

Section 103-50 Hawaii Revised Statutes REPORT OF ACTIVITIES

Relating to Facility Access for Persons with Disabilities
July 1, 2021 through June 30, 2022

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GENERAL OVERVIEW

The Facility Access Unit (FAU) staff has returned to working in the office full time. The public is welcome to come to the office, however, the FAU has been using virtual platforms for the annual conference and trainings. In addition, meetings with consultants are sometimes done virtually to reduce the risk of COVID exposure.

Ensuring 'facility access' through the design and construction of buildings, facilities, and sites that are free of barriers is vital for the maximum inclusion of persons with disabilities in society. Section 103-50, Hawaii Revised Statutes (HRS), requires all plans and specifications for the construction of public buildings, facilities, and sites to be prepared so that public buildings, facilities, and sites are accessible to and usable by persons with disabilities. The Disability and Communication Access Board's (DCAB) Standing Committee on Facility Access and Facility Access Unit (FAU) are responsible for implementing §103-50, HRS.

The Standing Committee on Facility Access is comprised of the following five (5) members of DCAB:

- Marie Kimmey, Chairperson
- Ronald Awa
- Scott Fleming
- Michael Nojima
- Charlotte Townsend (1/20/2022)

Activities of this Committee include, but are not limited to:

- Establishing accessibility guidelines for the design of public buildings, facilities, and sites.
- Issuing Interpretive Opinions to clarify accessibility guidelines.
- Approving Site Specific Alternate Designs where an alternate design provides equal or greater access.

The FAU is comprised of eight (8) staff that are managed by DCAB's Executive Director.

- Kirby Shaw, Executive Director
- Duane Buote, Facility Access Coordinator
- David Poe, Facility Access Specialist II
- Rodney Kanno, Facility Access Specialist II
- Eric Isidro, Facility Access Specialist II
- Alan Tarumoto, Facility Access Specialist II
- Glenn Arakaki, Facility Access Specialist II
- Laurie Palenske, Facility Access Specialist I
- Mylynne Simon, Office Assistant

This Report highlights key facility access accomplishments for the fiscal year July 1, 2021 to June 30, 2022.

FACILITY ACCESS UNIT ACTIVITIES

- Activities of the FAU include, but are not limited to:
- Review of plans and specifications of public buildings, facilities, and sites.
- Research and develop recommendations on requests for Interpretive Opinions.
- Research and develop recommendations on requests for Site Specific Alternate Designs.
- Review master plans of public buildings, facilities, and sites.
- Monitor projects that have not been submitted as required under §103-50, HRS.
- Provide general technical assistance to State and County agencies, design professionals and the general public.
- Conduct and coordinate workshops and training sessions.
- Prepare and distribute editions of DCAB's "Access E-Bulletin."
- Monitor and provide testimony on issues regarding access for persons with disabilities.
- Review, analyze and provide comments on codes, guidelines or standards regarding access for persons with disabilities.

PLAN REVIEWS

SECTION 103-50, HAWAII REVISED STATUTES

Plan reviews form the primary core of the work for DCAB's FAU. Section 103-50, HRS, requires all State and County agencies to seek the advice and recommendation of DCAB prior to starting construction to ensure that public buildings, facilities, and sites are designed to be accessible to persons with disabilities. Advice and recommendations are provided by means of a comprehensive and technical plan review to the Americans with Disabilities Act Accessibility Guidelines, the Fair Housing Accessibility Guidelines and DCAB Interpretive Opinions, as adopted and amended by DCAB.

The §103-50, HRS, review process covers public buildings, facilities, and sites and the infrastructure thereof that: 1) are designed, constructed, purchased or leased with the use of State or County funds or federal funds administered by the State or a County, 2) house State or County programs, services, or activities that are intended to be accessed by the general public, 3) are places of public accommodation or commercial facilities under the Americans with Disabilities Act, title 28 Code of Federal Regulations part 36, and are constructed on State or County lands, or 4) are constructed on lands that will be transferred to the State or a County upon completion of construction.

DOCUMENT REVIEWS CONDUCTED

The following chart is a compilation of plan reviews completed by the FAU for fiscal year 2021-2022 with a comparison to the prior two years.

Fiscal Year: 2021-2022

- Total Reviews: 1,207
- New Submittals: 613
- Resubmittals: 576

Fiscal Year: 2020-2021

- Total Reviews: 1,208
- New Submittals: 502
- Resubmittals: 706

Fiscal Year: 2019-2020

- Total Reviews: 1,443
- New Submittals: 676
- Resubmittals: 767

The total number of plan reviews conducted in fiscal year 2021-2022 was one thousand two hundred seven (1,207). The total number of new submittals conducted in fiscal year 2021-2022 was six hundred thirty one (631). A new submittal is when plans and specifications are first submitted to DCAB for review.

The total number of resubmittals conducted in fiscal year 2021-2022 was five hundred seventy six (576). A resubmittal is when revised plans and specifications are submitted to DCAB for an additional plan review.

Further details on new submittals that were reviewed by the FAU in fiscal year 2021-2022 are shown in Tables 1, 2, and 3 on the following pages.

- Table 1 shows the number of new submittals by department/agency overseeing the project. The State of Hawaii-Department of Education, the State of Hawaii-Department of Transportation, and the City and County of Honolulu-Department of Design and Construction submitted the greatest number of new submittals.
- Table 2 shows the number of new submittals by type of facility. Schools and Streets, Roads, Sidewalks, Malls account for the greatest number of reviews.
- Table 3 shows the number of new submittals by location. Similar to previous fiscal years, the predominant number of document reviews was for facilities located on Oahu.

FEE FOR REVIEW OF PLANS AND SPECIFICATIONS

Effective January 1, 2013, DCAB initiated a fee for the review of plans and specifications subject to §103-50, HRS. During the period covering this fiscal year, July 1, 2021 to June 30, 2022, DCAB collected \$1,104,155.04 under §103-50, HRS, from the one thousand two hundred seven (1,207) State and County construction document reviews. It should be noted that resubmittals do not involve a review fee.

TABLE 1: Facilities Reviewed by Department/Agency (New Submittals) Fiscal Year 2021-2022

State of Hawaii

Hawaii Health System Corporation	6
Department of Agriculture	3
Department of Accounting and General Services	25
Department of Land and Natural Resources	6
Department of Transportation	91
Department of Defense	3
Department of Education	190
Department of Health	2
Department of Public Safety	1
Department of Hawaiian Home Land	19
Department of Business Economic, Development, and Tourism	1
Hawaii Public Housing Authority	6
Housing Finance and Development Corporation	8

State Housing and Community Development Corporation of Hawaii 2

University of Hawaii at Manoa and Hilo 18

University of Hawaii, Community Colleges 26

Sub-Total 407

City and County of Honolulu

Department of Environmental Services / Public Lands Development Corporation 10

Department of Community Services 2

Board of Water Supply 23

Department of Wastewater Management 1

Department of Design & Construction 62

Department of Facilities Maintenance 1

Department of Planning & Permitting 34

Department of Transportation Services 4

Department of Parks and Recreation 1

Department of Public Works 1

Sub-Total 139

County of Maui

Department of Management 1

Department of Water Supply 1

Department of Transportation 3

Development Services Administration 6

Department of Fire and Public Safety 2

Housing and Community Development 1

Department of Parks and Recreation 5

Department of Planning Department 1

Department of Police 1

Department of Public Works 22

Department of Environmental Management, Wastewater 7

Sub-Total 50

County of Hawaii

Department of Environmental Management, Wastewater 7

Housing and Community Development 2

Department of Parks and Recreation 4

Planning Department 2

Department of Public Works 13

Sub-Total 26

County of Kauai

Office of the Mayor 2

Department of Parks and Recreation 2

Department of Public Works 3

Sub-Total 7

TOTAL 613

TABLE 2: DOCUMENTS REVIEWED BY TYPE OF FACILITY (New Submittals)

Fiscal Year 2021-2022

Airport Facility	16
Animal Shelter/Zoo	2
Bus or Mass Transit Terminal/Guideway Station	2
Cemetery/Memorial	1
Civil Defense Facility/Disaster	2
Community/Cultural Center	9
Correctional Facility	2
Court	2
Fire Station	12
General Sitework (i.e., landscape, slope stabilization, stream bank, leach field)	5
Golf Course/Facility	1
Harbor/Boat/Docks	28
Health Clinic	5
Highways/Tunnels/Bridges	47
Hospital/Medical Care Facility	9
Housing - Apartments or Condominiums – General	9
Housing - Apartments or Condominiums-Specialized Elderly/Handicapped	2
Housing - Dormitory	1
Housing - Emergency Shelters	1
Housing - Homeless Shelters	2
Housing – Residential	8
Infrastructure (i.e., mass grading, sitework, utilities)	16
Laboratory	1
Library (Not at a School)	4
Military Facility	1
Museum	1
Office	24
Park/Gym	26
Parking/Maintenance Facility	5
Police Station	11
Restaurant/Cafeteria (Not at a School)	1
Sanitary Landfill	6
School – Auditorium	1
School – Cafeteria	7
School – Classroom	17
School – General	155
School – Gymnasium	5
School – Library	6
School - Track and Field/Courts/Playcourt	38
Shopping Complex/Retail	1
Stadium or Auditorium (not at a school)	6
Streets/Sidewalk/Mall	84
Theatre	2
Trails/Wilderness/Campsite	2

Warehouse/Storage Facility	3
Wastewater or other Treatment Facility	19
Water Pump Station/Water Piping	23
TOTAL	631

TABLE 3: DOCUMENTS REVIEWED BY LOCATION OF FACILITY (New Submittals)

Fiscal Year 2021-2022

Oahu	546
Maui, Molokai and Lanai	50
Kauai	7
Hawaii	28
TOTAL	631

ON-LINE FACILITY ACCESS PLAN SUBMISSION AND REVIEW SYSTEM

The FAU contracted and worked with Hawaii Information Consortium (HIC) to develop a web-based document review system that uses ehawaii.gov accounts to log into the system. It is titled the “Facility Access Plan Submission and Review System.” The online review system has been in use for over a year and has shown improved efficiency for the document review process. The FAU benefits from the online system by combining the three separate processes below into one database.

- The online system is much more efficient, eliminating the need for redundant data entry. Since the new system is a web-based database, the central storage of data makes it easier for staff to find and track data and eliminates the need for physical storage of project files.
- The FAU uses software that allows the reviewer the ability to take measurements from PDF drawings. Hard copy drawings are no longer required to be submitted for review, which can add up to a substantial cost savings for the submitter.
- The Facility Access Plan Submission and Review System gives submitters the ability to look at all projects they have submitted and check the status of projects or retrieve final review letters. The submitter now has the option to pay the review fee by credit card.

POLICY GUIDANCE AND MONITORING ACCESSIBILITY GUIDELINES

The FAU monitors and provides DCAB testimony to ensure that applicable codes incorporate or reference the Americans with Disabilities Act Accessibility Guidelines, the Fair Housing Act Accessibility Guidelines, the Hawaii Outdoor Developed Areas Accessibility Guidelines, or other draft interim guidelines of the U.S. Access Board as best practices.

- There were no new accessibility codes or guidelines adopted or proposed in fiscal year 2021-2022.

TECHNICAL ASSISTANCE ON DESIGN

The FAU provides technical assistance to design professionals in both the public and private sectors on how to make buildings, facilities, and sites accessible for persons with disabilities. In fiscal year 2021-2022, the FAU fielded three hundred seventy five (375) requests for general technical assistance in areas concerning the design standards for §103-50, HRS, the Americans with Disabilities Act Accessibility Guidelines, the Fair Housing Accessibility Guidelines and other

accessibility guidelines. Technical assistance was provided through meetings, telephone calls, faxes, and email inquiries.

Significant individualized technical assistance was provided on the following projects:

- Blaisdell Center Redevelopment - Arena Public Toilet Rooms and Backstage Facility Improvements
- Haaheo Elementary School Multi-Purpose Building
- Atherton Residential Life Innovation & Entrepreneurship Center

MONITOR PROJECTS NOT SUBMITTED TO DCAB

DCAB monitors projects that have been published as starting construction or that are in the bid process, but have not been submitted for review as required by §103-50, HRS. For fiscal year 2021-2022, DCAB notified ADA Coordinators or department/agency representatives that seventy three (73) of their projects were not submitted for review as required by §103-50, HRS. DCAB received forty one (41) responses from the department/agencies regarding the status of their projects and twenty six (26) projects were subsequently submitted for review.

ACCESS E-BULLETIN

To assist the design profession, the FAU prepared and distributed sixteen (16) “Access E-Bulletins” in fiscal year 2021-2022 to approximately seven hundred five (705) subscribers. The “Access E-Bulletin” includes information on new training sessions and webinars, and important information about accessibility and facility access.

SITE SPECIFIC ALTERNATE DESIGN

Section 103-50, HRS, authorizes DCAB to rule on Site Specific Alternate Designs (SSAD). A site specific alternate design departs from particular scoping or technical provisions of the 2004 Americans with Disabilities Act Accessibility Guidelines. The SSAD provides substantially equivalent or greater access for persons with disabilities but only applies to the specific State or County project for which the design was submitted.

- No requests for SSAD were submitted in fiscal year 2021-2022.

DESIGN SEMINARS AND TRAININGS

The FAU coordinated and conducted workshops and training sessions that focused on accessibility guidelines and standards, human factor requirements for persons with disabilities and laws related to accessibility. The following trainings and workshops were conducted or coordinated for various State and County department/agency personnel, the architectural and engineering community, and user groups in fiscal year 2021-2022:

Conference

The FAU conducted the virtual 2022 Disability Access Conference featuring speakers from the U.S. Access Board and the U.S. Department of Housing and Urban Development (HUD) on “Accessible Transient Lodging,” “Accessible Medical Care Facilities,” “HUD’s Section 504 Design Requirements and the “Deeming Notice””, and “Accessible Residential Housing”. Eighty-three (83) registrants participated in the Zoom conference.

Workshop/Trainings

Coordinated and presented five (5) virtual basic trainings designed to provide foundational information to prepare program participants for more complex topics to be covered at the annual conference.

U.S. Access Board Webinars:

- Kitchen and Kitchenettes
- Accessible Pedestrian Trails and Shared Use Paths
- Common Sources of Confusion in the ADA and ABA Standards
- Plumbed Elements: Lavatories and Sinks, Washers and Dryers, and Saunas and Steam Rooms
- Accessible Means of Egress
- Architectural Trends in Accessible Design
- Architectural Barriers Act (ABA) Compliant Investigation Process and Corrective Action Plan Procedure
- Accessible Signage
- Accessible Swimming Pools and Spas
- Accessibility in the Federal Workspace
- Introduction to Website Accessibility
- Accessible Golf and Miniature Golf Facilities

INTERPRETIVE OPINIONS

Section 103-50, HRS, authorizes DCAB to issue interpretive opinions. An Interpretive Opinion clarifies an accessibility guideline, which then becomes applicable to all projects covered by §103-50, HRS. The Standing Committee on Facility Access issued interpretive opinions on the following items in fiscal year 2021-2022:

- Docket 2021-01 Wet Bars
- Docket 2021-02 Recessed Elements at Grab Bars
- Docket 2022-01 Street Parking at Bike Lanes

MASTER PLAN REVIEWS AND RELATED ACTIVITIES

In an effort to provide assistance to the State and Counties to ensure that accessibility compliance was acknowledged at the earliest phase of a project, conceptualizations or plans for projects were submitted for review in fiscal year 2021-2022:

Master Plan Reviews for Draft Environmental Assessment:

- USGS HVO/PIERC Replacement Facilities Project
- Sand Island Wastewater Treatment Plant, Bioconversion Facility Capacity Upgrades
- Waimanalo Research Station Master Plan
- August Ahrens Elementary School New Classroom Building Project
- Ahuimanu Wastewater Pre-Treatment Facility Improvements and Equalization Facility
- Proposed 10 Mega-Watt Photovoltaic Electrical Generation Solar Farm
- Kobayashi Group, Alia (Land Block I) within the Kaiulu O Kakaako Master Plan
- Victoria Ward, Limited, Land Block 2, Project 4 (Kalae)
- Gentry Kalaeloa LLC project consisting of approximately 390 residential units

NONDISCRIMINATION STATEMENT: We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. If you have a concern, write or call the Disability and Communication Access Board or the Department of Health Affirmative Action Officer at P.O. Box 3378, Honolulu, HI 96801-3378, or call 586-4614 (v) within 180 days of a problem.