



December 20, 2024

Lauren Delmare
Active Transportation Program Manager
Fairfax County Department of Transportation

Re: Draft Active Transportation and Trail Network Map

Dear Ms. Delmare:

We write on behalf of the 5,000 members of the Northern Virginia Bird Alliance (formerly the Audubon Society of Northern Virginia) with respect to the draft Active Transportation and Trail Network Map.

We enthusiastically support the goals and objectives of the ActiveFairfax Plan, as we did in comments we submitted in 2021. Improving Fairfax County's active transportation network can improve the quality of life and health of its residents and will expand alternatives to commuting via car and thus reduce carbon emissions. The emphasis on steps to improve pedestrian and cyclist safety is welcome and much-needed.

Natural areas and particularly Resource Protection Areas, should be given greater protection.

Nonetheless, we remain concerned that environmental protections for future bicycle trails are insufficient. Bike trails are categorically excluded from the environmental protections offered by NEPA and largely exempt (as passive recreation) from Resource Protection Area protections under Section 118-5-3 of the Chesapeake Bay Preservation Ordinance. Moreover, boardwalks, pathways, and paved paths are permitted within RPAs, with the caveat that they should be outside the RPA "to the extent possible." In the past FCDOT has planned destructive trails through sensitive environmental areas without regard for the natural resources present, such as the rare acidic seepage swamps (designated by the Virginia Natural Heritage program as the Newington Conservation Area) through which it plans to build the Cinder Bed Road Bikeway. Destroying environmentally sensitive areas that provide crucial ecosystem services, including absorbing stormwater and mitigating effects of climate change, undercuts the claim that building more trails supports Fairfax County's environmental goals.

The exemption of bicycle trails from environmental laws has become more problematic because trail-building standards have changed: trails are wider, and the standards required to make them ADA-compliant make them more environmentally damaging.

Protection of Sensitive Areas Should be Explicit in the Plan. Because the law does not sufficiently protect sensitive areas from the environmental impacts of trails, protections should be

explicitly built into the plan and the process itself. The plan includes Objective 5.2: “Follow best practices in protecting, preserving and restoring environmentally sensitive areas and natural habitats during planning, design, construction and maintenance of active transportation facilities...” but does not spell out how this laudable objective will be achieved. We believe that changes in the trail-planning and approval process, and changes in priorities, are called for.

FCDOT should hold a public hearing on any trail planned through RPAs or EQCs before proceeding to the design stage. In the past, the process apparently worked something like this: with input from biking advocates and district offices, FCDOT draws lines representing proposed trails on a map, then submits the map for BOS approval. In the past, FCDOT has not done, and the BOS has not required, any environmental assessments of individual trails before approving the map. With BOS approval in hand, any trails on the map are fair game, if FCDOT has or can get the funds to build them. There are no public hearings for individual trails that might surface environmental issues, although there may be a public information meeting late in the design process (as was the case for the Cinder Bed Road Bikeway). Of course, FCDOT must still get various required environmental approvals (NEPA, if federal funds are involved), but these are treated as box-checking exercises.

FCDOT may have taken steps to screen the trails included in the ActiveFairfax map. According to an email from Nicole Wynands, “All proposed trail routes through open space were screened for potential impacts to sensitive environments and any routes that could affect environmentally sensitive areas were removed from the draft plan.” We have learned that this screening was done by FCPA and DPWES, but we do not know what criteria they applied, and which trails were removed or rerouted. Also, there was no public input during this process. The lack of transparency and the lack documentation of what was done do not leave us confident that this step is sufficiently protective.

FCDOT should make better environmental protections an explicit part of the ActiveFairfax Plan. We ask the Board of Supervisors to require FCDOT to adopt better environmental protections as part of the ActiveFairfax plan. The ActiveFairfax plan should:

1. Place a higher priority on (and commit more funding toward) maintaining current trails, and work with VDOT to develop a process to assign maintenance responsibility for VDOT trails.
2. Route new trails through already disturbed and degraded habitat, and away from natural habitat, wherever possible.
3. Before proposing bicycle trails through undisturbed natural areas, the natural resources present should be inventoried. An evaluation of possible alternative routes that do not harm natural areas should be conducted. If approved, trail alignments through natural areas should minimize impacts, and remediation and invasive management plans should be implemented.

We recommend that the Board of Supervisors consider policy changes to rationalize the trail planning process, set higher environmental standards, and avoid destruction of environmentally sensitive areas. For example, the county could consider adopting the following policies:

- That any trail planned through an RPA or EQC must have additional environmental review and public notice and a public hearing before final approval of any such alignment by the Board of Supervisors.

- That bicycle trails funded through FCDOT will no longer receive the "passive recreation" exemption under CBPO. The rationale would be that CBPO envisioned much lower-impact passive recreational facilities (e.g., picnic tables and benches), not bicycle trails built to current standards. Bicycle trails are no longer low-impact: FCDOT does not build natural surface trails anymore or trails narrower than 8'. Hence, they should be treated as public roads under CBPO, which would require FCDOT to try to align them outside of RPAs.
- The county could request FCDOT to review methods for assessing the demand for trails that could become the basis for selecting those with the greatest benefit, thus helping to rationalize the trail planning process. It could request a more rigorous assessment of costs before final approval is given to new trails, including costs due to losses of mature trees, impacts to water quality, and other environmental impacts, as well as a cost comparison of building a new trail versus maintaining an existing one that, with maintenance, could meet the demand.

We have attached our draft criteria for new and expanded bike trails. The Northern Virginia Bird Alliance has adopted the attached criteria to guide our decisions about whether we will support or oppose any particular proposed trail. Hopefully, those criteria will be useful as Fairfax County plans future bike trails.

Respectfully,



Tom Blackburn
Advocacy Committee Chair
Northern Virginia Bird Alliance

/s/

Elizabeth Martin
Advocacy Committee Member
Northern Virginia Bird Alliance

Cc: Fairfax County Board of Supervisors
Nicole Wynands, Active Transportation Planner IV