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Near the Golden Gate, Seeking Broader Access to Parks

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Heidi Schumann for The New York Times

Dan Hill and his wife, Ann Sieck. She has joined a class-action lawsuit over access at the Golden Gate National Recreation Area.

By CAROLYN MARSHALL Published: March 18, 2008

SAUSALITO, Calif. — While other visitors hiking the majestic bluffs known as the Marin Headlands stare out toward mesmerizing views of the Golden Gate Bridge and the Pacific Ocean, Ann Sieck gazes at the ground, puzzling over a rock jutting up from the path.

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Photographs by Heidi Schumann for The New York Times Luis Hector Morales, with his siblings, said he needed help on a recent hike at the Marin Headlands because of difficult terrain.

For Ms. Sieck, who has multiple sclerosis and uses a wheelchair, the rock is the kind of obstacle that forces her to stay mindful of potential hazards overlooked by most visitors.

“When I meet with a barrier — especially a man-made barrier like a wooden bridge with steps at the end — it gets me in the stomach,” said Ms. Sieck, 58, an avid hiker before the disease sapped her ability to walk 12 years ago. “It makes me angry, but it’s a feeling of impotent anger.”

In the hope of lessening that feeling, Ms. Sieck has joined a federal class-action lawsuit against the National Park Service and its Golden Gate National Recreation Area, a series of parks and open spaces that traverse 75,000 acres of public land and 59 miles of Pacific shoreline and include landmarks like Alcatraz and Muir Woods.

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Federal law requires the Park Service to provide universal access to its land and attractions. Ms. Sieck and other people with disabilities say they cannot gain entry or use many of the Golden Gate area's historic buildings, trails, museums, restrooms or water fountains.

The lawsuit, filed in Federal District Court in San Francisco, contends that the Park Service and its local administrators have "systemically discriminated against plaintiffs on the basis of their disabilities," failing to make adjustments, required for decades, to assist people with restricted mobility, poor or no vision, hearing loss or other needs.

"To some extent it's a money issue," said Laurence Paradis, a lawyer and the executive director of Disability Rights Advocates, the public interest law center leading the legal challenge. "But to a larger extent, there is a lack of commitment to the overall concept."

The Golden Gate National Recreation Area is not the only park with barriers to access in the system, which comprises 400 parks, trails and monuments.

But Mr. Paradis, who uses a wheelchair, said it was a good candidate for the federal challenge, in part because the San Francisco Bay Area is considered the birthplace of the disability rights movement.

The Golden Gate recreation area is also the second most popular national park, with over 14 million visitors in 2007, more than the visitors to Grand Teton, Yellowstone and Yosemite National Parks combined.

Spokesmen for the National Park Service and the United States attorney's office in San Francisco, which is representing the federal park, would not discuss the lawsuit.

A spokesman for the Golden Gate recreation area, Rich Weideman, said administrators had been meeting with Mr. Paradis and other disability rights advocates since 2006 to discuss the park's physical barriers. The park service, Mr. Weideman said, has invested millions of dollars to correct problems at Bay Area attractions and elsewhere. He pointed to Alcatraz Island, where special vehicles move people from the dock to the cell house, accessible to all visitors since 1988. The coastal trail at Lands End was upgraded for \$3 million, he said.

"We really strive for access, and we have some success stories we are really proud of," Mr. Weideman said.

Mr. Paradis acknowledged that "bits and pieces of access work" had been done over the last 30 years. "But over all," he added, "the efforts here and throughout the system have been woefully inadequate."

Mr. Paradis said federal officials were aware of thousands of barriers at the Golden Gate recreation area that violated Section 504 of the Rehabilitation Act of 1973, which obligated agencies like the Park Service to remedy or remove them. That act, in part, led to the Americans With Disabilities Act of 1990, the federal law that prohibits discrimination based on a disability.

Mr. Weideman said regulations that governed renovation of historic landmarks made it harder and more costly to make physical adjustments. The Golden Gate recreation area contains hundreds of historic structures, like Civil War forts and World War II bunkers.

Ms. Sieck is sympathetic, to a point. "There is an issue of what can they afford to do," she said. "But we are talking about little fixes that ultimately benefit everyone — mothers with

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strollers and aging baby boomers.”

On a recent outing to the Marin Headlands, she pointed to a half-dozen barriers, including jagged pavement, driftwood stairs, a locked metal gate and steeply graded trails.

Ms. Sieck can often tackle tough inclines because she uses a motorized wheelchair. But many barriers, she said, would be difficult “for someone with a manual chair or with pain.”

Luis Hector Morales, 19, a tourist from El Salvador, was such a visitor. Mr. Morales, who uses a manual wheelchair, seemed confident that he was strong enough to undertake the hike. Days earlier, using only his arms for mobility, he completed a marathon in Los Angeles, beating some competitors who jogged.

“Very beautiful,” he said in Spanish after the hike. “But the terrain was a little difficult. There were places with steep inclines, and even I needed help.”

In 2005, Disability Rights Advocates won a similar case against the [California](#) park system. California agreed to repair and remodel 270 parks at an estimated cost of \$100 million.

Mr. Paradis said he wanted the federal government to follow California’s lead. “Getting access to the outdoors is really the next step,” he said, adding that it was “very much a part of the day-to-day integration into society for people with disabilities.”

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