



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A86 West of Kingussie - Resurfacing

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Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on a stretch of the A86 carriageway at Kingussie. Works will include replacement of surface course over an approximate 646m length and will include areas of partial reconstruction and deeper inlay where required. The scheme covers an approximate area of 0.52ha.

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site
- Mill out old surface course
- Lay and roll new surface course
- Carry out lining/studding
- Remove TM and open road

The works are currently programmed to be completed within the 2022/2023 financial year (early April 2023). However, works may be delayed into the first half of the 2023/2024 financial year (April to November 2023 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) will consist of single lane closures, facilitated by a night-time convoy system. If the programme changes, this may result in amendments to the exact TM requirements.

Location

The works are located on the A86 carriageway west of Kingussie, within the Highland Council area (Figure 1). The scheme has the following National Grid References (NGRs):

- Scheme Start: NH 74329 00243
- Scheme End: NH 74929 00418

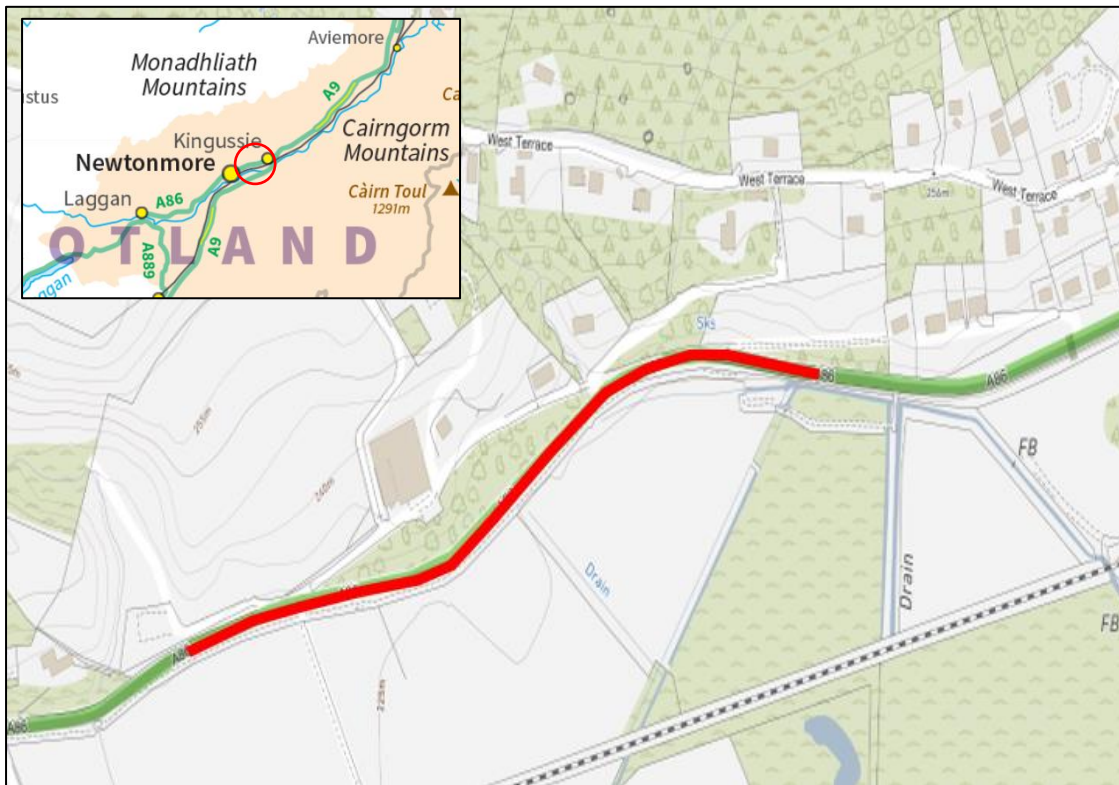


Figure 1. Location of the proposed resurfacing works on the A86 at Kingussie. Source: BEAR Scotland. F108 – Environmental Assessment Request (Scheme ref: 22-NW-0104-31).

Description of local environment

Air quality

The scheme does not fall within any Air Quality Management Areas (AQMA) ([Air Quality Scotland](#)) declared by the Highland Council. No Air Quality Monitoring Stations are located 10km of the works ([Air Quality Scotland](#)). Due to the semi-rural nature of the scheme, pollution levels are not expected to be high.

No sites registered on the Scottish Pollutant Release Inventory (SPRI) ([Scotland's Environment](#)) for air pollutant releases are located within 1km proximity of the scheme.

Average Annual Daily Flow (AADF) for the A86 carriageway approximately 330m east of the scheme accounted for 2,566 vehicles in 2021, of which 3.3% were heavy goods vehicles (HGV) ([Road Traffic Statistics](#)).

Baseline air quality at the scheme location is likely to be primarily influenced by traffic along the A86 trunk road, with secondary sources likely to arise from nearby agricultural practices and urban activities.

Cultural heritage

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

Of lesser cultural heritage interest, six Historic Environment Records (HERs) and six Canmore records are located within 300m of the scheme. The closest of these, Tigh-A-Gaoith, is designated as both a HER and a Canmore, and is located approximately 40m north of the A86 carriageway.

As a result of the works taking place strictly within the existing man-made footprint, it has been determined that the proposed project does not carry the potential to cause direct or indirect impact to features of cultural heritage importance.

As such, impact has been assessed as being 'no change' and has been scoped out of requiring further assessment.

Landscape and visual effects

The scheme is located on the western periphery of Kingussie, with areas of agricultural greenspace, woodland, and dispersed residential properties located in the surrounding area.

The scheme lies within Cairngorms National Park ([Scotland's Environment](#)), 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, boulder to Istrewn 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 (NSA) ([SiteLink](#)).

The Landscape Character Type (LCT) within the scheme extent is given as Upland Strath (LCT No. 127) ([Scottish Landscape Character Types](#)). The Upland Strath LCT key characteristics are:

- Large, broad, flat bottomed strath, with some narrower pinch-point sections.
- Valley floor with the meandering River Spey and frequent lochs and marshes.
- Meadows and wetlands prone to flooding on the valley floor.
- Mixed pastures and broadleaved woodland in more undulating areas.
- Wetlands flanked by mixed woodland and conifer forests.
- Main communication corridor housing A9 trunk road and railway.
- Estate houses and policy landscapes in many parts of the strath.
- A well-settled area with a series of settlements occurs along the northern side of the strath at bridging points over the River Spey. They are popular tourist destinations serving the Cairngorms National Park. Elsewhere farms and houses are frequent along main and minor roads.
- Views to the Cairngorm mountains.
- Noise and activity from busy A9.

Biodiversity

A desktop study using Nature Scot SiteLink ([SiteLink](#)) has identified the following designated sites within proximity of the scheme:

- The section of River Gynack located approximately 740m east at its closest point is designated as part of River Spey Special Area of Conservation (SAC).

- The section of River Spey located approximately 850m south of the scheme is designated as part of the following sites:
 - River Spey – Insh Marshes RAMSAR;
 - River Spey – Insh Marshes SPA;
 - Insh Marshes SAC;
 - River Spey SAC;
 - River Spey – Insh Marshes SSSI

No connectivity exists between these designated sites and the proposed works location.

The [NBN Atlas](#) also holds record of numerous 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.

Habitats surrounding the scheme consists of agricultural grassland and woodland ([Scotland's Environment](#)). Considering the lack of habitat diversity within the trunk road boundary due to lack of tree cover, moderate traffic density and fast-flowing traffic, and regular presence of pedestrians/tourists, 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.

Due to the lack of suitable habitat for permanent shelter or temporary resting places within proximity of the scheme, a field survey has been ruled out, and a desktop study has been deemed sufficient for this assessment.

The [NBN Atlas](#) has record of the following invasive non-native plant species (INNS) and injurious weeds within 2km of the scheme:

- Common ragwort (*Jacobaea vulgaris*)
- Rosebay willowherb (*Chamaenerion angustifolium*)
- Creeping thistle (*Cirsium arvense*)
- Spear thistle (*Cirsium vulgare*)

All recorded approx. 650m east within Kingussie

Transport Scotland's Asset Management Performance System (AMPS) has no record of any invasive non-native plant species (INNS) or injurious weeds within 300m of the scheme.

No areas of woodland which are listed on the Ancient Woodland Inventory (AWI) are located within 300m of the scheme ([Scotland's Environment](#)).

Geology and soils

The scheme does not fall within a Geological Conservation Review Site ([GCRS](#)), or a geologically designated Site of Special Scientific Interest (SSSI).

The Generalised Soil Type within the scheme extents is identified as humus-iron podzols ([Scotland's Soils](#)).

A desktop study using the British Geological Survey Map ([BGS GeoIndex](#)) identifies the local geology type as the following:

- Bedrock Geology: Loch Laggan Psammite Formation (psammite, micaceous), which is a metamorphic bedrock.
- Superficial Deposits: alluvium (clay, silt, sand and gravel), which are sedimentary superficial deposits.

Material assets and waste

The proposed works will entail resurfacing and re-instatement of 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, where not contaminated with coal tar. 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/2005600).

It is not yet known if the works will encounter coal tar contaminated road surfacing.

Noise and vibration

The scheme extent lies on the western periphery of the settlement of Kingussie, within the Highland Council. Approximately 30 residential properties are located within 300m of the scheme, with the closest residential property located approximately 35m from the A86 carriageway. Properties in proximity are afforded minimal acoustic screening via presence of small and sparse wooded areas.

The works do not fall within a Candidate Noise Management Area (CNMA) as defined by the [Transportation Noise Action Plan \(TNAP\)](#).

Baseline noise levels are likely to be primarily influenced by traffic travelling along the A86 trunk road, with secondary influences from nearby agricultural practices and urban activities within Kingussie.

Population and human health

Approximately 30 residential properties are located within 300m of the scheme. A minor element of screening exists between the area of works and these receptors, via presence of wooded areas and sloped verges.

Several access points which lead to nearby residential properties/farmsteads fall within the scheme extent. Access to a rural (potentially disused) track is located on the eastbound carriageway, at the eastern scheme extent.

A paved footway is located directly adjacent to the westbound A86 carriageway at the eastern scheme extent. This footway joins a designated Core Path (Ref: LBS80) ([Highland Council](#)), which travels adjacent to the westbound carriageway for the full scheme extent at a distance of approximately 5m. A grassed verge separates this facility from the A86 carriageway.

Kingussie and Newtonmore via Loch Gynack, a walking route listed on [WalkHighlands](#) and National Cycle Network (NCN) Route 7 also fall within this designated Core Path at the scheme location ([Sustrans](#)).

The A86 Trunk Road connects Spean Bridge and Kingussie. It commences at the A86 / A82 junction within Spean Bridge leading generally north-eastwards for a distance of 65 kilometres to its junction with the A9. The A86 is a single carriageway along its length.

Average Annual Daily Flow (AADF) for the A86 carriageway approximately 330m east of the scheme accounted for 2,566 vehicles in 2021, of which 3.3% were heavy goods vehicles (HGV) ([Road Traffic Statistics](#)).

Road drainage and the water environment

River Gynack (ID: 23137) is located approximately 760m east of the works location. This waterbody has been classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) in 2020 as 'Moderate' ([SEPA Water Classification Hub](#)).

River Spey (ID: 23142) is located approximately 900m south of the scheme. River Spey has been assigned an overall status of 'Moderate' by SEPA in 2020.

Several unnamed minor watercourses flow below and within proximity to the A86 carriageway within the scheme extent.

The scheme falls within two groundwater bodies; the 'Strathnairn, Speyside and Cairngorms', and the 'Upper Spey Sand and Gravel', both classified by SEPA in 2020 as having an overall status of 'Good' ([SEPA water environmental hub](#)).

The scheme is located within both a groundwater Drinking Water Protected Area (DWPA), and a surface water DWPA. ([ScotGov](#))

A medium to high risk of river water flooding (0.5 to 10% chance of flooding each year) is recorded on the westbound verge of the A86 within the scheme extents. ([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 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 (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 scheme will be maintained in order to minimise emissions, as per manufacturing and legal requirements.
- Green driving techniques will be adopted, and effective route preparation and planning shall 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 much 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 shall 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.

Landscape and visual effects

Proposed works will be restricted to A86 carriageway and will include replacement of existing surface course. The works will be like-for-like in nature and will remain within the existing trunk road boundary. Therefore, the works will not create any significant

change to the local landscape, and no change to the special qualities of the Cairngorms NP is expected. No consultation with NatureScot or the Cairngorms National Park is required.

There is potential for minor, temporary adverse visual impacts to the local landscape during the construction phase due to presence of vehicles and machinery, littering, or obstructed views. Due to the temporary and localised nature of the works, any adverse impacts are considered negligible.

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.
- The working area and site compound location will be appropriately reinstated following works.
- Works will avoid encroaching on land and areas where work is not required or does not have permission to do so. 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 as a result of an increased vehicle presence and the potential for disturbance to protected species and pollution of habitats.

The scheme is located within 2km of River Spey SAC, River Spey – Insh Marshes (RAMSAR and SPA), and Insh Marshes SAC. However, a minimum buffer of approximately 740m exists between these designated sites and the A86 carriageway at the scheme extent, and no connectivity exists. Furthermore, BEAR Scotland previously produced a SIAA to cover a range of maintenance activities (including resurfacing) within the Drumochter Hills, River Spey, and River Spey – Insh Marshes European Sites which outlines standard good practice measures to reduce the risk of pollution or disturbance to qualifying features of these sites. These measures will be detailed in the SEMP and adhered to during works.

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 A86 and the scheme is of a temporary nature with works undertaken during daylight hours. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- No significant dust, particulate matter, and exhaust emissions (DPMEE) sources will be introduced by the works, and standard pollution prevention measures will be in place during works.
- Works will be strictly limited to areas required for access and works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated. No works will be undertaken within the boundary of any nearby designated site.
- 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.
- No tree-felling or in-stream works are permitted.
- Site personnel shall remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works shall temporarily halt until the species has sufficiently moved on. Any sightings of protected species shall 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.
- 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 Environmental Team can provide further advice on additional mitigation measures.
- 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.

Geology and soils

Although works include excavation, construction activities are restricted to the already engineered layers of the A86 carriageway, and are not anticipated to have an adverse impact on geology and soils. With the following mitigation measures in place, the likelihood of significant impacts on the geology and soils is low.

- Excavated trenches will be backfilled.
- 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) shall be reinstated as much as is practicable.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.
- Additional pollution prevention measures as outlined in *Road drainage and the water environment* will be adhered to during construction.

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 shall 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.
- 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.
- If the works encounter coal tar, then this will be appropriately processed in line with Transport Scotland's Guidance Note on Dealing with Coal Tar Bound Arisings ([Coal](#) Tar Guidance). This will include:
 - Coal tar contaminated road planings will be classified as a Special Waste.
 - All waste will be appropriately segregated, with coal tar contaminated planing being kept separate from uncontaminated planings.
 - Coal tar contaminated road planings will be transported by a registered waste carrier and be accompanied by a SEPA-issued consignment note or code. SEPA will be notified no less than three working days (72 hours) before and no longer than one month before, prior to Special Waste leaving site. Special Waste will be sent to a facility that holds suitable pollution prevention and control permits and waste management licences. Copies of consignment notes will be retained for a period of three years.

- Waste will be transported in a safe and secure manner to prevent the release of contaminated material en-route.

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 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 programmed to take place during night-time working hours, however they will be temporary and only for the duration of four days. As such, the proposed scheme is anticipated to result in temporary minor adverse noise impacts for local receptors. 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 Officer (EHO) and local residents will be notified of works and provided with a 24-hour contact number for the BEAR Scotland Control Room.
- On-site construction tasks shall be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- 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.
- The BEAR 'Being a Good Neighbour' toolbox talk will be briefed to all operatives prior to commencement of works on site.
- 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.

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 vehicle noise and delays due to traffic management measures.

No restrictions are expected for the adjacent Core Path, as works will be restricted to the A86 trunk road carriageway. Local residents in proximity to the scheme will be notified in advance of the works, and will be advised if any restrictions to access points are likely. Road users will be informed of works through a media release, which will provide details of construction dates and times. 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:

- If access to local residents' properties are restricted then they will be notified of the impending works. Information will provide contact details (office phone number and e-mail address) for the Project Engineer as well as a 24-hour contact number for the BEAR Scotland Control Room.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance.
- Appropriate provisions / measures shall be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site. However, it is worth noting that 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 the 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:

- 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 shall be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers shall 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.
- Any artificial lighting will be limited to only the amount required to carry out the works, and any plant will be switched off when not in use.
- 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

The westbound A86 verge at the scheme extent has been highlighted as being at medium to high risk of surface water flooding (0.5% to 10% chance of flooding each year).

Works are restricted to the elevated A86 carriageway boundary and any traffic management will be designed in line with existing guidance. The proposed works are anticipated to last four days. Traffic management will consist of single lane closures with a night-time convoy system. Where required, alternative pedestrian routes will be included in the traffic management setup, to minimise impact of the works on NMUs.

These measures, along with mitigation measures and standard working practices, will be detailed in the SEMP and adhered to on site.

As the works will be limited to carriageway resurfacing with an improvement element, there will be no change in vulnerability of the road to risk, or in severity of major accidents/disasters that would impact on the environment. The vulnerability of the project to risks of major accidents and disasters is considered to be low.

Assessment of 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 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 A86 trunk road in proximity 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 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 safety and it is located within 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 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, reference to consultations undertaken, 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:

- Construction activities are restricted to the approximate 0.52ha area of existing carriageway boundary.
- The works will be temporary, localised, and completed during night-time hours, when the traffic count is at its lowest levels.
- The works will be like-for-like in nature, and will be restricted to the existing A86 carriageway boundary.
- 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.
- 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 this part of the A86 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions for road users.

Location of the scheme:

- No connectivity exists between the works location and River Spey SAC, River Spey – Insh Marshes (RAMSAR, SPA, SSSI), Insh Marshes SAC; and as such

there is no potential for likely significant effects (LSE) on the qualifying features of these sites.

- 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 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.
- The site compound will be located on made ground.

Characteristics of potential impacts of the scheme:

- Any potential adverse 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 residual beneficial effects for NMUs in the area in the operational phase, due to improved safety features of the crossing.
- 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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