

ATTACHMENT #4



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Office of Civil Rights

777 S. Aviation Blvd., Suite 150
El Segundo, CA 90245

April 17, 2019

Patty Wahto
Airport Manager
Juneau International Airport
City of Juneau
155 S. Seward
Juneau, AK 99801

Re: Juneau International Airport (JNU) – Disability Compliance Mini Review Final Report

Dear Ms. Wahto:

The Federal Aviation Administration (FAA) Office of Civil Rights would like to thank you for participating in the September 2017 review of JNU airport programs, activities, and services to ensure nondiscrimination on the basis of disability. We appreciate the substantial effort taken by your staff in providing the required documentation, meeting with FAA program staff, and providing access to all public areas of your airport.

We apologize for the delay in providing this report.

During the site visit, staff conducted a review for airport disability requirements and evaluated the compliance at the time of the review. The compliance review focused on the following areas:

- ✓ Administrative Requirements
- ✓ Contracts
- ✓ Facility Design

The attached compliance questionnaire (Attachment A) was used to conduct an initial assessment of the airport's compliance with airport disability requirements.

During this review, we found that JNU has accessible standard parking facilities, accessible signage, complaint and reasonable modification/accommodation procedures, and a facility largely free of protruding objects and barriers.

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We also identified instances where the airport is not in full compliance. The airport must take corrective actions to comply with the following requirements:

- Require compliance with all applicable airport disability laws in tenant and vendor contracts;
- Maintain all required accessibility features, including restroom elements;
- Add foreseeable needs of people with disabilities to airport emergency plans;
- Add a post-security service animal relief area (SARA); and
- Additional minor issues, as identified in Attachment B.

As discussed during the exit meeting, attached is the voluntary compliance agreement (Attachment B), which we will use to document compliance concerns and proposed dates of compliance. Within 30 days of this letter, please indicate the status of each finding, providing completion dates for corrective actions already implemented and proposed completion dates for the remaining open findings. If necessary, please include a separate letter describing your proposed corrective action plans. Please let us know if you require additional time.

As indicated throughout the compliance review process, the list of findings is not meant to be an all-inclusive list of compliance issues. The findings are a snapshot of the status of your programs, activities, and services, based on our review of select elements, and as identified at the time of the on-site review.

The FAA Office of Civil Rights looks forward to continuing to work with you in ensuring compliance with airport disability requirements. If you have any questions or require additional information, please contact me by phone at (424) 405-7202 or by email at Jonathan.Klein@FAA.gov.

Sincerely,



Jonathan Klein
Acting for Michael Freilich
Director, National External Operations Program
Office of Civil Rights

Attachments

ADA Mini-Review Checklist 2016



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ACHIEVING SAFETY
THROUGH DIVERSITY

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Section 1: ADA/504 Mini-Review Checklist

	ITEM	Yes/ No/ PART	COMMENTS
A GENERAL (CAN BE OBTAINED PRIOR TO REVIEW)			
1	Is there an ADA/Section 504 Coordinator? (28 CFR § 35.107; 49 CFR § 27.13)	Y	Through the City and Borough of Juneau
a	If so, is the contact information on the airport website?	Y	https://beta.juneau.org/manager/ada-information
b	If so, provide the name and contact information (email address).		Mila Cosgrove Mila.Cosgrove@juneau.org
2	Has the Airport received any ADA/504 complaints within the past five years? (§ 35.107; §§ 27.13 and 27.121)	N	
3	Does the airport have adopted and published procedures for receiving and handling complaints?	Y	Website includes both CBJ and Airport specific information.
4	When was the last self-assessment for ADA/504 compliance conducted? (§ 35.105; § 27.11)	Part	Ongoing. Focused on ADA, but not specific to Sec. 504.
5	Does the Airport Emergency Plan explicitly identify how PWD will be assisted in an emergency?	Part	Updating plan. Information was not specific to many foreseeable needs.
B CONTRACT REVIEW			
6	Is there a clause in <u>all</u> contractual agreements (regardless of funding source) mandating compliance with ADA <u>and</u> Sec. 504 requirements? (see example language) (§ 35.130; § 27.7). Note: The ADCP team usually reviews the following types of contracts: airline, concessionaire, ground transportation, and professional services contracts (prime and sub).	Y	Not specific to Sec. 504. Included ADA language in contracts, bids, airline agreements, and concessionaire contracts. No contracts with ground transportation
a	Does it include a reverter or cancellation clause?	Y	
b	Do Airport agreements with air carriers assign responsibility for providing boarding/deplaning assistance? (14 CFR § 382.99)	N	
c	Do Airport agreements with air carriers assign responsibility for maintaining boarding equipment?	N	Separate agreements for use of airport owned jet bridge and ADA ramp.
d	Do Airport agreements with private ground transportation providers require that the providers have accessible vehicles available as needed?	NA	
C TOUR (FACILITIES WALKTHROUGH)			
7	Is the "Unlawful Discrimination" poster conspicuously displayed in the main public area(s) of the Airport? (e.g., information booths, food courts, baggage area, fixed base operator facility, rental car center, etc.) (49 CFR § 21.9). It should look like the sample.	Y	Seven poster observed, including on wall before entering concession (pre-security), baggage claim area, airline counters, at gate (post security), and next to information booth.
8	Is CC turned on for all audio/visual displays, where the devices have CC capability? (§ 27.71)	N	The concession has 4 TV's. None had CC on. The only TV post security had CC on.
9	Are TTY/TDD's provided?	Y	TDD phone located in bag claim area 1 st floor
C TOUR (FACILITIES WALKTHROUGH, CONTINUED)			
10	Is signage positioned properly, with required symbols and finish?	Y	
a	Accessible Parking Signs	Y	ADA markings and signs in public parking

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	ITEM	YES/ NO/ PART	COMMENTS
b	TTY/TDD Signs	N	Not at this time
c	Room Entryway Signs	N	Public ones (restrooms)
d	SARA Signs	N	Not found during tour
11	Do food, retail service, and airline ticketing / service counters include an accessible section?	N	Old terminal does not.
12	Is there an accessible path of travel throughout the terminal area?	Y	
a	Is it free of protruding objects?	N	Water fountains, seats and trash bins are along the way.
b	Is there a reasonable path that avoids revolving doors?	Y	
c	Are doorway openings ≥ 32 " wide?	Y	Some restrooms do not have doors,
d	Do doors require ≤ 8 LB of force to open?	Y	
13	For elevators, are requirements met for braille characters, raised call buttons, door, car controls, and car size? Are the elevators working?	Y	Inside controls have raised characters, call button, emergency raised buttons. Elevator were working and serviced regularly via contract.
14	Bathrooms accessibility		
a	Is at least one accessible toilet stall provided?	Y	
b	Are sink pipes covered?	N	Some are, most are not.
15	For parking, are required accessible spaces provided?	Y	Short term parking includes 3 van accessible spots, out of 65. Long Term Lot has 7 van accessible spots out of 217.
16	For Loading/Unloading Zones, are required access aisle and curb ramp provided?	Y	
17	Is a SARA located post-security, in every terminal?	N	There are space constraints in the post-security area. A pre-security outdoor SARA is located on lower level, north end.

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ATTACHMENT B – VOLUNTARY COMPLIANCE AGREEMENT

Airport(s)	Juneau International Airport (JNU)
Recipient	City of Juneau
Airport Type	Primary
Airport Representative(s)	Patty Wahto, Airport Manager Marc Cheatham, Deputy Airport Manager Mila Cosgrove, ADA/Sec. 504 Coordinator Roger Healy, Engineering Director Janet Sanbei, Contract Specialist
FAA Representative(s)	Gene Roth, Disadvantaged Business Enterprise Program Team Lead Sonia Cruz, Disadvantaged Business Enterprise Program Team Specialist
Date of Mini-Review	September 13, 2017

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JNU – Airport Disability Compliance Mini Review

Review Findings Matrix

Topic and Location	Checklist Item Number	Compliance Status	Regulation	Corrective Action	Proposed date of compliance	Actual date of compliance
1. General: Self-evaluation	4	<p>There is no policy to regularly conduct self-evaluations at the airport.</p> <p>A self-evaluation was ongoing at the time of the review. That self-evaluation did not address unique issues under Sec. 504.</p>	49 C.F.R. § 27.11(c)(2)(i)	<p>Recommendation: Revise policies and procedures to ensure comprehensive self-evaluations are conducted at least every 3 years.</p> <p>Complete the pending self-evaluation from the time of the review, addressing Sec. 504 as well as ADA requirements.</p> <p>Actual:</p>		
2. General: Airport Emergency Plans	5	Although the plan includes some measures to assist people with mobility disabilities, other specific foreseeable needs of people with disabilities are not addressed in the airport emergency plans. The plan is being updated.	28 C.F.R. § 35.130(b)(1)(iii); 49 C.F.R. § 27.7	<p>Recommendation: Plan to address the particular foreseeable needs of people with disabilities in the event of an emergency, including communication, relocation, and assistance after an emergency. Work with emergency service providers to identify any existing plans and processes and create additional ones, as needed. Ensure that they are well-documented and available to all parties that need to be aware of them.</p> <p>Actual:</p>		

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3. General: Unlawful Discrimination Poster	7	The Unlawful discrimination poster includes "Airport Manager" in the line for the Coordinator. The Coordinator is identified elsewhere on the airport website.	28 CFR § 35.107(a); 49 CFR § 27.13(a)	Recommendation: Add the Coordinator's name and contact information to the posters placed in the airport public areas, even if the person serving the role may change. Actual:		
4. Tour: Closed Captioning	8	Closed Captioning (CC) not active on concession area televisions.	49 C.F.R. § 27.71(i)	Recommendation: Ensure CC is activated. Train and monitor tenants to ensure that CC is activated, including after loss of power, or other events that might reset the television to default settings, with CC not active. Actual:		
5. Tour: Telecomm. Devices for the Deaf (TDD)	9, 10	One telephone was accompanied by a TDD. No other payphones had TDDs. The TDD was missing the required sign.	49 C.F.R. § 27.7; 28 C.F.R. §§ 35.130(b)(1)(iii); 35.133; 35.161; 1991 ADAAS ¹ 4.30.7; 2010 ADAAS 216.9	Recommendation: Add TDD devices to payphones or payphone banks in all areas of the airport facility where payphones are provided and ensure TDD signage is placed above each TDD. Actual:		

¹ ADAAS refers to the 1991 and 2010 versions of the ADA Standards for Accessible Design, which are available at www.ada.gov/1991ADASTandards_index.htm and www.ada.gov/2010ADASTandards_index.htm, respectively.

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6. Tour: Service Counters	11	Some counter areas, such as for the Alaska Seaplanes, do not have lowered accessible counter spaces. Other accessible counter spaces, such as for Budget Rental Car, are partially blocked by display and other items.	1991 ADAAS: 4.2.6; 4.32.4; 4.15.5; 7.2; 2010 ADAAS: 227; 904.4	Recommendation: Provide lowered counter space, with clear floor space. Actual:		
7. Tour: Accessible Path of Travel	12-a	Some wall-mounted water fountains create protruding object barriers in the terminal.	49 C.F.R. § 27.71(h); 1991 ADAAS: 4.13.2; 2010 ADAAS 206.5.2; 307; 404.1; 404.2.1	Recommendation: Reposition fountains or install protective barriers next to the fountains that are less than 27 inches above the ground. Actual:		
8. Tour: Restrooms	14	Some restroom under-sink pipes are missing insulation and/or barriers to prevent contact. Some sinks do not provide required knee clearance space. Some accessible stall grab bars are partly blocked by toilet paper dispensers.	28 C.F.R. § 35.133; 2010 ADAAG Sec. 604.5; 604.8	Recommendation: Reposition and adjust identified items. Institute policies and procedures to ensure monitoring and maintenance, particularly for under-sink pipe coverings and installation of new toilet paper dispensers. Actual:		

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<p>9. Tour: Service Animal Relief Area (SARA)</p>	<p>10-d, 17</p>	<p>No post-security SARA is provided in the terminal. There are no documented agreements among terminal stakeholders or documented TSA determinations prohibiting post-security SARAs. No interim mitigations are identified.</p> <p>Pre-security SARA not identified in maps and signage.</p>	<p>49 C.F.R. § 27.71(h)</p>	<p>Recommendation: Add a post-security SARA as soon as possible. Consult with a service animal training organization prior to finalizing the design.</p> <p>A SARA should be in the post-security terminal area unless all airport stakeholders agree that the current or another outdoor SARA is preferable. If so, ensure that individuals returning to the post-security area receive expedited security processing. Implement expedited processing as an interim measure while decisions or construction are pending.</p> <p>Add location information to the terminal maps and website and include wayfinding signage in the terminal for all SARAs.</p> <p>Actual:</p>		

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10. Contract Review: Contract Clauses	6	Air carrier and concessionaire tenant leases are missing FAA clauses prohibiting discrimination based on disability and requiring compliance with Sec. 504.	28 C.F.R. § 35.130(b)(3)(i); 49 C.F.R. §§ 27.71(f) and 27.72.	<p>Recommendation: Add required FAA clauses to existing contracts and to templates for future contracts. Applicable statutes and regulations include ADA, Sec. 504, 28 C.F.R. Parts 35 and 36, and 49 C.F.R. Parts 27, 37, and 38. Non-compliance must be grounds for termination. See Civil Rights contract clauses at A5 and A6 at https://www.faa.gov/airports/aip/procurement/federal_contract_provisions/.</p> <p>Require that tenants and contractors forward disability access complaints to the ADA/Sec. 504 Coordinator.</p> <p>Actual:</p>		