



## AUDUBON SOCIETY NORTHERN VIRGINIA

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May 17, 2021

Via email [DOTInfo@fairfaxcounty.gov](mailto:DOTInfo@fairfaxcounty.gov)

Fairfax County Department of Transportation  
Attn: Cinder Bed Road Bikeway  
4050 Legato Road, Suite 400  
Fairfax, VA 22033

Re: Proposed Cinder Bed Road Bikeway—**Oppose proposed alignment**

Ladies and Gentlemen:

The Audubon Society of Northern Virginia, on behalf of its more than 5,000 members, opposes the proposed alignment of the Cinder Road Bikeway. We support providing a direct bike route from Newington Road to public transit at the Franconia-Springfield Metro, thereby reducing the number of commuters who drive their cars and reducing greenhouse gas emissions and other air pollutants. However, we oppose the proposed routing of the bikeway through a very sensitive environmental area in the floodplain and Resource Protection Area of Long Branch South, a tributary of Accotink Creek.

### **ENVIRONMENTAL IMPACTS**

The National Wetland Inventory classifies the entire floodplain cut through by the proposed route as Freshwater Forested/Shrub Wetlands (PFO1C). The proposed bikeway would impact good- and high-quality forest, floodplain and wetland resources. The area includes a magnolia bog, a rare habitat in Northern Virginia. The proposed alignment would cause extensive, irreparable environmental damage.

A recent study jointly conducted by scientists from the Cornell Lab of Ornithology, the American Bird Conservancy, the Smithsonian Conservation Biology Institute and others, reported that over the last 50 years North America has lost over three billion birds.<sup>1</sup> The primary reason for the dramatic decline is habitat loss. This project would result in the loss and degradation of a large area of important, high quality wetland and riparian habitat that supports birds and other wildlife. The project's harm to wildlife is compounded because the bikeway is proposed to be fully lighted from dusk to dawn for its full length. The harmful and disruptive effect of artificial nighttime

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<sup>1</sup> Rosenberg, Kenneth V., et al., Decline of the North American avifauna, *Science*, (2019) Vol. 366, No. 6461, pp. 120-124.

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lighting on birds, insects, and many species of wildlife is well-documented. Numerous studies have demonstrated that birds, mammals, reptiles and amphibians, insects and even plants are all disturbed by artificial light at night.<sup>2</sup> Among other problems, it causes disruption in their sleep patterns, increased stress, increased nighttime activity without corresponding increases in food consumption, and disruption in breeding patterns.

While the eight- to 10-foot-wide trail would permanently pave an acre or more of forest, its indirect effects would be much larger, and include the land disturbance and soil compaction from construction, removal of mature trees, and increased stormwater runoff. The dam-like substructure needed to support the trail, as well as the “culverts and little pipes” to be installed to reroute water courses, would alter and adversely affect the hydrology of the area and further damage natural resources dependent on surface and subsurface water flows. The fragmentation of previously undisturbed forest would create a vector for invasive plants to overwhelm disturbed areas and degrade the ecological value of currently high-quality forest. The project would require fill and grading in the floodplain, with significant negative impacts on floodplain access, flows, floodplain function and wetland hydrology. Routing the bikeway on the east side of Cinder Road would further reduce the small buffer that currently exists between the road and the stream, increasing impervious surface within the 50 seaward feet of the buffer established by the Chesapeake Bay Preservation Ordinance and adversely affecting water quality.

Impacts to wetlands greater than 1/10 of an acre require mitigation. Alteration of the hydrology to wetlands may result in conversion which constitutes an impact requiring mitigation. A portion of these wetlands consist of Coastal Plain/Outer Piedmont Acidic Seepage Swamp, a globally rare wetland type which cannot be replaced, making mitigation using acres for acres meaningless.

### **INCONSISTENT WITH COMPREHENSIVE PLAN AND CHESAPEAKE BAY PRESERVATION ORDINANCE**

The environmental harms caused by this project are inconsistent with the objectives and policies of Fairfax County’s Comprehensive Plan for Transportation, including:

Objective 7, Policy a: Plan and design transportation facilities and services to minimize adverse impacts on Environmental Quality Corridors (EQCs), Resource Protection Areas (RPAs), other environmental resources, and heritage resources.

Policy e: Apply best practices for walkable communities, pedestrian and bicycle planning, quality of life, and ecological preservation.

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<sup>2</sup>Light Pollution Is Altering Plant and Animal Behaviour, <https://phys.org/news/2018-03-pollution-animal-behaviour.html> ; Light Pollution Effects on Wildlife and Ecosystems, <https://www.darksky.org/light-pollution/wildlife/>; Light Pollution Can Harm Wildlife, [https://darksky.org/wp-content/uploads/bsk-pdf-manager/Wildlife-Brochure-FINAL2\\_32.pdf](https://darksky.org/wp-content/uploads/bsk-pdf-manager/Wildlife-Brochure-FINAL2_32.pdf) ; Light Pollution Harms the Environment, <http://cescos.fau.edu/observatory/lightpol-environ.html>; The Vanishing Night: Light Pollution Threatens Ecosystems, <https://www.the-scientist.com/features/the-vanishing-night--light-pollution-threatens-ecosystems-64803>; Animals Need the Dark, [https://www.nps.gov/articles/nocturnal\\_earthnight.htm](https://www.nps.gov/articles/nocturnal_earthnight.htm); Light Pollution Is Bad for Humans but May Be Even Worse for Animals, <https://theconversation.com/light-pollution-is-bad-for-humans-but-may-be-even-worse-for-animals-31144>.

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The very best practice for ecological preservation is to leave the RPA undisturbed and undeveloped.

Resource Protection Areas are protected by the Chesapeake Bay Preservation Ordinance (CBPO), which exempts certain activities from its provisions. Bike trails or bikeways are not among them. Exempted activities include “electric, natural gas, fiber-optic and telephone transmission lines, railroads, and public roads and their appurtenant structures” (Section 118-5-2 (a)). Moreover, “the exemption of public roads is further conditioned on the optimization of the road alignment and design, consistent with other applicable requirements, to prevent or otherwise minimize encroachment in the Resource Protection Area and adverse effects on water quality.” The CBPO also exempts public facilities (“pumping stations, natural gas lines, underground telecommunications and cable television lines and appurtenant structures”) but provides that, “To the degree possible, the location of utilities and facilities shall be outside RPAs.” (Section 118-5-2 (b)). (emphases added)

### ALTERNATIVE ALIGNMENTS

The county’s selection of an environmentally destructive route directly through a high-quality forested wetland is all the more difficult to justify because there appear to be numerous alternative routes.

- The Friends of Accotink Creek have suggested several on-street alternatives—see [map](#).
- There is an existing major trail connector at the end of Crestleigh Way through Amberleigh neighborhood on the southeast side of the stream which, if utilized, would eliminate a crossing of Long Branch.
- Another possible route runs beside the railroad just northwest and parallel to the proposed route, directly from Newington Road to Franconia-Springfield Metro Station and well away from the floodplain and wetlands. The railroad property, 120-215 feet wide, is already disturbed and degraded land, so co-locating the bikeway there would minimize environmental harm. There are many such rails-with-trails (see [list](#)) including local examples, such as the Burke VRE trail and the Potomac Yard trail.
- If for some reason it is deemed critical to put a connector through the Long Branch South stream valley, two alternative alignments (shown on [slides](#)) through already disturbed areas would significantly reduce the environmental impact compared to the proposed alignment:
  - One alternate route would avoid wetlands and route the bikeway through degraded woods out of the active floodplain, and use a dam and neighborhood access to an existing trail.
  - A second would avoid wetlands and use an old house site and railroad access road.
- The county should realign the Cinder Road portion of the bikeway from the east to the west side of the street to reduce buffer loss and impacts on the stream. In a May 10 presentation, the county presenter justified the eastward alignment as minimizing the number of business entrances that cross the bikeway, but the plan includes numerous planned entrances, so this excuse rings hollow.

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We note that any of these alternative alignments would likely prove less expensive than the current \$14 million project cost. The current alignment includes two long and expensive bridges, intended to mitigate some of the worst of the environmental damage this project will cause. Those bridges would be unnecessary if the bikeway avoided wetlands and sensitive habitat.

Contrary to the Comprehensive Plan and the CBPO, the county appears to have selected a route for this bikeway that maximizes rather than minimizes adverse environmental impacts. We urge the county to be faithful to policies it established in the Comprehensive Plan, and design this bikeway “to minimize adverse impacts on Environmental Quality Corridors [and] Resource Protection Areas” and “apply best practices for... ecological preservation.” We urge the county to follow the law and optimize alignment and design of the proposed bikeway to “prevent or . . . minimize encroachment in the Resource Protection Area and adverse effects on water quality,” as required by the CBPO.

A different route should be selected in order to protect wildlife, natural resources, and the Chesapeake Bay, as well as support bicycle commuting near, but not in, this ecologically significant wetland with important bird and wildlife habitat. We also urge the county to acquire conservation easements over the remaining wetlands in the corridor, particularly the seepage wetlands on the northwest side of the stream between Long Branch South and the railroad.

We are concerned that environmental impacts, and the law, appear to have been largely ignored in the process of planning and developing this bikeway. Fairfax County should conduct biological inventories and evaluate environmental impacts before siting projects in environmentally protected areas, and should include the entire community, including people concerned about environmental impacts, in the planning process.

**Please reject the proposed alignment of the Cinder Bed Road Bikeway.**

Sincerely,



Tom Blackburn  
President



Betsy Martin  
Advocacy Committee

Cc:

Jeffrey McKay, Chair, Board of Supervisors, [chairman@fairfaxcounty.gov](mailto:chairman@fairfaxcounty.gov)  
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