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Environmental Impact Assessment Record of Determination

A86 Auchmore – Drainage Works

Contents

Project Details

Description

BEAR Scotland on behalf of Transport Scotland has been commissioned to undertake drainage works at four culverts along the A86 trunk road near Auchmore farmstead (approximately 6km southwest of Newtonmore) (Figure 1; Grid ref: NN 66094 94673 - NN 66465 94688). The proposed drainage works are required to prevent erosion of the embankment and culvert collapse.

Drainage works will entail the following construction activities:

- CCTV surveying within culverts 2, 3 and 4 to assess the condition of the stone cundys (drain inlets/outlets). These works will require some minor vegetation clearance within the northbound road verge, which is located within Creag Dhubh SSSI. Clearance works will entail cutting back of vegetation encroaching over the culvert inlets (tree branches, shrubs) to allow access to the inlets of the culverts.

- Replacement of culvert 1. Existing culvert is to be filled with concrete and a new culvert installed on top of the filled culvert. Installation of the culvert above the existing culvert will raise the level of the drain which in turn will increase water capacity within the drain upstream of the culvert. Construction of new headwalls at the inlet and the outlet will also be carried out.

- Construction of new headwalls and installation of concrete canvas (a flexible, concrete-impregnated fabric that hardens when hydrated to form a thin, durable, waterproof and fire-resistant concrete layer) at the outlets of culvert 2 and 3.

CCTV works are currently scheduled to commence prior to April 2023 with the construction works to take place within the new financial year (April 2023 – April 2024). CCTV works are programmed to be undertaken over one day and construction works - over five days. No night-time working is programmed however, changes in the programme may result in the need for night works.

Traffic management (TM) will consist of full road closures. However, 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 works are located along the A86 trunk road near Auchmore farmstead (approximately 6km southwest of Newtonmore) (Figure 1). The scheme has the following National Grid References (NGRs): NN 66094 94673 - NN 66465 94688.

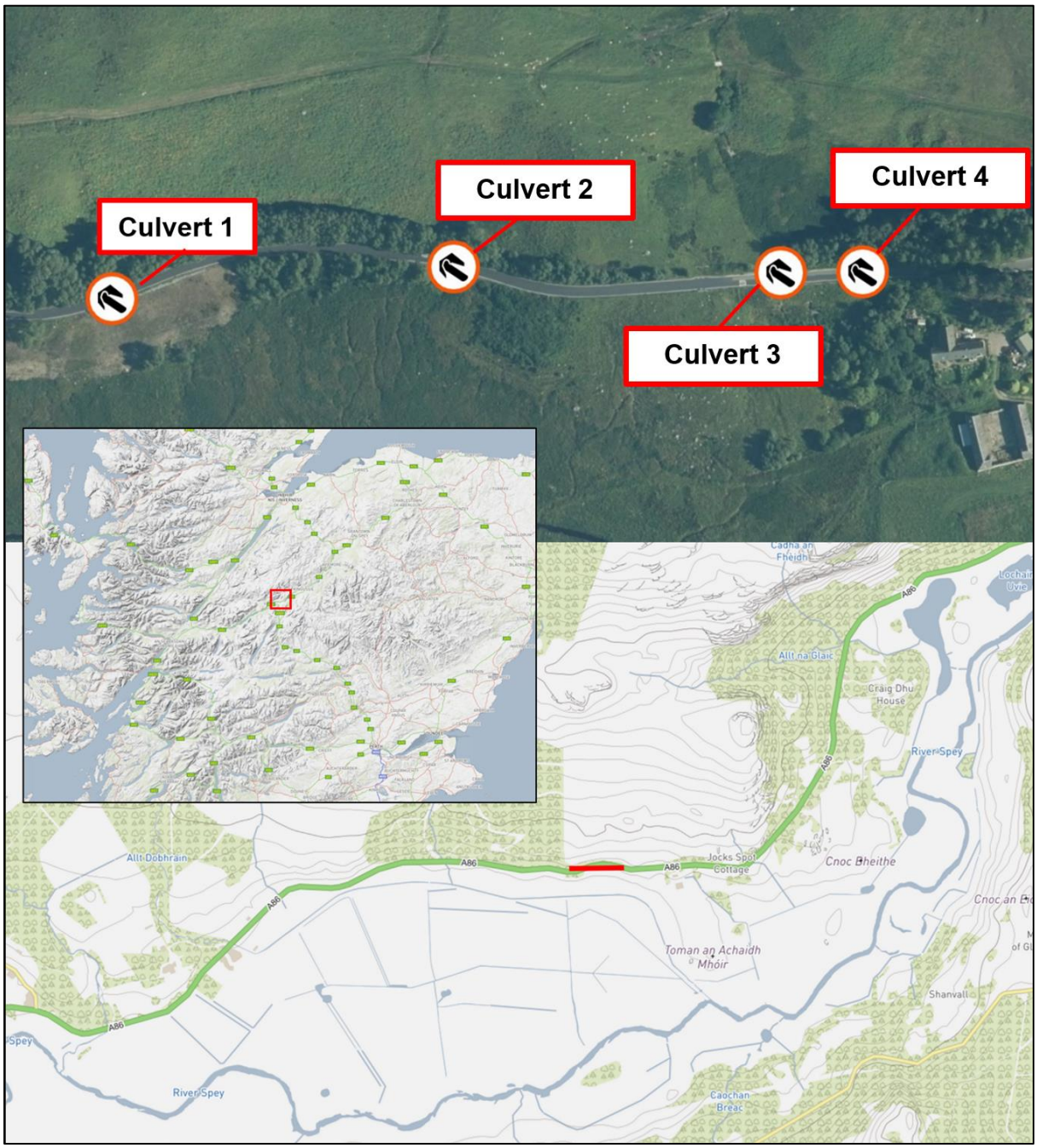

Figure 1. Location and scheme extent of the proposed drainage works along the A86 trunk road near Auchmore farmstead (approximately 6km southwest of Newtonmore). Source: BEAR Scotland. F108 – Environmental Assessment Request (Scheme ref: 22/NW/0310/007).

Description of local environment

Air quality

The scheme does not fall within any Air Quality Management Areas (AQMA) (Air Quality Scotland) declared by Highland Council. No Air Quality Monitoring Stations are located in the vicinity of works; the nearest air quality monitoring station is located in Inverness City Centre, approximately 50km north 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 Inverness 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 1km of the scheme.

Average Annual Daily Flow (AADF) for the A86 carriageway at the scheme extents, accounted for 937 vehicles, of which 6.5% 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. Secondary sources are likely derived from day-to-day agricultural and forestry activities.

Cultural heritage

A desktop study using PastMap (PastMap) did not identify any World Heritage Sites, Scheduled Monuments, Listed Buildings, Garden and Designed Landscapes, Conservation Areas, Inventory Battlefields or any other features of cultural heritage significance within 300m of the scheme.

As a result of the works taking place strictly within the existing man-made footprint (A86 trunk road corridor including associated culvert features), it has been determined that the proposed project does not carry the potential to cause direct or indirect impact to undiscovered cultural heritage features.

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 within the Cairngorms National Park (CNP) (SiteLink), which has the following special qualities:

1.0 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

2.0 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

3.0 Moorlands

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

4.0 Glens and Straths

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

5.0 Trees, Woods and Forests

- Dark and venerable pine forest
- Light and airy birch woods
- Parkland and policy woodlands
- Long association with forestry

6.0 Wildlife and Nature

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

7.0 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

8.0 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

9.0 Recreation

- A landscape of opportunities
- Spirituality

The scheme does not lie within a National Scenic Area (NSA) (Scotland's Environment). The Landscape Character Type (LCT) within the scheme extent is categorized as 'Upland Strath' (no. 127) (Scottish Landscape Character Types), which is characterised by:

- 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.

Historic Environment Scotland's HLAMap (HLAMap) has highlighted the surrounding landscape to consist of a combination of woodland and farmlands, mainly consisting of pastoral fields.

Biodiversity

The works are located in a rural setting within the Highland Council area, surrounded by areas of pastoral agricultural fields and woodland.

A desktop study using NatureScot SiteLink (SiteLink) has identified the following designated site within 2km of the scheme:

- Creag Dhubh Site of Special Scientific Interest (SSSI) (SiteLink) borders the trunk road within the scheme extents.
- River Spey Special Area of Conservation (SAC) (SiteLink) lies 90m south of the trunk road.

There are no records of invasive non-native species (INNS) of plants, as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (WCA), injurious weeds, as listed under the Weeds Act 1959, or an invasive native perennial, as listed in the Trunk Road Inventory Manual found using the same search criteria. In addition, Transport Scotland's Asset Management Performance System (AMPS) confirmed the absence of the invasive and injurious weeds within the scheme extent.

Habitat in the surrounding area is dominated by mixture of grasslands and lands dominated by forbs, mosses or lichens and Scots pine (*Pinus sylvestris*) woodland (Scotland's Environment). Freshwater habitat within the area is provided by the unnamed watercourses which flow within the culverts (the scheme extents), and Allt

Dobhrain, an unclassified waterbody which forms part of the River Spey SAC and lies 90m south of the trunk road.

Field surveys

A Preliminary Ecological Appraisal (PEA) was carried out on the 24th October 2022 by BEAR Scotland environmental team. The PEA included survey of habitats that might be impacted by the works, and a search for INNS and protected species around the works area. The survey also included a Preliminary Roost Assessment (PRA) of any structures and trees within 30m of the works.

It was noted that the waterbodies within the scheme extents flow in a southernly direction towards the Allt Dobhrain and the River Spey, however none of these form an established channel, and somehow disperse downstream of the culverts within the marshy fields south of the trunk road. This marshy grassland downstream of the scheme acts like a wetland, which may provide an element of water treatment prior to reaching the SAC. Due to the lack of established water channels from the culverts, the connectivity between the scheme and the SAC is therefore limited.

No evidence of nesting birds was identified in October 2022. However, the woodland and vegetation adjacent to the scheme extents has some nesting bird potential.

The walkover survey did not highlight any instances of invasive or injurious species within the scheme extents.

Geology and soils

The scheme does not lie within a Geological Conservation Review Site (GCRS) or geological Site of Special Scientific Interest (SSSI).

The Generalised Soil Type beneath the scheme extents is Mineral podzols and the Major Soil Group beneath the scheme extents is 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)
- Superficial Deposits: Hummocky (Moundy) Glacial Deposits (gravel, sand and silt.

Material assets and waste

The proposed drainage works are required to prevent erosion of the embankment and culvert collapsing. Materials used will consist of:

- Earth
- Binder material
- Asphaltic surfacing
- Pre-cast concrete
- Concrete canvas
- Polyethylene Plastic pipe
- Structural concrete

Earth material will be reused within the site boundaries. Recyclable materials will be recycled, with any other wastes disposed of at a suitably licenced facility. Road 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/2004903).

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

A Site Waste Management Plan (SWMP) for these works is not required.

Noise and vibration

The works are located in a rural location on the A86 6.3km southwest of Newtonmore with woodland and grassland bordering the scheme extents. Only one noise receptor, a farmstead, lies within 300m of the scheme extents. The Auchmore farmstead lies within 50m of the scheme and has limited screening provided by intervening tree and shrub belts.

Average Annual Daily Flow (AADF) for the A86 carriageway at the scheme extents, accounted for 937 vehicles, of which 6.5% were heavy goods vehicles (HGV) (Road Traffic Statistics).

Baseline noise levels at the scheme location is likely to be primarily influenced by traffic along the A86 trunk road. Secondary sources are likely derived from day-to-day agricultural and forestry activities.

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 is no daytime or night-time modelled noise levels available at the scheme extents (Scotland's Noise Scotland's Environment).

Population and human health

The works are located in a rural setting of the Highland Council. Auchmore farmstead lies within 50m of the scheme and has limited screening provided by intervening tree and shrub belts.

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.

There are no National Cycle Network (NCN) routes (OS Maps), walking routes listed on WalkHighlands (WalkHighland), core paths (CPs) (Scotland's Environment) local footpaths or other community facilities within 300m of the scheme.

Road drainage and the water environment

All four culverts carry minor unclassified surface waterbodies, which are not shown on the 1:50,000 scale Ordnance Survey maps and are therefore considered 'minor watercourses' by SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) (SEPA A Practical Guide).

Allt Dobhrain, an unclassified waterbody, lies 90m south of the trunk road at the scheme extents. There are no other waterbodies in proximity to the scheme (SEPA water environmental hub).

The scheme falls within the 'Strathnairn, Speyside and Cairngorms' groundwater body which was classified by SEPA in 2020 as having an overall status of 'Good' (SEPA water environmental hub).

The trunk road, within the scheme extents, has not been highlighted as being at risk of surface water 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 (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.

- Activities which may result in dust creation (such as cutting/breaking out works) will be appropriately managed to reduce emissions, including use of on-tool extraction systems or dampening down where required.
- All plant, machinery and vehicles associated with the scheme will be maintained to the appropriate standards and will be switched off when not in use.
- 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 much as is reasonably practicable by using a ‘just in time’ delivery system. All material will also be stored on made ground.
- Green driving techniques will be adopted, and effective route preparation and planning shall be undertaken prior to works.
- 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.
- Drop heights to haulage vehicles and onto conveyors will be minimised.
- Surfaces will be swept where loose material remains following planing.

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

Landscape and visual effects

There is potential for minor, temporary visual impacts to the local landscape during the construction phase as a result of obstructed views due to vehicles and machinery. Proposed works will be restricted to the A86 carriageway boundary, and will include works within the verges, localised around areas of culverts. Permanent visual change will occur due to presence of new headwalls / mattresses at the culvert inlets and outlets; however, these will remain within the existing trunk road boundary and will be in keeping with surrounding furniture. Furthermore, consultation with Cairngorms NP confirmed that the park supports the proposed works and does not have any concerns in regard to landscape impacts on the Cairngorms NP. 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.
- The working area and site compound location (if required) will be appropriately reinstated following works.
- Works will avoid encroaching on land and areas where work is not required or is not permitted. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape shall be reinstated as much as is practicable.
- 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 works will infringe into the Creag Dhubh SSSI, which borders the trunk road at the scheme extents; consultation with NatureScot has confirmed no concerns over the work impacting on the qualifying features of the SSSI and the SSSI consent has been granted. In addition, standard pollution control measures will be adhered to during works to prevent loss of containment to the surrounding environment.

Although the River Spey SAC lies 90m south of the trunk road, the HRA assessment concluded that the works would not result in any likely significant effects (LSE) upon the qualifying features of these by virtue of the following factors:

- Due to the absence of defined drainage channels associated with the minor waterbodies, the hydrological connectivity between the River Spey SAC and the scheme is somewhat limited. Repair/replacement of existing road drainage features are the only drainage improvement works being undertaken, which will not involve any change of the natural landscape or its processes, including drainage patterns.
- There is no requirement for land take (or resources) or site clearance from within the SAC and no works are required within any part of the SAC.
- The location of the work and the limited hydrological connectivity to the River Spey means there are few pathways to disturbance and a highly reduced risk of pollution. Furthermore, marshy grassland, downstream of the scheme acts like a wetland, which provides water treatment prior to reaching the SAC.
- Works will not promote the known negative pressure on the various designated species.
- Given the rural location and limited suitable habitat of the scheme it is anticipated that foraging species would easily avoid the works area if any disturbance was created from noise, as there is an abundance of alternative habitat present in the landscape suitable for foraging.
- 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.

A survey carried out on 24/10/2022 indicates there are no bat roosts in the trees or any structures within 30m of the works. As a result, no significant impacts are predicted to roosting bats from the proposed drainage works in the immediate vicinity. This means there is no requirement for a licence to be obtained from NatureScot prior to works taking place and only standard precautionary recommendations are made. No evidence of nesting birds was identified in October 2022. However, the trees and vegetation adjacent to the scheme has some nesting bird potential. As such, relevant ecological checks will be undertaken prior to works starting.

There are no records of invasive and injurious weed species within the surrounding area. The walkover survey confirmed no presence of invasive or injurious species within the scheme extents. The scheme does not require permanent or temporary

land-take, accommodation works, site clearance, or locally-gained resources, and there is no requirement to import topsoil. A toolbox talk for working near INNS will be included in the SEMP and adhered to on site.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the SEMP and adhered to on site. It is also considered unlikely that any mammal species of conservation importance are associated with permanent habitat or resting places within the area of likely construction disturbance and the scheme is of short duration. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Works are to be strictly limited to areas required for access and drainage works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- No mature tree felling is permitted. All vegetation clearance will be in line with conditions of the SSSI consent.
- All construction operatives are to 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 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.
- If works fall within the nesting bird season March – September (inclusive but subject to species and seasonal variations), a pre-works nesting bird survey will be carried out to ensure that there are no nests present in areas that will be immediately affected by the works.
- Where possible, works will be carried out during daylight hours. If artificial lighting is required, it 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 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 may take place within 7m of these areas until the BEAR Scotland Environmental Team can provide further advice on additional mitigation measures.

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 drainage works include excavation for the culvert replacement and installation of headwalls and mattresses, construction activities are restricted to localised areas within the trunk road carriageway and in the adjacent verge within the carriageway boundary 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 soil material will be side casted within the scheme extents.
- 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) will 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.
- Road planings not containing coal tar 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, unless otherwise stated. The appointed waste carrier will have a valid SEPA waste carrier registration, a copy of which will be provided to and retained by BEAR Scotland as early as possible.
- All appropriate waste documentation will be present on site and will be available for inspection. A copy of the Duty of Care paperwork 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 shall 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 will take place during daytime working hours. 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.

- On-site construction tasks shall be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.
- All plant, 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 local residents, vehicle travellers, and non-motorised road users (NMUs) as a result of vehicle noise and delays due to traffic management measures. The nearby farmstead has some screening from the scheme extents and if their access is affected by the works then they will be notified of works via letter drop and 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. 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 properties are restricted, they will be notified in advance 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 possible, works will be carried out during daylight hours.
- Any changes of schedule will be communicated to local residents throughout the programme.

- Appropriate provisions / measures shall 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'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

Construction and maintenance of a surface water drainage system on minor watercourses do not require authorisation from SEPA under CAR therefore no authorisation from SEPA is required for the works to be undertaken.

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:

- No works will be undertaken during times of spate/heavy rain to avoid silt washing into the clean water.
- Straw bales will be kept on site (covered) for use in case of an emergency to divert dirty water over vegetation rather than down the watercourse. Straw bales will be installed in the flow of water when the water is first sent through the new diversion to avoid run-off from the construction activities.
- Sandbags and/or sediment fencing will be utilised to protect the remaining culvert from sediment pollution entering the watercourse.
- A sump will be installed to allow for the use of a water pump to over-pump clean water from the watercourse at the partially blocked culvert to the other culvert during the works. The dry working area will not be removed until all works are complete and any mortar/cement has dried fully.
- 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 Site Environmental Management Plan (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 shall 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 shall be identified. Fuel bowsers shall be stored on an impermeable area and will be fully bunded. This shall be distanced more than 10m from any watercourses.
- During refuelling of smaller mobile plant, a funnel shall 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 the Carbon Management Policy.
- Where possible, the works will be undertaken utilising a daytime work pattern to reduce the requirement for additional lighting.
- 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

There are no flooding issues or risk of flooding recorded within the scheme extents.

Works are restricted to the construction and maintenance of a roadside culverts on minor watercourses within the A86 carriageway boundary and traffic management will be designed in line with existing guidance. The proposed works are anticipated to last five days. Traffic management will consist of road closures.

These measures, along with mitigation measures and standard working practices, will be detailed in the SEMP and adhered to on site. Where required, alternative pedestrian routes will be included in the traffic management setup, to minimise impact of the works on NMUs.

As the works will be limited to the culvert repair/replacement 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 works will

improve the road safety at this section of the road during the operational phase due to reduced risk of culvert collapse from erosion. 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 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.

Due to requirement for a full road closure to facilitate the works, there is potential for cumulative effects (i.e. multiple diversion routes, delays) where other developments are occurring within the vicinity or along the A86 carriageway. However, BEAR Scotland programme all of the proposed works in line with appropriate guidance and contractual requirements, and 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 drainage works on the A86 carriageway which is located within the Cairngorms NP and infringes into Creag Dhubh 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 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 <1ha area of existing carriageway boundary (including verges).
- All four culverts carry minor unclassified surface waterbodies (drainage channels), which are not shown on the 1:50,000 scale Ordnance Survey maps. As such, no authorisation from SEPA is required for the works to be undertaken.
- The works will be temporary and localised.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment, including the nearby SAC.
- 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 improving road drainage at this part of the A86 carriageway will result in stabilisation of the embankment therefore improving road conditions for road users.

Location of the scheme:

- Creag Dhubh SSSI consent has been obtained.
- Although the works are located within 300m of the River Spey SAC, the high-level HRA concluded that the works would not result in any LSE on the qualifying features.
- Works will not result in any adverse visual impact. Consultation with Cairngorms NP confirmed that the park supports the proposed works and does not have any concerns in regard to landscape impacts on the Cairngorms NP.
- The works will be restricted to the existing carriageway boundaries (including verges), and all excavated material and waste will be stored, transported, treated, used, and disposed of safely without endangering human health or harming the environment.
- The scheme will be confined within the existing carriageway boundaries (including verges) and as a result will not require any land take and will not 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 impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- 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.
- 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.

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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