

A96 Dualling Programme

Strategic Environmental Assessment Tier 2 Environmental Report

Appendix A - Response to Consultation Authority Comments
on the Tier 2 Scoping Report

May 2015

Appendix A – Response to Consultation Authority Comments on Tier 2 Scoping Report

This appendix provides a full response to comments made by the SEA Consultation Authorities in January 2015 on the Tier 2 Scoping Report and includes comments subsequently made by SNH and SEPA following a meeting held with the Consultation Authorities in February 2015.

A96 Dualling SEA Scoping Report – Consultee Feedback	SEA Comment
SNH	
General comments	
<p>Our main comments on the scope and level of detail to be included in the Tier 2 Environmental Report (ER) and on the duration of the proposed consultation period are set out below. Please refer to the attached annex for our further detailed comments.</p>	Noted with thanks.
Assessment method and level of detail	
<p>We understand that the A96 dualling project presents substantial challenges for the application of SEA at Tier 2 level, not least that route alignment is assessed as a number of options at this stage.</p>	Noted.
<p>Nonetheless we have some concerns about the assessment methods and level of detail proposed in the scoping report, along with the scope of the assessment including considerations of cumulative effects and mitigation measures. We advise that the ER should contain a sufficient level of detail to allow a full and transparent assessment of impacts and their significance and request further information on these aspects ahead of the production of the Tier 2 ER.</p>	<p>Noted. Further correspondence has been held between the Consultation Authorities, Transport Scotland and CH2MHill including provision of a worked example which set out in more detail the proposed methodology for the options assessment. This was followed up with a meeting with the CAs on 5.02.15 and responses are provided later in this table in response to the communication received from SNH following this meeting.</p>
<p>Our comments are intended to assist in increasing the SEA's focus and accuracy of assessment and ensuring that the SEA meaningfully predicts potential significant environmental effects at this stage of the process.</p>	<p>Noted, further development of the methodology has been undertaken (as above) and specific responses on methodological points are addressed below.</p>
<p>We note that the scoping report does not reproduce some information contained in other reports such as the A96 Tier 1 ER. While we appreciate the reasons for this at the scoping report stage, we consider that it is important that the Tier 2 ER should be capable of being read as a stand-alone document and should clearly show the assessment findings without the need to refer to other documents.</p>	<p>The Tier 2 ER has been prepared as a stand alone report and all relevant background material and assessment findings have been incorporated within this document. This includes an overview of the Tier 1 process and its findings and how it links with Tier 2.</p>
Environmental baseline	
<p>We are generally in agreement with the content of the environmental baseline constraints section of the scoping report.</p>	Noted with thanks.
<p>As per our comments to you in relation to the Tier 1 ER, we recommend that you refer to the "Scotland's soils" website for further detailed baseline information: http://www.soils-scotland.gov.uk. This provides a 1:250,000 National Soil Map produced by the Soil Survey of Scotland which categorises the carbon richness of the 580 soil mapping units of the map.</p>	<p>Noted. The soils data incorporating carbon richness have been included as an additional soils criteria for the Tier 2 assessments.</p>
<p>While none of the route options to be assessed are likely to significantly affect the setting of any wild land areas, we recommend that wild land areas datasets are included in table 3.1 for completeness of nationally important landscape data. We suggest the following two maps: SNH map - wild land areas 2014 http://www.snh.gov.uk/docs/A1323225.pdf SNH map 5 - relative wildness of Scotland 2014 http://www.snh.gov.uk/docs/A1323310.pdf</p>	<p>Noted. As discussed and agreed at the meeting on 5.02.15 with the Consultation Authorities, wildness factors have been captured as an inherent part of the landscape appraisal. Further information on the development of landscape character and sensitivity for the SEA is presented in Appendix G of this Tier 2 Environmental Report.</p>
Policies, plans and strategies review	
<p>We agree with the list of policies, plans and strategies in the scoping report which will be added to those given in the Tier 1 ER to give a full list for consideration in the Tier 2 ER.</p>	Noted with thanks.
Preliminary Engineering Services (PES) strategies	
<p>We support the approach to develop route wide strategies to address themes such as those given in the scoping report (page 27) and we note that the report states that the Tier 2 ER will include a commentary on the use of these strategies at later stages of the dualling project.</p>	Noted with thanks.
<p>However, as per our comments in the attached annex, we consider that some of these themes, for example junctions and laybys/rest areas, are in themselves of such a scale that they should be more fully incorporated into the SEA of the dualling project.</p>	<p>Specific responses on each point in the annex are presented lower down in this table. The strategic nature of the PES work to date does not allow for any definition of junction and rest area locations within the options being assessed primarily because within a 2km wide corridor it is not possible to define a junction or rest area location with any accuracy. Nevertheless, the SEA has taken account of junctions and other key road infrastructure in the assessment through:</p> <ul style="list-style-type: none"> • Input to the development of PES Strategies for junctions and rest areas/laybys to help define important issues to be addressed in later stages of the design and assessment process; • Inherently taking account of the potential for environmental effects from junctions and other infrastructure when undertaking the detailed environmental assessments of the options remaining following the PES options sifting; and • Identification of key potential impacts and mitigation measures in the Environmental Report which will provide the basis for more detailed assessment and mitigation of junctions in later stages of design
Consideration of Natura sites	
<p>We note that the Tier 1 ER stated that the strategic Habitats Regulations Assessment (HRA) would be completed ahead of the Tier 2 ER and we welcomed this approach. The scoping report states on page 28 that only the HRA screening report will be completed ahead of the production of the Tier 2 ER.</p>	<p>Noted. Discussions have been held with SNH on the format of the HRA and an HRA Screening was submitted to SNH for review and agreement. This is discussed in Section 5 of the Environmental Report.</p>
<p>The former approach would have ensured the HRA conclusions could have been incorporated in the Tier 2 ER. In the absence of this, we recommend a precautionary approach in that any Natura sites/interests that are screened in for the HRA (i.e. the dualling project resulting in a likely significant effect) should be recorded as having the potential for significant adverse effects in Tier 2 ER.</p>	<p>Noted. The assessment of constraints and effects associated with the Biodiversity topic for each option have taken into account the presence and proximity of Natura sites and their qualifying interests. Where sites have been screened into the HRA the potential for likely significant effects has been recorded.</p>
Consultation period for the Environmental Report	
<p>The scoping report states that the ER will be completed by March 2015 and proposes a consultation period of six weeks. We agree with this proposed timescale.</p>	Noted with thanks.

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We appreciate the constructive ongoing dialogue with you and will be pleased to comment on revised assessment methodology prior to the commencement of this process.	Noted with thanks. Further details of the methodology were circulated and discussed with the CAs during the Tier 2 assessment process.
Annex comments	
Assessment method & level of detail	
<p>The focus on a comparative 'preference' approach between options is understandable and is a sensible way to compare possible significant environmental effects of options (page 20).</p> <p>Notwithstanding this comparative assessment, the ER requires specific consideration of the likely significant effect of each option on the environment, together with identification of short/medium/long term effects, whether they are temporary or permanent, positive or negative and if there are any cumulative and/or synergistic effects.</p>	<p>Noted.</p> <p>Noted. The assessment matrices have been developed to capture the potential effects of each option and to comment on significance as far as possible given the very wide options areas being considered. The focus of the assessment is on comparative assessment therefore predicted effects are typically permanent and medium/long term since short term and temporary effects will typically not vary between options at the level of detail of this assessment.</p> <p>The potential for synergistic and cumulative effects is also addressed in a specific section in the ER (see Section 7).</p>
<p>We note that in appendix A (A-1) your response to our earlier request for this inclusion in the Tier 2 SEA is that it is not possible to assess this since the Tier 2 assessment is a high level comparison in alternative corridors and without specific alignment details.</p> <p>While we understand that the route corridor selection is at a high level stage we refer to a similar process carried out for the A9 at this level as an example of good practice, and where these elements were assessed.</p> <p>These considerations are set out in Schedule 3 "Information for Environmental Reports" of the Environmental Assessment (Scotland) Act 2005 and we recommend they are assessed in the ER.</p>	<p>We understand this point but consider that the A9 Dualling SEA is not directly comparable since this assessment was focused on very much narrower option corridors (200m rather than 2km for A96) where more specific assessments of potential effects could be made. The methodology of the A96 SEA has been adapted as far as possible to accommodate the points made, and in recognition of the requirements of the Act, but also in taking account of Section 14 of the Act which includes reference to the level of detail of the programme and the stage of the programme in the decision making process.</p>
<p>The scoping report states that detailed data capture tables will not be included in the Tier 2 ER though they will be available to consultation authorities (page 19).</p> <p>We understand that the complex nature of the dualling project means that these tables will be lengthy and potentially complicated.</p> <p>However, we recommend they are included as an appendix of the ER so they are publically available and contribute to a more transparent assessment process.</p>	<p>We understand this point and have included data capture tables within the ER. These are included in the first set of detailed assessment matrices in Appendix H (Data Capture and Constraints Analysis Tables).</p>
<p>Tables 3.3 and 3.4 (pages 20 & 21) illustrate indicative assessment matrices.</p> <p>As presented in the scoping report, we consider that they do not provide sufficient level of detail for a meaningful assessment.</p> <p>It may be that additional detail will be given in the data capture tables mentioned above and we would appreciate further clarification of this.</p>	<p>Noted and understood. The assessment matrices for the assessment of options at Tier 2 was developed in more detail post scoping and the relevant assessment tables are included in Appendix H, I and J of this Tier 2 ER.</p>
<p>We refer to the detailed assessment matrices (DAMs) provided in appendix C of the A9 dualling SEA ER – these detail the individual constraints (for example SSSIs, ancient woodland) under SEA topic headings and consider the significant environmental impacts of each.</p> <p>We recommend that this approach and level of detail is adopted for the A96 Tier 2 ER in order to give meaningful assessments. We would be pleased to comment on revised example templates.</p>	<p>Noted. Whilst we don't consider that the same approach or level of detail as was used for the A9 dualling SEA is applicable for the A96 dualling programme (please see earlier responses), we have adopted some of the formats used for the A9 tables in development of the assessment matrices which have been used in this Tier 2 ER.</p>
<p>Appendix C of the A9 dualling SEA ER also set out definition of scales of significance (1.2.2) and thresholds of significance by SEA topic (1.2.4).</p> <p>In our response to your consultation on this ER, we stated that we found this an excellent way of presenting an assessment of impacts and we also recommend that this good practice is repeated for the A96 Tier 2 ER.</p>	<p>As noted above, the A96 SEAs is much more strategic than the A9 and we don't consider it appropriate to apply detailed definitions and scales of significance given the uncertainty involved in predicting effects within 2km wide corridors. The Tier 2 assessment approach has been developed to follow key criteria on sensitivity and risk of impact and where possible commentary is provided on the potential for significant effects (for example where, within a 2km wide study area, there is significant presence of important constraints/designations which could clearly not be avoided by the road dualling proposals).</p>
<p>Table 3.4 (page 21) illustrates the matrix that will be used to compare environmental constraints between options.</p> <p>We request clarification as to why option B (south) is a 'reference' case for SEA comparison of other broad alternative options (appendix C).</p>	<p>Option B (south) is not proposed as a reference case for SEA comparison of options. The approach has appraised each corridor option with other relevant options for the equivalent stretch of the corridor. Option B however is the only option which (including a number of variant sub-options around towns) extends the full length of the corridor therefore it features in all of the option comparisons.</p>
Scope of the assessment	
We agree with the SEA topic headings scoped in or out, as per table 3.5 (page 23).	Noted with thanks.
<p>We consider that table 3.6 (page 24 & 25) does not contain sufficient detail in places.</p> <p>The application of the environmental constraint/criteria in the assessment process is not given, for example there is no indication whether or not specific constraints such as Natura sites, SSSIs or ancient woodland will be assessed individually.</p> <p>Please refer to our comment above on our recommendation for the detail required in assessment matrices.</p>	<p>Noted. The assessment matrices were developed in more detail following scoping (as described above) and capture constraint information for each of the environmental topics and their constituent criteria and for each option.</p>
<p>Under topic heading "biodiversity", we consider that protected species should be listed as a specific environmental constraint/criteria, although we recognise that there will be difficulties in assessing impacts on specific species, given the level of detail available on route etc. at this stage.</p>	<p>Noted. As agreed at the meeting with Consultation Authorities on 5.02.15, it was agreed that gathering and appraising protected species data across 2km wide corridor study areas would not be practical therefore protected species has not been incorporated specifically into the SEA criteria set.</p>
<p>Under topic heading "population & human health", we advise that the constraint/ criteria "core paths" should be expanded to include identification and assessment of national and regional access routes (even if they are in themselves core paths) as this will help to assess significance of impacts.</p>	<p>Noted. National and regional access routes, trails etc have been included in the appraisal criteria for the Tier 2 detailed assessments.</p>
<p>Under topic heading "landscape", we note the use of the terms landscape character types and landscape character areas.</p> <p>To aid clarity, we advise that reference is made to broad areas/types of landscape character (as usefully featured on the landscape map in appendix G) to differentiate between this level of detail and a more regional scale of assessment relevant to subsequent stages of the project.</p>	<p>Noted. Landscape character has been considered in more detail as part of the development of the landscape review for the A96 corridor which has been used to support the detailed assessment of PES options in Tier 2 SEA. Further details are presented in Landscape Review in Appendix G.</p>
<p>We recommend that a criterion of woodland character is added to general landscape descriptions as outlined in table 3.6 as part of the landscape review detailed in bullet point 3.</p> <p>This could take cognisance of, for example, woodland type (plantation, copse etc.) and species composition (non-native, riparian etc.).</p> <p>Since woodland is an important landscape characteristic and varies considerably along the Inverness-Aberdeen corridor, this will give a fuller understanding of this aspect and aid the development of design principles and effective mitigation.</p> <p>This would complement the other topics being considered (for example water, landform and visibility) at this stage and level of assessment.</p>	<p>Noted. The landscape assessment has incorporated woodland character as one of the key criteria as discussed and agreed at the meeting with the Consultation Authorities on 5.02.15. Further details are presented Landscape Review in Appendix G</p>

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We note the inclusion of indicative landscape sensitivity which is to be developed but we are not clear from the scoping report how this will be done and the timescale of such work.	Noted. Landscape sensitivity has been derived for each improvement strategy option drawing on the review of constraints and characterisation of the landscape baseline throughout the corridor and drawing on recognised criteria for defining sensitivity. Further details are presented in the Landscape Review in Appendix G.
We do not consider that green belts or tree preservation orders are landscape data, as per table 3.1 and question the usefulness in identifying significant environmental effects.	Noted. These suggested criteria have not been adopted for the Tier 2 options assessments.
<p>The assessment method set out in the scoping report focusses on route options; there appears to be no assessment proposed of ancillary works such as junctions and laybys/rest areas.</p> <p>While we understand the complex nature of the project, where four route options are being considered at this stage, we nonetheless consider that ancillary works which have the potential to result in significant environmental effects should be assessed within the Tier 2 ER.</p>	<p>The strategic nature of the PES work to date does not allow for any definition of junction and rest area locations within the options being assessed primarily because within a 2km wide corridor it is not possible to define a junction or rest area location with any accuracy. Nevertheless, the SEA has taken account of junctions and other key road infrastructure in the assessment through:</p> <ul style="list-style-type: none"> • Input to the development of PES Strategies for junctions, rest areas and laybys to help define important issues to be addressed in later stages of the design and assessment process; • Inherently taking account of the potential for environmental effects from junctions and other road infrastructure when undertaking the detailed environmental assessments of the options remaining following the PES options sifting; and • Identification of key potential impacts and mitigation measures in the Environmental Report which will provide the basis for more detailed assessment and mitigation of junctions in later stages of design
<p>Cumulative assessment</p> <p>We note the intention to consider cumulative effects in the ER.</p> <p>We advise that this should be at sufficient level of detail to help inform route option selection.</p> <p>An assessment of secondary and synergistic effects should also be included, along with mitigation measures to avoid or mitigate significant negative effects. We suggest that other programmes/plans relevant to this section may include the Aberdeen Western Peripheral Route and major transmission projects.</p>	<p>The SEA methodology has been updated to allow for a high level assessment of cumulative effects. This is based on a review of the potential for Option B (which extends the full length of the corridor) to interact cumulatively with other key programmes and to consider each of the main alternative options in turn to determine any material difference in their potential for significant cumulative effects.</p> <p>The assessment matrices have recorded secondary, indirect and synergistic effects wherever the sensitivity of the level of assessment adopted allows for this.</p> <p>The Aberdeen Western Peripheral Route is a committed plan now under construction so this has been included within the 'do minimum' for the cumulative effects assessment rather than one of the potential programmes which could give rise to cumulative effects.</p>
<p>Mitigation & monitoring</p>	
<p>The scoping report states in 3.5.2 (page 26) that the ER "will set out the basis for mitigation priorities for future stages of design and assessment work".</p> <p>Appendix A states that the ER "will set out key design and mitigation principles to inform later, more detailed stages of A96 dualling". It is not clear if these are the same or if either will include an indication of mitigation measures.</p>	<p>These statements are the same, key mitigation measures have been outlined out in Section 8 of this Tier 2 ER. These have been developed as far as possible to provide detail for example on indicative measures for key elements of scheme infrastructure including junctions.</p>
<p>Schedule 3 of the Environmental Assessment (Scotland) Act 2005 specifies that the ER should include "measures envisaged to prevent, reduce and as fully as possible offset any significant environmental effects on the environment of implementing the plan or programme."</p> <p>The mitigation should clearly link to the specific environmental effects identified through the assessment and we recommend that proposed mitigation is included in the assessment tables and follows on from the identification of environmental effects.</p>	<p>As far as the level of detail of the assessment approach has allowed, the potential for mitigation has been set out in the assessment matrices as specifically as possible (particularly in the option specific matrices presented in Appendix J The high level nature of the SEA necessarily means that outline mitigation is established at this stage and specific measures are more appropriate to later stages of corridor option assessment (ie DMRB Stage 2) when narrower corridors will allow for more specific impact prediction and evaluation. The focus and principles for mitigation and how these will be taken forward to later stages of design and assessment is discussed in Chapter 8 of the Tier 2 Environmental Report.</p>
<p>We again refer to the good practice in the detailed assessment matrices used in the A9 ER, which included a column on mitigation or other action required and a column including commentary on proposed mitigation or enhancement measures.</p>	<p>Please see comment above on mitigation and earlier in the table on the difference between the A9 and A96 SEA approaches.</p>
<p>Further Comments in Letter Dated 11 February 2015 (following meeting held with Consultation Authorities on 5 February)</p>	
<p>Following our discussion in the meeting we welcome the proposed re-presentation of the assessment data so that the detailed assessment findings are presented as options as well as through the route sections.</p> <p>We also support the worked example assessment table addressing individual constraints separately under SEA topics eg biodiversity, flora and fauna, includes specific consideration of SSSIs, Natura sites, AWI etc.</p> <p>You tabled an options comparison matrix (table 1) in the meeting and we expressed concern about losing the specifics of the assessment through the 'composite summaries' proposed.</p>	<p>Noted. Following our meeting we have prepared detailed assessment matrices which capture the constraints and predicted effects for each key option at the detailed stage of the SEA. These are presented in the tables in Appendix J and in summarised form in Section 6 of the ER.</p> <p>Noted with thanks.</p> <p>Noted. Detailed assessment matrices have been prepared to present the findings of the appraisals for each key option at the detailed stage of the SEA and these are included in Appendix J of this Tier 2 ER.</p>
<p>In our meeting we also referred to Annex 1 of the worked example and the tables 'defining level of constraint' and 'defining potential risk/magnitude of effect'. We felt that these were too generic and had recommended the format of the tables included in the A9 SEA were followed (as provided in the Detailed Assessment Matrices, Appendix C of the A9 ER). In discussion we understand that you feel the assessment is at too high a level to be able to use these.</p>	<p>As commented previously in the appendix, the A9 SEA approach allowed for a more detailed assessment of impacts and significance than is possible for the A96 SEA which is different in approach and character. Whilst the tables defined to support assessment of A96 options are higher level than their equivalents from the A9 work they are bespoke to this assessment and were developed to fit with the format of the detailed assessment matrices which capture the assessment of each option.</p>
<p>We note the high level of the assessment proposed, which will be a 2km wide zone for each route alternative proposed, and mapping of environmental constraints within this and accompanying commentary. We feel that, at such a high level, the assessment will be of limited value and it will be important to put down a marker to indicate where further detailed assessment will be carried out and mitigation measures identified.</p>	<p>It is important to note that the SEA has followed a tiered process and that its value across Tier 1 and Tier 2 has been to inform the strategic business case for the A96 dualling programme and to input to the sifting of a large number of potential improvement strategy options to a much reduced number for subsequent development in the next design stages of the work. The discussions we have held with the Consultation Authorities on the level of detail of assessment are therefore only in the context of the latter ('detailed assessment') part of the Tier 2 SEA which has been focused on providing greater depth of understanding of the degree of environmental constraint in the remaining options. We have therefore drafted the Tier 2 Environmental Report to ensure that it captures the value of the SEA across the whole process.</p>
<p>Although we had requested consideration of short/medium/long term effects, temporary/synergistic effects, mitigation etc we are not confident these would be especially meaningful at this high level of assessment.</p> <p>You also confirmed that this level of assessment cannot include assessment of any ancillary route works such as new access roads and junctions, as without a narrower route alignment it is impossible to</p>	<p>Noted. As we commented previously different types of effects have been identified where possible within the assessment matrices for the detailed assessment of sifted PES options. The focus of the assessment has been on medium and long term effects (typically those associated with permanent development and operational use of the road) to provide clarity in</p>

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suggest where these might be located.	<p>differentiating between potential effects of each option.</p> <p>Temporary effects would typically be similar regardless of option and these have not been assessed in detail as they were not considered to contribute to meaningful distinction of options. Synergistic effects have been considered as part of the cumulative assessment reported in Chapter 7 of the Environmental Report. Mitigation is discussed in Chapter 8.</p> <p>Junctions and ancillary road works have not been assessed in terms of specific locations but they have been considered in the assessment in a number of ways as highlighted in earlier responses in this appendix table.</p>
<p>We recommended further assessment based on a 200m corridor when this stage is reached. We acknowledge the discussion in the meeting in relation to the complexity of the route option assessment for the A96, but, as assessment at 200m corridor level will be carried out at the later DMRB2, we feel this could be possible for route options. If it is decided to rest on the currently proposed level of assessment, the reasons for this decision should be fully documented in the ER. As you are aware it is important that the process to the final route line selection is transparent and provides sufficient detail to illustrate how the subsequent environmental assessment of the refined options is taken forward beyond this SEA.</p>	<p>Noted. The SEA for the A96 has followed a tiered process to ensure that environmental assessment has been undertaken throughout the 'programme'. At Tier 2, the SEA has followed two key stages, the first to support sifting of a long list of improvement strategy options and then to consider the remaining (sifted) options in greater detail to provide a clear commentary on the potential constraints of the remaining options. All the SEA work has been carried out in step with Transport Scotland's Preliminary Engineering Services (PES) commission so that environmental issues have informed options sifting, the DMRB Stage 1 report and related workstreams including inputs to development of early strategy papers on junctions, rest areas and NMUs.</p> <p>All the PES and SEA work has been based on improvement strategy options defined at 2km width. This has been necessary to encompass a sufficiently broad study area in which to consider all potential future road alignments and to avoid prematurely blighting any properties or communities as a result of published information on corridor options.</p> <p>Assessment of corridors at a narrower width (such as 200m width) will be undertaken following all relevant engineering and environmental criteria as part of the DMRB Stage 2 process. This work would not remain part of the SEA because it is the start of the project level assessment of more detailed corridor options and alignments. It is also possible that the design and assessment commissions for such work would be let by Transport Scotland in a sectional manner for example starting Stage 2 work in one or more specific, but not necessarily linked, locations (hence the strategic work done for the SEA could not be continued for the whole corridor from Inverness to Aberdeen).</p> <p>Consideration of route options at a project level is an established approach and provides continuity from the high level programme nature of the SEA to the more detailed understanding and assessment of remaining narrower corridors as part of DMRB Stage 2. All corridor options considered in DMRB Stage 2 would be subject to a thorough and comprehensive level of environmental assessment.</p>
Historic Scotland	
General comments	
Scope of assessment and level of detail	
I note and welcome that the historic environment is to be scoped into the assessment and am generally content to agree with the proposed approach to the assessment.	Noted with thanks.
I do have a number of comments on the detail and approach to the assessment which can be found in an annex to this response.	Noted. Points discussed under relevant following rows.
Consultation period for the Environmental Report	
I note that it is proposed that the programme and environmental report be out for a consultation of 6 weeks. I can confirm that I am content with the consultation period proposed.	Noted with thanks.
Detailed comments	
Environmental Baseline	
I welcome the environmental baseline for the historic environment against which the proposals can be assessed in detail.	Noted with thanks.
Policies, Plans and Strategies Review	
<p>I welcome the inclusion of the relevant strategies and guidance for the historic environment.</p> <p>However, it should be noted that of particular relevance will be the Managing Change Guidance note on setting which should be referred to when considering the potential impact of the proposed works on the setting of assets within the option corridors.</p> <p>This guidance note can be found at http://www.historic-scotland.gov.uk/setting-2.pdf</p>	<p>Noted with thanks.</p> <p>This guidance will be included in the PPS review and used where applicable in the assessment.</p>
Assessment Method for Tier 2 SEA	
<p>My understanding from the scoping report is that the assessment will be a two level approach.</p> <p>The first level will assess the environmental effects of the eight route sections.</p> <p>The second level will take the findings of this assessment and use this output to compare options against each other to identify differences in the level of effect on the environmental constraints.</p> <p>However, a comparative analysis is reliant on an understanding of the specific environmental effects of each option to be compared.</p> <p>As noted in the scoping report the assessments of individual options are the building blocks of the comparative assessment and it is therefore at this level that the detailed effects should be assessed and reported.</p> <p>It is therefore important that this assessment is not a quantitative assessment but a detailed assessment of the likely effects on the historic environment assets.</p> <p>While noting that specific alignments within route corridors are understandably not available at this stage it will still be possible to make a judgement of effect against sites within the corridor, be it the potential for direct effects or setting impacts.</p>	<p>Noted. A section by section set of assessment matrices (see Appendix I) has been prepared to capture key constraint and sensitivity information. These have informed the assessment of each option then presented in the matrices in Appendix J.</p> <p>Agreed. The assessment matrices were developed in more detail following CA scoping responses to allow for a clear understanding of the constraints and potential effects for each option to underpin the comparative appraisals then presented in the options assessment tables (Appendix J).</p> <p>The analysis of constraints draws on both quantitative data (mainly GIS extracts such as numbers and areas of designated sites) together with informed qualitative commentary on their implications for the sensitivity of each option area and the potential risk of impacts on key assets. Where possible the assessment has incorporated commentary on the risk of both direct effects on assets and on indirect effects such as setting on the more important sites (including those which may be outwith but close to the study areas).</p>
In light of the above comments you may wish to consider the structure of your assessment tables that are intended to report this as the current structure may not allow the required detail.	Note. See comments above.
Table 3-6 Tier 2 SEA Criteria and Approach Framework	
<p>To note that the number/density of historic environment assets does not equate to greater or lesser significance.</p> <p>I would expect the assessment to consider the likely environmental effects on the assets within the study area, showing an understanding of the sensitivities of these sites to impact from the proposed works, directly or indirectly.</p>	Noted with thanks. The assessment approach has first defined constraints and sensitivity of each option study area and used this understanding to inform a high level assessment of the risk of impacts on heritage assets, direct and indirect.
Mitigation and Monitoring	

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<p>While noting that, due to the absence of specific alignments, it is challenging to bring forward specifically defined mitigation.</p> <p>However, it will be important that the assessment process at this level at the least considers the potential for mitigation.</p> <p>In light of this I welcome that the ER will set out mitigation priorities for future stages of the programme.</p> <p>It will be beneficial for this assessment to consider the appropriateness of the identified mitigation as the extent to which any identified effect can be mitigated could have a bearing on the deliverability of the option.</p>	<p>Noted.</p> <p>The potential for mitigation has been considered wherever possible and captured in the detailed assessment matrices (see Appendix I and J). We agree that consideration of impacts and mitigation, albeit at a strategic level, is important in understanding the potentially significant effects of each option and this has been used to inform the narrative in each assessment matrix for the options comparisons.</p> <p>This understanding has also informed the mitigation set out in Section 8 of the ER.</p>
SEPA	
General comments	
<p>Subject to the comments below, we are generally content that the scoping report covers most of the aspects that we would wish to see addressed at this stage.</p> <p>While we have some concerns regarding the proposed assessment we are liaising directly with Transport Scotland for further explanation on this aspect of the ER.</p>	<p>Noted with thanks.</p> <p>Noted. Follow up discussions were held with all the Consultation Authorities in February 2015 to address this point.</p>
Detailed comments	
The A96 Dualling SEA Process	
<p>We note the approach in the Scoping Report not to "reproduce the detailed information on the A96 corridor or the background to the SEA process as reported in the Tier 1 SEA Environmental Report".</p>	Noted.
<p>We also note that "whilst Figure 1-3 shows several options extending to Inverness, DMRB Stage 2 design work (including environmental assessment) on the Inverness to Nairn (including Nairn Bypass) section of the A96 has now determined a preferred option for dualling" which was announced by the Scottish Government in October 2014. "The PES and SEA assessments of the shortlisted options will therefore concentrate on alternatives for A96 dualling between east of Auldearn to Aberdeen."</p>	Noted.
<p>We find this approach acceptable but highlight that where an issue or topic is scoped out the rationale for this should be detailed in the ER to clearly demonstrate that all relevant aspects of the proposal have been addressed within the SEA process.</p>	Noted. The scoping process adopted for the SEA has been described in Section 2.4 of the ER with justification for the scoped out topics.
<p>We have used our previous advice to consider the adequacy of the Scoping Report and as such we found Appendix A – Response to Comments on the Tier 1 Environmental Report very helpful, and thank Halcrow for producing this.</p>	Noted with thanks.
Preliminary Environmental Assessment	
<p>We note that while "Section 2 sets out the approach to, and findings of, the preliminary environmental assessment of improvement strategy options and explains how the assessment was integrated with the overall option sifting process" as "much of this information was previously made available to the Consultation Authorities in March 2014" it is not proposed to revisit this completed work.</p> <p>We agree with this approach but welcome that "the findings will be reported in the Tier 2 Environmental Report".</p>	Noted with thanks. All key aspects of preliminary environmental approach and findings has been included in the Tier 2 SEA ER.
Proposed Approach to Detailed Assessment	
<p>We note that the environmental baseline for the Tier 2 detailed assessment builds on the data already gathered at Tier 1 and welcome that this will be supplemented with additional constraints data.</p> <p>We found the approach of highlighting in red the additional data which has been collated for use in the Tier 2 detailed assessment of the shortlisted options in Table 3-1 very helpful.</p>	Noted with thanks.
<p>It is obvious from the information provided that you are already aware that much of the information we hold is readily available from our website.</p> <p>A copy of our publications list is available at www.sepa.org.uk/access/index.htm.</p> <p>However, if you find difficulty locating anything please contact our Access to Information team (Telephone: 01786 457700 or email dataenquiries@sepa.org.uk).</p> <p>Other sources of data for issues that fall within SEPA's remit are referenced in our Standing Advice for Responsible Authorities on Strategic Environmental Assessment Scoping.</p>	Noted with thanks.
<p>We support the proposals to present mapped and tabulated information on the constraints associated with each of the shortlisted improvement strategy options using a series of GIS overlays in The Tier 2 Environmental Report.</p> <p>We also welcome the consideration of data gaps, difficulties and limitations of the SEA baseline and the guidelines detailed in Section 3.2.2 to address these.</p>	Noted with thanks.
<p>We note the comments, in Appendix A, on our previous advice in regard to significant cuttings and their impact on groundwater and accept the proposal to highlight this issue "in the strategic design and mitigation section of the T2 ER."</p>	Noted with thanks
<p>We have some concerns with the proposed assessment and agree with the points raised by SNH.</p> <p>However we have discussed these with Yvette Sheppard of Transport Scotland and understand some worked examples will be provided prior to the submission of the environmental report.</p> <p>Once the worked examples have been produced we would welcome a meeting to further discuss these and the proposed assessment.</p>	Noted. Further correspondence has been held between the Consultation Authorities, Transport Scotland and CH2Mhill including provision of a worked example which set out in more detail the proposed methodology for the options assessment. This was followed up with a meeting with the CAs on 5.02.15 at which we understood SEPA were content with the assessment approach for the detailed assessment stage of the Tier 2 SEA.
<p>In regard to Section 3.4.2, following our scoping advice in January 2014, we welcome that air quality has been scoped back in.</p>	Noted with thanks.
<p>In regard to monitoring we welcome that further to our previous advice, suggesting "that the same monitoring route as that used for the A9, integrating the post adoption statement into each section of the A9 dualling and the consultants log how they have met each of the SEA recommendations/requirements, is used", it is anticipated a similar approach for the A96 will be adopted.</p>	Noted. Chapter 8 of the Tier 2 Environmental Report sets out the framework for mitigation and monitoring which provides an overview of monitoring proposals for development of the corridor and alignment design and assessment through the remaining DMRB stages and into construction. The SEA provides a high level framework to inform this later work, the detail of which would develop at each subsequent stage.
<p>We note "the monitoring framework will be necessarily strategic in nature".</p> <p>We would reiterate that although not specifically required at this stage, we welcome the early consideration of monitoring requirements to be included in the ER. The chosen indicators (which will be evident in Tier 2 SEA may need to be targeted to monitor the potential environmental effects likely to result from the proposals identified through the assessment process, and as far as possible should establish a clear link between implementation of the scheme and the identified effects to the environment. Wherever possible and appropriate, existing monitoring frameworks and indicators can be used effectively to meet the SEA monitoring requirements.</p>	We have maintained a strategic approach to the monitoring framework to reflect the early stage in programme development of the SEA and that more detailed prediction of effects and therefore appropriate monitoring proposals and indicators will need to follow at later stages. Section 8 of the ER sets out the proposed approach to development of monitoring for the A96 dualling programme and this will be developed in further detail in the Post Adoption Statement for the SEA once we have received feedback from consultees and the public.
Next Steps	
<p>We are satisfied with the proposal for a 6 week consultation period for the ER.</p>	Noted with thanks.
Further Comments in Email Dated 9 February 2015 (following meeting held with Consultation Authorities on 5 February)	

A96 Dualling SEA Scoping Report – Consultee Feedback	SEA Comment
<p>At the meeting Cerian made reference to comments we made on wetlands in the A9 scoping response which might also be useful for the A96. I can confirm this relates to the comments made in section 2.3 of our correspondence of 8 February 2015 to LandSat2007: "In addition the LandSat2007 satellite data is freely available and maybe a useful source of data. It categorises land type into categories such as forestry, urbanised and arable. This could help you usefully screen possible routes against the land which has already been disturbed compared with ecologically sensitive habitats. Obviously options which utilised brownfield land or land already disturbed would be scored more positively compared with routes which would disturb areas not previously developed."</p>	<p>Thank you. Following the meeting we reviewed the LandSat2007 data and a similar data set known as Land Cover (LCM2007). The information presented provides detail on land uses such as woodland, built up areas and agricultural land. Much of the key data required for the agreed SEA criteria has been captured from other data sources however reference has been made to the LandSat/LandCover data where relevant for confirmation of the presence/absence of key features and for information on more sensitive land cover types such as bog and fen/marsh.</p>



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