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Environmental Impact Assessment Record of Determination

A9 North of Drumochter – Phase 2 Resurfacing

Contents

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on the A9, approximately 8.2km south of Dalwhinnie. The works will consist of carriageway resurfacing and reinstatement of road markings over a length of 1,864m (approximately 1.398 ha).

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site
- Mill out old surface course
- Lay new surface course
- Roll surface and allow it to go off
- Mark out lining schedule on site
- Remove TM and open road
- Lining/studding may be carried out at a later date under mobile TM or lane closures.

The scheme is currently programmed to be completed within the first half of the 2023/2024 financial year, with a proposed start date of 09/07/2023. However, works may be delayed into the latter half of the 2023/2024 financial year (September 2023 to March 2024 inclusive). Works are expected to be completed over four nights, operating between the hours of 19:00 and 07:00; however, changes in the programme may result in the need for day works.

Traffic management (TM) is still to be confirmed however it is anticipated that this will consist of single lane closures facilitated by 2-way temporary traffic lights (TTLs) and a convoy system. If the programme changes, this may result in amendments to the exact TM requirements. Where required, alternative pedestrian routes will be included in the TM setup.

Location

The scheme is located on the A9, approximately 8.2km south of Dalwhinnie, in the Highland Council and Perth & Kinross Council regions (Figure 1). The scheme has the following National Grid References (NGRs):

- Scheme Start: NN 63153 75995

- Scheme End: NN 63790 74254

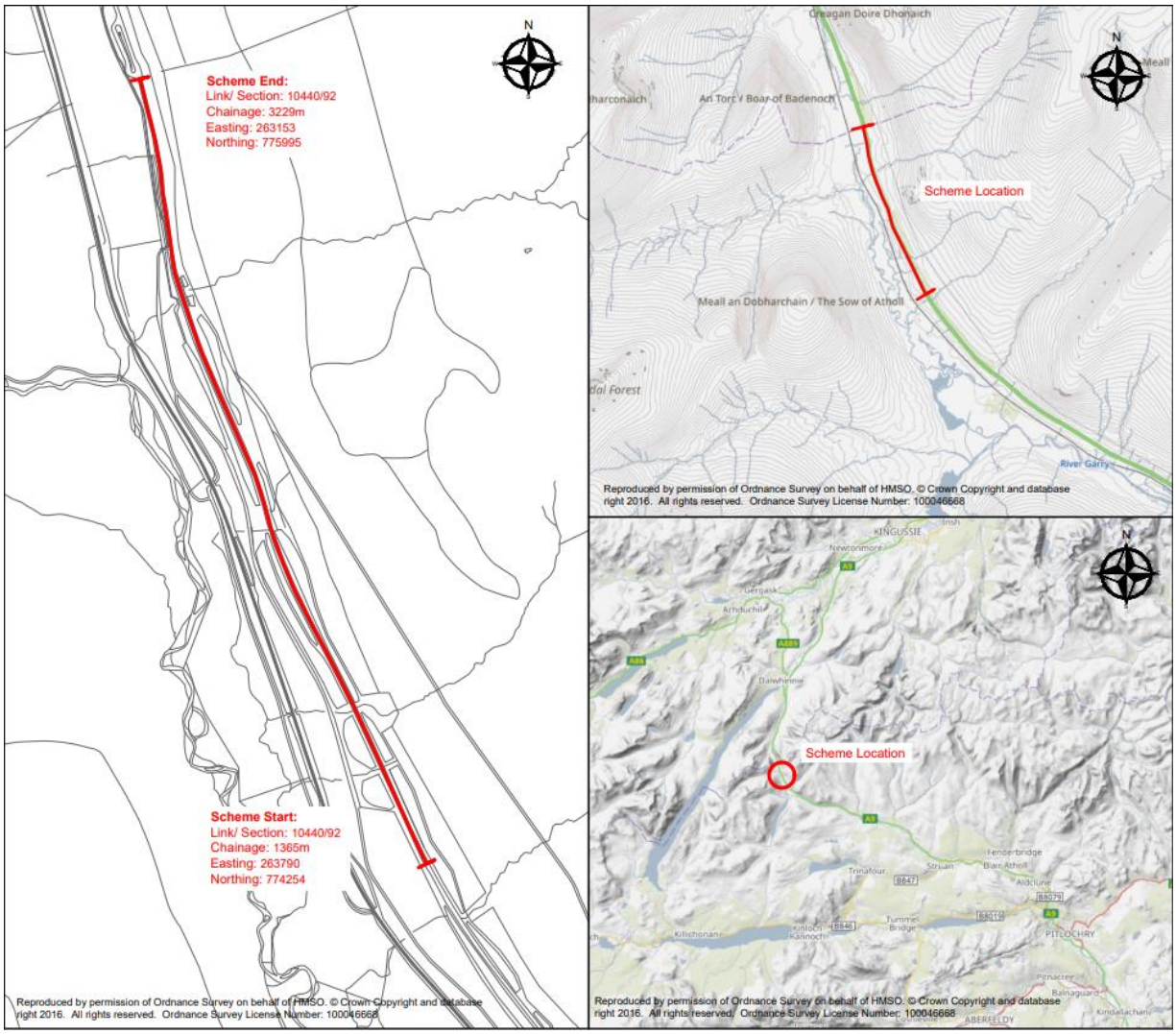

Figure 1. Location and scheme extent of the proposed resurfacing works at A9 North of Drumochter. Source: BEAR Scotland. F108 – Environmental Assessment Request (Scheme ref: 23-NW-0103-150).

Description of local environment

Air quality

The scheme is not located within any Air Quality Management Areas (AQMA) and no air quality monitoring stations are located in the vicinity of works (Air Quality Scotland). The nearest air quality monitoring site to the scheme is located in Fort William, approximately 52km west of the scheme (Air Quality Scotland). Pollution levels in the general vicinity of works are anticipated to be lower than those at the monitoring station in Fort William due to the remote nature of the scheme location.

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

Baseline air quality at the scheme location is likely to be primarily influenced by traffic along the A9 trunk road. The Highland Mainline railway line (with associated infrastructure) forms a corridor which lies to the west of the A9 throughout the scheme extent (approximately 70m at its nearest point). Therefore, air quality from the railway line will have a local effect.

Cultural heritage

According to Pastmap, numerous Canmore features and Historic Environment Records (HERs) lie within 300m of the scheme extents (PastMap). One of these is an HER of a military road which is located within the extents of the trunk road at the scheme location. There is no connectivity between the scheme extents and the remaining cultural heritage records or features; the nearest of these being an HER of a post-medieval shieling hut, which lies approximately 30m southeast of the scheme extents.

There are no earthworks associated with the scheme and construction of the A9 road corridor is likely to have removed any archaeological remains that may have been present. Therefore, the potential for the presence of unknown archaeological remains in the study area has been assessed to be low. Moreover, all works are confined to the A9 carriageway and are restricted to like-for-like replacement of the road surfacing material, therefore the works do not include any alterations that would affect the historic and architectural character of the noted cultural heritage records or features.

There are no World Heritage Sites, Scheduled Monuments, Listed Buildings, Garden and Designed Landscapes, Conservation Areas or Inventory Battlefields identified within 300m of the scheme.

Landscape and visual effects

The scheme lies within a rural area, with land use surrounding the scheme dominated by open fields of rough grasslands.

The Highland Mainline railway line (with associated infrastructure) forms a corridor which lies to the west of the A9 throughout the scheme extent (approximately 70m at its nearest point).

The scheme is located within the Cairngorms National Park (CNP) (Sitelink) which has the following special qualities:

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 Mountains and Plateaux

- The unifying presence of the central mountains
- An imposing massif of strong dramatic character
- The unique plateaux of vast scale, distinctive landforms and exposed, boulderstrewn high ground
- The surrounding hills
- The drama of deep corries
- Exceptional glacial landforms
- Snowscapes

Moorlands

- Extensive moorland, linking the farmland, woodland and the high tops
- A patchwork of muirburn

Glens and Straths

- Steep glens and high passes
- Broad, farmed straths
- Renowned rivers
- Beautiful lochs

Trees, Woods and Forests

- Dark and venerable pine forest
- Light and airy birch woods
- Parkland and policy woodlands

- Long association with forestry

Wildlife and Nature

- Dominance of natural landforms
- Extensive tracts of natural vegetation
- Association with iconic animals
- Wild land
- Wildness

Visual and Sensory Qualities

- Layers of receding ridge lines
- Grand panoramas and framed views
- A landscape of many colours
- Dark skies
- Attractive and contrasting textures
- The dominance of natural sounds

Culture and History

- Distinctive planned towns
- Vernacular stone buildings
- Dramatic, historical routes
- The wistfulness of abandoned settlements
- Focal cultural landmarks of castles, distilleries and bridges
- The Royal connection

Recreation

- A landscape of opportunities
- Spirituality

The scheme does not fall within any National Scenic Areas, or other sites designated for landscape character or quality (SiteLink).

The Landscape Character Type (LCT) within the scheme extent is Upland Glen – Cairngorms (no. 126) (Scottish Landscape Character Types). The LCT is characterised by:

- Strong evidence of glacial processes, including steepened sides and level floors, shattered rock faces on higher slopes, hummocks of resistant rock on some glen floors and terraces of glacial deposits at the edges of glen floors.
- Often form arrival points into the Cairngorms National Park.
- Size varies from large e open passes to narrower, more secluded glens.
- Enclosed predominantly by steep slopes.
- Frequently differing land-use on one side of the glen to the other - linked to aspect.
- Improved, grazed fields on glen floors and floodplains.
- Mostly settled, some only sparsely, but often extensive evidence of past settlement, including prehistoric hut circles and associated field systems, pre-improvement townships, and seasonal shielings.
- Some landmark historic buildings.
- Access varies from narrow roads, estate and forestry tracks to main routes, but most have some form of road running through them.
- Varied experience when passing through glens from open and expansive to sheltered and secluded.
- Views to adjacent uplands; from which parts of the glens are visible and provide contrast.

Biodiversity

The scheme extent is located within Drumochter Hills Site of Special Scientific Interest (SSSI) (SiteLink).

Drumochter Hills Special Area of Conservation (SAC) (SiteLink) lies either side of the A9 (approximately 10m at its nearest point to the scheme).

Drumochter Hills Special Protection Area (SPA) (SiteLink) overlaps Drumochter Hills SAC and lies 10m from the scheme extents.

Additionally, bird species were also recorded on NBN within 2km over a 10-year period. Under the Wildlife and Countryside Act 1981, all wild birds and their active nests are protected (NBN Atlas).

The NBN Atlas does not hold any records of invasive non-native plant species (INNS), invasive native perennials or injurious weeds under the same criteria (NBN Atlas).

Transport Scotland's Asset Management Performance System (AMPS) does not hold any records of INNS, invasive native perennials or injurious weeds within 300m of the scheme.

Habitat in the surrounding area is dominated by mountain areas consisting of acid alpine, subalpine grasslands and temperate shrub heathland (Scotland's Environment). Freshwater habitat within the areas is provided by larger watercourses such as Allt Coire Dhomhain and River Truim, as well as numerous smaller watercourse which are culverted beneath and/or lie in proximity to the scheme. Tree cover in proximity to the scheme is limited to intermitted belts of conifer plantations which lie along the A9 southbound carriageway. The habitats available in the area are suitable for protected species and grassland breeding birds during the breeding period (March – August inclusive). Due to the open nature of the surrounding environment and limited tree cover areas, it is unlikely that area will be habituated by protected mammals.

A desktop study has been deemed sufficient for this assessment, and no ecological surveys have been carried out.

Geology and soils

The scheme does not lie within a Geological Conservation Review Site (GCRS) (SiteLink).

The scheme extent lies within the Drumochter Hills SSSI, which is also notified for 'fluvial geomorphology of Scotland' (SiteLink) which is a geological feature.

Allt Dubhaig GCRS lies 80m west of the scheme. The GCRS is overlapped by Drumochter Hills SSSI, therefore it is covered with a statutory level protection (SiteLink).

Superficial deposits within the scheme extents are comprised of Hummocky (moundy) Glacial Deposits (diamicton, gravel, sand and silt), which are sedimentary superficial deposits (BGS GeoIndex).

Bedrock within the scheme extent is comprised of Gaick Psammite Formation (psammite), which is a metamorphic bedrock (BGS GeoIndex).

Soils within the scheme extent are recorded as peaty podzols (Scotland's Soils).

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
- Road-marking paint
- Bituminous emulsion bond coat
- Milled in road studs

Wastes are anticipated to be planings from the carriageway surface course, which will be fully 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 (exemption number: WML/XS/2006076).

A Site Waste Management Plan (SWMP) will be produced if required.

Investigations undertaken on the A9 confirmed coal tar absence within the scheme extent.

Noise and vibration

The scheme extent lies within a rural area, approximately 8.2km south of Dalwhinnie within Highland Council and Perth & Kinross Council regions.

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

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

Scotland's strategic noise maps show that night-time noise levels in the vicinity of the trunk road within the scheme extents range between 60 and 65 decibels (Scotland's Noise Scotland's Environment).

Baseline noise levels at the scheme location are likely to be primarily influenced by traffic along the A9 trunk road, with secondary influences from the Highlands Mainline railway line, which lies 70m west of the scheme at its nearest point.

Population and human health

There are no residential or commercial properties within 300m of the scheme. Access points to a local road, military road and the 'A9 car park' lie within the scheme extents. Four laybys lie adjacent to the trunk road (northbound and southbound) within the scheme extents.

National Cycle Network (NCN) route 7 (OS Maps), also a Core Path 'BAST/100' (Scotland's Environment), follows the A9 carriageway 1m to 70m west of the scheme. An access point to the walking route 'Beinn Udlamain and Sgàirneach Mhòr', as listed on WalkHighlands (WalkHighlands), is located within the scheme extents.

There are no bus stops or other pedestrian facilities along the A9 within the scheme extent.

The A9 Trunk Road, within the North West NMC, 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 throughout the scheme extent and the national speed limit applies throughout the scheme.

The nearest traffic count point (ID: 50748) on the A9 is located approximately 3km north of the scheme (Road traffic statistics). Vehicle count data taken from this point in 2021 shows an Average Annual Daily Traffic (AADT) count of 8,351 motor vehicles, of which 1,688 (20.2%) were heavy goods vehicles (Road traffic statistics).

Road drainage and the water environment

Allt Coire Dhomhain (ID: 6610), which is a classified waterbody by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD), flows north to south approximately 160m west of the scheme at its nearest point. Allt Coire Dhomhain is a river in the River Tay catchment of the Scotland river basin district. The main stem is approximately 10.6km in length. Allt Coire Dhomhain was last classified by SEPA in 2020 as having 'Poor overall condition' (SEPA water classification hub).

River Truim from source to Allt Cuaich confluence (ID: 23638), which is a classified waterbody by SEPA, is culverted beneath the A9 approximately 250m north of the scheme. River Truim from source to Allt Cuaich confluence is a river in the River Spey catchment of the Scotland river basin district. The main stem is approximately

15.6km in length. The water body has been designated as a heavily modified water body on account of physical alterations that cannot be addressed without a significant impact on water storage for hydroelectricity generation. River Truim from source to Allt Cuaich confluence was last classified by SEPA in 2020 as having 'Moderate overall condition' (SEPA water classification hub).

Allt a' Chaorainn, Allt Fuar Bheann and numerous other minor tributaries and/or drainage channels are unclassified waterbodies by SEPA which are culverted beneath the A9 within the scheme extents (SEPA water classification hub).

Numerous minor waterbodies, considered to be minor tributaries or drainage channels, lie within 300m of the scheme.

The scheme falls within the 'Rannoch' groundwater body which was classified by SEPA in 2020 as having an overall status of 'Good' and is also a Drinking Water Protected Area (Ground) (SEPA water classification hub).

Numerous sections of the A9 carriageway within the scheme extents have a high risk of river flooding, which means that each year, these areas have a 10% chance of flooding (SEPA Flood Map).

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 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 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 scheme will be maintained in order to minimise emissions, as per manufacturing and legal requirements. No significant dust, particulate matter, and exhaust emissions (DPMEE) 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 out 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.

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 features of cultural heritage interest within the scheme extents and within 300m of the schemes, construction of the A9 road corridor is likely to have removed any archaeological remains that may have been present. Therefore, the

potential for the presence of unknown archaeological remains in the study area has been assessed to be low.

The works will take place within the footprint of the HER (classified as record of a military road); however, the works are deemed to be essential to keep the road surface in a stable, sound condition for the safety of public users. Furthermore, the HER within the scheme extent is now overlapped by a modern road (A9) and not visible as the original military road. The works will be restricted to the upper engineered layers of the existing A9 carriageway footprint and as such are unlikely to result in the exposure of any potential undiscovered features of cultural heritage. When the works are complete, there will be no significant visual impact to the A9, with renewed road surface being the only visual change. The following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- There shall 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 shall, as much as is reasonably practicable, only be present on areas of made / engineered ground. Where access outwith these areas is required for the safe and effective completion of the scheme, it shall be reduced as much as is reasonably practicable and ideally be limited to access on foot. There shall 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 littering or obstructed views due to vehicles and machinery. However, proposed works will be restricted to like-for-like resurfacing of the A9 carriageway and will be carried out over 4 nights and land use will not change as a result of the works. Therefore, the works will not create any significant change to the local landscape. No significant impacts to the Cairngorms National Park are expected, and no consultations are required. 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 is not permitted. This includes general works, storage of equipment/containers and parking.
- 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 will 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

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. Although the scheme lies in proximity to the Drumochter Hills SAC and SPA, the HRA assessments concluded that the works would not result in the potential for any likely significant effects (LSE) upon the qualifying features of these by virtue of the following factors:

- All works are restricted to made-ground on the A9 carriageway surface, with only ’like-for-like’ replacement of road surface being undertaken.
- There is also no requirement for land take (or resources) or site clearance from within the SAC or SPA and no works are required within any part of the SAC or SPA.
- Works will not promote any negative pressure on the designated habitats.
- BEAR Scotland previously produced a Statement to Inform Appropriate Assessment (SIAA) to cover a range of maintenance activities (including resurfacing) within the Drumochter Hills, River Spey, and River Spey – Insh Marshes Natura Sites. The SIAA outlines standard good practice measures to reduce the risk of pollution or disturbance to qualifying features of the Drumochter Hills SAC/SPA.

Although the scheme extent is located within the Drumochter Hills SSSI, the SIAA previously produced by BEAR Scotland also covers resurfacing works within the Drumochter Hills SSSI as it is a component of the Drumochter Hills SAC and SPA.

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:

- Works will be strictly limited to areas required for access and resurfacing works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- No tree felling or in-stream works will be permitted.
- All construction operatives will be briefed through toolbox talks prior to works commencing. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species and INNS.
- 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 road verges, woodland, and waterbodies as far as is safe and 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.
- Site personnel will remain vigilant for the presence of INNS 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 Environmental Team can provide further advice.

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

Although, the scheme lies within Drumochter Hills SSSI, all works are confined to the A9 carriageway and are restricted to like-for-like replacement of the road surfacing material. The works do not involve movement of earth or any type of operation requiring consent from the Nature Scot. The impact on the SSSI is assumed to be negligible. All works are restricted to the A9 trunk road surface and have no connectivity with the Allt Dubhaig GCRS.

The following measures will be applied to on site:

- The parking of machinery/personnel and storage of equipment on road verges will be minimised as far as is reasonably practicable.
- Upon completion of the works, any damage to the local landscape (i.e. damage to grass verges) should be reinstated as much as is practicable.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.

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.
- 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 will 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 works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works are anticipated to take place overnight, however there are no residential or commercial properties in proximity to the scheme extents. The proposed scheme is anticipated to result in temporary minor adverse noise impacts. The following mitigation measures will be put in place:

- The Best Practice 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.
- The Environmental Health Officers (EHO) from the Highland and Perth & Kinross Councils will be notified of works.
- The noisiest works (e.g. planning) will be programmed to be completed before 23:00 each night, where reasonably practicable.
- 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.
- 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 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 may have temporary adverse impacts on non-motorised road users (NMUs) as a result of vehicle noise and delays due to traffic management measures.

Works will be restricted to the A9 trunk road carriageway. The works will be of short 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:

- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance,
- Appropriate provisions / measures will be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site. However, works will be carried out during night-time working hours when it is expected that pedestrian footfall will be low.

- 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'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 or tidal movements) 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:

- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works near water are detailed in the SEMP and will be adhered to on site.
- The scheme will not entail any in-stream works.
- 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.
- All hazardous material stored on site is required to undergo assessment under the Control of Substances Hazardous to Health (COSHH) Regulations 2002. These assessment(s) will contain a section on environment which highlights any precautions and mitigation requirements for safe storage.
- Storage of hazardous material, oil and fuel containers shall 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 shall 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 shall 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.
- The requirement for additional lighting will be reduced as far as reasonably practicable.
- 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.

Major Accidents and Disasters

Numerous sections of the A9 carriageway within the scheme extents have a high risk of river flooding, which means that each year, these areas have a 10% chance of flooding.

Works are restricted to the made ground of the A9 carriageway and traffic management will be designed in line with existing guidance. The proposed works are anticipated to last 4 nights. TM is still to be confirmed however it is anticipated that this will consist of single lane closures facilitated by 2-way TTLs and a convoy system.

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) and Perth & Kinross Council Planning Portal (Map Search) identified no planning applications within 300m of the scheme.

A search of the Scottish Roads Works Commissioner's 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. There are also no local authority road networks in proximity to the 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 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 1ha and are also situated in whole within the Cairngorms NP and Drumochter Hills SSSI, which are sensitive areas 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 (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:

- There are no residential or commercial properties within 300m of the scheme.
- The total working area is 1.389ha.
- Works are restricted to like-for-like replacement of worn road surface, with all works restricted to made-ground on the A9 northbound carriageway surface.
- The works will be temporary, localised, and completed during night-time hours, when the traffic count is at its lowest levels.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.

- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.
- No in-combination effects have been identified.
- The risk of major accidents or disasters is considered to be low.
- By removing the carriageway defects this will provide these parts of the A9 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions for road users.

Location of the scheme:

- Works will not result in any residual visual change, and as such will have no change to the special qualities for which the Cairngorms National Park is designated.
- The works are not expected to have LSE, or any significant impacts, on the Drumochter Hills SAC, SPA, SSSI, or any other designated site.
- The works are not expected to result in any alteration to existing features or exposure of potential undiscovered features of cultural heritage.
- 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.
- 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 scheme:

- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- 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.
- Mitigation measures detailed above and in the SEMP are put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.

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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Published by Transport Scotland, July 2023

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