

Summary of Key Provisions and Issues Related to FSORAG

This summary was developed by the Appalachian Trail Conference. Any questions concerning this document should be directed to accessibility@appalachiantrail.org.

The Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG) apply to many common outdoor recreation facilities or elements including picnic tables, cooking surfaces and grills, camping spaces, parking, tent pads and platforms, wood stoves and fireplaces, fire rings, utility connections, benches, trash containers, viewing areas at overlooks, pit toilets, warming huts, and rinsing showers, as well as the connecting or access routes among those various features. If adopted, the guidelines would apply to most newly constructed or altered features.

FSORAG includes both *scoping requirements* and *technical provisions*. Scoping requirements define where, when, and how much of a given type of constructed feature situated within a picnic area or campground, or along a beach access route or an outdoor recreation access route, must comply with the technical provisions in FSORAG. Technical provisions specify particular dimensions and other characteristics that are required for specific constructed features in order to ensure accessibility for persons with disabilities.

Of the various types of constructed features addressed in FSORAG, those of greatest interest in most trail environments are facilities commonly associated with campsites including shelters (lean-tos), tent pads and tent platforms, toilets or pit privies, fire rings, and picnic tables and benches, as well as the access routes or side trails that connect those features.

In general, the *technical provisions* required in FSORAG to provide greater accessibility to those types of features by persons with disabilities require only minor modifications to typical dispersed campsite construction methods. For example, the primary modification required for most shelters is to provide a surface at a prescribed height (17 to 19 inches) to permit transfer from a wheelchair to the sleeping platform. In the case of enclosed privies, however, the required specifications related to such issues as entryways, grab rails, riser height, and interior turning radius will require modifications to typical privy designs and will increase the overall size of the structure to some degree.

Since the mid-1990s, the Forest Service has pursued a policy of “universal design.” Basically, that means that, instead of providing only a limited number or percentage of accessible facilities or features at a given outdoor recreation site, the agency has sought to provide uniformly accessible facilities and features. In the past, the Forest Service has applied its universal design policy primarily at highly developed recreation sites. However, under FSORAG, the Forest Service is proposing to extend its universal design policy to backcountry or primitive recreation sites as well as to more highly developed recreation sites. *In consequence, in the future, newly constructed or altered campsite elements including shelters (lean-tos), tent platforms, privies, fire rings, picnic tables, and benches must meet the technical specifications provided in FSORAG, even if those features are located in primitive or remote settings.*

Another important provision in FSORAG concerns *outdoor recreation access routes (ORARs)*. ORARs are defined as “a continuous, unobstructed path designated for pedestrian use that connects accessible elements within a picnic area, camping area, or

developed trailhead.” The technical provisions or specifications for ORARs are quite restrictive in terms of prescribed tolerances for slope, cross slope, surface characteristics, width, *etc.*—so much so that it would be virtually impossible to meet such standards in many primitive or backcountry settings. Fortunately, in FSORAG, the Forest Service distinguishes between ORARs and trails when such routes are situated in general forest areas (GFAs) as opposed to developed recreation sites. Further, the Forest Service clarifies that routes connecting accessible constructed features (e.g. privies, shelters) at campsites situated in GFAs are not considered outdoor recreation access routes. Instead, FSORAG specifies that such routes or connector trails are only required to meet the technical provisions for trails as described in the Forest Service Trail Accessibility Guidelines (FSTAG).

Like its trail guideline counterpart (FSTAG), FSORAG describes a number of *conditions of departure*. Where one or more of the conditions are present, certain exceptions are permitted from the technical provisions. However, each condition of departure must be evaluated separately, provision by provision. Conditions of departure include:

- Where compliance would cause substantial harm to cultural, historic, religious, or natural features or characteristics.
- Where compliance would substantially change the nature of the setting or the purpose of the facility or a portion of the facility, or would not be consistent with the applicable forest land and resource management plan.
- Where compliance would require construction methods or materials that are prohibited by Federal, State, or local law, other than State or local law whose sole purpose is to prohibit use by persons with disabilities.
- Where compliance would not be feasible due to terrain or prevailing construction practices.

FSORAG also includes definitions for relevant terms applied in the guidelines including camping unit, developed recreation site, general forest area, outdoor recreation access route, pit toilet, trail, and trailhead.

One issue that adds to the complexity of FSORAG is that, while the Forest Service guidelines are based for the most part on guidelines developed earlier by the Architectural and Transportation Barriers Compliance Board (Access Board), there are differences between the two sets of guidelines—in some cases, the Forest Service guidelines are more restrictive or inclusive (due to its universal design policy); in other cases, they are less restrictive. The Access Board’s guidelines have not been issued for public comment, although they are likely to be published in the *Federal Register* within the next four or five months. However, the Forest Service has developed a comparison table summarizing the differences between FSORAG and the Access Board’s guidelines affecting constructed features. [Comparison table available at: http://www.appalachiantrail.org/protect/pdfs/FSORAG_DraftAB_chart.pdf] The Forest Service is specifically seeking comments relative to those differences.

Questions: In preparing your comments related to FSORAG, here are some suggested questions you may wish to consider:

(1) Is the extended application of accessibility requirements to associated constructed features at primitive campsites likely to alter the recreational setting or adversely affect the visitor's experience?

(2) Are the sorts of accessibility adaptations required under FSORAG to such features as shelters or privies likely to represent a hardship on trail managers—especially volunteers?

(3) Do you support the Forest Service's position that access or connecting trails linking primitive campsite features should *not* be considered outdoor recreation access routes?

(4) Do you believe the different scoping requirements or technical provisions applied by the Forest Service in general forest areas (GFAs) as opposed to developed recreation sites are appropriate?

(5) Do you believe the provisions contained in FSORAG achieve its primary goal of "maximizing accessibility while recognizing and protecting the unique characteristics of the natural setting"?

(6) The Preamble section of FSORAG describes the following objectives:

- Preserve the recreational experience.
- Provide for equality of recreation opportunity.
- Maximize accessibility.
- Be reasonable.
- Address safety.
- Provide guidance.
- Be enforceable and measurable.
- Be based on independent use by persons with disabilities.

To what extent do you believe implementation of FSORAG can be successful in achieving those multiple objectives?