)
Clifford Kamph Memorial Park	15100 US-101 Smith River	• Beach Access • 14 Campsite (tent only) • BBQ Grills • Parking • Toilet Rooms (no showers)
Klamath Townsite Boat Ramp and Park	41°31'52.6"N 124°02'37.4"W, Highway 101 in Klamath	• Boat Launch Ramp
Agricultural Commissioner	236 Williams Drive, Crescent City	• Issuance of permits, licenses, certificates and pest control business registrations • Testing of weighing and measuring devices • Hosting meetings • Proctoring tests for pesticide use certification • Pest identification • Providing outreach materials and a research library to the public • Loaning week wrenches to the public



Location	Address	Programs, Services and Activities
Veteran Memorial Hall	810 H Street, Crescent City	• Veterans Services Office • Main Hall for Events • Veterans Canteen • Veterans of Foreign Wars • Veteran of Foreign War Women's Auxiliary
Manual Arts	840 9th Street Suite #12, Crescent City	• IT Department
Flynn Administration Center	981 H Street, Crescent City	• County Administrative Offices including the Board of Supervisors Chambers • County Counsel • Community Development • County Treasurer-Tax Collector • County Auditor-Controller • County Clerk-Recorder • Human Resources • Office of Emergency Services • County Assessor
Farm Advisor Office (Co-Op Extension)	586 G Street, Crescent City	• University of California Cooperative Extension 4H Office – Del Norte
Sheriff's Office/Jail	650 5th Street, Crescent City	• Sheriff's Office • County Jail • Visitation Rooms • Civil Office • Community Services (Fingerprinting)
Del Norte County Courthouse	450 H Street, Crescent City	• Probation Department • Victim Witness Office • District Attorney's Office • Courtrooms
Community Development Dept: Roads Division	500 E Cooper Ave, Crescent City	• Roadway maintenance and response during inclement weather • Flood control services • Transportation permit (large loads)
Juvenile Hall	1115 Williams Drive, Crescent City	• Juvenile Hall/Youth Opportunity Center
Child Support Services	1225 Marshall Street Suites #8 and #18, Crescent City	• Child support payment program • Complaint process



Location	Address	Programs, Services and Activities
		• Neutral go-between for parents regarding child support matters • Navigation service for the child support system
Wavecrest Beach Access and Parking Lot	120 Wavecrest Drive, Smith River	• Beach Access
Animal Services	2650 W Washington Blvd, Crescent City	• Animal adoption services • Dog licensing • Maintaining rabies vaccination records • Impounding stray dogs and livestock • Investigating dog bites, quarantining dogs and investigating loose or nuisance dog or livestock complaints. • Licensing kennels • Investigating potential violations of humane laws • Retrieving deceased animals from county roadways • Picking up injured domestic animals
Department of Health and Human Services	880 Northcrest Drive, Crescent City	• Mental Health Services • Psychiatry • Family Counseling/Mediation • Case Management • Referrals • Social Services • Office of the Public Guardian/Public Conservator • Publish Assistance/Employment and Training Branch
DHHS Behavioral Health Service Center	1125 Burtchell Street, Crescent City	• Mental Health Services • Baby Steps Program • Family Connections Program • Case Management • Referrals • Career and College Preparation • Independent Living Program • SUD Recovery Services • Transitional Housing Placement



Location	Address	Programs, Services and Activities
		● Peer Support Services
DHHS Behavioral Health Branch	455 K Street, Crescent City	● School Services ● Mental Health Services ● Crisis Intervention ● Psychiatric Services ● Acute Hospitalization ● Therapeutic Behavioral Services (TBS) ● Information and Referral
DHHS Public Health Branch	400 L Street, Crescent City	● Cal Fresh Healthy Living Program ● Perinatal Intensified Outpatient Treatment (IOT) ● Perinatal Phase 2 ● Drug Court ● Aftercare ● Dual Diagnosis, Co-Occurring Disorders (COD) ● Mild to Moderate Treatment ● Flu Vaccine Clinics ● Public Health Clinic
DHHS Coastal Connections	475 K Street, Crescent City	● Youth and Young Adult Resource Center ● Access to computers for job searching and assistance with resumes and applications. ● Information referrals to community resources (examples: food stamps, Medi-Cal, cash assistance, and social and emotional support groups, as well as many others based on needs) ● Access to quick meals and snacks ● Music room with assorted instruments ● Weekly and biweekly classes and events (always changing, see monthly calendar) ● Youth Council (high school students only) ● Meeting space for youth and young adults

Location	Address	Programs, Services and Activities
DHHS WIC	440 K Street, Crescent City	• Nutrition Education • Lactation Support • Referrals to Community and Healthcare Resources
DHHS Medication Support Services-Telepsychiatry	405 K Street, Crescent City	• Medication Support Services • Psychiatry • Telepsychiatry

Some of the programs, services, and activities provided in owned or leased facilities are not sponsored by the County. Under the ADA, those programs must take place in a facility that is physically accessible, no different than typical sponsored programs.

The identification of both the function and location of each PSA, and the groups of people served by each PSA, is essential to fully develop a useful Self-Evaluation report. Based on this information, the analysis of the policies and practices that govern the administration of these PSAs was performed, and recommendations for improvements, if needed, are provided on the following pages.

(iii)Grievance Procedure

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances arising under Title II of the ADA¹⁶. Grievance procedures set out a system for resolving complaints of disability discrimination in a prompt and fair manner. An ADA grievance procedure is provided on the County website and at <https://www.co.del-norte.ca.us/ADACompliance>.

(iv)Policies and Practices

The primary task of an ADA Self-Evaluation is to review and evaluate existing policies and procedures to identify policies and procedures that may unintentionally discriminate and to identify areas in which policies and procedures can be improved or, in some cases, be developed for the first time. The information compiled has been correlated with the physical barrier data to determine where policies and practices are applied.

During the field investigations, observations were made in several facilities that led SZS to develop recommendations for policies and practices intended to improve access to facilities for people with disabilities.

4) Self-Evaluation: Recommendations for Improvements

¹⁶ 28 C.F.R. § 35.107(b)

Throughout the time necessary to produce the County's ADA Self-evaluation and Transition Plan, the findings outlined below were provided to the County for review. The information outlined below was presented to the County on October 8, 2025. Where applicable, the County has been making progress in adopting or adjusting existing policies and practices based on the recommendations outlined.

A. Recommendations for Improvement - Policies and Practices

Under the ADA, all public PSAs must be accessible to people with disabilities. Making PSAs accessible involves many types of efforts, including physical barrier removal, but extending to efforts that ensure that people with vision, cognitive or hearing impairments can take part in PSAs. Information and Communication technology will be necessary to ensure that some groups of people with disabilities are provided access to public programs that the County offers.

If a meeting is taking place in a few minutes, it is probably too late to try to find an American Sign Language interpreter for a person at the meeting. The fact that this kind of request has not been made in the past does not mean that it will not or cannot happen in the future.

Policies and practices need to be in place, and ready to implement when a person with a disability requests an ADA accommodation. Otherwise, people with disabilities could have grounds to complain or act to protect their civil rights through litigation. Preparation is the key to avoiding situations where constituents could experience discrimination and the County could be put at risk.

Now is the time to act. Developing policies and practices, while training staff on the reasons for these developments and how to implement them, are essential to an organization that seeks to serve its community equally.

Staff training is a vital step in this process. It is often the case that the ADA/CBC Tool Kit Chapters are completed by multiple departments which each have a different set of responses to the same questions. This process provides an opportunity to establish Countywide policies and practices through training.

After new policies and practices are developed, it is equally essential to provide training to staff to ensure that the efforts to put the policies and practices into place are implemented in a consistent manner from department to department. For instance, each department may post information to your organization's website and each of these departments must receive training on how to produce alternate formats of these documents before posting them on the website.

The table below lists the policies, procedures, and other documents that were reviewed and for which there are recommendations for updates, changes, or to use as a best practice model

for other departments. Policies and Procedures that were reviewed and found to be sufficient are not included.

Table 4: County Policies and Procedures Recommendations

DOCUMENT TITLE	RECOMMENDATIONS
All policies and procedures	Add a general ADA Policy and Procedure Statement to all policy documents to provide a broad approach to the compliance of the document and awareness for staff.
Non-Discrimination and EEO Policy (June, 2021)	Update section D.1. to include the additional emphasized text below: D. Reasonable Accommodation 1. Request for Reasonable Accommodation Any applicant or employee who requires accommodation(s) to perform the essential functions of their job, or needs a Reasonable Accommodation during the hiring process, must notify the Human Resources Department of their request for a workplace accommodation.
Treasurer Tax Collector_EMERGENCY ACTION PLAN-11-2024	Item 5 states that “People in wheelchairs or on crutches should be carried down stairs. Wheelchairs and crutches should not be taken down stairwells.” This practice poses a potential liability for injury. Recommend acquisition of an evacuation stair chair and training for how to use, as well as procedures for taking Durable Medical Equipment (DME) to the ground level whenever possible so that the person with a disability can maintain independence, however this may not be feasible for large or motorized mobility devices. Until an evacuation chair is acquired, establish an area of refuge and direct staff to notify emergency personnel immediately (as is noted in another section of the document). The section on Assisting the Disabled would benefit from an update to use people-first language and should not use the term “hearing impaired”. The term is used in the ADA regulations and medical field, and is often used by people who are late-deafened (become Deaf later in life) and/or who have not become part of the Deaf Community. However, it can be seen as



DOCUMENT TITLE	RECOMMENDATIONS
	offensive by people who are “culturally Deaf,” that is, use ASL to communicate and consider themselves as part of the Deaf Community. They signify themselves with an uppercase D (Deaf), thereby rejecting typical <i>person first</i> language. Typically, the preferred language for this group is “Deaf or Hard of Hearing” or “Deaf, Hard of Hearing, Deaf-Blind, or Late-Deafened.”
DHHS - 24-7 Language Line Access P&P	Expand to also include language access provisions for people with disabilities, including sign language interpreting.
DHHS - Civil rights training 2024	This policy outlines promising practices and could be used as a model countywide.
DHHS - CLPPP - Providing Culturally Sensitive Communication and Services (1)	This policy outlines promising practices and could be used as a model countywide. Could benefit from expanding attachment B to include Deaf cultural norms such as eye contact, loudness, use big gestures, and facial expressions, where some grammatical features of sign language may be mistaken as upset or agitated.
DHHS - Cultural Linguistic Services	This policy outlines promising practices and could be used as a model countywide.
DHHS - Division 21 Civil Rights Points to Remember-3-23	This policy outlines promising practices and could be used as a model countywide.
DHHS - Guidelines for Providing Linguistic Access to LEP and Deaf-Hearing Impaired Clients	This policy outlines promising practices and could be used as a model countywide. Would benefit from updating to include person-first language. Replace outdated, offensive language “hearing impaired” and replacing with “Deaf or Hard of Hearing” or the more expanded “People who are Deaf, Hard of Hearing, Late Deafened, or Deaf-Blind”
DHHS - Language Line	This training material is a promising practice and could be used as a model countywide. It would be beneficial to include information on how to request sign language interpreters, as there is also a policy for the department related to this.
DHHS - Patient Access and Provider Directory API Policy 7.2024 (1)	Include requirements for online services to conform with WCAG 2.1 AA or higher.
DHHS - preventing discrimination- disabilities	Update service animals section, which currently states only dogs are service animals; miniature horses

DOCUMENT TITLE	RECOMMENDATIONS
	are also acceptable as service animals. Include CA-specific protections for service animals in training.
DHHS - Pub 13	This policy outlines promising practices and could be used as a model countywide.
Municipal Code 10.16.100 North Beach And South Beach; Permit	Replace “person suffering the disability” with “person with a disability.” Remove requirement to provide medical verification of such disability and replace to allow the person using the device to provide credible assurance that the device is used because of a disability, such as a valid, state-issued disability parking placard or card or state-issued proof of disability. See best practices in the DOJ Technical Assistance on Wheelchairs, Mobility Aids, and Other Power-Driven Mobility Devices. ¹⁷
Municipal Code 9.20.30 A.6. Definition Abusive Panhandling	Remove “does not suffer from the disability” replace with “does not have a disability” or remove the section entirely, as not all disabilities are visibly apparent.
Municipal Code 10.10.20 Signage	Removal of the terms “handicap” and “handicapped”, which are no longer language used in the California Vehicle Code section 22511.5. Update language to “A disabled person or disabled veteran” to conform with the vehicle code.
Municipal Code 20.46.40 Parking Spaces; Width Length, Compact Cars And Aisle Clearances	Update to require compliance with not only the provisions of the ADA but also the California Building Code accessibility requirements. Remove the terms “handicapped spaces” and replace with “accessible spaces” to conform with the California Building Code.
Municipal Code 21.44.40 Space; Area Width And Length	Update to require compliance with not only the provisions of the ADA but also the California Building Code accessibility requirements. Remove the terms “handicapped spaces” and replace with “accessible spaces” to conform with the California Building Code.

The following documents were also reviewed, and no additional changes are recommended at this time.

- Public Notice
- Accessibility Complaint Form

¹⁷ <https://www.ada.gov/resources/opdmds/>

- Grievance Procedure
- 2023 update_Del Norte OA Emergency Operations Plan 2021
- Child Support_ADA Policy Response_03.06.25
- Del Norte SO Custody Manual 2023
- Del Norte SO Policy Manual 2023
- EEO Policy Statement
- DelNorteCountyHMP_Vol1_Final (1) (2)
- DelNorteCountyHMP_Vol2_Final (1) (1)
- ADA Department of Agriculture
- DHHS - 510-30ProgramAccessibility
- DHHS - Americans with Disabilities Act (ADA)
- DHHS - Civil Rights Handout
- DHHS - Disability Determination SP DED
- DHHS - Physical Accessibility P&P
- DHHS - Pub 13
 - This policy outlines promising practices and could be used as a model countywide.
- DHHS - SAMPLE I Speak Card
- DHHS - Translated materials P&P

(i) Recommended Policies and Practices

Below please find additional recommendations that may enhance existing policies, practices, operational standards, etc. It is acknowledged that some departments/divisions, such as DHHS, have already adopted specific policies or procedures on these topics. It is recommended that these be used as models and to develop policies and practices that will be applicable countywide.

- Public Meeting Notices: The County provides the following notice on public meeting agendas describing how to request ADA accommodations:

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting room in the Board of Supervisor Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the County Clerk's office at least 24-hours in advance of the meeting at (831)475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

The agendas also must be in an accessible format for this information to be useful to people with disabilities.

- American Sign Language (ASL) Interpreters: Develop countywide policy and practice to locate an interpreter service and establish a relationship with associated service providers to enable the provision of ASL interpreters, note takers and other assistance, as requested under the ADA for people with speech or hearing impairments who wish to participate in public meetings. Where a practice does not yet exist; establish a policy and develop the practice to provide closed captioning of Board of Supervisors meetings and other televised public meetings.
- Alternate Formats: Develop a countywide policy to establish which types of alternate formats will be provided by the County for all documents made public. See the ADA/CBC Tool Kit Chapter 5 for options. Develop practices to provide the alternate formats and train staff on a regular basis (due to possible attrition, reassignment, etc.) to produce and provide accessible documents for County programs, services and activities. Traditional types of alternate formats include large print format (min. 18 pt. San serif font), audio files converted from printed documentation onto flash drives, Braille, digital information in HTML, online documents in Word®, etc. Many other options exist in using current technology.
- Procurement: Establish countywide practices to ensure that when staff consider the lease or purchase of furniture and fixtures (dispensers, tables, counters, workstations, drinking fountains, fare vending machines, kiosks, etc.), each of the elements considered for purchase are reviewed for compliance with state and federal accessibility requirements for protruding objects, toe/knee clearance and working surface height, bubbler height at drinking fountains in conjunction with knee and toe clearance, etc.

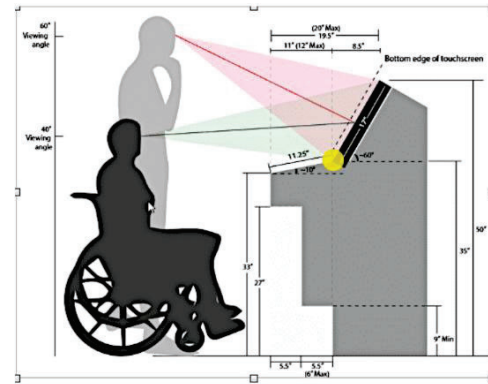
Similarly, consider establishing a practice or procedure related to the procurements of ICT technology. Best practice is to include procurement language requiring that ICT be accessible and conform with the requirements of Section 508 and WCAG 2.1 AA. Additionally, institute a policy to request or require prospective vendors to submit a completed Voluntary Product Accessibility Template (VPAT)¹⁸, which is a disclosure of how the technology meets or does not meet WCAG.

Example Fare Vending and Point-of-Sale Machines: The CBC contains requirements for ICT including accessible fare vending machines. The controls and location of the display in reference to the viewer who is of short stature or who uses a wheelchair or similar device is regulated (see figure at right). These requirements apply to equipment such as fare vending machines and kiosks that serve parking facilities or sell tickets or merchandise. At the existing parking facilities, the monitors were identified outside of viewing range for people who

¹⁸ See <https://www.section508.gov/sell/acr-vpat-faq/>

are of short stature or for those who use wheelchairs. This example highlights the need for establishing a practice that ensures items procured by the County meet existing accessible standards.

For those who are Blind or visually impaired with low vision, the CBC requires headset jacks and alternatives to touchscreen operability such as keypads with raised information or speech enabled operating instructions and orientation, visible transaction prompts, user input verification, error messages, and displayed information that is accessible to and independently usable by individuals with various levels of vision impairments¹⁹.



- **Accessible Route Maintenance:** Develop policy and practice to involve property owners in the process of ensuring that foliage, trash receptacles, rental bicycles, scooters, or similar vehicles etc. parked in or near the sidewalk do not encroach into the required pedestrian access route. Notify residential or commercial property owners of their responsibility to maintain the required path of travel through the sidewalk.
 - a. Consider performing foliage trimming using County staff or contractors or allowing property owners a reasonable amount of time to perform the work to maintain access to the sidewalk before instituting a fine/penalty or performing the work for them to reduce risk to the County.
 - b. Consider establishing policy or practice to discourage or prohibit parking of vehicles, bicycles, scooters or similar items on sidewalks to maintain the use of the pedestrian access route, where provided. Where such parking is allowed, designate areas where parking does not encroach into the required pedestrian access route.
- **Accessible Entrance Maintenance:** Develop a policy to implement and conduct regular adjustments to door closers in facilities where programs, services and activities take place.
 - a. Consider installing automatic door opening devices at main entrances to reduce maintenance requirements long-term and improve access.

¹⁹ See CBC 11B-707

- b. Consider removing door closers where they are installed but not required by building code or other regulations (HSC, etc.) to reduce maintenance requirements long-term and improve access.
- Sidewalk Maintenance: Develop policy and practice to notify residential or commercial property owners of their responsibility to maintain accessible sidewalks or alter existing sidewalks to comply. Special focus should be placed on abrupt changes in level, holes, surface damage (spalling) or tree roots that cause pavement heaving (vaulting) that can cause trip hazards, and protruding objects (signs, branches, etc.) that can cause injury. Annual notices may serve as a proactive reminder of the legal obligation.
- Maintenance of Accessible Features: Consider establishing a policy to prohibit vehicles from parking on the sidewalk and obstructing travel for people with disabilities where a pedestrian facility is provided. Consider establishing a policy to install wheel stops where accessible parking is located adjacent to the sidewalk or walkways to help prevent vehicles from encroaching into the pedestrian access route.

These recommendations will be most effectively implemented through staff training and education for members of the public (property owners, inhabitants, and visitors, etc.). The information may apply to more than one facility where similar activities take place, and in some cases, will apply to physical elements or services Countywide.

B. Recommendations for Improvement - ADA/CBC Tool Kit

The following Tool Kit sections were provided to County staff who participated in this process, including input derived from the stakeholders, and from responses online and/or in paper format were reviewed and compiled. Where recommendations for revisions or additional policies or practices were identified, details are listed below.

(i) Chapter 1 – ADA Best Practices Tool Kit for State and Local Governments

a) ADA Awareness Training

County employees demonstrate varying understanding of ADA requirements, with some departments having substantial training, while others may not have any training.

Recommendations:

1. Provide general ADA awareness training to all county staff on a recurring basis, with emphasis on (but not limited to) the following:
 - a. General non-discrimination requirements and definitions of disability;

- b. Built environment, including provisions that all new facilities meet current accessibility requirements;
- c. Effective communication, including how to provide interpreters, auxiliary aids and services, and accessible and/or alternative formats; and
- d. Website and social media accessibility, including how to provide captions and audio descriptions on video.

(ii) Chapter 2 – ADA Coordinator

a) Grievance Procedure

The County has a procedure in place which is provided on the County website. The form is provided in the Appendix. The procedure is posted on the website in a PDF document, which may not be readable by screen reader software commonly used by the blind and visually impaired.

Recommendation:

1. Update the public ADA grievance procedure that is provided on the ADA Compliance page on the County's website to provide accessible versions of the grievance procedure in HTML, Microsoft Word® or another accessible format.

b) ADA Coordinator

The County has named an ADA Coordinator. This task is currently assigned to the County Risk Manager. The requisite knowledge base and broad-reaching scope of the role of the ADA Coordinator may necessitate a separate position.

Recommendation:

1. Create a dedicated position of ADA Coordinator, solely responsible for ADA Title II compliance planning, tracking, and implementation.

(iii) Chapter 3 – Effective Communication

a) Effective Communication

The County is required to take steps to ensure that communication with individuals with disabilities is as effective as communication with others. The regulations apply to communicating with applicants, participants, members of the public, and companions with disabilities. Some departments have existing policies, procedures, and training that include effective communication provisions, while others do not.

Recommendations:

1. Develop a countywide Effective Communication policy and practices to ensure that people with disabilities can take part in programs, services, and activities. At minimum, ensure the policy makes clear the following requirements:

- a. General Requirements
 - i. Interpreting services and other auxiliary aids will be provided upon request.
 - ii. Primary consideration is given to the requests of the person with a disability when determining what type of auxiliary aid or service to provide.
 - iii. How to address requests from the general public for notetakers, computer-assisted real-time transcription services, and other auxiliary aids and services for providing effective communication.
 - iv. Model language for staff to include in notices for public meetings to specify that interpreters, auxiliary aids, and alternate formats can be obtained within a short period of time, when requested.
 - v. The statement that where the County decides to deny an interpreter or requested auxiliary aid based on undue financial and administrative burden, the decision must be made after considering all resources available for use in funding the operation of the program and must be accompanied by a written statement by the head of the entity of the reasons for reaching the conclusion.
 - vi. In any instance where the provision of an interpreter or auxiliary aid would result in an undue financial and administrative burden, the County will take any other action that would not result in an undue financial and administrative burden but would nevertheless ensure that the individual with a disability receives the benefits or services provided.
- b. Interpreting Services
 - i. It is generally inappropriate to request family members and companions of deaf people to serve as sign language interpreters.
 - ii. People with disabilities requesting interpreters should not be charged for the cost of the interpreter.
- c. Assisted Listening Devices.
 - i. Information about which facilities have assistive listening devices and how these services are requested.
- d. Alternate Formats.
 - i. How to respond to requests from the general public for documents in Braille, large print in paper format, audio recording, and accessible electronic format (email, compact disc containing the document in plain text, word processing format, HTML or some other format that can be accessed with screen reader software)
- e. Captioning and Audio Descriptions
 - i. Requirement to provide captioning and audio descriptions on all videos and broadcast meetings/programs made available to the public on their internet website and social media.
- f. Telephone Access
 - i. Where telephones are available to the public for making outgoing calls, TTYs are also available for people with hearing and speech disabilities.

- ii. Practices to handle calls received via Telecommunications Relay Service or a Video Relay Service (VRS) in the same way as other telephone calls.
 - Video Relay Service (VRS) devices to be located in areas where the user can face the monitor using forward approach.
- 2. Establish vendor relationships/contracts.
 - a. Where necessary, establish the necessary business arrangements with vendors for auxiliary aids and services to ensure that a request for accommodation can be met in a timely manner. This shall include vendors who can provide sign language interpreting and vendors that supply alternate formats, such as Braille.
 - b. Investigate if existing contracts for spoken language interpreting can be extended to include sign language interpreting.
 - c. Explore development of centralized interpretation contracts that can be used across all depts/divisions.
 - d. Investigate if captioning services can be added to the existing contract with the agenda management services.
- 3. Train staff in the implementation of Effective Communication policies and procedures.
 - a. Develop templates and streamlined processes to produce alternate formats for all public documents.
 - b. Provide vendor contract information to all departments/divisions on a regular basis, at minimum annually.
 - c. Identify employees responsible for social media and provide training annually on how to make accessible social media posts that include captioning and audio descriptions.

(iv)Chapter 4 – 911 and Emergency Communication

a) 911 Dispatch

The 911 dispatch center has the capability to receive TTY calls, and dispatchers are aware of the requirements to receive TTY calls. It was noted that there is not currently a practice of querying silent calls with a TTY, nor is there regular testing and training on TTY calling.

Recommendations:

- 1. Develop procedures for dispatch call takers to respond to each silent, open line call by querying the line with a TTY.
- 2. Conduct refresher training and testing every 6 months. This could be combined into a random “training test” that is conducted by a dispatch trainer or supervisor

at different times during each shift. It is recommended that records of training and tests of TTY call answering be maintained for tracking and compliance.

(v) Chapter 5 – Web Accessibility

a) Web Accessibility

The county has a web accessibility statement committing to WCAG 2.0 AA or higher. The County contracts with a web accessibility service for automated review of the accessibility of the public facing site. The service reviews for compliance with WCAG 2.2 or higher and provides notification of elements on the website that need to be fixed or improved. The county has not conducted accessibility testing with actual users of assistive technologies and relies on automated tools.

The county has a decentralized process for updating the website, in which different divisions can directly update their web pages and post images independently; however, they have a consistent style guide for implementation.

The county does not utilize Voluntary Product Accessibility Templates (VPAT) for vendor documentation of compliance with accessibility requirements.

Recommendations:

Annually, enlist individuals with disabilities who use assistive technology to test and provide feedback on the usability of the website. While automated review software is useful, it is not possible for any one automated tool to ensure compliance.

1. Consider including a procurement requirement that prospective vendors of Information and Communication Technology (ICT) submit a Voluntary Product Accessibility Template (VPAT) that details how the ICT conforms to accessibility standards.
2. Develop an internal review process to verify changes and additions to web pages meet accessibility requirements before they are live to the public.
3. Provide annual training for:
 - a. Employees who are responsible for website posting on conformance with Web Content Accessibility Guidelines (WCAG) 2.1 Level AA and the County style Guide.
 - b. Employees responsible for social media posts on how to create accessible posts, including, but not limited to, captioning, audio descriptions, and alternative text.

(vi) Chapter 6 – Curb Ramps and Pedestrian Crossings under Title II of the ADA, California Building Code (CBC) and the Public Rights-of-Way Guidelines (PROWAG)

a) New Curb Cuts

Curbs where sidewalks and walkways intersect with roads, streets, or highways must have curb ramps that allow people with disabilities to travel from the sidewalk on one side of the vehicular way across any traffic islands with curbs to the sidewalk on the opposite side.

Recommendations:

1. Set curb ramp construction as a high priority at curbs where no curb cut exists in the ADA Transition Plan remediation schedule.
2. Adopt practices that include Right of Way (ROW) acquisition as a critical component of project phasing in Capital Improvement Projects and other long-range plans for streets and sidewalks.

b) Curb Ramp Requests

Requests to provide curb ramps should be integrated into other projects to ensure that the work is performed with other types of alteration of streets, roads, highways, sidewalks, and pedestrian crossings.

Recommendations:

1. Develop procedures to ensure that such requests are given priority when the County plans and implements the construction and alteration of streets, roads, highways, sidewalks, and pedestrian crossings.
2. Consider establishing an ADA Infrastructure Maintenance Fund that could be used specifically for responding to individual curb ramp requests in areas that are not programmed for capital improvement projects in the near term.
3. Create a Disability Advisory Committee or include people with disabilities on the existing Capital Improvement & Infrastructure Technical Advisory Committee (TAC) to assist with identifying, prioritizing, and budgeting for capital improvement projects such as new facilities and infrastructure and upgrades to existing facilities and infrastructure.

(vii) Chapter 7 – Emergency Management**a) Training for Responders**

Emergency response teams, including planners, first responders, shelter staff, and volunteers, receive comprehensive training to handle various tasks effectively during a crisis. This includes planning logistics, managing evacuations, operating shelters and temporary housing, providing medical and social services, and overseeing recovery efforts. The County demonstrates that they have policies and training for personnel responsible for different aspects of emergency response, however this training may be siloed based on function.

Recommendation:

1. Expand existing training to include awareness of the existence of written policies and procedures. Provide a mechanism for sharing policies and procedures across different divisions involved in emergency response.

b) Physical Assessment of Shelter Facilities

The County has identified some accessible shelter options and maintains agreements with the Red Cross for the majority of their shelters. Facilities that are deemed completely inaccessible are removed from the list of shelters. Facilities that have some accessible features are used in conjunction with temporary accessible measures and provision of accommodations/modifications as requested.

In these shelters, policies and procedures are adopted to ensure that shelter staff and volunteers do the following:

- Maintain accessible routes for individuals who use wheelchairs and other mobility aids. This often means rearranging furniture and stored items.
- Minimize protruding objects and overhead objects in shelters so that someone who is blind or has low vision can walk safely throughout the shelter.
- Offer way-finding assistance to people who are blind and those with low vision who may need assistance in understanding and navigating the shelter layout and locating shelter facilities (e.g., finding the route to the toilet room when furniture layouts change).
- Planning should include the provision of back-up generators and refrigeration for medications.
- Written procedures on back-up generators include a plan for routinely notifying the public and disability groups of the location of shelters providing electricity and refrigeration.

Recommendation:

1. Complete assessments of County-owned shelter locations to determine needs and options for improvements so that people with disabilities can be sheltered properly. Ensure the provision of accessible parking, exterior route from the parking to the entrance, entrance, sleeping area, dining area, toilet facilities, bathing facilities, recreational areas, emergency exit, and interior routes to all of these areas.
 - a. Note: Until all emergency shelters have the required accessible features referenced above, the most accessible shelters should be identified and widely publicized to the public and to people with disabilities and disability organizations and a list of the accessible features provided in each should be publicized.

c) Disability, Access, and Functional Needs (DAFN) Advisory Committee

A DAFN committee can serve as a link between first responders, people with disabilities, and organizations serving people with disabilities by creating the opportunity to develop both formal and informal relationships in advance of emergencies, receive community input on emergency planning, response, and sheltering, as well as identify resources available for improved response efforts related to people with disabilities. The County had previously made efforts to establish a DAFN Advisory Committee however this effort was not sustained due to a lack of community participation.

Recommendation:

1. Re-initiate efforts to develop and maintain a DAFN Advisory Committee that includes people with disabilities, disability organizations, and emergency response partners in the community. Identify ways to encourage participation, including but not limited to, asking disability organizations to present about the needs of the communities they serve, solicit information from disability organizations about their capabilities to support county functions through joint information sharing and/or partnered response, providing a forum for community members with disabilities to share their needs or concerns, or soliciting innovative ideas from people with disabilities for improvements to response efforts.

d) Repair and Rebuilding Government Facilities

Establish policies and procedures to ensure that the repair and rebuilding of government facilities comply with the accessibility requirements of Title II of the ADA.

Recommendation:

1. Adopt policies and procedures through the ADA Transition Plan remediation process to ensure that government facilities are repaired, altered, rebuilt or

constructed to comply with state and federal accessibility requirements, including the 2010 ADA Standards.

- a. Note: These policies and practices should apply to programs relocated from a damaged facility on a temporary or permanent basis to ensure that they remain accessible to people with disabilities.

5) ADA Transition Plan

A. Regulations

Under US DOJ regulation 28 CFR 35 ADA Title II public entities are allowed to develop ADA Transition Plans to carry out barrier removal over time as the entity deems appropriate, which is of great benefit. On the other hand, the legal allowance to make use of a Plan over time is only available to public entities. This option is not allowed for privately owned and privately funded entities, referred to under the ADA federal regulation 28 CFR 36 as Title III public accommodations.

The main reasoning behind this difference is the fact that public funds are limited and the scheduling of barrier removal over time allows public entities to plan and budget for the remediation work, as well as making use of the legal option to apply [programmatic accessibility \(program access\)](#) to reduce remediation obligations. Public entities have existed for decades or generations, and their pre-ADA facilities often require significant and costly remediation to provide access which must be funded by the public. Opening a business or funding a privately owned development is a choice, and funds to ensure compliance must be acquired and applied prior to occupancy. The option to apply program access also does not exist under the ADA under federal regulation 28 CFR 36 as Title III public accommodations.

The federal regulations governing the Plan indicate that where structural changes to facilities were undertaken to comply with the obligations established under the ADA, such changes should have been made within three years of the effective date of the regulations, or by 1995, but in any event as expeditiously as possible²⁰. In the case that barrier removal was not completed by that date, a common occurrence nationwide, the US DOJ regulations define the steps that must be taken, as a minimum, to establish an ADA Transition Plan:

Transition plan.

- (1) In the event that structural changes to facilities will be undertaken to achieve program accessibility [where physical barriers are identified and must be removed], a public entity that employs 50 or more persons shall develop a transition plan setting forth the steps necessary to complete such changes. A

²⁰ Department of Justice, Office of the Attorney General 28 CFR PART 35 Nondiscrimination on the Basis of Disability in State and Local Government Services {35.150 Existing Facilities. See <http://www.ada.gov/reg2.html>

public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.

- (2) If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas
- (3) The plan shall, at a minimum –
 - (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities.
 - (ii) Describe in detail the methods that will be used to make the facilities accessible.
 - (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
 - (iv) Indicate the official responsible for implementation of the plan.
- (4) If a public entity has already complied with the transition plan requirement of a Federal agency regulation implementing Section 504 of the Rehabilitation Act of 1973, then the requirements of this paragraph shall apply only to those policies and practices that were not included in the previous transition plan.

This Plan illustrates areas of challenge, but this process is also essential in developing a strategic and comprehensive plan to improve accessibility.

All barriers are not equal and the way that they affect different groups of people with disabilities varies significantly. Consider a situation where a barrier for a single missing tactile sign is recorded in comparison to a barrier listing a lack of an accessible loading zone at a building where bus and shuttle services provide passenger loading and unloading at a building. The difference in the severity with which those barriers affect people with disabilities is significant. Also, the effect that these different barriers have in denying access to programs, services, and activities is vastly different.

B. Transition Plan: Methodology

(i) Schedule for Implementation

One of the final steps in this development process is the effort to compile a remediation schedule to ensure implementation of the Plan. Establishing a schedule for remediation is one of the four (4) minimum requirements that the US DOJ sets forth for a compliant Plan.

The schedule within the Plan is essential; without a schedule or plan of action, no ADA Transition Plan can exist.

At this point in the ADA enforcement process, implementation phases can be planned into the future without a specific limitation by US DOJ, or case law precedent. The length of the schedule is determined by the amount that the public entity determines it can expend each year or phase, divided by the overall cost to remediate all barriers identified in the field survey process. The commitment by the County to spend a certain amount of funds each year is not set in stone.

Each Plan is a living document that can and will change each year as programs, services and activities change over time. The remediation cost contained in the plan will change as economic conditions change and the Plan evolves over time. This fact does not mean that a schedule is not required. The schedule is a concrete commitment on the part of a public entity, although the flexibility afforded within implementation phases can actually facilitate the development of a schedule as a planning effort similar to many others as a sensible approach considering the constraints that each public entity faces in the form of limited funds and what may appear to be a seemingly outsized obligation to improve facilities to better serve the community.

In most instances, the decision-makers that put the schedule in place will not see the entire plan through to completion, due to retirement, a reordering of responsibilities at the County, etc., making the opportunity to make modifications to the Plan in the future even more important.

After the Plan is finalized, it is recommended to keep the public informed of progress under the Plan, and to be transparent about changes to the Plan. Publishing an annual report on remediation accomplished gives the County the chance to demonstrate to the public that tax dollars are being used for projects that benefit everyone. Improving access is generally a smaller part of each project carried out by the planning and development departments and CDD Roads Division.

(ii) Annual Commitment

The County's effort in developing this SETP should be made public. This important work is of interest to both the general public and to those with disabilities. The ADA statute requires public entities to make a copy of the transition plan available for public inspection²¹. As part of the public-facing documentation of this process, an annual report can be helpful to explain how the County is using their taxpayer funds and take credit for the improvements that have been made. A description of changes to PSAs, including details on new or discontinued PSAs could be useful within this annual report.

**(iii) Access Compliance Assessment Reports (ACARs)**

A physical assessment of each location where a PSA is provided has been performed for the County. Images of each physical element were captured in HD digital photographs with GPS coordinates captured at each exterior location, while manual measurements were taken to establish as-built conditions and to facilitate the process of cost estimating.

Each barrier to access identified is provided with a recommended solution. This solution is meant to provide a suggested method of barrier remediation or mitigation to resolve the barrier identified. These methods may be as simple as relocating elements required to be accessible, or as complicated as a full remodel of a restroom to provide accessible maneuvering clearance and fixtures. The recommended remediation methods identified in the ACARs are not necessarily the only option to correct the barriers. The County will review all options recommended when performing the remediation of the elements based on the implementation schedule.

The purpose of these reports is to provide information in a clear and usable format for designated staff, other professionals, and laypeople alike.

Physical barriers to access were identified and documented in these two different ways to facilitate the review process:

1. Summary and Analysis: An analysis of the findings is provided in a narrative form, which describes particular barriers identified in the barrier records, to help ensure that the findings for atypical situations can be further explained. The intent of this information is to provide a discussion on the functionality of physical elements. Background reasoning and research behind the identification of barriers are

²¹ See 28 CFR 35.150(d)(1)

provided where universal design principles can play a role in improvements. This analysis was accompanied by digital photographs or diagrams, where applicable. Understanding the function of the building and its usage was essential in interpreting the findings found in this report.

2. Barrier Data Records: Individual barriers to access identified during the field investigation have been entered into the TPD to provide technical information on each individual barrier within a barrier data record. These barrier data records include detailed information such as digital photographs of each barrier, code references that determine the barrier to access, as-built measurements, barrier severity ratings, budgetary cost estimates, recommended solutions for barrier removal and a priority for barrier removal assigned in the final report. For the sake of brevity and to consolidate the barrier data, some of the more typical barriers found in multiple locations are grouped with a description of the locations in which they are found. Cost estimates are calculated according to the groupings in these cases.

(iv) Standards

The federal and state regulations and statutes in effect when this project was designed and constructed were used in this analysis. In addition, the following standards have been applied with the goal of ensuring that alterations are compliant to the current standards, to the maximum extent feasible²², as allowed under the ADA:

- California Access Compliance Standards contained in the California Building Code (California Code of Regulations, Title 24 Part 2, Chapter 11B referred to here as the CBC)
- The Federal Highway Administration's *Manual on Uniform Traffic Control Devices* (CA-MUTCD for California's version - 2014 Revision 7) that governs signalization and other elements within the public rights-of-way
- The federal Access Board's Public Rights-of-Way Guidelines (2024 PROWAG) are the gold standard for compliance in the public rights-of-way assessment and design, also enforced by Caltrans.
- The *Americans with Disabilities Act/Architectural Barriers Act* (2010 ADAS) Accessibility Guidelines which contain standards that replaced the 1992 ADAAG as of March 15, 2011

²² https://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards_prt.pdf

- The federal Access Board's *Recreation Area Guidelines* and *Outdoor Developed Area Guidelines* covering recreation areas, parks and trails and other outdoor developed areas
- The 7 Principles of Universal Design developed by the University of North Carolina and accepted as a good practice

It is important to note that the barriers identified in these ACARs reflect the most stringent requirements from model building codes and standards, as state and federal regulations and statutes are known to contain conflicting requirements.

Each barrier identified in these reports is designated as either required for removal or recommended for removal. State and federal model code provide the basis for most of the barrier identification, although additional barriers are not based on these regulations or statutes, but on pending regulations, case law or good practices. The *Remediation* field in reports and the TPD indicates whether the barrier designation, contained in the barrier data record, is based on enforceable regulations and statutes (indicated by Required) or a recommendation as a good practice (indicated by Recommended) to make clear when the barrier identified is classified as a code violation, or a recommended change that is not dictated by building code, federal standards or the ADA Standards (case law, pending regulations, etc.).

While these principles and standards are vital to this project, actual experience with projects demonstrates that public entities can benefit from learning and applying these concepts, principles, and standards daily.

(v) Field Assessments

Extensive field assessments were performed at each physical location where PSAs are provided.

SZS conducted an as-built assessment of 26 County facilities to document current conditions for compliance with applicable law, code, and best practices. All sidewalks and associated facilities are currently being evaluated and prioritized by the Roads Division. Upon completion those findings, by others, will be attached as Appendix 5.

The methods used by SZS field investigators have been developed during tens of thousands of hours of field surveying. Field survey teams are comprised of two person teams. Data entry takes place in the field using the TPD, which is configured with pull-down menus and auto-prompting cues that provide efficient yet consistent data collection for SZS and later use by County staff. Digital photographs containing visual cues make each barrier clear to those who review the reports.

SZS teams worked to identify, measure, photograph, and record details on each barrier to access, including a combination of digital and written observational notes.

The findings in ACARs are stored and can be accessed in the TPD, which contains all aspects of the Transition Plan including the draft and final findings contained in the ACARs, the Transition Plan Overview, reference drawings, record documents and other pertinent documentation. The TPD also contains GPS coordinates to enable GIS mapping for all exterior elements evaluated. The fundamental purpose of the TPD is to facilitate ongoing monitoring and updating of the final Transition Plan. The TPD is platform neutral; data can be exported into most types of facilities management software to enable correlation with other projects including CIP work, maintenance, alterations to existing facilities and the design of new construction projects.

As the schedule within the Plan is carried out and alterations to remediate take place over time, projects involving reconstruction (4R) rehabilitation (3R) or restoration (2R) process should be seen as opportunities to incorporate disabled access improvements to remediate barriers simultaneously.

(vi) Standards for Remediation

The federal and state regulations and statutes in effect when the PROW was designed and constructed were used in this analysis. In addition, the following standards have been applied with the goal of ensuring that alterations are compliant to the current standards, to the maximum extent feasible²³, as allowed under the ADA:

- California Access Compliance Standards contained in the California Building Code (California Code of Regulations, Title 24 Part 2, Chapter 11B referred to here as the CBC)
- The Federal Highway Administration's *Manual on Uniform Traffic Control Devices* (CA-MUTCD for California's version - 2014 Revision 7) that governs signalization and other elements within the public rights-of-way
- The federal Access Board's Public Rights-of-Way Guidelines (2024 PROWAG) are the gold standard for compliance in the public rights-of-way assessment and design, also enforced by Caltrans.
- The *Americans with Disabilities Act/Architectural Barriers Act* (2010 ADAS) Accessibility Guidelines which contain standards that replaced the 1992 ADAAG as of March 15, 2011
- The federal Access Board's *Recreation Area Guidelines* and *Outdoor Developed Area Guidelines* covering recreation areas, parks and trails and other outdoor developed areas

²³ https://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards_prt.pdf

State and federal model code provide the basis for most of the remedial efforts, although additional efforts to remove barriers to access are not based on these regulations or statutes, but on pending regulations, case law or good practices.

In California, accessibility requirements contained in building code (CBC) are enforceable standards recognized by the authorities having jurisdictions (AHJ), but the minimum standards contained in the CBC may not ensure that facilities are usable by and accessible to people with disabilities. Some elements required to be accessible located in the public rights-of-way (PROW), including sidewalks and accessible pedestrian signals at street crossings, etc. are not included in the CBC, whereas bus stops and other elements, such as curb ramps, are governed by the CBC but specifically, where they are located on the site of a facility, rather than in the PROW. In other words, the CBC does not provide a comprehensive set of accessibility standards governing all physical elements.

Sidewalks were covered by the original 1990 ADA Standards, but the 2010 ADA update to those Standards retained accessibility standards only for the site and buildings, with the Standards governing elements in the PROW including pedestrian facilities, such as sidewalks, crosswalks, shared use paths, and on-street parking are detailed in a separate document aptly entitled the Public Rights-of-Way Accessibility Guidelines (PROWAG). The federal Access Board issued a final rule on these accessibility guidelines on August 8, 2023, and while the Standard awaits program access determinations and enforcement by the US DOJ, it is enforced by Caltrans and has been used by the US Ninth Circuit to establish pertinent case law.

Applying these principles and standards is important, but actual experience with projects demonstrates that these concepts can be learned and applied on a daily basis.



(vii) Report Format – Definitions



COUNTY of
DEL NORTE
CALIFORNIA

BARRIER RECORDS



SZS
ENGINEERING

1 Field Date: 5/22/2025 **2** Report Date: 7/23/2025 **3** Barrier #: 3A

5 Facility: Flynn Administration Center

6 Location: Exterior - Walkway to Main Entrance

7 Official Responsible: ADA Coordinator **9**

8 Facility Function: Public **11** Dwg: 1 of 2

10 Barrier Area: Signage **11** Remediation: Required

12 Barrier Type: ISA Directional Sign - Route

13 Barrier Description: No directional signage provided where accessible route diverges from main route

14 Code References: CBC 11B-216.4.3 and 2010 ADAS 216.6 Advisory

15 As Built Description: No ISA sign provided at main route to building entrance

16 Proposed Solution: Provide compliant directional signage

17 As-Built Meas: 1 **18** Quantity: EACH **19** Cost Estimate: \$250.00 **20** BSR: 1 - High Severity

21 X Coordinate: -124.202070 **22** Y Coordinate: 41.756802 **23** Z Coordinate:

24 Implementation: Priority 2 **25** Phase **26** Date **27** Status: Open

28 Notes:

4



This is the Graphic User Interface (GUI) for the TPD entry form. The name of each facility is located at the top of the form and the reports produced by the TPD have a similar format with identical fields although they are, in some instances, slightly different in size. A description for the data contained within each field is provided below:

1. **Field Date:** The date of the facility inspection.
2. **Report Date:** The date the report was compiled, revised or completed.
3. **Barrier #:** Individual number assigned to each barrier identified. The alphanumeric character assigned correlates with a room or space identified on the reference drawings provided with each report. This number allows the barrier to be pinpointed to a location within the facility.
4. **Image:** Digital photograph provided for each barrier as a visual representation of the issue and context.
5. **Facility:** Name of building, park or parking lot where the inspection was performed
6. **Location:** Area or space within the facility where a barrier is identified
7. **Official Responsible:** Public or private entity responsible for the facility and the remediation of the barriers

- 8. Facility Function (Public/Staff):** Designates barriers as located in either staff or public areas. Most barriers identified are designated for public use. Different requirements exist for public, and staff use areas.
- 9. Reference Drawing (Dwg):** Floor, site plans or aerial maps of the designated facility where the assessment was performed. Each reference drawing provides correlation between the barrier number listed in the report (see item 3 above) and the actual physical location where the barrier was identified.
- 10. Barrier Area:** Provides a grouping of similar barriers identified in specific spaces (E.G.: Restrooms, Doors and Gates, Stairs, Ramps, Sidewalk, Walkways)
- 11. Remediation:** Indicates whether a barrier is in direct violation of the federal and state codes and statutes and must be remediated or whether the remediation is recommended as a best practice. One of two options exist: (Required) or (Recommended).
- 12. Barrier Type:** Identifies the type of physical element or area defined by California Building Code and the ADA Standards used to identify non-compliance.
- 13. Requirement (Barrier Description):** Code language or performance standard that describes barrier identified.
- 14. Code References:** Applicable state and federal codes regulating the entities compliance. Each code reference is specific to each barrier and identifies the section of code which regulates compliance to that specific element (doors, parking stalls, sidewalks, etc.). Where a best practice is recommended, the term *Performance Standard* identifies the barrier to access documented in the barrier data record.
- 15. As Built Description (Desc):** Also known as the *findings*, information describes the barrier.
- 16. Proposed Solution:** Provides one suggested solution for the remediation of the barrier identified. Please note that other options may exist to bring items into compliance. Other solutions may exist, and all solutions cannot be accounted for in this report. The suggested solution is generally the most common way of remediating this particular barrier.
- 17. As Built Measure:** Actual field measurement number for square footage (SF), linear footage (LF), or a single value (EACH or JOB) used to indicate physical dimension of barrier and calculate cost estimate.
- 18. Quantity:** Unit of measure for the remediation of each barrier (SF, LF, EACH or JOB).
- 19. Cost Estimate:** Budgetary Cost Estimate to remove the barrier described.
- 20. Barrier Severity Rating (BSR):** A systematic, research-based rating that describes how severely each barrier affects usability for the particular element.

- 21. X Coordinate:** Geographic coordinate that provides the longitude (north-south) value
- 22. Y Coordinate:** Geographic coordinate that provides the latitude (east-west) value
- 23. Z Coordinate:** Geographic coordinate that provides the elevation value
- 24. Implementation Priority:** Scheduling of barrier removal based on many factors including the US DOJ requirements for providing access to ADA Title II facilities.
- 25. Implementation Phase:** Designated annual phase of the transition plan when remediation of the barrier is scheduled. Phases are generally annual but can be longer, if needed.
- 26. Implementation Date:** Scheduled year or date as to when the remediation of the barrier will take place. This field can be scheduled during phasing and changed to a specific date after the barrier is remediated, and the record is closed.
- 27. Status (Open or Closed):** An implementation management tool that can flag barriers to indicate that they have been remediated or are remaining in the implementation phasing plan. Barrier data records have a “Closed” status when completed or have an “Open” status when they remain scheduled for remediation.
- 28. Notes:** Open field where additional explanation of the findings can be noted when encountering unusual situations in the field, or to note programmatic access solutions. The notes field can contain the image file name shown in the barrier data record, or additional information as needed such as an explanation of findings, or information on associated barriers in the same or similar locations.

(viii) Cost Estimating

ACARs contain budgetary cost estimates provided to facilitate the development of a schedule for the remediation of barriers, although they should not be construed as construction cost estimates. These budgetary cost estimates are provided for physical elements only while the cost of implementing a new policy or practice cannot be accurately assessed at this point in the process. Industry standard RS Means construction cost estimating data was used to calculate the budgetary cost estimates contained in the report. Construction cost estimates increase each year across the US, with steep increases since the COVID pandemic which began in 2021²⁴.

In some instances, a barrier location can be identified with multiple barriers to access, and the reporting will often show one or more of the barriers with a cost estimate of \$0 dollars. This is an intentional accounting revision intended to indicate that the cost to

²⁴ See California Division of General Services (DGS), Real Estate Division, DGS Construction Cost Index CCCI at <https://www.dgs.ca.gov/RES/Real-Estate/Real-Estate-Services-Division-Resources-List-Folder/DGS-California-Construction-Cost-Index-CCCI>

remove the group of barriers identified as part of that particular element is included in the cost for one recommendation to remediate all associated barriers at that same location.

For instance, where a door equipped with a door closer is identified with a non-compliant opening force, sweep period and a lack of required maneuvering clearance on one or both sides of the door, the recommended barrier removal solution is often to install an automatic door opening device (ADOD), which at the time of this assessment is estimated to cost approx. \$5,000. If each of the four barriers to access had been reported with a separate cost estimate, the estimate could amount to three times that much, or \$15,000 without the accounting revision. The end result is intended to produce a budgetary cost estimate that excludes amounts that could exponentially and incorrectly increase the overall cost of barrier removal implementation plans.

While the US DOJ does not require cost estimates as one of the minimum requirements for ADA Transition Plans, they serve a useful purpose. Without cost estimates, a schedule based on annual financial expenditures would be a matter of guesswork. Every organization needs to know how to plan financially for each phase of remediation, in order to commit to a schedule and establish a compliant Plan. Budgetary cost estimates are intended to allow that planning to move forward, but they do not replace the need for construction cost estimates at the time of remediation.

(ix) Barrier Severity Ratings (BSR) and Remediation

A barrier identification system was implemented to standardize the reporting process and ensure consistency while collecting data, creating reports and scheduling remediation over time. Each barrier was assigned a rating that indicates how severely the barrier affects the ability of a person with a disability to use the element. There are five barrier severity ratings assigned:

- 1 - High Severity
- 2 - Moderate Severity
- 3 - Low Severity
- 4 - Very Low Severity
- 5 - Technically Infeasible

While the effect that the barrier has on a person using the element is the primary determining factor, the date of construction also plays a role in assigning these ratings. Facilities that are defined under the ADA as new construction (constructed after the ADA enforcement began in 1992) are required to be fully compliant to new construction standards. If barriers exist in physical elements constructed since 1992, the barrier severity rating assigned is *1 – High Severity*. That determination is a legal requirement irrespective of the effect the barrier may have on the user.

When barriers are rated as a 5 – *Technically Infeasible*, the alterations necessary cannot be performed due to structural impracticability (structural conditions that are technically infeasible to alter). Increasing the clear width of an interior stairway in an existing building or reducing the roadway slope where it corresponds with steep terrain, are examples of barriers that are technically infeasible to remediate. Under US DOJ requirements, cost cannot be used as a determining factor for determining technical infeasibility or structural impracticability.

Sidewalks constructed prior to the ADA enforcement were often constructed intentionally with a significant cross slope under the premise that proper drainage must be ensured. In such cases, that cross slope is now legally defined as a code violation. The idea of grandfathering under prior building code is what many people will think of at this point, but that concept does not apply to civil rights violations. While the ADA Standards are written for new construction, where a facility is not accessible to and usable by a person with a disability, the civil rights violation that exists requires remediation and the legal requirement is to base the alteration on new construction standards to the maximum extent feasible to meet those standards.

This is often a point of confusion; if a physical element has not been altered since it was constructed at some point prior to 1992, but presents a barrier to access causing discrimination, it is required under civil rights law (ADA, Unruh Act, Disabled Person Act, Civil Code, GC, Vehicle Code, etc.) to be altered to provide access and end the discriminatory conditions present. This is the fundamental reason that an ADA Transition Plan is required. Most of the environment people experience daily is defined as an existing facility; refusing to alter it to provide access would render PSAs non-accessible for an indefinite period of time. It would mean an unending denial of access.

Research shows that the effect that the cross slope of a walking surface of between 2.1% and 2.9% has is minor (very low severity) and can be navigated by a person using a mobility assist device with some extra effort to continue moving forward in a straight path, whereas a cross slope of 5.0% or more is known to cause a wheelchair to overturn, which may result in injury or worse. The higher the cross slope, the more difficult it becomes for the person in the wheelchair to remain on a path moving forward. This can be especially concerning on a sidewalk with a vertical curb where the cross slope draws the wheelchair user toward the curb and, potentially, over the curb and into the roadway and oncoming traffic.

(x) Safe Harbor Provisions

One of the goals of this project is to ensure that the County can make use of the safe harbor provision contained in the 2010 ADA Standards. This federal rule applies only to provisions in the ADA Standards and applies on an element-by-element basis for those elements that complied with the original 1991 ADA Standards. It is important to note that safe harbor is not a provision contained within building code (CBC).

The rule includes a general "safe harbor" under which physical elements in facilities that were built or altered in compliance with the 1991 Standards, are not required to be brought into compliance with the 2010 Standards until the elements become part of alterations, which trigger the requirement to bring the elements into compliance with existing standards at the time of alteration. A similar safe harbor applies to elements associated with the path of travel to an altered area for ADA requirements.

C. Barrier Removal Priorities and Project Prioritization

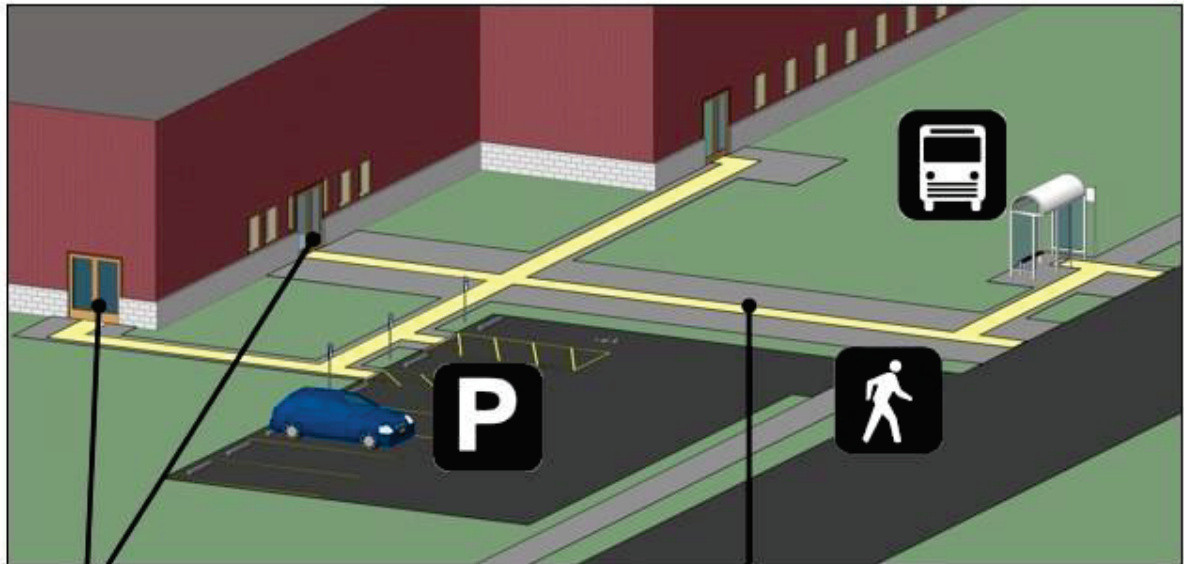
(i) Points of Arrival

Many physical elements must function together as a part of the comprehensive whole to create a usable facility. No physical element exists in a vacuum. Connections to and association with other accessible elements are essential.

Each visitor arrives at a *point of arrival* and sets out to reach a program, service, or activity, whether that be the sidewalk in front of their home, the sidewalk at a bus stop when they exit a bus or shuttle, or when they drive to a parking lot or on-street parking stall and park intending to exit their vehicle. Each of these points of arrival must be accessible to pedestrians who travel from those points of arrival to a destination. The graphic from the US Access Board below illustrates these requirements.



Site arrival points include accessible parking spaces and accessible passenger loading zones, public transit stops located on sites, and public streets and sidewalks.



An accessible route must connect site arrival points to each accessible entrance they serve.

Accessible routes must coincide with, or be in the same vicinity as, general circulation paths (§206.3).



If no pedestrian route onto a site is provided and site entry is by vehicle only, an accessible route from the site boundary is not required (§206.2.1, Ex. 2). Where a vehicular way does provide pedestrian access, such as a shopping center parking lot, an accessible route is required.

It is essential to ensure that people with disabilities can reach their destination by use of the pedestrian facility. Pedestrian travel is a fundamental need for each person who functions in society as a parent, volunteer or who is gainfully employed receiving compensation (funds or academic credit, etc.). If the County provides programs, services or activities in facilities located in areas where the associated pedestrian facility is not owned by the County, the responsible entity should be contacted to ensure that barrier remediation is carried out.

Accessible parking spaces must connect directly to the public way (sidewalk, curb ramps and street crossings, etc.) to allow pedestrians to reach public building entrances when accessible parking serves its intended use. This is true for all users, but especially for people with disabilities.

On-street parking is commonly provided in residential and business districts as a source of additional accessible parking for public use. By definition, on-street parking is subject to state and federal requirements where the parking is designated by markings or

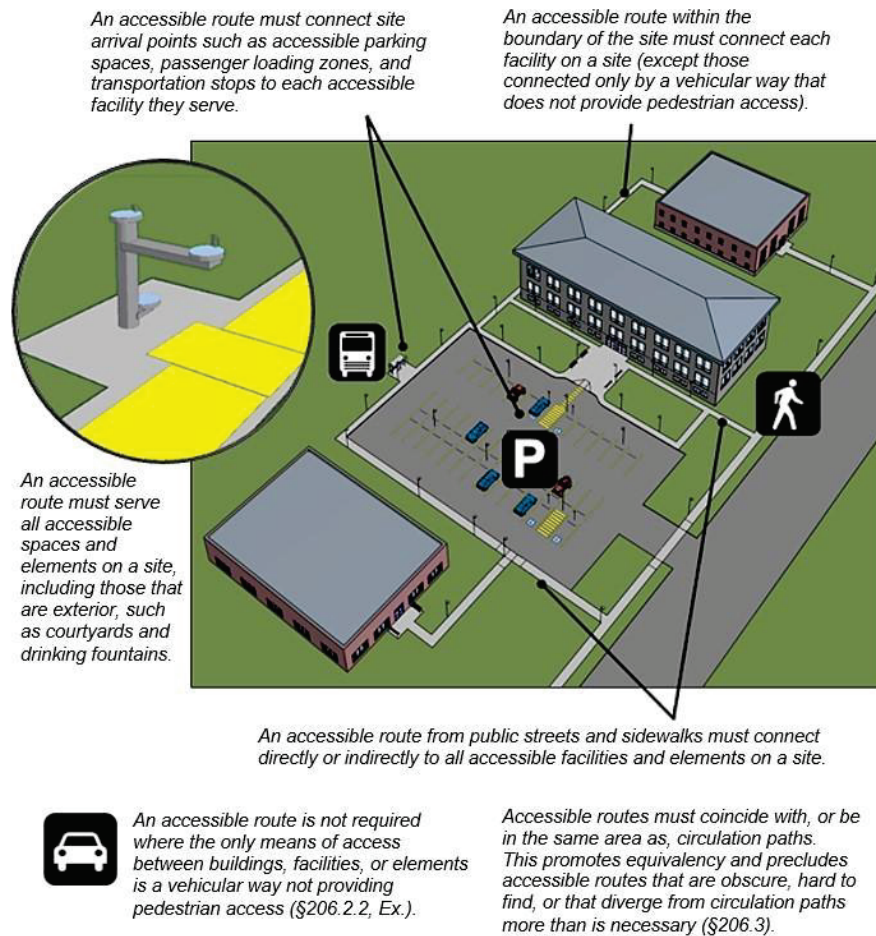
metering, not at locations where vehicles happen to park. This is a legal definition contained in the PROWAG.

Under the PROWAG and case law (Lomita), on-street parking will be altered to comply as sidewalks are altered as part of the responsible entities' ADA Transition Plan for the Public Rights-of-Way (PROW). The fundamental elements evaluated in public parking facilities include:

- Accessible Route from Parking to the Public Way
- Parking Stalls
- Ramps, Blended Transitions or Walkways connecting Parking Stalls to the Public Way
- Signs or Markings (required pavement markings, post/wall mounted and tow-away signs)
- Sanitary facilities or Drinking Fountains, where provided

The US Access Board provides guidance for facilities on a site and an accessible route required to connect points of arrival on a site to facilities and buildings where programs, services and activities take place (see next page illustration).

Barrier remediation within these elements is identified as the highest priority within the report. If pedestrians cannot reach a destination, accessible elements within the site at that destination cannot be of use.



(ii) General Use Facilities, Parks and Recreation Facilities

General Use Facilities, Parks and recreation facilities were also assigned a barrier removal priority to facilitate scheduling barrier remediation within the ADA Transition Plan schedule. Accessible routes and walking surfaces are an integral part of the activities that take place with these facilities. Some of the fundamental elements evaluated in these facilities include:

- On-site Parking Lots
- Walkways
- Ramps
- Elevators or Lifts
- Stairways (95% of people with disabilities are not mobility-impaired)
- Benches or Other Seating Elements
- Tables, Counters or Desks
- Access to Monuments or Displayed Information

- Signage (required pavement markings, post/wall mounted and tow-away signs)
- Sanitary facilities and Drinking Fountains, where provided

Prioritizing Access to Facilitate Use

When the County starts barrier remediation at their facilities, remediation projects will generally be identified to prioritize access to facilitate use of the facility. The general process for identifying how to prioritize these projects is outlined below.

Step 1 – Provide accessible points of arrival: *Bus and shuttle stops, connections from sidewalks to building entrances*

Step 2 – Provide access to the buildings: *Entrance doors, lobbies, corridors*

Step 3 – Provide access to primary function areas: *Meeting rooms, sports areas, offices and sanitary facilities (toilet/shower/locker rooms)*

Step 4 – Provide access to building elements: *Controls and mechanisms, desks, counters, signs*

Barriers to access identified in general use facilities, including community centers, libraries, and parks or recreation facilities have been further prioritized according to the following criteria for barrier removal. Each priority indicates an area which will be altered to comply on the schedule provided in [Section 5.F:](#)

Parks and Outdoor Recreation Facilities

1. Access Points (parking, sidewalks, curb ramps etc.), abrupt changes, protruding objects and high-risk barriers to access.
2. Accessible Routes within the park to the amenities provided (including the remediation of any signage barriers).
3. Higher Use Areas (Play Areas, Areas of Sports Activity, Assembly Seating, Concession Stands, Etc.)
4. Restrooms, drinking fountains and other stand-alone elements/amenities provided (benches, tables, waste bag dispensers, etc.)

Buildings with Programs, Services and Activities

1. Access Points (parking, sidewalks, curb ramps, walkways, etc.), abrupt changes, protruding objects and high-risk barriers to access.

2. Entry doors that need adjustment, moving furniture or stored items that restrict access, remounting dispensers and other wall mounted elements, replacing grab bars, procurement of desks and worksurfaces, signage barriers, etc. The focus of priority 2 is to identify elements that can be easily purchased or remediated by Maintenance and Procurement Staff.
3. Interior elements that likely can be altered or replaced by Maintenance staff but involve a higher level of cost (replacing or relocating drinking fountains, workstations in laboratories, specialized science equipment such as accessible fume hoods, replacing or remounting lavatories, toilets, and counter surfaces, altering stall partitions or stall entry door configuration, fire alarms and pulls, etc.).
4. Structural elements that restrict access and will likely require design and construction (door maneuvering clearance, clear width, floor slopes, relocating plumbing lines, space constraints, etc.).

Finalized barrier priorities, and the implementation schedule, can be influenced by other factors including:

- Number and type of PSAs that take place in a facility
- Frequency of use by the general public
- Type of Use (public/staff/mixed use or community center v. corporation yard)
- Age of Facility (pre-1992 existing or new construction post-1992)
- Long-term Facility Planning Goals
 - Infrastructure improvement projects
 - Facility replacement as part of future Capital Improvement Plans
- History of complaints or issues at the location or PSA

D. Transition Plan: Official Responsible

As part of an ADA Transition Plan, the County must name an official responsible for the barrier removal process. Generally, the designated ADA Coordinator (ADA CO) is in charge of the barrier remediation plan. The ADA CO is represented by the County Risk Management department. They can be reached by Email at Risk.Management@co.del-norte.ca.us.

E. Transition Plan: Summary of Findings

The following fundamental definitions could play a role in efforts to improve physical access. Many various interpretations exist for legal determinations that influence the process of remediation under the ADA and other civil rights laws, and the role that access requirements under California Building Code play in this process. It is essential to understand the actual

legal definitions codified by the US DOJ and federal Access Board for commonly applied determinations while pursuing remediation within the ADA Transition Plan implementation process.

1. Technical Infeasibility: This term applies to existing (pre-ADA) facilities and associated alterations projects. It has been misinterpreted or misunderstood since federal regulations first put it into the public domain. According to the US DOJ and the federal Access Board, the term means, with respect to an alteration of a building or a facility, that it has little likelihood of being accomplished due to existing structural conditions²⁵ would require removing or altering a loadbearing member which is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction. Note: cost is not a trigger of infeasibility in alterations.
2. Structural Impracticability: This term applies to new construction. Full compliance is not required where an entity can demonstrate that it is structurally impracticable to meet the requirements. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain²⁶ prevent the incorporation of accessibility features.

If full compliance would be structurally impracticable, compliance is required to the extent that it is not structurally impracticable. In that case, any portion of the facility that can be made accessible shall be made accessible to the extent that it is not structurally impracticable. This definition is not a blanket exception for requirements to provide facilities accessible by and usable to people with disabilities.

1. Maximum Extent Feasible for Alterations in Existing Facilities: Facilities designed or constructed prior to the enforcement of the ADA in 1992 may involve elements that cannot be brought up to new construction standards in present time. While that may be true, these elements or facilities must be altered as best as possible, meaning that any alteration is first required to comply with new construction standards and where that cannot be accomplished entirely, the alterations must comply to new construction standards to the greatest extent possible.

If providing accessibility to individuals with one kind of disability (e.g., mobility impairments for those who use wheelchairs) would be technically infeasible in existing facilities or structurally impracticable in new construction, accessibility shall nonetheless be ensured to persons with other types of disabilities (e.g., those who use crutches or who have vision, hearing, speech, or cognitive impairments).

²⁵ ADA 2010 Standards, Section 202 Existing Buildings and Facilities

²⁶ CFR 36.401 New construction. (C)(1-3)

(i) Public Right-of-Way

All sidewalks and associated facilities are currently being evaluated and prioritized by the Roads Division. Upon completion those findings, by others, will be attached in Appendix 5.

(ii) Physical Locations of PSAs, Parks, and Parking Lots

A total of 26 facilities have been included in this Plan. When performing assessments of such varied facilities, general recommendations can be developed that are intended to apply to the entire organization and streamline the process of implementation. Findings have been summarized in this section to facilitate the process of developing policies and practices that will make the Plan more effective over time in improving access for people with disabilities.

Program access is always an important option to focus on during this process, as it can enable the County to make changes, such as relocation or providing a program, service or activity in an alternate manner, to reduce physical barrier removal. Each facility can be examined for opportunities to apply this option.

1. **Vertical Changes in Level/Trip Hazards:** As is the case in all jurisdictions within the United States, changes in level were commonly identified barriers that act as anything from a trip hazard for the average person to an end point for travel for some people who use mobility assist devices. Where trees cause vaulting in concrete slabs, it is likely that grinding will not be a viable long-term solution. These occurrences may require tree root surgery or other methods of remediation. Segments of paving may need to be replaced.
2. **Curb Ramp Compliance:** Site constraints determine the type of curb ramp design that can be constructed to comply. Until 2013, California Building Code provided requirements for only one common type of curb ramp (perpendicular), when the other types (parallel or blended transitions) were often the only type that could be constructed to comply in typical locations with a standard 48" clear width and 6" high vertical curb. The construction of a compliant perpendicular curb ramp requires between 10'-12' of walkway/sidewalk depth to accommodate the length of a max. 1:12 ramp run and a compliant top landing, depending on the existing vertical curb height and whether turning space is constrained at the back of the walkway/sidewalk. Walkways/sidewalks wider than 48" are not common in urban settings.

Conversely, parallel curb ramps require a minimum of 4' of walkway/sidewalk width to construct, with an additional 6" needed when a retainer curb is required. Where parallel curb ramps are provided and continue past the level landing, additional space is required beyond the curb ramp truncated domes to allow a person to continue along the walkway/sidewalk without having to pass over the dome surfaces. This results in an additional 2' of walkway/sidewalk width required at all parallel curb

ramps of this nature. Combination curb ramps with aspects from each type can require even more space to construct to comply. Careful scrutiny of development plans, construction documents and standard construction details is essential to ensuring that the right curb ramp design is used to fit the existing site constraints. New curb ramps are required to be fully compliant to new construction standards unless technical infeasibility exists. In new construction projects, each curb ramp must be fully compliant to building code requirements in force at the time of construction.

3. **Protruding Objects and Detectable Warnings:** People who are blind or who have low vision (B/VI) undertake significant risk when traveling, whether on the sidewalk, on the site of a facility or within a building. Protruding objects are a potential hazard within any circulation route to the visually impaired. The primary source of injury to the visually impaired by protruding objects are due to objects that protrude into the path of travel or areas where the circulation path adjoins a drive lane or similar.
 - a. Protruding Objects: Hazards exist when objects protrude more than 4" into the path of travel in the space between 27" and 80" high. Objects below 27" can be identified by a navigating cane and avoided. Objects between 27" and 80" high that protrude more than 4" will make body contact before a person with a vision impairment can detect them with a cane or see them with limited vision. Objects that commonly cause injury include tree limbs, signs, low overhanging roof surfaces, shade structures, counters, wall-mounted cabinets, wall-mounted video monitors, and post-mounted signs or drinking fountains that are not contained in alcoves or wing walls, among others. The CBC and ADA Standards require protection for pedestrians as a warning that can be detected by a person before making body contact.
 - b. Circulation paths that adjoin a drive lane present a particular hazard for the blind/visually impaired (B/VI) community. Outdated requirements contained in CBC used the term *hazardous vehicular area* and were often misinterpreted resulting in a proliferation of truncated domes in areas where they did not benefit people with disabilities.

In 2020, the CBC was updated through section 11B-250 to require the construction of a physical element such as a vertical curb as a detectable surface to separate a circulation route from a drive lane, parking stall or similar. The installation of truncated domes (TD) in these areas as a detectable warning in the past served no positive purpose for either the B/VI community, others with disabilities and presented a significant expense to private and public property owners to install the materials. As of 2020, in the intervening code cycle for the 2019 CBC, the term *hazardous vehicular area* was replaced with *circulation path* to define these areas more accurately as blended transitions.

In parking facilities, under CBC 11B-250.1, the accessible route is considered a circulation path required to be physically separated from vehicular traffic, including travel through parking facilities, into and out of parking spaces, into and out of electric vehicle charging spaces, and along roadways, driveways, and drive aisles. The physical separation required is a min. 4" above the area where vehicular traffic occurs. Exception 5 indicates that in alterations to existing parking facilities, the physical separation may be provided with detectable warnings complying with Sections 11B-247 and 11B-705.1 in lieu of raised circulation paths.

1. **Lobby Identification Signs for Accessible Features:** The entry lobby in each facility is a location where visitors should be able to quickly learn where accessible elements and spaces are provided in each building guiding them to PSAs they intend to take part in, or to simply make it easy to find the sanitary facilities. California Building Code (see Sections 11B-216.8 and 11B-703.5) contains a requirement to provide lobby informational signs that provide information on the location of accessible features (elevators, toilet rooms, drinking fountains, etc.). Building directories are separate from this requirement in providing information on the location of PSAs, and accessible features are not generally indicated in directories. Informational signs are not tactile signs, but the text should be at least 5/8" high.

Recommended: A floor plan similar to a fire evacuation plan can be used to develop this type of sign. Each building can be made more accessible with the simple addition of this information required by the CBC.

2. **Wayfinding Signage:** Where multiple routes exist within a site, a sign containing the International Symbol of Accessibility (ISA) is required to identify the location of the accessible route to a building or facility entrance and at junctions where pathways diverge from the general circulation path. ISA signage is meant for use by all visitors as these signs identify the direct connection to entrances where all entrances are not accessible. In facilities where all entrances are not accessible, ISA directional signs are required on all exterior doorways to identify the location of and route to the accessible entrance. An arrow can designate the direction to the location.
3. **Signs at Permanent Rooms/Spaces:** Individuals who are blind or those with limited vision rely on signage to navigate facilities. Often, rooms and spaces lacked the required tactile identification sign needed to guide an individual to their destination. While signs are provided to identify some locations, every permanent room or space within the circulation route is required to be identified by a tactile sign that can be read by touch.
4. **Meeting Rooms:** The County provides PSAs in meeting rooms (assembly areas) located in many facilities. Each meeting room that can accommodate 10 or more

people for public meetings is required under the CBC to be equipped with a shared assistive listening system for people with hearing impairments (see CBC 11B-219.2). Assembly areas that can accommodate 50 or more persons are required to have permanent assistive listening systems. It is important to note that shared systems used in smaller meeting rooms can be shared for use in any County facility. Signs indicating that the systems are available must be posted in a conspicuous location within each meeting room (see image at right). Permanent systems have receivers that users wear, which must be maintained with batteries for use at any time. Shared systems may operate on either battery power or electricity.



Recommended Action Plan:

- a. Include a request for ADA accommodations in meeting notices to obtain advanced notice from people with hearing impairments that can make use of the system. Preparation in case participants did not receive a meeting notice is advised.
 - b. Develop a schedule to track the use of the shared system to ensure that the system can be reserved for use during meetings and moved to the required location in time for use.
 - c. County staff must be aware of where the receivers for the permanent system in the Flynn County Administration building can be found and tested prior to any public meeting. Ample battery supplies should be made available for use at any meeting held in such spaces.
5. **Procurement:** Purchasing departments acquire accessible physical elements for PSAs in a crucial part of the process of improving access. Physical elements used in PSAs are governed by state and federal accessibility requirements whether or not they are fixed (mounted to the floor, etc.). The purchase of these elements can be part of a replacement effort, maintenance needs, furniture upgrades, or as a part of a larger alteration or new construction project. Elements purchased by the County with good intent were often identified as barriers to access in the assessment process.

Examples include tables, counters and workstations or drinking fountains required to have accessible clear floor space, knee/toe clearance and work surface height or bubbler height. Individuals tasked with procuring these elements should be trained to research and verify that elements meet accessibility requirements prior to purchase.

Note: Manufacturers of various elements such as fare vending machines, dispensers, tables and many other products often advertise their products as “ADA compliant” without providing details on product specifications (dimensioning of knee clearance,

operational control force, etc.) to allow the potential purchaser to verify compliance. This information should be obtained and reviewed prior to the purchase of these elements or acceptance of the elements, especially when the devices are provided cost-free from a vendor.

Recommended Action Plan:

- a. Develop practices and procedures to obtain and review manufacturer's product cut sheets or specifications for elements being considered for purchase. Review and verify compliance prior to purchase or prior to acceptance for cost-free elements.
 - b. Where the County maintains responsibility for elements purchased or installed, train County staff to remediate barriers through relocation/reinstallation, providing detectable warnings at protruding objects, etc.
6. **Supply Chain Management:** Vendors or suppliers of paper products and soap, etc. often provide free dispensers with their products. These cost-free dispensers can lack accessible controls/mechanisms or create protruding objects within the circulation path that purchasing agents may not be aware of. Free dispensers can come with a heavy price in non-compliance. Improper installation can also result in non-compliant reach ranges and create protruding object barriers.

Recommended Action Plan:

- a. Train maintenance staff on requirements for installing and maintaining compliance in elements such as dispensers, faucets, coat hooks, shelves, mirrors, toilet room grab bars, etc.
- b. Where the County maintains responsibility for elements purchased or installed, train County staff to remediate barriers through relocation/reinstallation, providing detectable warnings at protruding objects, etc.

Barrier remediation of this nature can have an outsized impact on completion of the Plan allowing the County to focus resources on design and construction projects where alterations are necessary for remediation.

7. **Toilet Rooms:** Space constraints were identified as a significant issue in sanitary facilities where multiple barriers to access were identified. A reduction in fixture count or alterations to move walls to increase square footage may be necessary to provide access in existing buildings.

8. **Parks and Recreation Areas:** Parks were identified with barriers specific to the activities that take place in those areas. Play areas providing ground level and elevated play components (multi-level play structures) were not identified with two important requirements: an accessible route to amenities such as play equipment (firm, stable and slip-resistant) and an attenuated surface within the fall zone for children to cushion their fall from the elevated components. Wood chips or sand do not provide a firm, stable and slip-resistant walking surface, although where a layer of wood chips is thick enough and remains in place, the wood chips may provide required attenuation within a fall zone.
- c. **Park Benches:** At least 5 % of benches provided in parks should be located on an accessible route to ensure that people can travel to the benches as pedestrians, even when they have mobility impairments. Visitors must also have a level, clear space at the side of a bench where a person using a wheelchair can rest when sitting with companions.
9. **Drinking Fountains:** Where fountains are provided, each fountain must be located on an accessible route, with a landing underneath the fountain that is firm, stable and slip-resistant. No abrupt changes in level can be present in the path of travel to the landing or the landing itself, which is considered a clear floor space. Two fountains are required; a low fountain for people of short stature or who use wheelchairs and a high fountain for people who, due to a disability, have difficulty bending or stooping. The fountain spout on the low fountain must also be installed and oriented to provide water flow that a person in a wheelchair who has pulled under the fountain can reach from within a few inches from the rim of the fountain bowl. When the bubbler and angle of the flow is not correctly installed or adjusted, people can inadvertently get sprayed in the face, causing public humiliation or not be able to reach the water flow from the clear floor space provided for wheelchair use. The bubbler height at the high fountains is also regulated for height.
- Drinking fountain fixtures also cannot protrude into the circulation route without pedestrian protection. Fountains are required to be located on an accessible route within an alcove (or similar) to provide pedestrian protection, regardless of where the fountain is installed (inside or outside).
10. **Walking Surfaces:** Materials chosen for walking surfaces must provide a firm, stable and slip-resistant surface. A popular surface comprised of decomposed granite (DG) can behave like sand if no stabilizer is part of the mix during installation. Paver surfaces, while environmentally friendly, can create surface roughness and vibrations that cause pain for people with incomplete spinal cord injuries.

- a. Where walking surfaces are planned with paver surfaces, a separate firm, stable and slip-resistant accessible route should be planned without pavers to provide a barrier-free surface.
- b. DG stabilizers can range from cement to polymers to help ensure that the walking surface is firm, stable and slip-resistant.

F. Transition Plan: Implementation Schedule

Each assessed facility is included with an estimated cost, as summarized in Table 5, to remediate physical barriers to access in the Transition Plan Schedule. Refer to the attached facility reports of the Appendix for additional information. Please note, these costs are preliminary and may not reflect actual construction costs. The actual overall cost to remediate all physical barriers to access may vary depending on when remediation is scheduled and/or sequenced; escalation of construction costs, required design, feasibility, land surveys, labor costs, etc.

Facilities have been prioritized and ranked for remediation in consideration of several factors. These priorities may change over time as work is performed or as requests from the public are received or feedback arises during implementation.

Table 5: Facility Implementation Priority

Priority	Facility	Budgetary Cost Estimate
1	Sheriff's Office/Jail	\$244,065.00
2	Recreation Gymnasium	\$515,310.00
3	Veteran Memorial Hall	\$481,150.00
4	Pyke Field	\$359,365.00
5	Juvenile Hall	\$237,350.00
6	Animal Services	\$216,100.00
7	Flynn Administration Center	\$494,085.00
8	Florence Keller County Park & Campground	\$768,100.00
9	Ruby Van Deventer County Park	\$287,055.00
10	Clifford Kamph Memorial Park	\$445,605.00
11	Department of Health and Human Services	\$469,445.00
12	DHHS Behavioral Health Service Center	\$208,470.00
13	DHHS Behavioral Health Branch	\$191,755.00
13	DHHS Public Health Branch	\$163,370.00
13	DHHS Coastal Connections	\$81,190.00
13	DHHS WIC	\$44,820.00
13	DHHS Medication Support Services-Telepsychiatry	\$31,700.00
14	Community Development Dept: Roads Division Office	\$100,600.00



Priority	Facility	Budgetary Cost Estimate
15	Agricultural Commissioner	\$87,055.00
16	Child Support Services	\$95,100.00
17	Manual Arts	\$394,485.00
18	Farm Advisor Office (Co-Op Extension)	\$63,505.00
19	Del Norte County Courthouse	\$413,625.00
20	Klamath Townsite Boat Ramp and Park	\$25,000.00
21	Wavecrest Beach Access and Parking Lot	\$108,100.00
	TOTAL	\$6,526,405.00

The assessment process identified a preliminary cost for the remedial efforts to remove barriers to access. This kind of investment into the community will take many years to complete, and the County is moving forward with efforts to produce barrier free facilities to enhance equity and inclusion in the community.

The County can allocate funding for physical ADA barriers as part of its annual CIP budgeting process and as part of any alterations project that is required to improve access under CBC 11B-202.4. Prioritizing ADA deficiencies for remediation under this Plan, or deficiencies that were reported by users or staff, would be weighed against factors such as severity and cost prior to inclusion in the project.

Furthermore, existing projects in the CIP, with overlapping known ADA deficiencies, would be assessed against this Plan's recommendations prior to finalizing construction documents and funding. Other minor repairs which do not require action by the County Board of Supervisors (such as minor repairs to walking surfaces or water fountain adjustments) may be addressed through informal bidding, use of existing on-call construction contracts, or by maintenance staff.

Other procedural, or non-physical recommendations per the Plan's recommendation, would be reviewed and implemented by staff under the direction of the County's ADA Coordinator. Individuals who manage PSAs may also be consulted for input as required. Staff will, furthermore, confer with the County Board of Supervisors as required, where additional direction is needed.

TRANSITION PLAN FIRST IMPLEMENTATION ACTION PLAN

The idea of consulting the *ADA transition plan first*, before performing maintenance, alterations or new construction in facilities or the PROW involves coordination between County departments and other pertinent decision makers that can influence the process. As new projects are proposed, planned and developed in the future, they can facilitate the requirement to provide a schedule for Transition Plan implementation. Each program that

develops new initiatives, planning efforts or processes, etc., can use this information to include barrier removal as part of each project at this fundamental level.

The County's Capital Improvement Projects are the driving force behind alterations that can improve disabled access throughout the County. These projects improve accessibility through improving existing buildings, facilities and recreation areas, as well as bridging gaps in the pedestrian network, installing curb ramps, repairing or replacing walkways, sidewalk and street crossings, and maintaining streets in usable order.

The intent of the Transition Plan First ideology is to increase coordination between the various departments and decision makers to enhance the County's projects and effect the greatest level of change.

Since the schedule for taking the necessary steps to achieve compliance with Title II will involve a time period for achieving compliance that is longer than one-year, interim steps taken during each year of the transition period will include:

- Implement Program Access: The risk management department which provides the ADA Coordinator role designated as the "Official Responsible" can determine where relocation of services or other means of applying programmatic access should be applied to ensure that PSAs are accessible and public funds expended for barrier removal only when necessary.
- Annual review of alignment between CIP work and ADA Transition Plan remediation to ensure that the CIP funding allocation process addresses ADA deficiencies identified in the Plan, where possible. The ADA Coordinator should lead these efforts with the help of designated staff from County departments.
- Street Maintenance and Alterations: The annual review of CIP alignment with the remediation process provides an opportunity for the County to survey existing street crossings, curb ramps, and sidewalks to determine the scope of work necessary to achieve compliance. Where alterations defined by the FHWA take place within streets and roadways, the County is required to provide accessible features such as curb ramps at vertical curbs where street crossings exist, and accessible pedestrian controls (APS) where signalization is provided. This annual review should allow the County to properly utilize funds to alter the County's network of sidewalks and walkways while improving disabled access.
 - Sidewalk improvement responsibilities reside with property owners per State law (Division 7, Part 3, Chapter 22 of the Streets and Highways Code [Sections 5600 and 5610]) which require property owners to maintain sidewalks, parking strips, curbs, retaining walls, and other such works between their property line and the street line. This state code requires property owners to maintain these frontage improvements such that they will not endanger persons or property or interfere with the public convenience in the use of those works or areas.

- The County may elect to provide or construct new sidewalks at the request of Board of Supervisors or other department planning efforts.
- On-going correlation of maintenance efforts with barrier removal in the Plan to accomplish remediation in-house. The County is currently working with Public Works/Building Maintenance to identify lower level priority work that can be remediated in house.
- Master Plans or Other Development Plans: Projects including improvements to the sidewalk and bicycle network, particularly near transit stops, will be correlated with remediation in the Plan. Complete Street, Vision Zero, etc. can be correlated with the Plan to achieve common goals.
- County departments shall coordinate their efforts to ensure that remediation within the Plan is incorporated into the County's adopted goals.
- The County will produce an annual report identifying work that was completed as part of the Plan. This report will detail projects that corrected issues identified in the Plan and what elements or rooms/spaces were addressed.

6) Appendix

Due to the nature and size of additional documentation collected and associated with this ADA Transition Plan and Self-evaluation, the following items are not directly provided with this document. The additional documentation noted below is available from the County upon request.

1. ADA/CBC Tool Kit Responses
2. Facility ACAR Reports
3. GIS Maps of Exterior Barriers to Access
4. Public comments and responses collected during public outreach
5. Sidewalks and associated facilities are currently being evaluated and prioritized by the Roads Division. Upon completion of those findings, by others, will be provided as an Appendix.