Appendix 7.1

Response to ESG DMRB Stage 2 Consultation Comments

Contents

Tables

Appendix 7-1 Table 7-1-1: Project 7 - DMRB Stage 3 - Consultation Response Table

Chapter/ paragraph reference	ESG Comment	Response at DMRB stage: Response/ update at Stage 2	Response at DMRB stage: Response/ update at Stage 3
Scottish Environment Protection Agency (SEPA)			
Waste			
Chapters 9 and 18	At present, as no ground investigations have been carried out, the mitigation techniques mentioned seem adequate. Site specific requirements may be imposed depending on the levels and type of contamination found during site investigations. From a waste generation perspective, preventing the generation of the waste (particularly contaminated waste) would be the first option, but it is accepted that this may not be possible. Chapter 9 does state that further ground investigations and mapping of peat is required to enable mitigation measures to be put in place. It also notes that avoidance of construction in areas of peat would be the best form of mitigation, but where not possible reference would be made to the appropriate guidance. The mitigation mentioned in the Chapter 9 includes bunds for storage, removal from site or treatment in-situ which appears acceptable at this stage. We would expect to see further information at Stage 3 of the DMRB process.	Comment acknowledged. As stated here and within Chapter 9 of the DMRB Stage 2 Report, as additional information becomes available through DMRB Stage 3; this will be utilised to present more detail regarding contamination presence, potential risks from this (if any), material management and mitigation options. Also applies to peat presence and mitigation regarding this. No additional specific action considered necessary with regard DMRB Stage 2 Report.	Additional ground investigation (GI) has been undertaken to support the DMRB Stage 3 design development and EIA process with regards to contaminated land, identifying localised areas of made ground, some ground gas and incidental contaminant levels to be present. Soil chemical testing and groundwater chemical testing have also been undertaken and considered in the impact assessment presented in Chapter 10 of the Environmental Statement and associated appendices, where appropriate mitigation measures in relation to materials, their storage and re-use, have also been provided if relevant. Added to the above, extensive peat surveys have also been undertaken to support the DMRB Stage 3 design development and EIA process. During design development, the layout and positioning of infrastructure has avoided or minimised construction in areas of peat as far as is practicable, with Chapter 10 of the Environmental Statement and associated appendices presenting the assessment of impact and relevant mitigation where these have not been avoidable and in accordance with best practice.
	Chapter 18 summarises the information that would be included in a Site Waste Management Plan (SWMP) and Construction Environmental Method Plan (CEMP) which appears acceptable. It is noted that contaminated soils may be stored onsite and reused elsewhere, we would expect suitable mitigation measures to be in place to ensure that no further contamination of other soils takes place. It may be possible to treat contaminated soils on site using a suitably licenced mobile plant for reuse on the site. We refer TS/CFJV to SEPA guidance “Land Remediation and Waste Management Guidelines”. Further mitigation measures should be included alongside the ground investigation at DMRB Stage 3.	Comment acknowledged and agreed. As stated here and within Chapter 9 of the DMRB Stage 2 Report, as additional information becomes available through DMRB Stage 3; this will be utilised to present more detail regarding contamination presence, material management, which we anticipate to be wholly incorporated within a proposed SWMP and CEMP, citing management options and license requirements for these where needed. This additional information will also inform mitigation options further for inclusion at DMRB Stage 3. Reference to SEPA guidance on "Land Remediation and Waste Management" will be undertaken as part of this as a matter of course. No additional specific action considered necessary with regard DMRB Stage 2 Report.	Additional GI has been undertaken to support the DMRB Stage 3 design development and EIA process with regards to contaminated land, identifying localised areas of made ground, some ground gas and incidental contaminant levels to be present. Soil chemical testing and groundwater chemical testing have also been undertaken and considered in the impact assessment presented in Chapter 10 of the Environmental Statement and associated appendices, where appropriate mitigation measures in relation to materials, their storage and re-use, have also been provided. These have taken cognisance of the guidance outlined in 'Land Remediation and Waste Management Guidelines' (SEPA, 2010).
	At this stage the impact ratings seem fair and appear to assume worst case scenario, i.e. that sites are infilled with contaminated materials rather than suggesting that this material may be suitable for reuse. Similarly for peat, a worst case scenario has been assumed and further study and depth surveys should be included at Stage 3 as well as a peat management plan.	Comment acknowledged. Whilst not unreasonable to describe these as worst-case, we would additionally note that the impact ratings assigned are generally reflective of the (predominantly) desk-based information available to inform the assessment, which is not untypical of a DMRB Stage 2 assessment. As with other comments, additional detail is anticipated to become available to further inform DMRB Stage 3 for the preferred options. No additional specific action considered necessary with regard DMRB Stage 2 Report.	The assessment of impacts relating to contaminated land and peat have been refined and further informed by the findings of additional GI and peat survey work undertaken to support the DMRB Stage 3 design development and EIA process. The findings of the further studies related to these aspects are presented in Chapter 10 of the Environmental Statement and associated appendices, which also include an Outline Peat Management Plan.

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
	Both the Highland Mainline railway and current A9 are listed as potentially contaminated. The main area of concern would be the former Dalnaspidal Station and tanks, however these are the other side of the railway line from the development and do not seem to be directly disturbed by the A9, however there may be a risk of mobilisation if linkages are present beneath the railway line. SEPA cannot find a record of Dalnaspidal station and tanks so it is assumed it has not held a SEPA permit and therefore we do not hold any records. As in the Dalwhinnie to Crubenmore project, we assume that the radon contamination is from natural sources and would not see this as an issue.	Comment acknowledged. As additional investigation information becomes available during DMRB Stage 3, more detailed assessment and comment can be provided regarding those potential contamination sources identified within the DMRB Stage 2 Report. As far as is practicable, this will include the former Dalnaspidal Station and tanks area, the Highland Mainline Railway and the existing A9. We agree that the indications of radon hazards are likely to be from natural sources and unlikely to be an issue with regards road construction, operation or maintenance. No additional specific action considered necessary with regard DMRB Stage 2 Report.	Additional GI has been undertaken to support the DMRB Stage 3 design development and EIA process with regards to contaminated land, considering the layout and positioning of infrastructure relative to potential contamination sources as far as is practicable - including the Highland Mainline railway and former Dalnaspidal Station and tanks. An assessment of potential linkages that may apply, relative to the GI findings and testing results are presented in Chapter 10 of the Environmental Statement, with mitigation measures advised where or if relevant. Radon contamination has been assumed to be from natural sources.
Table 18.1 and 18.2	As highlighted in Tables 18.1 and 18.2, there may be issues with capacity at licenced/permitted sites, particularly as Binn Landfill is no longer accepting waste (although they may require inerts and soils for restoration). It is noted that the surplus could be used on other projects, and there is potential for use of some under exemptions from waste management licencing on other sites if there is a suitable use. We would expect to see further information/justification at Stage 3.	Comment acknowledged. The waste data tables have now been updated using the most recent SEPA data, i.e. SEPA (2014) 'List of waste sites and capacities in Scotland' and 'List of landfill sites and capacities in Scotland'. New commentary has also been provided in relation to Binn Farm Landfill. Additional information will be provided at DMRB Stage 3 (where possible) regarding the likely chosen waste management methods (reuse, recycling, recovery, disposal) for those surplus materials and wastes that cannot be re-used on site.	Comment acknowledged. The waste data tables have now been updated using the most recent SEPA data, i.e. SEPA (2015) 'List of waste sites and capacities in Scotland' and 'List of landfill sites and capacities in Scotland'. The comments relating to surplus earthworks materials are no longer relevant due to there now being an overall modelled earthworks deficit on Project 7. As reported in the Stage 3 assessment, there is still limited additional information available at this stage regarding the chosen waste management methods (recycling, recovery, disposal) and precise geographical locations for managing each waste stream that cannot be re-used on site. The appointed contractors SWMP shall set out how all construction phase materials will be managed in accordance with their legal duty of care. The aim of the SWMP is to ensure that each potential waste stream is evaluated against the waste hierarchy of prevention, prepare for reuse, recycling, recovery and disposal to derive management options that reflect the highest possible level within the hierarchy which is required by the Waste (Scotland) Regulations 2011 (as per Mitigation Items SMC-M1 and M3).
Water Quality			
Chapter 10	Serious consideration needs to be given to the amount of land made available for sufficient and robust construction phase SUDS to be installed. SUDS for construction sites are a legal requirement under CAR and it is possible that SEPA will require the project to have a construction phase SUDS licence for these works. We strongly recommend that this is considered at Stage 3 of the DMRB process.	Point noted, Stage 3 will consider land take requirements for the temporary construction stage of SUDS.	A methodology for calculating the area of land required for treatment of construction site runoff was devised and areas were identified near all existing watercourses crossed by the Proposed Scheme. These areas were checked to ensure no conflicts with other environmental constraints and/ or engineering activity.
	Generally the mitigation measures appear acceptable. There will also be some beneficial effects from the incorporation of the drainage from the existing A9, which has no SUDS at present, into the SUDS arrangements for the new scheme. The mitigation measures are to be fully detailed under DMRB Stage 3 once the final alignment has been identified. Mitigation of impacts on the water environment needs to be considered across the whole site and not just concentrated on the watercourses.	Mitigation measures will be detailed in Stage 3. Scheme proposals currently assume that all future road surface runoff (A9) will be 'treated' through SuDS solutions. The post development position is thus 'beneficial' as highlighted by SEPA. We can also confirm that the DMRB methodology considers all potential impacts on the water environment and in this connection we refer to the water features plan and schedule in Appendix 10.3 showing all existing water bodies and other potentially affected water features within the study area including watercourses, ponds and wetlands, groundwater abstractions, etc. Mitigation is addressed in line with DMRB methodology considering potential impact on specific water feature 'attributes' e.g. pollution of surface and groundwater and flood risk both to the proposed road and other sensitive receptors. In addition to the DMRB methods, we also address possible impacts on fluvial morphology.	The Proposed Scheme is designed to treat road surface runoff through a minimum of two levels of SuDS as per SEPA requirements, and is denoted as 'embedded mitigation' in the Environmental Statement. Where the water quality assessment has identified a potential need for 'enhanced' treatment, this too has been incorporated into the design as embedded mitigation. All construction- and operational-phase mitigation measures are provided in the Environmental Statement as 'Standard Mitigation Commitments' and 'Project-Specific Mitigation' items. These are supplemented by Proposed Scheme Mitigation drawings which identify embedded and additional mitigation items specific to the protection of the water environment, and their proposed locations. The overall effects of the Proposed Scheme (both adverse and beneficial) on the water environment not only consider the physical and ecological attributes of watercourses, but also take into account sensitive receptors (e.g. residential/ non-residential properties, critical infrastructure, utilities, cultural heritage, community assets etc.). Consideration is also given to cumulative effects across dualling projects as well as other EIA developments. These findings are summarised in the Environmental Statement.

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
	The scope set out for the Stage 3 report appears to cover adequately the detail that will be required for potential impacts on the water environment. The scope has also stated in Section 10.7.5 of Chapter 10 that the opportunity will be taken at this stage to assess the possibility of restoring the watercourses, previously engineered for the existing A9, between chainages 4950 and 6110 to natural catchment conditions and this is welcomed.	No comment – no response required.	Watercourse morphological assessment have been completed during DMRB Stage 3 and used to inform watercourse crossings and diversion designs Existing morphological pressures have been considered and recommendations for improvement have been made; however, it cannot be confirmed whether these particular watercourses will be restored during construction - previous engineered works may still be required to provide ongoing protection
	One point to note is that the WFD classification does not show how close to a class boundary the waterbody sits and therefore how much capacity there is for additional pressures, such as morphology, ecology etc., and this could require the sensitivity level to be raised for some of the watercourses assessed. Below Table 10.4 the text states "Significance is not absolute and should be defined in relation to individual assets and their context and location." So whilst the tables can be used as an indication of risk/impact often factors on the ground will have an impact. We expect to see further information on this element of the proposal at Stage 3.	The 'sensitivity' of a watercourse is the product of the sensitivity of individual water features and their key 'attributes' (e.g. water quality, hydrology/ flood risk, and fluvial geomorphology). The Stage 2 assessment adopted a conservative approach when assigning sensitivity values to individual water feature attributes, and also when selecting overall water feature sensitivity (i.e. by assuming worst case or highest value). The sensitivity of water features will be assessed in more detail in Stage 3. Appropriate mitigation will reduce any impacts to acceptable levels applying the standard methods and using professional judgement.	The Stage 3 sensitivity criteria has gone through a process of refinement with the other A9 Dualling design consultants with the aim of consistency across projects. While deterioration of WFD classification is not explicitly covered in Chapter 11 (the hydromorphology methodology does consider this) the classification is provided as one attribute to weight when assigning an appropriate sensitivity value to a watercourse. Further site walk-overs have been carried out to inform the assessment process. Professional judgement has been used to reflect local site conditions, rather than relying explicitly on broad criteria set out in the magnitude of impacts tables. Descriptions of localised variances are provided in the relevant assessments.
	We note from Section 10.5 that the proposed drainage systems will provide two levels of treatment to the mainline options. As a result SEPA assume that there are no barriers to achieving this. We will however reserve the right to request a third level of treatment where we deem it necessary in sensitive areas and sections of the road such as lay-bys which may present a higher pollution risk. We note the use of HAWRAT to determine treatment levels etc., but where we think treatment levels are not sufficient to protect the water environment we will, after consulting and taking advice from all stakeholders, take the precautionary approach and request any addition levels we deem necessary to achieve the desired level of protection.	Stage 2 water quality assessments (HAWRAT) indicate low levels of pollution from road runoff and in some cases, negligible impacts with no mitigation measures included. Where a potentially adverse impact has been identified from road runoff pollution, HAWRAT has shown that it will be effectively mitigated through 1 or 2 levels of SuDS treatment. All point source discharges will be re-examined in more detail during Stage 3 and appropriate treatment will be provided in line with recognised standards and developed through further consultation with SEPA et al. Any requirements for 'additional or enhanced treatment' will be reviewed and assessed in line with current standards whilst recognising the 'precautionary approach' advocated by SEPA.. Latest guidance (SuDS Manual) references HD45/09 for assessment of trunk road drainage (i.e. number of treatment levels / stages). Latest SuDS Manual will also be used to determine appropriate treatment for other roads (i.e. side roads, access tracks, and NMUs).	The Proposed Scheme is designed to treat road surface runoff through a minimum of two levels of SuDS as per SEPA requirements, and is denoted as 'embedded mitigation' in the Environmental Statement. Where the water quality assessment has identified a potential need for 'enhanced' treatment, this too has been incorporated into the design as embedded mitigation. For example, addition of open grassed channel type low velocity outfalls to River Truim (Spey SAC) provides additional infiltration potential after basin, reduces scour potential and accommodates future river erosion
	We note that it is assumed that all SUDS will be lined. The use of lined SUDS would concentrate polluting material in one area instead of it being spread throughout the system for treatment by natural processes. Notwithstanding the above there may be instances where SUDS features do need to be lined, i.e. if there is a sensitive receptor in the area, contaminated land or to guarantee that the runoff receives a second/third level of treatment, but we would not necessarily expect this to cover all SUDS features in standard conditions. SEPA expect further discussion on this element of the proposal at Stage 3.	Agreed, as noted in the Stage 2 report, use of infiltration solutions will be examined further during Stage 3.	Potential impacts from spillages and routine runoff to groundwater have been assessed following HD45/09 guidance and where results indicate a Medium or High risk to groundwater, mitigation (i.e. lining of SuDS) has been recommended

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
FLOOD RISK	**Comments transferred from covering email**		
Chapter 10	We previously provided comments (PCS/140712 June 2015) on an Interim Hydrology and Hydraulic Modelling Report for the Central Section of the A9 dualling, which covers Projects 7, 8 and 9. Our comments on the Interim Report should be read in conjunction with our comments on the Stage 2 Report. We note that the Stage 2 report has very little information regarding peak flow estimates used within the baseline assessment, and we had assumed that this information has been taken from the Interim Report. This assumption was confirmed by John Fox at the most recent ESG meeting held last week. Additionally, little detail has been provided in the Stage 2 Report for the hydraulic modelling of the baseline scenario. Regarding the River Truim, we had the following comments to make on the Interim Report: *"Splitting the section to be modelled into short reaches and using the downstream model to provide the downstream boundary conditions for the upstream model is the same approach as is used in the SEPA national hazard mapping.* *This will not allow any effects due to loss of flood plain attenuation to be propagated downstream.* *This shouldn't be an issue if the new road is entirely outwith the flood extent, however if the new road is within the mapped flood plain then a different approach may need to be adopted to consider the effects of any loss of flood plain capacity.* *The resolution of the final DTM which underpins the 2m grid modelling should be confirmed and some further information on whether there is any interaction with the hydro scheme on the River Truim would be helpful. "*	The River Truim was modelled in short reaches and the limitations of this approach are recognised. We are reviewing our approach at Stage 3 to consider cumulative impacts and the loss of floodplain capacity. The DTM used for the modelling has a 1m resolution which was generated using the following information: - Within the 200m corridor along the A9, data from photogrammetry and ground survey, available in 3D CAD - Outwith the 200m corridor, remote sensed data , available as a 5m grid DTM. Structures like the dam intake u/s Dalwhinnie are described into the DTM and the influence of their geometry will be shown in the water profile. No allowance for water abstraction as part of the hydro-scheme along the River Truim was not considered during the 200yr flood modelling runs. A consultation paper outlining the proposed methodology for flood modelling and flood risk assessment during Stage 3 is being prepared for early consultation with SEPA, THC and P&KC.	Further details of the proposed Stage 3 hydrology and modelling studies were set out in the DMRB Stage 3 - Hydrology and Hydraulic Modelling Approach report issued to SEPA/ The Highland Council (THC) in December 2016. SEPA responded in February 2017 with comments and additional information. The Stage 3 FRA set out the adopted approach to hydrology and hydraulic modelling and seeks to address SEPA's comments on the earlier report. The Stage 3 modelling includes a longer reach model of the Truim to enable consideration of cumulative effects. The Stage 3 modelling is underpinned by a refined DTM with a 0.5m resolution. The effects of any hydro abstraction within the Project 7 study area have not been accounted for in the Stage 3 modelling as a conservative approach.
	As far as we are aware, no updated hydrology or hydraulic modelling has taken place since our most recent comments in June 2015. We note from the Stage 2 Report that for all route options and junction options the proposed earthworks encroach onto the flood extents with a loss of floodplain storage predicted. Although the detailed modelling of the preferred options will be refined at Stage 3, we reiterate our previous comment that as the route options are all within the floodplain then a different modelling approach may need to be taken at Stage 3 to consider the effects of any loss of floodplain storage and conveyance capacity. In addition, other related matters highlighted in our June 2015 response should be taken into account when developing the model at the next stage. It is stated that the detailed modelling at Stage 3 will be updated with additional surveys which we support. We also welcome the statement that CFJV will further consult with SEPA regarding the hydrology.		Further details of the proposed Stage 3 hydrology and modelling studies were set out in the DMRB Stage 3 - Hydrology and Hydraulic Modelling Approach report issued to SEPA/THC in December 2016. SEPA responded in February 2017 with comments and additional information. The Stage 3 FRA set out the adopted approach to hydrology and hydraulic modelling and seeks to address SEPA's comments on the earlier report. The Stage 3 modelling includes a longer reach model of the Truim to enable consideration of cumulative effects. The adopted approach has been to avoid and minimise floodplain impacts by design and to provide compensatory flood storage wherever possible if floodplain encroachments are unavoidable. The Stage 3 hydraulic models include information from additional detailed topographic surveys describing watercourse channels at key locations, along with hydraulic structures. Further details are provided in the Stage 3 FRA.
	The information below supplements the comments made in SEPA's covering e-mail		
	The impact assessment has identified that all the route options and all junction options have the potential to impact on the floodplain. The impact matrix approach seems reasonable but we would caution that it should also be mindful of cumulative impacts. We also welcome the precautionary approach of identifying temporary impacts associated with the construction phase.	We acknowledge the potential for cumulative impacts where any loss of floodplain storage is not addressed by design. This will be re-assessed during Stage 3. However, the adopted approach is to avoid and minimise floodplain impacts by design and to provide compensatory flood storage wherever possible if floodplain encroachments are unavoidable.	The Stage 3 modelling includes a longer reach model of the Truim to enable consideration of cumulative effects. The adopted approach has been to avoid and minimise floodplain impacts by design and to provide compensatory flood storage wherever possible if floodplain encroachments are unavoidable.

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
	Regarding watercourse crossings, it is stated that for the purpose of the Stage 2 assessment, it has been assumed that watercourse crossings will be upsized to convey the 200 year flood event. It should be confirmed that the baseline scenario was modelled with existing culvert sizes. It would be useful to highlight which culverts are currently undersized and by how much. This would give some indication of the potential receptors and the scale of the impact of upsizing all culverts to the 200 year standard. All culverts which are to be resized (whether due to capacity, vertical alignment changes or habitat enhancement) should be identified and an assessment of potential flood risk impacts will be required. It is stated that detailed modelling of any increase in water level and flow as a result of upsizing will be carried out at Stage 3, however we would welcome early consultation to ensure that any potential issues can be identified and discussed at an early stage.	The baseline scenario was modelled using existing culvert sizes (Chapter 10 text will be corrected accordingly). Culvert design to convey 200yr flows was only carried out to establish if an increase in road levels would be required to remove existing ecology and fluvial morphology barriers or to address as existing upstream flooding problem (i.e. flood risk affecting a sensitive receptor) - thus adopting a conservative approach for the stage 2 comparative assessment of alignment options. The flood extents drawings in Volume 3, Drawings 10.7 to 10.13 show areas of floodplain upstream of existing crossings (baseline condition) and these areas are included in the estimates of potential floodplain encroachment provided in section 10.4.3 and 10.4.4 of Chapter 10. A consultation paper outlining the proposed methodology for flood modelling and flood risk assessment during Stage 3 is being prepared for early consultation with SEPA, THC and P&KC.	The Stage 3 hydraulic modelling includes both existing and proposed scenarios. Baseline modelling for the existing case includes existing culvert sizes. The impact on flood risk at receptors has been assessed where culverts have been upsized, and mitigation options have been considered where required. The existing case flood extent drawings and Stage 3 FRA indicate locations where existing culverts are capacity constrained, leading to flooding of infrastructure or land. Further details of the proposed Stage 3 hydrology and modelling studies were set out in the DMRB Stage 3 - Hydrology and Hydraulic Modelling Approach report issued to SEPA/THC in December 2016. SEPA responded in February 2017 with comments and additional information. The Stage 3 FRA set out the adopted approach to hydrology and hydraulic modelling and seeks to address SEPA's comments on the earlier report.
	As all mainline route options will impact on the functional floodplains of the River Truim and its tributaries and tributaries of the Allt Dubhaig, compensatory storage has been proposed to offset the loss of floodplain. Table 10.22 states that there is a “small” loss of storage. Detailed modelling of compensatory storage is proposed to be carried out at Stage 3, which again we find to be reasonable but we advise that impacts on the conveyance function of the floodplains should also be considered.	Detailed consideration will be given to compensatory storage and also to potential impacts on conveyance capacity at stage 3.	Comparison of the results from the existing and proposed Stage 3 models has enabled consideration of conveyance effects associated with the Proposed Scheme. Compensatory storage solutions have been developed to mitigate loss of storage due to encroachment in the functional floodplain. Compensatory storage areas have been located and sized with reference to environmental and topographic considerations and effects on receptors, to achieve effective mitigation as close as possible to the lost storage.
	We note that page 29 of the Stage 2 Report advises that in addition to, or as an alternative to compensatory storage, consideration should be given to maintaining upstream storage by retaining any existing culverts that are currently undersized. We assume this would be achieved with a sufficient freeboard allowance to ensure that the road would not be overtopped, and agree that in principle this may be an appropriate approach to reducing the impact of earthworks required to widen the road embankment and construct road junctions. Any means of maintaining storage via this method should be appropriately assessed to ensure that flood risk is not increased to vulnerable receptors. Similarly we would expect any proposed change in culvert conveyance capacity to be assessed for potential impacts upstream and downstream.	In developing an approach to sizing of proposed culverts, potential receptors will be a key consideration. We confirm that any means of maintaining storage via this method will be appropriately assessed to avoid and minimise any increase in flood risk to vulnerable receptors.	Maintenance of upstream storage is one of the mitigation options considered to address flooding impacts associated with the scheme. Mitigation solutions have been developed in consideration of the effects on vulnerable receptors, along with morphological and environmental factors, whilst maintaining an appropriate freeboard to the road.
	We highlight that for all the potential impacts identified, consideration should be given to whether this is sufficient certainty at this stage of the road development and how this may impact the project at Stage 3. We appreciate that before considering areas and requirements for compensatory storage more fully; detailed design work will need to be undertaken. That would also be an opportunity to look at design options to minimise the requirement for mitigation as far as possible. On that basis though it is not possible, at this stage, to determine that a final option can be developed without increasing flood risk elsewhere (as a result of piecemeal reduction of a floodplain capacity). At stage 3 we expect it to be demonstrated that impacts on floodplain storage and conveyance can be, and will be, mitigated with full details on all of the modelling work undertaken to support the detailed design.	Potential impacts on vulnerable receptors will be re-assessed at Stage 3 for the selected preferred mainline and junction options with the aim of avoiding and minimising any associated increase in flood risk. The Stage 3 assessment will seek to demonstrate that impacts on existing floodplain storage and conveyance capacity can be effectively mitigated. Details of modelling and analysis will be presented in a Flood Risk Assessment (FRA).	The adopted approach has been to avoid and minimise floodplain impacts by design and to provide compensatory flood storage wherever possible if floodplain encroachments are unavoidable. Details of the analysis and assessment are provided in the Stage 3 FRA.

Chapter/ paragraph reference	ESG	Response at DMRB stage	
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WETLAND ECOLOGY			
Chapter 11	Paragraph 11.5.1 it states "Where potential loss is unavoidable, appropriate mitigation will be agreed with SNH and other key stakeholders". SEPA confirm that we will request mitigation for all GWTDEs, unless NVC and hydrological assessments rule out any impacts at Stage 3.	Comment acknowledged - this advice will be taken forward into DMRB stage 3 reporting - change text to state 'appropriate mitigation will be agreed with SNH, SEPA and other key stakeholders.	Mitigation in the form of 'plant and replace' where habitats have been affected by temporary works has been proposed. This will include the implementation of an Outline Habitat Management Plan (OHMP) to detail the habitat creation and reinstatement process, in order to ensure habitats are reinstated to prevent further loss as part of the Proposed Scheme.
	The Summary of Route Options Assessment appears reasonable and accurate given the information available. As NVC and hydrology have not yet been investigated for the potential GWDTEs it is not yet possible to say which would be the best options from the point of view of wetlands. The decision would also need to be balanced against other factors. It may be that some GWDTEs are of more overall conservation value than others and the route decisions could be taken accordingly.	Comment Acknowledged - the stage 3 assessment and report will address this comment - no further action to DMRB stage 2 report.	Extent of NVC habitats and condition assessment of areas within the Drumochter Hills SAC has been undertaken to inform the HRA and EIA. NVC habitats have been grouped into a number of categories in order to assess loss of important features, such as their Annex 1 category and their GWDTE status: - Highly - Dominant - Highly - Sub-dominant - Moderately - Dominant - Moderately - Sub-dominant Areas of higher dominance GWDTEs have been classified as features to avoid if at all possible and have been considered throughout DMRB Stage 3 design development. Potential GWDTE based on NVC have been further considered in terms of topography and hydrology. Given spatial constraints in the area, avoidance is not fully possible. Outline Peat Management Plan and Outline Habitat Management Plan have been produced to help limit adverse effects and promote best practice restoration.
	Stage 3 should allow the identification of GWDTEs and a site specific assessment of the impact of the works, including hydrology and management of waste peat. Details of mitigation of unavoidable impacts will be required at this stage.	Comment acknowledged - the stage 3 assessment will address site specific assessment of GWDTEs informed by NVC survey - stage 3 will also provide details of mitigation - no further action to DMRB stage 2 report.	There are a number of habitats identified as potentially falling under the description of GWDTE. These habitats were initially identified based on analysis of NVC survey findings against 'LUPS-GU31 Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and GWDTE (Version 2)' (SEPA, 2014), then were subject to additional hydrogeological review to determine likely potential groundwater dependence. Assessment of impacts to the areas are presented in Chapter 10 of the Environmental Statement and associated appendices, with mitigation identified where or if relevant within the same. Management of excavated peat is specifically identified and considered within an Outline Peat Management Plan.

Chapter/ paragraph reference	ESG Comment	Response at DMRB stage: Response/ update at Stage 2	Response at DMRB stage: Response/ update at Stage 3
Scottish Natural Heritage (SNH)			
DMRB Stage 2 Options Assessment Habitats Regulations Appraisal (HRA) - Table 4: DMRB Stage 2 Appropriate Assessment findings	Table identifies for the Drumochter Hills SAC "Potential for some permanent losses and temporary disturbance of qualifying habitats: 4010 – Northern Atlantic wet heath with Erica tetralix 4030 – European dry heaths 6230 – Species-rich Nardus grassland 7130 – Blanket bog and concludes, following a Required Mitigation Summary, no Adverse Effect on Site Integrity (AESI). The logic path to this conclusion can be derived but it could be made clearer; viz extent and location, degraded nature and on the periphery of the site, making no material contribution to site integrity. P07 DMBR2 EAR Chapter 11 has relevant tables (11-13 to 11-15) which describes mitigation work of improving habitat elsewhere to mitigate for the loss of extent of (degraded) qualifying features. It might be helpful to pull this together. Within Table 4 the required mitigation summary should also include under best practice construction, the requirement for very restricted working areas, only 1 way travel along any temporary vehicle access routes etc.	Table updated with relevant text presented in EAR Chapter 11. Best practice methods during construction will be specified in the Stage 3 HRA/ EcIA.	Extent of Annex 1 habitats and condition assessment of areas within the Drumochter Hills SAC has been undertaken to inform the HRA and EIA Areas of NVC habitats have been assessed against areas of permanent loss (pavements, SuDS and earthworks), temporary loss (areas which fall within the assessment boundary but do not have permanent infrastructure) and winter resilience snow belt (extent of which will be reduced by dualling earthworks extents). An Outline Habitat Management Plan has been produced to inform the habitat creation and reinstatement process, in order to ensure habitats are reinstated to prevent further loss as a result of the Proposed Scheme.
DMRB Stage 2 Options Assessment Habitats Regulations Appraisal (HRA) - Appendix A: HRA Stage 3 - Page 6	Blanket bog and species rich grassland with mat-grass in upland areas are both European Priority Habitats. Seems to me that the table Permanent effects - Conservation Objectives should read loss of extent however effects on the supporting processes of the remaining habitats would be limited in the context of the site (very localised effects) and would not undermine the long term maintenance of those habitats. It is worth highlighting that in the event of land-take of a greater extent at DMRB3 and particularly if that is into SAC qualifying habitat that is of better quality than that described at DMRB2, then AESI may have to be concluded and an Imperative Reasons of Over-riding Public Interest (IROPI) consideration may be needed. Natural England have recently published, Feb 2016 a report entitled 'How the scale of effects on internationally designated nature conservation sites in Britain has been considered in decision making – A review of authoritative decisions' which it would be worth referring to and is available at http://publications.naturalengland.org.uk/publication/6532971017273344	Acknowledged. Table updated to clarify that whilst loss of habitat may occur the COs would not be undermined with very localised effects. DMRB stage 3 design development and HRA will seek to reduce losses from designated sites.	Loss of blanket bog habitat as well as other Annex 1 habitats has been considered throughout the DMRB3 design development, with encroachment minimised where possible. Condition assessments of habitats, such as blanket bog within the SAC, has been undertaken to inform the HRA and will take into account the losses noted within the consultation.
	The HRA (SNH ref A1980774) describes clearly and in detail the qualifying features and in particular their measured extent within the SAC that are impacted by the proposals. It also describes and shows photographs of how these are already degraded by their proximity to for example adjacent non-native coniferous woodland. There is I can see an argument that the limited extent of affected habitats, their degraded state and their location on the absolute edge of the site lead to a conclusion of no AESI. As this degraded habitat is at least in part described as being the result of edge effects, there is merit in considering how to minimise any new edge effects from the road re-alignment.	Acknowledged. No further action at DMRB Stage 2.	A condition assessment of habitats within the SAC has been undertaken to inform the HRA and will take into account the edge effects noted within the consultation. The implementation of an Outline Habitat Management Plan (OHMP) will detail the habitat creation and reinstatement process, in order to ensure habitats are reinstated to prevent further loss as part of the Proposed Scheme. This reinstatement process will ensure edge effects as a result of the Proposed Scheme are addressed and reduced

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
	The SSSI boundary at Drumochter Hills was historically drawn to encompass a single polygon with text stating the road and railway are excluded. This was a convenience which avoided additional effort in mapping. The SSSI consequently includes all of the two Natura sites: the SAC and a SPA and areas of non qualifying habitat around the existing road and railway; as well as qualifying habitat in the same area. All work adjacent to the road and railway will be within the SSSI and will result in a loss of SSSI extent. Mitigations to avoid loss to the SAC will to a large degree reduce losses to the SSSI. Our first priority is to minimise and mitigate harm to SAC features knowing that this will also minimise harm to SSSI features.	DMRB stage 3 design development and HRA will seek to reduce losses from designated sites.	Loss into designated sites has been minimised wherever possible, with encroachment into the SAC/ SPA considered as a priority for reduction. As per consultation this reduces impacts into the SSSI. A reduction in areas out with the SAC/ SPA that covers the SSSI has then been considered after that.
Laybys	While not part of this consultation, there is merit in at least keeping in mind the enhanced layby strategy for the A9. Laybys may be placed at **Balsporran** where SNH has advised Consideration required re. managing increases to access and recreation on the hill. The main tracks leading from the cottages onto the hill are on the outside or the boundary of the SAC so non-tracked ground. Basic interpretation asking people to keep to tracks where would alleviate the issue further. For the layby at **Drumochter** has no connectivity with SAC/SPA - parking should not be problematic for breeding merlin. The railway line acts as a barrier to access westward, and there are no proposals to increase access east. Comments were also made by SNH in relation to locating a layby nearby, but to the north of the buildings at **Dalnaspidal**.	DMRB stage 3 design development and HRA will seek to reduce losses from designated sites.	Layby locations and public access has been considered within the EIA and HRA.

Chapter/ paragraph reference	ESG Comment	Response at DMRB stage: Response/ update at Stage 2	Response at DMRB stage: Response/ update at Stage 3
Historic Environment Scotland (HES)			
Chapter 15	I note and am content with the description of the baseline in the vicinity of this project for HES's interests. I note that you have consulted the Perth and Kinross Heritage Trust and The Highland Council as part of this exercise. You should discuss and agree with them the extent of any further survey, assessment (including stage 3) and mitigation which may be necessary for this project.	Comment noted with thanks. Stage 3 work will include further consultation with P&K Heritage Trust and THC	Further cultural heritage baseline information was obtained from Perth and Kinross Heritage Trust Historic Environment Record, The Highlands Council Historic Environment Record, walkover surveys and relevant archives during the EIA. Consultation on mitigation proposals presented for DMRB Stage 3 will be undertaken via ESG consultation.
Perth & Kinross Council (PKC)			
Community Greenspace			
General	Inset maps showing location of main maps are out of date, the base map shows the original Cairngorms National Park border (in yellow), not the current one.	This is a function of the OS GIS files used. We will investigate any relevant update for DMRB Stage 3.	An email was sent to Ordnance Survey (OS) to request clarification on the boundary issue. The OS confirmed that the National Park Boundary is shown correct to specification for OS 1:250,000 mapping but, due to generalisation at this scale, the boundary will not perfectly match up against other larger mapping scales. The OS boundary cannot be removed from background mapping. However, CFJV have the correct National Park Boundary as a GIS layer and this was used for assessment purposes.
17/3/9	We welcome the provision of a crossing point at Dalnaspidal (CP1). It is essential that it will be suitable for horse riders.	Thank you for the comment and reinforcing the equestrian use here. The junction and underpass at Dalnaspidal will allow for a crossing point in this location. NMUs will be taken into consideration as the junction design develops at Stage 3.	The underpass crossing at Dalnaspidal will serve both vehicles and NMUs, with vertical clearance above 5.5m which will be sufficient clearance for horse riders.
17/4/5	It is important to mitigate against severing the route to Munros, and to provide adequate parking	Thank you for the comment. No immediate action needed and detailed mitigation will be addressed at Stage 3.	There will not be a significant residual impact on any NMUs resulting from the Proposed Scheme. During construction any impacts would be temporary and mitigation will ensure that disruption is minimised as much as possible. The parking area at Dalnaspidal will not be affected by the Proposed Scheme. Improved/ new laybys and improvements to Balsporran Cottages parking area will generally improve parking facilities throughout Project 7.
17/4/7	Interested to note that NMU1 (cycle route/core path) could be realigned to the west of the railway. This would be an excellent response to all route options if the alternative is a cycle route very close to road traffic passing at speed. It would also help to keep NMUs away from the site during the construction period. However safe crossings of the railway would have to be provided.	NMU1 in section 3 runs between the A9 and the HML in sections, with very little space between them – this is absolutely recognised as an important consideration in this section for Stage 3 The report notes that a separate Project 7 access study is being conducted in parallel with the DMRB2 mainline options assessment to help inform the Stage 3 design work That access study looked at how alternative accesses might work if existing accesses were closed off, including a scenario where the Dalnaspidal access was closed with no junction provided One of those scenarios therefore considered an alternative access route between Dalnaspidal and Dalwhinnie, which necessarily included a stretch on the opposite side of the HML This is where the idea to potentially route some of the NMU1 on the opposite side of the HML came from – an alternative access route scenario from Dalnaspidal to Dalwhinnie However, given that a junction is being provided at Dalnaspidal, this alternative access route scenario is no longer required and any/ all reference to routing the NMU1 to the opposite side of the HML should have been caught and removed before issue of the DMRB2 EAR document. It will be removed during the finalisation of the DMRB Stage 2 EAR.	The Proposed Scheme provides continuation of NMU1 (NCN7), utilising the existing track in conjunction with local realignment and widening with passing places for shared use where necessary. This links well to new accesses at Dalnaspidal and Balsporran, with connectivity for retained through Project 7. Inclusion of underpasses introduces safer, traffic free crossing points. During construction the Principal Contractor will be required to provide for on-going/ alternative access to NMU1 to minimise disruption.

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
17/4/11	NMU1 will require some form of diversion in the construction phase' - as above, a new route west of the railway line would mean that the route would be much safer and pleasanter to use following dualling.	Thank you for the comment - See response above. DMRB Stage 3 will consider suitable mitigation for NMU1 during construction; however, it is unlikely that this will be on the opposite side of the railway. There is currently no intention for Project 7 to introduce further crossings of the Highland Mainline.	During construction the assessment recognises that there could be significant disruption to NMU1 (NCN7). During construction the Principal Contractor will be required to provide for on-going/ alternative access to NMU1 to minimise disruption, including diversionary signage during any temporary closures of NMU1 (NCN7) through the extent of Project 7. This has been included within the Schedule of Mitigation; however, final details would be the Contractor's responsibility.
Table 17-9	The parking provision will be affected by the dualling, it is essential that parking provision is retained and potentially enhanced. We welcome likely beneficial mitigation of parking at Dalnaspidal - improved parking provision	Thank you for the comment. Further consideration of relevant issues at Dalnaspidal will be addressed through DMRB Stage 3 design development	The informal parking area at Dalnaspidal will not be affected by the Proposed Scheme. The proposed laybys also provide alternative locations for rest stops and informal parking, some with links to the surrounding NMU routes.
Flooding Team			
General	Consistent with other consultation responses: In terms of Flood Risk the details provided are basic and until detailed design drawings are proposed it is very difficult to provide any meaningful advice. At the detailed design stage I would prefer to meet with a member of the design team to guide me through the FRA and modelling as there is a wealth of information and I don't want to miss anything. In the meantime I would refer you to our Flood Risk and Flood Risk Assessment guidance document.	The outline flood modelling approach was presented to, and agreed with ESG attendees. A consultation paper outlining the proposed methodology for flood modelling and flood risk assessment during Stage 3 is being prepared for early consultation with SEPA and THC/ P&KC. We are familiar with P&K Council Flood Risk and FRA guidance.	The Stage 3 FRA sets out the adopted approach to hydrology and hydraulic modelling and seeks to address previous consultation responses and Flood Risk Assessment guidance. Further consultation meeting meetings with SEPA and the Local Authorities have been held in 2017.
	Overall, the impacts on River Garry is principal concern due to known flooding issues downstream at Blair Atholl. Any opportunities to provide benefit and additional storage on main line or on tributaries of River Garry should be fully explored once preferred route selected.	The objectives of the proposed dualling do not include reduction in flood risk downstream (i.e. betterment) - however, first time SuDS provision has been assessed as a beneficial impact compared to existing unattenuated condition.	The Stage 3 hydraulic modelling has established that the scheme footprint does not encroach on the Allt Dubhaig/ River Garry floodplain. SuDS discharge rates are not explicitly modelled but attenuation of runoff will offer betterment in terms of reduced flow rates in design events.
Cairngorms National Park Authority (CNPA)			
Chapter 17	The findings reported in Chapter 17: Effect on All Travellers have been reviewed and we agree they are, overall, an accurate representation of the existing NMU resource and how it might be impacted by the various junction/route options presented. Mainline and junction options and impacts have been considered in detail and we can report that in regard to NMU interests no alignment option or junction configuration is preferred over another. The following factors should be given careful consideration as Stage 3 proposal develop: 1. We acknowledge the existing alignment of NCR7 will be impacted on all sections and that alignment mitigations will be determined at DMRB3. The options which widen to the west are more likely to constrain land available for NCR7.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The Stage 2 report identifies alignments widening to the east will constrain the NCN7. This will be taken into consideration at Stage 3.	The Proposed Scheme includes realigned sections of the NCN7 where it is to be affected by the dualling. This allows for the continuity of this high value route throughout the scheme. Some areas will be widened with passing places to accommodate shred use for access to maintain SuDS features, access to Balsporran and to HML level crossings. Path links from 2x northbound laybys to NCN7 are also included.
	2. This project runs through an important area for NMUS both in terms of NCR7 but also for access to the mountains with hill-walkers using multiple existing car parks and laybys. Hillwalkers are known to park in this location to access the hills and possibly cross the carriageway on foot and/or undertake a u-turn by vehicle to access hills on the opposite side of the road.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The Stage 2 report has identified the laybys and carparks often used by hill walkers. This point will be taken into consideration at Stage 3 with the development of the Enhanced Laybys and underpasses.	The Proposed Scheme includes three underpasses that provide safe crossing under the A9 for NMUs, improving safety for these users. Two vehicular underpasses within the Proposed Scheme make it easier for those accessing the area by car to turn around safely. A number of watercourse crossings have been enlarged which also offer informal crossing points (when river conditions allow)

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
	3. Careful consideration should be given to layout in this locality which caters for car bound visitors who wish to make return journeys in the opposite direction to that originally travelled i.e. equivalent of a 'U' – turn e.g. where hillwalkers have driven up from the south to go hillwalking and wish to return south at the end of the day. They will have to use the Dalnaspidal/ Dalwhinnie junctions to achieve this, however, it is important to recognise this as a particular issue in this location.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The points raised will be taken into consideration at Stage 3	There are two vehicular underpasses within the Proposed Scheme, at Dalnaspidal and the Balsporran/ Drumochter Lodge access point. There are now therefore two turning locations between Dalnaspidal and Dalwhinnie, reducing the distance needed to travel in order to make return journeys. Informal parking at both of these locations makes the hill walking routes easily accessible to those accessing the area by car.
	4. We suggest an enhanced layby location could correspond with Drumochter summit, this being a key landmark for visitors particularly cyclists travelling on NCN7.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. Drumochter Pass has been highlighted as a potential location for an Enhanced Layby, this will be taken into consideration at Stage 3.	Three laybys linked to NMU routes are proposed as part of the Proposed Scheme. One just north of Dalnaspidal and two near existing layby locations at the Pass of Drumochter.
	5. Drumochter summit is currently located adjacent to Layby 79 which is currently used for informal parking by users of the NMU network. (northbound).	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. Drumochter Pass has been highlighted as a potential location for an Enhanced Layby, this will be taken into consideration at Stage 3.	The two proposed laybys around Drumochter will replace this layby and need for informal parking in this area. These laybys connect to the surrounding NMU network.
	6. Suggested location of an enhanced layby at current site of northbound layby 81 is noted and considered to be of potentially greater benefit to NMU interests than an enhanced layby located at current site of southbound layby 82.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. Drumochter Pass has been highlighted as a potential location for an Enhanced Layby, this will be taken into consideration at Stage 3.	Three laybys linked to NMU routes are proposed at part of the Proposed Scheme. Two of these are located within the Pass of Drumochter, one northbound and one southbound. These laybys connect to the surrounding NMU network.
	7. Existing layby 83 (northbound) is used for informal parking by NMU's of the adjacent routes to the west (via NMU7) in particular. A level crossing exists close to layby 83.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The points raised will be taken into consideration at Stage 3.	Two laybys, one northbound and one southbound, around Drumochter Pass and car parking at Balsporran Cottages retains informal parking areas around this location. Access to NMU7 is retained, with the level crossing now accessed from NCN7.
	8. We note the proposed location of an enhanced layby near to Balsporran Cottages and support this on the basis that it could offer benefits to NMU's through enhancements to ensure continued safe parking provision, information and other advantage at this location which forms a key setting-off point in this locality. Parking provision for hillwalkers at this location is extremely important.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The Stage 2 report acknowledges the importance of the parking facility at Balsporran Cottages. The points raised will be taken into consideration at Stage 3.	The existing parking provision at Balsporran has been highlighted to be of benefit providing a safe parking area with access to the NMU network. This car park is being retained under the Proposed Scheme to ensure its continued use. Improved access is provided via the Balsporran/ Drumochter Lodge access also.
	9. We acknowledge future provision for crossing point CP2 will be examined at DMRB3, this crossing being important in provide east - west connectivity via the A9 carriageway.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The points raised will be taken into consideration at design of Stage 3 proposals.	An underpass crossing at the Allt A'Chaorainn underbridge provides safe crossing with access to the NCN7 and NMU6 (hill track to Beinn Udlamain and Sgairneach Mhor) In conjunction with Dalnaspidal and Balsporran/ Drumochter Lodge, there are 3 underpass crossings included in the Scheme
	10. We note the location of crossing point CP4 and anticipate continued provision for this being developed during DMRB3.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The points raised will be taken into consideration at Stage 3.	The junction between Balsporran Cottages and Drumochter Lodge allows safe underpass crossing for vehicles and NMUs. Realigned NCN7 to the west of the A9 provides continuity of NMU access from this crossing point, to Balsporran Cottages and access to the NCN7 north and south.
	11. Key NMU provisions exist immediately north and south of section 4 tie-ins each which facilitate access to established routes and thereby form key setting-off points.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The points raised will be taken into consideration at Stage 3.	The NCN7 is linked to the Balsporran/ Drumochter Lodge access, as well as to the northbound layby to the north of this access. North of the tie-in, into the Project 8 extent, is not within the remit of this EIA to comment; however, NCN7 connections are provided at the northern extent of Project 7.
	12. Junction option 12 would require re-alignment of NCR7 which appears significant in scale, constrained and resulting layout convoluted due to earthworks, embankment and new roading. It is not favoured in terms of NMUs.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The Stage 2 report does not favour Junction Option 12 in terms of effects on NMUs and Views from the Road. This will be taken into consideration at Stage 3.	The outcome of the Stage 2 Assessment did not favour Junction Option 12 in terms of effects on all travellers. Overall this was not the preferred option and a compact junction, has been designed and assessed at Stage 3 as part of the Proposed Scheme.
	13. We acknowledge provision for crossing A9 to reach Wade's military road (NMU5) will be addressed during DMRB3.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The points raised will be taken into consideration at Stage 3.	An underpass crossing at Dalnaspidal provides for safe access to NMU5. This crossing also provides maintenance access to the telecoms mast adjacent to the A9.

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
	14. We acknowledge configuration of future informal visitor parking at Dalnaspidal will be addressed during DMRB3.	Points are noted, no actions required for finalisation of DMRB Stage 2 EAR. The use of this parking location to access hill walking routes is identified within the Stage 2 report, this will be taken into consideration at Stage 3.	The Proposed Scheme does not include the existing informal parking provision at Dalnaspidal - this will remain unaffected by the scheme. The scheme does include a layby to the north of Dalnaspidal which has a path link to the NCN7 route.
Chapter 19 Policy			
	A preliminary assessment of the compliance of the project and each of the proposed route options against national, regional, and local development planning policies is provided in the Consultation Report. A limitation of the current assessment is that each route option is assessed against the available 'Stage 2' information. At DMRB Stage 2, the proposed route options have not been subject to detailed design or mitigation which might influence whether the option is fully compliant with policy. A detailed assessment will be undertaken by Transport Scotland at DMRB Stage 3 when the final design and mitigation is developed. **Omission:** There is no reference to the National Park Partnership Plan under 19.3.4 – Regional and Local Policies and Strategies, this should be included as the strategic policy document for the area.	The Partnerships Plan will be referenced and considered. At Stage 3 a detailed assessment of the schemes compliance with planning policy will be presented.	Partnership Plans have been referenced and considered within the Regional and Local Policies section. A detailed policy assessment is provided in the Environmental Statement taking into account the final design and proposed mitigation measures.
Landscape and Ecology			
Chapters 11, 12 &13: Ecology & Nature Conservation and Landscape and Visual	**Summary Comments** 1. This project runs though Drumochter Pass, which is unquestionable one of the most dramatic features along the entire route. The landform encloses the east-west views by the steep sides of the pass but with longer views to the hills. In this context, fit with land form (or potential to fit with land form) is important in reducing the landscape impact on all sections. Mitigation planting and habitat enhancements along the corridor could contribute significantly to strategic landscape and habitat connectivity through this part of the Park and the split carriageway sections could have a substantial role in achieving this. Realising this outcome could take decades but in the context of the lifespan of the dualled A9 this is acceptable. The existing vegetation can be seen to give this effect in places and this has developed since the 1980s. Careful consideration needs to be given to the location and nature of planting if the best outcomes are to be achieved for the site, the wider area and the road-users experience.	The more detailed assessments at DMRB Stage 3 will allow mitigation measures to be developed in more detail, including the location and nature of planting.	Landscape and visual mitigation recommendations have been developed in response to detailed identification of significant effects. Embedded mitigation has been iteratively developed within the Proposed Scheme to ensure the alignment and earthworks fit well within the local landscape context and landform. Infrastructure has been minimised by, for example, use of underbridges for local access at Dalnaspidal and Drumochter Lodge/ Balsporran, for which a combination of sensitive earthwork modelling and planting to integrate the structures into the adjacent landform has been proposed. Proposals to reinstate existing parking at Balsporran have been designed to fit within the landform unobtrusively, surrounded by scrub, shrub and small trees. Proposals for cladding treatment of retaining walls between ch. 5000 and 5800 have been considered, including vegetated walling systems and use of natural rock (subject to agreement with Transport Scotland) Landform and shape of SuDS basins have been considered iteratively between Landscape Architects and drainage engineers to achieve a best fit for these structures. Replacement of shelterbelt planting on affected embankments will help maintain screening of views of the BDL from the A9. Throughout the landscape and visual ES chapters, the approach is to reinstate woodland and vegetation lost due to construction, in the same or similar locations that support mitigation objectives. Tree replacement is specified with native mix woodland (including upland broadleaf species). Proposed landscape planting is consistent with ecological habitat mitigation requirements. Winter resilience shelterbelts merge with landscape and ecological mitigation planting and avoid extension into the SAC. . The landscape strategy has been developed to ensure existing spectacular views remain unimpeded. Layby locations and public access has been considered within the EIA and HRA. Viewing opportunities have been supported by realignment of the NMU and construction of new laybys, particularly at Dalnaspidal (ch. 900). Proposals for reinstatement of the existing Drumochter Pass northbound and southbound laybys reinforce positive visitor experience, supporting the landscape objectives.

Chapter/ paragraph reference	ESG	Response at DMRB stage	
	Comment	Response/ update at Stage 2	Response/ update at Stage 3
	8. Option 1a – Ecology: Loss of conifers and some broadleaves on the west side by existing Dalnaspidal junction. The majority of these trees are non-native conifers which therefore reduces the level of value but constitutes loss of woodland corridor. Requires less cut on the east side. Loss of mature and regenerating birch and willow scrub on west side verge north of Dalnaspidal junction. Verges on west side a Dalnaspidal junction comprise of unimproved acid grassland and are known to contain waxcap fungi. These verges would be lost. Unimproved grassland north of Dalnaspidal on the west side of the carriageway (in between A9 and cycle path) has potential to support plants and fungi (waxcaps) of conservation interest. This habitat would likely be lost.	CNPA comments are acknowledged. The Stage 2 Ecology assessment favours Option 1a mainly due to avoidance of SAC/ SPA boundaries. Should option 1a be selected, ecological mitigation will be considered further at DMRB Stage 3. The presence of waxcap fungi should be further considered for the DMRB stage 3 assessment. Comment regarding regenerating birch and willow also noted for Stage 3 consideration.	A policy of a replant and replace practice has been recommended, with the inclusion of planting of native species such as willow around Dalnaspidal as a result of loss of this habitat elsewhere in this location. CNPA invertebrates have been assessed and mitigated on a habitat scale, where a replant and replace policy has been implemented throughout the Proposed Scheme to address potential local losses of habitat for these species.
	12. Option 2a - Ecology: Impacts on raised bog (botanical and invertebrate potential, as well as valuable habitat), unimproved grassland with waxcap and botanical interest.	CNPA comment acknowledged - consideration of impacts on sensitive receptors, including those noted, will be considered further at DMRB stage 3.	CNPA invertebrates have been assessed and mitigated on a habitat scale, where a replant and replace policy has been implemented throughout the Proposed Scheme to address potential local losses of habitat for these species.
	14. Option 3a - Ecology: All options: On western side, impacts on raised bog and mire habitat (botanical and invertebrate potential). On east side, impacts on dry dwarf shrub heath (if bearberry present there is potential for rare moths). There is potential for rare moss species to occur on steep scree slopes in this section. However, these are above the Beauly-Denny powerline and are not proposed to be impacted. 3a has some potential for vegetation (scrub and small trees) in between the road and the railway. No potential for verge in between carriages. Land take is smallest for this option, so no potential to increase land take and create more scrub habitat.	CNPA comments are noted to inform the overall assessment of the route options supporting the identification of the preferred route. Given the tightly constrained nature of the Drumochter Pass, the best fit between the Stage 2 options will be developed at Stage 3. Consideration of impacts on the sensitive receptors identified will be considered further at DMRB stage 3	CNPA invertebrates have been assessed and mitigated on a habitat scale, where a replant and replace policy has been implemented throughout the Proposed Scheme to address potential local losses of habitat for these species. Plant and replace of scattered scrub habitats has been incorporated as mitigation within the EIA to be included in the final design.
	20. Option 4a - Ecology: Only one option (widen to the west and then widen to the east in the northern section to avoid Drumochter lodge). Impacts on conifer shelter belt on east side. Potential to contain tooth fungi (recorded nearby). Also provides a woodland corridor. Potential impacts on mire habitat on west side (potential botanical and invert interest). Allt Coire Chuirn has shingle habitat on the west side of the road with potential to support lichens and inverts of conservation interest. There is also potential waxcap potential alongside this burn on the west side of the road. There is also raise bog habitat (botanical and invert potential) on the west side. Opportunities: Enhancement of woodland shelter belt by thinning out some non-natives and introducing broadleaves and Scots pine	CNPA comments on potential receptors are acknowledged. There is a single mainline option in this section, and it is recognised that the corridor is constrained by the River Spey SAC on the west side and the Drumochter Hills SSSI/ SAC/ SPA on the east side. DMRB Stage 3 will consider ecological impacts, and the mitigation and compensation measures required for the preferred route.	CNPA invertebrates have been assessed and mitigated on a habitat scale, where a replant and replace policy has been implemented throughout the Proposed Scheme to address potential local losses of habitat for these species. The Allt Coire Chuirn, west of the Proposed Scheme, will be unaffected by working boundaries and therefore no loss of shingle habitat or waxcaps will occur. Construction stage pollution prevention methods will protect these habitats during works upstream of these locations. Replacement winter resilience planting on affected embankments is specified with use of native mix species, including broadleaves and Scots pine.