transport.gov.scot

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A9 Northbound (Tomatin Duals and North of Layby 155) – Carriageway Resurfacing

Contents

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on a stretch of the A9 carriageway south of Tomatin, within the Highland Council.

This RoD includes assessment for two separate schemes being carried out on two consecutive sections of the northbound A9 carriageway; A9 Tomatin Duals Northbound and A9 North of Layby 155.

The works for both schemes are similar in nature and will involve the replacement of surface course on the northbound carriageway, over a total length of 3300m (3.3km), comprising individual scheme lengths of 1120m and 2180m. The works cover a total area of approximately 2.4ha, comprising 1.1ha and 1.3ha for each scheme.

Surface course will be replaced to depths of approximately 50mm, binder course to 60mm, and base course to a depth of 240mm. Road markings and studs will also be replaced.

Main plant will include pavers, planers, excavators, and rollers. A welfare unit with generator will be required on site, and heavy goods vehicles (HGVs) will be required for transport of materials and wastes.

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site.
- Mill out old surface course.
- Lay new surface course.
- Install kerbing within pavement.
- Roll surface and allow it to go off.
- Install road markings and studs.
- Remove TM and open road.

The works are currently programmed to be completed within the 2024/2025 financial year, commencing in May 2024. Exact durations for each scheme are yet to be confirmed, however these will be undertaken consecutively. Works will be undertaken during night-time programming (19:00-06:00). Changes in the programme may result in the need for change to day works for each element.

Traffic management (TM) will consist of 24 hour lane closures with a night time convoy. Site access and plant storage will be located within TM. If the programme changes, this may result in amendments to the exact TM requirements.

Location

Both schemes are located on the A9 carriageway south of Tomatin, within the Highland Council area (Figure 1). The schemes have the following National Grid References (NGRs):

- A9 Tomatin Duals Northbound (Scheme 1)
  - Scheme Start: NH 83088 26006
  - Scheme End: NH 82126 26548
- A9 North of Layby 155 (Scheme 2)
  - Scheme Start: NH 81624 26909
  - Scheme End: NH 80916 28851

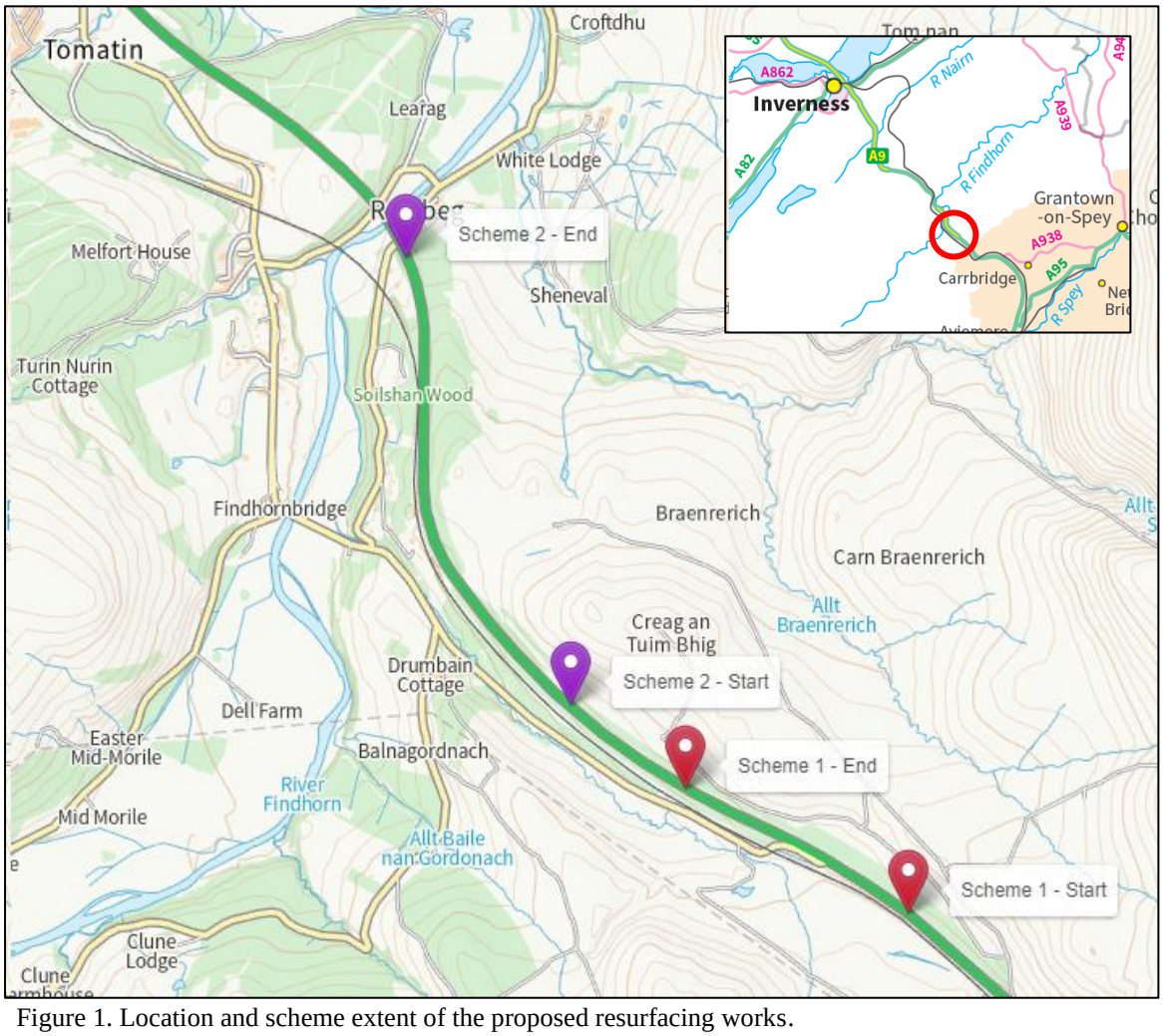

Figure 1. Location and scheme extent of the proposed resurfacing works.

Description of local environment

Air quality

The schemes do not fall within any Air Quality Management Areas (AQMA) (Air Quality Scotland).

No Air Quality Monitoring Stations (AQMS) are located within 10km of the proposed works (Air Quality in Scotland).

No sites are registered on the Scottish Pollutant Release Inventory (SPRI) (Scotland's Environment) for air pollutant releases within 10km proximity of either scheme.

A manual traffic count point (ID: 20726) on the A9 carriageway approximately 9km north of the works provides average annual daily flow (AADF) data for A9 traffic. In 2022, AADF at this point was recorded 10,113 vehicles, including 948 (9.4%) heavy goods vehicles (HGVs) (Road Traffic Statistics).

Cultural heritage

A desktop study using PastMap identified the following features of cultural heritage within 300m of the works:

- Approximately nine Historic Environment Records (HERs), the closest of which pertains to a Hut Circle (Creag An Tuim Bhig), the study area of which overlaps the A9 carriageway. Three scheduled monuments within this HER study area are listed below.
- Three 'Hut Circles' which are designated as Scheduled Monuments, all located in a cluster approximately 60m from the southbound A9 carriageway.
- Approximately five Canmore records, the closest of which pertains to a study undertaken during the A9 dualling works within the trunk road boundary. No features discovered as part of this have been awarded designated/protected status.
- The Tomatin Railway Viaduct (Over River Findhorn), which is a Category B Listed Building, is located 120m west of the A9 carriageway at the northern extent of the works.

There are no World Heritage Sites, Battlefields, Conservation Areas, or Garden and Designed Landscapes within 300m of the works.

Landscape and visual effects

The works are not located within a National Park, National Scenic Area, or any other area designated for landscape character or quality (Sitelink).

The Landscape Character Type (LCT) within the scheme extent is categorized as 'Rolling Uplands - Inverness' (no. 221) (Scottish Landscape Character Types), which is characterised by:

- A series of large scale, smooth, rounded hills with summits of similar height forming broad, undulating upland plateaux containing occasional steep-sided straths.
- Open heather moorland dominates, the uniform colour and texture accentuating the landform.
- Straths floors contain inbye pastures, trees and small patches of woodland.
- Conifer forests limited to the lower edges of uplands and strath sides.
- Settlement limited to a few isolated farms in remote straths.
- A few mainly single track roads, integrated within the landform.
- Uninhabited interior, largely inaccessible to vehicles.
- Archaeological evidence of settlement and farming from prehistoric times to the 19th century.
- Striking colour and textural contrast between strath floors and moorland vegetation above.
- Expansive views from the hill tops and plateaux create a strong sense of openness and exposure.
- Scale and distance difficult to judge.
- Few signs of active management in the interiors, creating a strong perception of remoteness, although this is affected by a number of large wind farm developments.

Historic Environment Scotland's HLAMap has highlighted the surrounding landscape to consist of a combination of rough grazing, managed woodland, and rectilinear fields and farms. The A9 carriageway forms an and the adjacent Highland Main Railway Line form engineered corridors within the landscape.

Biodiversity

Slochd Special Area of Conservation (SAC) is located 45m northeast of the A9 carriageway at the works location. This SAC is designated for dry heaths (upland habitat). No other European sites are recorded within 2km of, or share connectivity with, the works locations.

The schemes do not lie within any locally or nationally designated biodiversity sites (SiteLink).

Numerous bird species were also recorded on NBN Atlas within the same search criteria and under the Wildlife and Countryside Act 1981, all wild birds and their active nests are protected.

The NBN Atlas was also searched using the same criteria for plant species; however no INNS, injurious weeds, or invasive perennials were recorded.

A search using Transport Scotland's Asset Management Performance System (AMPS) also did not return any records for INNS, injurious weeds or invasive perennials within 300m of the works.

Habitat in the surrounding area comprises mixed woodland (predominantly forestry plantations) and arable land.

An area of woodland as listed on the Ancient Woodland Inventory (AWI) as 'ancient (of semi-natural origin)' encompasses the northern section of the scheme extent (SE Map). No vegetation removal is expected as part of these works.

There are no areas of woodland or individual trees covered by a Tree Preservation Order (TPO) within 300m of the scheme extents (Highland Council).

Considering the urban features in proximity and the moderate traffic density at the scheme extent, it is considered unlikely that any terrestrial mammal species of conservation importance are associated with permanent habitat or resting places within the area of likely construction disturbance. There is potential for mammal activity within adjacent tree lines, however it is unlikely that any permanent shelter features will be situated in close proximity to the A9. Therefore, a field survey has been ruled out, and a desktop study has been deemed sufficient for this assessment.

Geology and soils

The schemes do not lie within a Geological Conservation Review Site (GCRS), or within a geologically designated Site of Special Scientific Interest (SSSI) (SiteLink).

Soils within the scheme extents are recorded as peaty-gleyed podzols. The schemes are located within a 'Class 5' category of carbon and peatland importance, which relates to soils which are carbon-rich and may contain deep peat. Class 5 soils are not considered to be of national importance (Scotland's Soils).

Bedrock within the scheme extents are recorded as 'Findhorn Pluton, Phase 2' (containing granodiorite and biotite), which is an igneous bedrock type. Superficial

deposits within scheme extents are recorded as ‘Till, Devensian’ (diamicton), which is a sedimentary superficial deposit type (BSG Geology Viewer).

Material assets and waste

The proposed works are necessary to resurface work sections of the A9 carriageway, requiring base/binder inlay, and reinstatement of road markings, studs, and kerbing where required. Materials used will consist of:

- Asphaltic material
- Bituminous emulsion bond coat
- Milled in road studs
- Thermoplastic road marking paint
- Pre-cast concrete kerbs

Wastes are anticipated to be removed planings from the surface course, which will be recovered for re-use in line with BEAR Scotland’s Procedure 126: The Production of Fully Recovered Asphalt Road Planings. The Contractor is responsible for the disposal of road planings and this has been registered in accordance with a Paragraph 13(a) waste exemption issued by SEPA, as described in Schedule 3 of the Waste Management Licensing Regulations 2011.

A Site Waste Management Plan (SWMP) is required for both schemes. Coal tar has not been highlighted as being present within the scheme extent.

Noise and vibration

For sensitive receptors, refer to the ‘Population and Human Health’ section below.

The works do not fall within a Candidate Noise Management Area (CNMA) as defined by the Transportation Noise Action Plan (Road Maps) (TNAP).

Noise modelled data for the A9 carriageway at the scheme extents records ‘Day, Evening, and Night’ (Lden) levels at the scheme extent as between 65 and 75 decibels (dB) (Scotland’s Environment).

Baseline noise levels in the scheme extents are likely to be primarily influenced by traffic along the A9, with secondary sources generated by nearby railway movements and agricultural/forestry practices.

Population and human health

There are approximately twenty residential properties within 300m of scheme extents; the closest of which lies approximately 55m west of the A9 carriageway. Varied topography, roadside tree belts and larger wooded areas in proximity provide an element of screening between these properties and the works location.

Route 7 on the National Cycle Network (NCN) travels parallel to the northbound A9 carriageway for the full works extent; located adjacent to the northbound carriageway within the verge for the southern extent of the scheme, and then diverging off the A9 via a local road point (OS Maps). This NCN route is also listed as a Core Path (Highland Council).

There are no walking routes as listed on WalkHighlands within 300m of the scheme.

Three laybys and an off/on-slip are located on the northbound carriageway within the scheme extent. The off-on/slip gives access to the local road network.

A railway line (Highland Mainline) travels parallel to the northbound A9 carriageway for the full scheme extent, at a distance of 20m at its closest point.

TM will involve 24 hour lane closures with a night time convoy.

The A9 Trunk Road, within the North West, connects Perth with Thurso. It commences immediately north of Inveralmond Roundabout in Perth leading generally northwards for a distance of 357 kilometres to its junction with an unclassified road leading to Holborn Head lighthouse at Scrabster. The A9 is a mixture of single carriageway, '2+1' carriageway and stretches of two-lane dual carriageway. The A9 is a dual carriageway within the scheme extents.

Road drainage and the water environment

River Findhorn flows below the A9 carriageway 150m north of the works. This watercourse has been classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD), and was assigned a status of good in 2022 (SEPA Water Classification Hub).

Allt Cosach (unclassified by SEPA) flows parallel to a section of the scheme at a distance of approximately 110m. Several minor waterbodies (considered to be tributaries or drainage ditches) lie within 300m of scheme extents, with some culverted below the A9 carriageway within the scheme extent.

Small areas of the A9 carriageway within the scheme extents are recorded as being at low (0.1% chance of flooding each year) to high (10% chance) risk of surface water flooding (SEPA Flood Maps).

Climate

The Climate Change (Scotland) Act 2009 sets out the target and vision set by the Scottish Government for tackling and responding to climate change (The Climate Change (Scotland) Act 2009). The Act included a target of reducing CO_2 emissions by 80% before 2050 (from the baseline year 1990). The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to bring the target of reaching net-zero emissions in Scotland forward to 2045 (Climate Change (Emissions Reduction Targets) (Scotland) Act 2019).

The Scottish Government has since published its indicative Nationally Determined Contribution (iNDC) to set out how it will reach net-zero emissions by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030 (Scotland's contribution to the Paris Agreement: indicative Nationally Determined Contribution - gov.scot (www.gov.scot)). By 2040, the Scottish Government is committed to reducing emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

Transport Scotland is committed to reducing carbon across Scotland's transport network and this commitment is being enacted through the Mission Zero for Transport (Mission Zero for transport | Transport Scotland). Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, Transport Scotland are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

Policies and plans

This Record of Determination (RoD) has been undertaken in accordance with all relevant regulations, guidance, policies and plans, notably including the Environment and Sustainability Discipline of the Design Manual for Roads and Bridges (Design Manual for Roads and Bridges (DMRB)) and Transport Scotland's Environmental Impact Assessment Guidance (Guidance - Environmental Impact Assessments for road projects (transport.gov.scot)).

Description of main environmental impacts and proposed mitigation

Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. Activities undertaken on site may cause dust and particulate matter to be emitted to the atmosphere. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air are considered to be low.

- When not in use, plant and vehicles will be switched off; there will be no idling vehicles.
- All plant, machinery and vehicles associated with the works will be maintained in order to minimise emissions, as per manufacturing and legal requirements. No significant dust, particulate matter, and exhaust emissions sources will be introduced by the works.
- Green driving techniques will be adopted, and effective route preparation and planning will be undertaken prior to works.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Activities involving cutting/planing will be appropriately managed to reduce the potential for dust creation. This will involve use of measures such as dampening down or on tool extraction where required.
- Material stockpiles will be reduced as far as is reasonably practicable by using a ‘just in time’ delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials will be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.
- Drop heights to haulage vehicles and onto conveyors will be minimised.
- Surfaces will be swept where loose material remains following planing.

With the above mitigation measures in place, it is anticipated that any air quality effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Cultural Heritage

Although there are records of cultural heritage interest within 300m of the scheme extents, any excavation works associated with the scheme are restricted to the already engineered carriageway boundary, and as such the potential for exposure of cultural heritage features is considered to be negligible; construction of the A9 road corridor is likely to have removed any archaeological remains that may have been present.

As standard, the following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- There will be no storage of vehicles, plant, or materials against any buildings, walls or fences.
- Should any unexpected archaeological evidence be discovered, works will stop temporarily in the vicinity and the BEAR Scotland Environment Team contacted for advice.
- People, plant, and materials will, as much as is reasonably practicable, only be present on areas of made / engineered ground. Where access out with these areas is required for the safe and effective completion of the scheme, it will be reduced as much as is reasonably practicable and ideally be limited to access on foot. There will be no storage of vehicles, plant, or materials against any buildings, walls or fences.

With the above mitigation measures in place, it is anticipated that any cultural heritage effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Landscape and visual effects

There is potential for minor, temporary visual impacts to the local landscape during the construction phase as a result of obstructed views due to vehicles and machinery. Works will be restricted to the A9 carriageway boundary and will be limited to the like-for-like replacement of the carriageway and will be temporary in nature.

Land use will not change as a result of the works, and the works will not result in any residual change to the visual amenity of the local landscape. The following mitigation measures will be put in place during works:

- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- Works will avoid encroaching on land and areas where work is not required or is not permitted. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape shall be reinstated as much as is practicable.

With the above mitigation measures in place, it is anticipated that any landscape and visual effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Biodiversity

Slochd SAC is located 45m northeast of the A9 carriageway and is designated for dry heaths (upland habitat). Works will be restricted to the like-for-like replacement of the A9 carriageway, and no works will be undertaken within the SAC boundary. Due to lack of connectivity and the immobile nature of the qualifying features, no potential for likely significant effects (LSE) on the SAC from the works' operations exists.

During road resurfacing, activities undertaken on site could potentially have a temporary adverse impact on biodiversity in the area as a result of an increased vehicle presence and the potential for disturbance to protected species and pollution of habitats.

All works will be restricted to the A9 carriageway surface and will not entail any vegetation clearance or works within the soft verge. There are no earthworks associated with the scheme, and the scheme does not require permanent (or temporary) land-take, accommodation works, site clearance or locally gained resources, and there is no requirement to import topsoil. As such, there is limited potential to spread or introduce INNS, invasive native perennials, or injurious flowering plant species. In addition, no INNS have been recorded on NBN or AMPS within the scheme extents.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the Site Environmental Management Plan (SEMP) and adhered to on site. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Site personnel will remain vigilant for the presence of potentially unrecorded instances of INNS or injurious weeds in road verges throughout the works period. Should any INNS be identified in working areas, no works will take

place within 7m of these areas until the BEAR Scotland Environment Team can provide further advice on additional mitigation measures.

- Works will be strictly limited to areas required for access and resurfacing works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- Site personnel will remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species shall be reported to the BEAR Scotland Environment Team.
- A 'soft start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.
- Relevant toolbox talks for working with protected species will be included in the SEMP.
- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g., storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- Any temporary lighting used during periods of low light levels will be directional and will avoid spilling into sensitive areas where possible.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level will be provided, allowing free passage for mammals and preventing entrapment.

With the above mitigation measures in place, it is anticipated that any biodiversity effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Geology and Soils

All works are confined to the A9 carriageway and are restricted to like-for-like replacement of the road surfacing material. No earthworks are expected as part of these works, however excavation within made-ground may result in localised and minor soil exposure or disturbance. The following measures will be applied to on site:

- The parking of machinery/personnel and storage of equipment on road verges is not permitted.

- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.
- Standard good practice measures, like containment measures for working near water, to prevent water and soil pollution will be detailed in the SEMP and adhered to on site.

With the above mitigation measures in place, it is anticipated that any geology and soils effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Material assets and waste

There is potential for impacts as a result of resource depletion through use and transportation of new materials. However, materials will be sourced locally where possible and the following mitigation measures will be put in place:

- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Care will be taken to order the correct quantity of required materials to prevent the disposal of unused materials.
- Where possible, minimal packaging will be requested on required deliveries to reduce unnecessary waste and production of packaging materials.

There is potential for impacts during works as a result of the improper storage or disposal of waste. The following mitigation measures will be put in place:

- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- The subcontractor will adhere to waste management legislation and ensure they comply with their Duty of Care.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.
- Planings will be re-used or recycled under a SEPA Paragraph 13(a) waste exemption and in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings.
- All wastes and unused materials will be removed from site in a safe and legal manner by a licensed waste carrier upon completion of the works. The appointed waste carrier will have a valid SEPA waste carrier registration, a copy of which will be provided to and retained by BEAR Scotland as early as possible.

- All appropriate waste documentation will be present on site and will be available for inspection. A copy of the Duty of Care paperwork must be provided and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).
- Re-use and recycling of waste will be encouraged and undertaken where possible, and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g., waste carrier's licence, transfer notes, and waste exemption certificates).
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.

With the above mitigation measures in place, it is anticipated that any material assets and waste effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Noise and vibration

Construction activities associated with the proposed works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works will employ a night-time working pattern, and several properties fall within 300m of the schemes. Due to the short duration and localised nature of the works, the proposed scheme is anticipated to result in temporary minor noise impacts during the construction programme. The following mitigation measures will be put in place:

- The Best Practicable Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum.
- Residents within 300m of the scheme will be notified in advance of the works, likely by a letter drop. This notification will include details of proposed nature, timings and duration of the works, and a 24-hour contact number for the BEAR Scotland Control Room.
- The Environmental Health Officer (EHO) for the Highland Council will be notified of works.
- The noisiest works (e.g. planing) will be programmed to be completed as early in the nightly schedule as possible, where reasonably practicable.
- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.

- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

With the above mitigation measures in place, it is anticipated that any noise and vibration effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Population and human health

During construction, activities undertaken on site may have temporary adverse impacts on local residents, vehicle travellers, and non-motorised road users (NMUs) as a result of construction presence, and associated noise and delays due to traffic management measures. Some access points are located within the scheme extent, however local access will be granted where required. Road users and local bus operators will be informed of works through a media release, which will provide details of construction dates and times. The works will be of limited duration and will move progressively along the full scheme extent. With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- Notification will be issued to local residents and local public transport operators prior to commencement of the works, advising of any proposed works and expected restrictions.
- Any changes of schedule (e.g. change from night-time works to daytime works) will be communicated to local residents throughout the programme.
- Appropriate provisions / measures will be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- In the event of bus stop closures, appropriate alternative bus stops will be set-up outwith traffic management, which will be clearly signed and fully accessible.
- Journey planning information will be available for drivers online at the trafficscotland.org website. Journey planning information will also be available for drivers online through BEAR Scotland’s social media platforms.

With the above mitigation measures in place, it is anticipated that any population and human health effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Road drainage and the water environment

During resurfacing works, there is potential for temporary impacts on the water environment. Potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain/flooding) during works have the potential to have a direct or indirect effect on the surrounding waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- The scheme will not entail any in-stream works.
- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works in or near water are detailed in the SEMP and will be adhered to on site.
- No discharges into any watercourses or drainage systems are permitted. Appropriate containment measures will be in place to prevent any loss of construction materials into the water environment.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills will be logged and reported. In the event of any spills into the water environment, all works will stop, and the incident will be reported to the project manager and the BEAR Scotland Environmental Team. SEPA will be informed of any such incident as soon as possible using the SEPA Pollution Hotline.
- All plant and equipment will be regularly inspected for any signs of damage and leaks. A checklist will be present to make sure that the checks have been carried out.
- Storage of hazardous material, oil and fuel containers will be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers will be stored on an impermeable area and will be fully bunded. This will be distanced more than 10m from any watercourses.
- During refuelling of smaller mobile plant, a funnel will be used, and drip trays will be in place. Care will be taken to reduce the chance of spillages. Spill kits

will be quickly accessible to capture any spills should they occur. The ground / stone around the site of a spill will be removed, double bagged and taken off site as special contaminated waste.

- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded then drip trays must also be supplied beneath the equipment with a capacity of 110%.

With the above mitigation measures in place, it is anticipated that any road drainage and the water environment effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Climate

Construction activities associated with the proposed scheme works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. The following mitigation measures will be put in place:

- BEAR Scotland will adhere to their Carbon Management Policy.
- Local contractors and suppliers will be used as far as practicable to reduce fuel use and greenhouse gas emitted as part of the works.
- Where possible, materials will be sourced locally to reduce greenhouse gas emissions associated with materials movement, and waste will be disposed at local landfill.

With the above mitigation measures in place, it is anticipated that any climate effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Vulnerability of the project to risks

Small areas of the A9 carriageway within the works location are recorded as being between low risk (0.1% chance each year) and high risk of (10% chance each year) of flooding. Works will be programmed as far as is reasonably practicable to avoid periods of adverse weather or heavy rainfall.

Works are restricted to the made ground of the A9 carriageway and traffic management will be designed in line with existing guidance. Traffic management will consist of a combination of nightshift lane closures with a convoy system. Where required, alternative NMU provisions/routes will be included in the traffic management setup, to minimise impact of the works on NMUs.

A Traffic Management Plan (TMP), which includes measures to avoid or reduce disruption to road traffic, will be produced in accordance with the Traffic Signs Manual (Department of Transport 2009). The TMP will ensure that there is no severance of community assets, access routes or residential development.

These measures, along with mitigation measures and standard working practices, will be detailed in the SEMP and adhered to on site. The vulnerability of the project to risks of major accidents and disasters is considered to be low.

Assessment of cumulative effects

During construction, activities associated with the works may create several types of minor temporary disturbances such as changes to noise and vibration and air quality. However, these impacts will be temporary in nature and are not anticipated to result in a significant cumulative effect.

A search of the Highland Council Planning Portal (Map Search) identified three planning applications yet to be constructed within close proximity (100m) of the scheme in the last two years including the erection of three houses (24/00379/PIP; application under consideration), erection of house (22/04720/FUL; application approved in May 2023), and Clune Wind Farm proposal (24/00690/SCOP; application currently under consideration), however those still under consideration are not likely to undergo construction imminently. No specific dates for construction are listed for these applications. Construction for all of these applications will likely require access via the scheme extent to facilitate any works.

In the event of an overlap, given the nature, scale, and programming timings it is not anticipated that the scheme will interact with any of the above planning applications in such a way as to produce significant combined environmental effects.

A search of the Scottish Roads Works Commissioner's website (Map Search) has identified one other road scheme that is programmed on the A9 carriageway during the works, or noted as being planned in the vicinity of the works in the next six months: A9 Findhorn Bridge Northbound – Damage to Crown Property (DCP) Parapet Repairs, located 70m north of the works. As such, where night-time TM is in place for these DCP works, there is potential for cumulative impacts to drivers using this northbound stretch of the A9, such as via increased travel times and potential driver frustrations. However, due to the night-time programming (when traffic flow will be at its lowest), and due to the temporary nature of the scheme, any combined impacts are not considered to be of a significant nature. Notification of the proposed works and associated restrictions will be posted locally to further manage potential impacts.

BEAR Scotland programme all of their proposed works in line with appropriate guidance and contractual requirements. All schemes are programmed to take into account existing and future planned works, with a view of limiting any cumulative effects relating to traffic management. As a result of this exercise, where a potential for cumulative impacts is identified, BEAR Scotland will reprogramme schemes to avoid / limit any cumulative effects or will utilise existing traffic management to complete multiple schemes at once. This approach allows BEAR Scotland to effectively manage the potential cumulative effects as a result of traffic management, resulting in minimal disruption to users of the Scottish trunk road network.

Overall, it is unlikely that the proposed works will have a significant cumulative effect with any other future works in the area.

Assessments of the environmental effects

As detailed in the Description of Main Environmental Impacts and Proposed Mitigation section within this Record of Determination, there are no significant effects anticipated on any environmental receptors as a result of the proposed works.

Statement of case in support of a Determination that a statutory EIA is not required

This is a relevant project in terms of section 55A (16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) exceed 1 hectare in area.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment (EIA) is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria and review of available information has not identified the need for a statutory EIA.

The project will not have significant effects on the environment by virtue of factors such as:

Characteristics of the scheme:

- The total working area is restricted to the 2.4ha of existing carriageway.

- Works are restricted to like-for-like replacement of worn road surface, with all works restricted to made-ground on the A9 carriageway.
- The works will be temporary, transient, localised, and completed during night-time hours on a rolling programme.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- By removing the carriageway defects this will provide this part of the A9 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions for road users.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users during the operational phase.
- As the works will be limited to the like-for-like replacement of the structural components, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.

Location of the works:

- Works are not located within any areas designated for biodiversity features, cultural heritage features, nor for specific landscape character or quality.
- The scheme will be confined within the existing carriageway boundary and as a result will not require any land take or alter any local land uses or habitats.
- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.

Characteristics of potential impacts of the works:

- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Any cumulative impacts on road users from nearby works will not be of a significant nature and will be further managed through appropriate local notification.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- The SEMP will include plans to address environmental incidents.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users during the operational phase.

- As the works will be limited to the like-for-like replacement of the structural components, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- No in-combination effects have been identified.

Annex A

"sensitive area" means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Further copies of this document are available, on request, in audio and visual formats and in community languages. Any enquiries regarding this document / publication should be sent to us at info@transport.gov.scot
This document is also available on the Transport Scotland website: www.transport.gov.scot

Published by Transport Scotland, May 2024

Follow us:
transcotland
@transcotland

transport.gov.scot

Scottish Government
Riaghaltas na h-Alba
gov.scot