

# Access Audit Site Report



**Honey Creek State Natural Area**

**3350 Park Rd 31**

**Spring Branch, TX 78070**

**Accessibility Evaluation**

**Inspection Date: 03/22/2022**

**Inspectors: Tanya Scheibe**

Prepared By

**WT Group**

Engineering with Precision, Pace & Passion.

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July 28, 2023

Jessica Burke, ADA Coordinator  
Support Resources  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, TX 78744

Dear Jessica,

Thank you for the opportunity to be of service to you by performing an accessibility evaluation for the Honey Creek State Natural Area located at 3350 Park Rd 31, Spring Branch, TX 78070. The facility was inspected on 03/22/2022.

We recommended that all barriers that are identified in this evaluation recommended in one of the phases below, be removed as soon as possible. A transition plan should be developed to assist in planning the removal of all barriers. To help with this, we have identified all barriers on a finding by finding basis with a phase identifier as follows:

1 (Phase 1): Should be completed immediately. This category includes findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat.

2 (Phase 2): Should be completed as soon as possible. Includes findings that would remove barriers to the greatest number of people to your goods and services and findings new to the technical standards such as recreation elements

3 (Phase 3): Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. This category includes findings that have a high financial impact on the entity, are subject to standards not yet final, or involve a partner entity.

4 (Option): Not necessary to complete, because other sites exist that meet Title II requirements for program access, or retrofit is technically infeasible, or variance is a construction tolerance.

5 (Smart Practice): Should be completed but not necessarily required. This category includes findings and or elements that were in compliance with previous editions of the codes and standards but have since changed. This category also includes techniques or elements that are not a part of the federal or state requirements, but are suggested in advisory language, or have been successfully implemented by other entities. Generally, these items are easily modified to provide the greatest degree of access as well as compliance with the most current codes and standards.

Periodic maintenance to ensure continued accessibility is essential in providing a safe and usable environment. Parking lot markings, signage, door opening pressures, and maintaining clear floor space at doors and other elements and fixtures, available to the public, must be part of an ongoing maintenance schedule.

If you have any questions regarding this report or would like to schedule a meeting with myself and your architect, attorney, or contractor, please feel free to contact me.

Legend of Abbreviations:

AFF... Above the finished floor  
AGL... Above Ground Level  
AR... Accessible Route  
CIL... Change in Level  
CFS... Clear Floor Space  
EPC... Elevated Play Component  
GLPC... Ground Level Play Component

Sincerely,



Tanya Scheibe, RAS #1369

**TEXAS PARKS AND WILDLIFE DEPARTMENT  
HONEY CREEK STATE NATURAL AREA**

**AMERICANS WITH DISABILITIES ACT COMPLIANCE INITIATIVE  
PROGRAM AND POLICY REPORT**

**JULY 28, 2023**

**INTRODUCTION**

The Texas Parks and Wildlife Department (TPWD) is subject to the many requirements of the Americans with Disabilities Act (ADA). To assist it in meeting those requirements, TPWD retained The WT Group, LLC (WTG) Accessibility Practice in 2021.

Title II of the ADA applies to TPWD sites, along with 89,000 other units of state and local government. WTG has a broad scope of work that matches the ADA requirements found in title II. It includes:

- Schedule and conduct project management meetings;
- Conduct access audits of 89 sites, including Honey Creek State Natural Area;
- Prepare a site report that describes deficits at Honey Creek State Natural Area, and suggests solutions to those deficits;
- Provide guidance regarding the programs or opportunities Texans can enjoy at Honey Creek State Natural Area;
- Conduct community engagement events to determine the access preferences and priorities of Texans who visit Honey Creek State Natural Area;
- Provide a Honey Creek State Natural Area Transition Plan that identifies deficits, notes solutions, identifies the officer responsible for barrier removal, and notes the phase or timing of barrier removal;
- Provide a GIS shapefile regarding the accessibility of Honey Creek State Natural Area;
- Provide a method of tracking barrier removal at Honey Creek State Natural Area; and
- Report to TPWD leadership and stakeholders.

**THIS REPORT**

This report addresses program and policy advice, and then the WTG observations of deficits at Honey Creek State Natural Area. Other deliverables are provided under separate cover.



### **What is a Program?**

A unit of state or local government is required to make the “programs” it offers accessible to people with and without disabilities. The term “program” is broadly defined as an opportunity made available by the state to the public, and the term public includes both people with and without disabilities. As an example, if a state park offers camping it must make certain that some campsites are of an accessible design.

The number to be made accessible is called scoping and it is usually a percentage or ratio of the similar sites. For example, if a state park has outdoor constructed features such as grills, fire pits, and benches, it must make 20% of an accessible design. Those 20% accessible must be dispersed throughout the park.

In an ADA context, “programs” at a state park or state natural area include but are not limited to:

Hiking	Fishing
Camping	Bird Watching
Swimming	Playgrounds
Lodging	Beaches
Boating	Interpretive activities
Parking	Visitor Centers
Trams	Picnicking
Sports fields	Viewing areas
Restrooms	Grilling

### **The Federal and Texas Accessibility Standards**

The current Texas Accessibility Standards (TAS 2012) became effective in 2012 after an amendment process. Those Standards are almost identical to the federal 2010 Standards for Accessible Design, and both effectively address parking, entries, restrooms, and other typical building elements. They also address playgrounds, boating and fishing areas, and sports fields and courts. They do not however address some of the assets at Honey Creek State Park. Trails, campsites, and picnic areas are not yet a final and enforceable state or federal standard.

That will change at the end of 2023 or early 2024. The Texas Department of Licensing and Regulation (TDLR) has signaled its intent to adopt the pending federal guidance for key outdoor assets integral to TPWD sites like Honey Creek State Park. This includes trails, beaches, campsites, picnic areas, viewing areas, and constructed park assets like grills, fire pits, and benches.

In discussing the Standards, it is important to use the correct definition of park assets. Most definitions are found in TAS 2012 at section 106. As noted above, TDLR plans to add the pending federal guidance regarding some outdoor areas to TAS. It is important to remember that the Standards set the floor, not the ceiling. Making a slope more gentle, or a route wider, is always a smart practice with universal design benefits.

Some selected definitions of park assets common to TPWD are noted below.

- **Trail:** A pedestrian route developed primarily for outdoor recreational purposes. A pedestrian route developed primarily to connect elements, spaces, or facilities within a site is not a trail.
- **Trailhead:** An outdoor space that is designed by an entity responsible for administering or maintaining a trail to serve as an access point to the trail. The junction of two or more trails or the undeveloped junction of a trail and a road is not a trailhead.
- **Picnic Facility:** A site or portion of a site developed for outdoor recreational purposes that contains picnic units.
- **Picnic Unit:** An outdoor space in a picnic facility used for picnicking that contains outdoor constructed features.
- **Outdoor Constructed Features:** Picnic tables, fire rings, grills, fireplaces, wood stoves, trash and recycling receptacles, water hydrants, utility and sewage hookups, outdoor rinsing showers, benches, and viewing scopes provided at outdoor recreation facilities.
- **Camp Shelter:** A partially enclosed structure that provides campers and hikers cover from weather and that does not contain plumbing fixtures or kitchen appliances. Camp shelters are not transient lodging facilities or residential dwelling units.
- **Camping Facility:** A site or portion of a site developed for outdoor recreational purposes that contains camping units.
- **Camping Unit:** An outdoor space in a camping facility used for camping that contains outdoor constructed features, parking spaces for recreational vehicles, tent pads or tent platforms, or camp shelters.
- **Viewing Area:** An outdoor space developed for viewing landscapes, wildlife, or other points of interest.
- **Boarding Pier:** A portion of a pier where a boat is temporarily secured for the purpose of embarking or disembarking.
- **Boat Launch Ramp:** A sloped surface designed for launching and retrieving trailered boats and other watercraft to and from a body of water.
- **Gangway:** A variable-sloped pedestrian walkway that links a fixed structure or land with a floating structure. Gangways that connect to vessels are not addressed by these Standards.
- **Transition Plate:** A sloping pedestrian walking surface located at the end(s) of a gangway.
- **Play Area:** A portion of a site containing play components designed and constructed for children.
- **Play Component:** An element intended to generate specific opportunities for play, socialization, or learning. Play components are manufactured or natural; and are stand-alone or part of a composite play structure.





Two other key outdoor assets are not included in the definitions. Both are defined below.

- **Beach access routes:** A beach access route (BAR) connects an entry point to the beach to the water, as defined below:
  - At a tidal beach, to the high tide level
  - At a river beach, to the mean high water level
  - At a lake, pond, or reservoir beach, to the normal recreation water level

A BAR can be temporarily placed at a beach for all hours the beach is open, and need not be a permanent fixture.

- **Outdoor Recreation Access Routes (ORAR):** A route that connects outdoor recreation assets at an outdoor recreation site. An ORAR is not a trail.

### Conditions for Exceptions at Certain Outdoor Recreation Assets

In developing the scoping and technical requirements for accessibility at beaches, trails, and other outdoor developed areas, a wide net was cast to assure a variety of perspectives. The process involved:

- Officials from states with beaches and trails
- Officials from local entities with beaches and trails
- People with disabilities
- Landscape architects and civil engineers
- Parks and recreation officials

Throughout the process, all agreed that there are times that an existing beach, a new beach, an existing trail, or a new trail cannot meet the technical requirements for accessibility. The belief of regulatory bodies however is that these conditions should arise infrequently. The four conditions for exception are defined and discussed below.

- Section 1019.1.1: ***Compliance is not practicable due to terrain.***

This is best clarified as naturally occurring terrain. It is applicable to both existing trails, and new trails. When locating and designing new trails, making the trail accessible should be a very high priority. ***This is important at Honey Creek State Natural Area where the only existing trail is not accessible.***

- Section 1019.1.2: ***Compliance cannot be accomplished with the prevailing construction practices.***

This is best clarified as a reference to prohibitions on the use of foreign soil or motorized equipment. As an example, if a trail bed is being carved by TPWD staff and volunteers on their hands and knees, with pick axes, shovels, and hoes, all because of a prohibition on motorized equipment in the park, this exception may apply

- Section 1019.1.3: ***Compliance would fundamentally alter the function or purpose of the facility or the setting.***



This is best clarified as having a clear understanding of the purpose of the asset. A sharply ascending trail in a mountainous West Texas state park may have the intended use of endurance training. To “flatten” the trail is possible from a design perspective, but the trail then loses its function or purpose.

- Section 1019.1.4: ***Compliance is limited or precluded by any of the following laws, or by decisions or opinions issued or agreements executed pursuant to any of the following laws:***

Endangered Species Act (16 USC 1531 et seq.);

National Environmental Policy Act (42 USC 4321 et seq.);

National Historic Preservation Act (16 USC 470 et seq.);

Wilderness Act (16 USC 1131 et seq.); or

Other federal, State of Texas, or local laws the purpose of which is to preserve threatened or endangered species; the environment; or archeological, cultural, historical, or other significant natural features.

There are other mitigating factors regarding accessibility. Four are discussed below.

- Construction Tolerance (see 104.1.1 Construction and Manufacturing Tolerances): All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points. This is likely most applicable in new construction, but may also apply to making transition plan retrofits.
- Equivalent Facilitation (see 103 Equivalent Facilitation): Nothing in these requirements prevents the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability. This is likely most applicable in new construction, but may also apply to making transition plan retrofits.
- Technical Infeasibility (see 106 Definitions): With respect to an alteration of a building or a facility, a condition wherein compliance with a requirement of this Standard has little likelihood of accomplishment because existing structural conditions would require removing or altering a load-bearing member that 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 that are in full and strict compliance with the minimum requirements. This is likely most applicable to making transition plan retrofits.
- Safe Harbor (see US DOJ title II section 35.151(c)): If a public entity has constructed or altered required elements of a path of travel in accordance with the specifications in either the 1991 Standards or the Uniform Federal Accessibility Standards, or TAS 1994, before March 15, 2012, the public entity is not required to retrofit such elements to reflect incremental changes in the 2010 Standards solely because of an alteration to a primary function area served by that path of travel. ***It is important to note that the 1991 Standards and TAS 1994 did not address technical requirements for recreation assets, such as boating areas, fishing areas, beaches, campsites, trails, picnic***

*areas, playgrounds, sports fields, sports courts, and more. The Safe Harbor approach cannot be applied to such assets.*

### **What is Inclusion?**

The title II regulation requires Honey Creek State Natural Area programs to be available in the most integrated setting. This is defined as the setting in which people with and without disabilities interact together. Inclusive picnicking would locate accessible picnic areas amidst inaccessible picnic areas to facilitate interaction between visitors with and without disabilities.

While all programs must be inclusive, that does not mean that everyone with every type of disability or health condition must be allowed to participate in every program. The concept of essential eligibility allows Honey Creek State Natural Area to apply neutral conditions to determine who uses programs. Using picnicking, if there are two picnic areas and a person with a disability is the third person to arrive, the neutral concept of “capacity” applies and that visitor has no place to picnic that day, at that time, at Honey Creek.

### **How Can Programs in General Be Made Accessible?**

The title II regulation at section 35.150(b) lists a number of ways to make Honey Creek State Natural Area programs accessible. These include but are not limited to:

- Removing architectural barriers;
- Removing communication barriers;
- Changing rules and policies;
- Providing additional staff training;
- Providing different staff ratios;
- Providing adaptive equipment;
- Providing auxiliary aids and services such as a sign language interpreter;
- Providing accessible transportation when transportation is part of the opportunity;
- Reassignment of services to accessible locations;
- Conducting duplicate opportunities, one in accessible location and the other in an inaccessible location;
- Designing and constructing new facilities that are therefore fully compliant;
- Home visits; and
- Other methods that make programs accessible.

Honey Creek State Natural Area staff should be aware of, and ready to, provide such modifications.



**Are the Honey Creek State Natural Area Programs Accessible and Inclusive?**

In our review of the opportunities available at Honey Creek, we saw:

- One trail; and
- One picnic area.

**Of these, the accessibility status and our recommendation is:**

- Make the trail accessible, or in the alternative, develop another trail that is accessible; and
- Make the picnic area accessible.




**Concessionaires**

If concessionaires are to provide outdoor recreation experiences at the Park, those sites too must include accessible amenities.



**Conclusion**

The staff at Honey Creek State Natural Area offer experiences and assets desired by park visitors. Those same experiences and assets must be accessible to and usable by people with disabilities. See the following site report to identify barriers and recommendations for barrier removal.

**Honey Creek State Natural Area - 3350 Park Rd 31 Spring Branch, TX 78070**

Finding Number	Area Description	Lat/Long	Finding	As Built	Recommendation	Citation	Photos	Figure																																										
1	Honey Creek SNA: Trails	[29.8631245 , -98.490228 6]	The portable public restroom is not compliant. 5% of portable toilets must be accessible, minimum of 1. If sanitary facilities are provided, they must be made accessible to persons with disabilities. If public restrooms are desired, It is recommended that the portable unit be replaced with a permanent built in compliant restroom. The utilization of an accessible portable unit may be a temporary solution and is not recommended as a permanent solution.	One portable toilet, not accessible, no accessible route.	Replace 5% of portable toilets with compliant models and place along AR	2015 ABAAS Section: F213.1  2012 TAS Section: 213.1  2010 ADAS Section: 213.1, 213.2 Exception 3																																												
2	Honey Creek SNA: Trails	[29.86244, -98.48263]	The portable public restroom is not compliant. 5% of portable toilets must be accessible, minimum of 1. If sanitary facilities are provided, they must be made accessible to persons with disabilities. If public restrooms are desired, It is recommended that the portable unit be replaced with a permanent built in compliant restroom. The utilization of an accessible portable unit may be a temporary solution and is not recommended as a permanent solution.	One portable toilet at curve, not accessible, no accessible route.	Replace 5% of portable toilets with compliant models and place along AR	2015 ABAAS Section: F213.1  2012 TAS Section: 213.1  2010 ADAS Section: 213.1, 213.2 Exception 3																																												
3	Honey Creek SNA: Trails	[29.8628373 , -98.490287 6]	There are no or not enough accessible parking stalls. Each lot where parking is provided for the public as clients, guests or employees, shall provide accessible parking and shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. There are less than 25 parking stalls in the parking lot that could be reasonably associated with this facility. There should be a minimum of 1 accessible stalls with a minimum of 1 being designed as van accessible.	0 of 1 accessible parking spaces near river trail	Create one or more 8' accessible parking stalls, with one 5' adjacent access aisle, with proper signage and striping based on the total number of stalls.	2015 ABAAS Section: F208.2  2012 TAS Section: 208.2  2010 ADAS Section: 208.2		<table border="1"> <thead> <tr> <th>Total Number of Parking Spaces</th> <th>Minimum Number of Accessible Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>25</td> <td>1</td> </tr> <tr> <td>50</td> <td>2</td> </tr> <tr> <td>75</td> <td>3</td> </tr> <tr> <td>100</td> <td>4</td> </tr> <tr> <td>125</td> <td>5</td> </tr> <tr> <td>150</td> <td>6</td> </tr> <tr> <td>175</td> <td>7</td> </tr> <tr> <td>200</td> <td>8</td> </tr> <tr> <td>225</td> <td>9</td> </tr> <tr> <td>250</td> <td>10</td> </tr> <tr> <td>275</td> <td>11</td> </tr> <tr> <td>300</td> <td>12</td> </tr> <tr> <td>325</td> <td>13</td> </tr> <tr> <td>350</td> <td>14</td> </tr> <tr> <td>375</td> <td>15</td> </tr> <tr> <td>400</td> <td>16</td> </tr> <tr> <td>425</td> <td>17</td> </tr> <tr> <td>450</td> <td>18</td> </tr> <tr> <td>475</td> <td>19</td> </tr> <tr> <td>500</td> <td>20</td> </tr> </tbody> </table>	Total Number of Parking Spaces	Minimum Number of Accessible Parking Spaces	25	1	50	2	75	3	100	4	125	5	150	6	175	7	200	8	225	9	250	10	275	11	300	12	325	13	350	14	375	15	400	16	425	17	450	18	475	19	500	20
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**Honey Creek State Natural Area - 3350 Park Rd 31 Spring Branch, TX 78070**

Finding Number	Area Description	Lat/Long	Finding	As Built	Recommendation	Citation	Photos	Figure
4	Honey Creek SNA: Trails	[29.8631885 , -98.490050 2]	At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site. For areas of sport activity, an accessible route is required to connect to the boundary of each area of sport activity. The size of an area of sport activity includes only the space needed to play. Where multiple sports fields or courts are provided, an accessible route is required to each field or area of sport activity.	Lacks accessible route to picnic tables and benches	Provide an accessible route (AR) to at least one picnic table and to benches as a smart practice	2010 ADAS Section: 206.2.2, 206.2		
5	Honey Creek SNA: Trails	[29.8617254 , -98.482552 1]	The sign providing directional and information is noncompliant. Signs that identify, direct to or give information about accessible elements and features of a building or site, shall have a non-glare finish, contrast with their background, be selected from fonts where the width of the uppercase letter "O" is 55 percent minimum and 110 percent maximum of the height of the uppercase letter "I". Characters shall be uppercase or lowercase or a combination of both, conventional in form and shall not be italic, oblique, script, highly decorative, or of other unusual forms and be sized according to the viewing distance. Visual characters shall be 40 inches (1015 mm) minimum above the finish floor or ground. There is no accessible route to the sign. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.	Sign low and small print, lacks accessible route to sign and to tables	Create template for signs that addresses height of sign, size of characters, location of Braille, and other requirements (checklist). Remount signage to be a min of 40" AFF or AGL (above ground level). Create an accessible route with crushed stone or other outdoor material from parking or walkway to sign and 20% of tables	2015 ABAAS Section: F216.3 2012 TAS Section: 216.3 2010 ADAS Section: 216.3, 703.5.6 Exception		

Finding Number	Area Description	Lat/Long	Finding	As Built	Recommendation	Citation	Photos	Figure
6	Honey Creek SNA: The Doeppenschmidt-Weidner House	[29.8368608, -98.4828368]	Unused structure on property.	house and property are not used, shingles on house have asbestos and there are not plans for any use	Leave as is unused structure and make any alterations or new features in this area accessible upon construction.	Capture Section: 1	