

Curbs: 99 percent of ramps in Clatsop County are deficient

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Instead, she typically commutes around quieter city streets and has had few issues. When she does encounter a problematic ramp — 10 percent of the time at most — she must either find another entry to the sidewalk, usually requiring her to move on the road.

“I don’t like to do it a lot because it’s not safe,” Herman said. “We’re lower, usually, than a pedestrian may be, which sometimes makes it hard for cars to see us.”

While it will not affect her as much as others who use wheelchairs, the settlement will certainly help, Herman said.

‘Keeping people connected’

Disability Rights Oregon called the settlement the “largest commitment to accessible transportation in state history.”

“What this is about is keeping people connected to their communities. If people don’t have equal access to the sidewalks, then they’re going to change how and when they go out,” said Tom Stenson, an attorney for the organization. “ODOT doesn’t have a great relationship with people with disabilities, whereas in towns there’s more accountability.” The agreement stipulates that the state does not admit any wrongdoing. The Department of Transportation tried to incorporate the federal requirements and is committed to doing so more fully in the future, but there were some oversights since the law was enacted.

“Quite honestly, they may have been off a little bit. Nobody paid much attention to that, unfortunately,” Torres said. “It was like, ‘That’s a little off, but that works.’”

Roughly 97 percent of curb ramps on all state thoroughfares fail to meet federal requirements, and the issue is even worse in Clatsop County, where nearly 99 percent are deficient. The same could be said for other rural counties.

Torres said infrastructure in rural communities is typically much older than that of larger cities.

“They were put in place a long time ago when accessibility wasn’t something that was seen as important,” he said. “Larger cities, really, can incorporate that more into what they are doing.”

But lack of sidewalk accessibility can be felt more acutely by people rural areas.

“On the coast, as in other areas, you usually find towns that are built around state highways,” Stenson said. “These are state highways, so people are going really fast in their cars.”

One of the eight individual plaintiffs listed in the lawsuit is a Clatskanie woman who uses a self-propelled wheelchair for transportation and travels frequently in Clatsop and Columbia counties.

The lawsuit claims she is no longer able to cross U.S. Highway 30 since resurfacing on



Photos Colin Murphy/The Daily Astorian

ABOVE: Joan Herman descends a steep slope in Astoria on her way to her volunteer job. **RIGHT:** Curbs without ADA compliant ramps can be particularly difficult for people with disabilities to navigate.



the road made the road too steep. As a result, she must stay on one side of the town’s main thoroughfare, limiting her access to places like grocery stores and Clatskanie City Hall. She also has fallen forward or become stuck in areas.

Curb ramps in the woman’s area are typically missing, not accessible by wheelchair, or located in a spot that is difficult to navigate.

“If you can’t get from one side of the street to the other, it’s a really big barrier to participating in your town,” Stenson said.

Positive impact

Stenson and other lawyers for Disability Rights Oregon sent a letter with their concerns to the state in 2015. But communications were inconsistent, and a lawsuit was filed in 2016.

“We felt like we weren’t making enough headway in negotiations,” Stenson said. “Once

that happened, then we were able to talk about a systematic settlement for the whole state.”

The state is working with a consultant to draw designs for each of the more than 25,000 ramps in need of refurbishment.

“It can be pretty complicated. Sometimes in order to build curb ramps that are up to standard, you have to rebuild the roadway and rebuild the sidewalks,” Torres said. “We’re figuring that out right now.”

Once it is finished, though, the redesigns will have a positive impact on communities, Stenson said.

“I think that a ton of people are affected by this in a number of ways, and you don’t have to be a disabled person to think there is a problem,” he said. “They should find a welcoming, physically accessible environment because that’s their right as Oregonians and that’s what’s fair.”



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