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Environmental Impact Assessment Record of Determination

A9 Bogbain Burn

Contents

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out surface course replacement on the A9 trunk road west of Carrbridge (Figure 1) (Grid reference map). Depth of resurfacing is proposed with a 145mm inlay. Road markings will be reinstated following the works. The scheme is 260m in length with a total area of approximately 0.24ha.

The works are currently programmed to be begin early in the 2024/2025 financial year with a provisional start date of 15th May 2024. Works will be carried out over 3 nights using nighttime working hours (19:00 – 06:00). If the programme changes, there might be requirement for daytime working.

Traffic management (TM) is currently anticipated to consist of single lane closures facilitated by temporary two-way traffic lights with convoy working. The scheme is located on a trunk road stretch with no pedestrian facilities present, however non-motorised users (NMUs) will still be accommodated within TM. No pedestrian diversions are required.

Location

The scheme is located on the A9 approximately 3km west of Carrbridge in the Highland Council area (Grid ref: NH 87247 24047 - NH 86994 23994) (Figure 1).

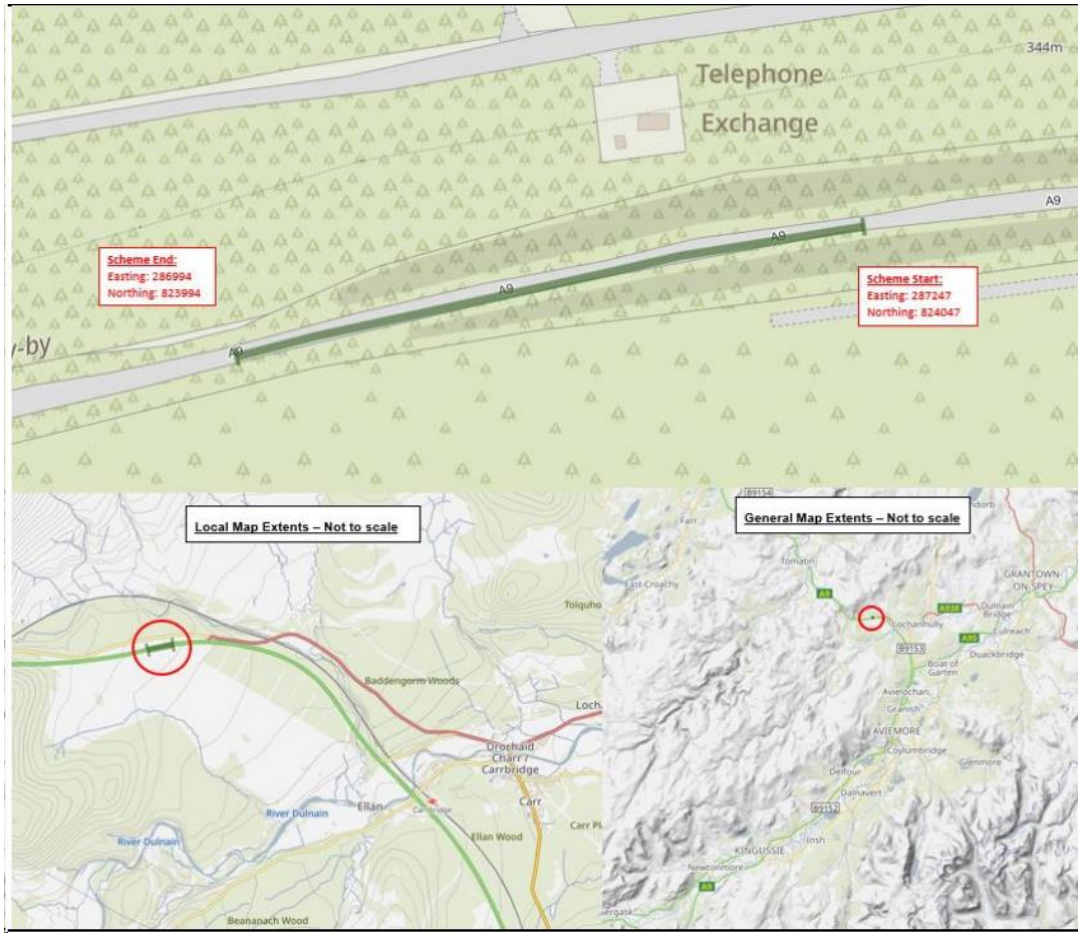

Figure 1. Scheme location. Source: Asset Management Performance System (AMPS). © Europa Technologies Ltd. Contains Ordnance Survey data © Crown copyright and database right 2018

Description of local environment

Air quality

The scheme does not fall within any Air Quality Management Areas (Scottish Air Quality) which have been declared by the Highland Council.

There are no pollution monitoring sites located within 10km of the scheme (Air Quality in Scotland).

There are no Scottish Pollutant Release Inventory (SPRI) monitoring sites located within 10km of the scheme.

Baseline air quality in the study area is mainly influenced by vehicles travelling along the A9 trunk road. Secondary sources are derived from day-to-day forestry/woodland management.

Cultural heritage

According to Pastmap (Pastmap), only one feature listed on the Canmore database is located within 300m of the scheme, a 20th century benchmark located 100m north of the scheme.

There are no Historic Environment Records, Scheduled Monuments, Listed Buildings, Garden & Designed Landscapes, Conservation Areas, World Heritage Sites or Inventory Battlefields located within 300m of the scheme.

The works are confined to the carriageway surface with no verge works required. Furthermore, construction of the A9 is likely to have removed any archaeological remains that may have been present within the area and as such 'cultural heritage' is scoped out and is not discussed further within this RoD.

Landscape and visual effects

The scheme lies within the Cairngorms National Park (SiteLink) which is noted for the following Special General Qualities:

- Magnificent mountains towering over moorland, forest and strath
- Vastness of space, scale and height
- Strong juxtaposition of contrasting landscapes
- A landscape of layers, from inhabited strath to remote, uninhabited upland

- 'The harmony of complicated curves'
- Landscapes both cultural and natural

The scheme is not situated within a National Scenic Area (NatureScot).

The scheme is located within a rural location on the A9, with land use surrounding the scheme dominated by commercial forestry plantations and managed uplands.

The Landscape Character Type (LCT) within the scheme extent is recorded as Forested Upland Fringe (LCT No. 128) and is noted for the following key characteristics:

- Located on fringes below and partially contained by upland areas.
- Bowls or platform landscapes above river valleys which are largely flat, with locally complex landforms.
- Small rounded lochs providing picturesque and recreational focus.
- Crossed by watercourses descending from encircling hills and mountains: some in deeply incised gorges, others meandering across floodplains.
- Extensive tracts of forest, comprising native Scots Pine as well as conifers. Heather moorland with regenerating pine and birch scrub bordering the mountainous backdrop, and in spaces within the forests.
- Dispersed farms with small fields of pasture contained by the forest, creating a sequence of open spaces on well-drained areas and low ridges.
- Some busy main roads, as well as minor roads following river valleys, with estate tracks on higher ground.
- Popular recreation and tourist destinations.
- Impressively extensive forests, particularly when viewed from surrounding elevated viewpoints.
- Can feel secluded, despite being quite busy.
- Diverse experience of light and shade.
- Forested backdrop to river valleys and straths.

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 single carriageway within the scheme extent.

Biodiversity

The scheme is located 1.6km north of the Kinveachy Forest Site of Special Scientific Interest (SiteLink).

The scheme lies within 2km of the following European Sites:

- River Spey Special Area of Conservation (SAC) (8365), located 1.9km east of the scheme and sharing no direct connectivity.
- Kinveachy Forest SAC (8283), located 1.6km south of the scheme and sharing no direct connectivity.
- Kinveachy Forest Special Protection Area (SPA) (8519), located 1.6km south of the scheme and sharing no direct connectivity.

The NBN Atlas also has record of several bird species within 2km over a 10-year period. Under the Wildlife and Countryside Act 1981, all wild birds and their active nests are protected.

The NBN Atlas holds no records of INNS or injurious weeds using the same search criteria.

Transport Scotland's Asset Management Performance System (AMPS) does not record any INNS or injurious weeds within 300m of the scheme.

Habitat surrounding the A9 at this location is dominated by commercial forestry to the north and managed uplands to the south.

There are no areas of woodland within 300m of the scheme listed on the Ancient Woodland Inventory (Scotland's Environment).

No Tree Preservation Orders (TPO) are located within 300m of the scheme (The Highland Council

Geology and soils

The scheme does not lie within 300m of any geological SSSIs or Geological Conservation Review Sites (NatureScot).

Soils within the scheme are recorded as peaty gleyed podzols and Class 4 on the Carbon and Peatland map (Scotland's Soils). Class 4 indicates predominantly mineral soil with some peat soil, and heath with some peatland.

Bedrock within the scheme is recorded as psammite of the Central Highland Migmatite Complex with superficial deposits of Ardverikie Till Formation diamicton (BGS).

The works are confined to the carriageway surface with no verge works required. In addition, no excavation of rock or soil is required. As such, no change to geology and soils is predicted and this topic has been scoped out and is not discussed further within this RoD.

Material assets and waste

The proposed works are required to resurface the worn carriageway and reinstate road markings. Materials used will consist of:

- Asphaltic material (TS2010 surface course & warm mix AC20 binder course)
- Bituminous emulsion bond coat
- Thermoplastic road marking paint

As the value of the scheme does not exceed £350,000 a Site Waste Management Plan (SWMP) is not required.

The 260m scheme involves removal of the surface course and localised areas of binder course. Approximately 516 tonnes of proposed bituminous material (European Waste Catalogue Code: 17 03 02) will be removed from site, none of which is classified as hazardous material containing coal tar.

No site compound is required for these works. Storage of plant and equipment will be within TM on the A9 carriageway.

Noise and vibration

There are no residential or commercial properties present within 300m of the scheme.

The scheme does not lie within any Candidate Noise Management Areas (Transport Scotland).

Modelled noise data for the A9 carriageway within this area records ranges between 75dB and 55dB (Scotland's Environment).

As the scheme lies within a rural area, main sources for noise are anticipated to arise from road traffic on the A9, with secondary sources arising from nearby forestry works.

Population and human health

As noted above, there are no residential or commercial properties present within 300m of the scheme.

National Cycle Network Route 7 runs approximately 90m north of the scheme (OSMaps).

There are no WalkHighlands routes within 300m of the scheme (WalkHighlands).

There are no Core Paths within 300m of the scheme (Scotland's Environment).

There are no laybys, bus stops, footpaths, or other pedestrian or non-motorised road user facilities within the scheme extents.

The nearest manual traffic count point is located 6km south of the scheme (ID: 10808), which records an annual average daily flow of 7,828 vehicles in 2022 with heavy goods vehicles making up approximately 17% (Department for Transport).

Road drainage and the water environment

Road drainage within the scheme is provided by top-entry gullies.

The scheme lies entirely within the Strathnairn, Speyside, and Cairngorms groundwater body which is also a Drinking Water Protected Area (Ground) and was classified by SEPA in 2022 as being in 'Good' condition (SEPA).

There are no SEPA-classified surface water bodies within 300m of the scheme.

SEPA does not record any areas of river flooding risk within the scheme extents (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 includes a target of reducing CO2 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 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. The main sources are likely to be dust generated by cold milling in preparation of carriageway resurfacing, as well as exhaust emissions from ancillary plant and vehicles. As a result, there is potential for dust, particulate matter, and exhaust emissions 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.

- A water-assisted dust sweeper will sweep the carriageway after dust-generating activities, and waste will be contained and removed from site as soon as is practicable.
- Materials that have a potential to produce dust will be removed from site as soon as possible, and vehicles that remove cold-milled material from site will have sheeted covers.
- Ancillary plant, vehicles and non-road mobile machinery (NRMM) will have been regularly maintained, paying attention to the integrity of exhaust systems.
- Ancillary plant, vehicles and NRMM will be switched off when stationary to prevent exhaust emissions (e.g., there will be no idling vehicles).
- Cutting, grinding, and sawing equipment (if required) will be fitted or used in conjunction with suitable dust suppression techniques e.g., local exhaust ventilation system that fits directly onto tools.
- Regular monitoring (e.g., by engineer or Clerk of Works) will take place when activities generating air pollution are occurring. In the unlikely event that unacceptable levels of air pollution are emanating from the site, the operation will, where practicable, be modified and re-checked to verify that the corrective action has been effective. Actions to be considered include: (a) minimizing cutting and grinding on-site, (b) reducing the operating hours, (c) changing the method of working, etc.
- 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.
- 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.

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 Record of Determination (RoD).

Landscape and visual effects

There will be a short-term impact on the landscape character and visual amenity of the site as a result of the presence of construction plant, vehicles, and TM.

However, people, ancillary plant, vehicles, NRMM and materials are restricted to areas of made/engineered ground on the A9, and construction works are programmed to be undertaken at night (3 nights) on a rolling programme. As such, the visual impact of the works will be somewhat reduced. Cairngorms National Park will be notified of the proposed works.

Upon completion of the works, no residual impacts are anticipated e.g., when complete the visual appearance will remain largely unaffected, with a renewed road surface being the only discernible change.

In addition, 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 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.
- The site will be left clean and tidy following construction.

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

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.

While works lie within 2km of the River Spey SAC, BEAR Scotland's Habitats Regulations Appraisal (HRA) for maintenance activities (which include resurfacing works) concluded that these activities would not have the potential to result in Likely Significant Effect (LSE) on any of the qualifying features of the SAC due to lack of connectivity to watercourses, lack of in-water works, and standard pollution prevention and good practice measures.

Works are not anticipated to have the potential for LSE on the Kinveachy Forest SAC or SPA based on the following considerations:

- Works will not involve any land take, or removal or alteration of habitat features within the sites. As such, any habitat used by designated species for foraging and breeding will remain unchanged.
- Connectivity to all sites is poor due to the 1.6km distance and lack of connective pathways between the scheme and the two sites.
- Although the works will result in a temporary (localised) increase in noise, wildlife in the vicinity is likely to be habituated to the existing levels of traffic, light and noise on the A9 carriageway and are unlikely to be significantly affected by increased noise during works. In addition, noise is not considered a defining feature of the works and will not be increased significantly during the construction period, with an overall reduction in noise following works due to improved road surface quality.

No INNS were recorded during the desktop study within 300m of the scheme extents and the works will be confined to the trunk road surface and road verges (where site operatives may require foot access and which are subject to cyclic landscape management activities) and as such potential for undiscovered INNS within the borders of the working area is negligible.

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. Any protected species in the area are likely to be accustomed to road noise on the A9 and the scheme is of short duration (3 nights) and will be undertaken on a rolling programme. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Works will be strictly limited to areas required for access and to carry out the works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- All construction operatives will be briefed through toolbox talks prior to works commencing, which will be included in the SEMP. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species.

- 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 will be reported to the BEAR Scotland Environmental Team.
- Artificial lighting will be directed away from areas of woodland and waterbodies as far as is safe and reasonably practicable.
- Although not recorded during the desk study, personnel will remain vigilant for the presence of INNS or injurious weeds in road verges throughout the works period. Should any INNS be identified in working areas, works will be restricted to a 7m buffer of any growth where reasonably practicable.
- 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.
- 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.
- 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.

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.
- Road 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 be available for inspection. A copy of the Duty of Care paperwork shall 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 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.
- Where applicable, all temporary signage will be removed from site on completion of the works.

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 scheme have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. However, the works are not located within a CNMA or CQA, and no properties are present within 300m of the works. Works will also be completed over 3 nights on a rolling programme, with the aim being to complete the noisiest works by 23:00 hrs. Works with the potential to induce worst-case scenario noise and vibration will also be intermittent, temporary, transient and short-lived.

The road surface is in a poor condition, with a series of defects. Replacing the life-expired surface course with TS2010 road surfacing affords the benefits of a reduction in mid-to-high frequency traffic noise and a reduction in ground vibrations. As a result, upon completion of the work, noise associated with the movement of vehicles on the trunk road should decrease post construction.

The following mitigation measures will be put in place:

- Where possible, the noisiest work operations (e.g., cold milling, using breakers (jackhammers), chipping hammers, use of rollers, etc.) will be completed before 23:00 hrs.
- The Environmental Health Officers (EHO) from the Highland Council will be notified of works.
- 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. 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.
- Drop heights from vehicles and NRMM will be kept to a minimum to minimise noise when unloading.
- All plant, machinery and vehicles will be switched off when not in use.
- 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 have the potential to have temporary adverse impacts on local residents, vehicle travellers, and NMUs.

There are no NMU facilities within the scheme and there are no other community assets with connectivity to the scheme extents. Moreover, TM will only be in place for 3 nights (when traffic flows will be at a minimum), and no congestion issues are

noted during the proposed construction hours. There will be no local access restrictions to residential properties and none are located within 300m of the works.

With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- The works schedule and any changes to this will be communicated to local residents prior to and throughout the programme.
- Construction lighting will consider the need to avoid illuminating surrounding environment to avoid a nuisance at night, and non-essential lighting will be switched off at night.
- Appropriate provisions / measures will be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- 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

There is potential for temporary impacts on the water environment due to operation of plant within and within proximity to road drainage systems, which may lead to potential changes in local 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). No in-water works will take place and there is no requirement for the abstraction or transfers of water from, or discharges to, a waterbody. In addition, works will not take place within 300m of any surface waterbodies. As such, the potential for a direct pollution incident within a waterbody is unlikely. Experience gained from BEAR Scotland maintenance schemes elsewhere on the network has shown that where standard good working practice is adopted (e.g., adherence to SEPA good practice guidance, utilisation of drain covers or similar, etc.), water quality is protected.

The works may result in potential direct or indirect effects on 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 will be detailed in the SEMP and adhered to on site.

- No discharges into any watercourses or drainage systems will be 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 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 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 will 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 removed to local waste management facilities.

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

There will be no change to the likelihood of flooding on the A9 within the scheme extents upon completion of the works.

Works are restricted to areas of made ground on the A9 carriageway surface, with access to the scheme gained via the A9. TM will employ lane closures facilitated by temporary traffic lights and convoy working. Local residents will be notified of working hours and provided with appropriate contact information. NMUs will be accommodated within the TM setup.

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 cumulative effects

The proposed works are not anticipated to result in significant environmental effects. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

A search of the Highland Council Planning Portal (Map Search) identified no approved planning applications within 300m of the scheme.

A search of the Scottish Roads Works Commissioner website (Map Search) has identified that no other roadworks are currently ongoing, or noted as being planned, on the trunk road at the same time as this scheme. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

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) are situated in whole in the Cairngorms National Park which is a sensitive area within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment 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:

- Works are restricted to like-for-like replacement of worn road surface, with all works restricted to made ground on the A9 carriageway.
- Construction activities are restricted to an area of 0.24 ha along the A9 for a length of 260m.
- Works are not expected to result in significant disturbance to nearby receptors or protected species that may be present in the wider area.
- No INNS have been recorded within the scheme extents.
- The risk of major accidents or disasters is considered to be low.
- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Residual impacts are considered to beneficial for the travelling public which may use this stretch of carriageway. In addition, improved road surface will reduce the

road noise levels and in turn will reduce disruption to the receptor located in proximity to the scheme

Location of the scheme:

- The scheme will be located within the existing A9 road boundary (carriageway surface) and as such, no land take will be required.
- The scheme is located within the Cairngorms National Park, which will be notified of the proposed works. Works entail like-for-like resurfacing and no change to the visual landscape is expected.
- The scheme lies 1.9km west of the River Tay SAC and 1.6km north of the Kinveachy Forest SAC and the Kinveachy Forest SPA. Due to the lack of connectivity, there will be no likely significant effects on the designated sites.
- The scheme does not lie within any sites of historical, cultural, or archaeological significance.
- Storage of plant and equipment will be located on made ground within the TM.

Characteristics of potential impacts of the scheme:

- Measures will be in place to ensure appropriate removal and disposal of waste.
- Works are programmed to only take 3 nights to complete on a rolling programme, with the aim being to complete the noisiest works by 23:00 hrs.
- The SEMP will include plans to address environmental incidents.
- Mitigation measures detailed above and in the SEMP will be put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented

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.

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