TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

transport.gov.scot

Environmental Impact Assessment Record of Determination

A9 Newtonmore/Ralia Café Junction – Vegetation Management

Contents

Project Details

Description

BEAR Scotland, on behalf of Transport Scotland, has been commissioned to undertake clearance of vegetation along the A9 (9100m^2), approximately 2km south of Newtonmore (Figure 1; National Grid Reference NN 69587 96325 to NN 70434 97051). The works will involve removal of young and semi-mature broadleaved and conifer trees that have self-seeded within the visibility splay of the A9 verge. Dominant species along this section of the trunk road include silver birch (*Betula pendula*), goat willow (*Salix caprea*) and Scots pine (*Pinus sylvestris*) and shrubs. The trees and shrubs are located along the trunk road boundary and within Scottish Ministers' land, over a total scheme length of 1.2km and an area of approximately 0.91ha.

The scheme is required to improve visibility of the junction from the A9 as well as the sightline of vehicles leaving the junction and has been identified as high priority road safety improvement works. Additional measures including new road signage and road markings were previously installed at the junction to improve safety and a vehicle restraint system (VRS) is present on the northbound approach to the junction; however, these measures do not fully mitigate the issue of reduced visibility for road users on the A9 or B9150 due to the presence of trees in the visibility envelope. Detailed investigation of current design standards in the Design Manual for Roads and Bridges (DMRB) found there is no suitable alternative to removing the trees within the visibility splay in order to provide the full visibility envelopes for stopping sight distances on sections of road with 100kph design speed, as specified in DMRB CD109 (Highway Link Design) and DMRB CD 123 (Geometric design of at-grade priority and signal-controlled junctions).

Material will be chipped for biomass and removed from site where practical/economic to do so. Any timber left on site will be stacked as ecological habitat piles out of sight of the surrounding roads.

The works are currently programmed to be completed within the 2023/2024 financial year (April 2023 to March 2024 inclusive) and are expected to commence in October/November 2023. Works are expected to be completed over 10 days, operating between the hours of 09:00 and 17:00. Changes in the programme may result in the altered working times.

Traffic management (TM) will involve verge working with lane closure which will be facilitated by temporary traffic lights (TTLs) when required. If the programme changes, this may result in amendments to the exact TM requirements. Where required, alternative pedestrian routes will be included in the TM setup.

Location

The scheme is located along the A9 carriageway, directly south of the A9 junction with the B9150, approximately 2km south of Newtonmore within the Highland Council area (Figure 1). The scheme has the following National Grid References (NGRs):

- Scheme Start: NN 69587 96325
- Scheme End: NN 70434 97051

Figure 1. Location and scheme extent (In green) of the proposed vegetation management works along the A9. Source: BEAR Scotland. F108 – Environmental Assessment Request (Scheme ref: 23-NW-0801-66).

Description of local environment

Air quality

The scheme does not fall within any Air Quality Management Areas (AQMA) (Air Quality Scotland). The nearest air quality monitoring site to the scheme is located in Inverness, approximately 48km north of the scheme, which records local concentrations of Nitric oxide (NO), Nitrogen dioxide (NO_2) and Particulate Matter ($PM_{2.5}$ and PM_{10}). The levels at the time of the search were recorded as low (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.

No sites registered on the Scottish Pollutant Release Inventory (SPRI) (Scotland's Environment) are located within 10km of the works.

Average Annual Daily Flow (AADF) for the A9 carriageway approximately 100m south of the scheme extents accounted for 8,924 vehicles in 2022, of which 18% were heavy goods vehicles (HGV) (Road Traffic Statistics).

Baseline air quality is likely to be primarily influenced by traffic along the A9 trunk road. The Highland Main Railway Line lies 100m west of the A9 at the scheme extents. Railway movements will also have an impact on the local air quality.

Cultural heritage

According to Pastmap (PastMap), there are no World Heritage Sites, Scheduled Monuments, Listed Buildings, Garden and Designed Landscapes, Conservation Areas, Inventory Battlefields, Historic Environment Records or Canmore features identified within 300m of the scheme.

All works are restricted to vegetation management along the A9 carriageway with no earthworks required; therefore, the works do not include any alterations that would affect the historic and architectural character of any feature of cultural heritage interest. 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 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 extents 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 that the surrounding landscape is dominated by woodland and rough grazing.

Biodiversity

A desktop study using NatureScot SiteLink (SiteLink) has identified the River Spey Special Area of Conservation (SAC) (SiteLink) within 2km of the scheme extents. The River Spey - Spey Dam to Loch Insh, which is noted as River Spey SAC, flows in a northernly direction approximately 320m northwest of the scheme (at its nearest point).

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

The NBN Atlas does not hold any records of invasive non-native species (INNS) of plants, as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (WCA) using the same search criteria. However, numerous records of injurious weeds (depicted with *), as listed under the Weeds Act 1959, and invasive native perennials, as listed in the Trunk Road Inventory Manual, were identified using the same search criteria as outlined above:

- Broad-leaved dock (*Rumex obtusifolius*)*
- Common ragwort (*Jacobaea vulgaris*)*
- Creeping thistle (*Cirsium arvense*)*
- Rosebay willowherb (*Chamerion angustifolium*)
- Spear thistle (*Cirsium vulgare*)*

Transport Scotland's Asset Management Performance System (AMPS) holds no records of INNS, injurious weeds or native invasive perennials along the verges of A9 at the scheme location.

Habitats in proximity to the scheme is dominated by young woodland with rough grassland located further to the east of the scheme. Freshwater habitat is limited to occasional minor tributaries/drains and waterlogged grassland areas which are present further to the east of the scheme. The River Spey lies 320m northwest of the scheme and provides significant freshwater habitat further afield.

No woodland areas of ancient (of semi-natural origin) or long-established (of plantation origin) woodland as noted on the Ancient Woodland Inventory (AWI) (Scotland's Environment) have been identified at the scheme location and within 300m of the scheme.

There are also no trees with a Tree Preservation Order (TPO) at the scheme location and within 300m of the scheme (Scotland's Environment).

Due to the works requiring removal of vegetation, a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) were undertaken on 18th October 2023 by BEAR Scotland's Environment team. The finding of these surveys are summarised below:

- Tree species in the area of vegetation removal were predominantly very young and young trees of the following species: Silver birch, Scots pine, goat willow, eared willow (*Salix aurita*), alder (*Alnus glutinosa*) and rowan (*Sorbus aucuparia*). The understory included species such as heather (*Calluna vulgaris*), bramble (*Rubus fruticosus*), broom (*Cytisus scoparius*), dog rose (*Rosa canina*), blaeberry (*Vaccinium myrtillus*) and cowberry (*Vaccinium vitis-idaea*).
- The vegetated areas are suitable for nesting birds in the breeding bird season (generally considered to be March to August).
- Small patches of the invasive non-native species of plant Rhododendron were identified in proximity to proposed tree removal areas.

Geology and soils

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

The Generalised Soil Type at the scheme location is identified as mineral podzols (Scotland's Soils).

A desktop study using the British Geological Survey Map (BGS GeoIndex) identifies the local geology type as a combination of the following:

Bedrock Geology:

- Psammite of the Loch Laggan Psammite Formation, which is a metamorphic bedrock.

Superficial Deposits:

- Glaciofluvial sheet deposits of sand, gravel and boulders, with is a sedimentary deposit.

Material assets and waste

The proposed works will include removal of trees and shrubs. All material will be chipped for biomass and removed from site where practical/economic to do so. Any timber left on site will be stacked as habitat piles out of sight of the surrounding roads.

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

Noise and vibration

Six residential properties are located within 300m of the scheme. The nearest of these, Kilchurn, is located 10m west of the scheme and has a limited amount of screening provided by young tree belts. Properties further afield (>10m) have a high degree of screening provided by topography and intervening woodland. Proposed vegetation removal in Section 1 takes into account the nearby properties and will leave a thin tree belt for screening as a minimum.

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

Scotland's strategic noise map does not report data for the A9 within the scheme extents (Scotland's Noise Scotland's Environment). However, given the rural nature of the area and the low AADT flow, it is considered likely that baseline noise levels will be low.

Baseline noise levels at the scheme location are likely to be primarily influenced by traffic along the A9 trunk road, with secondary influences from the Highlands Mainline railway line, which lies 100m west of the scheme extents.

Population and human health

Six residential properties are located within 300m of the scheme. The scheme extent lies directly south of the A9 junction with the B9150, which is an access road for Newtonmore and nearby residential properties.

There are no National Cycle Network routes (NCN) (OS Maps), core paths (CP) (Scotland's Environment), walking routes as listed on WalkHighlands (WalkHighland) or other pedestrian facilities along the A9 at the scheme extents.

NCN route 7 (OS Maps), also a CP (ID: 30186) (Scotland's Environment), utilises a local road which lies adjacent to the scheme extents and is also accessible via junction directly north of the scheme.

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

Road drainage and the water environment

There are no waterbodies which have been classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) within 300m of the scheme (SEPA water environmental hub).

The River Spey – Spey Dam to Loch Insh (ID 23142), which is a classified waterbody, lies 320m northwest of the scheme and has been noted to have a 'moderate ecological potential' (2020) (SEPA water environmental hub).

One small pond lies adjacent to the B9150, approximately 200m north of the scheme. There may also be additional minor surface waterbodies/drainage ditches present within 300m of the scheme.

The scheme falls within the 'Strathnairn, Speyside and Cairngorms' and the 'Upper Spey Sand and Gravel' groundwater bodies, which were classified by SEPA in 2020 as having an overall status of 'Good' (SEPA water environmental hub) and are also groundwater Drinking Water Protected Areas (DWPA). The area of the scheme also falls within a surface water DWPA (DWPA).

Numerous sections along the A9 carriageway within the scheme extent are noted as having high risk of surface water flooding, which means that each year, these areas have a 10% chance of flooding (SEPA Flood Map).

Climate

The Climate Change (Scotland) Act 2009 sets out the target and vision set by the Scottish Government for tackling and responding to climate change (The Climate Change (Scotland) Act 2009). The Act includes a target of reducing CO_2 emissions

by 80% before 2050 (from the baseline year 1990). The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to bring the target of reaching net-zero emissions in Scotland forward to 2045 (Climate Change (Emissions Reduction Targets) (Scotland) Act 2019).

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

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

Policies and plans

This Record of Determination (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.

- 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 plant, machinery and vehicles associated with the scheme will be maintained in order to minimise emissions, as per manufacturing and legal requirements. No significant dust, particulate matter, and exhaust emissions (DPMEE) sources will be introduced by the works.
- Green driving techniques will be adopted, and effective route preparation and planning will be undertaken prior to works.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Material stockpiles will be reduced as far as is reasonably practicable by using a ‘just in time’ delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials will be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.
- Drop heights to haulage vehicles and onto conveyors will be minimised.
- Surfaces will be swept where loose material remains.

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

There will be a minor visual impact to the local landscape following the vegetation management. However, proposed works will be restricted to tree and shrub removal of self-seeded trees in proximity to a busy junction in order to improve traffic road safety. The works will be carried out over 10 days on a rolling programme. The works will not require removal of ancient woodland or trees of a mature character or with a Tree Preservation Order, therefore, the works will not create a negative change to the local landscape. Though works are not expected to result in significant visual impacts on the CNP, consultation with the CNP Authority was undertaken and the CNP had no specific comments on the proposed work.

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 will be appropriately reinstated following works.
- The felled vegetation will be chipped and removed from the site and/or stockpiled into habitat piles away from the roadside.
- 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

Designated Sites

A Habitats Regulation Appraisal (HRA) has concluded that the works will not cause Likely Significant Effects (LSE) on qualifying features of the European site, by virtue of the following factors:

- The SAC is set-back at least 320m from the scheme. Furthermore, the habitat at the scheme extent is unsuitable for designated species associated with the SAC.
- All works are restricted to vegetation management along the A9, which will not involve significant change of the natural landscape or its processes.
- 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.
- There will not be any in-stream works and there is no direct hydrological connectivity with the SAC.
- A daytime working pattern will be adhered to and any species at the scheme extent (and within the surrounding environment) will be accustomed to daily traffic flow/vehicle presence on the A9 carriageway at this location, levels of which will not be exacerbated due to the presence of works.
- 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.

All standard good practice measures will be adhered to. These measures will be detailed in the Site Environmental Management Plan (SEMP) and adhered to during works.

Terrestrial Ecology

During vegetation management works, activities undertaken on site could potentially have a minor adverse impact on biodiversity in the area as a result of removed vegetation and increased vehicle presence and the potential for disturbance to protected species and pollution of habitats. Due to the limited woodland habitat and fragmentation by transport networks, such as railway line and roads, it is not anticipated that any protected mammal species will be encountered during works. No signs of protected mammal species within the area of vegetation removal were identified during the PEA site visit. Furthermore, any protected species in the area are likely to be accustomed to traffic noise on the A9.

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. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- If works are delayed until the bird breeding season (March to August inclusive), then nesting bird checks will be undertaken prior to works commencing.

- Works will be strictly limited to areas required for access and completion of works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- No in-stream works will be permitted.
- All construction operatives will be briefed through toolbox talks prior to works commencing. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species and INNS.
- Site personnel will remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works 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 used during periods of low light levels (if required) will also 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.

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

The works do not require excavation of the roadside verges. Therefore, the works 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 geology and soils is low.

- Works will be strictly limited to areas required for access and vegetation management works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- The parking of machinery/vehicles 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, woodland areas) 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

It is planned to chip all tree and shrub material for biomass and remove from site where practical to do so. Any timber left on site will be stacked as habitat piles out of sight of the surroundings. 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.
- Site staff will adhere to waste management legislation and comply with 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, 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 be available for inspection. A copy of the Duty of Care paperwork will be provided and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).

- Re-use and recycling of waste will be encouraged, and the contractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g. waste carrier's licence, transfer notes, and waste exemption certificates).
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.
- Where applicable, all temporary signage will be removed from site on completion of the works.

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

Noise and vibration

Construction activities associated with the proposed works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. Works will be undertaken over 10 days by utilising a day-time working programme. 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.
- 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.
- Local residents 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.
- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- All plant, machinery and vehicles will be switched off when not in use.
- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

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

Population and human health

During construction, activities undertaken on site may have temporary adverse impacts on vehicle travellers and non-motorised road users (NMUs) as a result of vehicle noise and delays due to traffic management measures. 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 (10 days) 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:

- Local residents 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.
- Local access will be retained within the scheme extent.
- 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 (if required).
- Journey planning information will be available for drivers online at the trafficscotland.org website. Journey planning information will also be available for drivers online through BEAR Scotland's social media platforms.

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

Road drainage and the water environment

During these works, there is potential for temporary impacts on the water environment. Potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain or tidal movements) during works have the potential to have a direct or indirect effect on the surrounding

waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works near water are detailed in the SEMP and will be adhered to on site.
- The scheme will not entail any in-stream works.
- No discharges into any watercourses or drainage systems will be permitted. Appropriate containment measures will be in place to prevent any loss of construction materials into the water environment.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills will be logged and reported. In the event of any spills into the water environment, all works will stop, and the incident will be reported to the project manager and the BEAR Scotland Environmental Team. SEPA will be informed of any such incident as soon as possible using the SEPA Pollution Hotline.
- All plant and equipment will be regularly inspected for any signs of damage and leaks. A checklist will be present to make sure that the checks have been carried out.
- Storage of hazardous material, oil and fuel containers will be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers will be stored on an impermeable area and be fully bunded. This 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. The ground / stone around the site of a spill will be removed, double bagged and taken off site as special waste.
- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded, then drip trays 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, transportation of materials to and from site as well as removal of vegetation. Given that the removed vegetation will predominantly consist of shrub and young trees and limited to the minimum amount required to improve safety at the junction, it is not considered to significantly impact the climate. The following mitigation measures will be put in place:

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

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

Major Accidents and Disasters

Numerous short sections along the A9 carriageway within the scheme extent are noted as having high risk of surface water flooding.

Works are restricted to the verges along the A9 carriageway and traffic management will be designed in line with existing guidance. The proposed works are anticipated to last 10 days. TM will involve verge working with lane closures which will be facilitated by TTLs when required.

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

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

Assessment of cumulative effects

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 (Map Search) Portal did not identify any planning applications within 300m of the scheme location.

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 the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

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

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

Assessments of the environmental effects

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

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

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) is situated in whole within the Cairngorms NP, which is noted as a sensitive area within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

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

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

Characteristics of the scheme:

- Construction activities are restricted to a 0.91ha area.
- No significant impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users during the operational phase.
- As the works will be limited to removal of self-seeded trees and shrubs approaching a busy A9 junction, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- Any potential impacts of the works are expected to be temporary and non-significant.

- The works will be temporary, localised and completed mainly using verge TM.
- The 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 self-seeded trees and shrubs along the A9 carriageway, this will provide longer views for travelling public using the A9 and A9 junction with the B9150 and increase road safety during the operation phase.

Location of the scheme:

- Works will not result in significant visual change, and as such will have no change to the special qualities for which the Cairngorms NP is designated.
- Although the works lie in close proximity to the River Spey SAC, the high level HRA screening concluded that the works would not result in any LSE on the qualifying features of this site.
- The scheme is not located within any areas of ancient woodland or Conservation Area and does not require felling of trees protected by a TPO.
- The scheme will be confined within the verges of the A9 and will not require any land take or alter any local land uses.
- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.

Characteristics of potential impacts of the scheme:

- Measures will be in place to ensure appropriate removal and disposal of waste.
- The SEMP will include plans to address environmental incidents.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.
- 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.

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

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

Published by Transport Scotland, November 2023

Follow us:
transcotland
@transcotland

transport.gov.scot

Scottish Government
Riaghaltas na h-Alba
gov.scot